CONGRESSIONAL RECORD:

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OF THE

SIXTY-SECOND CONGRESS, FIRST SESSION.

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VOLUME XLVII, PART III.

CONGRESSIONAL RECORD,

SIXTY-SECOND CONGRESS, FIRST SESSION.

SENATE.

THURSDAY, *June 15, 1911.*

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Journal of yesterday's proceedings was read and approved.

DELIVERY OF MAIL FROM MOVING TRAINS.

The VICE PRESIDENT laid before the Senate a communication from the Postmaster General, acknowledging the receipt of a copy of a resolution adopted by the Senate on the 23d ultimo, relative to the causes of injuries to persons and damage and destruction of mail and mail equipment from accidents resulting from delivering and receiving mail to and from moving trains at what are known as catcher stations, and stating that the data will be furnished at the earliest date practicable, which was referred to the Committee on Post Offices and Post Roads and ordered to be printed. (S. Doc. No. 48.)

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented the petition of Dr. Thomas S. Cullen, of Baltimore, Md., praying for the reestablishment of the Army canteen, which was referred to the Committee on Military Affairs.

Mr. CULLOM presented a petition of the Dowst Bros. Co., of Chicago, Ill., praying for the establishment of a parcels-post system, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the congregation of the Methodist Episcopal Church of Cincinnati, Ohio, praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

He also presented a memorial of the Trades and Labor Assembly of Grand Junction, Colo., remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

Mr. GALLINGER presented a petition of the New Hampshire Unitarian Association, praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

Mr. BRANDEGEE presented a memorial of the Business Men's Association of Hartford, Conn., remonstrating against the adoption of a parcels-post system, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of sundry citizens of Sharon, Conn., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

Mr. BRISTOW presented a memorial of sundry citizens of Kansas, remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

Mr. KERN presented memorials of the congregations of the Seventh-day Adventist Churches of Wolf Lake, Waldron, Grass Creek, Peru, and Kokomo, all in the State of Indiana, remonstrating against the enforced observance of Sunday as a day of rest in the District of Columbia, which were ordered to lie on the table.

Mr. REED presented memorials of sundry citizens of Kansas City, Mo., remonstrating against the passage of the so-called Johnston Sunday rest bill, which were ordered to lie on the table.

Mr. PERKINS presented a petition of the board of supervisors of Calaveras County, Cal., praying for the enactment of legislation to preserve the Calaveras or Mammoth Big Tree Grove in Calaveras County, Cal., which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a memorial of the Retail Druggists' Association of Chico, Cal., remonstrating against the imposition of a stamp tax on proprietary medicines, which was referred to the Committee on Finance.

Mr. WARREN presented a memorial of the De Laval Separator Co., of New York City, N. Y., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

Mr. WATSON presented the memorial of W. L. McDanneld, of Romney, W. Va., remonstrating against the imposition of a stamp tax on proprietary medicines, which was referred to the Committee on Finance.

Mr. WETMORE presented a petition of sundry citizens of Newport, R. I., praying for a reduction of the duty on raw and refined sugar, which was referred to the Committee on Finance.

REGULATION OF COLD STORAGE.

Mr. JONES. I present a letter from the president of the Pacific Cold Storage Co., of Tacoma, Wash., with reference to Senate bill 136, proposing to restrict the storage of food products in cold storage. It makes a very important statement, and I ask that it be read and then referred to the Committee on Manufactures.

The VICE PRESIDENT. Without objection, the Secretary will read the letter. The Chair hears no objection.

The Secretary proceeded to read the letter.

Mr. HEYBURN. I would suggest to the Senator from Washington as to the propriety of introducing into the RECORD a discussion of a bill that is now being considered by the committee. I thought when the Secretary commenced reading the letter it was going to convey some additional facts, but it seems——

Mr. JONES. It proceeds just at the point where the reading was interrupted with a statement of facts.

Mr. HEYBURN. It seems to me it would have been proper to refer it to the committee having under consideration the bill rather than to refer it to the Senate while the committee is considering the bill.

Mr. JONES. The writer states some facts which I should like to have in the RECORD, and then it can be referred.

Mr. HEYBURN. It will be all in the RECORD if it goes to the committee.

Mr. JONES. I hope the Senator will permit the entire letter to be read.

The VICE PRESIDENT. The Secretary will continue the reading of the letter.

The Secretary resumed and concluded the reading of the letter, which is as follows:

THE PACIFIC COLD STORAGE CO.,
Tacoma, Wash., June 8, 1911.

Senator WESLEY L. JONES,
Washington, D. C.

DEAR SENATOR: I have recently received a copy of Senator HEYBURN'S bill, No. 136, the object of which is to restrict the storage of food products in cold storage.

I hope that you will give this letter more than the usual consideration that is received by letters from constituents generally from Members of Congress.

The passage of the bill would result more seriously than would appear to the average person. I shall not attempt to discuss the policy of passing sumptuary laws by Congress and attempting by this means to regulate the business of the country. I will say this, however, that if the Members of Congress of the United States are of the impression that legislation of this kind is meeting with popular approval, they will find that they are greatly mistaken. There is a universal feeling all over the country, and especially on the Pacific coast, that there is too great a desire on the part of Congress to interfere with the ordinary course of commerce. The few muckrakers and hysterical reformers who are seeking to tax the energies and industries of the country for the benefit of the idle and worthless classes do not represent either the spirit or the judgment of the thinking people of this country. This bill of Senator HEYBURN'S is a fair specimen of what would result if it should be left to Congress to fix the limitations of trade and commerce rather than to the practical business men and the demands of the public.

I can perhaps better summarize what would be the effect of the passage of this bill than to attempt to enter into detail: In a general way, to pass this bill in its present form, or anything akin to it, will result in closing every cold-storage plant on the Pacific coast. It will practically destroy the fishing industry; it will also destroy the growing dairy and poultry industries, and will result in increasing the cost of nearly all of the products mentioned in the bill at least 100 per cent.

I am aware that you and the committee in charge of this bill will at once discredit these statements because they come from an interested party, but I beg you to listen to interested parties, as they alone are competent to deal with the practical questions involved in a proposition of this kind. For instance, to give you a single illustration, we supply practically all of Alaska with cold-storage beef, poultry, and nearly all of the products mentioned in the bill. Alaska has an open season of a few months in the year. As you are aware, all of the northern ports are closed by the freezing of the rivers and Bering Sea after, say, the middle of October, and are not accessible to a supply from the outside until about the 1st of July. This company has cold-storage steamers on the Yukon, and others plying between Puget Sound ports and Alaska. We get together our cargo generally during the month of April, buying beef and nearly all the products mentioned in the bill throughout the States and assemble them on Puget Sound, and our steamer sails about the 1st of June, as soon as we can get into the ports of northern Alaska. These products are kept in cold storage during the summer months in order to supply the people during the winter and early spring. In this far-away country it is the only way we can get supplies there, and in most instances there is only one barge or steamer that can be sent to such points as the Iditarod or others during the season, and in this way Alaska has been fed for the last 10 years. It is the only way that these products can be sent there, as it is practically impossible to ship live products these long distances, and they can not be shipped at all on account of the ice for at least 8 months. We have supplied the Government with beef, mutton, and the other articles mentioned in the bill for the last 10 years in this way without a single complaint as to the quality and condition of meats, etc. Under the limitations of this bill we could not send cold-storage stuff to Alaska, and we could not start up the machines in the spring in order to preserve it for use until other foodstuffs could reach the population, as the bill prohibits the putting back into cold storage any article having been once therein stored.

The bill would also stop the importation into Puget Sound of practically all dairy products from the East, of eggs from Nebraska, turkeys from the different States in the Union, etc. If the bill would add an additional clause to it requiring hens to lay an equal number of eggs during each month of the year, fish to spawn and run in equal proportion during each month, cows to calf, ewes to lamb, and turkeys to lay and raise their young in equal amounts during each month of the year, it would, to some extent, assist in carrying out its objects. As long as grass only grows in the spring and summer to feed cattle, and bugs and grasshoppers exert their activity for turkeys and chickens to eat at certain seasons, there will be more meat products and consumption at certain times than at others. This unbusinesslike procedure on the part of Providence has given rise to the preservation of these things for consumption, thereby lessening the cost and supplying healthy food for mankind.

It seems incredible that Congress should be moved to the passage of such extreme laws because, in a few instances, Landis or somebody else has found a few old carcasses in some cold-storage plant. If Congress must pass a law—and nothing but vengeance will satisfy—let them pass a law making it a capital offense for anybody to sell unwholesome cold-storage products and leave trade and people alone to work out their own affairs.

So far as this company and its investment of a million dollars or more in its business is concerned, it is desirous of continuing to do business in America. If this bill becomes a law the day that it is signed by the President we will be obliged to move its headquarters, its capital, and its business to Canada, or to some other country where it will be allowed to continue a business that is one of the evidences and fruits of modern civilization and progress.

Respectfully, yours, CHARLES RICHARDSON.

Mr. HEYBURN. Mr. President, I think the license of $1,000,000 that they seem to think is sufficient to enable them to attack the health of the people by selling the few old, rotten carcasses the writer refers to is rather small. I think the license should be enlarged.

The VICE PRESIDENT. The letter will be referred to the Committee on Manufactures.

REPORTS OF COMMITTEES.

Mr. BOURNE, from the Committee on Commerce, to which was referred the bill (S. 2532) providing for an increase of salary for the collector of customs for the district of Montana and Idaho, reported it with an amendment and submitted a report (No. 66) thereon.

Mr. SMITH of Michigan, from the Committee on Commerce, to which was referred the bill (S. 2052) relating to the expenditure of an appropriation for the raising of the North Point Light Station, Wis., reported it with amendments and submitted a report (No. 67) thereon.

Mr. SIMMONS, from the Committee on Commerce, to which was referred the bill (S. 2053) providing for the disposition of moneys recovered on account of injury or damage to lighthouse property, reported it without amendment and submitted a report (No. 68) thereon.

He also, from the Committee on Claims, to which was referred the bill (S. 1447) for the relief of Thomas D. Meares, administrator of Armand D. Young, deceased, asked to be discharged from its further consideration and that it be postponed indefinitely, which was agreed to.

RELIEF OF SHIPWRECKED PERSONS.

Mr. BURNHAM. From the Committee on Commerce I report back favorably, without amendment, the bill (S. 2054) providing for the reimbursement of certain employees of the Lighthouse Service for relief furnished to shipwrecked persons, and I submit a report (No. 65) thereon.

Mr. GALLINGER. Mr. President, that is a brief bill recommended by the department, and its purpose is a beneficent one. I venture to ask unanimous consent for its present consideration.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary read the bill, and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It authorizes the Secretary of Commerce and Labor to reimburse, through the proper officer of the Lighthouse Service, keepers of light stations and masters of light vessels and of lighthouse tenders for rations and provisions and clothing furnished shipwrecked persons who may be temporarily provided for by them; and the appropriation "General expenses, Lighthouse Service," for the year in which the subsistence and clothing are so furnished is hereby made available for the purpose.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KERN:

A bill (S. 2767) for the relief of Henry C. Smither (with accompanying papers); to the Committee on Military Affairs.

By Mr. REED (by request):

A bill (S. 2768) to authorize the St. Louis-Kansas City Electric Railway Co. to construct a bridge across the Missouri River at or near the town of Weldon Springs Landing, Mo. (with accompanying paper); to the Committee on Commerce.

By Mr. BROWN:

A bill (S. 2769) for the relief of the city of Crawford, in the State of Nebraska; to the Committee on Military Affairs.

By Mr. CUMMINS:

A bill (S. 2770) granting an increase of pension to Eugene O. Pratt (with accompanying papers); to the Committee on Pensions.

By Mr. WATSON:

A bill (S. 2771) granting an increase of pension to Robert R. Whiteman; and

A bill (S. 2772) granting a pension to William Plate; to the Committee on Pensions.

By Mr. CULLOM:

A bill (S. 2773) granting an increase of pension to Elijah P. Creech (with accompanying paper); to the Committee on Pensions.

By Mr. MARTIN of Virginia:

A bill (S. 2774) for the relief of the trustees of Urbanna Episcopal Church, Middlesex County, Va. (with accompanying paper); to the Committee on Claims.

By Mr. BOURNE:

A bill (S. 2775) to authorize the establishment of fish-cultural stations on the Columbia River or its tributaries in the State of Oregon; to the Committee on Fisheries.

By Mr. LEA:

A joint resolution (S. J. Res. 36) authorizing the United States to accept a donation of 5,000 acres of land in Tennessee for military purposes; to the Committee on Military Affairs.

ASSISTANT DOORKEEPERS OF THE SENATE.

Mr. LODGE submitted the following resolution (S. Res. 65), which was read and referred to the Committee on Rules:

Resolved, That Rule II of the Rules for the Regulation of the Senate wing of the United States Capitol, adopted by the Committee on Rules, be amended to read as follows:

"The First Assistant Doorkeeper and the Second Assistant Doorkeeper shall be assigned, during the daily sessions of the Senate, to duty on the Senate floor. They shall see that the messengers assigned to the doors upon the Senate floor are at their posts and that the floor and cloak rooms are cleared at least five minutes before the opening of daily sessions of all persons not entitled to remain there. In the absence of the Sergeant at Arms the duties of his office, so far as they pertain to the enforcement of this rule, shall devolve upon the First Assistant Doorkeeper."

ASSISTANT SERGEANT AT ARMS OF THE SENATE.

Mr. LODGE submitted the following resolution (S. Res. 66), which was read and referred to the Committee on Rules:

Resolved, That the clerk to the Sergeant at Arms shall hereafter be designated as "Assistant Sergeant at Arms," and shall perform the duties of the Sergeant at Arms in his absence, except as provided in Rule II.

SENATE OFFICE BUILDING SUPPLIES.

Mr. LODGE. I submit the following Senate resolution, for which I ask immediate consideration.

The resolution (S. Res. 67) was read, as follows:

Resolved, That hereafter no expenditures for supplies in the Senate Office Building shall be made except on the approval of the Committee to Audit and Control the Contingent Expenses of the Senate, as now provided in regard to all expenditures for supplies in the Capitol.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. CULBERSON. I will ask the Senator from Massachusetts what is the rule now with reference to the payment of these expenses?

Mr. LODGE. Supplies for the Office Building are not under the control of our Committee to Audit and Control. Supplies for the Capitol are under the control of the committee; the others are under the supervision of the Superintendent of the Capitol. It seemed to me important that our Committee to Audit and Control should have supervision of all the expenditures for supplies furnished.

Mr. CULBERSON. It applies entirely to the Senate Office Building?

Mr. LODGE. It applies only to the Senate Office Building. It brings it under the same rule as supplies for the Capitol.

Mr. BACON. I should like to make an inquiry of the Senator from Massachusetts. It is whether his resolution, as he understands it, would cover cases where contracts have already been made.

Mr. LODGE. Of course, it would not interfere with contracts already made.

Mr. BACON. I only asked the question for the reason that, in the absence of an understanding of that kind, an unpleasant complication might arise if the superintendent, though there was no authority heretofore existing, had made contracts. I understand this is only to apply to future contracts?

Mr. LODGE. That is all. All expenditures made for the Senate ought to be under the control of the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. CULBERSON. Let the resolution be again read, Mr. President.

The VICE PRESIDENT. The Secretary will again read the resolution.

The Secretary again read the resolution.

Mr. BACON. Mr. President, according to the literal wording of the resolution, whether or not an expenditure should be made under a contract already entered into would be still subject to that rule.

Mr. LODGE. What contract has the Senator in mind?

Mr. BACON. I know of one. For instance, there has been set apart in the Senate Office Building a room for the conference committee of the minority of the Senate, and I have been informed, although I do not know anything of the details, that the furniture for that room has been ordered.

Mr. LODGE. But, Mr. President, that furniture is not included. It comes under a separate appropriation.

Mr. BACON. I did not know that.

Mr. LODGE. And it is under the control of the Sergeant at Arms.

Mr. BACON. That is the reason I used the word "contract."

Mr. LODGE. This refers simply to current supplies, of which, I may say, mineral water is the most conspicuous.

Mr. BACON. The Senator will note the fact that the use of the word "contract" on my part indicated that I did not understand the purpose for which the resolution was designed.

Mr. LODGE. Certainly.

The resolution was agreed to.

MESSENGER TO COMMITTEE ON THE PHILIPPINES.

Mr. GUGGENHEIM submitted the following resolution (S. Res. 68), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on the Philippines be, and the same is hereby, authorized to employ a messenger at a salary of $1,440 per annum, to be paid out of the contingent fund of the Senate, until otherwise directed by law.

The VICE PRESIDENT. Is there further morning business? If not, morning business is closed, and the calendar under Rule VIII is in order.

PUBLIC BUILDINGS IN THE CITY OF WASHINGTON.

Mr. HEYBURN. Mr. President, the Senate on the 8th of June adopted a resolution (S. Res. 62) calling upon the Secretary of the Treasury to inform the Senate in regard to the purchase and proposed use of certain lands at the junction of Fifteenth Street and Pennsylvania Avenue, extending back to the Mall. The purpose I had in introducing that resolution grew out of a statement, which was published in the newspapers, to the effect that it was proposed to extend those buildings over into the Mall. I had in mind the provisions of the bill authorizing the purchase of this ground and the plans for the construction of that building. Congress was very definite in its statement as to what ground should be purchased and upon what ground the buildings should be placed. There is nothing ambiguous or uncertain about it. In the report which the Secretary of the Treasury makes in response to the Senate resolution I find this statement:

You are also advised that the proposed plans did contemplate the erection of one of the buildings south of B Street. This was suggested by the National Fine Arts Commission, and a recommendation submitted by this department for the necessary legislation to enable the department to so place the building.

I am not aware of the views that may be entertained by other Senators, but, speaking for myself only, I regard it as a piece of vandalism to place any more public buildings in the Mall; and these, in particular, are objectionable, because they encroach upon the Monument Grounds and would, in my judgment, destroy the beauty of that park. In addition to that, Congress considered this question, through its committees, very thoroughly as to the limit to which these buildings should be extended, and there was a very decided opinion that the Mall should not be further encroached upon.

There were two buildings recently constructed within that ground which were not authorized by law. We found them there when we came back after a recess. When the Government owns on Pennsylvania Avenue now enough ground upon which to place all of the buildings that will be required for the next few years, there is no possible excuse for encroaching upon the Mall with these buildings.

I have called the attention of the Senate to this matter this morning because the report has just come in, and the statement is clear, that they have in contemplation the erection of one of these large buildings on the south side of B Street. Of course, I presume now that they will hesitate before carrying out that plan. If I shall find that there is no indication to abandon the plan, then I shall probably ask Congress to take some very quick and very decisive action in that matter.

Mr. GALLINGER. Mr. President, I will ask the Senator from Idaho, who has been greatly interested in this matter, if the bill which was passed here—the provision was contained in an appropriation bill, I believe—did not specifically provide that these buildings should be placed on Pennsylvania Avenue?

Mr. HEYBURN. It did, in express terms.

Mr. GALLINGER. I quite sympathize, Mr. President, with the Senator in his contention that there is an abundance of land provided on the south side of Pennsylvania Avenue for these buildings, and that no one of them ought to be placed on the Mall. We have been discussing for 10 or 12 years the advisability and desirability of securing the land on the south side of Pennsylvania Avenue, especially from Third Street to Fifteenth Street, on which to erect public buildings in the future. We have provided an adequate appropriation of $2,500,000 for the purchase of land for these three buildings on the south side of that great avenue, and I can not imagine why the Fine Arts Commission should step in and override the opinion of Congress in this matter and further invade the Mall by placing a building thereon when we have land already acquired of sufficient area to accommodate them. I will aid the Senator in any action he may think it necessary to take to prevent that being done.

Mr. ROOT. Mr. President, the law regarding the placing of these buildings is perfectly clear. I entirely agree with the view of the Senator from Idaho [Mr. HEYBURN] as to that. Of course there is no idea on the part of anyone, so far as I know, of putting one of these three department buildings anywhere except on the land which Congress has directed to be applied to that use, unless Congress shall by affirmative action make a change. At the last session the Secretary of the Treasury asked that such a change be made. The provision which he asked for failed of consideration under the circumstances existing in the closing days of the session, and, in order that his request might receive consideration, I put it in the form of a bill, which I introduced at the beginning of this session, but action upon which I did not anticipate at present at all events. When, if ever, that measure comes to be considered, it will require affirmative action on the part of the Congress in order to make this result possible, and then I suppose will be the appropriate time to present the reasons in favor of the change.

I myself think that it would be a very great improvement of the plan to have that change made, but the time I suppose to present that consideration and to discuss the matter will be whenever the measure calling for that affirmative action comes up.

Mr. HEYBURN. Mr. President, there is much reason in the suggestion of the Senator, but it seems to me that some expensive work has been done in anticipation of the action of Congress, as is indicated by the making of the plans. I think the Senator has investigated them, perhaps; at least I received notice that they were subject to inspection, and I presume other Senators were similarly informed.

If we are to go on and plan buildings to occupy certain positions upon this land and then conclude not to place them there we shall have to reorganize the entire system. The Government now owns on Pennsylvania Avenue enough property to accommodate half a dozen such buildings in addition to the two contemplated, and there is, in my judgment, no reason why it should not do so.

I think it was a great mistake to lap these buildings around on to Fifteenth Street. One of the most desirable things before Congress in locating these public buildings is to do away with the sordid conditions on Pennsylvania Avenue. The Senate has agreed to that. We have three times pased through the Senate a bill with that idea in view; it has gone to the other House without receiving consideration there, but the views of the Senate have been clearly defined in that regard. The highest object that we could aim to attain in this respect would be the beautification of Pennsylvania Avenue, and to waste the opportunity to the extent of a single building is a mistake. Those buildings should all have their fronts on Pennsylvania Avenue and not, as the District Building has, upon a little side street, which the bill that passed three times provided for the vacation of. I think Congress should seriously consider the plans for the new buildings, even aside from the proposition to lap them over on to the Mall, and should require those buildings that are to face Fifteenth Street to be brought around so

as to face on Pennsylvania Avenue, and thus advance that plan of improvement.

I am aware of the fact that it will be proper to consider the question when the bill introduced by the Senator from New York is before us, yet we may save some expense, a good deal perhaps, by sounding a note of warning at this time that Congress will not permit the existing law to be disregarded. Unless it be repealed, they had better stay their hands. I think it is perhaps opportune to express that warning here on this occasion, so that they may not go on blindly under the impression that Congress will ratify their action.

THE STANDARD OIL AND AMERICAN TOBACCO COS.

The VICE PRESIDENT. Without objection, the Chair lays before the Senate Senate concurrent resolution No. 4, which will be read by the Secretary.

The Secretary read the resolution (S. Con. Res. 4) submitted by Mr. POMERENE on the 1st instant, as follows:

Whereas the Supreme Court of the United States, in the case of The Standard Oil Co. of New Jersey et al. *v.* The United States, decreed, in effect, the Standard Oil Co. of New Jersey and 33 other constituent organizations and 7 individual defendants have united together to form and effect a combination, and as such conspired to monopolize and have monopolized and are continuing to monopolize a substantial part of the commerce among the States, in the Territories, and with foreign nations in restraint of interstate trade and commerce in violation of sections 1 and 2 of the Sherman antitrust law; and

Whereas the Supreme Court of the United States, in the case of The United States of America *v.* The American Tobacco Co. et al., and in the case of The American Tobacco Co. et al. *v.* The United States, in effect, decreed that the said the American Tobacco Co. and its co-defendants, corporate and individual, had formed and maintained a combination in restraint of trade and that they were engaged in an attempt to monopolize and in a monopolization within the first and second sections of the Sherman antitrust law; and

Whereas under the provisions of said act if the said parties or persons, or any of them, or any one for them, or anyone aiding or abetting them, have entered into or continued any contract, combination in the form of trust or otherwise or conspiracy in restraint of trade or commerce among the several States, in the Territories, or with foreign nations, or have monopolized or attempted to monopolize or combine or conspire with any person or persons to monopolize any part of the trade or commerce as aforesaid, they are amenable to criminal prosecution; and

Whereas no criminal prosecutions have been begun against any of the said parties or persons: Therefore be it

Resolved by the Senate (the House of Representatives concurring)—

(1) That it is the sense of the Senate and of the House of Representatives that criminal prosecutions shall be begun against any or all of said parties or persons who shall have, in the opinion of the Attorney General, violated the criminal provisions of said statute.

(2) That the Attorney General of the United States be, and he is hereby, instructed to institute criminal prosecutions against said parties or persons for said violations, if any, where the evidence in the opinion of the Attorney General shall justify such proceedings.

Mr. POMERENE. Mr. President, the law is no respecter of persons, and the Government ought not to be. Statutes should be enforced, or they should be repealed. The poor and lowly are not above the law, and the rich and the strong in combinations ought not to be permitted to violate it with impunity.

From time out of mind the common law, which has been handed down to us by our fathers, makes contracts which are in unreasonable restraint of trade unlawful and nonenforceable, but this law is without any penalty to aid in its enforcement. The evils resulting from agreements in restraint of trade, and which tend to produce a monopoly, continued to grow in spite of the common law, and the public at large continued to suffer.

To meet them, in part, Congress, on July 2, 1890, enacted the Sherman antitrust law. It was carefully prepared. It was given the closest scrutiny by the Judiciary Committees of both the Senate and the House. After much discussion it was rewritten, and, as I am advised, by one of the most distinguished lawyers that ever graced the Senate with his presence and ability, ex-Senator George F. Edmunds. As rewritten by him it passed both the Senate and the House and was approved by the President. Twenty-one years have intervened, and no Congress since the day of its passage has amended it or repealed it.

Section 1 reads:

Every contract, combination in the form of trust or otherwise, or conspiracy in restraint of trade or commerce among the several States or with foreign nations is hereby declared to be illegal. Every person who shall make any such contract or engage in any such combination or conspiracy shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by fine not exceeding $5,000, or by imprisonment not exceeding one year, or by both said punishments, in the discretion of the court.

Section 2 reads:

Every person who shall monopolize, or attempt to monopolize, or combine or conspire with any other persons to monopolize any part of the trade or commerce among the several States, or with foreign nations, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by fine not exceeding $5,000, or by imprisonment not exceeding one year, or by both said punishments, in the discretion of the court.

No statute was ever more painstakingly prepared, more plainly written, or more easily understood by those who want to understand it. I am speaking now of the statute generally. I recognize the fact that difficulties may arise and do arise when it comes to applying general statutes to a given statement of facts. But the ordinary man with average intelligence understands from this statute that he must not make any contract, or any combination in the form of trust, or otherwise, or enter into any conspiracy in at least unreasonable restraint of trade or commerce among the States or with foreign nations. He understands that it is unlawful to monopolize, or to attempt to monopolize, or combine or conspire with other persons to monopolize, any part of the trade or commerce among the several States or with foreign nations.

It only becomes obscure when it is to be applied to vast combinations of wealth or capital which are made for the purpose of driving competitors out of business when they seek to raise and control the prices of their commodities. And with all due respect, it seems that some lawyers have doubts as to what this statute means in proportion to the size of the fees they receive from their clients. Legal principles are the same whether applied to great or to small affairs.

If a boy in the District of Columbia were to conspire with another boy in the city of Baltimore, Md., and with another in the city of Richmond, Va., to control the supply or the price of marbles, and they were to go to any one of these lawyers who seem to have doubts about the meaning of this statute, with a $10 fee to pay for their counsel, would they not be promptly advised that such an arrangement would be a violation of this statute and if they attempted to carry out their plan would be amenable to the penalties of the criminal law? But, when you have great aggregations of wealth, gotten together in violation of the common law as it has been recognized and known for centuries, which are seeking to circumvent and evade the plain provisions of the law, and they bring into the offices of some respected lawyers large checks and ask them to bend their ingenuity and ability and great learning to find some way whereby they can evade the provisions of the law, then it is that their clearness of vision seems to become hazy and things which are clear to the average mind appear to be abstruse and unintelligible.

Any hundred-dollar country lawyer can tell what this law means. It takes a hundred-thousand-dollar lawyer to point out ways to evade its provisions.

I submit that it has always been easier to understand the provisions of the Sherman antitrust law than it is to misunderstand them. I submit that the difficulties only begin to develop when these vast corporations and their learned counsel seek to evade the letter and spirit of the law. They do not attempt to square their conduct with the law. They seek to warp the law to conform to their business.

I am not unmindful of the fact that the Justices of the Supreme Court in the Standard Oil Co. and the American Tobacco Co. cases differed somewhat in the meaning which is to be attached to the words "in restraint of trade."

Mr. Associate Justice Harlan, to whom for many years we have been wont to look as the very fountain head of legal lore, was of the opinion that they meant "any restraint of trade." The learned Chief Justice and seven of his distinguished associates were of the opinion that they meant "any unreasonable restraint of trade." Whatever our individual opinions may be, all good citizens will accept the opinion of the majority of the court as the law of the land. But this difference of opinion from the bench can be of little comfort to the defendants in those cases, because the entire court was clearly of the opinion that the acts complained of in each of the cases were a violation of this statute under consideration.

The other day a distinguished lawyer, after the Supreme Court had handed down its opinion in the Standard Oil Co. case, is reported to have said:

The act was bad law, even though not unconstitutional, the badness being predicated on the allegation that the law does not contain an adequate description of any criminal offense.

What further description is needed? The statute says that every contract, and every combination in the form of a trust or otherwise, and every conspiracy in restraint of trade, which the Supreme Court says is unreasonable restraint of trade, shall be a violation of the law. I suppose that if he were defending some rich client charged with homicide under a statute which read, "Whoever unlawfully kills shall be guilty of an offense," the complaint would be made by him that it did not give an adequate description of the terms "unlawful" and "guilty," and that it did not say whether "whoever" referred to a white man or a black man, and that it did not describe the means or method of "killing" that was forbidden. I think this statute would be perfectly plain to him if from its provisions were excepted his own clients.

Again, the same distinguished gentleman is reported to have said that "the 'criminal intent' involved in this class of cases is a very grave legal question." Is it possible that any man who has been in the practice of the law for 40 years or more does not know what "criminal intent" means? Every elementary treatise on the subject of criminal law defines it. Every judge in the land when he charges a jury in a criminal case defines it. But, more than this, the matter of criminal intent is not a question of law; it is a question of fact, to be proven either by word of mouth or by facts direct or circumstantial, or it may be inferred by the jury from facts otherwise proven. All that is necessary to show upon this subject before any jury is that a defendant who may be charged with a violation of this law did the forbidden act. The law then comes in and presumes that every man intends the inevitable result of his acts. It is an old legal maxim that "every man is presumed to know the law." It would seem from the history of the defense which has been conducted in this class of cases that this maxim must now be amended to read:

Every man is presumed to know the law, save the Standard Oil Co., the American Tobacco Co., and similar companies, and their regularly retained counsel.

THE STANDARD OIL CO.

In order that I may be entirely correct as to the facts in this case and as concise as may be consistent with my purpose, I desire to call the attention of the Senate to the following facts, gleaned for the most part from the opinion of the Circuit Court of Appeals in the case of the United States *v.* The Standard Oil Co. (173 Fed. Rep., 177):

In 1865 John D. Rockefeller owned an oil refinery in Cleveland. Later it was operated by Rockefeller & Andrews. In 1870 the successors of this firm, including John D. Rockefeller and others, owned two refineries and had a domestic oil trade in Cleveland, and conducted a warehouse business and an export trade in New York. In that year they organized the Standard Oil Co. of Ohio, with a capital stock of $1,000,000. Between that date and April 8, 1879, seven men, including John D. Rockefeller, increased the capital stock to $3,500,000, and acquired for the stockholders of that corporation, by purchase of property and by exchange of stock, more than 40 competitive refineries, and the ownership of the entire or of the controlling interest in more than 30 companies, and invested the title to all of this property and stocks in trustees for their management. They continued to acquire other properties until, in 1882, the trustees held in trust more than $55,000,000. In January, 1882, the Standard Oil Co. of Ohio, and other corporations, and limited partnerships engaged in the oil business, conveyed all their property and stocks to nine trustees during their lives and the life of the survivor of them and for 21 years thereafter. They were given power to organize other corporations for the production, refining, and dealing in oil and its products, and to buy similar and collateral businesses. They were given the right to elect the officers in all of the companies, to issue and deliver trust certificates, to supervise the business of all of the companies, to collect the dividends upon stock and the interest upon the bonds, and to distribute the sum thus derived, in dividends, upon the trust certificates. Six of the individual defendants in the case just decided by the United States Supreme Court were six of the nine trustees named in the agreement just referred to, and they issued trust certificates of the par value of $70,000,000 between 1882 and March 21, 1892, and additional certificates of the par value of $27,250,000.

It is a matter of common history in Ohio that from the very inception of the Standard Oil Co.'s business down to 1892 competitors were forced out of business by methods of unfair competition. In March, 1892, in a quo warranto proceeding begun by the attorney general of the State of Ohio, the supreme court of that State decided that the making of the agreement of 1882, and the operation of the trust thereunder, were beyond the corporate powers of the Standard Oil Co., and tended to create a monopoly, and it was enjoined from the further execution of the purposes of that agreement. On March 21, 1892, the holders of the trust certificates met and passed a resolution pretended to terminate the trust agreement. At this time the trustees held stocks in 84 companies. In the course of time changes were made, so that the number of the companies was finally reduced to 20, they succeeding to the property and business of the other 64 companies.

In 1897 contempt proceedings were begun by the attorney general of the State of Ohio against the officials of the Standard Oil Co., charging them with contempt in failing to comply with the order made by the supreme court of that State in 1892. The testimony in that case shows that the attorney of the company, in speaking upon the resolution passed by the stockholders to dissolve the trust after the rendition of the decision by the supreme court, clearly recognized that the business theretofore conducted in Ohio under the trust agreement was held by the supreme court to be a clear violation of the law of the land, and that they were enjoined from continuing the trust arrangement.

And while on this subject, it is interesting to note that the secretary of the Standard Oil Co. in a contempt proceeding against him refused to produce the books of the company or answer any questions relative to their contents, for the reason that they might tend to incriminate him. And it is further interesting to remember that during the taking of the testimony in this proceeding it was shown that many of the books, some of them running back as far as 1865, were taken from the offices of the company to the furnaces and burned, though it is only fair to state that counsel claimed that these books were burned in the usual course of their business and, I suspect, in pursuance of their usual methods.

In 1899 the Standard Oil Co. of New Jersey, one of the 20 companies which was continued after the decision by the Supreme Court of Ohio, had a capital stock of $10,000,000, and this stock was increased to $100,000,000, and the stock of the other 19 companies was exchanged for stock in the Standard Oil Co. of New Jersey, thereby again consolidating the management and control of all of these oil properties in trust under the one corporate name. Between 1899 and November, 1906, when the Government filed its suit in equity against the Standard Oil Co., the affairs of the principal company and of all of its subsidiary companies were managed by the former as the business of a single person.

From 1899 to 1907 the principal company and its subsidiary companies produced more than one-tenth of the crude oil of the country; transported more than four-fifths of the petroleum from Pennsylvania and the Indiana fields; manufactured more than three-fourths of all the crude oil refined in the United States; owned and operated more than one-half of all the tank cars used for distribution; marketed more than four-fifths of all the illuminating oil sold in the United States; exported more than four-fifths of all the illuminating oil sent forth from the United States; sold more than four-fifths of all the naphtha sold in the United States; and sold more than nine-tenths of all the lubricating oil sold to railroad companies in the United States.

To think that the company, its officials, and its attorneys did not know that the business of this concern was being conducted in flagrant violation of the law is inconceivable.

The United States Circuit Court of Appeals, on page 183, said:

Evidence in this case, too voluminous for recitation or review, has convinced (the court) that prior to 1879 the seven defendants combined to secure and obtain the control of companies competing in interstate commerce in oil and suppressed their competition; that they caused the formation and execution of the trust of 1879 and 1882; that they directed and followed that unique method of distributing the stock held in the latter trust by which it was not distributed to the majority of the stockholders for many years after 1892, while they and their associates held the control of it and of the corporations it commanded; that they caused the stockholding trust of 1899; and that by means of that trust they still hold the actual control and direction of the Standard Co. and of its subsidiary corporations, and that since 1899 they have been and still are engaged in carrying into effect and executing that trust.

And the Supreme Court, in the discussion of the merits of the case, says:

The court below held that the acts and dealings established by the proof operated to destroy the "potentiality of competition," which otherwise would have existed, to such an extent as to cause the transfers of stock which were made to the New Jersey corporation and the control which resulted over the many and various subsidiary corporations to be a combination or conspiracy in restraint of trade in violation of the first section of the act, but also to be an attempt to monopolize, and the monopolization bringing about a perennial violation of the second section.

And then the Supreme Court adds:

We see no cause to doubt the correctness of these conclusions, considering the subject from every aspect—that is, both in view of the facts established by the record and the necessary operation and effect of the law as we have construed it upon the inferences deducible from the facts.

THE AMERICAN TOBACCO CO.

Briefly stated, prior to January, 1890, five concerns manufactured, distributed, and sold 95 per cent of all the domestic cigarettes and less than 8 per cent of the smoking tobacco produced in the United States. Competition then, in the language of the Supreme Court, was "fierce and abnormal." They then organized the original American Tobacco Co., with a capital stock of $25,000,000; some factories were closed, and in a little more than a year the capital stock was increased to $100,000,000; other companies were absorbed which were theretofore in competition and their factories closed. Later they set on foot a movement to control the manufacture of plug tobacco. In 1893 the president of the American Tobacco Co. approached leading manufacturers of plug tobacco and sought to combine their in-

terests. Upon his failure to do this a ruinous competition was begun by lowering the prices on plug tobacco below its cost. Between 1893 and 1898 the American Tobacco Co., by reason of its efforts to control the manufacture and sale of plug tobacco, sustained losses aggregating more than $4,000,000. In 1898 the American Tobacco Co. organized as a New Jersey corporation, and was styled the Continental Tobacco Co., with a capital stock of $75,000,000, which was afterwards increased to $100,000,000.

In 1899 the American and Continental companies, at an aggregate cost of $50,000,000, bought and closed up 30 competing corporations and partnerships. In 1904 there was a merger of the American Tobacco, the Continental Tobacco, and the Consolidated Tobacco Cos. into one corporation, under the name of the American Tobacco Co., with a capitalization of $180,000,000.

In acquiring these companies and concentrating the control under one management, it was expressly stipulated, in many instances, that those who were bought out were not to be permitted to enter into business anew. The Supreme Court finds:

The record indisputably discloses that after this merger the same methods which were used from the beginning continued to be employed. Thus it is beyond dispute, first, that since the organization of the American Tobacco Co. that company has acquired four large tobacco concerns, that restrictive covenants against the engaging in the tobacco business were taken from the sellers, and that the plants were not continued in operation, but were at once abandoned; second, that the new company has besides acquired control of eight additional concerns, the business of such concerns being now carried on by four separate corporations, all absolutely controlled by the American Tobacco Co., although the connection as to two of these companies with that corporation was long and persistently denied.

The court further says:

Considering, then, the undisputed facts, which we have previously stated, it remains only to determine whether they establish that the acts, contracts, agreements, combinations, etc., which were assailed were of such an unusual and wrongful character as to bring them within the prohibitions of the law. That they were, in our opinion, so overwhelmingly results from the undisputed facts that it seems only necessary to refer to the facts as we have stated them to demonstrate the correctness of this conclusion. Indeed, the history of the combination is so replete with the doing of acts which it was the obvious purpose of the statute to forbid, so demonstrative of the existence from the beginning of a purpose to acquire dominion and control of the tobacco trade, not by the mere exertion of the ordinary right to contract and to trade, but by methods devised in order to monopolize trade by driving the competitors out of business, which were ruthlessly carried out upon the assumption that to work upon the fears or play upon the cupidity of competitors would make success possible. We say that these conclusions are inevitable, not because of the vast amount of property aggregated by the combination, not because alone of the many corporations which the proof shows were united by resort to one device or another. Again, not alone because of the dominion and control over the tobacco trade, which actually exists, but because we think that the conclusion of wrongful purpose and illegal combination is overwhelmingly established:

(a) By the fact that the very first organization or combination was impelled by a previously existing fierce trade war, evidently inspired by one or more of the minds which brought about and became parties to that combination.

(b) Because immediately after that combination and the increase of capital which followed the acts which ensued justified the inference that the intention existed to use the power of combination as a vantage ground to monopolize the trade in tobacco by means of trade conflicts designed to injure others, either by driving competitors out of business or compelling them to become parties to a combination. * * *

(c) By the ever-present manifestation which is exhibited of a conscious wrongdoing by the form in which the various transactions were embodied from the beginning, ever changing, but ever in substance the same.

(d) By the gradual absorption of control over all the elements essential to the successful manufacture of tobacco products, and placing such control in the hands of seemingly independent corporations, serving as perpetual barriers to the entry of others into the tobacco trade.

(e) By persistent expenditure of millions upon millions of dollars in buying out plants, not for the purpose of utilizing them, but in order to close them up and render them useless for the purposes of trade.

(f) By the constantly recurring stipulations, whose legality, isolatedly viewed, we are not considering, by which numbers of persons, whether manufacturers, stockholders, or employees, were required to bind themselves, generally for long periods, not to compete in the future. * * *

In what position, then, do the officials of the Standard Oil Co. and of the American Tobacco Co. stand before the law? Speaking now of the officers of the Standard Oil Co., it appears that from the year 1865 to the present date substantially the same men, with John D. Rockefeller at their head, have been managing and controlling the affairs of this company.

Between 1865 and 1892 their business was conducted, if we may believe the decree of the Supreme Court of the State of Ohio and the findings of the United States Circuit Court of Appeals and the Supreme Court of the United States, in flagrant violation of the common law of the land. In 1892 the Supreme Court of the State of Ohio orders that they must not further continue their business under the trust agreement. In 1897 contempt proceedings are begun against the officials, charging them with a violation of the former order of the court. And in this proceeding they, who claim to be innocent of the violation of any law, come into court and plead that, under the Constitution, they can not be required to produce the books for inspection by the officials of the State or to testify, because by so doing they might make disclosures which would tend to incriminate them. And later a quo warranto proceeding is begun in the State of Ohio against one of the subsidiary companies, namely, the Buckeye Pipe Line Co. The trustees, under the agreement of 1882, after the decision of the Supreme Court of Ohio in 1892, pretend to pass a resolution dissolving the trust; they turn the stocks of 84 companies into 20 companies, and instead of complying with the decree of the Ohio Supreme Court, they continue to make their trust larger and greater, and finally consolidate all of these companies in the control of one giant corporation—the Standard Oil Co. of New Jersey—with a capitalization of over $100,000,000.

And all of these acts have been found by the highest court of the land since 1890 to be in direct violation of the Sherman antitrust law.

And it appears from the court records that the officials of the American Tobacco Co., in the face of the positive prohibitions of the antitrust law, form a combination by which they drive competitors out of business, forbid their reentering, acquire one property after another and close them where it suits their purposes, destroying competition, raising prices, making the monopoly stronger and stronger, until vast concerns that had theretofore been legitimate competitors are subject to the control of one giant corporation with an aggregate capital of $180,000,000.

These are not idle rumors or conclusions based upon hearsay evidence, but they constitute the findings of the highest tribunal in the land formally spread upon the records of the court, where they can be read of all men. In other words, the court, by solemn decree, says that these two companies, their subsidiary companies, and the individual defendants named have violated both the common law and the laws of the Federal Government since they were first written upon the statute books in 1890.

Now, with these plain findings of fact and conclusions by the court that this statute has been violated, what reason can be given by any sworn court official for not continuing his fight against them in order to bring them to the bar of justice? What excuse can any lawmaker or any executive official give to the people of this country for a failure to enforce this law when they are every day exerting themselves to punish infractions of the law against other transgressors with less money and less influence at their command? A decent sense of self-respect requires the Government either to enforce this law or to repeal it.

These defendants and their lawyers claim that the statute is an infraction against the liberty of making contracts, that they ought to be permitted to conduct their business to suit themselves, and that they can not continue in business in the face of stifling competition.

I have some sympathy for the ignorant mountaineer, living in his fastness, breathing the free air of heaven, and feeling that he has a right, with the instruments he has made, to distill the "mountain dew" from the corn that he has raised without paying a tax, and can not understand why the Government should interfere with his occupation, but I have little sympathy with the man who has amassed great wealth, and much of it by illegal methods, who, in the face of the written statute, seeks, not by the light of truth or of reason, to comply with the law, but who devotes his time and energy and ingenuity to find some means whereby to evade the law.

And while on this subject I confess that I have but little regard for that member of my profession who will sit down at his desk, and with all the ingenuity and learning at his command, in consideration of the great fee he receives, devise some scheme whereby he can evade the law instead of directing his clients to comply with the law. He is no better and no worse than the lawyer who would deliberately sit down and try to frame up an alibi or other defense for a client who is about to commit a burglary or a highway robbery.

I want it understood that I am not now speaking of the lawyer who is conducting a defense in a case of litigation. I am speaking of the lawyer who is attempting to frame some scheme for the declared purpose of defeating the law.

And when we remember the history of the Standard Oil Co. and of the American Tobacco Co. it might be well in the interests of public morals to consider whether or not their companies and their officials have been aided and abetted in their transgressions of the law by some of the men who occupy the honored positions of attorneys and counselors of courts.

What respect have these oil and tobacco men shown for the law? What disposition have they evinced to comply with the order of the court? The history of the Standard Oil Co.

and its allied interests in Ohio and western Pennsylvania has been a continuous record on their behalf and on behalf of their officers, including John D. Rockefeller, to monopolize the oil business, and to destroy by means fair or foul where he could not buy out his competitors at his own price. His pathway is marked by a greater number of victims whose business careers he has ruined by his unlawful methods than that of any other man in the industrial history of this country, and yet he goes unwhipped of justice. But, it is said that he is not responsible; that he retired from active business more than 10 years ago.

Do you mean to tell me that a man can organize a band of law violators, furnish them with the sinews of war, serve as their captain, mark out and guide their course for a generation, and after a time, when he has grown tired of the personal strife in business, can still continue it in the same way through other agents, and receive the greater portion of the earnings of that concern, and yet not be responsible for his acts either civilly or criminally? I deny that such is the law. And, I submit that he ought not to be above the law. He is made of the same clay as other men, with more brains, much more money, and less business morals than the average man. In view of the fact that he and his companies have ignored the decree of the Supreme Court of the State of Ohio, and neither they nor the officials of the American Tobacco Co. have paid any attention to the provisions of the antitrust law as it was enacted by Congress, but all of them proceeded in open violation of the law, ought the Government now, in view of the past history of these concerns, in the very flush of victory, to rest on its oars? In my judgment, these victories will be of but little avail unless more vigorous methods are adopted on the part of the Government than heretofore against this class of law violators. If there was any doubt about the meaning of the antitrust law so far as it applied to the business methods of these concerns, there certainly could have been none after it had been construed by the United States Supreme Court in March, 1897, in the case of The United States *v.* The Trans-Missouri Freight Association (166 U. S., 290); or after the same court had again construed this statute in October, 1898, in the case of The United States *v.* The Joint Traffic Association (171 U. S., 505); or after the decision of the same court in March, 1904, in the case of The Northern Securities Co. *v.* The United States (193 U. S., 197).

It is my firm belief that if criminal prosecutions had been begun against those who organized the Trans-Missouri Freight Association, the Joint Traffic Association, or the Northern Securities Co. there would have been infinitely more respect paid to this law throughout the entire country, and even the Standard Oil Co. and the American Tobacco Co. might have been impressed with a suspicion that they were not above the law.

I do not intend by this resolution or by anything I shall say to detract for one minute from the praise which is justly due to the Attorney General for the splendid ability with which he has conducted the prosecution of the civil cases against the Standard Oil Co. and the American Tobacco Co. My purpose is to aid him by showing to the country that the Senate and House desire this law enforced, and that they will stand back of him with all power at their command in his fight against these great unlawful combinations to the end that the majesty of the law may be preserved. But it seems to me that the fruits of these victories will be lost to the Government and to the people unless they are quickly followed up in the most vigorous fashion.

When dangers of this kind confront us, it is neither safe to depend upon an occasional 13-inch gun nor upon a continuous popgun battery. Wars of this kind must be fought with an energy and with sinews which are commensurate with the strength, the determination, and the outlawry of the opposition. Prosecutions against them should be begun in every district in which there has been a violation of the law. I say this not out of a spirit of revenge, but in order to teach them that they, too, must obey the law.

For 21 years these defendants, a number of them all the time and many of them most of the time, have been engaged in continuous violations of the law. Is the Government now frightened at its own victories? Is it surprised that it has won? Is it to lose its courage or energy now? Are the Standard Oil Co. and the American Tobacco Co. too powerful for the Government to grapple with? One of these men behind the bars will do more toward restoring the majesty of the law than anything that has been done by the Federal Government in the last generation.

Speaking for myself, I think it is high time that the American people should understand whether the Stars and Stripes are to be the emblem of their power and authority or whether that emblem shall be the oil barrel or the tobacco tag.

Since this resolution was introduced I have been asked concerning its constitutionality and what, if any, precedents there were for it. My answer is:

First, that a similar resolution was introduced at the first session of the Sixtieth Congress, known as Senate resolution 48, which authorized and directed the Attorney General to institute and prosecute litigation to enforce the rights and remedies of the United States of America arising and growing out of certain land grants. If Congress has a right to pass a joint resolution of this character there ought, in my judgment, to be no question as to its authority to pass a concurring resolution. If it is right to instruct litigation in civil proceedings, it ought not to be wrong to instruct actions of a criminal nature.

Second, the Sherman antitrust law was passed in 1890. The court records show that these defendants have been continuously violating that law. Congress provided in that law for both civil and criminal remedies. The Department of Justice has sought to pursue the civil remedy, but it has ignored the criminal provisions of the statute as if they had never been written therein.

Third, the Attorney General is but a creature of the law. His office was created by Congress. He is clothed with such powers and required to perform such duties as Congress sees fit to demand of him. It can add to or it can take away from those powers whenever in its judgment proper. It is not proposed that this resolution shall have the same force and effect as a statute, but it is proposed to declare to the Department of Justice in no uncertain way that the Congress which made him and clothed him with power is cognizant of the fact that the law has been violated; that the court has so declared; that for 21 years no respect has been paid by any of those defendants to the provisions of the law; and that, in the judgment of Congress, he ought to begin criminal proceedings, and the resolution instructs him to so do in order that the majesty of the law may be preserved. If Congress has the power by law to impose upon him certain duties, it certainly ought not to be unconstitutional by resolution to say to him in a formal way that which it might do with all the sanctity and power of a statute duly and legally passed.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER (Mr. O'GORMAN in the chair). Does the Senator from Ohio yield to the Senator from Iowa?

Mr. POMERENE. I do.

Mr. KENYON. Does the Senator claim that there is power in the Senate to instruct the Attorney General as to his duty? Is not the proper procedure, if he does not properly perform his duty, an impeachment proceeding from the other side of the Capitol?

Mr. POMERENE. Mr. President, this is a concurrent resolution. It is true, if the Attorney General fails to comply with the law, impeachment proceedings may be begun; but we are not anticipating anything of that kind. We are, however, of the opinion that it is not unconstitutional for Congress to express its opinion on any subject, and to add to that expression of opinion language instructing the Attorney General to proceed.

Mr. KENYON. I thoroughly agree with the Senator that it is within the province of Congress to express its wish, but the resolution of the Senator goes further than that and instructs the Attorney General merely to do his duty, and wherein that power lies is what I am concerned with.

Mr. POMERENE. It is simply, Mr. President, pointing out to him what his duty is and instructing him to proceed. Now, let me ask the Senate and my learned friend from Iowa what harm can come from the passage of this resolution? If the Attorney General believes it to be his duty to enforce the law—and he certainly would not take any other position—then may not Congress say to him, We believe it to be your duty to enforce the law, and we instruct you to enforce the law?

Mr. KENYON. In other words, it amounts to an instruction to the Attorney General, under the Senator's theory, to do his duty. Is not that all?

Mr. POMERENE. It means simply that we are trying to stiffen up the Department of Justice by declaring to the Attorney General what our sense of his duty is. We are adding to the Attorney General's department moral force rather than legal force.

Mr. KENYON. Yes; but we are arguing from the legal standpoint. I am with the Senator on the theory that there should be criminal prosecutions, and that the only solution of the trust problem is to put some of these men behind the bars, but I believe that the Attorney General will do his duty without instructions from the Senate.

Mr. POMERENE. I have every hope that he will; but I remember that this law has been upon the statute books for 21 years, and in those 21 years no criminal prosecutions have been begun against any one of these companies. So it seems to me that after a Rip van Winkle sleep of 21 years, we ought not to quietly repose in the hope that this duty may be performed.

Mr. KENYON. But there have been more criminal prosecutions commenced by the present Attorney General, whom the Senator seeks to instruct, than by any other Attorney General since the act was enacted.

Mr. POMERENE. I think that is true.

Mr. KENYON. And the learned Senator's own governor, when he was Attorney General, in one of his reports declared that this act was practically a failure; and the act was a dead letter for a long time, as the Senator well knows. Under President Cleveland's administration but little was done. I am not raising the question to disagree with the Senator's argument, but I do not believe that where a man has done so much as has the present Attorney General to enforce this act, civilly and criminally, he should be instructed by the Senate to do his duty. I believe now that he has done so much in the enforcement of this act criminally that in those places where his name might formerly have been received with acclaim it is now received among those gentlemen, who think the earth belongs to them, with profound and blasphemous silence.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Missouri?

Mr. POMERENE. Certainly.

Mr. REED. Do I understand the Senator from Iowa to say that the Attorney General was recently on such excellent terms with the classes of men the Senator has just characterized?

Mr. KENYON. I say the Attorney General came into his office from the city of New York. He had been counsel for large corporations. He never gave them his conscience. It does not destroy a man's conscience to be an attorney for a corporation. He gave up that practice and became an attorney for the people, and no man has ever performed his duty better to his clients than the present Attorney General has to his clients—90,000,000 people.

Mr. POMERENE. Mr. President, I have expressly disclaimed any desire to embarrass the Attorney General, and have stated that it was my desire to aid him if possible.

The distinguished Senator from Iowa refers to the part that Gov. Harmon took in connection with this law. I am not advised as to the report to which the Senator refers, but I do know that after the trans-Missouri case had been lost in the lower court by his predecessor in office, it was Gov. Harmon who struck the corpse of that Sherman law, brought it to life, and made it a living force by his argument in the Supreme Court; and based upon that argument, the Supreme Court handed down a decision in favor of the Government.

Mr. KENYON. Why, then, did he not prosecute criminally instead of civilly?

Mr. POMERENE. I do not know what the situation at that time may have been, except that that case was argued toward the latter end of the term, and the decision, if my memory serves me rightly, was not handed down until a month or two before his term expired. And what about all the years that have expired since, with the distinguished men who have been at the head of the Department of Justice? Why have they been so silent in this matter?

Mr. HITCHCOCK. Mr. President, I should also like to suggest to the Senator from Ohio that it was Gov. Harmon who first gave expression to the thought, "Guilt is personal," when he was urging upon the administration of President Roosevelt the criminal prosecution of the violators of the Sherman antitrust law.

Mr. POMERENE. I thank the Senator from Nebraska. I want also to remind the Senator from Iowa that it was a very distinguished Republican President who sanctioned the violation of this law when it came to the absorption of the Tennessee Coal & Iron Co.

Mr. KENYON. So long as we are making suggestions, I want to suggest to my good-natured friend, the Senator from Ohio, that it was another distinguished Republican President, at a time when he occupied a position on the bench, who put life into the dead Sherman Act in the Addystone Pipe & Steel Co. case.

I want to suggest, further, that the only conviction criminally under the Sherman enactment has been in the Turpentine Trust case, where jail sentences—I so qualify it—have been given, and that has been under the administration of President Taft.

Mr. NELSON. Will the Senator from Ohio yield to me for a moment?

Mr. POMERENE. Just a moment, if the Senator please.

Mr. NELSON. I want to reply briefly to the Senator from Iowa.

Mr. POMERENE. I will be glad to yield.

Mr. NELSON. I want to call the attention of the Senator from Iowa to the fact that the President has finally found a Chief Justice who overruled him in the Addystone Pipe case as to the doctrine of the common law. If the Senator from Iowa will read the decision of Judge Taft in that case and compare it with the decision of Chief Justice White in the Standard Oil case, he will find how Chief Justice White overruled Circuit Judge Taft, now President Taft.

Mr. POMERENE. Mr. President, I am only too glad to yield every meed of praise to every public official who has done anything for the enforcement of the law, and I now only ask that the Senator from Iowa and others who seem to think as he does will permit the Senate and the Congress to help the head of the Department of Justice along the same line.

One word further. I am asked, Is there a precedent for this resolution? Assume that there is none. It is then time to make a precedent. The precedent is to have this law utterly disregarded. The precedent is to let the Standard Oil Co. and the American Tobacco Co. and their officials continue for 21 years in a lawless career. Precedent says, "Let them continue." A sense of justice requires that they shall cease and obey the law.

I hope in the interest of justice that Senators may see their way clear to support this resolution.

Mr. President, I ask unanimous consent for the present consideration of the resolution.

The PRESIDING OFFICER. The Senator from Ohio asks unanimous consent for the present consideration of the resolution submitted by him. Is there objection?

Mr. NELSON. Mr. President, in the absence of the chairman of the Finance Committee, I ask that the Canadian reciprocity bill be laid before the Senate to the end that I make some remarks on the subject. I gave notice to that effect on yesterday.

Mr. CULBERSON. I suggest to the Senator from Minnesota that probably he did not hear the request of the Senator from Ohio that his resolution be considered at this time.

Mr. NELSON. I was not aware of that fact.

Mr. CULBERSON. The Senator from Ohio made that request just a moment ago.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Ohio?

Mr. JONES. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Cullom	Kenyon	Root
Bailey	Cummins	Kern	Shively
Borah	Dillingham	Lea	Simmons
Bourne	Dixon	McCumber	Smith, Mich.
Bradley	du Pont	Martin, Va.	Smoot
Brandegee	Fletcher	Martine, N. J.	Stephenson
Brown	Foster	Nelson	Swanson
Bryan.	Gallinger	Nixon	Thornton
Burnham	Gamble	O'Gorman	Warren
Burton	Gronna	Overman	Watson
Chilton	Guggenheim	Page	Wetmore
Clark, Wyo.	Hitchcock	Penrose	Works
Crane	Johnson, Me.	Perkins	
Crawford	Johnston, Ala.	Pomerene	
Culberson	Jones	Reed	

Mr. JONES. My colleague [Mr. POINDEXTER] has been unexpectedly called from the Chamber on official business.

Mr. BOURNE. My colleague [Mr. CHAMBERLAIN] is unavoidably detained from the Senate on Government business.

Mr. SMOOT. My colleague [Mr. SUTHERLAND] is attending a hearing and is obliged to be absent at this time.

The VICE PRESIDENT. Fifty-seven Senators have answered to their names; a quorum of the Senate is present. The question is on agreeing to the resolution submitted by the Senator from Ohio.

Mr. POMERENE. Mr. President——

Mr. GALLINGER. The Senator from Ohio asked unanimous consent for its present consideration, which request has not yet been assented to.

The VICE PRESIDENT. The Chair was absent when that was asked. The Senator from Ohio asks unanimous consent——

Mr. POMERENE. As stated by the Senator from New Hampshire, I asked unanimous consent for the present consideration of the resolution, but the Senator from Minnesota [Mr. NELSON] yesterday gave notice that he would to-day address the Senate on the subject of the reciprocity treaty, and out of courtesy to

him I will not insist upon my request being put, but will ask that the resolution lie on the table, to be called up by me at a later date.

The VICE PRESIDENT. Without objection, that course will be followed.

RECIPROCITY WITH CANADA.

Mr. PENROSE. I move that the Senate proceed to the consideration of the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes.

The motion was agreed to, and the Senate, as in Committee of the Whole, resumed the consideration of the bill.

Mr. NELSON. Mr. President, it is my purpose on this occasion to discuss the pending reciprocity bill in some of its general aspects, and I intend later, on another occasion, to discuss some of the details of the bill, and especially to review a part of the President's speech at Chicago and undertake to demonstrate how utterly mistaken the President is in his views as to the effect of this bill on the agricultural interests of the country and in his view when he intimates and suggests that the farmers have been coached to make their protests against the bill.

The method pursued by the President in this case is novel, unusual, and without precedent.

Paragraph 2 of section 2 of Article II of the Constitution authorizes the President, by and with the advice and consent of the Senate, to make treaties, and so forth, provided two-thirds of the Senators present concur.

The fair construction of this paragraph of the Constitution is that the President and Senate combined can alone make a treaty with a foreign nation.

In the case under consideration the President has, through the State Department, made an agreement or treaty, which he seeks to ratify not by a two-thirds vote of the Senate, but by a mere majority of the Senate, supplemented by a mere majority of the House of Representatives, or by a mere legislative act. And in this way he evades the treaty-making provision of the Constitution. If this is proper in the case of commercial and trade agreements, why can not the same course be pursued in respect to other subjects, and thus practically transfer the treaty-making power from the President and the Senate to the President and Congress?

The trade agreement submitted by the President in this instance for ratification by Congress and not by the Senate alone has, as far as I have been able to ascertain, no precedent in our constitutional history or the history of the executive department.

The instances in which agreements or treaties have been made without submission to the Senate may be grouped under the following heads:

(1) Agreements for the settlement of claims of private American citizens against foreign Governments, but never claims of our Government against a foreign Government.

(2) Preliminary and pro tempore agreements concluding a war, suspending hostilities, and opening a way to a final peace, but never a final treaty of peace.

(3) Agreements or treaties previously authorized by acts of Congress or by treaties duly ratified. Of this kind are agreements to submit special matters to arbitration or to submit cases to The Hague Tribunal; and of this kind are also postal, copyright, and trade-mark agreements or conventions; so, also, in reference to discriminating duties and reciprocal trade agreements specifically authorized by tariff acts. (See Willoughby on the Constitution, vol. 1, pp. 467–479.)

Stripped of all verbiage and surplusage, the agreement negotiated by the President is an agreement with a foreign country to procure Congress to enact legislation in respect to the trade relations between that country and ours. In other words, to enact a limited tariff law between the two countries. While the President has the right, under the Constitution, to recommend to the consideration of Congress such measures as he shall judge necessary and expedient (sec. 3, Art. II, Constitution), he has no constitutional or moral right to bargain with a foreign country—to pledge himself in advance to make certain specific recommendations to Congress—to procure certain special legislation from Congress.

Such right is not accorded to the President under the treaty-making power of the Constitution, nor under any other provision of the Constitution, and the assertion of such a right is utterly destructive of the independence of the legislative department of the Government. "All legislative powers herein granted shall be vested in a Congress of the United States" is the language of the Constitution.

The making of such a bargain in advance, as in this case, implies not merely a naked recommendation on the part of the President according to the usual custom, but by the very terms of the bargain the President, in fact, agrees that he "will use his utmost efforts to bring about" the proposed legislation. In other words, he agreed to bring about the desired result, not by treaty, but by importunity with and pressure upon Congress to the "utmost."

A mere statement of the case shows how unconstitutional, how utterly unwarranted such action is on the part of the President. The President can recommend, he can approve or veto, but he has no right to bargain Congress away or to say to a foreign country that he "will use his utmost efforts to bring about" certain proposed legislation. Is not this a clear invasion of the legislative prerogative of Congress and destructive of its independence? Suppose the President were to enter into an agreement with some great industrial or commercial interest in our own country "to use his utmost efforts to bring about" certain proposed legislation for the benefit of such interest; no matter how meritorious such legislation might be, such conduct on the part of the President would, with one accord, be declared unconstitutional and most reprehensible. In principle, as applied to the independence of the two departments of this Government, there is no difference between such a bargain and the Canadian bargain.

The Constitution has conferred the treaty-making power upon the President and the Senate combined. Suppose the President, in negotiating a treaty with a foreign country, should also agree with the foreign country "to use his utmost efforts to bring about" the ratification of the proposed treaty by the Senate, would not such conduct on his part be regarded as an invasion of the constitutional right of the Senate? Suppose the Senate in the case of a treaty, or Congress in the case of an act, were to agree, if such an agreement could be made, that they would "use their utmost efforts to bring about" the approval of the treaty, or the act, by the President, would not such conduct on the part of the Senate, or of Congress, be a clear invasion of the rights of the executive department and militate against its independence? While the President may have the right to make trade agreements with foreign countries where previously authorized by law or treaty, he has no right to bargain for legislative influence or for legislative pressure. That power may exist in the Canadian Government, where there is a merger of the executive and legislative departments—where a responsible ministry is a part of the legislature—but under our system of government, where the legislative department is independent of and divorced from the executive department, such conduct is foreign to our system of government and destructive of the independence of the legislative department.

The conduct of the President in this case is not only novel and without precedent, but to me it seems to be of such serious moment and of such dangerous consequences that I have felt it my duty to bring it to the attention of the Senate. It seems to me the President is depriving the farmers of this country of their constitutional protection in a two-thirds vote of the Senate. This agreement would not be ratified if it were submitted to us for ratification pursuant to the spirit of the Constitution.

The proper constitutional method to have pursued in this case would have been the negotiation of a treaty by the President, the submission of the treaty for ratification by the Senate, and on its ratification to supplement it by an act of Congress to carry out the provisions of the treaty. This was the course pursued in the case of the Canadian reciprocity treaty of 1854. The making of a treaty by the President and the Senate combined would, morally and ethically at least, obligate Congress to enact the appropriate legislation to carry out the provisions of the treaty. In other words, the treaty-making power, consisting of the President and Senate, have the constitutional right, by treaty, to invoke the legislative action by Congress, as was done in 1854. But in this case only a part of the treaty-making power, the President alone, regardless of the Senate, invokes by his "utmost efforts" the legislative action of Congress, and thereby with one bound he evades the constitutional right of the Senate as a part of the treaty-making power and overleaps one of the constitutional barriers, one of the constitutional safeguards of our system of government, and blazes the way through a hitherto unexplored wilderness where none have trod before.

In this connection, I ask leave to quote from a letter of a prominent attorney in northern New York on this subject, who states as follows:

The Constitution provides the method whereby agreements with foreign powers shall be entered into. It is certainly an elemental principle that in a Government of delegated powers, where a method for the doing of an act has been prescribed in the Constitution, that method

must be pursued to the exclusion of all others. It does not seem to me that by changing the form the provision in the Constitution as to treaties can be avoided. Certainly the substance of the agreement can not change its character as an agreement between foreign powers.

Suppose, in reference to fisheries, the Congress had enacted as follows:

"*Be it enacted*, That the following shall be the regulations as to Newfoundland fisheries:

"SECTION 1, etc.: *Provided*, That Great Britain passes an act making the following regulations as to Newfoundland fisheries."

Or suppose the same method was adopted in reference to sealing or as to boundaries, could this method be pursued? Would it not be a violation of the express provision of the Constitution?

The reason why the Constitution requires two-thirds of the Senate to approve any agreement with a foreign power is apparent. It was the purpose, undoubtedly, of the framers of the Constitution that no agreement should be entered into between the United States and a foreign country as to which there was any considerable opposition.

This proposed agreement is the most important which has been attempted between this country and another in a generation, and yet it is proposed to adopt it by a method never before used. You will search in Moore's International Law Digest, Wharton's International Law Digest, or Miller on the Constitution in vain to find any example of an agreement of this kind from the history of the United States down to the present time. No doubt the Congress of the United States could provide a tariff schedule as to Canada without any conditions; but if we did, then the most-favored-nation clause would apply, and it is only upon the basis that this is a reciprocity treaty that the contingency can be avoided. If it is a tariff bill, it must be general in its application; if it is a reciprocity treaty, no other nation is entitled to complain; but if it is, it must be adopted in the constitutional manner. It seems to me the privileges of the Senate, as a component part of the treaty-making power under the Constitution, are being infringed upon by this proposed method; and if it is allowed in this case, a new method of adopting international agreements has been discovered, and section 2 of Article II of the Constitution becomes a nullity.

That is from a prominent lawyer in northern New York.

Mr. DIXON. Mr. President——

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Montana?

Mr. NELSON. Certainly.

Mr. DIXON. Do I understand that when the Canadian reciprocity treaty of 1854 was enacted into law the President first submitted the treaty to the Senate?

Mr. NELSON. Certainly. There was first a treaty negotiated in 1854. That treaty was ratified by the Senate, and it was supplemented by a legislative act.

Mr. DIXON. Why was not that course pursued in the present case?

Mr. NELSON. I can not tell the Senator.

Mr. HEYBURN. Let me suggest to the Senator that it was discussed in executive session by the Senate; not in open Senate.

Mr. NELSON. I should like to have the chairman of the Finance Committee tell me.

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Iowa?

Mr. NELSON. Yes.

Mr. CUMMINS. Is not the Senator from Minnesota mistaken in saying that the treaty of 1854 was ratified by legislative act?

Mr. NELSON. I am not mistaken. There was a treaty supplemented by an act of Congress.

Mr. CUMMINS. I think it was ratified by the Senate alone.

Mr. NELSON. It was ratified by the Senate, and was followed by a legislative act.

Mr. CUMMINS. Afterwards.

Mr. NELSON. Afterwards.

Mr. CUMMINS. So far as concerns the treaty, it was put into effect by the ratification of the Senate.

Mr. NELSON. It is the rule as to tariff legislation that a treaty of that kind must be supplemented by an act of Congress, which was done in that case.

Mr. CUMMINS. Precisely, but I thought it might be understood by the suggestion that the treaty secured its validity by the combined act of the House and Senate.

Mr. NELSON. The treaty, the mere treaty, was made by the President and the Senate.

Mr. CUMMINS. Precisely.

Mr. NELSON. And that treaty was followed by an act of Congress.

Mr. GALLINGER. It was discussed in executive session.

Mr. NELSON. It was discussed in executive session.

Mr. GALLINGER. And agreed to in the usual way.

Mr. DIXON. Not the bill?

Mr. NELSON. Not the bill, but the treaty was ratified by a two-thirds vote.

Mr. DIXON. Is the Senator from Minnesota a member of the Committee on Foreign Relations?

Mr. NELSON. No, sir; I am not.

Mr. DIXON. I should like to ask him whether or not this treaty was ever sent to the Committee on Foreign Relations?

Mr. NELSON. It was sent for a little while, the Senator will remember, and it was then passed over to the Finance Committee. It was held there for a little while.

Mr. DIXON. The Committee on Foreign Relations never took any action of any kind?

Mr. NELSON. I believe not. It was put there in cold storage for a short time and then sent to the Finance Committee.

Mr. CULLOM. The bill was referred to the Committee on Foreign Relations. We found that it was a revenue bill, and we brought it back and had it referred to the Committee on Finance.

Mr. CUMMINS. I should like to ask the Senator from Minnesota a question in order to emphasize what he has just been saying, for I agree absolutely in his general conclusion. The Constitution says that the President shall have the power to make treaties——

Mr. NELSON. By and with the advice and consent of the Senate.

Mr. CUMMINS. Precisely. I am not interested in that just now; but it provides that the President shall have the power to make treaties, and it says that Congress shall have the power to lay taxes and to levy duties on imports. Does the Senator from Minnesota believe that an agreement with a foreign nation which changes the duties on imports is within the treaty-making power? Does he not believe that that is a subject which is committed solely and absolutely under the Constitution to Congress?

Mr. NELSON. Will the Senator allow me to ask him a question? Does he believe that the President of the United States has the right to bargain with a foreign country to secure the passage of a bill through Congress—a bill of any kind through Congress?

Mr. CUMMINS. Mr. President, I do not believe that the President has any power whatsoever to enter into any arrangement with Canada or with any other country upon the face of the earth touching the duties or taxes which Congress has laid upon certain imports.

Mr. NELSON. I have not before me at this moment the message of the President sent to us on the 26th of January, but I have quoted from it. The bargain is that the President will use "his utmost—his utmost—endeavor" to secure such legislation. Was there ever an instance in the history of this Government when the executive department of the Government said to a foreign nation, "I will use my utmost endeavor to get through certain specific legislation"? I might as well talk plainly, Mr. President.

Mr. CUMMINS. If the Senator from Minnesota will look at the letter written by Mr. Fielding and Mr. Patterson to the Secretary of State, which forms the basis of this agreement, he will find that his suggestion now is verified by it, as they speak of the State Department as the Government of the United States.

Mr. NELSON. True.

Mr. WORKS. Mr. President——

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from California?

Mr. NELSON. Certainly.

Mr. WORKS. I should like very much to have an answer to the question submitted by the Senator from Iowa.

Mr. NELSON. What question was that?

Mr. WORKS. The question as to whether this matter could be brought about by treaty at all, because if not, then the Senator from Minnesota must be in error when he claims that that is the only way in which it can be done.

Mr. NELSON. Oh, no.

Mr. WORKS. If that be true, it must be done by bill, and can not be done in any other way.

Mr. NELSON. We have a right of our own motion without the intervention of the President to pass a tariff bill relative to the tariff between our country and another country, but in this case the President has made a bargain with that country to secure such legislation.

Mr. WORKS. Is not the matter proceeding in the regular way at the present time by a bill?

Mr. NELSON. It is not in the regular way. If this is not a reciprocity agreement, the favored-nation clause will apply. If it is not in its essence and in substance a reciprocity agreement between our country and Canada, all the nations could come in under the treaty and claim the most-favored-nation clause.

Mr. President, in this connection I beg leave further to quote, bearing upon the action of the President in this case, from Pomeroy's Constitutional Law, these pregnant, apt, and germane words:

The second clause—he shall recommend to the consideration of Congress such measures as he shall judge necessary and expedient—seems

to have a plain and definite meaning; and the power, according to that meaning, is reasonable and just. But a signification has been given to it, during a large part of our political history, entirely different from that which must have been contemplated by the framers of the Constitution, and a practice has grown up—

This relates to matters in general, and we have had a good deal of experience of it in late administrations—

and a practice has grown up utterly opposed to the spirit of the organic law. The President, having access to information and being familiar with the practical working of the laws, will be sure to perceive the occasions for amendments, additions, repeals; in short, for measures which he deems necessary or expedient. These improvements and alterations he may recommend to Congress. I do not think that a fair interpretation of the clause would require him to stop with a simple suggestion; he may, doubtless, state facts and use arguments in support of his views; may endeavor to the best of his ability to show why the proposed measure is necessary or expedient. So much is plainly embraced in the word "recommend." All this is simple, satisfactory, in strict accordance not only with the letter of the clause, but also with the spirit of the whole instrument. The President uses his prior official knowledge, is convinced from that knowledge that certain measures are demanded, proposes those measures to Congress with whatever of argument he thinks proper, and there leaves the matter. He has discharged his duty, and the responsibility is now with the lawmaking power.

In this instance before he proposed the matter to Congress he made a bargain with Canada.

How different is the reality from this picture. How often have Presidents and their Cabinets seemed to regard themselves as the great legislative department and the Congress as a body expected to receive and act upon their views. Not content with recommending measures, they have frequently set themselves at work with all the appliances at their command to procure those measures to be adopted, as though the passage of certain statutes was the chief object of their administrations and the chief work of their official career. The evil is not a recent one; it had its origin immediately after the time of those Presidents who assisted in laying the foundations of the Government, but it has developed with rapidity in recent years.

While the President should not be interfered with in the discharge of those functions which are committed to him by the organic law, the Legislature should be left no less free to act within their own peculiar sphere and range of duties; the Chief Magistrate should not overstep the line which separates their respective domains. The Constitution evidently contemplates the Congress as the great legislative body and the President as the great executive officer. This is undoubtedly the essential, the fundamental, idea of the general plan. The organic law does, indeed, recognize two exceptions to the universality of this principle, and beyond those exceptions neither Congress nor President should go. One exception has just been stated.

That is the exception of recommending it to Congress.

The other exists in the fact that the President must pass upon all statutes and approve or disapprove; and that, if he disapprove, he must give his reasons therefor. This, as I have before shown, makes him in a certain sense a coordinate branch of the Legislature; and he may, therefore, and indeed must, have his opinions as to the policy of enactments which have gone through the Congress. But he can not originate measures, or debate them, or express his views upon them, except when he disapproves of a bill presented to him, or when he recommends them to the consideration of the Legislature. The spirit of the Constitution which separates the legislative and executive functions is departed from to this extent, and no more. It can not be denied, however, that the modern practice has departed from that spirit much further, and has thereby tended to destroy one of the principal safeguards of every free, constitutional government—the independence of the executive and legislative departments. The final and perfected result of this practice would be the accumulation of all governmental power in the hands of the sole executive officer; Congress would be virtually driven from its position as an independent, coordinate branch, and made the mere registrar of the President's informal decrees. This gradual change from the letter and spirit of the organic law, and the growing tendency to treat all offices as mere political rewards, and the employment of the appointing power as a means of influencing legislation, have certainly weakened the well-contrived system of checks and balances which ought to have prevented either branch of the Government from usurping the functions of any other. (Pomeroy's Constitutional Law, pp. 586–588.)

President Grant, in 1874, pursued an entirely different course from that pursued by President Taft in this instance. In 1874 the British Government presented to our Government the draft of a treaty for reciprocal trade relations between our country and Canada. President Grant, before taking any action on the proposed treaty submitted it to the Senate.

Just think of that! President Grant, before taking any action on the treaty proposed by the British Government, submitted it to the Senate of the United States for its information, for consideration and advice as to what action to take in the matter.

The following is a copy of President Grant's message:

To the Senate of the United States:

The plenipotentiaries of Her Britannic Majesty at Washington have submitted to the Secretary of State, for my consideration, a draft of a treaty for the reciprocal regulation of the commerce and trade between the United States and Canada, with provision for the enlargement of the Canadian canals, and for their use by United States vessels on terms of equality with British vessels. I transmit herewith a report from the Secretary of State, with a copy of the draft thus proposed.

I am of the opinion that a proper treaty for such purpose would result beneficially for the United States. It would not only open or enlarge markets for our productions, but it would increase the facilities of transportation from the grain-growing States of the West to the seaboard.

The proposed draft has many features to commend it to our favorable consideration; but whether it makes all the concessions which could justly be required of Great Britain, or whether it calls for more concessions from the United States than we should yield, I am not prepared to say.

Among its provisions are articles proposing to dispense with the arbitration respecting fisheries, which was provided for by the treaty of Washington in the event of the conclusion and ratification of a treaty, and the passage of all the necessary legislation to enforce it.

These provisions, as well as other considerations, make it desirable that this subject should receive attention before the close of the present session. I therefore express an earnest wish that the Senate may be able to consider and determine, before the adjournment of Congress, whether it will give its constitutional concurrence to the conclusion of a treaty with Great Britain for the purposes already named, either in such form as is proposed by the British plenipotentiaries or in such other more acceptable form as the Senate may prefer.

U. S. GRANT.

WASHINGTON, *June 18, 1874.*

In other words, he recommended to the consideration of the Senate of the United States that treaty which was proposed to him by the British Government for trade relations with Canada. He pursued an entirely different course from that which the President pursued in this case.

While this proposed treaty contained provisions as to other matters, article 4 relates directly to trade relations, and is in substance as follows:

ART. 4. It is agreed that the articles enumerated in the Schedules A, B, and C, hereunto annexed, being the growth, produce, or manufacture of the Dominion of Canada or of the United States, shall, on their importation from the one country into the other, from the 1st day of July, 1875, to the 30th day of June, 1876, both included, pay only two-thirds of the duties payable at the date of this treaty on the importations into such country of such articles, respectively; and from the 1st day of July, 1876, to the 30th day of June, 1877, both included, shall pay only one-third of such duties; and on and after the 1st day of July, 1877, for the period of years—

which was 21 years; 21 years after the treaty comes into operation and in addition until the expiration of three years after notice of termination has been given—

and on and after the 1st day of July, 1877, for the period of years mentioned in article 13 of this treaty, shall be admitted free of duty into each country, respectively.

For the term mentioned in article 13 no other or higher duty shall be imposed in the United States upon other articles not enumerated in said schedules, the growth, produce, or manufacture of Canada, or in Canada upon such other articles, the growth, produce, or manufacture of the United States, than are, respectively, imposed upon like articles the growth, produce, or manufacture of Great Britain or of any other country.

Schedule A, consisting of the following natural products:

Animals of all kinds; ashes, pot, pearl, and soda; bark; bark extract, for tanning purposes; bath bricks; breadstuffs of all kinds; bricks for building and fire bricks; broom corn; burr or grind stones, hewed, wrought, or unwrought; butter; cheese; coal and coke; cotton wool; cotton waste; dyestuffs; earths, clays, ochers, sand, ground or unground; eggs; fish of all kinds; fish, products of, and of all other creatures living in the water, except fish preserved in oil; firewood; flax, unmanufactured; flour and meals of all kinds; fruits, green or dried; furs, undressed; grain of all kinds; gypsum, ground, unground, or calcined; hay; hemp, unmanufactured; hides; horns; lard; lime; malt; manures; marble, stone, slate, or granite, wrought or unwrought; meats, fresh, smoked, or salted; ores of all kinds of metals; pelts; peas, whole or split; petroleum oil, crude, refined, or benzole; pitch; plants; poultry and birds of all kinds; rags of all kinds; rice; salt; seeds; shrubs; skins; straw; tails; tallow; tar; timber and lumber of all kinds, round, hewed, and sawed, manufactured in whole or in part; tobacco, unmanufactured; tow, unmanufactured; trees; turpentine.

Schedule B, consisting of the following agricultural implements:

Axes; bag holders; beehives; bone crushers, or parts thereof; cultivators, or parts thereof; chaff cutters, or parts thereof; corn huskers, or parts thereof; cheese vats; cheese-factory heaters; cheese presses, or parts thereof; churns, or parts thereof; cattle-feed boilers and steamers, or parts thereof; ditchers, or parts thereof; field rollers, or parts thereof; fanning mills, or parts thereof; feed choppers, or parts thereof; forks for hay and manure, hand or horse; grain drills, or parts thereof; grain broadcast sowers, or parts thereof; grain crushers, or parts therof; harrows; hoes, hand or horse; horse rakes; horsepower machines, or parts thereof; hay tedders, or parts thereof; liquid-manure carts, or parts thereof; manure sowers, or parts thereof; mowers, or parts thereof; oil and oil-cake crushers, or parts thereof; plows, or parts thereof; root and seed planters, or parts thereof; root cutters, pulpers, and washers, or parts thereof; rakes; reapers, or parts thereof; reaper and mower combined, or parts thereof; spades; shovels; scythes; snaths; thrashing machines, or parts thereof.

Schedule C, consisting of the following manufactures:

Axles, all kinds; boots and shoes of leather; boot and shoe making machines; buffalo robes, dressed and trimmed; cotton grain bags; cotton denims; cotton jeans, unbleached; cotton drillings, unbleached; cotton tickings; cotton plaids; cottonades, unbleached; cabinet ware and furniture, or parts thereof; carriages, carts, wagons, and other wheeled vehicles and sleighs, or parts thereof; fire engines, or parts thereof; felt covering for boilers; gutta-percha belting and tubing; iron, bar, hoop, pig, puddles, rod, sheet, or scrap; iron nails, spikes, bolts, tacks, brads, or sprigs; iron castings; india-rubber belting and tubing; locomotives for railways, or parts thereof; lead, sheet or pig; leather, sole or upper; leather, harness and saddlery of; mill, or factory, or steamboat fixed engines and machines, or parts thereof; manufactures of marble, stone, slate, or granite; manufactures of wood solely or wood nailed, bound, hinged, or locked with metal materials; mangles, washing machines, wringing machines, and drying machines, or parts thereof; printing paper for newspapers; paper-making machines, or parts thereof; printing type, presses, and folders, paper cutters, ruling machines, page-numbering machines, and stereotyping and electrotyping apparatus, or parts thereof; refrigerators, or parts thereof; railroad cars, carriages, and trucks, or parts thereof; satinets of wool and cotton; steam engines, or parts thereof; steel, wrought or cast, and steel plates and rails; tin tubes and piping; tweeds of wool solely; water-wheel machines and apparatus, or parts thereof.

What transpired with reference to this treaty? The Senate, after receiving a considerable number of protests against the proposed treaty, finally, on February 2, 1875, after some debate and discussion, adopted the following resolution in executive session:

Resolved, That it is not expedient to recommend the negotiation of the treaty for reciprocal trade with the Dominion of Canada submitted to the Senate June 18, 1874.

It thus appears that President Grant, before taking any definite action, consulted the Senate in that important matter. In this instance it seems that the President has seen fit not to consult the Senate, either individually or collectively, in the matter before insisting upon Congress passing a bill to carry out the arrangements made with Canada. Who he did consult and who guided him in the matter he has not divulged, but left us in the dark.

Mr. President, I call to the attention of the Senate this matter to show how considerate President Grant was not only of the rights of the Senate but of the rights of the American farmers, who were vitally interested in the provisions of the treaty.

I come next to the matter of reciprocity, Mr. President.

RECIPROCITY.

The true Republican doctrine of reciprocity was laid down by President Roosevelt in his annual message to Congress December 3, 1901, in the following words:

Reciprocity must be treated as the handmaiden of protection. Our first duty is to see that the protection granted by the tariff in every case where it is needed is maintained, and that reciprocity be sought for, so far as it can be safely done, without injury to our home industries.

President McKinley, in his last public utterance to the people of the United States, at Buffalo, N. Y., September 5, 1901, in advocating reciprocity, declared that—

By sensible trade arrangements *which will not interrupt our home production* we shall extend the outlets of our increasing surplus. * * * We should take from our customers *such of their products as we can use without harm to our industries and labor.*

The trade agreement with Canada presented to us by the President, and for which he invokes our legislative action, ignores and does violence to the reciprocity creed of Presidents Roosevelt and McKinley, as I shall endeavor to point out to the Senate.

In 1854 we entered into a reciprocity treaty, in respect to Canada, with the British Government. That treaty was negotiated and entered into by the President, was duly submitted to and ratified by the Senate, and was supplemented by legislation to carry it into effect, a procedure entirely different from that pursued in this case. The following is the scope of that treaty. As the articles entered are very few, I shall take the time of the Senate to read them, so that Senators may see how different they are from the articles named in the present treaty:

ART. 3. It is agreed that the articles enumerated in the schedule hereunto annexed, being the growth and produce of the aforesaid British colonies or of the United States, shall be admitted into each country, respectively, free of duty.

I will read the schedule, which is a short one:

Schedule: Grain, flour, and breadstuffs, of all kinds; animals of all kinds; fresh, smoked, and salted meats; cotton wool, seeds, and vegetables; undried fruits, dried fruits; fish of all kinds; products of fish, and of all other creatures living in the water; poultry, eggs; hides, furs, skins, or tails, undressed; stone or marble, in its crude or unwrought state; slate; butter, cheese, tallow; lard; horns; manures; ores of metals, of all kinds; coal; pitch, tar, turpentine, ashes; timber and lumber of all kinds, round, hewed, and sawed, unmanufactured in whole or in part; firewood; plants, shrubs, and trees; pelts, wool; fish oil; rice, broom corn, and bark; gypsum, ground or unground; hewn, or wrought, or unwrought burr or grind stones; dyestuffs; flax, hemp, and tow, unmanufactured; unmanufactured tobacco; rags.

This treaty was abrogated and terminated in 1866.

I call your attention to the fact wherein it differs. By this treaty, negotiated by the President and involved in this bill, the agricultural products of the farmer—wheat, rye, barley, oats, flax, and his cattle, hogs, and sheep—are all on the free list, while the products of those products of the farmers—meat, dressed meat, canned meat, ham, bacon, flour, bran, and shorts—are all on the protected list. It was not so in the treaty of 1854.

The treaty of 1854 was abrogated and terminated in 1866. It was much fairer, more equitable, and less one sided than the agreement in the case before the Senate. As an illustration of this, I will call attention to the fact that while all kinds of grain, animals, and fish were put on the free list, flour, breadstuffs, and all kinds of meat and fish products were also put on the free list. The miller, the butcher, and the packer were put on a par with the farmer in that treaty, and the farmer was given free lumber, all of which is not the case in the agreement presented to us by the President in this case.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Idaho?

Mr. NELSON. Certainly.

Mr. BORAH. Was coal also on the free list under the act of 1854?

Mr. NELSON. I think so. That treaty, I say, gave us free lumber. This treaty does not give us free lumber. I will discuss that later on and show what we get by this treaty. At the time that treaty was entered into Canada was developed only to a very limited extent, confined mostly to the Provinces east of Lake Superior. I call your attention to it on that map yonder. That vast country between the Great Lakes and the Rocky Mountains was then, and for years thereafter, a wholly undeveloped wilderness. Canada had at that time a population of not much over 2,000,000. Her agricultural resources, outside of the Provinces of Ontario, Quebec, New Brunswick, and Nova Scotia, were scant and limited, and she was not to such an extent as now a competitor of our farmers. And yet no substantial advantage, but rather disadvantages, accrued to our country from that treaty, while it evidently proved of considerable advantage to Canada. Our exports to Canada during the last year of that treaty were over $2,000,000 less than during the first year of it, while our imports from Canada were over $34,000,000 more during the last year of the treaty than during the first year of it. The balance of trade in our favor during the first year of the treaty was over $6,500,000, while the balance of trade against us during the last year of the treaty was over $29,750,000. The following table shows the condition of our trade with Canada during the life of the treaty:

[Figures below taken from reports of Secretary of Treasury on commerce and navigation for years listed.]

Executive documents.	Years.	Exports to Canada.	Imports from Canada.	Balance of trade.
Vol. 16 p. 326	1855	$18,720,344	$12,182,314	+$6,538,030
Vol. 13, p. 544	1856	20,883,241	17,488,197	+ 3,395,044
Vol. 14, p. 510	1857	16,574,895	18,291,834	− 1,716,939
Vol. 13, p. 548	1858	17,029,254	11,581,571	+ 5,447,683
Vol. 15, p. 549	1859	18,940,792	14,208,717	+ 4,732,075
Vol. 8, p. 548	1860	14,083,114	18,861,673	− 4,778,559
Vol. 12, p. 602	1861	14,361,858	18,645,457	− 4,283,599
Vol. 13, p. 270	1862	12,842,504	15,253,152	− 2,410,648
Vol. 17, p. 270	1863	19,895,718	18,813,840	+ 1,084,878
Vol. 15, p. 320	1864	16,656,429	30,974,118	−14,315,689
Vol. 17, p. 658	1865	19,212,467	30,547,267	−11,334,800
Vol. 17, p. 394	1866	16,456,145	46,199,470	−29,743,325

NOTE.—Plus sign indicates balance of trade in our favor; minus sign indicates balance of trade against us.

Some question was raised as to the beneficial character of that treaty. It was referred by the executive department to a certain gentleman for a report.

From the report (H. Ex. Doc. No. 96, 1st sess. 36th Cong.) made to the House of Representatives in 1860, relative to the effect of that treaty upon our trade with Canada, I quote the following words, which are as pertinent to the pending bill as they were to that treaty, namely:

CANADIAN FARMER PLACED BY TREATY ON EQUALITY WITH OUR FARMER AS TO VALUE OF FARM AND PRODUCT.

The increase in the profits of the Canadian farmer—

I am reading from the report upon the effects of the treaty of 1854—

The increase in the profits of the Canadian farmer since the treaty is well known on both sides of the frontier. The large amount which would have accrued to the United States in the form of duties has gone to his benefit in the increased value of his products and real estate.

That is the Canadian farmer.

The production of many articles has been greatly stimulated—much to his advantage—and their importations have been severely felt by our own producers along all that line of frontier through which access is naturally sought in an eastward course to our cities, manufacturing districts, and the great highway of the world.

I ask the attention of Senators, and I ask the attention of the President of the United States to this part of the report:

Contrary to the belief—

The report adds—

Contrary to the belief commonly held at the date of the treaty, the Liverpool market does not determine the standard of value of breadstuffs on this side of the Atlantic.

That was the report upon the treaty of 1854. In that case the argument was used as in this case that the Liverpool market fixed the price. This report says:

The grain-growing regions of the Northwestern States—

I am reading from the report—

have suffered more than other parts of the Union from a depression of prices in our Atlantic cities, thus caused by the influx of Canadian products. A temporary cheapness of transportation will not compensate for reduction in the value of the grain.

This report from which I quote describes in detail and with great clearness the baleful effect of that treaty upon our trade with Canada and upon our industrial progress and development. All the evils which came to our country from that treaty will come to us in a greater measure under the reciprocity scheme outlined in the pending bill.

In the debate in the United States Senate, in January, 1865, upon the resolution directing the President to serve notice of abrogation of the treaty of 1854, Senator Chandler, of Michigan, described that treaty in the following words:

If—

He says—

instead of a treaty of reciprocity this treaty had been called a treaty to encourage emigration from the United States into Canada, a treaty to encourage production in Canada instead of in the United States, it would have been more justly named.

And this language can with even more justice be applied to the reciprocity scheme negotiated by the President and embraced in the pending bill. And Senator Foote in the same debate said:

I believe it to be very generally conceded that while this reciprocity treaty, so denominated, has proved highly beneficial to the interests of the people of the British Provinces, and has contributed very largely to their interest and prosperity, it has at the same time proved injurious and prejudicial to the interest and prosperity of the people of the American States. The very title of the treaty is a misnomer. There is nothing reciprocal about it; there is nothing reciprocal in its operation; it produces no reciprocity of benefits between the two Governments. It is beneficial to one only of the contracting parties and injurious to the other.

How aptly and truly this language applies to the pending bill. There is no reciprocity in it for the farmer.

Since the abrogation of that treaty, especially since the Dingley Tariff Act of 1897, our trade with Canada has been in a most flourishing condition and steadily on the increase, with a growing balance of trade in our favor, as the following table of our exports to and imports from Canada show:

Exports to and imports from Canada.

Years.	Exports to Canada.	Imports from Canada.	Balance of trade.
1898	$83,714,086	$31,870,490	$51,843,596
1899	87,974,961	31,220,967	56,753,994
1900	95,319,970	39,369,074	55,950,896
1901	105,789,214	42,482,163	63,307,051
1902	109,642,993	48,076,124	61,566,869
1903	123,266,788	54,781,418	68,485,370
1904	134,234,985	51,552,791	79,682,194
1905	140,529,581	62,469,632	78,059,949
1906	156,736,685	68,237,653	88,499,032
1907	183,206,067	73,334,615	109,871,452
1908	167,035,947	75,131,666	91,904,281
1909	163,448,656	79,317,055	84,131,601
1910	215,979,226	95,128,310	120,850,916
Total balance of trade			1,011,718,201

9356

Our total exports in the fiscal year 1910 were $1,744,984,720, and of this amount Great Britain absorbed $505,552,871, Germany $249,555,926, and Canada $215,979,226. The balance of trade in our favor on the trade with Great Britain was $234,523,099, on the trade with Canada $120,850,916, and on the trade with Germany $80,749,689. These figures indicate that our trade with Canada is in a most prosperous, healthy, and growing condition, and that there can be no urgent demand for a reciprocity that would make our country the dumping ground for all the surplus agricultural products of Canada, which will be her chief exports to this country under the reciprocity plan proposed by the President, and which will inevitably turn the balance of trade against our country and work enormous and continued injury to our farmers.

Sir Wilfrid Laurier, the prime minister of Canada, in a speech delivered in the House of Commons on March 7, 1911, said, among other things:

We are, above all, an agricultural people. Our object to-day is to open the door to the American market. And shall we be told that because such an arrangement is to go into effect and Canadian vegetables, cereals, and fruits can be eaten free of duty by the American people it will be all over with the Canadian Federation and even the British Empire will reel upon its foundations? Let us disregard these freaks of unreasoning panic. All that we ask is to obtain for the Canadian who works in the fields the best possible remuneration for his labor.

In these words Mr. Laurier clearly points out the chief advantage that will inure to the Canadians, "who are, above all, an agricultural people," from the proposed reciprocity plan. He sees what our President does not seem to see, that the Canadian farmers will find a market for all their surplus agricultural products here in the United States in a population of over 90,000,000 people.

The following article from the Calgary Albertan, one of the leading newspapers in the Province of Alberta—a Province which is nearly as large as the State of Texas, as you can see on yonder map—clearly and truly states the great advantages which will inure to Canada from the proposed reciprocity:

BENEFITS THAT CANADA SEES.

[Calgary Albertan.]

But all the Provinces will benefit—the maritime Provinces, with their fish and their vegetables; the Province of Quebec, with its hay; the Province of Ontario, with its barley and its dairy products; the Provinces of Saskatchewan and Manitoba, with their grain; the Province of Alberta, with its grain, its cattle, its coke; the Province of British Columbia, with its timber and its coke and, eventually, with its fruit. This is Canada's great opportunity. We are asked by the special interests, by the eastern manufacturer, to sacrifice this advantage because some eastern people, who spend most of their time in the city of Toronto counting their money, believe, or say they believe, that we will sell our loyalty with our coke, part with our devotion for the motherland along with our fat steers, and annex as we sell our grain.

From the London Times of March 6, 1911, it appears that the tariff commission of Great Britain has prepared and presented a long and elaborate memorandum on the proposed reciprocity agreement. The memorandum, after giving a detailed table of all the articles in Schedule A, the free-list schedule, proceeds to state that—

While, therefore, little opportunity would seem to be given by the agreement for the United States to capture any Canadian import trade in these articles, there appears to be a large area for an increase in Canadian exportation to the United States, and consequent diversion southward of Canadian food and agricultural products that now come to the United Kingdom. In the opinion of British authorities, as set out in section E of this memorandum, one effect may be expected to be an increase in prices to the British consumer of these food and agricultural products.

There is a plain admission of the British tariff commission that the agricultural products of the Dominion instead of flowing to Great Britain, as they have done, will then flow into our country and be dumped in our midst.

In the Washington Star of March 23, 1911, appears this interview:

Farmers for pact—Representative Campbell back from tour of Canada—Makes report to Taft——

I call attention to this report because, if this report was made to President Taft, there was no excuse for him making the statements which he did in his Chicago speech——

AGRICULTURAL INTERESTS BELIEVE RECIPROCITY WOULD REMOVE THE TARIFF BARRIER.

Representative CAMPBELL, of Kansas, who has been through Canada on a "reciprocity tour" studying all the facts he could gather as to the reciprocity situation there, called on President Taft to-day to speak of the visit. Asked for his observations, he made the following statement:

"In all parts of Canada I found those who favor the treaty doing so because they said it removes what they call our tariff barrier and lets the products of their farms into our markets free of duty.

"Farmers everywhere complain that now they can not fairly compete with the American farmers, for when they send any of their products here they get our prices, less the duty. Farmers, fishermen, lumber, pulp, and paper men expect to be benefited to the amount of the tariff removed by the treaty."

"Let me give you just what some of them say:

"George Daborn, of Minudie, Nova Scotia: 'It will be worth a fortune to farmers here to have reciprocity with the United States.'

"John F. Wallace, of Hillsboro, New Brunswick: 'I believe reciprocity will be the means of opening a market to the farmers of the Maritime Provinces.'

"James W. Alvord, of Townsend Center, Ontario: 'It is just what we farmers have been looking for for 40 years, waiting with patience.'

"James Burnett, of Napinka, Manitoba: 'I think it will be of great benefit to the farmers of this country.'

"W. Fowler, Kenly, Saskatchewan: 'It will put from 5 to 25 cents per bushel on grain; also help American immigration.'"

I do not know Mr. Campbell personally, but this is a pretty fair report, and it is a pity that the President did not heed it.

"O. S. Rosenroll, of Wetaskewin, Alberta: 'To us in Alberta it means markets and increased prosperity. The value of our farms will increase, our cattle industry will flourish, and our grain crop will be worth from 10 to 20 per cent more.'"

RAISING GOOD WHEAT.

"I found that Canada produces all the grain products we produce in the United States. It is not a great corn country, but they raised about 25,000,000 bushels last year. They raise more wheat, oats, rye, and barley to the acre than we do. They are raising good wheat now as far north as the seventieth degree north latitude. The area of Canada is almost half a million square miles larger than that of the United States. The soil is fertile, the climate and the seasons favorable, and land is cheap. All they need is a market—people to eat what they produce. They have less than 8,000,000 people in the entire Dominion.

"The combined population of Minneapolis and St. Paul, Milwaukee, Chicago, Duluth, Buffalo, and New York is eight and three-quarter millions. These cities are at their door. They can get most of their products into most of these cities by water transportation.

"What about prices? Farm machinery costs about the same there as here. There is one large concern that manufactures most of the machinery in the Dominion. Binders sell for $125 to $130. The difference is in the price of grain. Take wheat. The price at Winnipeg and Minneapolis affords a fair comparison.

"July 31, 1909, the price at Winnipeg was $1.19; at Minneapolis, $1.32.

"August, Winnipeg, $1.12; Minneapolis, $1.28.

"December, Winnipeg, $0.96⅞; Minneapolis, $1.12⅜.

"January 1, 1910, Winnipeg, $1.03; Minneapolis, $1.15⅝.

"April 23, 1910, Winnipeg, $1.01⅞; Minneapolis, $1.11.
"September 24, 1910, Winnipeg, $1.01; Minneapolis, $1.12⅛.
"November 19, 1910, Winnipeg, $0.94⅜; Minneapolis, $1.04⅞.
"December 31, 1910, Winnipeg, $0.91⅜; Minneapolis, $1.03⅝.
"January 7, 1911, Winnipeg, $0.93½; Minneapolis, $1.08½.
"January 21, 1911, Winnipeg, $0.94¼; Minneapolis, $1.04⅝.

That was before the reciprocity measure was sent to Congress.

VARIATION IN PRICE.

"On the 31st of last December the price of wheat at Pembina, N. Dak., was 91 cents, while across the line in Canada, at Emerson, less than a mile away, the price was 81 cents.

"The distance by the Canadian transcontinental railways from Winnipeg through Montreal to Liverpool is 652 miles less than the distance from Minneapolis to Liverpool through New York or Boston, and the rate is a little less by the Canadian route.

"Sir Wilfrid Laurier's Government believes the difference in the price on the two sides of the line is due to our tariff. His Government looks on the removal of that tariff as the best possible thing that could be done for the Canadian farmer."

This is the report that Mr. CAMPBELL, a Representative from Kansas, made to the President last March, and which the President seems to have overlooked in his Chicago speech.

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Iowa?

Mr. NELSON. Certainly.

Mr. CUMMINS. I do not want the Senator from Minnesota to misunderstand me, and I dislike this arrangement in its present form just as much as he does; but I was minded yesterday to ask the Senator from North Dakota [Mr. MCCUMBER] a question on this point. I did not do it, and now I want to ask it of the Senator from Minnesota, because I think the explanation ought to be made here and now.

The farmers of Canada, as I understand, are in favor of this arrangement, because they hope that, if it is adopted, they will be able to sell their products at American prices.

Mr. NELSON. In our markets.

Mr. CUMMINS. The farmers of the United States are opposed to it, because they fear that, if it is adopted, they will be compelled to sell their products at Canadian prices. Now, one or the other of these bodies of men is bound to be disappointed. Which will it be?

Mr. NELSON. If you remove the barrier it is like this: If you have two dishes of water and a pipe between them so that the water can run freely from one side to the other, they will both be brought to the same level.

Mr. CUMMINS. Precisely.

Mr. NELSON. And if you remove the tariff barrier at all, the prices of Canada will relatively increase from what they have been, and our prices will diminish.

Mr. CUMMINS. Our prices will be as great as the Canadian prices, and if the Canadian prices increase by the amount of the tariff, our prices will remain as they are.

Mr. NELSON. Oh, no.

Mr. CUMMINS. It seems to me that the Canadian farmers must be disappointed in their expectations or the American farmers are grounding their fears upon an imaginary basis.

Mr. NELSON. I leave that question to what Mr. Campbell reports.

Mr. CUMMINS. I wanted the view of the Senator from Minnesota upon it. If this arrangement results in prices going down to the Canadian point—in other words, to the export point—then the Canadian farmer can not be benefited by this arrangement.

Mr. NELSON. He will in the end, because he will get a nearer market.

Mr. CUMMINS. If, however, the prices remain the same, he will not be benefited.

Mr. NELSON. The prices would not necessarily remain the same. The Senator knows that prices are governed by local conditions. I am going to discuss that later on.

Mr. CUMMINS. I understood it to be asserted yesterday, and I simply want to get a clear idea of it, that it was the opinion of men who had studied the matter most carefully——

Mr. NELSON. What is the opinion of the Senator from Iowa upon the subject?

Mr. CUMMINS. I am asking the opinion of the Senator from Minnesota.

Mr. NELSON. But I want to know the Senator's opinion.

Mr. CUMMINS. I will answer that question directly when I come to speak. I do not believe in this arrangement, mark you, but I want to understand, if I can, every argument both for it and against it. Now, it can not be true that the arrangement will at one and the same time advance the Canadian prices to the American prices and reduce the American prices to the Canadian prices. It can not have those two effects.

Mr. NELSON. After I hear the Senator's argument on that point, I shall be prepared to answer him in detail.

Mr. WARREN. Will the Senator permit me to ask him a question?

Mr. NELSON. Certainly.

Mr. WARREN. Are they not likely to be disappointed on both sides of the line, both the farmers of Canada and those of America? Taking the illustration of the Senator, of the pipe between two vessels of water, the water will assume the same level in both vessels, and in that case the water is higher in one vessel than it was before and in the other it is lower. But, on the other hand, the Canadian farmers, as I understand the pact, have the advantage of certain free commodities that the American farmers do not have. For instance, on our side a farmer who sells wheat at the same price for which the Canadian sells it, when he buys a barrel of flour will have to pay a customs tax of 50 cents a barrel, which the farmer on the Canadian side does not have to pay; and when the man on the American side buys a beefsteak for dinner he will have to pay a cent and a quarter a pound more customs tax than the man on the other side. So that the agreement, even if an equilibrium of prices were established, in my opinion—and I will ask the Senator if he does not agree with me—leaves the American farmer the loser.

Mr. CUMMINS. Mr. President, the Senator is answering me rather than the Senator from Minnesota.

Mr. WARREN. That is true.

Mr. CUMMINS. I at once agree to the proposition of the Senator from Wyoming. The arrangement is manifestly unfair and unjust in that respect; but I wanted, if I could, to get clear in my own mind the effect of the arrangement upon the increase of price in Canada on the Canadian products and the decrease of the price on American products in our own markets. Those prices will be the same after this arrangement is adopted.

Mr. NELSON. Not necessarily. If the Senator was not here——

Mr. WARREN. Mr. President, since I have participated in the discussion, I will say that I was not so much in the humor in asking the question of the Senator from Minnesota to propound my own idea as to the result, but to ask whether my idea were not true. I will admit that the Senator's last observation is also true, that prices may not be the same, but, taking his illustration that they tend toward the same level and will be lower in one country and higher in the other, yet back of all that are conditions that are against the farmer of this country and in favor of the farmer of Canada through this pact.

Mr. NELSON. I want to say—I do not recall whether at the time the Senator from Iowa was in his seat or not—that, as I have stated, it was argued under the treaty of 1854, as it is being argued now, that the price of wheat was fixed by the Liverpool market, and that that treaty could not have any effect on the price of agricultural products; but a report made upon the treaty of 1854, from which I have quoted, proved that not to be true. Under the operation of that treaty the prices of agricultural products on our side of the line did not appear to be governed by the Liverpool prices.

Mr. CUMMINS. Mr. President, I agree to that absolutely. There is no such thing as a world price. It is a fallacy to speak of it in those terms. I agree that the prices of some of these products in the United States have been higher at many times and for long periods than the so-called Liverpool price, less the cost of transportation and other incidental expenses; but I do believe that the Canadian farmer is being deluded by the argument that is presented here by the Senator from Minnesota, as well as the addresses or observations that I have heard quoted in the Senate coming from some of the officers and representatives of the Dominion Government. I believe that the general tendency will be toward a lowering of prices in these three or four products.

Mr. WARREN. Then, Mr. President, the Senator believes that both the American farmer and the Canadian farmer will be disappointed?

Mr. CUMMINS. I believe that especially the Canadian farmer will be disappointed, for I think that the prices of products in the United States and in Canada will be practically the same; and, if the surplus is as large as depicted by the Senator from North Dakota [Mr. MCCUMBER], that the prices will be practically the export prices varied a little here and there by the local demand.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Idaho?

Mr. NELSON. Certainly.

Mr. BORAH. I want to suggest to the Senator from Iowa, suppose this reciprocity agreement should go into effect and the result of it should be that the prices of Canadian farm products should come up to the level of American prices, then, if it costs more to get the products of the American Northwest into the main markets of the United States than it would cost Canada, Canada would evidently occupy that market, would it not?

Mr. CUMMINS. Canada would make a larger profit.

Mr. BORAH. It would occupy the market, would it not?

Mr. CUMMINS. Canada would make a larger profit for her sales in our market than our farmers would upon the conditions stated by the Senator from Idaho. The prices, however, for the products would be substantially the same; but if it costs one farmer 10 cents more to put his product into the market than it costs his rival farmer, the former would make 10 cents less per bushel.

Mr. BORAH. Ultimately the man who could put it into the market the cheapest would occupy the market.

Mr. CUMMINS. That is true; but you must remember that the United States is not the only market for these products; and so long as the world takes them the price throughout the world would in a general way control the price here. The result would be, if the Canadians took our market, that we would necessarily export a very much larger percentage of our products.

Mr. BORAH. That would result in a long distance being placed between us and our market, while our market at home would be transferred to a foreign producer. The market, possibly in Chicago and other places, would be occupied by Canadian wheat and Canadian products, and if we had a market it would have to be a foreign market.

Mr. CUMMINS. In the case cited by the Senator from Idaho, of course, that would be true, although it is not true that the wheat production of Canada can reach Buffalo or Chicago more cheaply than can the wheat production of the United States.

Mr. BORAH. It certainly can reach it cheaper by water than can the product of the Northwest.

Mr. CUMMINS. No; it is as far from the centers of production of wheat in Canada to water as it is from the centers of production in the United States to water. The distances, as stated by the Senator from North Dakota, are not very dissimilar.

I simply wanted to give publicity to the idea that the Canadian farmer was being lured on, as I believe, by a false hope.

Mr. NELSON. In this reciprocity agreement the American farmer is to be sacrificed for the benefit of the Canadian farmer and for the benefit of the American manufacturer, miller, and packer, notwithstanding the fact that he has been called upon, and is still called upon, to support and promote every other industry in this country by means of a protective tariff.

The treaty of 1854 proved to be of no advantage, but rather of disadvantage, to the United States, as I have already pointed out. The reciprocity plan formulated and now proposed to us by the President will prove to be a most grievous burden on the American farmer and handicap him as he has never been handicapped before, and to thus cripple him will ultimately react upon and injure the railroads and the protected industries of our country.

The agricultural conditions now prevailing in Canada are entirely different from what they were in 1854, or at any time since that date up to 10 years ago. Up to 1871 that vast domain of Canada situate between Lake Superior, James and Hudson Bays on the east and the Rocky Mountains on the west was wholly and entirely an undeveloped and unsettled wilderness in the grasp of the Hudson Bay Co., which exploited the region exclusively for furs and peltries and industriously, by legerdemain—and sometimes by force—excluded all settlers and frowned upon all development. The company maintained and insisted on maintaining that immense region of fertile prairies and woodlands, of great lakes and mighty rivers, as a mere fur and game preserve, and the only white people it permitted to enter were its employees—the hunters, trappers, voyageurs, and the so-called courier du bois—and most all of these were chiefly Canadian French and Scotch highlanders, intermingled with some Orkeney men, who came to the country unmarried and who, to a large extent, took Indian wives and raised a progeny of half-breed children. Finally the company's rule culminated in the so-called Riel half-breed rebellion in 1869 and 1870. The rebellion was suppressed by British and Canadian troops, sent from Ontario and Quebec, under the lead of Col. Wolseley, now Lord Wolseley. Upon the suppression of the rebellion the British Government, by negotiation and purchase, terminated and extinguished the monopoly of the Hudson Bay Co. and took steps, though at first rather dilatory, to open the vast empire to settlement and development. There was at this time, in 1871, not to exceed 50,000 white people in the entire region between the Lake of the Woods, Winnipeg Lake, Winnipeg River, and Nelson River on the east and the Rocky Mountains on the west—a distance of nearly 1,500 miles. Owing to the lack of transportation facilities, other than limited navigation on the Red, the Assiniboine, and the Saskatchewan Rivers, the process of settlement and development was for many years feeble and slow and little progress was made. In the early eighties the Canadian Pacific Railroad was extended from the west end of Lake Superior through this region to the Pacific coast, and by the end of the eighties the entire line of railroad from the eastern to the western seaboard was completed.

And since that time the line has been supplemented by many important branches and feeders in the region between the Red River and the Rocky Mountains. In addition to the Canadian Pacific, two other great transcontinental railroad lines have been, and are being, constructed through this region, to wit, the Canadian Northern and the Grand Trunk Pacific. The former has completed its line from Port Arthur, at the west end of Lake Superior, to Edmonton, on the North Saskatchewan, and from thence to near the eastern foothills of the Rockies—through the very heart of this country—a distance of upward of 1,500 miles, with many important branches and feeders. The Grand Trunk Pacific—a transcontinental line—is still in process of construction, with a completed mileage, from Winnipeg westward through this region, of nearly 1,000 miles.

In the meanwhile, since the claim of the Hudson Bay Co. was extinguished, and while this great progress in railroad construction has taken place, Canada has carved out, established, and organized three great Provinces in this former game preserve of the Hudson Bay Co., namely, Manitoba, with an area of 73,732 square miles; Saskatchewan, with an area of 250,650 square miles; and Alberta, with an area of 253,540 square miles.

These Provinces are contiguous to and abut upon the States of Montana, North Dakota, and Minnesota, and exceed in area the States of Iowa, Minnesota, Montana, Nebraska, North Dakota, and South Dakota combined. Each of these Provinces has a local legislature, with a lieutenant governor and a responsible ministry at the head of the government, and they hold a relationship to the Dominion Government somewhat akin to the relation our States hold to the Federal Union. There are over 350,000,000 acres of land in these three Provinces, consisting of vast and fertile prairies, interspersed with patches of timber and woodlands. A full third of the area consists of first-class arable land, well adapted to and capable of producing good crops of wheat, oats, barley, rye, flax, potatoes, and grass. Another third is well adapted to and suitable for grazing and stock raising. The remaining third consists of woodlands of greater or less value, according to the amount and character of the timber. Not to exceed 3,500,000 acres of all these fertile and arable lands were under cultivation in 1900 and over 14,500,000 acres in 1910. Canada has a more liberal homestead law than ours for its Dominion lands, and large quantities of land, owned by the railroad companies, the Hudson Bay Co., and various land syndicates, can be purchased on liberal terms at a low price—much cheaper than lands of similar quality in our country.

These three Provinces have at this time a population of upward of 1,500,000, over two-thirds of whom have settled there within the last 10 years, and not less than a third of whom have come from the United States during that period, attracted by the cheap and fertile lands and the liberal homestead laws.

I may say that within the last five years over half a million of our people have gone across the border and settled on those Canadian lands. Agriculture is the chief and principal industry of these Provinces. The opening of our markets free to the farmers of these Provinces will, under the conditions prevailing there and which I have briefly pointed out, greatly stimulate immigration into these Provinces from the United States, to their gain and our loss. Cheap and fertile lands have heretofore, in later years, proved a great inducement and stimulation for emigration to Canada, in spite of the tariff embargo which has heretofore existed. If this embargo is removed and the farmers in these Provinces are given free access to our markets, there will be a rush of our people to these Provinces, and thus a double injury will be inflicted upon our country by the pending reciprocity plan—a loss in people and a loss in prices of our agricultural products and our agricultural lands.

In this connection I quote the following from the New York Sun of March 24, 1911:

EXODUS TO CANADA GROWS.

Current year's figures show 102,017 American immigrants.

OTTAWA, *March 23, 1911.*

The indefatigable immigration department of the Canadian Government issued a statement to-day of the immigration figures for the first 10 months of the present fiscal year. The total immigration during the period was 260,687, a gain of 57 per cent over the same period of the year before. From the United States the immigration was 102,017, a gain of 26 per cent.

The following table shows the population of these three Provinces in 1901 and the principal agricultural crops raised there in 1900 and the area of land then under cultivation:

[Compiled from the Commercial Handbook of Canada, 1910, and the Census and Statistics Monthly of Canada, December, 1910.]

Provinces.	Population of the 3 Provinces Apr. 1, 1901.	1900				
		Area under cultivation.	Production of wheat.	Production of oats.	Production of barley.	Total production.
		Acres.	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*
Alberta	419,512	172,227	797,839	3,791,259	287,343	4,876,441
Manitoba		2,678,701	18,352,929	10,952,365	2,666,567	31,971,861
Saskatchewan		640,485	4,306,091	2,270,057	187,211	6,763,359
Total		3,491,413	23,456,859	17,013,681	3,141,121	43,611,661

The following very instructive table of population, railway mileage, land under cultivation, and crops raised in 1910 shows the rapid and extensive growth and development of these Provinces during the last 10 years:

[Compiled from the Census and Statistics Monthly, 1910, of the Department of Agriculture, Canada; the Commercial Handbook of Canada, 1910; the Statesman's Yearbook, 1910; and the Canadian Almanac, 1910, relative to the Provinces of Alberta, Manitoba, and Saskatchewan, Canada.]

Provinces.	Estimated population, 1910.	Railway mileage, 1909.	Total land area.	Arable land.	Land under cultivation, 1910.
		Miles.	*Acres.*	*Acres.*	*Acres.*
Alberta	306,722	1,321.52	160,755,200	100,000,000	1,808,719
Manitoba	503,569	3,205.30	41,169,280	30,000,000	5,318,989
Saskatchewan	372,257	2,631.34	155,092,280	57,884,160	7,436,560
Total	1,182,548	7,158.16	357,016,760	187,884,160	14,564,268

Provinces.	Production of wheat, 1910.	Production of oats, 1910.	Production of barley, 1910.	Production of flax, 1910.	Production of rye, 1910.	Total production, 1910.
	Bushels.	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*
Alberta	6,593,000	23,644,000	3,953,000	64,000	161,800	34,415,800
Manitoba	41,159,000	41,742,000	13,826,000	290,000	92,400	97,109,400
Saskatchewan	81,139,000	61,367,000	3,598,000	3,448,000	49,300	149,601,300
Total	128,891,000	126,753,000	21,377,000	3,802,000	303,500	281,126,500

Owing to the drought the crop of 1910 was considerably less that year than the crop of 1909.

We who have lived and are living near these Provinces and are familiar with the conditions there, believe, realize, and know that the progress and development in these Provinces will be as great and rapid during the next 10 years as in the 10 years just passed. Pending and proposed railroad construction in these Provinces, extending transportation facilities to so many unsettled localities, make this manifest beyond a peradventure.

In this connection I quote the following from the Commercial West, of April 1, 1911, a trustworthy and reliable trade and commercial newspaper of Minneapolis, Minn.:

MORE RAILWAY CONSTRUCTION ANNOUNCED.

* * * But the same banker added that the program of the big railways is this season bigger than it has ever been before. With such big expenditures in sight—as $14,000,000 by the Canadian Pacific Railway, $8,000,000 by the Chicago & North Western Railway, and $17,000,000 by the Grand Trunk Pacific Railway—there will not be any dullness in the business world so far as western Canada is concerned. On the 24th an announcement was made of the projected new work of the Grand Trunk Pacific. In addition to the active work on the main line, eight new branch lines or extensions will be made. On the latter the work will be done largely by J. D. McArthur & Co., and on the main line by Floey, Welsh & Stewart. The latter will be in charge of the work between Edmonton and the coast, and they are working from both ends. Work on branch lines is as follows:

	Miles.
Calgary branch	143
Battleford branch	59
Melville-Regina branch	68
Alberta coal branch	68
Regina-Boundary branch	110
Moose Jaw branch	49
Prince Albert branch	72
Biggar to Calgary	50

In addition to this work on the branch lines, it is expected that 265 miles of new work will be done on the main line. On the line west from Edmonton there will be built 165 miles, and on the line east from Prince Rupert 100 miles will be built. On the branch lines the road into Calgary will be completed. At the present time there has been built of this branch 80 miles. The balance comprises 143 miles. Connection with Battleford will be made through the construction of a line from Oban north. The line into Regina from Melville, on which work has been done for the past two years, will be completed. In the far west a line will be built into the coal fields from Bickerdike and will be known as the Alberta coal branch.

In Southern Saskatchewan two lines will be built, one from Regina to Moose Jaw and one from Regina to the international boundary. On the latter grading was done last year, but the former project is one on which nothing has yet been done. Farther north in Saskatchewan work will be done on two lines, on the road from Biggar to Calgary and on the road from Young to Prince Albert. On the former 50 miles will be built, and on the latter 72. * * *

And the following from the same newspaper shows the great "boom" that is prevailing and impending in agricultural lands:

HEAVY LAND PURCHASES.

The extension of the Grand Trunk Pacific west from Edmonton has brought within access the big areas known as the Peace River country, of which so much has been written. From the present terminus of the line at Edson, about 120 miles west of Edmonton, a wagon road has been built into this country or that section of it known as the Grande Prairie. Settlers are trecking over this road at the present time. A railroad is planned to enter it eventually, but nothing has yet been decided. In the meantime a large population is locating on what is said to be as good a class of land as can be found on the continent, with a climate that is equal to that of southern Alberta, with the advantage over that locality in that there is more rainfall.

To the northwest of this locality now being settled there is a large area of good land adjoining it, over the Alberta boundary in British Columbia. Of this area nearly 2,000,000 acres was acquired recently by various land syndicates. These purchases were made quietly. In that Province the land is procurable by purchase direct from the British Columbia Government, but in the case of Alberta, Saskatchewan, and Manitoba the lands fit for settlement are owned by the Dominion Government. The latter has followed the principle during recent years of only alienating land on terms of settlement. It has not been possible, therefore, to procure such solid stretches of land as are to be found on the northeast corner of British Columbia. Finding that the railroads were approaching this land, some adventurous land dealers took the trouble last year to thoroughly explore all the land available. The result was that they found it to be, generally speaking, well fitted for settlement, and immediately took steps to comply with the British Columbia law. It requires a cash payment of 50 cents per acre and the balance in two years, with interest at the rate of 6 per cent per annum. As soon as the land is staked and a payment made upon it the Government makes an inspection of the land and, according to grade, fixes the price at from $2 to $5 per acre.

After securing the land the companies through whose agency the explorations were made disposed of it to syndicates as follows:

	Acres.
Winnipeg syndicate (headed by Edward Brown)	106,520
Winnipeg bank manager	128,000
New York syndicate	192,000
Winnipeg syndicate (headed by Rod. McLennan)	128,000
Chicago syndicate	700,000
Thompson & Carper, Winnipeg	192,000
Lloyd's syndicate, London, England	300,000
Total	1,746,520

The parties at the head of these various syndicates will take steps to get the railroad into the territory where the lands bought are situated, and this will no doubt be the next field to which the most active settlement forces of the West will direct their attention. There can now be left no doubt of the suitability of the land purchased for agricultural purposes. For many years missions and trading posts have grown their own vegetables and raised their own wheat and ground the latter into flour. Within the past decade actual settlers have located at important points on water routes and have been amazed at the productivity of the soil and the satisfactory character of the climate. In so far as the Canadian west is concerned, this is the last corner that is available for the land speculator on a large scale. Just north of it a section of territory comprising 3,500,000 acres, just below the source of the Peace River, will be available for free homesteads. This was reserved by the Dominion Government for that purpose. Already the treck toward it has commenced, and its settlement will add to the value of the lands which have just been procured.

Winnipeg, situate on the Red River of the North, within 70 miles of our boundary, is a city of 150,000 people, and is the great railroad center and the wholesale, jobbing, and distributing center of all of that great country lying between the Great Lakes and the Rocky Mountains. That city and the three Provinces referred to occupy the same relation to the Dominion of Canada that Chicago and the upper Mississippi Valley hold to our country. The agricultural growth and development of Canada will in the future be largely confined to these Provinces, and nothing will so nourish and promote this growth and development as to give them a free market for their agricultural products just over the border in our country, instead of shipping their surplus products to Europe, several thousand miles away.

Canada raised last year, in round numbers, about 150,000,000 bushels of wheat. Of this amount, over one-third, or 60,000,000 bushels, was exported; and of the entire crop, over two-thirds, consisting of spring wheat, was raised in these three Provinces. The exportable surplus of the Dominion comes, and will continue to come, from these three Provinces. Under present conditions this surplus finds its way by rail and water to the markets of Europe, over 4,000 miles away. Open our door free to this surplus and to the fivefold greater surplus which will

inevitably accrue within the next 10 years, and it will all be dumped into the near-by spring-wheat States of the Northwest—Minnesota, North and South Dakota, and adjoining States—because a higher price can be secured there than elsewhere, and the wheat market in these States will be glutted and prices depressed and lowered in consequence thereof.

The recent report of the British tariff commission on this Canadian reciprocity scheme contains this statement:

The Canadian area under wheat has, it will be seen, undergone great expansion in recent years. The average increase in the last five years was 60 per cent. At a similar rate of growth the yield should average 200,000,000 bushels in the next five years, leaving something like 120,000,000 bushels for export.

The mere fear of this reciprocity scheme has had a depressing effect. Within two weeks after the President sent in his message to Congress wheat dropped fully 10 cents per bushel in Minneapolis in consequence thereof. And some grain elevator men of Minneapolis, who had been filling up their terminal and local elevators during last fall and winter with wheat at a much higher figure than since reciprocity was proclaimed, appealed to me before the adjournment of last session to see to it that reciprocity did not go into effect until the next crop. Evidently they had no stomach for sustaining a loss of from 10 to 12 cents a bushel on the wheat they had in store, which, as a rule, they carry with their own or borrowed money.

The following table shows the production and export of wheat in the United States since 1900:

Years.	Wheat produced.	Exports of domestic.	Domestic product exported.
	Bushels.	*Bushels.*	*Per cent.*
1901	748,460,218	234,772,515	31.37
1902	670,063,008	202,905,598	30.28
1903	637,821,835	120,727,613	18.92
1904[1]	552,399,517	44,112,910	7.99
1905	692,979,489	97,609,007	14.09
1906	735,260,970	146,700,425	19.95
1907	634,087,000	163,043,669	25.71
1908	664,602,000	114,268,468	17.19
1909	737,189,000	87,364,317	11.85
1910	[2]700,000,000	[2]100,000,000	14.03

[1] Owing to black rust and drought in some localities there was a partial crop failure this year.
[2] About.

From this it appears that, except in the year 1904, when there was a partial failure of crops, we have had an exportable surplus each year of from 87,314,317 bushels to 234,772,515 bushels, and that of our last year's crop we shall have about 100,000,000 bushels for export; and in these figures flour is reduced to wheat. Owing to more systematic rotation of crops and improved methods of farming and to the reclamation of large tracts of land by irrigation and drainage, consumption will not overtake production during the life of the present or the next generation, and for many years to come we shall have a large surplus to export, so that there can be no good ground for swelling that surplus with the large and increasing surplus of Canada.

The duty of 25 cents a bushel on wheat provided by the tariff acts of 1897 and 1909 has practically excluded Canadian wheat from our market. Those tariff acts have had an equally beneficial effect on our barley market and the production of barley in this country. The Democratic tariff act of 1894 placed a duty of 30 per cent ad valorem on barley, while the Republican tariff acts of 1897 and 1909 made the duty 30 cents a bushel. The following table shows the importation of barley and the production of barley in this country under these several acts:

Year ending June 30—	Importation of barley into the United States.	Production of barley in the United States.
	Bushels.	*Bushels.*
1895	2,116,816	87,072,744
1896	837,384	69,695,223
1897	1,271,787	66,685,127
1898	124,804	55,792,257
1899	110,475	73,381,563
1900	189,757	58,925,833
1901	171,004	109,932,924
1902	57,406	134,954,023
1903	56,462	131,861,391
1904	90,708	139,748,958
1905	81,020	136,651,026
1906	18,049	178,916,484
1907	38,319	153,597,000
1908	199,741	166,756,000
1909	2,644	170,284,000
1910	4,000	162,227,000

I call attention to the fact that in 1895, under the Democratic tariff law of 1894, with a 30 per cent ad valorem rate on barley, we imported over 2,000,000 bushels of barley into the United States from Canada, particularly from Ontario, and in 1897 something over a million, while last year, 1910, we imported only 4,000 bushels of barley from Canada. In other words, the tariff has given the American farmer the barley market for the brewers and maltsters of this country.

Our production of barley in 1895 was 87,000,000 bushels, and in 1909 it was 170,000,000, and in 1910, 162,000,000.

Remove the tariff from barley and Ontario and Quebec will supply our brewers and maltsters with the barley they require, and the farmers of the Northwest will only have left to them the feed-barley market at one-half the price they are now getting for their barley. Minneapolis, Milwaukee, and Chicago as great barley markets will be destroyed.

What is true as to wheat and barley holds good, to a greater or less extent, as to oats, flax, rye, potatoes, butter and cheese, cattle, and hogs. Canada has a considerable exportable surplus of all of these products, and this surplus has heretofore found, and still finds, its chief and principal markets across the ocean in Europe. In respect to the production of oats, flax, and cattle, the three Provinces I have named and described will be as formidable competitors as in the production of wheat. Their new and virgin lands are in a high degree adapted to the production of oats, flax, and the raising of cattle. And the American railroads, with their various branches and connections in the Provinces, can and will, unhampered by the interstate-commerce law, carry the products of these Provinces to the Twin Cities or to Chicago as cheap as they can from the Dakotas and northern Minnesota; and thus the Canadian farmer, without sharing in the burdens and drawbacks of our own farmers, will have all the benefits and advantages of our home markets, and we shall have to look abroad for markets for our surplus—a surplus greatly increased and enlarged by the large and growing surplus of Canada dumped on our markets. The Canadian farmer will unload his surplus upon us, and we shall have to unload our surplus, increased by the Canadian surplus, upon Europe. And this will have a most depressing effect on our domestic market and tend to greatly reduce the price paid to our own farmers, as the facts, to which I shall call your attention, clearly show.

I quote from another newspaper at Calgary, the chief city of the Province of Alberta. The Calgary Telegram of recent date contains, among other matters, this statement:

LOWER FREIGHT FOR CANADA.

One important result of this agreement—

Referring to the reciprocity agreement—

that may be expected is a reduction of grain-carrying rates. With the free entry of Canadian grains into the United States the American transportation companies will make a determined effort to secure Canada's grain trade, and lively competition will ensue between the carrying companies. That the farmers of Canada will benefit by cheaper freight rates is sure. * * *

In my opinion, Mr. President, it is an admitted fact that no Congressmen or Senators from the Northwest, which is vitally interested in the matter, were consulted in the formation of this agreement. I do not know who is at the bottom of it, but it bears the earmarks of the great railroad companies of the Northwest and of the great newspapers of the country. I do not say that they were consulted, but I say that the bill bears the earmarks of it.

No representative of Minnesota, of Wisconsin, of North or South Dakota, or Montana, or Idaho, States vitally affected and more vitally affected than any other part of the country, was ever consulted in reference to this reciprocity treaty. I mean none of the representatives in either House of Congress was consulted; but evidently representatives of other interests have been consulted, because the pact clearly bears the earmarks of it.

PRICES NOT FIXED BY LIVERPOOL.

But it is said that the dumping of the surplus agricultural products of Canada into our midst will have no tendency to reduce our domestic prices; that the price of wheat is fixed by the Liverpool market; and that our price is based upon the price of that market. This is a plausible theory, but the hard, cold facts disprove it. It is only remotely and indirectly that the Liverpool prices have a bearing on our domestic prices. The prices of cottons in Manchester have, no doubt, a bearing on the prices of cottons in this country.

The prices of iron and steel products in Birmingham and of cutlery in Sheffield have, no doubt, a bearing on the price of similar products in this country; and the price of woolens in

Leeds and in Bradford has, no doubt, an effect on the price of woolens in our market. In a general way low prices abroad tend to low prices at home, and higher prices abroad tend to higher prices at home.

The local and domestic price of wheat is, to a large extent, governed by the local conditions prevailing in the territory tributary and adjacent to the various milling centers of the country. If crops in that territory are good and abundant, scant crops in remote parts will have but slight bearing on the local price. The local price will be kept high enough to prevent the local supply from going abroad. If the crop in that territory is scant, while it is abundant in remote parts, the local price is apt to reach the level that the crop from the remote parts would bring when laid down in that territory; in other words, the cost of transportation and the distance from market cut a considerable figure in either case. As a rule, the farmer who lives at remote points from the market gets a lower price than the farmer who lives near by.

There has been a marked difference for years between the price the farmers of the spring-wheat States have received for their wheat at Minneapolis and the price the farmers of Manitoba, Alberta, and Saskatchewan have received for their spring wheat at Winnipeg, and a still more marked difference along the boundary line between the price the American farmer has received for his wheat at the local points on our side of the line and the price the farmers of these Canadian Provinces have received for their wheat on their side of the line.

As a rule the price of wheat at Winnipeg has been from 8 cents to 15 cents a bushel, or an average of 10 cents per bushel, lower than the price at Minneapolis, and the price of wheat at the local points along the boundary line, as clearly pointed out and demonstrated by the senior Senator from North Dakota [Mr. MCCUMBER] in his speech of February 25, last, has been from 10 cents to 15 cents per bushel higher on our side of the line than at near-by points on the Canadian side of the line. This difference in price has been so pronounced that it has led to a considerable number of wheat-smuggling cases, and some convictions in these cases. Several Canadian farmers, on account of the higher prices on our side of the border, have smuggled wheat into our country in their farm wagons and have been caught. The Liverpool market has not been able in the past to preserve an equilibrium between the Winnipeg market and the Minneapolis market, or between the Canadian market and the American market.

Here I quote a statement from the Warren Register, a paper published in the northwestern part of Minnesota, a reliable paper, in reference to prices. I have examined the figures, and they are correct, so far as I know:

On May 2, 1910, the Minneapolis market for No. 1 northern wheat was $1.06⅞, the Liverpool market $1.04. On July 6, 1910, Minneapolis was quoted at $1.16, Liverpool at 97 cents. On September 1, 1910, Minneapolis was $1.11⅛, Liverpool at $1.08. On December 1, 1910, Minneapolis was $1.02, while Liverpool was 98 cents. This makes the average for Minneapolis on the four dates mentioned $1.09, while the Liverpool market averaged only $1.01⅜, or 7¼ cents below Minneapolis. This shows pretty conclusively that the Minneapolis wheat market does not always depend upon the Liverpool market. Barley on the English market May 11, 1911, was 67 cents, while in Minneapolis it was quoted at 80 cents to $1.02. Evidently Liverpool does not always and everywhere dictate the price of barley. On May 11 last the price of wheat was 11 cents lower in Minneapolis than it was in London, because of the slumps due to the reciprocity agitation, but even then the difference did not equal the cost of transportation from Minneapolis to Liverpool. It is probable that when we have an immense surplus for export the Liverpool market exerts an appreciable influence upon the price here, but with conditions as they have been for several years and as they are almost sure to be hereafter the home price has borne and will bear no relation whatever to the Liverpool market.

Hon. Henry Feig, a practical and experienced farmer of Minnesota, at present and for some time past State supervising inspector of country grain elevators, who has given the subject much study and attention, writes me as follows:

STATE OF MINNESOTA,
OFFICE OF SUPERVISING INSPECTOR COUNTRY ELEVATORS,
St. Paul, Minn., February 24, 1911.

Hon. KNUTE NELSON,
United States Senator, Washington, D. C.

DEAR SIR: As I wrote you a few days ago, I am now inclosing * * * some data that I have prepared bearing on the proposed Canadian reciprocity.

You will find a comparative list of wheat prices at Minneapolis, Duluth, and Winnipeg for No. 1 northern wheat for the crop season of 1909–10. I went back to that period, however, because of the assertion made by parties in different places that the spread in prices between our markets and Winnipeg was of recent origin and owing to the short wheat crop in the Northwest during the year 1910.

You will observe that the figures adduced in this statement flatly deny that assertion, as they show an average difference between our terminal markets and Winnipeg or Port Arthur exceeding 10 cents per bushel.

I have taken the different dates at random from the Minneapolis Market Record, which is the recognized organ of the grain trade and can be relied upon for correct price information.

The second table is one showing the comparative prices between September 2, 1910, and January 27, 1911, the day of the publication of the treaty. This shows an average difference for the period mentioned of 9⅞ cents for Minneapolis and 11⅛ cents for Duluth. * * *

Another matter I desire to call attention to right here is the fact that wheat prices in the Minneapolis market have gone down 6¾ cents between January 26 and February 21, and there is absolutely no doubt in my mind that this big slump was caused by the prospect of a speedy adoption of the treaty, and there is also no doubt that such final ratification would result in another depression of prices.

You will also find inclosed a table showing the closing price on oats, barley, and flax at Minneapolis and Winnipeg from June 24, 1910, to January 30, 1911. I made up this table from the Minneapolis Chamber of Commerce report and from the daily price cards obtained from one of the commission men at Winnipeg.

You will observe that these tables show that barley averaged about 28 cents lower in Winnipeg than at Minneapolis, and flax about 25 cents lower. The price of oats usually is also higher at Minneapolis, but owing to a very short oat crop in Canada last year oats have averaged about 1⅛ cents higher at Winnipeg than at Minneapolis, this owing entirely to a local shortage of the oat crop in Canada, and in normal seasons with a bountiful oat crop there is no doubt but what there would be a difference of over 5 cents to 7 cents per bushel, which would also be wiped out by the treaty. * * *

In closing I desire to say that I hope and trust that our farmers may be spared this misfortune, because it is not only they that will suffer and be injured by this treaty if it goes through, but it is bound to affect the whole country. It will bring about conditions similar to those following 1892. There will be a strong and universal demand for a complete overthrow or change of the protective system. This will involve all sections of the country, and would doubtless mean a business revolution.

Everything should be done to avert such a catastrophe, for it would take a number of years to overcome it, and in the meantime business, industrial and agricultural, stagnation would follow.

There is no doubt but what land values would either become stagnant or perhaps even go backward in this country. * * *

Yours, very truly,
HENRY FEIG.

The following are the tables to which Mr. Feig refers in his letter. The hard, cold facts disclosed in these tables demolish the Liverpool theory, and show the value of protection to the American farmer, and further show how dangerous it would be to put our agricultural products on the free list:

Comparative list of wheat prices at Minneapolis, Duluth, and Winnipeg for No. 1 northern wheat for the crop season of 1909–10.

Date.	Minneapolis.	Duluth.	Winnipeg.
1909.	*Cents.*	*Cents.*	*Cents.*
Oct. 27	105⅝	105⅝	94¼
Nov. 2–4	102	102¼	92⅜
Nov. 9	103¼	103⅜	93⅜
Nov. 15	107¼	107⅜	94⅜
Nov. 22	106¼	107⅜	95⅜
Nov. 29	105¼	106¼	95¼
Dec. 3	106¼	105¼	95¼
Dec. 10	111⅜	110⅜	96⅜
Dec. 18	115¼	114⅜	103¼
Dec. 27	112¼	112⅛	101⅛
1910.			
Jan. 3	114	114	100⅜
Jan. 11	116	114¼	103⅛
Jan. 20	112¼	110⅜	106⅛
Jan. 28	114⅛	112⅜	107¼
Feb. 4	111⅛	110⅛	106⅜
Feb. 14	114⅜	113⅜	106⅜
Feb. 21	115⅛	114	106¼
Feb. 26	115⅜	115⅜	106⅛
Mar. 3	113⅜	113⅜	106¼
Mar. 9	114⅜	115⅛	106⅜
Mar. 21	114⅜	115⅜	106¼
Mar. 26	116⅛	115⅜	106⅛
Apr. 2	115⅜	115	106¼
Apr. 7	113	113¼	105⅜
Apr. 19	107⅜	106⅜	101¼
Apr. 28	109⅜	107	99⅜
May 4	111⅜	110¼	100⅜
May 10	112⅜	111⅜	99⅜
May 17	111⅜	109⅜	97⅛
May 23	109⅛	107⅜	93¼
May 31	105	103⅛	88⅜
June 3	106	104⅛	91
June 10	107⅛	106	91⅜
June 16	107⅜	105⅜	90¼
June 22	112⅜	111	95¼
June 27–July 2	114⅜	115¼	100⅜
July 5	117¼	119	103
July 11	118	117⅛	107⅛
July 15	125¼	128⅜	117⅜
July 21	129¼	127⅞	117⅜
July 25	128¼	127	116⅜

The total difference between Minneapolis and Winnipeg prices for the 41 days quoted above is 438 cents on 1 bushel, or approximately 10¾ cents on an average per bushel in favor of the Minneapolis market.

The total difference between Duluth and Winnipeg prices for the 41 days quoted above is 414 cents on 1 bushel, or approximately 10⅛ cents on an average per bushel in favor of the Duluth market.

Comparative table showing the closing price of oats, barley, and flax at Minneapolis and Winnipeg from June 24, 1910, to Jan. 30, 1911.

Dates.	Minneapolis.			Winnipeg.		
	No. 3 oats.	Barley.	Flax.	Oats.	Barley.	Flax.
1910.	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*
June 24	37	50 -60	213	30½	(1)	(1)
July 6	40 -41	52 -60	213	32½	42½-45	188-190
July 8	43 -44	57 -67	215	33	43½-47	195
July 11	43½-44	58 -69	215	33½	47½	193-195
July 18	43 -44	59½-69½	244	38½	47½-52	211
July 20	43 -44	57 -67	250	38½	48 -53	220
July 28	42 -43	55 -65	245	36	45 -51	215
Aug. 5	37 -40	54 -64	255	40½	(1)	220
Aug. 13	*36½-37½	58 -70	252	38	(1)	218
Aug. 19	34½-35½	60 -72	245	37½	(1)	220
Aug. 24	33½-34½	58 -69	245½	37½	(1)	221
Aug. 27	34½-34½	58 -68	249½	37½	42 -47	220
Sept. 7	31½-32½	56 -67	260	36	42½-46½	230
Sept. 9	32½-32¾	56 -68	281	35	44 -48½	245
Sept. 14	32½-33	60 -70	277	34	42 -46	245
Sept. 20	33 -33½	62 -72	269½	35½	42 -46½	240
Sept. 23	32½-33½	60 -70	269½	31½-35½	42 -47	242-244
Sept. 28	31½-32⅝	59 -68	259½	34	42½-47	236-238
Oct. 5	32 -32½	61 -70	262	34	41 -47	238-240
Oct. 11	30⅝-31⅝	60 -72	266	31	47½	238-240
Oct. 17	28½-29⅜	60 -72	264	29½-31¾	41 -47	240
Oct. 20	29⅜-30⅜	58 -71	264½	29½-32	40½-46½	241-243
Oct. 24	29⅜-30½	58 -70	257½	29½-31¾	40 -46⅜	237-239
Oct. 28	30½-31¼	55 -69	261	31¾	40 -46½	239-241
Nov. 3	31	55 -72	260	29¾-32	37 -45	240-242
Nov. 9	31 -32	57 -75	262⅞	32 -34¾	39 -46	243-245
Nov. 16	31 -31½	62 -76½	265	33½-34¼	39 -47	248-250
Nov. 21	30 -31	62 -75	259½	31½-33½	39 -47	243-245
Nov. 26	30 -30½	60 -75	250½	31½-33	39 -47	233-235
Dec. 8	30 -31½	66 -85	248½	30¾-33¾	38 -46½	212-214
Dec. 12	30 -30½	65 -82	239	32½	47	203-205
Dec. 16	30 -30½	60 -81	234	32½	38½-47	206-208
Dec. 21	30 -30½	60 -80	234	32½	38½-47	205-207
Dec. 27	30 -30½	60 -80	238	32½	38½-47	205-207
Dec. 31	30 -30½	70 -88	242	32¼	38 -47	220-222
1911.						
Jan. 4	30½-31	83 -85	252	32¾	38 -47	220-222
Jan. 7	29½-30	80 -91	254⅞	32¾	39 -48	224-226
Jan. 13	30 -30½	83 -95	256	31½-33½	40 -50	230-232
Jan. 17	29½-30½	79 -89	267½	31 -33½	40 -50	246-248
Jan. 21	30 -30½	78 -89	263	31 -33½	40 -50	232-234
Jan. 26	32⅝	76 -90	267	30½-32¾	40 -49½	243-245
Jan. 30	31⅝	76 -90	263½	29½-31½	40 -49½	238-240

[1] No quotation.

Difference in price of oats, barley, and flax.
[For Minneapolis and Winnipeg markets.]

	Oats (cents).	Barley (cents).	Flax (cents).
1910.			
June 24	6½ high	No quotation..	No quotation.
July 6	8½ high	15 high	23 high.
July 8	11 high	20 high	20 high.
July 11	10¾ high	21½ high	Do.
July 18	5½ high	17½ high	33 high.
July 20	do	14 high	30 high.
July 28	7 high	do	Do.
Aug. 5	½ low	No quotation..	35 high.
Aug. 13	do	do	34 high.
Aug. 19	1⅜ low	do	25 high.
Aug. 24	2½ low	do	24½ high.
Aug. 27	2⅝ low	21 high	29½ high.
Sept. 7	3½ low	20½ high	30 high.
Sept. 9	2½ low	19½ high	36 high.
Sept. 14	1 low	24 high	32 high.
Sept. 20	1⅜ low	25½ high	29½ high.
Sept. 23	2 low	23 high	Do.
Sept. 28	1⅜ low	21 high	21½ high.
Oct. 5	1½ low	23 high	22 high.
Oct. 11	½ high	24½ high	26 high.
Oct. 17	2⅜ low	25 high	24 high.
Oct. 23	1⅜ low	24½ high	21½ high.
Oct. 24	do	23½ high	18½ high.
Oct. 28	½ low	22½ high	20 high.
Nov. 3	1 low	27 high	18 high.
Nov. 9	2⅜ low	29 high	15 high.
Nov. 16	3½ low	29½ high	Do.
Nov. 21	2½ low	28 high	14½ high.
Nov. 26	2½ low	do	15½ high.
Dec. 8	1½ low	38½ high	34½ high.
Dec. 12	2 low	34 high	34 high.
Dec. 16	2⅜ low	do	26 high.
Dec. 21	2½ low	33 high	27 high.
Dec. 27	2 low	do	31 high.
Dec. 31	do	41 high	20 high.
1911.			
Jan. 4	1½ low	38 high	30 high.
Jan. 7	2½ low	43 high	28⅝ high.
Jan. 13	do	45 high	24 high.
Jan. 17	do	49 high	19½ high.
Jan. 21	do	do	29 high.
Jan. 26	⅛ low	40½ high	22 high.
Jan. 30	⅝ high	do	23½ high.

Barley, 1059 cents.
Flax, 1041 cents.

SUMMARY.

On barley, 1059 cents difference for 37 days, or an average of 28 cents per bushel in favor of the Minneapolis market.

On flax, 1041 cents difference for 41 days, or an average of 25 cents per bushel in favor of the Minneapolis market.

The price of oats up to August, 1910, was about 7 cents higher at Minneapolis; after that it averaged about 1⅜ cents higher in Winnipeg.

The mere promulgation by the President of this reciprocity scheme has had a most depressing effect on the market for agricultural products, especially on the price of wheat. To demonstrate this I quote the following from the market reports contained in the Minneapolis Journal of February 10 and 11, 1911. The same issue of that paper contained a great speech in favor of Canadian reciprocity, aiming to point out to the farmers of Minnesota how it could not affect prices. Yet in the market reports of that issue of the paper I find this statement. I am reading from the paper:

[From market report of Minneapolis Journal of Friday evening, Feb. 10, 1911.]

WHEAT SOLD DOWN TO STILL FURTHER NEW LOWS—FAVORABLE RECIPROCITY REPORTS CAUSED SHARP DECLINE LATE TO-DAY—MAY SOLD DOWN TO 99 CENTS, LOWEST PRICE SINCE AUGUST, 1909.

MINNEAPOLIS CHAMBER OF COMMERCE,
February 10, 1911.

Advices from the National Capitol late to-day were favorable for reciprocity with Canada. This caused a severe break in wheat prices. The near month sold down 2⅞ cents below the early high and new low prices since August, 1909, for this contract were made. May closed at 99⅛ cents, 2⅜ to 2⅝ cents below yesterday's close, and July at $1 to $1.00⅛, 2¾ to 2⅞ cents lower.

The day's reports.

	May wheat.		July wheat.	
	Close to-day.	Close yesterday.	Close to-day.	Close yesterday.
Minneapolis	$0.99⅛	$1.01⅛	$1.00	$1.02⅞
Chicago	.93½-$0.93½	.95	.92 -$0.92½	.93⅜-$0.93½
Duluth	.99⅛	1.02⅜	1.00⅛	1.03½
New York	.99⅜	1.01	.98½	1.00
St. Louis	.94⅜- .94½	.96½	.90⅜	.92½- .92½
Kansas City	.90½- .90¾	.92	.88 - 88½	.89½
Winnipeg	.95⅜	.97½	.96¼- 96⅜	.98⅜

The issue of February 11 of the same paper, and it is a paper that advocated Canadian reciprocity, in the market reports states:

[From the market report of the Minneapolis Journal of Saturday evening, Feb. 11, 1911.]

MAY WHEAT TO-DAY SOLD DOWN TO 98⅜ CENTS—POSSIBILITY OF RECIPROCITY CAUSED STILL FURTHER DECLINES—FLUCTUATIONS SHARP AND NERVOUS—MAY DECLINES 3½ CENTS IN TWO DAYS.

* * * * * * *

MINNEAPOLIS CHAMBER OF COMMERCE, *February 11.*

Wheat prices again to-day went to new low levels, the quotations on May being the lowest since August, 1909. The possibility—

Now listen—

The possibility of the adoption of reciprocity with Canada was largely responsible for the big break of to-day and yesterday. Pit offerings were liberal and support was lacking. More favorable weather conditions in the Southwest was another bearish factor. Reports from Washington were anything but consoling to the bears. Sentiment was strongly bearish in spite of the break of 3½ cents for the last two days, and predictions of still further new low prices were frequently heard.

The opening to-day was wild, May being quoted 99 and 99⅛ cents, one eighth of a cent lower to three-eighths of a cent higher than yesterday's close. Fluctuations were sharp and nervous. Early the near month sold down to 98⅜ cents, the new low price. This was followed by a seven-eighths of a cent rally. Prices continued to zigzag, but were not in as wide range as in the early session. May closed at 98⅜ cents, three-eighths of a cent lower than yesterday's close, and July at 99⅝ cents, three-eighths of a cent and one-half of a cent lower. Minneapolis was more active than Chicago, and prices were in wider range in this market.

* * * * * * *

The day's reports.

	May wheat.		July wheat.	
	Close to-day.	Close yesterday.	Close to-day.	Close yesterday.
Minneapolis	$0.98⅜	$0.99⅛	$0.99⅝	$1.00
Chicago	.92⅝	.93½-$0.93¼	.91½-$0.91⅝	.92½
Duluth	.99⅜	.99⅛	1.00⅝	1.00⅛
New York	.98⅛	.99⅜	.98⅜	.98½
St. Louis	.94½	.94⅜- .94½	.90⅜	.90⅝
Kansas City	.89½-$0.89¾	.90½- .90¼	.87½- .87⅜	.88⅜
Winnipeg	.95⅜	.95⅜	.96½	.96¼-$0.96⅜

Mr. DIXON. I should like to ask the Senator what effect this scheme or reciprocity has had on the market price of railroad shares?

Mr. NELSON. The stock of the principal railroad beneficiaries has gone up.

Mr. DIXON. The shares of the border railroads?

Mr. NELSON. Yes. There are three great railroad systems that have operated in harmony—the Great Northern, the Northern Pacific, and the Burlington Roads. They will be the great beneficiaries of this Canadian reciprocity. They hope and expect to carry the Canadian products—wheat, barley, oats, and flax—down in our country to Milwaukee, Chicago, and Minneapolis, and then carry Canadian emigrants and their baggage back to the Dominion of Canada. It is no wonder that they are eager for reciprocity.

In a Minneapolis (Minn.) paper of recent date appeared the following:

H. H. King, of the Sheffield-King Milling Co., Minneapolis, has written to Senators KNUTE NELSON and MOSES E. CLAPP pointing out that if, under the proposed reciprocity treaty with Canada, 30,000,000 bushels of wheat should move to Minneapolis from western Canada it would mean a great advantage to the dairying interests of Minnesota because of the greater supply of feed that would be created, and would also mean $1,000,000 for Twin City labor, exclusive of railroad labor. Last year, Mr. King's letter points out, the Minneapolis flour mills ground 70,000,000 bushels of wheat, but they have sufficient capacity and might have ground 100,000,000 bushels had it been available.

This statement would imply that the Minneapolis millers are confronted with a shortage of wheat. This is not true. What are the facts? The flour manufactured at Minneapolis is made from spring wheat, but they put a little hard winter wheat into it, turkey red and other stuff, about 20 per cent, to fortify it. The leading spring-wheat States are Minnesota, North Dakota, and South Dakota. The following table shows the total amount of spring wheat raised in the United States and the amount raised in these three States for the last 10 years, viz, 1901–1910:

Annual production of spring wheat for 10 years, 1901 to 1910, in the United States, Minnesota, North and South Dakota.

Years.	Total, United States.	Minnesota.	North Dakota.	South Dakota.	Total for three States.
	Bushels.	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*
1901	[1] 270,000,000	80,102,627	59,310,669	51,662,307	191,975,603
1902	258,274,342	79,752,404	62,872,241	43,973,033	186,597,678
1903	237,954,585	70,652,597	55,240,580	47,252,994	173,146,171
1904	219,464,171	68,344,256	53,892,193	31,556,784	153,793,233
1905	264,516,655	72,434,234	75,623,044	44,133,481	192,290,759
1906	242,373,000	55,801,591	77,896,000	41,955,400	175,652,991
1907	224,645,000	67,600,000	55,130,000	32,480,000	155,210,000
1908	226,694,000	68,557,000	68,428,000	37,862,000	174,847,000
1909	290,823,000	94,080,000	90,762,000	47,588,000	232,430,000
1910	231,399,000	94,080,000	36,105,000	46,720,000	176,905,000
Total	2,466,143,753	751,404,709	635,259,727	425,183,999	1,812,848,435

[1] Estimated. (Spring and winter wheat not shown separately at this time.)

In those spring-wheat States tributary to Minneapolis the total wheat crop of the spring-wheat States has gone from 155,000,000 bushels up to 232,000,000 bushels. There has never been a year during the last 10 years that the mills of Minneapolis could ever have utilized the whole amount of spring wheat raised in those three States in addition to the wheat raised in some of the adjoining States.

Minneapolis is right in the heart of this spring-wheat region, and its railroad connections, its elevator and warehouse facilities, and its markets are such that the largest share of this wheat—indeed most of it, except what goes to Duluth—is attracted to and marketed at Minneapolis. The mills at Minneapolis have never been able to use over half, part of the time only a third, of the wheat raised in these three States. The poorest crops within the 10-year period were those of 1904 and 1907, when there was a partial crop failure, and one-half of those crops more than equaled the amount of wheat ground by the mills at Minneapolis last year. In view of these facts and figures, it is folly to insinuate that the Minneapolis mills are suffering, or are likely to suffer, from a shortage of wheat. What they want is to have the seventy-five to one hundred million bushels of surplus wheat, raised in the Provinces of Manitoba, Alberta, and Saskatchewan, placed at their free disposal, dumped in their midst, as it will be if this reciprocity scheme prevails, for they know that such an avalanche of wheat will always have a depressing effect on the Minneapolis wheat market, and will always tend to keep the price down.

Mr. MARTINE of New Jersey. May I ask the Senator a question?

Mr. NELSON. Certainly.

Mr. MARTINE of New Jersey. How does the Senator account for the fact that there is a very large and intelligent element in Canada absolutely and totally opposed to reciprocity? If this trade agreement shall bring such disadvantages as the Senator proclaims to the farmers of the United States, is it not fair to assume that a corresponding advantage would come to Canada? Yet the fact is that there is a large and intelligent element in Canada utterly opposed to this pact. How does the Senator account for that condition?

Mr. NELSON. I am not in touch, Mr. President, and I have not been in consultation, directly or indirectly, with any of those elements in Canada; neither do I know how the manufacturers or farmers of Canada stand, except as it appears from the report of Mr. Campbell made last March to the President.

Mr. MARTINE of New Jersey. I only know that which I read in the daily papers.

Mr. NELSON. I will concede that the reading of the Senator from New Jersey on that point is more extensive than mine.

But, Mr. President, I want to call attention to the character of this reciprocity, to the one-sided character of it. When the treaty, or the bargain, or the message of the President was first laid before the Senate the great newspapers commenced to shout reciprocity, oh, what a grand thing reciprocity with Canada was, but they were careful in every issue in those early days not to tell the farmers of the country what kind of reciprocity they were getting. They were shouting reciprocity in one issue after another, and it was only when the farmers became awake to the fact of the character of the reciprocity that some of these great papers commenced to be more moderate and more respectful.

THE NATURE OF THE PROPOSED RECIPROCITY.

I have, so far, aimed to explain and point out how the proposed reciprocity scheme would depress the price of the agricultural products of our farmers and place them at the mercy of an avalanche of agricultural products from over the border. But, aside from these considerations, the scheme is vulnerable from other standpoints. The whole burden of reciprocity is cast on the farmer. His products are the quid pro quo for the entire scheme. There is no reciprocity in any of his products. He can look for no market of any consequence for any of his products in Canada. That country will not furnish a market for our cereals, or other agricultural products. The scheme is to give the Canadian farmer our market to the end that our manufacturers can secure a part of the Canadian market for their products. Had our farmers secured free lumber, a commodity they stand in need of and have much use for, there would have been a little reciprocity in that for them. But they do not get even that. All the lumber the farmer now gets comes to him more or less planed and dressed. Scarcely any of it is wholly unplaned or undressed. It is shipped to him in that shape because of the great saving in freight—from $2 to $2.50 per thousand—which is much more than the cost of planing and dressing; and the cost of planing and dressing is much less than the duty retained in the reciprocity bill; in fact, it can be done for half of those rates, and even less, as pointed out in detail in my remarks on the lumber tariff, in April, 1909. It thus appears that there is still a considerable protective duty on such lumber as the farmer has to buy, and the same holds good as to laths and shingles, while the telegraph and telephone companies are blessed with free poles, and the railroad companies with free ties. The farmer's wheat is put on the free list, while the miller has 50 cents a barrel protection on his flour, equal to over 10 cents per bushel on wheat, besides 12½ cents per 100 pounds or $2.50 per short ton on bran, shorts, and middlings, and 17½ per cent ad valorem on cereal foods.

I think attention was called in the President's speech at Chicago to the importance to the farmers of securing cheaper bran and middling and feed stuffs, and that was to be one of the blessings of this reciprocity. But it is very odd, Mr. President, that the bill contains a duty of 12½ cents a hundred on bran, shorts, and mill-feed middlings. That is put in for the protection of the millers. It so happens that the present Tariff Board sent in a report here which shows that the price of this mill-feed bran and shorts is from two and a half to three dollars a ton cheaper at Winnipeg than at Minneapolis, and our farmers of Minnesota, on account of this protection to the millers of the bran and shorts and mill stuffs, can not even get the benefit of the cheaper market of Winnipeg. This table shows that when the President assented to the reciprocity agreement he ought to have been mindful of this matter of bran and shorts, and they should have been put on the free list. That would have helped far more than his present scheme.

I ask leave to insert this table, which gives the price of bran, middlings, and shorts at Minneapolis and in Winnipeg. It is curious to read it. I will read a little of it. Yet our farmers can not get this bran and feed stuff at Winnipeg free. The Minnesota farmer can not even have the benefit of the much

cheaper mill-feed market of Winnipeg. The Tariff Board (S. Doc. No. 849, 61st Cong., 3d sess., p. 111) reports the following table of comparative prices of mill feeds at Minneapolis and Winnipeg for the year 1910:

Table showing comparative prices (per ton) of mill feeds in United States and Canada for 1910.

	Minneapolis.		Winnipeg.	
	Bran.	Middlings.[1]	Bran.	Middlings.[2]
January	$22.50	$22.50	$17.00	$18.00
February	22.50	22.00	18.00	19.00
March	21.50	21.75	18.00	19.00
April	18.00	18.75	16.50	17.50
May	18.00	19.00	15.00	16.00
June	16.00	18.00	15.00	16.00
July	20.00	21.75	15.00	16.00
August	19.00	21.50	18.50	20.50
September	18.00	19.00	17.00	18.00
October	17.50	19.50	17.00	18.00
November	18.75	20.75	16.00	17.00
December	20.00	22.00	18.00	20.00

[1] "Standard middlings." [2] "Shorts."

It is a good deal cheaper in Winnipeg, and yet our farmers of northwestern Minnesota can not get even that bran for their cows without paying a tribute to the millers of $2.50 a ton. It would have been better if the President had been mindful of that.

Mr. MARTINE of New Jersey. Mr. President, will the Senator allow me?

Mr. NELSON. Certainly.

Mr. MARTINE of New Jersey. It is gratifying to me to see the progress the Republican Party is making on this line. The Senator suggested just now that the farmers are paying this tribute to the millers. I remember very well when the Republican Party held it up as true gospel that the public need not worry about the tariff, because the tariff was paid by the fellow on the other side of the water. The theory then was that the tariff was paid by the foreigner. The Senator and his party have advanced marvelously. They now realize that the tariff is paid by the consumer. It is a gratifying progress that you have made.

Mr. NELSON. What is the opinion of the Senator from New Jersey on that subject? Almost everything in this reciprocity bill is on the protected list and some at a rate higher than the present tariff law.

Mr. MARTINE of New Jersey. I will answer for myself, and I believe I reflect the honest, conscientious opinion of the farmers of my State of New Jersey. I would vote for free trade with Canada to-morrow—yes, better, to-day—if I had the chance.

Mr. NELSON. That might be interesting to Canada, but it is not interesting to the people of the United States.

Mr. MARTINE of New Jersey. Yes; I believe it would advance the welfare of every man, woman, and child in the United States, and would yield a broader and more liberal and more just system. The process of the tariff has been tried until the people have rebelled.

Mr. NELSON. I take it the Senator from New Jersey is in favor of absolute free trade with all countries. If that is the case, all I can say is de gustibus non est disputandum—there is no accounting for tastes.

Cattle, sheep, and hogs are on the free list, but the moment they come into the hands of the butcher and packer he gets 1¼ cents per pound protection on the meat product. It takes the farmer from 3 to 4 years to raise a steer from a calf, and in the section of the country where I live there is from 5 to 6 months of stabling and feeding each year. The steer is free, but the butcher, who in 24 hours converts that steer into meat, gets a protection of 1¼ cents per pound.

If the slogan of the scheme is cheaper food for the masses, why put a duty on flour, cereals, meal, beef, mutton, veal, pork, hams, and bacon. We know that the middlemen, between the farmer and the consumer, get a far greater profit than the farmer. If cheaper food is one of the excuses for the scheme, why not make all food products from the farm to the mouth entirely free? Why should the farmer's cattle, sheep, and hogs be on the free list, while Armour's and Swift's ham, bacon, and other meat products be blessed with a protective duty? Why should our millers get Canadian wheat free and still have a protection of 50 cents a barrel on flour and 12½ cents per 100 pounds on shorts, bran, and middlings against the Canadian mills? The farmer's products are all on the free list, but all the tools, machinery, and implements which he uses and needs on his farm are on the dutiable list at from 15 per cent to 22½ per cent ad valorem. Even the grindstone is subject to a duty of 5 cents per 100 pounds, or $1 per ton.

The flax he raises on his farm is free, but the oil made from that flax is protected by a duty of 15 cents per gallon. His barley is free, but the maltster is protected by a duty of 45 cents per 100 pounds.

The following brief table furnishes a vivid picture of this unique, one-sided, and most unfair reciprocity scheme:

What the farmer got under the tariff act of 1909 and what the farmer and manufacturer gets under the new reciprocity plan.

What the farmer was given under the tariff act of 1909.	What the farmer gets and what the manufacturer gets under the new reciprocity plan.	
	Farmer.	Manufacturer.
Cattle: From $2 to $3.75 per head, value not over $14 per head; over $14, 27½ per cent ad valorem.	Cattle, horses, mules, swine, sheep, lambs, and all other animals, free.	Fresh meats, viz, beef, veal, mutton, lamb, pork, and all other fresh or refrigerated meats, except game, 1¼ cents per pound.
Swine, $1.50 per head.		
Horses and mules: Worth $150 per head or less, $30 per head; worth over $150, 25 per cent ad valorem.		Bacon and hams, 1½ cents per pound.
Sheep, from 75 cents to $1.50 per head.		All kinds of cured meats, 1½ cents per pound.
All other animals, 20 per cent ad valorem.		Canned meats and poultry, 20 per cent ad valorem.
		Extract of meats, etc., 20 per cent ad valorem.
		Lard, etc., 1½ cents per pound.
		Tallow, 40 cents per hundredweight.
Wheat, 25 cents per bushel.	Wheat, free.	Flour, 50 cents per barrel=11 cents per bushel wheat.
		Bran and middlings, 12½ cents per hundredweight.
		Cereal foods, 17½ per cent ad valorem.
Barley, 30 cents per bushel.	Barley, free.	Malt, 45 cents per hundredweight.
		Pearled barley, ½ cent per pound.
		Cereal foods, 17½ per cent ad valorem.
Oats, 15 cents per bushel.	Oats, free.	Oatmeal, etc., 50 cents per hundredweight.
		Bran and middlings, 12½ cents per hundredweight.
Rye, 10 cents per bushel.	Rye, free.	Flour, 50 cents per barrel.
		Bran, middlings, etc., 12½ cents per hundredweight.
Buckwheat, 15 cents per bushel.	Buckwheat, free.	Flour or meal, ½ cent per pound.
	Corn, free.	Corn meal, 12½ cents per hundredweight.
Flaxseed, 25 cents per bushel.	Flaxseed and grass seeds, free.	Flaxseed or linseed oil, 15 cents per gallon (by tariff act 1909).
Potatoes, 25 cents per bushel.	Potatoes, turnips, onions, cabbage, and all other vegetables, free.	Tomatoes, corn, and other vegetables, canned, 1½ cents per pound.
Butter and cheese, 6 cents per pound.	Butter and cheese, free.	
	Eggs and poultry, free.	
Hewn square timber and round timber for spars, 1½ cents per cubic foot.		Sawed boards and lumber of all kinds, dressed one side, 50 cents per M.
Sawed boards of whitewood, sycamore, and basswood, 50 cents per M.		Dressed on one side and grooved, or dressed on two sides, 75 cents per M.
All other sawed lumber wholly unplaned or unfinished, $1.25 per M, and in addition where the lumber is planed and grooved the rules specified in the reciprocity bill.		Dressed on three sides, or on two sides and grooved, $1.12½ per M.
		Dressed on four sides, $1.50 per M.
Posts, ties, and poles, 20 per cent ad valorem.	Posts, ties, and poles, free.	
Laths, 20 cents per M.		Laths, 10 cents per 1,000.
Shingles, 50 cents per M.		Shingles, 30 cents per 1,000.
Coal, 45 cents per ton.		Coal, 15 cents per ton.

What the farmer got under the tariff act of 1909 and what the farmer and manufacturer gets under the new reciprocity plan—Continued.

What the farmer was given under the tariff act of 1909.	What the farmer gets and what the manufacturer gets under the new reciprocity plan.	
	Farmer.	Manufacturer.
Iron ore, 15 cents per ton. Wagons, 35 per cent ad valorem. Plows, harrows, harvesters, reapers, drills, mowers, horserakes, cultivators, thrashing machines, etc., 15 per cent ad valorem. All steam engines, 30 per cent ad valorem. Hay loaders, potato diggers, feed cutters, grain crushers, fanning mills, hay tedders, field rollers, manure spreaders, weeders, and windmills, 45 per cent ad valorem. Grindstones, finished or unfinished, $1.75 per ton.		Iron ore, 10 cents per ton. Farm wagons and finished parts thereof, 22½ per cent ad valorem. Plows, harrows, harvesters, reapers, drills, mowers, horserakes, cultivators, thrashing machines, etc., 15 per cent ad valorem. Portable and traction engines, hay loaders, potato diggers, feed cutters, grain crushers, fanning mills, hay tedders, field rollers, manure spreaders, weeders, and windmills, and finished parts of foregoing, except shafting, all 20 per cent ad valorem. Grindstones (5 cents per 100 pounds), $1 per ton.

This table shows the present duty. It shows the articles on the free list, and it shows side by side the protected duties given on the products of those articles. In these three columns one is the column of the present tariff law of 1909, the other is the Canadian reciprocity free-list arrangement, and the other is the protected part of the Canadian reciprocity. Corn is free. Corn meal is 12½ cents a hundred; flour, 50 cents a barrel; pearled barley, one-half cent a pound; oatmeal, 50 cents a hundred. On even the oatmeal that is made from our crop of oats there is a protective duty of 50 cents a hundred, and so on. There never was a more one-sided scheme of reciprocity invented by man.

These manufacturers, millers, packers, jobbers, and railroads, who thus stand on the backs of the farmers and lustily shout for this kind of reciprocity, put me in mind of those patriots who, during the Civil War, were so patriotic that they sent their brothers and cousins to the war, but forgot to go themselves. So with these reciprocity patriots; they are so patriotic they are willing to shoulder the whole burden on the American farmer. Oh, you may carry the load; we will put the load on you; give us reciprocity and you may go to grass. [Laughter.]

The laboring men of the country are not fooled by the cry of cheaper food and are not ready to sacrifice the farmer on that account. They see that immolating the farmer and leaving the miller, the butcher, and the packer immune is of little help. Besides, they are less selfish than the big interests, and have more of a fellow feeling for the farmers, whom they regard as laborers like themselves.

PRINT-PAPER, PULP WOOD, AND WOOD PULP.

But what of the great newspapers of the country? Are they to be tempted with free pulp, free paper, and are they certain of getting what they expect and what is pro forma offered them? Let us see. The following part of the reciprocity bill prescribes the conditions under which free pulp and free news-print paper may be obtained:

SEC. 2. Pulp of wood mechanically ground; pulp of wood, chemical, bleached, or unbleached; news print paper, and other paper, and paper board, manufactured from mechanical wood pulp or from chemical wood pulp, or of which such pulp is the component material of chief value, colored in the pulp, or not colored, and valued at not more than 4 cents per pound, not including printed or decorated wall paper, being the products of Canada, when imported therefrom directly into the United States, shall be admitted free of duty, on the condition precedent that no export duty, export license fee, or other export charge of any kind whatsoever (whether in the form of additional charge or license fee or otherwise), *or any prohibition or restriction in any way of the exportation (whether by law, order, regulation, contractual relation, or otherwise; directly or indirectly), shall have been imposed upon such paper, board, or wood pulp, or the wood used in the manufacture of such paper, board, or wood pulp, or the wood pulp used in the manufacture of such paper or board.*

So wherever there is any restriction on the manufacturer of the pulp wood or the wood pulp or the manufacturer of paper it does not come under the provisions of this proposed law. It does not change our tariff law in that respect.

Now, what are the facts? The Crown, or Government, forests of Canada belong to the provincial governments, except in Manitoba, Alberta, Saskatchewan, and the Territories, and the railway belt—40 miles wide—in British Columbia, where they belong to the Dominion Government.

The forest or timber resources of Canada are estimated to be as follows:

	Total acreage.	Publicly owned.
British Columbia	50,000,000	49,200,000
Ontario	70,000,000	52,400,000
Quebec	100,000,000	43,800,000
New Brunswick	7,500,000	2,500,000
Nova Scotia	4,000,000	None.
Manitoba, Alberta, Saskatchewan, and Territories	100,000,000	94,000,000

Much of the land in private ownership has been cut over, so that it is hard to say just how much timber is left on this land. Practically the same restrictive regulations exist in the case of the Dominion forest lands as in the case of the provincial forest lands. Neither the Dominion nor the Provinces sell their timber lands; they simply sell and grant licenses or permits to cut timber within certain limits. Besides, the forests in Alberta, Manitoba, and Saskatchewan, where most of the Dominion forests are situated, owing to their northern latitude, are of a rather stunted, inferior, and indifferent character, and owing to the fact that they are contiguous to the vast prairies in those Provinces, which are now being rapidly settled and developed, the entire supply will be required for the settlers on these prairies, so that no supply of any consequence of pulp wood can be looked for or counted upon from this source. It is further to be noted that in these three Provinces there are 16 forest reserves already established and subsisting.

The provincial forests are under the control of the provincial governments and not under the control of the Dominion Government; and the provincial governments are not bound or committed by anything in this bill relative to pulp wood, wood pulp, or news-print paper.

The following are the laws, rules, and regulations of the several Provinces bearing on this subject:

PROVINCE OF ONTARIO.

The Ontario legislative act of April 30, 1900, provides, among other things, as follows:

All sales of timber limits or berths by the commissioner of Crown lands which shall hereafter be made and which shall convey the right to cut and remove spruce or other soft wood, trees or timber, other than pine, suitable for manufacturing pulp or paper, and all licenses or permits to cut such timber on the limits and berths so sold, and all agreements entered into or other authority conferred by the said commissioner, by virtue of which such timber may be cut upon lands of the Crown, shall be so made, issued, or granted subject to the condition set out in the first regulation of Schedule A of this act, and it shall be sufficient if such condition be cited as the "manufacturing condition."

SCHEDULE A. Every license or permit conferring authority to cut spruce or other soft wood, trees or timber, not being pine, suitable for manufacturing pulp or paper, on the ungranted lands of the Crown, or to cut such timber reserved to the Crown on lands leased or otherwise disposed of by the Crown, which shall be issued on or after the 30th day of April, 1900, shall contain and be subject to the condition that all such timber cut under the authority or permission of such license or permit shall, except as hereinafter provided, be manufactured in Canada; that is to say, into merchantable pulp or paper, or into sawn lumber, woodenware, utensils, or other articles of commerce or merchandise as distinguished from the said spruce or other timber in its raw or unmanufactured state; and such condition shall be kept and observed by the holder or holders of any such license or permit who shall cut, or cause to be cut, spruce or other soft wood, trees or timber, not being pine, suitable for manufacturing pulp or paper, under the authority thereof, and by any other person or persons who shall cut or cause to be cut any of such wood, trees or timber, under the authority thereof, and all such wood, trees or timber, cut into logs or lengths, or otherwise, shall be manufactured in Canada as aforesaid.

Now, see how careful they were:

It is hereby declared that the cutting of spruce or other soft wood, trees or timber, not being pine, suitable for manufacturing pulp or paper, into cordwood or other lengths is not manufacturing the same within the meaning of this regulation.

PROVINCE OF BRITISH COLUMBIA.

The British Columbia act of 1901 provides, among other things, that—

The chief commissioner of lands and works may enter into an agreement with any incorporated company empowered to manufacture pulp and paper, to grant leases of Crown timber limits, for a term not exceeding 21 years, for the purpose of cutting timber for the manufacture of wood pulp or paper, subject to such conditions, regulations, and restrictions, not provided for in any agreement or lease, as may from time to time be established by the lieutenant governor in council: * * * *Provided*, That the holder of any such leased lands shall erect within the Province of British Columbia and equip a pulp or paper mill, having a capacity for an output of not less than 1 ton of pulp, or half a ton of paper, for each and every square mile of timber limits included in the leasehold, and that such mill shall be kept in actual operation for at least six months in every year. * * *

All timber cut from lands leased in accordance with this section must be manufactured within the confines of the Province of Columbia; otherwise the timber so cut may be seized and forfeited to the Crown and the lease canceled.

And section 7 of this act, providing for the renewal of leases, contains the following provision:

All timber cut from provincial lands must be manufactured within the confines of the Province of British Columbia; otherwise the timber so cut may be seized and forfeited to the Crown and the lease canceled.

This act was amended by the act of March 7, 1908, which, among other things, provides that—

Leases (containing such covenants and conditions as may be thought advisable) of Crown lands may be granted by the chief commissioner of lands and works for the following purposes:

(b) For any purpose whatsoever, except cutting hay, as aforesaid, for a term not exceeding 21 years.

All timber cut under lease, special license, or general license from provincial lands lying west of the Cascade Range of mountains must be manufactured within the confines of the Province of British Columbia; otherwise the lease, special license, or general license shall be canceled.

PROVINCE OF QUEBEC.

The Revised Statutes of 1909 and the regulations under it provide as follows:

The minister of lands and forests, or any officer or agent under him authorized for that purpose, may grant licenses to cut timber on the ungranted lands of the Crown at such rates and subject to such conditions, regulations, and restrictions as may from time to time be established by the lieutenant governor in council.

These licenses are subject to be renewed annually.

[Executive order in council.]

All licenses to cut timber are subject to a yearly ground rent of $5 per square mile or fraction of a square mile from the 1st of September.

All timber cut on Crown lands after the 1st of May, 1910, must be manufactured in Canada; that is to say, converted into pulp or paper deals or boards, or into any other article of trade or merchandise of which such timber is only the raw material. The following shall not be considered as manufactured within the meaning of the present regulations: Timber simply cut into lengths, piled, barked, or worked preliminary to the manufacture of pulp or paper, deals, or boards, or any other article of commerce; nor waney nor board timber nor timber in the form of poles; but timber completely squared and railway ties are considered as manufactured.

These orders also provide for the seizing of timber not intended to be manufactured in Canada.

New Brunswick has recently adopted the law referred to in the following report of Consul Charles A. McCullough (Daily Consular Report of May 15, 1911), namely:

PROHIBITION OF EXPORTATION OF PULP WOOD FROM NEW BRUNSWICK.

Consul Charles A. McCullough transmits a copy of an act recently passed by the Legislature of New Brunswick, to go into effect on October 1, 1911, which provides that all licenses and permits conveying the right to cut on Crown lands spruce or other soft wood, except pine or poplar, suitable for the manufacturing of pulp or paper, shall be "subject to the condition that all such timber * * * shall be manufactured in Canada * * * into merchantable pulp or paper, or into sawn lumber, woodenware, utensils, or other articles of commerce or merchandise, as distinguished from the * * * timber in its raw or unmanufactured state." The cutting of the timber into cordwood or other lengths is not to be considered as manufacturing, but the wood may be used in Canada for fuel or building purposes. If there is reason to suspect that the wood is not intended for manufacture in Canada, security may be required, and, if not given, the wood may be seized and sold. Nonobservance of the requirement to manufacture in Canada involves suspension or forfeiture of license. A copy of the act is filed for reference in the Bureau of Manufactures.

In the letter of January 21, 1911, of Messrs. Fielding and Paterson, the representatives of Canada, to our Secretary of State, Mr. Knox, forming the basis of the reciprocity agreement transmitted to Congress by the President, appears the following statement:

10. With respect to the discussions that have taken place concerning the duties upon the several grades of pulp, printing paper, etc.—mechanically ground wood pulp, chemical wood pulp, bleached and unbleached, news-printing paper and other printing paper and board made from wood pulp, of the value not exceeding 4 cents per pound at the place of shipment—we note that you desire to provide that such articles from Canada shall be made free of duty in the United States only upon certain conditions respecting the shipment of pulp wood from Canada. It is necessary that we should point out that this is a matter in which we are not in a position to make any agreement. The restrictions at present existing in Canada are of a provincial character. They have been adopted by several of the Provinces with regard to what are believed to be provincial interests. We have neither the right nor the desire to interfere with the provincial authorities in the free exercise of their constitutional powers in the administraton of their public lands. *The provisions you are proposing to make respecting the conditions upon which these classes of pulp and paper may be imported into the United States free of duty must necessarily be for the present inoperative.* Whether the provincial governments will desire to in any way modify their regulations with a view of securing the free admission of pulp and paper from their Provinces into the market of the United States must be a question for the provincial authorities to decide. In the meantime, the present duties on pulp and paper imported from the United States into Canada will remain. Whenever pulp and paper of the classes already mentioned are admitted into the United States free of duty from all parts of Canada then similar articles, when imported from the United States, shall be admitted into Canada free of duty.

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER (Mr. JOHNSTON of Alabama in the chair). Does the Senator from Minnesota yield to the Senator from Michigan?

Mr. NELSON. I do.

Mr. SMITH of Michigan. I ask the Senator from Minnesota, if that is the case, what would be the effect of the so-called Root amendment?

Mr. NELSON. The Root amendment can have no application. I will come to that later. The President in his Chicago speech states that nine-tenths of the timber of Canada is in public ownership—that is, it is owned by the public authorities, either by the Dominion Government or by the Provinces, but mostly by the Provinces. There is only one-tenth, then, taking the President's statement, of the forest land of Canada which is not under this limitation; and as to that one-tenth of timber which is not in private ownership and which is uncut on that land, one-tenth can come into this country free without our timber going into Canada. The effect of the Root amendment is to provide that whenever the paper, or pulp, or wood from those privately owned lands in Canada come in here free ours shall go free to Canada. That part of the reciprocity they altogether forgot in the bill which they sent in here. Am I not correct in that statement, I will ask the Senator from Utah [Mr. SMOOT]?

Mr. SMOOT. Mr. President——

Mr. SMITH of Michigan. Just a moment. If I understand correctly the Senator from Minnesota, the Root amendment would make this bill reciprocal in that regard but not without it.

Mr. NELSON. Certainly. There is no reciprocity in it. In the first place, under the provincial laws and regulations which I have cited the bill would be altogether inoperative; it would have no effect. Paper and pulp coming from Crown lands, from provincial lands, will be subject to the duty of the tariff act of 1909. This only applies to those lands in private ownership; and under the provisions of section 2 of this bill paper and pulp made from those lands owned by private citizens—not public lands—come in here free, without a pound of our paper or a pound of our pulp going into Canada free.

Mr. SMITH of Michigan. Then the effect of the utterance of the Senator from Minnesota is this: That, so far as timber is concerned, we do not get that competition which might arise from a reciprocal arrangement, but so far as the agricultural products of Canada are concerned we get absolute competition at our borders—unrestricted competition so far as the products of agriculture are concerned, but not unrestricted competition so far as timber is concerned.

Mr. NELSON. The treaty is as much jug-handled in respect to the pulp and paper industry as it is in respect to farm products. The agricultural products are all to come in here free; and under the provisions of this bill, if your Michigan lumbermen own any timber in Canada their paper and wood pulp can come in here free without a pound of our paper or a pound of our pulp going free into Canada. There is not a bit of reciprocity in it. There never was a more outrageous and jug-handled affair than that.

Mr. SMITH of Michigan. I agree perfectly with the conclusion of the Senator from Minnesota, and I am glad that he has put into the RECORD the statement which he quoted when I rose, because it has a very important bearing upon the effect, extent, and operation of this treaty.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield?

Mr. NELSON. Yes; I yield.

Mr. SMOOT. The effect of the Root amendment is simply this, that Canadian pulp and paper can enter into the United States free when all the Provinces of Canada remove their restrictions and allow our paper and pulp to go into Canada free. That is the effect of it.

Mr. NELSON. That is it.

Mr. CLARK of Wyoming. No; I will have to modify that so far as my understanding of it is concerned. Under the bill Canadian paper and wood pulp will come in free. The effect of the Root amendment is that free admission into the United States shall not take effect until the President is satisfied and proclaims that our paper and wood pulp are admitted into Canada free; in other words, their paper is not to come in here free until reciprocally our paper shall go in there free. The Root amendment has little or no effect, as I understand, upon the Dominion regulations as to the Crown lands.

Mr. SMOOT. Mr. President, the Senator from Wyoming is partially correct and, as I understand, partially incorrect.

Mr. CLARK of Wyoming. Just a moment. There is nothing in the Root amendment that compels the Canadian provincial governments to act in any way in removing their restrictions as to the exportation of wood pulp.

Mr. SMOOT. That is true.

Mr. CLARK of Wyoming. But it provides that if we admit the paper and pulp from that country free, no matter whether those restrictions are removed by the provincial governments or not, Canada shall allow our paper and wood pulp to go in free. That, as I understand, is the Root amendment.

Mr. SMOOT. Mr. President, the agreement with Canada was that, until the restrictions of every Province in Canada were removed, paper from the United States could not go into Canada free; but paper made from wood in private ownership or wood other than that on Crown lands could come into the United States free under the bill, if the Root amendment were not adopted. The Root amendment provides, in effect, that until all the restrictions of Canada are removed and our paper is allowed to go into Canada free paper from Canada shall not come into this country free.

Mr. CLARK of Wyoming. I think the Senator is incorrect in that statement. The bill provides that pulp or paper from wood which is grown upon lands which are not under those restrictions shall be admitted free into the United States.

Mr. SMOOT. Mr. President——

Mr. CLARK of Wyoming. Wait just a moment.

Mr. SMOOT. The Senator is absolutely correct on that point.

Mr. CLARK of Wyoming. Just wait a moment. Such articles shall be admitted free when there is no export duty charged upon them.

Mr. SMOOT. That is true.

Mr. CLARK of Wyoming. That is true, but according to the Root amendment they shall be admitted free only—

> When the President of the United States shall have satisfactory evidence and shall make proclamation that such wood pulp, paper, and board, being the products of the United States, are admitted into Canada free of duty.

That is the Root amendment—that no Canadian paper or wood pulp, no matter from what lands in Canada it comes, shall be admitted into the United States unless wood pulp and paper from the United States is free to be admitted into Canada. Therefore the Root amendment makes reciprocal an arrangement that was not before reciprocal in any manner.

Mr. SMOOT. That is exactly as I understand the Root amendment, and if it was supposed that I have stated it differently, Senators have certainly misunderstood me.

Mr. SMITH of Michigan. In fact, that is all the reciprocity there is actually.

Mr. CLARK of Wyoming. Absolutly all the reciprocity there is in the bill, so far as wood pulp or paper is concerned, is contained in the Root amendment. The other part of the bill as it comes from the House simply reduces or takes away our tariff on Canadian wood pulp and paper. That is all it does.

Mr. SMOOT. Or, in other words, the agreement between Canada and the United States was that wood pulp and paper should be admitted free from all parts of Canada—the very words "all parts of Canada" being used—before our paper could be admitted free into Canada.

Mr. SMITH of Michigan. How did this part of the agreement in the original pact disappear?

The PRESIDING OFFICER. Does the Senator from Minnesota yield further?

Mr. NELSON. I yield.

Mr. SMITH of Michigan. How did it happen that this very provision which we are discussing and which was included in the original understanding between the commissioners of the two countries disappears from the bill? I understand it is in the bill now before the Canadian Parliament.

Mr. CLARK of Wyoming. Ask the whispering winds, but do not ask me, for nobody seems to know.

Mr. SMITH of Michigan. I should like to ask the Senator from Pennsylvania if he knows how it disappeared?

Mr. CLARK of Wyoming. The reason that is urged is that by admitting their wood pulp into this country free, without reference to anything that we may do, it is hoped that a competition may be engendered between the Crown lands and the private lands in Canada, so that as to the Crown lands they would be anxious to remove their restrictions and we could get all their paper in free.

Mr. SMITH of Michigan. This was part of the original understanding.

Mr. CLARK of Wyoming. The Root amendment is absolutely in harmony with the original agreement that was signed by the Canadian representatives and our own.

Mr. SMOOT. And is also in conformity with the bill now before the Canadian Parliament.

Mr. CLARK of Wyoming. It is absolutely in conformity with the bill now before the Canadian Parliament.

Mr. SMITH of Michigan. I do not like to intrude further upon the Senator from Minnesota——

Mr. CLARK of Wyoming. I also beg pardon of the Senator from Minnesota for interrupting him.

Mr. SMITH of Michigan (continuing). But I should like to ask the Senator from Pennsylvania, the chairman of the Finance Committee, if he knows how it happened that the original arrangement between the two countries was not carried out in the bill?

Mr. PENROSE. The change referred to occurred in the Committee on Ways and Means of the House of Representatives. The Senator from Michigan has as much knowledge about their action as I have. I know nothing about the bill, except as it came over to the Senate.

Mr. SMITH of Michigan. Then is it the understanding of the Senator from Pennsylvania that the House Committee on Ways and Means changed the original agreement and made it conform with their own ideas, rather than with the announced agreement between the Canadian commissioners and our own?

Mr. PENROSE. They seem to have done so.

Mr. SMOOT. Without question that is exactly what they did, Mr. President.

Mr. SMITH of Michigan. The effect of the bill as it came from the House of Representatives, then, is to give the Canadians free trade in their paper and their pulp and not give us free trade in the same products.

Mr. CLARK of Wyoming. Undoubtedly.

Mr. PENROSE. I will suggest, for the information of the Senator——

Mr. SMOOT. This is the effect of it, Mr. President, that so long as one Province in Canada has restrictions of any kind the manufacturers of paper and wood pulp in this country can not enter into Canada without paying the present duty.

Mr. SMITH of Michigan. That is the bill as it came from the House of Representatives?

Mr. SMOOT. As it came from the House of Representatives.

Mr. NELSON. And the Senator from Utah might have added, when he stated that that was the effect of the bill as it came from the House of Representatives, that it is also the effect of the bill as it came to us from the Finance Committee——

Mr. CLARK of Wyoming. Oh, no.

Mr. NELSON. Without the Root amendment?

Mr. SMOOT. Without the Root amendment.

Mr. NELSON. And with no explanation about this intricate subject, leaving the newspapers to think they have got a glorious thing in the paper and pulp provisions of the bill, when they have got a "gold brick."

Mr. CLARK of Wyoming. I was going to say to the Senator from Utah that he has not entirely exhausted the subject, because there is nothing in this bill, as I remember, that says that our paper or wood pulp shall be admitted into Canada, even if they do take off all export duties. I do not understand that there is any promise for the future.

Mr. SMOOT. I believe that the bill as originally drawn, when I come to think of it, did provide that; but the present bill does not even allow that.

Mr. CLARK of Wyoming. There is absolutely in this bill not the first hint that ever, under any conditions or any circumstances, will our wood pulp or our paper be allowed free into Canada. In this section of the bill, as I read it, there is no sentence, no word, and no phrase that can be tortured into a promise of that sort. It is simply and solely a wiping out of the protective tariff on Canadian wood pulp, as I understand.

Mr. SMITH of Michigan. And its retention upon American products of similar character imported into Canada.

Mr. CLARK of Wyoming. Yes.

Mr. LODGE. I do not want to interrupt the Senator from Minnesota, if he desires to go on, but——

Mr. NELSON. No; I am nearly through.

Mr. LODGE. I may say a word of explanation in regard to that. The agreement, as submitted by the President, placed wood pulp and print paper, valued at less than 4 cents a pound, in the list of articles to come in free. To that were appended two provisos. The first proviso stated the conditions upon which Canadian pulp and paper should come into this country free. The second proviso stated the conditions on which our wood pulp and print paper should go into Canada free. The result of those provisos was as stated by the Senator from Utah. The House omitted the second proviso altogether, so that now nothing remains except the provision for the admission of Canadian pulp wood into this country free of duty on certain conditions. There is no provision at all for our paper going into Canada free.

Mr. NELSON. Unless you adopt the Root amendment.

Mr. SMITH of Michigan. Then, there is to be open and unrestricted competition in this country with Canadian paper and pulp under the terms of the agreement as it now stands, and no competition whatever in Canada with American paper and pulp?

Mr. LODGE. Not unless Canada chooses to follow that course. I ought to say that the Canadian bill corresponds precisely to the agreement as submitted, and carries the second proviso, which is in substance the Root amendment. As the President stated at Chicago, the Root amendment is in exact conformity with the agreement as originally made.

Mr. SMITH of Michigan. We have been told, Mr. President, that we are not to change a word or a syllable or a phrase of this agreement for fear that we may imperil it. I should like to know if we have not changed it in a very material respect, and greatly to our disadvantage?

Mr. SMOOT. Mr. President, we are not changing the agreement. We are just perfecting the agreement. We are amending the House bill.

Mr. SMITH of Michigan. We are changing the agreement if we adopt the House bill.

Mr. SMOOT. Oh, certainly.

Mr. SMITH of Michigan. I am not saying what may or may not be done by the Senate; but, as the matter now stands, the House of Representatives has changed the agreement in a most material way, to the disadvantage of the American people, and the direct advantage of the manufacturers of print paper in Canada.

Mr. SMOOT. Mr. President, while we are on this subject, if the Senator from Minnesota does not object, I should like to say that the agreement not only applies to print paper, but also to all paper valued under 4 cents a pound, which includes about 85 per cent of the paper manufactured in the United States.

Mr. SMITH of Michigan. Paper for commercial purposes.

Mr. SMOOT. Paper for commercial purposes, such as book paper, and so forth.

Mr. SMITH of Michigan. And I want to say to the Senator from Utah that there are over $20,000,000 invested in the manufacture of that kind of paper in the State that I in part represent, employing hundreds and thousands of people, and they are to be pitted in the open market against aliens without any consideration at the hands of our Government. It is a most unfair advantage, and I am amazed that the House of Representatives, which pretends to be so solicitous about the welfare of the American workingman, should have dropped from that pact or agreement the feature described by the Senator from Utah, which would have given this measure a bare semblance of equity in one particular at least.

Mr. NELSON. Mr. President, I have just read the statement of Messrs. Fielding and Patterson as to this feature of the bill relating to pulp wood and paper. I will quote a part of it again.

> We have neither the right nor the desire to interfere with the provincial authorities in the free exercise of their constitutional powers in the administration of their public lands. The provisions you are proposing to make respecting the conditions upon which these classes of pulp and paper may be imported into the United States free of duty must necessarily be for the present inoperative.

I have already read the whole statement.

Now, in reply to this—and it appears in that document—Secretary Knox, on the same date, states:

> It is a matter of some regret on our part that we have been unable to adjust our differences on the subject of wood pulp, pulp wood, and print paper. We recognize the difficulties to which you refer growing out of the nature of the relations between the Dominion and Provincial governments, and for the present we must be content with the conditional arrangement which has been proposed in Schedule A attached to your letter. (S. Doc. 787, 61st Cong., 3d sess.)

In connection with this, if Senators have followed me, they will observe that the restrictions on timber and wood and pulp wood, in the great Provinces to which I have referred, are of such character that under existing conditions the provisions of section 2 would not relieve them from the effect of our tariff law. All pulp, pulp wood, news and print paper, and other paper would have to come in from those lands and pay the duty that is contained in what is known as the Payne-Aldrich Act.

Now, what do the newspapers get out of this under the present conditions? Even the President, and I think he put the figures too high, in his speech in Chicago stated:

> The pending bill provides, as I have already stated, that in order to induce the lifting of the restrictions which are now imposed by the Canadian Provinces on wood from Crown lands, which includes about nine-tenths of the Canadian wood, * * *

All these, nine-tenths of the Canadian Crown lands, are subject to these restrictions, and while they remain not a pound of paper, or a pound of pulp wood or wood pulp could be admitted into the country free. They will be subject to the duty. And I call the newspapers' attention to the fact that all there is in this bill, under present conditions, and all there possibly could be, even without the Root amendment, is simply paper and pulp and wood pulp made from land in private ownership. That is all the paper—all the print paper and all the pulp wood and wood pulp they could get even without the Root amendment.

From all these data, which I have thus pointed out in detail, it is evident that free pulp wood and wood pulp and free newsprint paper are not secured, to any material extent, by the proposed reciprocity legislation, and are not likely to be secured in the near future, for it is not probable that any of the Provinces will voluntarily abandon their present timber policy, and the Dominion Government does not indicate that any pressure or inducement on the part of that Government will be resorted to to bring about a change. The recent action of New Brunswick indicates the temper and fixed policy of the Provinces. That is an act which was passed since the reciprocity message was sent in.

It thus appears that the newspapers will not get what some of them supposed and imagined they would get under this proposed legislation, to wit, free pulp and free paper throughout Canada. The tariff law of 1909 will still apply and govern as to most of these products of the Canadian forests. For this scant mess of pottage the great newspapers have been and are willing to sacrifice the American farmer.

IN CONCLUSION.

On the whole, it can be fairly said that there is much reciprocity in the proposed scheme for the Canadian farmer, but none for the American farmer. He is made the scapegoat, and over his shoulders some of our manufacturers look for an increased market in Canada, and some of our railroads contiguous to the boundary and with branches and connections in that country seek to obtain additional revenues by bringing the agricultural products of Canada into our markets. It grieves me, as nothing heretofore in my public life has grieved me, to note that the railroads, the millers, and the wholesalers and jobbers of Minnesota are so eager and ready to sacrifice the welfare and advantages of our farmers, who are, after all, the ultimate mainstay, for the sake of securing additional business and additional profits from Canada. It would, in the long run, be wiser, and certainly much more considerate and unselfish, if these big interests had the welfare of our northwestern farmers nearer and dearer to their hearts. Live and let live should be their motto. As for myself, my course seems clear in this matter. My youth and early manhood was spent in farm work, and I have ever since had a fondness for the farm. I know how hard the farmer's lot is; how he must work and struggle early and late, from dawn until dark. No eight-hour day for him. His life is so strenuous that the allurements of the large cities attract his children and make hired help scarce.

In pioneer days, when contending against grasshoppers, hail, drought, rust, high transportation rates, and high interest rates, it was a battle that tried men's nerves and souls. But the farmer did not flinch. He carved out a home for himself and furnished traffic for the railroads, the manufacturers, and the jobbers, and grain for the millers, and they all waxed strong from his efforts. During all these years he has been called upon and has stood ready to help all other industries by means of a protective tariff. Such a tariff until quite recently has afforded him no direct protection, and now when the tariff is about to afford him such direct protection and benefit for his industries as all the other industries have enjoyed and harvested these many years, it is curtly and in cold blood proposed to deprive him and divest him of all the direct advantages of protection. His products are to be singled out for free trade. He is blandly told that while protection is good for everybody else, it is not good for the farmer. He alone is to be an outlaw in the realm of protection. Help the railroads, prop up the manufacturers and other big interests, but let the farmer shift for himself, seems to be this modern hermaphrodite scheme of reciprocity.

I am aware of the fact that my course does not meet with the approval of some of the railroads in Minnesota, and that it does not meet with the approval of the millers, the manufacturers, and the jobbers and wholesalers of our three largest cities, yet nevertheless I can not see my way clear to desert the farmers of our State. My pulse beats with their pulse, my heart throbs with their hearts, and their soul is mine. The words of Luther at the Diet of Worms come to me on this occasion:

> Here I stand; I can do no otherwise. God help me.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After nine minutes spent in executive session the doors were reopened, and (at 4 o'clock and 48 minutes p. m) the Senate adjourned until to-morrow, Friday, June 16, 1911, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate June 15, 1911.

RECEIVER OF PUBLIC MONEYS.

Robert W. Kemp, of Missoula, Mont., to be receiver of public moneys at Missoula, Mont., vice William H. Houston, resigned.

POSTMASTER.

INDIANA.

Elmer W. Rust to be postmaster at Winslow, Ind. Office became presidential January 1, 1911.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 15, 1911.

CAPTAIN COMMANDANT, REVENUE-CUTTER SERVICE.

Ellsworth P. Bertholf to be captain commandant, Revenue-Cutter Service.

SURVEYOR GENERAL OF MONTANA.

Jerome G. Locke to be surveyor general of Montana.

RECEIVER OF PUBLIC MONEYS.

Robert W. Kemp, receiver, Missoula, Mont.

POSTMASTERS.

GEORGIA.

Pet L. Cooke, Doerun.
Abbie B. Youmans, Adrian.

ILLINOIS.

William S. Jenkins, Golconda.

INDIANA.

Claude B. Thomas, Moores Hill.

KENTUCKY.

Thomas M. Scott, Somerset.

MISSOURI.

T. C. Pinkley, Portageville.

OHIO.

Leroy C. Benedict, Mansfield.

TENNESSEE.

Alvin J. Roller, Bristol.
H. Filmour Shoun, Greeneville.

HOUSE OF REPRESENTATIVES.

THURSDAY, *June 15, 1911.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou Great Spirit, Father, Soul, everywhere present, a potent influence in the affairs of men, we wait upon Thee with open minds and hearts, that the issues of this day may be in consonance with Thy holy will, in the Spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

COMMITTEE ON EXPENDITURES IN THE TREASURY DEPARTMENT.

Mr. UNDERWOOD. Mr. Speaker, there is a vacancy on the Committee on Expenditures in the Treasury Department, caused by the resignation of the gentleman from Tennessee [Mr. GARRETT]. I desire to move the election of Mr. OSCAR CALLAWAY, of Texas, to fill that vacancy.

The SPEAKER. The gentleman from Alabama moves the election of Mr. CALLAWAY to fill the vacancy existing on the Committee on Expenditures in the Treasury Department. Are there any other nominations?

There were no further nominations, and the motion of Mr. UNDERWOOD was agreed to.

GOVERNMENT HOSPITAL FOR THE INSANE.

Mr. CLARK of Florida. Mr. Speaker, I desire to make a privileged motion. I move that the Committee on Expenditures in the Interior Department be discharged from the further consideration of House resolution 105.

The SPEAKER. The gentleman from Florida sends to the Clerk's desk a privileged resolution, and moves that the Committee on Expenditures in the Interior Department be discharged from its further consideration. The Clerk will read the resolution.

The Clerk read as follows:

Resolved, That the Secretary of the Interior be, and he hereby is, requested to furnish the House with copies of all complaints, allegations, and charges of every character filed in his office touching the management of the Government Hospital for the Insane within the past two years, as well as copies of any report as to conditions at such hospital made by any person or persons under the direction of the Interior Department, or any other authority on file in said department.

The SPEAKER. The gentleman from Florida moves that the Committee on Expenditures in the Interior Department be discharged from further consideration of this resolution. It becomes privileged by the fact that the committee has not reported within the seven days required by the rule.

Mr. MANN. When was the resolution introduced?

The SPEAKER. On April 18.

Mr. PAYNE. Mr. Speaker, I understood that the caucus had suspended the rule.

The SPEAKER. A caucus can not suspend a rule of the House. The question is on the motion of the gentleman from Florida to discharge the committee from the further consideration of the resolution which has been reported by the Clerk.

The question was taken, and the motion was agreed to.

Mr. CLARK of Florida. Mr. Speaker, I understand that the resolution is now before the House, and I desire recognition.

The SPEAKER. The gentleman from Florida is recognized for one hour.

Mr. HENRY of Texas. Mr. Speaker, I would like to inquire of the gentleman how much time he will occupy.

Mr. CLARK of Florida. That is more than I can tell.

Mr. HENRY of Texas. The reason I ask is that the gentleman from Illinois [Mr. FOSTER] would like to have a few minutes to make some statements in regard to the resolution.

Mr. CLARK of Florida. I have no objection to that.

Mr. HENRY of Texas. I want to see if we can not adjust the matter about a division of time.

Mr. CLARK of Florida. I do not care to take up much time. How much time does the gentleman from Illinois want?

Mr. FOSTER of Illinois. Twenty minutes.

Mr. CLARK of Florida. I will give the gentleman 20 minutes, but I want the conclusion.

Mr. HENRY of Texas. Well, that is all right.

Mr. FOSTER of Illinois. Oh, no; the gentleman from Florida wants 20 minutes, and then at the conclusion of my remarks 20 minutes more.

Mr. CLARK of Florida. I will give the gentleman 30 minutes, and then I will take 10 minutes in conclusion.

Mr. FOSTER of Illinois. Mr. Speaker, I would rather the gentleman from Florida would go ahead and occupy what time he expects to now and be through with it.

The SPEAKER. The gentleman from Florida is recognized.

Mr. CLARK of Florida. Mr. Speaker, this resolution was introduced, as it appears on its face, on the 18th of April of this year. I shall undertake not to weary the House. I shall not, I trust, trespass too much upon its time, but this is a question in which I feel the very deepest of interest. It involves a matter that ought to appeal to the conscience of every Member of this House, no matter what his political affiliations may be, and on account of my knowledge of some affairs in connection with it I have felt that in the interest of economic administration of government and in the interest of humanity this institution must be thoroughly investigated and such remedies applied as will correct the existing evils. I offered this resolution for the purpose of ascertaining facts from the department having this bureau under its control, but the committee has not seen fit to consider it. The department has made no effort to answer. I do not blame the department, because it probably has not been called to the attention of those in charge; and, in order that the House may fully understand, I desire to say that I offered another resolution on this same subject, seeking an investigation of this institution, which went to the Committee on Rules of this House, and has been there for some little time. I do not know, Mr. Speaker, what rules govern the Committee on Rules. I do know, and it struck me as a rather queer proceeding, that in this case the persons to be investigated were sent for. They were heard on the question as to whether or not they ought to be investigated. Now, an investigation of the Steel Trust has been ordered at the instance of the Committee on Rules. I do not object to that; I think it ought to be investigated. But I do not understand that Mr. Morgan or any

of the gentlemen controlling that trust were sent for by the Committee on Rules to be interrogated with reference to their desires as to being investigated. The Sugar Trust is also to be investigated. I do not know that Mr. Atkins, the acting president—if that is his name—or any other person interested in the Sugar Trust was sent for and interrogated as to the desirability of their being investigated.

There is also a resolution here, reported from that committee and acted on by the House, to investigate certain affairs of the District of Columbia—the corporations, tax assessments, and so forth. I do not understand that the Commissioners of the District and the officials of the street railway companies were sent for and their wishes with reference to their being investigated ascertained; but in this particular case, a case, Mr. Speaker, which involves in it questions reaching higher than any question of dollars and cents, which has for its object the ascertainment of the treatment of about 3,000 human beings, black, white, male and female, old and young, who unfortunately have become bereft of their reason, the officials in whose charge these unfortunates are, who are sought to be investigated, are sent for by the Committee on Rules. This is a resolution which ought to appeal, as I said in the beginning, to every man on this floor, no matter what his business in life or his political affiliations may be, and I want to say here, Mr. Speaker, in the Fifty-ninth Congress, a Republican House, a Republican Committee on Rules, upon a resolution offered by me, ordered an investigation of this institution. The report came in the House so late in the last days of the dying Congress that absolutely nothing could be done, and I hold in my hand now the testimony taken by that investigating committee, covering about 2,000 pages, at a cost to the Government of about $30,000, I am told—all wasted, all gone, every dollar of it expended, and nothing accomplished, except one thing. It did appear on this investigation that the superintendent of that asylum was his own disbursing officer, expending more than a million dollars a year, with practically no check upon the manner of its expenditure. That looked a little too tough, so we find in an appropriation following a little later a provision that there should be a disbursing officer at the Government Hospital for the Insane, coupled with the condition that the superintendent should appoint him and that he should be under the supervision of the superintendent. The superintendent appointed a young man who occupied some sort of a confidential relation to him, whose salary at that time was $1,500, and he put his salary at $2,500 a year. So the net result of the expenditure of $30,000 in this investigation is the raising of the salary of one man $1,000 a year.

Mr. Speaker, my resolution now before the Rules Committee recited the facts of this former investigation, called attention to the fact that the reports were made too late for action, and simply asked that a new committee should be appointed with power to take such small additional testimony as in their judgment was proper, and report that in connection with this testimony to this House and let it be acted upon. I have stated to members of the Rules Committee—I do not know but what I stated it to the entire committee—that the additional cost would not exceed $500, and I was perfectly willing, and am now, that the expenditure should be limited to $500. Yet, Mr. Speaker, here is a resolution involving the happiness, if such a thing can come to people so afflicted; involving the comfort; yea, in some instances involving the lives, of some of these 3,000 people, and the Rules Committee can not afford to spend $500 to ascertain the relief that is needed, and give the House an opportunity to extend that relief.

And yet they go down into the Treasury of the United States for $25,000 on a fishing expedition against the Sugar Trust. Now, Mr. Speaker, I do not know what measure of proof these gentlemen require. I was told by one Member that I ought to submit proof sufficient that if it was a criminal charge it would warrant a grand jury in returning an indictment. Now, I do not know much about the law—never pretended to. I have had a license to practice, and have been hanging around courthouses for about 30 years, and have absorbed some little information along those lines by contact with other lawyers. I do not profess to be in a class with the gentlemen who compose the Rules Committee, and particularly the gentleman who gave me that valuable information; but, Mr. Speaker, I have heard somewhere, I have heard it intimated, and I have absorbed it, and it has been with me for a good long number of years. I may be wrong, but I have heard of a proposition something like this: I have been told it is good law that when a condition is once shown to exist, that condition is presumed to continue until the contrary is made to appear by competent proof.

I put all of this testimony before the Rules Committee, showing, Mr. Speaker, here almost under the Dome of this Capitol, a most disgraceful condition of affairs, and one which I dare say does not exist in any like institution anywhere in this country. I have said, and I say now, that the record in this case, as drawn out in this testimony, is one long trail of cruel mistreatment of these unfortunate people. Murders have been committed over there, escapes are frequent, any quantity of witnesses testified to the bad condition of the food, and other things of that kind, and yet our friends—I agree with them you know; I am in this economy business myself now; I never have been much of an economist, do not claim to be, but I remember, and you all remember, that our distinguished Speaker, for whom I entertain the very highest regard, and I think he did what was proper, I know he did from his viewpoint; I do not know if I would have done it, I am not so good a man as my friend; but he declined to use an automobile at Government expense because he said it was no part of the duty of the Government to furnish it to him. Here is a little subordinate officer over there, a bachelor, with eight or nine rooms for his personal use, although it is very crowded in this institution, there being a scarcity of room, and they say they can not take care of the inmates but need more buildings and rooms—here is this man with eight or nine rooms in his own private apartment, with a special cook for himself individually, and a servant in his apartment, besides the coachman and chauffeur—I believe that is what he is called—and he has two automobiles, a carriage, and a pair of horses, and the electric cars run right by his door to all parts of the city. And this is all furnished at the expense of the Government, in addition to his salary. Now, that is economy with a vengeance. Here is the next highest officer of the Government—I think in point of dignity the Speakership is next to the Presidency—and if any officer of this Government ought to be furnished with a conveyance to go about over the city befitting the dignity of his place it is the Speaker, but he has none; and here is this little subaltern over there, who is an absolute dictator, and who exercises—and I assert this without fear of any sort of contradiction—this record shows that this man, with the power given him under the law and the rules of the Interior Department, is the greatest autocrat in America to-day. He has no boss, he goes and comes as he pleases, has all of these conveyances at the expense of the taxpayers of this country, and yet my friends, who are extremely economical, think that this ought to continue, I presume.

Mr. MOORE of Pennsylvania. Mr. Speaker——

The SPEAKER. Does the gentleman from Florida yield to the gentleman from Pennsylvania?

Mr. CLARK of Florida. For a question; yes.

Mr. MOORE of Pennsylvania. Does the management of this institution come under the District Commissioners in any form?

Mr. CLARK of Florida. No.

Mr. MOORE of Pennsylvania. They are in no way responsible for the things charged by the gentleman?

Mr. CLARK of Florida. Not in the slightest. The institution was originally established, I will say to my friend and for the benefit of the House——

Mr. MOORE of Pennsylvania. Pardon me, just one more question—then the government of this institution is wholly with the Department of the Interior?

Mr. CLARK of Florida. Absolutely.

Mr. MOORE of Pennsylvania. I understand the District sends patients to the institution.

Mr. CLARK of Florida. I am going to explain that; yes. The institution was originally established as a hospital for the insane of the Army and Navy. In the course of time the statute was amended by which the indigent insane of the District were admitted, and finally the criminal insane of the whole country.

That is to say, persons arraigned in Federal courts who are found to be insane are sent there.

Now, Mr. Speaker, this record shows other things. It shows that the criminal insane are permitted to mingle with the innocent insane, and all authorities agree that this should not be allowed. They have over there about 1,000 acres of land. They conduct some quite extensive farming operations, and this man is the farmer, he is the doctor, he is the business manager, he is just as much the disbursing officer to-day as he ever was. He can discharge his disbursing officer in two minutes if he wishes to do so, and he will do it, of course, whenever the fellow does not do what he wants him to do.

Now, I say the old case showed by numbers of witnesses—and I have them all collated, but I shall not take up the time of the House to read it—numberless instances of cruel and inhuman treatment. It shows numerous instances of bad and

unfit food given to those people. It shows that the management is loose and careless on account of the great number of escapes. Another thing, too, this committee had superintendents of State asylums all over the country—and the record shows that Congress appropriates $220 per capita per annum; when you add to that the pension money which they get from the old soldiers incarcerated there, the per capita cost goes up to about $300 per annum. There is not another institution in America where there is anything approaching that cost per capita; and I assert, Mr. Speaker, that a proper investigation of this institution by a committee that meant to investigate, that meant to go to the bottom of it in good faith in order to relieve these people, would save this Government from $200,000 to $250,000 per annum. And then these patients would be better treated than they are to-day.

Mr. PAGE. Mr. Speaker——

The SPEAKER. Does the gentleman from Florida [Mr. CLARK] yield to the gentleman from North Carolina [Mr. PAGE]?

Mr. CLARK of Florida. Yes; for a question.

Mr. PAGE. The supervision of the expenditures of this institution being under the Interior Department, is not this matter within the province of the House Committee on Expenditures in the Interior Department?

Mr. CLARK of Florida. The question as to the financial end of it, I think, would be; but that is only one question.

Mr. PAGE. At the moment I interjected the question the gentleman was speaking of the financial end of the proposition and the financial affairs of the institution, and I want to say that I am in sympathy with the gentleman as to what he was saying as to the expenses and the enormous expenditure per patient.

Mr. HUMPHREYS of Mississippi. Will the gentleman allow me to ask him a question?

The SPEAKER. Does the gentleman yield to the gentleman from Mississippi?

Mr. CLARK of Florida. Yes, sir.

Mr. HUMPHREYS of Mississippi. I did not understand just what the gentleman meant by his reference to the fact that some old soldiers over there were drawing pensions and that that was counted in the cost of maintenance.

Mr. CLARK of Florida. I will explain that. By the way, I want to call attention to another fact just a moment. As I said in the beginning, I do not profess to know a great deal about law, but these old soldiers are sent to that institution usually from the soldiers' homes over the country. For instance, if the governor of a soldiers' home, or a subordinate of his, happens to fall out with the old fellow, if he is guilty of some infraction of some minor rule of the institution, and they want to get rid of him, he simply writes out a certificate and the soldier is committed to St. Elizabeth's Hospital for the Insane. There is no trial by jury, no trial by a court; he never has his day in court. Now, in the soldiers' home, as I understand it, the pension money goes to the individual for the benefit of the particular pensioner, but when he comes here, under what I consider to be a strained construction of the law, they take five-sixths of his pension money and cover it into the general fund of the institution. So you have the money which a beneficent Government has seen fit to give to these old soldiers going into a fund to take care of the criminal insane, the indigent insane, and other people, with whom he has no connection, thereby depriving him of some of the little comforts which the Government intended he should get out of this money.

Mr. HUMPHREYS of Mississippi. Is that five-sixths of his pay intended to pay the expenses of the soldier in the hospital?

Mr. CLARK of Florida. That is deducted to pay his expenses in connection with those of nearly 3,000 other people. He gets one-sixth of his pension. The other five-sixths is put into the general fund and expended for the benefit of all.

Mr. BURKE of South Dakota. Will the gentleman yield, Mr. Speaker?

The SPEAKER. Does the gentleman from Florida yield to the gentleman from South Dakota?

Mr. CLARK of Florida. Yes.

Mr. BURKE of South Dakota. Do I understand the gentleman discriminates between the criminal insane and those sent to the Government Hospital for the Insane from the soldiers' homes throughout the country? I understood the gentleman to speak specially of the criminal insane.

Mr. CLARK of Florida. I did not catch the gentleman's question.

Mr. BURKE of South Dakota. I wish the gentleman would explain what he means when he said "criminal insane," and whether he means the criminal insane as distinguished from those who are sent to the institution from the soldiers' homes throughout the country.

Mr. CLARK of Florida. When I say "insane criminal" and "criminal insane," I use the terms interchangeably, although there is a distinction. I mean by "criminal insane" people who have been arraigned in court or indicted for a criminal offense who plead insanity and are supposed to be insane. They therefore can not be tried in a civil court on the criminal charge, and they are committed to this place because of their insanity.

Mr. BURKE of South Dakota. Then the gentleman had reference entirely to the criminal insane, and he does not mean that men were taken from the soldiers' homes under certificate of the superintendent?

Mr. CLARK of Florida. Oh, no; not at all. These criminal insane come from the courts throughout the country, whereas the old soldiers come from the soldiers' homes.

Mr. BURKE of South Dakota. The gentleman says that they are sent there under certificate of the superintendents of the soldiers' homes and that the superintendents have sole and absolute authority to commit them, and that there is no other provision for sending persons in the national soldiers' homes to the Government Hospital for the Insane.

Mr. CLARK of Florida. That is all.

Mr. BURKE of South Dakota. I understand you to say that five-sixths of the pension money goes into the common fund?

Mr. CLARK of Florida. Yes.

Mr. BURKE of South Dakota. Does that apply to a man with a family?

Mr. CLARK of Florida. It applies to all of them.

Mr. BURKE of South Dakota. It makes no difference whether he has a wife and family or not?

Mr. CLARK of Florida. No; they take that money; and if any is left, then they divide it with the family.

Mr. BURKE of South Dakota. I would like the gentleman to explain that.

Mr. HUGHES of New Jersey. Mr. Speaker——

The SPEAKER. Does the gentleman from Florida yield to the gentleman from New Jersey?

Mr. CLARK of Florida. Yes.

Mr. HUGHES of New Jersey. I wish to ask a question in connection with the reply to the gentleman from South Dakota. Is it not the practice throughout the United States in the soldiers' homes to take a part of their pensions, and does not that apply to these insane soldiers when they are committed as indigent patients?

Mr. BURKE of South Dakota. I think so; but that is when a man has not got a family. When he has a family, a certain portion of it goes to his family. I am not making any assertion, though; I am simply trying to get information.

Mr. CLARK of Florida. I did not hear what the gentleman from New Jersey said.

Mr. HUGHES of New Jersey. I am calling the attention of the gentleman from South Dakota to the fact that it was a common practice throughout the country to take some part of the pensions of the old soldiers when they are committed as insane patients to the Government institution.

Mr. CLARK of Florida. The law provides that—

> And such pension shall be by said superintendent disbursed and used under regulations to be prescribed by the Secretary of the Interior for the benefit of the pensioner, and in case of a male pensioner, his wife, minor children, and dependent parents, or if a female pensioner, her minor children, if any, in the order named, and to pay his or her board and maintenance in the hospital; the remainder of such pension money, if any, to be placed to the credit of the pensioner, and to be paid to the pensioner or the guardian of the pensioner in the event of his or her discharge from the hospital; or, in the event of the death of said pensioner, while an inmate of said hospital, shall, if a female pensioner, be paid to her minor children, and in the case of a male pensioner be paid to his wife, if living; if no wife survive him, then to his minor children; in case there is no wife or minor children, then the said unexpended balance to his or her credit shall be applied to the general uses of said hospital.

Mr. BURKE of South Dakota. I would like to ask the gentleman a question.

Mr. HUGHES of New Jersey. Mr. Speaker——

The SPEAKER. To whom does the gentleman from Florida yield?

Mr. CLARK of Florida. To the gentleman from South Dakota.

Mr. BURKE of South Dakota. I would like to ask the gentleman if the statute that he has just read does not apply to the pension that may be due to a soldier—that has accumulated—to the soldier who has no direct heirs, and that that sum is the money that goes into the general fund, and not the pension as it comes in regularly each quarter?

Mr. CLARK of Florida. No, sir; it applies to every cent that he gets while an inmate of that institution, whether it is back pay or current pay.

Mr. BURKE of South Dakota. I would like to say to the gentleman that I happen to be familiar with the case of a soldier who was in one of the national sanitariums, and he had an accumulation of several hundred dollars—I think it amounted to $1,500 or $2,000—and the man had been incompetent for some time before his death, and the brother of this soldier, upon his death, attempted to get that money, and he went up against this law which the gentleman has just read. It was claimed that under that law that money went into the regular fund of that institution, and that the heirs could not get it; that the money was there to the credit of the institution, and if the soldier had lived and left the institution he might have taken it away with him.

Mr. CLARK of Florida. That was not in this asylum?

Mr. BURKE of South Dakota. It was in a national sanitarium.

Mr. CLARK of Florida. I am stating, Mr. Speaker, what is the fact with reference to St. Elizabeth's Asylum. It does not make any difference what the law or the theory may be. The fact is here admitted by the superintendent, and is not denied by anybody, that he takes five-sixths of every dollar from every old soldier who comes into that institution, and he puts it into the general fund.

Mr. BURKE of South Dakota. Will the gentleman cite us that record that he says is in evidence?

Mr. CLARK of Florida. Surely. The gentleman can get it in the document room, the testimony taken by the Olcott committee.

Mr. GARNER. Will the gentleman yield?

The SPEAKER. Does the gentleman from Florida yield to the gentleman from Texas?

Mr. CLARK of Florida. Yes.

Mr. GARNER. The gentleman a moment ago made a statement which to me is a most astounding one. I want the gentleman to put into the RECORD the statute which authorizes the governor of an old soldiers' home, by a mere certificate of his, without an examination, to send an old soldier to the insane asylum. If I understood the gentleman, it was that upon the mere certificate of the governor of an old soldiers' home——

Mr. CLARK of Florida. Yes.

Mr. GARNER. One of the inmates of that home could be transferred to St. Elizabeth's?

Mr. CLARK of Florida. Yes.

Mr. GARNER. I say if the law is as the gentleman has construed it, it ought to be amended.

Mr. CLARK of Florida. Yes.

Mr. GARNER. Because no old soldier in any home ought to be absolutely at the mercy of the governor, and be placed in an insane asylum on the governor's certificate alone.

Mr. COX of Ohio. Mr. Speaker——

The SPEAKER. Does the gentleman from Florida yield to the gentleman from Ohio?

Mr. CLARK of Florida. I will yield in a moment. I do not want to be misunderstood. I say that in these soldiers' homes there is no jury trial, there is no court investigation, there is nothing except what the authorities of the home themselves see fit to make, and the old soldier is sent to St. Elizabeth's upon the certificate of the governor of the home, and that is all.

Mr. BARNHART. Mr. Speaker——

The SPEAKER. Does the gentleman yield?

Mr. CLARK of Florida. I have promised to yield to the gentleman from Ohio [Mr. Cox].

Mr. COX of Ohio. I want to state this case, because I think it is in point and should become a part of the record. A few days ago an old gentleman who had been an inmate of the Hampton Home came to me and stated his case, and I made inquiry of the St. Elizabeth's institution itself and had the claims which were made to me by this man verified. The facts were these: The soldier was committed to the institution here upon the statement of the governor of the Hampton Home that he was insane. He was kept out there two or three months—I think from last February until a few weeks ago. At the expiration of this time the surgeon there certified that the soldier was not then insane, and was not insane, apparently, when he was brought into the institution. Regardless of these facts and that situation, five-sixths of his pension money was still retained by the institution, and they have declined to give it up upon my request.

Mr. CLARK of Florida. Mr. Speaker, I must go on, because there are several things I want to say which I have not the time to say.

In addition to this record here, which any gentleman can get and examine if he is sufficiently interested to read it, in addition to this testimony there has been testimony taken by the present Rules Committee. As I say, I filed before that committee this record, under the theory that a condition once shown to exist is presumed to continue until the contrary appears. The contrary has not appeared, and I insist that the conditions are as bad there to-day as they were at the time this testimony was taken. But, in addition to that, I filed with the committee affidavits of people, some attendants, some who had been inmates, some who were not connected with the institution at all, showing absolutely that this cruel treatment continues and that the bad food conditions continue.

Now, here is a letter written to me. I never saw the man in my life. It is written in a hand like copperplate. He uses as good language as anyone you meet. He writes an infinitely better letter than I can, and probably better than some other gentlemen of my acquaintance. I want to read what he says. The law requires this superintendent to devote all his time to that institution, and yet he admits that he is all over the country, delivering lectures here and there. If you will take this record and go through it carefully, every time, almost without exception, where it appears that some disorder took place or some one escaped or something of that kind occurred, Dr. White was absent from the institution. Now, this letter was written June 2 of this year. Listen:

In reading the daily papers I notice that the superintendent of the hospital and also the visiting committee are handling the truth very recklessly—

I will not give this man's name; he is a patient; but the committee has seen it. I do not want to get the poor devil into any more trouble than he is in now—

If I could see you or your secretary privately I think myself and a few others could tell you a few things in regard to the mismanagement of this institution. As it is, I will say this: In the past two years and four months the visiting committee has been seen in the Howard Hall building just once.

"Two years and four months." Howard Hall is where the insane criminals are kept. Now, mind you, gentlemen, before the Committee on Rules appeared members of this Board of Visitors, as they did before the Olcott committee, this eminently respectable Board of Visitors, nice old gentlemen and old ladies—I will not say "old" ladies, for they never grow old—nice old gentlemen of distinguished appearance, eminently respectable as this Board of Visitors is, and they say, "Why, everything over there is as nice as pie. It is perfectly elegant." One of them said that the management of this man was "simply marvelous." They go over there once at month, at stated periods, when everything is fixed for the occasion, and I suppose the superintendent gives them a good dinner and may be some other things—I do not know—and then they come back delighted with the institution. Here is this man, who says that during two years and four months he has been there this Board of Visitors has not been in Howard Hall building but once.

Mr. FITZGERALD. Will the gentleman yield?

Mr. CLARK of Florida. For a question.

Mr. FITZGERALD. Is this letter from an inmate?

Mr. CLARK of Florida. Yes.

Mr. FITZGERALD. He was committed there as an insane man?

Mr. CLARK of Florida. Yes; and that is what these fellows say whenever you find a man in charge of insane people and anything occurs that does not look right, he smiles and says, "Oh, you know he is crazy, he is not responsible." I have had a little observation of that thing before.

Mr. FITZGERALD. The gentleman from Florida is reading and discussing the statement contained in this letter in which it says that the board of visitors was seen in Howard hall once in two years and four months.

Mr. CLARK of Florida. Yes.

Mr. FITZGERALD. For my own information I would be glad if the gentleman would inform the House as to what opportunities this man would have to give any reliable information as to the number and character of the visits made by the board of visitors.

Mr. CLARK of Florida. This man is in Howard hall, and he would know if the board of visitors came there.

Mr. FITZGERALD. He might or he might not. This man is a criminal inmate, is he not?

Mr. CLARK of Florida. Yes; but the idea that a board of visitors, whose business it is to visit and inspect, can go into a place of that kind without this inmate seeing them is absurd. Here is an intelligent man who has not seen them but once in two years and four months. That was February 2, 1909. He further says:

Dr. White visited the same building four times.

Here is the superintendent in two years and four months visiting Howard Hall, the criminal insane ward, that he ought to visit more often than any other—visiting this Howard Hall four times in two years and four months. He gives the dates.

Mr. SHERLEY. Will the gentleman yield?

Mr. CLARK of Florida. For a question.

Mr. SHERLEY. Is that statement borne out by the testimony of anybody else?

Mr. CLARK of Florida. Yes.

Mr. SHERLEY. Will the gentleman read that evidence?

Mr. CLARK of Florida. I can not take the time; it is in this record. It is borne out by other witnesses that Dr. White visits there very irregularly, and some of them say not at all.

Mr. KOPP. Mr. Speaker, will the gentleman yield for a question?

Mr. CLARK of Florida. Just for a question, and then this is going to end it, because I must hurry.

Mr. KOPP. Does the gentleman think it is quite fair to Dr. White to criticize him in this way for not visiting this ward, based upon that letter, when it is a well-known fact by all those who have examined the question that many of the criminal insane are kept in the cells a great part of the time, and usually they are the class who are clever enough to write a letter of *that kind*?

Mr. CLARK of Florida. Do I think it is fair to do what?

Mr. KOPP. To criticize Dr. White, basing the criticism upon a letter from an inmate who may be one of the vicious insane and confined to his cell?

Mr. CLARK of Florida. Oh, of course; if a man is unfortunately crazy on some subject, they have a right to treat him as they please, and he ought not to complain, and his word is not worth anything. The poor devil is there under the charge of a crime, we will say; and I want to say that better men than this record shows Dr. White to be have been charged with crime.

Mr. BARNHART. Mr. Speaker, will the gentleman yield?

Mr. CLARK of Florida. I have not the time now, Mr. Speaker.

The SPEAKER. The gentleman declines to yield.

Mr. CLARK of Florida. Mr. Speaker, I am sorry; but I want to finish. The letter continues:

> February 2 he came with the committee. There were three individuals besides himself. February 21, 1910, August 25, 1910, he came to ward 5, when we were about to go in to their so-called dinner, solely to see Willard, the man who shot Beck; and March 20, 1911, he passed through two wards. What his object was I failed to find out.
>
> Hoping that these few lines will reach you, for I am sending them over the doctor's head, and he came very nearly placing me in my grave about six months ago for trying to reach Congress; and I would write more, but there is a fear within my heart that it may miscarry. Will you be so kind as to please ask Representative ———, from my district, if he received a letter from me asking him to call here? Will you please be kind enough to let me know if you receive this letter, and what Mr. ——— said? Please forgive me for trespassing on your time—

And so forth.

Mr. Speaker, of course that is worth nothing, and none of the testimony of any of these inmates is worth anything, when put against the testimony of a man charged here with permitting occurrences at that institution which, if they are true, are worse than a crime.

Mr. Speaker, I assert that no man, I do not care what he is convicted of, I do not care what crime he commits—no jailbird, no convict with stripes on him—is half so mean, is half so low, is half so contemptible as is the man who will mistreat helpless, insane people in his care and keeping. [Applause.] There are numbers of other such letters here. Here is one that I will not read, because the language in it I would not care to read, but it tells of conditions that are simply fearful, repulsive, shocking to the sense of decency of any man. That thing and those things are allowed over there. Mr. Speaker, you will come nearer getting the truth, as a general rule, from children, fools, and crazy people than you will from your sleek, interested, designing gentlemen. How can you ever make proof unless you use this class of people? I assert that the record taken here before the old committee and before this committee showed that this Board of Visitors were absolutely incompetent to speak upon this subject. They had not been there enough; they had not had the opportunity to know the facts with reference to this management.

I will tell another thing that this record shows, and there is no evidence that that has ceased, either. There is a firm of lawyers in the city of Washington who are employed by Dr. White, and I will tell you what the court record shows in one case, and I am informed that there are plenty of others just like it. Some old soldier was put in there and he had $226 of back pension money due him. The superintendent wanted it in the hospital, of course, so he gets one of these lawyers to file a petition in his name, praying for the appointment of a committee in lunacy to take charge of the poor devil's estate. The other lawyer partner is appointed the committee in lunacy. The attorney who filed the petition got $25, the committee in lunacy got $25, two of the doctors of the institution got $10 apiece in addition to their salaries, and, with the court costs and other charges, it cost that poor devil eighty-odd dollars to collect the $226 due him by a beneficent Government; and that sort of thing continues to this day.

Now, Mr. Speaker, so far as I am concerned, personally, I care nothing about this. It is true I have some constituents in there, and I have letters from their relatives, but I am interested in this question, and I am interested upon the broad lines of humanity, but I want to say to you, and I want to say to this House, how can we go home, you particularly who represent large constituencies of these soldiers, how can you go home to your people with the record staring you and them in the face showing that these people are systematically robbed of their little pittance, that they are forced to associate with the lowest class of criminals who go to that institution? Why, the superintendent says that none of the insane criminals are intermingled with the others; but I examined him, and upon cross-examination I made him admit that a certain physician, I will not call any names, indicted in the courts of Washington for the heinous crime of infanticide, plead insanity, was sent to St. Elizabeth's, and at the time this testimony was taken, he was not only an inmate of Maple ward, where the officers of the Army and Navy are kept, but he was absolutely on the pay roll of the institution drawing a salary every month. There is the record. That man—it makes no difference if he was a professional man and an educated man—is just as much a criminal as the vilest, lowest, meanest, sneak thief in that institution. [Applause.] Ah, Mr. Speaker, I say that you can talk about saving dollars for the people, you can talk about the probing of this department and the other, here is one that ought to appeal to the conscience of every man of this House who has a heart in him. This man is an absolute monarch over there, and these old soldiers who are sent there from all over this country are treated as I have told you the record here shows they are treated. Now, as I said a moment ago, I do not happen to come from a section where many of this class of people who are incarcerated here come from, but, Mr. Speaker, I am an American citizen. That flag is mine, and I always cheerfully vote to pay a pension to the old soldiers of my country. [Applause.]

And, as I said to a gentleman last night, I will vote for the enactment of any pension bill that my friends from the North bring in here and say their people want. [Applause.] But here are these people. They have spent their lives in the service of their country, spent it upon a pittance. God knows they get nothing for active service; and in their old days, when the sun of life is sinking beyond the hills and these old soldiers, crippled, wounded, and tottering on to the grave, bereft of reason, God help them when they fall into that institution with this record under the sworn testimony in the case. Is that the treatment that a just Government ought to accord to those people? I am appealing to you people who come from among them. Gentlemen talk on that side about the old soldier. Now, I am not making this talk for any votes that may come to me. There are not enough, although we have got quite considerable and they are growing more numerous with us every year, but there are not enough in my district to seriously affect me, if I do not get them. Thank God, I do get them, and they are my friends and I am theirs, but you people who may be dependent upon that vote for your seats in this House, I ask you, Do you think that is just and righteous treatment to be accorded them? Oh, I see some gentlemen smile who live in that section, but they get those votes. Mr. Speaker, my conduct in this House and my vote in this House shall never be measured solely upon the line of saving dollars to the people. I shall vote at all times, so far as I am able, guided and directed by my conscience as to what is right. This record shows that this is wrong. I know that some members of the committee have been there and looked the ground over at the instance and invitation of the superintendent. I do not object to that; it is a good thing to do——

Mr. FOSTER of Illinois. Will the gentleman permit an interruption right there?

The SPEAKER. Does the gentleman from Florida yield to the gentleman from Illinois?

Mr. CLARK of Florida. I have only about five minutes remaining.

Mr. FOSTER of Illinois. Will the gentleman mention the names of this committee who have been invited there by the superintendent?

Mr. CLARK of Florida. So I understand——

Mr. FOSTER of Illinois. If the gentleman understands it, then mention the names of those who have been invited there by the——

Mr. CLARK of Florida. I am not animadverting upon them for going—I understand the gentleman did——

Mr. FOSTER of Illinois. Do you mean to say I was invited by the superintendent?

Mr. CLARK of Florida. I do not; no. I do not know whether you were or not. And it is perfectly immaterial.

Mr. FOSTER of Illinois. But you made the statement that they had been invited to visit by the superintendent of the institution?

Mr. CLARK of Florida. I would not confine myself strictly to that statement.

Mr. FOSTER of Illinois. I think you ought not to do it.

Mr. CLARK of Florida. I say not, and I am not animadverting upon the gentleman or anybody else for going, but I say that the superintendent and others said that you could not investigate under three days, and that, in my judgment, would be a cursory investigation. I am not censuring the gentleman or anybody else for going there. They ought to go. Every Member of this House should go, and go at a time when not expected to be there.

Now, I say, in conclusion, Mr. Speaker——

Mr. NYE. Just one question.

Mr. CLARK of Florida. Yes.

Mr. NYE. Did the Olcott committee draw any conclusions from the testimony and make any recommendation?

Mr. CLARK of Florida. Yes; they made quite a number of recommendations. A majority of the committee as a whole approved of the situation there. But still they recommended certain changes, and so on. The minority of the committee did not approve of it, and they pointed out some other things which they said were wrong, and so on. But——

Mr. KOPP. Mr. Chairman, will the gentleman permit just one question?

Mr. CLARK of Florida. How much time have I left, Mr. Speaker?

The SPEAKER. Four minutes.

Mr. CLARK of Florida. I yield for just a question.

Mr. KOPP. Other than the charge of misappropriation of pension money, which is clearly before the House, will the gentleman state in a few words just what the injustices are that are being suffered by the old soldiers—that he thinks should be investigated?

Mr. CLARK of Florida. I have been trying to do so. I certainly have been very unfortunate if I have not made myself understood on that point. I have not a very extensive vocabulary——

Mr. KOPP. I ask in all sincerity. I understood the gentleman's charges in a general way were against the institution. The last part of his plea was for the old soldiers, as though they were suffering some special injustice. Now, what is that injustice?

Mr. CLARK of Florida. I will state that. I say that they are taking his pension money. I say the record shows he does not get sufficient food. The record shows his clothing is not sufficient. The record shows that he is made to associate with criminal insane, which is wrong——

Mr. KOPP. One more question. I would like to ask the gentleman whether he was ever out at that institution and saw the old soldiers?

Mr. CLARK of Florida. No, sir.

Mr. KOPP. I will say for his information that I have been all through it, and not at anyone's invitation.

Mr. CLARK of Florida. I can not yield for the gentleman to make a speech, as I have only two minutes left.

Mr. KOPP. Just a second. It is immaculately clean——

The SPEAKER. The gentleman from Florida [Mr. CLARK] declines to yield.

Mr. CLARK of Florida. I want to say this, and then I am going to close. I have not been there. I am not testifying before this House of my personal knowledge. I am taking the record as it is here. I am taking the sworn testimony of the witnesses before the Olcott committee and this committee. That is what I am arguing this case from. And I will say to the gentleman that I have nothing personal in this matter against Dr. White, or Dr. Black, or anybody else; but I do say that the record in this case shows that it is an outrageous condition of affairs over there, and one that ought not to be tolerated by a Government such as ours. I say, Mr. Speaker, that the criminal insane ought not to mingle with the innocent insane. I say that this pension money ought not to be taken from these people, and I say the food and clothing ought to be of a better character when he is getting about $300 per capita each year to take care of them. Now, Mr. Speaker, just one word more.

I have been investigating this matter for five years. I have gone into the records. I have talked with witnesses; I have heard them testify; and I know from their statements what the conditions are, and not from my own knowledge. I have made my fight. And I ask permission, Mr. Speaker, to put in the RECORD, in connection with my remarks, such parts of the testimony as will be appropriate to the statement I have made.

The SPEAKER. The gentleman asks leave to extend his remarks in the RECORD. Is there objection?

Mr. HENRY of Texas. Mr. Speaker, I will ask the gentleman if he proposes to insert anything that has been printed in the hearings?

Mr. CLARK of Florida. No.

Mr. HENRY of Texas. I have no objection.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker——

Mr. BURKE of South Dakota. Mr. Speaker——

Mr. CLARK of Florida. I hope, Mr. Speaker, the gentlemen will not interrupt.

Mr. MANN. This interruption will not be taken out of the gentleman's time. The gentleman from Florida requested leave to insert some papers in connection with his remarks?

Mr. CLARK of Florida. Yes. They are affidavits and papers that have been presented and letters that have been sent to me.

Mr. BURKE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. CLARK of Florida. I regret that I have not the time.

The SPEAKER. Is there objection to the request of the gentleman from Florida that he be allowed to extend his remarks in the RECORD? [After a pause.] The Chair hears none.

Mr. CLARK of Florida. I simply want to state this, and I crave the indulgence of the House for a second or two. I have made a fight to get this investigation. I have made it from the humanitarian standpoint. I have made the fight, and I have shown the committee that it would cost only $500. I do not believe it would cost even that much to do it. But I have put this record here so that the House would know and the country would know about these conditions that prevail in sight of this House and in sight of this Capitol of the Nation. [Applause.]

I submit the following letters as a part of my remarks:

Personally appeared before me, the undersigned authority, one Mr. Kelly, the subscriber to this affidavit, who, being duly sworn, says:

That he was employed as an attendant at the Government Hospital for the insane for about two months during the spring of 1910; that Dr. William A. White was then, as he is now, superintendent of said asylum; that affiant as such attendant was employed in P ward, where about 45 patients were kept, there being two attendants on duty for this number during the daytime and one at night; that some of the patients in P ward were easily excited and dangerous, and that at times some of the patients who became unruly required the use of great force by the attendants in subduing said patients, which was due to the insufficient number of attendants.

That dangerous patients have opportunity to get and use dangerous weapons, such as salt bottles, knives, and forks; that there is no special separation of the classes of cases at meal time; potatoes served with jackets on, and many patients eat them that way. That excited cases placed in side or closed rooms have no arrangement for their toilet or for drinking water; that the meat actually smells from its rotten state when served on the table of the patients and the attendants, and that butterine for bread is not a part of the daily menu; the coffee is poor, and no sugar is served to patients, as affiant has given sugar from the attendants' table to some of the unfortunates. That the clothes served patients are generally misfits and are not seasonable, the same suit often used throughout the year. Frequently the linen for patients and beds would run short; not sufficient help at the table to wait on patients, and frequently not sufficient food served for the needs of the patients. Never saw Dr. White in hospital ward but once; walked hurriedly through and spoke to several patients only. Never saw a minister or priest in the hospital ward, although many were extremely ill, and quite a number died while I was there.

The hours of work for the attendants are from 6 a. m. to 8 p. m., with one half day off each week and one night each week until 12 p. m. And that affiant has knowledge of other facts which will tend to show mismanagement of said institution, and upon an investigation he could and would go into greater detail relative to the facts herein stated.

That affiant further states that he was not discharged from said institution, but left on his own accord because of the conditions existing there.

WM. R. KELLY.

Subscribed and sworn to this 12th day of June, 1911.

[SEAL.] JOHN H. KING,
Notary Public, District of Columbia.

—

ANACOSTIA, *June 12, 1911.*

I desire to state that I was an attendant at the Government Hospital for the Insane for the past seven years—resigned on June 3, 1911.

That during my seven years of service I have seen many patients go away from the table hungry because there was not sufficient food for them to eat.

The clothing of the inmates was ill-fitting, poor material, not warm enough during the winter.

No sugar put on the tables of the inmates under my care; eggs not more than twice each month.

Frequently the meat had a bad odor, and most always underdone.

I have known of patients from Howard Hall (criminal insane) to be in the wards with the innocent insane. I have had working under me on general work in institution's grounds patients of the innocent insane working side by side with the criminal insane patients from Howard Hall. In one case was that of a young boy, a military patient, worked in the same gang with the criminal insane. These same gangs of patients would eat and sleep in the same ward.

No inducement was given or held out to them for working. Have known them to go over a week without any allowance of tobacco.

Never saw Dr. William A. White in the dining room of my patients for over two years; prior to that time only about three or four times in seven years.

The patients received the same weight of underclothing winter and summer (cheap cotton material). Common, coarse, heavy shoes, brogans, and I have had considerable trouble to get a supply of shoes when patients needed them badly.

Never saw the patients under my care, in West Lodge, ever get milk.

The buildings were poorly guarded by insecure gratings, easy to escape if patients so desired. Not enough help to wait on the tables; food poorly prepared; seen greens served with sticks in it.

After the newspaper publications as to escapes the authorities put on additional attendants. Not sufficient on duty to prevent harsh treatment of patients and escapes.

West Lodge No. 3 was very cold last winter day and night.

Last winter no rubber boots allowed to patients under me, and, consequently, it was a common thing for the patients to be returned with their feet soaking wet. No changes at hand to dry them.

Butterine is not served at every meal.

Towel would serve for many patients, some of whom would be suffering from eruptions on the skin.

Constant complaint among my patients that they did not get enough to eat, clothes not warm in the winter, poor food, etc. I left the institution because of the poor food (compelled to eat two-thirds of my meals outside), poor wages, and bad conditions existing at the institution.

ERNEST BROWN,
2116 Fifteenth Street SE., Anacostia, D. C.

—

WASHINGTON, D. C., *June 2, 1911.*

Hon. FRANK CLARK,
House of Representatives.

DEAR SIR: In reference to the proposed investigation of the administration of St. Elizabeth's Hospital by a committee of the House, I beg to state that I have visited there for 18 years past in the interest of my son, one of the patients, and have had some opportunity of judging of conditions in the ward on the main floor of building R, in which the so-called sick patients are confined.

This ward, I am informed, has a capacity for 50 patients and is nearly always full, yet there is only one water-closet and one bathtub (in a separate room). Obviously this has no tendency to promote cleanliness. In the dormitory in which my son is confined (a wing of the apartment just described) are 14 cots, one directly opposite another, by the side of the entrance to the closet. To obey the calls of nature in summer or winter these invalids must walk barefoot over bare floors, with bare backs exposed through shirts slit from neck to tail. They may obviate this by resorting to the dirty habit of using one of the commodes screened off for their accommodation, to be emptied no one knows when, so that the patients who have no physical ailment are exposed to contamination from the feces of those who have, no less than from the respiration of so great a crowd in so small a space.

These patients, too, are of all ages—from early manhood, through middle life, to old age—so that the natural tendency is for the older to sap the vitality of the younger. Such is nature's law.

My son went into the hospital with a perfect set of teeth. A few years ago we discovered that all the teeth on one side of the upper jaw had been drawn, while all the other teeth were left intact. It is easier to draw than to treat. His was an alleged case of mental imbecility, and it was declared would be progressive. But we have not been able to detect any deterioration in the 18 years of his confinement, except that he has lost the power of speech.

These conditions seem to illustrate the importance of establishing a training school for the mentally defective in this hospital. Many might in time acquire the ability of self-support instead of drifting into indifference and utter helplessness where they become a perpetual charge upon the community.

When the laundered clothing and bedding are delivered, they are dumped in a pile upon the floor, and the attendants lay hold with great energy and, in attempting to distribute them, throw them over the bare floors instead of providing suitable receptacles for them. The game seems to afford them rare sport. The Board of Visitors may be so called in derision, because they never visit.

Very respectfully,

R. T. MORSELL,
1518 P Street NW.

P. S.—Many of these patients are kept in bed continually when they ought to be out getting the air. But it saves attendance to keep them on their backs and perhaps hasten their dissolution.

R. T. M.

—

WASHINGTON, D. C., *June 8, 1911.*

Hon. FRANK CLARK,
House of Representatives, Washington, D. C.

DEAR SIR: Responsive to your suggestion that I should write a few words in explanation of my letter to my client, Mr. David R. Watson, dated April 24, 1911, and filed with the Committee on Rules by the Secretary of the Interior, I will state as follows:

On the 11th day of June, 1910, Mr. Watson had a hearing in the supreme court of the District in a habeas corpus proceeding. Drs. Glasscock and Franz and Attendants Thompson, Barrie, and Burch testified against Mr. Watson, while he was the only witness in his own behalf, the physician upon whom I was relying being at the time absent from the city.

The testimony was taken stenographically, and I inclose it herewith in typewriting for your examination.

As a summary of the testimony, which was the basis of my letter to Mr. Watson, I will simply state that the hospital physicians admitted under cross-examination that Mr. Watson was temperate, intelligent, had a good memory, was not dangerous; that he did not get into altercations with other patients unless provoked by them; that he was permitted to go to the city unattended frequently during his entire term of confinement; and that his only so-called "epileptiform convulsions" consisted of not over three occurrences during his 10 years' confinement, resembling a nightmare, happening at night, and occupying only a few minutes, and in one instance only a half minute, according to the testimony of the attendants who observed them, the doctors who testified never having done so. The only "insane delusions" testified to was Mr. Watson's belief that he had been persecuted by Mr. Burch and that Dr. Franz was attempting to hypnotize him. The testimony disclosed the fact that Dr. Franz is a professional hypnotist, whose business it is to hypnotize the patients at St. Elizabeth's, though he testified that he had not attempted to hypnotize Mr. Watson. It further appeared that some years ago, when Mr. Watson, by permission of the District authorities, had set up a small business in Washington for the sale of canes and patriotic songs of his own manufacture and composition to Grand Army men, he had been interfered with by Mr. Burch, who summarily locked him up because he came in late, as he had a right to do by the terms of his pass, and keeping him locked up for several days, thus destroying his business. Mr. Burch, though denying Mr. Watson's statement, admitted under cross-examination that Watson had established a business and that he was confined and prevented from going to the city about the time as charged by Mr. Watson, but that he did so upon the order of the physician in charge, which Mr. Watson denied and stated he was released by that physician as soon as he became aware that he (Watson) was so confined. It is clear that these were not insane delusions, as there were facts upon which his suspicions were based.

It is further intimated in this case that Mr. Watson believed in spiritualism, but there was no proof on that point whatever, and even if he did so believe it would be no evidence of insanity.

The foregoing summary, therefore, shows that the signed statement made by Dr. White to Representative MCKINLEY, forwarded by the secretary to the Committee on Rules in this connection, was neither warranted nor justified by the facts set out in the sworn testimony of the hospital witnesses.

And I will further say that the letters sent to Mr. Watson's daughter and sister by Dr. White have been equally exaggerated and misleading, and calculated to dissuade them from assisting in Mr. Watson's release from the hospital. I would further state that Mr. Watson is not the spendthrift described in Dr. White's letter, but on the contrary has saved up a large part of the enormous income of $2.50 per month (allowed to him out of his $15 per month pension), which is supposed to be spent in the purchase of newspapers, postage, tobacco, etc., not furnished by the hospital to the old soldiers.

I expected that the letter I wrote to Mr. Watson would be opened by the hospital authorities, and am much pleased to see Dr. White's statement over his own signature that my letter marked "professional and confidential," and sent through the United States mail, was opened by Dr. White before delivery to Mr. Watson, if delivered at all. If it had reached Mr. Watson and he had copied and returned to me the draft of the letter which I inclosed to him, I should have presented that to the Committee on Rules with an explanation of his case, had the time been afforded me.

Notwithstanding that Mr. Watson was unsupported by other testimony at the trial, the jury were out several hours before returning their verdict against him. I was unable to prosecute an appeal in this case, for the reasons set out in my letter to Mr. Watson, printed in the record of the hearing.

I think it well to state that some time before writing the letter to Mr. Watson, I received information to the effect that he had been again locked up on a closed ward for defending himself against the assault of a patient who had previously assaulted a very infirm old soldier, in whose behalf Mr. Watson had interfered. I wrote to him for particulars, but presume my letter never reached him, as I received no reply.

Kindly return the inclosed testimony, as I desire to bring it to the attention of Mr. MCKINLEY, in Mr. Watson's behalf, in refutation of the statements made in Dr. White's letter to him.

Very respectfully,

RICHARD P. EVANS.

I also append hereto a synopsis of the rules of the Interior Department providing for the distribution of pension money by the Superintendent of St. Elizabeth's, promulgated by Secretary Ballinger, May 1, 1909, under the acts of February 20, 1905, and February 2, 1909:

SYNOPSIS OF RULES.

1. Reserve for pensioner's benefit—
   Always one-sixth of pension moneys received.
2. Payment to dependent relatives—
   (*a*) Five-sixths of pension moneys up to $36 per quarter, inclusive.
   (*b*) $30 per quarter from $36 per quarter up to $60 per quarter, inclusive.
   (*c*) One-half of pension moneys from $60 per quarter.
3. Payment to nondependent relatives—
   Always one-half of corresponding rate to dependent relatives.
4. To hospital for board and maintenance—
   (*a*) Entire balance of pension moneys over and above 1 plus 2 or 3 up to $55 per quarter, or other rate for board when changed by competent authority.
   (*b*) $55 per quarter when balance of pension over and above 1 plus 2 or 3 equals or exceeds that amount until changed by competent authority.
5. To pensioner's credit—
   Entire balance of pension moneys over and above 1 plus 2 or 3 and plus 4.
6. Dependent relatives are defined in paragraph 9 of the regulations.
7. Nondependent relatives are defined in paragraph 10 of the regulations.

Mr. FOSTER of Illinois. Mr. Speaker, I want to yield to the gentleman from Texas to make a statement. I yield five minutes to the gentleman from Texas [Mr. HENRY].

The SPEAKER. Does the gentleman yield it out of his time?

Mr. FOSTER of Illinois. Yes; out of my time.

Mr. HENRY of Texas. Mr. Speaker, I had thought that the Committee on Rules has enough trouble without the gentleman from Florida turning loose the 3,000 inmates of St. Elizabeth's Asylum against that unfortunate body. [Laughter.] Since the gentleman has inaugurated his fight for an investigation of the

Government Hospital for the Insane we have had a flood of affidavits and letters from the inmates of the institution, and they are still coming. The gentleman from Illinois, Dr. FOSTER, besides making a careful statement in regard to the asylum, will also be able to answer the legal arguments made by the gentleman from Florida.

Mr. Speaker, the gentleman from Florida complained that we had given the superintendent of the asylum and other officials of that institution an opportunity to be heard, and said that we had not followed that policy in the other investigations which have been reported to the House. Let me remind the gentleman that when we passed the resolutions to investigate the Sugar Trust, the Steel Trust, and the affairs of the government of the District of Columbia, we invited those interested on both sides of the controversy to come before the Committee on Rules, and we gave them the fullest opportunity to be heard.

Mr. CLARK of Florida. Mr. Speaker, will the gentleman permit a question?

The SPEAKER. Does the gentleman from Texas yield to the gentleman from Florida?

Mr. HENRY of Texas. Yes; for a question.

Mr. CLARK of Florida. The gentleman said he gave them notice. I would like to ask what sort of notice he gave them?

Mr. HENRY of Texas. Through the press and otherwise.

Mr. CLARK of Florida. "Otherwise." How otherwise?

Mr. HENRY of Texas. Well, in conversing with those we thought interested in the matter.

Mr. CLARK of Florida. Oh!

Mr. HENRY of Texas. Now, Mr. Speaker, the Committee on Rules will be perfectly able to take care of itself in this controversy. Let me say to the House that when the gentleman from Florida introduced his resolution, and it was referred to the Committee on Rules, he was given ample opportunity to be heard. He brought his witnesses—some good witnesses, some discharged employees, and others—to whose statements we did not think we should give the fullest credence.

After the gentleman had fully presented his side of the controversy, Dr. George Lloyd Magruder, of the city of Washington, who stands at the head of the medical profession here, asked, in behalf of the superintendent of the asylum and of the Board of Visitors, that they might be heard, and those gentlemen were invited by the Committee on Rules to present their side. They came. Dr. Magruder made his statement, and also Gen. Torney, the Surgeon General of the United States Army, a member of the Board of Visitors.

Then Mrs. Gen. Sharpe, a member of the board of visitors, addressed the committee in a satisfactory way, and afterwards Mr. Scott C. Bone, a newspaper man of high standing in the District of Columbia, testified, and others gave testimony. And let me assure both sides of the House that after the hearing had been full in every respect, as complete as any gentleman on either side desired, the Committee on Rules did not think the gentleman from Florida had made as strong a case as he alleges here, but did think that those on the other side of the controversy, the board of visitors, composed of eminent persons, had made a good impression. So we have not reported the gentleman's resolution for an investigation. If he has any additional testimony to offer before the Committee on Rules, the case is still open. He can come there and we will be glad to hear him.

Mr. CLARK of Florida. Mr. Speaker, will the gentleman permit me a question?

Mr. HENRY of Texas. I will.

Mr. CLARK of Florida. Did I not tell the Committee on Rules that if you gentlemen would go into the merits and hear it, I would bring all the witnesses and let you gentlemen pass upon it?

Mr. HENRY of Texas. Yes; and we notified you to bring on your additional witnesses and they would be heard at any time. The Committee on Rules did not agree with the gentleman from Florida that he had made a good case, and therefore his resolution has not been reported.

The Committee on Rules have nothing to cover up on behalf of the Government institution or any other institution in the country. They are willing to have investigations made where they are important and necessary; but we have not come to the conclusion that any good would come from this particular investigation, and therefore have not reported it favorably.

Let me say to the House that the gentleman from Illinois [Mr. FOSTER], a member of the Committee on Rules, has visited the asylum and made a careful investigation. He is a gentleman of high standing and will make a statement to the House on behalf of the committee, and I think you will be satisfied when he has finished.

I have no particular objection to the adoption of the resolution which the gentleman offers here this morning, but it seems needless. It is a resolution of inquiry and privileged. The gentleman from Florida [Mr. CLARK] has had the opportunity to lay his views before the House and the country. As far as the Committee on Rules are concerned, we are satisfied to let the case rest when the gentleman from Illinois [Mr. FOSTER] has made his statement on their behalf.

Mr. FOSTER of Illinois. Mr. Speaker, I hope that I may be understood as standing for the rights of humanity, and standing for that unfortunate class of people who are confined in an asylum such as that which the Government has here in the District. I would not want my friend from Florida for one minute to think that I would stand upon the floor of the House of Representatives of the American Congress and defend wrongdoing to those poor unfortunate people who are over there in St. Elizabeth's.

I do not deny, and no one who is connected with that institution or any other institution in this land will deny, that there are at times abuses which creep into a great institution like that. We have them in Illinois, we have them in New York, we have them in Massachusetts, and other States of this Union.

The institution on the hill over across the river contains now nearly 3,000 patients gathered together from all parts of this land. It is a great institution, and I am glad to stand here this morning and offer my voice in defense of the great work that that institution is doing for those unfortunate people. [Applause.]

As was said by the gentleman from Florida [Mr. CLARK], that institution was organized for the purpose of caring for the insane of the Army more than 50 years ago. I think Dorothy Dix was the one who came to this Congress and secured the appropriation for the large building that was first placed upon that ground.

It went on and on until finally the institution was enlarged, and then they began to take in the insane from the District of Columbia, and then those who came from the soldiers' homes of the country.

Then there came a time when all the insane criminals of the United States were placed over there in the building called Howard Hall.

It is probably within the recollection of some of you here to-day, and I am sure it is with the ex-Speaker of this House [Mr. CANNON], who will call to mind a number of years ago when he was chairman of the Committee on Appropriations of this House, that he visited this institution and personally saw the needs of certain buildings, and, I believe, through his influence there were built some of the most modern and best buildings there are used to-day for the treatment of the insane of the country.

It is true, Mr. Speaker, that there are buildings and conditions there that ought to be remedied, and I submit to this House that there is no man that could be placed in that institution who could, in my judgment, do a better work with the buildings that are now there than Dr. White and the board of directors of that institution.

I want to talk to you a minute about the board of directors connected with that institution. We find on that board are such men as Dr. George Torney, Surgeon General of the Army; the Surgeon General of the Navy; the Surgeon General of the Marine-Hospital Service; they are all members of that board for the reason that enlisted men of the Army and Navy and of the Marine-Hospital Service are confined in that institution, and so the law wisely provided that these men should be members of the board of directors.

There are certain members appointed to the Board of Visitors, as stated by the gentleman from Florida in his attack on the management of this institution.

I want to read to you a minute a little of the testimony that came before the Rules Committee in reference to the visitations of these men and women to that institution.

Dr. Magruder, who is known to the people of Washington as a great physician, said:

> I go out there every three months anyhow. During the summer my tour comes two months in succession, and I go to the stated meetings and to the annual meetings. I suppose I go to the institution six or eight times a year.

Then I find that Surg. Gen. Torney said:

> I have inspected this hospital on several occasions. I visited all the buildings, all the wards, the dining room, kitchen, Howard Hall, where the criminal insane are kept, and the Administration Building. I have inspected the records of the hospital and read the reports, and I have inquired into the requirements of the institution and its needs of reorganization. I wish to say that I do not know an institution that is better administered and shows greater efficiency in its results

than the Government Hospital for the Insane. Whether it is due to the system instituted by Dr. White or his predecessors, I do not know; but as an institution, it is admirable in every respect.

I want to call attention to the testimony of Scott C. Bone.

The question was asked him how often he visited the hospital. He said every quarter. The chairman asked him if he made extra visits. He said he made a number of extra visits; that he was at the institution last week; that the meeting of the board of regular visitors comes quarterly.

Mrs. Sharp, the wife of Gen. Sharp, is also a member of the board of directors. She says in her testimony that she visited this institution upon the regular meetings, and also that she goes there whenever she is in the city at least every two weeks.

So, when the statement is made on the floor of the House, or anyone makes it before the Committee on Rules, or elsewhere, that these people do not visit the institution and look after it as they should, being members of the board of directors, it is not borne out by the facts.

Now, Mr. Speaker, when this matter came up before the Committee on Rules I felt it my duty to visit that institution, and, without invitation from the superintendent, without any notice to the superintendent that I was to be there—although intimated that such was the case by the gentleman from Florida in his remarks—I went over there and spent two days in going over the institution from one end of it to the other. I went into every building there; I went through the kitchens, the dining rooms, and everywhere that it was possible for me to go on these visits.

At the last visit I invited the gentleman from Wisconsin [Mr. KOPP] to accompany me, and we went over the institution, as much as we could on that day. We visited Howard Hall, went through the different apartments, went from the bottom to the top, viewing the patients and the condition of the buildings and rooms, as they were at the time; and I want to say to this House that in all the visits that I have made to that institution wherever I went I found nothing wrong in the way of uncleanliness and good discipline and good order.

I also went among those patients who are of the worst character that possibly could be found in an institution—a class of patients who are unable to care for themselves in almost any particular—and I want to say that no man, I care not who he may be or where he comes from, can visit that institution and visit those departments who will not come away feeling thankful to the medical profession, and feel that those in charge of that institution have taken advantage of the latest improved way of caring for these patients; and there you will find people who have been confined to their beds for years, and not among them all will you find one afflicted with bed sores, which every physician knows are so apt to be found in that class of people. [Applause.]

The gentleman from Florida [Mr. CLARK] talked about the food—that the food is vile and unfit to eat. I went through the kitchen, and I saw the food that was being prepared for those people, and I want to say to the gentleman from Florida that that food was wholesome—that that food was good. I examined it, and those with me examined it. When the gentleman comes before this House charging that, I want to say that it is evident he has never visited that institution and has never seen the kind of food that is served to the inmates out there. The gentleman from Florida brought in a witness, a Dr. Kelly, along with Mr. Evans, who is one of these pettifogging attorneys here in the city of Washington, a man who is trying to live upon these unfortunate people, getting what little money they have in a fee that he can get out of them for a writ of habeas corpus, and he is mad about that.

Mr. CLARK of Florida. Will the gentleman yield?

The SPEAKER. Does the gentleman from Illinois yield to the gentleman from Florida?

Mr. FOSTER of Illinois. No; I can not yield now.

Mr. CLARK of Florida. I just wanted to ask him a question.

Mr. FOSTER of Illinois. I will yield to the gentleman later on. This man, Dr. Kelly, was an honest young man, coming from the State of Kentucky. He was a good young man, and they brought him in there because he had resigned and was going to quit the institution. Why? Because he had made application to be promoted, and he had failed in his examination to get this promotion, so he came before our committee to tell his tale of woe. Outside he said, "Yes; that institution ought to be investigated; that it is the worst institution in the world." And yet when he came before the committee, what do you suppose he said? Why, one of his complaints was that Dr. White would not let the male attendants and the female attendants run together very much.

Another complaint was that the food was bad, and then he was asked in what particular instance the food was bad. He said one night in Howard Hall they brought in some beans that were so hard you could not crack them with your teeth. Then he was asked if that was reported to Dr. White, and he said it was reported to Dr. Glick, who was the assistant. He was then asked what was done, and he said that Dr. White went after them, and things were better after that, showing that whenever those things were called to the attention of Dr. White he immediately took steps to remedy the condition and make it better. [Applause.] I give it to you on my reputation, if it is worth anything in this House, that the food in that institution is not bad, and is wholesome, and is good enough for anybody to eat. [Applause.]

Mr. CLARK of Florida. Will the gentleman yield now?

Mr. FOSTER of Illinois. Yes.

Mr. CLARK of Florida. I just want to ask the gentleman a question or two. Did not Dr. Kelly flatly contradict Dr. White with reference to the night of the escape, by saying that there was only one attendant on the ward that night?

Mr. FOSTER of Illinois. Yes; I think he did.

Mr. CLARK of Florida. Now, one other question. The gentleman speaks of Mr. Evans as a pettifogging lawyer, who was trying to live on habeas-corpus suits. I know that he wants to be fair. And does it not appear that Mr. Evans has lived here since 1865, that he is a Mason in good standing, that he is a member of the Methodist Church, a Knight of Pythias, and a member of the bar here in good standing?

Mr. FOSTER of Illinois. Well, that is probably so, but I want to remind my friend from Florida of an incident that I once heard a friend of mine relate. He lived in the same county. His father was a good man and he owned a large farm out in Illinois. His word was good at any time for what he wanted to buy, and the son said to me, "One time I went to Olney [where I live now] and I went out to a mill to buy some feed, and after I had loaded it on the wagon I went to pay for it and found that I had spent more money [as a young man might do], and I had not sufficient to pay for the load. I said to the miller, 'I have not sufficient money to pay for the feed; I do not have it here; you know me; you know my father; you know who he is.' 'Yes,' he said, 'that is true; I know your father; he is a good man'; but he said, 'I want to tell you some good men have mighty bad sons.'" [Laughter and applause.] And so I would want more recommendation than the gentleman from Florida offers upon this floor in defense of his old-time investigator and agitator, Mr. Evans, who writes to patients in that institution, marking the letters "personal and confidential," and then invites them to "copy these letters" and also give him the names of other patients in that institution who might want to get out on writs of habeas corpus that he may also make terms with them and make a little fee out of them for himself. [Applause.] I am not a lawyer——

Mr. MANN. Will the gentleman permit me a question? I was about to say I believe the gentleman is a reputable physician. In the gentleman's opinion, would a physician or a lawyer be better qualified to judge the merits of the management of an insane hospital?

Mr. FOSTER of Illinois. Well, I would think that if you are looking for a person to take charge of an insane asylum or to look over the inmates of that institution and the conditions existing there you would most certainly employ a physician. I have great respect for the legal profession. It has done a noble work in this country for the rights and liberties of men, but I want to say to you whatever its ability it is not in the practice of medicine.

Mr. BARNHART. Will the gentleman yield for a question?

The SPEAKER. Does the gentleman from Illinois yield to the gentleman from Indiana?

Mr. FOSTER of Illinois. I do.

Mr. BARNHART. I want to inquire if it is not a fact that all institutions with large numbers of people congregated therein must not prescribe a plain diet, although a wholesome and substantial diet, in order to preserve the health of the inmates of the institution?

Mr. FOSTER of Illinois. Certainly; that is understood by all medical men, that the patient would have prescribed for him a certain diet, according to his needs; and I know from my own investigation of that institution and the data that is given on this subject over there and my talk with Dr. White in reference to the kind of diet he gives these people and how he varies it, and I am sure he has placed that institution upon a scientific basis, measuring, as he does, the kind of food and amount of food for each person, by which I know he has solved the great problem of economical feeding and, in feeding those patients, the kind and quantity of food they require and best adapted to their condition.

Mr. KOPP. Will the gentleman yield?

The SPEAKER. Does the gentleman from Illinois yield to the gentleman from Wisconsin?

Mr. FOSTER of Illinois. I do.

Mr. KOPP. A large percentage of the patients are confined to their beds, are they not?

Mr. FOSTER of Illinois. Quite a number of them.

Mr. KOPP. I would like to ask the gentleman to give us his opinion, as a physician, as to the treatment those who are helpless receive as compared with that received in any first-class hospital.

Mr. FOSTER of Illinois. A few moments ago I said that the treatment was as good as any institution in this country. I say you can find no institution in the world where that class are better cared for than over there on the hill.

Mr. STANLEY. Will the gentleman yield for a question?

The SPEAKER. Does the gentleman from Illinois yield to the gentleman from Kentucky?

Mr. FOSTER of Illinois. Yes.

Mr. STANLEY. Mr. Speaker, I wish to qualify neither as a lawyer nor as a physician, but just as a matter of plain common sense. I am ready to concede, for the sake of the argument, because I do not wish to go into that question, as the doctor well knows, as to the treatment these patients receive, whether they are sufficiently fed or sufficiently clothed or properly cared for; but there is a matter that, I believe, received the serious consideration of this House and about which the very eminent and learned alienist who is now addressing us is qualified to speak——

Mr. FOSTER of Illinois. I am not an alienist; I am just——

Mr. STANLEY. The gentleman is everything that the medical profession requires.

Mr. FOSTER of Illinois (continuing). I am just a plain doctor.

Mr. STANLEY. Now, it developed in that testimony that there is no adequate means of retaining any man in this institution who wants to get out of it. And if he is retained he is kept within a brick court. He is held a prisoner. Now, great numbers of the insane have, as the gentleman from Illinois [Mr. FOSTER] well knows, a homicidal mania, and whether they be paranoiacs or whether they be epileptics, or whether they be men suffering from dementia præcox or other mental diseases, they often develop the false idea that they may save society or punish their own wrongs by taking the life of somebody else. There are hundreds of such people in St. Elizabeth's. There is no one of them, as I understand, who either can not get out, or, if prevented from escaping, is held as a prisoner. A man with a homicidal mania is no more to blame for it than the man who believes he is the Apostle Paul or the King of England. He should have exercise in the open air, be allowed to work in the fields under proper guidance. Now, whether they be strictly paranoiacs, or whether they be men with a homicidal mania, they usually assume that they are wronged by some man high in authority. It is their tendency to slay Presidents, Speakers of the House, Judges of the Supreme Court, and the like. We have had a number of instances of homicides committed by paranoiacs.

Mr. FOSTER of Illinois. I hope that suggestion will have nothing to do with our Speaker of the House now. [Laughter.]

Mr. STANLEY. Now, I wish to ask the gentleman, and I am making this inquiry in all seriousness, if he regards it as safe or practicable to keep criminal insane in an institution of that kind, within a few hundred yards of the city of Washington, with facilities for escape at hand?

Mr. HUGHES of New Jersey. Answer, yes or no. [Laughter.]

Mr. RUCKER of Missouri rose.

The SPEAKER. Does the gentleman from Illinois yield to the gentleman from Missouri?

Mr. FOSTER of Illinois. Go ahead.

Mr. RUCKER of Missouri. I want to say, Mr. Speaker, partly in answer to the gentleman——

Mr. FOSTER of Illinois. I wish the gentleman would not take my time just now. I thought he simply wanted to ask a question.

I want to say to my friend from Kentucky [Mr. STANLEY] I do not desire to engage in the field of the different kinds of lunacy, and I want to say this to him, that while I believe it would be better to remove that institution farther from the city of Washington, I want you to remember this, the Presidents who have been assassinated in this country have not been assassinated by escaped convicts or by those who have escaped from lunatic asylums.

Mr. STANLEY. Will the gentleman yield for just a minute?

Mr. FOSTER of Illinois. For just a question, I will.

Mr. STANLEY. Were not two, if not three, of the Presidents of the United States assassinated by men whom you would qualify as distinct types of paranoiacs?

Mr. FOSTER of Illinois. I would not say as to that, but it is likely so. What I am saying is that these men were not men who escaped from any insane asylum, nor were they convicted of insanity before any court or tribunal in this country.

Mr. BURKE of South Dakota. Will the gentleman yield for a question?

Mr. FOSTER of Illinois. Just a question.

Mr. BURKE of South Dakota. I want to ask the gentleman if it has occurred to him that if this distinguished pettifogger he has referred to is interested in the soldier inmates getting large pensions he is interested in getting control of the money?

Mr. FOSTER of Illinois. I can not answer the gentleman. That may be so, but I have not found it out.

But I want to say a few words, because my good friend from Florida [Mr. CLARK] has exercised such great interest in the old soldiers of our country, and I compliment him for standing upon this floor and eulogizing them, because I have no doubt that he means every word that he says. But I want to say that in that institution there are old soldiers and sailors who are sick and afflicted in many ways; some have only one arm, or one leg, and one especially I noticed there who had no limbs at all below the knees. And the pathetic thing that struck me when I came into the corridor where that old soldier was confined was that he got down from the chair in which he was sitting and stood on his stubs of legs and saluted as only a trained soldier knows how to salute. And I will tell you, my friends, when you go there and see the fine way in which those men are cared for it can not help but touch you and make you feel that these men in the declining years of their lives, who are unfortunately insane and must be confined in an institution—you can not help but feel that, thank God, we have a place where they are so well cared for as they are in that great institution across the river. No man in this House will fight harder or longer to right any wrong done one of these defenders of our country, and I would not for one moment see one of them mistreated in the least.

I found none of those old soldiers and sailors in Howard Hall. But I want to be perfectly frank and fair with this House and say that there is some little in what the gentleman from Florida says, because occasionally there comes to that institution one of those old soldiers or sailors who has criminal ideas and homicidal ideas in his head, who does things that he ought not to do; and that man ought not to be housed with these innocent, good men located in the other parts of that institution. There occasionally comes a time when a man of that kind is confined in Howard Hall. That is all there is to it.

Mr. BUCHANAN. Will the gentleman yield?

The SPEAKER. Does the gentleman from Illinois yield to his colleague?

Mr. FOSTER of Illinois. Yes.

Mr. BUCHANAN. I just wanted to ask what Howard Hall is.

Mr. FOSTER of Illinois. Howard Hall is the place where the criminal insane are kept. Those who come from Leavenworth and Atlanta penitentiaries are confined there.

Mr. BUCHANAN. They are kept separate from the others?

Mr. FOSTER of Illinois. Yes; they are kept separate from the others—those that are insane. They are confined in a building quite a distance from the others.

Mr. HUGHES of New Jersey. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Illinois yield to the gentleman from New Jersey?

Mr. FOSTER of Illinois. Yes.

Mr. HUGHES of New Jersey. I do not want to be offensive, and I am not trying to be facetious, but I would like to know which side of the resolution the gentleman is on. [Laughter.] The chairman of the Rules Committee [Mr. HENRY] said he had no objection to the passage of this resolution of inquiry. Does the gentleman from Illinois take that stand?

Mr. FOSTER of Illinois. Mr. Speaker, I am glad that the gentleman from New Jersey reminded me of that. I want to say to this House that I believe it is our duty to vote down this resolution. Let that institution over there rest and do not keep on stirring up matters here and making bad the discipline of that institution. Vote down that resolution. Let the institution alone, and I am sure the men who have charge of it, if there are any abuses that do arise, will correct them, just as such abuses would be corrected in any other institution in all this land.

Mr. CLARK of Florida. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Illinois yield to the gentleman from Florida?

Mr. FOSTER of Illinois. In just a minute. I want to say this, Mr. Speaker, in reference to what my friend from Kentucky [Mr. STANLEY], who has more than ordinary knowledge of this subject, said in regard to the insane people confined in institutions of that kind. You should not get the idea that they are all wild and violent and have to be restrained. Some of them, as suggested by the gentleman, are as cunning and smart as they can be, and when an agitation of this sort is going on, when an investigation of this kind is being proposed and debated in Congress and in the newspapers of this city, you can not avoid having bad discipline in that institution among that class of patients; and then when a man like our old pettifogging lawyer, Evans, is continually stirring up strife and creating trouble for that institution, I believe this Congress ought to set its foot down upon this thing now and let that institution alone.

Mr. CLARK of Florida. Will the gentleman yield?

The SPEAKER. Does the gentleman from Illinois yield to the gentleman from Florida?

Mr. FOSTER of Illinois. Yes.

Mr. CLARK of Florida. This resolution is simply asking the Secretary of the Interior to furnish to the House whatever information he has. Is the gentleman opposed to the passage of that resolution seeking this information?

Mr. FOSTER of Illinois. Oh, I know, Mr. Speaker, that the gentleman from Florida, who says that for five long years, with his old friend Evans, he has attempted to investigate this institution, and each time he has met with defeat. Now, as a last resort, as a final triumph, when he might be able to get hold of something that would enable him to come back to Congress again, he goes to the Committee on Rules and comes to this House and asks you that an investigation be had. He now takes the little innocent—as he thinks—resolution, and wants to have some information from the Interior Department.

Why, bless your soul, the committee appointed on the Expenditures in the Interior Department can get all that information any time they want it. Now, let us put our foot down upon this sort of agitation. Let us stand by these men who are doing this noble work.

In conclusion I want to say just one word about pensions. It has been attempted to be shown that the pension money of these old soldiers is taken from them and put into the treasury of the institution. I would have you know that this is partially true, and the gentleman from Florida [Mr. CLARK] is mistaken as to the other part.

A portion of the money of these old soldiers is retained to buy certain articles for their special comfort. I think it is one-fifth or one-sixth of it that is retained and spent to buy little extra things for them. A portion of it goes to the wife, if there is one, or if not, to children under 16 years of age. If there be a dependent father or mother, it goes to them. All these accounts are audited down here in the office of the Auditor for the Interior Department, and I want to say to my friend from Florida [Mr. CLARK] that if he has any old soldier in that institution from his district, if he will write to Dr. White he can get a statement of what is done with the pension of that soldier, and verify the statement through the Treasury Department. I did that and found that those accounts were all right, and there was nothing at all but what ought to have been done in the case of this soldier that I speak of.

Now, Mr. Speaker, I want it to be understood that I stand for the old soldier as much as my friend from Florida does, and I do not want him to feel that he stands here in this House alone to champion the rights of the old soldiers in that institution. I want to be counted with the friends of the old soldier, and I believe that if the gentleman from Florida will visit that institution, look it over, and see the place out there, which in the press of the country has been denominated the "bull pen," he will find there a beautiful park of 7 acres where these ex soldiers and sailors are permitted to exercise and enjoy themselves the best that it is possible for men of that kind to do. What has been said about that is one of the misrepresentations of that institution.

So, I say, let us determine to put an end to this agitation. Let us put a stop to the efforts of the men on the outside of this institution who want to make a living out of these unfortunate people. I do not refer to any Member of Congress when I say that. Let us declare ourselves against that as we ought to do, and let us declare ourselves in favor of the proper management of that institution. Then, I am sure that when you go and look that institution over, if you will, you will find things that ought to be corrected, and you will come back here feeling that Congress has not done as much as it ought to do in the way of affording proper quarters, and so forth, for that great institution.

I yield five minutes to the gentleman from Wisconsin [Mr. KOPP].

The SPEAKER. The gentleman from Wisconsin [Mr. KOPP] is recognized for five minutes.

Mr. KOPP. Mr. Speaker, prior to two months ago, if I had been asked to name the superintendent of St. Elizabeth's, I could not have done so. Prior to the day when I went out there with the gentleman from Illinois [Mr. FOSTER] I had never seen the man. We were not invited to come there. No human being other than ourselves knew that we were going, but, in the face of the serious charges filed by the gentleman from Florida [Mr. CLARK], we decided to go out there, and we investigated the institution as well as we could.

Now, I do not pretend to qualify as a physician or as an alienist, but I do claim that I can tell when an institution is clean, when the food is good, and when everybody seems to be as well satisfied as they could be under the circumstances.

We went through ward after ward. The floors were immaculately clean, the beds had the cleanest kind of linen. We asked 50 employees, if we asked one, whether there was vermin of any kind or description about the premises, and everyone told us there was not. We went into the kitchen. No one knew we were coming. We went there just at dinner time. We inspected the food. We saw them eating in their dining room, and I want to corroborate the statement made by the gentleman from Illinois [Mr. FOSTER] that it was just as good food and as well cooked and as wholesome as anybody could ask for.

Now, it does seem to me that this resolution ought not to pass; not because two or three of us have been there to inspect the place, but because a prima facie case has not been made out by the gentleman from Florida.

Mr. CLARK of Florida. Mr. Speaker——

Mr. KOPP. In one moment. Everybody knows that the most difficult kind of an institution, eleemosynary or charitable, in all the world is an insane asylum; that a peculiar kind of discipline is needed there that is not needed anywhere else, and that when there is agitation of this kind, exciting otherwise unbalanced minds, it is very difficult indeed for the superintendent and those associated with him to carry on their work. So unless there is at least a prima facie case made, it seems to me we are not being fair to the men whom we have placed in charge of that great institution to order this investigation.

Mr. CLARK of Florida. I just want to say that the pending resolution is simply requiring the Secretary of the Interior to furnish certain information.

Mr. KOPP. I realize that, but the pending resolution is something to keep this agitation boiling, and it will afford the means of another step forward in this investigation, which we do not want. The gentleman criticizes Dr. White because he has been around the country lecturing. Dr. White is not only one of the greatest alienists in this community, but he is one of the greatest in the world, and are you going to say to him, because he goes to meetings of scientific men to lecture to them and gives them the benefit of his great knowledge and experience, that he ought not to do it? When we were over there there was another great alienist from Toronto to investigate and get suggestions from this institution because it is recognized, as he said, throughout the world as one of the greatest, one of the most advanced in the treatment of insane patients that there is. Now you criticize him because he is attempting to alleviate those affected with this misfortune all over the world.

Mr. HENRY of Texas. Mr. Speaker, I desire to say that the testimony before the Committee on Rules showed that Dr. White made a trip every year to Europe to study the problems he had to deal with, and when he came back to the institution he always put in operation a lot of new things he had learned while abroad.

Mr. KOPP. Dr. White has visited institutions all over the country and all over Europe and other parts of the world to get information, and I think the testimony of my colleague, Dr. FOSTER, shows that he has used it to good advantage. It seems to me, Mr. Speaker, that it would not be fair to the management of that institution to precipitate an investigation when there is nothing to be gained thereby.

Mr. FOSTER of Illinois. Mr. Speaker, I yield two minutes to the gentleman from South Dakota [Mr. BURKE].

Mr. BURKE of South Dakota. Mr. Speaker, the gentleman from Florida made a most astounding statement in regard to the money received by soldiers who are inmates of the Government Hospital for the Insane. He made the statement that five-sixths of the amount received went into the general fund for the maintenance of the institution. Now, I think he is en-

tirely mistaken, and I believe the gentleman does not want to have in the RECORD a misstatement. I call his attention to the hearings before the special committee of investigation of the Government Hospital for the Insane in May and December of 1906. I read from volume 2, page 1217. Mr. Evans testified as follows:

Mr. HAY. There is one thing I would like to ask you. I inquired of Dr. White about it, and I have not got it clear in my mind. In the case of a man drawing a pension before the act of February 20, 1905, do I understand that all of it goes into the hospital?

Mr. EVANS. Every dollar, whether it was $6 a month of $100 a month; every dollar went into the fund of the hospital for general purposes and not for the special benefit of this man, and all the money is retained there. There is a big fund now in the Treasury of the United States where the parties have died.

Mr. HAY. And it is used there?

Mr. EVANS. It is used there for general purposes. They could use it on the streets, on the roads, and for painting fences, etc.

Mr. HAY. You say it is retained in the Treasury?

Mr. EVANS. Quite an amount that had not been expended is put to the credit of the hospital in the Treasury account. I have seen some statements here about that. Since the passage of the act of February 20, 1905, the pension money is cut up. It is cut up on the basis of about a sixth. For instance, take a pension of $8 a month, stating the figures approximately: About $1.34 of that is set aside for any little needs or wants of the soldier. About $3.33 is set aside for a fund to be turned over to him in case of his discharge, and $3.33 a month is retained for his care and maintenance in the hospital. In the event that he has dependent relatives and others from the outside, there is some provision made, I believe, that a part shall go to them in the small pensions.

Then, on page 1385, Dr. White, in testifying, said, in the event of death or discharge of a pensioner who has such relatives, then the money is paid, if he has not recovered, to his guardian, or if he has, to him or to those dependent relatives. If he dies and there are no such beneficiaries, under the pension act the money goes to the general purposes of the hospital.

He says a certain portion of it goes for board and maintenance. It goes to the wife, dependent parents, and minor children in the order named, and we pay out every quarter to all the pensioners who have dependent relatives the pro rata portion of the pension which is due them. It is done every quarter. When the pension money comes in immediately there is issued checks to these relatives.

There is no doubt but that the gentleman from Florida is very much mistaken in his statement that five-sixths of this amount is used for the maintenance of the institution.

Mr. CLARK of Florida. Will the gentleman permit me there?

Mr. BURKE of South Dakota. Certainly.

Mr. CLARK of Florida. I will put in the RECORD testimony showing that that is absolutely the fact, that they do get five-sixths.

Mr. BURKE of South Dakota. What does the gentleman say as to this record that I have read?

Mr. CLARK of Florida. I did not hear all that the gentleman had read.

Mr. BURKE of South Dakota. I am certain that the gentleman is mistaken, because I had a case where I had occasion to look the matter up.

Mr. CLARK of Florida. That is it, and the gentleman will find that.

Mr. BURKE of South Dakota. And the law which the gentleman read, which is the act of February, 1905, applies to this institution as well as to the soldiers' homes throughout the country.

Mr. CLARK of Florida. Yes; and I stated that the construction was a strained one; but under that they did take five-sixths of it, and I will put it in the RECORD.

Mr. BURKE of South Dakota. Mr. Speaker, for the information of the gentleman from Florida and of the House, I will state exactly how pensions are disposed of belonging to soldiers in this particular institution, and I make this statement after having made an inquiry to ascertain in regard to it.

When the soldier has a pension of $12 per month, the wife gets $10, and $2 is set aside for his benefit. If he gets $15, the wife would get $10, he would get $2.50 and the institution $2.50. If he gets $20, one-half goes to his wife, one-third to himself, and the balance is retained by the institution. This rule as to proportion prevails up to $55 per month. If the pension is $72 per month, the wife gets $36, he gets $12, the institution $18.33, and the balance goes to his credit. If he is discharged from the hospital, he is paid the amount to his credit. If he is taken out by a guardian, the guardian receives it. If he is returned to some soldiers' home, the amount due him is turned over to the treasurer of the home. If he dies and has a wife, she receives what is due him, but if he has no wife, then it goes to the institution.

According to the testimony taken before the committee, to which I have already referred, out of a total of about $100,000 annually received by the Government Hospital on account of pensions, the institution only received about $20,000, or one-fifth of the whole amount, and this included moneys that went to the institution because the soldiers had no wives.

Mr. HENRY of Texas. Mr. Speaker, I move the previous question on the resolution.

The question was taken, and the previous question was ordered.

Mr. STANLEY. Mr. Speaker, I ask to be recognized for 10 minutes before the previous question is ordered.

Mr. HAY. But the previous question has been ordered.

The SPEAKER. The previous question has been ordered.

Mr. HENRY of Texas. If I can withhold the demand——

The SPEAKER. But the gentleman can not withhold it after it has been ordered.

Mr. HUGHES of New Jersey. Mr. Speaker, I demand the regular order.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken, and the Speaker announced that the noes appeared to have it.

Mr. CLARK of Florida. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Florida demands the yeas and nays. Those in favor of ordering the yeas and nays will rise and stand until counted. [After counting.] Those opposed will rise and stand until counted.

Mr. CLARK of Florida (interrupting the count). Mr. Speaker, I make the point of no quorum.

The SPEAKER. The gentleman from Florida makes the point of no quorum. The Chair will count. [After counting.] One hundred and twenty-nine Members present; not a quorum.

Mr. HUGHES of New Jersey. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The question is on the motion of the gentleman from New Jersey that the House do now adjourn.

The question was taken; and on a division (demanded by Mr. HUGHES of New Jersey) there were—ayes 46, noes 71.

So the motion was rejected.

The SPEAKER. The Doorkeeper will close the doors——

Mr. FITZGERALD. Mr. Speaker, were the yeas and nays refused on the demand of the gentleman from Florida?

The SPEAKER. The Chair had not finished the count when the gentleman from Florida withdrew his demand for the yeas and nays and made the point of no quorum.

Mr. FITZGERALD. But the gentleman did not withdraw it. The Chair had counted, but failed to announce the result of his count.

The SPEAKER. The Chair had counted the affirmative, but he had not counted the negative; in fact, the negative had not been called for, and the gentleman from Florida rose in his place and made the point of no quorum.

Mr. FITZGERALD. The other side was not demanded.

Mr. MANN. The Chair was counting on the call for the yeas and nays.

Mr. FITZGERALD. The Chair counted those standing in the affirmative, on the call for the yeas and nays, without announcing whether there was a sufficient number. The other side was not demanded, and I think that the Chair should announce that there was not a sufficient number, and that the yeas and nays were refused.

The SPEAKER. The situation was this: The yeas and nays were demanded, and the Chair counted those in favor of ordering the yeas and nays. The Chair then asked those who were opposed to ordering the yeas and nays to rise in order to ascertain whether a sufficient number had voted for the yeas and nays, because that is the only way you can ascertain it when there has not been a vote. Before the Chair announced the count of the other side, the gentleman from Florida made the point of no quorum. The Chair then counted the House, and announced that there was not a quorum present, and the rule automatically makes a call of the House under the circumstances.

Mr. CARTER. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. CARTER. What are we voting on?

The SPEAKER. The Chair was about to state that when the roll was called those in favor of adopting this resolution will vote "aye," and those opposed will vote "no."

Mr. ALEXANDER. Mr. Speaker, let us have the resolution read.

The SPEAKER. Without objection, the resolution will be again reported.

There was no objection, and the Clerk again reported the resolution.

The SPEAKER. The Doorkeeper will close the doors; the Sergeant at Arms will notify absentees; the question is on

agreeing to the resolution offered by the gentleman from Florida, and the Clerk will call the roll.

The question was taken; and there were—yeas 79, nays 124, answered "present" 10, not voting 174, as follows:

YEAS—79.

Alexander	Edwards	Johnson, S. C.	Roddenbery
Allen	Ellerbe	Kendall	Rubey
Ashbrook	Floyd, Ark.	Lafean	Sharp
Austin	Focht	Lewis	Sherley
Bathrick	Fowler	Lobeck	Sisson
Bell, Ga.	Francis	McGillicuddy	Slayden
Blackmon	Goeke	Macon	Smith, J. M. C.
Brown	Goodwin, Ark.	Mays	Stanley
Byrnes, S. C.	Gray	Morse, Wis.	Stephens, Cal.
Byrns, Tenn.	Gregg, Tex.	Nye	Stephens, Miss.
Candler	Hamill	Oldfield	Sulzer
Clark, Fla.	Hardy	O'Shaunessy	Thayer
Cline	Heflin	Page	Thistlewood
Collier	Helgesen	Post	Thomas
Cox, Ind.	Helm	Prouty	Towner
Cox, Ohio	Houston	Randell, Tex.	Watkins
Dent	Howard	Rauch	Webb
Dickson, Miss.	Hughes, Ga.	Redfield	Woods, Iowa
Dixon, Ind.	Jacoway	Reilly	Young, Kans.
Doughton	Johnson, Ky.	Richardson	

NAYS—124.

Adair	Farr	Konop	Robinson
Ayres	Fitzgerald	Kopp	Rucker, Mo.
Beall, Tex.	Flood, Va.	La Follette	Russell
Booher	Fordney	Lindbergh	Sabath
Borland	Foss	Linthicum	Scully
Buchanan	Foster, Ill.	Littlepage	Shackleford
Burke, S. Dak.	Foster, Vt.	Lloyd	Slemp
Burleson	French	Longworth	Sloan
Burnett	Garner	McCall	Speer
Calder	Garrett	McCoy	Stedman
Cannon	George	McDermott	Steenerson
Carter	Good	McKenzie	Stephens, Tex.
Catlin	Graham	McKinney	Stone
Conry	Gregg, Pa.	Maguire, Nebr.	Sulloway
Cooper	Gudger	Malby	Sweet
Copley	Hamilton, W. Va.	Mann	Talbott, Md.
Covington	Hamlin	Martin, Colo.	Taylor, Colo.
Cullop	Hardwick	Moore, Pa.	Taylor, Ohio
Danforth	Harrison, Miss.	Morgan	Tribble
Daugherty	Harrison, N. Y.	Needham	Tuttle
Davenport	Haugen	Nelson	Warburton
Davidson	Hay	Padgett	Wedemeyer
Davis, Minn.	Heald	Parran	Weeks
Dickinson	Henry, Tex.	Payne	Whitacre
Dodds	Hensley	Pickett	White
Dwight	Holland	Pray	Wickliffe
Dyer	Hughes, N. J.	Rainey	Willis
Esch	Hull	Raker	Wilson, Ill.
Estopinal	Humphrey, Wash.	Ransdell, La.	Witherspoon
Evans	Humphreys, Miss.	Rees	Young, Mich.
Falson	Kahn	Roberts, Nev.	Young, Tex.

ANSWERED "PRESENT"—10.

Adamson	Berger	Hinds	Norris
Barnhart	Currier	Korbly	
Bartlett	Gallagher	Moore, Tex.	

NOT VOTING—174.

Aiken, S. C.	Dupre	Konig	Plumley
Akin, N. Y.	Fairchild	Lafferty	Porter
Ames	Ferris	Lamb	Pou
Anderson, Minn.	Fields	Langham	Powers
Anderson, Ohio	Finley	Langley	Prince
Andrus	Fornes	Latta	Pujo
Ansberry	Fuller	Lawrence	Reyburn
Anthony	Gardner, Mass.	Lee, Ga.	Riordan
Barchfeld	Gardner, N. J.	Lee, Pa.	Roberts, Mass.
Bartholdt	Gillett	Legare	Rodenberg
Bates	Glass	Lenroot	Rothermel
Bingham	Godwin, N. C.	Lever	Rouse
Boehne	Goldfogle	Levy	Rucker, Colo.
Bowman	Gordon	Lindsay	Saunders
Bradley	Gould	Littleton	Sells
Brantley	Greene	Loud	Sheppard
Broussard	Griest	Loudenslager	Sherwood
Bulkley	Guernsey	McCreary	Simmons
Burke, Pa.	Hamilton, Mich.	McGuire, Okla.	Sims
Burke, Wis.	Hammond	McHenry	Small
Butler	Hanna	McKinley	Smith, Saml. W.
Callaway	Harris	McLaughlin	Smith, N. Y.
Campbell	Hartman	McMorran	Smith, Tex.
Cantrill	Hawley	Madden	Sparkman
Carlin	Hayes	Madison	Stack
Cary	Henry, Conn.	Maher	Sterling
Claypool	Higgins	Martin, S. Dak.	Stevens, Minn.
Clayton	Hill	Matthews	Switzer
Connell	Hobson	Miller	Talcott, N. Y.
Crago	Howell	Mitchell	Taylor, Ala.
Cravens	Howland	Mondell	Tilson
Crumpacker	Hubbard	Moon, Pa.	Townsend
Curley	Hughes, W. Va.	Moon, Tenn.	Turnbull
Dalzell	Jackson	Morrison	Underhill
Davis, W. Va.	James	Moss, Ind.	Underwood
De Forest	Jones	Mott	Utter
Denver	Kennedy	Murdock	Volstead
Dies	Kent	Murray	Vreeland
Difenderfer	Kindred	Olmsted	Wilder
Donohoe	Kinkaid, Nebr.	Palmer	Wilson, N. Y.
Doremus	Kinkead, N. J.	Patten, N. Y.	Wilson, Pa.
Draper	Kipp	Patton, Pa.	Wood, N. J.
Driscoll, D. A.	Kitchin	Pepper	
Driscoll, M. E.	Knowland	Peters	

So the resolution was rejected.

The Clerk announced the following pairs:

Until June 19, inclusive:

Mr. DONOHOE with Mr. WILDER.

For ten days:

Mr. LEE of Georgia with Mr. HARTMAN.

Until further notice:

Mr. MOORE of Texas with Mr. HAYES.

Mr. BARNHART with Mr. SIMMONS.

Mr. MOON of Tennessee with Mr. PATTON of Pennsylvania.

Mr. SPARKMAN with Mr. BARCHFELD.

Mr. CRAVENS with Mr. LOUDENSLAGER.

Mr. BURKE of Wisconsin with Mr. LAFFERTY.

Mr. WILSON of New York with Mr. SWITZER.

Mr. TALCOTT of New York with Mr. SAMUEL W. SMITH.

Mr. STACK with Mr. SELLS.

Mr. TURNBULL with Mr. MITCHELL.

Mr. TOWNSEND with Mr. STERLING.

Mr. SMITH of New York with Mr. WOOD of New Jersey.

Mr. SMITH of Texas with Mr. PORTER.

Mr. SMALL with Mr. KENT.

Mr. SIMS with Mr. PLUMLEY.

Mr. SHERWOOD with Mr. RODENBERG.

Mr. SHEPPARD with Mr. TILSON.

Mr. SAUNDERS with Mr. MOTT.

Mr. RUCKER of Colorado with Mr. KNOWLAND.

Mr. ROTHERMEL with Mr. REYBURN.

Mr. POU with Mr. MILLER.

Mr. PETERS with Mr. ROBERTS of Massachusetts.

Mr. PATTEN of New York with Mr. LOUD.

Mr. Moss of Indiana with Mr. OLMSTED.

Mr. MORRISON with Mr. MADISON.

Mr. MAHER with Mr. LANGLEY.

Mr. LINDSAY with Mr. JACKSON.

Mr. LEVY with Mr. MCCREARY.

Mr. LEVER with Mr. KINKAID of Nebraska.

Mr. LAMB with Mr. HUBBARD.

Mr. KONIG with Mr. HIGGINS.

Mr. KINKEAD of New Jersey with Mr. HOWELL.

Mr. JONES with Mr. DE FOREST.

Mr. CLAYPOOL with Mr. GARDNER of New Jersey.

Mr. CARTER with Mr. MATTHEWS.

Mr. CALLAWAY with Mr. KENNEDY.

Mr. HAMMOND with Mr. PRINCE.

Mr. GOULD with Mr. HENRY of Connecticut.

Mr. DANIEL A. DRISCOLL with Mr. CRAGO.

Mr. DIES with Mr. CARY.

Mr. DENVER with Mr. CAMPBELL.

Mr. CANTRILL with Mr. HARRIS.

Mr. CARLIN with Mr. GREENE.

Mr. CLAYTON with Mr. CRUMPACKER.

Mr. BULKLEY with Mr. BOWMAN.

Mr. BROUSSARD with Mr. BINGHAM.

Mr. BOEHNE with Mr. BATES.

Mr. ANSBERRY with Mr. ANTHONY.

Mr. ANDERSON of Ohio with Mr. ANDERSON of Minnesota.

Mr. AIKEN of South Carolina with Mr. AMES.

Mr. GOLDFOGLE with Mr. BARTHOLDT.

Mr. GODWIN of North Carolina with Mr. BURKE of Pennsylvania.

Mr. DOREMUS with Mr. GUERNSEY.

Mr. DAVIS of West Virginia with Mr. GILLETT.

Mr. CURLEY with Mr. GARDNER of Massachusetts.

Mr. MCHENRY with Mr. MARTIN of South Dakota.

Mr. FIELDS with Mr. HAWLEY.

Mr. CONNELL with Mr. MICHAEL E. DRISCOLL.

Mr. KINDRED with Mr. LENROOT.

Mr. LATTA with Mr. MONDELL.

Mr. GORDON with Mr. HUGHES of West Virginia.

Mr. MURRAY with Mr. MCGUIRE of Oklahoma.

Mr. KITCHIN with Mr. MADDEN.

Mr. UNDERWOOD with Mr. DALZELL.

Mr. HOBSON with Mr. FAIRCHILD.

Mr. DUPRE with Mr. HANNA.

Mr. LEGARE with Mr. MCLAUGHLIN.

Mr. ADAMSON with Mr. STEVENS of Minnesota.

Mr. ROUSE with Mr. VREELAND.

Mr. DIFENDERFER with Mr. LAWRENCE.

Mr. JAMES with Mr. HAMILTON of Michigan.

Mr. KIPP with Mr. LANGHAM.

Mr. LITTLETON with Mr. HOWLAND.

Mr. GLASS with Mr. HILL.

Mr. PEPPER with Mr. MURDOCK.

Mr. FERRIS with Mr. DRAPER.

Mr. LEE of Pennsylvania with Mr. MCKINLEY.

Mr. GALLAGHER with Mr. FULLER.
Mr. PALMER with Mr. GRIEST.
Mr. BRANTLEY with Mr. MOON of Pennsylvania.
Mr. UNDERHILL with Mr. UTTER.
Mr. BARTLETT with Mr. BUTLER.
For the session:
Mr. RIORDAN with Mr. ANDRUS.
Mr. FINLEY with Mr. CURRIER.
Mr. FORNES with Mr. BRADLEY.
Mr. PUJO with Mr. MCMORRAN.

The result of the vote was announced as above recorded.

Mr. CLARK of Florida. Mr. Speaker, in printing certain letters which I was given consent to put in the RECORD, I would ask unanimous consent of the House to leave out the names of the writers of the letters.

Mr. MANN. Mr. Speaker, it is impossible to hear.

The SPEAKER. The point of order of the gentleman from Illinois is well taken. The House will be in order. The gentleman from Florida [Mr. CLARK] will state his request.

Mr. CLARK of Florida. I will state that the House gave me unanimous consent to print certain letters in my remarks. The persons writing those letters, or some of them at least, are averse to having their names known, and I want to ask unanimous consent to print the letters without the names. And one thing further. Reference is made to a Representative in Congress in the letter which I read, and I want to leave his name out.

The SPEAKER. The gentleman from Florida asks unanimous consent that in printing these letters, when extending his remarks in the RECORD, he may leave off the names of the persons who wrote them and also leave out the name of the Member of Congress referred to.

Mr. MANN. Reserving the right to object, is it the idea of the gentleman from Florida [Mr. CLARK] that it will be a good thing to print what will substantially appear as anonymous letters containing statements concerning this institution, located right here, and which letters will undoubtedly be read by the inmates and employees of that institution and will undoubtedly excite them?

Mr. CLARK of Florida. I will state, Mr. Speaker, that I can print the names on some of them. They do not make any request that I shall not do so. Now, in the letter that I read, for instance, the writer especially asks that his name be not used.

Mr. MANN. The letter the gentleman read goes into the RECORD as part of his remarks. Now, the gentleman himself, I think, very properly——

Mr. CLARK of Florida. I see the point the gentleman makes, and I will not publish those, with the exception of the one I read, without the names. But I do want to leave out the name of the Representative.

Mr. MANN. Nobody objects to that.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

PAY DEPARTMENT OF THE ARMY.

Mr. SWEET. Mr. Speaker, the Committee on Military Affairs have instructed me to report favorably House resolution 208, introduced by the gentleman from Maryland [Mr. COVINGTON]. It is a privileged resolution, covering an inquiry.

The SPEAKER. The gentleman will send it to the desk. The gentleman from Michigan [Mr. SWEET] calls up the following resolution by authority of the Committee on Military Affairs, which the Clerk will read, together with the report.

The Clerk read as follows:

House resolution 208.

Resolved, That the Secretary of War be, and he is hereby, directed to transmit to the House of Representatives copies of all records, reports, letters, or papers of any description which, on June 14, 1911, were in or recorded in any bureau or office of the War Department, or were in the custody of any civil or military officer or employee in any bureau or office of the War Department, and which relate in any way to charges or accusations of criminal or other misconduct on the part of any officer or officers of the Pay Department of the Army since January 1, 1905, or which relate in any way to absence from duty since January 1, 1905, of any such officer or officers against whom such charges or accusations have been made.

Mr. MANN. Mr. Speaker, I reserve a point of order on the resolution. I would like to know if there is any way of getting a copy of it?

Mr. HAY. The gentleman can get a copy of it in the document room.

Mr. MANN. Just at present it would not do me any good to go there and get a copy of it. I am afraid it would be passed before I could do so. The gentleman bringing up resolutions ought to have copies on the floor.

The SPEAKER. The Clerk will read the report (No. 51).

The Clerk read as follows:

The Committee on Military Affairs, to whom was referred House resolution 208, having considered the same, report thereon with a recommendation that it be passed.

Mr. SWEET. Mr. Speaker, I will yield a portion of my time to the gentleman from Maryland [Mr. COVINGTON], who is more familiar with the matter than I am.

Mr. COVINGTON. I think in three or four minutes I can satisfy the gentleman from Illinois [Mr. MANN] in regard to the purport of this resolution. It simply calls upon the Secretary of War to transmit to the House copies of records and letters and papers relating to any charges of criminal misconduct or accusations of that character made against any officers of the Pay Corps of the Army since January 1, 1905. And I desire to state very frankly that it is intended to cover simply a period which will refer to a particular case that information has been obtained upon, and which is sufficiently accurate to warrant such transmission of records. It calls for no documents other than those ordinary papers relating to the charges against officials of the Pay Corps within that period. If there are none in the department, none will be transmitted. As a matter of fact, it simply asks the transmittal promptly of such documents as affect charges made against pay officers in the Army within that period, for the purpose of giving the House the present condition of the Pay Corps.

Mr. MANN. Will the gentleman yield for a question?

Mr. COVINGTON. Certainly.

Mr. MANN. If there should be any charges of misconduct on the part of any officer in the Pay Department, whether founded or unfounded, though it might be desirable not to make those charges public in the interest both of the service and of good government, possibly the prosecution of the officer, possibly in his interest, under this resolution those charges would have to be published to the world.

Does the gentleman desire to have that done and make that a rule, that if charges are ever presented against any official of the Army or the Navy, thereupon Congress shall direct that those charges be made public by printing in the House proceedings or as a House document?

Mr. COVINGTON. I will say to the gentleman that when any charges are made against any officer in any department of this Government, which are of a criminal character, the good of the service is always subserved by the publicity of those charges. If the man be innocent, the very unsubstantial nature of the charges constitutes his best defense before the American people. On the other hand, the preservation of secrecy in those charges may oftentimes lead to abuses, even in the best administered of administrative departments. I can see no reason why charges of a criminal nature should not under all circumstances be given publicity. If those charged with crime in the civil walks of life have indictments against them, although they subsequently may have acquittals at the bar of justice, nevertheless, my good friend the gentleman from Illinois knows that publicity comes to them. Acquittal is their justification, and certainly no injury can be done a man simply because he happens to be in the military branch of the service, by the publication of charges of criminality which have been lodged against him.

Mr. MANN. Mr. Speaker, if there is any Member of Congress who has never been charged with wrongdoing or misdoing, he is a strange Member of Congress.

Mr. HUGHES of New Jersey. He is a new Member. [Laughter.]

Mr. MANN. He is not worth much. Now, the question is whether, if such charges are made, we are to publish them with the sanction of the House in all cases. I can readily understand, and I think everybody here can understand, that there might be charges or evidence in the War Department which it is not advisable or desirable to make public; either, on the one side, in the interest of the Government, or, on the other side, in the interest of the person. I have no doubt that many false charges are made, but this would require that all papers which relate to any kind of charges shall be sent to Congress, and, automatically, they will be published as House documents.

Mr. COVINGTON. I apprehend that certainly within the short period of six years the pay corps of the Army of the United States has not degenerated to such an extent that the transmission of charges of criminal misconduct against its officers would constitute a very voluminous document. If it is so, then it is time that some radical reorganization should take place in that corps.

Mr. MANN. This does not have to be criminal misconduct at all. But, even if it were, a resolution of this sort becomes a precedent for action. As far as we are informed, there is no

more reason for making this request about the pay corps than there is about every other official of the Government. You might as well introduce a resolution requiring that all heads of departments should transmit to Congress all charges, and all papers or documents relating thereto, against any official of the Government in that department, and have them published by the House as a House document. If the gentleman has something on his mind, if he knows of information that he desires to obtain, why does he not prepare a resolution asking for information on that subject? If he has nothing——

Mr. COVINGTON. I will state frankly to the gentleman that I have or I certainly would not prepare a resolution of this sort.

Mr. SLAYDEN. Mr. Speaker——

The SPEAKER. Does the gentleman from Maryland [Mr. COVINGTON] yield?

Mr. COVINGTON. I do.

Mr. SLAYDEN. I simply want to ask the gentleman from Illinois in the time of the gentleman from Maryland if this resolution is comprehensive enough to get such information, if it exists?

The gentleman says, "If he knows of any instance or has heard of any instance, why does he not specifically ask for them?" That was substantially the question, was it not?

Mr. MANN. Yes.

Mr. SLAYDEN. I ask the gentleman from Illinois if the resolution is not sufficiently comprehensive to cover the information?

Mr. MANN. Oh, yes; I think it is. Under this resolution we would get a copy of every charge made by anybody at any time in the last six years.

Mr. SLAYDEN. Mr. Speaker, this resolution merely refers to papers in any way related to any charges or accusations of a criminal nature against any officers in the Pay Corps of the Army since 1905. There are not many instances of that, I think, as the gentleman from Maryland has said. There are very few, I fancy; and if such papers exist, I doubt if the War Department would be put to any serious inconvenience in finding and transmitting such documents.

Mr. MANN. Let me suggest—because I fear the gentleman has not as carefully examined the resolution as he usually examines resolutions—that the resolution provides for the transmission of—

copies of all records, reports, letters, or papers of any description—

That relate to any charges of criminal or other misconduct, and so forth, or that—

relate in any way to absence from duty since January 1, 1905—

And so forth. Every order permitting a man to be furloughed under this would have to be sent back to the House. Every excuse that has been given, although it might be good and it might not be desirable that it should be made public, would have to be sent back to the House and published under this resolution. Does the gentleman from Texas [Mr. SLAYDEN] think that would be a good thing to adopt, as here proposed, with reference to all the officials of the Army?

Mr. COVINGTON. If the gentleman from Texas will permit me, I will say to the gentleman that this resolution applies only to leaves of absence. If he will notice the language, he will see that it is limited to those in the service who have been guilty of criminal misconduct, and it will not require the production of the furloughs of officers of the Army in general.

Mr. MANN. But the gentleman is mistaken. Any absence without leave—in that respect I probably was mistaken—is misconduct; and then the resolution requires all papers in relation to any absence to be published, whatever the excuse may have been, no matter whether the excuse may have been found good by the War Department. Possibly this will not affect anything in the Pay Department, but a similar resolution, if this one is passed for the Pay Department, should be passed for any other department of the Government if the gentleman presents a resolution like this.

Mr. RICHARDSON. Will the gentleman yield for a question?

Mr. WEEKS. Mr. Speaker, will the gentleman yield?

The SPEAKER. To whom does the gentleman yield?

Mr. COVINGTON. I yield first, Mr. Speaker, to the gentleman from Massachusetts.

Mr. WEEKS. I would like to ask if it is the purpose to require the War Department to send papers to Congress in these cases where charges have been preferred and the officer has been court-martialed and dismissed from the service?

Mr. COVINGTON. No; certainly not.

Mr. WEEKS. Would not the resolution cover such cases as that? And if that is true, would not that comprehend a large amount of documents and testimony?

Mr. COVINGTON. I take it that an officer who has been court-martialed and dismissed is no longer an officer in the service.

Mr. MANN. That does not make any difference. It would cover that.

Mr. WEEKS. It did not seem to me, Mr. Speaker——

Mr. COVINGTON. The resolution restricts it to officers who are in the service at the present time——

Mr. MANN. Not at all. It says: "Since January 1, 1905——

Mr. COVINGTON. Against whom accusation has been made.

Mr. WEEKS. A criminal accusation would be made, and the man would be court-martialed.

Mr. RICHARDSON. The resolution says:

Charges or accusations of criminal or other misconduct on the part of any officer or officers of the Pay Department of the Army since January 1, 1905, or which relate in any way to absence from duty since January 1, 1905, of any such officer or officers against whom such charges or accusations have been made.

Does the gentleman mean by that an accusation of absence without leave?

Mr. COVINGTON. I will say to the gentleman——

Mr. RICHARDSON. Suppose a man had been absent and sick, and was able to explain it satisfactorily. Does the gentleman want to get a full record of that?

Mr. COVINGTON. No. It refers only to officers against whom charges of other character have been made.

Mr. RICHARDSON. The gentleman's resolution is not specific in that respect.

Mr. COVINGTON. Mr. Speaker, I will say to the gentleman that I have no desire——

Mr. COOPER. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman yield to the gentleman from Wisconsin?

Mr. COVINGTON. I will state that I have no desire to cause a dragnet to be thrown out to bring to the House all sorts of charges affecting the War Department. I have no desire to cast a stigma on the Army of the United States or any of its departments. I take it the War Department will use due discrimination as to what in its judgment comes within the purview of the resolution.

Mr. WEEKS. I think if the gentleman from Maryland will read the resolution he will find that any charges of misconduct preferred against any officer was when he was an officer of the Army. These are preferred when they are officers in the Army. As the gentleman from Nebraska suggested, there may be hundreds of pages of testimony taken in the case of an officer where he has been dismissed. When the charges were made he was an officer in the Army, and under this resolution I submit that it would be necessary to furnish copies of those papers.

Mr. COVINGTON. I do not agree with the gentleman from Massachusetts.

Mr. CANNON. Will the gentleman yield to me?

Mr. COVINGTON. I will yield to the gentleman from Illinois.

Mr. CANNON. The gentleman, in the beginning of the resolution, calls for copies of all records, reports, letters, or papers of any description which, on June 14, 1911, were in or recorded in any bureau or office of the War Department, or were in the custody of any civil or military officer or employee. I want to submit to the gentleman if he does not think those words, "or in the custody of any civil or military officer or employee," should be stricken out. That is pretty broad—in the custody of a clerk or messenger, it may be.

Mr. COVINGTON. It relates to the charges.

Mr. CANNON. Precisely, but that calls for something more than that which is of record. What is custody? I suppose an employee had a letter in his pocket——

Mr. COVINGTON. Oh, I take it not.

Mr. CANNON. After all, what is the necessity of those words?

Mr. COVINGTON. The legal construction of the words I think the gentleman from Illinois will recognize as meaning simply those papers which are either in the actual physical custody of the War Department in the sense that they are in the files, or those papers in the physical custody of the employee. The gentleman recognizes that many documents are recorded and many others are not. Letters are filed or are letterpress copies. In all departments there are papers merely filed in pigeonholes; many others are only in the physical custody.

Mr. CANNON. After all, if they are on file they are a part of the record. It seems to me that those words would lead to confusion.

Mr. COVINGTON. I have no objection to modifying the language so that it shall cover only charges of criminal misconduct against those officers now in the Pay Department of the Army, in order to meet the objection of the gentleman from

Massachusetts. I am perfectly willing to restrict it within such limits as will bring the real information to this House that it ought in reason to have.

Mr. CANNON. What is the objection, if the gentleman is advised, if this resolution is made to cover the alleged misconduct of any one officer, to calling directly for the information which is desired?

Mr. COVINGTON. I will state frankly that I had a reason that I do not at this time want to disclose why it is not advisable to call directly for the information. But I am perfectly willing that this language shall be made to cover only those officers of that particular department now in the actual service, as suggested by my friend from Massachusetts.

Mr. COOPER. Will the gentleman yield?

The SPEAKER. Does the gentleman from Maryland yield to the gentleman from Wisconsin?

Mr. COVINGTON. I do.

Mr. COOPER. Mr. Speaker, the gentleman from Massachusetts made the exact point that I wanted to make, but I want to ask the gentleman from Maryland if he would be willing to strike out the words "other misconduct"? I suggest that for the reason—I do not know what offense the gentleman is aiming at—but if a paymaster of the most exemplary character, unblemished record, should have five or six years ago become intoxicated, never before or since, it would require the publication of that fact to the world. It would be purely useless for any purpose and harmful only for every purpose. Criminal misconduct involves, of course, something that is worth while to investigate.

Mr. COVINGTON. I will state very frankly to the gentleman that I recognize that difficulty. I do appreciate just what the gentleman from Illinois has stated, that there might possibly be transmitted information that would not amount to such misconduct as to subject the officer to dismissal, but, on the other hand, there is, as the gentleman well knows, a difference between that grave misconduct which would subject an officer to court-martial and misconduct which would subject him to punishment in the criminal courts of the country.

So that there is that infirmity of the English language which makes it difficult to reach precisely the cases that are wanted to be reached. I realize that difficulty, I must confess. Gentlemen will realize that there are acts of a grave nature that officers of the Army may be guilty of, but which no criminal court could punish them for.

Mr. NORRIS. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman yield?

Mr. COVINGTON. Certainly.

Mr. NORRIS. I would like to suggest to the gentleman that he can defeat and obviate all that difficulty by putting in the resolution the particular thing which he wants to reach or wants to have disclosed. That is, some particular officer or some particular offense or some particular transaction, it seems to me, ought to be named in the resolution.

Mr. COVINGTON. Oh, if the gentleman from Nebraska had heard my statement to the gentleman from Illinois [Mr. CANNON]——

Mr. NORRIS. I heard the statement.

Mr. COVINGTON. I stated that I would not do that, but I would accept the amendment the gentleman from Massachusetts [Mr. WEEKS] very wisely suggested.

Mr. NORRIS. Did the gentleman disclose to the committee the evidence he has?

Mr. COVINGTON. The gentleman did disclose to the committee.

Mr. NORRIS. So that the committee understood the nature of the accusation?

Mr. COVINGTON. Absolutely. I disclosed to the Committee on Military Affairs, and stated to them——

Mr. NORRIS. Would the disclosure or the proper identification of the official or the offense in the resolution meet the purpose of the resolution?

Mr. COVINGTON. I am not sure about that.

Mr. NORRIS. I think that would be the only excuse, the only reason, why it should not be done, because the gentleman must admit that——

Mr. COVINGTON. I am not sure whether it would or not.

Mr. NORRIS. The gentleman must admit that in making this kind of a charge to the people who must pass upon it he should offer some definite matter.

Mr. COVINGTON. I will assume the responsibility for stating that when that resolution gets to the chief of the Pay Department of the Army he will be able to transmit with sufficient accuracy the information that is wanted, when it is limited as the gentleman from Massachusetts [Mr. WEEKS] has suggested.

Mr. NORRIS. I have never before in my brief experience—at least I can not call it to recollection now—known of an instance where the House has passed a resolution that was reported simply on the statement of a Member that he does not want to disclose the real object and purpose of the resolution.

Mr. RICHARDSON. Mr. Speaker, will the gentleman yield?

Mr. COVINGTON. I yield to the gentleman from Alabama.

Mr. RICHARDSON. Your inquiry is limited to accusations of a criminal nature.

Mr. COVINGTON. Yes.

Mr. MANN. No; it is not limited to that.

Mr. RICHARDSON. Then you follow that with the vague expression, "Or other misconduct." What do you mean by "other misconduct?" What do you want to inquire into?

Mr. COVINGTON. I just stated to the gentleman from Wisconsin [Mr. COOPER] that in the military service there may be serious derelictions of duty, derelictions of duty which, if the War Department had not recognized them, should subject it to criticism.

Mr. RICHARDSON. Surely.

Mr. COVINGTON. Now, those derelictions of duty may be of a serious character, but they may be not such as would warrant punishment in the criminal courts of the land.

Mr. RICHARDSON. Are they of such importance that a vast record ought to be brought from the War Department from 1905 for investigation?

Mr. COVINGTON. How many instances does the gentleman suppose in the Pay Corps of the Army there have been in the last six years where records of moral shortcomings, even if you put the language that broad, have taken place? I hope not more than one or two.

Mr. RICHARDSON. The gentleman would include in "other misconduct," the mere fact that an officer had been absent, we will say.

Mr. COVINGTON. It does not say so.

Mr. RICHARDSON. The resolution, at its conclusion, says:

And which relates in any way to charges or accusations of criminal or other misconduct on the part of any officer or officers, etc.

Mr. COVINGTON. It only provides for those instances where the officers have been guilty of misconduct and have also been treated most courteously and considerately by being given long leaves of absence. It refers only to those officers.

Mr. NORRIS. Will the gentleman yield again? I would like to suggest to the gentleman that if he has fear that the publication at the present time of the information that he bases his belief on that this resolution ought to pass is of such a nature that it would defeat the purposes of the resolution, that the House should perhaps go into executive session and——

Mr. COVINGTON. Oh, I would not ask that.

Mr. NORRIS. The gentleman, on the other hand, ought not, it seems to me, expect the House to pass a resolution here to establish a precedent of taking official action on a statement where the person who gives the information refuses to disclose what is the object of the resolution or its purpose. Now, if it were just a simple thing, if the gentleman will permit me for a moment, if it were just one item, one person, one offense, or one year or one month, it would be a different proposition, but this covers six years, and the words "other misconduct," it seems to me, would bring here, if the resolution were complied with literally, every complaint, every reprimand or correction that was ever made in the Pay Department of the Army for the last six years against any person or any officer or any official.

I do not know how many there would be, but does not the gentleman think something of that kind occurs daily—some little correction that nobody cares anything about? This resolution, if it were complied with, would bring that all in here, and we are to do all that without having any evidence disclosed here, either on the floor or from the report of the committee, that there has been any misconduct of any person. It seems to me it is asking us to do more than the gentleman ought to expect us to do; besides it would be a dangerous precedent.

Mr. COVINGTON. Well, I will simply say to the gentleman that we vote a great many times in this House on faith. Mr. Speaker, I have made all the explanation I care to make about this, and I shall now state that I will accept the addition of the proviso attached to the resolution suggested by the gentleman from Massachusetts [Mr. WEEKS]. It reads:

Provided, That this resolution shall only apply to those persons who are at the present time commissioned officers in the Army.

The SPEAKER. That would have to be put in the shape of an amendment. The gentleman from Michigan [Mr. SWEET] has the floor.

Mr. KAHN. Mr. Speaker, I desire to ask if the gentleman from Michigan will yield a few minutes to me?

Mr. SWEET. I will.

The SPEAKER. How much time does the gentleman from Michigan yield to the gentleman from California?

Mr. SWEET. Five minutes.

Mr. KAHN. That will be ample.

The SPEAKER. The gentleman from California is recognized for five minutes.

Mr. KAHN. Mr. Speaker, I want to ask the gentleman from Michigan when this resolution was reported from the Committee on Military Affairs?

Mr. SWEET. This morning.

Mr. KAHN. Was there a meeting of this committee this morning?

Mr. SWEET. Yes.

Mr. KAHN. I received no notice whatever of that meeting.

Mr. HAY. Well, Mr. Speaker, if the gentleman will yield, I will state that the committee was called by the chairman and notices were issued, and a very special effort was made to get the gentleman from California, who was phoned at his office at least three times.

Mr. KAHN. I was not at my office, and my mail is sent to my hotel the first thing in the morning. There was no notice of this meeting in my mail.

Mr. HAY. Well, I do not suppose the gentleman means to say that no notice of this meeting was given.

Mr. KAHN. No; I do not. I simply say that notice of this meeting has not reached me. We have had no meeting of the committee for several days, and therefore when I did not receive a notice of the meeting I did not know the meeting was to be had. But there is no desire on my part at any time to oppose a resolution for a proper inquiry. I have no desire to shield or protect any officer charged with any criminal offense. This resolution, as has been stated several times on this side, is exceedingly broad. It is a sort of a dragnet resolution to take in everything and everybody. The gentleman from Maryland [Mr. COVINGTON] is rather disingenuous. He says that things should not be covered up; if men have charges brought against them, even though those charges be proved false, they should not be put away in the files of the War Department and allowed to stay there.

He thinks the country has a right to know something about the charges. Now, the gentleman ought to be equally frank with this House. He ought not to cover up anything. He ought to say frankly to the House that there is such and such a charge pending against such and such an officer, and that he wants the papers in that case, and then we would procure the papers for him. But to go out in the broad way contemplated by the resolution and try to bring out charges that may have amounted to nothing and have them spread before the country seems to me entirely improper, and I hope the resolution, on that account, will not pass.

Mr. HAY. Mr. Speaker, will the gentleman from Michigan [Mr. SWEET] yield to me for five minutes?

Mr. SWEET. Yes.

Mr. HAY. Mr. Speaker, I am rather surprised at the attitude taken by the gentlemen on the other side. Resolutions of this character have been passed time and time again in this House, and if there are any charges against any officer of the Pay Department of a criminal nature or any misconduct of so grave a character that it merits the investigation of this House, what objection is there to this resolution, calling upon the Secretary of War for information? Why this anxiety to defeat a very ordinary and customary resolution?

Mr. MANN. Will the gentleman yield?

Mr. HAY. Yes.

Mr. MANN. During my 14 years of service in the House I have never seen a resolution of inquiry offered which was so broad as this one, I think. Does the gentleman recall any?

Mr. HAY. I do not know that I can point out any specific resolution that has been offered during my time of service here, but I do know that resolutions of inquiry as broad as this are and have been constantly before this House, and have been passed by the House. This is not such a broad resolution. How many officers are in the Pay Department of the War Department? Not over 100. And there is no doubt about the fact that if this resolution is passed no man is going to be injured by it who ought not to be injured. I venture to say that there is not an officer in the Pay Department who would be opposed to the passage of this resolution on the ground that there might be some charges pending in the War Department against him. If charges are pending against him, what objection is there to the country knowing what charges are pending? When has it become the rule that these charges, if such there be, are to be buried in the pigeonholes of the War Department? If charges are of such a character as to call for a court martial, those charges are made public; and if some man, through the favoritism of high officials in this Government, has been able to escape justice, has been guilty of crime and misconduct, is it for this House to cover that up?

Mr. NORRIS. Mr. Speaker——

The SPEAKER pro tempore (Mr. JOHNSON of Kentucky). Will the gentleman yield?

Mr. HAY. Yes.

Mr. NORRIS. I want to ask the gentleman what objection can there possibly be to putting into this resolution—like, I think, is the universal custom—the specific, particular case you want to get the evidence on?

Mr. HAY. Can the gentleman specify any resolution where that has been done?

Mr. NORRIS. I never knew a resolution where it has not been done.

Mr. HAY. Will the gentleman specify a resolution?

Mr. NORRIS. I do not recall now, but if the gentleman will cite me to a case of any resolution of inquiry, that will be an instance of it. I do not believe there has been an exception in all the time I have been here.

Mr. HAY. I do not believe there has been any resolution of this character where the individual has been named; and if the gentleman can cite me such a resolution, I would be glad if he would do it.

Mr. NORRIS. You can get every resolution of inquiry that ever was passed, and you will get an illustration in every one of them.

Now, I want to ask the gentleman another question. Does not the gentleman think that the words "or other misconduct" will include even a reprimand or disagreement between officials as to whether some official had done something that technically was wrong? I am not objecting to getting the information, but it seems to me it involves almost an infinite amount of work, and unnecessary work on unnecessary subjects.

Mr. HAY. The gentleman seems to think that the officers of the Pay Department are constantly guilty of misconduct, and that there are large and numerous records in the Pay Department showing that. It is not the case at all. The officers of the Pay Department, like the officers of the Army generally, as a class, are not guilty of misconduct.

Mr. NORRIS. I presume that is true; but this covers six years, and with the words "other misconduct," if an official has done anything—it does not make any difference what—to some other official that was not right, or that was even claimed to be wrong, it would be included in this resolution. I take it the gentleman does not want to do that.

The SPEAKER pro tempore. The time of the gentleman from Virginia has expired.

Mr. HAY. Nor does the resolution assume anything of the kind.

Mr. NORRIS. What is the use, then, of including these words, "other misconduct"?

The SPEAKER pro tempore. The time of the gentleman from Virginia has expired.

Mr. SWEET. Mr. Speaker, I yield two minutes more to the gentleman from Virginia.

The SPEAKER pro tempore. The time of the gentleman from Virginia is extended two minutes.

Mr. HAY. I simply wanted to say, in answer to the gentleman from Nebraska, that this resolution does not contemplate that there shall be returned to the House the records of every officer in the Pay Department as to whom there may be some suggestion that he has been guilty of negligence or something of that kind.

It contemplates misconduct, and "misconduct" is no uncertain word. It has a clear and distinct meaning, and it seems to me very strange that gentlemen on the other side should undertake to oppose this resolution.

What objection can there be to having the criminal action and the misconduct of officers of the Pay Department or any other department shown to this House and to the country? I hope the resolution will pass; and if the gentleman from Massachusetts insists upon his amendment—which I do not think helps it at all, because when the resolution says "officers of the Pay Department" it means, of course, those who are now in the Pay Department—but if he desires to have that amendment adopted, I hope the gentleman from Michigan in charge of the resolution will accept the amendment, and that we can now have a vote.

Mr. SWEET. Mr. Speaker, perhaps enough has already been said on this question, but I want simply to remark that although I can not approach this subject, and did not in the committee approach it, from the standpoint of long experience in this body as a Representative in this House, I felt that the

resolution was in the direction of obtaining for this body information which we are entitled to have and which the people want us to have.

It does not seem to me that the resolution is open to the objections suggested. When the House under that resolution makes its demand on the War Department, I doubt if there will be any tendency on the part of the War Department to extend the language of the resolution so as to make it come down, as the gentlemen seem to fear, to matters of trivial consequence. On the other hand, if there is any straining of the language used in this resolution, it is more likely to be in the opposite direction.

I feel that the people of the country, from the investigations that have already been made, are in a temper where they would prefer to have every department, especially where accusations are suggested, investigated by this body, and I feel that the resolution which has been offered here by the gentleman from Maryland is one that all the Members, regardless of politics, ought to vote for, and one that every honest officer in the Army ought to be glad to have considered.

Mr. SLOAN. Mr. Chairman, does the gentleman yield to me?

Mr. SWEET. Yes.

Mr. SLOAN. The gentleman from Virginia asked for one reason why this should be denied. I have one. It may not be important, but it was stated that there were a hundred men in the Pay Corps of the War Department. I do not know any of them. This resolution covers a period of six years. It is a charge against one man or a hundred men; I do not know which. Perhaps the majority of the Members of this House do not know. If an order like this be made, it will stand for an indefinite time as an implied charge against every man in that corps, because it does not fix the period of time in which this demand may be made. This will go to the public, and the public will understand that it means this paymaster or any one of 99 others in that department, and so it seems to me that it ought to be limited and a straightforward statement should be made as to whom it is directed against. If there are papers there against any man, let us know it and let the public know it, in order that direct action may be taken and no implied charge of dishonesty may stand for an indefinite time against a large majority of that department, upon whom this resolution, if passed, will cast a shadow for an indefinite time.

Your resolution does not say within what time this may be transmitted, and the public will wait for an indefinite time to find out who are the men who have charges against them and who have not. It amounts to an aspersion against more than one—against practically everyone in that whole department of the service.

Mr. HELM. Mr. Speaker, will the gentleman yield for a moment?

Mr. SWEET. For a question?

Mr. HELM. Will the gentleman yield for a statement of about two minutes?

Mr. SWEET. I yield to the gentleman.

Mr. HELM. Mr. Speaker, this resolution seems to me to have developed the kind of situation which led to the adoption by the House of that rule which resulted in the appointment of the several standing committees on the investigations of the different departments of the Government. The Committee on Expenditures in the War Department has jurisdiction——

Mr. SWEET. I call the attention of the gentleman to the fact that this involves no expenditure whatever.

Mr. HELM. This committee is not limited only to expenditures in that department, but, among other subjects, to the proper application of public moneys by officers in the Army—the accountability of officers in the Army; so that it seems to me that, instead of passing this resolution in its present form, if anyone possesses any information touching the misconduct of any officer in the Army, and it appears that this resolution touches more immediately upon the Pay Department of the Army, this committee, which is now actively at work, is the proper committee to deal with this matter instead of putting out this dragnet, as it has been deemed proper to term it. And I desire to say that it is not my purpose in rising to shield or defend any man, but more for the purpose of directing the attention of the House to the fact that the proper committee to handle such matter is the Committee on Expenditures in the War Department, which has been vested with the authority to perform just such work as this resolution calls for.

Mr. SWEET. Mr. Speaker, in reply to the remarks of the gentleman I should like to say that the committees to which he refers have been appointed for the purpose of investigating the expenditure of moneys appropriated by this body for the support of the various departments. Now, if, as a result of accusations of a criminal character, it should appear that some officer in the pay department had been guilty of that kind of misconduct relating to money, the committees investigating expenditures in the various departments would not have jurisdiction of that. Therefore the Committee on Military Affairs, after giving the matter full consideration, and after sending out the proper notices, in an effort to get a full attendance, have unanimously reported in favor of the adoption of this resolution. We believe it will result in good.

Mr. NORRIS. Mr. Speaker, will the gentleman yield for a question?

Mr. SWEET. I yield to the gentleman.

Mr. NORRIS. As I understand it, the committee, which the gentleman says gave this matter full consideration, had in mind some one particular case, did it not? The matter was explained to the committee, as I understand it.

Mr. SWEET. It was not necessarily limited to one case.

Mr. NORRIS. Was there more than one?

Mr. SWEET. It was not necessarily limited to one case.

Mr. NORRIS. Was there evidence before the committee of misconduct applying generally to this department of the service?

Mr. SWEET. We have reason to believe that it embraces more than one case.

Mr. NORRIS. Was there any reason why, under the evidence given before the committee, a resolution could not be so drawn as to apply to the particular cases concerning which information is desired?

Mr. SWEET. We so considered; yes.

Mr. NORRIS. Then why was the resolution drawn in this form?

Mr. SWEET. I now demand the previous question, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Michigan demands the previous question.

The question being taken, the previous question was ordered.

The SPEAKER pro tempore. The question now is upon agreeing to the resolution——

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Illinois.

Mr. MANN. Is there not an amendment?

Mr. SWEET. It has not been offered.

The SPEAKER pro tempore. There is no amendment pending.

Mr. WEEKS. I have an amendment which I wish to offer.

Mr. MANN. The gentleman from Maryland [Mr. COVINGTON] said he would offer it.

Mr. HUGHES of New Jersey. He said he was willing to offer it, but it has not been offered.

Mr. SWEET. It was not offered at the proper time, and it is too late to offer it.

Mr. HAY. I ask unanimous consent that the amendment of the gentleman from Massachusetts [Mr. WEEKS] may be considered as pending and as coming under the order for the previous question.

The SPEAKER pro tempore. Unanimous consent is asked that the amendment offered by the gentleman from Massachusetts may be considered as having been offered in time and now considered.

Mr. NORRIS. Reserving the right to object to that, I want to ask the gentleman whether he would be willing to allow 5 or 10 minutes' debate on that amendment?

Mr. HAY. I would not.

Mr. NORRIS. Then I object.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The question was taken; and on a division (demanded by Mr. MANN) there were—ayes 55, noes 29.

So the resolution was agreed to.

NATIONAL BUDGET.

Mr. SHERLEY. Mr. Speaker, I desire to ask unanimous consent of the House to print in the RECORD some remarks made by me at a meeting of the Accountants of America, held recently in Washington, on the subject of a National Budget. I do not feel like taking the time of the House to deliver here these remarks, but I would like to have them brought to the attention of the membership of the House.

Mr. MANN. I shall not object, although I think perhaps I ought to and require the gentleman to deliver them in the House, because I think it would be of value to the Members of the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky? [After a pause.] The Chair hears none.

The matter referred to is as follows:

"Mr. SHERLEY: Mr. Chairman and gentlemen, I once said that in the House of Representatives a little law went further than in any other place on earth, and, being a lawyer, felt that I could so testify. Perhaps, in one sense, a little of any knowledge goes a long way there. At least, a man is not always called to immediate account, because we have much of speech making that does not affect legislation. But appearing to-day before a society of experts, particularly when I am introduced as one in accord with the views of those experts, I have some timidity and trepidation, even though speaking has been somewhat my lot for several years past.

"I have, unfortunately, a subject much too big for anyone to cover in a single address. I am not going to talk to you about budgets generally, but rather narrow my subject to the legislative side of budgets as it applies to the House of Representatives of the United States.

"Government is a matter of evolution, and probably the cause of more failures to reform methods of doing business in government—city, State, or National—is the fact that the man proposing the reform faces it from the outside rather than from the inside. Governments, like men, are always narrowed and restricted by habits—personal habits, if I may be pardoned for such a use of the word—habits that restrict their activity and their initiative just as it does every single individual; and when you undertake, without regard to those habits, to put upon a government any new method, the inevitable result is a failure. I remember talking just a couple of days ago to a gentleman of wide experience with our Government, and he recalled to my mind the very great expense that was incurred by the Government in undertaking a reform in the Public Printing Office, a reform that, on paper, ought to have worked splendidly, and yet the result of which was the expenditure of about $100,000 and now the daily discarding of the method that had been superimposed upon that establishment, simply because the men who undertook it had no real knowledge of the life history of that institution and the evolution of it. Therefore, their methods were not adaptable and could not be successful.

"I have never known a fundamental change proposed in the procedure of the Congress of the United States that ever was adopted permanently or that during its short trial proved successful. You constantly hear reference to the English method of doing things, or the French method. In the recent debate during the contest over the power of the Speaker of the House of Representatives constant allusion was made to the fact that the English speaker was simply a presiding officer, and that the American Speaker should be made into simply a presiding officer. Now, that may be theoretically an ideal system, and yet one of the characteristics of American political life from the very inception of this Government has been that the speakers of legislative bodies have been leaders of the dominant party in control of legislation of the House, and to ignore that fact and to undertake to abolish it overnight was to ignore the life history of American governmental development.

"Before I touch directly on the question that I want to present to you of proposed reform I want to deal just for a moment with what might be called the executive side of the American budget. And even before I touch on that let me suggest this curious fact to you: In American political life everywhere, except in the Congress of the United States, there is a marked tendency toward concentration of power, with corresponding responsibility. For instance, you gentlemen who deal largely with city government know the tremendous strides that have been made toward the commission form of government; and where even the commission form of government has not been taken up, the mayor of the city has been given supreme power over the boards, power over appointments, power of removal; and, given this large power, he is held to a direct responsibility, the reason for it being that the people have neither the time, the inclination, nor, in a sense, the technical knowledge to enable them to follow details, but are looking to general results. And so they have insisted on giving to one or a limited number of men full power, and making them responsible. And yet the fight that has just taken place in the House of Representatives was a fight not to concentrate power and make responsibility as a result of it, but was to deprive the Speaker of power and diffuse that power among the Members generally. It is a rather curious fact that with that marked tendency everywhere else, in the House of Representatives there should have come the demand that power should be taken from the Speaker and given to the membership generally. How far that has been a wise change, time alone can tell. I have never been one of those who believed that you necessarily reformed a system by changing the method of selecting the men who were to administer it; and the reform that took place in the House of Representatives by taking from the Speaker the power of appointing committees and giving it to a committee on committees did not, to my mind, reach the real evil, which was not the power in one man to appoint committees, but the power in the committees after appointment to stifle and control legislation in that body. And the remedy, in my judgment, lay in changing the power of the committees rather than changing the authority from which they sprang.

"Now, in regard to the executive side of the budget. Of course, you gentlemen are familiar with the fact that America differs very much in its political arrangement from the English Government, and, indeed, from most of the European Governments. The theory of the makers of the Constitution was a separation of the executive, legislative, and judicial departments—a separation that has continued and must continue without a radical fundamental change in our Constitution. That makes impossible of consideration, or at least unnecessary of consideration, the many propositions that are presented of budgets in countries where the ministry is the government and where they present the budget in the legislature and their failure to successfully carry it through means a change of party or an appeal to the people. Here the Executive presents a budget that may come to a majority in a Congress that is friendly, or may come to a majority that is hostile; and therefore it is impossible to bring about that same degree of responsibility to the makers of the budget that they have in England and in some other countries. We have provided by law that the Secretary of the Treasury shall receive from the other heads of the departments the estimates for the ensuing fiscal year, these estimates to be submitted to him by the 15th of October, and by him submitted to Congress upon its opening in December of each year. It is made his duty to assemble them and to present them to the Congress in the form that has been usual in presentation of the estimates of the various departments. And if they are submitted to him in a form other than that in which they have heretofore been submitted, it is his duty to put them in the proper form, leaving to a footnote any suggested change in form. Within the last two years we have required of him also that he should estimate the revenues for the ensuing year and the probable appropriations necessary for the maintenance of the Government; and if it was found that the appropriations should exceed the estimated revenues, then he should certify that fact to the President of the United States, that the President, in communicating to Congress, might inform it how the appropriation could either be curtailed or the revenue increased. That change, brought about by a provision put upon one of the supply bills, has worked very well recently. But it does not, to my mind, go as far as it should. The President has shown a very commendable zeal in trying to cut down the estimates that are annually submitted to Congress, and he has undertaken to carefully examine the estimates of the various departments and has reported to Congress, through the Secretary of the Treasury, very large reductions in estimates over those originally submitted.

"But, to my mind, what ought to be done is to require that the Secretary of the Treasury shall revise the estimates of every other department of the Government. It is unnecessary to state to you gentlemen, who are so familiar with the subject, that the estimates come from the various members of the Cabinet—from the Secretary of War, Secretary of the Navy, the Postmaster General, the Department of Justice, and so on. As it is now, there is no member of the Cabinet who has any power of revision over the estimates that are submitted by other members of the Cabinet. The Secretary of the Treasury in this regard is simply no more than a clerk to gather together and present in book form to the Congress these various estimates. John Sherman, one of the very greatest of the Secretaries of the Treasury that this country ever had, undertook to get the power to supervise the estimates of the other members of the Cabinet. But naturally everyone of the other Secretaries objected to having a veto power given to anyone else over the budget that he presented. And so the matter failed. But Congress could well afford to give to one member of the Cabinet not only the power but to make it his duty to revise these estimates. And the reason of that would be this: You would then compel a certain consideration by the executive department of the budget as a whole. There is a tendency for each Secretary to consider the needs of his department only; and not unusually the sum total of the estimates to be submitted is found not by any consideration of the Government's power to raise revenue, not by any consideration of the relative merits of this department's demands as against that department's demands, but simply by the opinion that the head of each department has of its needs and then a sum in addition. And so I

believe that one of the reforms that should be had and that could be had without in any way changing the present form of government would be to empower and direct the Secretary of the Treasury to revise the estimates. Of course we can not require the President. We can simply do as we did in this instance that I speak of, require the Secretary to communicate to the President that the President may, in turn, inform Congress. But the fatal mistake in the provision enacted was that it required the Secretary of the Treasury only to inform the President when he found the estimated revenues to be less than the estimated appropriations for the ensuing year. Now, the reason for it exists just as much in a case where the revenues of the country may be sufficient to meet the ordinary expenses as it does where we are likely to have a deficit in the revenues. And unless the duty is imposed upon him you will not have other than through the initiative of some Executive desirous of bringing about reform that supervision and consideration of the different items that go to make up the budget. We have in other particulars followed what seems to be a very good plan. The beginning of the fiscal year is near enough to the time when the estimates are submitted and near enough to the period at which those estimates are likely to have been enacted into law to bring about as much accuracy as possible in dealing with the future. In that particular I think that the American system is all that it should be. We have also passed very stringent laws in regard to the creation of deficits, and have done much to require the keeping within the year of the expenses of the departments and not to permit the borrowing from a future year for the expenses of a current year, so as to enable the Government and the legislative branch of it to know without serious difficulty what the appropriations for a particular year happen to be.

"And now, with that very cursory and loose statement as to the executive side of the budget, I desire to talk to you of the House of Representatives relative to the preparation and consideration of a budget.

"Up until the Civil War the Committee on Ways and Means had jurisdiction over both the levying of taxes and the appropriation of the revenues. It very properly, from the standpoint of theory, had charge of those two highest functions of government, the levying of taxes and the spending of money raised as a result of the levy. But in 1865, largely on account of the tremendous labors that were being imposed upon that committee, a division took place and there was created the Committee on Appropriations, and given to it exclusive power over the appropriation bills, leaving to the Ways and Means Committee the power it now has of exclusively considering the revenue bills. In this country it has been supposed by some people that there was not that same need for having a central authority over matters of raising revenue and matters of expenditure that existed in other countries. To my mind that is a mistake. It has been true, and probably will be true for many years, that Congress will levy taxes frequently for purposes and reasons other than the raising of revenue. But it ought to be true that somewhere in a legislative body there should be some central authority to consider the levying of taxes and the raising of revenue in connection with the appropriation of moneys for the maintenance of the Government. Nothing is stronger evidence of a bad system of government than the piling up either of huge surpluses, that are a constant invitation to extravagance, or the failure to provide sufficient revenues to meet the ordinary and necessary expenses of the Government. And to properly prevent that, there must be cooperation somewhere between that power that first formulates the bill to levy the taxes and that power that first formulates the bill disposing of the money so raised. But we have not only separated these two functions of raising revenue and of disbursing revenue, but in 1880 we took from the Committee on Appropriations control over the Agriculture appropriation bill; and that was followed in 1885 by taking from them control over the appropriation bills relative to the Army, the Navy, Indian affairs, foreign affairs, and rivers and harbors; so that to-day the Committee on Appropriations has control of 6 out of the 14 supply bills, and you have seven or eight different roads to the Treasury; and as Mr. Tawney, the former chairman of the Appropriations Committee, very happily said, 'As many byways as there are members of these appropriating committees.' The result of that has been that there is not now any consideration in Congress of the appropriations as a whole. No man knows what the Sixty-second Congress will appropriate, or, rather, what one session of the Sixty-second Congress will appropriate, until that session has passed into history and he has added up the appropriations that have been made. Now, a more indefensible system can hardly be imagined, that a great Government appropriating, as we do, two thousand millions of dollars during the life of each Congress—at least we have for the past four years, and from all indications will continue to do so—that a Government appropriating two billions of dollars should not know until it goes through the addition of the various sums appropriated what the total is going to be, is a proposition that to my mind is absolutely indefensible. [Applause.]

"Now, what is the remedy? There are those who dream that we are going to turn back and give to the Committee on Appropriations the entire control over the appropriation bills. Theoretically that might be wise, but to my mind there is no more probability of the Committee on Appropriations ever getting control over all of the supply bills than there is of any other reversion to outworn conditions in this country. The Members of the House of Representatives are compelled through political exigency into personal activity, a personal activity the lack of which means political extinction. The result is that you will never get, at least not for many years, until public opinion has much changed, that condition of service in the House of Representatives that you have in the Parliament of England, where the average member of Parliament only attends when there is some vote or division of primary importance. He takes no part in the preparation or the discussion of the budget, but leaves to the leaders the consideration entirely of the budget and the other great matters of legislation. That can not happen in this country. The man who here would be content simply to vote, whether justly or unjustly, would be condemned by his constituents as a man lacking in real energy or force in the House of Representatives. The result is that there is a constant pressure of interest on every Member in the House to have some part and some voice in, something to say, something to do with, the daily affairs of the House. Now, that in some ways is a good thing; in some ways it is anything but a good thing. That being true, you are not going to get the present committees that have appropriating power to surrender that power and give it into the hands of one committee. Nearly every man to-day who is a member of an appropriating committee in the House, other than the Committee on Appropriations, is jealous of and fighting that Committee on Appropriations, because he claims that it is constantly reaching out and seeking to get back the old power it had of control over all appropriations. And that being true, it being to my mind impossible from a political and practical standpoint to bring about again the concentration of power in the hands of one committee, and because the detail work is now beyond the capacity of that one committee, I have offered an amendment to the rules of the House that I hope may have in it the seed of a reform we all admit ought to be brought about.

"In substance it is this: That there shall be created a new committee called, if you please, a committee on the budget, or on receipts and expenditures. That committee shall be composed of the chief members of the Ways and Means Committee, the Appropriations Committee, and the chairmen and ranking minority member of every other appropriating committee. Now, what has been attempted in its personnel was this: To give to the members of the Ways and Means Committee and of the Appropriations Committee sufficient numerical strength to prevent the chairmen of the other appropriating committees from combining and so controlling the budget that should be presented to Congress, and for this reason—it follows inevitably and without regard to personnel—that the men who represent simply one department and appropriate for one department, become in course of time the champions instead of the critics of that department. In our system of government it is highly important that the legislative body should be the critic of the executive body, not the unfair critic, but still, when the estimates are submitted to the House through the Secretary of the Treasury, the House in its consideration should be free to criticize, amend, reduce, and curtail. But when you give to one committee simply jurisdiction over that part of the budget that relates to one department its members inevitably come into such relationship with the executive of that department, particularly if those of the majority happen to belong to the same political party that the executive branch of the Government represents, that they become his champion. And so you find that the chairman and members of the Committee on Military Affairs are fighting to increase their dominion and power by increasing the power and dominion of the Army of the United States. And the chairman and members of the Committee on Naval Affairs are doing the same thing for the Navy; the chairman and members of the Committee on Post Offices for post offices. And as a result, in the life of the past Congress, the material saving that was made over the estimates submitted by the various departments was made by the Committee on Appropriations and not by any one of the committees appropriating for single departments; not that the personnel of the Appropriations Committee is any better, any more pa-

triotic, or any more intelligent, but through the duties that are imposed upon them they have to take a survey of the Government as a whole, and they do not, therefore, become the champions, or rarely do, of any particular department.

"The exact proposal is as follows:

"*Resolved*, That the following rule be added to the rules of the House, and to be known as section 6 to Rule X:

"'SEC. 6. There shall be a Committee on Estimates and Expenditures, whose personnel shall consist of the following members: The chairman and three ranking majority members, and the ranking minority member of the Committees on Ways and Means and Appropriations, and the chairman and ranking minority member of the Committees on Rules, Agriculture, Foreign Affairs, Military Affairs, Naval Affairs, the Post Office and Post Roads, Rivers and Harbors, and Indian Affairs. The chairman of said committee shall be selected by the members thereof. Said committee shall, as soon after the convening of each regular session of Congress as may be, report to the House the amount of revenue probably available for appropriation for the next fiscal year, and apportion the amount to the several appropriation bills within the jurisdiction of the committees empowered by the rules and practice of the House to report appropriations from the Treasury. This report, or supplementary reports to meet exigencies of the public service, may be made on any legislative day after the reading of the Journal, and when agreed to by the House shall limit the totals of the appropriations reported by the several committees.'

"You see, I provided that the committee should be composed of such ranking members of the Ways and Means, which I believe should be represented as the committee which deals with the levying of taxes; the Committee on Appropriations, and only the chairman and ranking minority member of the other appropriating committees, and the Rules Committee, so that the personnel taken from Ways and Means and Appropriations should equal the personnel taken from these other appropriating committees; that it is made the duty of that committee to submit to Congress at the beginning, or as early thereafter as possible, an entire budget, and to allot the various sums from that budget that can be appropriated for the various departments. In other words, if a budget of a thousand million dollars is brought in, that committee shall then, in presenting it, say that one hundred millions of this goes to the Army, one hundred and twenty-five millions goes to the Navy, one hundred and twenty millions goes to pensions—of course, I am dealing loosely in figures, as you gentlemen will understand—and so on down. And when the report of this committee is adopted by the House it shall be a limitation upon the appropriating power of each of the appropriating committees.

"That, in substance, is the plan, and this is what I hope to accomplish by it: A real consideration by Congress and, as a result of that, a real consideration by the American people of the budget as a whole. Our work in Congress to-day is all sharpshooting. We spend our time in discussing the particular items, fighting this item or that item. Now, that is important work. That is work that I would not eliminate from Congress, but it is not the whole work, and unless you have on the part of Congress a consideration of the budget as a whole, you will neither develop men of broad statesmanship nor will you present to the people any real question of economy in the administration of the Government, or any real issue on which parties ought to be formed and by which you can create party responsibility.

"As it is each bill comes in reported by a particular committee. It is examined with more or less care by the membership of the whole House, according as their particular interests may be in that matter, and it goes through the regular procedure, being first considered in the Committee of the Whole and then reported back to the House, then to the Senate, and from there, through conference and agreement of both Houses, to the President, and then becomes a law. But there are not many men in the House who could tell you the relative size of appropriations for war purposes, for instance, as against peace purposes, or for the machinery of government itself, aside from the actual things it does by that machinery. And yet those are the really important questions. What the people of America want to know about are these great totals. It is absolutely impossible to interest 90,000,000 people in the little details of legislation. But if you could present to them the fact that you have had a growth of nearly 100 per cent in the last 16 years in your appropriations, with only a corresponding growth of a little over 20 per cent in population, you have then a big question, one worthy of the serious consideration of the American people. Under this system the majority party would bring in its budget; the minority party attacks that budget; the majority party makes its record, and at the next election goes to the country and on that record stands or falls. Then you have a real issue and you have real party responsibility.

"One of the reasons that you are seeing the peculiar political condition where insurgency is rife in both parties is because, with the exception of that side of the budget which deals with the levying of taxes, you have had no real issue on which parties are made, and there is nothing that the people can consider. Now, while the individual legislator is important in government, I believe that you never get the highest results except through party responsibility, by party initiative, and by party criticism. The trouble with parties that the people complain of now vanishes when you have real issues that those parties stand and divide on, and when the people can get genuine relief from one system by taking up the party that advocates a different system. There is nothing of that kind to-day. There is not the slightest consideration of a budget in any true sense of the word; there is no way, unless you drag it in by the heels, whereby a man can properly make a speech on the floor of the House of Representatives dealing with the entire expenditures of the Government of the United States.

"Now, whether this reform can be brought about is a very serious question. I had hoped to present it before the organization of the present House that I might then have had the advantage of not undertaking to curtail the power of any particular man, because after your committees are formed, when you undertake a reform you are immediately confronted with the personal equation, and the personal equation is a very powerful factor in legislation and legislative reforms. But had it been possible to present this plan before the House committee were named, then no man could necessarily have known that his power would be curtailed. It is still my hope that this reform may take place. That it will take place in time I have not the slightest doubt, because it is inconceivable that we should long continue our present method. We have been peculiarly fortunate, we have had a country so wonderfully rich, we have had such unbounded resources that we could always raise revenue sufficient to satisfy even the most extravagant of parties or the most extravagant of administrations. But with budgets that are growing by leaps and bounds, with an annual expenditure of a billion dollars, we are approaching that time, if we have not already reached it, when we have to consider the capacity of the Government to raise money sufficient to pay this tremendous sum annually. And when that question becomes acute, when you have to face not simply the general policy of tariff, or whether you will levy a tax for protection purposes or for revenue purposes, but when you have to consider how you can raise enough money to keep from having a deficit, then you are going to have such a situation as will force a change in the legislative procedure whereby you will have consideration of a budget as a whole.

"Mr. Chairman, of necessity I have talked in a rather desultory way, and I do not know that I have covered the ground, yet there does not occur to me right now any further suggestion. Summarizing my remedy, so far as it be a remedy, it is, first, to make the Executive, through a single Cabinet officer, present a budget that has been considered not only by the individual heads of bureaus, but has been considered in regard to the relation of these totals to each other; and, secondly, the creation in the legislative branch of a committee that in its labors will have to consider the subject as a whole, and in its presentation to the House as a whole will require of it a similar consideration.

"If I have not made myself altogether clear and there is any gentleman who would like to ask any questions, I would be very glad to answer them, because sometimes I find that interrogation brings about clarity of statement very much more than an attempt to speak without interruption. Otherwise, I beg to thank you all for your attention."

THE WOOLEN SCHEDULE.

Mr. HUGHES of New Jersey. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of bill 11019, to reduce the duties on wool and woolen manufactures.

The SPEAKER. The gentleman from New Jersey moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill 11019.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. HAY in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 11019) to reduce the duties on wool and manufactures of wool.

Mr. HUGHES of New Jersey. Mr. Chairman, the experience we have passed through to-day shows it to be true that the less a Member of the House knows about what is going on the more time he consumes. We have wasted nearly four hours in the discussion of two resolutions, and we have wasted those four hours largely because the Members had not an opportunity to

inform themselves about them. It may be that that is the reason why the debate on the wool schedule has lasted so long.

A very distinguished gentleman, a former Member of another body, said at one time that there were not 10 men in the United States who understood the wool schedule, and when one of those gentlemen was taken sick consideration of that schedule had to be postponed.

I do not think that my efforts here this afternoon are going to demonstrate that I am entitled to be admitted to that galaxy of statesmen who are supposed to understand the wool schedule, but there are some things about Schedule K that I do know. It has often seemed to me that that is the best letter in the alphabet to designate that schedule. First, because K is the crooked letter of the alphabet. It stands for knavery and it stands for kite, a vulture that preys upon the people of this country. There are things in Schedule K which no man can fail to find if he gives the subject any study. They stand out like a sore thumb, and I propose to call the attention of the House to one of the worst discriminations which exists in that schedule; and I will claim for my party that, if we have achieved no other result, we will have justified ourselves before the people for the time that we have spent in the preparation and discussion of this bill by wiping out that one discrimination.

The gentleman from Kansas [Mr. MURDOCK] made a very interesting speech the other day with reference to worsteds, one that showed that he had given great study to that particular item of Schedule K. He criticized our side of the House, however, because we had not put worsted cloth upon the free list, and he did not give full credit to us for what we actually did to the gentlemen who have so long been able to control legislation with reference to that schedule. I have made somewhat of a study of that item myself, and it is an interesting subject. I doubt if I shall be able to impart even the little information that I have to the membership of this body this afternoon, but I shall do my best.

Manufacturers of woolen cloth may be divided into two classes, those who manufacture the soft woolen cloth and those who manufacture the hard-finished worsted cloth. I might say, in passing, that the former class is usually found on this side of the aisle and the latter on the other. The manufacturer of woolen cloth of the former class uses first-class wool, and the manufacturer of worsted cloth uses wool of the second class. Section 366 of Schedule K of the Payne law deals with this subject. I do not mean to say that the author of the Payne law is responsible for this situation and this state of affairs, because, so far as I can learn, it has existed since 1867; but the language of that act is so carefully drawn that first-class wool pays, when it comes into this country unwashed, a certain duty, and coming in washed it pays double that duty. While to the ordinary reader it would appear that they were both included in precisely the same category, yet it appears on investigation that second-class wool pays only one duty, whether it comes in washed or unwashed.

Mr. SHARP. Mr. Chairman, may I interrupt the gentleman there?

Mr. HUGHES of New Jersey. Certainly.

Mr. SHARP. Does that not arise from the fact that we have a specific form of duty rather than an ad valorem?

Mr. HUGHES of New Jersey. No; that has not anything to do with this particular fact. It is the language of the law, cleverly and cunningly drawn, presumably at the instance of a man who had something to be gained by legislation that results in this state of affairs. You can read it over and over again, and I venture to say, if no one has called your attention to it, that you will never discover the joker in section 366 of Schedule K. See how smoothly and plainly it reads:

> The duty on wools of the first class which shall be imported washed shall be twice the amount of the duty to which they would be subjected if imported unwashed, and the duty on wools of the first and second class which shall be imported scoured shall be, etc.

It thus leaves out of the classification entirely washed wool of the second class. Now, since 1867 men have been legislating with reference to this schedule. This language has been there all that time, and yet there was nobody who had sufficient interest, patriotism, and knowledge all at one time to correct the error. This has resulted very detrimentally to the gentlemen who are engaged in the manufacture of woolen goods which pay the double duty.

Mr. SHARP. May I ask the gentleman another question right there? I do not want to interrupt him continuously.

Mr. HUGHES of New Jersey. I have no objection.

Mr. SHARP. I merely ask for information. Does that not also work an injustice to a certain class of woolgrowers in this country?

Mr. HUGHES of New Jersey. Oh, undoubtedly it works an injustice to a certain class of woolgrowers in this country, because it gives an advantage to the worsted manufacturer. The worsted manufacturer is the manufacturer who consumes a great deal of foreign wool, and he is the competitor in the market of the woolen manufacturer, who consumes much of our home-grown wool. It gives him a tremendous advantage in more ways than one, and I will try to reach them in their order. In the first place the woolen manufacturer pays this high duty on his raw material, and the woolen weaver must pay that high duty on that raw material as compared with the low duty on the raw material of the worsted manufacturer. This gives him a tremendous advantage, and he has enjoyed that advantage since 1867. In addition to that, worsted wools coming in shrink considerably less than the other wools, so that the amount of duty or the amount of protection that the woolgrower receives depends upon the amount of wool there is left after it is scoured. Thus the worsted man bringing in his raw material has a considerable higher percentage of actual wool left after it is scoured than the man who brings in the other wool.

Mr. SHARP. Does not that illustrate what I sought to get at in my first question, that a specific duty does play an important part, because it has to do with the weight and not the ad valorem?

Mr. HUGHES of New Jersey. The specific duty plays a tremendous part all through this schedule.

Mr. SHARP. That is what I thought.

Mr. HUGHES of New Jersey. The point I was trying to make was that the language of the act, obstensibly dealing with first and second class wools, dealt with only one class, so that the manufacturer who uses one wool was paying a certain duty and the manufacturer who uses the other had to pay a double duty, giving an advantage to the manufacturer who used the foreign wool to the detriment and great distress of the manufacturer who relies upon the production of our own product. Now, not only was the worsted manufacturer benefited in that respect, paying only one-half the duty that is paid by his brother, the wool manufacturer, but he was also in receipt of a high tariff upon his by-products, because the worsted manufactnrer only uses the long threads or hairs of the wool, more suitable for spinning into tight twisted threads than the shorter forms of wool. In combing and laying those threads in a manner suitable for him and, proceeding with its manufacture into worsted yarn he removes the short threads and noils which are part of the raw material of his rival—the woolen manufacturer. Now, then, he receives his raw material at about half what his rival pays, and he is then in a position to sell back to him at more than double that duty the by-product which his rival must use. By a trick he gets the raw material at a low rate and he is permitted to charge this by-product at a rate which is prohibitory. Now, as I said, the worsted spinner when he imports raw material also benefits tremendously by the shrinkage, so that he gets his raw material in at about 15 cents a pound, and he gets 20 to 30 cents per pound on this by-product which must be purchased by his competitor. The present law has remedied all that. It applies a duty of 20 cents per pound——

Mr. RICHARDSON. I do not want to interrupt the gentleman, but I would like to ask for information, and I would be very glad if the gentleman will tell me what the percentage of manufactured wool is in the domestic market in this country.

Mr. HUGHES of New Jersey. What the percentage is——

Mr. RICHARDSON. What the percentage of the manufactured wool that is used at home, leaving a certain percentage to come in from foreign countries.

Mr. HUGHES of New Jersey. I think we produce, roughly speaking, about 50 per cent of the wool consumed.

Mr. RICHARDSON. Then that leaves an import of about 50 per cent, does it?

Mr. HUGHES of New Jersey. I think so; roughly speaking, about that.

Mr. RICHARDSON. But the gentleman is not accurate——

Mr. HUGHES of New Jersey. No; I do not pretend to be.

Mr. HARDY. I think the last showing was 327,000,000 pounds home production and 252,000,000 pounds, along about that, of foreign wool.

Mr. HUGHES of New Jersey. My recollection is that we produce about half the wool we need in this country. That varies from year to year.

Mr. RICHARDSON. The domestic market consumes about one-half of the manufactured wool, not of the raw wool, but of the manufactured wool, in this country.

Mr. HUGHES of New Jersey. I think the domestic market consumes practically all of the manufactured wool. I do not think we export to any great extent.

Mr. SIMS. What do I understand the gentleman to mean by the term "manufactured wool?"

Mr. HUGHES of New Jersey. I think the gentleman from Alabama meant cloth. I misunderstood him.

Mr. SIMS. The gentleman used it.

Mr. RICHARDSON. There is, of course, a difference between manufactured wool and raw wool.

Mr. HUGHES of New Jersey. I did not understand the gentleman.

Mr. SIMS. I thought manufactured wool ceases to be raw wool, and I understand is subject to the very highest competition with the world's manufactured wool, is it not?

Mr. HUGHES of New Jersey. At this time?

Mr. RICHARDSON. At this time; right now—1911.

Mr. HUGHES of New Jersey. Raw wool is in a competitive condition.

Mr. RICHARDSON. The highest order of competition.

Mr. HUGHES of New Jersey. Well, I would not say that. It is competitive now, because we import a lot of wool.

Mr. RICHARDSON. I merely wanted to get the gentleman's idea.

Mr. HUGHES of New Jersey. To show you how this schedule works out, the present law places a duty of 22 cents upon a pound of washed-down clothing wool. "Down" is a word used to designate a particular kind of wool. If that wool comes into this country washed at the present time—the short wool they use for clothing purposes—it pays a duty of 22 cents a pound. If, on the other hand, washed-down wool of the kind possible for the spinner to use, comes into this country, it pays a duty of only 12 cents a pound. The most remarkable thing about this whole wool schedule, it seems to me, is the fact that this has practically escaped the notice and knowledge of Members of the House and Senators who have legislated with reference to it. This is one of the most pronounced jokers in the woolen schedule.

The proposed law puts a duty of 20 per cent on all three classes of wool. There should be no difficulty about collecting that duty. Wool, as a rule, is sold at public auction in the London or Liverpool markets. The duty is collected on the value, and everybody knows precisely what a man pays for a cargo of wool when he buys it in the open market. Twenty per cent of that is collected from him before he is permitted to bring it into these ports. Whether it is washed, unwashed, or scoured, all these discriminations and classifications which it is impossible for the average man, or even for a highly intelligent man, to make anything out of when he is reading the present law have been wiped away. One schedule of the present law will say "that the duty on this item shall be two and one-half times as much as the duty on something else, and then 40 per cent ad valorem"; "the duty on a pound of this shall be half the duty on a pound of something else, and so much added ad valorem." It was intended, it seems to me, in cold blood, when this schedule was first brought into existence, to have it in such shape that it would defy the intelligence of men of ordinary understanding. [Applause on the Democratic side.]

The consequence of this situation is that the woolen manufacturer has been driven to a great extent from the field by his worsted rival. The importation of woolen goods has been largely of the woolen class and not of the worsted. Little of that made by the worsted man has come into this country. Of course, there are people in this country who insist on having the imported goods. There are men whom you and I know who insist upon having imported goods, and care little or nothing what the tariff may be, but so far as the ordinary citizen is concerned the worsted cloth that comes into this country does not affect the price of his clothing. The woolen man, consequently, has been ground between the upper and nether millstones of the competition of the worsted man at home and the foreigner abroad, because the worsted man was getting his raw material at practically half of what the woolen weaver was paying and the foreigner was not paying any tax upon his raw material at all. So that, so far as he was concerned, in a schedule which was highly protective they were not willing to be fair and divide with him and give him a part of the plunder. No. It was certain gentlemen who represented certain interests which were influential here who were able to arrange that schedule to the disadvantage of their rivals in business and the American people and reap the profits for themselves. [Applause on the Democratic side.]

The yarn spinner is the man who prepares the product of the worsted weaver. He takes that second-class wool which only pays one duty and spins it into worsted and sells it to the worsted weaver. He receives a shelter of protection to the extent of from 82 to 143 per cent ad valorem equivalent.

Here is another angle from which the joker can be seen. The worsted weaver can not protect himself against the worsted spinner unless he also becomes a worsted spinner, because the worsted spinners are in a position to charge him, by combining together, any percentage of the income of his business that they choose by raising the price of the raw material. So the worsted man is in a very fortunate position. I have a pamphlet issued by the carded-woolen people in which the worsted men are pictured riding in a boy's wagon behind a goat—the woolen man being the goat.

The worsted spinner, the worsted weaver, and the woolen weaver are all at the mercy of the men who produce their raw materials. The worsted weaver, if he is not also a worsted spinner, is probably in a worse position than the manufacturer of woolen goods, because the duty of 82 to 143 per cent makes it absolutely impossible for him to go anywhere else except to the worsted manufacturers of this country for his yarn. Out of all the goods that were imported into this country and all the worsted that is used, there were only 290-odd thousand pounds of yarn of an exceptionally fine grade imported into this country. The worsted spinner has the people and the worsted weaver absolutely at his mercy.

Mr. SHARP. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from New Jersey yield to the gentleman from Ohio?

Mr. HUGHES of New Jersey. Certainly.

Mr. SHARP. Inasmuch as the gentleman who has the floor and who is addressing the House hails from the State of New Jersey, I wish to say that during a recent visit that I made to my home, one of the largest retail merchants in my home town, in a conversation regarding the wool tariff, told me—and he is of the opposite political faith, he being a Republican—that in the last few years the price on a certain high grade of cloth had been raised to him about 75 per cent. He referred, I think, to the American Worsted Co., of the State of New Jersey, and he characterized it as one of the most powerful trusts there was in existence to-day. I would like to ask some information from the gentleman, if he is able to give it, upon the operations of that so-called trust.

Mr. HUGHES of New Jersey. Well, we have a lot of mosquitoes in New Jersey, and we have a lot of trusts in New Jersey, and I have some doubts as to which of those two classes of pests is the most numerous. [Laughter.] The existence of a Woolen Trust would not be likely to attract my notice, being an inhabitant of the State of New Jersey, unless it was specifically called to my attention; but I am not sure but that the organization to which the gentleman refers is in my district, and I am a little bit uneasy as to just what effect the speech I am now making will have upon them. [Laughter.]

Now, one of the results of the present law—that is, the present Payne law, which ought to interest the woolgrowers—is this: When the price is high, and on account of the heavy shrinkage, the woolen man finds it difficult to pay for wool produced at home, or on account of the tariff tax and shrinkage to pay for wool produced abroad, being beset at the same time by the competition of the worsted manufacturers, whose product is side by side with his own in every tailor shop in the land, he is compelled to betake himself to substitutes for wool, such as cotton and shoddy. Now, it seems to me that there is something that ought to draw the attention of gentlemen who are supposed to be, and I know are, sincerely interested in the welfare of the wool producers of this country. They are supposed to be receiving 11 cents per pound protection, but really they compete with the light-shrinking wool that finally comes into competition with them, and it transpires that they are receiving a protection of only 6½ cents a pound under the present law. Yet that 11 cents has been dangled out before their eyes, and they conscientiously believe they have been receiving it all these years, and in return for that they have been asked to stand for the robbery and plunder of the balance of the American people at the hands of these manufacturers. [Applause on the Democratic side.]

I believe that one effect of this bill will be to increase the consumption of home-grown wool, because it will put the woolen man and the worsted man more on an equality. It will give the woolen man "more of a chance," as the boys say, "for his white alley." There have been many wool factories in this country, the owners of which have been driven into exile and the mills themselves shut down on account of the inequalities and discriminations of this legislation, and yet, strange to say, it is only within a very short time, so far as I can learn, that

they have discovered what was the matter with them and uncovered the inequalities of the law.

Here is a bulletin published by the Carded Wool Manufacturers' Association of Boston, which I wish every Member of this House would procure for himself and read. It is absolutely amazing to think that men of brains and intelligence sufficient to enable them to acquire fortunes and take care of themselves in the ordinary channels of trade and commerce should so long have been abused in this way without actually knowing that it was taking place.

The gentleman from Illinois, my good friend Mr. MANN was discussing the question of shoddy the other day, and he delivered himself of a rather peculiar line of philosophy, I thought, when he objected most strenuously to permitting our own people to be robbed and swindled by the sale of shoddy, but thought it was a good practice for us to carry on those tactics abroad. I will say that I have not investigated and do not know how much shoddy we do use, nor how much percentage per capita, but he left the impression with the House, or at least on my mind, that the reason we were not consuming much shoddy in this country was because we were consuming a tremendous amount of wool and were getting good, warm wool in our clothing instead of shoddy. He proudly pointed out the fact that the soldiers of our country were the only soldiers of any country who were clothed in wool. Well, I happen to know that that statement is partially true, at least it was true in 1898, that the American soldiers were clothed with wool, because they sent us, clothed in heavy woolen suits, down to Jacksonville, Fla., in the middle of the summer; and strangely enough, when cooler weather came, when September and October rolled around, and we were ordered to go North again, they issued to us khaki clothing. [Laughter.]

But I have investigated the figures as to the consumption of wool in this country, and I find that we consume 7.11 pounds per capita annually, while in England, where the condition of the workingman is supposed to be so vastly inferior to our own, I find that they consume 8.91 pounds per capita annually; and those figures are for home consumption entirely. They do not include the amount of wool actually used and exported; for if they did, we would find that as against 7.11 pounds used in America annually per capita the consumption of wool in England is 19.62 pounds, showing conclusively that for some reason or other, despite the tremendous prices that the American people pay for their clothing, they are not getting clothing made of wool. I do not know whether it is made of shoddy or paper or this stuff that they put into the trusts when they overcapitalize them—water. I do not know what it is, but I do know that it is not wool, because the per capita consumption of this country shows that we are not being clothed with wool.

Mr. MANN. Will the gentleman yield for a question for information?

Mr. HUGHES of New Jersey. I will be delighted.

Mr. FOWLER. Will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. HUGHES of New Jersey. I yield to the gentleman from Illinois.

Mr. MANN. I should like to ask the gentleman where he gets his figures as to the amount of consumption of woolen products and how he arrives at the figures?

Mr. HUGHES of New Jersey. I got the figures of the English consumption from the report of the board of trade of England.

Mr. MANN. I mean in this country.

Mr. HUGHES of New Jersey. I must admit that I got that from the report of the Committee on Ways and Means. The gentleman will find in that report that the annual consumption in this country is stated to be 7.11 pounds. I have no doubt the figures are correct.

Mr. MANN. I have seen those figures questioned. That is the reason I ask.

Mr. HUGHES of New Jersey. I have made no independent investigation of that.

Mr. HARRISON of New York. Will the gentleman from New Jersey add that the per capita consumption of wool in this country is considerably less than it was 20 years ago?

Mr. HUGHES of New Jersey. Yes; that is true. It is less at this time than it was 20 years ago. I think at some period between then and now it has been greater, but it is less now than it was 20 years ago.

Mr. FOWLER. I desire to ask the gentleman if the consumption of wool in America was not the greatest when we had free trade in wool in America?

Mr. HUGHES of New Jersey. That is my recollection; yes.

Mr. FOWLER. I will ask if the last year of the Wilson bill did not show a greater consumption of wool in America than at any other time, previous or subsequent.

Mr. HUGHES of New Jersey. I think the gentleman is correct.

Mr. PAYNE. The gentleman has not the statistics on that, has he?

Mr. MANN. I think the gentleman is misinformed.

Mr. HUGHES of New Jersey. I think the gentleman from Illinois is correct. I do know that the woolen weaving industry flourished during that period more than at any other time in its history.

Mr. FOWLER. I desire to inquire if in 1897, the last year of the Wilson bill, there was not consumed in America 601,000,000 pounds of wool, the greatest year of consumption before or since?

Mr. HUGHES of New Jersey. I am not familiar with those figures; I have no doubt they are correct.

Mr. FOWLER. I desire to say that the report on wool from 1840 to 1910 shows that in that year—1897—there were 601,000,000 pounds of wool consumed in America, and in the last year there was 581,000,000 pounds. Now, I desire to ask one more question and then I am done.

Mr. HUGHES of New Jersey. So long as the gentleman does not care whether I answer or not.

Mr. FOWLER. No. The gentleman said that if we could get a reduction on wool we could get good woolen clothes instead of having clothes not made out of wool, and that there had been watered stock put in some companies manufacturing woolen goods, or to that effect. I want to ask the gentleman if it is not a fact that they have also put in electricity, which is verified by the rapidity with which they are going down into our pockets and taking our money for shoddy goods? [Laughter.]

Mr. HUGHES of New Jersey. I am glad that the gentleman does not insist on an answer.

Mr. PAYNE. Mr. Chairman, I want, with the permission of the gentleman from New Jersey, to commend the gentleman from Illinois to the study of the report, when he will find that the majority of this wool that he says was consumed was carried over in subsequent years. I think as high as a million pounds was carried over from one year to another. He will find that it was not consumed, although it was imported and dumped in here; it was carried over, and not consumed for some years afterwards.

Mr. FOWLER. Mr. Chairman——

Mr. HUGHES of New Jersey. I will say to the gentleman from Illinois that the statement he is about to put in the RECORD has been put in, to my knowledge, two different times. The gentleman from Illinois, in his speech, referred to that statement, and I think the committee understands it. There is no doubt about the accuracy of the figures the gentleman has. The question is whether or not the wool was imported for consumption in one year, or whether it was imported and carried over?

Mr. FOWLER. I wanted to ask the gentleman from New York how he accounts for the fact that in 1895 there was 509,000,000 pounds of wool consumed in America—a greater number of pounds than any previous year to that date?

Mr. HUGHES of New Jersey. I would suggest to the gentleman from Illinois that any question he desires to ask the gentleman from New York had better be addressed to him when the gentleman from New York makes his speech.

Mr. FOWLER. I beg pardon of the gentleman, because I did not want the gentleman to make a statement that there was wool carried over for that year.

Mr. HUGHES of New Jersey. The gentleman from New York is going to address the committee on the subject, and I have no doubt ample opportunity will be given the gentleman from Illinois to discuss that important feature of the bill.

Mr. Chairman, before I leave this branch of the subject I want to call the attention of the committee to the bulletin issued by the carded woolen manufacturers, under date of May 11, and I call attention to this paragraph. It occurs in a letter written by Edward Moir, the president of the Carded Woolen Manufacturers Association, the industry that is so discriminated against in the present legislation. He says:

I desire also to call your attention to the common belief that the prohibitory duties on heavy shrinking wool benefit the American wool-grower by forcing the manufacturer to use American wool. That is a great mistake. There is a well defined and by no means elevated limit to the price the buyer will pay for wool cloth. When that limit is passed the buyer turns to cloth made of mixtures of cotton, wool, and shoddy in order to get the goods at the price desired. The effect of these prohibitory duties on heavy shrinking wool are unmistakable. They benefit the worsted spinner by oppressing his competitor the carded woolen manufacturer. They force the consumers to clothe

themselves with mixtures of cotton, shoddy, and wool. They injure the woolgrower by bringing into disrepute the tariff that should protect him.

The only complete remedy for the inequalities in the duties on wool are ad valorem rates. Such rates are fair to all, woolgrower, worsted spinner, carded-woolen manufacturer, clothier, and consumer. If the present specific tariff were changed to an equivalent ad valorem tariff, the effect would be to raise duties that are now below the average and to lower the duties that are now above the average. In other words, it would be equalization.

Mr. Chairman, in closing I want to say a few words about a subject which seems to cause great concern to our friends on the other side of the aisle, and that is the effect of this legislation upon the laboring classes of the country. I will say at the outset, if it was proposed in this bill to reduce the tariff to such a point that there would be serious danger of making it impossible for the manufacturer in this country to pay living wages, a desire on the part of anybody to lower the tariff to such an extent that it would be impossible for the American manufacturer to pay living wages to his men, why, then, gentlemen on this or the other side of the House are going to have difficulty in getting me to go along with them.

Mr. MANN. That is what we think.

Mr. HUGHES of New Jersey. I do not anticipate any trouble, however, on that score, because I have worked myself in the factories of the country, and I have worked for very low wages, and I do not think that all of the time I was employed in factories in the city of Paterson that I averaged a dollar a day, taking into account the time that I lost. I want to tell you something else. Your campaign book in 1905 published the amount of wages paid to the silk operatives throughout this country and the number of operatives engaged in such industry, and one day, having nothing else to do, I divided one into the other, and I found that, although this industry is protected to the extent of 50 per cent or more ad valorem, the wages received by the operatives in that particular industry amounted to the munificent sum of $335 per year.

Now, think of it! I will tell you something else when you get to talking about foreign competition with American labor. The fiercest competition that the silk manufacturers in the city of Paterson ever met did not come from abroad. Oh, no; it came from the State of Pennsylvania, where these gentlemen come from who are inveighing against a revision of the tariff for fear of injuring the laboring man. The situation existing up there in Pennsylvania was absolutely ideal for their purposes. Why, there the big, brawny men were working in the mines and the little boys were picking slate out of the coal as it shot down the chutes. Oh, I have seen them with their hands bleeding—little fellows who ought to be at home being attended to and taken care of by their mothers—I have seen them with their nails bleeding from the constant impact against the sharp corners of the slate. The men were employed and the boys were employed. There remained only to find some way of employing the infant girls. Suddenly some genius thought of the silk business—that was the thing. They came to my town and they enlisted the services of the manufacturers and showed them what a world of cheap labor there was to be had—a part of the miner's family which was not now being used. They induced the manufacturers to go up there; they built them their factories for nothing; they gave them coal at $1 a ton the year around; they remitted their taxes for 10 and 15 years; and they put these little girls to work. Took them out of the fields and off the hills, away from the schools, the prettiest and nicest little girls a man ever looked at. I have seen them up there, red cheeked, healthy, happy-eyed children, doomed for the future to pass their lives within the four brick walls of the silk mills of Pennsylvania. I saw them there working, and I saw the pay rolls.

I saw girls doing work in one mill in the State of Pennsylvania for $4 a week, and the scale in the city of Paterson then being paid was from $15 to $21. [Applause on the Democratic side.] Now I will yield to the gentleman.

Mr. J. M. C. SMITH. Do you think that removing the tariff would be a benefit or better the condition of the laboring men in this country?

Mr. HUGHES of New Jersey. My dear sir, I am coming to that in a moment, because I have been under the impression always, and I am still under the impression, that the tariff has nothing to do with wages [applause on the Democratic side], as the gentleman from Wisconsin very well said yesterday.

Mr. J. M. C. SMITH. And state, if you please, if there is any country that the sun shines on when it goes from east to west around this globe where the laboring man is so well fed, clothed, so well paid, and so happy as in the United States of America. [Applause on the Republican side.]

Mr. HUGHES of New Jersey. The gentleman can get time to make his speech. I have heard that statement so often it makes me tired. [Applause on the Democratic side.]

Mr. MANN. The truth generally hurts——

Mr. HUGHES of New Jersey. Mr. Chairman, I am not prepared to say now there is any country where the condition of the laboring man is better than it is here, for, unfortunately, his condition is bad in a great many countries; but I will say, just as did the gentleman from Wisconsin on yesterday, that the wages and condition of workmen are fixed by a great many different contributory circumstances; and as he justly said, and as the father of HENRY GEORGE said before him, the land values in this country are one of the controlling things in fixing the wages in this country. So long as there are free lands here, so long as the price of agricultural labor is high, all labor will be high. The iron law of wages, of which Adam Smith speaks, arranges it so that a man will get enough to carry him into the mill the next day strong, vigorous, and able to give an entire day's work to his employer; the very law of wages fixes that in every corner of the globe. But you take the stand that you are doing something for the American laboring man when you enable his employer to plunder the people. You say to him, "I will give you part of the plunder," but he does not get it. [Applause on the Democratic side.]

I do not deny that the protective tariff, if carried to its logical conclusion—a combination or monopoly formed to take advantage of it—I do not deny that that will enable these gentlemen to pay high wages. But it does not compel them to pay those wages. If the billion or nearly dollars' worth of watered stock of the Steel Trust, that it now compels us to pay dividends on, had not been issued and that money was in the treasury of that company instead of going out in dividends on that watered stock, why of course they could pay tremendously high wages. I say while it enables them to pay high wages it does not compel them to pay high wages. [Applause on the Democratic side.]

Mr. SLOAN. I would like to ask the gentleman if he indorses the taxation system of either HENRY GEORGE, or his distinguished father?

Mr. HUGHES of New Jersey. I do not know if the gentleman has ever read any of the articles——

Mr. SLOAN. I think I have read nearly all those of the elder and have heard some of the speeches of HENRY GEORGE, Jr.

Mr. HUGHES of New Jersey. I am sure the gentleman will agree with me, I find it very difficult indeed to disagree with the elder Mr. George.

Mr. SLOAN. Do you agree with him?

Mr. HUGHES of New Jersey. To a large extent I do.

Mr. SLOAN. Does the gentleman's party agree with him?

Mr. HUGHES of New Jersey. Oh, I am not speaking for my party.

Mr. HARDY. What has that to do with this question.

Mr. SLOAN. HENRY GEORGE and HENRY GEORGE's father are noted for distinctive ideas on taxation——

Mr. HUGHES of New Jersey. I suppose the gentleman is referring now to the single tax?

Mr. SLOAN. Yes.

Mr. HUGHES of New Jersey. And I want to limit my answer to that.

Mr. SLOAN. More particularly that.

Mr. HUGHES of New Jersey. And so I say I find it very hard indeed to escape the conclusions drawn by Mr. George in such of his works as I have read.

I never heard a joint discussion between a single-taxer and a man opposed to the idea. There may be a good many arguments to be made on the other side of the proposition with which I am not familiar and which might affect my mind. But I must say that he seemed, so far as I have been able to observe, to make it very difficult, indeed, for a fair-minded man, with no preconceived convictions on the subject, to disagree with him.

Mr. SIMS. In the city of Washington we have the single tax where Congress legislates only, and intangible property, such as stocks, bonds, or anything of that sort, goes scot free. You want a single tax where Congress makes all the laws you have.

Mr. SLOAN. Do you want it in Tennessee?

Mr. SIMS. If I was like some of these millionaires here, with my property in bonds and stocks, I would want it here and be scot free of taxation.

Mr. HUGHES of New Jersey. I want to assure the gentlemen on the other side of the aisle, that so far as I have been able to gather from my investigation of the subject, nobody has claimed that the labor cost of any of the articles contained in the different items of this schedule in any case exceeds 25 per

cent. So that we are levying upon every item more than the amount of the total labor cost involved. Now, if gentlemen are fair and candid, they ought to stop talking about the inability of the American manufacturer to pay American wages, when in addition to the wages he does pay before he can bring his goods into the ports of this country he must pay a sum which is more than equivalent to the total labor cost of the article. [Applause on the Democratic side.]

The wages paid in the woolen industry will stand examination, and the figures of the last census show—not the figures under the present census, which I think will show an increase, but the figures of the last census—that the average wages received in the woolen industry are $364 a year. Now, right at that point I want to read you——

Mr. FITZGERALD. What is the average duty on wool and woolen goods?

Mr. HUGHES of New Jersey. The average duty is about 92 per cent, I think.

There is a pamphlet here headed, "The wool manufacture in America and Europe."

This company is in my district, at Passaic, N. J. Mr. Forsman is former president of the German tariff commission, and he is making a plea for the retention of the present duties. He employes three or four thousand hands in my district. This is one of the claims he makes why the present duty should be retained. This is one of the disabilities under which, he says, he labors:

> The operatives in American woolen mills, in spite of the very much higher wages paid, are largely drawn from the ranks of unskilled labor. And whence does this unskilled labor come? There is little of it among native-born Americans. It is taken from the steady flow of immigration into this country.

[Applause on the Democratic side.]

Here we have the situation. This gentleman insists upon an ad valorem tariff duty upon the things he sells, to wit, worsted and woolen goods, but at the same time the thing that he buys is coming in free at every port in this country.

Mr. HULL. Will the gentleman yield at that point?

Mr. HUGHES of New Jersey. Yes.

Mr. HULL. Do not the statistics show that more than 60 per cent of the total mill employees in the country are foreigners?

Mr. HUGHES of New Jersey. It is my recollection that more than 60 per cent of the employees throughout the country are of that character.

Mr. HULL. The very character of labor about which they complain in other countries.

Mr. DYER. Will the gentleman yield?

Mr. HUGHES of New Jersey. I would like to go on, but I will yield.

Mr. DYER. The gentleman presents some tables in that statement, and I would like to ask him if he has examined them as to the wages paid in Germany and this country, and I would like to ask him, if he has examined them, to state whether or not they are correct.

Mr. HUGHES of New Jersey. I think they are not. I think they are substantially incorrect; but I examined them nevertheless. Now, I would just like to say this: Anybody who knows anything about the labor question knows that the real cause of high wages in any line of industry is close, compact organization.

You will find men in industries that are capable of being organized receiving high wages. You will find men in industries that under present conditions are incapable of being highly organized receiving low wages. One of the things that the American workingmen ask at the hands of Congress is an opportunity to organize. They ask that they be not selected especially for the operation of the horrible writs of injunction which are never invoked against anybody else in the manner in which they are invoked against them. Now, instead of passing high tariffs, for which the workingmen are not asking you, if you really wanted to favor the American workingman why did you not, when you were in power all these years, pass an effective anti-injunction law that would permit him to go on strike and enable him to get some of the benefits which you give the manufacturer with the understanding that he would give part of it back to his workingmen in the form of higher wages? [Applause on the Democratic side.]

Mr. MARTIN of Colorado. Mr. Chairman, will the gentleman yield for a question which I believe is not considered by him irrelevant, and that is this——

The CHAIRMAN. Does the gentleman from New Jersey yield to the gentleman from Colorado?

Mr. HUGHES of New Jersey. Certainly.

Mr. MARTIN of Colorado. I would like to know if, in the opinion of the gentleman, any tariff legislation will appreciably benefit the condition of the wage earners in this country?

Mr. HUGHES of New Jersey. Does the gentleman mean tariff legislation now, or as a general proposition?

Mr. MARTIN of Colorado. As a general proposition.

Mr. HUGHES of New Jersey. As a general proposition, no. Why should the manufacturer be expected to share with his workingmen? If I were dying to-night and were leaving money for my wife and my children, intrusting it to somebody, I would try to put him under bond, even if he were my closest friend; and in the same way why should we turn over to the manufacturer the opportunity to plunder the American people on his mere say-so that he, without giving bond of any kind, will turn over part of the plunder to somebody else? [Applause and laughter on the Democratic side.]

Mr. MARTIN of Colorado. Will the gentleman permit a word further just there, rather in the way of explanation?

Mr. HUGHES of New Jersey. Yes, sir.

Mr. MARTIN of Colorado. My view being that no tariff legislation, in view of modern industrial developments and conditions, will tend appreciably to solve the economic and industrial problems confronting the wage earners in this country. [Applause on the Democratic side.] In other words, I think the tariff is very largely a sham issue and a humbug, whether it is high tariff, low tariff, or no tariff, in so far as it involves the welfare of the American wage earner and the solution of the great issues that are really pressing upon the American people for solution. [Applause on the Democratic side.]

Mr. HUGHES of New Jersey. It might be possible for the American workingman to benefit from the tariff if he could effect a close and compact organization. For instance, if he could protect himself against immigration, if he had the genius to organize all the different branches of the different industries so that he himself could become a monopolist, so that he could say to the other monopolists, "When you are stealing from the people, steal enough for me and give it to me." [Applause and laughter on the Democratic side.] It might be possible for him then to benefit. But as it stands now, you give a monopoly to the manufacturer. You say: "We protect you from competition," and the 10 manufacturers, say, who were formerly operating independently, combine and raise the price and get the benefit, and simply refuse to carry out their compact and bargain. They go to the four ends of the earth to get cheap labor to enable them to evade the solemn obligations they entered into to pay part of their profits back in high wages to the American workmen. [Applause on the Democratic side.]

Mr. ALLEN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from New Jersey yield to the gentleman from Ohio?

Mr. HUGHES of New Jersey. Yes.

Mr. ALLEN. The gentleman has undoubtedly received letters, as a number of us have, to the effect that certain reductions in the duties or the tariff taxes mean the cutting of the wages of the employees in the manufacturing concerns?

Mr. HUGHES of New Jersey. Yes, sir.

Mr. ALLEN. Has the gentleman ever received a letter saying that it might reduce the dividends by a tenth of 1 per cent or cut the salary by 5 cents of an officer of the concern? [Laughter on the Democratic side.]

Mr. HUGHES of New Jersey. I do not think that question needs any answer. It answers itself. It used to be the common practice in this country, at the close of a campaign, for the manufacturers to post notices in their mills to the effect that if the Democrats elected a President their employees need not come back to work on Wednesday morning after election day, the election taking place on Tuesday; and on two different occasions, as I remember, after they had elected a Republican President, within a week after the election, there were strikes against reduction of wages.

Mr. SIMS. On account of what?

Mr. HUGHES of New Jersey. Oh, on account of the fact that the election was over. [Laughter on the Democratic side.] They did not need them again for four long years, and by that time a high percentage of them would be replaced by workers from other lands and other climes. [Laughter and applause on the Democratic side.]

Now, gentlemen, I cut out of the New York World a clipping sometime ago, when gentlemen were discussing generally the operations of the Steel Trust and when that organization was being lauded throughout the country on account of the way it treated its men. That clipping stated that at that time the steel strikers numbered 20,000 and were rapidly organizing. A reading of the body of the clipping shows that these men were

striking for 15 cents an hour, for a 10-hour day, 6 days to constitute a week's work. Now, you know what the average ad valorem protection is upon steel. I sat in the Ways and Means Committee room when the distinguished gentleman from New York [Mr. PAYNE] was chairman of the Committee on Ways and Means, and heard Mr. Miles, of Wisconsin, beg that committee to put his product upon the free list if they had to, in order that he might get free raw materials and extend his business to all the four quarters of the earth. He said that at that time not only had the Steel Trust control of the steel situation, not only had they control of the wages of the workingmen, but that they had control of the manufacturers of this country; and he said: "Gentlemen, in the name of God, take the fingers of this Steel Trust from my throat, so that my children and my children's children may not be compelled to be their servants." [Applause on the Democratic side.]

As I recollect the figures—I do not pretend to state them accurately—he then said he was compelled to pay $1.40 a hundred for steel billets laid down in Pittsburg, like those which the German manufacturer could buy laid down in Antwerp for $1 a hundred. If that is not substantially correct, I trust the gentleman from New York will correct me. I do not pretend to quote the figures with absolute accuracy, but that is my recollection.

Mr. PAYNE. I recollect very well that when the proposition was made to put agricultural implements, which Mr. Miles made, upon the free list, he came around and objected most strenuously.

Mr. HUGHES of New Jersey. Yes; I know. I will say that the statement which I have made will not be found in the printed hearings. You will find, if you examine it, that Mr. Miles's statement, as contained in the printed hearings, does not contain any such statement as that which I have made upon the floor.

Mr. MANN. That could only be because Mr. Miles himself took it out.

Mr. HUGHES of New Jersey. Oh, certainly; I understand that.

Mr. PAYNE. Mr. Miles had the freest opportunity to revise his statement, and to put in anything that he wanted to, and to take out anything that he wanted to.

Mr. HUGHES of New Jersey. I understand that.

Mr. MANN. Was not that a sort of fraud upon the committee? I think we are agreed about Mr. Miles.

Mr. HUGHES of New Jersey. Yes.

Mr. GARNER. With reference to the price of steel billets in Pittsburg and Germany, was the statement of Mr. Miles correctly quoted by the gentleman from New Jersey [Mr. HUGHES]?

Mr. PAYNE. I do not recall his statement as to the exact difference.

Mr. GARNER. But there was a difference?

Mr. PAYNE. But I know that the committee made a very substantial cut.

Mr. GARNER. Was there a difference in favor of the steel billets in Germany as against the Pittsburg mills?

Mr. HUGHES of New Jersey. Oh, yes.

Mr. PAYNE. I can not recollect what Mr. Miles said about that.

Mr. HUGHES of New Jersey. I do not think the gentleman quite understands me.

Mr. PAYNE. As you will recollect, we had accurate information before the committee as to the cost of steel billets in this country and in Germany.

Mr. HUGHES of New Jersey. I did not intend to say, and I think the gentleman from Texas thought I said, that the Steel Trust was selling at one price in Pittsburg and at another price in Germany. That was not my statement. They may have been doing that, and I understand they were doing that very thing at that time; but the point I was trying to make was that the German manufacturer of steel laid down steel billets at Antwerp at $1, and the Steel Trust laid down steel billets at Pittsburg at $1.40, being enabled to charge that much more by reason of the tariff.

Now, why was that difference allowed? That 40 cents a hundred was given to the Steel Trust in order that it might pay living wages to American workingmen and enable them to clothe and feed their families and bring them up according to American standards. That is what it was given to them for. Now, what did they do with it? We find 20,000 men on a strike so that they might get $1.50 for 10 hours a day, and 6 days to constitue a week's work. We found afterwards in that great State of Pennsylvania, in this very strike, men were working as high as 17 hours a day and 7 days in a week. The Pittsburg Survey, which the gentleman from Wisconsin referred to, showed that the conditions in the city of Pittsburg were such that the men's wages were based on the ability of a single man in lodgings to live, and that once a man was hampered by a single dependent, a wife or a child, he must begin to go down to the slough of despond, where he belongs who spends every day more than he can earn. That is the situation that the Pittsburg Survey found in the highly protected State of Pennsylvania.

If you want to be friendly to the American laborer, as I stated before, instead of passing high-tariff legislation, which he has not asked for, give him the legislation that he is clamoring for.

Mr. MANN. Why do you not do it? You have control of the House.

Mr. HUGHES of New Jersey. But we have not control of the other body.

Mr. MANN. Why do you not do it now?

Mr. HUGHES of New Jersey. This minute?

Mr. MANN. Yes; instead of tariff legislation, why do you not pass their bill?

Mr. HUGHES of New Jersey. In order to relieve the mind of the gentleman from Illinois, and I know he is wrought up over it, I will say that the chairman of the Judiciary Committee [Mr. CLAYTON] has introduced a bill, and in the fullness of time I have no doubt it will be reported favorably to the House, which divides contumacious conduct into direct and indirect contempt of court, and strikes out of the hands of the employer of labor one of the weapons they have heretofore used for oppressing and plundering the men who work for them.

Mr. MANN. The gentleman knows that there are thousands of bills introduced in the House.

Mr. HUGHES of New Jersey. But this bill will be reported, and I have no doubt will pass.

Mr. CARLIN. Will the gentleman from Illinois vote for it when it comes before the House?

Mr. MANN. I will determine that question when it comes before the House.

Mr. HUGHES of New Jersey. I have no doubt that the gentleman from Illinois will knock out a comma here and a period there, and finally vote for the bill. [Laughter.]

Mr. MANN. I have no doubt it will take a grammarian to perfect it. [Laughter.]

Mr. HUGHES of New Jersey. I would rather have the scrutiny of the gentleman from Illinois than not because I am very anxious that it should be a good bill. Now, Mr. Chairman, I have been in the House some time, and I have got over referring to myself as a new Member. [Laughter.] I notice that when gentlemen on that side of the House are considering the trust question they are very much afraid that they are going to do something detrimental to the workingman, and when they are considering the workingman they are very much afraid they are going to hurt the trusts. [Laughter and applause.]

The American workingman, after all, only asks for a square deal. He asks that this country be kept abreast, as far as legislation is concerned, with other great nations of the world. It is enough to bring the blush of shame to the cheek of any man who is proud of this country to know that it is practically now a crime for an organization, the members of which are engaged in producing a product that may become the subject of interstate commerce, or are engaged in interstate commerce itself, to strike. There is not the slightest doubt in my mind—and I have been engaged in many injunction suits and have defended labor men against the charge of conspiracy—I say there is not the slightest doubt in my mind but that a strike of trainmen on a railroad engaged in interstate commerce is a violation of the Sherman antitrust law. That should not be. There is nobody on this side of the House, and I believe a very negligible number on either side, who does not think that that situation should be remedied.

In England, as soon as the first intimation was received that the courts intended to hold that an organization of labor, acting within the purposes of its organization, going upon a strike and doing anything lawful and peaceable to make the strike successful—as soon as Parliament found that the courts would decide that that might be unlawful, they immediately passed a bill distinguishing organizations of labor from all other organizations and making it lawful for them to do what it might be unlawful for other organizations to do. That is in England, where they do not pretend to have established a fiscal policy solely for the benefit of the laboring man.

Mr. MARTIN of Colorado. Mr. Chairman, will the gentleman permit a question?

Mr. HUGHES of New Jersey. Yes.

Mr. MARTIN of Colorado. Has the gentleman heard that the first labor injunction issued by a court in this country was based upon an English decision to cure and prevent the repetition of which the English statute was passed?

Mr. HUGHES of New Jersey. Yes; I am familiar with that. I am familiar with the fact also that this anti-injunction question, which is a burning issue—I do not know whether you gentlemen are all aware of it or not—which is a burning issue in this country, has been settled in England, and surely we ought to be able to keep fairly abreast of that nation. We are so fond of pointing to her, making her the background upon which to show up our own superiority in every way, that it seems to me we ought to make an honest effort at least to give the American workingman the same chance to fight for his life and the life of his little ones that England gives the English workingman. [Applause on the Democratic side.]

In the Westmoreland mining district there is a strike on at the present time, and the first thing that mine operator did, as is usually done in all such cases, was to get control of the local criminal machinery—the local judge, whom we must not recall; the prosecuting attorney; the sheriff—all the machinery for the operation of the criminal law was seized at once. All of those officers, perhaps, were put in office by the manufacturer or the coal operator, and in Westmoreland we have that situation. We had these men down here before the Committee on Rules begging that an investigation be held.

Testimony was given to show that these men went on strike, and that immediately, in pursuance to the usual custom, an injunction was issued against them and they were forbidden to meet. When they did meet the sheriff's deputies, men sworn in by the sheriff and paid by the coal miners, shot them down, and 20 of those striking miners were killed during the year and a half that this strike has lasted. Why, you talk about Russia! Does any man here dare to say that that could happen in any civilized country in the world except this? And it could not happen here but for the one thing, as one of these men said in the hearings, that these are a lot of poor, ignorant foreigners, who were brought over to drive down the wages of the American workingmen; and they have no idea of their own rights, no influence, and receive little or no sympathy from the people in the surrounding community. Those things are the things that drive the wages down. That is the situation that prevents the American laboring man from getting his share of that which you so lavishly dispense to the manufacturer; and I hope we will do one of two things: I hope we will either shield the American laboring man from this influx of immigration to an extent that is practicable, because I am no extremist in that regard, or else that we will relieve him, on the other hand, from the oppressions of the monopolies which charge him extortionate prices for that which he must have.

Mr. Chairman, in closing I will say that I think this is a good bill. I think it is a step in the right direction. I am one of those who, if we had power, would not rush hastily into a reckless revision of tariff schedules. I do not know that I ever heard any other man in this House say that he was in favor of a schedule-by-schedule revision before I said so. Two years ago, speaking on the Payne law, I took that position—that schedule-by-schedule revision was the way to handle this tariff question—because I do not believe any party ever was elected or will be elected that is powerful enough to meet the combined interests that are represented in all these tariff schedules. You can see the fight that the Woolen Trust is able to put up now on this one.

Mr. WEEKS. Mr. Chairman, will the gentleman yield?

Mr. HUGHES of New Jersey. Yes.

Mr. WEEKS. The gentleman from New Jersey has just stated that this is a step in the right direction. Can he inform the House what, in his opinion, will be the last step in this direction?

Mr. HUGHES of New Jersey. No; it all depends upon circumstances.

Mr. WEEKS. How soon will the next step be taken?

Mr. HUGHES of New Jersey. Oh, the gentleman is not asking his question in good faith?

Mr. WEEKS. Yes; I am.

Mr. HUGHES of New Jersey. Well, I do not know. I would advise the gentleman to consult a clairvoyant. [Laughter.] I am neither the prophet nor the son of a prophet.

Mr. WEEKS. I am doing the next best thing, consulting a Representative on the Democratic side of the House who is talking.

Mr. HUGHES of New Jersey. Oh, we have 226 men over here, and at least 225 bosses, so you will have to go elsewhere for your information.

Mr. MANN. The gentleman speaks of only one who is not a boss, and I am sure it is not the gentleman from New Jersey.

Mr. HUGHES of New Jersey. Oh, I am a mild-mannered man, as the gentleman from Illinois knows.

Now, Mr. Chairman, I know that the gentleman from Illinois does not like this bill, but then he did not like the Payne bill. [Laughter and applause on the Democratic side.] In fact, from what I know of the gentleman from Illinois in matters of legislation, I have come to the conclusion he is rather hard to please. But, whether this bill is a good bill or a bad bill, one thing I do know, and that is that it is different from the Payne bill. [Laughter and applause on the Democratic side.] And so far as I am concerned, and so far as the balance of my colleagues on this side of the aisle are concerned, we are satisfied to go to the country calm and confident in the assurance that it is vastly different from the Payne bill. [Loud applause on the Democratic side.]

Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. JOHNSON of Kentucky having taken the chair as Speaker pro tempore, Mr. BROWN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 11019) and had directed him to report that it had come to no resolution thereon.

EXTENSION OF REMARKS.

Mr. BURKE of South Dakota. Mr. Speaker, I submitted some observations on the resolution offered by the gentleman from Florida [Mr. CLARK] this afternoon and I desire to extend my remarks in the RECORD.

The SPEAKER pro tempore. Without objection, the request will be granted.

There was no objection.

Mr. FOSTER of Illinois. Mr. Speaker, I desire in my remarks to incorporate some statements in reference to the pensions of soldiers as conducted in that institution and a few other little statements of that kind, and I would like permission to extend them in the RECORD.

The SPEAKER pro tempore. Without objection, the request will be granted.

There was no objection.

ADJOURNMENT.

Mr. HUGHES of New Jersey. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 7 minutes p. m.) the House adjourned to meet to-morrow, Friday, June 16, 1911, at 12 o'clock noon.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HULL: A bill (H. R. 11654) for the erection of a monument to the memory of Gen. James Winchester, of Tennessee; to the Committee on the Library.

Also, a bill (H. R. 11655) for removing obstructions, etc., from Obed River; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 11656) authorizing and directing the Secretary of War to prepare a roster of all the armies engaged in the service of the United States in all its wars, except the Civil War; to the Committee on Military Affairs.

By Mr. ROBINSON: A bill (H. R. 11657) for increasing the efficiency of Army bands; to the Committee on Military Affairs.

By Mr. BARNHART: A bill (H. R. 11658) to further regulate the admission to and transmission through the United States mails of certain publications; to the Committee on the Post Office and Post Roads.

By Mr. TALCOTT of New York: A bill (H. R. 11659) to prohibit the use or production of acetylene on cars used in interstate transportation of passengers, and to provide for the enforcement thereof; to the Committee on Interstate and Foreign Commerce.

By Mr. BORLAND: A bill (H. R. 11660) to authorize the St. Louis-Kansas City Electric Railway Co. to construct a bridge across the Missouri River at or near the town of Weldon Springs Landing, Mo.; to the Committee on Interstate and Foreign Commerce.

By Mr. PETERS: A bill (H. R. 11661) to provide for the retirement of employees in the civil service; to the Committee on Reform in the Civil Service.

By Mr. CLAYTON: A bill (H. R. 11662) to repeal an act to establish a uniform system of bankruptcy throughout the United States, approved July 1, 1898; to the Committee on the Judiciary.

By Mr. BORLAND: Resolution (H. Res. 209) directing the Committee on the District of Columbia to inquire into the enforcement of the acts of Congress requiring fire escapes and relating to the construction of buildings in the District of Columbia; to the Committee on Rules.

By Mr. CLINE: Resolution (H. Res. 210) authorizing the Committee on Expenditures on Public Buildings to have printing and binding done; to the Committee on Printing.

By Mr. HEFLIN: Joint resolution (H. J. Res. 119) authorizing the President to appoint Panama-Pacific International Exposition Commissioners; to the Committee on Industrial Arts and Expositions.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of Ohio: A bill (H. R. 11663) granting an increase of pension to Benjamin Evenbeck; to the Committee on Invalid Pensions.

By Mr. AUSTIN: A bill (H. R. 11664) granting a pension to Nancy Lay; to the Committee on Invalid Pensions.

By Mr. BURKE of Wisconsin: A bill (H. R. 11665) for the relief of Thomas S. Johnson; to the Committee on War Claims.

By Mr. CAMERON: A bill (H. R. 11666) granting a pension to Cedonia Bridwell; to the Committee on Pensions.

By Mr. DENT: A bill (H. R. 11667) for the relief of Lieut. Herbert Hayden; to the Committee on Military Affairs.

By Mr. GLASS: A bill (H. R. 11668) granting a pension to Richard L. Miller; to the Committee on Pensions.

By Mr. HAWLEY: A bill (H. R. 11669) for the relief of Hans M. Branson; to the Committee on the Public Lands.

Also, a bill (H. R. 11670) for the relief of Howard H. Ragan; to the Committee on the Public Lands.

By Mr. HULL: A bill (H. R. 11671) granting pay to Faver Cason; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11672) granting a pension to Lewis K. Grigsby; to the Committee on Pensions.

Also, a bill (H. R. 11673) granting a pension to Margie E. Cardwell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11674) granting a pension to A. C. Stafford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11675) granting a pension to George Stephens, sr.; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11676) granting a pension to John S. Draper; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11677) granting a pension to Daniel Ladd; to the Committee on Pensions.

Also, a bill (H. R. 11678) granting a pension to Andrew J. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11679) granting an increase of pension to Robert Morris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11680) granting an increase of pension to Robert F. Boles; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11681) granting an increase of pension to John Reader; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11682) granting an increase of pension to John B. Peters; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11683) for the relief of Charles W. Hewgley; to the Committee on War Claims.

Also, a bill (H. R. 11684) for the relief of William Strong; to the Committee on Military Affairs.

Also, a bill (H. R. 11685) for the relief of Shadrick Garrett; to the Committee on Military Affairs.

Also, a bill (H. R. 11686) for the relief of R. L. Thompson; to the Committee on War Claims.

Also, a bill (H. R. 11687) for the relief of James W. Turner; to the Committee on Military Affairs.

Also, a bill (H. R. 11688) for the relief of the heirs of Dillard McMillian, deceased; to the Committee on War Claims.

Also, a bill (H. R. 11689) for the relief of the heirs of James M. Marchbanks; to the Committee on War Claims.

Also, a bill (H. R. 11690) to remove the charge of desertion standing against J. T. Bandy; to the Committee on Military Affairs.

Also, a bill (H. R. 11691) to carry into effect the findings of the Court of Claims in the matter of the claim of the heirs of Josiah Anthony, deceased; to the Committee on War Claims.

By Mr. KORBLY: A bill (H. R. 11692) granting a pension to Wilson Zurmehly; to the Committee on Pensions.

Also, a bill (H. R. 11693) granting a pension to Toinette Blackwell Glover; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11694) granting a pension to Joseph J. Lilly; to the Committee on Pensions.

Also, a bill (H. R. 11695) granting an increase of pension to Michael Shuppert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11696) granting an increase of pension to Samuel W. Vest; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11697) granting an increase of pension to Thomas B. Hornaday; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11698) granting an increase of pension to William I. Boyd; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11699) granting an increase of pension to William H. Jones; to the Committee on Invalid Pensions.

By Mr. PAYNE: A bill (H. R. 11700) granting an increase of pension to David Finger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11701) granting an increase of pension to George White, jr.; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11702) granting an increase of pension to Emma L. Counsell; to the Committee on Invalid Pensions.

By Mr. PETERS: A bill (H. R. 11703) granting a pension to Henry J. Hennigar, alias Edgar Swissberry; to the Committee on Invalid Pensions.

By Mr. REDFIELD: A bill (H. R. 11704) to remove the charge of desertion from the military record of David Crowther; to the Committee on Military Affairs.

By Mr. REILLY: A bill (H. R. 11705) granting an increase of pension to George B. French; to the Committee on Pensions.

By Mr. ROBERTS of Nevada: A bill (H. R. 11706) granting an increase of pension to Francis M. Le Pert; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 11707) granting an increase of pension to Joseph H. Shipman; to the Committee on Invalid Pensions.

By Mr. SCULLY: A bill (H. R. 11708) for the relief of Sarah J. Van Vliet; to the Committee on Claims.

Also, a bill (H. R. 11709) granting an increase of pension to Augustus E. Zeitler; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 11710) granting an increase of pension to Noah H. Stout; to the Committee on Pensions.

By Mr. SHERLEY: A bill (H. R. 11711) for the relief of Emma F. Coyle; to the Committee on War Claims.

Also, a bill (H. R. 11712) for the relief of the heirs of Granville J. Sinkhorn; to the Committee on War Claims.

Also, a bill (H. R. 11713) to carry into effect the findings of the Court of Claims in the case of Rudolphus Minton; to the Committee on War Claims.

By Mr. WHITE: A bill (H. R. 11714) granting an increase of pension to John J. Watters; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11715) granting an increase of pension to William P. Anderson; to the Committee on Invalid Pensions.

By Mr. WILSON of New York: A bill (H. R. 11716) for the relief of James Potter; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. AKIN of New York: Communication signed by Walter C. Lomezak and others, druggists, of Gloversville, N. Y., protesting against the passage of House bill 8887; to the Committee on Ways and Means.

By Mr. AYRES: Communication from H. Planten & Son, of Brooklyn, N. Y., indorsing a resolution of the drug-trade section of the New York Board of Trade and Transportation, opposing the passage of House bill 8887; to the Committee on Ways and Means.

Also, petition of residents of the Bronx, in favor of the parcels post; to the Committee on the Post Office and Post Roads.

By Mr. Dyer: Paper in support of House bill 4829, granting a pension to Allen Barnes; to the Committee on Military Affairs.

By Mr. FLOYD of Arkansas: Petition of numerous citizens of Arkansas, asking for a reduction of the duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. GARNER: Petitions of Alex Pomerantz and O. J. Berman, of Seguin, Tex., asking for a reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. HARRISON of New York: Petitions of W. J. Wolf and numerous other residents of New York City, praying for the repeal of the duty on lemons; to the Committee on Ways and Means.

By Mr. KAHN: Resolution of State Council of California, Junior Order of American Mechanics, advocating amendment of immigration laws, to restrict alien immigration, etc.; to the Committee on Immigration and Naturalization.

Also, resolution of board of supervisors, Calaveras County, Cal., favoring acquisition or control by the United States Government of the Big Tree Grove in Calaveras County, Cal.; to the Committee on the Public Lands.

By Mr. MAGUIRE of Nebraska: Petitions of citizens of Lincoln and Havelock, Nebr., requesting investigation of the legality of the arrest in the McNamara case; to the Committee on Rules.

By Mr. NEEDHAM: Resolutions of the State Council of California, Junior Order United American Mechanics, requesting amendments to the present immigration laws; to the Committee on the Judiciary.

Also, resolutions of the Chamber of Commerce of San Francisco, favoring negotiations between the United States and Great Britain of an unlimited arbitration convention, as proposed by President Taft; to the Committee on Foreign Affairs.

Also, resolutions of the chambers of commerce of San Francisco and Stockton, Cal., requesting the transfer of the sloop of war *Portsmouth* to San Francisco; to the Committee on Naval Affairs.

Also, petition of numerous citizens of California, indorsing Mr. BERGER's resolution for an investigation of the arrest of McNamara and McManigal; to the Committee on Rules.

By Mr. REILLY: Resolutions of the National Consumers' League at its annual meeting in Pittsburg, Pa., protesting against the employment of minors in the delivery of mail; to the Committee on the Post Office and Post Roads.

By Mr. WHITE: Papers to accompany House bill 11609, granting an increase of pension to William Ross; to the Committee on Invalid Pensions.

By Mr. WILSON of New York: Resolutions of Milwaukee Clearing House Association, of Milwaukee, Wis., relating to proposed legislation affecting cold-storage industries; to the Committee on Interstate and Foreign Commerce.

Also, resolutions of National Consumers' League at its annual meeting in Pittsburg, Pa., protesting against the employment of minors in the delivery of mail; to the Committee on the Post Office and Post Roads.

SENATE.

FRIDAY, *June 16, 1911.*

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented resolutions adopted by the Chamber of Commerce of the city of Washington, D. C., favoring the consideration of the appropriation bills for the expenses of the District of Columbia by the Appropriations Committees of the Senate and House, instead of by the District of Columbia Committees, which were referred to the Committee on the District of Columbia.

He also presented a memorial of Keene Hill Grange, No. 1602, Patrons of Husbandry, of Ohio, remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

Mr. GALLINGER presented a petition of the Chamber of Commerce of Washington, D. C., praying that the District of Columbia appropriation bill be referred to the Committee on the District of Columbia for consideration instead of to the Committee on Appropriations, which was referred to the Committee on Appropriations.

Mr. CULLOM presented a memorial of Local Union No. 47, Farmers' Educational and Cooperative Union of America, of Coulterville, Ill., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

He also presented a memorial of Retail Clerks' Union No. 219, of Belleville, Ill., remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

He also presented a petition of the Woman's Club of La Grange, Ill., praying for the enactment of legislation for the preservation and control of the waters of Niagara Falls, which was ordered to lie on the table.

He also presented a petition of the Chicago Peace Society, of Chicago, Ill., praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

He also presented a resolution adopted by Group 8, Bankers' Association of Illinois, favoring the adoption of an amendment to the national-bank act permitting national banks to make loans on real estate, which was referred to the Committee on Finance.

Mr. PERKINS presented a petition of Progressive Grange, No. 308, Patrons of Husbandry, of Healdsburg, Cal., praying for the adoption of an amendment to the so-called cold-storage bill extending the time limit for the cold storage of articles of food, which was referred to the Committee on Manufactures.

Mr. BROWN presented a petition of sundry Indians residing on the Winnebago Indian Reservation, Nebr., praying for the enactment of legislation permitting the Winnebago Tribe of Indians to submit claims to the Court of Claims, which was referred to the Committee on Indian Affairs.

Mr. STEPHENSON. I present a joint resolution adopted by the Legislature of the State of Wisconsin, which I ask may be printed in the RECORD and referred to the Committee on Commerce.

There being no objection, the joint resolution was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

Joint resolution (J. Res. 120, A) memorializing Congress to cause all dams owned by the United States and maintained in and across the Fox River to be equipped with fishways.

Whereas the public right of fishing in the Fox River between the cities of De Pere and Oshkosh, Wis., has been practically destroyed by the placing of dams unequipped with fishways in said river; and

Whereas the United States Government owns, controls, and maintains a number of such dams in and across said river: Therefore be it

Resolved by the assembly (the senate concurring), That the Congress of the United States be respectfully requested to cause all dams owned and controlled by the United States and maintained in and across the Fox River in Wisconsin to be equipped with adequate fishways for the free ascent and descent of fish; and be it further

Resolved, That a copy of this resolution be forwarded to the United States Senators and Congressmen from the State of Wisconsin and to the Chief Clerks of the two Houses of Congress.

C. A. INGRAM,
Speaker of the Assembly.
THOMAS MORRIS,
President of the Senate.
C. E. SHAFFER,
Chief Clerk of the Assembly.
F. M. WYLIE,
Chief Clerk of the Senate.

Mr. STEPHENSON presented the petition of Capt. H. A. Hamilton and sundry other citizens of Whitewater, Wis., praying for the enactment of legislation to further increase the efficiency of the Organized Militia, which was referred to the Committee on Military Affairs.

He also presented a memorial of sundry business men of Spooner, Wis., remonstrating against the enactment of legislation designed to prevent legitimate protective price agreements and restrictions, which was referred to the Committee on Finance.

He also presented a petition of the First Unitarian Society of Milwaukee, Wis., praying for the establishment of an international court of arbitration, which was referred to the Committee on Foreign Relations.

Mr. BRISTOW presented memorials of sundry citizens of Kansas, remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which were ordered to lie on the table.

Mr. SHIVELY presented memorials of the congregations of the Seventh-day Adventists Churches of Minora, Noblesville, Middletown, North Vernon, Kennard, and Kokomo, all in the State of Indiana, remonstrating against the enforced observance of Sunday as a day of rest in the District of Columbia, which were ordered to lie on the table.

Mr. JOHNSON of Maine presented a memorial of the congregation of the Seventh-day Adventist Church of Washburn, Me., and a memorial of sundry citizens of Aroostook County, Me., remonstrating against the enforced observance of Sunday as a day of rest in the District of Columbia, which were ordered to lie on the table.

Mr. KERN presented memorials of the congregations of the Seventh-day Adventist Churches of Indianapolis, Elnora, Kennard, and North Vernon, all in the State of Indiana, remonstrating against the enforced observance of Sunday as a day of rest in the District of Columbia, which were ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. JONES, from the Committee on the District of Columbia, to which was referred the bill (S. 1078) to amend section 4 of an act entitled "An act for the preservation of the public peace and the protection of property within the District of Columbia," approved July 29, 1892, as to kiteflying, submitted an adverse report thereon (No. 71), which was agreed to, and the bill was postponed indefinitely.

He also, from the same committee, to which were referred the following bills, reported them each with amendments, and submitted reports thereon:

S. 1072. A bill to amend section 895 of the Code of Law for the District of Columbia (Rept. No. 72); and

S. 1081. A bill to provide for punishment for larceny of public property from the workhouse and the reformatory of the District of Columbia (Rept. No. 73).

He also, from the Committee on Fisheries, to which was referred the bill (S. 2775) to authorize the establishment of

fish-cultural stations on the Columbia River or its tributaries in the State of Oregon, reported it without amendment.

Mr. GALLINGER, from the Committee on the District of Columbia, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

S. 2600. A bill to authorize the Commissioners of the District of Columbia to prevent the exhibition of obscene, lewd, indecent, or vulgar pictures in public places of amusement in the District of Columbia (Rept. No. 74);

S. 2599. A bill to authorize certain changes in the plan for the permanent system of highways for that portion of the District of Columbia lying west of Fourteenth Street, south of Taylor Street, east of Rock Creek Park, and north of Newton Street NW. (Rept. No. 75); and

S. 1899. A bill to repeal a portion of an act heretofore passed relating to the alienation of the title of the United States to land in the District of Columbia (Rept. No. 76).

EXTENSION OF LAMONT STREET, DISTRICT OF COLUMBIA.

Mr. JONES. From the Committee on the District of Columbia I report back favorably without amendment the bill (S. 238) to authorize the extension of Lamont Street NW., in the District of Columbia, and I submit a report (No. 69) thereon. I call the attention of the Senator from Alabama [Mr. JOHNSTON] to the bill.

Mr. JOHNSTON of Alabama. I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. The Secretary will read the bill for the information of the Senate.

The Secretary read the bill.

Mr. JOHNSTON of Alabama. A similar bill passed the Senate at the last session, and it is very important that it should be presently acted upon on account of the condition now prevailing of property there as to improvements.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HEIGHT OF BUILDINGS IN THE DISTRICT OF COLUMBIA.

Mr. GALLINGER. I am directed by the Committee on the District of Columbia, to which was referred the bill (S. 2224) to amend "An act to regulate the height of buildings in the District of Columbia," approved June 1, 1910, to report it favorably without amendment and I submit a report (No. 70) thereon. I ask for its present consideration.

The VICE PRESIDENT. The bill will be read for the information of the Senate.

The Secretary read the bill, as follows:

Be it enacted, etc., That section 1 and section 7 of the act of Congress entitled "An act to regulate the height of buildings in the District of Columbia," approved June 1, 1910, be, and they are hereby, amended to read as follows:

"SECTION 1. That from and after the date of approval of this act no combustible or nonfireproof building in the District of Columbia used or occupied or intended to be used or occupied as a dwelling, flat, apartment house, tenement, lodging or boarding house, hospital, dormitory, or for any similar purpose shall be erected, altered, or raised to a height of more than four stories, or more than 55 feet in height above the sidewalk, and no combustible or nonfireproof building shall be converted to any of the uses aforesaid if it exceeds either of said limits of height."

"SEC. 7. That for the purposes of this act the height of buildings shall be measured from the level of the sidewalk opposite the middle of the front of the building to the highest point of the roof. If the building has more than one front, the height shall be measured from the elevation of the sidewalk opposite the middle of the front that will permit of the greater height. No parapet walls shall extend above the limit of height except on nonfireproof dwellings where a parapet wall or balustrade of a height not exceeding 4 feet will be permitted above the limit of height of building permitted under this act."

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. HEYBURN. Mr. President, I should like to ask for some information of the proponent of the measure.

Mr. GALLINGER. Mr. President, all there is about this bill is that it extends the height 5 feet. It has been ascertained by architects that a four-story building can not be constructed in the best form, so far as the upper story is concerned, at the height of 50 feet, which is now the law. It is recommended by the architects and by the Commissioners of the District of Columbia that the height should be extended to 55 feet, which it is argued can do no harm. Indeed, before the law governing the height of buildings was passed there were buildings on the residence streets constructed even higher than 55 feet. We have to-day in construction at least two buildings which it will be impossible to construct satisfactorily, so far as the upper story is concerned, unless this change is made in the law.

Mr. HEYBURN. My attention was not directed to the limitation of the height, because I think that is very proper, but I did not hear enumerated among the buildings business blocks.

Mr. GALLINGER. The bill does not deal with business blocks at all. It simply deals with residence streets. There is some verbiage in it which is simply a repetition of existing law. The only change in the law is to give a right to construct buildings to a height of 55 feet in place of 50 feet, as is now provided.

Mr. HEYBURN. Mr. President, I have had in mind and I have frequently been called upon to notice the effect that the construction of a very tall business block right in a residence section of the city to a large extent depreciates the value of the residences. I have in mind a group of buildings that were built within a very recent time, some of them now under construction, that will entirely shut off the view of a large number of residences of importance and of great value.

It seems to me if we are going to place a limitation upon the height of buildings it should not apply alone to those buildings within the residential district. Senators will readily recall one building that is being constructed adjoining residences that have been there for a long time and that are the homes of people who do not desire to move or to see any conditions brought about that would compel them to move their place of residence. I think that the limitation should include business blocks.

I like to see the city improve, and I would not favor for a moment any legislation that would retard the building up of the city and the building of business blocks. But if you are going to place a limit in the residential districts you should also place a limit in the business blocks, because it must be in the interest of the residents of the city. This limitation is placed upon one class of buildings, and it must be against the interest of the people of this city that it is not placed upon other classes. A large residential system has been practically blocked out so that there is no hope of ever again enjoying a view greater than across the street. While this bill is being considered, it is a good time to make it sufficiently comprehensive to cover that condition.

Mr. GALLINGER. Mr. President, we have a law now which is very explicit governing the construction of all kinds of buildings in the District of Columbia. It may be that the limitation is too great. I am not going to argue that to-day. It was thought wise when the law was enacted.

I deprecate these high buildings as much as the Senator from Idaho does. I dislike exceedingly to see the skyline destroyed in the city of Washington. Yet it was thought desirable to pass the law which is now on the statute book, which the Senator can refer to and which will properly be a subject of discussion later on. But for the present I apprehend the law is not being violated in any respect.

The fact is, Mr. President, that business can not be halted in any city of the United States. Business has invaded Connecticut Avenue and is driving out the residents between H Street and Dupont Circle, and it is inevitable. I know they have not wanted to give up their homes; they were beautiful homes; but just as Fifth Avenue was invaded in New York by business houses and those who owned beautiful homes on that magnificent avenue had to surrender them just so it is in the city of Washington. Only a few years ago G Street and H Street were streets of residences, but to-day they are business streets; and, while there may be some hardships inflicted by the construction of these business blocks, I have never discovered that there is any way to stop the invasion of a street in any city by business enterprises, and I do not believe we can do it in Washington. That is my judgment.

But as to the height of the buildings, that of course is a matter for consideration and discussion, and if the present law permits them to be built higher than they ought to be, of course the law might be amended.

Mr. HEYBURN. Mr. President, I had in view, among other sections of the city, the one referred to by the Senator from New Hampshire. The value of residence property behind those tall structures has depreciated immensely. The fact is there is no longer a market for them for residential purposes. Some of the finest homes in the most desirable sections of the city have been practically destroyed for the purposes of residences within the last six or seven years.

I know of no reason why business can not spread over the ground the same as residences. In the great cities of the world outside of this country of ours the height of business buildings is restricted as is the height of residences, and if it can be made to work without hardship there it can here.

My sympathies are very much stronger for the residents of a city than for those who are engaged in making money off of the

residents. Business enterprises are necessary, and business buildings should be encouraged, but not to the destruction of residences.

You see the effect of it. It is driving residents out into a new country, farther and farther all the time from the business centers and from that which is above all else the center of this city—the Capitol and the White House and the Government institutions.

I would not have the limit greater for business than for residences, and there is no reason why a business block should flaunt itself in front of your door and shut out your sunlight. The resident is entitled to the first consideration. This is a city, a capital city, of residences.

While it is true that this only applies to the residences of the city, yet it might be just as well, while we have the matter up for consideration and are in a humor to consider it, to see if we can not curb this evil of constructing six, eight, or nine story buildings all along one side of a street, leaving the residences on the other side to depreciate in value and lose all of their attractiveness. I should like to see it taken up as a part of this bill in the nature of an amendment. I am not going to stand in the way of the passage of this bill, because I am in sympathy with it, but I do think that it would be a good time to place some curb upon the building of tall business blocks.

They are generally built for advertising purposes; if not, they are built for the purpose of economizing the cost of the land upon which they are placed.

I have been for some time chafing under the conditions as I see them, one after the other. A few years ago I settled down to reside during my term here, and I could then look out and see the Capitol; I could see the Post-office Building and the clock on it; I could see all the buildings around us. One after one great tall and obtrusive buildings have gone up until to-day the residences are practically shut off. That affects the value. A man has a right to the view that naturally belongs to his residence, and not only that but a more important consideration is the effect it has upon the property of other people. While I will not ask the Senator to do so, I should like if he would incorporate or delay until some one can incorporate in this measure a restriction upon the height of these buildings.

Mr. GALLINGER. Mr. President, I trust the Senator will not halt the consideration of this bill.

Mr. HEYBURN. I am not going to do it.

Mr. GALLINGER. I will be very glad to take up the matter in which the Senator is so deeply interested, and if we think it wise to amend the existing law it can be done later on.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WATERS OF THE NIAGARA RIVER.

Mr. BURTON. I am directed by the Committee on Foreign Relations, to which was referred the joint resolution (S. J. Res. 3) extending the operation of the act for the control and regulation of the waters of Niagara River, for the preservation of Niagara Falls, and for other purposes, to report it favorably with divers amendments, and I submit a report (No. 77) thereon. I ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The Secretary will read the joint resolution for the information of the Senate.

The Secretary read the joint resolution, as follows:

Whereas the provisions of the act entitled "An act for the control and regulation of the waters of Niagara River, for the preservation of Niagara Falls, and for other purposes," approved June 29, 1906, and extended by joint resolution (Public Res. No. 56) for a period of two years, approved March 3, 1909, will expire by limitation June 29, 1911; and

Whereas the extended date provided therein for the termination of the operation of said act was so extended that there might be consummated a more permanent settlement of the questions involved by a treaty with Great Britain and by further legislation appropriate to the situation; and

Whereas article 5 of a treaty between the United States and Great Britain, proclaimed May 13, 1910, provides a maximum limit within which the United States may authorize and permit the diversion within the State of New York of the waters of the Niagara River above the Falls of Niagara for power purposes: Therefore be it

Resolved, etc., That the provisions of the aforesaid act be, and they are hereby, extended from June 29, 1911, being the date of the expiration of the operation of said act, to remain in full force and virtue during the life of the said treaty, save in so far as any portion thereof may be found inapplicable or already complied with.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. HEYBURN. Mr. President, I do not think this joint resolution should be taken up under the present order of business. When the question therein involved was before the Senate on a former occasion it occupied some time. It is a large question. Then it only proposed to extend the time until this month. Now it is proposed to extend it until the end of the treaty.

Mr. BURTON. If the Senator from Idaho will permit me, it is an extension for two years.

Mr. HEYBURN. Well, that is the life of the treaty.

Mr. BURTON. Until June 29, 1913.

Mr. HEYBURN. That is the end of the treaty, is it not?

Mr. BURTON. Oh, no.

Mr. HEYBURN. I should like to have the joint resolution again read.

The VICE PRESIDENT. The Secretary will state the amendment proposed by the committee to the joint resolution before the request for its present consideration is put.

The SECRETARY. It is proposed to amend the joint resolution on page 2, line 6, after the word "act," by striking out the remainder of the joint resolution and inserting in lieu thereof the words "for two years, or until June 29, 1913."

Mr. HEYBURN. I withdraw the objection, that amendment not having been stated when I made it.

Mr. CULBERSON. May I ask what is the measure before the Senate, Mr. President?

The VICE PRESIDENT. The Chair asks the attention of the Senator from Ohio to the inquiry of the Senator from Texas.

Mr. CULBERSON. I ask that the Secretary again read the title of the joint resolution.

The VICE PRESIDENT. Without objection, the Secretary will again read the joint resolution by title.

The SECRETARY. A joint resolution (S. J. Res. 3) extending the operation of the act for the control and regulation of the waters of Niagara River, for the preservation of Niagara Falls, and for other purposes.

Mr. CULBERSON. By what committee is that joint resolution reported, Mr. President?

The VICE PRESIDENT. The Committee on Foreign Relations.

Mr. CULLOM. It is reported by the Committee on Foreign Relations; it has been considered by a subcommittee of that committee, and finally by the full committee, and is reported unanimously.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. HEYBURN. Mr. President, let us devote a minute at least to the consideration of a measure of this magnitude. The fact that it was reported from the Committee on Foreign Relations is, of course, persuasive, but not conclusive. My recollection of this question is that the objection to it, when it was before Congress the last time, was that the other powers were not in the meantime restrained as we were. It is a large question; it is a question, of course, that must primarily be dealt with, if we are going to derive any benefit from it, through the intervention of a treaty, but we want to see to it that the terms of that treaty give an equal measure of rights and at the same time preserve the principle upon which we have acted in regard to the preservation of those Falls. We want equal rights to the use of the waters at the same time. We want those rights that are within the principle that has governed us in the past; and, in addition to that, the principle that we must recognize as essential for the preservation of those Falls.

Mr. BURTON. Mr. President, I do not think the objections of the Senator from Idaho are applicable at all to this joint resolution. The treaty was made and finally ratified in the year 1910, but that does not prevent such regulations as are imposed by this joint resolution. These are a continuance of rules and regulations adopted in the year 1906. So far as equality is concerned, there is a difference in the amount of water that may be diverted on the Canadian side——

Mr. HEYBURN. A very large difference.

Mr. BURTON (continuing). And that which may be diverted on our side; but that is a matter of fact; it is included in the treaty.

Mr. LODGE. It is a difference under the treaty, and not under the law.

Mr. BURTON. If anything, this tends toward equality rather than away from it.

Mr. LODGE. This checks it.

Mr. HEYBURN. We gave up more than we should have given up. We allowed the other party to the treaty to reserve rights which are in excess of the rights they gave to us under it. At the time of its consideration, these questions were raised and they were debated and considered. To bring the joint resolution up under the five-minute rule, or by unanimous consent, is hardly the proper thing.

Mr. CULBERSON. What is the status of the joint resolution, Mr. President?

The VICE PRESIDENT. The joint resolution has just been reported, and the Senator from Ohio [Mr. BURTON] has asked unanimous consent for its present consideration.

Mr. CULBERSON. I object.

The VICE PRESIDENT. Objection is made, and the joint resolution will go to the calendar.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PENROSE:

A bill (S. 2776) to grant an honorable discharge to Henry Mulligan; and

A bill (S. 2777) authorizing the appointment of Maj. John S. Bishop, United States Army, retired, on the retired list of the Army, with the rank of brigadier general; to the Committee on Military Affairs.

A bill (S. 2778) granting a pension to Julia A. Roberts;

A bill (S. 2779) granting a pension to Elizabeth A. Malone; and

A bill (S. 2780) granting an increase of pension to David P. Sheibley; to the Committee on Pensions.

By Mr. WORKS:

A bill (S. 2781) to correct the military record of H. J. Rowell; to the Committee on Military Affairs.

A bill (S. 2782) granting a pension to David Murphy; to the Committee on Pensions.

By Mr. CHILTON:

A bill (S. 2783) to correct the military record of William Norris (with accompanying papers); to the Committee on Military Affairs.

By Mr. JOHNSON of Maine:

A bill (S. 2784) granting an increase of pension to Hiram B. Morey (with accompanying paper);

A bill (S. 2785) granting a pension to William H. Dennison (with accompanying papers); and

A bill (S. 2786) granting a pension to Priscilla T. Brewster; to the Committee on Pensions.

By Mr. KERN:

A bill (S. 2787) granting an increase of pension to Richard M. Fossett (with accompanying papers); to the Committee on Pensions.

By Mr. BACON (for Mr. TERRELL):

A bill (S. 2788) for the relief of the legal representatives of the estate of Benjamin Hamilton, deceased; to the Committee on Claims.

By Mr. SHIVELY:

A bill (S. 2789) to change the location and straighten the course of the channel of the Grand Calumet River through the lands of the Gary Land Co. and the Indiana Steel Co., and for other purposes; to the Committee on Commerce.

By Mr. JOHNSTON of Alabama:

A joint resolution (S. J. Res. 37) directing the Interstate Commerce Commission to investigate and report on the use of the Andrew safety appliance upon railway trains engaged in interstate commerce; to the Committee on Interstate Commerce.

ESTATE OF JOHN POOL.

Mr. OVERMAN submitted the following resolution (S. Res. 69), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay to the estate of John Pool, formerly a Senator from the State of North Carolina, the sum of $6,543.38, due him as a Senator of the United States in the Fortieth Congress, from the 4th of March, 1867, to the 24th of June, 1868, to be paid from the miscellaneous items of the contingent fund of the Senate.

MESSENGER TO COMMITTEE ON INDIAN AFFAIRS.

Mr. GAMBLE submitted the following resolution (S. Res. 70), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Indian Affairs be, and it is hereby, authorized to employ a messenger at a salary of $1,440 per annum.

IMPORT AND EXPORT TRADE WITH CANADA.

Mr. TOWNSEND. Mr. President, some weeks ago I requested certain information from the Bureau of Trade Relations, State Department, in reference to exports and imports into Canada, the United States and Great Britain, and also a statement as to certain prices of agricultural products covered by the reciprocity agreement for the 20-year period, 1890–1909, inclusive. In reply to that request the bureau has sent me the information in the form of statistics. I ask unanimous consent that the matter be printed as a Senate document. (S. Doc. No. 49.)

The VICE PRESIDENT. Is there objection to the request of the Senator from Michigan? The Chair hears none, and the order is entered.

COLLECTOR OF CUSTOMS FOR MONTANA AND IDAHO.

Mr. DIXON. I inquire, Mr. President, is the calendar to be called this morning? If not, I should like to ask unanimous consent——

The VICE PRESIDENT. When that order is reached the Chair will announce that the calendar is in order.

Mr. DIXON. I should like to ask unanimous consent to have Senate bill 2532 considered at this time. It is a short bill.

The VICE PRESIDENT. The Senator from Montana asks unanimous consent for the present consideration of the bill named by him, the title of which will be stated.

The SECRETARY. A bill (S. 2532) providing for an increase of salary for the collector of customs for the district of Montana and Idaho.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. WILLIAMS. Mr. President, reserving the right to object, I would like to ask for a brief explanation why this particular increase in salary is considered necessary.

Mr. DIXON. Mr. President, I am glad the Senator from Mississippi has made the inquiry, for I know many times bills of this character are called up and passed without a word of explanation, and sometimes, apparently, an impression is left that something has been done surreptitiously.

The collector of customs for Montana and Idaho at Great Falls is the most important Federal officer in the Northwest, especially in those two States. Through the Great Falls customhouse all of the trade with northwestern Canada comes into the United States. The amount of customs duties collected there will average six or seven hundred thousand dollars per annum.

Until a year ago officers of this character, except at a few of the seaports, were on a commission basis, under an arrangement, I think, dating back to 1812 or 1813. The compensation of the collector heretofore has been about $4,500 a year, based on fees and commissions. Two years ago two smelters, one in Idaho and one in Montana, went out of business. Those smelters carried each a bonded warehouse, and, under the law, each of those smelters paid the collector a thousand dollars per annum. The dismantling of these two individual bonded warehouses, although the same work is done through other warehouses, chopped off $2,000 a year from the collector's compensation, which for 30 years had been about $4,500.

The bill was introduced last session and passed the Senate. It received favorable consideration in the House committee, but was not passed by the House of Representatives on account of the crowded condition of the calendar. The Secretary of the Treasury last session and at this time has strongly recommended that the collector's salary be made $4,000, instead of being continued under the old fee and commission basis. There is a unanimous report from the committee and a very strong letter from the Secretary of the Treasury recommending the passage of the bill. It merely puts this office on a basis with offices of similar character throughout the United States.

Mr. REED. Mr. President, what did the fees and salary heretofore paid aggregate?

Mr. DIXON. About $4,500 per annum.

Mr. REED. And did that include the $2,000 that was received from the smelters?

Mr. DIXON. Yes.

Mr. REED. So that the fees now would amount to about $2,500?

Mr. DIXON. About $2,500.

Mr. REED. And this means a raise of $1,500.

Mr. DIXON. It is really restoring the old compensation, although the salary proposed is about $500 less than under the old fee and commission basis for 30 years. As I have said, it is the most important port of entry in the entire Northwest.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Finance with an amendment, to strike out all after the enacting clause and insert:

That hereafter the salary of the collector of customs for the district of Montana and Idaho shall be $4,000 per year in lieu of the present salary and all fees, commissions, and perquisites of every nature allowed or permitted under the provisions of section 2648 of the Revised Statutes or other existing laws.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

THE POSTAL SYSTEM.

Mr. GALLINGER. Mr. President, some days ago a report was made by the Committee to Audit and Control the Contingent Expenses of the Senate upon a resolution (S. Res. 56) submitted by the Senator from Oregon [Mr. BOURNE]. At that time I asked that it go to the calendar so that I might examine it. I now ask unanimous consent that the Senate proceed to the consideration of that resolution, being order of business 49. I desire to offer two or three amendments to it.

The VICE PRESIDENT. The Senator from New Hamsphire asks unanimous consent for the present consideration of a resolution, which will be read by the Secretary.

The Secretary read the resolution submitted by Mr. BOURNE on the 1st instant and reported from the Committee to Audit and Control the Contingent Expenses of the Senate on the 7th instant, as follows:

Resolved, That the Committee on Post Offices and Post Roads is hereby authorized and directed, by subcommittee or otherwise, to inquire into and report to the Senate at the earliest date practicable what changes are necessary or desirable in the postal system of the United States or in laws relating to the postal service, and particularly with reference to the establishment of a parcels post, and for this purpose they are authorized to sit during the sessions or recesses of Congress, at such times and places as they may deem desirable or practicable; to send for persons and papers, to administer oaths, to summon and compel the attendance of witnesses, to conduct hearings, and have reports of same printed for use, and to employ such clerks, experts, counsel, stenographers, messengers, and other assistants as shall be necessary, and any expense in connection with such inquiry shall be paid out of the contingent fund of the Senate upon vouchers to be approved by the chairman of the committee.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution? The Chair hears none.

Mr. GALLINGER. I move to amend the resolution—and I will say that the amendments I now propose to offer are agreeable to the Senator from Oregon [Mr. BOURNE]—by striking out the words, on page 1, line 13, "experts, counsel," and in line 14 by striking out the word "messengers."

The VICE PRESIDENT. The amendments will be stated.

The SECRETARY. On page 1, line 13, after the word "clerks," it is proposed to strike out the words "experts, counsel," and in line 14, after the word "stenographers," to strike out the word "messengers."

The amendments were agreed to.

The VICE PRESIDENT. The question is on agreeing to the resolution as amended.

The resolution as amended was agreed to.

Mr. WARREN. Mr. President, I favor the resolution for investigation of post-office matters as amended, and hope it may pass unanimously.

Mr. GALLINGER. It has passed.

Mr. WARREN. But I want to say at this time that I think we are sorely in need of information from a great many quarters. We seem to have been in a mad rush for some years for information. The Senate and the House of Representatives—the Congress of the United States—have had investigating committees galore, and have spent thousands and hundreds of thousands of dollars in investigations and reinvestigations. The Senate has committees for the examination of every one of the departments of this Government. The House has similar committees, and the House is now engaged in pursuing investigations on special subjects through a large number of special committees. Indeed, the call for information has been so insistent that we have provided for a Tariff Board, for which we appropriated $250,000 a year ago; and in the last sundry civil bill we appropriated an additional $225,000, making $475,000 for the Tariff Board. They were called upon by the action of Congress and the Executive to make certain investigations at an early date. They examined into the pulp and paper business, and we have the result of that examination before us in their report, and we have the wish and interest of others in the reciprocity bill, so called. We have advices from that board that, as per instructions, they have investigated the wood-pulp and paper industries, and are now investigating Schedule K; that they have been at work on the wool and woolen industries for sometime, and that they will not be able to report probably until next autumn.

But, Mr. President, in this mad rush for legislation we find that there are great bodies and great men in a legislative body who believe that they know more about Schedule K than the Tariff Board does or ever will know, and they are going along with Schedule K, the Tariff Board notwithstanding. We can now see in the volume I have in hand—the official report of the House committee, accompanying House bill 11019, concerning the wool tariff—the result of some of this work on Schedule K, which relates to wool, sheep, and woolens. This schedule embraces one of the oldest industries of this country—one that has been under discussion, back and forth, for more than a hundred years, and one probably in which more men are engaged or have been engaged, together with all of its branches, than in any other known industry. And it is well that men in high places feel so sure that they know all about this industry that they do not need to refer to or wait for a Tariff Board's report for information or advice.

Mr. President, we have before us a public document. It is the report of a great committee of a great legislative body, the ultima Thule, as you may say, of this 100 years of experience concerning sheep and wool; and it is complete. It goes into the dictionary business—in fact, it is a dictionary. It contains a glossary, explaining the technical terms, and it shows plainly that there is in the minds of some people no need of a Tariff Board or of any investigation or further information. Of course we have to admit in reading this——

Mr. CURTIS. Mr. President——

The VICE PRESIDENT. Does the Senator from Wyoming yield to the Senator from Kansas?

Mr. WARREN. Certainly.

Mr. CURTIS. I should like to know if the Senator from Wyoming thinks all the definitions contained in the report were taken from the dictionary?

Mr. WARREN. I have before me the Underwood glossary, something more recent than the dictionary, more ably edited than the dictionary, in which more able people are interested; and they have given us definitions which are evidently intended to be final. I do not believe that these definitions will add very much to the hilarity of the sheep growers and the farmers who have been struggling along under the fear of free wool and selling their wool for one-half or two-thirds price for the last year. I do not think it will make them very happy to read the definitions and to find that at one fell swoop all of the sheep of the United States have been unsexed after their first year's shearing, and that thereafter, no matter what they were at birth, they become members of the male sex—all of the sheep of the world, in fact, according to this glossary.

I do not anticipate that it will add even to the pleasure of the ancient ewe sheep that have every year borne their lambs, sometimes one at a time, sometimes twins, and sometimes triplets, to find that they are now wether sheep, male sheep, because they have passed beyond their first year, for here we have it [reading from House Report No. 45]:

Wether.—A sheep after the first shearing.

Wether wool applies to all fleeces cut subsequent to the first fleece, which is called lamb's wool.

What need have we for information, or, indeed, do we need so much information as we now have? Or is it a case where we have always been wrong, and hence we must commence again at the very beginning and learn the fundamentals?

Mr. President, it seems to me——

Mr. CLARK of Wyoming. May I ask my colleague from what he is reading?

Mr. WARREN. I am reading from Report No. 45, House of Representatives, Sixty-second Congress, first session, entitled "To reduce the duties on wool and manufactures of wool—Mr. UNDERWOOD, from the Committee on Ways and Means, submits the following report, to accompany H. R. 11019."

Mr. CLARK of Wyoming. Is the Senator satisfied with that definition of wether wool?

Mr. WARREN. Well, I am so well satisfied with it that I am not going to ask the proponents of this investigation of the Post Office Department to shear quite as close in the Post Office Department as these people propose to do in the case of a sheep.

Mr. President, either we need to go back to the very fundamentals, commence all over again, and investigate every industry and every branch of it, or else, as is assumed by the author of this report and others, there is nothing that can be added to their fund of information on Schedule K. When we assure the dear farmers that a lamb born a ewe becomes transfigured at her first shearing, and thenceforth remains a wether—a male sheep—it may add to the gayety of nations, but I fear the farmer will whistle and quote that old witticism, "It is better not to know so much than to know so much that isn't so."

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Wyoming yield to the Senator from Utah?

Mr. WARREN. Yes.

Mr. SMOOT. Before the Senator takes his seat, and leaves the subject of lamb's wool——

Mr. WARREN. There are a number of other items here that do credit to the text I have quoted.

Mr. SMOOT. I want to call his attention to the definition of "lamb's wool."

Mr. CLARK of Wyoming. What page is it?

Mr. SMOOT. This is page 229:

Lamb's wool is naturally pointed at the end, because it has never been clipped.

Mr. WARREN. And furthermore——

Mr. SMOOT. Here is a definition of "wool":

Wool.—Fibers of all animals are not alike; they vary in fineness, soundness, length, and strength, from the finest Merino to the rigid bristles of the wild boar.

Mr. WARREN. And, furthermore, a sheep is a hog until it is a year old, according to this glossary.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from Wyoming yield to the Senator from Missouri?

Mr. WARREN. Certainly.

Mr. REED. Before the Senator from Wyoming takes his seat——

The VICE PRESIDENT. The Senator has taken his seat. The Chair will ask him to resume a standing position.

Mr. REED. I wanted to inquire if it was his wether that was being shorn which had aroused his anxiety this morning?

Mr. WARREN. I am beginning to think that I do not know what a wether is. So I am unable to inform the Senator from Missouri. Certainly, if this glossary is correct, I have been many a long year groping in the darkness.

DECISIONS IN STANDARD OIL AND AMERICAN TOBACCO CASES.

Mr. NELSON. Mr. President, I have here a brief review by Mr. Walker, who has published a work on the history of the Sherman law. It is a review of the decisions of the Supreme Court in the Standard Oil case and the Tobacco case, and I ask that it may be printed as a Senate document.

The VICE PRESIDENT. Is there objection?

Mr. BORAH. If that is the document which has been circulated pretty generally I think it ought to be read before it is printed as a Senate document.

Mr. NELSON. It is not that document, I will say to the Senator. It is a recent document; I have carefully read it and it is a fair and candid review of those decisions.

Mr. BORAH. The document starts out by designating the decision as the obiter dicta of the Chief Justice, and I for one am not willing, without further observation and looking into the matter, to consent to its being printed at this time, if I have a right to object, and the objection holds.

The VICE PRESIDENT. The Senator certainly has that right. The Senator from Idaho objects to its being printed as a public document.

Mr. LODGE. May I ask the Senator a question? Do I understand him to say that this document starts out by saying that the recent decisions—I suppose the "recent decisions" referred to are those in the Standard Oil case and the American Tobacco case—are obiter dicta?

Mr. NELSON. Not at all.

Mr. BORAH. Will the Clerk please read the heading? I have seen one——

The VICE PRESIDENT. Without objection, the Secretary will read.

The Secretary read as follows:

The Sherman law; obiter dicta of Chief Justice White.

Mr. LODGE. I think it had better go over.

The VICE PRESIDENT. Objection is made.

Mr. BORAH. I ask that it go over.

The VICE PRESIDENT. Objection is made to its being printed as a public document.

ELECTION OF SENATORS BY DIRECT VOTE.

Mr. JOHNSTON of Alabama. I ask unanimous consent that two short editorials from leading newspapers in Alabama, in reference to the election of Senators by the people, be printed in the RECORD.

The VICE PRESIDENT. Without objection, the request is granted.

The editorials are as follows:

THE PRICE DEMANDED IS TOO HIGH.

[From the Montgomery (Ala.) Advertiser.]

The 47 States can now have United States Senators elected by popular votes, but to do so they must make to the Federal Government the greatest surrender of power since the formation of government. The chief power of the States in the affairs of the Federal Government has been exercised heretofore by the two United States Senators which each State sends to the highest lawmaking body in the world. If the legislatures of the various States ratify the action of the Senate taken Monday, these powerful officials will not only be selected by a direct vote, but they will be selected in elections over which the Federal Government will have supreme control, and for which it will prescribe rules and regulations.

The Southern States will stand firm with those southern Senators who declared that the price was too high to pay for the reform.

If the House of Representatives accepts the Bristow amendment to the bill providing for popular elections of United States Senators, and no doubt it will, the adoption of the required constitutional amendment will be fairly before the legislatures of the 47 United States. Three-fourths of the total number of these States will have to act approvingly upon the amendment before it can become effective. The Advertiser believes that the legislature of any Southern State would be foolish and reckless to buy the so-called reform of popular election of United States Senators at the price of Federal supervision. The proposed reform is prohibitively dear, if we have to buy it with our complaisant acceptance of the atrocious force bill, which a small band of devoted and courageous Senators defeated in the last generation when it appeared certain of enactment.

For nearly 50 years the compelling desire of the leaders of the Republican Party has been to seize the election machinery of the Southern States. They were successful in this for a short period, when, as Senator JOHNSTON of Alabama reminded the Senate, Federal soldiers stood about the polls in southern cities with drawn bayonets. "I have myself," said Senator JOHNSTON, "witnessed elections in my State where United States troops were assembled at the polls, and where supervisors and deputy marshals exercised potent influence. I never want to see either again. During the reconstruction period these officials were used for the most partisan purposes—to intimidate the voters and to prevent the full, fair, and free expression of the will of the voters."

Every man now living who passed through the trying and humiliating experience of reconstruction is one with Senator JOHNSTON—he never wants to see those distressing conditions restored in Alabama. Under the Bristow amendment the Federal Government will have the power to reestablish reconstruction conditions in the Southern States. When the Republican Party is in power the reestablishment of those conditions will depend entirely upon the will and inclinations of the partisan leaders of that party.

There is another phase to this question, which has been ignored by the light thinkers but loud talkers who have promised the coming of the political millennium with the election of United States Senators by a direct vote. The next step in the reform is that by which the United States Senators will be put upon a popular basis of representation. If Senators are to be elected by popular vote, the question will be asked, Why should the vote of one man in Nevada be equal to the vote of 50 men in New York? Is there any justice, it will be argued, in the claim that one voter in Arizona should be as powerful in naming a United States Senator as 30 men in Pennsylvania? The sincere advocate of the election of Senators by popular vote must be illogical when he argues that representation in the Senate must not be put upon a voting or population basis.

When we jump in the dark we sometimes jump downhill, and we have to keep on jumping. The man who thinks agitation affecting the Senate of the United States will end when the Senators are elected by a direct vote is foolishly blinding himself.

Looking at the question in a larger sense, with the light from the lamp of history thrown upon it, the United States Senate since the formation of our Government has been an abler, a more patriotic, and a more efficient body of lawmakers than the House of Representatives, the boast of which is that it was selected in a popular election and comes direct from the people. When the records of the two bodies are compared the higher credit does not go to the House of Representatives.

POPULAR ELECTION OF SENATORS VOTE.

[From the Mobile (Ala.) Register.]

Senators BANKHEAD and JOHNSTON of Alabama, BACON and TERRELL of Georgia, WILLIAMS and PERCY of Mississippi, FOSTER of Louisiana, and FLETCHER of Florida were the eight Democrats who voted against the resolution amending the Constitution to provide for the election of Senators by direct popular vote, their objection being to the Bristow amendment, giving to the Federal Government supervision of such election. Senator BACON had offered a resolution qualifying the Bristow amendment so as to prohibit Federal supervision unless the State legislators refuse or fail to act, and this was defeated by a vote of 46 to 42.

Sixteen Republicans joined with the eight Democrats in voting against the popular-election amendment—BRANDEGEE, BURNHAM, CRANE, DILLINGHAM, GALLINGER, HEYBURN, LIPPITT, LODGE, LORIMER, OLIVER, PAGE, PENROSE, RICHARDSON, ROOT, SMOOT, and WETMORE.

Senator JOHNSTON made the prediction that, with the Bristow amendment attached to it, the popular-election amendment will never receive the requisite indorsement of the States. It is probable that on this very account the majority voted for the Bristow amendment. There has been a very open declaration on the part of the Senators that popular election will not prove to be a good thing. Probably, therefore, these opponents of the theory of popular election insisted upon incorporating the Bristow amendment in order to keep popular election from becoming effective, even when adopted by the vote of the Senate.

Senator JOHNSTON'S prediction will come true, if the recollection of former days has not faded from the public mind. He said, when opposing the resolution because of the Bristow amendment:

"I have myself witnessed elections in my State where United States troops were assembled at the polls and where supervisors and deputy marshals were potential in the result. I never want to see either again. During the reconstruction period these officials were used for the most partisan purposes and to intimidate the voters and prevent the full and free and fair expression of the will of the voters. Such methods as that gave the party in power swarms of unscrupulous partisans, paid by the Government to carry out the will of the bosses, and they did not hesitate to abuse their power. These men were not chosen from the voters of the counties in which they acted, but imported from other cities and counties and States. Pretending to represent the authority of the United States, they really represented the bosses of the party in power."

The legislatures of the South are not likely to accept the amendment under the terms that it is offered. Fortunately, there is available the State primary, which meets the needs of the people in expressing their choice for Senators; so that no loss will be suffered if the amendment fails of confirmation.

REESTABLISHMENT OF ARMY DIVISION HEADQUARTERS.

Mr. HITCHCOCK. I offer a resolution and ask to have it read.

The VICE PRESIDENT. The Secretary will read the resolution for the information of the Senate.

The Secretary read the resolution (S. Res. 71) as follows:

Resolved, That the Committee on Military Affairs be authorized and directed to investigate and report to the Senate its findings and recom-

mendations upon the question presented in Senate document 42, involving the relative merits of divisional, as distinguished from departmental, headquarters in the military organization throughout the country, concerning which a controversy has existed for many years in the War Department, as is revealed by the letter from the Secretary of War, resulting in numerous changes from the divisional system of headquarters to the departmental system of headquarters and back again every few years.

Mr. HITCHCOCK. I ask for the immediate consideration of the resolution because the matter is somewhat urgent. It develops from the letter presented by the Secretary of War in response to my resolution that the War Department during the last 90 years has operated in military affairs in the country about one-half of the time under the departmental system of headquarters, which now exists, under which there are at the present time, as I recall, nine military departments throughout the country, and during the other half of the time has operated the military affairs of the country, both tactically and in an administrative way through a system of divisional headquarters.

Mr. President, it is now proposed, by an order which has recently been issued, to make another change, on the 1st of July, back from the present system of departmental headquarters to the old and discarded system of divisional headquarters, and this will involve the transfer of a large number of officers and civilian employees from such departmental headquarters as St. Paul, San Antonio, Omaha, and other places, to either Chicago, New York, or San Francisco.

Mr. BACON. The Senator says "either." It is to those three.

Mr. HITCHCOCK. Yes; to one or the other of those three in each case.

Mr. BACON. Those are the three selected.

Mr. HITCHCOCK. Yes.

Mr. BACON. Those have already been selected as the three.

Mr. HITCHCOCK. If this were the first time that this change is called for, or if it had been known to have been made after any extended hearing before any legislative body, or if the experiment had never been tried before, it might be the proper thing to allow it to pass without any consideration, but the fact is that the present departmental system of headquarters has been in operation more than half the time during the last 90 years, as I recall. As is exhibited by this letter from the Secretary of War, this departmental system was installed again and the old divisional system was abolished in 1907, when the present President of the United States was then Secretary of War, and when Gen. Chaffee, an experienced Army officer, was Chief of Staff. It was discarded at that time, after it had been in use only four years—from 1903.

I think, Mr. President, that the time has come when the Committee on Military Affairs of the Senate should at least have some hearings and make some investigation upon the relative merits of these two systems which have been tried from time to time and which have been abandoned and resumed and abandoned and resumed, each time at a considerable expense and each time with great disturbance to the organization throughout the country.

Now, I am frank to admit that I have a local interest. I happen to know that in my town, for instance, some 40 families will be required to move to Chicago or abandon their employment in the military service, and, as stated in this letter of the Secretary, they are in many cases old employees of the Government, entitled at least to fair treatment.

Mr. President, it is claimed that there are two reasons why this change should be made—first, that it will work for economy; second, that it will work for efficiency. I think, however, there ought to be a hearing before the Military Affairs Committee. I believe that the advocates in the War Department of the two systems—and there are in the War Department to-day, as I understand, advocates of the two systems—should be asked to come before the Senate committee and give their testimony and make their showing. Certainly at the time the Secretary of War, Mr. Proctor, made the change—I think in 1891—it was after quite an extended investigation, and certainly when the change to the present system was made, under the administration of Secretary of War Taft and of Gen. Chaffee, then Chief of Staff, it was entitled to considerable consideration; at least as much as it should be given at the present time.

I therefore ask that the Committee on Military Affairs, which, under the resolution introduced by the Senator from Wyoming [Mr. WARREN], already has the general power to hold hearings and take testimony, be given authority to investigate this question, and it should be done at once, before the order goes into effect. The investigation may at least result in some modification of the order, and I ask, therefore, that this resolution may be adopted.

Mr. BACON. Mr. President, I agree with the suggestions made by the Senator from Nebraska, and there are some other suggestions which I wish to make in that connection.

I admit in the beginning, as has the Senator from Nebraska, that I have a local interest in the matter. One of the headquarters of these departments is located in Atlanta, and all that he has said in a general way as to the effect upon these different localities will, of course, apply to this particular department.

There is another suggestion that I wish to make, Mr. President, and that is this: The burdens of this Government extend over every section of this country—properly so. Whatever of benefit there may be ought to be, as far as practicable, distributed with equal impartiality. Of course, the military establishment is a very expensive part of the Government.

The expenses of that establishment bear a very large proportion to the total expenditures of government. The expenditures necessarily are in a great degree found in the localities where the headquarters are. This new arrangement proposes that the nine departments—I think that is the number—shall be practically superseded by three headquarters, one of them in New York, one of them in Chicago, and one of them in San Francisco. There is a vast scope of country south of the line drawn between those three points that is practically excluded from all the benefits which arise from expenditures by reason of the requirements of the War Department.

I am not prepared to say, because I have not the information necessary for me to form a judgment satisfactory to myself, whether it is important that these nine departments should be broken up and the substitutes for them in other headquarters be limited to a smaller number, but I want to say in that regard two things. If they are to be limited to a small number they ought to be distributed with some regard to the geographical arrangement of those headquarters.

I say, Mr. President, in that vast range of country south of the line running from New York through Chicago to San Francisco there ought to be, in part, a representation in the establishment of headquarters in some parts of that country. I do not say it ought to be in Atlanta, I do not say it ought to be in New Orleans or Memphis, or at any other point that may be selected, but I wish to say that I think it is a discrimination not to be justified that all three headquarters selected for this great country, for the distribution practically of $100,000,000, should be limited to the upper line of the country and not be so arranged that these expenditures would in a natural way be found to be made impartially throughout the country.

If there are only three, one of them ought to be in the South. If it is essential that there should be three at the several points indicated, then there ought to be another created which ought to be in the South.

Mr. President, I do not wish to be understood as presenting anything from a sectional standpoint. What I am presenting is to try to prevent that which is sectional. I do not want anything which is sectional. I am not asking that there shall be any preference shown to the vast extent of country known as the southern part of this country, embracing from a third to a half territorially of the entire country; but when that part of the country is discriminated against it is not sectional to ask that that discrimination be removed.

I wish to say with this disclamer of any purpose to do otherwise than attempt to affect that which would be impartial, that not only as to the War Department, but of any man will take up the appropriation bills he will find that outside of the appropriations for the Post Office Department, I can not state it with mathematical certainty, but I have not a doubt in the world that four dollars out of every five, if not nine dollars out of every ten appropriated by Congress, are expended in what we generally know as the Northern States, and not a fifth of it is expended in the Southern States, and possibly not a tenth of it. It may be that in some large degree that is unavoidable from the fact that a great many of the expenditures are for the procurement of things which are only manufactured at the North. The great shipbuilding industries are at the North, the great iron industries are largely at the North.

Mr. WARREN. Mr. President——

The PRESIDING OFFICER (Mr. BRANDEGEE in the chair). Does the Senator from Georgia yield to the Senator from Wyoming?

Mr. BACON. I do.

Mr. WARREN. It may be true, I say to the Senator, that the preponderance of money provided by some of the appropriation bills is more largely expended North than South. Of course it is a larger part of the country, taking it as a whole. But the Senator would hardly want that statement to stand as to

the river and harbor bill or as to the Agriculture appropriation bill and others of that kind.

Mr. BACON. Those are very small bills.

Mr. WARREN. The river and harbor bill is a matter of $45,000,000 or $50,000,000 in itself, and the sundry civil bill carries still more for those improvements.

Mr. BACON. Not in a year.

Mr. WARREN. If the Senator will take up the sundry civil appropriation bills and see the amount that is appropriated every year for rivers and harbors he will find that the major part of the money expended in the sundry civil appropriation bill is for rivers and harbors in the Southern States.

I do not want to be sectional in any way, as the Senator knows, certainly not in appropriation questions. It never came up, as far as I know, in the consideration of an appropriation bill. It was my pleasure in the last appropriation bill for the Agricultural Department to stand a pretty long and severe strain in conference insisting that the full amount desired for the protection of cotton should be given.

Mr. BACON. How much?

Mr. WARREN. I do not recall what it was. I think we added some $300,000 or so to the amount already included in the bill.

Mr. BACON. A mere bagatelle compared with the thousand million spent every year.

Mr. WARREN. Then, taking the entire agricultural appropriation bill, the Senator, I know, does not want to be unjust——

Mr. BACON. No; and for that reason I am willing that the Senator shall go on as long as he wishes.

Mr. WARREN. Perhaps I will wait until the Senator gets through the other branch.

Mr. BACON. No; I mean exactly what I say. The Senator can proceed.

Mr. WARREN. There is some misunderstanding about this distribution of troops, and there is no reason why the matter should not be examined into by the proper committee; and a foundation for that has been laid by the resolution which was introduced for information, the reply to which we now have printed. I have not had time to examine it closely.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Florida?

Mr. BACON. I yield to the Senator from Florida.

Mr. FLETCHER. In reference to the river and harbor appropriations in connection with the remarks of the Senator from Wyoming, it may be observed that out of the 30,000 miles of navigable streams in the whole country 23,000 of them are in the South.

Mr. WARREN. That is true as to many another matter relatively. The occasion for this expenditure and the business calls for it were exactly the same as the calls for the improvement of the great rivers of the South. For instance, take the matter of public buildings and grounds. I do not believe there is a Senator on the other side of the Chamber who has ever served upon the Committee on Public Buildings and Grounds who will claim that there has been any neglect of any portion of the South or that the percentage of improvement to the South has been any smaller than that to the North.

Mr. BACON. Mr. President, the Senator from Wyoming entirely misconceives the spirit and intent of what I have said. I have not charged that Congress has discriminated against the South. On the contrary, when the learned Senator interrupted me I was about to say that in the nature of things, out of the existing conditions, unavoidably the larger portion of it was spent at the North. I was proceeding to say that in the matter of those things that relate to the expenditures of the Navy Department very largely they are necessarily at the North, because the ships are built at the North, the great steel plants are in the main at the North, and, necessarily, the expenditure is there.

I was speaking not in a way of criticism, but of a fact, and I repeat it as a fact, that if anyone will examine the appropriation bills and trace out where the money goes that is appropriated, not having examined it in a mathematical way by adding up the exact figures but by noticing the appropriation bills every year, I have no hesitation in the belief that, outside of the expenditures of the Post Office Department, which of themselves are returned by the revenues of the department, at least four out of every five dollars appropriated are spent at the North. I do not say that it was the design of Congress that that should be so, but I am speaking of the fact that it is so.

Then I say there are other things in which the expenditures are not necessarily limited to the North, and that where that is so we ought to be all the more careful that the expenditures should be impartially distributed, and that our arrangements of the different departments should be such that there would be an impartial distribution of the large appropriations which we have to make.

There are a great many things, possibly, that it is not necessary to buy exclusively at the North, and yet almost all of them are bought there. There are some few supplies that are bought in the South in the great expenditures in the construction of the Panama Canal, but the large bulk of them are bought at the North.

Therefore it is, Mr. President, if the purchase of Army supplies and the benefits which are to result from the location of headquarters in different localities are such that they are not necessarily limited to a section, the very fact that now there are conditions which require that the larger part of the appropriations should be spent in that section makes it all the more important that appropriations which are not relating to matters where the expenditures must unavoidably be at the North should be distributed, and that the South should get its full proportion of them.

That is the whole purpose, I say, Mr. President. I am not criticizing Congress in any manner; and I do not wish to be understood as criticizing the department in this matter, because I have no thought that that was the purpose of the arrangement. The fact is that the arrangement was made under the administration of a former Secretary of War, who was himself a southern man, Mr. Dickinson, the late Secretary. I know well enough his feeling with regard to the section from which he came to know that that was not his purpose; but I think that is the effect.

I want to say further that I am sure of another thing, and that is that the Secretary, whoever he may be, is not always responsible for these things. The heads of departments and various officials, military and civil, of course all have their combined influence, and out of their various suggestions these plans are evolved.

I am glad the Senator from Nebraska introduced this matter and brought it up, because while I did not know exactly in what shape to present it, I have had it in mind for the past few weeks to say something on this subject. As was said by the Senator from Nebraska, it is not limited to the small matter of the expenditure of money in the purchase of supplies, but it is the large expenditure of money which necessarily is made by those who are in the employment of the military branch of the Government. Forty families, he says, in his own community will have to be torn up and carried away to Chicago.

I believe that economy probably will result from a diminution of the number of these headquarters. Whether you call them divisional headquarters or departmental headquarters is a matter of indifference. I believe that some economy can be secured from the change. And I believe the number of officers possibly who are on detail at these various places can be decreased, and a number of them returned to their regiments. Therefore, I do not wish to be understood as being utterly opposed to any change, but I am most decidedly opposed to a change which seems to be utterly blind to the fact that the distribution of these various headquarters in different sections of the country, unless impartially made, must result in a partial distribution of whatever benefits may flow to the people of this country in the expenditure of this hundred million dollars.

Of course, I know what is said by the officers; they have said it to me. I have received from them an official communication to the effect that it is not thought it would make any material change in the places in which this money is expended. That is said by some, but an official communication which I have received from the Secretary of War on this subject is a little more guarded in the language. I can not quote it with absolute accuracy, but it goes on to say substantially that the expenditures will continue to be made in the future as they have in the past, as those expenditures may be made in one way or the other most advantageously. That will simply mean that the purchasing officers being in New York, Chicago, and San Francisco, those purchases can necessarily more advantageously be made altogether in sections contiguous to those three great centers, and that in the vast extent of country which I have mentioned, where supplies can be purchased just as economically, or more economically, not simply the South, but the great Southwest, and, in a degree, the Middle States, will be debarred from all participation in the benefits of the expenditure of this large amount of money, because the line running from New York to Chicago and from Chicago to San Francisco is, so far as it relates to the country between New York and Chicago, on our very northern boundary, and it is only deflected a little to the southwest as it proceeds to the west from Chicago to San Francisco.

Therefore, Mr. President, I hope that this matter will be submitted to the investigation of the committee, and that they will not only investigate the question suggested by the Senator from Nebraska, but that they will particularly investigate another question, and that is whether, if the number of these departments or divisions, whatever they may be called, is to be decreased, they should be limited to our extreme northern boundary or whether they should be distributed properly throughout the country.

Mr. WARREN. A number of these points that have been brought out by the Senator from Georgia will of course be examined by the committee. It is my understanding that all those depots named, established for the purchase of supplies, are to be maintained, and that bids will be received through them all.

But what I rose to say, Mr. President, is that this subject is a broad one, and I join the Senator from Nebraska in the desire to have the committee take it up. The Senator is a member of that committee, and so is his colleague, and I will ask him if it will not serve the purpose to refer the resolution to the committee that has already all the powers that this can give it, and I will be glad to join the Senator in asking for an early and complete investigation through the medium of that committee, or a subcommittee if it so chooses.

Mr. CULBERSON. Before the Senator from Wyoming takes his seat I want to understand him. Do I understand him to suggest that without the adoption of the resolution presented by the Senator from Nebraska he personally will favor this investigation under a general resolution which has heretofore been adopted by the Senate?

Mr. WARREN. Most assuredly, Mr. President. The usual resolution asking for liberty to sit in session or out, and for the employment of stenographers, and so forth, has been presented and passed relative to the Committee on Military Affairs, and I will join with the Senator from Nebraska in asking the chairman of that committee to call an early meeting and to have a full investigation.

Mr. CULBERSON. Let me ask the Senator what harm could then come in adopting this resolution? It simply——

Mr. WARREN. In the first place, it is absolutely unnecessary, and it carries more language than I think the proponent perhaps himself would, upon reflection, care to embed in the records.

Mr. BACON. I suggest that the resolution be read from the desk again that we may know what it is.

The PRESIDING OFFICER. The Secretary will again read the resolution to the Senate.

The Secretary read the resolution (S. Res. 71) as follows:

Resolved, That the Committee on Military Affairs be authorized and directed to investigate and report to the Senate its findings and recommendations upon the question presented in Senate Document No. 42, involving the relative merits of divisional, as distinguished from departmental, headquarters in the military organization throughout the country, concerning which a controversy has existed for many years in the War Department, as is revealed by the letter from the Secretary of War, resulting in numerous changes from the divisional system of headquarters to the departmental system of headquarters and back again every few years.

Mr. POINDEXTER. Mr. President, I only want to ask a question for information from the Senator from Nebraska. Does the Senator understand that the proposition is to concentrate the Army at these three divisional points, or only to move the headquarters from the various departments to the divisional points?

Mr. HITCHCOCK. Mr. President, I understand that this does not involve the transfer of any troops; it permits the departments to still remain the headquarters for tactical purposes, but transfers the administrative work to the three divisional headquarters of the country. I should like to say, further, while I am on my feet, Mr. President——

Mr. POINDEXTER. In order that the Senator may answer the entire matter at one time, I should like also to ask what information the Senator has as to the present status of the proposition? To what extent has the matter been developed by the War Department?

Mr. HITCHCOCK. The order has been issued—I think it was dated in May—and it is to go into effect on the 1st of July.

I may say further that the letter of the Secretary of War reveals the fact that it is not proposed at the present time to dismiss any of the civilian employees, but to move them to divisional headquarters, and then to gradually diminish the number, as is hoped by the department.

Mr. President, while on my feet, I should like to say to the Senator from Wyoming [Mr. WARREN] that I had some doubt whether the wording of the resolution which he had introduced early in the session empowering the Committee on Military Affairs to hold hearings and to make investigations was broad enough to cover this case, because it states that they may have the hearings upon any subject which may be pending before said committee. It seems to me there is no subject pending before the committee; there is nothing but this letter from the Secretary of War; but if this specific reference to the resolution were made to them, there would be no question about the propriety.

Furthermore, it seems to me, Mr. President, proper enough—if this widespread sentiment exists in the Senate, and I believe it does—for the Senate to express to the committee its desire for an investigation. I have not much doubt that the investigation will be had; but I can see no possible objection, if it is to be held, why it should not be under the specific authority of the Senate.

Mr. ROOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from New York?

Mr. HITCHCOCK. I do.

Mr. ROOT. Mr. President, I have no objection to this resolution being now referred to the Committee on Military Affairs, but I shall certainly object to the consideration of the resolution for the purpose of bringing it to a vote to-day. The resolution contains recitals of facts that are not known to the Senate, and which I believe not to be correct. The Senate is not in a position to act upon this subject, even so far as this resolution goes; it has not the material before it on which to express any opinion, and it ought not to express any opinion.

I do not for a moment suggest that it would not be quite proper for the Senate, upon ascertained grounds and upon due consideration, to interfere with the conduct of the military affairs of the country, but the Senate ought not to interfere without ascertaining the facts and without due consideration upon the facts which it knows; but the recitals of this resolution take the Senate, it seems to me, much further than it should now go.

Mr. CULBERSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Texas?

Mr. ROOT. Certainly.

Mr. CULBERSON. I merely suggest to the Senator from New York that the resolution seeks to put the Senate at an early date in possession of the facts just suggested by him, and it is necessary to proceed rapidly, or at least expeditiously, in view of the fact that the order will take effect on the 1st of July.

Mr. ROOT. But the resolution goes much further than merely calling for an investigation. Half of the resolution is taken up with statements of fact.

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Nebraska?

Mr. ROOT. Certainly.

Mr. HITCHCOCK. I think there are no statements of fact in the resolution except those taken from the letter of the Secretary of War.

Mr. ROOT. I have never seen the letter of the Secretary of War.

Mr. HITCHCOCK. It was presented to the Senate and has been printed.

Mr. ROOT. There are many papers which have been presented to the Senate which we do not carry in our minds.

Mr. WARREN. Will the Senator from Nebraska permit me to make a suggestion?

Mr. HITCHCOCK. Certainly.

Mr. WARREN. Mr. President, I want no misunderstanding about my attitude. I have no objection to the Senate directing the Committee on Military Affairs to take up the subject of a report to the Senate, but I do seriously object to asking a vote of the Senate upon what is said to be contained in some report—and I dare say that there is no misstatement made—but a kind of resolution that, without any premeditation on the part of the Senator, does in fact rather throw dirty water on the Army. It seems to me that a resolution directing the committee to make a report upon papers before it, called for by the resolution of the Senator, ought to be sufficient without advertising to the world, perhaps erroneously, that there is a contest of 100 years' standing in the Army. We can, of course, know nothing about it until we have examined the papers.

The PRESIDING OFFICER. If the Chair may be permitted to make a suggestion, the request of the Senator from Nebraska [Mr. HITCHCOCK] is for unanimous consent for the present consideration of the resolution; and the Chair understands that there are two objections to its present consideration.

Mr. WARREN. Mr. President, may I interrupt the Senator just a moment more? I fear I shall be called out of town, and I know the chairman of the committee is likely not to be here to-morrow. I should be perfectly willing to have it disposed of so far as I am concerned, and I do not wish to object to the consideration of the resolution.

Mr. HITCHCOCK. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from Nebraska?

Mr. WARREN. I do.

Mr. HITCHCOCK. If there is any language in the resolution objectionable—any language which seems to reflect upon the War Department—I should be perfectly willing to have it modified. What I want is an investigation by the committee.

Mr. ROOT. Mr. President, may I inquire what is Senate Document 42?

Mr. HITCHCOCK. That is the letter of the Secretary of War which was sent here in response to my resolution of inquiry.

Mr. ROOT. Has the Senator from Nebraska any objection to striking out that part of the resolution which follows the word "country"—that is, striking out the words "concerning which a controversy has existed for many years in the War Department"? I do not think that is a correct statement.

Mr. HITCHCOCK. My whole knowledge of this controversy is derived from this letter. It is because it contains the opinions of Gen. Chaffee——

Mr. WARREN. Mr. President——

The PRESIDING OFFICER. The Senator from New York [Mr. ROOT] has the floor. Does he yield to the Senator from Nebraska?

Mr. ROOT. Certainly.

Mr. WARREN. Why not let the resolution go to the committee and let them examine it? We will then have not only the testimony of one general, but of several. I would favor the Senator's resolution if he would simply reduce it to directing that there shall be an examination of the matters contained in the report.

Mr. HITCHCOCK. There is an objection, I think, to striking out that language, because the very reason for the investigation by the Committee on Military Affairs is the fact of the existence of a controversy in the War Department, as shown by the Secretary of War himself.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from New Hampshire?

Mr. ROOT. Certainly.

Mr. GALLINGER. Mr. President, I rise to inquire of the Senator from Nebraska whether or not he has a printed copy of the letter of the Secretary of War? I have made inquiry for it, but have been told that it is not yet in print.

Mr. HITCHCOCK. It is in print, but there is a delay on account of the map. I have a printed copy of the letter here, if the Senator would like to see it.

Mr. GALLINGER. I should like to look at it. I made inquiry, but was told it is not yet in print.

Mr. HITCHCOCK. I send a copy of the printed letter to the Senator.

Mr. GALLINGER. This, then, is the letter in full?

Mr. HITCHCOCK. Yes, sir. There are bound copies, I may say to the Senator from New Hampshire, in addition to that.

Mr. ROOT. I can say to the Senate that between July, 1899, and the spring of 1904 there was no controversy in the War Department on this subject, and I do not understand that there is any controversy in the War Department now on this subject. There may be differences of opinion among individual officers, but I do not think the Senate ought to pass a resolution declaring that there is a controversy in the War Department, thus reflecting upon the discipline of that department. I have no objection to the proposed inquiry, but do not let us in advance of the inquiry make findings of facts that we know nothing about.

Mr. HITCHCOCK. Will the Senator from New York kindly indicate just which words should be stricken out?

Mr. ROOT. I will read the words. If you leave in this language—

Resolved, That the Committee on Military Affairs be authorized and directed to investigate and report to the Senate its findings and recommendations upon the question presented in Senate Document No. 42, involving the relative merits of divisional, as distinguished from departmental, headquarters in the military organization throughout the country—

that is the effective part of it.

Mr. BACON. Mr. President, I want to offer an amendment to that.

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Georgia?

Mr. ROOT. Let me complete my answer to the Senator from Nebraska, if you please. I suggest that you leave that language in and strike out the words which follow, and which are a mere recital, to wit:

concerning which a controversy has existed for many years in the War Department, as is revealed by the letter from the Secretary of War, resulting in numerous changes from the divisional system of headquarters to the departmental system of headquarters, and back again every few years.

Mr. HITCHCOCK. Well, Mr. President, I am willing to say, if that will satisfy those who object to the passage of the resolution, that I will accept the amendment offered by the Senator from New York.

Mr. BACON. Mr. President, I want to know whether the members of the committee to which this resolution will be referred understand that that language is sufficient to cover the scope of the particular inquiry to which I have directed attention, to wit, as to the propriety of the proposed geographical distribution of these headquarters? I do not desire to encumber the resolution with an amendment if it can be understood that that question is to be embraced in the inquiry.

Mr. WARREN. Mr. President, I do not see how the inquiry can be made without covering that entire ground. That question would be revealed by the document itself, which, I will admit, I have not read; but it seems to me that an examination could not be made without involving that question.

Mr. BACON. Without involving the question as to the propriety of the geographical distribution?

Mr. WARREN. Certainly.

Mr. BACON. That being the case, Mr. President, I have no desire to encumber the resolution with an amendment, but I wish to say that the matter to which I have called attention is one about which I shall ask, either in connection with the investigation now called for or in connection with some other, that there shall be a proper investigation into that particular feature of the matter. I think it is an extremely—I started to use, probably, a stronger word than I should—I think it is an unjust thing to the different portions of this country that the location of these centers of influence from which distribution is made should be settled in a way entirely sectional. I think that, the burden being equally borne, the benefits should be as impartially enjoyed.

Mr. GUGGENHEIM. Mr. President, I hope the resolution offered by the Senator from Nebraska [Mr. HITCHCOCK] may receive favorable and immediate consideration. The State of Colorado is very much interested in the resolution. It is intended, so I am informed, that the Department of the Colorado shall also be abandoned. I hold in my hand letters of recent date from the Denver Chamber of Commerce, the Real Estate Exchange, and from many citizens protesting against the abandonment of the Department of the Colorado. It is for this reason that I should like to see the resolution now receive favorable consideration, and in view of the fact that the change is expected to be made on July 1, I should be glad to see the investigation carried on as promptly as possible. I see no harm in having the hearing at the present time, so that the matter may be thoroughly investigated and sifted without any possible delay. I ask for an impartial hearing by the Committee on Military Affairs, at which it will be demonstrated, in my humble judgment, that the State of Colorado, which I have the honor, in part, to represent, shall not be unjustly discriminated against, as now seems to be contemplated. I ask that the grievances of my many constituents be left to the Committee on Military Affairs for a prompt investigation, which I trust may be had.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution offered by the Senator from Nebraska? The Chair hears none. The Senator from Nebraska, as the Chair understands, has modified his resolution in accordance with the suggestion of the Senator from New York.

Mr. HITCHCOCK. Yes, sir.

Mr. CULBERSON. I ask that the resolution as modified be read.

The PRESIDING OFFICER. The resolution as modified will be read by the Secretary.

The Secretary read as follows (S. Res. 71):

Resolved, That the Committee on Military Affairs be authorized and directed to investigate and report to the Senate its findings and recommendations upon the question presented in Senate Document No. 42, involving the relative merits of divisional, as distinguished from departmental, headquarters in the military organization throughout the country.

The PRESIDING OFFICER. The question is on agreeing to the resolution as modified.

The resolution as modified was agreed to.

THE CALENDAR.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed, and the calendar, under Rule VIII, is in order. The Secretary will state the first business on the calendar.

The SECRETARY. A joint resolution (H. J. Res. 1) to correct errors in the enrollment of certain appropriation acts, approved March 4, 1911.

Mr. HEYBURN. I ask that that may go over.

The PRESIDING OFFICER. The joint resolution will go over at the request of the Senator from Idaho.

Mr. WARREN. Mr. President, I was about to make the same request; but I wish to say further that I shall ask at a very early date that the joint resolution be taken up and disposed of.

The bill (S. 20) directing the Secretary of War to convey the outstanding legal title of the United States to sublots Nos. 31, 32, and 33 of original lot No. 3, square No. 80, in the city of Washington, D. C., was announced as next in order.

Mr. HEYBURN. I ask that that bill go over.

The VICE PRESIDENT. The bill will go over.

EXTENSION OF UNDERWOOD STREET NW.

The bill (S. 23) to authorize the extension of Underwood Street NW. was considered as in Committee of the Whole.

Mr. GALLINGER. Mr. President, I offer a substitute for the bill, which I ask to have read.

The VICE PRESIDENT. The Senator from New Hampshire offers a substitute for the bill, which will be read by the Secretary.

The SECRETARY. It is proposed to strike out all after the enacting clause and to insert:

That under and in accordance with the provisions of subchapter 1 of chapter 15 of the Code of Law for the District of Columbia, within six months after the dedication, in accordance with law, of the land necessary to widen Underwood Street from its present western terminus west of Eighth Street west to Seventh Street west to its full width of 90 feet, as laid down on the permanent system of highways plan, the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to institute in the Supreme Court of the District of Columbia a proceeding in rem to condemn the land that may be necessary to extend said Underwood Street from its present western terminus west of Eighth Street west to the Piney Branch Road, with a width of 90 feet, as laid down on the permanent system of highways plan: *Provided*, That if the dedication referred to herein shall have been made prior to the passage of this act, the Commissioners of the District of Columbia are authorized and directed to institute the condemnation provided for herein within six months after the passage of this act: *Provided further*, That the entire amount found to be due and awarded by the jury in said proceeding as damages for, and in respect of, the land to be condemned for said extension, plus the costs and expenses of the proceeding hereunder, shall be assessed by the jury as benefits.

SEC. 2. That there is hereby appropriated, out of the revenues of the District of Columbia, an amount sufficient to pay the necessary costs and expenses of the condemnation proceeding taken pursuant hereto, and for the payment of amounts awarded as damages, to be repaid to the District of Columbia from the assessments for benefits, and covered into the Treasury to the credit of the revenues of the District of Columbia.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. GALLINGER. Mr. President, I submit some papers in addition to those already filed with that bill, which I ask shall accompany the bill.

The VICE PRESIDENT. The papers will be received to accompany the bill.

SUNDAY OBSERVANCE.

The bill (S. 237) for the proper observance of Sunday as a day of rest in the District of Columbia was announced as next in order.

Mr. HEYBURN. I ask that the bill go over.

Mr. JOHNSTON of Alabama. I move that the Senate proceed to the consideration of the bill.

The VICE PRESIDENT. The Senator from Alabama moves that the Senate proceed to the consideration of the bill, the objection of the Senator from Idaho to the contrary notwithstanding.

Mr. HEYBURN. On that I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. HEYBURN. I suggest the absence of a quorum.

The VICE PRESIDENT. The Senator from Idaho suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Culberson	Jones	Root
Bourne	Cullom	Kenyon	Shively
Bradley	Cummins	Kern	Simmons
Brandegee	Curtis	La Follette	Smith, Mich.
Bristow	Dillingham	Lodge	Smoot
Brown	Dixon	McCumber	Swanson
Bryan	Fletcher	Martin, Va.	Townsend
Burnham	Foster	Nelson	Warren
Burton	Gallinger	Nixon	Wetmore
Chamberlain	Gamble	Overman	Williams
Chilton	Guggenheim	Page	Works
Clark, Wyo.	Heyburn	Penrose	
Crane	Johnson, Me.	Perkins	
Crawford	Johnston, Ala.	Poindexter	

The VICE PRESIDENT. Fifty-three Senators have answered to the roll call. A quorum is present. The Senator from Idaho asks for the yeas and nays on the question of agreeing to the motion to proceed to the consideration of the bill.

The yeas and nays were not ordered.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Alabama that the Senate proceed to the consideration of the bill. [Putting the question.] The "noes" appear to have it.

Mr. JOHNSTON of Alabama. I ask for the yeas and nays now.

The VICE PRESIDENT. The yeas and nays have just been refused.

Mr. JOHNSTON of Alabama. We have had a vote since then—viva voce.

Mr. HEYBURN. I raise the question of order against it.

The VICE PRESIDENT. Without objection, the Chair will put it again, but the Chair just this moment put it.

Mr. JOHNSTON of Alabama. I do not think the Senate could have understood what was proposed to be considered.

The VICE PRESIDENT. Without objection, the Chair will again put the question.

Mr. HEYBURN. No; Mr. President, I object. The yeas and nays having been refused to one Senator, under no rule of this Senate can they be ordered now.

The VICE PRESIDENT. The Chair can not put the question again in the face of an objection.

Mr. JOHNSTON of Alabama. I submit, but I give notice——

The VICE PRESIDENT. The bill goes over.

BILLS PASSED OVER.

The bill (S. 291) providing for the retirement of petty officers and enlisted men of the United States Navy or Marine Corps, and for the efficiency of the enlisted personnel was announced as next in order.

Mr. BURTON. I ask that it go over.

The VICE PRESIDENT. The bill will go over.

The bill (S. 25) to regulate the business of loaning money on security of any kind by persons, firms, and corporations other than national banks, licensed bankers, trust companies, savings banks, building and loan associations, pawnbrokers, and real-estate brokers in the District of Columbia, was announced as next in order.

Mr. GALLINGER. While I am very warmly in favor of the bill, the Senator from Ohio [Mr. POMERENE], I think, has an amendment to offer to it. He is absent from the city, and I ask that the bill go over on that account.

The VICE PRESIDENT. It will go over.

The bill (S. 123) to alter the regulations respecting the manner of holding elections for Senators was announced as next in order.

Mr. HEYBURN. Let the bill go over.

The VICE PRESIDENT. The bill will go over.

KANSAS RIVER DAMS, IN KANSAS.

The bill (S. 1524) to authorize the construction and maintenance of a dam or dams across the Kansas River in western Shawnee County, or in Wabaunsee County, in the State of Kansas, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with an amendment, on page 1, line 9, after the word "act," to insert "approved June 23, 1910, entitled 'An act to amend an act,'" so as to read:

That the assent of Congress is hereby given to the Topeka Commercial Club, organized under the laws of Kansas, its successors and assigns, to erect, construct, and maintain a dam or dams across the Kansas River at a suitable place or places in western Shawnee County, or in Wabaunsee County, in the State of Kansas, in accordance with the provisions of the act approved June 23, 1910, entitled "An act to amend an act entitled 'An act to regulate the construction of dams across navigable waters,'" approved June 21, 1906.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC HEALTH AND MARINE-HOSPITAL SERVICE.

The bill (S. 2117) to promote the efficiency of the Public Health and Marine-Hospital Service was announced as next in order.

Mr. JONES. I ask that the bill go over.

The VICE PRESIDENT. The bill will go over.

NORTH POINT LIGHT STATION, WIS.

The bill (S. 2052) relating to the expenditure of an appropriation for the razing of North Point Light Station, Wis., was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with amendments, on page 1, line 5, after the word "for," to strike out "razing" and insert "raising"; in line 8, after the word "location," to insert "provided such removal is, in the opinion of the Secretary of Commerce and Labor, for the best interests of the service"; and on page 2, line 3, after the word "granted," to insert the words "under the condition named," so as to make the bill read:

Be it enacted, etc., That the sum of $10,000, appropriated by the sundry civil appropriation act approved March 4, 1909, for raising North Point Light Station, Wis., is hereby made available for removing said light station to a site 3,000 feet northeast of its present location, provided such removal is, in the opinion of the Secretary of Commerce and Labor, for the best interests of the service; said new site to be secured for the United States from the city of Milwaukee, Wis., by an exchange of a portion of the present lighthouse site; and authority to make such exchange of sites is hereby granted under the condition named.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill relating to the removal of the North Point Light Station, Wis., to another site."

PUBLIC HEALTH AND MARINE-HOSPITAL SERVICE.

Mr. FLETCHER. I understand the Senator from Washington [Mr. JONES] withdraws his objection to the consideration of the bill (S. 2117) to promote the efficiency of the Public Health and Marine-Hospital Service.

Mr. JONES. Yes; so far as I am concerned, I withdraw my objection to the bill.

The VICE PRESIDENT. The objection being withdrawn, the bill will be read for the information of the Senate.

The Secretary read the bill, and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. SMOOT. I should like to ask the Senator who has the bill in charge, if there are any amendments he proposes to offer to the bill, or does he intend to try to have it passed as it is?

Mr. FLETCHER. No amendments are offered. The bill as it was introduced is reported favorably without amendment.

Mr. SMOOT. Do I understand the Senator to want the three surgeons on waiting orders and one passed assistant surgeon on waiting orders to receive the increased pay?

Mr. FLETCHER. No. As the report shows, on page 2, as to the three surgeons who are mentioned as receiving at present the compensation of $1,875, there will be no increase. In the case of the other passed assistant surgeon, receiving $1,500, there is no increase. It will remain the same as it is now.

Mr. SMOOT. I wondered whether the bill was explicit enough on that point, because if one of the senior surgeons, of which there are to be 10, according to the bill, was, for some cause or other, placed upon waiting orders, and he, in the meantime, had received his increased compensation as provided in the bill, would he not draw three-fourths of the increased pay which he would receive under the bill, which would make it, if he were a surgeon on waiting orders, $2,250 instead of $1,875?

Mr. FLETCHER. I understand he would receive three-fourths of the pay which he is receiving at the time he goes on waiting orders, whatever that may be, depending on his position at that time; but there would be no increase under this bill of any compensation, commutation, or otherwise for those who are at present on waiting orders.

Mr. SMOOT. I understood the Senator from Florida in speaking of this matter to say that he intended to offer an amendment to the bill providing that whenever a surgeon was on waiting orders he was to receive $1,875 per annum instead of $2,250, and the passed assistant surgeons on waiting orders to receive $1,500 instead of $1,875 per annum. If the bill passes as it is, that will be the result on all those who are on waiting orders to-day, but if a surgeon is placed on waiting orders, which, in other words, simply means the retirement list, and he, through this bill, receives the increased pay, then he would receive three-fourths of the increased pay that he is receiving under the bill, would he not?

Mr. FLETCHER. I do not understand that he would. In discussing the matter with the Senator, I suggested that an amendment might be proposed to cover the point which he mentioned. But upon investigation of the present law and the effect of this bill, I am sure it does not mean to give those on waiting orders the increase which the Senator supposes.

Mr. SMOOT. I am afraid the bill as it now reads would give that increase, and I really would like to have adopted an amendment providing that whenever a surgeon goes upon waiting orders, he should receive the salary of $1,875 per annum, and whenever a passed assistant surgeon is on waiting orders he should receive $1,500. Then there would be no question about it.

Mr. WORKS. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from California?

Mr. SMOOT. Certainly.

Mr. WORKS. I agree with the Senator from Utah that under this bill the compensation of the surgeons who are on waiting orders would be increased.

Mr. SMOOT. There is not, in my mind, any doubt about it; but, if the Senator will remember, in the committee the report that we received from the Surgeon General, which showed the increase both as to salary and commutation of quarters, did not provide any increase whatever for surgeons on waiting orders nor for passed assistant surgeons on waiting orders, and I did not insist upon my point. But after we adjourned and after I discovered this, I took up the matter with the Senator from Florida, and we thought that the bill ought to provide that hereafter surgeons upon waiting orders should receive $1,875 per annum and passed assistant surgeons $1,500 per annum; and I really believe that that was the thought of the committee when we ordered the bill reported out.

Mr. WORKS. I think the purpose of the committee was that their compensations should not be increased, but no such amendment was provided for; and if the Senator from Utah desires to reach that result, I think an amendment to that effect is necessary.

Mr. FLETCHER. Upon an investigation of that matter I found that the statement submitted by the Surgeon General to the committee was erroneous in respect to the possible increase to those surgeons on waiting orders, and the statement found in the report is not exactly the statement that was submitted to the committee. The report, on page 2, shows the actual conditions that matters would be in if this bill is passed. Three surgeons would receive $1,875, and no more. The passed assistant surgeons——

The VICE PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes.

Mr. PENROSE. Mr. President——

The VICE PRESIDENT. One moment. The Senator from Florida [Mr. FLETCHER] still has the floor.

Mr. PENROSE. Oh, I did not observe that.

The VICE PRESIDENT. Does the Senator from Florida desire to hold the floor?

Mr. FLETCHER. Mr. President, I think the objection suggested by the Senator from Utah is really more apprehensive than founded upon any effect of the bill. I am quite sure the objection he urges could not be urged to the bill if it should become a law, and I should like to see the bill passed.

The VICE PRESIDENT. The bill could not now be passed because the unfinished business is before the Senate. The question is whether the Senator desires to retain the floor.

Mr. FLETCHER. Very well; I will let the bill go over then.

RECIPROCITY WITH CANADA.

The Senate, as in Committee of the Whole, resumed consideration of the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes.

Mr. PENROSE. I ask that the formal reading of the bill be dispensed with, that it be read for the purpose of considering amendments, and that the committee amendment be considered first.

The VICE PRESIDENT. Is there objection to the request of the Senator from Pennsylvania?

Mr. HEYBURN. Mr. President, as to the order of procedure that is the rule as to appropriation bills. We have undertaken to apply that rule once or twice to other measures of legislation and it did not work out well. I am speaking of what we

can enforce. We can not enforce it, because there is no rule under which we can do it. If we undertake it in that way it will have to be done by unanimous consent.

Mr. PENROSE. The bill is short. It does not make much difference, if the Senator from Idaho prefers to have the bill read.

Mr. HEYBURN. I do not want to interfere. I merely want to call attention to the fact that it has proved a failure in the past as a method of considering legislative measures other than appropriation bills.

Mr. GALLINGER. Let the bill be read in the usual order.

Mr. PENROSE. I ask that the bill be read in the usual order.

Mr. MARTIN of Virginia. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Crawford	Jones	Reed
Borah	Cullom	Kenyon	Root
Bourne	Cummins	Kern	Shively
Bradley	Curtis	La Follette	Smith, Mich
Brandegee	Dillingham	Lodge	Smoot
Bristow	Fletcher	McCumber	Swanson
Brown	Gallinger	Martin, Va.	Townsend
Bryan	Gamble	Martine, N. J.	Warren
Burnham	Guggenheim	Nixon	Wetmore
Burton	Heyburn	Owen	Works
Chilton	Hitchcock	Page	
Clark, Wyo.	Johnson, Me.	Penrose	
Crane	Johnston, Ala.	Perkins	

Mr. SMOOT. My colleague [Mr. SUTHERLAND] is absent attending a hearing and it is impossible for him to be present.

Mr. JONES. My colleague [Mr. POINDEXTER] is unavoidably detained from the Chamber.

The VICE PRESIDENT. Forty-nine Senators have answered to the roll call. A quorum of the Senate is present.

Mr. GALLINGER. Before the reading of the bill is commenced I wish to ask the chairman of the committee in charge of the bill as to his information concerning the preparation of Senators to discuss the bill. There does not seem to be great enthusiasm manifested in that direction.

Mr. PENROSE. As far as I am advised, and I have made careful inquiry in the last two or three days, there are very few Senators who expect to speak in behalf of the measure, and those who expressed an intention to speak against it do not seem to have made much progress in the way of being prepared.

I am glad the Senator from New Hampshire has raised the question, because there ought to be some understanding as to the rapidity with which the consideration of the bill should be pressed. Either the Senate should fix a day to vote on the bill, in which case Senators can take their time, or else there ought to be some disposition shown to fill in the days as they pass by before we come to a vote on the measure.

Mr. GALLINGER. Mr. President, I raised the question for the reason that Senators on both sides of the Chamber have suggested to me that they are not ready and will not be ready to-morrow to proceed with the discussion of the bill. Quite a number of Senators said to me that they are preparing speeches. Other Senators have said to me that they have important committee work to do to-morrow. The suggestion was made that we could, without detriment to the public service, adjourn over until Monday, and I will venture to make the motion now that when the Senate adjourns it be to meet on Monday next.

Mr. PENROSE. If I may be permitted——

The VICE PRESIDENT. It is not a debatable question.

Mr. PENROSE. Before the motion is put, I will state that I am not advised that any Senator will be ready on Monday.

Mr. GALLINGER. I think we ought to meet on Monday.

The VICE PRESIDENT. The Senator from New Hampshire moves that when the Senate adjourns to-day it be to meet on Monday next.

The motion was agreed to.

Mr. SMITH of Michigan. Do I understand the Senator from Pennsylvania correctly that there is no one willing to speak in behalf of this measure?

Mr. PENROSE. I understand that there are not as many desirous of speaking in behalf of the measure as there are those who desire to speak against it. The friends of the measure would be willing to vote this afternoon on the bill.

Mr. SMITH of Michigan. Without any debate?

Mr. PENROSE. Without any debate.

Mr. SMITH of Michigan. Is that the disposition of the chairman of the Committee on Finance?

Mr. PENROSE. I will be willing to vote now on what has been before the country for six months and thoroughly discussed by both sides. Months have been taken.

Mr. HEYBURN. Does the Senator think that both sides have been before the country?

Mr. PENROSE. To an extent, I think so, in the hearings before the committee, which occupied nearly a month, during which over a hundred persons were heard from all over the country, chiefly against the measure.

Mr. SMITH of Michigan. Mr. President, it seems very strange that a measure which is calculated to bring into unrestricted competition the natural products of a foreign country larger than our own, and the surrender of revenues amounting to between four and five million dollars a year, should excite no controversy in this Chamber.

Has this measure no champion in the Senate, North or South, on either side of the aisle? Then, in the name of reason, why is it here, and why was it begotten?

I am surprised that Senators who have hitherto asserted the right to be heard upon legislation affecting the welfare of our countrymen should hesitate at this critical juncture and not be willing to come out into the open and discuss a measure so shorn of actual merit, a proposition that has been rejected again and again by the chief officers of this Government. This agreement is analogous in almost every detail to the one entered into between Great Britain and the United States in 1854 on behalf of Canada, and which the great Lincoln asked the Senate to repeal. Canada proposed this same measure to President Grant, and it was rejected as undesirable. It was urged again and again by Canada upon Harrison and Blaine, and rejected by these great statesmen as inimical to the welfare of the American people. Perhaps, after all, no one in the Chamber is willing to defend it in view of our past experience in this direction, an experience which met the prompt condemnation of the immortal Lincoln, and which has met with no public or official favor since that historic day in January, 1865, when the old agreement was repealed through the efforts of Chandler, Wade, Sherman, and other great leaders in the Senate.

This is a history-making forum, the record here made is indelible, and fidelity and faithfulness to our own countrymen will be the sole test which the future will apply to our course in this matter. We must not turn the deaf ear to the apprehensions of our own people; we must not refuse to be guided by their wisdom and past experience in this direction; the back of labor must not be broken for the wedding feast; the rich soil of our own country must not be despoiled for the purpose of adding luster to the crown of England.

Mr. President, I can understand why there should be no affirmative side to this question, when we are to give to the people of a foreign state all the rights of membership in the American Union, and permit them at the same time to be protected, defended, and controlled by one of the foremost powers in all the world.

Are we, Mr. President, to put aliens upon an equality with our own American citizens, without any power to tax them or to draft them into the service of our country in time of peril, without a reason being given for this extraordinary procedure and this unfair advantage over the people of our own land?

I am amazed that a proposition so radical should have been so seriously considered for weeks in the Committee on Finance and appear here without a favorable report or a word of enlightenment, and that now no one on the committee is willing to rise and defend it.

Mr. President, what are the privileges of American citizenship? To labor and toil, preparing the vineyard for the stranger who only comes to us at daybreak and again recrosses our border as the sun goes down? Have we no exclusive joys within the confines of our own land beyond the prying gaze of strangers whose only mission among us is to tear down and to destroy? The burdens of this Government have in times past been heavy and hard to bear; were we able to enlist our northern neighbors when the day of reckoning came? Did they assuage the anguish of broken hearts or bind up the exposed wounds; did they defend us on the field of battle alongside the farmer soldier whose interest is now in jeopardy; did they pay the debt incurred in the maintenance of the Union of States, the largest ever assumed by a free people? No! It fell upon the toiler in factory and field, and without complaining he has paid it ungrudgingly. We promised him this market for his wares, gave him certain assurance of this land for the exclusive exercise of his genius, and now, when the harvest is ripe, it is to be garnered by strangers and with our consent. I protest, Mr. President and Senators, against this arrangement. It is unfair and unjust to the people upon the American farm and not helpful to those in factory or mine; it is reciprocity only in name and degrades that wholesome principle into sharp practice and chicanery. Sir, I would feel unworthy to stand in this high place if I did

not resent with all my vigor this assault upon the institutions of the State which sent me here.

Mr. President, I did not intend to make a speech at this time. I thought that we were to be enlightened by some great burst of wisdom that would shed a flood of light upon this vexatious problem. But, alas, all lights are out. The Chamber is in darkness, and no word is to be spoken; a fit setting indeed for the accomplishment of such a deed.

Mr. KERN. Mr. President——

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Does the Senator from Michigan yield to the Senator from Indiana?

Mr. SMITH of Michigan. I am amazed that we are to have no enlightenment from Senators who have had the exclusive custody of this measure for many weeks past.

Mr. KERN. Will the Senator allow me a question?

Mr. SMITH of Michigan. Certainly.

Mr. KERN. Has the Senator read the very able argument in favor of this measure made by the Republican President of the United States and by the Republican governor of Michigan?

Mr. SMITH of Michigan. Mr. President, I have read both.

Mr. KERN. Have they not illuminated the subject? Have they shed no light?

Mr. SMITH of Michigan. In my opinion, Mr. President, the President of the United States has uttered many splendid thoughts; he has, with a power of analysis unsurpassed by many of his predecessors, been able to speak intelligently and instructively upon many public questions; but I am amazed, sir, that of all the things he has discussed, of all the wisdom he has uttered, of all the suggestions he has made, the only one that has found a warm welcome or a permanent lodgment in the brain of the distinguished Senator from Indiana and his colleagues on the other side of the Chamber is a measure so tinctured with Democracy that it finds no championship here in the party to which I belong.

Mr. President, I am going to discuss the bill later as thoroughly as my time and my strength will permit, but will not detain the Senate for that purpose at this time. Ordinarily, we consider the affirmative side of a proposition and then the negative, but we are not to have any discussion. It is to be taken blindly, without further thought, and those who are willing to do it are welcome to the responsibility which that course implies. But for myself I shall refuse to do it, and will, at an early day, give reasons which prompt my earnest opposition to this measure.

The PRESIDING OFFICER. The Senator from Pennsylvania asks that the bill be read. The Secretary will proceed to read the bill.

The bill was read.

The VICE PRESIDENT. The amendment reported by the committee will be stated.

The SECRETARY. On page 24, line 3, after the word "board," it is proposed to insert:

and when the President of the United States shall have satisfactory evidence and shall make proclamation that such wood pulp, paper and board, being the products of the United States, are admitted into Canada free of duty.

Mr. LODGE. Mr. President, I ask that that amendment be passed over.

The VICE PRESIDENT. Is there objection to passing over the amendment? The Chair hears none.

Mr. BACON. What is the proposition, Mr. President? I did not hear it.

Mr. LODGE. I asked that the amendment be passed over for the present, because the author of the amendment is not yet ready to speak upon it.

Mr. BACON. What is the particular amendment?

Mr. LODGE. The only amendment reported by the committee.

Mr. BACON. Very well.

The VICE PRESIDENT. Are there further amendments? If not, the bill will be reported to the Senate.

Mr. BACON. Mr. President, I do not suppose that that procedure, while strictly in order, would be in contemplation of the Senate, in view of the recent action in passing over the amendment. Of course, if we passed over the amendment, it would indicate that it would be left open and not that the bill would pass into the Senate. So far as I am concerned, I want to say that I am perfectly willing for it to proceed to the Senate and to be voted on to-day without further debate.

Mr. LODGE. As the Senator knows, I followed the practice usual in the case of appropriation bills and asked that the amendment be passed over for the present. That is all I intended to do.

Mr. BACON. Certainly.

Mr. LODGE. The amendment can be considered in the Senate just as well as in Committee of the Whole.

Mr. BACON. If the Senator desires that, I have no objection.

Mr. TOWNSEND. Mr. President, I am not entirely familiar with the procedure of the Senate. I was out of the Chamber for the moment and am not informed as to what discussion has taken place so far, but I desire to state that I propose to offer an amendment to the bill providing that the President shall enter into negotiations with Canada for the purpose of enlarging reciprocal trade with Canada; and I am rising for the purpose of asking if I shall be foreclosed or estopped from doing that if the bill is reported to the Senate to-day.

The VICE PRESIDENT. The Senator will not be foreclosed if he offers his amendment at any time before the bill is read the third time.

Mr. GALLINGER. Mr. President, inasmuch as the Senator from Massachusetts [Mr. LODGE] has asked that the amendment reported by the committee go over, and couples that with the suggestion that the author of the amendment is not yet ready to proceed to its discussion, it would, I think, be manifestly improper—or, at least, it would be very unusual—to have the bill reported to the Senate. Therefore I move that the Senate adjourn.

The motion was agreed to; and (at 2 o'clock and 32 minutes p. m.) the Senate adjourned until Monday, June 19, 1911, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

FRIDAY, *June 16, 1911.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, imbue us plenteously, we beseech Thee, with heavenly gifts, that we may be guided to a faithful and conscientious service to Thee and our fellow men here, now and always, in the spirit of the world's great Exemplar. Amen.

The Journal of the proceedings of yesterday was read and approved.

THE WOOL SCHEDULE.

Mr. UNDERWOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 11019), a bill to reduce the duties on wool and manufactures of wool, and pending that motion I desire to ask the gentleman from New York [Mr. PAYNE] if we can come to an agreement about closing general debate and taking up the bill under the five-minute rule.

Mr. PAYNE. Well, Mr. Speaker, I think I understand to some degree the position of the other side of the House with reference to next Monday and the order of business then, and it has been suggested to me by the gentleman from Alabama that if we could take a recess Saturday about adjournment time, of course occupying Saturday in general debate, until Monday at 11 o'clock, we could close general debate on this bill Monday, with the understanding we take it up on Tuesday under the five-minute rule. I told him, so far as I was concerned, I had no objection to that proposition. Of course, I can not speak for all gentlemen on this side of the House.

Mr. UNDERWOOD. I would ask the gentleman from Illinois.

Mr. MANN. Suppose you let the matter go over until we get ready to close to-night.

Mr. UNDERWOOD. Very well; then I will see if we can come to an agreement when the committee rises to-night.

Mr. PAYNE. I hope that will be about 5 o'clock; rise for that purpose, perhaps.

Mr. UNDERWOOD. I would like to run this afternoon until 6. There are a lot of gentlemen who desire to speak before we close debate.

Mr. PAYNE. Not later than 6; I will not object to it.

The SPEAKER. The question is on the motion of the gentleman from Alabama [Mr. UNDERWOOD] that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the House bill 11019.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 11019) to reduce the duties on wool and woolen manufactures, with Mr. HAY in the chair.

Mr. PAYNE. Mr. Speaker, I yield one hour to the gentleman from Ohio [Mr. LONGWORTH]. [Applause.]

Mr. LONGWORTH. Mr. Chairman, it is no great wonder that this bill has excited little interest either upon the floor of this House or in the press of the country. It has been found difficult to summon even a corporal's guard, as a rule, of Members in this House to listen to anyone. It has been almost impossible to find in any one of the great daily newspapers any mention whatever of what was said in the debate. Why, even this morning the account of the very able and eloquent speech that was made yesterday by the gentleman from New Jersey [Mr. HUGHES] ran as follows:

Mr. HUGHES of New Jersey was the only speaker on the Democratic side.

Mr. SHACKLEFORD. Will the gentleman allow me one question?

Mr. LONGWORTH. With great pleasure.

Mr. SHACKLEFORD. How does the gentleman account for the press of the country being so passive in the face of a bill that is so fraught with destruction?

Mr. LONGWORTH. That is the very subject I am about to approach, if the gentleman will contain himself. Of course, the subject, as the gentleman from Missouri says, is of vast importance, and the speeches upon both sides have been very eloquent and the debate has been of a very high order. Under ordinary circumstances it would have provoked great and general interest, but the reason why it has not is not hard to find. It is because nothing that is said or can be said upon the floor of this House can in the slightest degree influence the form or the adoption of this measure. It is foreordained that it shall pass in exactly the same form that it is now before us. Now, this proceeding is exactly that in the celebrated case of "Alice in the looking-glass," where the prisoner was sentenced first and afterwards the evidence was introduced and the pleas made. We are told by the responsible leaders of the majority that not a comma in this bill can be changed because it has been resolved upon in caucus. The Democratic caucus is king of this House, and we are either its unwilling or its willing slaves. Everyone knows that any debate in this House so far as it may affect the form of this bill is utterly futile. A debate conducted in any school or college in this country would be equally effective. We will shortly be called upon to vote upon this measure, and that will be a purely perfunctory proceeding, except in so far as it will enable us to register for future reference our opinions of this bill.

Many of us on this side of the House will vote against this bill who do not sympathize with every provision of Schedule K as it now stands. And it is not to be considered that a vote against this bill is a vote to perpetuate forever all the provisions of Schedule K. It amounts only to a refusal on our part to plunge absolutely in the dark into a wholesale revision of this most intricate and important schedule with no more information than we now have. If we are to have a sincere and honest revision of this or any other schedule of the tariff—if it is our purpose to place the tariff upon a genuinely scientific basis, the proceeding that we are now engaged in—and I measure my words—is a mere farce.

Since the majority of the Ways and Means Committee proceeded with the formation of this bill they have not summoned a single witness. So far as we know they have not consulted a single expert. They have tapped no new source of information that this House has not had in its possession for at least two years. Under any other circumstances there might have been good excuse for this, but to-day we have a branch of the Government created for the purpose of acquiring and submitting to Congress the information which, all except, possibly, the majority of the Ways and Means Committee, concede we now lack—a board which is engaged in investigating the precise facts, to the ignorance of which this bill and the report that accompanies it bear such eloquent testimony.

Congress has created a Tariff Board. We have allotted to it certain functions. We have imposed upon it certain duties. We have appropriated for it money to carry out those functions, and yet we are here asked to ignore it absolutely, notwithstanding the fact that only a few months ago Congress instructed the Tariff Board to investigate the wool question and to report to the next regular session of Congress in December. Of what possible use can that report be to this House if we have already legislated in advance? Can any proceeding be more utterly futile?

Let us assume for the sake of argument that a necessity for a speedy revision of this schedule exists. Could any detriment result to the country from awaiting this report?

Mr. HARRISON of New York. Will the gentleman yield?

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from New York?

Mr. LONGWORTH. With pleasure.

Mr. HARRISON of New York. The gentleman from Ohio concedes, of course, that the so-called Tariff Board is proceeding to determine the difference in the cost of production here and abroad, and that is the scope of their labors. Now, the gentleman knows that that is not the principle to which the Democratic Party has committed itself with respect to tariff revision.

Mr. LONGWORTH. I do not concede any such thing, Mr. Chairman. The Tariff Board is investigating to-day an infinite number of things that do not come under the definition of the gentleman from New York as merely the difference between the cost of production here and abroad.

Mr. HARRISON of New York. What are those things, if the gentleman can inform us?

Mr. LONGWORTH. Oh, they are of such infinite detail that I could not really pause to enumerate them, Mr. Chairman. They deal with every condition of manufacture. They deal with the cost of producing wool in all its various stages; they deal with the shrinkage of wool in its various stages, and with all the conditions that now surround the wool business; not only the business of sheep raising but the manufacture of wool, and to acquire details of information which, as is very apparent from the report of the Ways and Means Committee, are absolutely necessary to bring the subject up to date.

Mr. HARRISON of New York. But, Mr. Chairman, does the gentleman adhere to that plank of the Republican platform which declares the proper way to revise the tariff is to fix the rates so as to cover the difference in the cost of production here and abroad and then add a reasonable profit to the manufacturer?

Mr. LONGWORTH. I agree that that is the proper definition of a tariff which is proposed for purely protective purposes.

Mr. HARRISON of New York. If the gentleman adheres to that and ascertains the amount of difference in the cost of productions here and abroad, and confines himself to that only, what inducement is there to import anything into the United States, and how are we going to collect the proper amount of customs revenue?

Mr. LONGWORTH. The gentleman is going into the question of reasonable profit for the manufacturer, and what it means, and all that.

Mr. HARRISON of New York. No; I will strike out that proposition as to the reasonable profit and, for the sake of argument, confine my question to the difference in the cost of production here and abroad, and ask, How are you going to import anything and raise revenue if the duties imposed entirely offset that difference? Is not that a prohibitive tariff?

Mr. LONGWORTH. Mr. Chairman, we might raise the tariff 10 times beyond the mere difference in the cost of production in this country and abroad, and yet there would be an importation of wool, because, as conditions exist to-day, we can not produce enough wool. I want to see the tariff on wool fixed at a reasonable competitive point. I do not want to see any tariff placed so high that no importations can come in, but I do want to see it high enough to prevent the flooding of this market with the products of foreign labor and foreign capital.

Mr. HARRISON of New York. I did not ask these questions for the purpose of embarrassing the gentleman from Ohio. [Laughter on the Democratic side.]

Mr. LONGWORTH. Oh, the gentleman can not embarrass me by his questions, I can assure him. [Laughter on the Republican side.]

Mr. HARRISON of New York. As to certain articles, if we should apply the Republican rule, would it not require a prohibitive tariff rate?

Mr. LONGWORTH. No; not at all.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Pennsylvania?

Mr. LONGWORTH. Yes.

Mr. MOORE of Pennsylvania. Will the gentleman allow me to state a fact which I think it is important for the House to know? The agents of the Tariff Board, as now constituted, are actually at work in the city of Philadelphia, visiting the woolen and worsted mills. They are inspecting the books of the companies. They are examining the classes of wool that enter into the manufacture of various garments, and they are also studying the question of the cost of production here and the relative cost of production abroad. In other words, to answer the gentleman from New York [Mr. HARRISON], through the courtesy of the gentleman from Ohio, this board is now actually engaged, through its agents, in making a practical examination of the business of the manufacturers. That is the condition that prevails in my city at the present time.

Mr. LONGWORTH. Unquestionably their function is immensely greater than that of merely investigating the difference in the cost of production. Now, if the gentleman will pardon me for a few minutes, I am coming a little later to the point where I am going to try to show that the information which this committee have acquired and published in their report is information that was out of date over 50 years ago.

Mr. HARRISON of New York rose.

Mr. LONGWORTH. Now, if the gentleman will pardon me, I will come to that. That is the information upon which they are assuming to revise this most intricate schedule in the entire tariff.

Mr. HARRISON of New York. Well, but, Mr. Chairman——

Mr. LONGWORTH. The gentleman will pardon me for a few minutes. I will yield to him later. The point I am making now is that even the strongest partisans of this bill, of whom the gentleman from New York [Mr. HARRISON], as I understand it, is not one—am I correct in that?—even its strongest supporters admit that by no conceivable combination of circumstances can this bill as it stands become a law before the 1st of next December. Could any harm result then from delay, even from their own standpoint—I do not want to discuss this matter in a purely partisan way—from the standpoint of the supporters of this bill?

Suppose that the information which will be furnished by the Tariff Board in December shows that these duties are justified. Will not that be an indorsement of their wisdom in framing it? Suppose, on the contrary, it shows that in some respects the duties are not justified, and that mistakes have been made. Would any harm result then from their conforming to that up-to-date information? That is the distinction I want to draw, that the information which will come from the Tariff Board will be up-to-date information, and that the information that you have to-day is at least half a century old.

Mr. HARRISON of New York. If that information concerns the subject which the Tariff Board were directed to investigate, namely, the cost of production here and abroad, how does that concern the Democratic Ways and Means Committee in making up a tariff bill?

Mr. LONGWORTH. As I say, I do not admit that this information relates only to the difference in the cost of production here and abroad, and I will say that the gentleman from his standpoint is consistent, and always has been, about the question of any information that could be furnished from any branch of this Government. He would not pay the slightest bit of attention to it. He has been consistent from the beginning, and he has finally, in some way or other, induced the majority of the Ways and Means Committee to come to his way of thinking. I congratulate him.

Mr. HARRISON of New York. In justice to myself I ask the gentleman to admit that the proper guide in fixing a revenue tariff is the probable receipts at the customhouse, and in the light of the information we had we paid the utmost attention to that.

Mr. LONGWORTH. The gentleman talks about a revenue tariff. I understand the gentleman was the leader of the movement to put wool on the free list. Is that revenue?

Mr. HARRISON of New York. I will state to the gentleman that I consider that a proper feature of a revenue tariff.

Mr. LONGWORTH. Do you consider that an article which produces no revenue is a proper feature of any purely revenue tariff?

Mr. HARRISON of New York. If you put wool on the free list, you can put the duty on the manufacturer's product down to a point where it will honestly compete with the manufactured products of foreign countries, and therefore the revenue on the foreign importations of the manufactured product will be increased.

Mr. LONGWORTH. If you put wool on the free list, will it raise as much revenue as if you put a tariff on it?

Mr. HARRISON of New York. Schedule K will raise as much revenue, but you will not be taking that revenue from the material which goes into the clothing of poor people.

Mr. LONGWORTH. I understand from the report of the committee that the reason why wool was not put on the free list was that if it was put on the free list sufficient revenue could not be raised from the whole of Schedule K.

Mr. HARRISON of New York. The gentleman did me the honor to point out the fact that I took a different view from some other members of the Ways and Means Committee, and in response to that I state now that I believe we can raise as much revenue from the woolen schedule by putting wool on the free list as we can from the bill which the committee has reported.

Mr. LONGWORTH. I understand that the gentleman's supporters in his free-wool proposition diminished in about the same ratio that his supporters to abolish any kind of tariff board increased. Therefore, while he was defeated in one proposition he was victor in the other. From every point of view, Mr. Chairman, from the point of view of gentlemen on the other side as well as from ours, this proposition to utterly ignore the Tariff Board, which they as well as we have voted to maintain, their efforts to ram this bill down our throats in advance of any report from it are unjust and ill-advised, and, I predict, will not in the end redound to the credit of the Democratic Party.

Mr. SHARP. Will the gentleman yield?

Mr. LONGWORTH. For a question.

Mr. SHARP. The gentleman's remarks sound so nearly like those made upon this side of the House during the discussion of the Payne-Aldrich bill that I want to ask whether he has not had occasion to return to those records and take therefrom his speech verbatim?

Mr. LONGWORTH. I did not understand the gentleman.

Mr. SHARP. The gentleman's language is so nearly what this side of the House indulged in during the discussion of the Payne-Aldrich bill that I am curious to know whether he has been reading those remarks and has incorporated them into his speech.

Mr. LONGWORTH. I do not know that any gentleman on that side of the House opposed the Payne bill because they wanted it postponed in order to get an opinion from the Tariff Board. That is my point. I did hear some gentleman say—I think the gentleman from Missouri—that the Tariff Board was a good thing. I did hear the gentleman from Missouri, now the Speaker of this House, and also the gentleman from Alabama, chairman of the Committee on Ways and Means, say that the Tariff Board was a good thing, but they have changed their position. They have back tracked. The gentleman from New York [Mr. HARRISON] is the leader on the Tariff Board proposition on that side of the House, to wit, that there shall be none.

Mr. HARDY. Will the gentleman permit an interruption?

Mr. LONGWORTH. Yes; but I am getting along very slowly.

Mr. HARDY. I will make my question brief. I want to ask the gentleman if the Republicans did not decline to wait for a Tariff Board, and for the last 20 years have they not been making Schedule K without a Tariff Board, and if he does not think that we have some reason to put our ideas into a tariff schedule without waiting for a Tariff Board? So that we might, while waiting for a report from the Tariff Board, wait under a Democratic Schedule K instead of a Republican Schedule K?

Mr. LONGWORTH. I have not the slightest doubt that the report of the Tariff Board, if you pay any attention to it, will show that your schedule is incorrect.

Mr. HARDY. Does not the gentleman think that we have as much information as the Republicans had two years ago to write Schedule K?

Mr. LONGWORTH. I think you had it if you had used the right part. I am going to point out that the information printed in your report, what you call the glossary, was prepared 50 years ago, and that that was the basis of your whole bill.

Now, Mr. Chairman, I do not want to be discourteous, but I have fairly got started, and I do not care to yield further.

The Tariff Board as it exists to-day is not all that it should be. Its functions are too limited. Its powers are not sufficiently great, and worst of all, its term is precarious because it depends absolutely upon the whim of each succeeding Congress. The Tariff Board ought to be a responsible and permanent branch of this Government. It ought to have full powers to investigate all questions relating to the tariff and ample funds at its disposal to secure for this Government full and complete information in regard to all tariff questions. Such a board, Mr. Chairman, we would have to-day had it not been for the action of the Democratic Party.

I do not intend to go into the history of that legislation; the country knows it, and, Mr. Chairman, the country is going to remember it. We passed in this House the Tariff Board bill by an overwhelming vote, and it passed the Senate later by an overwhelming vote, with only a few amendments, which we on this side of the House who favor a tariff board were perfectly willing to accept, and it was only beaten in the last few moments of the session by a Democratic filibuster conducted by the gentleman from New York [Mr. FITZGERALD] on that side of the House. I again repeat, had it not been for the action of the Democratic Party we would have to-day as a branch of this Government a permanent and responsible Tariff Board.

As I said a moment ago, among the few who did not join in that filibuster were the Speaker of this House and the chairman of the Ways and Means Committee, the gentleman from Alabama [Mr. UNDERWOOD], and, in fact, every Democratic members of the Ways and Means Committee save one, the gentleman from New York [Mr. HARRISON]. As I said before, he has been consistent throughout. He said then and he says now that no report of any Tariff Board would have the slightest influence upon him in framing any tariff measure in accordance with his views; but his colleagues on the committee made eloquent speeches in favor of this proposition. Alas, it now seems that they have back-tracked. Certainly the gentleman from Alabama [Mr. UNDERWOOD] has, and I rather suspect that he is doing most of the thinking upon tariff matters, and certainly the thinking so far as this bill is concerned, for his colleagues upon that side of the House. Now, the gentleman from Alabama during the course of his speech the other day was asked some questions by me on this point. I regret that that speech has not been published, for I should like to have put in the RECORD as a part of my remarks the colloquy between the gentleman from Alabama and myself—not to perpetuate what I said, but to reperpetuate as a part of the RECORD what he said.

He said, in effect, and I can not quote his exact language, because it has not been published, that he was opposed to any form of a permanent tariff commission. He said that he had made a mistake when he voted for it before, and that he will never nor, if he can help it, will the Democratic majority on that side of the House ever vote for anything in the nature of a permanent tariff commission. Now, I do not know, and I may be wrong about it, but I have attributed the success in inducing the gentleman from Alabama to turn what we sometimes call a back somersault to the eloquence of the gentleman from New York [Mr. HARRISON], but that may not be true. It may be because of the hard and practical experience that the gentleman from Alabama has had in framing this tariff bill, this and other Democratic tariff measures. I rather think he has been forced to the irresistible conclusion that it is impossible to frame a Democratic tariff measure from facts scientifically acquired. I rather think he has discovered that such a measure must be based, as it always has been, either upon vague rumor or profound ignorance of the facts. [Laughter and applause on the Republican side.]

Mr. HARRISON of New York. Mr. Chairman, will the gentleman yield?

Mr. LONGWORTH. Certainly.

Mr. HARRISON of New York. I thank the gentleman from Ohio for applying balm to my wounds over free wool, but I want to ask him, speaking about scientific methods of making a tariff, whether he believes it is scientifically possible to ascertain the cost of production of any article in any country, or in all countries, upon which to fix a tariff rate?

Mr. LONGWORTH. I think it is very difficult to do so, I will say to the gentleman from New York, but I do not think it is impossible to do so, unless the Democratic Party stamp down this present board and prevent the creation of a permanent one.

Mr. HARRISON of New York. What country would the gentleman select as the basis of the estimate of cost of production—France, England, Russia, Zanzibar, or China?

Mr. LONGWORTH. The gentleman asks me a question that is impossible to answer in a few words. That is a matter for Congress to determine. Congress may want information as to the cost of producing something in Zanzibar, and I have no doubt that it can be determined if we have a responsible branch of this Government created for that purpose, and if the gentleman and his party do not destroy what we have now.

Mr. HARRISON of New York. I think it is a question which it is impossible for the Tariff Board to answer. That is the point I make.

Mr. LONGWORTH. My proposition is that while it may be difficult I do not think it is impossible; and certainly the only way to get it is through a Tariff Board, and the gentleman is opposed to that.

Mr. HARRISON of New York. Does the gentleman think it is possible to ascertain the general cost of production of any article here at home when he knows that two factories, side by side, vary greatly as to the cost of the production of the same article?

Mr. LONGWORTH. Of course they vary. The gentleman from New York might be able, through his superior intelligence, to produce a certain article cheaper than I could with my inferior intelligence, but that does not mean it is impossible to secure information which can guide Congress in fixing duties which shall correspond to a reasonable determination of the cost of production in this country and abroad.

Mr. MANN. Will the gentleman yield for a question?

Mr. LONGWORTH. Certainly.

Mr. MANN. Would not the gentleman think it is quite as feasible to obtain the cost of production of articles as it is to obtain the cost of transportation of those articles on the railroads of the country, which we now endeavor to do, and fix railroad rates accordingly through a commission?

Mr. LONGWORTH. Of course.

Mr. JACKSON. If the gentleman will permit, I desire to make this suggestion: That it is just as possible to determine its reasonable cost as it is to determine the value of any product for taxation. It always must be the approximate value and not the real value.

Mr. LONGWORTH. Of course. The cost of manufacturing any given article may change from one year to another; but there is one thing certain, it will not change as fast as the opinions of the Democratic Party on this question do from one year to another. [Laughter and applause on the Republican side.]

Mr. HARRISON of New York. Will the gentleman from Ohio permit another question——

Mr. LONGWORTH. I will.

Mr. HARRISON of New York (continuing). Which is suggested by the query of the gentleman from Illinois. If it is true that the Interstate Commerce Commission can ascertain facts concerning railroad transportation sufficient to fix the rates, does it follow, therefore, that we can ascertain the cost of production of any article here and abroad unless we can give to our so-called Tariff Board the power to compel the manufacturers to produce their records and cost sheets, both here and abroad, which, of course, we know we can not do?

Mr. LONGWORTH. Of course, there is an essential difference between a railroad corporation and a private corporation. I do not think the affairs of every private corporation ought to be submitted to the inspection of everybody, but I do say that even with the limited facilities that the Tariff Board now have that they are obtaining more accurate information every day as to the cost of manufacturing articles than any other branch of this Government has ever acquired in many years.

I do not pose as a prophet or the son of a prophet, but I want to say to gentlemen on that side of the House that if you think that they can prevent the ultimate establishment of a permanent tariff board or commission, whichever you want to call it, you are grievously mistaken. The people want this Tariff Board, and they are going to get it. I venture that prophesy. In my judgment, there will never be another revision of the tariff by any party which will be satisfactory to the people or which will endure any appreciable length of time, unless it is founded upon facts that will be gathered by a permanent tariff board.

Now, the criticisms made by the committee and by the gentleman from Alabama upon this present Tariff Board are, in my judgment, unjust and uncalled for. It is treated with contempt and held up to ridicule for this reason alone, that it has failed to make a complete report upon the wool schedule.

The fact is that this Tariff Board has only been investigating this subject since, at the earliest, the 4th of last March. During the period of its existence up to that time it was engaged in other business, and neither they nor anyone else expected that they would be called upon to make a report until the 1st of next December. Would the gentleman from New York, devoted son of Yale that he is, ask the Yale crew which is training now for the race some time toward the end of June, in which, I think, will not be successful [laughter]—would he ask the Yale crew to row that race on the 1st of December?

Mr. HARRISON of New York. Mr. Chairman, I advise the gentleman from Ohio, as a loyal son of Harvard, not to bank too much upon that race. [Laughter.]

Mr. LONGWORTH. I will postpone any little remarks I may have to make to the gentleman upon that question until we meet outside of this Chamber. [Laughter and applause.]

So it is plain that it is utterly unjust to criticize this board for not doing what it was absurd that it should be asked to do; utterly absurd that it should be asked to do. I am not here as the spokesman of the Tariff Board, but I resent the injustice and attacks that have been made upon it.

Mr. HULL. Will the gentleman yield for just one question?

Mr. LONGWORTH. Yes.

Mr. HULL. The gentleman seems to be familiar with the progress of the work of this Tariff Board and the nature and extent of the work done by the board thus far in connection with the woolen schedule. Would he kindly inform the House whether the board has thus far accumulated any tangible facts that would be of benefit to the House in connection with this pending legislation?

Mr. LONGWORTH. Oh, no; of course not. The Tariff Board was instructed to examine into this woolen schedule and report in December. Now, gentlemen can see, and anybody can see, that the time given to them for the completion of their report determines the extent and the scope of it. That is perfectly plain. Now, is not it absurd to say that the investigation of a schedule so intricate as this—and it is the most intricate schedule except possibly the cotton schedule, in the entire tariff—it is absurd to ask a board which has determined upon the scope of its investigation to report at any time, or, at least, at any substantial length of time before that period.

Mr. HULL. Then the board could not even make a partial report upon any material phase of this schedule?

Mr. LONGWORTH. In my opinion, a premature report such as this would be, would not only be valueless, but worse than valueless. It seems to me that that is patent upon its face to any gentleman who is not absolutely blinded by party prejudice.

Now, here is the point I want to make, too—that had we established a tariff commission the same thing would have been true. So far as the personnel is concerned—the personnel of the tariff commission, had it been created, would certainly, so far as the majority Members are concerned, have been identical with the present board, and that is also true, as I have every reason to believe, of the minority. That permanent tariff commission could not have reported before next December upon this schedule any more than this board could, and criticism of either would be equally unjust.

Now, the Tariff Board is not proceeding upon its own initiative in this matter. It is not taking up Schedule K as only a part of its functions. It is giving its entire time to Schedule K, and that by direction of Congress. Its entire force of experts are employed on it here and abroad, in woolen factories, on farms, in investigating sales, in investigating shrinkages, and a hundred other things all over the world. To absolutely flout in advance the results of this investigation—to proceed in the dark when the light is so near at hand—is to my mind foolish, if not worse than foolish.

Gentlemen say that Schedule K is so iniquitous that any change would be an improvement. Now, I am not here to discuss, and do not propose to discuss to-day, the merits or demerits of Schedule K. I am willing to admit, for the sake of argument, that it is the most unpopular schedule in the tariff.

I am willing to admit, for the sake of argument, that most people think that it ought to be revised; but I am not willing to admit, and I do not believe, and nobody can make me believe, that the majority of the people of this country would be willing to revise Schedule K in such a way as to completely destroy either the sheep-raising or the wool-manufacturing business of this country, or both. And yet, is there any man upon that side of the House who can say with any authority that this bill will not destroy the sheep-raising industry of this country? Is there any man upon that side of the House who can say with authority that it will not destroy the wool-manufacturing business of this country?

Mr. HUGHES of New Jersey. Mr. Chairman——

The CHAIRMAN. Will the gentleman from Ohio yield to the gentleman from New Jersey?

Mr. LONGWORTH. Yes.

Mr. HUGHES of New Jersey. Of course, the gentleman understands that nobody can say anything with authority as to an event in the future, but I hope he does not want to put this side of the House—I do not want to interrupt the gentleman's speech; he has been interrupted now too much, I think, and has been very courteous and kind, and I do not want to enter into a discussion of that particular subject at this time—but I do not want it to be said by the gentleman that nobody on this side of the House denied that the effect of this bill was going to be the ruination of the wool producers and clothing producers of the country.

Mr. LONGWORTH. I will say to the gentleman from New Jersey I used the word "authority" advisedly, because I hope before I get through to show that the main part of the speech made yesterday by the gentleman from New Jersey was without authority; that the conclusions that he reached were based upon the wrong authority; that he based his entire discussion of what he alleged was the discrimination between the woolen and worsted manufacturers upon a distinction between wools of class 1 and class 2, that was outlawed more than 60 years ago, and that, therefore, the gentleman did not speak with authority. That is the reason I used the word.

Mr. ALLEN. Will the gentleman yield?

Mr. LONGWORTH. Will my colleague allow me to proceed for a few moments without interruption?

Mr. ALLEN. It will come in properly in answer to the question, that is all; but I will wait.

Mr. LONGWORTH. If the gentleman will wait, I will come to that precise question later. This bill reduces the duties on raw wool 60 per cent, and its proponents promise that that is shortly to lead to free wool. Now, I am not going to discuss the question of free wool at this time. Leaving out that question, is there any one of you who can say with authority that a reduction in the duty of 60 per cent would not destroy the sheep-raising industry of the State of Ohio and other States similarly situated?

Mr. ALLEN. Would the gentleman yield there for an answer?

The CHAIRMAN. Does the gentleman from Ohio yield to his colleague?

Mr. LONGWORTH. Yes; I yield to my colleague.

Mr. ALLEN. Would the gentleman consider Mr. Max Silberberg, who is the head of the Wholesale Clothier Manufacturers' Association of Cincinnati, Ohio, a Republican, who served two years in the Ohio Senate, an authority on the subject?

Mr. LONGWORTH. Why, Mr. Chairman, when I introduced the letter of Mr. Silberberg before the Committee on Ways and Means, I stated that Mr. Silberberg was a Republican, that I had served two terms with him in the Ohio Legislature, and that on the point that he brought out I regarded him as an authority. But Mr. Silberberg never said a thing about destroying the wool interests of Ohio, and if he were here to-day I have no doubt that he would vote as I would do, against reducing the duty 60 per cent on raw wool. He might vote for some changes in the manufactured schedules, as I shall vote when the Tariff Board shows me that I can do so without danger of absolutely destroying that industry. [Applause on the Republican side.]

Mr. ALLEN. May I say, then, to the gentleman, in answer to his assumption as to what Mr. Silberberg would do to-day, that I have a letter from him this week, in which he said:

I have read same—

Underwood bill—

over with great care, and pronounce it, even from a Republican standpoint, a good bill; one of the good features of this bill is, it being silent on the existing unjust law that it takes 4 pounds of wool to make 1 pound of cloth.

[Applause on the Democratic side.]

Mr. LONGWORTH. I agree with him so far, that I doubt very much, and never did believe that it took 4 pounds of wool to make a pound of cloth.

As I said before, I am not here talking about the merits of Schedule K. I am talking about the demerits of this bill. It may be that Mr. Silberberg, though a good Republican, does not possess the information—which may not be great—that I have about the woolgrowing industry of Ohio. I do not believe he would vote to reduce the duty 60 per cent on raw wool. But that is not the question. I certainly shall not vote to reduce it until I have grounds for it, until I have authority for it, and that is what we have not here to-day.

Mr. FITZGERALD. Mr. Chairman, will the gentleman yield for a question?

Mr. LONGWORTH. Oh, I have not got fairly started.

Mr. FOSTER of Illinois. The gentleman from New York just came in.

Mr. PAYNE. Mr. Chairman, I would like to state to the gentleman from Alabama [Mr. UNDERWOOD], who has control of this debate, that if speakers on our side are expected to yield so much time to gentlemen inquiring on the other side we will have no time left to speak.

Mr. FITZGERALD. I do not want to embarrass the organization. [Laughter on the Democratic side.]

Mr. MANN. It is that side of the House that is asking unanimous consent—a thing that they will not get hereafter in that way.

Mr. LONGWORTH. The gentleman from Alabama asked to close the debate.

Mr. PAYNE. The gentleman comes in here and wants to run the whole business.

Mr. FITZGERALD. Who is asking to close debate?

Mr. MANN. The gentleman from Alabama [Mr. UNDERWOOD] asked to close the debate. If the gentleman from New York had been in the Hall of the House he would know it.

Mr. LONGWORTH. I would be glad to yield to the gentleman from New York if he has a pertinent question to ask.

Mr. FITZGERALD. The gentleman was speaking of his unwillingness to change Schedule K because of his lack of information?

Mr. LONGWORTH. At this time, I say, and without further information.

Mr. FITZGERALD. Was not the information on which the President of the United States based his denunciation of Schedule K sufficient to justify a change of this kind?

Mr. LONGWORTH. Possibly a change of another kind, but it does not justify the change you would make.

Mr. FITZGERALD. How does the gentleman know?

Mr. LONGWORTH. I have every reason to doubt that this bill is an improvement on Schedule K. I have reason to know, from information acquired from this report, that its authors have no facts based on information more recent than that of 50 years ago.

Now, Mr. Chairman, I desire to quote some real authority, an authority that, I think, will be admitted by gentlemen on that side of the House to be high. I do not believe that there is a man among you who pretends to be a student of political economy that has not read Taussig's History of the Tariff. This work and his other works on the tariff are the standard in this country, and particularly the standard on the tariff from the free-trade point of view. Prof. Taussig has been for years at the head of the department of political economy at Harvard. He has been for years the leader of the free-trade school of thought in this country—at least one of the great leaders. He appeared before the Ways and Means Committee and testified, and among other things he spoke of wool; and I will read in full what he said about wool.

He said:

I will take up the case of wool. I do not believe there is any sound economic reason for maintaining a duty on wool; I think, in principle, wool should be admitted free. At the same time the woolen industry of the United States and woolgrowing in the United States has adapted itself to so great a degree to the present duty on wool that I should not now advocate the immediate sweeping away of the duties on wool. I think the wise policy in regard to the duty on wool is to reduce the duties on clothing and clothing wool from their present rate, and I think no substantial harm will be done to the woolgrowers of the United States, not enough certainly to offset the advantage to the community by reducing those duties one-third, from 12 to 8 cents a pound.

Mr. SHARP. What is the date of that?

Mr. LONGWORTH. That was in the hearings before the Ways and Means Committee on the Payne bill in 1909. Note that he says it would be unwise policy to disturb too greatly either the woolgrowing or the wool manufacturing industries at once, while he still believes ultimately in free trade.

Note that he says:

I think no substantial harm will come to the woolgrowers of the United States, not enough certainly to offset the advantage to the community by reducing these duties one-third.

But, gentlemen, you have reduced them two-thirds. I am speaking of authority. Upon what authority can you state that you will not destroy the woolgrowing industry of Ohio, my State, and other States similarly situated, when you reduce the duty two-thirds, and when this great authority on the tariff, from the free-trade standpoint, says that it would be unwise to reduce those duties more than one-third?

I think the country ought to understand that even from your free-trade point of view you are not proceeding according to the judgment of authority in this country. That is the reason I use the word.

Now, I ask the question, Upon what authority have the majority of the Ways and Means Committee founded their action upon this bill? What new information have they acquired? A careful reading of this report shows that there is nothing new or up to date in it. Your tables are procured from the Bureau of Statistics and other departments. Those figures are up to date, because they are figures which anybody could find. Your facts, however, are taken from some textbooks. I have read them. Most of them are from old textbooks, in many cases entirely antiquated. Now, I want to take up the most interesting feature of this report. On page 226 you have what you call a glossary. The Lord only knows where you got it, from what archives it was dug up, or who prepared it. There are some definitions in this glossary so ancient that not a man here on the floor of this House is old enough to know when they were written. Some of them are amusing, if they are not pathetic, in being brought forward as a basis for a Democratic revision of the wool tariff in this year of our Lord 1911.

I begin with your definition of wool, which is found on page 231. Note this:

Wool—Fibers of all animals are not alike; they vary in fineness, soundness, length, and strength, from the finest merino to the rigid bristles of the wild boar.

[Laughter.]

Is there any gentleman on that side of the House who will accept the authorship of that?

Mr. MOORE of Pennsylvania. Will anybody deny it?

Mr. LONGWORTH. Will anybody deny the authorship of it? I should not be surprised if that was written by the author of "Mary had a little lamb."

It conveys about as much idea to this House about what wool is as is conveyed by that celebrated classic.

They go on a little further, however, and distinguish as follows:

Hair—Hair is straight and glossy, stronger and smoother than wool, and grows sometimes as long as 20 inches.

Now, I am not an authority on hair. [Laughter.] But I have seen the seven Sutherland sisters, and I think any one of them would have an action for damages against the Ways and Means Committee of the House which thus limits the growth of hair to 20 inches.

But that is not all. Here we come to what may be called a "cunning little definition":

Blanket—A heavy covering for a bed or a horse.

Why did you forget the Indians? Have you no regard for the needs of the wards of this Nation?

There is another definition on page 231:

Wether—A sheep after the first shearing.

[Laughter.] I shall not pause to comment upon that.

Mr. MOORE of Pennsylvania. Is there anything about the Numidian lion being a wild beast?

Mr. LONGWORTH. I might take up an hour in simply reading for the amusement, if not for the instruction, of this House the definitions that are in this glossary, your basis for your entire tariff bill. They would be amusing if they were not absolutely pathetic in being brought in here by a committee of a great party as a foundation of their revision of the wool schedule.

Here is a definition that I want to take up, which is of real importance, and which undoubtedly misled the gentleman from New Jersey, usually a very careful man, in his speech yesterday on that portion of Schedule K which relates to class 1 and class 2 wool. Under this classification of wool on page 227 it says:

Classification of wools—Under the tariff wool is divided into three classes: (1) Consists of what are called carding or "clothing" wools. These are fine wools, short in fiber, and are used for carding and spinning into woolen yarn. They consist principally of wools from sheep of merino blood, and are imported mainly from Australia and Argentina. (2) Consists of long-fibered combing wools, i. e., wools which are used for combing and spinning into worsted yarns.

In other words, the Ways and Means Committee undertook to tell us that to-day wool that goes into woolens is made up exclusively of first-class wool, and wool that is used in the manufacture of worsteds comes exclusively from class 2 wool.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PAYNE. Mr. Chairman, I yield to the gentleman 20 minutes additional.

Mr. LONGWORTH. Gentlemen, that distinction was true once. It was 60 or 70 years ago that it was true. It was true once that on account of inadequate machinery it was impossible to comb short staple wool, wool of the first class, but more than 60 years ago machinery was invented to make worsted out of short staple wool, and if I should say that to-day 80 per cent of all the first-class wool is used in making worsteds would anybody on that side deny that statement?

Mr. HUGHES of New Jersey. I will say to the gentleman that I did not get my information with reference to that subject from the report, but I got it from a bulletin issued by the Carded Wool Manufacturers' Association of this country, and in that bulletin they say, as I recollect it, that the improvement in that particular kind of machinery enables them to use a part of first-class wool, but that does not alter the situation so far as they are concerned with reference to this tariff.

Mr. LONGWORTH. I am talking about the authority upon which this great measure is brought in. The gentleman says his only authority is a pamphlet issued by the carded-wool people. I wrote down a phrase used by the gentleman from New Jersey yesterday. He said:

The worsted manufacturer uses imported wool.

Upon what authority did the gentleman make that statement? If there is any authority at all for it, it is absolutely destroyed in another part of their report, because less than one-fifth of all the importations of wool of the first and second class is second-class wool. In other words, five times as much first-class wool is imported into this country as there is of second-class wool. More than 107,000,000 pounds of first-class wool was imported in 1910 and only about 27,000,000 pounds of second-class wool. And yet the gentleman says that the worsted industry depends upon imported second-class wool? That was the gentleman's statement. Does the gentleman claim that less than half of first-class wool is used in worsted?

Mr. HUGHES of New Jersey. I do not deny it; I do not know whether it is true or not. I will say that the consumption of worsted is much less than the consumption of woolens.

The woolens are the cheaper cloth, whereas the fancy worsteds are more expensive.

Mr. LONGWORTH. The gentleman from New Jersey is absolutely wrong; the cheapest clothing in this country, the cheapest ready-made clothing, are the worsteds.

Mr. MANN. If the gentleman from Ohio will permit me, the other day I asked in the War Department, where they have been considering this subject, if I could go to one of the cheap clothing houses and buy a woolen suit as distinguished from a worsted suit, and the gentleman assured me that I could not find one in town.

Mr. LONGWORTH. I doubt if there is 10 per cent of the cheapest clothes ready made in this country that are what you call woolen, in contradistinction to worsted. That shows that even so careful a man as the gentleman from New Jersey has been led astray by this antiquated report. Here is a definition 60 years old, written down by the responsible members of the committee. I have often heard it said that the Democratic Party was 60 years behind the times, but I never saw them *admit it* in their own handwriting up to now. [Applause and laughter on the Republican side.] And yet you come in here and say, What is the use of waiting for the report of the Tariff Board on this question; what information can they give us that we have not already got? And here is your information, 60 years old, written into it by yourselves.

Mr. NYE. This report is a "wether" report, is it not? [Laughter.]

Mr. LONGWORTH. It is certainly not a fair weather report; but, Mr. Chairman, as I say, I do not care to discuss that definition further. Now, I had expected to call attention to some of this debate, but I have talked longer than I expected. It has been as difficult to extract any information, any authoritative, up-to-date, modern information, from any speech or any presentation of this subject made by gentlemen of the Ways and Means Committee as it is from the report.

I intended to go somewhat at length into the discussion the other day as to whether the committee intended or hoped to lower the price of raw wool. They dodged it. Some gentleman, perhaps, had heard from home, and they were not willing to admit that this bill would decrease the price of raw wool. Some gentlemen went so far as to say it would increase it. How utterly absurd, if there is anything in this bill at all. You say it is in the interest of the consumer; that the consumer alone is to be benefited. You reduce the duty on raw wool 60 per cent, and you are not frank enough to come out and say that you expect that will decrease the price of raw wool; and even if some of you are frank enough to say it—and there is only one who has been so so far—you do not know how much. You have made no estimate. You do not know how much it is going to decrease the price of raw wool, and yet I am criticized for asking upon what authority anyone can say this bill will not destroy the wool industry of Ohio.

If this bill does not reduce the price of raw wool, it is utterly futile, and you have no excuse to diminish the revenues of the Government if you do not decrease the price. Yet, according to members of the Committee on Ways and Means, that question was not considered. You made no estimates, and you can not say how much 60 per cent reduction will decrease the price of raw wool—the very basis of your whole bill, your whole theory of legislation in the interest of the consumer.

We know what was the result of decreasing the duty 100 per cent on raw wool. We know that it reduced the price of Ohio wool which you yourselves use here as the standard of wool. We know that it reduced the price of Ohio wool 50 per cent. How much will the reduction of 60 per cent reduce the price of Ohio wool? There are mighty few of you that are willing to admit it will reduce it at all, but if it does not reduce it your bill is a farce.

Mr. CANNON. Mr. Chairman, will the gentleman allow me to ask him a question at that point?

Mr. LONGWORTH. With pleasure.

Mr. CANNON. If it does not reduce the price of wool—wool being one of the main factors in the cost of woolens and of worsteds—will woolens and worsteds be cheaper? If it increases the price of raw wool and woolens, how are gentlemen like the present Speaker of the House and myself to get along? I having shivered in former Congresses, while he grew cold for the want of woolen clothing.

Mr. LONGWORTH. Why, of course, this bill will inevitably reduce the price of raw wool. It is intended to reduce the price of raw wool. If it does not reduce it the bill is a farce and a failure from your point of view, and yet there is not a man on that side of the House who will assume to say how much it will reduce it, and few admit that it will reduce it, because you have constituents at home that you have heard from.

Mr. CARLIN. Mr. Chairman, will the gentleman yield for a question right there?

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Virginia?

Mr. LONGWORTH. Yes; on anything but peanuts.

Mr. CARLIN. I do not happen to be interested in peanuts; but I would like to ask the gentleman if he thinks the Payne bill increased the cost of wool and likewise increased the cost of woolen products?

Mr. LONGWORTH. Oh, the gentleman apparently has not discovered that the Payne law, iniquitous though he may claim it to be, made no change whatever in the wool schedule. [Laughter and applause on the Republican side.]

Mr. CARLIN. I understand that.

Mr. LONGWORTH. Then, why does he ask me the question if it increased the price of raw wool?

Mr. CARLIN. The gentleman knows they made no change from the Dingley bill?

Mr. LONGWORTH. Certainly.

Mr. CARLIN. Then, to be more specific, let us reduce the question to the Dingley bill: Did the Dingley bill, in the gentleman's opinion, increase the cost of raw wool and the cost of the manufactured product?

Mr. LONGWORTH. Certainly it increased the price of raw wool.

Mr. CARLIN. Did it increase the cost of the manufactured product?

Mr. LONGWORTH. Yes.

Mr. CARLIN. I am glad to hear the gentleman admit it.

Mr. LONGWORTH. It increased the price over the famine prices produced under the Wilson bill, certainly.

Mr. McCALL. Does the gentleman think it increased the price of clothing to the men who bought the clothes?

Mr. LONGWORTH. I do not want to go into the price of clothing, but we had a good deal of information about it when we undertook to revise the tariff. We had information, and I think it is probably true, that you could never get clothes ready made of a reasonable quality cheaper here than you can to-day. I do not say that is true, but I want to see and hear the report of this Tariff Board. I have heard it confidently claimed that a suit of clothes, a ready-made suit of the cheap worsted, costs no more here than it does in London. I am not an authority for that. I do not want to go into the question of the manufacture of wool. I want to wait until the report of this Tariff Commission comes in, and if you can show me that the duties now carried in the Payne bill upon manufactures of wool are much higher than the difference in the cost of production, than reasonable protective duties ought to be, I will vote to reduce them, but I will not so vote without that information.

Mr. CARLIN. Will the gentleman yield for another question?

Mr. LONGWORTH. Yes.

Mr. CARLIN. Why did not the gentleman express the same anxiety and wait for the report of the Tariff Board when he was arranging the Payne-Aldrich tariff bill?

Mr. LONGWORTH. Because there was not any; there was no such board.

Mr. CARLIN. Why did not you create one? Your party was in power.

Mr. LONGWORTH. We tried to create it, but the Democratic Party prevented it.

Mr. CARLIN. You did not attempt it until after you passed the Payne bill.

Mr. LONGWORTH. I am not going to discuss that question; it is perfectly absurd——

Mr. MANN. It was provided for in the Payne bill.

Mr. CARLIN. You have been in power for 16 years, and had the power to do it. Why was it not done?

Mr. LONGWORTH. I will not yield further for that kind of a question. Now I am nearly through, and I hope to conclude in a few minutes.

Mr. SIMS. I want to ask the gentleman a question about wool, because I think he is an authority on it. If this bill will reduce the price of wool in Ohio 50 per cent, as I understood him to state, is not it a clear admission that 50 per cent of the present value of wool in Ohio is due to a law of Congress and not to the law of supply and demand?

Mr. LONGWORTH. I did not say positively that this bill will reduce the price of Ohio wool 50 per cent. I said the Wilson bill did; but without splitting hairs, I answer "No" to the question.

Mr. SIMS. Why not, if the repeal of a law will reduce the price?

Mr. LONGWORTH. You can not produce wool in Ohio on high-priced land except in small quantities. Bear in mind there are no large flocks in Ohio. The sheep are raised on high-

priced land in small flocks and by average, everyday farmers. That can not pay very well in direct competition with men who have 40,000 and 50,000 in a flock of sheep in Australia, say, where they graze on land worth practically nothing. The tariff is imposed to equalize the difference in the cost of production of wool here and abroad to maintain that industry. If you take the protection off and allow the wool to come in and flood the market, it necessarily drives that industry out of business.

Mr. HARRISON of New York. Will the gentleman yield?

Mr. LONGWORTH. I would rather go on. Mr. Chairman, it has long been a subject of academic debate as to how far the interests of a Member's particular district ought to influence him in voting upon great questions in tariff policies. Some hold on the one hand that they are all-compelling. Others hold that they should be subordinated to the interest of all the people of all the country.

That is the old question of whether the tariff is a local issue or a national issue. Some of us, of course, are apt perhaps to yield our opinions upon questions of national policy when a home industry is concerned. It was for that reason that the entire delegation from the State of Virginia appeared before the Ways and Means Committee when the Payne bill was being framed and asked for an increase of duty of 400 per cent on peanuts.

Mr. CARLIN. I beg the gentleman's pardon. I was in the delegation and never appeared before your committee.

Mr. LONGWORTH. I did not know that the gentleman was a Member at that time.

Mr. CARLIN. Yes, sir. I think the gentleman is making an incorrect statement unintentionally. I do not think there was more than one Member from Virginia interested in peanuts, and that was the gentleman from the second district.

Mr. LONGWORTH. There were three, at least. At any rate, it was represented that Virginia wanted 400 per cent increase of duty on peanuts, for the precise reason that they were unable to compete against low-priced peanuts.

Mr. HUGHES of New Jersey. I want to correct the gentleman, inasmuch as one of the gentlemen from Virginia [Mr. HAY] is in the chair and unable to defend himself. I desire to state on behalf of the Chairman, the present occupant of the chair, that he did not appear before the committee in behalf of an increase of tariff on peanuts.

Mr. LONGWORTH. If the gentlemen regard the protecting of the interests of their constituents as a slight upon their record, I withdraw the statement, excepting so far as the gentlemen who spoke to the committee and whose names appear in the record. That was a local issue. I do not know whether the gentleman from Virginia [Mr. CARLIN] is for free trade in peanuts or not, and I do not care.

Mr. CARLIN. I am not interested in peanuts.

Mr. LONGWORTH. They do not grow in your district.

Mr. CARLIN. It took the gentleman from Ohio 16 years to become in favor of a Tariff Board.

Mr. LONGWORTH. Well, I do not know what that has to do with this question. Now, without debating that question, I think I can say for myself that I am not, in my opposition to this particular bill, influenced unduly by the interests of my district. I have never counted the sheep in my district, but I doubt if there are a hundred. I have never counted the woolen mills in my district, because there are none.

My colleague from the second district has counted the sheep in his district, and he says there is only one, and that sheep is in the zoo, and so he says he does not care how low the duty on wool is placed. At least the gentleman is so reported in the newspapers.

Mr. ALLEN. May I say that that was published as a joke in a Republican newspaper?

Mr. LONGWORTH. I thought I read it in the Cincinnati Enquirer.

Mr. ALLEN. I think you read it in the Cincinnati Times-Star. What I have said is that our promise was to revise the tariff gradually, and that this bill is a compliance with that pledge.

Mr. LONGWORTH. I think not. Is it true the gentleman does not care what is done with wool because there is only one sheep in his district and that sheep is in the zoo? That is the purport of the gentleman's interview. Now, I can not bring myself to keep my tariff opinion entirely locked up at home. I can not forget that while my district is mostly in the city of Cincinnati it is also in the State of Ohio. I can not forget that while there are very few farmers in my district there are thousands upon thousands in the State of Ohio, and that they are there, as they are everywhere else, the backbone and sinew of the community. I am not willing to ask for reasonable protection for an industry in my district and deny to the farmers in Ohio outside of my district reasonable protection on their most important product.

Mr. SHARP. May I ask the gentleman a question for information entirely?

The CHAIRMAN. The time of the gentleman from Ohio [Mr. LONGWORTH] has expired.

Mr. PAYNE. I will yield the gentleman 10 minutes more on the express understanding that he uses it himself.

Mr. LONGWORTH. I realize that I have talked much too long.

Mr. SHARP. I would like to ask a question just for information. It is because I have the honor to represent one of the largest sheep-growing districts in the State of Ohio that I would like to get the gentleman's views as to what he knows about the sheep growers and wool raisers in Ohio getting an active competition in the prices for which they sell, and whether, on the other hand, there is not, if not an organized trust, at least such a prevailing condition among the buyers of wool that they really do not get anywhere near their just proportion of the benefit of the tariff imposed upon the raw wool, compared with that which the manufacturers themselves receive?

Mr. LONGWORTH. I will say to my colleague that that is possible. I do not know all the conditions of wool manufacturing, and do not pretend to know.

I am not sure whether the farmer gets all of his protection—all the protection from the duty—but I do know that when wool was placed on the free list the number of sheep in Ohio fell from substantially 4,000,000 to little more than 1,000,000, and I know that during the years of the Wilson law sheep were selling at 50 cents apiece. I know that. I do not know whether a 60 per cent reduction will be so disastrous as that, but I have reason to believe that it will be, and that is the reason why I oppose this bill.

Mr. HULL. Mr. Chairman, will the gentleman yield.

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Tennessee?

Mr. LONGWORTH. I promised the gentleman from New York [Mr. PAYNE] that I would finish. Otherwise I would be glad to yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. LONGWORTH. I have already talked much too long, Mr. Chairman. It is said that sheep raising in Ohio is a dying industry. It was a dying industry, as I just stated, in the days of the Wilson law. As the gentleman from Ohio will remember, it recovered almost to its former proportions within a year or two after the placing of the present duty on raw wool. We know that. We know those facts. But you say that sheep raising in Ohio is a dying industry.

I ask any gentleman on that side of the House to ride through Ohio on a railroad train, and I venture to say that in most of rural Ohio he will never be out of sight of sheep on either side of the car. It is universal, gentlemen, throughout rural Ohio. You do not see any large flocks; you seldom see a flock of more than 100; but you see the flocks everywhere, on low-priced land and on high-priced land, on small farms and on large farms. There is no such thing as a great flockmaster in the State of Ohio.

Mr. RUCKER of Colorado. Mr. Chairman, will the gentleman yield just for a question or a suggestion?

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Colorado?

Mr. LONGWORTH. Yes; I yield to the gentleman for one question.

Mr. RUCKER of Colorado. The gentleman says that there are 71,000 owners of sheep in Ohio?

Mr. LONGWORTH. I did not say so, but I accept the suggestion of the gentleman from Colorado. The sheep-raising industry is practically the farming industry of Ohio. Practically every farm in the State has sheep, and the profits of that farm at the end of the year are made up largely, in the majority of cases, of the result of the sale of the wool of those sheep; the wool, mind you, not the mutton. It is the wool that makes the Ohio farmer prosperous. If you have a reasonable duty on wool, the Ohio farmer is prosperous.

If you put wool on the free list, he goes out of business. It may be possible—I do not say it is not possible—that that industry could survive under a reduction of the present duty. Some people say it could not survive if the duty were at all reduced. I do not know, and I do not believe a man in this House knows; and it is for that reason that I will not to-day vote for any reduction in that duty, and least of all for a reduction of 60 per cent, without further information than I now possess.

Mr. FAISON. Mr. Chairman, may I ask the gentleman a question?

The CHAIRMAN. Does the gentleman from Ohio yield?

Mr. LONGWORTH. No; I can not yield any more. I am sorry.

The CHAIRMAN. The gentleman declines to yield.

Mr. LONGWORTH. While I regret that we should be confronted under these circumstances with this revision of the wool schedule, there are some compensating advantages. It has served, in my judgment, to emphasize beyond all question the necessity for a responsible and permanent tariff commission, and it has emphasized beyond all question the fact that that can only come by a Republican vote. The gentleman from New York [Mr. FITZGERALD] was the "lord high executioner" of that bill last year. The gentleman from Alabama [Mr. UNDERWOOD] is the "lord high executioner" this year, and now he is leading a solid party and has a united Democratic majority against any form of a permanent tariff commission.

I welcome this bill, because it shows to the country that the mask has been torn off; that the Democratic majority are opposed now, and will be opposed hereafter to the creation of a permanent tariff commission, and that such a commission can come only if the Republican Party is restored to power in *every branch of* this Government. [Applause on the Republican side.]

Mr. UNDERWOOD. Mr. Chairman, I yield one minute to the gentleman from New Jersey [Mr. McCOY].

Mr. McCOY. Mr. Chairman, a very remarkable speech was made on this tariff bill in the House the other day by one of those manufacturers, of whom I hope there are a great many in this country, who have the courage to reply solely on their own energy and ability for success. He was too modest to state his own business experience which enabled him to make such a very effective speech. If we turn to the Congressional Directory we find simply this about him:

WILLIAM C. REDFIELD, Democrat, of Brooklyn, was elected to the Sixty-second Congress, receiving a majority of 3,700 votes.

Now, I think it is important that the people of this country shall know what kind of a man WILLIAM C. REDFIELD is and what his experience has been.

In 1879, at the age of 21 years, Mr. REDFIELD entered the office of the largest manufacturers of printing presses in the world, and remained there for five years. In that employment he became familiar with the operation of a large factory and with the principles of its operation, including the cost of material, the cost of labor, the erection and operation of machinery, the methods of paying labor, and of managing mechanical work.

During the years 1883 to 1885 he was cost keeper for a concern which manufactured machinery used in sugar refining, the chief part of whose product was sold abroad. This concern was one of the largest then in the business and made many kinds of sugar machinery. It was Mr. REDFIELD'S special duty to be entirely familiar with, and to figure and record the cost of, each part of this machinery, both in labor and material.

In 1885 he entered the employment of a concern which then and now manufactures machinists' tools. This concern, in 1885, was the smallest of eight concerns in the country engaged in a similar business and started in a wooden shack which it rented. It now owns, and uses for the manufacture of its goods, a plant covering two city blocks.

Mr. REDFIELD remained with this concern for 16 years, becoming first a partner and later the treasurer of the corporation organized to carry on the business, leaving it to become commissioner of public works for Brooklyn in 1902.

He returned to this company as its president in 1905 and withdrew from active connection with the business at the close of that year, retaining his interest in it.

Mr. REDFIELD, for the purpose of establishing a foreign business for the concern of which I have just been speaking, made a preliminary trip to Europe in 1893. He spent 10 months in Europe in the year 1900 looking out for this foreign business, and during that time made three complete tours of the commercial centers of Great Britain and visited many of the leading commercial centers of Europe. He then had an office in Paris, France.

This concern now sells its goods in all of the commercial countries on the continent of Europe and in Great Britain, and its business in these countries was in an entirely satisfactory condition at the time when Mr. REDFIELD severed his connection with it, and has constantly increased in volume since that time.

The products of this company are not protected in any way by patents and are sold in open competition with the world, especially in competition with manufactures of Great Britain and Germany, who have imitated some of its product.

In 1907 Mr. REDFIELD took up the business of manufacturing blowers, fans, and similar apparatus for heating, cooling, ventilating, and drying, and is still interested in such business, being vice president of a company which has works in two of the large cities of the country.

Mr. REDFIELD has charge of the exports of the last-mentioned concern. It had a foreign business prior to 1909, but made no particular effort to extend it. Since 1909 Mr. REDFIELD has given his especial attention to this foreign business, and now it is developing with very satisfactory rapidity.

I omitted to say that this corporation, of which Mr. REDFIELD is now the vice president, is one of the leading concerns of its kind in the world.

In the year 1907 Mr. REDFIELD visited Great Britain in connection with his business and, as stated in his speech, obtained certain information in regard to methods of manufacturing. He was able to obtain this information on account of his very friendly relations with some of the manufacturers of that country.

In the fall of 1910 Mr. REDFIELD started on a business trip around the world, a trip which he had to cut short in order to attend the present session of Congress. This trip was made for the purpose of increasing the business of his company in all parts of the world, and he visited all the important centers of Japan, also Manila, Hongkong, Canton, Singapore, Batavia, and Soerabaya in Java, Penang, Rangoon, Calcutta, and Bombay, stopping in London, Amsterdam, and Rotterdam for business calls.

The people with whom Mr. REDFIELD has been dealing during these years are largely manufacturers both at home and abroad. He has had no special facilities for the sale of the goods of his company, but has been obliged to enter into open and sharp competition and to obtain orders on the merits of his goods.

That Mr. REDFIELD'S qualifications to set forth graphically and accurately the conditions upon which success in competitive business depends were appreciated, not only by Members on this side of the aisle, but also by our Republican friends, is shown by a conversation which took place between two Republicans while he was speaking. One of these Republicans, and they are both very prominent among the Republican Members of the House, suggested to the other that he ask Mr. REDFIELD some questions, of course for the purpose of weakening the strength of his statements. This other Republican replied that he did not care to do so, as he thought that Mr. REDFIELD knew what he was talking about. To this opinion everyone must concur.

Mr. UNDERWOOD. I yield one minute to the gentleman from West Virginia [Mr. DAVIS].

Mr. DAVIS of West Virginia. Mr. Chairman, in view of the length to which this debate has proceeded, I would not desire to take any of the time of the House or to avail myself of the leave given to extend one's remarks in the RECORD if it were not for certain statements made by the gentleman from Ohio [Mr. LONGWORTH], who has just taken his seat. With eloquent vehemence he has asked "by what authority" those who favor this bill are able to say that it will not destroy the woolgrowing industry of the United States. He has attempted no defense to Schedule K of the present tariff law, but has addressed his whole argument to the suggestion of imaginary evils which are to follow the present effort to revise it. There are two methods by which a change of any law may be prevented—one a frank defense of the existing statute, and this the gentleman knows to be impossible; the other an attack upon any change which may be suggested.

Of all the fallacies upon which the high duties of the present wool schedule have been maintained, none has been so potent as the oft-repeated assertion that the life of the woolgrowing industry in America is bound up in the maintenance of these rates. The shrewd, farseeing men who planned this law well knew the force of this suggestion. It sounded good to the woolgrower to be told that the woolen manufacturer, the purchaser of his product, was willing that there should be a duty on raw wool and would help him to get and retain it. It was flattering to the shepherd to be invited to write that portion of the schedule to suit himself; and from 1867 to this day, when any suggestion of a change in the wool schedule has been made, the American farmer has been put in the front of the fight. How often have we been told, as the gentleman has just told us, that the free-wool clause of the Wilson bill sounded for the time being the death knell of the sheep in the United States, and how often has the farmer been warned to beware of Democratic candidates lest that evil day should come again? This assertion has become the stock in trade of Republican orators, the sine qua non of Republican editors, and, if one may judge by the remarks of the gentleman from Ohio and by the minority report presented with reference to the pending measure, it has become the chief, if not the only, argument of Republican statesmen. And yet, Mr. Chairman, in the face of these repeated statements I

dare assert that the wool producer has received little or no benefit from any of the tariff duties on his wool, and that the tariff has proved neither the life on the one hand nor the death on the other of the woolgrowing industry in the United States. And I further assert as a corollary to these propositions that the so-called destructive effect of any reduction in the duties on raw wool is a campaign bogey invented by the superheated imagination of Republican orators.

In my judgment, this can be made clearly to appear without going further for illustration than the wool produced in the gentleman's own State of Ohio.

In order to make my point it is not necessary to go fully into all the details of Schedule K. Its history begins with the famous Syracuse conference held in 1865, where the lion of the wool manufacturer and the lamb of the woolgrower are supposed to have lain down together. There is respectable authority for the statement that these two classes of producers did not as a body understand and support the views of this meeting. There is good evidence to show that it was promoted chiefly by a few manufacturers of New England producing carpets and worsted goods and some prominent sheep breeders who raised fine bucks and wished to sell them at a high price. The fact, says Prof. Taussig, in his Tariff History of the United States, that the rates of duty as arranged in the Syracuse convention were especially advantageous to certain manufacturers, those who made carpets, worsted goods, and blankets, tends to support this view. Be that as it may, a bargain was then and there struck by which it was agreed that the woolgrower should have any duty that he might demand. He was assured that the amount of this duty would be added to the price of his wool and paid to him by the American manufacturer. The manufacturer, accordingly, the price of whose raw material was to be so raised, should have a so-called compensatory duty sufficient to protect him against loss thereby, and, in addition, a duty frankly intended for protection. This was the scheme in broad outline. It was supposed to guarantee to the American woolgrower a higher price for his wool than that prevailing for similar wool in foreign markets, and the manufacturer was supposed to see that he got it, without loss, however, to himself. When the law was passed in 1867 the woolgrower accordingly was baited with a minimum duty on wool of 10 cents per pound and 11 per cent ad valorem. The manufacturer, on the false and fictitious theory that it required 4 pounds of wool in the grease to make 1 pound of cloth, was first allowed a compensatory duty of 50 cents per pound on cloth to offset the supposed increase in the price of his raw material, and, in addition, an ad valorem duty for protective purposes of 35 per cent. True, the manufacturers stated that they desired a protective duty of only 25 per cent ad valorem, but the additional 10 per cent was added to cover the internal-revenue tax then still in force. And then these coconspirators proceeded to build up an abstruse system of classifications of wool and manufactured goods, and presented to a willing and obedient Congress the whole mass of specific, compensatory, protective, and compound duties, with intricate and involved classifications, deliberately designed to conceal from Congress and the consumer alike the real advantage which was being given. This was the birth and genesis of Schedule K as we now know it.

The internal-revenue tax of 10 per cent was repealed within a year or two. The industry thrived and grew, improved machinery was invented, the output increased, consumption multiplied, and yet, upon each succeeding revision of the tariff, these same gentlemen or their successors have appeared before Congress, crying like the daughters of the horse leech, "Give, give." And so duties, high enough at their creation, have from time to time been raised, until the outraged conscience of the American people has swelled their murmur of discontent to the fierce storm of protest which broke upon the country last fall.

But in spite of the maintenance of the compensatory duties for the manufacturer, nothing is clearer than that the bargain with the woolgrower has not been kept. The additional price for his product has not been paid to him, and the duty on the imported article has not been reflected in the domestic price. Let us take for purposes of illustration the grade of wool known as Ohio fine unwashed and its prices for the past 20 years. This is a wool largely grown in the State of Ohio as well as in the State of West Virginia; it belongs in the class known as clothing wools, and its chief foreign competitors are the Australian wools produced on Merino sheep or Merino cross-bred. During the 20 years under consideration four tariff laws have been in force, their dates and rates of duty on clothing wools being as follows:

McKinley Act, October 6, 1890; duty, 11 cents per pound; if washed, double the regular duty.

Wilson Act, August 28, 1894; free.

Dingley Act, July 24, 1897; duty, 11 cents per pound; if washed, double the regular duty.

Payne-Aldrich Act, August 5, 1909; duty, 11 cents per pound; if washed, double the regular duty.

It will thus be seen that except for the interval between August 28, 1894, and July 24, 1897, wool of the class under discussion has been dutiable continuously at 11 cents per pound. Now, if this duty has inured to the benefit of the wool producer, it must show in the price of his product, and during the time when it has been in force he should have enjoyed a correspondingly higher price than his foreign competitor.

But what are the facts? I present a table showing the average annual price from the years 1890 to 1910 of Ohio fine unwashed wool in the Boston market, and the prices in the London market of Port Philip, an Australian wool of the same class, and the average import price, less duty, of all clothing wools unwashed during the same years.

Comparative table of prices of Ohio fine unwashed wool, Boston market; Port Philip Australian wool, London market; and average import price of all clothing wools, 1890 to 1910.

Years.	Boston, Ohio fine unwashed (average).	London, Port Philip, greasy.	Average import price, all clothing wools.
	Cents.	*Cents.*	*Cents.*
1890	21½	21.2	23
1891	21¼	19.6	23
1892	19¾	17.0	21
1893	18½	17.2	18
1894	14¾	16.0	16
1895	12½	17.0	15
1896	13½	19.8	17
1897	17½	18.4	17
1898	19½	19.4	18
1899	21	24.8	15
1900	22	23.2	21
1901	18	19.2	16
1902	21	23.0	12
1903	22½	.....	18
1904	23	.....	19
1905	26½	.....	23
1906	26	.....	24
1907	26½	.....	26
1908	23	.....	22
1909	25½	.....	21
1910	24	.....	24
1911	18	.....	.....

I regret that I have been unable to obtain the prices in London on Port Philip wool after the year 1902.

These figures are most instructive. In 1891, for instance, under the McKinley tariff, Ohio fine unwashed wool brought in Boston 21¼ cents per pound, Port Philip brought in London 19.6 cents, and the average price of all clothing wools imported was 23 cents per pound. What had become of the 11 cents per pound tariff duty which the manufacturer was supposed to pay the American wool producer and which, by his compensatory duty, he was permitted to add to the price of his cloth? This was the implied promise made by the manufacturer to Congress and to the wool producer at the time a compensatory duty was imposed. It was supposed that by this duty he would be enabled to pay and would pay to the American woolgrower a higher price for his wool than to the foreigner; otherwise, why this compensatory duty to the American manufacturer at all? A glance at the table will show that the American wool producer, year in and year out, with the advantage of a cent here and the loss of a cent there, tariff or no tariff, has been compelled to accept the same prices received by his foreign rival, and that wool sells in Boston at substantially the same price realized for similar grades in London. Any such difference in price as there may be in favor of the American wool producer is so slight as to be readily accounted for by difference in transportation or any of the many factors affecting market conditions entirely apart from the tariff.

But, of course, the gentleman from Ohio has said and will say that during the life of the Wilson Act, for instance, in the year 1895, the price of wool reached in the United States its lowest level during a period of 30 years. This is true, and the argument with the unthinking may have weight, but two facts rob it of the importance claimed; first, that, as shown by the table, a corresponding decline within the same period took place in the wool markets of the world. Look at the figures. Beginning with the year 1890, when the decline set in, which, be it remembered, was under the McKinley Act, the Boston price of Ohio fine unwashed was in that year 21½ cents. It fell off each year thereafter until the year 1895, when it reached 12½ cents.

In the following year, 1896, it began to rise, and so continued for several years. Look, now, at the other columns in the table. The average value of imported clothing wools was 23

cents per pound in 1890, and it began to decline, and reached in 1895 15 cents per pound, a loss of 8 cents per pound, or precisely the same loss as that sustained by the grade of domestic wool which we have chosen for our illustration. In the London market Port Philip wool sold in 1889 at 23 cents per pound, and fell off gradually until 1894, when it reached the low-water mark of 16 cents per pound, a net loss of 7 cents per pound from the year 1889. These coincidences are too striking to be overlooked. It can not be said that the free-wool clause of the Wilson Act had anything to do with depreciating the value of imported wools or lowering the price of wool in the London market. On the contrary, all things being equal, it should have increased the foreign price, because it stimulated the demand for wool in the United States and enlarged our importations. And yet we find a like decline appearing in the foreign market during the same period of time with substantially the same severity.

Nor is this all, when we turn to the price of other agricultural products we discover the same phenomena. Wheat in this country in 1890 was bringing 83.8 cents per bushel; in 1895 it brought 50.9 cents, a decline of 38 per cent, having declined steadily in every year since 1890. Oats in 1890 brought 42.4 cents per bushel, and in 1895 19.9 cents, or a loss of 53 per cent. Corn in 1890 brought 50.6 cents per bushel, and in 1895 25.3 cents, or a loss of 50 per cent. The average value of horses in 1890 was $68.84 per head, and in 1895 $36.29 per head. These are the figures of the Agricultural Department. Beginning with the year 1890, two years before the election of President Cleveland and four years before the passage of the Wilson Act, a general decline in the price of agricultural products had set in, which ran the same course and with substantially the same severity as the decline in the price of wool, which we have already noticed.

Table of prices, agricultural products, 1890 to 1897.

Years.	Wheat, per bushel.	Oats, per bushel.	Corn, per bushel.	Horses, per head.
	Cents.	*Cents.*	*Cents.*	
1890	83.8	42.4	50.6	$68.84
1891	83.9	31.5	40.6	67.00
1892	62.4	31.7	39.4	65.01
1893	53.8	29.4	36.5	61.22
1894	49.1	32.4	45.7	47.83
1895	50.9	19.9	25.3	36.29
1896	72.6	18.7	21.5	33.07
1897	80.8	21.2	26.3	31.51

And when we turn to the markets of the world we discover what, of course, all informed men knew, that the period from 1890 to 1895 was one of general declines, extending not only to agricultural products, but to industries of all sorts, and that the recuperation began with the close of 1895 and the opening of the year 1896. Will anyone pretend that for this world-wide condition the Wilson Act of 1894 was in any way responsible, or can it for a moment be asserted that the low price of wool in the years 1894 and 1895 in the United States is traceable to that cause?

But before our friends are done with this argument there are other questions to be answered. Recurring again to our table, we find that the Boston price of Ohio fine unwashed wool in 1909 was 25½ cents. As a matter of fact, in my section the high-water mark for that year was 30 cents. In 1910, in Boston, it sold for 24 cents and in my section as low as 22 cents per pound, while in this year, 1911, it is quoted at from 17 to 18 cents, or, in other words, a loss of at least 7 cents per pound since the year 1909. All this under the beneficent operation of the Payne-Aldrich tariff law. How much lower it will go no man can tell. The gentleman from Ohio was asked whether the Payne-Aldrich law had increased the price of wool, to which he answered:

The Payne-Aldrich law as to raw wool did not change the Dingley rates.

Of course it has not increased the price, but will any gentleman be good enough to explain why it should fail to maintain it if the tariff is, in fact, the life of the wool producer?

But leave the question of prices for a moment. To ascertain whether the present Schedule K has promoted the sheep-growing industry in the United States one has but to consult the statistics for the last 30 years. Since the year 1890 the statistical totals of the Department of Agriculture include both sheep and lambs, but eliminating the latter we ascertain that in 1880 there were in this country sheep of the shearable age 42,192,000; in 1890, 40,786,000; in 1900, 39,853,000; and in 1910, 39,069,000. Is it any wonder that Mr. Theodore Justice, a witness before the Ways and Means Committee in 1908, testifying in favor of the present schedule, was compelled to admit that at the present rate of increase in sheep as computed by him it would take until 1997 to produce enough sheep to raise the 650,000,000 pounds of wool required for our annual consumption? I wonder whether in that estimate Mr. Justice took into consideration the increase in population or anticipated progressive race suicide. It is true that owing to improvement in breeding we are to-day producing more wool from fewer sheep. For instance, in 1880 we produced 232,500,000 pounds of wool, while in 1910 we produced 328,111,000 pounds of wool, but the production of wool per capita, in proportion to the increasing population, has declined from 4.6 pounds in 1880 to 3.6 pounds in 1910.

I have been at some pains to ascertain from the auditor's reports of the State of West Virginia the number of sheep since the year 1870 in my own State and in the district which I have the honor to represent. While the matter is chiefly one of local interest, it illustrates the general point, and I shall insert the tabular statement as an appendix to my remarks.

I thus discover that the low-water mark of the sheep industry in West Virginia, so far as the number of sheep is concerned, was not in any of the years when the Wilson Act was in force, viz, from August, 1894, to July, 1897, but is in the year 1904, after the Dingley Act had been in force for seven consecutive years, at which time we had within the State of West Virginia 314,269 sheep, as against 395,856 in the year 1897, the lowest year under the Wilson Act, and 680,718 in the year 1884, when the sheep industry of the State was at its height. If it be true that the Wilson Act slaughtered the sheep which perished from 1890 to 1897, I should like the gentlemen using this argument to tell us what was the cause which decimated the sheep in the year 1904.

Nor is the story in the State of Ohio any different. The number of sheep in Ohio at the end of each of the last five decades was as follows:

	Number.
1870	4,929,000
1880	4,903,000
1890	4,061,000
1900	2,648,000
1910	2,898,000

And the fleece-wool production was as follows:

	Pounds.
1870	20,540,000
1880	25,004,000
1890	20,988,000
1900	20,351,000
1910	16,900,000

There is no fallacy more fatal than the argument that all which follows a given event must have been caused by it. The other day in the City of Mexico there was a disastrous earthquake immediately following the surrender to the Mexican revolutionists. No doubt there are many superstitious Mexicans who believe that the earthquake was a divine visitation resulting from the revolt against the established government. The gentlemen say that the Wilson Act was passed, sheep declined in numbers, and wool fell in price, therefore the Wilson Act was responsible. They can be answered with equal force that the Dingley and Payne Acts were passed, sheep declined in numbers, and wool fell in price, therefore the Dingley and Payne Acts were responsible. It is a poor rule that does not work both ways.

Of course it will relieve campaign orators, and in some instances Members of Congress, from looking below the surface to find the deeper reasons, but a cause which relies upon this argument alone runs great risk when under careful scrutiny. Especially is this true with an industry affected by so many factors as the one under discussion. The rise in the price of grazing lands, increasing tillage, truck farming, gardening, dairying, cattle grazing have throughout the history of the sheep industry in the United States tended to drive it from one frontier to another, until to-day the backbone of the industry, from the woolgrowing standpoint, is to be found in the Rocky Mountain States. Sheep raising on a large scale can only be conducted with profit where lands are cheap and grazing plentiful. For this reason it is that the broad prairies of Argentina and the thinly settled areas of Australia are to-day the great sources of the world's wool supply. In more thickly settled districts sheep have been and will continue to be kept, but it can never be for profit on their wool alone. Where markets are close and accessible they have their mutton value, and, in addition, they help to clean the land on which they are grazed, and to fertilize it in return. These are the considerations, and not the tariff, which insure the continuance of sheep raising in the United States. Be it a high tariff or low tariff or no tariff at all, the raising of sheep in the more populous States, where land values are high, is, and must continue to be, purely incidental to other farming operations.

If facts and figures can prove anything, they clearly show that the tariff on wool has not been reflected in the price to the American wool producer, notwithstanding it has been carried into the total value of the finished product and charged by the manufacturer against the American consumer. The American producer has been offered his choice of accepting in the Boston market substantially the same price which his competitor received in the London market; or, if he preferred, shipping his wool abroad. The latter has never been resorted to; and, of course, could only be done with the disadvantage incident to cost of transportation and marine risks. In the year 1910 we consumed in the United States 584,669,867 pounds of wool. Of this we produced at home 328,110,749 and imported 256,606,638 pounds. Every pound so imported paid duty, realizing to the Government in revenue $21,128,728.74. A proportional increase in value was added to the cost price of the manufactured product, whether made of domestic or imported wool; but the word of promise was made to the American woolgrower and broken to his hope. He sells his wool in a market from which competition has long ago disappeared, and he takes the price which the allied manufacturers desire to give him, or he goes without. The other fact which appears with equal clearness is that the tariff on raw wool has utterly failed to expand the woolgrowing industry in the United States, or even to prevent its decline.

I submit that the time has come when we should cease to tickle the ear of the wool producer with the tale of impossible benefits or burdens. Let us be honest not only with ourselves but with our constituents, and admit, in the language of a recent learned writer on this subject, that—

The assertion frequently met that the very existence of the sheep industry of the country depends upon the duties finds no substantiation in the facts of history.

This author, Mr. Chester Whitney Wright, has presented in his volume, Wool Growing and the Tariff, the most exhaustive and impartial study of the subject made in recent years, and after tracing the history of the industry in this country from its earliest beginning to this date, he concludes:

It must now be plain that the grossest exaggeration has characterized general discussion and reasoning in regard to the connection between the tariff and the woolgrowing industry. Indeed, one of the most valuable conclusions to be reached by a study of this chapter of our economic history is that the tendency to overestimate the power of the tariff, either for good or for evil, is almost universal. For this tendency the almost perpetual presence of the tariff in the political arena is no doubt mainly responsible. In discussions upon the subject an attempt is invariably made to simplify the situation by leaving out of consideration the numerous other factors and then applying the argument post hoc, ergo propter hoc. This method is employed on both sides of the question; free traders and protectionists alike are guilty. It must be admitted that the woolgrowing industry is unsually complicated, and that the neglect of other factors is in this case peculiarly misleading. But there is no lesson that can be applied to the tariff which would be productive of more good than the one to be drawn from the situation here exemplified. The importance of the tariff as a factor in the industrial history of the country has too long been grossly magnified.

So much for the interest of the woolgrower, as such. May I be permitted a word more by way of contrasting Schedule K of the Payne-Aldrich Act and the method of its making with the bill under discussion?

Of all the grievous penalties in the medieval code none was more fatal to the victim than the sentence of outlawry. He against whom that dreadful decree was pronounced became at once caput lupinum. An outcast and a wanderer, in daily terror of his life, he bore a price upon his head, and might be slain at will like a wolf within the woods. No man's hand was raised in his defense; no tongue was heard to speak for his vindication. This prolonged discussion has shown, if nothing else, that to this sad and melancholy estate Schedule K of the Payne-Aldrich Act has already fallen. None are there to defend it and few so poor as to do it reverence, and it seems indeed doomed to go—

Down to the vile dust from whence it sprung,
Unwept, unhonored, and unsung.

To such a state was it predestined long before the assembling of this Congress or the beginning of this debate. The President of the United States, titular head of the Republican Party, in an address at Beverly, Mass., is reported to have said:

The woolen schedule is indefensible, and I propose to say so.

Later, in his famous Winona speech, after again denouncing it, he said:

When it came to the question of reducing the duty at this hearing in this tariff bill on wool, Mr. PAYNE in the House and Mr. Aldrich in the Senate, although both favored reduction in the schedule, found that in the Republican Party the interests of the woolgrowers in the far West and the interests of the woolen (worsted) manufacturers in the East and other States, reflected through their Representatives in Congress, was sufficiently strong to defeat any attempt to change the woolen tariff, and that had it been attempted they would have beaten the bill reported from either committee.

Just two years ago this month when this legislative iniquity was struggling to be born the Senator from Wisconsin [Mr. LA FOLLETTE] declared in the other end of this Capitol that:

All students of the tariff question must realize that this particular schedule relating to wool and woolens, essentially a necessary of life, should, above all others, be carefully reconstructed as to the manufactures of wool and revised downward. But this schedule has not been reconstructed in accordance with the petitions of the American people nor the pledges of the Republican platform.

Other distinguished members of the Republican Party, both in this Chamber and in that, have joined with Democrats the great chorus of denunciation and disapproval, and last, but by no means least, came the unkindest cut of all from the distinguished gentleman from New York [Mr. PAYNE], who, though he presided at the birth of this act and lent to it his own name in baptism, has openly declared his regret at the part he was compelled to play. In his speech made at Lyons, N. Y., on the 23d day of September, 1910, he is reported to have said:

The result of our deliberations was most satisfactory to me in general results, although there were other items, like those of the woolen schedule, which I was anxious to revise. It was a source of great disappointment to me, after two exhaustive and extended hearings, that I was not able to present any program that a majority of the committee would adopt for a revision of this schedule. The reason was not that the committee was unduly influenced by those interested, but that they could not agree upon the labor cost of producing wool and woolen goods in this country and abroad with a reasonable profit to the producer. Of course, this left the woolen schedule where it was in the Dingley Act, with one or two small reductions in duties.

Thus, Mr. Chairman, is this unhappy schedule disowned and bastardized in the house of its father. The gentleman was "anxious to revise it." It was a source of "great disappointment" to him that he could not do so and that the schedule remained as it was in the Dingley Act. What stronger admission can be expected from that source of the necessity for revision and what more pathetic apology for the failure to perform that duty? And when we attempt to square the gentleman's explanation with that in the President's Winona speech, we catch a side light which is most illuminating. The reason, says the gentleman from New York, was not that the committee was unduly influenced by outside interests, but only that it could not agree. The reason, says the President, was that in the Republican Party, the woolgrowers of the West and the woolen manufacturers of the East were sufficiently strong to defeat any attempt to change the woolen tariff, and had it been attempted they would have defeated the whole bill. How different the two pictures thus presented. Was the failure to revise this schedule two years ago the fault of struggling statesmen striving in vain to a just conclusion, or was it, in fact, the work of a sinister power too strong even for this Chamber to resist which postponed the hour of common justice?

I have read the hearings before the Ways and Means Committee of this House two years ago when this schedule was under consideration. I have perused the minority report upon the pending bill, with its prophecies of disaster, and I have listened to the mournful jeremiads of the gentleman from Illinois and others on this floor who declare that if the present bill shall pass it will not build up manufactures, but will abandon the wool industry to destruction. It is the old, old story. Few appear before congressional committees to tell a different tale.

A distinguished citizen of Massachusetts, prominent both in name and in lineage, no less than in personal achievement, Mr. Charles Francis Adams, wrote on this subject in 1908 to a distinguished Member of this present body as follows:

Speaking after the fashion of men, they are either thieves or hogs. I myself belong to the former class. I am a tariff thief, and I have a license to steal. It bears the broad seal of the United States and is what is known as the "Dingley tariff." I stole under it yesterday; I am stealing under it to-day; I propose to steal under it to-morrow. The Government has forced me into this position, and I both do and shall take advantage of it. I am therefore a tariff thief with a license to steal. And—what are you going to do about it? The other class come under the hog category—that is, they rush, squealing and struggling, to the great Washington protection trough, and with all four feet in it they proceed to gobble the swill. * * * To this class I do not belong. I am simply a tariff thief. * * * But, on the other hand, I am also a tariff reformer. I would like to see every protective schedule swept out of existence, my own included. Meanwhile, what inducement have I to go to Washington on a public mission of this sort? A mere citizen, I represent no one. * * * Meanwhile, have it well understood that my position is exactly the position of tens of thousands of others scattered throughout the country; to ask us to put aside our business affairs and at our own expense to go to Washington on a desperate mission is asking a little too much.

With Schedule K thus discredited in Congress and out of it, and condemned in the great court of public opinion, it seems hardly worth while at this time to run over the prolonged catalogue of its faults and inequalities. The wonder is that it should have survived so long, notwithstanding the enormous and potential forces mustered to uphold it. Begotten in greed and spawned in falsehood, it has thrived to this day on one long series of deceits.

When there was added to the protective duty of 25 per cent asked for in 1867, 10 per cent additional to cover the internal-revenue tax, it was deceit which retained this 10 per cent long after the internal-revenue tax had been repealed. When a compensatory duty of 50 cents per pound of cloth was given to the manufacturer on the theory that it took 4 pounds of wool in the grease, taxed at 11 cents per pound, to make a pound of cloth, it was deceit which hid from Congress the fact that in many grades of cloth 1, 1½, 2, or 2½ pounds of wool only are necessary to make a pound of cloth, and that in still other cloths the place of wool is taken by shoddy, cotton and its substitutes, and that this so-called compensatory duty, instead of returning to the manufacturer what in theory—but in theory only—he was compelled by law to pay to the woolgrower, gave to him, in fact, a large and exorbitant measure of protection. And it was deceit which persuaded the woolgrower that the duty on raw wool coupled with this compensatory duty to the manufacturer would raise the price of his wool—a thing which, as I have shown, it has utterly failed to do.

It was deceit that framed the innumerable classifications by weight and prices of the articles covered by this schedule and built up the pyramid of compensatory, specific, and ad valorem duties so that the common man could no more determine from this law the amount of tax he was called upon to pay than he could decipher the King's decree on the walls of an Assyrian temple. And it was deceit which, by this simple expedient, hid for years from the American people that the average ad valorem tax on woolen manufactures was 90.1 per cent, on woolen or worsted cloths of the cheapest grade 144 per cent, on blankets of the cheapest grade 93.58 per cent, on flannels for underwear as high as 154.35 per cent, on shawls 96.4 per cent, and on carpets 76.29 per cent. And it was deceit which also hid from the people the fact that the heavier taxes were imposed upon the cheaper goods.

Nor was the fraud and cunning of these gentlemen exhausted with the framing of the law. No sooner was it in operation than began that steady degradation of American cloths by the intermixture of cotton, shoddy, and like substitutes, which has given to the American people for wear to-day the poorest cloth in the world.

In the same fashion we are told that the act has inured largely to the profit of the American workingman and that the burden of any disturbance must fall first upon him. I have looked with interest over the 20 pages attached to the committee's report in this case, which contain the sum total of the information furnished by the Tariff Board at the request of the Committee on Ways and Means. Here is a body of alleged experts, who, after being in existence 18 months, are requested by the Ways and Means Committee to furnish it with such information as had been collected. They reply that the data thus far collected on that subject would not, in their opinion, be useful for purposes of legislation, and they would therefore not communicate such data to the committee; and after this top-lofty declaration they supply the 20 illuminating pages which constitute Appendix C of the report. I venture the assertion that any $60 a month bookkeeper, having before him the Statesman's Year-Book, the yearbooks of the Agricultural Department, the Statistical Abstract for the current year, and a few trade journals, could, with paste and shears, assemble all of the information contained within those 20 pages in 24 hours.

But I did read in that dreary waste one single paragraph of interest. We are told that—

> The Immigration Commission, in its study of the woolen and worsted industry, secured detailed information from 23,388 employees. Of the total number of employees studied, 61.9 per cent were foreign born and 24.4 per cent were of native birth but of foreign father, and 13.7 per cent were native-born persons of native father. The average weekly wage of the male employees 18 years of age or over was $10.49 and of the female employees $8.18. The average annual earnings of the male heads of families who were employed in the industry were $400, and of all males 18 years of age or over in the households studied, $346. The average annual income of families the heads of which were working in the industry was $661.

This single pargaraph, Mr. Chairman, speaks volumes with reference to the advantages accruing to the American workingman under the beneficent operation of Schedule K. What does it mean that, after 40 years in this industry, out of 23,688 employees investigated only 13.7 per cent were native born of native parents? What does it mean that 61 per cent are foreign born? What can it mean except that, while the American manufacturer with the aid of prohibitive tariffs has excluded his foreign competitor from the American market, the American-born workingman has been selling his labor free in the markets of the world and has been underbidden by his foreign competitor? And what becomes of all the talk about the "American standard of living" when a man is asked to live and raise a family on the paltry wage of $10.49 per week?

In contrast with the present law, the pending measure commends itself to me for at least three reasons:

First. By its abolition of the complex and compound duties and the involved and intricate classifications of the present act. Laws are written to be understood, and any law which is on its face unintelligible, involved, and mysterious should be condemned without further argument.

Second. By its abolition of specific duties, with their injustices and inequalities, and its substitution of ad valorem duties which readily adjust themselves to changed and changing conditions.

By common consent, the only really scientific and just method of laying a customs duty is the ad valorem system. To borrow the illustration of the gentleman from Georgia [Mr. BRANTLEY], we may have three articles of the same character but of different values, worth $1, 50 cents, and 25 cents, respectively. A specific duty of 10 cents on each means 10 per cent ad valorem on the article worth $1, 20 per cent ad valorem on the article worth 50 cents, and 40 per cent ad valorem on the article worth 25 cents, thus making the burden of taxation the heaviest on that article which can least bear it. It is this which has made of the present Schedule K a bill to tax the poor and exempt the rich.

Of course, the objection is made that an ad valorem duty encourages undervaluations and promotes fraud. This is the stock argument of those who prefer specific duties and the secret advantages which they offer. Can it be imagined for a moment that Schedule K would have lasted so long if the people had understood that the duty on flannels was as high as 154 per cent ad valorem? But those who advance this argument do not stop to think that it proves too much. Not only the present Schedule K, but every other schedule of the present tariff law contains certain ad valorem duties. The argument of possible undervaluations applies just as well to a compound duty, part specific and part ad valorem, as to a duty wholly ad valorem. Not only so, but the same argument can be and has been used against any tariff laws whatever, since they promote not only undervaluations, but smuggling and similar frauds, of which the recent crimes committed by the Sugar Trust under specific duties are striking examples. And, pressing the argument to its final conclusion, it can be made just as well against the system of taxation in use in every State in the Union where, in the main, ad valorem taxes alone are laid and collected.

No law of any sort can be adopted except upon the theory that it will be obeyed. No statute is of any value unless honest men are selected to enforce it. But granted honest and capable collectors and appraisers at the customs ports, there is no commodity in the world more capable of exact valuation and the grades of which are more easily recognized than raw wool.

Third. By its reduction of the burdens of taxation on the American people while preserving the revenues necessary for the support of the Government. Taking the importations for the current year, it is easy to ascertain just what ad valorem rates the Payne-Aldrich Act has fixed on certain common articles. In comparing them with the rates of the present bill the advantage to the consumer is immediately apparent, for instance.

Comparative table, ad valorem rates.

Articles.	Payne Act.	Underwood bill.
WOOL.	*Per cent.*	*Per cent.*
Class No. 1, clothing wool, unwashed	47.24	20
Class No. 2, combing wool, unwashed	47.52	20
Class No. 3, carpet wool, unwashed	32.14-36.30	20
CLOTH.		
Not over 40 cents per pound	144.05	40
Not over 40 cents per pound and under 70 cents	123.55	40
Blankets, cheapest grade	93.58	30
Flannels for underwear, cheapest grade	91.11	30
Brussels carpets	76.29	30
Treble-ingrain and three-ply carpets	64.34	30
Shawls	96.40	45
Ready-made clothing	77.09	45
WOMEN'S AND CHILDREN'S DRESS GOODS.		
With cotton warp, worth not over 15 cents per square yard.	103.73	45
All wool and weighing 4 ounces or more per yard	154.35	45
Yarns, valued not over 30 cents per pound	159.75	30

The Democratic Party recognizes that the only excuse for any taxation is the raising of revenues sufficient to support the Government, when economically administered. It denies that the powers of government can be used to guarantee profits to any

class of its citizens, or that any benefit can rightfully be conferred by law on one man which all do not alike enjoy.

No stronger indictment of Republican tariff making could be drawn than the showing that notwithstanding the burden on the consumer has been cut in two, the revenues of the Government derived from the woolen schedule will be practically undisturbed by the passage of this bill. No greater proof could be given that Schedule K of the Payne-Aldrich Act was framed not for the benefit of the Government but for the benefit of private interests; not to raise money for the general welfare but to put profits into the pockets of a special class. In all the history of lawmaking, there is no more vicious example of special privilege. With such privilege the Democratic Party is now and always has been at war, and it presents this bill in evidence of its entire good faith and of its earnestness of purpose.

As I say, we hear from the other side no encomiums upon the existing law, but in the criticisms of this bill strange and inharmonious discord. The gentleman from Illinois [Mr. MANN] complains that the rates are so low that they will destroy the woolen industry. The gentleman from Kansas [Mr. MURDOCK] would seek to amend the bill by putting all worsted cloths on the free list. How is it possible to accommodate legislation to views so diverse? It may go without saying that this bill can not be universally satisfactory. If we are to wait until a tariff bill can be framed which will be entirely satisfactory to the manufacturer, the producer of raw material, the consumer, and last, but not least, the politician, or if, judging by past progress, we are to wait for detailed information from the present Tariff Board, there will be no legislation this side of the millenium. The people are demanding this revision; they are entitled to it now, and I rejoice that the present committee has not permitted any interest to write its own bill and offer it to this House for passage. May God forbid that such a system shall ever find countenance under Democratic auspices.

APPENDIX.

Sheep in West Virginia and in first congressional district of West Virginia, by counties.

[From auditors' reports of West Virginia.]

Years.	First district of West Virginia, by counties.								Total number in West Virginia.
	Brooke.	Hancock.	Harrison.	Lewis.	Marion.	Marshall.	Ohio.	Wetzel.	
1869....	42,582	27,670	15,376	10,810	15,617	33,709	39,213	10,610	.....
1870....	37,246	24,454	12,166	9,215	12,517	28,185	35,415	9,805	475,114
1871....	34,004	21,441	10,529	7,899	9,435	26,277	34,792	8,895	447,063
1872....	34,751	21,033	10,724	7,936	9,494	25,835	34,776	7,989	403,380
1873....	34,615	20,649	11,877	7,635	8,390	26,699	34,775	7,343	422,734
1874....	35,283	21,065	8,999	5,717	9,314	26,930	34,138	6,838	418,118
1875....	32,614	19,393	9,438	7,051	9,694	27,200	32,018	6,393	402,505
1876....	29,516	16,928	11,654	6,548	9,266	26,555	27,978	6,846	379,928
1877....	28,987	16,728	13,514	6,749	10,067	15,585	27,495	6,603	419,151
1878....	28,287	17,371	15,780	7,521	11,327	25,317	27,654	.....	377,427
1879....	29,390	17,260	19,342	10,405	12,866	26,757	28,290	8,156	423,441
1880....	32,371	18,968	21,666	11,108	15,260	31,500	29,770	7,986	463,340
1881....	22,121	17,948	29,193	15,012	20,579	35,397	32,361	10,453	520,102
1882....	30,758	18,612	29,961	14,074	22,052	36,902	31,068	11,615	531,698
1883....	28,870	21,532	29,773	15,783	24,206	49,871	31,502	15,493	610,211
1884....	30,625	22,566	33,463	17,919	26,824	47,558	32,174	7,902	680,718
1885....	31,951	18,329	32,515	18,637	24,658	50,270	31,485	16,142	676,860
1886....	25,499	15,940	25,962	15,758	17,627	39,364	24,633	13,388	541,916
1887....	21,761	15,019	22,564	11,642	14,073	37,265	27,105	12,563	454,974
1888....	20,269	11,572	26,356	13,620	15,563	33,596	24,746	12,475	427,006
1889....	20,755	10,504	26,921	15,895	15,915	34,746	24,503	12,452	433,355
1890....	20,411	9,411	29,755	17,249	17,285	35,942	22,615	12,939	461,708
1891....	19,630	8,486	34,359	22,142	21,467	35,952	44,820	13,705	534,308
1892....	19,651	8,265	37,396	24,385	22,214	38,619	21,990	15,405	561,148
1893....	17,102	7,742	37,731	23,864	20,800	38,070	18,270	17,065	569,821
1894....	16,972	7,960	32,132	22,936	19,793	37,655	16,410	18,030	564,339
1895....	15,677	5,962	28,396	19,528	16,693	33,734	13,835	16,322	530,920
1896....	12,863	4,703	25,747	16,950	10,557	22,365	10,090	10,360	441,691
1897....	12,037	2,749	22,362	16,912	7,995	20,751	9,815	8,394	395,856
1898....	11,870	4,655	15,368	19,004	8,112	20,751	10,950	8,842	389,715
1899....	12,515	4,903	23,501	20,499	8,530	23,015	10,590	9,441	428,234
1900....	11,200	5,264	22,309	19,662	8,454	25,125	11,900	9,049	439,996
1901....	11,590	4,668	18,135	17,381	7,429	26,480	12,152	9,965	435,899
1902....	10,560	[1]	14,164	14,809	6,153	22,889	10,680	8,852	351,908
1903....	10,385	4,359	9,414	12,363	4,096	17,985	9,636	6,590	334,386
1904....	9,410	3,963	10,024	12,869	5,596	17,770	8,184	5,879	314,269
1905....	10,945	4,248	10,254	14,111	5,364	20,119	7,720	6,762	366,172
1906....	9,490	4,585	12,786	15,488	6,603	20,584	9,061	7,009	388,973
1907....	10,020	4,732	12,355	15,525	7,398	25,226	9,931	6,763	414,900
1908....	8,630	4,494	13,096	17,135	9,254	30,147	10,563	8,455	460,324
1909....	12,541	5,647	13,056	17,390	9,230	25,864	12,101	10,792	504,880
1910....	13,827	5,803	12,681	17,678	8,775	37,469	12,549	12,774	523,789

[1] No report.

Mr. UNDERWOOD. I yield five minutes to the gentleman from New York [Mr. FITZGERALD].

Mr. FITZGERALD. Mr. Chairman, I simply desire to comment briefly on the sudden and unexpected zeal of the gentleman from Ohio [Mr. LONGWORTH] for a Tariff Board and his attempt to justify his refusal to favor tariff legislation until a report can be had from such a board.

The Republican platform adopted prior to the last campaign declared unequivocally in favor of an immediate revision of the tariff at a special session of Congress to be convened in March.

Nothing was said in that platform about waiting for a report from a tariff commission or board, and no declaration was made in that platform in favor of the establishment of a Tariff Board; but the platform commended the work of the Committee on Ways and Means, of which the gentleman from Ohio [Mr. LONGWORTH] was then a member, for the efficient preliminary work it had done in preparation for the promised revision of the tariff; and it was assumed that the Republican Party was fully prepared to revise the tariff when it made the promise to do so, or otherwise it would not have promised the revision.

In its revision every schedule of the tariff was revised excepting the woolen schedule—that was not changed. It has remained unchanged since 1897.

The gentleman from Ohio [Mr. LONGWORTH] says that he will not favor any change in it until he can obtain a report from the Tariff Board, and for that reason he is against this bill at this time. The gentleman from Ohio has been a Member of Congress for 10 years, and not until certain facts developed, when an attempt was made to change the woolen schedule, did it occur to his mind that it would be advisable to have a tariff commission created to report upon this schedule.

The President of the United States, another Ohio man, made a notable speech at Winona, Minn., in September, 1909, a month after the Payne law went into effect, and in that speech he made this statement:

> When it came to the question of reducing the duty at this hearing in this tariff bill on wool, Mr. PAYNE, in the House, and Mr. Aldrich, in the Senate, although both favored reduction in the schedule, found that in the Republican Party the interests of the woolgrowers of the far West and the interests of the woolen manufacturers in the East and in other States, reflected through their Representatives in Congress, was sufficiently strong to defeat any attempt to change the woolen tariff, and that had it been attempted it would have beaten the bill reported from either committee. I am sorry this is so, and I could wish that it had been otherwise. It is the one important defect in the present Payne tariff bill and in the performance of the promise of the platform to reduce rates to a difference in the cost of production, with reasonable profit to the manufacturer.

[Applause on the Democratic side.]

Where did the President get the information upon which to base that statement? He did not wait for the report of a Tariff Commission or a Tariff Board, but it was so apparent, even to the inexperienced and unlearned in tariff matters of the occupant of the White House, that he made that public condemnation of this schedule. [Applause on the Democratic side.]

In the same speech the President advocated the creation of a tariff board, and since that time the gentleman from Ohio [Mr. LONGWORTH] has been vociferous in his advocacy of it. What reason did the President give for the creation of a tariff board, or the necessity for one? It was not given until after he had declared, upon the information which even he possessed, that the woolen schedule was indefensible; and he based his earnest advocacy for the creation of a tariff board upon the exigencies of the political situation in the Republican Party. It was deemed necessary or desirable to create such a board in order, as he said, to get the Republican Party solidified, so that it might present a united front to the country.

In the same speech, speaking about a tariff commission or board, which he advocated, he said:

> Now, I think it is utterly useless, as I think it would be greatly distressing to business, to talk of another revision of the tariff during the present Congress. I should think that it would certainly take the rest of this administration to accumulate the data upon which a new and proper revision of the tariff might be had. By that time the whole Republican Party can express itself again in respect to the matter and bring to bear upon its Representatives in Congress that sort of public opinion which shall result in solid party action.

Solid party action! When the Payne law was brought into this House there was an unfortunate condition politically on the Republican side of this Chamber. The insurgents were at the height of their fame, and the President believed that it would be highly desirable to have some excuse to defer action upon this schedule until the party could be united. The Republican Party went to the country upon that plea, and the country responded in no unmistakable terms and swept them from power in this House and placed on the Democratic Party the duty of revising the tariff in the interest of the people rather than in the interest of a combination of woolgrowers and woolen manufacturers. I know that the Democratic Party proposes to carry out in good faith that command of the peo-

ple, without reference to a report from a tariff commission, highly desirable as the delay which would be necessary to obtain such a report would be to the Republican Party in the meantime to enable it to so solidify that it would vote unitedly and unanimously against such measures as are proposed by the Democrats in the House to eliminate the glaring abuses in the existing tariff, with which the country is familiar and which the people demand be corrected.

I hope this will end this hypocritical talk about the value of a tariff commission. If I take special pride in anything I have done during my service in this House, it is in the part, large or small, that I had in defeating the bill to create a tariff board in the closing hours of the last session of Congress. [Applause on the Democratic side.]

Mr. UNDERWOOD. Mr. Chairman, I yield two minutes to the gentleman from North Carolina [Mr. FAISON].

Mr. FAISON. Mr. Chairman, I desired to ask the gentleman from Ohio [Mr. LONGWORTH] who has just taken his seat a question, as he spoke of the wool schedule with such authority; but he denied me the time, and I rise simply for this statement in connection with his speech. The gentleman from Ohio, in the absence of any argument whatever in defense of his party's position against the present bill reducing the tariff on raw wool and woolen goods 60 per cent, attempted to get funny, and ridiculed the Democratic Party as being antique and obsolete—in fact, 60 years behind on wool-tariff schedules. He "spake with authority," he said, and credited himself with still greater authority, and yet was waiting for further authority—the future report of his Tariff Board—before he or his party could indorse further tariff legislation; yet he did not, nor dared not, defend the present wool schedule—Schedule K. The gentleman from Ohio, a high protectionist himself, strangely admitted that all the authority with which he spoke was from a free-trade source—Prof. Taussig, of Harvard University, his own alma mater, whose History of the Tariff was standard authority. Now, notice the gentleman's inconsistency, if you please. He stated:

Prof. Taussig appeared before the Ways and Means Committee and pleaded for a reduction of 33⅓ per cent in the Dingley bill on all woolen manufactured goods.

But instead of taking such standard authority, the gentleman's party adopted the higher and "indefensible" rates of the Payne-Aldrich bill. If the Republican Party failed to accept such standard authority as Prof. Taussig, how, then, can the gentleman or his party consistently plead for more time? [Applause.] The burden of his speech was wait, wait, wait for more time and more authority. How absurd and how ridiculous is the gentleman's position! [Applause.] But, mark you, he desires to wait while the tariff is highest, while the profits to the manufacturer are greatest and the burden to the consumer is heaviest. Why not follow the gentleman's authority and cut the wool schedule 60 per cent, which is entirely in keeping with Prof. Taussig's advice, and then wait, if necessary, for still further standard authority—even the report of the gentleman's Tariff Board. [Applause and laughter.] The gentleman certainly places his party in a ludicrous, absurd, and ridiculous position, and in the light of the returns from the recent election, which resulted in the large Democratic majority in this House, the Republican Party will soon become extinct and its history will be "obsolete and antique"—far more "antique" than the gentleman from Ohio would desire to admit. [Laughter and applause on the Democratic side.]

Mr. UNDERWOOD. Mr. Chairman, I yield one minute to the gentleman from Tennessee [Mr. SIMS].

Mr. SIMS. Mr. Chairman, I desire to ask the gentleman from Ohio a question, and that is, If the majority for Gov. Harmon in Ohio last year did not exceed all the woolgrowers in Ohio put together, regardless of politics, and if these woolgrowers did not know or believe that the Democrats would at least attempt to keep their promise and reduce all unreasonable tariffs?

Mr. LONGWORTH. I will say to the gentleman that the majority for Gov. Harmon in Ohio next time will not exceed anything.

Mr. SIMS. Oh, the gentleman does not answer the question, but makes a prophecy.

Mr. UNDERWOOD. Mr. Chairman, I yield one hour to the gentleman from Arkansas [Mr. MACON].

Mr. MACON. Mr. Chairman, I realize that in the creation of mind and matter, very few things were created exactly alike, and hence it is expected that men will differ about things that they have to contend with in this life. That being so, it is naturally expected that we should have many men of many minds, and, upon the tariff question, we have about as many different opinions perhaps as were ever entertained upon any question that ever confronted any people at any period of the world's history. In this country we have the high protectionist and the low protectionist, the free trader, the tariff-for-revenue advocate, and, perhaps, some other kinds of tariffites that lack of time will not permit me to go in search of.

It having been decreed that men should have different minds upon different questions of great moment, it is necessary for us, under our form of government, to have parties to bind individuals when it comes to dealing with great economic questions like this, or else there would be legislative chaos that would destroy the splendid institutions of our country and convert its citizens into a clamoring mob that would never be able to reach a conclusion that would redound to the best interests of the American people.

It is, therefore, both wise and necessary for the citizens of this country to organize themselves into political parties; but when they do so organize, good conscience and decency ought to impel their adherents to live up to the teachings and declarations of their respective platforms as long as they are members of them. A man is just as much a traitor to the party to which he belongs when he plays "hide and seek" with the policies of other political parties as he would be to his country in time of war, if, while belonging to the fighting forces of his country, he played "hide and seek" with the enemy.

In this country we have two great political parties that have been contending against each other since 1856, but it is impossible for them to maintain their party integrity unless their membership will be true to the obligation resting upon each and every one of them to uphold their party principles. These great political parties have been declaring themselves upon important questions in their national conventions for many decades, and it seems that each and every citizen of this Nation ought to know by this time just what the declarations of the two parties are upon the great economic questions of the day, the most important of which, at this time, seems to be the tariff question. But it appears that self-interest, if nothing else, has produced many different constructions of the declarations of the platforms of the two leading parties of the Nation upon that question, and hence it becomes necessary for those who can see the question from an unbiased view to show just what the true principles of the parties are, when honestly and intelligently construed. The Democratic Party, to which I am proud to belong, has never made a declaration upon the tariff question that did not indirectly, if not directly, declare for free raw material for the manufacturers, while the Republican Party has steadfastly stood for a tax upon them.

The gentleman from Ohio [Mr. FRANCIS] in a speech a few days ago stated that the Democratic Party had never declared for free raw material, while I insist that it can be clearly shown that the party has invariably declared for a tariff for revenue only, which, when logically construed, is a declaration in favor of free raw material.

Mr. FRANCIS. Mr. Chairman, will the gentleman yield for a question?

Mr. MACON. Certainly.

Mr. FRANCIS. In the levying of a tariff for revenue, does the gentleman mean to do it indiscriminately?

Mr. MACON. I will answer that question during the course of my remarks. The Democratic Party has always declared for a tariff for revenue only to defray the expenses of the Government when honestly and economically administered, and it was never intended by that declaration that any tax other than the amount necessary to raise just that much revenue should be laid upon anything used, manufactured, or produced by the citizens of this Union. Nothing can be found in the platforms of the Democratic Party that would cause any one to conclude that it favored protection for protection's sake for any business within the confines of the Nation.

Mr. FRANCIS. Another question. If you do levy a tariff discriminately, what are you doing but discriminating as to the business affected by that tariff? If you do levy a tax discriminatory, what are you doing but discriminating against certain businesses? You can not levy a tax blindfoldedly. The man who levies a tariff must do it with some degree of discrimination. That is not high protection, but when you do that, though it be a tariff for revenue and though you have the word "only" there, you discriminate to that extent in favor of some business. That is my position.

Mr. MACON. Mr. Chairman, in reply to the gentleman, I will say that inasmuch as it is necessary to raise some part of our revenue for the maintenance of our Government by a tariff tax, we must necessarily lay it upon some article of production, and, in doing so, discriminations must be made against some businesses as well as against some individuals. The system compels discriminations.

Mr. FRANCIS. Yes.

Mr. MACON. But the Democratic policy has been to lay it upon those articles that are the least necessary—in other words, that are classed as luxuries—and it insists that no part of the tariff should be laid upon the necessaries of life until the supply of revenues raised from that source, or the opportunity to raise them from that source, has been exhausted. After the supply of revenue levied upon articles of that character has been dissipated and it is found to be necessary to have more revenue, then it insists that the tariff should be laid upon those articles that will be next in order along the line indicated, but that under no circumstances ought a tariff ever be levied upon anything for purposes of protection per se.

Now, Mr. Chairman, I will try to get back to the point that I digressed from in order to answer the gentleman's question. As indicated a few moments ago, the Democratic Party has never adopted a platform that was not indirectly, if not directly, in absolute harmony with the policy of free raw material, and whenever anyone upon this side of the aisle undertakes to show to the contrary they will have to employ the expressions of individual members of the party in defiance of platform declarations and the organized action of Democrats in Congress to substantiate the position they take, while those of us who believe in the doctrine of free raw material take the platforms of the party and the organized action of Democratic Members of both Houses of Congress for more than half a century to support the firm and unyielding Democratic foundation upon which we stand.

Let us now look to the Democratic platforms of the party for information upon the subject. But slight reference was made to the tariff in the platform adopted in its national convention in 1856, its declaration upon the subject being confined to the following language, which I will read:

The time has come for the people of the United States to declare themselves in favor of free seas and progressive free trade throughout the world.

Nothing in that declaration could be construed as favoring the protection of raw material, but it does contain something that conveys the idea that the party at that time was not only in favor of free raw material, but it was in favor of some other free things as well. The platform of 1860 was silent upon the tariff question.

Mr. FOCHT. Will the gentleman yield for a question?

Mr. MACON. I will.

Mr. FOCHT. Would the gentleman undertake to draw an illustration of that tariff of 1856 as an argument in favor of the passage of this bill?

Mr. MACON. Oh, no. Under no circumstances or conditions would I do so silly a thing.

Mr. FOCHT. I thought not.

Mr. MACON. I am not talking about the passage of this bill right now. I will get to that a little later. I am trying to show by the declarations of Democratic platforms that the party has always been in sympathy with the idea of free raw materials. The next platform was adopted in 1864, and it, like the one of 1860, was silent upon the tariff question. In paragraph 6 of the 1868 platform, after declaring for certain administrative reforms and policies, it declared for "a tariff for revenue" upon foreign imports. The wildest advocate of a tariff upon raw materials can not find anything in that declaration in sympathy with his position, and no sort of protectionist can find any comfort in it. In the platform of 1872 the tariff question was left to the various congressional districts to deal with. While that was not Democratic, nothing is contained in it that would encourage anyone to believe that even that chaotic convention, which was composed of the odds and ends of different parties, was in favor of protection for protection's sake, whether it was laid upon the manufacturer's raw material or upon the finished product. It will be remembered that that was the convention that nominated Horace Greely for President, and no one would expect a convention that would nominate him for President to be entirely sound upon any Democratic question.

The platform of 1880 declared for "a tariff for revenue only." Certainly no one would construe that declaration to mean protection upon either raw or finished products.

In the platform of 1884, after denouncing the Republican Party for its many unrighteous acts, it proceeded to declare that it (the Republican Party)—

professes the protection of American manufactures; it has subjected them to an increasing flood of manufactured goods and a hopeless competition with manufacturing nations, not one of which taxes raw materials.

Surely the raw-material-tax advocate can not find a single letter or word in that declaration that will justify the conclusion that the Democrats of the Nation, duly, assembled in a national convention, were at that time in favor of a tariff on raw material.

In the platform of 1888 we find the following language upon the tariff question:

The Democratic Party of the United States, in national convention assembled, renews the pledge of its fidelity to Democratic faith and reaffirms the platform adopted by its representatives at the convention of 1884, and indorses the views expressed by President Cleveland in his last earnest message to Congress as the correct interpretation of that platform upon the question of tariff reduction; and also indorses the efforts of our Democratic Representatives in Congress to secure a reduction of excessive taxation.

In order to arrive at an intelligent and worthy interpretation of the meaning of the tariff declaration contained in that platform it will be necessary for us to examine the views "expressed by President Cleveland in his last earnest message to Congress," and to inquire into the efforts of our Democratic Representatives in Congress at that time "to secure a reduction of excessive taxation," as well as to further reflect upon the declaration contained in the 1884 platform, which condemned the Republican Party for its professions of protection of American manufactures while subjecting them to an increasing flood of manufactured goods and a hopeless competition with manufacturing nations, "not one of which taxes raw materials." Let us, therefore, examine Mr. Cleveland's "earnest message" upon the tariff question and see what it contains. It reads as follows:

The radical reduction of the duties imposed upon raw material used in manufactures or its free importation is, of course, an important factor in any effort to reduce the price of these necessaries. It would not only relieve them from the increased cost caused by the tariff on such material, but the manufactured product being thus cheapened, that part of the tariff now laid upon such product, as a compensation to our manufactures for the present price of raw material, could be accordingly modified. It is not apparent how such a change can have any injurious effect upon our manufactures. On the contrary, it would appear to give them a better chance in foreign markets with the manufactures of other countries, who cheapen their wares by free material. Thus our people might have the opportunity of extending their sales beyond the limits of home consumption, saving them from the depression, interruption in business, and loss caused by a glutted market, and affording their employees more certain and steady labor, with its resulting quiet and contentment.

When the platform declaration is read in the light of that clause of President Cleveland's message, just quoted, it shows beyond doubt that the Democrats, in convention assembled, in 1888, were in favor of free raw material of every kind and description. But if anything further is needed to add to the light that is thrown upon the platform declaration by the President's message it will only be necessary to show that that part of the platform which indorsed the efforts of our Democratic Representatives in Congress "to secure a reduction of excessive taxation" was nothing more nor less than a specific indorsement of the Mills tariff bill, which provided for free wool and other raw materials. If that is not a specific declaration for free raw material I would be much pleased to have some one tell me just what it is.

Another reasonable inference contained in that platform is, that if the tariff on raw material was removed it would not be necessary to lay a compensatory tariff upon the finished product of the manufacturer to compensate him for the tariff on raw material that he is compelled to buy at a protected price before he can make the finished product. Now, Mr. Chairman, if the 1888 convention indorsed the utterances of Mr. Cleveland in his "earnest message to Congress" and indorsed the Mills bill then pending in Congress, which provided for free raw material, including raw wool, I ask the gentleman from Ohio [Mr. FRANCIS], in all fairness, if it was not a direct declaration in favor of free wool and other raw materials?

But let us look to the next Democratic platfrom, which was adopted in 1892, upon which the party won the greatest victory it has had within the lifetime of any Member of this House, and see whether anything can be found in it that could be construed to be a committal of the party to protection of any kind whether laid upon raw materials or manufactured articles. It reads:

We denounce Republican protection as a fraud—a robbery of the great majority of the American people for the benefit of the few. We declare it to be a fundamental principle of the Democratic Party that the Federal Government has no constitutional power to impose and collect tariff duties, except for the purposes of revenue only, and we demand that the collection of such taxes shall be limited to the necessities of the Government when honestly and economically administered.

We denounce the McKinley tariff law, enacted by the Fifty-first Congress, as the culminating atrocity of class legislation; we indorse the efforts made by the Democrats of the present Congress to modify its most oppressive features in the direction of free raw materials and cheaper manufactured goods that enter into general consumption; and we promise its repeal as one of the beneficent results that will follow the action of the people in intrusting power to the Democratic Party.

Another specific declaration in favor of free raw materials, and yet the gentleman from Ohio [Mr. FRANCIS] and the gentleman from New York [Mr. LITTLETON] both declared upon the

floor of this House that the Democratic Party had never declared in favor of free raw materials in any of the platforms that it had ever adopted in any of its national conventions.

The platform of 1896 declared that—

tariff duties should be levied for purposes of revenue, such duties to be so adjusted as to operate equally throughout the country and not discriminate between class or section, and that taxation should be limited by the needs of the Government, honestly and economically administered.

In 1900 the platform declared that—

tariff laws should be amended by putting the products of trusts upon the free list to prevent monopoly under the plea of protection.

The Democratic platform of 1904 contained the following strong declaration against protection, to wit:

We denounce protection as a robbery of the many to enrich the few, and we favor a tariff limited to the needs of the Government, economically administered, and so levied as not to discriminate against any industry, class, or section, to the end that the burdens of taxation shall be distributed as equally as possible.

There is nothing in either of the foregoing declarations of the last three platforms that "smacks" of protection of any kind. To the contrary, it is bitterly denounced as a robbery of the many to enrich the few. Our protectionist Democrats can certainly find no consolation in any of them.

That brings us to the last platform adopted by the party in 1908, and there is not a letter, word, or line in it that indicates that the Democratic Party is in favor of protection in any form. It is so fresh in the minds of the people and of the membership of the House that I do not deem it necessary to quote the tariff language contained in it.

Mr. Chairman, every Democratic House within the last 60 years has either passed or attempted to pass a bill providing for free raw materials. The Morrison bill, in 1886, provided for free wool and other raw materials, as did the Mills bill in 1888. Following that was the Springer bill, with its free raw material provision, including wool, and the Wilson bill of 1904; and all of them were presented to the House by unanimous reports from the Democratic members of the Ways and Means Committee; and every one of them, as just stated, provided for free raw materials.

Mr. Chairman, none of the Democratic platforms adopted within the lifetime of any of the Members of this House having had incorporated in any of them anything that by any kind of reasonable construction could be strained into conveying the idea that the party has ever stood for a tariff on raw materials, and no Democratic Congress for more than half a century having passed a tariff bill that did not provide for free raw material, except iron and coal, in 1894, you can imagine my great chagrin when it became generally known that this Democratic House proposed to turn its back upon the teachings and declarations of our party and pass a tariff bill providing for a tax upon raw wool. I, for one, am not ready to desert the principles and declarations of the "grand old party" in its struggle to relieve the taxpayers of the many unjust tax burdens that they are bearing; and every sane man in all of this land well knows that it can not fulfill its great mission along that line as long as a tariff for protection's sake is placed upon raw materials. [Applause on the Democratic side.]

Mr. Chairman, as a religionist, I believe in preaching a crucified Savior, and should that doctrine cause the religion I love to perish from the face of the earth, I am ready to see it go; and I am that kind of a Democrat that believes in preaching that brand of true Democracy that has been declared and adhered to by all true Democrats from time immemorial in all of its conventions and in both branches of Congress up to this time, and if preaching the true Democratic doctrine of the fathers shall cause the Democratic Party to lose its prestige as a great political organization, I am ready to see it sink into eternal oblivion. [Applause on the Democratic side.]

If our party is to live, it must do so upon principle; and it is the duty of every member of it to courageously and truthfully uphold its policies, just as much as it is the duty of the conscientious religionist to uphold the tenets and teachings of the denomination to which he belongs, never suffering any of them to be traduced, maligned, or misrepresented by the sin-cursed part of the membership of the denomination without raising a voice against the action of those heretics who would destroy them. [Applause on the Democratic side.]

Mr. Chairman, much has been said in praise of the Walker tariff law by Members who are in favor of a tariff on raw material, because that measure placed a tariff on raw materials. But let us see what Mr. Walker said about the bill that he was the father of, after becoming familiar with its operations. Among other things, he said that "that act was susceptible of great improvement, in that it should have put the raw material of manufactures on the free list, as was the practice of all enlightened nations." In an open letter, addressed to the people of the United States, of November 30, 1867, after denouncing the protective system of the Republican Party, he said:

After a close investigation of this subject and after examining the tariffs and the manufacturing establishments of foreign countries in 1851–52 and 1863–64, I am convinced that to admit the raw material of manufactures in all cases duty free would greatly increase our wealth, augment our exports, imports, and revenue, and diminish the burdens of taxation. Let us remember that in taking the duty off raw material the consumers, the people of the United States, get the manufactured article at a lower rate. This, then, is another step in the reduction of taxes.

Mr. Chairman, that letter contains a tariff sermon that every true Democrat ought to preach from the housetop, if need be, for it is the true gospel of Democracy and is in the interest of the toilers, upon whom rest every establishment, enterprise, and industry within the confines of the United States. [Applause on the Democratic side.]

Mr. Chairman, in view of all the declarations of the Democratic Party in favor of free raw material, the action of all the national Democratic legislative organizations and the declarations of such tariff apostles as Secretary Walker, President Cleveland, Chairmen Morrison, Mills, Springer, and Wilson, I earnestly and sincerely ask where raw-material protectionists find Democratic ground upon which to stand? A Member of the House said to me a few days ago that as long as a tariff was placed upon manufactured products he was in favor of a corresponding tariff upon raw materials. He said that he would be willing to vote for a reduction of the tariff on manufactured woolens to 20 per cent, which would make it equal to the tariff on raw wool, as provided for in this bill. That kind of an arrangement would compel the manufacturer to pay 20 per cent upon the raw material that he must purchase, but would give him no compensatory tariff whatever. If his proposition should be adopted in the revision of Schedule K, it would certainly be an unjust and unwarranted discrimination against the manufacturer. Under his plan the manufacturer would have to pay the 20 per cent levied upon raw wool, and hence, when given a tariff of 20 per cent upon his manufactured material, he would be in no better position than he would have been if no tariff whatever had been levied upon either the raw or manufactured material. In plain words, this Member, who happens to represent a district that produces raw wool, would be willing to tax the manufacturer 20 per cent on the raw wool without giving him any tariff benefit whatever, and he would do that in the face of the fact that every civilized country in the world admits raw material free of duty while they place a tariff on manufactured products. Do you suppose the Member who made that statement was talking for the general welfare of his country or for the particular interests of the men who produce raw material in his congressional district?

The greatest evil connected with our tariff system is to be found in putting a tariff upon raw materials, for in order to make the manufacturer equal to the raw-material man in the matter of protection it becomes necessary to lay a compensatory duty upon the manufactured article to compensate the manufacturer for the tariff upon the raw material that he must buy before he can manufacture the finished product. If a tariff of 20 per cent is laid upon raw wool and the manufacturer of woolens is given 20 per cent upon his manufactured product he will have no protection whatever. Therefore, in order that an injustice may not be done him, it becomes necessary to not only give him a 20 per cent duty, but in addition thereto a compensatory duty of 20 per cent must be given him to equalize his tariff benefits with those given the raw-material man, and that compensatory tax is protection pure and simple and has no relation whatever to a tariff for revenue only, but the poor devils who handle the pick and the plow are called upon to pay it just as they do the revenue tariff. If no tariff was placed upon raw wool then a 20 per cent tariff on the manufactured product would be all that it would be necessary to levy for revenue purposes, and that would also be a sufficient amount of tariff to enable our manufacturers to compete with manufacturers in tariff-protected countries. That policy would greatly reduce the burden of tariff taxation upon manufactured woolens that the consumer is compelled to bear under our system. I do not understand how anyone could be so greedy and unjust as to want his parent Government to do more for his industry than to guarantee to him equal competition with the manufacturers and producers of the other countries of the world. I can not understand how a raw-material man can make up his mind to ask any greater benefit than that of an open door to all of the markets of the world for his products. The producers of wool, cotton, hides, lumber, and other raw materials in this country can take their products to any quarter of the globe without let or hindrance and compete with raw-material producers upon terms of open and honest competition,

While I am one of the poorest friends on earth to the protective tariff system, I can yet see some slight reason why a tariff should be given to the manufacturer of this country as long as other countries put a tariff tax upon his products when they are imported into foreign countries. In other words, as long as our manufacturers are charged with a tax upon their finished products when they send them into the markets of the world, I can see some reason why it is necessary to protect the home manufacturer by placing a tariff upon manufactured imports from foreign countries so as to make him equal with foreign manufacturers in an open and honest competition in all of the markets of the world. If the markets of other countries were free to the manufacturers of this country I would be opposed to placing any tariff whatever upon commodities that are imported into it to compete with his products, for, in my judgment, when God created man and placed him upon the earth he intended that he should have a free and open race for the goal of his ambition, unhindered in any way by his rival in the contest. But greedy man has undertaken to destroy that God-given principle of justice between man and man by enacting laws that will give speed to one of the contestants and hinder the other in their efforts to win the prize of life. [Applause.]

Gentlemen, is it just and right to do such a thing even though the contestants happen to reside upon different sides of the unfathomable ocean? I have heard several of the advocates of a tariff on raw material insist that they were not protectionists, but that they wanted a tariff laid upon raw materials for the sole purpose of raising revenue. Gentlemen, do you believe that that is the only reason such advocates have in mind when they clamor for a tariff on raw materials? If so, I would like to know where the Members of this House who are now in favor of a tariff on raw wool, peanuts, iron ore, and coal, for revenue only, were when the "free-list bill," taking the tariff off of lumber and many other things, thereby reducing the revenue of the country at least $20,000,000, passed the House a few weeks ago? None of them raised their voices against the reduction of that much revenue then, but when it comes to reducing the revenue raised on raw wool by something like $15,000,000, they not only raise their voices, but hold up their hands in holy horror against such a willful "destruction" of the revenues of the country.

Mr. FRANCIS. Mr. Chairman, will the gentleman yield for a question?

Mr. MACON. Yes; for a question.

Mr. FRANCIS. The gentleman claims that those Democrats in this House who voted for a tariff on raw wool are protectionists. The gentleman, as I understand it, wants a tariff on manufactured woolen goods. If that is true, why is not the gentleman a protectionist?

Mr. MACON. Mr. Chairman, I tried to explain to the gentleman a moment ago that it was absolutely necessary to lay a tariff on some of the products of this country as long as our present system exists.

Mr. FRANCIS. The fact is——

Mr. MACON (continuing). And I tried to show the gentleman the difference between laying a tariff upon a commodity that had to compete in a protected country and laying it upon those that were admitted to the markets of other countries free from any protection or discrimination of any kind.

Mr. FRANCIS. That was true when we had infant industries. But does not the gentleman know that to-day nearly all of our factories are operated by trusts, and does the gentleman wish to give them free raw material with which to exploit the people further?

Mr. MACON. I certainly do not; but I want to give them free raw material, so that the compensatory tariff can be taken off of the manufactured product, so as to destroy an important part of the power of manufacturers to organize themselves into trusts. I tried to illustrate that a few moments ago. If you give the woolman 20 per cent on his raw wool, he sells it to the manufacturer with that 20 per cent added to it, and the manufacturer must then be given 20 per cent in order to compensate him for the 20 per cent tariff that he must pay the raw-material man; and then, in order to put him on a tariff equality with the raw-material man, he must be given another 20 per cent, which makes the tariff at least three times as great as it would be if the raw-material man was given no tariff protection.

Mr. FRANCIS. That is absolutely correct. But suppose the American Woolen Co. controls the price of wool and the price of the manufactured product, are you not, by giving that company free wool, giving it an advantage by which it can exploit the people?

Mr. MACON. I think not. If the compensatory tariff is taken off of the finished product of the woolen manufacturer and he is only given 20 per cent on the finished product to enable him to compete with the manufacturers of foreign countries, it will vastly lessen his opportunity to control the prices of wool and woolens, and hence will be less able to exploit the people than he is now. I would be in favor of putting a slight duty on the raw materials of this country for the purpose of raising revenue, if it could be shown that in exporting them to foreign countries they would be barred by a tariff; but such is not the case, and hence I insist that the producer of raw materials in this country ought not to ask more than a free world-wide market for his products; but it is different with the manufacturers of this country. When they send their products to Germany they are met by a tariff wall that they must surmount before they can enter into competition with the manufacturers of that country, and hence, as stated a few moments ago, I can see some reason why they should be given some assistance in their effort to mount that wall by way of protection against the importations of the manufacturers of Germany into this country as long as we must raise a part of our revenue by the tariff. If we were to enact a law allowing the manufacturers of all other countries to enter our ports free of duty while other countries put an embargo upon the importation of our manufacturers, we would destroy our manufacturing industries as well as destroy our opportunity of raising a part of our revenue for revenue purposes only.

Other countries levy no tariff upon the raw materials produced in this country, and hence the raw-material man has no tariff wall to surmount when he goes to foreign countries with his products.

Mr. GARNER. Will the gentleman yield for a question?

Mr. MACON. I will.

Mr. GARNER. If I understand the gentleman from Arkansas, he would levy a tariff on the manufactured article of wool in order that the manufacturer in this country might be able to surmount the tariff wall of other countries?

Mr. MACON. Yes; I said that that and the revenue-only feature of the tariff was the only excuse for levying a tariff at all upon woolen manufactures.

Mr. GARNER. You would levy a tax solely for the purpose of making the manufacturer of this country prosperous enough to surmount the tariff wall of foreign countries?

Mr. MACON. No; I would levy a tariff on his products for the purpose of raising revenue and, incidentally, for the purpose of enabling him to compete with the manufacturers of foreign countries.

Mr. GARNER. You would levy a tax in order to make him prosperous?

Mr. MACON. I would not. I would levy it for the purposes just stated and not for the purpose of making him prosperous at all. But your raw-material man does not need a tariff to enable him to compete in foreign countries, and the gentleman from Texas knows that perfectly well.

Mr. GARNER. I thought the gentleman from Arkansas took the position, the Democratic position, that the levying of a tax was for the purpose of raising revenue and not for the purpose of enabling manufacturers to sell in a foreign country.

Mr. MACON. It has been the policy of the Democratic Party at all times to levy a tariff for revenue only, and, inasmuch as the tariff must be laid on some things to raise revenue, it does not appear to be entirely out of place to lay a sufficient amount of it upon the manufactured product to enable our manufacturers to compete with the manufacturers of foreign countries as well as to raise revenue. It is necessary for this country to maintain manufacturing establishments in order to give employment to labor as well as to make use of the raw materials that are produced in the country, and when a tariff is laid upon the manufactured product for the purpose of raising revenue and, incidentally, enabling the manufacturer to compete with his competitor in foreign countries that put a tariff embargo on our manufactures, I do not see any reason why that should not be done as long as our Government is so organized as that it is necessary for us to get some of our revenue through the customhouse.

Mr. GARNER. If we could devise a system of taxation by which we could run the Government without an import duty, would the gentleman still insist that manufacturers should have a protection in order that they might sell their goods in a foreign market?

Mr. MACON. If we could lay a tax, like an income tax, a tax upon property, or a tax upon luxuries, sufficient to support the Government, thereby relieving the unfortunate class of our citizens of the tax burden that now rests upon them, I would be a free trader from stem to stern. [Applause on the Democratic side.]

Mr. SHARP. Mr. Chairman, will the gentleman yield for a question?

Mr. MACON. Certainly.

Mr. SHARP. Representing, as I do, a large woolgrowing constituency in Ohio, I would like to ask the gentleman's views as to the effect on that industry if you abolish the duty entirely upon the raw wool; that is, what the gentleman's views are as to the effect it will have upon the sheep-raising industry in this country?

Mr. MACON. Mr. Chairman, if the gentleman wants my honest view about it, I will say that any industry in this country of unequaled soil and climate and superior people, that is not hampered by governmental action, that can not subsist in a field of honest competition with the products of foreign countries, ought to perish. [Applause on the Democratic side.]

When the gentleman from Ohio [Mr. LONGWORTH] said in his speech, a few moments ago, that some of the membership of the House had stated that the woolen industry was a dying one in Ohio, it flashed through my mind that if, with the excellent opportunities we have in this country, consisting of friendly climatic conditions, diversity of soil, and a matchless citizenship, a continent that has been given greater advantages by the God of Creation than those given to any other nation on the face of the earth, possessing advantages and opportunities that enable us to produce everything from tropical fruit to polar bear, an industry could not succeed without being protected against an honest competition with the industries of countries less favored than ours, that the industry ought to die, and it ought to do it quick. [Applause on the Democratic side.]

Mr. SHARP. That being so, and the wool industry perishing from this country, does the gentleman think that if our manufacturers had to depend for their supply upon the foreign-grown wool they would be able to get their raw material any cheaper than they do now?

Mr. MACON. I think they would. My information is, according to the claims of the woolgrowers themselves, we have about 22,000 persons engaged in the production of wool. That number multiplied by the size of an ordinary family would give us 110,000 people depending upon the wool industry in this country for subsistence. Does the gentleman from Ohio think that it is fair to unduly tax the 92,000,000 people of this country in order that 110,000 of our citizens should have additional compensation for their product? [Applause on the Democratic side.]

Mr. SHARP. Mr. Chairman, in reply to what the gentleman says, I will state that his information is clearly off, as there are three times that number of woolgrowers in the State of Ohio alone.

Mr. MACON. Three times 22,000 in Ohio, alone?

Mr. SHARP. Yes.

Mr. MACON. Then my information is badly awry, but I would like to have the gentleman show me his figures on that before I accept his statement as true.

Mr. SIMS. Mr. Chairman, will the gentleman yield?

Mr. MACON. Certainly.

Mr. SIMS. Is it not a fact that the industry of raising children is getting to be a dying industry on account of insufficient warm clothing in infancy in many parts of the United States?

Mr. MACON. I think the gentleman is entirely correct about that, if reports are true.

Mr. SIMS. And as between sheep and children my colleague is on the side of the children?

Mr. MACON. Every time, sir.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, it would not make any difference in the gentleman's reasoning or conclusion whether there were three times 22,000 sheep growers in Ohio or not. If there are 102,000 or 500,000, the gentleman's reasoning would apply just the same.

Mr. MACON. Yes; it would apply just the same. I do not think anyone ought to ask Congress to get behind their business and boost it by protecting it against the honest acts of his fellows. To put raw wool on the free list would reduce the price of woolens, according to estimates made by statisticians, at least 20 per cent on the manufactured products. What a magnificent saving that would be to the American people!

Mr. SHARP. Do you think that we would get that saving?

Mr. MACON. I do. It is estimated that the pending bill, revising Schedule K, will save to the American people more than half a billion dollars, and if raw wool was placed upon the free list we could save them another half billion. Would not that be a goodly thing for the legislators of this country to do for the people they represent, who must necessarily have woolens to wear in order that they may be comfortable?

I have heard quite a number of arguments here in favor of free lumber, it being insisted that lumber was a necessity because of the fact that the people must have homes to live in. But, sir, I insist that it is more necessary to have woolen clothes free from taxation than it is lumber, for trees during a considerable period of the year could not be cut and hauled to the mills and manufactured into lumber and put into homes unless those who did the work had clothes upon their backs to keep them from freezing while they were doing it.

A demand for a tariff, except for the sole and express purpose of raising revenue with which to support the Government, can no more be justified than can any other covetous act of one desiring to possess property justly belonging to another. Self-interest appears to be a strong factor in the matter of controlling the actions of men.

I remember to have read a few years ago about a Scottish innkeeper who did a thriving business by sheltering robbers in his inn during the daytime. They would go out at night and rob all persons found upon the highway, as well as rob the homes of the community in which they were operating, and after pilfering everything they could conveniently get away with they would return to the inn just before dawn and remain until nighttime came again, and then they would proceed to ply their nefarious avocation. Finally their acts became so notorious that officers were sent in search of them, and they were making things so warm that the robbers took to the hills and did not return to the inn; whereupon the business of the innkeeper began to decrease and his self-interest caused him to immediately petition the King, requesting that his constables and other officers be stopped from making search for the robbers that frequented his inn, giving as a reason therefor that they were interfering with his—the innkeeper's—business. [Applause on the Democratic side.]

Gentlemen, I want to say to you in all seriousness that the man who asks protection for his business, knowing that if his request is granted that his fellows will be hindered in the legitimate prosecution of their business in the open and honest markets of the world, occupies about the same selfish attitude that the Scottish innkeeper did when he petitioned that the robbers be permitted to prosecute their nefarious business in order that his business might prosper.

Mr. ADAIR. Will the gentleman yield?

Mr. MACON. Certainly.

Mr. ADAIR. Prior to the passage of the Payne-Aldrich tariff law two years ago we had a duty of 15 per cent on hides, a duty very similar to the one now proposed on raw wool. It was argued then that if that duty was taken off and hides were placed on the free list, it would save the people who purchase shoes several millions of dollars. I would like to ask the gentleman whether or not it is not true that since the 15 per cent was taken off of hides that shoes have not been lower in price, but, in fact, have been higher in price even than they were before; and whether or not the manufacturers who received the benefit of what the gentleman calls "free raw material" did not take all the benefit themselves and give none of it to the consumer; and whether or not if this duty of 20 per cent was taken off of wool and the duty continued on the manufactured product the manufacturer would not receive the benefit and the children the gentleman speaks of would receive very little benefit of it?

Mr. MACON. Mr. Chairman, time will not permit me to answer the gentleman's question, because I would have to enter into a wide field of conditions in order to determine whether or not his conclusions are right. I know I do not pay any more for my shoes than I did two years ago. As well as I remember, the gentleman voted for free hides that grow upon the back of cattle, just as wool grows upon the back of sheep. The production of hides is just as much an industry as the production of wool, and I do not think that it lies within the gentleman's mouth to now contend for a tariff upon wool because it is some one's industry. I can not understand how the gentleman could be in favor of protecting the woolen man's industry while he was in favor of the cattleman's raw material being placed upon the free list.

Mr. ADAIR. I am asking what the result has been, in the gentleman's opinion.

Mr. MACON. I have not the time to go into an extended explanation of the matter, to go into all of the conditions, as an intelligent answer of the gentleman's question would require would consume all of my limited time. Various things cause prices to rise. A few years ago we were told that the tariff on wheat in the Dingley bill produced dollar wheat, but we know that the failure of the wheat crop in foreign countries caused the rise. I thought the gentleman, like myself, was in favor of free raw materials. I am sure I have seen him vote for free raw materials in several instances, and I

was of the opinion that if he would do that in one instance he would do it in all.

Mr. ADAIR. I might say this, that the more I study this question the less I am inclined to a free-list bill. It is pretty hard to say what is raw material and what is the finished product.

Mr. MACON. The gentleman's statement implies that the more he studies the tariff question the nearer he comes to being a protectionist. I am just the other way.

Mr. ADAIR. Not exactly.

Mr. MACON. Mr. Chairman, in reply to what the gentleman said about it being hard to say what is raw material and what is finished product, I will say that raw material has been intelligently defined to be "the lowest and crudest form in which a commodity enters into commerce." That means when wool is baled and ready for market; cotton, when first placed upon the market in the form of lint; hides, in the crudest form in which they are offered for sale; corn, in the condition it was when taken from the stalk, and so forth.

I insist that raw material is not a proper subject for tariff taxation for revenue purposes, because every cent levied upon the raw material is compounded several times before it reaches the consumer, thereby assuming gigantic proportions by the time the finished product is ready for use.

Mr. Chairman, the excuse given by the authors of the pending bill for putting a tax on raw wool is, that because of the depleted condition of the Public Treasury the taxing of wool became a revenue necessity. The resolution upon the subject adopted by the Democratic caucus sets forth the reasons for its action in putting a tariff of 20 per cent on wool better than I can do, so I will let it speak for itself. It reads as follows:

Resolved, That the bill revising Schedule K, as presented to this caucus by the majority members of the Ways and Means Committee, is not to be construed as an abandonment of any Democratic policy, but in view of the Democratic platform demand for a gradual reduction of the tariff and of the depleted and depleting condition of the Public Treasury, a result of Republican extravagance, a tariff of 20 per cent ad valorem on raw wool is now proposed as a revenue necessity.

I think the two main facts set forth in that resolution can be clearly controverted. First, it is insisted that the adoption of the resolution was not to be construed as "an abandonment of any Democratic policy."

Mr. Chairman, if Democratic platform declarations and organized actions of Democratic lawmakers in all of the Congresses that have convened in the United States for nearly three-quarters of a century against a tax on raw material can be construed to be Democratic policies, then the declaration of the action of the present Ways and Means Committee in putting a tax on raw wool is a contradiction of that part of the caucus resolution which declares that it is not to be construed as "an abandonment of any Democratic policy." I do not see how the committee could have done anything that would have been a more complete abandonment of the Democratic policy on the tariff question or a more complete turning of the face of our party in the direction of the doctrine of Republican protectionism than they did when they put a tariff on raw wool.

Second, there can be no necessity for levying a tax upon the necessaries of life until after every opportunity to raise revenue by taxing luxuries has been exhausted. Woolen clothes are absolutely necessary for the laboring people of this country, while silks, diamonds, and rubber used in the manufacture of automobiles for joy riders and the crazy rich to exploit themselves in, as they did in Indianapolis a few weeks ago in a series of wild races that left death and destruction in their wake, are luxuries, and ought in all fairness be taxed for revenue purposes before a single cent of tax is laid upon wool. Statisticians tell us that if the tax was taken off of wool it would reduce our revenues about $15,000,000. Now, in order to meet that deficit, let us see how easy it would be to make it up by putting a tariff of 20 per cent on the luxuries that I have just mentioned. Last year $67,000,000 worth of raw silk was admitted into this country free of duty. A 20 per cent duty upon that would have brought us $13,400,000 of revenue, nearly enough within itself to have wiped out the deficit caused by taking 20 per cent off of raw wool. Over $100,000,000 worth of raw rubber, used to manufacture automobiles, and so forth, was admitted free of duty last year. A 20 per cent duty on that would have raised more than $20,000,000, and quite a number of millions could have been added to our revenue by a 20 per cent tariff on the diamonds that were admitted free. Thus it can be seen that it was not absolutely necessary to place a tariff of 20 per cent on wool in order to meet revenue deficiencies caused by the extravagance of the Republican Party. None of the articles I have mentioned are necessary for either the comfort or happiness of the toiling people of this country, and hence are proper subjects of taxation according to the declarations of Democratic platforms.

On the other hand, woolens are worn by the humblest of our citizens. I am informed that miners, who delve deep into the earth from one year's end to the other in order to eke out a meager existence, are compelled to wear woolen clothes to protect themselves from the inflammable dangers that always attend them while at their work. It is hard for me, as a Democrat, to understand why the gigantic Rubber Trust, headed by ex-Senator Aldrich, of Rhode Island, should be allowed to receive its raw material free of duty, to be used in manufacturing pleasure machines, while woolen manufacturers are required to pay a tariff of 20 per cent upon the raw materials that they manufacture into woolens to be worn by miners, sewing women, and hod carriers.

And now, Mr. Chairman, I offer my last Democratic authority for placing raw materials upon the free list. It is taken from a speech made by William J. Bryan, in 1892, while a Member of Congress, a speech which, in my judgment, has not been surpassed before or since as an argument in favor of reforming the tariff by placing raw materials on the free list. I will read it:

It also takes away entirely those specific or compensatory duties which were added to the ad valorem rates to enable the manufacturers to transfer to the back of the consumer the burden which a tariff on raw material places on the manufacturer. The reason why I believe in putting raw material on the free list is because any tax imposed on raw material must at last be taken from the consumer of the manufactured article.

You can compose no tax for the benefit of the producer of the raw material which does not find its way through the various forms of manufactured products and at last press with accumulated weight upon the person who uses the finished product. Another reason why raw material should be upon the free list is because that is the only method by which one business can be favored without injury to another. We are not, in that case, imposing a tax for the benefit of the manufacturer, but we are simply saying to the manufacturer, "We will not impose any burden upon you." When we give to the manufacturer free raw material and free machinery, we give to him, I think, all the encouragement which people acting under a free government like ours can legitimately give to a free people.

Mr. Chairman, if that is not Democracy, I beg some one, in God's name, to tell me what it is. But we are told that Mr. Bryan has no right to suggest anything to this Congress about legislation; that when he does, he is meddling. I hold no brief to speak for the gentleman and am not fortunate enough to have an intimate acquaintance with him. I have met him in a formal way on a few occasions, but I have heard and read much of him, and in that way have come to know him to be one of the ablest, cleanest, and most upright characters that it has ever been my good fortune to meet. As an officeholder his career was short, only having served two terms in this House, but in that time his superior ability and splendid statesmanship enabled him to make a name and fame for himself that no one occupying a similar position for the same length of time has been able to make for himself since the foundation of our Government. His clean life has been an incentive and encouragement to every ambitious American youth to live a better life, and his wise and able utterances and noble actions have given him a world-wide fame that no other private citizen has ever enjoyed.

The corrupt interests of this country have been doing everything in their power to crush and drive him from public life ever since the purity and integrity of the man was known to be genuine and true. They have had "two-by-four" critics nagging at his heels ever since he sprang into renown, but his lofty life, noble purposes, and splendid statesmanship have kept him so high above them that they have been unable to place a single stain upon his good name. They have assaulted him upon every side with coarse, brutal vituperation and villification that would have caused any other man to have hurled their infamous criticisms back at them in kindred language, but in defending himself against their unjust criticisms he has not uttered a single word that could not have been used in the most sacred pulpit in all our land.

Without wealth to attract the silly social to his feet or patronage to allure hungry place hunters to his shrine, he has created for himself a popularity that has fairly rung around the civilized world and has made for himself a name far greater than that of any other private citizen of his or any other time.

Several years ago I had the pleasure of attending a reception given to Mr. Bryan at Louisville, Ky., upon his return from abroad, and in reaching the hotel the committee in charge of him had to proceed through several miles of streets that were packed from the brick walls on either side to a point in the center of the street where the conveyances could hardly move without pressing the toes of persons near by. It was a scene wonderful to behold, and to see a private citizen attracting such attention and receiving such applause as was being heaped upon him upon that occasion was a revelation to me, and I so stated the fact to a correspondent of the St. Louis Republic, who was riding in the conveyance with me, and he replied that it was wonderful; but he said that it was much more wonderful to see

him attracting the same kind of attention and applause in foreign countries. He said that he was detailed by the Republic to travel with Mr. Bryan in Europe for five months as its special correspondent, and that it made no difference whether they were in London, Paris, Berlin, or any of the other great metropolitan cities of the Old World he was received by immense crowds and with much applause. While on that trip he was received and entertained by royalty on more occasions than one, made many speeches, and received much applause, and he came out of it all the same plain, everyday Democrat that he was when he bade his native shore good-by, and he insulted no one while he was doing it. What other private citizen, according to the history of the world, has been able to do as much?

The pity of it is, Mr. Chairman, that a fellow citizen, who has done so much for the plain people, who has done so much to better the manners and elevate the morals and statesmanship of his country, a man who is the peer of anyone who has lived with him or before him, should have carping critics eternally nagging at his heels; critics that will compare with him in manners as the fox fire that shines by night compares with the bright noonday sun in brilliancy of light, will compare with him in intellect and statesmanship as the pace of the snail compares with that of the fleetest charger that ever gave mount to Arabian knight, and in morals will compare with him as the water that percolates through the barnyard drain compares in purity with the salt-purified waters of the mighty deep.

We all know that he is not an angel, but we know that he has been one of the greatest apostles that ever went forth to proclaim justice and right between man and man. [Applause on the Democratic side.]

Mr. Chairman, I ask in all sincerity who has done more in this age of the world's progress for the betterment of the conditions of our splendid country than Mr. Bryan? Mr. Roosevelt's popularity is but a reflection from the popularity of Bryan, for all of his progressive ideas were first possessed and proclaimed by Bryan. [Applause on the Democratic side.]

The legislation that has been enacted at this session of Congress, of which so many Members have boasted and which has received the unstinted applause of the American people, was first advocated by Bryan. [Applause on the Democratic side.] For 16 years he has gone forth preaching the doctrine of righteousness and justice and proclaiming against special privileges of every kind until the minds of the people have been so crystallized upon the subjects that he has been advocating that they have sent us here as their representatives to put into law the declarations of that great and good man. [Applause on the Democratic side.]

And yet, with all that he has done, when he opens his mouth to suggest a well-defined Democratic principle concerning a great economic question pending before Congress, he is denounced by some of the Members of this House as being an officious meddler. Has it come to that, Mr. Chairman, that a great Democrat is denied the privilege of expressing his opinion upon a great Democratic question pending before Congress? Have we reached a point where a man who has done so much for his country as W. J. Bryan has done dare not express his opinion, to be accepted for what it is worth by Congressmen, without being condemned for doing so?

Mr. Bryan has just as much right to his opinion about the legislation to be enacted by Congress as the chairman of the Ways and Means Committee or any other Member of the House, and to deny him that privilege would be a denial of free speech in a country that has unfalteringly contended for that sacred privilege from its foundation. [Applause on the Democratic side.] When Members of Congress become so self-opinionated or so large in their own estimation as to become offended when any of our fellow citizens suggest the propriety of the enactment or nonenactment of certain legislation by Congress, it is time for them to be retired to the private walks of life. The humblest citizens of our country have a perfect right to freely suggest what their servants shall or shall not do when it comes to legislating for them.

I saw it stated in several papers immediately after Mr. Bryan made his recent declaration in favor of placing raw wool on the free list that some of the Members of the House who had favored free raw wool before he made his statement were against the proposition after reading what he said about it. I hope the newspaper reports of the matter were not true, for I can not understand how a man large enough to represent 190,000 people in Congress could be so small as to turn against a cardinal Democratic tenet that was in existence before Mr. Bryan was born simply because that gentleman saw fit to express himself in favor of it—a party principle that was being advocated by Members of the House before he declared his views upon the pending bill. It may be statesmanship for a Member of Congress to change his position upon a great party question because some one takes sides with him about it, but, to my mind, it is the smallest statesmanship that could be defined by man, and I have but little respect for those who possess it.

It has been stated that Mr. Bryan was seeking to destroy the harmony of his party in Congress, but I do not believe it. There are certain kinds of harmony, however, that ought to be destroyed, whether in Congress or out of it. Political harmony should not exist anywhere at the enormous cost of the sacrifice of great political policies, and I for one am ready to do everything in my power to cast the harmony of my party to the four winds of the earth if in order to retain it I would have to turn my back upon the principles of the Democratic Party on the tariff and my face toward the protection policies of the Republican Party.

Mr. Chairman, in order to show the great sacrifice that would be demanded in order to preserve certain kinds of harmony, I will say that there has not been a day or an hour since the fall of the angels that there could not have been absolute harmony between hell and heaven if the saints of heaven had been willing to yield to the sinful influences of the demons of hell; and there has not been a day or an hour since the fall of Adam when the virgin and the streetwalker could not have been in happy harmony if the virgin had surrendered her sweet virtues to the impure thoughts and infamous suggestions of the streetwalker; there has not been a day or an hour since the sacred pulpit of the religion of our God was established upon the earth that its occupants and the dive keeper could not have gone hand in hand down the pathway of peaceful harmony if gentlemen of the cloth had been willing to partake of the vices and adopt the habits of the dive keeper. I love harmony, Mr. Chairman, whether in church, business, politics, or society, but when it comes to paying such prices as those indicated in the enumeration just made in order that it might exist, I say, to the winds with "harmony."

I regret very much that anything has been said by Democrats to cause anyone to believe that Mr. Bryan's counsel was no longer coveted by the party. I, sir, as one of its humblest members, unhesitatingly state that whenever it becomes too good or too bad to need or desire the counsel of men of Mr. Bryan's stripe that it will be too good or too bad for me, as the case may be. It has been said that Mr. Bryan is a dictator, but that I strenuously deny. For one to be a dictator he must occupy some position of authority. To accuse Bryan of dictatorship because he has declared for free raw wool may have the unfortunate tendency to confirm the conjecture that he who makes such an acquisition may have fallen under the influence of the protection interests of the country. I hope the charge was only a careless expression caused by a momentary eruption of mind; but charges of a political dictatorship against Mr. Bryan are suspicious, and their proper analysis will force the conclusion that that kind of warfare upon him originated with the plutocratic elements of the country. No man can be a political dictator who does not hold a public office, a party chairmanship, or who does not belong to any inside clique, or has no special business interest or affiliations, or who can not pull a single secret wire in politics, or who has no political or other power except the confidence which an overwhelming majority of the American people repose in his true fidelity. Bryan's political power consists solely in the well-earned confidence that he enjoys beyond that accorded any other citizen of the United States. He no longer even enjoys the doubtful power of a possible candidate for the Presidency, for he has distinctly declared that he will not again be a candidate for that office. It is inevitable that the power of such a man as Bryan shall always be dreaded by corrupt politicians, but they make a great mistake when they attempt to injure this gallant patriot by unwisely declaring him to be a dictator or a boss.

It has been stated that it was not through the efforts of Mr. Bryan that the Democrats are in control of the House, and that those who won the victory accepted the challenge he made when he declared himself for free raw wool. Mr. Chairman, he who says that Mr. Bryan had nothing to do with the election of the Sixty-second Congress either exposes his own ignorance upon the subject or deliberately misrepresents facts in regard to it. I remember to have read a speech delivered by Mr. Bryan in Indianapolis last fall in the interest of Senator KERN and Mr. KORBLY, in answer to a speech delivered in that city one week before by Theodore Roosevelt in behalf of the candidacy of Senator Beveridge for reelection. No abler or more effective plea was ever made to an audience for Democratic supremacy or for Democratic candidates than Mr. Bryan made upon that occasion, and I am advised that he made speeches of like import in all parts of Indiana, as well as in other States,

and to my mind those speeches had more to do with the election of the Sixty-second Congress than those made by any score of speakers who took part in the campaign. I call upon the Representatives from Indiana to repudiate what I say if they can truthfully say that Mr. Bryan had nothing to do with the election of 12 Democrats to 1 Republican to this House from that State.

I remember among other things said by him in the speech made in Indianapolis, that was accorded wide circulation throughout the country, that the Sixty-second Congress would be asked to reduce the expenditures of this Government, thereby lightening the burdens of the people, and he said that they would need Mr. KERN in the Senate and Mr. KORBLY in the House to help carry out that reform; that the Sixty-second Congress would be called upon to adopt a resolution amending the Constitution so as to provide for the election of United States Senators by the people, thereby taking it out of the hands of corruptionists, such as those that compelled the election of a certain Senator from Illinois; and he said they would need Mr. KERN in the Senate to vote for that resolution and Mr. KORBLY in the House to vote for it. He said that the Sixty-second Congress would be called upon to pass a bill providing for the publication of all expenditures and contributions before election that were used or made for the election of Presidents and Vice Presidents, so that the people would know before they cast their ballot what interests made contributions and proposed to control the elections in this country; and he said that they would need Mr. KERN in the Senate and Mr. KORBLY in the House to vote for that proposition. Mr. Chairman, I might go on and name other great measures that this wonderful Democrat stood there and appealed to the voters in behalf of and urged them to cast their ballots for the Democratic nominees in order that they might be carried out, but time will not permit me to do so. I will, therefore, bring the matter to a close by asking if any of you think that Mr. Bryan had nothing to do with the election of the Sixty-second Congress? I do not believe there is a man upon this floor that will subscribe to such a belief.

Oh, Mr. Chairman, what has Bryan done that he should receive strictures from anyone? It is true that he has been an unsuccessful nominee for President three different times, but in all of those contests he came out of them as clean as when he went into them. No man can point his finger at a single speck or spot that he made upon his political record in either of those contests.

When this country declared war against Spain because of its inhumanities to those of its subjects at our door he promptly offered his services and his life, if necessary, to maintain his country's honor.

It is true that Mr. Bryan has not in every instance represented the policies of our party as I understood them, but he is so much my superior in intelligence and statecraft that I do not know whether I am entitled to take issue with him upon them or not. He at one time favored Government ownership of railroads. I was opposed to the proposition, but who can tell whether he was right and I wrong. Nobody will be able to tell who was right until we see whether the gigantic railroad combinations of this country are going to respect the laws enacted by Congress regulating them or whether the courts are going to see that they are enforced. But why complain of Mr. Bryan for differing with his party on that question when we do not complain of Democrats in this House who, only a few months ago, advocated upon this floor the creation of a Tariff Board, to be appointed by a partisan President, to gather such facts and figures concerning the tariff as might be desired by the party of the President that appointed the board? If Mr. Bryan's position upon the railroad proposition was undemocratic, certainly the position taken by Democratic Congressmen in advocating the creation of a Tariff Board was undemocratic. It is true that he opposed the election of the Democratic nominee for governor in his State during the last campaign, but why should we complain of that when we accept in the best of fellowship certain Democratic Members of this House who bolted the Democratic nominee for President in 1896. In the one instance only one office in a State was involved; in the other the chief officers of the Nation and the vast horde of inferior officers to be appointed by the President were involved.

Let us be generous and just with Mr. Bryan as well as with those Members of the House who turned their backs upon their party nominee when every economic interest of the Nation and the life of the party, almost, depended upon the result of that election.

Mr. Bryan has been the greatest expounder of the principles of humanity this country has had within my lifetime, and no one can truthfully say, I care not how low and degraded he may be, that that illustrious political knight, that splendid advocate of manhood, that true apostle of righteousness and justice between man and man, has ever lowered the standard of any cause for which he has fought, whether making his fight for them in this country or anywhere else in the wide, wide world. [Applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. SHARP. Mr. Chairman, will the gentleman from Alabama yield one minute to me?

Mr. UNDERWOOD. I yield one minute to the gentleman from Ohio.

Mr. SHARP. Mr. Chairman, replying to the gentleman from Arkansas [Mr. MACON] as to the estimate of the number of sheep growers in the United States, I have to say that the last census report, just issued, shows that there are at present 3,907,055 sheep in the State of Ohio. I have no means of knowing how many individual sheep owners there are in Ohio, but from my own knowledge of the sheep owners in my district, estimating their flocks to be 100 each, it would indicate that there are substantially 40,000 sheep owners in the State of Ohio, and I think that estimate is fairly accurate, at least small enough.

Mr. UNDERWOOD. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. AYRES].

Mr. AYRES. Mr. Chairman and gentlemen of the committee, the remarks of the gentleman from Arkansas [Mr. MACON] with regard to Mr. Bryan have pleased me very much. I think he has paid to that great leader a just panegyric, and I want to say to him that I have a letter here from Mr. Bryan on the subject of this wool bill, a part of which I propose to read in a few minutes.

If the gentleman from Ohio [Mr. LONGWORTH] has not left the Hall, I should like to compliment him upon his speech. He believes the tariff on wool should be reduced, and yet is afraid to have us do it. He has made the best of a bad case. Having really nothing whatever to say in defense of his position, he has said it in several ways, each one more graceful than the last, and taken an hour and a half to do it. [Laughter on the Democratic side.] Two contentions of his, however, may well be corrected in passing—first, as to the authority on which we are depending for our action in urging the immediate passage of the Underwood bill. Permit me to say that it is not upon the opinion of any professor of political economy that we are relying, but upon the well-considered and definite authority given to us by the American people and dated in November last, that we propose to pass this bill. [Applause on the Democratic side.] As to the main contention of the gentleman, in which he admits there are defects in Schedule K, but does not think these ought to be corrected now, I am reminded very much of that immortal dictum of Daniel Webster, who is said to have produced a document by which to govern his financial conduct. The first rule was, "Never pay any bill to-day." [Applause and laughter.]

I want to call your attention not to the technical side of the tariff, because this aspect has been fully considered by other speakers who have preceded me. The gentleman from Georgia [Mr. BRANTLEY] has presented the subject exhaustively from the point of view of those who believe in a tariff for revenue only, and produced a speech which I think will go down into the history of tariff legislation as a classic. And my colleague from New York [Mr. REDFIELD] has given to the House a great deal of practical information with regard to this schedule from the point of view of the manufacturer. Other gentlemen have ably contributed in exposing the false pretension that a high tariff on wool is necessary for the welfare of the growers of sheep and the manufacturers of woolens, and shown how detrimental the operations of the present tariff are to the country in general.

The aspects upon which I wish briefly to speak are:

First, that as a practical tariff measure, this bill is most admirably suited to the present condition of the country and approved by the country as a whole.

Second, that it is an earnest and promise to the country of the temperate and well-considered legislation that may be expected in the future from the Democratic Party upon all tariff and financial subjects. [Applause.]

It has been the custom of the Republican Party in the past to so write the tariffs on wool that they can not be easily understood. Each section is so confused with ad valorem, specific, and countervailing duties that only a customhouse expert can compute the amount of tariff that any article bears. This bill is so simple that the wayfaring man, even although he has been a fool for a great many years, can read and understand. In every section he can tell just what the amount of duty is going to be. It is an honest bill. It does not have in it any of those jokers, under the table or up the sleeve, that is contained in Schedule K of the Payne bill. [Laughter on the Democratic

side.] And it is a wise bill, as any bill is a wise bill which comes about through the sincere endeavor of any majority party to carry out the wishes of the people through consultation of all the members of that party. In preparing this bill the views of every Democratic Member of this House have been taken into consideration, and the result is a composite judgment of the whole party. [Applause on the Democratic side.] I do not suppose that in any of the tariff legislation that has been before this House for many years there has been any bill that has had so much careful thought given it and upon the preparation of which the ideas of individual Members have been given such careful consideration. [Applause on the Democratic side.]

The result is that this bill now has the approbation of this House and will, in my judgment, secure not only the unanimous vote of the Democratic side, but also 30 or 40 votes from you gentlemen across the aisle, and will therefore pass this House by practically a two-thirds majority, a greater majority than has been accorded to by any tariff bill in many decades. It seems to me there can be little doubt in the minds of any here that this bill meets the approbation of the country as a whole, and upon this point I have some information to offer which has been freshly secured from my own district, the northern part of New York City. My view of the duties of a Representative in Congress is that he is not sent here to pose as a leader of thought, to enunciate abstruse theories for the country to follow, but that he shall find out the course of conduct that his constituents wish him to follow and vote as they direct.

Endeavoring to learn the views of my district about this wool bill, I sent out to my constituents, as soon as the bill was introduced, several thousand letters and asked them to express to me their wishes. These letters were sent to Democrats, Republicans, Socialists, and to men of all shades of thought, and from the hundreds of replies I wish to read you a symposium. My district is the largest in population in the city of New York, and the views of its residents are doubtless the same as those of the residents of other districts in the city and in the State of New York as a whole. What the voters in my district say is very much what the voters of the State of New York will say. Of course, there is not time, nor will it be necessary, to read you all the replies, but I have made a selection which fairly represents all the trades and occupations.

Listen first to a letter from a manufacturer of ready-made and custom clothes, Mr. G. N. Vincent, who has several stores in New York City and who does an extensive business. He says:

NEW YORK, *June 12, 1911.*

Hon. STEVEN B. AYRES,
House of Representatives.

DEAR MR. AYRES: Supplementing my letter to you of a few days ago, let me say that I am much pleased with the action of the House of Representatives in relation to the wool tariff. I am a manufacturer of and dealer in clothing and, as you know, I have always been a Republican; but I have become convinced that free raw wool will be an advantage to the United States.

We have already a small export business in ready-made clothes which is maintained because of the excellence of our manufacturing. If the basis of good woolens could be added to the perfection of our make it would, in my opinion, increase greatly our export trade. I believe, too, that you are right in making this reduction of the wool tariff a gradual reduction. Such a process will not interrupt business, but will stimulate it.

Yours, truly, G. N. VINCENT.

Next allow me to read a letter from a director of Tiffany & Co., one of the great firms of silversmiths. The writer until last fall has not found himself able to support our ticket, at least not for many years. He says:

NEW YORK, *June 14, 1911.*

Hon. STEVEN B. AYRES, M. C.,
House of Representatives, Washington, D. C.

MY DEAR MR. AYRES: Let me congratulate you and the Democratic Members of the House on the sensible action taken by them in relation to the wool tariff.

The independent voters of New York City are now beginning to realize that the Democratic Party is doing the right thing and can be trusted with the control of the Government if it carries out the plans which have been mapped out. With best wishes, I am,

Yours, very truly,

H. H. TREADWELL,
132 West One hundred and eighty-third Street.

Now, a civil engineer from the Bronx, a man of great experience and ability:

NEW YORK CITY, *June 12, 1911.*

Hon. STEVEN B. AYRES.

MY DEAR CONGRESSMAN: Your letter asking me for an expression of an opinion on the question of the wool schedule now before Congress is received, and I beg to say that I do not feel that I am sufficiently informed on this particular subject to give advice as to how you should act on the pending legislation. However, I would say that I do not believe in too radical changes in tariff schedules, but rather that reductions should be made conservatively along the lines of the things the people wear and eat, first, and not so as to work serious injury to the labor interests of our country. I believe in reduction, but think it should be done gradually. * * * Free wool would be desirable, but I do not think we have yet reached the situation where it could be safely established.

Very truly, yours, JOSIAH A. BRIGGS.

Here's another letter from a dealer in clothing:

NEW YORK, *June 15, 1911.*

Hon. STEVEN B. AYRES, M. C.

DEAR SIR: I believe in free raw materials, with a duty on the manufactured articles to cover the difference in price of labor, but no high tariff to allow the manufacturers to charge the extra high prices we are paying now. Of course, ample time should be given everybody to adjust their affairs to suit any changes made.

The present tariff only allows a few manufacturers to pocket enormous profits at the expense of the masses.

Yours, truly, JAS. R. GAFFNEY,
2316 Grand Avenue, Bronx.

The president of the Borough of the Bronx was elected two years ago by a combination of Republicans with the Independence League, and he is a man of much experience and ability. He writes as follows:

Hon. STEVEN B. AYRES,
House of Representatives.

DEAR SIR: Although I have been an active low-tariff advocate for years, I believe in a gradual reduction rather than an abrupt change, because it allows people time to adjust themselves to the change. A bill providing, for instance, for an annual reduction of 5 per cent illustrates the principle.

CYRUS C. MILLER,
President Borough of the Bronx.

Here is the expression of a gentleman who is engaged in the import trade:

NEW YORK, *June 13, 1911.*

Hon. STEVEN B. AYRES, M. C.,
Washington, D. C.

DEAR SIR: I am in receipt of your favor of the 12th instant in re Schedule K of the tariff, and in reply I beg to say that I am in favor of a reasonable reduction of the duties in general, and especially on such products which, through the effect of prohibitive duties, are placed beyond competition. In my opinion, duties should represent the difference between home and foreign prices, and I have no doubt that sufficient revenue would be available for the needs of the Government by a reduction of the tariff.

Thanking you for the courtesy and hoping that you will see your way clear to vote for a reduction of the tariff in general, I remain,

Yours, very truly,

CHARLES N. HOCK,
2328 Morris Avenue.

Here is a frank expression of opinion from a workingman, and a very intelligent one:

NEW YORK, *June 12, 1911.*

Mr. STEVEN B. AYRES.

DEAR SIR: I am very much in favor of the bill for reduction of the tariff on wool. I can say for myself and 100 of my friends who work by the hour that such a bill would greatly benefit our families and our pocketbooks, which are limited. Furthermore, I think that a Representative should take into consideration the people who elected him (the wage earners) and try to influence legislation so the cost of living to them will be within their means. * * *

WILLIAM E. WICKS,
1256 Nelson Avenue.

The secretary of the Rational Tariff Revision League writes as follows:

RATIONAL TARIFF REVISION LEAGUE,
New York, June 14, 1911.

Hon. STEVEN B. AYRES,
House of Representatives, Washington, D. C.

DEAR SIR: I am one of your constituents, and have read with interest your note in regard to the proposed reduction of the customs duties on raw wool and wool manufactures. I am heartily in favor of the measure, and may say that my opinion is backed by a considerable study of the question, reenforced by discussion with importers and manufacturers of woolen goods.

* * * * * * *

Yours, very truly, GRAHAM MCADAM.

May I now call your attention for a moment to the opinion of one of the justices of our Supreme Court of the State of New York. This man, I know, has given the tariff very considerable attention, yet note how conservatively he writes of his information upon this subject:

SUPREME COURT, CITY OF NEW YORK,
June 14, 1911.

MY DEAR CONGRESSMAN: I have not given the question sufficient examination to enable me to offer reasons in detail, but I am of the opinion that a very considerable reduction of the present tariff on wool will operate to the advantage of a vast majority of the people of the United States without injustice to those interested in maintaining the tariff at present high rates.

Very truly, yours, JOHN J. BRADY, *Justice.*

These are the views of a representative of the hardware and cutlery trade. He believes that turn about is fair play:

JUNE 14, 1911.

Hon. STEVEN B. AYRES.

DEAR SIR: Make the tariff on wool 10 per cent; make lumber free. On the balance a tariff for revenue only, as propounded by Samuel J. Tilden. We Democrats voted for you, now please vote as instructed by us.

WALTER R. GRAY,
2051 Anthony Avenue, Bronx.

The gentleman whose letter is given next is a fair representative of those voters who believe in the moderate protection of our home industries:

NEW YORK CITY, *June 13, 1911.*

Hon. STEVEN B. AYRES.

DEAR SIR: I received your letter to-day, and I must say I was both pleased and surprised, as it is the first of its kind I ever received from any Representative. I am in favor of a law reducing the duties on all raw wool, the manufacturing to be done in this country and keep our woolen mills working.

WILLIAM DELANEY,
32 West Fordham Road, Bronx.

Mr. Lonergan, who is connected with the New York World, is a lecturer of great distinction and has given the tariff much consideration:

THE WORLD, BRONX OFFICE,
New York, June 15, 1911.

Hon. STEVEN B. AYRES,
House of Representatives, Washington, D. C.

DEAR SIR: As one of your constituents, allow me to congratulate you on the position you have taken on the tariff on wool.

To reduce the tariff gradually from time to time will not create any business disturbance, and it is a much wiser course than to take a radical action. The bulk of the Democratic Party in New York is and always has been in favor of conservative business action.

Wishing you every possible success, I am,

Yours, sincerely, THOMAS S. LONERGAN.

This letter from one of the leading attorneys of New York City expresses concisely the views of college men of his type:

SHEPARD & PRENTISS,
New York, June 13, 1911.

Hon. STEVEN B. AYRES, M. C.,
House of Representatives, Washington, D. C.

DEAR SIR: Allow me to venture a word for the middle course in revising the wool schedule, which I see is favored by you and by other Representatives.

Eventually we shall have free wool. The enlightening disclosures by Mr. Underwood's committee of the outrageous profits gathered by the wool interests would doubtless justify our having it now. But the extravagant public expenditures to which the Nation has been committed, inaction in business affairs, as well as the necessity for new revenue adjustments, seem to indicate that a tempering of the wind to the shorn lamb would for the moment be the wiser course; and that policy would, I believe, meet the common approval of the thoughtful independent voters of New York State.

The present session appears to afford a most satisfactory surprise to the people of the country generally, and there is growing evidence that doubt and apprehension are giving room to the confidence which a consistent and constructive line of action inspires in trade and industry.

Very truly, yours,

EVARTS L. PRENTISS.

Let me read now a communication from the president of one of the largest corporations in the United States. This gentleman has expressed his opinion freely, but has asked that his name be withheld. I will say that the corporation over whose destinies he presides has assets of over $500,000,000. He was until last year a consistent Republican, and contributions from the officers and employees of his company have in past political contests enriched the campaign chests of the Republican Party by large amounts. Last fall he voted with us, and he says:

MY DEAR MR. AYRES: * * * I don't mind saying to you, however, that I think the Democratic Party has a great opportunity to get close to the conservative element of the country. The Democratic House did well in passing the treaty of reciprocity with Canada. It will do still better if it does what it can to create a permanent tariff commission, and, after laying down certain principles which are to guide the work of the commission, gives the commission power to revise the tariff. This would make it a matter of business, as it ought to be. Such action might not please those radicals who want the wool schedule and other schedules immediately ripped from end to end, without regard to the fact that vast interests are closely bound up with the existing tariff.

I believe the country generally wants a revision of the tariff, and wants it revised downward; but it doesn't want Congress to use dynamite in doing it. Definite, conclusive action, which shows not only that the Democrats in Congress are determined that the tariff shall be revised downward, but shows, in addition, a businesslike program which, while it may not revise the tariff in a minute, will ultimately surely revise it, is the thing.

* * * * * * *

Listen now to the views of a physician:

BRONX, NEW YORK CITY, *June 15, 1911.*

Hon. STEVEN B. AYRES,
Washington, D. C.

DEAR SIR: In reply to your favor of the 12th instant concerning the bill for reducing duties on wool and woolens, I beg to say that I am heartily in favor of this bill. It seems to me much more expedient to reduce the duties at this time rather than to try to make a more sweeping reduction—free wool.

* * * * * * *

Your idea of consulting your constituents appeals to me. You can get a good idea of how the majority feel, and this may aid you in determining your action.

Respectfully, yours, E. WALLACE MACADAM, M. D.

Here are two letters from neighbors. They live on the same avenue in the Bronx, and, while their expressions are different, they have come to the same conclusion:

NEW YORK, *June 13, 1911.*

Mr. STEVEN B. AYRES,
House of Representatives, Washington, D. C.

DEAR SIR: I wish to call your attention to the wool tariff bill now before the House, and, as a member of your district (having moved into your district since last election), wish to suggest to you that you support a measure giving gradual tariff reduction on woolen goods, as, I believe, this is infinitely better for business in general than the free list supported by the radicals.

With very best wishes,

Yours, truly, OLIVER H. H. GEDEIST,
2065 Valentine Avenue.

NEW YORK, *June 15, 1911.*

Hon. STEVEN B. AYRES,
House of Representatives, Washington, D. C.

DEAR SIR: I favor a gradual reduction of the tariff on wool; it is my opinion that a radical free-wool bill would go pretty hard against small manufacturers with a stock on hand.

Allow me to congratulate you on your thoughtful action in endeavoring to reach the minds and wishes of your constituents; I think that if this were done more—all over the United States—the condition of the country, and of politics itself, would be much benefited.

Respectfully, yours,

OTTO NAUSS,
2045 Valentine Avenue, Bronx.

The following letter is a free expression of the opinion held by some of those who were not born in our country, but have become citizens:

NEW YORK, *June 12, 1911.*

Mr. STEVEN B. AYRES, M. C.,
Washington, D. C.

DEAR SIR: I heartily indorse the attitude of the Ways and Means Committee in reducing the exorbitant tariff on all necessaries of life, and trust the Democratic Party will carry out all its pledges.

Articles of luxury can stand a heavy tax, such as tobacco, for instance; but commodities essentially vital should be lessened of as much tariff as is consistent with the doctrines of the Democratic platform.

Very respectfully, JOSEPH LAPINI,
2052 Ryer Avenue, Bronx Borough.

Here is another letter from a workingman:

NEW YORK, *June 12, 1911.*

Hon. STEVEN B. AYERS.

SIR: Your communication has been received, and would reply that I am in favor of free wool, or the nearest we can get to it. A gradual reduction would be a step in the right way.

Respectfully, yours,

EDWARD P. MAHONY,
58 West One Hundred and Eighty-second Street.

And here is a letter which, in my opinion, expresses the Democratic doctrine on the subject of the tariff:

NEW YORK, *June 14, 1911.*

Hon. STEVEN B. AYRES.

DEAR SIR: * * * I am in favor of a gradual reduction of the tariff on all of those articles which are absolutely necessary in the homes of the poor and middle class of our citizens. I am not a free trader. Although a Democrat, I believe in a tariff for revenue only.

Respectfully, yours,

JAMES R. PUTNAM,
411 East One Hundred and Seventy-eighth Street, Bronx, N. Y.

There is not time now to read you many more of these letters, and I must conclude by quoting a part of two that have been received within the last few days from editors widely separated. The first is from William Jennings Bryan, editor of the Commoner. I do not give all of his letter, because it contains other and personal matters; but the first of it is as follows:

THE COMMONER,
Lincoln, Nebr., June 7, 1911.

Hon. STEVEN B. AYRES,
Washington, D. C.

MY DEAR MR. AYRES: You may quote me as saying that the bill indorsed by the caucus is very much better than the present law, and better than we could expect from any Republican Congress, but not as good as we ought to have had from a Democratic Congress. * * *

Very truly, yours,

W. J. BRYAN.

And, finally, may I read a part of a letter written by an old friend, who is editor in chief of one of the principal Republican newspapers in an interior city of the State of New York. I am not permitted to give his name, for obvious reasons. He says:

MY DEAR FRIEND: The new leader of the Democratic Party in the House of Representatives, Mr. UNDERWOOD, seems to be creating a very favorable impression on the whole country.

[Applause on the Democratic side.]

Mr. SIMS. I do not see why he should want his name suppressed.

Mr. AYRES (reading):

He must have wonderful powers of leadership, for this is the first time that a Democratic leader in the House ever led anything more than a mob of discontents and kickers.

[Laughter.]

He seems to have an aggressive and harmonious army at his back, who stand by him through thick and thin; and I am afraid that the Republicans will have to hustle to give you that lovely trimming at the polls that you deserve for your abominable political principles and inherent cussedness.

[Laughter.]

Seriously, my friend, you folks are getting so good that we Republicans are beginning to "git skeered."

[Laughter and applause.]

If I may summarize the expressions of the hundreds of letters, I would say that 90 per cent of the writers are in

favor of a gradual reduction of the woolen tariff. The writers of two or three letters are in favor of a prohibitive tariff on wool. One gentleman wrote that he wished the tariff abolished altogether and that the revenue necessary for this Government be raised by the collection of a tax on land. Several other letters were from those who believed in free raw wool, but the great majority expressed adherence, belief, and approbation of the Underwood bill. I believe I am justified in saying that it has a greater support among the people than any proposed wool legislation since the Walker tariff of 1842.

Mr. Chairman, I am glad that this bill meets the approval of the great commercial classes throughout our country. It gives an opportunity to say, what has not heretofore in this discussion been sufficiently emphasized, that this bill is a promise by the Democratic Party, whose representatives are here assembled in Congress, of the temperate and judicious legislation that may be expected by the country from the Democratic Party if our lease of power is continued in the House of Representatives and extended throughout other branches of the Government. Now, in what I am about to say I do not wish to be considered as speaking with authority, for no man can speak with authority for any great party, but I believe these things to be true and that they ought to be said in justice to the party and to the people. The Democratic Party is a conservative party. In all its history the majority of the members have not been in favor of sudden and radical changes. It has been authorized by the people to revise the tariff schedules. It proposes to revise them and to enact such other financial legislation as may be necessary; but to do this in a temperate and rational way which will cause no jar to the business world, but on the contrary will stimulate and upbuild the business interests of the country. When the cotton schedule is revised it will be revised upon the same principles which have been used in revising this woolen schedule.

And, Mr. Chairman, this does not involve a surrender of any of the principles of the Democratic Party. These remain the same. But perhaps it may be said that it does involve a new application of the principles of the Democratic Party. We believe in the lowest possible tariffs which will produce the revenue necessary for the operations of the Government, but we do not believe in going suddenly from one form of tariff taxation, no matter how bad it may be, into another, although a better system. Sudden changes are not good for commerce. We have taken heed of that pronouncement of Macauley, who said in one of his remarkable political essays, and I paraphrase his remark, that "the most sincere reformers should remember that even the worst abuses must not be wiped out too suddenly, lest the result be worse than the abuse itself." Therefore, in all the remedies that shall be applied to the evils that have grown up under the Republican régime of high protection, we shall endeavor to move slowly, and thus remove the evils gradually, in order that we may come upon an honest and satisfactory business basis by slow but sure degrees. [Applause.]

Mr. Chairman, this is the greatest commercial nation the world has ever known. Beginning 120 years ago with a fringe of settlements along the Atlantic coast, with no manufacture, little commerce, prostrate from the effects of a war both civil and foreign, we have developed so greatly that now our business affairs surpass those of any other nation. We have grown so greatly by the development of our natural resources and the vigorous spirit of our American institutions that the annual production of our mines, farms, and manufactories exceeds in each year the value of any capital city of the European world. It is sometimes said by those whom we have surpassed that this is a too purely commercial Nation; that our thoughts are given over to, and our energies circumscribed by, the opportunities of trade. I do not look upon this as a condemnation. It seems to me to be alike a reality and an opportunity. Every civilization which has in its flowering produced masterpieces of use or art has had as its basis a flourishing condition of trade and commerce. It is said by the critical that we have much to learn as yet from older civilizations as to the niceties of life and the easier ways of living. It may be so. We are yet in a formative stage. I do not quarrel with those who hold these beliefs; but the time will surely come, if it is not already upon us, when the fruits of our industry will give us in every line of endeavor the best and highest that the critical may desire. And it has seemed to me most fitting that the soon-to-be-erected building of Commerce and Labor, which in two or three years will stand facing the Monument on our Mall, should look out upon what is already the most beautiful city in the world. [Applause.]

Now, of what does our commercial population to-day consist? It consists roughly of three divisions. On the one hand a series of stupendous trusts, some plainly evil, some possibly benevolent; at the opposite extreme a slowly growing collection of radical forces brought into life by the exactions of the trusts and added to by constant accretions from foreign lands, many of whose citizens come here tinctured with socialistic illusions; and between these two elements lies the third division of our population—the individual traders, the men who are engaged in business for themselves and on their own resources. To this class belongs the banker and the man who runs the ice-cream saloon. To it belongs the manufacturer whose products cover the country, and the working man who by virtue of his superior skill has come to have a vested interest in the industry at which he works; the lawyer, the preacher, the doctor, the farmer, every laborer who has a few dollars in the savings bank or a place that he holds by virtue of his ability. In fact, all the great body of our citizens who believe the rights of the individual should be maintained and that he shall enjoy, as he desires, the fruits of his industry. This is still the most numerous class and it is the class which has controlled and will control the destinies of this country. No man has ever been elected President of the United States who has not had the support of the majority of this great body of conservative citizens, and no party has been placed in continued control of our Government which has not relied for its support upon the suffrage of these citizens.

Mr. Chairman, I confess I am a partisan. I believe most fully in the doctrines of the Democratic Party. I believe in the rights of the individual and in the extension and safeguarding of those rights, and that the success of our party will in every way be an advantage to the industries and people of this country. For what intelligent citizen of this Republic can view the continuance of the Republican Party in power as it is at present constituted with any degree of satisfaction? In this House and in the country it is divided into two factions, between which there is apparently an unpassable barrier. On the one side still remains the majority of the old Republican Party—standpatters—worshiping in adoration before their outworn protection idols, rising in protest at the slightest suggestion of lower tariffs or freer business methods. And on the other side the radical contingent, which is commonly called insurgent. The expressed desires of some of these gentlemen are much more radical than anything the Democratic Party has ever wished. They give their adherence to every new notion that is proposed by the visionary and the doctrinaire. To-day the country watches them squabbling in both houses of Congress. In the one not able even to elect a presiding officer, and in the other not able to secure a major portion of their votes for a sensible piece of legislation like the reciprocity bill, urged upon them by a Republican President. How could they join in a sensible working whole? Mr. Chairman, it is impossible. There is in the Republican Party an irrepressible conflict which must be once and finally decided before that party can be of any further use to the country. It must either become all standpat or all insurgent. One idea or the other must give way. The party must represent something definite before the American people will again trust it.

In accordance with a provision of the Constitution, we have passed in this House a reapportionment bill which readjusts the electoral votes of the different States in accordance with the changes of the population. This bill has gone from us to that august body which sits at the other end of the Capitol. It will there in due time doubtless be enacted into law. There has been some discussion in this House of late as to whether the two legislative bodies of the Government are still deliberative; but I can say, without hope of successful contradiction, that if one of them is not a deliberative body it is certainly a deliberate one.

This reapportionment bill gives to the great State of New York at the next presidential election 45 votes, and the political conditions are such that the party which wins the State of New York will surely win the control of the Government. New York is the most important commercial State in the Union. The conditions that have been described above obtain there as fully, or more fully, than in any other State. The Democratic Party carried the State of New York last fall by appealing to the conservative commercial classes, and the only way in which we can continue to hold that State is by meriting the further approbation of those classes.

Mr. PAYNE. Mr. Chairman, I yield one hour to the gentleman from Massachusetts [Mr. WEEKS].

Mr. WEEKS. Mr. Chairman, it is never agreeable to take part in a perfunctory act, but I recognize that taking part in this debate at any time is more or less perfunctory, because it is not going to change the result of the action of the House. If I were going to talk about the details of the bill, or the merits of the bill, I should not use either the time of the committee or my own time for that purpose, though the latter is of little value just now. There have been some things said, however, about

the bill which seem to me to require explanation and answer, both as to woolgrowing and the manufacturing of wool, and it is to those subjects I am going to devote myself during the time assigned to me.

I should, however, refer somewhat in detail to the work of the present Tariff Board, if that subject had not been admirably covered by the gentleman from Ohio [Mr. LONGWORTH] in the remarks which he has made to-day. I think anybody who examines the work of that board will be impressed with the probable results of its investigation. Suppose any Member of this House had been instrumental, in connection with his own business, in establishing an organization for the purpose of providing himself with information, and while that organization was in the process of preparing that information, doing it as well as it could be done, would he then be likely to go ahead and make his change without waiting for the conclusions of his investigations? Such a course would be ridiculous. That is exactly what we are doing here now; not with the hope that we are going to get any net results out of it, but for political purposes this House is going to pass a bill.

If it were going to do the businesslike thing, it would wait until next winter. This would not affect the position of the dominant party in the House, because the political complexion of this body is not going to change for nearly two years, and the House could then make use of the information which it would have at first hand, much of it new, and apply it to its legislation. I do not know, and I do not know anybody who does know, just exactly what effect this legislation will have on the allied wool industries. In common with many Members of this House, I had supposed, and still suppose, that this schedule may be somewhat revised and give better satisfaction; and I want to say here that I am a great deal more concerned about the possibility of doing serious injury to the woolgrowing industry than I am about doing serious injury to the manufacturing industry, because the manufacturing industry can better adjust itself to changes in a tariff, if it has time to do it—and that brings to mind one of the difficulties of this situation. Gentlemen on that side say this is a step in the right direction. Nobody knows what the next step is going to be or what the last step is going to be. One of the principal elements in making up business stability is to have a known foundation on which you may base your business, on which you may raise capital. Now, I submit to the committee that it is not going to be easy to raise capital for this industry, or any other industry, if you have to go to the people who are looked to to furnish that capital and say to them, "We can do business along these lines, as long as this proposition lasts; but we are told by those in authority that it is not going to continue, that it is going to change from time to time, and we will have to readjust our business to conform to those changes." That is one of the disturbing things—the most disturbing thing to me in connection with this whole subject. It has been charged by several gentlemen—many speakers have referred to it—that the wool business, the manufacturing end of it, is controlled by a trust or a monopoly; that it oppresses its employees; that it pays them insufficiently; that it has made extortionate profits from the conduct of its business; and that in many ways it is inimical to the public interest.

I agree that, if there is a trust in this business or a monopoly in connection with the business, it is an element which should be considered by this House, a very important element, too, in revising the tariff, but I believe that many of the statements which have been made here about this industry are not justified, and it is largely for the purpose of pointing out some of the things which have been said about it and some reasons why I think they are not justified that I am taking this time. I am going to try to demonstrate briefly that there is no monopoly or trust connected with the wool-manufacturing business, either the American Woolen Co. or any other wool-manufacturing company; that the American Woolen Co. is not controlled by millionaires or speculators, who exploit its stock at the expense of the public or the company; that it has not made extortionate or even large profits; that it has not oppressed its employees of any age or sex, and does not control the price of labor in this industry; that it does not and has not controlled the price of wool; that it is not entirely a worsted industry.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. WEEKS. Yes; I am always willing to yield for interruptions, if I have time to do it.

Mr. HARDY. I just wish to say that if the gentleman expects to treat this subject later in his discussion I do not want him to answer it now, but right there he made the statement that they had not controlled the price of wool. What occurs to me as of interest in this discussion, if I understand the facts aright, is that the foreign price of wool is and has been very little above during all these years the domestic price of the same quality of wool, notwithstanding the tariff on wool of 11 cents per pound.

Mr. WEEKS. That is the condition to-day, but it is not the condition all the time.

Mr. HARDY. I noticed in a home paper which just reached here to-day the fact that at El Paso about 3,000,000 pounds of wool had recently been sold. The paper gave all the details as to the sale of it, except that it did not give the price. It looks strange to me that the price paid was not given. I would like to ask the gentleman, in the course of his remarks, to explain, if he can, why it is that, notwithstanding 11 cents a pound duty—that is, on wool—our home wool has not risen and remained above the price of foreign wool perceptibly?

Mr. WEEKS. I intend to refer to that later, but I may overlook it, so I will answer the gentleman now. To-day there is not a great difference between the prices of domestic and foreign wool, but that is largely due to the present agitation of the tariff; the price of wool is low because the manufacturing end of the industry is not actively employed; manufacturers are probably not working over two-thirds time, and in many places less than two-thirds time.

Mr. SHERLEY. If the gentleman will pardon me, I would like the gentleman to explain, if he can explain it. He says it is due to the present agitation. Why, it has been substantially so during all these years.

Mr. WEEKS. That is not true.

Mr. SHERLEY. Does the gentleman mean to give the impression that the decrease in the price of wool has been so recent as to be attributable solely to the agitation in regard to this schedule?

Mr. WEEKS. The gentleman saves himself by using the word "solely."

Mr. SHERLEY. Well, largely.

Mr. WEEKS. The price of wool has been declining for the last year. It has been declining especially since the Democratic majority was elected to this House, and as soon as it was announced that the tariff was to be revised.

Mr. SHERLEY. The decline was before that, was it not?

Mr. WEEKS. It had declined somewhat before, but there was a well-defined idea abroad months before the election last year that the gentleman's party would control the House. I will give the gentleman figures later on.

Mr. SHERLEY. The reason I interrupted the gentleman is I happened to have a conversation some months ago with a wool manufacturer in my own city, in which he stated the price of wool was declining, and would continue to decline, on account of particular conditions, and he elaborated them at great length.

Mr. WEEKS. Wool has declined in price on account of trade conditions, because trade conditions are bad; the demand for it is slack.

Mr. SHERLEY. But, aside from that, I have respect for the gentleman's intellectual integrity, and I want to see if I am right in supposing he was willing to let the statement go to the country that political agitation was the cause of the decline in wool.

Mr. WEEKS. To a considerable extent, but not entirely.

Mr. HARDY. Will the gentleman not explain this matter, also, as to why there is such a close approximation of price, not just recently, but all along, at different times during the last 10 years?

Mr. WEEKS. I do not understand that that is a correct statement.

Mr. HARDY. I do not mean it has always been so, but from time to time it has approximately and pretty generally, or frequently, been so.

Mr. WEEKS. It depends upon the condition of trade, and there are other elements than the tariff which enter into the condition of the trade.

Mr. CLINE. Will the gentleman yield for a question?

Mr. WEEKS. I will yield.

Mr. CLINE. I desire to inquire if it is not a fact that the price of Indiana, Kentucky, and Ohio wool declined 11 cents in price from 1909 to 1910?

Mr. WEEKS. I have the exact figures of the price of wool for each week for the last two years.

Mr. CLINE. For the two seasons to which I referred?

Mr. WEEKS. It is breaking into what I should say later on, but I will answer the question now and give the exact figures. What are the dates?

Mr. CLINE. Ohio, Indiana, and Kentucky wool, the general price from 1909 to 1910 declined 11 cents. That was before any election occurred.

Mr. WEEKS. Ohio washed wool was selling—the first date I have here is August 9, 1909—this is XX, at 35 cents a pound, and one year later I find, August 5, 1910, it was selling at 30 cents a pound, a decline of but 5 cents in that time.

Mr. CLINE. That was before the election?

Mr. WEEKS. That was before the election. Not 11 cents, as the gentleman states, but 5 cents a pound in that year, and those figures I have given are about the highest and lowest prices during that time.

Mr. CLINE. Are the Kentucky and Indiana classifications there?

Mr. WEEKS. The Kentucky and Indiana classifications are here. Thirty-three cents was the price of Kentucky and Indiana wool August 6, 1909. One year later the price had declined to 27 cents, a decline of 6 cents a pound.

Mr. CLINE. I do not want to interrupt, but I would like to ask another question, namely, if it is not a fact that the price of all grades of wool have appreciated in the open market since this bill has been reported to the House?

Mr. WEEKS. I do not remember when the bill was reported. The last figures I have are in April.

Mr. BURKE of South Dakota. I would like to ask if the fact that this bill was reported with a duty on wool, whereas it was prophesied we would have free wool, would have that effect?

Mr. WEEKS. It was prophesied we might have free wool, and of course there was a great pressure to sell it. Buyers of wool held off, and would hold off, of course, until the tariff on which they must base their future business was settled.

Mr. PAYNE. If the gentleman will pardon me, was it not published widely that a majority of the majority members of the Ways and Means Committee were in favor of free wool, giving the names and the number?

Mr. WEEKS. Undoubtedly. And I will say to the gentleman from Indiana [Mr. CLINE] that a list has just been handed me giving the prices of wool since this bill was reported, and there seems to have been an increase from half a cent to a cent a pound.

Mr. SHERLEY. Will the gentleman yield? Assuming his premise of conditions in the political world affecting the price, did not the statement of the President as to the indefensible character of the woolen schedule, and its need of revision, have something to do with the price of wool?

Mr. WEEKS. I will say to the gentleman from Kentucky that I am not the keeper of the President's opinion on public questions.

Mr. SHERLEY. I do not think he needs a keeper for that remark; but does the gentleman think so?

Mr. WEEKS. I do not know what influenced the President, and I do not know what influences any other gentleman in making a debatable statement on such a subject.

Mr. SHERLEY. I asked the gentleman whether the President's remark had influenced the trade. He was talking about the sensitiveness of the trade to Democratic effort. I wanted to know if the President's statement as to the indefensible character of the woolen schedule had something to do with the trade?

Mr. WEEKS. I have no way of estimating it, if there were such an effect, but I do not recall that it affected prices.

Mr. SHERLEY. I did not think the gentleman would, either of that or the other matter of the effect of Democratic influence on the trade.

Mr. SHARP. I would like to ask, if it was put upon partisan ground, would not the fact that the Senate was overwhelmingly Republican and the President was a Republican be a sufficient safeguard?

Mr. WEEKS. That would be true, if it was not reported there were Republicans enough in the Senate who would be likely to vote for this bill, so that it would pass.

Mr. HARDY. Was it reported that the President also might sign it?

Mr. WEEKS. I have not seen any report to that effect.

Mr. FOWLER. I desire to ask the gentleman if he does not think that crystallized public opinion against high prices had something to do with cutting down the price of everything as well as wool and the finished products of wool?

Mr. WEEKS. Well, there has been a great falling off in the volume of business, which always means a lowering of prices. That may have had something to do with it. All of these elements enter into such a result.

The other day the gentleman from Ohio [Mr. FRANCIS], during an interesting address which he made on this subject, made some statements which I want to call briefly to the attention of the committee. The first one refers to the American Woolen Co. I read his remarks from the RECORD:

> This gigantic corporation controls more than 31 per cent of the woolen goods manufactured in this country and practically all of the worsted goods made here, representing, as I have said, an ostensible capital of $69,000,000, organized in the year 1899, by combining the following mills.

Then he gives a correct list of the mills. He goes on to say:

> These several factories comprising the American Woolen Co. that I have described then surrender their charters and all combine under one trust charter and issue new stock for five or six times the value of their several plants.
>
> They can put upon the market one-half of these stocks to the unsuspecting public and receive therefor in cash two and one-half times what their 34 plants are really worth, and yet retain the other half of the stock, and with it control the directorate and management of the corporation.

Now, if those statements are true, it is a serious condition of affairs; and it is to these statements that I wish to call your attention. Incidentally, however, before doing so, I want to say that the gentleman from Ohio early in the session, I think on the 5th of May, introduced a resolution which stated, as directly as a resolution can state, various things of a damaging nature about the American Woolen Co., providing for an investigation by Congress. That resolution has been lying since that time in the custody of the Committee on Rules, to which it was referred. I am not aware that any action has been taken. In fact, I know nothing about the action of the committee on this subject. But it is certainly significant that a resolution of that character, referred to a committee which I think has not been disinclined to report out matters relative to investigations, should have been held up by it for six or seven weeks. Is it not possible that the committee has made some investigation and that they have not found that the American Woolen Co. is a trust or monopoly, as the resolution charges?

Furthermore, when my colleague from Massachusetts [Mr. PETERS], a member of the Committee on Ways and Means, was addressing the House the other day on this subject, he was interrogated from this side and asked if it were true, or if there was any evidence before the Ways and Means Committee, as to the American Woolen Co. being a trust or a monopoly, and he replied that he had no knowledge of it and that there was no evidence to that effect before the Ways and Means Committee.

I submit those two statements as possibly having some bearing on the subject as to whether the American Woolen Co. is a trust or a monopoly.

Mr. FRANCIS. Does the gentleman live in Boston?

Mr. WEEKS. I do not live in Boston; no.

Mr. FRANCIS. In Massachusetts?

Mr. WEEKS. I live in Massachusetts; yes.

Mr. FRANCIS. Does the gentleman know that the company is not a trust?

Mr. WEEKS. I am going to define what a trust is, according to the best definition that can be found, and then I am going to prove mathematically that it is not a trust or monopoly under any definition that has ever been given.

Mr. FRANCIS. I assume that the gentleman is going to deduce his opinion from facts. Does the gentleman know the fact that one-half of the stock, nearly, is watered stock, representing no value?

Mr. WEEKS. If the gentleman from Ohio will wait, I will not cover up anything. I have no purpose in covering up anything, and I will answer with patience any question the gentleman wants to ask me, if I have the time.

Now, there are in this country about 1,200 wool manufacturing establishments. There are 34 included in the American Woolen Co.'s plants. The number operated by individuals, as individuals, in 1905 was 333. The number operated by firms was 311. The number operated by corporations was 567, making up the total number existing at that time.

And I want to add here that it can not be said that the American Woolen Co. or the woolen industry has ever sold its products abroad at a lower price than the price asked in this country, because the sales abroad have practically been negligible for years. In other words, the people of this country are getting the benefits of what I will term intense competition in this country in the woolen and worsted industry.

The amount of capital in the year 1909 invested in the woolen and worsted manufacturing industry was $419,000,000. The capital at that time of the American Woolen Co. consisted of $35,000,000 of preferred stock and $29,000,000 of common stock. When the company was organized there was issued $20,000,000 of preferred stock and $29,000,000 of common stock. Issuing preferred and common stocks was the customary method of organizing corporations of that kind 10 years ago.

It was estimated at that time that the plants, including machinery, real estate, and good will, had a value of $25,000,000.

It is always claimed, by combining efforts as in such a case as this combination, that economies in operation can be brought about which may insure some dividend return on the good will and other non-liquid assets of corporations. The American Woolen Co. in its organization did not differ from others in this respect. At the same time, or at the end of the first nine months' business, the bills receivable of the company, the stock on hand inventoried at cost, and the cash on hand exceeded the current liabilities of the company by more than $10,000,000. Therefore there were actual cash assets of more than 50 cents on a dollar for all the preferred stock issued, and, as I have stated, it was estimated that the plants were worth at that time $25,000,000. I do not know personally as to that, but I do know that there were many of the mills in excellent condition, that they were well equipped, that they were doing a good business, and some of them a profitable business; and, in any case it would be insane to say that the plants were not worth, as going corporations, at least $10,000,000, which, with the excess of quick assets, was the amount of the preferred stock outstanding.

Now, I want to say right here, before I get away from it, that no dividend has ever been paid on the common stock, and quite likely no dividend ever will be paid on the common stock; that it has not had a wide public market, that it has sold at from $10 to $40 a share; and, therefore, there having been no dividends paid on it, it has not been a burden on the public or a burden on the business. The only burden on the business has been the dividends paid on the preferred stock.

Mr. FRANCIS. Why should there be a dividend paid on this common stock? Was it not given simply as a bonus? Had it any value whatever?

Mr. WEEKS. I think it was partially given as a bonus.

Mr. FRANCIS. Why should it pay any dividends?

Mr. WEEKS. It never has and should not on any part of it which did not represent actual value or on account of economies in operation resulting from the consolidation.

Mr. FRANCIS. Then they organized this just as they organized any other company, full of watered stock?

Mr. WEEKS. That is debatable as to the water. But they have never paid any dividend on the stock, so it has been a burden on no one.

Mr. CLINE. I want to ask if it is a fact that $10,000,000 of that common stock has been retired and preferred stock issued for it?

Mr. WEEKS. Common stock to the value of $9,000,000 has been retired by purchase and no preferred stock issued for it.

Mr. CLINE. Was not the stock retired at its face value?

Mr. WEEKS. It was not. I am told that $3,000,000, or about $30 a share, was paid for it.

Mr. CULLOP. I understood the gentleman to say that the common stock had sold at $25 to $30 a share?

Mr. WEEKS. At varying prices, from $10 to $40.

Mr. CULLOP. It was sold to the public.

Mr. WEEKS. I am talking about the public market for the stock.

Mr. CULLOP. Then, if it never paid, and never will pay, a dividend, the public has just been buncoed out of that sum, has it not, and it has gone into the pockets of the incorporators?

Mr. WEEKS. I do not think so, because the company has unanimously voted recently to buy $10,000,000 of this stock and pay $30 a share. At least that is the published report.

Mr. CULLOP. Yes; but they are paying for it out of the money that they buncoed out of the innocent public, and they have had the use of it all that time.

Mr. WEEKS. They never received any money in dividends on that stock. No dividends have ever been paid on it.

Mr. CULLOP. But they did receive the purchase price of it from the innocent public.

Mr. WEEKS. I do not know. I have not seen the stock list of the common stockholders.

Mr. CULLOP. I understood you to say it was sold out on the open market.

Mr. WEEKS. I gave you its market price.

Mr. CULLOP. Then, it was purely a bunco game?

Mr. WEEKS. No; not at all.

Mr. CULLOP. If they took that money from the public and sold them worthless stock, what else could it be?

Mr. WEEKS. If the gentleman will permit me to answer, I will say that when the company was organized it was found that the value of the quick assets and of the real estate was materially more than the amount of the preferred stock which was issued, which was $20,000,000; that the common stock had a material value in real estate and equipment; and, in addition to that, it had the value which comes from a plant as a going concern, the good will of the business, such as always attaches to any manufacturing business.

Mr. CULLOP. Imaginary valuations and expansions such as occur in that kind of organization, and have occurred in all of them that have been organized on that plan, so that the watered stock is sold to the public, the innocent lambs are sheared, and then after a while the common stock is retired without any returns whatever.

Mr. WEEKS. Mr. Chairman, the gentleman from Indiana has inserted something which is in general accord with his usual ideas of describing business transactions, but there is no innocent public that has been abused in this matter. Everybody has known what the value of that stock was. All transactions in it, as well as reports of the company, have been at the disposal of the public.

The company has never advertised any common stock for sale since its organization, and has not sold any. It has never exploited it in any way since the original issue was made.

Mr. CULLOP. Has it not been put on the market through the stock exchange?

Mr. WEEKS. It is listed on the stock exchange.

Mr. CULLOP. Is not that the general way in which these combinations abuse the corporate law, and, as has been done for the last 10 years, the same as many others, they put out watered stock and sell it to the public, and take the money and either put it in their pockets or in the corporate treasury?

Mr. WEEKS. The general practice is to have some kind of assets to cover every dollar of stock outstanding; they may be quick assets, they may be real estate, or they may be the good will of the business, and so forth.

Mr. CULLOP. The difference, it seems, between my idea of conducting the corporation and the idea of the gentleman from Massachusetts is that they shall not sell the watered stock to the public and take their money for it; in fact, giving them nothing for it; but it seems that the idea of the gentleman is otherwise. Now, if you mean, as above stated, that is my general idea of such things, I want to say that you are absolutely correct. I do not think a corporation has any more right to rob the public than has an individual. [Applause on the Democratic side.] I think it and all who so manage it ought to be amenable to the criminal law for such conduct.

Mr. WEEKS. Mr. Chairman, I recognize the applause that always comes from that kind of a remark. There has been no robbery of the public. The gentleman puts in my mouth words and ideas which emanate from his own mind. There has been no imposition on the public in this case. Public statements have been issued which anybody could get at any time they wanted them, whether they wished to become stockholders or not.

Mr. SHERLEY. Will the gentleman yield for a question?

Mr. WEEKS. I will yield to the gentleman from Kentucky.

Mr. SHERLEY. If I understood the gentleman right, he said that the common stock never paid a dividend and had not been a burden on the public because there had been paid by the company no dividend on the common stock. Now, the gentleman states that it has recently bought some common stock and covered it into the treasury of the company. Is that true?

Mr. WEEKS. Yes.

Mr. SHERLEY. Does not the gentleman think the purchase of that stock constitutes a burden?

Mr. WEEKS. That stock was bought—I do not know personally about that particular transaction—but that stock was bought after a properly called meeting of the stockholders, and the preferred stockholders voted unanimously to proceed with the purchase.

Mr. SHERLEY. I am not questioning that. Either the stock has a value or it has not. If it did not have a value, the company is wasting a certain amount of its money. If it did have a value, the gentleman's statement that it did not have a value and the conclusions drawn from it are erroneous.

Mr. WEEKS. I did not say that it did not have a value. I said it was not a burden because it never paid a dividend. I said the estimated value of the real estate and machinery of the company was $25,000,000 when the company was organized, and the quick assets were $10,000,000, and only $20,000,000 of the preferred stock was issued against it, leaving a surplus of $15,000,000 in some kind of assets.

Mr. SHERLEY. The gentleman stated that the common stock had been purchased out of the assets belonging to the corporation.

Mr. WEEKS. Yes.

Mr. SHERLEY. Now, this stock was purchased with assets representing a part of the earnings of the company, and to that

extent, using the word "burden" as he used it, the common stock has been a burden.

Mr. WEEKS. If the gentleman wants to go that far, we will assume from now on that it will be a burden, but up to this time it never has been.

Mr. SHERLEY. I am not going that far. The gentleman has stated certain premises and then he cuts away from them.

Mr. WEEKS. Oh, I beg the gentleman's pardon. I have not cut away from them myself. I have simply stated the exact facts connected with the transaction.

Mr. SHERLEY. I grant the gentleman there is nothing unusual in the method employed, but I make the statement that the stock having a value—a value shown by the purchase of the company of its own stock—which, by the way, is sometimes a questionable proposition, is a sufficient answer to the statement that that stock is not a burden.

Mr. WEEKS. I have said that up to this time this stock is not a burden, and it has not been, because no dividend has been paid upon it.

Mr. GOEKE. Mr. Chairman, I would like to inquire of the gentleman whether the preferred stock of the company has a right to vote?

Mr. WEEKS. Oh, yes; it does vote.

Mr. FRANCIS. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Massachusetts yield to the gentleman from Ohio?

Mr. WEEKS. Yes.

Mr. FRANCIS. Do I understand the gentleman to say that it has just twenty millions of preferred stock?

Mr. WEEKS. It had $20,000,000 when the stock was originally issued.

Mr. FRANCIS. How much has it now?

Mr. WEEKS. Forty millions. Now, if the gentleman will yield, I will describe how that additional stock has been issued. The gentleman from Kansas [Mr. MURDOCK] referred to that matter the other day, intimating that that stock had been issued without any suitable return to the company, or had been issued against assets of the company, obtained from earnings—neither of which statements is correct.

In 1905 $5,000,000 of preferred stock was issued at par, the company receiving $5,000,000 for it, possibly less an underwriting commission. In 1907 $10,000,000 of stock was issued and paid for at par, the company receiving $10,000,000. In 1909 $5,000,000 additional stock was issued and paid for by the public at par, and the company received $5,000,000, so that $20,000,000 additional preferred stock has been issued since the company was originally organized, and the company has received substantially $20,000,000 in cash for it. The gentleman from Ohio, and certainly the gentleman from Kansas, gave the impression that there had been no proper return to the company for the issuing of that stock.

Now, to go on and point out other reasons why I do not think the American Woolen Co. is in any way a trust. The only definition of a trust that I have ever heard which seems definite in terms comes from that distinguished Democratic leader who lives in Lincoln, Nebr., who at one time is reported to have said that a trust is an organization which does 50 per cent of the total business in any industry. A monopoly must necessarily be a company or corporation which controls prices, output, wages, and other elements entering into a business. I want to show that the American Woolen Co. does not come within either of these definitions. In the first place, the total capital——

Mr. FRANCIS. Why does not the gentleman take the last edition of Webster's Unabridged Dictionary and get the definition of a trust there, and then base his remarks upon that?

Mr. WEEKS. I have not that definition in mind now.

Mr. FRANCIS. That is authority.

Mr. WEEKS. For this purpose I am willing to take the definition of the gentleman to whom I have referred. The total capital in 1909 employed by all of the woolen and worsted manufactories in this country was $419,000,000.

Mr. LENROOT. Has the gentleman a division? Can he divide the worsted and other industries?

Mr. WEEKS. Yes; I can divide them. At that time the preferred stock of the American Woolen Co., which is the capital on which dividends have been paid, was $35,000,000, or about 8½ per cent of the total amount of the capital employed in both industries in the United States. The annual output of the American Woolen Co. has averaged from $21,000,000 the first year to $51,000,000 in the year 1909. Its average output has been about $40,000,000. The output of the worsted and woolen mills combined in this country varied from about $238,000,000 in 1899 to $308,000,000 in 1904 and $420,000,000 in 1909. In other words, the output of the American Woolen Co. has shown a gradual but varying increase, but has averaged to be about 11½ per cent of the total output of all of the woolen and worsted manufactories of the country, and the actual capital invested has averaged from 8.5 to 9.6 per cent of the total amount employed in these industries.

Mr. SHERLEY. In order that we may get the full benefit of the gentleman's figures, will he indicate, if he can, just the character of property embraced within those sums? It is quite possible that an industry might have a complete monopoly of a certain branch without necessarily controlling a large percentage of the entire industry.

Mr. WEEKS. I will undertake to speak of that, I think perhaps to the satisfaction of the gentleman from Kentucky.

It is charged that the American Woolen Co. is a worsted monopoly. It is a fact that there has been contention between those branches of the trade, due largely to the kinds of wool used and the duties on it, and that the worsted business has grown somewhat faster than the woolen business in the last 10 years; but the wearing of woolens or worsteds is largely a matter of fashion rather than the character of the manufacturing or the price of wool or any element that goes into the business. Just now the fashion seems to be turning and the woolen industry is looking up. The American Woolen Co. is not entirely a worsted manufacturing industry. It is both a woolen and worsted manufacturing industry. Thirty-four per cent of its business is woolen and 66 per cent of its business is worsted. Of the 34 per cent, or, rather, included in the 34 per cent, it owns the Assabet Manufacturing Co., of Maynard, Mass., which is one of the largest woolen mills in the United States.

Of its mills, 11 are worsted, 14 are woolen, and the remainder are a combination of woolen and worsted mills. Substantially two-thirds of the business is worsted and one-third of the business is woolen. Now, as to the general business throughout the country: In 1905 the worsted output was $165,000,000 in value and the woolen output was $142,000,000 in value. That year the American Woolen Co.'s output was nearly $49,000,000; it was one of its best years, actually and proportionally. Yet that year it did only about 12½ per cent of the total wool manufactures.

Mr. SHERLEY. Can the gentleman now make a subdivision, both of woolens and worsteds, because just that one division is not sufficient to show whether or not there be a control of the output of a particular class?

Mr. WEEKS. I can not do so at this time. It is possible I may come across some figures which will enable me to do that. It is pretty difficult to do that without much technical knowledge, which I do not pretend to have.

Now, another reason why it is not a trust: The number of looms employed in the woolen and worsted business in the United States in the year 1905 was 81,894, or, at least, that was the total number of looms employed in the wool manufacturing business. In woolens and worsteds the number was 69,541. The number employed by the American Woolen Co. at that time was 8,600, or about 12½ per cent. The number employed in New England at that time was 45,012, so that the American Woolen Co. did not at that time have over 20 per cent of the looms employed in the New England States alone in the woolen and worsted industry. The State of Pennsylvania, for instance, does 50 per cent more woolen and worsted business than the whole American Woolen Co. does in all the mills in all the States where they are operated.

ANOTHER COMPARISON.

Take the number of spindles. The number of spindles in operation in the year 1905 was 4,122,727, and the American Woolen Co. had 590,746, or 14.4 per cent of them.

In other words, neither in the number of employees, in the amount of equipment employed, in the value of the output, or in its capital stock has the American Woolen Co. at any time represented more than 15 per cent of this industry, and I submit to this committee, under such circumstances it can not be called a monopoly.

Mr. FRANCIS. Do you say it is 15 per cent of the whole business, or 15 per cent of the worsted business?

Mr. WEEKS. I said 15 per cent of the whole business.

Mr. FRANCIS. What per cent of the worsted business?

Mr. WEEKS. Taking the American Woolen Co.'s average business as $41,000,000, and taking an average of two-thirds as worsted, would give about $25,000,000. The total worsted business of the country in the year which I have used generally was $165,000,000, so the American Woolen Co.'s average would be a little more than one-seventh of the total worsted business of the country, or about 15 per cent. Now, the gentleman from Ohio, in his statement which I have quoted, said that it was nearly all of the worsted business and 31 per cent of the total business.

Mr. FRANCIS. Those are the figures that I got.

Mr. WEEKS. I think the gentleman was very much misled by the figures which were given to him, and that is my purpose, and my only purpose, in taking up the time of the committee—to try to give it accurate figures relating to this most important industry, employing tens of thousands of people and employing nearly $400,000,000 of capital.

Mr. FRANCIS. Let me inquire where you got the figures that you are now giving us?

Mr. WEEKS. I got the figures from the Bureau of Statistics, from the census reports, and from the annual reports of the American Woolen Co. Now, Mr. Chairman, I stated that, as a second proposition, which I have already referred to, that this stock was not controlled by millionaires or speculators, or otherwise, and I want to submit some figures to demonstrate that proposition. We often think, when we are talking about trusts, monopolies, and great corporations, that it means half a dozen men or a dozen men. We read in the newspapers that a dozen or 15 men control all the industries and all the real estate of some city, and things of that sort. The real truth of the matter is that the industrial wealth of this country has become greatly distributed, and is becoming more distributed every year.

Now, as to the owners of the shares of this American Woolen Co. Let me give you the figures. There are now 12,400 shareholders, holding an average of 56 shares each. The number of shares held by trustees and executors is 16,020. The number of women stockholders is 5,684, holding an average of 21 shares each. These are the plutocrats and the millionaires and the speculators who own the American Woolen Co. They are largely women and trustees, who own the control of that company, and the average shareholding of all classes of people is only 56 to each individual.

Mr. CULLOP. Will the gentleman permit a question?

Mr. WEEKS. Yes.

Mr. CULLOP. Is that the preferred stock or common stock, or is it both, that you are giving us now?

Mr. WEEKS. As far as the women stockholders are concerned it is preferred stock, and as far as the trustees are concerned also. I have not the notation here, and I have not the time to figure it out, so I can not tell about the other. In any case, let me explain to the gentleman, that if it does include the common stock the average preferred stockholding would be very much less.

Mr. CULLOP. What I want to know is whether it is the women and children and trustees that hold the common stock or preferred stock.

Mr. WEEKS. Trustees, as the gentleman very well knows, do not invest in non-dividend-paying stocks. They can not, under the laws of most States, do so.

Mr. CULLOP. They have fallen to their trusts because of the death of the owners.

Mr. WEEKS. Then the courts would compel them to dispose of the holdings as soon as possible, and in New England lawyers do not advise women to buy speculative stocks.

Mr. CULLOP. Lots of times women do not consult lawyers, but are induced to invest by flaming circulars which are sent abroad.

Mr. SHARP. I would like to inquire whether the controlling interest is not held, after all, by a few stockholders?

Mr. WEEKS. One-third of it is held by women and trustees.

Mr. SHARP. One-third of the interest in that company. In many other large companies that have many stockholders the stock is actually held by a comparatively few individuals.

Mr. WEEKS. I have known cases where that was true. I do not carry stockholders' lists in my mind. I have looked up some companies, and I did not find one where the control of the stock is held by 20 men. I think there are but very few companies where the control of the stock is held by that number. There are occasionally large stockholders, to be sure.

Mr. FRANCIS. You have looked up this matter for this specific purpose?

Mr. WEEKS. Yes.

Mr. FRANCIS. Can you tell how much stock William M. Wood, the president, has, or how much Addicks, or Ayer, or any of the officers of the company have?

Mr. WEEKS. I can not tell the gentleman, because I have not looked at the individual stock list.

Mr. FRANCIS. Why can you not tell it when the charge is made against them that they are controlling that company in their own interest?

Mr. WEEKS. I thought the figures which I submit would appeal to the judgment of any reasonable man, one-half of the stockholders being women, that the control would not likely be in the hands of any one man or set of men.

Mr. FRANCIS. The gentleman knows that women are always credulous and buy easily.

Mr. WEEKS. I do not know anything about the women that the gentleman from Ohio represents; but that is not true of New England women. [Laughter.]

Mr. O'SHAUNESSY. May I ask the gentleman a question?

The CHAIRMAN. Does the gentleman from Massachusetts yield to the gentleman from Rhode Island?

Mr. WEEKS. Yes.

Mr. O'SHAUNESSY. I want to ask what the gentleman is endeavoring to prove by showing us the facts and figures as to the stock held by women and children?

Mr. WEEKS. I was attempting to show that the stock was not held by speculators or manipulators or others who were exploiting the company against the interests of the public, against the interests of the stockholders, or the company itself.

Mr. O'SHAUNESSY. The gentleman would not go so far as to say that because a majority of the stock was held by women and children it would excuse moral obliquities?

Mr. WEEKS. Oh, no. I know that there are frequently moral obliquities in large affairs somewhere or at some time; but I want to say that when a company has been in operation for 12 years, and when in every one of those periods the number of stockholders has increased a considerable per cent, and where the company's affairs have been open to the public in regard to the issue of stock, the extent of its business, and so forth, and where the newspapers have freely commented upon the management of the company, it is not probable that the stockholders' list of that company is going to increase in number and the relative holdings of the stockholders decrease from year to year unless the management is not only not speculative, but reasonably sound and safe and conservative.

Mr. O'SHAUNESSY. Is the gentleman aware that the majority of the stock of the Sugar Trust was held by women and children also?

Mr. WEEKS. Yes; I was aware of that fact.

Mr. O'SHAUNESSY. And would the gentleman argue from that that the management of the Sugar Trust was just and reasonable and fair?

Mr. WEEKS. I will say to the gentleman that in my opinion the management of the Sugar Trust in some respects was in the past simply deplorable, absolutely and outrageously so, but that is no reason for condemning other managements or other corporations.

Mr. O'SHAUNESSY. It does not follow, then, that because women and children hold the majority of the stock the management of this woolen company was in any way right?

Mr. WEEKS. No; but there is absolutely no evidence that the management of the American Woolen Co. has not been able and honest. The stockholders' list has greatly increased while the per capita holdings have decreased, and I want to repeat that what the gentleman has referred to about the American Sugar Refining Co. should and does receive the dissent of every honest and sane man. I have no excuses to offer for that sort of thing. I have nothing but condemnation for it.

Mr. CULLOP. Mr. Chairman, I would like to ask the gentleman a question.

The CHAIRMAN. Does the gentleman from Massachusetts yield to the gentleman from Indiana?

Mr. WEEKS. I do.

Mr. CULLOP. The gentleman says the majority of the stockholders are women and children?

Mr. WEEKS. I did not say a majority. I think it is about half.

Mr. CULLOP. The gentleman did not mean to say that the women held a majority of the stock?

Mr. WEEKS. No; not of the stock. I referred to the number of stockholders.

Mr. CULLOP. A majority of the stockholders do not always hold a majority of the stock?

Mr. WEEKS. Let me call this fact to the gentleman's attention: That in most of these cases the woman who has invested has an adviser—a safe and careful adviser—probably related to the profession to which the gentleman himself belongs. They have invested in that stock for many years, because it was considered that it was a safe stock, on which the investor could get a good return for the money invested. Does the gentleman believe that lawyers and financial advisers would recommend that such a stock should be bought if it were known to be speculative and not really a good investment?

Mr. CULLOP. I will say to the gentleman that I think they would be just as likely to make a bad speculation for them-

selves and for others as anybody else, and they might give unfortunate advice to their clients unintentionally.

Mr. WEEKS. We ourselves do not always make wise investments all the time.

Mr. CULLOP. I will ask the gentleman, as to the stock that has been sold, whether that is the stock that has been issued from time to time since the organization was formed?

Mr. WEEKS. Nobody can determine that. Nobody can tell what is original stock and what is stock held to-day. The stock changes hands.

Now, Mr. Chairman, I want to go on and show that the American Woolen Co. has not made extortionate profits. It has paid in dividends $21,583,000, which is 7 per cent on the amount of preferred stock outstanding at the time the dividends were paid. The company has accumulated a surplus which has varied from $10,000,000, when the company was first organized, to $31,000,000 to-day, or an increase of $21,000,000. During that time the company has charged off on account of depreciation of plant and machinery $9,000,000, and has added to its plant, according to its own annual statements, cash paid out of its earnings to the extent of $6,881,000, or, in all, over $15,000,000.

There is, of course, a difference of opinion among manufacturers as to the amount of money which should be charged off on a plant. The probabilities are that 5 or 6 per cent on machinery and 3 per cent on real estate would be about a fair charge off; it is, at least, low enough. In England very often 10 per cent is charged off on machinery; but if we assume that the charge off is 4 per cent on the average amount of investment on machinery and real estate—which would be somewhat less than I am informed, by the best experts whom I have asked on this subject, ought to be charged off—and the average real value of the companies has been $40,000,000, that would be $1,600,000 a year which should have been charged off since it was organized, or would be very near the actual amount which has been added to the property in expenditures out of earnings and charged off on account of depreciation.

Mr. SHARP. I have forgotten what the gentleman stated a while ago as to the date when this company was organized.

Mr. WEEKS. In 1899.

Mr. SHARP. About 12 years ago?

Mr. WEEKS. In April, 1899.

Mr. SHARP. And what was the original investment?

Mr. WEEKS. The original capitalization was $20,000,000 preferred stock and $29,000,000 common stock, and I have stated that it was estimated that the real estate, fixtures, and so forth, were worth $25,000,000, and that at the end of the first year, which is my only way of determining the figures, the entire quick assets exceeded the current liabilities by $10,700,000, in round numbers.

Mr. SHARP. They have now about $40,000,000 issued against that of preferred stock.

Mr. WEEKS. They have $40,000,000 of preferred stock.

Mr. SHARP. And the original investment was $25,000,000.

Mr. WEEKS. The original value of the plant was $25,000,000, taking the estimates made at the time.

Mr. SHARP. What was the amount of stock issued?

Mr. WEEKS. The amount issued, of common and preferred, was $49,000,000, or $20,000,000 preferred and $29,000,000 common.

Mr. SHARP. Do you know, as a matter of fact, how much they paid for these plants?

Mr. WEEKS. They paid for them very largely in stock. Some of the stock was issued to the public to get working capital, but the plants were paid for largely in stock.

Mr. SHARP. You have no means of knowing the value of those plants at that time?

Mr. WEEKS. Auditors were put on those plants, as is usual and customary in such matters, and the auditors made their estimates of the value of the plants, and the assembled estimates of the value of all these plants was, I understand, about $25,000,000. Its value depends on whether a plant is in operation or idle. The machinery in an idle plant may be of value, because it may be removed, but an idle plant itself is of very little value. It depends on whether it is being conducted in such a way as to produce a profitable business or not.

Mr. FITZGERALD. How much stock was issued against the $25,000,000 of assets?

Mr. WEEKS. The amount of stock issued against the $10,500,000 of quick assets, and the $25,000,000 real estate and machinery was $20,000,000 preferred stock and $29,000,000 common stock, on which no dividends have ever been paid.

Mr. FITZGERALD. That is about 30 per cent in excess of the actual investment.

Mr. WEEKS. If you assume that the preferred stock was worth par that would leave a value of $15,000,000 against $29,000,000 of common stock, which would have made the common stock worth about 50 cents on the dollar. It has never sold at 50 cents on the dollar, and has never paid a dividend.

Mr. FITZGERALD. Were these widows and orphans who have invested in this common stock among the persons you have spoken of?

Mr. WEEKS. I do not know of any widow or orphan who has invested in the common stock. I do not think there are any women and children who have done so. It is not the practice in New England for women and children to invest in non-dividend-paying and speculative stocks.

Mr. FITZGERALD. Was any of that common stock issued as a bonus with the preferred.

Mr. WEEKS. The stock was all issued at the same time. I have not the circulars before me; but I assume—and I think I am correct in assuming—that a statement was made of the value of the quick assets of the company, of the real estate, of the good will, and of the other items that go to make up a manufatcuring business, and the aggregate issue was $49,000,000.

Mr. CLINE. Will the gentleman yield?

Mr. WEEKS. I will yield to the gentleman.

Mr. CLINE. I would like to ask the gentleman if he has now the figures showing the present surplus?

Mr. WEEKS. The surplus is about $31,000,000.

Mr. O'SHAUNESSY. Mr. Chairman, will the gentleman yield?

Mr. WEEKS. I will yield to the gentleman from Rhode Island.

Mr. O'SHAUNESSY. I want to know who holds this common stock.

Mr. WEEKS. I am sorry that I have not a stockholders' list. There are in all 12,500 stockholders.

Mr. O'SHAUNESSY. What is the amount of common stock outstanding?

Mr. WEEKS. Twenty million dollars.

Mr. O'SHAUNESSY. And the gentleman does not know who owns it?

Mr. WEEKS. No.

Mr. O'SHAUNESSY. The gentleman says that no women or children own it.

Mr. WEEKS. I do not know of any women or children that own any.

Mr. O'SHAUNESSY. Then the male adults must own it, and they are more foolish than the women and children. [Laughter on the Democratic side.]

Mr. WEEKS. I have no doubt that it is owned by male adults.

Mr. O'SHAUNESSY. Then those male adults have taken chances on $20,000,000, and they are loaded down with $20,000,000 worth of stock that will never pay a dividend.

Mr. WEEKS. I do not know whether it will or not, and I do not know that they are loaded down.

Now, the gentleman from Ohio [Mr. FRANCIS] had another comment to make about this company which I wish to read. He said:

> But this is not all. Here are men and women who have coined their lifeblood, muscle, bone, and sinew into a particular kind of work, and by their diligence and skill have made these mills a success. They are told that their wages hereafter will be a certain reduction; or they can turn out so much more piecework than formerly for their day's work. They remonstrate and threaten to quit their employment and to go to another plant. But there is no other works; they all belong to the same octopus.
>
> These laborers' lives and energies have been trained in this work; they can do nothing else. They have the alternative to be turned out on the commons or take just whatever this trust employer may choose to offer, and so they make dividends again.
>
> Truly, a commercial despotism has been and is sapping the life of the people. These trusts have become partners with our Government and have written the tariff schedules for the past 25 years in their own interest and in the interests of monopoly. Schedule K was written in the interest of the American Woolen Co.

I think I have pointed out that it is not an octopus.

If that statement is true, it is an extremely serious charge. I would like to point out to the committee wherein I do not think the facts justify that statement.

The increase in wages paid by all woolen manufacturers in 1907 over the average for a period from 1890 to 1899 was 31.9 per cent. At the same time the decrease in average hours had been 2 per cent. From the preliminary report issued last April by the Census Bureau relating to woolens and worsted goods I obtained these figures:

In 1899 the per capita wage paid employees in the United States engaged in this industry was $386. In 1904 it was $420 and in 1909 it was $471. In other words, since the organization of the American Woolen Co., and up to 1909, the increase in wages has been 22 per cent.

Now, the Census Bureau for 1905 gives the amount of wages paid in the United States in this industry at $79,000,000, paid

to 185,592 employees, or $425 each. I think I am the last person, Mr. Chairman, in this House to make any comparison between sections of the country for the purpose of sectionalism, but I can not refrain, under these circumstances, when the American Woolen Co. is located in New England, except one factory, which is in New York, to make a comparison with other parts of the country, because these attacks are made against the American Woolen Co. Now, for the United States in 1905 the average wage——

Mr. FRANCIS. Is that rate of wages based on piecework or on daywork?

Mr. WEEKS. Oh, very largely on week work.

Mr. FRANCIS. How largely?

Mr. WEEKS. In Massachusetts, entirely so, as far as I know.

Mr. FRANCIS. Has not that company put its employees on piecework?

Mr. WEEKS. As far as I know, in Massachusetts it is entirely on week work, and the pay roll has to be paid at the end of every week. I do not know of any case where piecework is employed, though I may be mistaken in this statement.

Mr. FRANCIS. Does the gentleman know that it is not?

Mr. WEEKS. Well, I can not say definitely that there is no piecework done. For the United States, the average wage in 1905 was $425. For Massachusetts, the average wage in 1905 was $441. In that State are located nearly one-half of the American Woolen Co.'s plants. For the State of Ohio, the gentleman's own State, the average wage in woolen manufactures that year was $354, or, in other words, we were paying $87 per capita more in the State of Massachusetts—very largely by this American Woolen Manufacturing Co.—than was paid to employees in the woolen and worsted mills in the State of Ohio. I want now to go on and give some other figures. In 1905, in the Southern States—and I want to say that this is a small industry in the Southern States and in many of the Western States—the average wage was $292; in the Western States, $384; in the Middle States, $416. In the New England States, where all but one of the mills of the American Woolen Co. are located, it was $441, or some $150 more than in the Southern States, at least $50 more than in the Western States, and $25 per capita more than was paid in the Middle States of this country. I do not make these comparisons for any other purpose than to show that this industry, which is located in New England, has not been paying, comparatively at least, restricted or unfair wages to its employees.

Mr. SIMS. Mr. Chairman, will the gentleman yield?

Mr. WEEKS. Certainly.

Mr. SIMS. As far as the tariff laws may affect this industry, they affect it in all sections of the country alike.

Mr. WEEKS. Yes.

Mr. SIMS. And therefore wages in the same employment are not uniform, although the tariff is uniform.

Mr. WEEKS. I want to explain to the gentleman that the wage scale paid is largely dependent, or to a considerable extent, on the size of the industry. You will find that in every community where there is a very large industry the wage scale is always higher than it is in a place where there is one mill or a small industry. That means there is more competition, and it means, furthermore, that a person brought up in definite employment is always in demand. They go sometimes from one mill to another, but anyone who has been well trained in any industrial employment always has a market for his or her labor; and that is frequently the reason why wages are higher in the larger centers.

Mr. SIMS. Does it not further show that those who employ labor always get it at the lowest price it can be had at the particular place where it is employed?

Mr. WEEKS. Mr. Chairman, I do not want to specifically deny that. That is one of the elements that enters into all of these matters. The American Woolen Co.'s average wage for an average of 52 weeks in the year 1909 was at the rate of $539.76 per capita, or $10.38 per week. I want to call attention to the fact that this includes all classes of employees—men, women, and children.

Mr. COX of Indiana. Mr. Chairman, will the gentleman yield?

Mr. WEEKS. Certainly.

Mr. COX of Indiana. Right on that point, can the gentleman inform the committee about what per cent of those employees are women and what per cent men?

Mr. WEEKS. I can and I will do that now. Those were the next figures I was coming to. In 1905, in the whole country, there were 94,841 men employed in the woolen and worsted industry, or 52 plus per cent of the whole. In the whole country there were 72,222 women, or 41 plus per cent of the whole. In the whole country there were 12,913 children—and that means under 16 years of age—or 7 plus per cent of the whole. I want to emphasize the fact that the American Woolen Co. is located largely in the New England States, and let me show what that demonstrates as to that point. The men employed in the New England States were 55,704, or 57 plus per cent of the whole, 5 per cent more than the country's average. The women employed were 36,929, or 37 plus per cent, or 4 per cent less than the average for the country. The children employed in the New England States were 5 per cent of the whole, or 2 per cent less than the average for the country; and I have figures here, which I will not take time to read, showing the number of men employed in the different States, as well as the number of women and children. I do, however, want to read this statement which applies to the State represented by the gentleman from Ohio [Mr. FRANCIS], because I think it is very pertinent, these charges having come from him.

In 1905 there were employed in worsted and woolen mills in Ohio 1,823 persons. Of these 558 were men, being 31 per cent of the whole; 994 were women, or 54.5 of the whole; 271 were children under 16 years of age, or 14.8 of the whole. In other words, the number of men——

Mr. FRANCIS. Will the gentleman yield?

Mr. WEEKS. In a moment. In other words, the number of men employed in the Ohio factories were 21 per cent less than the average of the country; the number of women was 13 per cent more than the average for the country; and the number of children employed was 7.8 per cent more than the average for the country.

Mr. FRANCIS. I am not undertaking to defend that situation; but does not that account for the higher wage the gentleman speaks of in New England, that you employe more men, more skilled labor?

Mr. WEEKS. Let me say to the gentleman from Ohio that his own State in that respect makes the worst showing of any State in the Union which I have investigated.

Mr. FRANCIS. Is it not a fact our State is not a wool-manufacturing State at all——

Mr. WEEKS. It is not a large producer, but you manufacture 10 times as many wool goods as many of the States which make a much better showing.

Mr. SHERLEY. The New England mills successfully compete with these other mills where they have cheaper labor, do not they?

Mr. WEEKS. Yes; because they have better selling methods, probably.

Mr. TRIBBLE. Is that because you get a higher duty on the fine fabrics you put out, while we people of the South make the coarse fabrics on which there is a less duty?

Mr. WEEKS. I do not think so.

Mr. SHERLEY. I am speaking of the same fabric.

Mr. WEEKS. I understand. Mr. Chairman, one other point I wish to touch on, and that is the question of wool itself. It has been stated here several times that the price of wool has been depressed by the American Woolen Co. or by combinations. The price of wool does vary with conditions of the trade, and for other reasons, as has been stated here this afternoon both by the questions and, I hope, by the answers which I have tried to give. But the fact is the price of wool in this country has gradually increased during the last 10 years. The increased number of pounds produced has been 7 per cent and the increased value has been something like 40 per cent in that time. The increase has been almost steady from year to year up to last year. I do not think that will probably be true this year; but the fact is, we are not increasing our wool output; we are about holding our own, as shown by the following table:

Total value of wool clip of United States, including both fleece and pulled wool, based on scoured value in Boston.

Years.	Wool, washed and unwashed.	Total value.
	Pounds.	
1901	302,502,328	$51,164,709
1902	316,341,032	60,679,127
1903	287,450,000	58,775,373
1904	291,783,032	64,940,959
1905	295,488,438	80,415,514
1906	298,915,130	79,721,383
1907	298,294,750	78,263,165
1908	311,138,321	61,694,616
1909	328,110,749	88 829,746
1910	321,362,750	72,489,838

And the world is not increasing its output very much. I want to call the attention of the committee to this one fact, that the wool industry and the sheep-raising industry in this

country is, in my judgment, at the parting of the ways. We have got to decide, as Representatives, whether it is wise for us to abandon this industry or whether we are going to maintain a sufficient duty to protect and preserve it. There are some two or three hundred million dollars invested in it, employing a great many thousand men; the manufacturing industry itself employs nearly 200,000 people; there are tens of thousands of stockholders, as I have indicated, with their money invested in this industry, and we want to have a care whether we are going to deliberately abandon the industry and let it go, or whether we are going to maintain it by protecting it; and, as I say, we are at the parting of the ways. My judgment is that the wool industry is going down if we do not impose a higher rate of duty than carried in this bill. Now, if it goes down, my judgment also is that the American manufacturer in the end will not get any lower prices for the wool which he must buy than he is getting to-day. The wool will be raised abroad—what can be. The total output of the world has not increased very much and probably will not, so the price of wool will gradually increase anyway for a term of years, but it will increase faster if we abandon the industry in this country, in which case I have no doubt the foreigner will do what he always does, increase his price, putting in his own pocket what he is now paying into our revenues.

Mr. SHARP. Will the gentleman permit an interruption? I agree with the gentleman fully in his observations, and do not challenge them, and he voices my sentiment in regard to raw wool. I wish to ask this question, and that is, whether coincident with the decline in raw material, which in the last 10 years amounted to 40 per cent, from 31 or 32 cents to 22 or 23 cents, whether there has been a corresponding decline in the price of the manufactured goods by the manufacturer, who generally lives in the East?

Mr. WEEKS. I can not answer that definitely, but will go into the question of profits.

The American Woolen Co., after making the charges off which I have described, after adding the additional capital which has been taken in during the life of that company, has made, I believe, a net earning of between 8½ and 9 per cent on its preferred stock outstanding. I am not an expert bookkeeper, but I have spent a good deal of time in going over the figures of the company, and it is my judgment that the net earnings of that company have been equal to a 7 per cent dividend on preferred stock, which has been paid, and about 1½ to 2 per cent in addition to that. I think the American Woolen Co. has been more prosperous than most other woolen industries in this country—at least, more profitable than they have averaged. The woolen business is intensely competitive. The output of the American Woolen Co. has averaged over $40,000,000 in the past 10 years. This year it will be very much less than that, although they have added to their plant within the last 2 years the finest mill in the world. They are not now working more than two-thirds time. The industry is exceedingly slack; and when it is so, then the price of wool must be low.

Mr. SHARP. That does not quite answer my question. I wish to know whether the price of manufactured goods has declined along with the price of raw wool?

Mr. WEEKS. I think, relatively, but I have not the figures at hand.

Mr. SHERLEY. The increase in capital stock, or the money received for that capital stock, goes into buildings and improvements and capital of the company?

Mr. WEEKS. I pointed out as well as I could that the $20,000,000 additional capital was paid for at par, so that $20,000,000 went into the business of the company. Whether that particular money, or some part of it, went into a building, or additional working capital, which is necessary, as the business has increased, I do not know, but the net quick assets are greater now than they ever have been.

Mr. SHERLEY. It is very important whether the $20,000,000 went in the capital account or not.

Mr. WEEKS. I pointed out all the suitable charges off on account of real estate, losses, and other matters. But I am glad the gentleman has spoken of that, because it reminds me of another thing to which I should have referred. The American Woolen Co. sells its own output. The commission which the ordinary manufacturer—especially the small manufacturer—pays for selling his goods is 5 or 6 per cent, including the charge the commission merchant makes for guaranteeing the manufacturer against loss. It is probably 6 per cent. On the output of the American Woolen Co. that would be $2,400,000 a year. But they sell their own goods. The expense of selling the goods is included in their general statements. If the net profit on that business—and I think it ought, at least, to be 2 per cent—were segregated from the other profit, it would bring the net profit for 10 years of the American Woolen Co. as a manufacturing business down to about 7 per cent, the amount paid on its preferred stock.

Mr. SHERLEY. Practically there was $25,000,000 when the company started?

Mr. WEEKS. That was the value of real estate, fixtures, and so forth, and $10,000,000 quick assets.

Mr. SHERLEY. Since then there have been $20,000,000 put in by the sale of the preferred stock?

Mr. WEEKS. Yes.

Mr. SHERLEY. That makes $55,000,000. According to the gentleman's statement there is $31,000,000 of surplus and there has been over $20,000,000 in dividends. When the gentleman charges surplus and dividends together he has an amount equal to the amount invested in the company.

Mr. WEEKS. If the gentleman from Kentucky will have patience and will look at my figures, he will see that I have not made such a statement and that he is entirely mistaken in coming to that conclusion. I have assumed, by making suitable charges off, suitable additions to the plant, and I have shown the amount of money spent on the plant——

Mr. SHERLEY. That is not wasted money that goes on that plant.

Mr. WEEKS. And taking into consideration the dividends paid and the additional surplus the company has acquired, including the profits made from selling, that it has made 8½ per cent annually on an average on its preferred stock and paid 7. The dividends should not be considered in making up a statement at this time, because they represent interest on the capital.

Mr. SHERLEY. The figures will speak for themselves as to the gentleman's conclusion and mine.

Mr. WEEKS. Yes.

Mr. FRANCIS rose.

The CHAIRMAN (Mr. SISSON). Will the gentleman from Massachusetts yield to the gentleman from Ohio?

Mr. WEEKS. Yes.

Mr. FRANCIS. How much money has this company borrowed during this time?

Mr. WEEKS. Whatever money the company has borrowed has been repaid, with the exception that at the end of the last current year the current liabilities of the company were something like $5,000,000 and the current assets of the company were something like $36,000,000, leaving a net balance of $31,000,000.

Mr. FRANCIS. I will ask the gentleman if it is not a fact that they have just issued in the last year $3,500,000 of 4½ per cent equipment notes?

Mr. WEEKS. I have not any such information, and I think the gentleman is mistaken.

Mr. FRANCIS. I had this from Hibbs & Co., one of the authorities on that subject.

Mr. WEEKS. I have been over the statements of the company, and the only securities issued have been the preferred stock, and the last issue was in 1909.

Mr. FRANCIS. Anyhow, the gentleman has not got that information?

Mr. WEEKS. I have not the information, and I do not think that is correct. I took my figures from the Bureau of Statistics, the reports of the Census Bureau, and the annual statements of the company. I do not know anything about Mr. Hibbs's figures.

Now, Mr. Chairman, it has been suggested that the product of the American Woolen Co. is a cheap product; that the people of this country were being obliged to buy a cheap article from which their clothes were made.

Mr. CLINE. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Massachusetts yield to the gentleman from Indiana?

Mr. WEEKS. I do.

Mr. CLINE. I want to beg the gentleman's pardon for interrupting him, and to thank him for the time he has yielded to me. I wanted to ask him a question before he got away from the question he is discussing. It is very evident from the statement made by the gentleman from Massachusetts that this corporation inside of 10 years has trebled, if not quadrupled, its assets.

Mr. WEEKS. Its quick assets?

Mr. CLINE. Not its entire assets.

Mr. WEEKS. Not at all. Its quick assets, and when I say "its quick assets" I include the cash, inventories at cost, and bills receivable on one side of the ledger, and current liabilities, such as bills payable and current bills payable from month to month, on the other, and that it has increased the net amount of these two items by $20,000,000.

Mr. CLINE. Does not the gentleman think it is fairly deducible from the facts stated here that this corporation has an abnormally undue influence in the field of trade; that it paid an 8 per cent dividend——

Mr. WEEKS. A 7 per cent dividend——

Mr. CLINE. A 7 per cent dividend on this large amount of stock——

Mr. WEEKS. Preferred stock——

Mr. CLINE. And earned a surplus of $31,000,000?

Mr. WEEKS. It has not earned that surplus. I have already stated that $20,000,000 in cash had been paid in. I have repeatedly stated that.

Mr. CLINE. I am making this statement partially from the speech delivered by the gentleman's colleague [Mr. MURDOCK].

Mr. WEEKS. I regret very much that Mr. MURDOCK is not here to-day. I notified him that I was going to criticize his statement, but I do not like to criticize the statements of a colleague when he is away, and therefore I have refrained from doing so. But I am frank to say that I think the gentleman from Kansas [Mr. MURDOCK] has been imposed upon in the figures which he submitted to the House the other day. In most particulars they were very far from the facts.

Mr. CLINE. I will say that I value the opinion of the gentleman from Massachusetts very much on this question, and I wanted his candid opinion on the question as to whether the company did not have an undue advantage in the market.

Mr. WEEKS. I do not think so. And I want to say to the gentleman that when money loaned on anything like real-estate security commands interest rates of 5 and 6 per cent the man who is putting his money into an industrial business which is paying only 7 per cent, with all the risks that go with that business, is taking large chances in the investment of his money.

Mr. CLINE. The company has been making good all this time.

Mr. WEEKS. The company has done well; and I will say to the gentleman that the company has done better than the average woolen and worsted business.

Mr. CLINE. Is not the stock of the company above par now?

Mr. WEEKS. No; it is selling at about 92. If all the stock that the company had outstanding to-day were sold at the market price, the net amount would be about $42,000,000.

Mr. CLINE. You are taking into consideration the common stock.

Mr. WEEKS. I am taking into consideration the market price of the common stock and the market price of the preferred stock, which, taken together, would aggregate about $42,000,000.

Mr. CLINE. But you say the parties who hold the common stock never parted with any consideration for it?

Mr. WEEKS. I did not say that. I am talking about the market value.

One more false impression which I wish to remove, though I apologize for taking so much time—that the quality of goods manufactured by worsted and woolen manufacturers in this country has not depreciated, but has been constantly increasing. I get this information from the preliminary statement made by the Bureau of the Census, and published on April 4, 1911. This statement shows that there have been some interesting and important changes in the character of materials used during the past decade. The quantity of wool consumed by worsted and woolen manufacturers, in condition purchased, increased from 330,179,000 pounds to 474,751,000 pounds, or 44 per cent. Reckoned on a scoured-wool basis, the increase was 50 per cent.

The quantity of raw cotton consumed decreased from 40,245,000 pounds to 20,055,000 pounds, or 50 per cent, while the amount of cotton yarn purchased increased from 35,343,000 pounds to 39,169,000 pounds, or 11 per cent. The net result is a decided decrease in the amount of cotton used as a material by woolen manufacturers.

The figures also show a marked decrease in the use of shoddy. The quantity purchased decreased 35 per cent, and the amount manufactured in woolen mills for use therein fell off 10 per cent. In 1899 the total amount of shoddy consumed by woolen and worsted manufacturers was 68,663,000 pounds. In 1909 it was only 53,621,000 pounds.

In other words, the amount of wool that has gone into the cloth worn by the people in this country in the past decade has increased 50 per cent at the expense of cotton and shoddy, which have been displaced by the wool.

Now, just one more point.

Mr. PAYNE. Does the gentleman see any argument in that last statement on shoddy for the present bill, which reduces the duty from a prohibitive duty to one of 20 per cent?

Mr. WEEKS. Undoubtedly the amount of shoddy that is being used has been falling off; but if you reduce the duty I should think it would increase the importations of shoddy, and that we would get that much more shoddy in our clothing.

The amount of wool used per capita, including both domestic and foreign wool during the year 1910, in this country was 6.95 pounds, including the wool in imported fabrics.

Helmuth Schwartze & Co., of London, in their annual wool report, say that the per capita consumption of wool in Europe and America together in 1910 was 4.99 pounds. In other words, we used in this country 1.96 pounds per capita more wool than the rest of the world did. Of course, under those circumstances, we must have used materially more, because our figures are included in the world figures, as stated by these authorities.

Just one word more. I have taken the time to prepare these figures, because it seemed to me that the gentleman from Ohio [Mr. FRANCIS] and the gentleman from Kansas [Mr. MURDOCK] and other men who have spoken on this subject have had figures submitted to them which have not correctly stated the facts, which have imposed on them, and which, through them, have imposed on the knowledge which this House should have.

I do not know exactly what ought to be done about this woolen and worsted and wool schedule. I hope I will have some information on which I can base an opinion some time, but I want information, and before any change is made, I want to know why it is made. Of all fools, the biggest fools in the world are those people who fool themselves. [Applause on the Republican side.]

Before taking action in such an important matter as this let us obtain all the available information. It may not even then be complete, but we can certainly take the time to investigate it, cast out that which is false, and base our acts on what remains. The Congress of the United States, responsible as it is for the most far-reaching and important legislation, can not afford to proceed in any other way.

Mr. FRANCIS. Will the gentleman yield for a question?

Mr. WEEKS. I will yield to the gentleman.

Mr. FRANCIS. Under the facts which the gentleman has given us, does he claim that the American Woolen Co. should not be investigated?

Mr. WEEKS. I do not make any claim whatever about that. I have nothing to do with it. The Committee on Rules has that matter in hand, and it would be unbecoming in me to criticize the committee at this time.

Mr. FRANCIS. There should be no objection to it if it is eminently fair, as the gentleman has stated.

Mr. WEEKS. Personally I do not care whether it is investigated or not. If it is doing anything that is not right, I hope it will be investigated; but before an investigation is undertaken a sufficient reason should be given for so doing. [Applause.]

Mr. UNDERWOOD. Mr. Chairman, I now yield one hour to the gentleman from Arkansas [Mr. OLDFIELD].

Mr. OLDFIELD. Mr. Chairman, as a preliminary to what I shall say on the pending bill at this time, I desire to relate briefly some of the important things which this Democratic House has done up to the present time in behalf of the American people. The Sixty-second Congress was convened in extraordinary session, by call of the President, on the 4th day of last April, just a little more than two months ago, and I might add, we, a Democratic House, were called together by a Republican President for the purpose of doing that which a Republican Congress had failed to do. The first thing we did was to cut down the running expenses of this House some $180,000 annually, demonstrating that we were sincere when we said we believed in an economical administration of the Government's affairs. Then we passed the bill known as the Canadian reciprocity bill. The Democrats of this House supported that bill, not because it is as good an agreement as the Democrats desired, not because it is a perfect agreement, but because of the fact that the Democratic Party believes in a reduction of the duties in the Payne-Aldrich tariff law, and this agreement reduces the tariff tax on every item it touches in that law, so far as importations from Canada are concerned. The Democrats also voted for this agreement because we believed, as was often expressed by distinguished Republicans upon that side of the aisle, that the passage of that bill would serve as the entering wedge for the destruction of the protective-tariff system in this country. We believe, and have been preaching for a great many years, that when the Republican Party wrote into the tariff laws such provisions as a duty of 15 cents per bushel on corn, 15 cents per bushel on oats, 25 cents per bushel on wheat, and other like duties on farm products, and telling the farmers that it was for the purpose of protecting them against

foreign competition, that you were deliberately misleading the farmers of the country, for the reason that our country is not an importing country with regard to those products, but, on the contrary, we are an exporting country in such products and our surplus in these commodities is fixed by the foreign price. Hence, we say that you have been fooling the farmers on this proposition and they will find it out when this reciprocity agreement with Canada goes into effect. [Applause on the Democratic side.]

Mr. Chairman, I would be glad to see absolute free trade with Canada, and I think we shall see this brought about within the next two years, when the Democratic Party comes into full control of the Government. [Applause on the Democratic side.]

The Democratic Party in its last national platform declared for publicity before the election of campaign contributions. We believe that the people are entitled to know before they cast their votes what persons and what interests are financing the campaigns of candidates for the Presidency and for Congress. If the directors in the Steel Trust, the Oil Trust, the Woolen Manufacturers Trust, or the great railway and other transportation magnates contribute to the campaign fund of a candidate, we believe the people ought to be advised of the fact before they cast their votes, and let them judge for themselves as to whether the candidates who receive such contributions will be true to the people, or whether they will carry out the will of the interests which put up the campaign funds for their election. [Applause on the Democratic side.] Hence this House, in obedience to the pledge made to the people, passed a bill providing for publicity before the election of campaign contributions. Our party in convention at Denver in 1908 declared that United States Senators should be elected by the direct vote of the people, while the Republican convention at Chicago voted down this proposition. The Democratic Party believes, as it said in that platform, that this reform is the gateway to other reforms. The Democratic Party believes that the United States Senate and the Senators will be more willing and more ready to carry out the will of the people when they are elected directly by the people than when they are elected by the State legislatures. Hence this Democratic House passed a resolution submitting an amendment to the Constitution providing for the election of United States Senators by a direct vote of the people. The Democratic Party believes in bringing the Government just as close as possible to the people, and the Republican Party believes in taking the Government just as far away from the people as is possible. [Applause on the Democratic side.]

The Democratic Party believes in and trusts the people, while the Republican Party believes in the special interests and distrusts the people. However, there is one ray of hope for the Republican Party, and that is, that the time has partially come when a cross between a standpat Republican and the special interests often, but not always, produces an insurgent Republican. [Applause on the Democratic side.]

We have also carried out another platform pledge of our party, by passing a resolution admitting the Territories of New Mexico and Arizona to the sisterhood of States.

Then, we have passed the bill known as the farmers' free-list bill, which, while the Government loses about $8,000,000 in annual revenue, yet the farmers will be saved about $200,000,000 in tariff taxes, which under the Payne-Aldrich tariff law goes into the pockets of the manufacturers of the articles we have placed on the free list in the farmers' free-list bill.

The following are a few of the articles used by the farmers which are placed on the list free of duty: Plows, tooth and disk harrows, headers, harvesters, reapers, agricultural drills and planters, mowers, horse rakes, cultivators, threshing machines and cotton gins, farm wagons and farm carts, and all other agricultural implements; cotton bagging and cotton ties; boots, shoes, harness, saddles, and saddlery; all kinds of fence wire, lumber, shingles, and fence posts, sewing machines and all parts thereof, and salt, that prime necessity which all of the people are obliged to use.

Mr. Chairman, the Democratic Party has taken another step in behalf of the masses of the people in the presentation of this bill which is now before the House. The wool schedule is the one schedule which the President admitted that the Republican Party could not revise downward, owing to the great influence the woolgrowers and the wool manufacturers had with the Republican Party in 1909, when the Payne-Aldrich bill was written. The Payne-Aldrich law carries an average rate on wool and woolens of more than 90 per cent, while the present bill, framed by the Democrats of this House, has reduced the duty to an average of 42½ per cent. While personally I would have preferred to have seen written in this bill wool free of duty, yet it is a good bill and one which every Democrat ought to support, and, in fact, every Republican who desires better and cheaper woolen clothing for the 90,000,000 Americans should also support it. As I said, I am in favor of free wool, for the reason that, in my judgment, it has been the policy of the Democratic Party for a great many years, and for the further and more convincing reason that it is right. [Applause on the Democratic side.]

Mr. Chairman, let us examine the record and ascertain, if we can, what the policy of the Democratic Party has been on the wool question. In his majority report on the Democratic tariff bill of 1886, Mr. Morrison, of Illinois, speaking for the Democratic majority of the House, made the following statement concerning wool:

> When, at the beginning, a revenue was found necessary to our national existence, wool, with everything imported, was taxed. From then until now some qualities of wool have paid some rate of duty. For many years last past the rate on imported wool has been more than double that imposed on other products of the pasture, field, and farm. These other lower tax-protected products have outrun or kept far in advance of the wondrous growth of our population. Wool, protected double as much, has fallen further behind. Wool finds its market at home and its price is increased by a tax, part of the burden of which must be borne by the grower of other farm products, whose surplus in foreign markets fixes his price at home, and to the increase of which his woolgrowing neighbor contributes nothing. The price of wool has been downward for many years; it declined when the tax was highest and the protection greatest. From the statements of the Ohio and other woolgrowers' associations (see S. Ex. Doc. 72, pp. 224–227) it appears that the market price of wool is not three-fourths of the actual cost of production; that with the existing protective rate of 10 cents on the pound the price is still 10 cents below the price at which it can be profitably grown in the great woolgrowing States of Ohio and Pennsylvania. It appears, therefore, that the attempt to make woolgrowing profitable by the use of the taxing power has not been successful, while the tax has been a great national hindrance to the woolen manufacturing industry, as well as a most grievous burden upon all buyers of woolen clothing.

[Applause on the Democratic side.]

Mr. Mills, chairman of the Ways and Means Committee of the House in the Fiftieth Congress, in the year 1888, used this language in reporting the Mills bill to the House:

> We say to the manufacturer we have put wool on the free list to enable him to obtain foreign wools cheaper, make his goods cheaper, and send them into foreign markets and successfully compete with the foreign manufacturer. We say to the laborer in the factory we have put wool on the free list that it may be imported and he may be employed to make the goods that are now made by foreign labor and imported into the United States. We say to the consumer we have put wool on the free list that he may have woolen goods cheaper. We say to the domestic woolgrower we have put wool on the free list to enable the manufacturer to import foreign wool to mix with his and thus enlarge his market and quicken the demand for the consumption of home wool, while it lightens the burden of the taxpayer.
>
> The duty on wool now prevents nearly all the better classes of wool from coming into the country; the domestic product can supply only about one-half of the amount required for home consumption. The statisticians of the Agricultural Department put the domestic product for the year 1887 at 265,000,000 pounds. Others place it higher, but none at more than half the annual consumption of our people. It requires about 600,000,000 pounds of wool and other fibers manufactured with it, which are now paying duty, to supply the annual demands of home consumption. Why, then, should we keep out by high duties the foreign wools so necessary to the clothing of the people? The Woolgrowers' Association asks us to put on a duty high enough to prevent the importation of all wools. The Wool Manufacturers' Association asks us to put on a duty high enough to keep out all manufactures of wool. If Congress grants this joint request, what are the people to do for woolen clothing? Are the people to be compelled by Congress to wear cotton goods in the winter or go without to give bounties to woolgrowers and wool manufacturers?

[Applause on the Democratic side.]

In the views of the minority of the Senate Finance Committee on the Mills bill we find this language regarding free wool:

> The minority are firmly convinced that besides the incalculable advantage to the whole country which would result from the placing of wool on the free list it is easily demonstrable that no class will suffer, but that each will reap his share of the benefit. With a consumption of 600,000,000 pounds of raw wool in 1887 and a population of 60,000,000, the average per capita consumption is easily reckoned at 10 pounds, or 50 pounds to the average family of 5 persons, and the northern farmer, constantly exposed to the rigors of our winters, consumes something more than the average.
>
> It requires from 3 to 4 pounds of raw wool to make a pound of cloth, so that from 12 to 16 pounds of woolen clothing for the family will be seen to be a low average. This is now taxed from 55 to nearly 90 per cent. The manufacturer is not benefited, because his finished product comes into competition with the foreign product made not only from untaxed wool but from cheaper wool.
>
> It is reckoned that 3½ pounds make a pound of cloth, and when the manufacturer pays 10 cents per pound duty he is supposed to be compensated therefor by the specific duty of 35 cents per pound on his woolen goods. Now, this is on the assumption that 3 pounds of raw wool make 1 of scoured wool—that is, that the wool shrinks in the cleaning not above 66⅔ per cent.
>
> But many South American and other wools contain more than that proportion of foreign matter, running as high as 75 and 80 per cent. This wool our manufacturer can not buy, because his tax on the cloth would then run from 45 to 60 cents per pound, and his compensatory duty is only 35 cents. Therefore, for these wools the foreign dealer finds no American competitor in the market, and buys them at his own price, and these cheaper wools, untaxed and manufactured abroad, compete here with unfair advantage with our own heavily handicapped woolens, and successfully, too.

Now, if the tax be taken off wools, our manufacturers at once become bidders for this wool against the foreign manufacturer, and, as a certain consequence, the price will rise, and this operates doubly against the foreign manufacturer. He buys his wools dearer and meets untaxed in our markets corresponding grades.

We will import more wools, of course, and in no other way can our great factories prosper, because their capacity is beyond our own wool production. When the factories are turning out more product the employees have steadier work and better wages, and, indirectly, of course, the whole country is benefited.

Under the House bill the manufacturers, with free wool, secure even a higher competitive advantage over the foreign than under the present law or the substitute. The manufacturers will export woolen goods as we now export cotton and leather, and the demand for the wool will better the wool market and encourage increased production, while the average woolgrower himself will reap from cheapened clothing more benefits than he ever did from a tax on his product, which he must himself pay.

The minority, therefore, dissenting from the report of the majority, commend to the Senate and the country the bill of the House of Representatives, No. 9051, as a measure for the reduction of taxes based alike upon justice and good policy.

As the best exposition of the effect of bill H. R. 9051 upon taxation and revenue, the report of the majority of the Committee on Ways and Means submitted with the bill to the House of Representatives is hereto appended, with our concurrence.

ISHAM G. HARRIS.
Z. B. VANCE.
D. W. VOORHEES.

Senator James B. Beck, another great Democrat, filed a separate report on the same bill, in which he says:

The Democrats seek cautiously and prudently to reduce all taxation to the revenue standard, so as to take from the people nothing except for public uses and purposes and only such an amount as is needed to support an economically administered Government, at the same time taking care that no injury is done to any domestic industry, even though unduly stimulated by protection, on whose success the employment of any considerable portion of our people depends. They seek to aid our manufacturers by cheapening, wherever it is possible, the raw materials from which finished products are made, so that the markets for them may be enlarged and extended to other countries, and steadier employment, which extended sales necessarily give, be furnished to those who produce them. We seek thus to enable all of our people to obtain what they need of those products with a less expenditure of money they have earned in their various occupations than they can now.

In his report dated March 1, 1892, revising the woolen schedule by placing wool upon the free list and reducing the duty on woolen manufactures to a revenue basis, Mr. Springer, of Illinois, after submitting facts borne out by Government statistics, among other things makes the following statement:

In view of the many disadvantages and embarrassments * * * to which our domestic manufacturers of woolen goods are subjected by reason of the high duties on wool, and in view, also, of the fact that the imposition of such duties has neither benefited the woolgrowers, the wool manufacturers, nor the consumers of the country, Congress should not hesitate to repeal the unnecessary exactions.

Further on in his report he uses this language:

Woolen goods, or goods composed in whole or in part of wool, including carpets, are articles of universal consumption in this country. Their cost to consumers is very great. It is impossible to estimate accurately how much the people of this country expend on this account. Such goods are absolutely necessary to the health and comfort of the people, and they are entitled to supply their wants in this respect at the lowest possible cost. If the existing law, the McKinley law, imposing an average tax of 91 per cent on such goods when imported, does not increase the price of domestic goods of like character, which do not pay any tax whatever, then the manufacturer receives no benefit from protective tariffs and should not object to their repeal. If domestic goods are increased in price by reason of duties imposed upon foreign goods of like character, the extent or amount of this increase is the measure of protection which domestic manufacturers receive.

In the views of the minority members of the Ways and Means Committee of the House in 1890, when the McKinley bill was written, I find the following language used:

Camel's hair, a raw material extensively used in this country in the manufacture of certain kinds of goods, and which has been admitted free of duty for a great many years, is by this bill taken from the free list and subjected to a tax of 12 cents per pound, which is equivalent to 77 per cent ad valorem. During the last fiscal year we imported free of duty 6,648,097 pounds of this material, which is absolutely necessary to enable some of our manufacturing establishments to carry on their business and supply the goods they are now making for their customers; but if this bill passes and the same quantity is imported next year, it will cost the people $797,771.64 in addition to the value of the hair itself. * * * the bill, in fact, increases the rates of duty on all classes of wool imported into this country. These increases have been made principally upon the demand of a few large flock masters in the State of Ohio, and they will be defended by the majority upon the alleged ground that they are beneficial to the farmers of the country who keep sheep on their lands. The fact is, that wool is one of our least important agricultural products in point of actual value, and by comparison with others even in the State of Ohio. It does not amount to more than 3 per cent of the total value of farm products in that State, from which comes the most constant and urgent demand for high rates of duties, and it is still less in other States.

This statement of the views of the minority members of the Ways and Means Committee, which was presented with the majority report on the McKinley tariff bill, was signed by such distinguished Democrats as John G. Carlisle, Roger Q. Mills, Benton McMillin, Clifton R. Breckinridge, and Roswell P. Flower.

Hon. William L. Wilson, of West Virginia, chairman of the Committee on Ways and Means in the Democratic House of 1893, in submitting the report of the majority members of that committee with regard to imposing and regulating customs duties upon articles imported into the United States, used the following language in the matter of the woolen tariff:

Of the woolen tariff it may be truly said, as was said of the woolen tariff of 1828, that it is the masterpiece of the ultra restrictionists and exhibits all the worst features of the system. Although the imports of 1892 show an average duty of 95.82 per cent in the woolen schedule, it can not be said that woolen manufacture has been a flourishing industry in this country, or that the American woolgrower has secured remunerative prices for his wool. With free wool we anticipate great benefits to consumers of woolen goods, a revival of the woolen industry, such as that which followed the tariff of 1857, and a steadier and better market for the American woolgrower.

Mr. Chairman, I have read these statements for the purpose of showing that it has been the Democratic policy for a great many years that wool should be placed upon the free list. I have not selected isolated statements in the speeches of various Members of Congress and Senators, for the reason that such statements might be subjected to the criticism that they were only the statements of individual members of the party and not of the party itself. These statements represented the policy of the Democratic Party at the time they were written. Hence, Mr. Chairman, I feel that when I follow in the footsteps of such distinguished Democrats as Roger Q. Mills, William L. Wilson, William R. Morrison, John G. Carlisle, Benton McMillin, Clifton R. Breckinridge, Roswell P. Flower, Isham G. Harris, Z. B. Vance, Daniel W. Voorhees, and James B. Beck, I am on solid Democratic ground. [Applause on the Democratic side.]

Mr. Chairman, I believe it is admitted by all persons at all familiar with the subject that all civilized nations except the United States have untaxed wool. Hence, in order that our manufacturers may compete in the open markets of the world with an equal chance with foreign woolen manufacturers, then, as a matter of justice, our home manufacturers should at least be placed on an equal footing with foreign manufacturers so far as the raw wool is concerned. For this reason, in the present bill, and in every other bill where a duty is laid on wool, an additional duty is levied on the manufactured article to compensate and repay the manufacturers for the additional price they are compelled to pay for their wool because of the duty on the raw material. This being true, I preferred, when the bill was being discussed and adopted in the Democratic caucus on the first day of the present month, that wool should go on the free list. However, a majority of my Democratic colleagues, in their wisdom, determined otherwise. Since the caucus has spoken, I shall support this bill enthusiastically and sincerely, as it is infinitely a better bill than the present law. [Applause on the Democratic side.]

The Democratic caucus, on the first day of this month, at the time this bill was adopted, also adopted the following resolution:

Resolved, That the bill revising Schedule K, as presented to this caucus by the majority members of the Ways and Means Committee, is not to be construed as an abandonment of any Democratic policy; but in view of the Democratic platform's demand for a gradual reduction of the tariff and of the depleted and depleting condition of the Public Treasury, as a result of Republican extravagance, a tariff of 20 per cent ad valorem on raw wool is now proposed as a revenue necessity.

Hence, I take it that the duty of 20 per cent ad valorem on raw wool in this bill was because of the revenue which this item will produce. In other words, an ad valorem rate of 20 per cent on raw wool will produce more than $13,000,000 in revenue, and the necessity for raising this revenue explains why wool is not on the free list in this bill. And I also take it that just as soon as the state of the public revenues will permit, raw wool will be placed on the free list. We all know that the appropriations have been made, aggregating more than $1,000,000,000, for the next fiscal year, and by a Republican Congress, and the necessary revenue must be raised by this Democratic House.

Robert J. Walker, the great Democrat, who was Secretary of the Treasury in 1845, laid down the following rules, which ought always to be strictly observed in the writing of a Democratic tariff bill:

First. That no more money should be collected than is necessary for the wants of the Government economically administered.

Second. That no duty be imposed on any article above the lowest rate which will yield the largest amount of revenue.

Third. That below such rate discrimination may be made, descending in the scale of duties, or, for imperative reasons, the article may be placed in the list free from all duty.

Fourth. That the maximum revenue duty should be imposed on luxuries.

Fifth. That all minimums and all specific duties should be abolished and ad valorem duties substituted in their places, care being taken to guard against fraudulent invoices and undervaluations and to assess the duty upon the actual market value.

Sixth. That the duty should be so imposed as to operate as equally as possible throughout the Union, discriminating neither for nor against any class or section.

Now, Mr. Chairman, there has been some dispute as to what the policy of the Democratic Party has been with regard to free raw materials, so let us examine the record and ascertain

the policy of the Democratic Party at all times in the past when the question of free raw materials was being by it considered. I take the position that untaxed raw materials of manufactures has been the policy of the Democratic Party, and desire to submit the proof. In a letter written to the people by Robert J. Walker, November 30, 1867, he uses the following language:

* * * But the tariff of 1846, although it remained much longer in operation than any other tariff and produced much more beneficial results, was susceptible of great improvements, especially in its application to the present condition of our country. First, the raw material of manufactures, as recommended in my first annual report, should be duty free, as is the practice of all enlightened nations. This proposition then made by me was to some extent defeated at that time by Mr. Calhoun. His argument was this: That, so far as no revenue was collected on the raw material of manufactures imported here, we must make good the loss from other articles, and that this was an unjust and unconstitutional discrimination in favor of American manufactures. My answer was, first, that it would never be unconstitutional to permit any one or more articles to come in duty free; second, that Mr. Calhoun had agreed to a large free list in the compromise tariff of 1832; third, that, in point of fact, there was no real loss of revenue, but a real gain, resulting in this way: That as our imports were measured by our exports, specie only liquidating occasional balances, and that as we reduced our exports we were necessarily diminishing our imports and decreasing our revenue. To illustrate this I said that dyestuffs are now free from duty and we have a considerable export of dyed goods to foreign countries; but if we impose a tax upon dyestuffs, which are admitted duty free by all other countries, we shall either annihilate or gradually diminish our exports of dyed goods, correspondingly decrease our imports, and diminish the revenue. This proved to be the case, as is shown by the tables of our exports of dyed goods under the tariff of 1846 as compared with those of 1842. After a close investigation of this subject and after examining the tariffs and the manufacturing establishments of foreign countries in 1851–52 and 1863–64 I am convinced that to admit the raw material of manufactures in all cases duty free would greatly increase our wealth, augment our exports, imports, and revenues, and diminish the burdens of taxation. Let us remember that in taking the duty off the raw material the consumers—the people of the United States—get the manufactured article at a lower rate. This, then, is another step in the reduction of taxes.

Mr. Chairman, you will observe that Mr. Walker says the then distinguished Senator from South Carolina, Mr. Calhoun, defeated the proposition of free raw material in the tariff bill of 1846. Recently I was reading one of Mr. Calhoun's speeches on the tariff and found this expression: That a tariff law should be written so that there should be "equal burdens and equal benefits." Which at first blush is very confusing. But upon analysis from a Democratic standpoint the fallacy should be easily discovered. In the first place, to my mind, it is not Democratic doctrine, for the reason that the Democratic Party has always held to the proposition that any tariff is a tax and any tax is an evil, therefore, they should be laid so that the burden shall be as nearly equally borne, as is possible, by all the people. But when you go one step further, as Mr. Calhoun did, and say that a tariff should also be laid so that the benefits should be equally distributed among the people, then you destroy the doctrine that taxes are burdens, and, therefore, evils, but you say in effect that taxes are good things and put money into the pockets of the people. I say that is a Republican doctrine and the very doctrine that the Republican Party has always carried out in their tariff legislation, and the effect has been that they have legislated money out of the pockets of the people and placed it in the coffers of the special interests. By their tariff legislation they have enriched the few at the expense of the many. By their tariff legislation they have made it possible for one man "to get without earning what another man earns without getting." They have enabled the slimy hand of greed to pick the pockets of the poor. [Applause on the Democratic side.]

Mr. Guthrie, Secretary of the Treasury in 1856, made the following statement regarding free raw materials in his recommendation of the tariff bill of 1857:

In recommending for the third time the remodeling the schedules of the tariff act of 1846, and the reduction of the revenue from customs, I have felt constrained, by a conviction of its propriety, again to recommend as one of the modes of reducing the revenue, that the raw material used in our manufactures should be admitted free of duty.

Under laws of great wisdom and forecast, all manufacturing countries, except the United States, now admit the raw material used in their productions free of duty, thereby giving constant and profitable employment to capital and labor, and enabling their factories to furnish a cheaper article, and better command both the home and foreign market, with beneficial employment to their tonnage in making the exchanges.

The United States, under the Federal Constitution, enjoy perfect freedom of trade with each other in all their agricultural, manufactured, mineral, and other productions. As to the raw material produced in the United States and used in the factories of other countries, those countries under their laws obtain the raw material free, whilst we deny to the raw material produced in those countries and used in our factories the same freedom, thus failing to allow the same constant and profitable employment of our capital and labor, and the same beneficial occupation of the home and foreign market with cheap articles of our own manufacture and the same beneficial employment of our tonnage in making the exchanges.

Further on in this same report this great Democrat says:

The principle is recognized that taxes should only be levied for the purpose of revenue, and I think it clear, inasmuch as the duty is not needed, that the principle would not be violated by authorizing the admission of the raw material used in our manufactures as proposed free of duty. It is suggested in contravention of the legislation of other manufacturing countries, and as an indirect reduction of taxes on the consumer of the home-manufactured article, and may well be considered a step in advance toward free trade.

Hon. William R. Morrison, of Illinois, reporting the Democratic tariff bill of 1886—and he was speaking for the Democratic Party in the lower House of Congress—among other things, said:

The duties intended to be removed by the bill are chiefly those which tax articles used by our own manufacturers, which subject them to a hopeless competition at home and abroad with the manufacturing nations, none of which taxes such materials, that our own manufacturers may successfully compete both at home and abroad with manufacturing nations which do not tax such materials, thus securing markets for the products of hands now idle for want of work to do.

Mr. Mills, in 1888, in reporting the Mills bill to a Democratic House, and which was adopted by a Democratic House, made the following statement regarding free raw materials:

With the markets of the world open to us our manufacturers may run their mills on full time, give constant employment to their laborers, with a steadily increasing rate of wages. With the markets of the world open to the sale of their products they will create an active and constant demand for all the raw materials required in manufactures, which will stimulate, promote, and reward the woolgrowers and the producer of cotton, hemp, flax, hides, ores, and other materials of manufacture. We are the largest producers of cotton in the world, we are second in the production of wool, we put on the markets annually quantities of hemp and flax, and our country is full of ores and coal. What we need is manufactures enough to consume all the annual product of these materials and create an active demand for them, so that our workmen may be constantly employed and receive high prices for their labor. To accomplish this our manufacturers must have markets for the sale of their wares, and these markets are to be found in foreign countries as well as at home. To take the foreign market from the foreign manufacturer we must produce our goods at a lower cost than he can. The principal elements of cost are labor and material. In many of our manufactures the labor cost is lower than in any country in the world, and if the cost of materials were as low here as in foreign countries we could produce our goods more cheaply than they and largely increase our exports to foreign markets. The annual product of our manufactories is now estimated at $7,000,000,000, of which amount we export only about $136,000,000, or less than 2 per cent. If we could obtain free of duty such raw materials as we do not produce and can only be procured in foreign countries, and mix with our home product in the various branches of manufacture, we could soon increase our exports several hundred millions. With untaxed raw materials we could keep our mills running on full time, our operatives in constant employment, and have an active demand for our raw materials in our own factories. If there should be no duty on any materials entering into manufactures, many articles now made abroad would be made at home, which, while it would give more employment to our own labor, would give a better market to many articles which we produce and which enter into manufactures, such as cotton, wool, hemp, flax, and others. With this end in view we have gone as far as we could and done what we could in the present condition of things to place our manufactures upon a firm and unshaken foundation, where they would have advantages over all the manufacturers of the world. Our manufacturers, having the advantage of all others in the intelligence, skill, and productive capacity of their labor, need only to be placed on the same footing with their rivals in having their materials at the same cost in the open markets of the world.

It will be remembered, I am sure, that when this bill reached the Senate from the House, naturally the Republicans were prepared to war against its adoption in that body, and did attack the measure from every possible quarter, but in obedience to the pledge of their party to the people and in compliance with the command from their own consciences, we find supporting this tariff bill in opposition to the forces against them, with all the strength and power that knowledge of being right gives in battle, such tried and true Democratic Senators as Isham G. Harris, Z. B. Vance, Daniel W. Voorhees, and James B. Beck, who were the Democratic members of the committee in the Senate having this bill in charge.

Hon. Richard Coke, in a speech in the United States Senate, I think stated the Democratic position very clearly when he said:

Give us free, untaxed machinery and free raw material, such as coal, ore, wool, jute, and other textile products, these being the bases of all manufacture; a tariff devoted solely to raising revenue for the support of the Government will doubly protect the American workingman's wages and send our cheapened goods without handicap into foreign markets to meet and defy the competition of the world. All the reasons for placing raw materials on the free list apply with twentyfold power to the machinery which manufactures it.

Not one pound of machinery engaged in the manufacture of any article on the dutiable list, or of raw material entering into any such article, should pay a single penny of tariff tax. All incumbrances, every hindrance, every ounce of weight that can be removed from our products should be taken away and American energy, resources, invention, skill, and genius given a fair opportunity of winning primacy in the commerce of the world. When this grand consummation shall occur, as it must sooner or later, and the sooner the better, the products of the workingman's labor, no longer confined to the home market as now, with its fitful seasons of high demand and glut, or to the manipulations of combines and trusts, will find steady sale in all the markets of the world, and thus will be insured steady employment to the labor which it creates.

I find this language, Mr. Chairman, in the Democratic platform of 1888:

The Democratic Party of the United States, in national convention assembled, renews the pledge of its fidelity to Democratic faith and reaffirms the platform adopted by its representatives at the convention of 1884, and indorses the views expressed by President Cleveland in his last earnest message to Congress as the correct interpretation of

that platform upon the question of tariff reduction; and also indorses the efforts of our Democratic Representatives in Congress to secure a reduction of excessive taxation.

What did Mr. Cleveland say upon the tariff question in his last earnest message referred to in that statement? Let us read it:

The radical reduction of the duties imposed upon raw material used in manufactures, or its free importation, is of course an important factor in any effort to reduce the price of these necessaries. It would not only relieve them from the increased cost caused by the tariff on such material, but the manufactured product being thus cheapened, that part of the tariff now laid upon such product as a compensation to our manufacturers for the present price of raw material could be accordingly modified. Such reduction, or free importation, would serve besides to largely reduce the revenue. It is not apparent how such a change can have any injurious effect upon our manufacturers. On the contrary, it would appear to give them a better chance in foreign markets with the manufacturers of other countries, who cheapen their wares by free material. Thus our people might have the opportunity of extending their sales beyond the limits of home consumption, saving them from the depression, interruption in business, and loss caused by a glutted domestic market, and affording their employees more certain and steady labor, with its resulting quiet and contentment.

But you say we lost the election in 1888. That is true; but when the Republicans came into power they wrote the McKinley law, raising duties and taxing raw materials. These questions were again fought out on the floors of both Houses, the Democrats fighting for free raw materials and a reduction of the duties on manufactures to a revenue basis, while the Republicans in both Houses contended for a protective duty on both raw materials and manufactures. The Republicans had a sufficient number in both Houses to pass the bill, hence it became the law. In the next election, the election of 1892, these questions were fought out before the American people, and the Democrats won. The minority members of the Ways and Means Committee when the McKinley bill was written in the House, being such illustrious Democrats as John G. Carlisle, Roger Q. Mills, Benton McMillin, Clifton R. Breckinridge, and Roswell P. Flower, made a minority report against the adoption of that measure, in which they said:

If it were not for the excessive cost of production in this country, caused by the unnecessary taxation of crude and partially manufactured materials—which are essential in the processes of our industries—we could export and sell every year large quantities of the products of our shops and factories after fully supplying the home demand at reasonable prices. We believe, therefore, that the only manner in which our industries can be helped by legislation at the present time is to exempt from taxation the materials they are compelled to use and to reduce proportionately the taxes on finished products, so that all our farmers, mechanics, and manufacturers may be able to compete on equal terms with those of other countries. This is the policy we advocate and which we desire to see inaugurated and completed just as early and as rapidly as circumstances will permit. The capitalist who has invested his money in these industries, the laborers he employs, and the domestic consumer to whom he sells would all be benefited and nobody would be injured. With untaxed materials it is evident that they could afford to pay their laborers better wages than now and still sell their products to consumers at lower prices than are now charged. Besides this, under such a policy our manufactured products would not be confined, as they are now, almost exclusively to the domestic market, but would enter all the markets of the world and compete successfully with similar products from other manufacturing countries. The opening of these great markets for the sale of our goods would, in our opinion, give constant employment not only to the thousands of laborers now engaged in our manufacturing industries, but would create a demand for many thousands in addition, and unless we are greatly deceived, the time would soon come when there would be no importations of finished articles into this country except such as our own people, for climatic reasons, could not produce or do not desire to produce. The only certain and proper way to stop importations of such products is to make them ourselves so cheaply that no foreign competitor can afford to meet us in our own markets, and this we could undoubtedly do with free materials.

Mr. HARDY. Will the gentleman yield for a suggestion?

Mr. OLDFIELD. I will.

Mr. HARDY. The gentleman refers to the fact that in 1888, after the passage through the House of the Mills bill, placing raw material on the free list, the Republicans won in the next election. The gentleman does not explain the whys, but does state that in 1892, the McKinley bill having been passed in the meantime, putting a tax on raw materials, and the tariff being the subject of discussion and the issue in 1892, the Democrats won, advocating reduction of the tariff and free raw material.

I wish to place in the RECORD right here what has always been ignored by our Republican friends whenever they discuss the defeat of the Democrats in 1888, and to say that that campaign, in my recollection, hinged more on the bloody-shirt issue than any campaign since the war, almost. A great number of pensions were vetoed by President Cleveland, and it was intimated to him that a trip by him to St. Louis would be unsafe. Taking advantage of that action, the Republican Party pitched that campaign largely on the war issues and appealed to war prejudices and sectional feeling. The Democrats were defeated in 1888 not by the Mills bill, but by the old war issues.

Mr. OLDFIELD. I thank the gentleman for the statement.

Hon. William M. Springer, of Illinois, in reporting the Democratic tariff bill of 1892, used this language in discussing the question of free raw materials. Mr. Springer was discussing the duty on wool, when, among other things, he said:

The imposition of this duty, like the imposition of all other duties on raw materials, works a double injury. In the first place, it imposes an unnecessary burden upon the consumers, who in the end pay all the duties with profits added, and in the second place, it destroys the power of the domestic manufacturer to compete with his foreign rival in the production of the goods into which the taxed material is converted.

Now, Mr. Chairman, let us see what the Hon. William L. Wilson, the brilliant Democrat and distinguished chairman of the Ways and Means Committee when the Wilson bill was written, in 1894, said on the question of free raw materials. Mr. Wilson said:

We begin our task by an effort to free from taxation those things on which the industrial prosperity and growth of our country so largely depend. Of all the reductions made in this bill there are none in their benefit to the consumer, none in their benefit to the laborer, that can be compared with the removal of the taxes from the materials of industry. We have felt that we could not begin a thorough reform of the existing system, built up, as I have shown, story by story, until it has pierced the clouds, except by a removal of all taxation on the great materials that lie at the basis of modern industry, and so the bill proposes to put on the free list wool, iron ore, coal, and lumber. I have already said, Mr. Chairman, that I believe no tariff bill could carry any benefit to the American people comparable to the proposed release from taxation of the materials of industry. Better give a workingman untaxed materials to work with than give him untaxed clothing to wear. Better give him untaxed materials on which to exercise his industry than untaxed and cheapened necessaries of life. His wages depend upon the product of his labor. Whatever goes as a tax into the material he uses is a diminution of the wages of the laboring man. As you cheapen his materials you widen the market for his products. With untaxed iron and steel in its cruder forms, or even in the humbler beginning of the ore, with untaxed wool and coal and lumber you enable him to put his finished products on the market at prices that will rapidly and indefinitely increase the number of his consumers, and in this way you secure him steady employment, increasing wages, and that personal independence he can never enjoy in a closed, high-tariff market. Mr. Chairman, I well remember in the first months of my service in this House, during the debate on the first Morrison bill, listening to a speech of Mr. Abram S. Hewitt, himself a great miner of iron and coal and a great manufacturer and employer of labor, in which he proved by a masterly reasoning and array of facts that in the organization of modern industry the only protection of labor against corporate and other capital was in its own organizations and its own trade-unions, and that the only field in which labor organizations can flourish, the only arena on which trade-unions can manifest their power to protect the manhood of their members and the wages of their labor, is a country which throws down the bars and gives the workingman untaxed raw material to work with.

Mr. Bryan, in a speech on this floor in 1892, made the following very lucid statement on this question of free raw materials:

Mr. Chairman, in the first place, I believe we can make no permanent progress in the direction of tariff reform until we free from taxation the raw materials which lie at the foundation of our industries. It also takes away entirely those specific or compensatory duties which were added to the ad valorem rates to enable the manufacturers to transfer to the back of the consumer the burden which a tariff on raw materials places on the manufacturer. The reason why I believe in placing raw material on the free list is because any tax imposed on raw material must at last be taken from the consumer of the manufactured article. You can compose no tax for the benefit of the producer of the raw material which does not find its way through the various forms of manufactured product and at last press with accumulated weight upon the person who uses the finished product. Another reason why raw material should be placed on the free list is because that is the only method by which one business can be favored without injury to another. We are not in that case imposing a tax for the benefit of the manufacturer, but we are simply saying to the manufacturer, "We will not impose any burden upon you." When we give to the manufacturer free raw material and free machinery, we give to him, I think, all the encouragement which people acting under a free government like ours can legitimately give to a free people.

Mr. Chairman, if Mr. Cleveland were alive he would be a Bryan man and Mr. Bryan would be a Cleveland man on this question.

My friends, you may dispute whether free raw materials is a good policy, but you can not deny that it has been the policy of the Democratic Party for more than 50 years.

Mr. Chairman, it has always been the contention of Democrats that if wool were placed on the free list the consumers of woolen clothes would get their clothes cheaper. Now, I am going to prove by such distinguished Republicans as Thomas B. Reed, Julius C. Burrows, SERENO E. PAYNE, JOHN DALZELL, Albert J. Hopkins, and John H. Gear that the Democratic position is now and always has been correct. These distinguished Republicans filed a minority report on the Wilson bill in 1894, in which they used the following language, which may be found at page 336, Senate Document No. 547, Sixtieth Congress, second session:

The majority claims it has conferred a great blessing upon the wool manufacturers by giving them "free raw material." We find this gift is one which the manufacturers have not asked and which they distinctly repudiate as an advantage to themselves. If we could assume for the moment some theoretical benefit to be derived from free wool, it is not the manufacturer who can reap that assumed advantage. If he can make his goods any cheaper because of free wool, he must sell them just as much cheaper, and from that point of view he gains nothing, as his position remains unchanged.

Ah, Mr. Chairman, they say, "If he can make his goods any cheaper because of free wool, he must sell them just as much cheaper, and from that point of view he gains nothing."

Mr. Chairman, this sentence shows the whole theory of Republican tariff laws. They write their tariff laws so that some special interest may gain some advantage over the rest of the people. This principle of Republican tariff making is strongly illustrated in the wool schedule of the Payne-Aldrich tariff law, which this bill seeks to repeal. The woolen schedule in the Payne-Aldrich law is substantially the same as in the Dingley law of 1897. Statistics show that in 1905 our mills produced $142,000,000 worth of woolens, $165,000,000 worth of worsteds, $95,000,000 worth of knit goods, or in all $400,000,000. Now, we imported $23,000,000. We produced about 18 times as much as we imported, and while the high rates in the Dingley law and in the Payne-Aldrich law gave the Government $20,000,000 in duties the consumers were charged the same rates on domestic goods, the Government receiving nothing, while the manufacturers of woolen goods pocketed $360,000,000 profit, and this at a cost to the consumer of $760,000,000 for $400,000,000 worth of goods. [Applause on the Democratic side.]

Mr. Chairman, the startling fact reveals itself, when contemplating the iniquities of the Republican protective-tariff system, that the American consumer, who is the American laborer, instead of receiving protection and benefit from the Republican tariff, as is alleged, is in reality sandbagged, and the footpads of protection steal upon him under the guise of friends. Mr. Chairman, I want to state right here that, from the statistics of the year 1905 with regard to tax on woolens and the given sum collected that year by the Government as revenue from such tax, we find an almost unbelievable discrimination in favor of the manufacturer and against the Government and against the American consumer. We find, Mr. Chairman, that for every dollar of revenue realized by this Government from the duty on woolens the citizen and consumer is taxed and compelled to pay the sum of $18. For every $18 the consumer pays as a tax on woolens under the present Republican protective system the Government realizes only one single dollar in revenue. It is not difficult to calculate who is receiving the protection under the Republican system.

Mr. Chairman, I have heard some discussion among Democrats as to what are raw materials, and I believe David B. Hill gave just about as good a definition of the term as I have seen when he says:

> Raw materials are those productions which are in their lowest and crudest form when they enter commerce.

I think coal, lumber, iron ore, cotton, wool, raw silk, raw rubber, and so forth, are raw materials. Now, I have heard some distinguished Democrats make a statement which was very confusing to me, and which is to the effect that wool is the finished product of the woolgrower, but that it is the raw material of the carder; and after it had been carded and made into rolls it was then the finished product of the carder, but at the same time it was the raw material of the spinner, which became his finished product after it was spun; but yet it was the raw material of the weaver, and became his finished product when made into cloth, but still was the raw material of the tailor. Now, I confess that this has been a confusing problem to me, and I have been for some time trying to find out where this theory originated. Since I had heard distinguished Democrats make this statement I naturally began to read what the great Democrats of the past had said and written upon the subject, but I failed to find such a theory advanced by any of them. Then I began to run down Republican authorities on Republican doctrines, and, lo, I found where the chief high priest of protection for the last 30 years in this country had advanced this confusing theory.

Listen to the inspired oracle of this anointed priest:

> The doctrine of free raw materials, as advocated by tariff reformers, is a difficult one to enforce in legislation. In the usual division of labor, the finished product of one man becomes the raw material of his industrial successor.

Mr. Chairman, this language was used by the distinguished ex-Senator from Rhode Island when he was slaughtering the Mills bill in the Senate in 1888. And I think it would be well hereafter for Democrats, when they make this argument, to give Mr. Aldrich due credit for having originated it. [Applause on the Democratic side.] I know if they had done this in the past they would have saved me considerable time spent in looking it up.

Now, my friends, I would say to Democrats, beware of quoting this Aldrich doctrine as Democratic doctrine, for it is not, but, on the contrary, it is Republican doctrine.

Mr. Chairman, if I were writing a tariff bill I would first place on the free list all raw materials out of which are manufactured the necessaries of life in order that the people could buy these necessaries cheaper than if the raw materials were taxed. Why should not the raw materials out of which the necessaries of life are manufactured be placed on the free list? I dare say there is not a Member on either side of this House who would vote for a duty on wool if wool were not produced in this country. If the necessity for revenue demanded that a revenue duty be placed on any raw materials, I would place this duty on such raw materials as rubber, silk, and such other raw materials as are not produced in this country, and for two reasons: First, because as they would be noncompeting articles, whatever the people might pay for the privilege of consuming them would go directly into the Public Treasury and not into the pockets of the special interests; second, for the reason that when it became necessary to either raise or lower the duties on these articles it would not disturb the business conditions of the country. I would place the highest duties on the luxuries of life, the next highest on the comforts of life, and then I would place on the free list just as many of the necessaries of life as possible.

Mr. Chairman, I think this would have been a better bill if it had provided for untaxed wool, for then there would have been greater reductions of duties in the finished products. However, it is a great reduction of the duties as laid in the Payne-Aldrich law; a reduction from an average of more than 90 per cent ad valorem to about 42 per cent ad valorem, which is a reduction of about 53 per cent. One of the best things in this bill is the fact that it abolishes all specific and compound duties appearing in the woolen schedule in the present law and substitutes therefor ad valorem duties. Under this bill imported articles of little value will pay a small duty, while articles of greater value will pay proportionately a larger duty. Not so in the present law, where blankets, flannels, and clothing are taxed, not according to value, but according to weight or square yard. For example, the Payne-Aldrich law has a provision like this:

> On blankets and flannels for underwear composed wholly or in part of wool, valued at not more than 40 cents per pound, the duty per pound shall be the same as the duty imposed by this section on 2 pounds of unwashed wool of the first class, or 22 cents, and in addition thereto 30 per cent ad valorem, etc.

Here you find a compound duty composed of a specific and an ad valorem duty combined. Under a tariff like this the cheaper blankets used by the poor are taxed higher than the finer and more expensive blankets used by the rich. This discrimination against the poor and in favor of the rich may be found throughout the Payne-Aldrich law.

Mr. Chairman, if any State legislature in this Union should pass a revenue law to raise money to run the State government by placing a provision in such law to tax all houses in the State of the value of not more than $20,000 the sum of $100 annually, what do you suppose the people of that State would think of it? It can readily be seen that under such a taxing system the man who owned the $1,000 house would pay annually 10 per cent in State taxes on his investment, while the man who owned the $20,000 house would pay only one-half of 1 per cent. I dare say no political party could put in force any such statute in any State of the Union and remain in power. Yet this is the very policy the Republican Party pursues in writing the tariff—revenue—laws of the country. What is true of blankets and flannels is also true of woolen clothing.

Now, Mr. Chairman, in conclusion, I would say to those who believe as I do that this bill does not go quite far enough, be not dismayed, for we should remember that it took the people of Great Britain 40 years to rid themselves of this vicious system of protection. Gentlemen no doubt remember that the agitation for a reduction of the tariff in England began in 1820, when that country was suffering from a highly protective system. How were the reductions in England's tariff laws brought about? Not all at once, but gradually. The first reduction was accomplished under the leadership of Huskisson in the years 1824 to 1827. The agitation for still greater reductions continued, when in the years 1841, 1842, and 1843, under the leadership of Sir Robert Peel, a new tariff bill was passed through Parliament making great reductions in the then tariff law which had been written by Huskisson in the years 1824 to 1827. The next step taken by Peel was the repeal of the protective tariff on corn, or the abolition of the famous corn laws, that his people might have cheaper bread in order to sustain life. Finally, the last stage in the reduction of the protective system of Great Britain was accomplished under the leadership of that great English statesman, William E. Gladstone, in the years 1853 to 1860, when practically free trade with the world was established in Great Britain. Hence, it will be seen that it took more than 40 years under the leadership of three of England's greatest and most patriotic statesmen to destroy the system of graft and special privilege known as protection.

Mr. Chairman, now that we have begun the work, I pray God that the people of this country will be able to shake off the shackles of this monstrous system in a much shorter period. [Prolonged applause on the Democratic side.]

Mr. MANN. Mr. Chairman, I yield to the gentleman from Montana [Mr. PRAY] such time as he may desire.

Mr. PRAY. Mr. Chairman, I have always been a firm believer in the wisdom of protection in the United States and I still believe in the protective-tariff policy of the Republican Party; but realizing, as I do, the utter futility of an argument in favor of the maintenance of that policy before the House of Representatives as now constituted, I shall not venture to trespass upon the valuable time of the committee longer than to submit a word or two concerning the woolgrowing industry. I feel quite certain that a few observations from me along this line will not interfere to any appreciable extent with the punctilious observance of the solemn ceremonial agreed upon in the Democratic caucus for the final disposition of this measure, and, as a mere incident thereto, the destruction of the woolgrowing industry in the Western States, providing the bill should become a law, which, to say the least, according to present indications, is extremely problematical.

I think we fully understand over here that this revision is taking place without any regard whatever for any industry that may be affected by the proposed changes in this schedule. I heard a Member on that side the other day congratulate the members of the Ways and Means Committee for their "untiring effort to preserve the great sheep industry," and the day before that a prominent Democratic Member of this House and member of the Ways and Means Committee admitted that the price of wool would be lower if this bill passed than it would be if the present duty of 11 cents were retained. Some of us had already surmised that such would be the effect if the bill should become a law. According to the Yearbook of the Department of Agriculture there were 4,800,000 sheep in Montana in 1910, a greater number than can be found in any other State in the Union.

The wool product, consisting of washed and unwashed wool, amounted to 33,600,000 pounds, or 12,096,000 of scoured wool, the shrinkage being about 64 per cent. Now, in view of the manifest importance of this great industry to my constituents, I trust that I shall be pardoned if I decline to participate in this alleged benefit. Your scheme of revision does not look very good to me, and I might also add that it does not look any better to about 9,000 men directly interested in woolgrowing in my State, to say nothing of thousands of other people engaged in other lines of business who would be injuriously affected by the destruction of this great industry.

Although it might be said that my perceptive faculties are slightly on the bias on account of my environment at home, I want to say to you, my good friends across the aisle, that this bill looks to me like a sort of bounty law, intended as a first aid to Argentina, Cape Colony, New South Wales, Australia, and New Zealand, and to serve the beneficent purpose of exterminating sheep in the United States.

Now, I might go on and demonstrate the utter inadequacy of the rates in this bill from the standpoint of protection to the woolgrower, but that would do no good, for you have already admitted it, and you have gone further and declared that the reason you have not placed wool upon the free list was because of the revenue it afforded to help overcome a deficit in the Treasury, which does not exist. You are now engaged in the rather difficult undertaking of presenting for approval of the country a sample of Democratic tariff revision without hearings and without any evidence of recent origin.

In view of the fact that no hearings have been held, and consequently no proper investigations could take place, it seems to me that a serious mistake has been made by gentlemen on that side in refusing to postpone revision until the tariff commission could complete its work and make a full report to Congress concerning this complicated schedule, which affects probably not less than 500,000 people engaged in the various industries therein represented. I do not doubt that the woolgrowers of my State would be perfectly willing to rest their case upon facts gathered by the Tariff Board.

For my part, I thoroughly believe in the efficacy of a tariff board or commission, and shall continue so to believe until it has been demonstrated that accurate and useful information can not be obtained from that source. I have never heard anybody on this side of the Chamber assert or pretend to claim that the tariff measure enacted during the Sixty-first Congress was all that it should be; even its most ardent advocates have never so stated.

I believe it represents a sincere and honest effort on the part of the Republican members of the Ways and Means Committee to frame a tariff bill in accordance with the time-honored principle of protection to American labor and American industries. That the members of that committee were indefatigable in their endeavors to obtain reliable information relating to the various schedules has never been denied by anybody, so far as I know, who was qualified to express an opinion on the subject. After months of toil and the compilation of 10,000 pages of testimony the bill was finally reported and passed. About three weeks were devoted to the measure at this end of the Capitol and about three months at the other end. The debates on the bill in the other body were, it seems to me, unduly acrimonious and long continued, and it is therefore no occasion for surprise that the people of the country in some localities either passively accepted the bill or else were actively opposed to it. The President said that it was the best Republican tariff bill ever passed, and many high up in the counsels of the party were of the same opinion. No doubt certain schedules can and will be improved through information that will be furnished by the Tariff Commission, which was created by the Republican Party.

But it has been said repeatedly by the enemies of protection that the revision of the tariff in 1909 by the Republicans was not a scientific revision. Well, if after 12 months of investigation and many weeks consumed by the committee in hearings the result was altogether a failure in that respect, then what can be said to justify the sudden appearance here of this taunting menace to the woolgrowers and farmers of the country, who have petitioned this body frequently during the present session to withhold action for a few weeks longer until the tariff commissioners, who, with their assistants, are now working with all possible expedition and diligence, can furnish this House with some definite information upon which to base a real revision of this and other schedules in the tariff law? I am aware that the Tariff Board has been criticized for not bringing in a report at an earlier date. It has been alleged that the delay is inexcusable, since the board was established nearly two years ago.

I do not think the tariff commissioners need any defense from me. They are abundantly able to take care of themselves, as is plainly evidenced by the great amount of work they have accomplished since they were appointed in September, 1909; and that is especially noteworthy when we take into account the further fact that the board was required to cooperate with the State Department concerning questions of discrimination by foreign nations until April, 1910.

It was not until that date that the board was at liberty to consider industrial problems in connection with the tariff law of our own country. This great work is in the hands of able and experienced men who have under their direction an efficient corps of trained experts and statisticians. To one who has made inquiry as to what progress is being made, the enormous amount of statistical information already compiled and classified is almost beyond comprehension.

Unquestionably it is one of the most arduous tasks ever undertaken by this Government, and every proper encouragement and opportunity ought to be given the board to ascertain the facts. I believe that we now have a Tariff Board able to deal intelligently and efficiently with the great economic questions with which it is confronted, and I confidently expect that the result of these investigations will justify the expenditure of the money and labor required. But thus far, in my judgment, no good reason has been advanced on that side for the refusal to postpone action upon this schedule until the board can submit its findings in December. The record of the woolgrowing industry in this country is reasonably satisfactory, notwithstanding the uncertainty that has existed, and still exists, as a result of tariff agitation. Statistics show that during the last 13 years the world's supply of sheep has decreased about 40,000,000 head, although the increase in population during that period has been about 95,000,000. During that same period the flocks of the United States have greatly increased.

In the year 1897 there were in this country 36,819,000 sheep, having a farm value of $67,021,000. In 1910 the number had increased to 57,216,000 and the value to $233,664,000. This makes a showing of 20,397,000 more sheep in the United States in 1910 than in 1897, with an increase in value of $166,643,000, an increase of about 50 per cent in numbers and of nearly 250 per cent in value. What the woolgrowers of this country need and must have in order to maintain their industry upon a paying basis is adequate protection, free from tariff tinkering. Give them that kind of encouragement and it will not be a great many years before the United States will supply most of the wool needed for home consumption. Last year we produced 321,362,750 pounds of wool and imported about the same amount, or 312,131,171 pounds. I find, however, that the latter figures are for 1909. I believe the importations for 1910 were

about 256,000,000 pounds. There have been six tariff revisions since 1861, and it is claimed, and actual experience has demonstrated, that every time the duty on wool has been placed below the present rate a general depression in business has followed and has continued until the rate has been restored or placed above 10 cents per pound. During the last four years of the act of 1867, with a rate of 12½ cents, there was an increase in the number of sheep of 25 per cent; the act of 1883 continued in existence for a period of about six years, with a rate of 10 cents per pound, and the decrease amounted to 16 per cent; the act of 1890 continued for nearly four years; the rate was 11 cents and the rate of increase was 10 per cent. Under the act of 1894 wool was on the free list, and the decrease amounted to about 21 per cent, and during 12 years of the Dingley law, with 11 cents per pound on wool of the first class, the rate of increase, as heretofore demonstrated, was nearly 50 per cent.

Under the Payne law the old rate of 11 cents on wool of the first class was continued, and the flocks of the country have increased 1,132,000 head from 1909 to 1910, and the increase in farm value of sheep amounted to $41,032,000, thereby furnishing additional proof of the statements heretofore made. It is said by experts in tariff matters, that had the rate of 12½ cents under the law of 1867 been maintained for 30 years the woolgrowers of the United States would have been able to supply the needs of the entire country, but there was a great demand then, as there is to-day, for reduction in rates. In 1883 we had a duty of 10 cents, although the cost of labor and production generally was much less then than it is now—at least 25 per cent lower—nevertheless the industry languished and there was a resulting decrease in the number of sheep of about 21 per cent. It is exceedingly difficult to state precisely what is adequate protection, but it seems to me that experience ought to enable us to determine approximately what rates of duty are necessary to maintain the woolgrowing industry upon a fairly remunerative basis. Experience has taught us, and it has been demonstrated repeatedly by illustrious advocates of the protective-tariff system, that such rates as are proposed in this bill can have but one result, and that is the complete destruction of the woolgrowing industry in the United States.

Comparative cost of production with leading woolgrowing countries:

AUSTRALIA AND NEW ZEALAND.

Climatic conditions, aside from drought periods, are conducive to both wool production and a heavy percentage of lambs. No winter feed required.

Wages of herders, average per month, about	$17.00
Cost of shearing, per head, about	.05
Actual cost of running sheep, per head, per year, about	.36

ARGENTINE REPUBLIC.

Climatic conditions are mild and a continuous growth prevails the entire year. No winter feed required.

Herders' wages per month, about	$15.00
Cost of shearing, per head	.04
Actual cost of running sheep, per head, per year	.39

The mild climate produces prolific growth of wool and insures heavy increases to flock in lambs.

CAPE COLONY.

Climatic conditions are much the same as in the Argentine Republic: land values are high; growth of grass not so prolific; no winter feed required; wages about the same; increased value of land increases the cost of maintenance per head per year to 56 cents.

UNITED STATES.

Actual cost of running sheep per head per year, $1.40. This does not include the cost of providing winter feed at an additional expense of from $1 to $1.50 per head, according to locality.

Number and farm value of sheep in the United States, 1897–1910.

	Number.	Value.
1897	36,819,000	$69,021,000
1898	37,657,000	92,721,000
1899	39,114,000	107,698,000
1900	41,883,000	122,666,000
1901	59,757,000	178,072,000
1902	62,039,000	164,446,000
1903	63,965,000	168,316,000
1904	51,630,000	133,530,000
1905	45,170,000	127,332,000
1906	50,632,000	179,056,000
1907	53,240,000	204,210,000
1908	54,631,000	211,736,000
1909	56,084,000	192,632,000
1910	57,216,000	233,664,000

Resolutions adopted at a meeting of woolgrowers of eastern Montana:

Resolved, That we reaffirm our belief in the American system of protection and indorse the application of its principles as embodied in the arrangement of Schedule K as applicable to wool duties, and recognize that after departure has been made from the principles therein contained disaster has befallen in every instance the industry of woolgrowing. The growers of wool need and are entitled to protective duties equally with the manufacturers of wool. The industry of woolgrowing in Montana, at the present time, represents in the aggregate an investment in lands, ranch equipments, and improvements, market value of live-stock holdings, etc., more than $45,000,000, employing in the constant care of its holdings some 8,700 employees, at an average wage of $40 per month, with board, aggregating $3,400,000 as its annual pay roll in wages, with an attendant charge exceeding $1,000,000 per year at $12 per month for food supply of employees, with additional charge of $450,000, representing approximately the amount of money paid in the early months of summer for shearing, being an average of 9 cents per head on the sheep in the State, which, together with its annual pay roll, represents the highest average cost of labor paid in wool production in the world.

Therefore we are justified in protesting against being called upon to allow the growing of wool to be placed in free competition with lower cost producing prices in other parts of the world, a condition with which it is impossible for us to comply and maintain our business existence.

We recognize that in the wool and woolen schedules the entire country is interested, and should be more closely united than upon any other part of the tariff law, and we call upon our Senators and Representatives in Congress to exert themselves to the utmost against free foreign invasion of our markets and to resist ill-founded attacks of various doctrinaires upon a great system upon which not only business security rests, but the happiness and prosperity of countless depending people.

We heartily and earnestly indorse the Tariff Commission appointed by President Taft, and pending investigation of this board we feel that agitation should be held in abeyance until its findings are reported. As growers we court the fullest investigation and ask for the opportunity of submitting before this board and the American people absolutely trustworthy information covering the cost of producing wool and mutton, by which we hope to maintain the justice to our claim to reasonable consideration in applying tariff schedules.

We protest against the passage of the reciprocity bill in its present form by which the interests of Montana, we believe, would be unquestionably injured, inasmuch as all those products, such as live stock, grain, and wool, which constitute the chief exports of the State, are placed directly in competition with lower cost of production, while most things which are used in farming and ranching in the State are carefully provided for with protective schedules.

We are therefore unable to see any attendant benefits coming to the relief of consumers in this State in return for the losses sustained by live stock and agricultural interests.

Mr. UNDERWOOD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose, and Mr. SISSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 11019, to revise the wool schedule, and had come to no resolution thereon.

RECESS.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now take a recess until 8 o'clock to-night.

The motion was agreed to; and, pending the announcement of the result of the vote, the Speaker designated the gentleman from Mississippi, Mr. CANDLER, to act as Speaker pro tempore for the evening session.

Accordingly (at 5 o'clock and 40 minutes p. m.) the House stood in recess until 8 o'clock p. m.

AFTER THE RECESS.

The recess having expired, the House was called to order by the Speaker pro tempore, Mr. CANDLER.

Mr. UNDERWOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11019.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill to revise the wool schedule, with Mr. HAY in the chair.

Mr. MANN. Mr. Chairman, I yield 30 minutes to the gentleman from Washington [Mr. LA FOLLETTE].

Mr. LA FOLLETTE. Mr. Chairman, it is with a great deal of pride that I rise on the floor this evening to address the House on the question that is now before it. The pride is caused from seeing every seat on the Republican side and most of those on the Democratic side filled, and the galleries filled to overflowing. [Applause]. Mr. Chairman, I am not conceited enough to think that they are all here to listen to my feeble efforts, but it shows the great interest felt in the question by not only the Members of this body, but by the people at large, and while the people fully realize that this question already has been settled in caucus before it ever had any discussion or before any information had been given on this subject, while that is fully realized, still they are willing to come here and listen to this futile debate, and, I repeat, it gives me great pride to address this audience to-night.

Mr. Chairman, I have listened to the debate on this bill with much interest, and much has been said that gives food for thought, and much that gives cause for research. I was deeply interested in the speech the other day of the gentleman from Georgia [Mr. BRANTLEY]. I think it is as strong a speech as has been delivered in this debate to sustain the position of the

majority. I was especially interested in his reference to the effect of the Walker tariff in 1846, and in the statistics submitted therewith, and particularly as they pertain to the decade from 1850 to 1860, and I want to read from the speech of the gentleman from Georgia as it appears in the RECORD:

WALKER TARIFF LIVED 11 YEARS.

Mr. Chairman, it would seem our friends of to-day are not even original in the forebodings in which they indulge. Let us see what followed the forebodings which were indulged in in 1846, when the Walker tariff was being considered. In the first place, it was enacted into law and lived for 11 years. But one other tariff law in all the history of this country lived any longer, and that was the Dingley law, that lived for 12 years. What was the effect of the Walker tariff? Listen to these figures: In the decade from 1820 to 1830 the wealth of this country increased 41 per cent. In the decade from 1830 to 1840 the wealth of this country increased 42 per cent. In the decade from 1850 to 1860, during the operation of the Walker tariff, the increase in wealth reached the astounding percentage of 126.45 per cent. [Applause on the Democratic side.]

Mr. CANNON. Will the gentleman yield right there?

Mr. BRANTLEY. With pleasure.

Mr. CANNON. Will the gentleman tell us that, after we have lived as we have from 1860 to the present time, the wealth of the United States has increased from $1,600,000,000 in 1860 to $125,000,000,000 in 1910?

Mr. BRANTLEY. Mr. Chairman, I have not the figures before me, but if my friend states that those are the figures, I am not prepared to take issue with him. He can incorporate them into his speech.

Mr. CANNON. But I wanted to get them in at this point.

Mr. BRANTLEY. Unfortunately, I have not the figures before me.

Mr. CANNON. But I state that that is so.

Mr. BRANTLEY. Mr. Chairman, we all rejoice at the growth of our country from 1860 until now, whatever that growth may be; but however great it is, the fact still remains that under the operation of the Walker tariff, which gentlemen at that time said would ruin and destroy this country, the wealth of the country in 10 years' time under its beneficent operation increased more than 126 per cent.

All classes and all business thrived under that tariff.

FACTS EXPLODE PROSPERITY CLAIMS.

Mr. Chairman, after hearing the foregoing figures and statement, I could not resist looking into the facts to see if the country and the Government were as prosperous during the decade mentioned—from 1850 to 1860—as the gentleman's remarks would indicate. I found in the report of the Secretary of the Treasury to the Congresses during that decade much that was interesting, not only to the effect of the Walker tariff on the business of the country and the conduct of the Government, but also some interesting information on the question and effect of ad valorem duties.

Now, I desire to read some excerpts from the reports of the Secretaries of the Treasury from 1850 to 1860, and, mind you, these reports are, with one exception, from Democratic officials and all reported to Democratic Congresses. I believe that if the gentlemen on that side of the Chamber will give their attention for a little while they will hear the opinion of one official of practical experience on the respective effects of ad valorem and specific duties that, in my judgment, would be well worth consideration at the present time, and also learn that the increase of wealth in a decade is not always proof that the Government is necessarily prosperous at the same time.

Mr. Chairman, this large audience in the gallery, no doubt, would like to hear all this matter which I could read from the reports of the Secretaries of the Treasury from 1850 to 1860, but, as much as I would like to please them, I will not weary the patience of the House by reading them all this evening, but will insert them in the RECORD, along with extracts from the first message of President Buchanan, wherein he gave the condition of the Treasury and the country, which I think will prove that the decade from 1850 to 1860 was not one of unalloyed prosperity. [Applause on the Republican side.] Mr. Chairman, in 1850, Thomas Corwin, Secretary of the Treasury, made a report to the Congress concerning the question of ad valorem duties and the effect that they were having on the Government's revenues.

THEORY RIGHT IF ALL WERE HONEST.

I might say right there, Mr. Chairman, that the theory of ad valorem duties is undoubtedly right. If all men were honest, if all of our people and the foreigners were honest, so that goods were sent in at their true valuation, there is no doubt but that an ad valorem duty would be just and proper. But all history shows that mankind is prone to take advantage of Government, be it by tariff smuggling or by smuggling articles across the border to evade duties. That has been history as far back as we have any account of smuggling and tariffs and there is no doubt that until human nature changes, it will be the condition for a thousand years to follow. Consequently an ad valorem tariff, while all right in theory, really tends to make people practice dishonesty. And, Mr. Chairman, I want to say in regard to the Canadian tariff to-day, which is largely ad valorem, the only thing that enables it to keep up under ad valorem rates is because it has very high duties, indeed, proportionate with its revenue needs and traffic. I have had considerable experience in exporting into Canada myself.

Some 13 or 14 years ago I had men write to me from the city of Winnipeg, wanting me to ship pears to them in Canada. I had been over in St. Paul, and there had told the dealers I had some fine pears out in my country four or five thousand boxes, which means several carloads. A gentleman from Winnipeg was there. He went home and told the dealers there, and I had letters inquiring about pears. This gentleman had asked me what I would be willing to furnish pears for at my station f. o. b., and I had told him. I received letters from there telling me if my pears were according to the grades and standard, and so forth, that run in that business, they would like to have some of them.

But they said, "We suppose you are acquainted with our system of collecting customs duties, and we want to tell you that we could not buy these pears from you at your price and pay the ad valorem duty of 20 per cent on that valuation. Unless those goods could be billed out to us at a certain figure, we could not use them."

SYSTEM BREEDS DISHONESTY.

Then they went on to explain that the custom was universal to undervalue that product.

We will say these pears were 80 cents or $1 a box and the ad valorem duty was 20 per cent. There would be at $1 a box 20 cents duty, and at 80 cents a box 16 cents duty. If some other man got the same grade of goods in there at a valuation of 40 cents or 50 cents a box, they could not compete with the dealer who had this advantage, which is apparent enough to all of us. But the remarkable fact, gentlemen, was that they had not formed combinations and agreed on uniform prices at which goods should be invoiced for customs. At that time several of them suggested different prices at which I should bill out the goods if I sold to them.

Nowadays men get together on all such propositions as that. If a man who was importing goods was honest, and let his goods come in at their true valuation, say of $1 a box for pears or apples, paying 20 cents duty on them, and had to compete with a man who was not honest, and who got his goods in at 50 cents valuation and had only 10 cents a box duty to pay at the customhouse, the dishonest man could undersell his honest competitor and destroy his business.

Now, gentlemen, they tell you that by having competent inspectors it is possible to check all that. It is stated that they examine the goods, and they do perfunctorily, but it is impossible, especially in general merchandise, where all classes and kinds of goods are coming in, intelligently to examine and value it all. You could not get inspectors who could give you the true valuation of all such goods. While some frauds might be checked and legal duties collected, immense sums would be lost to the Government. Indeed, it is safe to say that 75 per cent of goods will come in with undervaluations under ad valorem conditions, and will be demoralizing to those who try to ship in goods at the regular tariff rates, the latter finding themselves unable to compete with those who have undervalued.

Even though ad valorem duty is correct in theory, as long as human nature is as it is, and as long as man is constituted as he is, any government will be in hot water all the time over its revenues if it attempts to get all its tariff revenue by the ad valorem method. This statement is borne out by what Thomas Corwin, Secretary of the Treasury from 1850 to 1853, stated in his report to Congress that I intended reading when I made this digression.

FRAUDS UPON THE REVENUE.

Under the subhead of "Frauds upon the revenue" Mr. Corwin says:

In obedience to the act of the 10th of May, 1800, whereby it is made the duty of the Secretary of the Treasury "to digest, prepare, and lay before Congress, at the commencement of every session, a report on the subject of finance, containing estimates of the public revenue and public expenditures, and plans for improving or increasing the revenue from time to time," I feel it my duty, in view of our necessarily increased expenditures and maturing liabilities, to submit to the wisdom of Congress such suggestions as the present state of our country and the revenues seem to demand.

We can not overlook the fact, in our estimates of future revenue, that the last three or four years have been exceptional ones; that we are indebted for our large revenues in part to the famine, the revolutions, and the broken-down markets of Europe. The ease with which the low duties under the act of 1846 may be reduced still lower by successful frauds and undervaluations, combined with the causes just stated, has induced a large excess of importations. But the markets of Europe are recovering their tone; the effects of the famine are passing away; our country is filled, it is believed, to excess with foreign goods; and it would be contrary to all reasonable expectation to look for a continuance of these large importations.

The provisions of the act of July, 1846, have been found insufficient for the prevention of frauds and undervaluations. The extent to which they have been carried, and the degree in which they have been rendered systematic and complete, have been highly detrimental to the revenue. The department has long given the subject of these frauds its most earnest attention, and exhausted all its authority for their prevention and detection; but they are still of such magnitude, and so demoralizing in their effect, as to demand the immediate interposition of Congress.

A special communication on this subject was made to the Senate on the 26th September last, in answer to a resolution of that body, and as that embraced much that would otherwise be incorporated in this report, a copy thereof is annexed (marked "T").

That numerous frauds by means of undervaluations have been and continue to be systematically perpetrated, and that they are confined neither to one class of articles, one market, nor one port of the United States, this department has an accumulation of the most undeniable evidence. This proof, consisting of a great variety of details, will, with great pleasure, be submitted to Congress or any of its committees that may be charged with the subject.

Through the vigilance of the appraisers vast numbers of advances upon invoices have been made. At Boston and New York the number so advanced, from January, 1849, to October 1, 1850, amounts to more than 4,000 (Table U), ranging from 5 per cent to upward of 400 per cent.

Statement V is an importation of fruit, and is cited as exhibiting not only the system of fraudulent undervaluations, but the inequality of values at the different ports of the United States under the present tariff act. The fruit was shipped by the same house, about the same time—one cargo arriving at Philadelphia, one at New York, and one at Boston—the quality and invoice value being the same. At Philadelphia it passed at the invoice value, at New York the appraisers advanced it 75 per cent, and at Boston 92 per cent, and no objection or appeal from the decision of the appraisers was made on the part of the importers.

I would respectfully and earnestly urge upon Congress to inquire fully into the practical operation of our present system of imposing duties upon the foreign cost or values of merchandise, being fully satisfied that the longer it is continued the weaker will become the restraints upon, and the stronger the inducements to, the commission of frauds by misrepresenting the dutiable values.

AD VALOREM OBJECTIONS MANY.

And, again, under the heading of "Ways and means," he says:

The system of ad valorem duties, however well adapted to many articles of trade, when applied to all without discrimination, restriction, or safeguard, has been proved by the experience of this department to be the subject of many and long objections. Its tendency is to cherish a spirit of overtrading greatly injurious to the industry of our country in all its departments, and, in its final results, fatal to the revenue. Considering this system only in its operation upon revenue, it is believed that the experience of the most enlightened commercial nations of Europe has proved it to be impolitic and unsafe. Under the operation of the British tariff, revised in 1846, the whole revenue derived from articles paying ad valorem duties has been only an average of £38,000 ($182,000) per annum in a gross receipt from customs of £22,000,000 ($105,000,000), being less than one-fifth of 1 per cent of this immense income from imposts; and the evident design of Parliament was to make specific duties the source of revenue from imports, so far as possibly could be effected. A like policy has also always been pursued by the other commercial nations of Europe.

The primary object to be kept in view in levying duties upon imports is admitted to be revenue. It is equally well established as the policy and duty of the Government so to discriminate in the levying of duties as, without falling below the necessary amount of revenue, to give the greatest encouragement possible to all the industrial pursuits of our own people. One feature of the law of 1846, in the opinion of the department, is opposed to both the controlling principles just stated. I have reference to an equal or higher rate of duty on the raw material than upon the manufactured article of which it is composed. Such provisions certainly take from the manufacturer and artisan that encouragement which the present law doubtless to some extent was intended to afford and also check the importation of the raw material to a degree detrimental to the revenue.

The constant fluctuations in prices, and consequently in the duties, under an unrestricted ad valorem tariff give to the act of 1846 that most objectionable feature, instability. These variations, giving a high duty when least required and low duties when prices are ruinous, tend to an excess of importations, and subject all the products of labor in our own country to the frequent and enormous fluctuations in the markets abroad, arising from the disturbed condition of those nations with whom our foreign commerce is chiefly carried on. Under the present system duties are highest when the article imported is highest and when the purchaser and consumer can least afford to pay the duty, and lowest when the price of the article wanted would allow a heavy additional duty to be levied on it. Thus, if an article costs $10, a duty of 30 per cent would compel an addition of $3; if that article falls in value to $5, then is the duty reduced one-half.

That can not be a wholesome system of taxation which follows the consumer in his purchases, increasing his burden when prices are high, and taking it off as prices fall and his ability to bear it increases. If applied to articles of subsistence, it would operate as a heavy tax upon bread in a year of famine, increasing with the intensity of the evil and gradually disappearing with the return of abundance.

The objection to the present tariff system from commercial fluctuations in the prices is constantly forced upon the attention of the department by instances of extreme inequality and prejudicial operation.

CORWIN'S SUGGESTED CHANGES.

Further on, under the same heading:

From the foregoing considerations the department would submit the following modifications of our present revenue laws:

"1. A change in the present ad valorem system, which should impose specific duties upon all articles to which such duties may be safely applied, with home valuations upon all such as are necessarily subject to ad valorem rates.

"2. If the principle of specific duties shall not be adopted, that the home valuation instead of the foreign should then be applied to all imports subject to ad valorem duties.

"3. If neither of the foregoing changes shall be thought proper, then it is deemed highly necessary that the present rates of duties should be increased on a great variety of articles which it will be found could bear such an increase with the most salutary effects upon both trade and revenue."

Either of the two first modifications suggested above would undoubtedly correct many of the inequalities of the present system; place all importers, whether importers or manufacturers, on equal grounds in respect to valuations for duty; guard the revenue against the flagrant frauds which are so easily perpetrated under existing laws, and insure stability and permanent increase of the revenue. They are therefore earnestly commended to the favorable consideration of Congress.

FILLMORE POINTS OUT DEFECTS.

Millard Fillmore, who was then President, went into this subject at some length in his first message to the Thirty-second Congress; and in his succeeding message, after having observed the workings of the ad valorem Walker tariff system for another year, says:

In my first message to Congress I called attention to what seemed to me some defects in the present tariff and recommended such modifications as in my judgment were best adapted to remedy the evils and promote the prosperity of the country. Nothing has since occurred to change my views on this important question. Without repeating the argument contained in my former message in favor of discriminating protective duties, I deem it my duty to call your attention to one or two other considerations affecting this subject. The first is the effect of large importations of foreign goods on our currency. Most of the gold of California as fast as it is coined finds its way directly to Europe in payment for goods purchased. In the second place, as our manufacturing establishments are broken down by competition with foreigners, the capital invested in them is lost. Thousands of honest and industrious citizens are thrown out of employment, and the farmer is to that extent deprived of a home market for the sale of his products. In the third place, the destruction of manufactures leaves the foreigner without competition in our markets, and the consequent rise in articles sent here for sale is now seen in the increased cost of iron imported from England.

PRESIDENT BUCHANAN ASSAILS AD VALOREM.

President Buchanan, in his second annual message to the Thirty-fifth Congress, has this to say regarding specific and ad valorem duties:

In regard to the mode of assessing and collecting duties under a strictly revenue tariff, I have long entertained and often expressed the opinion that sound policy requires this should be done by specific duties in cases to which these can be properly applied. They are well adapted to commodities which are usually sold by weight or by measure and which by their nature are of equal or of nearly equal value. Such, for example, are the articles of iron of different classes, raw sugar, and foreign wines and spirits.

In my deliberate judgment specific duties are the best, if not the only, means of securing the revenue against the false and fraudulent invoices, and such has been the practice adopted for this purpose by other commercial nations. Besides, specific duties would afford to the American manufacturer the incidental advantages to which he is fairly entitled under a revenue tariff. The present system is a sliding scale to his disadvantage. Under it, when prices are high and business prosperous, the duties rise in amount when he least requires their aid. On the contrary, when prices fall and he is struggling against adversity, the duties are diminished in the same proportion greatly to his injury.

Neither would there be danger that a higher rate of duty than that intended by Congress could be levied in the form of specific duties. It would be easy to ascertain the average value of any imported article for a series of years, and instead of subjecting it to an ad valorem duty at a certain rate per centum to substitute in its place an equivalent specific duty.

By such an arrangement the consumer would not be injured. It is true he might have to pay a little more duty on a given article in one year; but, if so, he would pay a little less in another, and in a series of years these would counterbalance each other and amount to the same thing so far as his interest is concerned. This inconvenience would be trifling when contrasted with the additional security thus afforded against frauds upon the revenue, in which every consumer is directly interested.

I have thrown out these suggestions as the fruit of my own observation, to which Congress, in their better judgment, will give such weight as they may justly deserve.

PEOPLE POOR IN MIDST OF PLENTY.

In his first annual message to the Thirty-fifth Congress, first session, President Buchanan had this to say of the condition of the country, the finances, and the distress of the people:

We have possessed all the elements of material wealth in rich abundance, and yet, notwithstanding all these advantages, our country in its monetary interests is at the present moment in a deplorable condition. In the midst of unsurpassed plenty in all the productions of agriculture and in all the elements of national wealth, we find our manufactures suspended, our public works retarded, our private enterprises of different kinds abandoned, and thousands of useful laborers thrown out of employment and reduced to want. The revenue of the Government, which is chiefly derived from duties on imports from abroad, has been greatly reduced, whilst the appropriations made by Congress at its last session for the current fiscal year are very large in amount.

Under these circumstances a loan may be required before the close of your present session; but this, although deeply to be regretted, would prove to be only a slight misfortune when compared with the suffering and distress prevailing among the people. With this the Government can not fail deeply to sympathize, though it may be without the power to extend relief.

Now, mark you, the gentleman from Georgia [Mr. BRANTLEY] said that all manufacturing interests and all of our people were prosperous under the Walker tariff. In the report of 1851, only four years after that law went into effect, Thomas Corwin, Secretary of the Treasury, said, concerning the condition of the steel and iron industry:

From the evidence furnished to this department it is clear that the rolling mills, the charcoal furnaces, and the forges are utterly unable to produce iron at the prices at which it is now imported. During the last year many establishments were enabled to survive only by carrying the iron to the high stages of manufacture, as the making of nails and forged work. At the present time the prices are below the cost of production. If the present policy continues, we must witness in a short time the total prostration of this industry, which, once destroyed, will require many years to replace it upon its present footing as to skill and experience; and we shall become dependent upon foreign countries for the most important material in the arts of peace and most indispensable of the muniments of war.

And again:

Thus we perceive that the actual consumption of iron, which, under high duties and prices, was steadily augmenting in quantity, is, under the present reduced rates, both in duties and prices, gradually falling off, notwithstanding the increase of population and the great extension of our farming interests.

I present with this report several tables intended to show the sudden and extraordinary fall in the invoice values of certain articles which prior to the tariff act of 1846 had been subject to specific duties, but which, by that law, were made subject to duties ad valorem. It must be apparent from these tables that great frauds are practiced by undervaluations daily, which no expedient can prevent, unless such articles as set forth in these tables are charged with specific instead of ad valorem duties.

Friends of the ad valorem tariff argue that modern scientific methods of inspection have virtually eliminated fraudulent undervaluations, so common in earlier days, but against this argument are constant disclosures of frauds made by secret-service agents of the Treasury Department. Some of these discoveries, running into millions of dollars, are recent and will continue to come to light as long as the ad valorem system of levying tariff is practiced. The fact that it is necessary to maintain a large staff of secret agents to carry on a constant espionage of our customhouses and even to go to the very point of origin of our importations, I think, partially, if not conclusively, sustains my position.

COUNTRY UNSETTLED BY TARIFF AGITATION.

Now, Mr. Chairman, this decade so forcefully referred to by the gentleman from Georgia [Mr. BRANTLEY], during which time the wealth of the country increased 126 per cent, when California was pouring out its millions of gold, when from every reasonable viewpoint both the Government and the people at large should have been prosperous, the country really for most of that time was in a state of unrest on account of tariff agitation commenced as soon as Franklin Pierce was inaugurated in March, 1853, and James Guthrie was appointed Secretary of the Treasury.

Notwithstanding that the Whig administration of Fillmore had operated altogether under the Democratic Walker tariff, the Treasury, under the administration of that wise statesman Thomas Corwin, had been enabled to meet Government expenses and pay interest on the public debt, including the money borrowed during the Polk administration and the life of the Walker tariff, aggregating $47,014,299, and in spite of the fact that Corwin had pointed out that it would only be a matter of time until the Walker tariff would be inadequate and the loss of tariff under ad valorem duties, owing to the perpetration of frauds, would increase, and advised Congress to change the method.

Notwithstanding this statement of his eminent predecessor, Mr. Guthrie and the Democratic Congress immediately commenced to tinker with the tariff—their own tariff—and not only reduced duties by an average of 20 per cent, but left the same old process of ad valorem duties.

The country, through uncertainty during the period from 1853 to 1857, gradually lost confidence, culminating in the panic of 1857.

FAILED TO PROFIT BY EXPERIENCE.

Now, Mr. Chairman, did the Democratic Party see the light or profit to any extent by that experience?

No. While their Secretary of the Treasury, Howell Cobb, advised a change in tariff rates, they were to be levied in the same old way and with that misconception a tariff for revenue only; and he himself, in arguing against the ideas of Corwin, admits the fallacy of calling any of the so-called tariff for revenue measures of his party by that name. In his report, December 6, 1858, he says:

I do not deem it proper to enter into any extended discussion of the theoretic principles on which a tariff act should be framed.

They may be briefly stated. Such duties should be laid as will produce the required revenue, by imposing on the people at large the smallest and most equal burdens.

It is obvious that this is most effectually done by taxing, in preference to others, such articles as are not produced in this country, and, among articles produced here, those in which the home product bears the least proportion to the quantity imported are the fittest for taxation. The reason is that in taxing articles not made in the country the whole sum taken from the consumer goes into the Treasury, while in the other class the consumer pays the enhanced value not only on the quantity imported but on the quantity made at home. This last tax is paid not to the Treasury but to the manufacturer, thereby rendering such a duty not only burdensome but grossly unequal, the home producer being benefited at the expense of the consumer.

If these principles are sound, it is obvious that no tariff strictly for revenue has ever yet been enacted in the United States.

He then properly proceeds to give his ideas of the raising of revenues under the then existing crisis, and advises that after ascertaining the additional revenue required, that the increase of duties should only be such as to raise that amount, which is good doctrine; but, mind you, this change was recommended within a year and a half of the enactment of the latest Democratic tariff law which, in its inception and promulgation had paralyzed the country, culminating in the panic of 1857.

TARIFF CHANGE PARALYZES COUNTRY.

This law, within the short period of a year and a half, had been found totally inadequate to keep up the expenses of the Government, and the country and the business world were again subjected to a threatened change of tariff that kept business paralyzed during the entire period of Buchanan's unfortunate administration.

I think if gentlemen will read the reports of Secretaries of the Treasury, mostly their own officials, during the period referred to by the gentleman from Georgia [Mr. BRANTLEY], they will find that from the years 1850 to 1860 the Government was in about as bad condition, with the exception of two or three years, as it ever has been in its entire history.

But, more than that, the rates of duty collected all that time were ad valorem, and all of them had to admit that there was gross undervaluation. Still, in the face of all that, you gentlemen are now bringing in here a tariff measure calling for ad valorem duties, and you point, forsooth, to the inequalities in the Payne law. I would not for a minute try to say that the schedules under the Payne law are correct. I think, as well as you do, that they have made mistakes there. They have the cheaper articles bearing the highest rate of duty; but that is no argument against specific duties. That is because they were levied wrong to start with.

They have also levied ad valorem and specific duties on the same articles, making combination rates, thereby giving chance for fraud and undervaluation by the ad valorem feature, that is to the disadvantage of the honest importer. It has the same defects in that respect that the Walker bill had, and the duties are not levied equitably, which is not right.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. I yield to the gentleman 15 minutes more.

Mr. LA FOLLETTE. I will go back to my manuscript, and try not to digress, and perhaps I will get through in that time.

Mr. Chairman, with the coming of 1861 the Democratic Party retired from power, and was practically out until the inauguration of Grover Cleveland, March 4, 1885, or a period of 24 years.

DISASTROUS POLICIES REVIVED.

Immediately thereafter we began to see the old policies that had proved disastrous to the country in the days before the Civil War promulgated and advised, ignoring all the ills that were incident to the previous trials. Unfortunately for the Democrats in the fifties, they did not have anywhere to place the blame. The Republican Party had not been born, and during the decade from 1850 to 1860 they had controlled it all except the period of the Taylor-Filmore administration, from March 4, 1849, to March 4, 1853, and the revenue measure of that period was a Democratic one. They had a legitimate right to learn from those experiences, but they did not, and in all the tariff measures as yet advocated by that party, the same misfortunes have befallen the people to a larger or smaller degree, dependent upon the relative approach to a free-trade basis.

And each of these disastrous changes has been accompanied by the cry "Republican misrule, extravagance, and the robber tariff." Yet, strange to relate, the result of Democratic legislation has always been the same as during their administrations in the fifties when they had no Republican Party to blame.

Mr. Chairman, in the light of past experiences, or experiments, I might say, and despite the fact that such authorities as Howell Cobb, and he was a Democrat, have pointed out the proper way to frame, and the true philosophy of, a tariff for revenue only, the majority has brought in this bill for revising Schedule K under the guise of a tariff-for-revenue-only measure. And they promise the country that they are going to take up the tariff, schedule by schedule, and gradually work it down to a tariff-for-revenue-only basis.

As a protective measure I can easily see the necessity for revision in that manner, but by what philosophy or judgment we can start in to convert protective schedules into a tariff-for-revenue measure I can not comprehend.

Our friends' theory of a tariff for revenue only and their deploring the necessity for raising revenue that way is hardly compatible with the protective features of this bill, even though from a Republican viewpoint it is too low.

SHOULD FIRST DETERMINE THE AMOUNT NEEDED.

It looks like the gentlemen on the other side of the House would first ascertain the amount of money necessary to run the Government and then put reasonable tariff for revenue on all noncompetitive articles coming into the country. If such reve-

nue was not sufficient, then place a reasonable revenue on that class of articles competitive in the least degree, and that failing of a sufficient amount supplemented by a tariff on luxuries, increase the internal revenue on liquors and tobaccos.

They would in that way consistently carry out, in part, Democratic ideas and effect these reforms, but schedule by schedule simply to reach a revenue basis will cause revision and rerevision and keep the country unsettled for years.

COUNTRY ALREADY FEELING UNCERTAINTY.

But history will repeat itself. The country already is feeling the effects of the uncertainty. They are riding into power on a popular wave of disfavor of the people at the action of the last Republican Congress on tariff revision. And I will say right here, I agree with the people. I think they had a perfect right to expect a proper revision, not only in Schedule K, but in several other schedules affecting different commodities. Their not securing this was no doubt largely responsible for the Democratic success at the last election.

The Democrats were given a great opportunity, and by showing a true desire to benefit the people and reasonable attention to the advanced ideas of the times, among Democrats as well as Republicans, they might so have impressed the people that they would have given them the reins of government, and if so, they might have held them for more than two or four years.

AMERICAN IDEA OPPOSED TO CAUCUS.

The first mistake was the caucus. The American idea now is to repudiate and condemn the caucus. Previous action of Republicans in legislating in caucus had as much to do with Democratic success as did the sentiment that the platform promises had been ignored.

But no Republican caucus ever held more complete control over its members, I want to say to the gentlemen on that side of the House, than has your party caucus over yours during the present Congress. It certainly has not strengthened you before the people, and I feel confident you will discover a contrary effect. Your party has controlled, in addition to the South, the most of the large cities of the country the last 20 years, and Republican success has depended on the vote of the agricultural population and the towns and villages of the country.

I suppose you congratulated yourself when you decided in caucus to support the President's reciprocity measure, confident in your own minds that it would lose him the votes of some protection Republicans, and that you could consistently claim it to be a Democratic measure, as your party had in 1854 placed on the statute books a very similar reciprocity measure, that proved to be only reciprocity in name and lost the Government of the United States millions of dollars in revenue, just as it is conceded the present treaty will do.

This latest reciprocity agreement put all the agricultural products of the North on the free list in their unmanufactured state. As a compensating measure you brought forth what you were pleased to call the farmers' free-list bill. And it was a free-list bill, for under it you actually put on the free list all the manufactured or finished product of the northern farmers, giving his product thus free trade with all the world, and in return for this you gave him free agricultural implements.

Mr. RANDELL of Texas. May I ask the gentlemen a question?

Mr. LA FOLLETTE. Yes.

Mr. RANDELL of Texas. If you think that the taking off of the tariff on farm implements will not cause them to sell at a less price in this country, why is it that they sell American manufactured farm implements at a less price in foreign countries than they do in this country?

Mr. LA FOLLETTE. With the exception of isolated cases, cases where men want to introduce goods, or where they have an oversupply on hand and want to get rid of them, that is not the case, and the history of American commerce all over the world will show it. It is the exception and not the rule.

Mr. RANDELL of Texas. Then you deny it?

Mr. LA FOLLETTE. I have heard that same old thing claimed for 10 years.

Mr. RANDELL of Texas. You dispute it, do you? Do you say it is not a fact?

DISPUTES SELLING CHEAPER ABROAD.

Mr. LA FOLLETTE. I say it is not a fact except in isolated cases; in certain cases the cheaper price is justifiable and is not caused by discrimination. In a minute I will illustrate. I am a member of the Grange and the Farmers' Union, and I have heard this thing talked of for years. I voted for the free-list bill.

Mr. RANDELL of Texas. Why did you vote for it?

Mr. LA FOLLETTE. I received petitions by the thousands from farmers on the reciprocity measure, and they all mentioned that agricultural machinery was one of the things that was taxed, and that was one of the arguments against putting their products on the free list. I did not think personally it would make any difference, but I was not going to put forward my own opinion.

Mr. RANDELL of Texas. You wanted to give them a sop.

Mr. LA FOLLETTE. No; I did not want to give them a sop; but I wanted to be fair to my constituents.

Mr. RANDELL of Texas. How much does the gentleman say we will lose in revenue by the farmers' free-list bill?

Mr. LA FOLLETTE. I have not stated; I have not even mentioned it.

Mr. RANDELL of Texas. Some gentleman on that side did, and I think he said it was $10,000,000.

Mr. LA FOLLETTE. I did not mention it. I am not going to dispute that point with the gentleman.

Mr. RANDELL of Texas. Does the gentleman think it would amount to that?

Mr. LA FOLLETTE. It is not within my knowledge, and I am not going to give the gentleman an answer to anything that I have not investigated. It might be that much, but only a small part of it would come from agricultural machinery.

Mr. RANDELL of Texas. Is it not much easier for the gentleman to find out how much revenue comes into the country from that schedule than it is to know that they do not sell farming implements cheaper in foreign countries than they do in this?

Mr. LA FOLLETTE. I want to say to the gentleman that with the exception of a few articles there is very little agricultural machinery manufactured abroad that United States farmers would use in any event. It is not suitable to our country. They do not make our class of machinery.

Mr. RANDELL of Texas. How does the gentleman account for the statement that there is $10,000,000 of revenue from it?

Mr. LA FOLLETTE. I have already answered that, but if you will give me a chance I will tell you something about this charge of selling machinery abroad cheaper than in this country. I live 3,000 miles from here by the railroad. We will say down here in Pennsylvania there is a manufacturer of agricultural machinery. There is a carload of that machinery wanted in Liverpool and another carload wanted at Spokane, in my State. The manufacturer will bill out two cars at the same price at the factory. The freight rate to New York is very low, and from that point to Liverpool freight is low. Consequently the man in Liverpool will get those goods a great deal cheaper than the man in Spokane can possibly get them on account of the freight rate.

Mr. RANDELL of Texas. Will the gentleman state——

FREIGHT RATES MAKE DIFFERENCE IN PRICE.

Mr. LA FOLLETTE. I wish the gentleman would give me time to answer a question that he has already asked me before he asks another. He asked me why agricultural machinery was sold abroad cheaper than in this country and I am trying to tell him. If the dealer in Spokane has had to pay a freight rate of $2.60 or even $1.50 a hundred pounds for his car of goods, and the man in Liverpool has only had to pay a freight rate of 75 cents or $1, it is easy to see that the man in Liverpool can sell the machinery cheaper than the dealer in Spokane.

Mr. RANDELL of Texas. But suppose as a matter of fact one man lived on the southern side of the Rio Grande and another on the Texas side, right across the river; and one man can get a John Deere plow for $8 and the other man on the other side pays $4.50. The man on the American side has to pay $8.

Mr. LA FOLLETTE. That case may have happened; I do not know anything about it, but I very much doubt it. I have heard it said on the floor of this House, and I have heard it stated in other places, that the same condition prevailed in Canada; that you could buy American binders cheaper on that side than you could on this side. I want to say that that is false; that there never has been such a case. If there was, it has been an isolated case. The truth is the Canadian farmer has to pay a higher price. You can substantiate my assertion by asking the gentlemen from those States contiguous to Canada who are Members of this body.

AMERICAN IMPLEMENTS EXCEL.

There is a Canadian-made binder that is sold cheaper than the American-made binders, but in agricultural as well as all other kinds of machinery the United States product excels, and the Canadians prefer our binders.

Canada has a provision whereby second-hand machinery from the United States can go into Canada free of duty, if it is being brought in from this country to be used on that side. Many a Canadian farmer along the border comes over on the American side and buys his binder, where he is close enough to make it profitable, buys it for ten or fifteen dollars or whatever the price is cheaper—and it is cheaper every time—and he goes out and

works in some American farmer's field long enough to dirty up the binder a little so as to show it has been used, and then he takes it across the border, and in that way hundreds of binders go into Canada, and thus is evaded the payment of the tariff.

Mr. RANDELL of Texas. Will the gentleman yield?

Mr. LA FOLLETTE. Yes; just give me a minute, however.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LA FOLLETTE. I will ask the gentleman from Illinois if he can give me a little more time?

Mr. MANN. The time is all pledged. If the gentleman himself would use a little more time on the subject, I will be glad to yield it to him, but the time is all pledged.

Mr. RANDELL of Texas. I would like to have the gentleman given a little more time.

Mr. LA FOLLETTE. I am pleased to yield to the gentleman when I have time and give all the information possible, and am sorry I can not yield further.

DECLARES COMMITTEE IS INSINCERE.

Mr. Chairman, I can not believe the gentlemen on the Ways and Means Committee who are responsible for this free-list bill seriously believe that a tariff, high or low, or absolute free trade, will affect the price of agricultural machinery in this country to any great extent?

No manufacturing country in the world uses or makes the grades or kinds of machinery used in this country, neither is any country going to invest its money in plants or factories to manufacture our class or kind of machinery on account of this free-trade provison when it is known that a succeeding Congress can as easily restore duties. So I say again, the hope of reduced prices on agricultural machinery on account of its being placed on the free list is remote indeed.

There was no protest against this measure from any agricultural machinery manufacturer. The International Harvester Co. never came before your Ways and Means Committee protesting against this placing its product on the free list. No; it was a matter of indifference to all such manufacturers.

I have referred at some length to the agricultural machinery feature of the farmers' free-list bill for the reason that gentlemen on that side of the Chamber have delighted to call attention to the concession of free agricultural implements to the farmer. I want to say to them that in my judgment they were giving him a stone instead of bread when they gave him free agricultural machinery.

Free sugar would have conferred a much greater benefit and would have benefited all classes.

Mr. Chairman, the farmers' free-list bill, which has been referred to, and which places agricultural machinery on the free list, which in my judgment will not lower the price, also put jute and all jute products on the free list. In my own section of the country all of our grains are sacked in jute bags for shipment. In fact, that is the custom in all the Pacific Coast States. They are used by millions, and the actual saving to the farmers of the Pacific coast in any year would amount to much more than the combined value of all the jute bag manufactories of the Rocky Mountains, I presume.

The farmers of my own district use an average of 15,000,000 bags the year. I was not giving them any sop when I voted for the free-list bill, as suggested by the gentleman from Texas [Mr. RANDELL], because of my statement that I voted for the bill, even though I expected no relief from the placing of agricultural machinery on the free list.

There were several other reasons why I supported the measure. All the people of my district wear shoes, and our farmers and teamsters use harness. The farmer's end of the leather business already had been placed on the free list by a Republican Congress. Free hides already had been conceded to the manufacturers of leather products by a Republican Congress.

Why not? It was only the farmer and stock raiser affected, and they are a patient, long-suffering class. They were not consulted when hides were placed on the free list any more than they were in regard to the so-called Canadian reciprocity bill, and when they kicked, were told it was—like a dose of castor oil—good for them.

A majority of the Members from the great manufacturing States voted for free hides when they went on the free list, just as they did for Jim Hill's reciprocity fraud.

Mr. Chairman, I believe in the Republican principle of protection, but the Members who voted for free hides in the Sixty-first Congress and those voting for the reciprocity sham at this session have no license to poke principle at the northwestern Members, for they themselves have worn that principle threadbare.

My own constituents are so geographically situated as to minimize the losses that might arise from manufactured agricultural products coming in free, likewise Argentina's and other meat supplies. Under the free-list bill, the eastern, northern, and middle west farmers will have to combat that feature to a much greater extent than the Pacific northwest farmer. Free shoes, free leather products, free jute grain bags, free flour, and cereal foodstuffs will come nearer compensating in my district and State for the evils of the measure than in any other part of the United States, in my opinion.

I told the gentleman from Texas that I voted for the free-list bill, and I will tell him now I expect to vote for this bill. I believe in a revision of Schedule K. I believe your revision is too low and is going to an opposite extreme, especially as applied to the raw product.

PRESENT BILL LOWER THAN WALKER TARIFF.

The gentleman from Georgia [Mr. BRANTLEY] spoke of the beneficent effect of the Walker tariff, and while I differ from him as to its wonderful efficiency, and think I am justifiable in my position in view of the Treasury reports of its day, still I am willing to concede it to have been the best Democratic tariff law ever enacted. Yet, under it raw wool received 50 per cent more protection than it does under this bill. It had 30 per cent against 20 per cent in this bill. I expect this bill to pass, go to the Senate, and there be revised and sent back to the House.

I think the happy medium will be found, and eventually, I hope, we will pass the bill in a form as nearly equal and just as a tariff bill can be made. I would prefer that this bill were referred back to the committee and there held until after the report of the Tariff Board, so that more accurate information could be had, and then be brought out again at the regular session. But I realize that you Democrats are going to pass this bill, and I am not one to go on record against a revision.

The passage of this bill now and sending it over to the Senate may hasten proper revision of this schedule.

Mr. Chairman, I consider the ad valorem feature of this bill its greatest weakness. It was the weakness of the Walker tariff, as shown by Secretary Corwin's reports, heretofore mentioned, and of the law of 1857 that superseded it, which was also a Democratic tariff measure. President Buchanan forcefully referred to this weakness as did President Fillmore.

I think their logic sound and irrefutable. They were not theorizing, but were dealing with actual conditions as then existing. Happy is the country whose statesmen and lawmakers are wise enough to shun and avoid past mistakes and profit by past experiences.

FARMERS' LAST PROP REMOVED.

Mr. Chairman, in the reciprocity bill and farmers' free-list bill all the products of the northern farmer were placed on the free list except wool, and now, under this bill, you practically put wool on the free list. So the northern farmer is now, you might say, to all practical purposes, deprived of all protection in the way of a tariff on any and all of his commodities, if this measure becomes a law.

While some of us on this side of the Chamber have or will vote for some or all of these measures, the fact will remain that none of them could or would pass without your permission and support. If a period of depression follows this action, the blame will finally be placed where it belongs. The Republican Party first suffers for its sins of commission and omission, but your party will in the long run get what is coming to it.

Already a depression is stealing over this country, and it will gradually culminate in a deluge. By that time the people of the country will be ready for fair protection, and not free trade or tariff for revenue.

The duties you are levying under this schedule for revenue purposes are based on an estimate of increased importations from abroad, but under an ad valorem duty which, as I have read from the experiences of Thomas Corwin, Secretary of the Treasury 1850 to 1853, is likely to fall short of its just amount on account of undervaluations—which an ad valorem duty openly invites—and will either be inadequate to meet the estimate or, if it does, will flood the country with undervalued foreign goods. This would work hardship and disaster to American manufacturers and labor, just as did the importations of iron and steel under the Walker ad valorem measure, as set forth by Secretary Corwin in his report to the Thirty-second Congress, January 27, 1853, already referred to.

Mr. Chairman, for several years now the country has been greatly agitated over the high cost of living, and various economists, as well as the Government, have been making an investigation of the causes.

HIGH LIVING MAKES COST HIGHER.

A committee was once appointed by the United States Senate to take testimony and report back to the Senate on the high

cost of living. The students of Washington State College, located in my home town, presented a burlesque performance in which the Senate committee took evidence on not the high cost of living but on the cost of high living, and they were able to offer a great amount of amusing entertainment; but the thoughtful man could get much more than humor out of it.

And the question naturally arose as to whether or not a great part of the cry of high cost of living was not really a desire for high living at a low price.

I have been considerably impressed during this debate by the oft-repeated statement by gentlemen on that side of the Chamber that under the present tariff law the duty on a suit of woolen clothing is approximately $9.40, and they said it just as though they believed and wanted the country to believe that the American consumer was paying that amount of added price to the American manufacturer or retailer on account of the tariff.

Now, Mr. Chairman, I have no doubt that when some of the gentlemen on that side of the House, and especially those who, like myself, are new Members, got ready to start to Washington they felt that they should be well dressed, knowing that these plutocratic Members we had heard about so long would be well dressed. So when they went to their tailor and picked out the best, and gave orders for best finish and trimmings, and the price was from $40 to $60 the suit, they felt when they paid the bill that there was $9.40 too much somewhere. It therefore comes easy to them to infer that $9.40 is actually collected because of the tariff on each woolen suit.

FACTS DO NOT BEAR OUT FIGURES.

Mr. Chairman, since hearing these figures given as the tariff on a suit of clothing I have made it a point to look up the price of custom-made woolen and worsted clothing, and I find that you can buy guaranteed all-wool—both warp and filling—suits for as low as $10 the suit, and the prices range all the way from $10 to $30 for custom-made clothing and from $15 to $60 for all-wool merchant-tailored clothing in Washington. Now, it does not need any great amount of reasoning on the part of any man of ordinary intelligence to make him conclude that even though the tariff rate should figure out as our friends claim, $9.40 on a suit, that the American consumer is not paying that, or any considerable part of that amount, when he purchases a suit of clothes.

For my part I have preferred to pay the higher price, believing that I was fully compensated for the greater cost by the vast difference in workmanship. In other words, my tailors out in Spokane charged me a fair price, which was above the lower figures I have named, and put the difference in cost into the clothes.

Mr. Chairman, the same can be said of most all classes of fabrics and goods offered for consumption and use in the United States. There are many different grades and prices, and our people can live reasonably cheap or as high as they care to go, and while tariff changes might affect the prices, and I think it will some, especially under a free-trade or tariff-for-revenue system, I fear that our people would not be able to purchase them at the lowered prices for lack of employment and money.

What this country wants is fair tariff legislation, protecting our manufacturers and labor from foreign competition, with uniform, well-established duties, regulations of trusts and combines to insure fair competition, and a restoration of confidence among our people; then all branches of business will have an equal opportunity under the law and all of our people have a chance to prosper as no other country ever has prospered. All of our labor employed at a fair wage, and the product of the shop, field, and factory bringing a fair price, would insure that welfare and prosperity. [Applause.]

Mr. UNDERWOOD. Mr. Chairman, I yield 45 minutes to the gentleman from Arkansas [Mr. FLOYD]. [Applause.]

Mr. FLOYD of Arkansas. Mr. Chairman, I desire to avail myself of this opportunity of submitting a few observations concerning the pending bill, to discuss briefly the tariff question in general, and incidentally to consider the trust question in its relation to the tariff in effecting high prices and the cost of living in this country.

At the outset of my remarks I desire to submit this thought for the deliberation of every Member of this House. If you impose no tariff or duty upon a particular commodity, of course you will derive no revenue therefrom. If you impose a prohibitive rate of duty thereon, you produce precisely the same result—no revenue. In other words, absolute free trade and absolute protection in so far as revenues are concerned produce a like result—no revenue whatsoever. If free trade is to be condemned because it would destroy our revenues, protection should be condemned for the same reason. [Applause on the Democratic side.] Let me pursue this thought a little further. If you impose a very low rate of duty upon an article, some revenue will be derived therefrom, but the amount will be small on account of the low rate. If you impose a very high rate thereon, but one that is not prohibitive, some revenue will be derived therefrom, but the amount will be small on account of the limited importation. If you take a very high rate and proceed to lower it gradually, and a very low rate and proceed to raise it in like manner, you will come to a common rate that will produce the greatest amount of revenue. This is known as the maximum revenue-producing rate. This is true of every commodity and every item in all the various tariff schedules. Of course it will differ with the nature and character of the article and the demand therefor.

Now, the maximum revenue-producing rate is common ground between the protectionist and those who stand for a tariff for revenue. Here the two systems meet, part company, and proceed in opposite directions. We might illustrate that in a very simple way. Suppose two men meet at a common point upon one of our public highways and then turn their backs on each other and go in opposite directions. Every step they take they get farther and farther apart. Let us carry the illustration a little further. Let us suppose that one of these men is a tax-gatherer and the other is a shrewd confidence man. The tax-gatherer goes his way from house to house and place to place collecting taxes due from the people to the State or the municipality or the county, and turns the money so collected into the public treasury. He represents the tariff-for-revenue man. The confidence man, sleek, well dressed, glib of tongue, goes his way from house to house and place to place until he has covered the entire territory visited by the tax collector, and under the specious and false pretense of collecting money for the poor or for some public charity induces every man he meets to voluntarily turn over to him the exact amount or almost the exact amount of money that he had paid for taxes, and after he has collected in this way large and princely sums of money puts it down in his pocket and retires to some gilded castle or some marble palace and lives in ease and affluence the rest of his days. I am not going to say that he represents the protectionist, but he represents the beneficiary of protection. [Applause on the Democratic side.] By this simple illustration you have in concrete form the whole tariff issue between Republicans and Democrats.

Mr. Chairman, the power to impose tariffs on articles imported into this country rests entirely upon Article I, section 8, of the Federal Constitution, which reads as follows:

> The Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States.

The mere reading of this provision discloses the fact that the framers of the Constitution looked upon all tariffs, including duties, imposts, and excises, as taxes which might be properly levied to pay debts, to provide for the common defense, and to promote the general welfare. That they were regarded not as benefits, not as privileges, but as burdens is evidenced by the fact that it is specifically provided that all duties, imposts, and excises shall be uniform throughout the United States. By this provision of the fundamental law the taxing power is expressly conferred upon Congress for the specific purpose of raising revenue. We fail to find in this provision of the Constitution any hint or suggestion that this power is conferred upon Congress to enable it to levy duties and imposts in order to protect our manufacturers or to guarantee to them reasonable profits or to protect labor or to benefit farmers. The idea that they intended to vest in Congress the power to confer special privileges upon manufacturers as a class, upon laborers as a class, or upon farmers as a class is foreign to the language of the instrument and is precluded by the declaration that all such duties must be uniform throughout the United States. The purpose, and sole purpose, of this provision of the Constitution is to confer upon Congress the taxing power, the power to provide for the revenues necessary to maintain the Government, to pay its debts, to provide for its common defense, and promote its general welfare. Thus it will be observed that the Democratic doctrine of a tariff for revenue finds its justification in the language of the Constitution itself. The Republican doctrine of protection for the benefit of American manufacturers or American labor or the American farmer is unwarranted under any fair interpretation of the language used in the Constitution. I insist that as a matter of fact our protective-tariff system is maintained solely for the benefit of our manufacturing classes and that the specious claim made by the Republicans "that it is for the protection of laborers, workingmen, or farmers" is a sham, a pretense, and a fraud. [Applause on the Democratic side.] It can have no effect upon the price of labor, except as to the few who are employed in the factories, and these constitute only a small number in

comparison with the laborers employed throughout the country outside of the factories. It can confer no benefit upon farmers, except in a local way, for the general products of the farm throughout the United States are exported and sold in the open markets of the world.

The only justification, therefore, for the imposition of any kind of tariff, tax, or duty in this country is found in the fact that the imposition of such duties, imposts, and excises are necessary in order to raise revenues for the maintenance of the Federal Government and for the administration of its laws. Good administration requires that even upon this power there should be a just limitation, and that no more revenues should be raised than are necessary to carry on the Government economically administered. Is it possible for our Republican friends to read into the Constitution any authority for the doctrine of protection for home industries, laborers, or farmers? Is it possible for them by any process of sound reasoning to read into the Constitution any authority for Congress to delegate the taxing power to individuals and corporations, and thus enable them to enjoy special privileges by fixing a higher price upon their own products equal to the tax imposed by the Government upon similar commodities imported from foreign countries? The doctrine of protection stands for the principle of conferring special privileges upon certain favored classes of our citizens, to the exclusion of and at the expense of all others.

To my mind the doctrine of protection is equally unjustifiable, whether the favored class be manufacturers, laborers, or farmers. It is a special privilege to whoever receives the benefit; and the extra profit, the extra wage or the extra price is borne by the entire body of our citizenship not belonging to the favored classes. The principle of protection is without constitutional warrant; it was conceived in fraud, is born of greed, and has been maintained by fallacy for more than 40 years by the Republican Party. Destroy the principle of protection and you destroy the Republican Party. [Applause on the Democratic side.]

Mr. Chairman, as a Democrat who is utterly opposed to the principle of protection and who is in full accord with the time-honored tenets of his party relative to the imposition of imposts or tariff duties, I desire to ask what is there in this proposed act, or bill, that violates any fundamental principle of our party or to prevent me or any other Democrat who believes in a tariff for revenue, or any free-trade Democrat, from voting for it in preference to the existing law?

I can readily understand why a Republican protectionist, or a protectionist Democrat, or a Democrat whose constituents have strong protective proclivities, might hesitate to vote for and might oppose this bill, but I can not understand how even a Republican who believes that our present tariff rates are responsible for the high cost of living, or who believes that our present rates of duty on wool and woolen goods are excessively high and ought to be lowered, or a Democrat who is opposed altogether to the principle of protection, or a Democrat who is a free trader should oppose or hesitate one moment to give his support to this measure. I desire at this point, without going into details as to the several items in the bill, to call attention to and insert as a part of my remarks the summary of statistics furnished by the experts employed by the Ways and Means Committee and printed on page 73 of the report accompanying the bill, as follows:

Summary of statistics presented.

Items.	Present act—Results for year ending June 30, 1910.	Proposed act—Estimated results for a 12-month period.
Raw wool:		
Imports	$47,687,293.20	$66,991,000.00
Duties	$21,128,728.74	$13,398,200.00
Average unit of value, per pound	$0.186	
Equivalent ad valorem rate, per cent	44.31	20.00
Manufactures of wool:		
Imports	$23,057,958.78	$63,831,000.00
Duties	$20,776,121.26	$27,157,800.00
Equivalent ad valorem rate, per cent	90.10	42.55
Total revenue	$41,904,850.00	$40,556,000.00

Average ad valorem rate on manufactures of wool under Wilson law (1896), 87.84.

From this table it will be observed that in our present tariff act, commonly known as the Payne-Aldrich tariff law, the equivalent ad valorem rate of duty on raw wool is 44.31 per cent. Under the proposed act or bill now under consideration, the ad valorem duty on raw wool is 20 per cent, or a reduction of more than 50 per cent from the present rate of duty. Under the existing law the equivalent ad valorem duty on manufactured woolen goods is 90.10 per cent, and under this proposed act or bill the ad valorem duties are 42.55 per cent, or a reduction of more than 50 per cent.

Mr. Speaker, we have in this country three distinct theories or schools of thought in regard to tariff legislation. First, the advocates of high-protective tariff rates—those who stand for protection for protection sake and who favor the imposition of prohibitive duties in order to protect home industries from foreign competition. This is the Republican position. Second, the advocates of a tariff for purposes of revenue. This is the Democratic position. Third, the advocates of free trade, who oppose the imposition of any and all tariff duties and favor free and open markets with all the countries of the world.

While these three propositions theoretically and fundamentally differ widely, in their practical application in making tariff laws there is such a blending and confusion of all three of these principles, that it is exceedingly difficult to construct a tariff bill that will be satisfactory to the extreme advocates of either theory. As Mr. Cleveland once aptly said: "It is a condition and not a theory that confronts us"—when we undertake to revise our manifold and complex tariff schedules.

But if you will compare this bill with the three fundamental propositions referred to, I believe you will agree with me, that this is in strict conformity with the Democratic position for a tariff for revenue only.

Mr. Chairman, it is evident that this is not a free-trade bill, for it imposes duties upon both the raw material and the finished product. It is equally clear that it is not a protectionist's bill, for the present law, while highly protective, is not prohibitive, for it brings in $21,000,000 per annum on raw wool and about $20,000,000 per annum on manufactures of wool. This bill is less prohibitive than the present law, for, as already stated, it reduces the tariff on raw wool and also on the finished product of woolen manufactures more than 50 per cent, and this reduction will stimulate the importation of both foreign-grown wool and foreign-manufactured woolen goods into this country. Then, if it is not a revenue bill, what is it? Does the imposition of a duty on raw wool violate any fundamental or cardinal principle of the Democracy? I deny that it does.

I believe in free raw wool as a sound economic policy. Before the Democratic caucus acted upon this bill I favored placing raw wool on the free list, and I voted in the caucus for the amendment offered by my colleague [Mr. MACON] to put raw wool on the free list. So without surrendering my views as to the wisdom of the position long adhered to by Democrats in Congress in favor of free raw wool or in favor of the broader doctrine of free raw material, I shall vote for this bill with a provision in it providing for a duty on raw wool. I do not apologize for but justify my action in so doing on the ground that the duty imposed is lower than the rate fixed in the present law, and that same is deemed necessary at this time for purposes of revenue. [Applause on the Democratic side.]

This brings me to the consideration of the great issue between the Republican and Democratic Parties on the tariff question. There is to-day and has always been a fundamental distinction and vital issue between these two great parties in regard to the principle that should control Congress in the imposition of tariff taxes. The Republican Party stands for the principle of protection. The Democratic Party has always opposed, and to-day opposes that principle and stands for a tariff for revenue. The Republican Party insists that duties on imports should be levied with the view of protecting our home industries, and in their latest declaration on the subject declared that these duties should be sufficient to guarantee to American manufacturers a reasonable profit. In justice to the Republican Party I deem it proper to state in this connection that they also insist that the protective policy of their party is imposed for the benefit of American labor. In my own opinion this latter contention is wholly untenable, and is merely made to delude the working classes into supporting a system of taxation that is detrimental to their best interest. The Democratic Party opposes the doctrine of protection either for the purpose of protecting our manufacturers or benefiting our laborers or farmers. The Democratic position is that the tariff is a tax, and that the only justification for the imposition of any tariff duties whatsoever is the needs of the Government, and that no duty should be imposed except such as may be necessary in order to raise revenues to carry on the Government economically administered. [Applause on the Democratic side.] Our contention and position is that a tariff imposed with any other view or for any other purpose is wholly unjustifiable. Under this view the imposition of prohibitive tariffs is utterly indefensible and intolerable. [Applause on the Democratic side.]

Now, let us consider for a moment the practical workings of these two divergent theories in regard to tariff taxation in

their last analysis. In order to secure protection, the Republican Party, the party of protection, stands for the imposition of high rates of duty. Under the operation of this system the party in control of the Government through a long series of years whenever it has become necessary to modify or revise our tariff laws has carried in the new bill higher average rates than in the preceding bill. Hence the last tariff law enacted by the Republican Party carries higher rates of duty than any tariff law ever enacted by Congress, and hence places upon the people of the United States heavier burdens than were ever imposed by any former act. [Applause on the Democratic side.]

On the other hand, the Democratic Party stands for a tariff for revenue, and hence stands for the doctrine of low rates of duty, such as will produce the greatest amount of revenue with the lightest burden to the people. In harmony with this view the Democratic Party in Congress opposed at every step the iniquitous Payne-Aldrich tariff bill and are now engaged in an earnest effort to revise it schedule by schedule, so as to bring the duties down to a strictly revenue basis. The President of the United States declared, in his Winona speech, shortly after the passage of the Payne-Aldrich tariff law, that it was the best tariff law that had ever been enacted by the Congress of the United States. From the standpoint of the protectionist, I am willing to concede that the President was eminently correct in that statement.

The law provides for a higher degree of protection to American manufacturers and special interests than any other tariff law ever enacted. It affords more and better protection than can be found in any previous enactment. But the people generally do not like it. Republicans generally do not like it. Insurgent Republicans, like Democrats, do not believe in too much protection. From the standpoint of those opposed to special privileges, who believe in fairness and justice to the whole American people, I do not hesitate to declare that the Payne-Aldrich tariff law is the most oppressive tariff legislation ever enacted in the entire history of the Republic. [Applause on the Democratic side.]

Having thus analyzed the positions of the two parties upon this vital issue, let us now inquire who is right. Who stands for the correct principle? The application of which of these principles is best for the American people as a whole? Now, the special interests, the beneficiaries of tariff legislation, favor protection through selfish motives. We can never hope to influence them to stand against the system by argument or by altruistic appeals to their generosity, but the great body of the American people are not beneficiaries of this system. And I have no doubt that they have been induced to support the principle of protection in the past because they honestly believed it was right.

Conceding honesty of opinion in their past support of the protective system, I appeal to them to consider this great question from the standpoint of reason, logic, and common sense. And if we can convince them that we are right and that the Republicans are wrong on this tariff question, I believe they will vote with us in the future.

The exceeding high cost of living has become burdensome to every class of our citizens. The only power lodged in the Congress of the United States to relieve the people from the burdens of the high cost of living is the power to reduce our present high tariff rates and place our home manufacturers in competition with foreign manufacturers, and the further power to strengthen our antitrust laws. Under the system of protection so long fostered and upheld by the Republican Party, other evils have grown up in this country. The American manufacturers enjoying special privileges in the form of law-made profits have prospered beyond the dreams of avarice.

Realizing the advantages of being without foreign competition by reason of the protective tariff, they have formed pools, combinations, gentlemen's agreements, and thereby destroyed in a large measure domestic or home competition, and the American people to-day are compelled to buy food, clothing, and other articles of daily necessity and comfort and to pay therefor the arbitrary prices fixed by the combines or trusts. [Applause on the Democratic side.]

In this connection and as bearing directly upon the question, I desire to call attention to and read an extract from the dissenting opinion of Justice Harlan in the Standard Oil case. He said:

> In order that my objections to certain parts of the court's opinion may distinctly appear, I must state the circumstances under which Congress passed the antitrust act and trace the course of judicial decisions as to its meaning and scope. This is the more necessary because the court, by its decision, when interpreted by the language of its opinion, has not only upset the long-settled interpretation of the act, but has usurped the constitutional functions of the legislative branch of the Government. With all due respect for the opinions of others, I feel bound to say that what the court has said may well cause some alarm for the integrity of our institutions. Let us see how the matter stands.
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> All who recall the condition of the country in 1890 will remember that there was everywhere among the people generally a deep feeling of unrest. The Nation had been rid of human slavery—fortunately, as all now feel—but the conviction was universal that the country was in real danger from another kind of slavery sought to be fastened on the American people, namely, the slavery that would result from aggregations of capital in the hands of a few individuals and corporations controlling, for their own profit and advantage exclusively, the entire business of the country, including the production and sale of the necessaries of life. Such a danger was thought to be then imminent, and all felt that it must be met firmly and by such statutory regulations as would adequately protect the people against oppression and wrong. Congress therefore took up the matter and gave the whole subject the fullest consideration. All agreed that the National Government could not, by legislation, regulate the domestic trade carried on wholly within the several States; for power to regulate such trade remained with, because never surrendered by, the States. But, under authority expressly granted to it by the Constitution, Congress could regulate commerce among the several States and with foreign States. Its authority to regulate such commerce was and is paramount, due force being given to other provisions of the fundamental law devised by the fathers for the safety of the Government and for the protection and security of the essential rights inhering in life, liberty, and property.
>
> Guided by these considerations, and to the end that the people, so far as interstate commerce was concerned, might not be dominated by vast combinations and monopolies having power to advance their own selfish ends, regardless of the general interests and welfare, Congress passed the antitrust act of 1890 in these words:
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> "SEC. 1. Every contract, combination in the form of trust or otherwise, or conspiracy in restraint of trade or commerce among the several States or with foreign nations, is hereby declared to be illegal. Every person who shall make any such contract or engage in any such combination or conspiracy shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by fine not exceeding $5,000, or by imprisonment not exceeding one year, or by both said punishments, in the discretion of the court.
>
> "SEC. 2. Every person who shall monopolize or attempt to monopolize, or combine or conspire with any other person or persons to monopolize any part of the trade or commerce among the several States or with foreign nations, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by fine not exceeding $5,000, or by imprisonment not exceeding one year, or by both said punishments, in the discretion of the court.
>
> "SEC. 3. Every contract, combination in form of trust or otherwise, or conspiracy in restraint of trade or commerce in any Territory of the United States or of the District of Columbia, or in restraint of trade or commerce between any such Territory and another, or between any such Territory or Territories and any State or States or the District of Columbia, or with foreign nations, or between the District of Columbia and any State or States or foreign nations is hereby declared illegal. Every person who shall make any such contract or engage in any such combination or conspiracy shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by fine not exceeding $5,000, or by imprisonment not exceeding one year, or by both said punishments, in the discretion of the court." (26 Stat., 209, c. 647.)

The Sherman antitrust act was passed in 1890. It provides that every contract, combination in the form of a trust or otherwise, or conspiracy in restraint of trade or commerce among the several States shall be unlawful, and also further provides that every person who shall make any such contract or engage in any such combination or conspiracy shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not exceeding $5,000, or by imprisonment for not exceeding one year, or by both such fine and imprisonment, in the discretion of the court.

Mr. Chairman, I am not an alarmist, and I hope my views on public questions may never become chimerical, but I can not shut my eyes to the serious problem that confronts the American people to-day in dealing with the trust question. In the Standard Oil case and also in the case of the United States against the American Tobacco Co., recently decided by the Supreme Court, the court held the respective companies to be unlawful combinations operating in restraint of trade and monopolies within the meaning and intendment of the Sherman Act, and in each case entered a decree for the dissolution of the holding corporations. But no criminal prosecutions have been instituted against the officers of these great concerns, and in so far as I am advised no such prosecutions are in contemplation.

Mr. Chairman, this is a plain statute, but I charge that the same has not been enforced as it should have been enforced by the present administration or by any preceding administration. A law that is not enforced is a dead letter. Of what avail would be our statute against murder, larceny, or robbery if those intrusted with the administration of the law would not prosecute the offenders?

The antitrust law is plain. It declares all agreements and combinations in restraint of trade unlawful. It provides for the punishment by fine and imprisonment of those who enter into said combinations and agreements. Under its terms an unlawful combination or monopoly may be dissolved and the persons who enter into and engage in such unlawful combinations are guilty of criminal offenses. The efforts of the various Republican administrations to dissolve such unlawful combinations, it seems to me, have been desultory and occasional, and the criminal provisions of the statute have not been enforced at all and no serious attempt has ever been made to enforce them. Suits were brought against the Standard Oil Co. and the Ameri-

can Tobacco Co., in cases already referred to, and the allegations against these particular companies were sustained by the Supreme Court and they have been adjudged unlawful combinations. Yet in the face of the fact that the United States Steel Corporation acquired the properties of the Tennessee Coal & Iron Co. and various other properties, as everybody believes, in contravention of this statute, no suit has been brought to dissolve the Steel Trust. No suit has been brought to dissolve the American Sugar Refining Co. No suits have been brought against hundreds of other combinations which, while not so powerful as those named, are equally culpable and are operating in violation of the provisions of this statute. Is the Department of Justice powerless to enforce our antitrust laws, or is the administration for some other reason unwilling to proceed against particular trusts? Has the administration forbidden the Department of Justice to prosecute individuals criminally for the violation of this statute, or is the failure to do so to be charged up to the dereliction of the Department of Justice? As a plain, blunt man, who can understand the provisions of a plain, blunt law, I should like to know who is responsible. [Applause on the Democratic side.]

As a direct result of this system of unlawful monopolies, trusts, and combines, we have the high cost of living for all our people and, what is worse, a condition of industrial slavery for wage earners scarcely less galling than was the chattel slavery of the South. [Applause on the Democratic side.] Yet the party of Lincoln, the party that in its origin and inception stood for universal freedom, is responsible for this condition of servitude. The Republican Party stands for a protective tariff which promotes and fosters monopolies by shutting out foreign competition. By a policy of noninterference, by declining to prosecute these great captains of industry, or their agents or subordinates, criminally for the violation of antitrust laws, it has permitted combinations to grow and multiply, the chief purpose of which is to suppress and destroy domestic competition, and all this has been done in open defiance of a plain statute that forbids their very existence. Faithless to the people, derelict in duty, recreant to its trust, the Republican Party has demonstrated its utter incompetency or disinclination to enforce our antitrust laws against these great and powerful corporations or their managers. As a result, unlawful combinations and monopolies dominate and control the commercial and business interests of the entire country, and, with the cupidity of common knaves, exploit the public to add other millions to their already swollen and ill-gotten fortunes. [Applause on the Democratic side.]

Mr. Chairman, in conclusion, permit me to say that the Republican Party has shattered the high ideals of its illustrious founders and by both its legislative and administrative policies has prostituted the high purposes of government to the promotion of special interests. [Applause on the Democratic side.]

Mr. Lincoln stood for a government of the people, by the people, and for the people. The Republican Party of to-day stands for a government of the trusts, by the trusts, and for the trusts. [Loud applause on the Democratic side.]

Mr. MANN. Mr. Chairman, I yield one hour to the gentleman from Minnesota [Mr. STEENERSON].

Mr. STEENERSON. Mr. Chairman, I have listened to the debate upon this very important bill with much interest. I have come to regret that the discussion, it seems to me, has departed from the real merits of the bill and gone into side issues. It does not seem to me that the Members who have debated this bill have discussed it upon its merits, nor from that impartial point of view which I would like to hear. It seems that a great deal of not only partisan politics, but factional politics, have crept into this discussion. I was very much interested, as I always am, in the remarks of the gentleman from Arkansas who has just finished his speech, and I agree with him in his definition of tariff. A tariff for protection only will, of course, if it is effectual, exclude importations and be prohibitive and there will be no revenue, as he said. A tariff for revenue may or may not be protective. It is protective to a limited extent if it is levied upon an article produced in this country that competes with articles that may be imported. If the duty is so high that it makes a material difference in the price, raises the price of the domestic competitive article, it becomes chiefly protective, but if you continue to raise the rate until the advantage is so great to the domesic producer as to dominate the market entirely, as I said, it becomes prohibitive and, of course, protective. Now, this bill provides for certain duties. The criticism I have heard from the Republican side has not been directed to the question as to whether or not those duties are or are not protective. The chief criticism is, as I have heard it, that the bill is brought forward here by the chairman of the Committee on Ways and Means as a revenue measure, and that the author of the bill not only claimed that, but that it was necessary to bring such a bill because of the depleted condition of the Treasury, and that proposition has been refuted. Well, that does not exactly go to the merits of this measure, to my notion.

The further criticism might be made that this bill is not chiefly a revenue bill. The Democrats have defended it upon the ground that it is in harmony with Democratic principles, to wit, that a tariff must be levied for revenue only, and that the protection that necessarily results when it reaches a competitive article is an incident that is not at all controlling or influencing of their action in levying that duty. That has been reiterated over and over again. Now, upon that question as to whether or not this is a Democratic bill in its essence, we ought to take the opinion of the leading Democrat of the country, Mr. Bryan, the peerless leader of the Democracy. And he has, both in interviews and in his paper, the Commoner, come out and declared that this is not a Democratic measure; that it is a repudiation of Democratic principles; and that it is a surrender to the Republican doctrine of protection, or words to that effect. Well, I have studied this bill for some time since it has been up here for discussion, and I have been almost persuaded that Mr. Bryan is right in his criticism of the bill.

Mr. HEFLIN. Will the gentleman yield, Mr. Chairman?

Mr. STEENERSON. For a question.

Mr. HEFLIN. The gentleman thinks Mr. Bryan is right about this bill?

Mr. STEENERSON. I certainly do.

Mr. HEFLIN. Did the gentleman hear the letter read by the gentleman from New York [Mr. AYRES] from Mr. Bryan this afternoon?

Mr. STEENERSON. I did not hear any letter read from Mr. Bryan this afternoon. What I say is, that I have read in the papers that he has condemned this bill as not in harmony with the Democratic platform.

Mr. HEFLIN. In this letter he said this bill is better than any bill that could come from the Republican Party.

Mr. STEENERSON. That is a mere quibble. He does not retract, then, what he said before, and that is that this bill is not a Democratic measure. It may be better than a bad bill from a Democratic point of view, but the very fact that Mr. Bryan condemns it does not make it a bad bill. To my notion it makes it a good bill, because I do not believe in the principles in which Mr. Bryan believes. This bill, if I understand it—and if I do not I hope to be enlightened before we come to a vote—is a repudiation and an abandonment of the principles of the Democratic Party and constitutes a fulfillment of the promises of the Republican Party in their last national platform to impose duties equal to the difference in the cost of production at home and abroad. The Democratic Party, as it is organized in this House, has brought in a Republican measure, and it constitutes a fulfillment of our party promises to a very much greater degree than the bill brought in by the gentleman from New York [Mr. PAYNE], which I voted against.

Mr. CARTER and Mr. FOWLER rose.

The CHAIRMAN (Mr. OLDFIELD in the chair). To whom does the gentleman yield?

Mr. STEENERSON. I yield to the gentleman from Oklahoma.

Mr. CARTER. The gentleman says this is a Republican bill. I want to know if he is going to support it?

Mr. STEENERSON. I am liable to do so unless I am convinced that I am mistaken in my views. [Applause.] I will say to the gentleman that if I am not mistaken in the views I have expressed this bill deserves to pass. [Applause on the Democratic side.] I may be mistaken. But, as I understand this bill, it is a protective measure and not a Democratic one, not a bill providing for revenue duties, but duties intended largely for protection.

When you levy a duty upon a competitive article—that is to say, an article that is produced in this country at least in sufficiently large quantities to supply a large part of the demand and the production of which may be so stimulated as to increase it to the extent that it will supply the whole demand—then you are dealing with a commodity that is a suitable subject of a protective tariff.

If you levy a small duty so as to permit importations and not to stimulate greatly the production of that commodity, then you have a revenue duty. On the other hand, if you levy a duty that is so high as to make importations difficult or rather small, you have considerable protection.

Now, here is this article of wool. We have never produced all of the wool that we have consumed in this country. It is claimed by the enthusiasts in that industry that sufficient wool could be produced in this country to supply the entire demand

if proper encouragement were given to the industry. However, we have had a very high protective tariff for more than a generation, and we have never greatly increased the production in proportion to the size of the country or the population, so that this is a commodity which, without undue or extraordinary stimulation, does not supply more than a half, or a little more than a half, of the demands of the people.

Mr. RAINEY. Will the gentleman yield?

The CHAIRMAN. Does the gentleman from Minnesota yield?

Mr. STEENERSON. For a question.

Mr. RAINEY. Is it not true that the more people we have in a country like this the less sheep we have?

Mr. STEENERSON. I believe the gentleman is mistaken. I believe we have more sheep now, with one exception, than we ever had, and we have more people than we ever had.

Mr. RAINEY. I can not agree with the gentleman on that.

Mr. STEENERSON. We have 57,000,000 sheep at the present time, and I understand that is more than we ever had, except in 1900–1903, when there was an abnormal increase to 63,000,000, which fell in 1905 to 45,000,000, and we have 92,000,000 people, and that is more people than we ever had before. It may be that we have a less number of sheep per capita than we have had at some other time. But I say that the amount of wool produced does not supply our demand. I believe that the latest figures are that we produce 56 per cent and import 44 per cent. That being the case, wool is a subject which is properly embodied either in a revenue tariff or a protective tariff.

The same situation exists as to sugar. We never produce the total amount of sugar that we require, and, therefore, there must be a large percentage of our consumption imported every year. Sugar has therefore been a subject of a tariff which the Republicans claim is largely a revenue tariff, because it brings in some $60,000,000 of revenue, and which others claim is a protective tariff to the sugar producers, especially the beet-sugar producers of the West, and some other States, and the cane-sugar growers of the South.

Mr. FOWLER. Mr. Chairman, will the gentleman yield?

Mr. STEENERSON. I desire to say, Mr. Chairman, that once for all I decline to yield.

I was saying that sugar is a commodity that, possibly, resembles wool in this particular, that its production could be so stimulated that the entire demand might be supplied in this country. There is hardly any limit to the amount of beets that could be produced, and perhaps the cane production could also be increased; so that that duty is not only a revenue duty, but is, to a great extent, a protective duty.

Here, then, we have a bill that proposes a duty on raw wool of 20 per cent, and upon the manufactures of wool of 40 and 45 per cent. I believe there are some forms of manufactured products that are a little lower, but those are the main items, 40 and 45 per cent.

Now, I will submit to anyone who will carefully look into the matter and be fair that the proposed duty, so far as raw wool is concerned, is more than the farmer, the producer of the wool, has received during the last five years. If we take the last five years and compare the price of wool in London and in Boston for exactly the same kind of commercial wool we will find that the difference in favor of the domestic price of wool for the last five years has been 3½ cents a pound.

In only one year; that is, the year 1905—and I have this table furnished to me by a gentleman who is posted on the wool business—in only the year 1905, when there was, owing to a small supply, an undue and extraordinary demand for raw wool in this country, did the producers of wool get the benefit of the specific duty of 11 cents to the amount of 10 cents a pound. Take it for 11 years back, and the average enhancement of the price of wool to the producer by the duty has been substantially 4 cents. It is higher for the last five years, because it includes this extraordinary year of 1905, at 10 cents.

Now, that is all the protection that the farmer who actually produced the wool got, and I will explain the reason, as it appears to me, later on.

The average price of wool has been more than 20 cents in London, ranging all the way from 19 to 33 cents. If you base the ad valorem duty of 20 per cent on that London price, you will give a higher protection than the farmers of the United States who produce wool have received in the past. Therefore I say that, so far as the wool producer is concerned, the proposed duty is higher than the duty that is in effect under the complicated system of fictitious compensatory, ad valorem, and specific duties that we are now imposing, and which result, in my opinion, to the benefit of the manufacturer, who robs the producer of the wool of the protection intended for him.

Mr. SISSON. Will the gentleman yield to me?

Mr. STEENERSON. I will yield for a question.

Mr. SISSON. I have listened with interest to the gentleman's argument. I have gathered from what I heard—I did not hear the first part of the gentleman's speech—that the bill now proposed as a substitute for Schedule K is a very much better bill than Schedule K as now written in the Payne-Aldrich law——

Mr. STEENERSON. If the gentleman from Mississippi went into the Supreme Court room and listened to one of the judges delivering his opinion, he would hardly expect to interrupt the judge and ask him what his conclusion was until he got to it. [Laughter.] Now, I have said some things that indicate the conclusion.

Mr. SISSON. I judge that, and I am glad of it.

Mr. STEENERSON. I am very glad that you can anticipate the result.

Mr. SISSON. I am glad that I can.

Mr. STEENERSON. But there are other reasons which, if the gentleman will permit me to proceed, may perhaps be more convincing than anything I have already said.

Mr. SISSON. I hope so.

Mr. STEENERSON. The other day, while the question of wool was under discussion here, I listened with interest to the gentleman from Wyoming [Mr. MONDELL], and although I think he claimed that in one instance the difference in the price to the wool producer by reason of the tariff had been as high as 11 or 12 cents, he admitted that at the present time we were practically on an export basis, and that we had several times been on an export basis, so that the woolgrowers were not receiving more than the wool was worth for export.

Now, somebody must get some advantage in this specific duty. Exactly who, it is difficult to tell. The gentleman from Colorado [Mr. MARTIN], during the discussion with the gentleman from Wyoming [Mr. MONDELL], stated that it had been claimed by the woolgrowers of Colorado that they had sold their wool for 12 cents a pound under the specific duty of 11 cents a pound. If, therefore, the amount of the specific duty, 11 cents, was added to the price paid to the woolgrower as compared with the foreign price, the foreign price must have been 1 cent, which of course is ridiculous.

I privately asked those gentlemen if they could tell me what the reason was that the producer of the wool did not get the benefit of the specific duty of 11 cents, or 12 cents on some wool, but I got no satisfactory answer, and I had to study the question from my own point of view.

Now, as I have stated frankly several times, I do not claim to be an expert, but there is an explanation, for certainly no wool comes in here, either raw or manufactured, that is not enhanced in price before it reaches the consumer of the wool garments by the amount of the duty. And why the farmer who produces the wool does not get the advanced price is the problem that I have not yet been able to solve satisfactorily, although I have been indulging in some guessing, and I am going to give you these suggestions with the idea that before we vote upon this bill perhaps some of you gentlemen who are more expert in the matter of wool can explain it.

There is a very fair statement of the law in regard to raw wool—that is, the tariff duties on different classes of wool—in the report on this bill, and I think I shall insert a part of it in my speech, and also some of the definitions of technical terms.

UNMANUFACTURED WOOLS.

The act of 1909 made no change in the act of 1897 as to classifications, duties, and provisions covering raw or unmanufactured wools. The unmanufactured wools are now provided for in paragraphs 360 to 371, both inclusive, of the act of 1909 (pars. 348 to 360, both inclusive, of the act of 1897). In this prevailing scheme of duties the raw wools are divided for tariff purposes into three classes.

Class 1, generally known as carding or clothing wools, are described as—

"merino, mestiza, metz, or metis wools, or other wools of merino blood, immediate or remote, Down clothing wools, and wools of like character with any of the preceding, including Bagdad wool, China lamb's wool, Castel Branco, Adrianople skin wool or butcher's wool, and such as have been heretofore usually imported into the United States from Buenos Aires, New Zealand, Australia, Cape of Good Hope, Russia, Great Britain, Canada, Egypt, Morocco, and elsewhere, and all wools not hereinafter included in classes 2 and 3."

These are fine wools, short in fiber, and are used for carding and spinning into woolen yarn. They consist principally of wools from sheep of merino blood, and are imported mainly from Australia and Argentina. These wools of class 1 are now dutiable at 11 cents per pound when unwashed, which means "shorn from the sheep without any cleansing"—that is, in their natural condition and when "not on the skin." If washed, these wools are taxed "twice the amount of the duty to which they would be subjected if imported unwashed," which means 22 cents per pound when not on the skin. When the wool is on the skin, the duty is 1 cent less per pound than it would be if the same wool were not on the skin. If these wools of class 1 are scoured, the duty is "three times the duty to which they would be subjected if imported unwashed," which means 33 cents per pound. Washed wools are considered only "such as have been washed with water only on the sheep's back, or on the skin." If washed in any other manner, they are considered and taxed as scoured wool.

Class 2, generally known as combing wools, are described as—

"Leicester, Cotswold, Lincolnshire, Down combing wools, Canada long wools, or other like combing wools of English blood, and usually known

by the terms herein used, and also hair of the camel, Angora goat, alpaca, and other like animals."

These are long-fibered combing wools—that is, wools which are used for combing and spinning into worsted yarns. They come principally from the English breeds of long-haired sheep, such as the Cotswold, Lincolnshire, Romney Marsh, and Leicesters. The quantity of class 2 wools imported is much smaller than the quantities of classes 1 and 3, and they come principally from the United Kingdom. These wools of class 2 are now dutiable at 12 cents per pound, either washed or unwashed, when not on the skin, or at 11 cents per pound when on the skin. If scoured, class 2 wools are taxed three times the duty on unwashed wool, or 36 cents per pound. While class 1 wools when washed are taxed twice the amount of the duty on the unwashed—that is, 22 cents per pound in the fleece, or not on the skin—class 2 wools in the same condition are taxed no more than when unwashed—that is, 12 cents per pound not on the skin or 11 cents if on the skin. The great bulk of the importations of raw wools of all classes are not on the skin. The very special favor given to class 2 wools in permitting their importation when washed at no higher duty than when unwashed is for the particular benefit of the importers of class 2 wools, who are principally the manufacturers using these wools, which shrink the least in washing and scouring.

Class 3, coarse wools used only for carpets, are described as—

"Donskoi, native South American, Cordova, Valparaiso, native Smyrna, Russian camel's hair, and all such wools of like character as have heretofore been usually imported into the United States from Turkey, Greece, Syria, and elsewhere, excepting improved wools hereinafter provided for."

Carpet wools are not produced to any extent in the United States, and form a large part of our wool imports. They are brought mainly from China, Russia, the United Kingdom, and Turkey. These class 3 wools are the coarsest and cheapest and do not enter into the manufacture of clothing except occasionally and to a very slight extent. These wools in the present act are divided into two subclasses, according to value. Those valued at 12 cents or less per pound are dutiable at 4 cents per pound either washed or unwashed and not on the skin; those valued at over 12 cents per pound are dutiable at 7 cents per pound either washed or unwashed and not on the skin. As to both of these subclasses of class 3 wools, the above-mentioned rates are 1 cent per pound less if the wool is on the skin or three times the amount if it is scoured.

There is also in the present act a special provision by which the duty is doubled on wools of class 1 and class 2, "which shall be imported in any other than ordinary condition, or which has been sorted or increased in value by the rejection of any part of the original fleece," except that this provision does not apply to "skirted wools as imported in 1890 and prior thereto." Skirted wools are those in which the coarsest and least valuable wool has been removed from the fleece. The meaning of the exception in this provision is that wools which were commercially "skirted" in or prior to 1890 are not doubly taxed as sorted wools under the general terms of the provision.

Imported wools are assigned to the classes above mentioned according to standard samples in the customhouses. It is also provided that whenever wools of class 3—

"shall have been improved by the admixture of Merino or English blood from their present character, as represented by the standard samples now or hereafter to be deposited in the principal customhouses of the United States, such improved wools shall be classified for duty either as class 1 or as class 2, as the case may be."

The object of this provision is to apply the higher duties to class 3 wools should they come in in such improved condition as to make them fit for use in the manufacture of clothing.

There is no sufficient reason for continuing the complicated and troublesome system of classification of raw wools, with the differentiations, qualifications, exceptions, and special provisions involved therein. This system is a great burden and annoyance to the customs service and adds to the expense of collecting duties on raw wools. It adds to the labors of the appraisers and causes constant friction, annoyance, and litigation in the admission of imports and collection of duties. This system was provided and elaborated as a part of the establishment of specific and high duties on wool. The division of the wools into three classes appears first in the act of 1867. Raw wools are of so many varieties and involve so many shades of difference in kind, quality, condition, and use that it is not possible to apply specific duties to them without a number of differentiations and special qualifications and provisions. It is plain that the existing complicated and vexatious arrangement of specific duties on wool can not be permitted to continue. Natural conditions prevent the just operation of the arrangement. Wools are not used at all in the absolutely raw or greasy state as clipped from the sheep and as they usually come to the market. In this state the wool is loaded down with animal grease, dried sweat, dirt, sand, and other foreign substances. It must be scoured and dried before passing to any stage of manufacture. In the scouring and drying the wool shrinks, and the shrinkage varies greatly.

There is an almost endless variety of wools, according to the breed of the sheep and admixtures thereof, the countries and sections where the sheep are raised, and the conditions affecting the grazing and keeping. Almost every kind and variety of wool shrinks to a different degree in passing from the greasy to the scoured state, depending upon the variety and handling of the sheep. Some wools shrink only 20 per cent, leaving 80 per cent of the weight clean and available for use. Other wools shrink 80 per cent, leaving only 20 per cent of the weight clean and available for use. Between these percentages of shrinkage there are all possible variations in the wools imported and in the domestic wools with which they compete. Moreover, wools will vary to some extent in shrinkage in being transferred from the scoured condition into the finished cloth.

The mere weight or bulk of the wool is not of much significance, as the utility of the fiber, and hence its value, depends on the amount and quality of what is left after scouring and working into the finished fabric. It is the scoured weight obtained that determines the quantity of cloth that will be produced. The National Association of Wool Manufacturers, of Boston, Mass., published in their bulletin for 1910 the percentages of shrinkage of American wools, and their figures in this matter may be taken as conservative. They show that the wools of the group of States known as the East North Central States (Ohio, Michigan, Indiana, Illinois, and Wisconsin), which may be taken as fairly and conservatively representative of the light-shrinkage wools of this country, shrink on an average 49 per cent from the greasy to the scoured condition. Those of the South Atlantic States average 44 per cent of such shrinkage. The wools of the Mountain States (Montana, Wyoming, Colorado, New Mexico, Arizona, Utah, Idaho, and Nevada), which are the principal heavy-shrinking wools, average 66 per cent in shrinkage from the greasy to the scoured condition.

As has been stated, Schedule K of the present act provides that the duty per pound on scoured wool in either of the three classes shall be three times the duty per pound on the unwashed wool. This involves the assumption that 3 pounds of unwashed wool are required to produce 1 pound of scoured wool—that is, that the shrinkage is two-thirds, or 66⅔ per cent. This assumption is not based on fact. Some wools shrink two-thirds, a few more than this, but a great many considerably less. The worsted manufacturers gain a special advantage right along in importing light-shrinking wools. When they import 1,000 pounds of wool similar to or competing with the East North Central wool (or buy the East North Central wool), they pay in duties (or advance in domestic prices if the tariff is effective as protection) $120, at 12 cents per pound in the grease (the rate on class 2 wools). The result in the scoured condition is 51 per cent (after 49 per cent shrinkage), or 510 pounds, which have paid $120 in duties (or equivalent in advanced price), or at the rate of about 23½ cents per pound on a scoured basis. When the carded woolen manufacturers import 1,000 pounds of wool similar to or competing with the Mountain States wool (or use the Mountain States wool at prices advanced by the amount of the duty), they pay in duties (or addition to price) $110, at 11 cents per pound in the grease (the rate on class 1 wools). The result in the scoured condition is 34 per cent (after 66 per cent shrinkage), or 340 pounds, which have paid $110 in duties (or equivalent in advanced price), or at the rate of about 32⅓ cents per pound on a scoured basis.

On a scoured basis, the wool which the carded woolen manufacturers must use is therefore taxed about 9 cents per pound more than the wool the worsted manufacturers must use. The average price of Territorial (or Mountain States) clothing wools on a scoured basis in the latest available market quotations (May 19, 1911) was 55 cents per pound.

If 9 cents of this price is the amount of the special discrimination made by the present tariff against the carded-woolen manufacturers and in favor of their competitors, the worsted manufacturers, it means that the carded-woolen manufacturers must struggle against a special and unjust discrimination against them amounting to over 16 per cent of the cost of all the wool they use. The carded-woolen manufacturers claim that the discrimination against them is even greater than as estimated above. It appears that, because of the specific or pound duties, only the very lightest shrinking wool is imported, and the average shrinkage of the class 1 and class 2 wools imported is estimated at 40 per cent. On this estimate in a importation of 1,000 pounds of wool in the grease, the result in scoured wool is 60 per cent, or 600 pounds, which, the greasy wool having paid $120 in duties, is at the rate of 20 cents per pound on a scoured basis.

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The unevenly heavy duty on the heavy-shrinking wool may be supposed to benefit a number of the American woolgrowers, those producing the heavy-shrinking wools. Such, however, does not appear to be the case. It is not believed that the great majority of American growers of wool, heavy-shrinking or otherwise, favor a tariff which would give them a special advantage against others of their fellow citizens. The real situation appears to be that the uneven burdens imposed on the use of heavy-shrinking wools have seriously injured the carded-woolen manufacturers. According to their statements, their output has been seriously restricted, which means the closing of mills or much less work therein, to the distress of the workers, and much less use of raw wool than if their industry were permitted to make its way unhampered by legal discrimination. The American heavy-shrinking wools must find their market in the carded-woolen manufactures.

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Carding is the process of opening up the fibers and making the wool loose and workable. The carding engines consist of large cylinders on which revolve smaller cylinders, the surfaces of which are covered with fine teeth, the cylinders revolving in different directions and at different speeds. The wool passes between these rollers, and from one to another, finally emerging in a light, fluffy rope or roll, called a "sliver" or "strand."

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Classification of wools: Under the tariff wool is divided into three classes: (1) Consists of what are called carding or "clothing" wools. These are fine wools, short in fiber, and are used for carding and spinning into woolen yarn. They consist principally of wools from sheep of merino blood, and are imported mainly from Australia and Argentina. (2) Consists of long-fibered combing wools, i. e., wools which are used for combing and spinning into worsted yarns. They come principally from the English breeds of long-haired sheep, such as the Cotswold, Lincolnshire, Romney Marsh, and Leicesters. The quantity of class 2 wools imported is much smaller than the quantities of classes 1 and 3, and they come principally from the United Kingdom. Canada also raises this class of wools, and their free entry under the reciprocal agreement of 1854–1864 served as an impetus to the establishment of the manufacture of worsteds in the United States. Combing machinery has been perfected to such an extent, however, that domestic territory wools are suitable for combing, and those that are imported are used for special purposes, where the luster of English combing wools is desirable. (3) Consists of coarse wools which are suitable only for carpets. They are not raised to any extent in the United States, and form a large part of our wool imports. They are brought mainly from China, Russia, the United Kingdom, and Turkey. Some of these wools are suitable for carding and spinning into woolen yarn, while others are long enough to be combed and spun into worsted carpet yarn.

Combing is an important step in the making of worsted yarn. It consists of combing out the wool, thus removing the short fibers which are passed on to the woolen manufacturer as noils, and leaving the long fibers arranged parallel to each other in the form called tops, ready to be drawn out and spun into worsted yarn.

Combing wools are wools of sufficiently long fiber to be combed for making worsted yarns. Originally only very long-fibered wools could be used for this purpose, but combing machinery has been perfected to such an extent that short-fibered wools can be used.

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Wool extract is obtained from union cloths, also cloths having a woolen or mungo warp or filling. To reclaim the wool fiber, the vegetable matter (cotton) is extracted by the process of carbonizing. To effect this, the tissue or rags are steeped in a solution of sulphuric acid and water and then subjected to heat in an inclosed room. The water is evaporated, leaving the acid in a concentrated form, which acts upon the cotton, converting it into powder. The wool material

left is washed, dried, and subsequently passed through a miniature carder to give it a woolly appearance.

Woolen cloth is made of yarn in which the fibers lie criss-cross, thus affording a fuzzy surface. When woven, the cloth has a distinct nap, which is variously treated in the finishing process. Short-fibered wools are used, and the design made in weaving does not appear distinctly in the finished goods.

Woolen yarn, a yarn made from short-fibered wool and in which the fibers lie in every conceivable direction, thus imparting a fuzzy appearance to the yarn. The cloth woven therefrom is therefore susceptible to various kinds of finishings and blendings of colors, the weave being somewhat obscured by the fuzz or nap.

Worsted cloth is made of yarn in which the fibers have been combed out so that they lie parallel to each other. Comparatively long-fibered wool is used, and the yarn has a smooth appearance, few fiber ends appearing on the surface. Consequently worsted cloths have very little nap, a hard, smooth finish, and show clearly the design effected in weaving.

Worsted yarn, a yarn made from comparatively long-fibered wool (designated as class 2 in the tariff act), the fibers having been combed out straight and parallel, thus giving a smooth and even yarn with but little fuzz. The cloth woven therefrom consequently has but little nap, thus insuring a clear and distinct pattern in the finished fabric.

With that in view I will state further that the result, it seems to me, must be due to the involved system of specific and compound duties, and the duties abnormally high, unfairly high, upon the by-products of the worsted industry. As I understand it, in the first place the worsted manufacturers who make worsted cloth use mostly the long-fiber wool, which is wool from the larger sheep as distinguished from the pure-breed merinos, and which does not shrink in washing and scouring and cleaning to the same degree as the fine merino wool which is used for dresses for ladies and children and fine cloths like broadcloths.

This wool is imported to some extent and produced here to some extent, shrinks only one-third, or 33 per cent, on an average, whereas the wool mostly used in the other branch of industry shrinks 66 per cent, or two-thirds. So, when you import a thousand pounds of wool of the former kind, you have 666 pounds left, whereas if you import 1,000 pounds of the other kind you have only 333 pounds left.

Now, the duty is based on the raw pound, and not only is there this difference, but the worsted man imports his wool washed, so instead of paying 33 cents, or three times 11 cents, he only pays 14 or 15 cents. This is a considerable advantage, but it seems also that in the turning of these wools that are capable of being used in the worsted industry there is a large per cent of short-fiber wool that comes out in the manufacture that is just as good and suitable for ordinary woolen cloth as the domestic natural wool.

There is a large amount of other by-products of still shorter fiber that are not quite so valuable. But they can not be used in the worsted industry. These by-products, consisting of so-called wool waste, must be used in the ordinary carded wool industry.

There were 27,000,000 pounds of noils produced here in this country last year, according to the report, by the worsted manufacturers, quite a large percentage of the total wool production.

These noils are valuable for the carded-wool industry. They are more valuable per pound than the wool in the grease. In fact, they are distinguished in the tariff bill as noils worth 30 cents and noils worth over 30 cents, so that some may bring as high as 40 to 60 cents. So you see that they are a valuable wool, and therefore they compete with the farmers in Montana, Wisconsin, and other parts of the country who produce the raw wool.

The worsted man, having imported some of that wool and other wool bought at the lowest price he could get, takes out the most valuable part for his business, but he still has left a product of short fiber—scoured wool—which is valuable in the carded-wool process.

We have the so-called waste, both that which is produced in the spinning and finishing of the cloth, which are all produced by the worsted manufacturers to quite a large extent. Now, the fact that the worsted manufacturer gets his wool cheaper by reason of less shrinkage in the wool that he does import, affects the price of the wool that he buys here of the same kind; for, as compared with the scoured pure fiber, the duty in his case is very small.

The worsted-wool combination becomes the dominating factor both in wool production and wool manufacture. They are in a sense wool producers as well as wool consumers and importers. Under the present law they gain an advantage, not only when they buy or import raw wool, but when they sell the raw material to the woolen or carded-wool industry. They get the benefit of the protection both ways, both as producer and consumer. They so manipulate matters that they absorb both the duty designed as protection to the farmer and the manufacturer. The result is that he has left a product ready for use in the carded-woolen mill which he got in here under a low duty when it was a part of the imported low-shrinking wool, but which can not be imported separately by anyone else without paying at least four times as much duty. In other words, the worsted man gets his raw wool in at one-half the duty, measured by the scoured contents of each pound that the other wool pays, and then a part of this wool, so imported at a low duty, is sold in competition with the high-shrinking wool, and thus the price of domestic wool is reduced almost to an export basis.

Now, I believe that these are some of the reasons why the 11 cents a pound levied on raw wool is not realized by the wool producers in this country. I believe it is due to the undue advantage that the worsted manufacturers have. It has the same effect to my notion as if you should pass a law that every factory in Philadelphia could have free wool of every description, but everybody else had to pay a duty. Of course, that would give them there a dominating influence and would depress the price elsewhere, because they could undersell anybody else. They would have an advantage. In fact, as the law is now, and has been for many years, there is an inequality in the amount of duty levied upon the one class of wool as compared with the other.

My district does not produce a great deal of wool. We have no exclusive sheep industry like they have in the Rocky Mountain country. It is more of a domestic industry. Every farmer, or nearly every one, keeps a few sheep, and some years ago we had quite a number of small carded wool factories there, and I know several that started with a good deal of financial backing, ample backing, and they tried to encourage the farmer to keep more sheep, because it is a sort of by-product of the farmer, if we may use the term, and he might very well keep a few sheep to enrich the part of his farm that had been exhausted, and is a matter to be encouraged; but for some reason that we never could fathom, the wool factories throughout Minnesota and, I think, throughout the Northwest could not compete; they were crushed out by some unseen power. As a matter of fact that has been going on for many years. In 1904 there were more than 1,100 woolen factories or concerns engaged in this worsted industry, and in 1909, according to the Census Office, there were only 900, and the product has increased very greatly. The capital involved has increased very greatly, so that it appears there has been a great concentration of capital and concentration of interest, a more complete organization, and that, to my notion, explains the reason why the woolen factories in the small villages and cities of the Northwest have had to go out of business, and consequently the raising of sheep as a domestic industry upon the farm has also been discouraged.

Mr. COLLIER. Mr. Chairman, will the gentleman yield for a question?

Mr. STEENERSON. For a question.

Mr. COLLIER. That is all; just for a question. I have been very much interested in the gentleman's remarks, as I am always when the gentleman from Minnesota makes an address. I note that he states that the sheep industry, despite this tariff, has fallen off to a certain extent in his State. The gentleman does not agree, then, with the theory that has been expressed here, that if we pass a bill reducing the rates as low as this present bill that it will materially affect, if not destroy, the sheep-growing industry of the country?

Mr. STEENERSON. I think that a 20 per cent ad valorem tariff on raw wool will give more protection to the wool producer than the present compound and intricate system of specific duties that gives an advantage to one over the other. [Applause on the Democratic side.]

Mr. MANN. The gentlemen will notice that they are applauding protection on the other side of the Chamber.

Mr. STEENERSON. I am glad to see some of them are protectionists. I believe most of them are, though they dare not say so. [Laughter.]

Now, in regard to the duty on manufactures of wool, we will say 40 and 45 per cent. An ad valorem duty is levied and bears upon the total value of the product, so that if we say we had only 20 per cent duty on everything, when a piece of cloth was brought into New York, where the material costs 60 cents and the labor and other expenses of producing it cost 40 cents, that 20 per cent would be 12 cents on the material and 8 cents on the labor, so that you have the 20 per cent to start with. It is perfectly fair to say that a duty of 40 or 45 per cent—no; I will take that back—to say, if the cost of the material amounts to 60 per cent, then you have 8 cents as an additional duty to the difference between 40 and 20. You would have 28 per cent on the one and 33 per cent on the other, because it is levied upon the total value both of the material and the labor that is in it.

What should the duty be upon a manufactured article produced in this country in order that there might be a reasonable amount of protection? The Republican Party for many succes-

sive quadrennial periods have declared for protection, but never stated definitely what they meant by protection until 1904. Then they first inserted the qualification in their national platform that it was to be measured by the difference in cost of production here and abroad, and that was repeated in practically the same words in 1908, with the additional words "reasonable profit," of which the Democrats have complained so much, but which I expect to show they favor in this bill. Now, what is the difference in the cost of production of woolen goods and worsteds between here and the other countries. The way to find that out is to take the amount of material and what it costs. If we have a 20 per cent duty, as is proposed under this bill, add 20 per cent, and then find out how much the labor and the salaries amount to. It is strange to me that the gentlemen who drew the report on this bill had to go back to the days of Carroll D. Wright, the labor commissioner, to find out how much of the value of the product was labor, when they published in this same book here the Census Bureau statistics on this very subject for 1905 and 1909.

I will read from page 235 of the report on this bill. At the bottom there is a table, and I will insert the table, as follows:

Comparative summary of the wool manufacturing industry in the United States for 1900 and 1905.

Years.	Number of establishments.	Capital invested.	Aggregate wages.	Average number of wage earners.	Value of product.	Cost of material.
1900.....	1,414	$310,179,749	$57,933,817	159,108	$296,990,484	$181,159,127
1905.....	1,213	370,861,691	70,797,524	179,976	380,934,003	242,561,096

It is a comparative summary of the wool-manufacturing industry in the United States, 1900 and 1905. Number of establishments, 1900, 1,414; 1905, 1,213. That shows the decrease I spoke of a while ago. Capital invested, 1900, $310,000,000—I give the round numbers; 1905, $370,000,000. Quite an increase, you see. Aggregate wages, 1900, $57,000,000; 1905, $70,000,000. Average number of wage earners, 1900, 159,108; 1905, 179,976. Value of product, 1900, $295,000,000; 1905, $380,000,000. Cost of material, 1900, $181,000,000; and 1905, $242,000,000. Now, then, if you take these figures you will find it amounts to less than 19 per cent of the total, the cost of labor, aggregate wages. Now, here is the next table, on top of page 236, from the Bureau of the Census, comparative summary of the woolen and worsted industry in the United States as reported by the Bureau of the Census for 1899, 1904, and 1909:

Comparative summary of the woolen and worsted industries in the United States as reported by the Bureau of the Census for 1899, 1904, and 1909.

Years.	Number of establishments.	Capital invested.	Salaries and wages.	Average number of wage earners.	Value of product.	Cost of material.
1899....	1,221	$256,554,000	$50,126,000	125,901	$238,745,000	$148,087,000
1904....	1,018	302,767,000	61,433,000	141,998	307,942,000	197,489,000
1909....	913	415,465,000	79,214,000	162,914	419,826,000	273,466,000

I will not read the number of establishments, the capital invested, the salaries and wages. Now, mind you, this includes salaries as well as wages, and it all amounts to $79,000,000 for 1909. Average number of wage earners, 162,914; value of product, $419,000,000. They pay $79,000,000, and the value of the product is $419,000,000, and the cost of material is $273,000,000. The cost of material, in round numbers, is 65 per cent of the total value of the product. The total wages and salaries paid in this industry to produce this $419,000,000 product is 18.79 per cent; not quite 19 per cent; less than 20 per cent. That is, total wages and salaries paid in the woolen and worsted industries to produce $419,000,000 worth of product, which has $273,000,000 worth of material in it. Now——

Mr. MORGAN of Oklahoma. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Minnesota yield to the gentleman from Oklahoma?

Mr. STEENERSON. For a question.

Mr. MORGAN of Oklahoma. Is the labor the only article that enters into the cost of production? Is that the only thing the gentleman considers—the cost of labor?

Mr. STEENERSON. Oh, no; we have got it all here. The material and the wages are the two important elements; but, of course, there are other charges. We understand that. But a protective tariff is only to be levied to equalize the difference in the cost of production here and abroad. Now, 45 per cent is more than the total wages involved, and it is more than the difference between the total cost of material and value of product. If we take the material, there is only 35 per cent margin between the total value of the product and the total value of the material put into the product, so that it answers the question of the gentleman entirely; and the 35 per cent includes the salaries, wages, and all other expenses. Even assuming that those people do not make any extraordinary profit—and that constitutes their profit also, because that is the total value of the product.

If anybody can show me that upon a competitive article manufactured here and manufactured abroad under similar conditions, except as to wages—because this is an old established industry—if anybody can show me that a duty of 40 per cent, or 35 per cent, ad valorem is not equal to the difference in the cost of production here and abroad I, like the man from Missouri, would like to be shown and be convinced that I am mistaken. But if these figures can be depended upon, unless I have drawn the wrong conclusion from them, why the proposed tariff in this bill is ample so far as the manufacturer of woolen and worsted goods is concerned. Therefore, this measure, it seems to me, complies with the Republican platform, which says that protective duties should at least equal the difference between the cost of production here and abroad, with a reasonable profit, and the Committee on Ways and Means, in this case, have produced a bill which fulfills that in every particular and to my notion prescribes even a higher rate for safety. I can not exactly understand why they should come in here and say that it was not a protective bill, that it was purely a revenue bill, except to ease their conscience and to show that they are still Democrats. As a matter of fact, it seems to me that they have all become protectionists, and that they have performed that wonderful feat of which Bryan so often accused Roosevelt, namely, stolen the Republican policies and adopted them under the name of tariff for revenue. They have stolen our clothes, and they are woolen clothes at that.

Mr. ALLEN. Was it not the pledge of the Democratic Party, in the last campaign to reduce the tariff gradually?

Mr. STEENERSON. I do not think so. I do not read the platform that way. I have heard them say in their speeches that they intended to kill the protective system by a gradual system of torture, so as to finally extinguish it, but they have not done it in this bill, if I understand it, because this furnishes ample protection; it furnishes more real protection to the wool grower than the present tariff, and it furnishes sufficient to the manufacturer not only to cover the difference in cost of production here and abroad so far as wages are concerned, but it also covers an allowance for reasonable profit. And I would be willing to have it submitted to a jury of experts in political economy and government and have it decided without regard to any private opinion at all.

Mr. FOSTER of Illinois. Mr. Chairman, the statement was made here on the floor to-day by the gentleman from Ohio [Mr. LONGWORTH] that this ought to be deferred until we had a report from the Tariff Board. I would like to ask the gentleman if he agrees with that statement?

Mr. STEENERSON. That proposition was taken up in a Republican conference, and it seems to be the general opinion. It first appealed to me very strongly, but when I found that the Census Bureau had already reported upon the very subject of the cost of material that went into the woolen and worsted industry in 1909, and the cost of wages and salaries, and the whole value of the output, it seemed to me that it afforded me sufficient information, so that I did not have to wait for a Tariff Board, because I think that the proposed rate is amply sufficient and there is no danger whatever of the destruction of either the manufacturing of wool or the production of wool. [Applause on the Democratic side.] I believe the passage of this bill with the 20 per cent ad valorem duty would stimulate the production of wool not only in the Rocky Mountain States, but throughout the country on the small farms, because the manufacturer under the ad valorem 20 per cent rate could not swindle the farmer out of his 20 per cent, as he has done, according to my belief, by the present system of levying duties. And the manufacturer will have ample protection in the 40 and 45 per cent ad valorem duty. I regard it as one of the merits of this bill that we have abandoned those specific and compensatory systems. It has been testified over and over again that it is more practical to enforce an ad valorem duty on wool than these other duties. The carded-wool interests have sent petitions and letters on the subject, and I think that nobody can successfully deny, dispute, or controvert the fact that wool is a staple article, and that the contents of it can be determined by samples, so that it is just as practical to

prevent fraud under an ad valorem duty as under the other system.

Mr. FOSTER of Illinois. I agree with the gentleman on that.

Mr. STEENERSON. I think that is one of the merits of your bill.

Now, I may be accused of being entirely too liberal to the opposition, but I do not want to be more than fair.

Mr. FOSTER of Illinois. According to your idea, this gets rid of all of the intricacies of specific and ad valorem duties that are confusing?

Mr. STEENERSON. Certainly; and that is one of the reasons why I do not think the tariff is so awfully complicated as some think it is. If you maintain the present system of specific duties, not only on wool, but on the different grades of wool as it advances in manufacture from the grease wool to the washed wool, to the rovings and the waste, you have a system that is so complicated that it will require a Tariff Board of almighty wise men to understand it without making a blunder. [Applause on the Democratic side.] Now, I regret that I should please the gentlemen so much, but it is my honest conviction. [Applause on the Democratic side.] I am a Republican. I believe in Republican doctrines, and I believe in protection to this industry and to every other industry that can be encouraged by suitable revenue duties or suitable customs duties.

Mr. FOSTER of Illinois. I take it that the gentleman from Minnesota is also a fair and honest man.

Mr. STEENERSON. I thank you. The farmers of my district raise sheep just as much for the mutton as for the wool, and by reciprocity the sheep as well as the lambs are admitted free from the country that constitutes our only competitor in our markets. We are apparently doomed to lose all our protection on the mutton and lamb, which to us is as important as the fleece. As to raw wool, it seems to me that the farmer will get more real protection under this bill than he now has. I will insert here in the RECORD a table prepared, as I said before, by a gentleman who is posted on the wool prices of the world and of this country for 14 years, a table that shows that the farmers have not received any more benefit from the 11 cents a pound specific duty than I have stated.

Table of wool prices.

Years.	London price.	London price and tariff.	Boston price.	Increase over London price.	Tariff on clothing.
1897	19½	30½	20¼	¾	90.11
1898	18	29	22	4	.....
1899	18¾	29¾	24	5¼	.....
1900	20	31	26	6	.....
1901	16½	27½	21¾	5¼	.....
1902	16½	27½	22½	6	.....
1903	20	31	23½	3½	.....
1904	21½	32½	27½	6½	.....
1905	24½	35½	33½	10	.....
1906	29½	40½	32	4	.....
1907	28½	38½	31½	3½	.....
1908	23½	34½	25	1½	.....
1909	25	36	32	7	.....
1910	29	40	30	1	.....
General average	22½	33½	26½	4	.....

Average Boston price over London price during last five years, 3¾ cents.

I have another reason, perhaps, for favoring this bill as a revision of the tariff. I am in considerably more of a hurry about revising the tariff now than I was before the Democrats joined with a part of the Republicans in passing the reciprocity bill. I think, from the standpoint of the free trader or the man who wants to destroy the protective system, that that was a very shrewd move. I think it was a very foolish move on the part not only of the President but of those Republicans who followed him. I think the gentlemen on the Ways and Means Committee from New England, who fathered that proposition to take away the protection of the farmer and make him sell his goods in a free-trade market, made the mistake of their lives.

I recall that eight years ago, in the first Congress that I served, a gentleman from Massachusetts advocated that idea, and he did it because he wanted to reduce the cost of living and secure cheaper food, and I took occasion then in a speech to say that if the people in the manufacturing East desired to have the men who furnished the food sell it cheaper they must not expect to maintain their present duties upon their manufactured commodities; and now we find that they have succeeded, so far as this House is concerned, in passing the reciprocity proposition.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STEENERSON. Can I have five minutes more?

Mr. MANN. Mr. Chairman, I yield to the gentleman five minutes more.

Mr. STEENERSON. I will say that we feel that we have not been treated right. The farmers of the Northwest, and I believe the farmers throughout the country generally, believe that the time has come when they must retaliate, to some extent, at least, against those people who are eternally wanting cheap raw material and then retain the duties on what they produce. I recall that the same argument was advanced on the question of free hides, and still we are paying the same old price or more for shoes.

Now, it has been stated with reference to this bill on this floor that it was not intended to pass. Some gentleman stated that it was not expected to pass the Senate.

I believe there is an excellent chance for this bill to become a law. In the event that Canadian reciprocity shall be forced through, then the sentiment in favor of this bill as well as other tariff-revision bills will be greatly strengthened; and if Members of either House fail to respond thereto they will hear from the farmers of the United States. I have not yet said that I was going to vote for this bill, but I have said that unless I am mistaken in the information I have and the facts I have given you and the conclusions drawn therefrom, then there is no reason why it should not become a law.

Mr. UNDERWOOD. Mr. Chairman, I yield 30 minutes to the gentleman from Wisconsin [Mr. KONOP].

Mr. KONOP. Mr. Chairman, the tariff question has probably been the most important question in American politics. It is one of the most important questions before the American people to-day. In addition to that, I believe it has also been the most discussed question in American politics. For over 100 years it has been discussed before the American people. It has been discussed upon the floor of this House, and at the other end of the Capitol, and on the stump. So this evening, in the short space of time that I have, I will probably say some things that may have been said before upon this subject.

Mr. Chairman, the tariff question is also a lasting question. It has not been settled, although it has been discussed so long, and probably will not be settled for some time to come. Why is it such a lasting question? Why has this important tariff question not been settled before? The reason is because no question is settled until it is settled right. [Applause.] And you will not settle the tariff question until you settle it right; and in order to settle it right you must eliminate the principle of protection from it. [Applause on the Democratic side.]

Tariff legislation comes under that section of the Constitution which was quoted by the gentleman from Arkansas [Mr. FLOYD], which provides that Congress shall have power to levy and collect taxes, duties, imposts, and excises, to provide for the common defense and the general welfare of the people.

Mr. Chairman, when you pervert this power of taxation given to Congress under that section of the Constitution into a power to grant special privileges, you are doing a wrong, and it needs no figures to prove that you are doing a wrong.

What are we here for? We are here as the representatives of all the people of this country. I do not stand upon the floor of this House as a representative of the woolgrowers of this country. I do not stand upon the floor of the House as a representative of the woolen industry, or of the steel industry; but I stand here as a representative of the 90,000,000 people who must buy the necessary clothing and who must bear the burden of taxation. [Applause on the Democratic side.] When you pervert the power of taxation, when you prostitute it for the benefit of special privilege, you do not legislate for the 90,000,000 of people, but you legislate for the special interests. When you enact a tariff law for the purpose of protecting the so-called business interests that you gentlemen on that side of the House are talking about, you enact special and class legislation. No man here or anywhere can claim that the framers of our Constitution intended that this taxing clause of the Constitution should be used for granting special privileges.

Mr. Chairman, what is the history of tariff making? No tariff law enacted was ever satisfactory. After the enactment of every protective-tariff law dissatisfaction arose and agitation for its modification or repeal began. Why? Because every tariff act passed for the purpose of protection was wrong, for it necessarily was unjust, wrong, and illegal taxation. And even when a tariff for revenue was enacted by the Democrats, agitation against it was started by a few who had been weaned from public favors and been denied their usual plunder that they had expected as a result of their lobbying before the committees here in Washington. [Applause on the Democratic side.] Why, gentlemen, it is only two years since the enactment of the Payne-Aldrich tariff law, and we are here in special session to revise it.

That law, which was pronounced by the priests of protection as the best tariff law ever enacted, has been repudiated at the polls, and rightfully so, for it was special and class legislation—legislation for the favor-seeking interests.

Mr. Chairman, I repeat that the tariff question will not and can not be settled right until we eliminate protection. I am absolutely opposed to divorces, but there is one relation for which it can be sanctioned and justified and for which relation I heartily advocate it, and that is the illegal and illicit relation that exists now between Mr. Tariff and Mrs. Protection; and upon the granting of the divorce I would not allow Mrs. Protection one red cent of alimony. [Applause on the Democratic side.]

Mr. Chairman, the tariff is a tax proposition. We are here to levy a tax. We are not here to protect the sheep raisers of the State of Ohio or of the West. We are not here to protect the woolen industries of New England, but we are here to levy a duty for the purpose of raising revenue under section 8 of Article I of the Constitution.

Mr. Chairman, not only is the tariff a tax, but it is an indirect tax. The tax problem is difficult in itself. A tax is liable to be unjust. The tax problem is a great problem to solve. To levy a tax so that it will be justly and fairly laid upon the people of this country is difficult. The people do not object to being taxed, but they object to the inequality and injustice in taxes that are not just. The tariff is an indirect tax, and under it the people do not know how much taxes they really pay. When you couple with this indirect taxation the proposition of protecting the industries of the country indirectly you are making the taxing problem more difficult than ever. You are obscuring, then, two things—the amount of the tax and the amount of protection. You do not show the people how much taxes they pay, and they can not know and never will find out how much protection the special interests are getting. [Applause on the Democratic side.]

I can not understand how any man, be he Republican, Socialist, or Democrat, or whatever political faith you please—how any man can defend the proposition of protecting industries by taxing the people. As I said before, we are not here to legislate for industries; we are here to levy a tax, and that is what tariff legislation should be.

Mr. Chairman, this protective policy is wrong. It is legislating for the different favor-seeking interests throughout the country. When a protective-tariff bill is in process of enactment all the different interests of the country appear before the Ways and Means Committee and the Finance Committee, and they are asked, Well, gentlemen, how much do you want? And what is it that this one wants; and not one taxpayer appears to say, How much taxes are you going to levy on me? [Applause on the Democratic side.]

Two propositions are involved in a tax—the amount of revenue that is necessary and how to raise it equitably and justly. Instead of considering these two propositions, you gentlemen on that side have been summoning representatives of special interests and asking them how much plunder they wanted to collect from the American people. [Applause on the Democratic side.]

Mr. Chairman, as has been demonstrated by a gentleman, Mr. GOEKE, on this side of the House, protection creates trusts. He demonstrated that it was a trust breeder. Why, men, high priests of protection have admitted that the tariff was the parent of conditions that produced trusts. That means that it is the mother of them. Ex-Secretary of the Treasury Shaw, ex-governor of Iowa, made that statement at one time, and he was a high-protectionist. Protective tariff has been the cause of all the combinations and trusts and monopolies in this country.

Mr. Chairman, not only that, it has been the cause of all the political corruption in this country. Every special interest that has been seeking special favors under tariff taxation has interfered in politics. The protective tariff has thrown business into politics. The protective tariff has become a business asset. Why, I read in the paper the other day that the National Association of Manufacturers at their convention went on record favoring the taking of the tariff out of politics, because tinkering with the tariff interfered with their business. Oh, yes; they want to take the tariff question out of politics, so that the representatives of the people could not revise it in the interests of the people. Every business in this country should stand on its own merits. It should not be a subject of charity. We are not to legislate for the manufacturers; we are here to legislate for the entire people. If the manufacturers and the other favor seekers would keep their nose out of tariff legislation they would not need to cry to take the tariff out of politics.

Mr. Chairman, this system of protection has not protected labor, and I will insert in this connection two tables. First, I will insert a table, taking the figures from a pamphlet by the Woolen Trust that they have been distributing among Members of Congress:

Development of woolen and worsted manufacturing in the United States, 1889–1909.

[Compiled from reports of United States Census Bureau.]

Years.	Total number of employees.	Total salaries and wages paid.	Average annual wages paid.	Value of products.	Remarks.
1889....	122,944	$44,359,114	$361	$212,772,629	Tariff law of 1883; McKinley bill 1890; Wilson bill 1894; Dingley bill 1897.
1899....	129,516	50,126,000	387	238,745,000	Dingley bill 1897.
1904....	146,322	61,433,000	419	307,942,000	Do.
1909[1]...	168,239	79,214,000	478	419,826,000	Payne-Aldrich bill 1909.

[1] Preliminary figures issued by Census Bureau.

Increase in value of products 1904-1909 was greater than in any ten years prior to 1900.

I do not know whether the figures in this table are correct or not, but I suppose some of them, at least, are. From their own figures I have figured out the following table of figures:

Years.	Average annual value of products produced by each employee.	Average annual wages paid.	Per cent of increase in value of products produced by each employee.	Per cent of increase of wages.
1889	$1,730	$361	.....	.....
1899	1,843	387	6.5	7.2
1904	2,104	419	14.1	8.2
1909	2,495	478	18.6	14.0

This table shows that the average annual value of the product produced by each employee has increased, while the wages have not correspondingly increased. It shows that the value of the product of each employee has increased 5 per cent more than his wages. The above wage scale, being prepared by the trust, includes salaries, and very likely some of the officers' salaries, especially of those that do the most banqueting and very little work, are very high; hence the wage scale in this industry appears high from their table.

Oh, gentlemen, how can it protect labor? It can not protect labor, because the employer who gets the tariff benefits is by no law compelled to distribute them among labor. I suppose the gentlemen on that side of the House depend upon the good, sympathetic heart of the trust magnate. Why, gentlemen, his heart is as as hard as flint. He knows not humanity nor sympathy. Why, I would rather vote for an appropriation right here of $100,000,000, to distribute it to labor directly, than to vote for a protective tariff and hand it to trust magnates, manufacturers, and employers of labor and trust to their distribution of it. [Applause on the Democratic side.]

I am in favor of such an appropriation rather than sham protection to labor, because the employer of labor has not been distributing the tariff plunder among his employees. Mr. Chairman, instead of protecting labor, the protective tariff has antagonized labor against capital. It has caused all this war between capital and labor. I want to tell you that all the labor troubles, all the strikes, all the fights between labor and capital have been caused by the protective system, because the manufacturer and the laboring classes did not know how to agree upon a division of the public plunder.

Mr. Chairman, who produces capital in this country? Capital is produced by labor. Is capital necessary? Yes, Mr. Chairman; capital is necessary to apply labor. Both are essentials in our great progress, and they should not be antagonized against each other; they should be harmonized. But instead, this protective policy, whereby you enable the employer to collect the tribute and distribute it to the employee, causes labor to organize into labor unions; and the only time labor ever got any fruits of protection was when the labor unions, through their organization, made a demand on the employer to deliver the goods. [Applause on the Democratic side.]

Mr. Chairman, this bill, I think, is probably the best bill that could be brought into this House. It is a tariff-for-revenue bill. Oh, we must expect that gentlemen on the other side of the House will criticize it. Oh, yes, they will, and they always do; but I notice that on that side of the House, when the gentleman from Ohio [Mr. LONGWORTH] spoke, he said:

Now, gentlemen, I am simply talking about the demerits of this bill, and I am not going to talk about Schedule K of the present law—I am simply talking about the demerits of this bill.

When the question is put to them as to whether they approve of Schedule K in their own law, which bears the name of that distinguished protectionist, the distinguished gentleman from New York [Mr. PAYNE], with a hyphen after it, and then the name of the distinguished ex-Senator from Rhode Island—peace be to his political ashes—they do not say "yes" or "no." They are afraid to say "yes" and they do not dare to say "no," because it is a Republican law. They will not commit themselves, and they know why, because Schedule K has been repudiated by the American people at the polls. This proposed bill cuts the duties practically in two and reduces the revenue only about 3 per cent. Just think of it, gentlemen. It reduces the revenue of this Government only 3 per cent, from $41,000,000 to $40,000,000, and it is a cut of about 50 per cent in taxes. We can get some idea as to the amount that the protected interests in this Schedule K as it is now written have been getting by means of this protection fraud.

Mr. Chairman, who is it that objects to this bill? From whom *do* we get the pamphlets, the circulars, and the letters? Is it the laboring man who is struggling, who has a family to clothe? No; but it is the organized protected interests. They are the ones that are talking to us here and trying to have us recede from this gradual reduction in the tariff rates, and I want to quote to this House the words of our distinguished Speaker in his opening address when he ascended that chair there, for I think they will go down in history and be a guide for every man who will ever be elected to the floor of this Chamber or any other legislative chamber. In the course of his remarks he said:

No man is fit to be a lawgiver for a mighty people who yields to the demands and the solicitations of the few having access to his ear, but is forgetful of that vast multitude who may never hear his voice or look into his face.

[Applause on the Democratic side.]

Mr. Chairman, what has been the argument presented? As I said before, there seems to be chaos on that side of the House. We have just heard a gentleman giving us the nicest kind of compliments about this bill, and we certainly thank him for the compliments. What do they say when they are met with arguments? They say that the Wilson bill caused the panic of 1893. Why, I remember away back in 1892, and I believe I was a boy only 13 years old at that time, when two men had a quarrel about this tariff question. I listened to them, and finally when the man who was a Democrat prevailed in the argument, when his argument of the right could not be assailed, the other fellow said, "Well, who put down the rebellion anyway?" And since 1893 it has been "Who caused the panic of 1893?" I have heard that panic talk from that side of the House at this late day. I heard it the other day from the gentleman from Ohio [Mr. WILLIS], who made that woolly, ragged speech, who said that the panic of 1893 was caused by the Wilson-Gorman bill, which went into effect in August, 1894. Very good reasoning, was it not? Mr. Chairman, right in this connection I want to insert in my remarks a quotation to show the number of failures in this country between 1890 and 1893, to show that the panic of 1893 was not caused by the Wilson-Gorman bill, and could not have been caused by that bill, because it did not go into effect until August 27, 1894. [Applause on the Democratic side.] I want to show that the panic of 1893 happened during the time when the McKinley tariff bill was in operation [applause on the Democratic side], a tariff bill to which all the high priests of protection have been pointing ever since.

It may not be out of place to point out that when the Democratic administration surrendered the reins of government March 4, 1889, there was in the Federal Treasury the largest surplus in history. When the Republican Party went out of power March 4, 1893, there was a large deficit, and the incoming administration was finally persuaded to make the bond issues which its Republican predecessor had at one time thought to be necessary, but had skillfully avoided.

The claim that the business disasters of the period referred to were due to the popular fear of tariff legislation to be enacted by Democrats is, as has been said, met by the fact that this panic began two years prior to the presidential election day of 1892. The following will serve as reminders on this point:

November 11, 1890, the reports showed financial distress in New York. The New York Clearing House Association voted its certificates to banks in need of assistance.

The Boston Clearing House Association did the same thing November 17. Barker Bros. & Co., big bankers in Philadelphia, suspended at that time, with liabilities placed at $5,000,000.

November 19, 1890, there was a run on the Citizens' Savings Bank of New York, and a receiver was appointed for the North River Bank.

November 22, 1890, the United Rolling Stock Co. of Chicago assigned, with liabilities at $6,851,000.

November 28, 1890, B. K. Jamieson & Co., the Philadelphia bankers, failed, with liabilities at $2,000,000.

December 6, 1890, the Oliver Iron & Steel Mills, of Pittsburg, shut down, discharging 2,000 employees. On the same date the cotton firm of Myer & Co., of New Orleans, failed, with liabilities at $2,000,000.

January 3, 1891, the Scottdale Rolling Mills & Pike Works and the Charlotte Furnace & Coke Works, in Pennsylvania, closed, throwing 10,000 employees out of work.

January 18, 1891, the American National Bank at Kansas City suspended, with liabilities at $2,250,000.

May 8, 1891, the Spring Garden National Bank at Philadelphia closed its doors, and the Pennsylvania Safe Deposit & Trust Co. made an assignment.

The Homestead strike and other strikes during 1892, and prior to election day, are well remembered by the people.

The record discloses that the first indications of the so-called panic of 1893 were given November 11, 1890, a little more than 30 days after the McKinley tariff bill became a law. From that date the panic raged, and while its effects were felt for several years, it reached its worst stage in 1893 and during the early days of 1894, during all of which time the Republican tariff law was in effect.

They do not say anything about the panic of 1907; Oh, they do not say anything about that. I did not hear it mentioned at all. What did they do in 1907? Did they pay labor? Why, they paid it with shinplaster certificates, the clearing-house shinplasters, that were not worth a penny. Mr. Chairman, I do not believe in these arguments about hard times and prosperity, and I would not use them if the Republicans did not. The people have repudiated that kind of argument. It is no argument at all. The people know better, and the gentleman from Ohio [Mr. WILLIS] thought he was making an awful argument when he said that the putting of rags on the free list in the Wilson bill was in anticipation of the panic of 1893. Rags! Mr. Chairman, the panic of 1893, I repeat, was on before the Wilson-Gorman bill went into effect, and I ask any denial of that statement on the floor of this or on the floor of any legislative body. So you had better not talk about it. I do not believe it is any argument at all. Did you hear Democrats accusing Republicans of causing the panic of 1907? Why, they would not think of making such an argument. I do not believe in using such a hodgepodge of an argument. It amounts to nothing. It is evidence that ought to be excluded, because it is immaterial, incompetent, and irrelevant.

Mr. Chairman, the gentleman from Minnesota spoke the other day about caucuses. I was very much interested in the subject of caucuses and his explanation of an ideal government, and I want to say amen, amen, to everything he read. But I believe such a form of government as he described would probably work well in heaven, where everything is ideal. He went on and condemned the caucus, and after he had condemned the caucus he threw his manuscript aside and then went on extemporaneously, and said that a party conference was a good thing. I want to state to the gentleman from Minnesota that the party conference he described is a Democratic caucus. [Applause on the Democratic side.] I would like to know, Mr. Chairman, what those gentlemen have been subjected to in a Republican caucus? It must have been some form of a third degree, because they object so much to a Republican caucus, and I invite all of those gentlemen to come to a Democratic caucus, a real genuine Democratic caucus, a real genuine party conference, and you will find there the most democratic men that you ever met in your life. [Applause on the Democratic side.]

Mr. Chairman, I also listened with great interest to my colleague, the Socialist gentleman from Wisconsin [Mr. BERGER], and I was glad to hear the gentleman, who is the lone Representative of the Socialist Party, discuss the industrial conditions. We must admit that some of those industrial conditions which he pictured to us exist. I was glad that the gentleman of that party said that the protective tariff never protected labor. I noticed how the Republicans did not like that statement, but when he said that the trusts and monopolies were the result of our industrial evolution, and he was not opposed to monopoly, many of the gentlemen on that side bowed their heads in approval. My colleague stated, further, that we were moving toward the Government control of monopolies, and that that would surely come. I can not agree to such a system of government. I can never subscribe to the Government control of everything. If we adopt that theory, where would we be going to? We would drift back to the old idea of feudalism. The Government would be a feudal lord, and there would be minor lords all around, and we would be slaves under the gentleman's theory of government. My colleague from Wisconsin would undoubtedly be one of the lords. I believe in the party that represents individualism, the party that represents equal opportunity to all, and that is the Democratic Party. [Applause on the Democratic side.] And I hope that all men will realize that the Democratic Party has always stood for individualism, for equal opportunity to all, for the liberty of all, for equal rights to all and special privileges to none. [Applause on the Democratic side.]

Mr. Chairman, the people to-day are demanding great reforms. They are demanding the initiative; they are demanding the referendum and the recall. They were demanding primary elections, and they got that reform. Why? Why are the people demanding these reforms? Not because our form of government is not good; not because a representative democ-

racy is a bad form of government; not because the Constitution has outlived its usefulness, as my colleague from Wisconsin [Mr. BERGER] would claim. Not for those reasons, but because our Government has not been well administered; because our Government has not been truly representative of the people.

The people have simply learned what is going on. Instead of being ignorant of their Government and incapable of self-government, they are enlightened; they know what their Government should be, and they know how to take charge of it. They know how it has been perverted from what it was intended to be. They have had their ear to the ground; they have watched things. They have seen their rights disregarded; they have seen their public servants disregard their will with impunity. They have witnessed bold violations of platform pledges of parties and representatives. They have seen and heard corruption in high places; they have witnessed graft, dishonesty, and boodling in public office. They have been defrauded of natural resources, valuable rights, and franchises. They have witnessed the concentration of wealth; they have watched the growth of trusts and monopolies; they have seen millionaires grow like mushrooms in a fortnight; they have witnessed the enrichment of the few at the expense of the many. Is it any wonder that the people are calling a halt? Is it any wonder that they want to restore the Government where it belongs?

Benjamin Franklin, at the time the draft of the Constitution was finished, said: "There is no form of government but what may be a blessing if it is well administered." I believe with him. I believe that any government, if it is administered in the interest of the people, is a good government. Why, an absolute monarchy was a good government as long as the absolute monarch served well the people. It was when he abused his power, when he interfered with the individual rights of his subjects, that the people arose and demanded constitutions, and we had a constitutional monarchy. And then when there was a further abuse of power in constitutional monarchies, when the monarchs began to trespass on the power of the legislative bodies, the people turned their eyes to the republic.

Mr. Chairman, I believe the American Government is the best Government on the face of the earth. [Applause.] And I believe the initiative, the referendum, and the recall are only demanded for the purpose of administering this Government well. And when we, as representatives of the people, prove that we are legislating here equally for all the people, and not listening to the whisperings of the special interests, they will say: "Well done, faithful servants; you have served us; and we do not care to recall you; we do not care to initiate any legislation, because you passed such as we wanted; we do not care to have you refer it to us, because we have been served." [Applause on the Democratic side.]

If every department of this Government is administered as it should be administered; if the legislative powers of this Government, the executive, and the judicial are administered under the Constitution as they were intended to be administered, we need have no fear of the initiative, referendum, or recall, or anything else, because we will be serving the people and serving them well. [Applause on the Democratic side.]

Mr. UNDERWOOD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. CANDLER having assumed the chair as Speaker pro tempore, Mr. OLDFIELD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 11019, and had come to no resolution thereon.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 2054. An act providing for the reimbursement of certain employees of the Lighthouse Service for relief furnished to shipwrecked persons.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. 2054. An act providing for the reimbursement of certain employees of the Lighthouse Service for relief furnished to shipwrecked persons; to the Committee on Interstate and Foreign Commerce.

ADJOURNMENT UNTIL 11 A. M.

Mr. UNDERWOOD. Mr. Speaker, I move that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. on Saturday next.

The motion was agreed to.

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 11 o'clock and 2 minutes p. m.) the House adjourned until Saturday, June 17, 1911, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury, transmitting copy of a communication from Civil Service Commission, approved by the Secretary of the Interior, submitting deficiency estimate for moving Civil Service Commission from its present quarters (H. Doc. No. 70), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SULZER: A bill (H. R. 11717) to increase the number of chaplains in the Army; to the Committee on Military Affairs.

By Mr. MARTIN of Colorado: A bill (H. R. 11718) to amend section 8 of an act entitled "An act to protect trade and commerce against unlawful restraints and monopolies," approved July 2, 1890; to the Committee on the Judiciary.

By Mr. ANDREWS: A bill (H. R. 11719) for the construction of a bridge across the Rio Puerco at San Ignacio, N. Mex.; to the Committee on Appropriations.

By Mr. TAYLOR of Alabama: A bill (H. R. 11720) increasing the cost of erecting a public building at Mobile, Ala.; to the Committee on Public Buildings and Grounds.

By Mr. TAYLOR of Colorado: A bill (H. R. 11721) to provide pensions for the officers and soldiers of the Indian wars of the United States which occurred prior to the year 1880; to the Committee on Pensions.

Also, a bill (H. R. 11722) granting pensions to certain enlisted men, soldiers and officers, who served in the Civil War and the War with Mexico, and amending the act of April 19, 1908, relative to widows of soldiers, etc., of the Civil War; to the Committee on Invalid Pensions.

By Mr. LENROOT: A bill (H. R. 11723) permitting the building of a railroad bridge across the St. Croix River between the States of Wisconsin and Minnesota; to the Committee on Interstate and Foreign Commerce.

By Mr. DYER: A bill (H. R. 11724) to establish a Department of Health, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. LAFFERTY: A bill (H. R. 11725) to divide the State of Oregon into two judicial districts; to the Committee on the Judiciary.

By Mr. ANTHONY: A bill (H. R. 11726) to provide Federal aid for the improvement of public highways in the United States traveled by rural free-delivery mail carriers; to the Committee on Appropriations.

By Mr. LITTLEPAGE: A bill (H. R. 11727) to provide for the erection of a public building at Buckhannon, W. Va.; to the Committee on Public Buildings and Grounds.

By Mr. CLINE: Joint resolution (H. J. Res. 120) to authorize the President of the United States to take measures for the delivery of possession, control, and government of the Philippine Islands to the Filipino people, and to promote their future independence by treaties of neutrality; to the Committee on Insular Affairs.

By Mr. TAYLOR of Colorado: Joint resolution (H. J. Res. 121) to create a commission which shall determine the advisability of establishing a "summer capital" of the United States and the location and cost of the same; to the Committee on Public Buildings and Grounds.

By Mr. KOPP: Joint resolution (H. J. Res. 122) to amend certain provisions of the revenue act approved August 5, 1909; to the Committee on Ways and Means.

Also, memorial from the Legislature of Wisconsin, memorializing Congress to cause all dams owned by the United States and maintained in and across the Fox River to be equipped with fishways; to the Committee on the Merchant Marine and Fisheries.

By Mr. LENROOT: Memorial from the Wisconsin Legislature, relating to national constitutional convention; to the Committee on the Judiciary.

Also, memorial of the Wisconsin Legislature, to take proper steps toward a constitutional amendment providing for initiative, referendum, and recall; to the Committee on the Judiciary.

Also, memorial from the Wisconsin Legislature, asking Congress to take proper steps for the adoption of an amendment to the Federal Constitution, providing that such Constitution may thereafter be amended by the initiative; to the Committee on the Judiciary.

Also, memorial from the Wisconsin Legislature, asking Congress to grant to Alaska a Territorial form of government; to the Committee on the Territories.

By Mr. DAVIDSON: Memorial memorializing Congress to cause all dams owned by the United States and maintained in and across the Fox River to be equipped with fishways; to the Committee on the Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 11728) granting an increase of pension to Joseph Garrard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11729) granting an increase of pension to Emery W. Clifford; to the Committee on Invalid Pensions.

By Mr. ANSBERRY: A bill (H. R. 11730) granting a pension to Sarah J. Cram; to the Committee on Invalid Pensions.

By Mr. HAMILL: A bill (H. R. 11731) granting an increase of pension to Bridget E. O'Farrell; to the Committee on Invalid Pensions.

By Mr. KINKEAD of New Jersey: A bill (H. R. 11732) granting an increase of pension to John Callaghan; to the Committee on Invalid Pensions.

By Mr. LEVER: A bill (H. R. 11733) for the relief of Lieut. (Junior Grade) Hamilton F. Glover, United States Navy; to the Committee on Naval Affairs.

By Mr. LITTLEPAGE: A bill (H. R. 11734) granting an increase of pension to James R. Dodson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11735) granting an increase of pension to Wilson Abbott; to the Committee on Invalid Pensions.

By Mr. MARTIN of Colorado: A bill (H. R. 11736) granting an increase of pension to Hyram Sorrels; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11737) granting an increase of pension to James H. Lansbery; to the Committee on Invalid Pensions.

By Mr. NELSON: A bill (H. R. 11738) granting an increase of pension to Charles A. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11739) granting an increase of pension to Warren Collins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11740) granting an increase of pension to James M. Chapel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11741) granting an increase of pension to Andrew Klaila; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11742) granting an increase of pension to Lonzo Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11743) granting an increase of pension to Henry F. Bump; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11744) granting an increase of pension to Sumner H. Perry; to the Committee on Invalid Pensions.

By Mr. PADGETT: A bill (H. R. 11745) for the relief of Capt. J. W. Hanner; to the Committee on Claims.

Also, a bill (H. R. 11746) for the relief of P. H. Nelson; to the Committee on War Claims.

Also, a bill (H. R. 11747) for the relief of William M. Beasley; to the Committee on War Claims.

Also, a bill (H. R. 11748) for the relief of Marcus Stevens; to the Committee on War Claims.

Also, a bill (H. R. 11749) for the relief of S. H. Bailey, sr.; to the Committee on War Claims.

Also, a bill (H. R. 11750) for the relief of Thomas J. Lawson, sr.; to the Committee on War Claims.

Also, a bill (H. R. 11751) for the relief of William Montgomery; to the Committee on War Claims.

Also, a bill (H. R. 11752) for the relief of William C. Creswell; to the Committee on War Claims.

Also, a bill (H. R. 11753) for the relief of Henry Harris; to the Committee on War Claims.

Also, a bill (H. R. 11754) for the relief of James P. Sprott; to the Committee on War Claims.

Also, a bill (H. R. 11755) for the relief of J. S. Woody; to the Committee on War Claims.

Also, a bill (H. R. 11756) for the relief of William G. Tidwell; to the Committee on War Claims.

Also, a bill (H. R. 11757) for the relief of Jonathan Amis; to the Committee on War Claims.

Also, a bill (H. R. 11758) for the relief of Holly Prater, alias Plater; to the Committee on Military Affairs.

Also, a bill (H. R. 11759) for the relief of H. J. Brewer; to the Committee on War Claims.

Also, a bill (H. R. 11760) for the relief of the legal representatives of W. B. Long, deceased; to the Committee on War Claims.

Also, a bill (H. R. 11761) for the relief of John D. Reed, administrator of J. P. C. Reed, deceased; to the Committee on War Claims.

Also, a bill (H. R. 11762) for the relief of Jane Henry; to the Committee on War Claims.

Also, a bill (H. R. 11763) for the relief of Randall Buck, formerly called Randall Conn; to the Committee on War Claims.

Also, a bill (H. R. 11764) for the relief of W. S. Reid, administrator of Mrs. F. M. Harris, deceased; to the Committee on War Claims.

Also, a bill (H. R. 11765) for the relief of G. M. D. Alexander, administrator of the estate of R. M. Alexander, deceased; to the Committee on War Claims.

Also, a bill (H. R. 11766) for the relief of heirs of Amasa Ezell, deceased; to the Committee on War Claims.

Also, a bill (H. R. 11767) for the relief of the heirs of Joseph W. Baugh, sr.; to the Committee on War Claims.

Also, a bill (H. R. 11768) for the relief of the heirs of Michael Holoran; to the Committee on War Claims.

Also, a bill (H. R. 11769) for the relief of the heirs of James Henderson, deceased; to the Committee on War Claims.

Also, a bill (H. R. 11770) for the relief of the estate of James H. Huey, deceased; to the Committee on War Claims.

Also, a bill (H. R. 11771) for the relief of the estate of John H. Grimes, deceased; to the Committee on War Claims.

Also, a bill (H. R. 11772) for the relief of the estate of J. A. Milhous, deceased; to the Committee on War Claims.

Also, a bill (H. R. 11773) for the relief of the estate of John Shelton; to the Committee on War Claims.

Also, a bill (H. R. 11774) for the relief of the estate of Moses R. Buchanan; to the Committee on War Claims.

Also, a bill (H. R. 11775) for the relief of the estate of Jonathan Mills; to the Committee on War Claims.

Also, a bill (H. R. 11776) for the relief of the estate of J. J. Brison, deceased; to the Committee on War Claims.

Also, a bill (H. R. 11777) for the relief of the estate of N. E. Perkins, deceased; to the Committee on War Claims.

Also, a bill (H. R. 11778) for the relief of the estate of Nancy P. Garrison, deceased; to the Committee on War Claims.

Also, a bill (H. R. 11779) for the relief of the estate of John W. Neely; to the Committee on War Claims.

Also, a bill (H. R. 11780) for the relief of the estate of Isaac Johnson, deceased; to the Committee on War Claims.

Also, a bill (H. R. 11781) for the relief of the estate of F. T. McLaurine; to the Committee on War Claims.

Also, a bill (H. R. 11782) for the relief of the estate of Daniel Foresee; to the Committee on War Claims.

Also, a bill (H. R. 11783) for the relief of the estate of Henry Kelly; to the Committee on War Claims.

Also, a bill (H. R. 11784) for the relief of the estate of Benjamin Bolton; to the Committee on War Claims.

Also, a bill (H. R. 11785) for the relief of the estate of Andrew Roberts; to the Committee on War Claims.

Also, a bill (H. R. 11786) for the relief of the estate of Robert Thompson Williams; to the Committee on War Claims.

Also, a bill (H. R. 11787) for the relief of the estate of David H. Hays, deceased; to the Committee on War Claims.

Also, a bill (H. R. 11788) for the relief of the estate of John W. McKissack, deceased; to the Committee on Claims.

Also, a bill (H. R. 11789) for the relief of the estate of Banks C. Wells, deceased; to the Committee on War Claims.

Also, a bill (H. R. 11790) for the relief of the estate of Nathan Perry; to the Committee on War Claims.

Also, a bill (H. R. 11791) for the relief of the estate of Martha B. Skillern; to the Committee on War Claims.

Also, a bill (H. R. 11792) for the relief of the estate of Sarah Pewitt, deceased; to the Committee on War Claims.

Also, a bill (H. R. 11793) for the relief of the estate of Lemuel Long; to the Committee on War Claims.

Also, a bill (H. R. 11794) for the relief of the estate of Andrew Scott; to the Committee on War Claims.

Also, a bill (H. R. 11795) for the relief of the estate of Edwin Grant; to the Committee on War Claims.

Also, a bill (H. R. 11796) for the relief of the estate of John H. Birdsong; to the Committee on War Claims.

Also, a bill (H. R. 11797) for the relief of the estate of Mitchell J. Childress; to the Committee on War Claims.

Also, a bill (H. R. 11798) for the relief of the estate of Blythe Sprott; to the Committee on War Claims.

Also, a bill (H. R. 11799) for the relief of the estate of Mrs. Henly Patton; to the Committee on War Claims.

Also, a bill (H. R. 11800) for the relief of the estate of N. M. Buyers; to the Committee on War Claims.

Also, a bill (H. R. 11801) for the relief of estate of E. C. Overton; to the Committee on War Claims.

Also, a bill (H. R. 11802) for the relief of the estate of William Johnson; to the Committee on War Claims.

Also, a bill (H. R. 11803) for the relief of the estate of B. H. Caldwell; to the Committee on War Claims.

Also, a bill (H. R. 11804) for the relief of the estate of William B. Smith; to the Committee on War Claims.

Also, a bill (H. R. 11805) for the relief of the estate of S. J. Stockard; to the Committee on War Claims.

Also, a bill (H. R. 11806) granting an increase of pension to Louis M. Franklin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11807) to pay Thomas S. Truett the sum of $340, the value of property taken from him by the troops of the United States Army; to the Committee on War Claims.

Also, a bill (H. R. 11808) to pay Josephine O. Anderson the sum of $175, the value of property from her taken and used by the troops of the United States Army; to the Committee on War Claims.

Also, a bill (H. R. 11809) to pay to the heirs of Pleasant Hines, deceased, the sum of $1,000, the value of property taken from him by the troops of the United States Army; to the Committee on War Claims.

Also, a bill (H. R. 11810) to pay the heirs of James Ramsy, deceased, the sum of $250, the value of property taken from him and used by the troops of the United States Army; to the Committee on War Claims.

Also, a bill (H. R. 11811) to pay to the heirs of Nathan Curry, deceased, the sum of $1,503, for property taken and used by the United States Army; to the Committee on War Claims.

By Mr. O'SHAUNESSY: A bill (H. R. 11812) granting an increase of pension to William G. Baker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11813) granting an increase of pension to Van Buren Kinney; to the Committee on Invalid Pensions.

By Mr. STEPHENS of California: A bill (H. R. 11814) granting an increase of pension to William Summerville; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11815) granting an increase of pension to David McCowan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11816) for the relief of Ella H. Anderson; to the Committee on War Claims.

Also, a bill (H. R. 11817) for the relief of Charles D. Todd; to the Committee on War Claims.

Also, a bill (H. R. 11818) for the relief of Maria M. Gray; to the Committee on War Claims.

By Mr. WEEKS: A bill (H. R. 11819) granting an increase of pension to Eben N. Hewins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11820) granting an increase of pension to Lloyd B. Joslin; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALLEN: Resolution of the National Consumers' League, protesting against the employment of minors in the delivery of mail; to the Committee on the Post Office and Post Roads.

Also, a proposed House resolution submitted to Mr. ALLEN, and by him respectfully referred to the consideration of the Committee on Rules; to the Committee on Rules.

By Mr. AYRES: Petition of residents of New York City in favor of a parcels post; to the Committee on the Post Office and Post Roads.

By Mr. BULKLEY: Resolution by Cleveland Socialists, calling on Congress to enact legislation to protect workingmen from violations of constitutional privileges in extradition cases; to the Committee on the Judiciary.

By Mr. BURLESON: Resolutions, petitions, letters, etc., from Whatcom County Grocers' Association, Bellingham, Wash.; South Chicago Business Men's Association; Nels. Madsen, Louis Kahn, and others; Retail Grocers' Association, Salem, Ohio; Spokane Grocers' Association, Spokane, Wash.; Retail Merchants' Association of Illinois; Retail Grocers' Association, Topeka, Kans.; Retail Merchants' Protective Association, Denison, Tex.; Rockford Grocers' Association, Rockford, Ill.; the Chicago Grocers and Butchers' Association; Clinton Retail Grocers' Association, Clinton, Iowa; Denver Retail Grocers' Association, Denver, Colo; Retail Grocers and Butchers' Association, Hamilton, Ohio; Minneapolis Retail Grocers' Association, Minneapolis, Minn.; Massachusetts Retail Grocers and Provision Dealers' Association, Boston, Mass.; Merchants' Protective Association, Pittston, Pa.; Merchants' Protective Association, Litchfield, Ill.; Oshkosh Retail Merchants' Association, Oshkosh, Wis.; Pawtucket Retail Grocers and Market Men's Association, Pawtucket, R. I.; Portland Commercial Association, Oglesby, Ill.; Retail Merchants' Association, Ogden, Utah; Retail Merchants' Association, East St. Louis, Ill.; Rhode Island Retail Grocers and Marketmen's Association, Providence, R. I.; Retail Business Men's Association, Wheeling, W. Va.; Retail Grocers' Association, New Castle, Pa.; Retail Grocers' Association, Springfield, Ill.; California Retail Grocers and Merchants' Association, San Francisco, Cal.; Retail Grocers' Association, Cedar Rapids, Iowa; Chickasha Retailers' Association, Chickasha, Okla.; Boston Retail Grocers' Association, Boston, Mass.; Business Men's Association, Cohoes, N. Y.; Burlington Retail Grocers' Association, Burlington, Iowa; Retail Merchants' Association, Brinkley, Ark.; Business Men's Association of Charleston, W. Va.; Akron Retail Grocers' Association, Akron, Ohio; Nebraska Retailers, Tilden, Nebr.; Retail Grocers' Association, Rensselaer, N. Y.; International Union of the United Brewery Workmen of America, Local Union No. 349, El Paso, Tex.; Musicians' Mutual Benefit Association, St. Louis, Mo.; Ladies' Literary Club, Ogden, Utah; Binghamton Typographical Union, No. 232, Binghamton, N. Y.; Association for the Prevention of Tuberculosis, Washington, D. C.; Cigar Makers' Union No. 135, Appleton, Wis.; Winona Lodge, No. 510, Brotherhood of Railroad Trainmen, Winona, Minn.; Austin Trades Council, Austin, Tex.; Painters, Decorators and Paper Hangers' Union, No. 113, Auburn, N. Y.; Central Labor Council of Bloomington, Ill.; Lake Park Woman's Club, Lake Park, Iowa; Domestic Art Club, Benton, Ill.; Pattern Makers' Association, Newport News, Va.; Iron Molders' Union, Local No. 145, Columbus, Ohio; and Wellsville Subdivision, No. 170, Brotherhood of Locomotive Engineers, Wellsville, Ohio, urging Congress to repeal the 10-cent tax on oleomargarine; to the Committee on Agriculture.

Also, resolutions, petitions, letters, etc., from Woman's Club, Tekamah, Nebr.; Ladies' Literary Club, Ogden, Utah; International Molders' Union No. 27, Cleveland, Ohio; Brotherhood of Railway Clerks, Grand Rapids, Mich.; Amalgamated Meat Cutters and Butcher Workmen of North America, Yorkville, N. Y.; Woman's Literary Club and Public Library Association, Bound Brook, N. J.; Association for the Prevention of Tuberculosis, Washington, D. C.; Typographical Union No. 232, Binghamton, N. Y.; and Domestic Science Club, Chester, S. C., urging Congress to investigate and endeavor to check spread of tuberculosis and other diseases carried through dairy products, etc.; to the Committee on Agriculture.

Also, resolutions adopted by the general faculty of the University of Texas, requesting Congress to enact legislation to prevent the further mutilation of Niagara Falls and diversion of its waters to commercial purposes, etc.; to the Committee on Rivers and Harbors.

Also, letter of W. A. Yates, secretary Farmers' Union of Washington County, Tex., acting for the union, about 600 members, urging the enactment by Congress of a rural parcels post, etc.; to the Committee on the Post Office and Post Roads.

Also, petitions of citizens of Chapel Hill, Lockport, and Moulton, Tex., protesting against the enactment by Congress of any law providing for a parcels post; to the Committee on the Post Office and Post Roads.

By Mr. GOLDFOGLE: Petitions of F. C. Lowry, Jacob Feindt, and numerous other citizens of New York City, asking for a reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

Also, petition of Brotherhood of Painters, Decorators, and Paperhangers of America, favoring the Berger resolution for an investigation of the McNamara affair; to the Committee on Rules.

By Mr. HARRISON of New York: Petitions of E. Buckley and numerous other residents of New York City, praying for the repeal of the duty on lemons; to the Committee on Ways and Means.

By Mr. HINDS: Memorial of Frederick Robie Grange, of Otisfield, Me., praying for legislation for the establishment of a

parcels post; to the Committee on the Post Office and Post Roads.

By Mr. KAHN: Petition of Dalziel-Moller Co., of San Francisco, Cal., protesting against parcels-post bill; to the Committee on the Post Office and Post Roads.

By Mr. LOUD: Petition of Jackson & Tindle, of Pellston, Mich., favoring a reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

Also, petition of Rev. James O'Reilly and members of Seventh-day Adventist Church of Onaway, Mich., protesting against passage of Senate bill 237; to the Committee on the District of Columbia.

By Mr. MORGAN: Petition of numerous citizens of the second congressional district of Oklahoma, protesting against the passage of the so-called Scott antioption bill; to the Committee on Agriculture.

Also, petition of citizens of Arnett, Okla., protesting against the action taken in regard to the arrest of the McNamara brothers and indorsing the resolution of Representative BERGER for an investigation; to the Committee on Rules.

By Mr. O'SHAUNESSY: Resolutions by the Milwaukee Clearing House Association, against the passage of proposed legislation affecting the cold-storage industry; to the Committee on Interstate and Foreign Commerce.

By Mr. POST: Petition of Milwaukee Clearing House Association, protesting against bills affecting cold storage; to the Committee on Interstate and Foreign Commerce.

By Mr. REYBURN: Resolution of the Philadelphia Brigade Association that Congress set apart the anniversary of Appomattox to be observed; to the Committee on Rules.

By Mr. ROTHERMEL: Resolution of Branch 45, G. B. B. A., of Allentown, Pa., relative to the McNamara case; to the Committee on Rules.

By Mr. STEPHENS of California: Resolution of the Board of Supervisors of Calaveras County, Cal., that immediate action should be taken by the Government to secure the "Big Tree Grove" in Calaveras County, Cal.; to the Committee on the Public Lands.

Also, petitions of numerous citizens of Los Angeles, Cal., asking that the duty on raw and refined sugars be reduced; to the Committee on Ways and Means.

By Mr. SULZER: Resolutions of the German-American Alliance of Coshocton, Ohio, and the Alliance of German Societies of the State of Indiana, urging an investigation of the administration of the immigration office at Ellis Island; to the Committee on Immigration and Naturalization.

Also, resolution of the Workmen's Sick and Death Benefit Fund of the United States of America, condemning the manner of the arrest of the McNamaras and indorsing Mr. BERGER'S resolution for an investigation of the McNamara affair; to the Committee on Rules.

Also, resolutions of the Ancient Order of Hibernians of Delta County, Mich., protesting against the enactment of an arbitration treaty with Great Britain and France; to the Committee on Foreign Affairs.

Also, memorial of Mrs. James Bennett in favor of suffrage for women; to the Committee on Election of President, Vice President, and Representatives in Congress.

Also, petition of H. Planten & Son, of Brooklyn, N. Y., protesting against House bill 8887; to the Committee on Ways and Means.

Also, resolutions adopted by the Milwaukee Clearing House Association relating to proposed legislation affecting the cold-storage industry; to the Committee on Interstate and Foreign Commerce.

By Mr. WOOD of New Jersey: Petitions of citizens of Trenton, N. J., urging the adoption of House resolution No. 166, providing for the investigation of the Immigration Service; to the Committee on Immigration and Naturalization.

HOUSE OF REPRESENTATIVES.

SATURDAY, *June 17, 1911.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., delivered the following prayer:

Almighty Father, in whom we live and move and have our being, inspire us, we beseech Thee, with new devotion to those high and holy principles illustrated in the life and character of Thy Son Jesus Christ, that we may prove ourselves worthy of the dignity bestowed upon us as rational beings, sons of the living God, destined to immortal life, "for I am persuaded that neither death, nor life, nor angels, nor principalities, nor powers, nor things present nor things to come, nor height, nor depth, nor any other creature shall be able to separate us from the love of God which is in Christ Jesus, our Lord." Amen.

The Journal of the proceedings of yesterday was read and approved.

THE WOOL SCHEDULE.

Mr. UNDERWOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11019, a bill to reduce the duties on wool and manufactures of wool.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. HAY in the chair.

Mr. UNDERWOOD. Mr. Chairman, I yield 30 minutes to the gentleman from Mississippi [Mr. STEPHENS].

Mr. STEPHENS of Mississippi. Mr. Chairman, according to my judgment, the greatest utterances on the question of tariff were from a Mississippian, Robert J. Walker, at one time Secretary of the Treasury. It appears to me that in the documents that he wrote during that time there were announced principles along the line of tariff regulation and tariff law that were just, reasonable, and right.

But we are not to-day to discuss the question of free trade. Speaking for myself alone, I believe most implicitly and most strongly in those principles; but for a long period of years, indeed from the beginning of this Nation, there has been pursued a certain policy with reference to the raising of revenue. We raise revenue to defray the expenses of this Government by laying imposts on articles that are imported into this country. So I shall not discuss the question of free trade at this time, but shall try to confine my remarks to the policy that has been adopted to these two propositions, namely, Shall we have a high protective tariff, or shall we have a tariff for revenue only?

Mr. Chairman, there has been much criticism with reference to the pending bill, criticism because the proposed duties are not high enough, criticism from another source because they are too high.

The reason given for placing the duties on raw wool and the manufactured products is that it is necessary to do so in order to raise revenue. I shall not discuss this phase of the question.

I favor the bill for another reason. The people have had to bear a great burden of taxation; they have cried out for relief and are entitled to it. This burden has been placed upon them by the protective tariff. The question arises, How shall they obtain it?

In considering this matter we must deal with conditions, not theories. We are confronted with the fact that the Republicans are in control of the Senate and the Presidency. It is vain, even unreasonable, to expect that a party that has been so long wedded to a policy, though a false one—that Ephraim-like has been so long joined to its idol, protection—could be induced within the short space of a few months to renounce that policy and accept the principles of Democracy along the lines of the tariff.

No matter how strongly we favor putting wool on the free list; no matter how much we favor a further reduction on the manufactured products, we must act in the light of the fact that it is not at the present time within the power of the Democratic Party to write such a tariff bill as it really favors.

It may be vain to indulge the hope that this bill will pass a Republican Senate, but I really indulge that hope, not because I believe the Republican Party wants to give the people the relief they ought to have, but because that party, or enough of its official members, have seen a great light; they have heard a great, wild roar of indignation and discontent. I believe that they will respond to it, although very unwillingly.

The President has denounced Schedule K as absolutely indefensible. This places his party in an awkward attitude to defend the woolen schedule.

Again, that party has a bitter recollection of the election last fall. Every time their minds revert to that event they see their party weighted down with broken promises, burdened with unjust and iniquitous laws, made unsightly by the canker of greed and graft, having the contempt and disgust of an outraged and indignant people, wrecked upon the rocks of their own wrongdoings.

Doubtless this memory haunts them day and night. If they have learned wisdom of experience they will grant some measure of relief to the people and pass this bill.

In the light of these conditions I believe that good sense dictated that we, as Democrats, offer a bill that at least has a

chance to pass, instead of offering one that had absolutely no chance to become a law.

Do we surrender any principle when we offer and vote for a bill that is the best we can get, simply because we honestly believe that the people are entitled to greater relief? I think not. A half loaf is better than no bread at all, according to the old adage.

If this bill becomes a law it will save millions of dollars for the people; therefore I favor it, hoping for greater relief later on.

Mr. Chairman, after hearing the debates on the tariff I have reached the conclusion that protection is either "the loveliest and most fruitful mother of the wealth of a nation, or it is an imposter and swindler, distinguished from other swindlers mainly by the vast scale of its operation."

I would place it in the latter class. There has been more deceit, more fraud, more injustice, perpetrated in the name of protection against the people of the Nation than in any other name. Whenever you take money out of the pocket of one man and put it into the pocket of another man, a great wrong is done to the first one. That is exactly what is done under tariff legislation enacted by the Republican Party.

A certain class comes before the committee of this House and says, "We can not prosper, we can not make money unless you take money from somebody else and take the property that others have toiled for and give it to us." There can be no right or justice in anything of that kind.

The protective tariff is simply robbery perpetrated by law. It enables the producer to exact from the consumer a price he would not otherwise get. It interferes with the natural law of distribution, and this should never be done, except so far as fiscal necessity may require.

Every protective duty causes the consumer to pay a tax which does not go into the Treasury of the Government, but merely aids or enriches certain individuals or corporations.

This is one of the greatest evils of the tariff. It is estimated that where $1 of revenue is collected for the Government under the present law from $7 to $10 goes into the pockets of the manufacturers of this country. The Government has no right to engage in the business of enriching certain classes of its citizenship.

Mr. Cooley, in his writings on constitutional law, says:

> Where a tax is avowedly laid for a private purpose, it is illegal and void. Constitutionally, a tax can have no other basis than the raising of revenue for public purposes, and whatever governmental exaction has not this basis is tyrannical and unlawful. A tax on imposts, therefore, the purpose of which is not to raise revenue, but to discourage and indirectly prohibit some particular impost for the benefit of some home manufacturer, may well be questioned as being colorable, and therefore not warranted by constitutional principles.

A protective tariff breaches this great principle of constitutional law, because the very purpose of protection, as set out in the Republican platform, is to compensate the manufacturer for the difference between the cost of production at home and abroad and to guarantee to him a reasonable profit on his investments.

The argument is made that it is right to do this because it builds up a home market, that it gives employment to the people, that it causes higher wages.

I was struck by the remark made by the gentleman from Wisconsin [Mr. BERGER] a few days ago, when he said that there was always free trade among labor. What protection does labor have? What protection has the Republican Party given to labor in this country by the laws that it has enacted? The doors are thrown wide open, or almost so, and we have vast hordes coming in day by day and week by week. Do they not compete with American labor? Is not a large percentage of the immigration of this country what has been termed "cheap foreign labor"? Are not native American citizens required to compete with the very kind of labor that you are supposed to be protecting the manufacturers against? [Applause on the Democratic side.]

I favor more stringent immigration laws. Why, Mr. Chairman, I believe that more than a million immigrants came into this country last year; and yet, as I said, there is absolutely no protection to our labor against this foreign labor. It is the man of wealth, the man of capital, the manufacturer, who has all this protection.

Many false arguments are made with reference to the reason for giving protection to the manufacturers. It is said that wages are much higher in this country than in foreign lands. When you come to consider the cost of production there is more to be considered than simply the amount of the daily wage. I remember that a great Republican, James G. Blaine, had something to say along this line.

Mr. KOPP. Will the gentleman yield?

Mr. STEPHENS of Mississippi. I will.

Mr. KOPP. Before the gentleman leaves that question——

Mr. STEPHENS of Mississippi. I am not going to leave the question just yet.

Mr. KOPP (continuing). I am interested to know what different protection was given the laboring man by legislation relative to immigration by the Democratic Party during the years it was in power than has been given by the Republican Party since that time.

Mr. STEPHENS of Mississippi. I do not know that there was any very great difference in the kind of legislation enacted during this period, but I know this——

Mr. FOSTER of Illinois. If the gentleman will permit me, I think it could be well said that during the time that the Democrats were in power, and in the early history of our Government, the class of immigrants coming to this country was quite different to those encouraged by the manufacturers of the country to-day, who take the place of American labor.

Mr. KOPP. Does the gentleman from Illinois contend that the class of immigrants coming to this country from 1890 to 1895 was materially different from the class of immigrants coming to-day?

Mr. FOSTER of Illinois. I will state to the gentleman that in the early history of our country, when it was building up, we had not those manufacturers who were so desirous of securing cheap foreign labor, but it finally became so bad that Congress was compelled to pass a law stopping the contracting for labor in foreign countries that grew up under a Republican administration.

Mr. KOPP. The gentleman does not contend that the period from 1890 to 1895 was in the early history of our country before our manufactures had developed, does he?

Mr. FOSTER of Illinois. No, I do not, but I am simply speaking of the conditions when the Democrats had absolute sway in the early history of our country that the gentleman was speaking about, and not labor conditions.

Mr. KOPP. The point I am making is, that the last time the Democratic Party was in power the class of immigration was just the same as now, and that no attempt was made by that party to improve these conditions, and so the members of that party are estopped from attacking the Republican Party for failing to do what they failed to do.

Mr. FOSTER of Illinois. I think the Democratic Party was more careful as to the class of immigrants that came into this country during the time that they were in power than the Republicans were before that or since.

Mr. KOPP. Was there any different law on the statute books?

Mr. STEPHENS of Mississippi. I think the administration of the law was better.

Mr. CANDLER. Mr. Chairman, I will state further, that as was well said by one of our colleagues of Mississippi some time ago, the Democratic Party was only in power for a very short time—in absolute control of the Government—while the Republican Party has had undisputed sway for many, many years, therefore they have had a greater opportunity to deal with these questions than has the Democratic Party. They have not remedied this great evil, although they have had every opportunity to do so. The Democratic Party when it was in power had so many wrongs to remedy that it could not remedy them all.

Mr. KOPP. One moment, if the gentleman will pardon me. I do not want to be misunderstood. I believe one of the greatest needs to-day is an amendment to the immigration law. I agree heartily with those who say that we should keep out a great many immigrants who are coming in. The only point I was attempting to establish by my query was that inasmuch as the Democratic Party had failed, even in attempting to modify immigration laws while they had an opportunity, that they are estopped now from attacking us because we have failed.

Mr. STEPHENS of Mississippi. If we get the opportunity, I think we will make the effort to remedy this great evil. I agree that if there is one evil that ought to be remedied it is the evil attaching to the immigration law.

Mr. HEFLIN. Will the gentleman yield to me?

Mr. STEPHENS of Mississippi. For a question.

Mr. HEFLIN. More foreigners are coming into the United States now in one year than came in during the whole period from 1892 to 1897. More foreigners have come into the United States in the last 14 years under the reign of the Republican Party than came prior to that time in 60 years. The character of the immigrants that came in during the Cleveland administration was different from that of many who are coming in now. The gentleman from Alabama [Mr. BURNETT], chairman of the Committee on Immigration, made a visit to Sicily two or

three years ago, and he asked, "What has become of the bandits, the awful criminals that we used to read about?" And he was told by natives that they had all gone to America. [Applause on the Democratic side.]

Mr. STEPHENS of Mississippi. Now, Mr. Chairman, when I was interrupted I was discussing the question of the cost of production, and had remarked that there was more to be considered in this matter than simply the amount of the daily wage. One great factor that should enter into consideration of the cost of production is the amount that will be produced by American labor and the amount that will be produced by foreign labor, and in speaking of this subject James G. Blaine had this to say:

> The actual labor cost of the American product is less, because the effectiveness of American labor is superior to that of the workingman of any other nation on earth.

The annual average output per laborer of the respective nationalities is as follows:

American	$2,450
Canadian	1,455
Australian	900
French	640
English	556
German	460

Thus it will be seen that, as the American laborer is more productive than any other, he is entitled to much higher wages.

It is argued in favor of protective tariff that it gives a better market for the products of this country. It may be true that a higher price may be obtained for our products because of the fact, but it is also true that the tariff requires the man who gains this higher price to pay much more for what he has to buy, and in the end the loss is greater than the gain.

Really it amounts to this: That the man who has something to sell must contribute out of his own pocket a part of the price of his own product. To illustrate: Suppose a man is raising hogs for the market, and that his product is sold to a man who is working in a factory. It will be said that the laborer is able to pay a better price for the products of the farm, because of the higher wage given him by virtue of the tariff. As the farmer has to pay a tariff on the very article that contributes to the wage of the laborer, does he not, in reality, help to pay for the very hog that he has raised?

In truth, the tariff is for the benefit of the manufacturers. They get a much larger proportion of the protection granted to the industry than does the laborer who engages in it; and this is the real purpose of the tariff.

Mr. Chairman, the protective tariff proceeds upon an erroneous idea. It is not the function of government to legislate wealth into existence, and it can not do so.

During last session of Congress I heard the able Senator from Indiana [Mr. SHIVELY] use this language:

> However unfashionable it may be, my political faith is that of men who know that the thing called wealth is a social, not a political product; that this wealth is born of brawn of muscle, skill of hand, and vigil of brain, not of the roll calls of Congress; that the thing called industrial prosperity is a social, not a political product; that such prosperity is born of the energy and genius of man applied to the bounties of nature and not of the cunning and greed and craft of men applied to the powers of government. The power of government is the power to take, not the power to make; the power to tax is the power to transfer, not the power to produce. Our Government has no reserve fund or power out of which to grant privileges. It can grant privileges only by carving them out of the body of common rights. The Government, having no profits to bestow, the reasonable profit the law is to assure must be sponged from the victims the law makes.

Any scheme of taxation is unjust that is not levied upon the rich and the poor according to their ability to pay it. The protective tariff places the burden unequally. The true, the equitable, rule of taxation is to determine the actual needs of the Government when honestly and economically administered and then to so levy taxes that the burdens of government may be borne by the people in equal proportions, letting wealth contribute its just share.

The old theory of the tariff was that it was framed to raise revenue and granted incidental protection. The new theory seems to be that the tariff is framed for protection to the manufacturer with incidental revenue to the Government.

Under this system there have grown up great private monopolies and trusts. It is absolutely indefensible that they should be assisted by law through a protective tariff. It is a crime against the American people. They control the market, destroy competition, fix the price of raw and finished products, and to a very large extent regulate the price paid for labor.

Many of these great trusts carry a large amount of watered stock in their capitalization. Indeed, some of them have a larger amount of watered stock than paid-in capital, and yet the national platform of the Republican Party guaranteed to them a reasonable profit on their entire capital stock.

Mr. Chairman, the gentleman from Pennsylvania [Mr. DALZELL] stated that the Ways and Means Committee, before passing the Payne-Aldrich bill, heard evidence for several months; that they went thoroughly into this matter, investigating the questions involved. He admitted that that law was not perfect, because he claimed that no tariff bill ever written was perfect. That is true, and will always be true, so long as we follow up the system that has been followed so long in the United States, and especially will it be true so long as the Republican Party carries out its policy of protection to the great manufacturing industries. [Applause on the Democratic side.]

He stated that this bill met unmerited and unintelligent abuse at the hands of the people. He stated further that the pending bill is absolutely indefensible from any standpoint whatever.

Let us investigate some details of the Payne-Aldrich bill and compare them with the present bill.

We find that cloths, woolen and worsted, valued at not more than 40 cents per pound, under the Payne bill are taxed at an equivalent ad valorem of 134 per cent. The same articles, valued at more than 40 cents and not more than 70 cents per pound, are taxed 119 per cent; valued at more than 70 cents per pound, 94 per cent. The articles under the present bill carry an ad valorem of only 40 per cent.

Blankets valued at not more than 40 cents per pound carry an equivalent ad valorem of 107 per cent. To show that this tax is absolutely prohibitory and placed that high for the specific purpose of giving a high rate of protection to the manufacturers, we have only to cite that during the year 1907 there was only $316 worth imported into this country.

Blankets 3 yards in length carried an equivalent ad valorem of 165 per cent, and only $40 worth was imported. Under the proposed bill these articles carry an ad valorem of 30 per cent.

Flannel for underwear valued at not more than 40 cents per pound is taxed 143 per cent, while under this bill they are taxed 30 per cent and 45 per cent, according to value per pound.

Flannels valued from 40 to 50 cents per pound carry an ad valorem of 101 per cent, and there was only $128 worth imported; valued at 50 to 70 cents per pound were taxed 105 per cent, and the importations amounted to $111.

Dress goods, mixed, cotton and wool, valued at 15 cents per square yard carried a tax of 106 per cent. I notice that these goods, the average import price of which is 13½ cents per yard, are classed by the Republican tariff bill as luxuries. A woman's dress which would cost from $1.25 to $1.50 is thought by that party to be a luxury. They force the women purchasing the same to pay more than double what it is really worth, yet the gentleman from Illinois [Mr. MANN], in the face of the fact that he voted for that tax, had a great deal of criticism to make of this bill because a tax of 45 per cent is charged. There was much of inconsistency in his argument, because it is readily seen that under this bill there will be considerable saving on each article purchased.

Wearing apparel, cloaks, jackets, and other outside garments for women and children are taxed 80 per cent under the present law, while we propose to tax them just half that amount.

Under the Payne bill men's hats are taxed 86 per cent, and shawls valued at $1.25 and above are classed as luxuries and taxed at 92 per cent.

Shirts, vests, union suits, sweaters, pants, and so forth, manufactured of cotton goods and valued at more than $5 per dozen are taxed more than 64 per cent. Under the Payne bill these articles are classed as luxuries. Think of it. The poor man buying a pair of pants, a sweater, or shirt valued at more than $5 per dozen is charged by this Republican Party with the purchase of luxuries. Has it come to pass in this great country of ours that it is a luxury for a man to wear cheap garments of that kind? Does it not show that the Republican Party has absolutely no regard for the poor of the land, but that their whole interest is centered in the manufactures and protected interests of this country? Does it lie in the mouth of any man who was guilty of helping perpetrate such a fraud, such an iniquity as the Payne-Aldrich bill, to criticize the present bill, which reduces the burden of taxation so much?

The gentleman from Pennsylvania [Mr. DALZELL] stated that the committee that reported the Payne bill spent months in gathering the testimony upon which to base the bill. Who was it, in the main, that appeared before the committee and told them what ought to be written into the laws of the land?

They were men who were very much interested, who had a great financial interest at stake. As Senator Sherman once said, referring to tariff legislation, an important class—the consumer—was not consulted. That the tariff laws enacted by the Republican Party have been written in the interest of certain

classes, instead of the great body of the people, is shown by the remarks of a member of that party, Senator Dolliver. He said, after the Payne bill becomes a law, that—

> Veteran experts are given the right to fix our laws. Behind nearly every veteran expert that we have had fluttering around here in recent years is the veteran manager of the enterprise that is to be fixed.

Again he said:

> The most important business of the American people has come down to the bargain counter, and men are authorized to say, "This is the citadel of protection; if any of you have constituents that want anything, come here; we are the dispensing power; support what we want, and take anything that you think you need."

In reading the testimony taken during the hearing referred to by the gentleman, I could not help but exclaim to myself that these men who were seeking protection at the hands of the Government are the miserable product of human greed and commercialism, seeking to build up their own interests at the expense of the men who labor and toil. [Applause on the Democratic side.]

The Republican Party has carried the idea of protection into the free list. Of the 600 articles on that list, there are not a half dozen that enter into common use in every home in the land, but we find that millions upon millions of dollars' worth of various articles that are used by the great trusts and manufacturing industries in the land are permitted to come in free. This is simply another illustration of a desire of the Republican Party to foster the interest of a class.

That party has for a long period of time "fooled" the farmer by pretending to be his friend. A "sop" is thrown out to him occasionally in their tariff legislation. For instance, a pretense of protecting the farmer who raises corn is made by placing a duty of 15 cents per bushel on corn and 20 cents per bushel on corn meal imported into this country. To show that this is a mere sham and pretense, I have only to refer to the fact that last year the United States produced about three-fourths of all the corn raised in the entire world, and that nearly all of the great nations of the earth, except ours, were importers of corn, while we had corn to export. Of course, it follows that this duty was of absolutely no benefit to the farmers of our country.

The cotton farmers of the South have absolutely no protection. More than two-thirds of our cotton is exported to foreign countries. The Liverpool market regulates not only the price of cotton there, but the price of cotton here. It comes in competition with cotton produced by the cheapest labor in the world—the coolie labor of India. This great product contributes very largely to make the balance of trade in our favor, yet the men who produce this staple get absolutely no protection, but are required to bear very heavy burdens both by way of taxation and by way of enforced contribution to the pockets of the manufacturers.

Mr. Chairman, I have heard it stated very frequently during this debate that if the proposed bill becomes a law the sheep industry in this country will be destroyed, and reference has been made time after time to the fact that the sheep industry was almost destroyed by the Wilson bill.

By reference to the Yearbook of the Department of Agriculture for the year 1910, I find that in 1893 there were 47,000,000 sheep in the United States, and in 1897 there were 36,000,000, a reduction of over 11,000,000 during the time the Democratic Party was in power.

The gentleman from Ohio [Mr. LONGWORTH] the other day, in asking a question of some gentleman on this side, had this to say: "Do you not believe that the tariff was one of the elements that caused this great reduction in the number of sheep in the United States during that period?"

Mr. Chairman, that might reasonably be contended if there was not evidence that during the same period of time in Australia, and, indeed, all over the world, there was a great reduction in the number of sheep during that same period. Did the American tariff affect the sheep outside of the United States? Not at all.

I contend, Mr. Chairman, that tariffs do not make panics; that they do not prevent panics; and that they do not cause sheep to grow or to die. Let us refer to a period during a Republican administration, and see what the condition of the sheep industry was during that time.

In 1903 when the Republicans were in power and the Dingley bill was in effect there were 63,000,000 sheep in the United States. Two years later, in 1905, when this same party was in power and the same Dingley bill was the law of the land, we find that there was only 45,000,000 sheep in the United States, a reduction of 18,000,000 in three years. What caused that? Was it the tariff? If the tariff did not cause that reduction, which was much larger than during the four years of Democratic administration, why should we charge the great reduction from 1893 to 1897 to the Wilson bill? [Applause on the Democratic side.]

I find by reference to Table 40, in the report of the committee, that in 1890 the per capita consumption of wool in the United States was 9.24 pounds, and in 1910 it was only 7.11 pounds.

It has been argued that by reducing the duty on raw wool there would come into our country about 200,000,000 pounds from other countries, and that because of this the sheep industry of the United States would be destroyed.

Let me suggest that if the people had not been so burdened by taxation, had not been so shamefully required to contribute to the great wealth of certain manufacturers; if they had been permitted to pay simply a just and reasonable amount toward the revenue of the Government, and had been permitted to keep the balance of the fruits of their labor, that they would have been able to purchase the same amount of woolen clothes in 1910 as they were in 1890.

And further, that if relieved of these unjust, unnecessary, and iniquitous burdens that they will again be able to purchase the same amount as formerly, and we find by multiplying the number of our population by 2.13, the difference between the amount per capita, used during the years referred to, that it will require about 195,000,000 pounds of wool more than was used last year. This is almost the identical amount that the gentleman from Illinois [Mr. MANN] says would come into the country, and thereby destroy the sheep industry.

Every time an effort is made to give relief to the people the cry goes up from the Republican Party that the financial interests of the Nation are about to be destroyed. The advocates of protection claim for it that it is the cause of our great national prosperity, of our wonderful advancement in national wealth.

Everything good is placed to the credit of protection; all the reverses are charged up to the Democratic Party. The fertility of our soil, the bounties of nature, the great stores of natural wealth in the bowels of the earth, the industry and intelligence of our people, art, science, and inventive genius are all overlooked by the Republican Party when they come to consider the causes of the progress and wealth of the United States.

Frequent reference has been made to the Walker tariff during this debate. There has been much criticism by Republican speakers of that tariff. To show that the charge that that measure was harmful to our Nation is unfounded I cite Mr. Taussig, a writer on tariff history. He says:

> There is no doubt that the period from 1846 to 1860 was a time of great material prosperity, interrupted but not checked by the crisis of 1857. The moderate tariff undoubtedly was one of the elements that contributed to the welfare. The crisis of 1857 was an unusually simple case of active speculation, overbanking, panic, and depression, and it requires the exercise of great ingenuity to connect it in any way with the tariff act. When the tariff act of 1846 was passed the protectionists predicted disaster, but disaster did not come.

The increase in our national wealth between 1850 and 1860 under a Democratic tariff measure was equivalent to 126 per cent, a much greater increase than is shown at any time since that under Republican administration.

Mr. Chairman, the special interests have been protected too long; the farmer, the laboring man, the real producer of wealth in this country should be given a chance. The farmer is not here asking that a tax be levied upon anyone for his benefit, but he simply asks that no unnecessary burdens be placed upon him, and that he be not required to create wealth for the benefit of any particular class.

The Republican platform, as I have said, guarantees to the producer—which really means the manufacturer—a reasonable profit upon his investments. What other class in this country has any such guaranty?

What benefits have the farmers received from the tariff? The price of his cotton and his wheat is fixed by a foreign market, yet almost every article that he purchases bears a tax, and in most instances a very heavy tax. He has no guaranty from the Government of any "reasonable profit." He must trust himself to the forces of nature and the help of a beneficient Providence.

He goes forth in the morning tilling his ground and sowing his seed with a silent prayer in his heart that those forces of nature and that Providence will be kind to him, will smile upon him, and that his harvest will be plenteous and bountiful.

Instead of looking to the tariff for help, he must take the risk of the soil responding to cultivation, of the sunshine and rain coming in due season so as to cause an abundant yield. If the withering blast, the long-continued drought, or any pest shall

destroy his crop; if the earth shall refuse its accustomed yield; if sickness or misfortune shall visit him and impair his ability to labor during the crop season, the Government throws no fostering care around him. All he can do is to await another season, ever hoping that the future will deal more kindly with him. [Applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman has expired.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. HENRY of Texas having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 23. An act to authorize the extension of Underwood Street NW.;

S. 238. An act to authorize the extension of Lamont Street NW., in the District of Columbia;

S. 1524. An act to authorize the construction and maintenance of a dam or dams across the Kansas River, in western Shawnee County, or in Wabaunsee County, in the State of Kansas;

S. 2052. An act relating to the removal of the North Point light station, Wisconsin, to another site;

S. 2224. An act to amend an act to regulate the height of buildings in the District of Columbia, approved June 1, 1910; and

S. 2532. An act providing for an increase of salary for the collector of customs for the district of Montana and Idaho.

THE WOOL SCHEDULE.

The committee resumed its session.

Mr. UNDERWOOD. Mr. Chairman, I yield to the gentleman from Florida [Mr. MAYS].

Mr. MAYS. Mr. Chairman, I am not going to apologize to this House for the time that I have taken up in Congress heretofore in debate upon this floor. I have gone all the gaits of a Congressman since I came to Washington as a member of this body, except, perhaps, the running canter of the daily debaters upon this floor, and I do not say this, Mr. Chairman, in any sense of criticism of the members of that order, for I commend them not alone for their ability, but their industry, their interest in and their devotion to public affairs; and my remarks do not apply to one side of this House alone, but to both sides; and I believe that that order is of as much value to this great body of men as a picket line to a great army, and their uses much the same—that neither be taken unawares. In the beginning, Mr. Chairman, I want to thank the leader of the majority upon this floor for the few minutes' time given me to make a speech, incidentally upon the tariff bill, and I want to commend him for his able leadership upon this floor and declare that, in my opinion, he ranks high up with the great men who have held sway as leaders in this body since the foundation of the Government. [Applause on the Democratic side.] And I want to say to the Democratic people throughout the United States that if they are as harmonious on all great questions of public welfare as the Members of this body and as earnestly desire Democratic supremacy there will be no question of the election of a Democratic Congress and a Democratic President in 1912. [Applause on the Democratic side.] One of the troubles heretofore with the Democratic Party against its success has been the multiplicity of its leaders. It has been an army of generals and colonels, each general with his ideas of the campaign. Consequently we exhausted ourselves fighting in our own ranks; but to-day we find the Democratic Party here in this House—and the eyes of the country are upon it—a unit for the cause of good government; and in my opinion no man in the Union is entitled to greater credit for it than the great man who is Speaker of this House. [Applause on the Democratic side.]

Mr. Chairman, if this Democratic Congress carries out its promises to the people, makes good to them, the man who beats CHAMP CLARK for the Presidency in 1912 will know that he has been in a race. [Applause on the Democratic side.] When I came to Congress two years ago it was at the call of the President in extra session to revise the tariff bill. So objectionable had the Dingley law become to the people of the United States that a Republican President deemed it wise, imperative upon him, to call an extra session of Congress to revise the tariff downward, as he had promised on the stump. The session was called, and after five months of strenuous debate upon this floor, with every department of the Government in the hands of the Republican Party, the Payne-Aldrich tariff bill was passed, much to the dissatisfaction of all the people, as no reduction had been made, and the Republican Party's promises to the people had been broken. Yet a Republican President signed that bill and afterwards declared that it was the best tariff bill ever made by the Republican Party.

And what do we find to-day? We find that same Republican President calling an extra session of Congress here to relieve an outraged people, suffering from the beneficence of the Payne tariff bill. We find as a result of that bill here a Democratic House, by a large majority, and we find in the White House a Republican President appealing to a Democratic House and the Democratic Members in the Senate to relieve the people from the high cost of living, from the outrageous taxes placed upon them by his own party. Was there ever such a spectacle before in the history of this country, a Republican President praying to be delivered from his Republican friends? [Applause on the Democratic side.] In the beginning of this Government the tariff was used for the purpose of raising revenue for the expenses of the Government. What do we find to-day? That it is the great issue, dividing the two great parties of our country. The Republican Party championing a tariff for a specific protection and not for the protection of the people, from whom the revenue is derived, but for the purpose of protecting the few against the many. Thereby creating great trusts and monopolies on the plea of protecting infant industries that to-day have become giants on account of the great favors received at the hand of the Republican Party and are a fast-growing menace to our Republican form of Government. On the other hand, we find the Democratic Party still clinging to the old doctrine that taxes should be taken from the people only for the running expenses of the Government, economically administered.

The people of the United States have grown tired of false promises and of the reckless extravagances of the Republican Party. See the change—from a majority of 47 in the last House on the Republican side to 63 majority on this side in the present House—and, my friends, this is not a Democratic exaggeration, but is an actual fact, and it is enough to carry consternation to the hearts of the strongest standpatters in the Republican Party. It must convince you Members on that side of the Chamber that something has happened to the Republican Party. Especially when you see the former head of the House down on the floor and its brains scattered from Minnesota to Maine. [Applause on the Democratic side.]

The people have turned to the Democratic Party for relief on account of the promise by it of reform in every line and in every department of this Government. The first promise was to do away with Cannonism, to take away the czarlike power of the Speaker of the House to stifle or control all legislation.

This has been done by taking away the power of the Speaker to appoint the standing committees. [Applause on the Democratic side.] Then by curtailing the expenses of running the House alone we have saved the people $182,000 a year without lessening its efficiency in the least. Have also appointed committees to investigate every department of this Government, and from hearings before these committees you will be convinced that criminal extravagance and gross carelessness has been practiced in many departments. So much so that you will be fully warranted in turning the Republican Party from power as unworthy and recreant to the trust you have given them.

We have passed legislation without hesitation that the people of our country have been demanding for many years—that they be allowed the privilege of voting for the election of United States Senators, in order that they may send men to the Senate who will be their servants and not the servants of the great trusts and monopolies, and who will look to them—the people—for their election and not the trusts and corporations of this country. We have passed the publicity bill, which requires the making public campaign expenses before as well as after elections. We have passed the bill admitting New Mexico and Arizona as States without asking what their politics will be, Republican or Democratic, when admitted, carrying out our platform promises regardless of party advantage.

We have been called here by the President to pass the Canadian reciprocity bill, and without playing politics, we have done so, but I acknowledge, Mr. Chairman, that it is directly against the agricultural people of this country—the farmers—and why? Because, not a single line or syllable in it carries any encouragement or advantage to them; but every line in it is for somebody else's benefit. Its sole purpose is to cheapen the cost of living, to cheapen food products, and who produces food but the farmer. This measure is a great benefit to the dwellers in the city, the laborers in the mines, in the factories, and mills, and to the manufacturers especially, as it leaves him with protection on his wares, while to the farmer, all that it does, is to cheapen his products, while it does not make cheaper the articles that he must buy. But, Mr. Chairman, this Democratic House is not forgetful of the farmer man. It has also passed the

farmers' free-list bill, that does give hope and encouragement to him, while it gives joy and relief to the multitude. While it takes away from the revenues of our Government only $10,000,000, it saves to the consumers of our country $300,000,000 annually. If these two bills become law, this Congress will go down as the greatest in the history of our country. [Applause on the Democratic side.] Will give new courage to our people, renew confidence in the Government, and will take away forever all talk of socialism and discontent. The people of this country are wiser to-day than ever before in the business of our Government; they are keeping pace with all questions that affect public welfare. They have formed opinions of their own, and one is, Mr. Chairman, that this mysterious tariff is simply a tax and that the ultimate consumer pays it, and to-day they are demanding that it be laid equally on all men, that there shall be no favored few taken into partnership with the Government and guaranteed, not only against loss on investment, but a reasonable profit on their business, at the expense of the many, whose backs are already bent with burdens too heavy to be borne. Our people know, Mr. Chairman, that we must raise revenue for the expenses of the Government, but they know also, Mr. Chairman, that a high-protective tariff does not make revenue for the Government, but does make great trusts and monopolies.

And now, Mr. Chairman, we have before us a bill reducing the tariff on wool—Schedule K—which even a Republican President has condemned and declared to be indefensible. It is enough for me to know that the people themselves have condemned it as the most outrageous and unjust tax ever heaped upon a people. Then, my Democratic friends, shall we reduce it? By all means. What excuse has the Republican Party for this iniquitous tax in the Payne bill, and can you look the people of this country in the face and even attempt to justify it? Is it not better that the lambs on a thousand hills go unherded for the lack of a shepherd and go unsheared for the lack of a reasonable profit and gambol in the sunshine forever than for the children of the multitude to lack clothing and covering sufficient to keep them warm and comfortable? Even take the Republican argument as true, that we need the prohibitive tariff to hold up this industry, which I deny, will you stake the life of an industry against the life and health of the people—and this a civilized country, a Christian Nation? God forbid. If so, then do you wonder that the question is asked:

> Is there no place on the face of the earth
> Where charity dwelleth; where virtue has birth;
> Where bosoms with kindness and mercy will heave
> When the poor and the wretched shall ask and receive?
> Is there no place at all where a knock from the poor
> Will bring a kind angel to open the door?

And the answer comes back:

> Go search the wide world wherever you can,
> There is no open door for the moneyless man.

I do not propose to discuss the woolen schedule in all of its phases. It is considered by the Republican Party to be full of mysteries. The Republican leader, Mr. MANN, vehemently declares that even the Democratic leader, Mr. UNDERWOOD, whom he declares the best posted on this side, is ignorant of the woolen tariff. And Mr. MANN declares that even he himself does not know all about it. A wonderful confession for him to make—that there is anything under the sun that he does not know. And he also says that we ought to wait and get information from the able Tariff Board appointed for that purpose. With the highest regard for every member of that board—and I do not know who they are—but in the light of former investigations and reports, what are we to expect of them? Do men gather figs of thistles, or would a Republican take his ideas of the tariff from a Democratic board? Then how could you expect the Democrats to be guided by a Republican Tariff Board?

As for me, Mr. Chairman, I believe the Members of Congress, the representatives of the people, ought to make the tariff, and not delegate the power to any board. Why should this board be better fitted for the work, to gather information on the tariff, than Members of Congress and Senators who have been here for years, have helped to make tariff bills in the past, and who are still honored and trusted by their people? There are at least two schools of the tariff—tariff for specific protection and tariff for revenue with incidental protection. I have said, Mr. Chairman, that the Republican Party believes in a high protective tariff, while the Democratic Party in a tariff for revenue only. At last, whatever school has a majority on the Tariff Board, their idea will prevail. And a Republican President will appoint a Republican majority on the board and a Democratic President will appoint a Democratic majority. Consequently, the tariff will be left at last for Congress to settle.

Gen. Hancock, while a candidate for President, is quoted as saying that "the tariff is a local issue." Mr. Chairman, these are the words of a soldier, a man whose life has been given to war, and if followed to their last analysis would take us back to the Dark Ages, when every man was a law unto himself and every clan believed that it had the right to depredate upon its neighbor. Mr. Chairman, I had rather believe that we are our brother's keeper. In equal rights to all men, the greatest good to the greatest number. In union of States, of hearts, and of hands. That patriotism, like Old Glory, not only should, but does encircle us in its folds.

Mr. UNDERWOOD. Mr. Chairman, I yield 30 minutes to the gentleman from Illinois [Mr. FOSTER].

Mr. FOSTER of Illinois. Mr. Chairman, the tariff question has been before the American people for years, almost since the foundation of the Government, and will remain an issue, as it necessarily must, as it is a question of taxation, until it is settled right and until it is placed on a proper principle of pure taxation for the support of the Government and not for the benefit of a favored class in this country.

In the campaign of 1908 the Republicans promised to revise the tariff, which led the people to believe that they intended to revise it downward, and the campaign speeches, especially in the West, led the voters to believe that the platform meant a downward revision. After the Dingley law had been in effect for 10 years the Republican Congress elected in 1908 undertook its revision in the special session of 1909. But when they had completed their work at the close of the extra session it was ascertained that the average rates were higher than the Dingley law, which had been in force since 1897. The people had asked for relief from high taxation upon the necessaries of life, and they were answered by a revision that continued the high, or higher, taxation as before. "They asked for bread and were given a stone; they asked for fish and were given a serpent." [Applause on the Democratic side.]

During the consideration of the Payne bill the Republicans for the first time admitted that the tariff was a tax and the people must pay it; many of them had contended before that time that if it were a tax, the foreigner paid it. The people of this country are too intelligent to believe the statement that high taxes are a benefit to them. If they are intelligent enough to maintain the free Government that our fathers established, they will not believe your party when you tell them they can be taxed into prosperity in a tariff bill such as you gave them in 1909.

There is an element of the Republican Party that believes that the promises made to the people should be kept, and they insisted that in the revision of the Dingley law duties should be reduced. After the Payne tariff bill had been in operation less than a year it became so apparent that prices had not been reduced on manufactured articles that there came a revolt of the American people at the ballot box in 1910. The friends of the Payne bill hoped that prosperity would return to the people after the passage of that iniquitous measure and that they would forget the broken promises, but the people had good memories and knew they had been fooled, so when the election of 1910 came they did not hesitate to put out of power the party that had betrayed them as the money changers were thrown from the temple.

A Democratic House was elected charged with the duty of revising the tariff in the interest of the people and not solely for its beneficiaries. In that election there were a number of questions which the people determined by their votes, but first and foremost that the tariff on the necessaries of life should be reduced below the rate of the Payne-Aldrich bill and the highest rate should be placed upon the luxuries. Articles in more common use, those bought by people of limited means, should be taxed as little as possible, that the cost of living might be reduced.

This Congress was called together in a special session by the President of the United States and asked to pass the reciprocity pact with Canada. No mention was made by the President of any other legislation. He failed to call attention to other abuses in the Payne bill, among which is the woolen schedule, which he has said was indefensible and ought to be revised. The Democratic majority agreed with the President in the treaty with Canada; but they go further and insist that the rates of the Payne-Aldrich bill should be reduced wherever that can be done in the interest of the people and the condition of the Treasury will permit. They have passed the free-list bill giving the people relief on many of the necessaries of life that are now controlled by the trusts of the country, which compel them to pay exorbitant prices as tribute to their greed and selfishness. The Democratic Party has always stood for the least possible taxation of the people for the needs of the Government, eco-

nomically administered, believing that all forms of taxation are more or less burdensome upon the people, which should be kept as light as possible. The Democratic Party does not believe that any form of taxation increases the prosperity of the people. It believes the power of taxation should only be used for the support of the Government, and they do not object to taxation for that purpose, but they do object to being taxed for the benefit of the privileged few.

Democrats hold that it is wrong to tax one class of people for the benefit of another; they believe that every man should bear his just proportion of the expenses of government, but should not be asked to contribute for the benefit of a favored class of citizens and which does the Government no good and only enriches a few at the expense of the many. This system of protection has so permeated the body politic of our citizenship that protective laws of every form have been proposed to give one person the advantage over another. Men come to Congress and ask that laws be passed that will enable them to gather from their neighbors a portion of their earnings to enrich themselves.

The doctrine of "equal rights for all and special privileges for none" has been a Democratic doctrine for years, and it was no truer when it was uttered than it is at the present time. There never has been a better time in the history of the Government to put it into effect than now. Every individual citizen of our country should be given an equal chance with every other, and no law should be passed that has for its purpose to take from the earnings of the one and put them in the pocket of another without giving anything in return therefor. Out of this system of indirect taxation and the protection of a certain class of our country has also grown up the extravagant appropriations and the squandering of the people's money.

The people do not directly see the amount of taxes placed upon the individual articles which they are compelled to buy, and led to believe they are paying but little of the tax, and the object of protective interests has been to increase appropriations to such an extent that we must keep up this vicious system, under the plea that it is necessary to raise the revenue for the support of the Government. All appropriations should be considered as so much taxes upon the people, which must be paid by the producers of the country.

We can not escape the fact that the wealth is produced by the labor of the country, so that taxation must, in the last analysis, fall upon those who are the producers, those who create the wealth. It is not contended that tariff taxation should be removed entirely, but should only be levied with the idea of securing revenue for the Government. Years ago the idea of strict economy in public affairs was demanded of the people's representatives, but I am sorry to say in the last few years there has grown up in this country the idea that what was secured from the National Government is so much gained, to which we have not contributed our part; that the money taken from the great body of the people is returned to them in increased wages for their labor and better prices for their products, and that they are thus compensated for the wrong done them by this vicious system of taxation.

The majority on this side of the House has been intrusted with the responsibility of giving relief to the people from the burdens of taxation and to see that the expenses of the Government shall be reduced so that in the end the producers may be relieved of any unjust burden of taxation, and we are endeavoring to enact such laws as will give the relief that the people have asked for so long. No lobbyists, as was said of the last bill which passed Congress, have made this bill, but it has been made by the people. [Applause on the Democratic side.]

In writing the bill under consideration the Ways and Means Committee have made a new departure. The Wool Trust was not consulted about the preparation of the bill. The framers of this bill had in mind two very important things which have not heretofore been considered—the lightening of the burdens of the consumers and the needs of the Government for revenue—hence, for the first time in a half century there is presented for the consideration of the American Congress a tariff bill not framed by so-called experts, the provisions of which are so plain and simple that the ordinary man or woman can understand them; a bill that should serve as a model for all future tariff legislation.

No agents of the Wool Trust have had access to the Committee on Ways and Means of this Congress that they might write the wool schedule. The committee has not asked, desired, or permitted them to do so.

The reprehensible methods which have hitherto obtained in the framing of the tariff bills were exposed by the late Senator Dolliver, of Iowa, in a speech in the United States Senate June 13, 1910. In that speech, one of the greatest ever delivered in the Senate, after showing how President Taft had been deceived and led to declare in a speech that the marked increases in the cotton duties provided for in the Payne law were applicable only to the high-priced cottons used by our people as luxuries, Senator Dolliver said:

No expert in the New York customhouse ever conceived this job I have referred to in this cotton schedule without the knowledge and consent of people standing behind the scenes. This very expert, who seems to have done the cotton business for us, is a veteran. He was just as helpful to you, my Democratic friends, in 1894 as he ever has been to us. He went home from the session that wrote the Wilson tariff law, boasting that he was the author of it. In the presence of one of the most distinguished citizens of Massachusetts, once connected with the Treasury Department, he stated with evident pride that he represented the textile industries of New England; that he had a contract with them that if he would drop his business as general appraiser he could go with the Textile Association with three times the salary of the office which the Government of the United States had confided to him. This veteran expert helped the Republican side of the committee in 1897 in the daytime and the Democratic side of the committee at night. He was a messenger between hostile camps. He certified to the Republican members of the committee that the sugar schedule did one thing and certified to the Democratic members that it did another. Instead of being an expert, he is an employee, and he has come down now for nearly a generation, dominating the proceedings of Congress, telling everybody what ought to be done, relieving even the great committees of their duty of investigation, writing these laws, and presenting to the American public a scandalous transaction such as I have exposed here to-day.

He also said:

If the committee does not have a care the public will get the impression that the tariff was revised by its most intimate friends, and the defense of the performance left to a total stranger. It is probable that those who engineered the tariff bill through the two Houses indulged the expectation that the exact nature of the transaction, while it was going on, could be hidden by the intricate movements of the machinery. But it may well be doubted whether the most buoyant lobbyist about the Capitol expected that the bungling work of Congress, when known and read of all men, could be surrounded by such an array of bogus statistics and high official sanctions, disseminated in speeches, in private letters, and by personal telegraphic messages throughout the country, as to very long conceal its actual operation from the American people. I do not propose that it shall remain the practice of the Republican Party if I can help it. I do not propose that the work which it brought here last summer shall be forced into the platform of the Republican Party and made a test of party fealty and party duty and party obligation. I propose that the job shall stand on its merits, and that the American people shall inquire to the full limit of their curiosity into every detail of the performance.

Again, I do not like this idea of having customhouse officials, to whom most of us have never been introduced, write our tariff laws. It hurts my pride to start with. Those who know us begin to see what a bubble this Senate business is; that the majority does not represent ideas—which my friend from Oregon [Mr. BOURNE] so well says is the one potent thing there is in this world—that its debates have no significance, that when you want to get anything done you send out to the customhouse and get an expert—a veteran expert, if you can—to fix it up. Well, I am tired of it, and I will tell you why. The veteran experts that are given carte blanche to fix up our laws do not appeal to me as they used to. Behind nearly every veteran expert that we have had fluttering around here in recent years is the veteran manager of the enterprise that is to be fixed.

At another time he said:

The refusal of Aldrich to permit a proper revision of the wool and woolen schedule, with its excessive rates upon the necessities of life, the consumption value of which amounts to over $700,000,000 per year, was without doubt the worst feature of Payne-Aldrich tariff legislation.

Mr. CLARK, the Speaker of the House, in his speech on the conference report of the Payne-Aldrich bill, read an article from the Washington Times in reference to the Payne-Aldrich tariff bill, page 4705, CONGRESSIONAL RECORD, July 31, 1909, as follows:

With the closing days of the tariff session in sight and many of the schedules already agreed upon, scores of professional lobbyists are buying tickets for home, the hotels are feeling the effect of the exodus, the expressmen are doing a land-office business, and Members of Congress are feeling some confidence in being able to leave their committee rooms without being held up every 10 steps by some one who wants to talk tariff.

While there have been no scandals about the tariff lobbies, the lobbyists have done enough entertaining to occasion the remark that "a pleasant time was had."

Some of the lobbyists have been in Washington since the day the Ways and Means Committee held its first public hearing. Some of them have devoted their entire time to one particular schedule, while others have been working for half a dozen interests. A few of the lobbyists are lawyers, but most of them are either experts in a particular line or are former employees of the New York customhouse, thoroughly familiar with the workings of the tariff.

A former surveyor of the port of New York, who has been looking after schedules, has lived at the most expensive hotel in Washington since last November. His expense account has been unlimited, his personal living expenses have cost him nothing, and he has been getting big fees.

"When I return to New York," said this lobbyist, "I will be $30,000 richer than I was the day Congress began tinkering with the tariff. So far as I am personally concerned, I would like to see Congress called together next October. One or two more tariff revisions will fix me financially so that I will retire and live on my income."

[Applause on the Democratic side.]

The free-hides lobby is generally admitted to be the biggest and most effective in Washington, but it is their boast that there is not a professional in their ranks, and that their expense accounts will not show a single purchase of champagne. The smallest lobby in town is that conducted by Lucius Littauer, the glove manufacturer, of Gloversville, N. Y., and a former Member of the House, who has given his personal attention to the increased duty on women's gloves.

The bill now under consideration to reduce the tariff upon wool and woolen clothing is intended to afford some relief to the people in one of the great necessaries of life. In the colder climates people are compelled to buy woolen clothing and woolen blankets to keep them warm, and, as a matter of health, it is essential they should supply themselves with such clothing; and I was surprised at my colleague, the distinguished minority leader, saying that it was contended by some that certain woolen clothing was unnecessary and unhealthful.

You must remember, also, that the coal miners of the country, of which there are many thousands in the State from which the minority leader comes, must buy wool clothing. They are compelled to buy it. Let us help these men by giving them cheaper necessaries of this kind. We believe that it is the duty of the Government to reduce taxation upon these articles to as low a figure as possible to do in view of the condition of the Treasury.

When we look at the statistics and history of sheep raising and woolgrowing in the United States some peculiar facts are brought to our view. It has been claimed by those who believe in a high tariff upon wool and woolen goods that it is of great benefit to the woolgrower and the wool manufacturer of the country. There is no doubt that, so far as the manufacturer is concerned, it has been of great advantage to him, as under this system the tariff has been prohibitive. When an argument is made upon the wool question it is pointed out that the decrease in the number and price of sheep and price of wool under the Wilson bill is an argument why a high tariff ought to be retained.

The Republicans point to the era of depression from 1893 to 1897 as the result of the Wilson bill, not recognizing the fact that the depression of that period began before the Democrats gained power and had begun to disappear before they went out of power, and that the depression was world-wide in all branches of trade. The Republicans use these stock arguments whenever as standpatters they are called on to defend the wool schedule.

Our protectionist friends attempt to make much of the fact that a sharp decline in the price of wool followed the passage of the Wilson bill in 1894. They attribute that decline to the placing of wool on the free list, when the fact is that the price of wool began to fall below the general level of the prices which had prevailed for several years to 1885, but after a decline of 6 to 10 cents a pound in that year prices took a lower level, which was maintained till the financial depression of 1893 set in when a still further decline took place, until in April, 1895, fine wool dropped to 16½ cents a pound, the lowest price ever known in the eastern markets. Chester Whitney Wright, in his "Wool Growing and the Tariff," writing of the effect of the Wilson tariff law on the price of wool, says:

> The final enactment of this bill in August, 1894, had but little effect, its expected passage and the general business depression having previously made allowances for it.

Again, the increased use of cotton for clothing had considerably to do with lessening the demand for woolen goods, and consequently lessening the demand for wool. It will be observed that there are three great downward slides as to the production of the sheep and wool, but they are silent as to two of them, but proclaim loud as to that from 1893 to 1897. This happened to be during a Democratic administration, and therefore charged to the reduction of the tariff on wool. It is true that during this period there was a decrease of 9,500,000 sheep, or more than 3,000,000 a year. But how about the slide from 1885 to 1890? During this latter period the average duty on wool was about 11 cents, or practically that of the Dingley law, yet we lost 18,000,000 sheep. It surely will not be contended that the removal of the tariff had anything to do with that.

In the decline of the production of wool and sheep we find that, as stated, in 1903–1905 the number of sheep decreased 19,000,000, or that in two years there was a reduction in the number three times as great as the loss when there was no tariff on wool and when the duty on wool under the Dingley law was 11 cents a pound, as it is to-day. It will certainly not be denied that there are other causes which are shown by these figures which operate to decrease the number of sheep. Among these causes are winter exposure, scarcity of food, the depredation of dogs, wild animals, and thieves, the high price of land, and the low price of wool.

In 1895, according to the agricultural report, winter exposure killed off 2.9 per cent, or 967,000 sheep, while losses from all other sources was over 857,000. If we add these together we would find that the loss was 1,824,000, or within 100,000 of the loss of 1896 over 1895. In other words, the low price of wool had little or no perceptible effect, as it was limited to less than one-third of 1 per cent.

We hope to be able to show that the Wilson bill was not responsible for the fall in prices from 1890 to 1896. Souerback's compilation of prices on 45 staples for England, Prof. Conrad's compilation for Germany, the Bank of Japan for 40 staples for Japan, and the compilation of Economic Research for the United States show the change in prices of 1890–1900:

	1890–1896	1897–1900
	Per cent.	*Per cent.*
Great Britain	[1] 15	[2] 17
Germany	[1] 23	[2] 22
Japan	[2] 31	[2] 26
United States	[1] 23	[2] 23

[1] Fall. [2] Rise.

All of these countries, as we know, were on a gold basis. The United States had the advantage of high-tariff legislation, yet all of them had a rise beginning in 1896, so that the cause of prosperity must have been something more than tariff legislation one year after the rise began. In England this rise in prices began in 1895, two years before the passage of the Dingley law. The fall in prices in three of these countries began in 1890, while the Wilson bill was not passed until 1894 and had nothing to do with the decline.

The money question had much to do with this world-wide depression. During the period the gold of the world was hoarded, and there is no doubt that the fall of 15 to 24 per cent was due to the limited supply of gold, and the rise in prices was due largely to the increased production of the metal. It must not be forgotten that Russia had obtained $500,000,000 of the supply of gold, which she hoarded and did not begin to pay out until 1897, when she returned $300,000,000 again to circulation. Austria also hoarded gold from 1890 to 1896 and returned it to circulation in 1897. France, Germany, and England also protected themselves by increasing their supply of gold from 1887 to 1896 more than had ever been done in their history.

We must not forget the fact that about the time that the gold began to be returned to circulation there came a rise in prices the world over. It must also be remembered that there came a larger production of gold in 1897. These are large factors in the rise and fall of prices all over the world. The rise and fall of prices for four years before and after 1896 correspond to the rise and fall of the world's deficit and surpluses for the same quadrennial period. It is also true that the fall of prices of gold and the rise in prices of 1896–1899 to the fall of that commodity. There is no doubt had the Wilson bill continued to 1899 there would have been the same rise in prices. It must also be remembered the prices began to rise in 1896, before the passage of the Dingley law, and that this increase of prices is entirely outside of the power and force of that law.

It must also be remembered that the rise and fall of prices were world-wide during this late period, while the Dingley law, of course, was only confined to the United States. It must not be forgotten that the increased production of gold effected this world-wide rise in prices, while the passage of the Dingley law effected the creation of many trusts in the United States, and this produced the rise in the American trust-made goods far in advance of the slighter world-wide advances. In England prices rose, from 1896 to 1897, 27 per cent, and in the United States 49 per cent; and in 1908, 61 per cent. The English rise in prices may be fairly taken as a result of the increased supply of gold, and in our own country the increase would be divided as follows:

Increased prices, 12 years.

	Per cent.
Increase in United States prices	49
Increase due to gold supply	27
Increase due to tariff trusts in 1907	22
Which in 1908 had risen to	34

Market value of sheep imported into the United States in the market from when exported as shown by Agricultural Yearbook:

Import prices per head.

1892	$3.78
1893	3.66
1894	3.25
1895	3.34
1896	2.65
1897	2.51
1898	2.82
1899	3.47
1900	3.58
1901	3.73
1902	3.58
1903	3.44
1904	3.42

Import prices per head—Continued.

1905	$3.77
1906	4.24
1907	4.98
1908	4.82
1909	4.90
1910	5.52

Prices of sheep have advanced all over the world from 1897 to 1910 irrespective of tariff laws.

On the other hand, sheep for export brought excellent prices, as the statistics will show:

Export prices per head.

1892	$3.43
1893	3.39
1894	6.29
1895	6.48
1896	6.26
1897	6.27
1898	6.08
1899	5.96
1900	5.83
1901	6.49
1902	5.41
1903	6.03
1904	6.49
1905	6.29
1906	5.64
1907	5.54
1908	5.83
1909	5.40
1910	4.69

Beginning with 1894, export prices for American sheep almost doubled and held their rank for 11 years, when there was a slight decline.

Prices of wool.

DUTY, 22 CENTS A POUND.

[Foreign prices are for washed wool, duty unpaid; domestic prices, New York.]

Years.	Foreign.	Domestic, Ohio XX.
	Cents.	*Cents.*
1894	20	23½
1895	18	18½
1896	16	19
1897	17	24½
1898	19	29½
1899	17½	31½
1900	23	32½
1901	17	27
1902	20	29½
1903	46½	32½
1904	53	34
1905	29½	35½
1906	34	34½
1907	36	34
1908	31	32½
1909	26	36

It is clear that prices of wool were as low relatively abroad for the period 1894–1897 as they were in the United States.

It is plainly evident that no duty whatever from 1894 to 1903 was needed to protect American woolgrowers, but that notwithstanding this, the duty, or a part of it, was added to the price. The foreign price in 1903–4 was higher than the domestic. The foreign could not compete duty paid in 1905; the duty, 22 cents, added to the foreign price, 19½ cents, made 51½ cents laid down in New York, against the home price of 35½ cents. Foreign wool in 1906, 1907, and 1908 was as high as domestic, irrespective of duty. During the periods of two or three years natural law fixed foreign prices as high as, or higher than, our prices, during which the woolgrowers needed no protection.

On first-class washed wool not on the skin the duty is 22 cents a pound—a rate not justifiable by foreign prices. Domestic wool at all times could have held its own without a tariff of any kind. Domestic woolgrowers produce about two-thirds of all the wool consumed in the United States; the remaining one-third must be purchased abroad. The above table shows beyond peradventure that the woolgrowers of the United States not only have the domestic market, but can always have that market for all their goods, and can stand a material reduction in the present tariff laws.

American wool in the markets to-day is selling for less, compared with what it might sell for, inasmuch as foreign wools, duty unpaid, are running at about the same price.

It is contended by the opponents of free wool, and the opponents of this bill as well, that taking the tariff off of wool or reducing it tends to lower the price. A comparison of prices under the Walker tariff, that placed a 30 per cent tariff on wool, under the tariff of 1857, which placed wool on the free list, and the Morrill tariff of 1861, do not sustain this contention. During the life of the Walker tariff the average price of wool was 45.5 cents per pound, and during the three years that wool was on the free list under the tariff of 1857 the price was 44.6 cents a pound, a decrease of only nine-tenths of a cent a pound. [Applause.]

It is true that a rise in the price of wool followed the enactment of the Morrill tariff law in March, 1861, and from 1862 to 1865 the average currency price advanced from 44.6 cents in 1861 to 73.49 cents in 1865, or an average increase of 67 per cent. The tariff had little or nothing to do with this increase. The increased demand for wool to clothe one of the largest armies the world has ever seen during those years may have had a slight tendency to increase prices; but the truth is, there was very little increase in the price of wool during those years, when you reckon prices on the gold basis. That the prices of wool from 1862 to 1879, when the resumption of specie payments was declared, were inflated prices, is shown by the fact that the prices of wool steadily declined from the average price for the three grades of 51 cents a pound in 1880 to 22.6 cents a pound in 1894, with the duty ranging from 42.60 to 108.24 per cent.

This is more clearly shown by the following table, taken from the report of the tariff commission of 1882 (vol. 2, p. 2435):

Average prices of domestic wool per pound.

	July, 1857–April, 1861—Gold.	April, 1861–July, 1864.		July, 1864–April, 1867.	
		Paper.	Gold.	Paper.	Gold.
	Cents.	*Cents.*	*Cents.*	*Cents.*	*Cents.*
Fine	49.15	66.15	47.73	75.54	49.05
Medium	42.73	64.23	46.73	71.12	46.01
Coarse	33.69	57.15	38.20	65.00	41.63

An analysis of the prices in this table will show that, measured by the gold standard which prevailed in 1861, the net increase in the average price of wool during the Civil War and the 11 years subsequent thereto was only 3.71 cents per pound, so that the increased demand for wool occasioned by the war and the high protective tariff together advances the gold price of wool only $8\frac{8}{10}$ cents a pound.

If it were true that the woolgrowers are benefited by a high protective duty on wool, it is unjust to the consumers who constitute the greater part of our people. To show the inequality and injustice of the high protective tariff on wool and woolen goods, take the State of Illinois, which I have the honor to represent in part. The amount of raw wool and its equivalent in fabric consumed by the people of my State during the year 1910 amount to about 40,000,000 pounds, while the production of raw wool amounted to only 2,450,000 pounds, or slightly more than one-twentieth of the amount consumed.

The average rate of duty for the same year on all classes of wool was 44.31 per cent, so that the 5,638,591 people of Illinois were taxed to the tune of $4,600,000 on raw wool alone, and in addition were taxed at exorbitant rates on the woolen goods they consumed. [Applause.]

According to the census reports for 1910 there are 250,853 farms in the State of Illinois. Of this number only 26,240 made returns of sheep, so that only about one out of ten of the farmers of my State keep sheep on their farms, and these only keep them as a side line, for the purpose of consuming forage and roughage that other stock will not eat, and for their value for clearing up fields that have run to briers and undergrowth. The few farmers who keep sheep do not keep them for their wool clip, but for mutton, usually selling their male lambs as soon as they are of marketable age, keeping the ewes for breeding purposes. The farmers of my district and, I believe, of the whole State of Illinois are vastly more interested in securing cheaper woolen goods for themselves and their families than they are in maintaining excessive tariff rates on wool and woolen goods.

The farmers of my district are intelligent men, who love justice and fair dealing, and none of them are asking or desiring that Congress shall enact laws that will give them an advantage over other classes of their fellow-citizens. I have not had a single protest against the passage of this bill from my people, and I feel confident that my vote for this measure will receive the hearty approval of an overwhelming majority, if not all, of my constituents, irrespective of their political affiliations. [Applause.]

In this connection, Mr. Chairman, I desire to read to you what I consider one of the most remarkable statements that has been made in years in another body at the other end of the Capitol. It is as follows:

So, Mr. President, even though we were receiving no benefit from our present protective duties the future welfare of the farmers of wheat, barley, oats, and flax demands the maintenance of the present protective

law. That, Mr. President, is what I have been praying for. I hoped to live to see the day—

Mark you these words—

when production of wheat in this country might be a little less than the home demand, just sufficiently less to give the farmer the full benefit of protection.

I am surprised that there is any man who would stand in Congress and say that he hoped and prayed that a time might come in this fair land of ours when wheat and bread would be so scarce that in consequence the price must be raised because we are compelled to import it from a foreign country. Has the protective theory of our Government gone so far that protectionists pray that the bread which goes into the mouths of our people may be made higher in price by being taxed? [Applause on the Democratic side].

The CHAIRMAN. The time of the gentleman has expired.

Mr. FOSTER of Illinois. Could I get about 10 minutes more?

Mr. UNDERWOOD. Mr. Speaker, I yield to the gentleman from Illinois 10 minutes more.

Mr. FOSTER of Illinois. Mr. Chairman, I am sure no farmer in all this land is offering such a prayer. He loves justice and fairness too well to ask such advantage of his neighbor, though he does want the best price for his products to which he is justly entitled. He is tired of being compelled to sell the products of his farm in competition with the world and to buy the necessaries of life for himself and his family in a restricted market; and each time he makes a purchase he is compelled to unjustly give up a part of his earnings to the protected interests. It is unjust and unfair to the farmer, and I for one am here to protest against such treatment. What I do want, and what I insist on, is that the producer shall have fair treatment. He wants no more, he should have no less. [Applause.]

The reductions of duty under this bill and placing articles on an ad valorem rate certainly is an improvement over the Payne-Aldrich bill, because the duties on all wool and woolen goods are at least 50 per cent less than under the law now in existence. The letter of Edward Moir, from which Mr. MANN, the distinguished minority leader quoted the other day on the pending bill, says:

Special privilege was written into the tariff bill in 1867, and by shrewd manipulation has been continued by the Republican Party in the revised Schedule K.

The duty on yarn of 30 per cent is certainly a great reduction over the present duty, which amounts to 82.38 per cent; that on cloths, knit fabrics, and so forth, a reduction from 97.11 to 40 per cent, will give relief to the people under the Payne tariff. On blankets and flannels composed wholly or partly of wool from 95.57 to 30 and 45 per cent is a reduction that will certainly be appreciated by the buyers of these articles. When the gentleman from Illinois [Mr. MANN] talked of the tariff of 45 per cent upon women's and children's dress goods he seemed to lay some stress upon the statement he made of the taxing of these necessary articles 45 per cent, and in that way tried to cover up the fact that these same articles are now taxed under the Payne-Aldrich bill to the amount 102.85 per cent, a saving of more than 50 per cent upon this class of goods under the bill now under consideration.

The woman who goes to the merchant to buy a woolen dress for herself or children will certainly be thankful that she is not robbed of the extra $4.50 out of every $10 purchase she makes. On ready-made clothing and articles of wearing apparel the reduction from 81.31 to 45 per cent will certainly be appreciated by the people who buy this class of goods, and it must be remembered that those who can not afford to pay $40 or $50 for a tailor-made suit must depend upon the ready-made clothing for their supply, and I am sure this class of people will not forget the fact that they were taxed this extra amount under the present law. [Applause on the Democratic side.]

On webbings, goring, and other articles enumerated under paragraph 9 the reduction from 87.6 per cent to 35 per cent will relieve the Woolen Trust of a portion of its protection, which it now enjoys at the expense of the American people. The large reduction on the different class of carpets will be of benefit to those who buy this class of goods, and will enable the American people to purchase carpets, rugs, and so forth, from 10 to 35 per cent less than they are now able to do. So, considering this bill from the interest of the consumer. those who are compelled to buy of the class of articles enumerated in this bill, there is certainly relief to the people from this unjust taxation and it takes away from the Woolen Trust the right to exploit the American consumer.

The Democratic Party has stood, and still stands, for the principle of the lowest possible tax on wool and woolen goods. This has been a cardinal principle of the party, on account of the almost universal use of this commodity, that they should be taxed as little as possible so the people who are compelled to buy may not be subject to the demands of the trust. The party does not believe that it is right to tax a person who is compelled to buy a blanket to keep him warm, more than a hundred per cent, or a suit of clothes, which he is compelled to buy for himself or family, of several times the value of the wool that enters into its manufacture.

The poor of this country, who have shivered in the wintry winds, will be thankful that they are able to buy woolen clothes at a reasonable price, and not be compelled to pay tribute to the Woolen Trust of this country. [Applause on the Democratic side.] These trust magnates, who are ever ready to contend for the right by law to put their hands in the pockets of the people, remind me of a story of one member of these protected industries, who had his picture painted and called in his friend to examine it. There was a finely painted picture of the man standing erect with his hand in his pocket, and, after viewing his friend's picture for a few minutes, he was asked his opinion of it. He replied: "It is a good likeness of you, but there is just one thing wrong; you have your hand in your pocket, but, to make it natural, you ought to have your hand in some other person's pocket." [Applause on the Democratic side.]

This bill may not meet the expectations of all men who believe in lower taxes on manufactured woolens or free wool, but it does reduce very materially the tax on these articles. When wool is reduced from 44 per cent per pound to 20, it is a material reduction, and the average reduction of manufactures of wool, reduced from an average ad valorem duty of 90.10 per cent to 42.55 per cent, will give some relief to the buyers of this class of goods. As Democrats, let us not forget our promises made to the people to reduce taxation on the necessaries of life that the burden of the people might be as light as possible and that the highest tax should be placed on the luxuries.

The last platform of the Democratic Party declared we were for a gradual reduction of tariff taxation to a revenue basis. We are not going to forget our pledges to the people. [Applause on the Democratic side.] We propose to go on and revise the whole Payne-Aldrich tariff law until all the schedules are brought to a revenue basis. Having put our hands to the plow, there will be no turning back. [Applause on the Democratic side.] For the Democratic Party to hesitate or falter in its purpose to reduce taxation, to put a stop to the reckless and unnecessary expenditure of the people's money, would be to show itself unworthy of the high trust and confidence reposed in it by the people. The Democratic Party has turned its face toward the pole star of freedom, and with the old Democratic shibboleth of "equal rights for all and special privileges for none" emblazoned on its pure white banner it will rally to its sacred cause the men and women of this land who love liberty and justice, and in God's own good time it will deliver this Government from the hands of the spoiler and the greed of the privileged few and place it again in the hands of the people. Then will this Government be conducted in the plain, simple, frugal manner in which it was conducted by the Democratic Party for more than half a century, during which period millionaires were few, tramps were unknown, and there was no such thing as enforced idleness in all the land. [Applause on the Democratic side.] And when that glad day shall come and justice resumes her sway, every man will be secure in the enjoyment of his earnings, and be able to live "under his own vine and fig tree, with none to molest or make him afraid." Then will the justice and righteousness of the principles of pure and unadulterated Democracy be crystallized in the Constitution and laws of our country. Those principles which will be living, vital principles when—

The sun grows cold,
And the stars are old,
And the leaves of the Judgment Book unfold.

[Applause on the Democratic side.]

When these glorious principles bear their full fruitage in the legislation and administration of the affairs of this Government, and the burdens of unjust and unequal taxation are lifted from the shoulders of the millions who toil and produce the wealth of this country, then will justice and freedom and Democracy hold sway, and the glad time will have come that was foretold by the Hebrew Seer—

And they shall build houses, and inhabit them; and they shall plant vineyards, and eat the fruit of them.
They shall not build, and another inhabit; they shall not plant and another eat.

[Prolonged applause on the Democratic side.]

Mr. PAYNE. Mr. Chairman, I propose to discuss the bill [applause] now pending before the House—if it is pending, and has not already been acted upon [laughter on the Republican side]—and shall make, preliminarily, some reflections upon the business of the House as it has progressed thus far, as to which our friends on the other side of the aisle are patting themselves on the back and telling what a good record they have made up to the present time; and after that I propose to discuss the present tariff law; and when I am discussing that, so far as I have time, if there is anybody on that side of the House who knows anything about it, I would like to have them ask questions; and even if they do not know anything about it, I would still like to have them ask questions. [Laughter and applause on the Republican side.]

Now, Mr. Chairman, our friends on that side are telling us what a wonderful record they have made. Well, they have passed a joint resolution to amend the Constitution with respect to the election of Senators. I voted in this House for such a joint resolution—not precisely like this—on three different occasions, when nearly all of the Members of the House joined in voting for it. But there was no "joker" in the joint resolution that we proposed. We did not amend anything else than the Constitution. This House passed a law, a sort of corrupt-practice act, in relation to the election of Members of the House, an amendment to the bill that we proposed a year ago in this House, and sent it over to the Senate, requiring the publication of campaign expenses as applied to Members of the House; and then the next day you provided for the election of Senators by a popular vote, and also provided that Congress can not regulate or require publicity or do anything else with reference to the honest election of United States Senators.

Now, if they can get any satisfaction out of that, if there is any reason in all that why they should refer to it as a wonderful record, they had better make the most of it speedily, because the truth will get out and will get after them in a few days, and the country will see what a perpetual humbug all legislation of that kind is, proposing to do something and then nullifying it. [Applause on the Republican side.]

That resolution will come over here from the Senate—it is here now. It will have to be acted upon by the House in a few days, and I shall look at the roll call when we come to the vote to agree to the Senate amendment, because they have left in the Constitution the power for Congress to pass a corrupt-practice act in reference to senatorial elections if this amendment carries, and I want to see how many men there are on that side of the aisle who voted for a corrupt-practice act in regard to Members of the House who will vote to prohibit the Congress of the United States from passing a corrupt-practice act in regard to the popular election of Senators of the United States. [Applause on the Republican side.] Well, they passed the reciprocity bill——

Mr. GARNER. Before the gentleman goes to the reciprocity bill, will he yield for an interruption?

Mr. PAYNE. Certainly.

Mr. GARNER. Did the gentleman from New York vote for the resolution offered and passed by the House, amending the Constitution, providing for the direct election of Senators?

Mr. PAYNE. I have voted for it in three prior Congresses. As the gentleman knows, I was unable to be in the House at the time that resolution passed at this session of Congress. I have voted for such a resolution three times since I have been in Congress.

Mr. GARNER. A number of gentlemen on his side of the House did vote for the resolution, and I did not know that they had the custom of voting for things that had jokers in them. The gentleman says this had a joker in it.

Mr. PAYNE. Sometimes, when we have a Democratic House and a Republican Senate, it is well to get the resolution over to the Senate, in order that it may be put in proper shape. [Applause on the Republican side.] So these gentlemen were entirely excusable for voting in the way they did.

But you passed the reciprocity bill. You have passed what you call a free-list bill. You have sometimes had the courage, to say nothing about the lack of discretion, to call it a farmers' free-list bill. I suppose that is because the farmer's meat is put on the free list, not only as to Canada where it is not now, even under the reciprocity arrangement, but as to the Argentine Republic, Australia, New Zealand, everywhere where they raise beef, and can raise it more cheaply than we can in the United States.

Well, if you are disposed to do that, I am perfectly willing you should, but think of the amazing effrontery of saying that it is a farmers' free-list bill. [Applause and laughter on the Republican side.]

Did the farmers want it? Did the farmers ask for it? Why do you call it that? Well, of course, I am not in the councils of the Democratic Party, but I can see what is going on. There is some resentment amongst the farmers about the reciprocity business. You have heard of it. I also have heard more or less about it. About the time you began to hear that, and it was coming in here, and you had in mind this free-list bill, you dubbed it a farmers' free-list bill for the purpose of fooling the farmers on that subject. Well, when the farmers get hold of a question and settle it by reflecting upon it in their own minds, they generally settle it right. I mean the real farmers. I do not mean the fellows who sit down on a sugar barrel in the grocery store and discuss public questions while their farms are going to rack and ruin; I do not mean the farmer who leaves his tools out during the winter because he has not the energy to put them under shelter, or has not had the energy to provide shelter for them; but I mean the real, hard-working, thrifty farmer. When he stops to read and think, in the winter evenings, he may not have anything more than a weekly paper from which to get his news, but when he comes to his final conclusion he is generally right about it. He may be led away by fake publications for a while, but he gets around to the real thing before he gets through, and when any party starts in to gain popularity and win the vote of the farmer by proposing things that would not deceive an ordinary 12-year-old child, we will find, when it comes around to election day, that the farmer has not been fooled by the operation.

What is there that you have done at this session of Congress that you pride yourselves on? I know you talk about the splendid record of this Congress, but what have you really done that entitles you to anything on that record? You have passed that free-list bill, and there is not a man on either side of this House who can tell anywhere from $15,000,000 to $50,000,000 what the cut will be in the revenue on account of that free-list bill. No such crude measure was ever brought into the House by any party as that bill.

You tied yourselves up in advance in the caucus. I heard some man shouting this morning about how you had gotten rid of the one-man power in this Congress. It does not make any difference whether it is one man who enforces the rules in the Speaker's chair, who appears in the open and whose acts and deeds are known and read of all men, or whether he pulls the wires that control the caucus, and the caucus votes blindly, without knowing what is in the bill, and especially without knowing what is the effect of the bill, to stand by it to a man when it comes into the House, and not vote for any amendment, no matter how ridiculous the amendment offered shows the bill to be. You call that ridding yourselves of the tyranny of your leaders.

You criticized us in the years past for coming in here with a rule and having a five minutes' debate on a tariff bill, and allowing amendments proposed by the committee first to be considered, and because we did not get through with the entire reading of the bill under the five-minute rule.

How much better is it for you to discuss a great bill like this wool bill for four hours in caucus and having four hours' debate in favor of the proposition, and giving five minutes' debate against the proposition, and then agreeing in caucus to stand by that bill?

Mr. RUCKER of Colorado. Will the gentleman yield?

Mr. PAYNE. Yes.

Mr. RUCKER of Colorado. I wish to correct the gentleman from New York, because in the caucus the arguments and discussions occupied 10 hours.

Mr. PAYNE. I accept the amendment; and still there was five minutes for the opposition. I have understood that my friend from Colorado did not stay during the whole time of the caucus.

Mr. RUCKER of Colorado. I beg the gentleman's pardon; I was there all the time.

Mr. PAYNE. Did not the gentleman walk out?

Mr. RUCKER of Colorado. No; I did not walk out. [Laughter on the Republican side.]

Mr. PAYNE. Was the gentleman carried out, or did he roll out, or how did he get out? [Laughter on the Republican side.]

Mr. RUCKER of Colorado. I wish further to correct the gentleman, in that the caucus did not bind every Member on this side. I think the gentleman will remember that I was the only Member on this side who was permitted to offer an amendment of free meat to the provision of the bill, which I did, and was the only Member on this side who voted for it. [Laughter.]

Mr. PAYNE. Mr. Chairman, I am learning something; I did not know anything about that. I am glad there is one man on

the whole Democratic side that still does his thinking under his own hat and carries his conscience with him, even into the sacred precincts of the Democratic caucus. [Laughter and applause on the Republican side.] That may be a good way to legislate, but I do not believe the people of this country are in favor of it. I do not believe the people of the country think that you are redeeming your pledges of free discussion and deliberation here and allowing every man to do as he pleases. What difference does it make if the caucus, at the dictation of one or two men, makes up the legislative program and sits down on any fellow that proposes anything different?

Mr. GARNER. Will the gentleman yield?

Mr. PAYNE. In a moment; I will yield as I go along. How about that situation over in Atlanta? I understand the Government has turned over some real estate to the city, and the city has built a courthouse, or a city building, on this Government reservation, and a Member from down there is not allowed to bring up a little bill to remove the Government exclusive criminal jurisdiction on that little parcel of land so that the people who put their money into the county building may be able to hold court there.

Are you proud of that thing? Have you the pride to go before the American people and tell them honestly about it and say, "Look at us; we have fulfilled our pledges to the American people"? [Applause on the Republican side.]

You brought in the wool bill. How many agreed to it? I do not mean now, but when it was first proposed. How many of you agreed to it then? How many of you wanted a bigger duty on wool? How many wanted an absolutely free wool bill? It was reported that a majority of the Democratic members of the Ways and Means Committee, a majority of four, were in favor of free wool. They finally yielded. Yielded to what? What is the influence behind this duty on wool? Are you advertising that you are trying to appear so prettily before the American people, so nicely and so divested of everything that you have been ranting about for the last 10 years on the stump, that the American people will put you in full possession of the Government in 1912? You are on your good behavior. Twenty per cent duty on wool now. Some of you can not help flopping over. I believe the caucus allowed you to speak when you got into the House. How many came in and said this is only a step in the right direction, and you hoped to get down to the Democratic idea by and by?

Are you trying to justify what that great Democrat from Lincoln, Nebr., said about you—masquerading? Not only masquerading, but derelict to principle. He said he does not believe that you can fool the people. Well, Mr. Chairman, he ought to know—he has had ample experience. [Laughter.] He does not believe that you can fool the people by any such moonshine as that. He has learned something from his experience—why do you not try to learn something also? Why do you not bring in what you actually believe? Why do you not allow your people to vote as they actually believe? Why do you shut out my colleague from New York [Mr. HARRISON], who is a member of the Ways and Means Committee? He is brimful of this subject of free wool. Why not let him in on this debate? Why close it up to-night? He might tell you something about it. He might hold up the Democratic platform. He might hold up the Democratic bills that you put in one after another when you had a chance of passing them in the House, and that you have passed in the House. He might tell you some wholesome truths on the whole subject. Is there any suppression over there? Is there any idea of tyranny, or are you afraid? Well, you are about as free as the white slaves we hear so much about.

Mr. HARRISON of New York. Mr. Chairman, will the gentleman yield for a question?

Mr. PAYNE. Certainly.

Mr. HARRISON of New York. Does not the gentleman from New York, the distinguished ex-chairman of the committee, realize that the Democrats have settled their differences on this question in caucus and are all going to stand together on this bill in the House?

Mr. PAYNE. Why, Mr. Chairman, I do not realize that they have settled their differences. They have had their differences of opinion for, lo, these many years, and they have their thinking machines with them. They have not settled anything. They want to get this bill through; they are told it is politic to get it through, and they are yielding their principles to the policy of the thing because some gentlemen at home have told them that it would ruin them, and that it would ruin their State if they did not do something about putting a duty on wool. There is my friend from Texas [Mr. GARNER], who rose to ask a question a short time ago——

Mr. GARNER. And the gentleman from New York declined to yield at that time.

Mr. PAYNE. Oh, I did at that time, but I said I would yield later, and I desire to yield to the gentleman now.

Mr. GARNER. The gentleman from New York continues to criticize caucus action on the part of the Democrats in this House. I want to ask the gentleman if he is opposed to party caucus?

Mr. PAYNE. Not at all.

Mr. GARNER. Why does the gentleman continue to criticize the thing he has advocated himself on his side of the House?

Mr. PAYNE. Well, I am criticizing it because it shows that the Democratic Party, divided about equally on this question, are swallowing their convictions now—not so much the caucus do I criticize, but the reason that you give and that crops out here as to why you take this action.

Mr. GARNER. The reason we gave was that under your régime, under a Republican House, you had a one-man caucus, where under a Democratic House we have a 227-man caucus. [Applause on the Democratic side.]

Mr. PAYNE. Well, and one man pulls the lever and you all follow. [Laughter on the Republican side.] Now, the wool question is a warm question with my friend from Texas [Mr. GARNER]. He has a lot of sheep in his district and a lot of shepherds, and while the sheep do not vote down there I suppose the shepherds do. Why, it would crucify him to vote for a free-wool bill. I bet you he told you so. [Laughter.] Try to fool those people down there in Texas with a free-wool bill! I do not know but in principle he believes in a duty on wool. I do not know but in principle he is a protectionist on wool, but I do know where his interests are, and that is for a duty on wool. Well, you have to have a duty on wool I suppose to get the boys together, not for the purpose of protecting wool. Oh, no! The distinguished gentleman from Alabama [Mr. UNDERWOOD], whom I do not see in his seat now, in his speech of delayed publication in the RECORD, as I recollect it, said that there was not any line of protection for the wool or the wool industry in this bill. It was especially divorced from that. My friend from Texas [Mr. GARNER] will not circulate that speech in his district—that speech of Chairman UNDERWOOD. Oh, no! He will confine it to the speech of the gentleman at whom I am looking now, and from him get speeches to serve out as the proper pabulum for the people down there in his district.

Why, Mr. Chairman, they even had to tag this bill when they brought it in here. There was the other gentleman from Texas—and I am sorry I do not see him here now, because he told me the other day that he wanted to be here when I made my speech. Well, I am here and he is not, but in his absence I will have to speak about some things that occurred when the bill came in. The gentleman from Texas [Mr. BURLESON] was asking unanimous consent to have a resolution read so as to get it in the RECORD. He said it was short, and so forth, and no objection was made to the resolution and it was read. The Clerk read as follows:

Resolved, That the bill revising Schedule K, as presented to this caucus by the majority members of the Ways and Means Committee, is not to be construed as an abandonment of any Democratic policy.

What in the world did you put that in for? Did you have the idea anybody would construe that as an abandonment of Democratic policies? If you did not, why did you put it in? Oh, I know confession is good for the soul, but why not make an open confession? Why subject yourselves to the charges that are coming from that great Democratic organ which is published at Lincoln, Nebr., about your bad faith—how you are going to fail to fool the people on this proposition? Why, you confess that it is against Democratic policies by the very language of this resolution, and I have here very competent authority, the chairman of that caucus, that this resolution is "God's truth." I think that part of it by way of confession is. You are abandoning Democratic principles and policies.

But in view of the Democratic platform demand for a "gradual reduction" of the tariff and of the depleted and depleting condition of the Public Treasury, a result of Republican extravagance, a tariff of 20 per cent ad valorem on raw wool is now proposed as a revenue necessity.

Mr. PAYNE. I would like to ask the gentleman from Texas a question.

The SPEAKER. Does the gentleman from Texas yield to the gentleman from New York?

Mr. BURLESON. Certainly.

Mr. PAYNE. Was it stated in that meeting yesterday that there is now a surplus for this fiscal year of from $3,000,000 to $4,000,000 in the Treasury?

Well, I did not look at the daily report for two or three days, but there was $8,000,000 surplus in the Treasury according to the Treasury report of that day.

Mr. BURLESON. I do not recall that any statement of that character was made.

Mr. PAYNE. Was a statement made that the Treasury was $20,00,000 better off to-day, or, rather, the 31st day of May——

Mr. BURLESON. No.

Mr. PAYNE (continuing). Than it was a year ago?

Mr. BURLESON. No; there was not a single erroneous statement made during the entire caucus proceeding. [Applause on the Democratic side.]

Mr. PAYNE. Mr. Speaker, in that connection I ask unanimous consent to print the Treasury statement of May 31, in order that the gentlemen on the other side may have exactly the official information which I was trying to give the gentleman from Texas by a question, but it appears he would not accept it——

Mr. BURLESON. Mr. Speaker, I join in the request in order that the statement of the gentleman from New York may be thoroughly refuted.

Why, you made BURLESON believe it in that caucus. Of course I assume the chairman of the Ways and Means Committee made the same statement he made to the House a few days afterwards, because he made it over at the time he made his speech, and he seems to be reflecting on it ever since he made his speech. [Applause on the Republican side.]

Mr. GARNER. Mr. Speaker, I demand the regular order.

I began to have cold chills, because I did not know but the sheep in Mr. GARNER's district were going to cut off the truth—

Mr. PAYNE. I would like to get that consent, Mr. Speaker.

The SPEAKER. If the gentleman from New York will suspend, the Chair will endeavor to get the consent. Is there objection to the publication of the statement which the gentleman from New York mentioned? [After a pause.] The Chair hears none, and it is so ordered.

The statement follows.

Statement of the United States Treasury at close of business, May 31, 1911.

RECEIPTS AND DISBURSEMENTS, MAY 31, 1911.

(Exclusive of postal revenues and disbursements, except postal deficiency.)

	This day.	This month.	This month last fiscal year.	This fiscal year ending June 30, 1911.	To this date last fiscal year.
Ordinary receipts and disbursements:					
Receipts—					
Customs	$983,099.20	$24,073,286.02	$23,010,989.23	$289,487,993.87	$305,124,965.02
Internal revenue—					
Ordinary	466,275.00	21,855,740.91	21,702,565.15	261,823,939.58	242,413,127.31
Corporation tax	17,934.55	895,285.59	489,271.80	8,241,127.92	696,705.30
Miscellaneous	5,293,818.70	14,408,131.21	6,405,557.74	54,830,384.44	44,158,960.23
Total	6,761,127.45	61,232,443.73	51,608,383.92	614,383,445.81	592,393,757.86
Disbursements—					
Civil and miscellaneous	594,897.49	15,320,967.29	13,584,595.46	162,505,710.32	156,777,391.38
War	729,628.19	11,864,109.81	10,598,514.30	148,049,425.97	144,672,844.18
Navy	331,953.35	9,475,439.56	8,679,309.11	109,821,849.78	112,382,674.25
Indians	4,736,441.49	5,836,319.97	4,017,313.53	19,286,313.63	16,497,113.72
Pensions		14,367,455.64	14,309,208.56	146,245,224.61	148,838,544.75
Postal deficiency		1,035,192.00		1,040,004.74	9,495,628.45
Interest on public debt		1,976,867.94	1,954,760.31	21,210,627.55	21,207,544.19
	6,392,920.52	59,876,352.21	53,143,701.27	608,159,156.60	609,871,740.92
Less repayment of unexpended balances	3,129,455.82	3,967,998.33	4,964,030.07	651,625.16	4,202,872.71
Total	3,263,464.70	55,908,353.88	48,179,671.20	607,507,531.44	605,668,868.21
Excess of ordinary receipts over ordinary disbursements	3,497,662.75	5,324,089.85	3,428,712.72	6,875,914.37	[1] 13,275,110.35

[1] Excess of disbursements over receipts.

Surplus (as above) May 31, 1911	$6,875,914.37
Deficit (as above) May 31, 1910	13,275,110.35
	20,151,024.72

Mr. DALZELL. Mr. Speaker, I would like to ask the gentleman a question.

Mr. GARNER. Now, Mr. Speaker——

The SPEAKER. The time of the gentleman from Texas [Mr. BURLESON] has expired.

Mr. MANN. Mr. Speaker, I ask unanimous consent that his time may be extended for five minutes.

Mr. GARNER. Mr. Speaker, I object.

Mr. MANN. Oh, ha, ha, ha.

Mr. PAYNE. Mr. Speaker, did any gentleman rise in his place and object?

The SPEAKER. Yes; the gentleman from Texas [Mr. GARNER] was standing in the aisle when he objected.

Mr. PAYNE. The gentleman from Texas [Mr. GARNER]?

The SPEAKER. Yes.

Well, I think everybody understands the Treasury statement in the House now; even Mr. BURLESON, of Texas, the chairman of the caucus, I think, understands it now. If they do, it is hardly worth while to mention it now. If they do not understand it, I commend them to page 1720 of the CONGRESSIONAL RECORD that they may see the statement on that date, and if they do not get it into their understanding the first time, why try the daily statements of the Treasury as they come out and see if you can not understand them. The statement made yesterday was that we are $24,437,570.98 better off than we were a year ago on that date, and while we have that deficit of $12,000,000 for a year ago at that date, but a surplus of $15,806,328.94 at the end of the fiscal year, June 30, 1910, it looks as though I put it a little too low when I suggested that the surplus at the end of this fiscal year, June 30, will be $35,000,000. If the corporation tax is paid in this year as promptly as it was last year, it will be $40,000,000 surplus at the end of the year. [Applause on the Republican side.] Now, why did not some of you people challenge that statement when it was made in the caucus that there was a deficit in the Treasury, that there was going to be a deficit of $50,000,000 at the end of this year, some of you people who want free wool? I do not see my friend from New York on the Ways and Means Committee. Of course he knew about these daily statements. I supposed that all members of the committee took these and examined them from day to day as they had the time to do so; why did not the gentleman state that in the caucus?

An honest statement in the caucus as to the surplus would have defeated this "hypocritical" caucus resolution, and this bill would never have received a two-thirds vote.

Why did he not state that in the caucus? Was it because you only had 5 minutes' debate on the side of free wool and 10 hours on the other side? Was that the reason of it? Could you not get the time? Why let the Democratic Party go wrong? Why not let them hunt around for another reason and not put it all on the deficit in the Treasury and the necessity for getting revenue in order to save that deficit? *Why did you not do it?* You do not seem to be very anxious to answer—any of you. Did you not know it? Was that the reason? Did one man fool this whole caucus with a Treasury statement? How much better it would be for you to bring in a bill here and learn something, even if you had to learn it from this side of the House, rather than make such an egregious blunder as that and herald it to the country. It shows the necessity of having two parties; shows the necessity of party consideration and opposition in debate; shows that you might have learned something even from Republicans if you had stopped and hearkened long enough, because you have learned it now. You all understand it now, and you are all looking forward and anticipating the time when you will meet your dear constituents, and they will want to know why, when this tax of 20 per cent was put on wool and they did not get it on the free list in the caucus, you did not dispute the statement about the $50,000,000 deficit that was going to happen on a Treasury statement. Oh, what a sorry spectacle you make. And still in the face of all of it, like the animal that is first cousin to the Democratic Party, you parade around in a lion's

skin and say, "What bold people we are and what a splendid record we are making to go before the people with." [Applause on the Republican side.]

You even fooled the college professor over here in New Jersey, who is and wants to be a presidential candidate, into believing you have made a good record on the wool question, however much he may have been bound up in free wool, as he was against the initiative and the referendum and the recall until he saw the sudden light that gleamed from the White House a few months ago and found there was good in all things. I think it was on his western trip that he discovered that. I do not know whether he saw the light or whether he listened with his ears and the bee got buzzing in his bonnet and whispered to him how nicely "President Wilson" would sound to his family and his friends and himself. And he went back on the reason that he had given, against his whole life record, in favor of this initiative, referendum, and recall.

Now, gentlemen, of course, if you are proud of all of this thing, I have not anything more to say. If you glory in your shame, all I can do is to expose the shame and let you go on and have the glory. But you will get the ashes of disappointment when the people get hold of what you are doing and get after you, as they will, and see that your record was simply moonshine or worse and that you are trying to deceive them, in the language of the greatest Democrat who lives to-day. [Applause on the Republican side.]

Well, let us get at this bill.

Mr. MONDELL. Will the gentleman yield for a question?

Mr. PAYNE. Yes.

Mr. MONDELL. The gentleman from New York is certain that the gentleman from Alabama [Mr. UNDERWOOD] did make the statements in regard to the Treasury condition that he refers to in the House?

Mr. PAYNE. Oh, certainly. The gentleman from Pennsylvania [Mr. DALZELL] the other day had the Official Reporter's notes, and read them to the House, and I do not know whether the gentleman from Wyoming will ever read them anywhere else or not. [Laughter.]

Mr. MONDELL. I asked the question, Mr. Chairman, because I have been reading the RECORD very diligently ever since that time, and have not been able to find them in the RECORD.

Mr. PAYNE. I do not know anything of where they are. I have not the slightest knowledge on that subject, whatever suspicion I may have.

Mr. MONDELL. The statement was undoubtedly made?

Mr. PAYNE. Oh, certainly.

Mr. MANN. Will the gentleman yield for a question?

Mr. PAYNE. I yield to the gentleman from Illinois.

Mr. MANN. The gentleman has had very long service in the House. Can the gentleman recall heretofore a time when the opening speech upon a tariff debate was not published until after the bill had been passed?

Mr. PAYNE. No. I recall a number of speeches that were pretty lengthy which were put in the RECORD next morning after they were made, and weeks before the bill passed the House. I remember one speech of mine of nine hours and a half that, I think, got into the next day's RECORD, although it took two days for delivery. But then there had not been any blunder pointed out in that speech about the depletion of the Treasury [applause and laughter on the Republican side]—a statement $85,000,000 out of the way. I am not saying that the speech was perfect, but still I do not know that any question was ever raised concerning the speech or respecting any statement contained in it. But whether it was or not, there was not any such blunder as that in it, or any such reason as that for keeping it out of the RECORD.

I do not say that there is any such reason in this case. The gentleman from Alabama is a friend of mine, an intimate friend of mine, and I like him very much. He has a good deal of sense, and sense on the tariff question. I supposed he knew more about the daily Treasury reports. I am disappointed in him in that. And I had supposed he knew more about the construction of a tariff bill than that. But I remember now that he never had any hand in the construction of a tariff bill before. The Republican members of the Ways and Means Committee made the McKinley bill, the Dingley bill, and the present bill; and, if I remember correctly, the gentleman from Alabama was not here when the Wilson bill was under consideration. If he was here he was not a member of the Ways and Means Committee.

I was disappointed when I looked over that free-list bill, when I looked at the language that was employed, the terms, the indefinite terms, the chance to drive a four-mule team right through any of the provisions when the goods got into the customhouse, if they ever did get in under a bill like that.

Mr. HARRISON of New York. Mr. Chairman, does the gentleman from New York yield?

The CHAIRMAN. Does the gentleman from New York yield to his colleague?

Mr. PAYNE. In just one moment; yes. Why, Mr. Chairman, the hardest work, the most exacting work in the formation of a tariff bill is to study the language in its provisions, in view of the industry, in view of the manufacturing, in view of how it will be interpreted by the courts, so that the bill will be interpreted as meaning just what the committee that framed it means; and weeks and months have been spent in studying these questions on all the three bills with the construction of which I was intimately connected.

Now I will yield to the gentleman.

Mr. HARRISON of New York. Does not the gentleman from New York think that the fact that the gentleman from Alabama, as chairman of the Ways and Means Committee, has been actively in charge of all the debates on the floor of this House ever since the day when he made his speech a few days ago is a sufficient excuse, by reason of his duties in the House, for his not having had time to revise his remarks?

Mr. PAYNE. I am not criticizing him. All I can do is to say to my friends on the other side that I have had charge of this debate on this side, and if I had made the opening speech I would have had plenty of time to correct my speech and put it in the RECORD the next day. Two years ago I had charge of the tariff bill and made the opening speech, and my recollection is that I published it in the next day's RECORD after the speech was delivered. I am not finding fault with the gentleman from Alabama. In fact, if I had made that speech of his, I think I would never publish it in the RECORD at all. [Laughter and applause on the Republican side.]

Mr. HARRISON of New York. The gentleman will admit, at any rate, that there is sufficient excuse without his going to the length of imputing an unfounded motive to the gentleman from Alabama?

Mr. PAYNE. I do not know what peculiar experience the gentleman from Alabama has had. In what the gentleman from New York states there is not sufficient excuse; but there may have been a number of other duties for him to perform that I do not know anything about, and the gentleman from Alabama, occupying the responsible positions of chairman of the Ways and Means Committee and chairman of the committee that peddled out the selection of members of the committees of the House, has been peculiarly busy, and he has shared the responsibility—I assume he has; I have not been to any of their conferences—with the Speaker of the House in formulating the plans of the Democratic Party in order to give orders to the Democratic caucus as to what they should do, and has been sustaining those orders as well as he could in debate in the Democratic caucuses. [Laughter on the Republican side.] I do not recall, however, that there have been many Democratic caucuses recently. There was one Democratic caucus the other night, but it lasted only a few minutes. I saw one of my Democratic friends go to it and return in a very short time. It hardly seemed any time at all after he went away before he returned. There was only one Democratic caucus held since the gentleman's speech was made. Now, I hope I have answered the gentleman's question.

The gentleman from Georgia [Mr. BRANTLEY], a member of the Committee on Ways and Means, introduced the Walker tariff into the discussion and spoke about the wonderful prosperity of the country under the Walker tariff, and he attributed it all, by implication, to the Walker tariff. Well, the country was prosperous in a way. Prices were good, people were moving West, and people bought farms, building up the farming industries in the West.

Sheep did not thrive amazingly, but some of them survived. There was the Crimean War, which made a market for farm produce for three or four years during the period of the Walker tariff. My friend from Georgia [Mr. BRANTLEY], generally a learned man, had never read of that, or he forgot to mention it in his speech, or perhaps it did not chime in and would have been a note of discord in his speech if he had mentioned it. During the early years of that tariff we had the Mexican War, and that made a great demand for American goods and American foodstuffs.

Then gold was discovered in California in 1849. You all know about that. Even those who were not born in 1849 know that from reading it in history. That added to the wealth of this country. Great heavens! something had to add to it, because of the drain on the resources of the country under the Walker

tariff. I have a little statement here showing something about that drain.

The Walker tariff went into effect December 1, 1846, and was succeeded by another tariff of similar import, with some changes, with lower ad valorems, July 1, 1857.

In the first fiscal year of the Walker tariff, while it had been a law only seven months, there was an excess of exports over imports of $34,000,000. That excess had been running for several years, and the balance of trade was in our favor, and even the Walker tariff, in the first seven months of its existence, had not entirely wiped it out. If it had not been for the Walker tariff, the balance in our favor that year would undoubtedly have been larger.

In 1848 the balance was the other way, and it continued the other way every year that the Walker tariff was in existence for the next 10 years, and the total balance of trade against us for the 10 years was $291,000,000. [Applause on the Republican side.] If it had not been for the gold that came in, we would have been bankrupt to pay our debts abroad for the goods that we were buying. Of course, we were not paying the same expense then for the carrying trade, because we were getting a good deal of it in our own bottoms and our own people got the money, but this $291,000,000 was a dead loss, a give-away from the resources of the Nation, and had to be made up in some way. The California gold helped to do it.

But notwithstanding the Crimean War and the great exports of foodstuffs and farm products wasted in that great war, there was still this enormous balance of trade against the United States of imports over exports.

On the 8th day of December, 1857, at the close of 11 years of the Walker tariff, President Buchanan, in his message to Congress, took an entirely different view of the prosperity of the country from that presented by the gentleman from Georgia. Buchanan was in the midst of things and had the responsible duty of communicating to Congress on the state of the country. This is the gloomy picture he presented on the state of the country in that message:

> We have possessed all the elements of material wealth in rich abundance, and yet, notwithstanding all these advantages, our country in its monetary interests is at the present moment in a deplorable condition. In the midst of unsurpassed plenty in all the productions of agriculture and in all the elements of national wealth, we find our manufactures suspended, our public works retarded, our private enterprises of different kinds abandoned, and thousands of useful laborers thrown out of employment and reduced to want. The revenue of the Government, which is chiefly derived from duties on imports from abroad, has been greatly reduced, whilst the appropriations made by Congress at its last session for the current fiscal year are very large in amount.
>
> Under these circumstances a loan may be required before the close of your present session; but this, although deeply to be regretted, would prove to be only a slight misfortune when compared with the suffering and distress prevailing among the people. With this the Government can not fail deeply to sympathize, though it may be without the power

This, it will be observed, follows closely upon the termination of the period under the Walker tariff.

Prior to this, and when the tariff of 1846 had been in force for six years, President Fillmore called attention more explicitly to the Walker tariff and the manner of its operation in his annual message sent to Congress in 1852, when he said:

> In my first message to Congress I called attention to what seemed to me some defects in the present tariff and recommended such modifications as in my judgment were best adapted to remedy the evils and promote the prosperity of the country. Nothing has since occurred to change my views on this important question. Without repeating the argument contained in my former message in favor of discriminating protective duties, I deem it my duty to call your attention to one or two other considerations affecting this subject. The first is the effect of large importations of foreign goods on our currency. Most of the gold of California as fast as it is coined finds its way directly to Europe in payment for goods purchased. In the second place, as our manufacturing establishments are broken down by competition with foreigners, the capital invested in them is lost. Thousands of honest and industrious citizens are thrown out of employment, and the farmer is to that extent deprived of a home market for the sale of his products. In the third place, the destruction of manufactures leaves the foreigner without competition in our markets, and the consequent rise in articles sent here for sale is now seen in the increased cost of iron imported from England.

I sometimes think you gentlemen never would glory at all in Robert J. Walker if it was not for the fact that it has been so long since you have had any glory on that side of the Chamber. We took charge in 1860, and we have been doing business ever since, except the little time that you had Grover Cleveland, and most of you have not sense enough to be proud of Grover Cleveland. [Applause on the Republican side.] Some of you appreciate him, some of you cuss him even to this day; but when you point with pride you go back to 1846 and shout "Robert J. Walker!"

There was a time, not many years ago, when Cleveland was triumphant, that you pointed with pride to the great leader there in Nebraska. Not as many of you point with pride to Bryan now; but still everybody knows he will write your next platform when it comes to the convention, and will tell you whom you can nominate, and he will be the one-man power in that convention, although his presence is not here, and he could not be the one-man power in your caucus, owing to the exigencies of the occasion.

Why, Mr. Chairman, it is as necessary to have wool and sheep in this country as it is to have battleships. [Applause on the Republican side.] This is no new discovery of mine. The statesmen of the past have always declared that principle. There have not been many who dissented from that. When driven to the wall, their claim has been that sheep would wear out their rivals, on lands that were valueless, tended by shepherds to whom 10 cents a day was a big wage, and would exist in this country without any protective tariff on them. But they do not dispute that sheep are necessary to put an army in the field. Why, it is as necessary to have Army blankets as it is to have guns and cartridges. The enemy may pick off some of the men with guns, but without good woolen blankets in the cold winter, colds, pneumonia, and all such kindred diseases will pick off a mighty sight more men than the guns of the enemy will.

We must have wool. How shall we get it? Well, we have had a duty on wool from the sixties on. You say the schedule is not right. I never concealed my opinions about the wool schedule. They were known two years ago. I wanted to revise and equalize the wool schedule, equalize the duties. I was not able to carry it through. We took some evidence on the subject.

Mr. HULL. Will the gentleman yield?

Mr. PAYNE. Will the gentleman from Tennessee wait for about five minutes?

Mr. HULL. I wanted to ask the gentleman a question right on that point.

Mr. PAYNE. I have just opened a sentence on that point and I may cover the whole subject.

Mr. HULL. I wanted to inquire if the President was correct in his statement that it was through the influence of the woolgrowers and the woolen manufacturers that the schedule was not revised. The gentleman says that he was desirous of revising it but was prevented.

Mr. PAYNE. I would have told the gentleman all about that if he had waited a minute. We took considerable evidence on the wool question. Here is the volume on wool, 800 printed pages. We had long hearings, and nine volumes were published, and in those hearings we gave pretty full consideration to the wool question. After the people who desired to come before the committee had been heard, I subpœnaed people who did not desire to be heard. I summoned experts in order to get their knowledge on the subject of wool and the wool duty. I spent a great deal of time trying to work out a schedule. I was not like my friend from Alabama; I could not do it in two or three weeks. I was not like any member of the Democratic caucus; I could not understand the whole business in one evening. I am slower of thought than that. I worked it out. My idea was to put the specific duty on the amount of scoured wool in the fleece the same as we put a specific duty on the pounds of lead in ore or the pounds of sugar with the sugar and dirt together that comes with it. That would make a uniform duty on the wool. That would rid it of any inequalities that there were in the schedule. Inequalities exist, but not to the extent that the public or some Members of Congress believe. But there were some inconsistencies, some differences in duties. I could not convince my colleagues that I was right. We had not time to get the evidence on the subject to clearly present it; enough to satisfy me, but not enough to satisfy others. What other reasons there were for voting against the reduction of the duty, God knows; I do not. But I know that they claimed that they had not sufficient evidence of it to reduce this schedule.

You know that they were men that wanted light; they were not like you people on that side, who can take up great industries involving $400,000,000 and with a single dash of the pen, without thinking and without knowing, and not requiring evidence of any Tariff Board or data, dispose of it at once; they were men who wanted to know the facts.

We had a gigantic undertaking on our hands; we had the whole tariff business. The country had grown in size, and the number of people who wanted to be heard was large. We heard several times as many people as ever were heard upon any other tariff bill. We took more evidence than was ever taken before. I challenge any man on that side of the House who is a candid man—and I assume that you all are candid men—to read carefully through that evidence and say that the chairman of that committee, or the majority members of it, did not try to get at the truth, no matter who appeared before them or what kind of cross-examination it required to worry the truth out of them.

Still we did not get all of it. I had made up my mind before that that if we could have notice that a revision of the tariff was coming, that the best way to gather evidence was for the Ways and Means Committee to form a sort of tariff board under their instruction and their guidance and employ experts, have the money to do it with, get the statements from all parts of the earth and tabulate them and find out what the cost was.

But we have heard a great deal of hypocritical talk about getting at the exact cost, saying that it is all different in different factories. Of course it is. It depends somewhat on the element of chance, just as it does in selling articles. The force of labor may be weak in insisting on its right, and the employer may be strong and sturdy in his position. All men are not alike in buying in the open markets. There is just as much difference between the buyer and the seller as there is between the employer and the employee, and yet we have no difficulty in getting at the market price of commodities that are sold in this country.

Mr. HARRISON of New York. Does the gentleman recollect the extraordinary confusion that existed during the debate on the reciprocity bill wherein the different market prices in the same commodities in a chain of cities on the same parallel varied from 10 cents to 50 cents?

Mr. PAYNE. The gentleman was not here during the reciprocity debate, but he has some knowledge and information on the subject, and while the locality may have a different price, and it may be dear, yet there is no difficulty in getting the general price in the country, and all our market reports are founded upon the aggregation of the general market. I want to illustrate that idea a little further. I live within 7 miles of a village connected with my home city by trolley, and meats sell for from 5 to 12 cents a pound less in the village than they do in my city. The first markets in the city, the central markets, will charge for the choice cuts of meat 5 and sometimes 10 cents a pound more than you can buy them for if you go out into the outskirts where they do not have much demand for the choice cuts, where they sell the rough meat, and, on the other hand, the rough meat is in greater demand at those places in the outskirts. Of course there are differences of that kind, there are differences in the different factories in the same city, but to get the general trend of the market, to get the general trend of the prices of labor, especially where the general trend shows that the wage is twice as much in this country as in Great Britain, or three times or two and a half times as much as it is in Germany and France, is a comparatively easy matter.

Mr. HARRISON of New York. And assuming that the gentleman is correct, that you can get a general price on such a commodity as meat or we will say corn or wheat or something of which the price is fixed in a general world's market, how does that apply in ascertaining the difference in the cost of production at home and abroad of a hat or a necktie or a pair of sleeve links? In other words, the gentleman convicts his own party of having produced an unscientific theory of fixing the rates.

Mr. PAYNE. Oh, we hear a great deal of bosh, and it is bosh, about a scientific adjustment of the tariff, as though you could take a pair of apothecary scales and measure out these schedules.

Mr. HARRISON of New York. Is not that what your platform calls for?

Mr. PAYNE. Oh, no.

Mr. HARRISON of New York. Why not?

Mr. PAYNE. It does not say anything about apothecary's scales.

Mr. HARRISON of New York. It says something about the difference in the cost of production at home and abroad, which is a thing impossible to ascertain.

Mr. PAYNE. It certainly does say something about the difference in the cost of production at home and abroad, and that can be fairly ascertained; but you can not obtain it down to a mill or the fraction of a mill on a pound of stuff.

Mr. HARRISON of New York. Having ascertained that difference in the cost of production here and abroad and added on a reasonable profit for the manufacturer, is not that a prohibitive tariff? In other words, what is there to induce the importation of goods?

Mr. PAYNE. Why, it simply puts our people on the same plane as those across the water. If the gentleman calls that prohibitive, he has a different idea of prohibition than I have. It is competitive. [Applause on the Republican side.]

Mr. HARRISON of New York. What is it that induces the importer in this country to import anything if we have entirely offset the difference in the cost of production here and abroad and then added on a reasonable profit for the manufacturer?

Mr. PAYNE. Why, some people will give more for some things than for another. Some people want imported goods, and they will pay a larger price than they get the home goods for. There are all sorts of inducements. You have got to go into the workings of the human mind to find out why a man wants to pay anything at one place or another. [Applause on the Republican side.]

Mr. HARRISON of New York. It may be that that is true as to fancy or freak articles that some people may desire for special reasons. At the same time, are not general importations excluded by such a method of tariff adjustment?

Mr. PAYNE. Why, no. The goods will be dumped on us when they get an opportunity. We cut the duty down on shoes, and we cut it down, as the gentleman knows, as low as it ought to be, and possibly a little lower, and you come in here with your fake free-list bill and try to make a little party capital. Why, you are trying to get onto every band wagon that comes along.

When the department starts in on a trust some Member rises up and wants to investigate, and tries to appropriate a part of it to himself when the Government has done the business.

Mr. FOWLER. Will the gentleman from New York yield?

Mr. PAYNE. If the gentleman can contain himself for a moment. Now, I have seen illustrations of that right here in this session of Congress—regiments of them. People hear something is being done and bring in resolutions to investigate. I remember the other day talking to the Attorney General, and he said he had a letter of inquiry, or something of the kind, from the House about certain matters. Why he did not prosecute a criminal in one case, and he said he wrote back that he had the parties indicted some two months ago. In the other case the question was asked why he did not prosecute, and he said suit had been commenced. You are trying to jump on the band wagon all the time. But, gentlemen, you have got to do lots of work; you have got to do some real business; you have to come out and show what your principles are that the people will recognize them as Democratic principles, and then if they approve them—your course and principles here—they will ratify you. But you are not going to carry another election on false pretenses. [Applause on the Republican side.] Now, I yield to the gentleman from Illinois.

Mr. FOWLER. Did you not develop before that committee, so far as the manufacture of boots and shoes is concerned, that the American manufacturer, if he had free hides, could compete with the world in boots and shoes.

Mr. PAYNE. Well, there were two or three gentlemen who testified to that, and, as I recollect, they all came in the next day and took it back. [Applause on the Republican side.]

Mr. FOWLER. Did not one of them say that the world would be a "cinch" for the trade if you gave them free hides?

Mr. PAYNE. I do not remember any such language in reference to it. [Laughter.] But I will tell the gentleman for his consolation, if that will do just as well, that one of the manufacturers said he could compete with anything beneath the sun, as I recall the expression. I am perfectly willing to admit anything that was said, but, of course, I am not bound by what was said there. I will only admit what they said.

Mr. FOWLER. If I should read from those tariff hearings that the gentleman did say that the world would be a "cinch" it would be true that that developed in the hearings, would it not?

Mr. PAYNE. I assume the gentleman can read correctly. Yes. [Laughter.]

Mr. FOWLER. I mean that it would not be manufactured if it is read from that report?

Mr. PAYNE. Oh, no.

Mr. FOWLER. Well, I will read from it in my speech, if I have the honor to make one.

Mr. PAYNE. And if I have the honor to listen when the gentleman refers to it in his speech, I will know whether it is read correctly or not. Now, Mr. Chairman, we did cut down those duties. We did not take them all off, but we gave them free hides, and what is the result to-day? Since that two years have passed the American Shoe Machinery Co., in this country, where we make the best in the world, have taken their machines to Germany and England and put them in there, and put people in there to instruct their people how to use those machines and how to make the shoes, and they have taken American lasts, and they are making shoes over there, and the factories of England have their agents here for the convincing of retail dealers of shoes in America, getting into our market, and bringing them in competition, as my colleague said, although we had tried to make up the difference between the cost there and the cost here in our tariff bill when we adjusted this duty. The trade is shrinking, and some of those people are getting alarmed about it, and none of them to-day would go in before the Ways and Means Committee and say they could stand free shoes. Most of them would try to demonstrate by

facts and figures that the duty was too low now. I trust they will get along with the duty as it is. Of course they will never get the "fake free-list bill" into law, and they will not be put on the free list. That is a matter that will not come to pass, because the people do not believe in destroying the shoe industry in this country, that wonderful industry that employs so many people [applause on the Republican side]; yes—and I will say in the presence of my friend from New Jersey—brings so much happiness to the homes of the American people.

Mr. HUGHES of New Jersey. Will the gentleman yield, though not on that particular point, for a question? I would like to ask the one-time chairman of the Ways and Means Committee, which considered the Payne-Aldrich law, on what principle they dealt with the file schedule? I suppose the gentleman has as much time as he desires, and therefore I will trespass on his patience and state this circumstance a little fully. I remember being in the Ways and Means Committee room when a gentleman who has a factory in my district stated that he was paying a high price for his steel rods or other raw material that he used in the manufacture of his files. He said he did not complain about that. He said he paid more than the foreigner had to pay; that he paid high wages in this country, which I from personal investigation know to be true; he does, I think, pay good wages, as wages go in the file industry; that he was then able to ship those files abroad and pay a tariff to get into the German market and there sell in competition with the under-paid labor of Germany, taking into consideration at that point the fact that the German got his raw material much cheaper. But he was demanding right at that very hearing a 200 per cent tariff upon a certain kind of file that he said he was unable to make in this country with 100 per cent duty. Now, the committee, as I remember, cut his duty in half, but still left it prohibitive, and I would like to know on what theory the Ways and Means Committee dealt with that schedule?

Mr. PAYNE. There was no 100 per cent or 200 per cent duty. The chairman of the committee learned something in reference to the matter of files from the statement that had been made, and with the permission of the committee he subpœnaed the manufacturer, and cross-examined him for a long time. He was not from the gentleman's district.

Mr. HUGHES of New Jersey. He has a factory in my district.

Mr. PAYNE. Is that the Providence man?

Mr. HUGHES of New Jersey. Yes. He has a factory in my district.

Mr. PAYNE. He had a number of factories. He made his statement, and it appeared to me the duty ought to be reduced, and the committee agreed with me and they reduced it.

Mr. HUGHES of New Jersey. And still left it at a prohibitive rate though.

Mr. PAYNE. I do not think it was prohibitive, because files were already brought in in quite a quantity under the former duty. The duty was not prohibitive. I want to say to the gentleman that the bill went to the Senate, and they increased the duty, and we compromised it in the conference committee.

Mr. HUGHES of New Jersey. It is still, according to his statement, a highly prohibitive duty. And I maintain, according to the hearings before your own committee, and according to the information elicited by the gentleman from New York himself, that this man was abundantly able to compete with the cheapest file manufacturer in the world, and under the tariff was getting a much higher price in this country than he sold for in Germany.

Mr. PAYNE. He said in regard to it that he adopted the policy of hiring some college graduates and sending them to the different countries to try to get in there with files, and he had built up considerable of a trade—I do not remember how much, but not a very large one, but a considerable one—and that the expense of selling was so great that he could not get his files in there and make anything. That was the gist of his evidence on that.

Mr. FORDNEY. If you will permit me, my recollection is that the record will show that he stated that what he was selling abroad he was selling at a loss.

Mr. PAYNE. He said it had not been profitable. I have not looked at that evidence for two years, and I can not state definitely about it. It is difficult to recall just what the facts were. The gentleman refers to that law as the Payne-Aldrich law. I think I ought to say right here it was named the Payne-Aldrich law because it was known that the Senator from Rhode Island was in favor of a higher scale of duties than the "gentleman from New York," the chairman of the committee, and that was done in view of the general talk all over the country to in every way possible throw suspicion upon the bill itself. If I may say so, I was intimately connected with three tariff bills—the McKinley, the Dingley, and the present law—and the Senate made less inroads on the bill as it left the House—I mean the present law—than they did either on the McKinley or the Dingley law. It is due to the committee of the House and to the House conferees to say that much. So far as I am concerned myself, I do not care a little bit. But if I could get the people to understand and read the record of that law, as I shall present it later on, that would be the height of my ambition.

Mr. HUGHES of New Jersey. I think that everybody is willing to admit that if the gentleman from New York had been permitted to have his own way we would have had a much better tariff law than the present one. [Applause.]

Mr. PAYNE. I thank the gentleman for his compliment and I hope he is right.

Now, Mr. Chairman, why was this 20 per cent duty put on wool in violation of the platform and policy of the Democratic Party? There must have been some reason for it. Why was it? Is Mr. Bryan right about it? Does any man dare say he is not right about it? Why, I see my distinguished friend, the Speaker, is here. [Laughter and applause.] I think I will say it, now that he is here—I would not say it in his absence—that I have been looking over the census reports on sheep, and I find that while the number of sheep and lambs in the United States has fallen off 0.0312 per cent, yet in Missouri the number has doubled. Of course, I understand the sheep have been driven down there from States farther west because of failure of pastures, but the failure seems to be owing largely to the fact that the upper countries are being divided up and put into forest reserves, and all that sort of thing, and they are not available longer for pastures. The farmers of Missouri, always interested in wool, are getting more and more interested, and this year they are more interested than they have ever been.

Missouri has gotten into the habit of voting the Republican ticket occasionally. [Laughter on the Republican side.] I do not know whether the sheep are allowed to vote there or not. They have been electing Republican governors in Missouri, and if they did not put all the Republican majority in one district, and if there was a fair distribution of districts, the Republicans would elect a majority of the delegation from Missouri to this House. [Applause on the Republican side.]

Mr. BARTHOLDT. Right you are!

Mr. CLARK of Missouri rose.

Mr. PAYNE. Now, I am not going to accuse the Speaker [laughter]——

Mr. CLARK of Missouri. Mr. Chairman, will the gentleman from New York yield?

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Missouri?

Mr. PAYNE. Certainly.

Mr. CLARK of Missouri. I would like to ask the gentleman from New York if he can point out as great a discrepancy in population between any two districts in Missouri as the discrepancy, in proportion, between two New York districts, one of which has 125,000 people and another 375,000, the districts being adjoining?

Mr. PAYNE. Oh, Mr. Chairman, the gentleman now is coming to a State where there has been the most phenomenal increase of population, in certain districts of it, of any State in the Union or any country of the world. The gentleman is talking about some New York districts, New York City districts, some uptown districts, which have been settled up in the last 10 years, as my friend from New York [Mr. HARRISON] will not deny, and it is unfair to compare them with the districts in the State of Missouri. Why, I remember my friend said once that he did not believe in gerrymandering, but that if people were going at it, his own State had the most scientific job done in it that was ever done in that direction. [Laughter.] And he will not deny it now that they did that job, although he may not recollect what he said on that occasion.

Mr. CLARK of Missouri. I will say what I said about gerrymandering, and I will say it now—that it is an unfortunate habit [laughter and applause]——

Mr. PAYNE. That is putting it mildly enough. [Laughter.]

Mr. CLARK of Missouri. Let me make a complete statement. It is a thing that everybody condemns in theory and favors in practice. [Applause and laughter.] I think we would be better off everywhere if it were abolished; but we are not going to abolish it until human nature is transformed and purified. [Applause.]

Mr. BARTHOLDT. Will the gentleman yield for an interruption?

The CHAIRMAN. Does the gentleman from New York yield?

Mr. PAYNE. Yes; I will yield to the gentleman a moment.

Mr. BARTHOLDT. I acquit the distinguished Speaker of any guilt in the gerrymandering of the Missouri districts. But if

what he says is true, if it requires a change of human nature to change that system of gerrymandering which has been practiced, I am frank to admit, by both political parties—both of them are guilty of unfair gerrymandering in the United States—would it not be well for us to make a law which would enable the people in the several States to apportion the districts themselves? In other words, if in each State of the Union the Republicans and the Democrats would be obliged to submit to the voters a fair scheme of apportionment, we could be reasonably sure that that scheme would be a good one, because both parties would know that the people would have to pass upon it, and then it would not make much difference whether the Republican or the Democratic scheme was adopted by the people. They would be reasonably sure of having a good apportionment. That was the point we made in connection with that discussion some weeks ago.

Mr. CLARK of Missouri. You made the point simply because you happened to have the advantage of having an accidental governor at this time.

Mr. PAYNE. We are getting away from the tariff proposition. The sight of the genial face of my friend from Missouri caused me to raise the inquiry and to wonder why it was that they put a duty on wool. I remember that in my early days in this House Mr. Samuel S. Cox, known to fame as "Sunset" Cox, was making a speech one day on the question of the tariff of 1883. He was a free trader and for free wool in principle. He was asked if he did not go through Ohio and make speeches in favor of a tariff on wool at the election succeeding the Democratic tariff of 1883, which cut it down. He said no, he did not do anything of the kind, but he said he went through the district and told the people that every time he met a sheep the sheep would say, "Ba! ba! John Sherman. Ba! ba!" And I did not know but my friend was afraid that the sheep might get after him in Missouri if he did not consent to a little bit of a duty of 20 per cent on wool as a sop to the farmers who own the sheep; but he shakes his head, and of course I take it for granted that that never entered his thought. [Laughter.]

Now, the duty on wool is 20 per cent. The duty on woolen cloth is 40 per cent, and on clothing 45 per cent, and on cloth with cotton backing I think it is 40 per cent in this bill. Sixty-five per cent of the cost of cloth is wool. If you put a duty of 40 per cent on cloth, something must come out of it for the protection you put on wool. If the wool is worth 65 per cent, 20 per cent of that will be 13 per cent on the cloth for the wool duty; and you must deduct that 13 per cent from the duty which you have put on the cloth, which would leave 27 per cent in the one instance and a lower percentage in the other.

In the Wilson bill they put wool on the free list, but they put a higher percentage on the manufactured article than you do, all through their bill. There was not anything to be taken out as a compensatory duty for the wool in the cloth.

What effect will this bill have on the manufacture of cloth? You say in your report that it will increase the importation of cloth nearly threefold—from $23,057,357.78 in value to $63,831,000.

I think you are right about it. I think this reduction of duty will have that effect. Now, if you do that, you will bring in here 85,000,000 pounds more of wool, in the form of cloth, than you bring in now. What effect will that have upon the Missouri sheep and lambs, and the sheep and lambs in the rest of the country? You say that you will increase the importation of wool by over 100,000,000 pounds in order to get your revenue. You say this in the bill that you printed for the caucus. I suppose that was the argument in the caucus, if it contained any argument; but it does not. The argument is expressed in the resolution that you put through in the caucus. What effect will the importation of 185,000,000 pounds of wool into this country—raw and in the cloth—under your bill have upon the domestic production of wool in this country? How will sheep be affected? On an average, we produce about 300,000,000 pounds of wool in this country. It has run up as high as 317,000,000 pounds. One hundred and eighty-five million pounds taken from that would be not quite 65 per cent displaced by this increased importation of foreign wool. If I had figured it close, it would have been 65 per cent, because I have figured in some of the cloths and other articles at the wholesale, while I let tops and noils and shoddy, and so forth, some of it go.

What effect is that going to have on the production of sheep in this country? What effect did the Wilson bill have?

Mr. HARRISON of New York. Will the gentleman yield for a question?

Mr. PAYNE. Certainly.

Mr. HARRISON of New York. Does not the gentleman recollect that the actual per capita consumption of wool is about 20 per cent less in this country than it was 20 years ago?

Mr. PAYNE. I do not recollect the exact percentage. I do know it is less. I know people are wearing cotton underclothing, not because they can not afford to buy woolen, but from choice. I have not worn any woolen underclothing for 15 years. I got what I supposed was linen, and wore that for several years. I was told it was cotton. I told them it was all right if it was cotton; I was going to wear that for the reason that in our northern climate when a man goes into a warm room with woolen underclothing on he perspires, and when he goes out he is liable to catch cold. As a matter of health, a great many people are wearing underclothing in which there is no wool.

Mr. CLARK of Missouri. Mr. Chairman, I would like to ask the gentleman from New York a question.

Mr. PAYNE. I will yield to the gentleman.

Mr. CLARK of Missouri. I want to ask the gentleman a leading question about the very thing he is talking about. Suppose the effect of this bill, if it becomes a law, were to reduce the cost to the consumer of woolen goods 25 or 30 per cent. Does not the gentleman believe that the increased consumption of woolen goods in the United States would be so great that we would use up more wool than we are now producing and importing?

Mr. PAYNE. I do not; I do not know how the gentleman with a sanguine mind can expect it is going to reduce the cost of clothing 25 per cent when so little of the cost of clothing is due to the wool it contains, and much less in duty on the wool. The cost is nearly all in the trimming, the tailoring, the sewing, and so forth.

Mr. CLARK of Missouri. Does not the gentleman believe that cutting down the tariff, as this bill does, on wool would have the ultimate effect of reducing the cost of woolen things to the consumer?

Mr. PAYNE. I understand the difference in the cost of clean wool ready to be used in making tops and noils, and so forth, to manufacture into woolen cloths in this country is $2.30 for a suit of clothes and in England $1.12. There is a difference of about $1.19 in favor of the low price in London over this country. That $1.19 is not going to make any difference of 25 per cent on a $12 suit or a $25 suit.

Mr. CLARK of Missouri. Does the gentleman believe that the figures he has given would be a fair measure of the difference of cost between a $12 suit of clothes with this tariff on?

Mr. PAYNE. I want to say that I figured on that before the present law was passed, and I noticed that after it was passed, as the gentleman from Missouri did, that where we reduced the duties the most there was the least reduction in the price of goods. It was all absorbed by the retailer or the wholesaler.

Mr. CLARK of Missouri. May not that result have been brought about by the fact that many of these things are controlled by combinations or trusts or gentlemen's agreements, or whatever you are pleased to call them?

Mr. PAYNE. It might be if you are going to draw on your imagination, but I always want some tangible evidence.

Mr. CLARK of Missouri. The gentleman from New York and I agreed to take the tariff off hides. Both of us helped do that, and the promise was made that shoes would go down 25 or 50 cents a pair. I would like to get hold of that crowd that came down here and promised that. [Laughter.]

Mr. PAYNE. I am sorry that the gentleman was fooled; they did not fool me, for I did not believe a word of it. [Laughter.]

Mr. CLARK of Missouri. Now, I want to ask the gentleman this question: When we did take the tariff off hides, does not the gentleman believe that the price of leather and shoes would have gone down, as the makers swore they would go down, if it had not been controlled by the Leather Trust and that gang that runs the trust in the machinery for making shoes?

Mr. PAYNE. The hide business was getting into the control of the packers of beef. They cut off the market for the local tanneries, especially in Pennsylvania and States between there and Chicago, and they were tanning the hides of the cattle themselves and also of the tanners. The tanners could not get hold of any hides with the duty on them; they went to Germany, and Germany made the leather. We did not get a look-in at all for the local tanners, and some tanners, in despair, had rented their tanneries to some Chicago packers, and the business we were losing entirely, except what was being done by the Meat Trust. There seems to be evidence that there is such a thing as a Meat Trust. One of my strong reasons for taking off the duty on hides—and I was against the duty 20 years ago, because the duty was of no benefit to the farmer whatever—

but my strong reason for being anxious to take it off was to get at the people in Chicago. I never had any idea that it would do what they claimed. I told those gentleman if they could save the whole tariff it would amount to but 2½ or 3 cents on a pair of shoes; and I said to them, What is the use of your coming up here and making this pretense that it would save 25 or 50 cents a pair?

Mr. CLARK of Missouri. It is true, is it not, that the Massachusetts shoemakers, and others—I believe there were some of our St. Louis friends mixed up in it—did come before the Ways and Means Committee and swear that if we put hides on the free list shoes would go down 25 to 50 cents a pair, and they explained to us that shoes did not go down or up 5 cents a pair, or 10 cents a pair, or 15 cents a pair, or 20, or 30, or 35, or 40, or 45 cents a pair, but they went up and down by quarters?

Mr. PAYNE. Well, I think Mr. Jones, of Boston, stated that at least, and I do not remember the others.

Mr. CLARK of Missouri. And Jones stated it and elaborated it, and then cut it out, but the others did, too.

Mr. PAYNE. Did not Jones take that back the next day?

Mr. CLARK of Missouri. Not the next day, but about a week afterwards, after my good friend, Hon. AUGUSTUS P. GARDNER, got after him up in Massachusetts and sandbagged him or did something to him [laughter]—I do not know what it was—but Jones did come back and retract part of that, and Mr. GARDNER's contention was, to be fair to him, that Jones's statement might be all right for fine shoes, and lightweight shoes, but that it would be ruinous to brogan-shoe makers and the heavy shoes; that they could not stand it. That was Mr. GARDNER's contention about it from the first, and he stuck to it until the last.

Mr. PAYNE. Mr. Albert Clarke, of Boston, came before the committee the next day after Jones made the statement and said Jones had retracted it before he left the room after making it. I sent for Jones, and he appeared about a week later and retracted the statement. I think the heavy-shoe makers were in more danger than the fine-shoe makers at that time. Since that time conditions have changed, recently, by reason of the American machinery having been taken over to Europe and the people being instructed there to make fine shoes.

Mr. CLARK of Missouri. Was there not evidence before that Ways and Means Committee that this crowd that controls the shoemaking machines constituted as tight a trust as there is on the face of the earth?

Mr. PAYNE. I do not know how tight the trusts are, but it was my idea that it was a trust.

Mr. CLARK of Missouri. Has the gentleman heard anything of Attorney General Wickersham jumping on that trust?

Mr. PAYNE. No; and I am sorry to say that I never have called his attention to that evidence, so I think I am as much to blame as the Attorney General is, as is also the gentleman from Missouri.

Mr. CLARK of Missouri. Oh, I am not a prosecuting officer. If I were, I would shut them up before six months elapsed.

Mr. PAYNE. And I am not either, but when I discover a trust I think it is my duty to notify the people who prosecute, as it is also the duty of the gentleman from Missouri. I know and the gentleman knows, for he has been a prosecuting attorney as well as I have, that the prosecuting attorney does not know always what is going on, and it is only by people telling him, and then he must prosecute, and if he does not, he is to blame.

Mr. HARRISON of New York. Mr. Chairman, returning to the subject of wool, supposing the gentleman's contention is correct, and we will not get all the reduction in the price of clothes that we hope from reducing this duty on raw wool—that is, assuming certain grades of clothes will still continue to be sold at the standard prices—does not the gentleman believe that by reducing the duty on raw wool and making it easier for our manufacturers to get more real wool, clothes would be made out of wool instead of out of substitutes?

Mr. PAYNE. Now, I fear the gentleman has brought up another question. The Wilson bill, of which I was about to speak when I was interrupted, put shoddy on the free list, and rags and every abominable thing of that kind. Shoddy came over here in immense quantities and substituted itself for wool. Every pound of shoddy was a substitute for a pound of scoured wool. Shoddy, to a certain extent, is legitimate to put in manufactured clothing, but if too much is put in, the cloth is good for nothing, and in trying to compete with the shoddy goods that came in from Great Britain our manufacturers then did make a good many shoddy goods, and we had a good many of them, and millions of pounds of importations came in under the Wilson bill. Now, when we came to make the Dingley bill we put a duty on shoddy that we believed was prohibitive, and we did it purposely, 15 cents a pound, which is more than 100 per cent, and it did stop the importation of shoddy. There were only a few pounds came in. Some ignorant fellow imported a few pounds and ran up against the law, in all human probability. They could not import shoddy. We had a good deal of shoddy manufactured here in our own mills, and from the rags that came from clothing here.

It is a saving when legitimately used; but, while it is an advantage, it displaced the wool. But the difficulty is that they put too much of it in and make the warp and the woof—and especially the warp—of shoddy, and that makes a very weak thread and a suit of clothes that is an imposition on any poor man who buys it. I remember when we had a wool discussion up once—I think it was when the Dingley bill was under consideration—and Jeremiah Simpson, of Kansas, the man who won immortal fame while here in the House, came in with a suit of clothes he had bought, taken from the back of a Virginia farmer, as he said. I do not know whether Jerry would know a Virginia farmer from a hobo, but he said he got it from the back of a Virginia farmer. He brought it in here and he tore it up. It ripped easily, and he wanted to know what kind of a suit of clothes that was for an American farmer to wear. Of course, there was only one opinion about the suit of clothes, but it encouraged me to try to stop the use of this shoddy in this country so far as I could, so that there would not be a temptation to put so much of it in a suit of clothes as that one had, so that mainly the shoddy thread ran both ways, with only a little wool to hold it together.

That was a practical illustration I had of shoddy. That was a specimen of the miserably poor goods that were made under the Wilson law with the unlimited importation of shoddy, which was free.

But we put a prohibitive duty on shoddy. We thought there was enough produced in this country to meet all the legitimate demands of the manufacturers, and the result has proved that we were right.

In a circular recently issued, the firm of E. H. Van Ingen & Co., woolen importers, long conspicuous for the handling especially of English goods, says of the quality of the product of American mills:

> There are no more expert manufacturers anywhere than the best of those in this country. They are wonderfully quick to catch ideas, to modify, alter, improve, and to meet quickly the ever-changing demands of fashion and fancy. They produce as great a variety of woolen cloths as can be found in the whole of Europe together. The fine and medium grade of woolen cloths made here are generally better than those of equal quality to be obtained in any other country. American colors are, as a rule, better, clearer, and more lasting than those of similar foreign-made fabrics. The designing talent in America is quite equal to any in Europe.

This circular adds that only in the relatively small quantities of the finest and costliest cloths bought and used by a few very wealthy people has Europe any advantage over the United States—

> But in sound medium grades Americans are not only better, but much cheaper than similar foreign goods of the same qualities.

This means, of course, that the American goods are cheaper as compared with the foreign fabrics, duty paid. The tribute to American manufacturing is the more significant as coming from a firm that favors lower duties in the interest of a large use of British cloths—the object of the circular quoted.

Mr. CLARK of Missouri. I would like to ask my friend one more question.

Mr. PAYNE. Certainly.

Mr. CLARK of Missouri. How does it happen, if this tariff in your bill and the bill of your predecessor is such a good thing, that while the number of the people in the United States has about doubled since 1880 that the number of sheep has absolutely diminished, being 42,192,000 shearing sheep in 1880, 40,876,000 in 1890, 39,853,000 in 1900, and only 39,039,000 in 1910?

Mr. PAYNE. Well, I think I can answer the gentleman to his satisfaction. The great falling off between 1880 and 1900, the greatest falling off was during the three years we ran under the Wilson bill, and if the gentleman pursues these statistics a little further he will find the great falling off——

Mr. CLARK of Missouri. I know, but the trouble about that is—I will restate the figures. It was 42,000,000——

Mr. PAYNE. I was going to answer the gentleman's question in regard to the falling off and I was speaking of the greatest cause——

Mr. CLARK of Missouri. It was 42,000,000 in 1880, 38,000,000 in 1890, thirty-nine millions and some odd thousands in 1900, and only 39,039,000 in 1910, so it has been going down under those two last tariff bills.

Mr. PAYNE. Now, to finish my answer, if the gentleman is through repeating his question, there is no doubt, as the gentleman knows fully as well as I do, if not better, that there has

been a great change in the area where sheep can be raised and grazed in this country owing to the settling up of the country by small farmers. They can not have large flocks; they have small flocks, comparatively, even over in Texas, as I understand it to-day. My friend who stands there will correct me if I am wrong. It is the same in the States and Territories. The land has been withdrawn for forest reservations and conservation and like things and there is not that free range that there was prior to 1880 or 1890 over the country. The people have to pay rent for the land to the United States, and they have to do some fencing which they never had to do before, and that has been the great cause of the falling off of the flocks.

Mr. RUCKER of Colorado. Will the gentleman yield for a suggestion——

Mr. PAYNE. Certainly.

Mr. RUCKER of Colorado (continuing). To the question asked by the gentleman from Missouri, the Speaker. Do not you realize that we have been eating more mutton from year to year; that since the time the Speaker mentioned we have trebled the number of mutton slaughtered, and the last year it was sixteen or seventeen million sheep we ate over the period of time the Speaker mentioned; it is about two-thirds more.

Mr. PAYNE. That is true as the gentleman says, and in the Rocky Mountain States also they have been slaughtering lambs to a large extent in the last few years. That has increased.

Mr. CLARK of Missouri. If that is true, is not it also true, then, that those people do not raise the sheep for the wool, but that they raise them for mutton?

Mr. PAYNE. They raise some sheep for the mutton and wool. They can not raise sheep in Ohio for the wool itself; the land is too high. I doubt whether they can do it in the gentleman's State.

Mr. RUCKER of Colorado. I want to say to the gentleman they can not do it in our State.

Mr. PAYNE. In the course of 10 years that land will be so high they can not anywhere.

Mr. CLARK of Missouri. I would like to ask the gentleman this question in order to get at the very philosophy and root of the whole business: Is it not true in your State and my State, and every other State, that when the price of land goes up the number of sheep diminishes, and that you can not raise sheep either for mutton or for wool at a profit on high-priced land?

Mr. PAYNE. I do not think they can raise sheep and throw away the wool and sell the sheep for mutton, or throw away the mutton and sell the wool. I do not think they can do that anywhere. I think on the high-priced land they need both the mutton and the wool to help out.

Mr. LONGWORTH. Certainly the statement of the gentleman from Missouri is not true as to Ohio, because there are substantially the same number of sheep there to-day as there were 10 or 15 years ago, and the average price of farm land has increased probably three times.

Mr. CLARK of Missouri. Now, I will ask the gentleman from Ohio, if the gentleman from New York [Mr. PAYNE] will yield, if it is not true that the sheep industry, principally in Ohio, has been driven into the hill or rough land down next to the Ohio River?

Mr. LONGWORTH. I do not think that is true. I think that the sheep industry in Ohio still remains as it always has, a very diversified industry, conducted in almost all counties. The gentleman from Ohio [Mr. WILLIS] the other day published in his speech a record of the number of sheep in all counties in Ohio, and the gentleman can find from that how that situation is.

Mr. CLARK of Missouri. Now, I would like to ask the gentleman from Ohio another question while he is on his feet. How does it happen that in Ohio in 1880 there were 4,903,000 sheep and in 1910 there were only 2,998,000, a falling off of nearly one-half? These are official statistics.

Mr. LONGWORTH. I do not understand it is true that there are less than 3,000,000 sheep in Ohio to-day.

Mr. CLARK of Missouri. The gentleman from Ohio would not contradict the figures of a Republican administration?

Mr. LONGWORTH. It is a great question as to where those figures have been procured.

Mr. HELGESEN. If the gentleman will excuse me, I have some figures which I obtained from the Census Bureau yesterday, and which have not been published. They were sent to me privately. They show that Ohio has 3,975,000 sheep.

Mr. CLARK of Missouri. I will ask you, since you are volunteering the information, if that does not include lambs?

Mr. HELGESEN. It includes the total number of sheep.

Mr. CLARK of Missouri. But I am referring to shearing sheep.

Mr. PAYNE. It excludes all lambs under a year old.

Mr. CLARK of Missouri. Now, taking the gentleman's own figures, how does it happen that the number of shearing sheep in Ohio fell off from 4,903,000 in 1880 to 2,998,000 in 1910?

Mr. HELGESEN. The gentleman says that as land goes up the number of sheep will decrease. If he will look at the latest figures from the Census Department for Missouri—and I imagine land in Missouri is going up—he will find the total number of sheep 10 years ago was 1,087,213, while in 1910 the total number was 1,808,038, an increase of nearly three-quarters of a million. [Applause.]

Mr. CLARK of Missouri. There is no sort of trouble about explaining that statement. A vast amount of wild lands in the mountainous part of Missouri has been opened up in recent years. Government land has been entered, and lands owned in large tracts have been cut up, and men have gone in there, and in the part of the State where the wool industry flourishes the most the number of sheep has increased. And it carries out what I have said all the time about this business, that, for some reason I have never been able to understand, as the price of land goes up the number of sheep diminishes. They raise a good many sheep in my part of Missouri, a very rich agricultural part, lying down between the Mississippi and Missouri Rivers. But they are fine sheep. We ship them to the West and to the Northwest and to the South, and sell them at fancy prices for breeding purposes. And I do not believe, in the eight counties in my district, north of the Missouri River, there is a single scrub sheep, unless it has been imported in there for feeding purposes. Now, in the two counties south of the river there may be a few, because those counties extend to the foothills of the Ozarks. The thousands of sheep brought into Missouri to fatten, and which stay there only a few weeks, are all counted in the official figures. Most probably they are counted twice—once in Missouri, where they are fattened, and once in the Western States, where they were raised.

Mr. PAYNE. Of course, as the value of land goes up the number of sheep would diminish, because it would cost more there to raise the sheep.

Mr. CLARK of Missouri. Now, why is that? The number of hogs does not diminish; the number of cattle does not diminish; the number of horses and mules does not diminish as the value of the land increases.

Mr. PAYNE. Because it is more profitable to go into some other branch of industry on the farm than sheep raising.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Wyoming?

Mr. PAYNE. I will in a few moments.

Now, Mr. Chairman, while the gentleman from Missouri is looking for the figures he wants, will he permit me to read some figures on the wool industry during the life of the Wilson bill?

Mr. CLARK of Missouri. The number of sheep fell off during the life of the Wilson bill; but it has fallen off under the Dingley bill, too, and under the blessed Payne bill. [Applause and laughter on the Democratic side.]

Mr. LONGWORTH. The gentleman will realize that in speaking of Ohio, Ohio was hit harder than any other State in the Union by the Wilson bill. The gentleman from Missouri will remember that the number of sheep fell off in less than three years from substantially 4,000,000 to not much more than 1,000,000.

Mr. CLARK of Missouri. The number of sheep in Ohio?

Mr. LONGWORTH. Yes; Ohio.

Mr. PAYNE. Now, Mr. Chairman, I am going to cut off this joint debate after a little while.

Mr. CLARK of Missouri. I will give the gentleman a rest [laughter]; but, first, I want to ask the gentleman from Ohio about that hill-country business. Is not Cadiz, Ohio, just about the center of the wool industry in Ohio?

Mr. LONGWORTH. I can not answer that question positively.

Mr. CLARK of Missouri. I am afraid I know more about Ohio than the gentleman does. [Laughter.]

Mr. LONGWORTH. I am afraid the gentleman from Missouri does not know as much about the effect of free wool upon Ohio sheep as I do. [Laughter on the Republican side.]

Mr. CLARK of Missouri. I want to ask the gentleman this question. In the year 1860 Ohio had 3,160,000 sheep; in 1870, 4,929,000; and in 1880, 4,903,000; while in 1890, now that you are talking about the calamitous Wilson bill, they had 4,061,000——

Mr. LONGWORTH. That was before the enactment of the Wilson bill.

Mr. CLARK of Missouri. No; that was after the Wilson bill. In 1880 Ohio had 4,903,000 sheep, and——

Mr. LONGWORTH. And in 1890 how many?

Mr. CLARK of Missouri. In 1890 it had 4,061,000.

Mr. LONGWORTH. And in 1897?

Mr. CLARK of Missouri. My figures here do not give the number in 1897. Yes; in 1900 it was 2,648,000——

Mr. LONGWORTH. According to the gentleman's figures, as to the authenticity of which I do not know——

Mr. CLARK of Missouri. They are Treasury figures——

Mr. LONGWORTH. The gentleman from Missouri must admit that the number fell off in less than three years.

Mr. CLARK of Missouri. I know that; but what I am talking and contending about is that they fall off under any tariff bill. In 1890 there were 4,000,000; in 1900 there were 2,648,000 sheep in Ohio; and now, after 15 years of a high tariff, the gentleman has in Ohio only 2,839,000 sheep.

Mr. LONGWORTH. Oh, but the gentleman heard the correct figures read a moment ago.

Mr. CLARK of Missouri. I know; but——

Mr. LONGWORTH. It is practically 4,000,000. It is 3,900,000.

Mr. CLARK of Missouri. These are the shearing sheep; and those figures that the gentleman read included the lambs.

Mr. LONGWORTH. Oh, they are wool sheep in both sets of figures. The gentleman made the positive statement that——

Mr. PAYNE. Mr. Chairman, I must insist to the gentlemen that I be allowed to close sometime this afternoon.

Mr. HELGESEN. Here are the figures of the wool-producing sheep——

Mr. CLARK of Missouri. I insist that if the gentleman from New York cuts us out, he ought also to cut out the gentleman from North Dakota. [Laughter and applause.]

Mr. PAYNE. My genial friend from Missouri knows that it is difficult to secure time, but if there is anything that he wants to recur to after this gentleman has finished, I will give him time.

Mr. HELGESEN. In Ohio in 1910 the number of sheep and lambs was 3,907,055. In 1900 the number was 4,020,628. That is, in 1910 there were 113,673 less than 10 years before.

Mr. CLARK of Missouri. I want to ask the gentleman from New York one more question.

Mr. PAYNE. I shall warn the gentlemen who are carrying on this joint debate in my time that I will strike all their figures out of the RECORD. [Laughter.]

Mr. CLARK of Missouri. How does it happen that the shearing sheep throughout the United States in 1903 were 63,105,000, and in 1904 they had fallen off to 51,630,000? That is a fact that needs explanation on the gentleman's theory.

Mr. PAYNE. The gentleman from Missouri is reading something now that appeared in an Agricultural Yearbook a few years ago and not in the United States census reports.

Mr. CLARK of Missouri. The gentleman surely is not going to dispute about the statistics that the Hon. James Wilson, Secretary of Agriculture, gives out. He is the most reliable Republican functionary who has been here since I have been in Congress.

Mr. PAYNE. The gentleman assumes that everything a Republican functionary does and says is the exact truth. Well, that is a very reasonable conclusion, but they can not get an estimate of the sheep in this country that will be exact. The census may get pretty close to it. It is like the price of mutton.

Now, Mr. Chairman, to go back to the effect of the Wilson bill on the consumption of wool in this country, and so forth, a question that agitated my friend from Illinois yesterday. In 1896 there were carried over from the previous year 194,000,000 pounds of wool; American clip, 272,000,000; imports, 159,000,000; imports of shoddy, noils, rags, and so forth, 17,000,000 pounds; total supply, 643,000,000 pounds; consumption and exports, 250,000,000 pounds; carried over at the end of the year, 393,000,000 pounds.

In 1897 there was less wool produced and the imports were double, and the importations of shoddy, and so forth, increased from 17,000,000 pounds to 44,500,000 pounds under the Wilson bill. The total supply was 1,254,000,000 pounds and the amount carried over was 794,000,000. I will put this table in the RECORD in full. In the year 1898, 761,000,000 pounds were carried over, and in 1899, 589,494,000; in 1900, 494,000,000, and in 1901, 396,000,000 pounds were carried over; in 1902, 314,000,000 pounds; and in 1903, 286,000,000 pounds.

The visible supply of wool—the wool that was not used—increased to nearly 1,000,000,000 pounds during the Wilson bill period, but finally got down to between 200,000,000 and 300,000,000 pounds under the duties of the Dingley bill. I suggest that to the gentleman from Illinois, because I think he had a slightly mistaken idea about it. I understand he is going to make a speech to-day, and I would prefer to have him make it in his own time and not in mine, unless it is absolutely necessary. Here is the table referred to:

Wool supply at the end of each year, based on production and imports, less consumption and exports.

	1896	1897	1898	1899
	Pounds.	*Pounds.*	*Pounds.*	*Pounds.*
Carried over from previous year	194,724,651	393,986,523	794,484,726	761,515,011
American clip	272,474,708	259,153,251	266,720,684	272,191,330
Imports of wool	159,776,015	356,839,482	99,850,404	105,867,574
Imports of shoddy, noils, rags, etc	17,011,149	44,505,470 [1] 200,000,000	459,197	317,331
Total supply	643,986,523	1,254,484,726	1,161,515,011	1,139,891,246
Consumption and exports	250,000,000	460,000,000	400,000,000	550,000,000
Carried over at end of year	393,986,523	794,484,726	761,515,011	589,891,246

	1900	1901	1902	1903
	Pounds.	*Pounds.*	*Pounds.*	*Pounds.*
Carried over from previous year	589,891,246	494,073,762	396,818,135	314,760,961
American clip	288,636,621	302,502,328	316,341,032	287,450,000
Imports of wool	139,908,718	124,964,377	176,292,639	173,573,891
Imports of shoddy, noils, rags, etc	637,177	277,668	309,155	312,861
Total supply	1,019,073,762	921,818,135	889,760,961	776,097,713
Consumption and exports	525,000,000	525,000,000	575,000,000	490,000,000
Carried over at end of year	494,073,762	396,818,135	314,760,961	286,097,713

	1904	1905	1906	1907	1908
	Pounds.	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*
Carried over from previous year	286,097,713	283,622,700	253,524,107	180,299,002	158,115,586
American clip	291,783,032	295,488,438	298,915,130	298,294,750	300,000,000
Imports of wool	186,572,686	249,135,746	201,688,668	203,847,545	[3] 120,000,000
Imports of shoddy, noils, rags, etc	169,272	277,223	1,171,097	674,289	[4] 400,000
Total supply	764,622,700	828,524,107	755,299,002	683,115,586	578,515,586
Consumption and exports	481,000,000	575,000,000	575,000,000	525,000,000	[3] 350,000,000
Carried over at end of year	283,622,700	253,524,107	180,299,002	158,115,586	228,515,586

[1] Added to cover the increased efficiency of 113,958,915 pounds of shoddy over grease wool imported during 1895, 1896, and 1897.
[2] Estimated on basis of 10 months.
[3] Average consumption for 13 years, 483,000 pounds.

Mr. FOWLER. Mr. Chairman——

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Illinois?

Mr. PAYNE. Well, for a question.

Mr. FOWLER. I desire to ask for information—what does the Bureau of Statistics of the Agricultural Department mean by the total consumption in the column headed "Total consumption" for certain years?

Mr. PAYNE. I do not know anything about what that means or what the report is.

Mr. FOWLER. Does not that mean that the consumption was so much during that year?

Mr. PAYNE. You will have to ask the Secretary of Agriculture what he means by it, if he said so.

Mr. FOWLER. Now, I will ask you if it is not a fact that during the panics that have occurred in America the foreign importation of wool was the greatest, compared with the other years?

Mr. PAYNE. Which panic does the gentleman refer to, the panic of 1857 that followed the Walker bill or the panic of 1893 and 1896?

Mr. FOWLER. I refer to the panic of 1872 and the panic of the early nineties.

Mr. PAYNE. I have not looked back at the statistics of 1872. The early nineties did not show a greater importation of wool, but 1893-6-7-8 did.

Mr. FOWLER. I will ask you if it is not a fact that the per cent that was imported from foreign countries in 1872 was not 45 per cent of the consumption?

Mr. PAYNE. I am not able to answer the gentleman's inquiry.

Mr. FOWLER. Was not that the greatest foreign importation for any year prior to that, or any year subsequent to that, until the panic of the nineties?

Mr. PAYNE. I want simply to say to the gentleman that I have read the official figures and I will put them in the RECORD.

He can study them there. I am not going to try to hold any school on the subject any further.

Mr. FOWLER. I beg the gentleman's pardon for one more question, and that is all.

Mr. PAYNE. All right.

Mr. FOWLER. You said that the greatest falling off in the number of sheep was during the Wilson bill. Now, I will ask you if during the time from 1870 to 1872 there was not a falling off of more than 9,000,000 head of sheep?

Mr. PAYNE. I do not carry the statistics of the last 50 years in my mind. I know there was some falling off on account of the tariff of 1883.

Mr. FOWLER. I ask you if there was not a falling off of more than 2,000,000 head during the panic of the early seventies than the biggest falling off during the operation of the Wilson bill?

Mr. PAYNE. That was not in the early nineties.

Mr. FOWLER. The Wilson bill was in the early nineties.

Mr. PAYNE. It began in July, 1894, and continued for three years.

Mr. FOWLER. I will now ask the gentleman——

Mr. PAYNE. I can not yield to the gentleman further.

Mr. FOWLER. For one more question.

Mr. PAYNE. The gentleman has said that three times. I can not allow my time to be used up in that way, and I do not think the gentleman ought to impose on me.

Mr. FOWLER. I beg the gentleman's pardon; I do not mean to impose on him.

Mr. PAYNE. Now, Mr. Chairman, not only the sheep disappeared and wool was carried over, but the machinery was idle. I refer, gentlemen, to page 5406 of the hearings upon wool two years ago. In 1896 42 per cent of the woolen machinery in this country was idle; 43 per cent of the woolen mills was idle; 47 per cent of the knitting machinery was idle; 53 per cent of the knitting mills was idle. You go into the kindred industry, the cotton industry, and I think 57 per cent of the mills was idle. It not only caused the slaughter of the sheep, but it caused the stoppage of the mills, and I think gentlemen may be mistaken in regard to this bill. Goods will come in, they will get the revenue, they will get within a million and a half dollars of the present revenue, but they will stop the mills and send the price of sheep down from $4 to $1.70, and, perhaps, to 50 cents, as they did in 1896. Gentlemen may doubt that statement; and still it was testified to by men who appeared honest and credible, men in the sheep business. One man told about buying 3,000 or 4,000 sheep at 50 cents a head in 1896 under the Wilson bill, and he kept them until after the Dingley bill went into effect and made a small fortune. He took his chances; it was a speculation; but he made his money.

Even a woman came before the committee and testified to her recollection of what occurred in Idaho in regard to the sheep industry during the perilous years of the Wilson bill.

Now, you gentlemen had all these facts before you. You pretend to say that you do not know what is the difference between the cost of wool and woolens in this country and countries abroad. Here is something that will furnish you a lesson on the subject, and that is the greater protection on woolens that was in the Wilson bill flooded the country with woolen goods and struck down the machinery. Free sheep stopped the growth of the sheep industry and reduced the number during the years of the Wilson bill. I believe myself, Mr. Chairman, that we have got somewhere near the limit of sheep raising in this country. Possibly by increasing the weight of the fleece, as they have been doing, from 3 pounds up to 6 or 7 pounds in later years, it may have some tendency to revive the industry; possibly by crossbreeding they may get sheep that more nearly answer the double purpose of producing wool, producing mutton and lamb, and that may help the industry. But at this time, when the number of sheep is not increasing, when the industry is not growing stronger under the present tariff, it is mighty poor policy to cut all the protection out from under it and leave it to languish and die.

You gentlemen can not excuse yourselves by saying that the caucus did it and that you got the best terms possible. They send people here to stand up and vote for what they believe. They expect to send men here with backbone. You can not tell them you got a beggarly 20 per cent on wool. They will tell you it will not do; they can not raise sheep; they will tell you that they can not maintain the flock, and they will look around for a man that has a little backbone when they send him to Congress.

Talk about protection being local to the district, and all that sort of thing. People at home have some rights to be represented in their districts. I do not know what I got for my district in making the last tariff bill, except that one little industry that employed 100 men was driven to the wall by the low duty that I put into it. Most of them voted against me in the last election. I did it because it was right, and I would do it again under similar circumstances. Some of the more intelligent ones who have studied the question concluded that I was right and still voted for me, notwithstanding the great temptation to do otherwise. I only speak of this as an illustration, and men are a good deal the same all over the country.

You can not fool all of the people all of the time. You may fool all of the people a part of the time, but not all of the people all of the time. You have got to give them something tangible and reasonable when you make a wool bill, and not go to them, as you will have to, with the confession that you did not know what effect the bill would have on the industry; that you had no knowledge that you had voted for an appropriation of $250,000 within the last four months to get the light and to get the information, but the exigencies of party politics, as you understood them, would not permit you to wait until next December, the time when you ordered by your vote the investigation and the report to be made, and that under the whip and spur of a party caucus you had to do it now, with your great leader protesting against it, and many of you protesting against it in secret, but not openly. Oh, how are you going to excuse yourselves? Why ruin a great business and a great industry? If the duty is too high, lower it, but do it intelligently. If the protection is too great, remove part of it, but do it intelligently. Do not guess at it. Do not put on a duty that is much less for manufactured goods than under the Wilson bill, when the mills were closed. Have a care! The day of reckoning is coming. Election is only a year from this fall. We will be there and you will be there, and we will do our part of the fighting. We will stir them up by way of remembrance about what you did. We will tell the people how you lost your opportunities. We will tell them how you went back on your policies. We will tell them that this bill is neither fish, flesh, nor fowl, but simply a carelessly drawn and negligently made bill—to allow a great business of over $400,000,000 to be slaughtered in the supposed interest of party success.

But, gentlemen, I am spending more time on this than I expected to. There is something else I wanted to talk about, and that is the present tariff law. [Applause on the Republican side.] I know you all want to hear this. There is nothing about it that I am not willing to talk about from the enacting clause to the repealing clause at the end of it. I can maintain that it is just what the President said in his speech, the best tariff law ever enacted. One thing it had in it that rendered it better than the previous laws was putting the imports from the Philippine Islands on the free list.

You say it is a small matter, a side issue. It was a great matter, however, to 9,000,000 of people living over there under our flag who desired the privilege of the American markets. It was a great matter to them. It built them up; not only built up their schools and added to their intelligence, but it has given them more money and more hope for the future. They are making homes down there, and they are becoming every day more fit for citizenship. We took them against their will, and we are holding them partially against their will for their own good, as we believe and are able to demonstrate. They came to us by accident, not by preconceived design, and some of the best work that I have ever done in Congress has been in connection with the Committee on Insular Affairs, trying to devise means to help out the people in these insular possessions that came to us. The best part of it is this bill putting on the free list the products of the Philippine Islands. You must admit that is an improvement over former bills at least.

Then, Mr. Chairman, we paid more attention to the definite and technical language of the bill than was ever observed in any other tariff bill that has been passed. It is a great improvement on them all in this respect. That took time and thought and study—study of the decisions made under all of the tariff bills—for we believed it was most important when you imposed duties that everyone who imported should pay the same duty that his neighbors paid for the similar importation of goods, and should not escape by anything that could be misconstrued even, and the result has shown the wisdom of the course, because the bill has been more easily interpreted than any former bills.

We provided a Customs Court, and once in awhile I see a gentleman who simply knows that there is a Customs Court and that it has cost some money and will cost more, and he sneers at it. Before that, suit could be brought in any circuit court of the United States, and there were diverse decisions on the same class of cases in the different courts of the United States, and then they had to go up to the Supreme Court—a question of no great importance as a question of law, but involving much in the way of revenue—to have it reviewed there. We placed it in the power of a court which should have the final say on the subject of all these cases, no matter where they

arose, in any part of the United States, and deprived all other courts of jurisdiction.

We improved on all the former bills in this respect. My friend from Missouri has gone out. He knows that I spent much time on the valuation clause and the perfecting of that clause; that because there was no sale but only a consignment of certain articles, which were not sold in open market where produced, we could not establish any foreign market price on which to levy an ad valorem duty. We put in a provision fixing the value in such cases from the selling price here, making proper deductions for expenses in transportation of the articles, landing them on the wharfs in New York in order to determine the cost of the goods abroad; I remember the gentleman from Missouri saying at one meeting of the committee that, if I could accomplish that, I would accomplish the greatest result that had ever been attained in making any tariff in the United States. Well, I got the clause in. There have not been many cases arising under it. The importers seem to be afraid of it, but now they supply the figures they would not supply before as to the cost of the goods abroad and the prices where before they had no prices. It is one of the minor points of the bill, perhaps, but one which your Speaker thought was an important point at the time. Now, you are making an ad valorem, the very worst class of duty that there is. Why, no Democratic Secretary of the Treasury, except Robert J. Walker, ever advocated an ad valorem. Your last Secretary, Mr. Daniel Manning, of my own State, who filled the position as ably, perhaps, as any man who occupied it, made a long report against this ad valorem duty business and quoted the former Secretaries, and that has been the universal feeling of men of experience who have tried the enforcement of ad valorem duties; that they occasion frauds, and we ought to have specific duties. England, Germany, France, Spain, all the great commercial nations of the world have specific duties and not ad valorem, where it is possible to have them. We have been increasing the number of specific duties in the tariff bills we have passed. It has been our policy to make a specific duty wherever we could. Sometimes, of course, you put a duty by the pound and it will result in a large ad valorem on the low-priced goods and a small ad valorem on the high-priced, and we have sought to avoid all such cases as that. We have in former laws and in this law added to the specific duties, and we have improved in that respect over other tariff bills ever passed in the United States. Oh, Germany is said to have an ideal tariff law. They make their duties specific.

From principle and because of our experience we put a maximum and minimum clause in this bill, and that was an improvement on all former bills ever passed in the United States. It had been adopted by every great commercial country in the world. They have driven sharp bargains under it, some of them. We were getting the worst end of the business; we had nothing to offer them. They would give us the worst of it every time, and our rivals got the better of us. We put in the maximum and minimum rate of duty, and that has stood the test of time, and has enabled the Executive to get our goods into foreign ports at a lower rate of duty than ever before. In many cases we have the best rates, or as good as any other country, and in some cases where there are treaties we have not got as good, but we have increased our exports by reason of this clause in the bill. Last year, for the fiscal year 1910, we had a billion and a half exports; it was larger than we ever had. This year we have now for 11 months up to the 1st of June the largest exports ever in any 11 months in any year. If they keep on to the end of this month the exports for this fiscal year will be over $2,000,000,000. [Applause on the Republican side.] Orators stand on the street corners braying to the tune of the Democratic donkey, and saying, "The worst bill ever passed; the most iniquitous tariff bill ever passed; the most outrageous bill ever passed." I wish we had all of you here, I would like to give you a few brief instructions on this subject so you would know what to look for in reference to the present tariff law passed in 1909, and you have no excuse for your ignorance——

Mr. HARRISON of New York. Will the gentleman yield?

Mr. PAYNE. Certainly.

Mr. HARRISON of New York. For the sake of information, which I would be very glad to have, will the gentleman tell the House briefly what countries have lowered their tariff rates, and in what commodities, operating under our maximum and minimum clause?

Mr. PAYNE. I could not give the gentleman details of that in half an hour. I do not have it here, either.

We have the largest free list of any bill that was ever passed except the McKinley bill. The McKinley bill put sugar on the free list, and a little larger percentage of the importations were free under that bill than under this. But the free importations are greater than in the Dingley bill, and greater than in the Wilson bill. Almost 50 per cent of the goods coming into this country come in absolutely free, and we added to the list, and still, I suppose, some of you will go out and say we increased the duties, even in places where we took them all off. It does not seem as though there was an Ananias of that kind in the House of Representatives, but there have been so many Ananiases in the last two years that I begin to doubt any man when I look into his face as to whether he is telling the truth or not. I will put these statistics in. We increased the duties on luxuries, on whiskeys, on wines, on jewelry, on spices, and feathers that are fixed up for adornment, and toilet articles of a fancy kind, and fancy soap, and various things of that kind. We increased the duties on those in order to get more revenue. We would do it again if we were to make the bill again. I do not believe that you, with all your idea of tariff making, will take them off, either, or will reduce them a dollar's worth, or even introduce a bill to do it, or even let it get through your caucus. I think while the duties on sheep would move you, the high duties on luxuries might possibly restrain you from doing any such foolish thing as that.

As a revenue measure, it was a complete success. We were cutting down revenues in the McKinley bill, and before the period was over, after the Democratic election, we were short on our duties, and we had an actual deficit of revenue with which to meet the expenses of the Government; a thing that was continued under the Wilson bill. We passed the Dingley bill, and we had revenues under that. And we started the work of building the Panama Canal.

I did not meet a man in the House, or hear him say a word, in favor of paying the expenses of building the Panama Canal out of the current expenses of the Government and increasing the revenues in order to do it. It was the consensus of opinion that this wonderful work, the greatest undertaken by any individual nation, should be paid for by posterity, that we should issue bonds to pay for the work, and in the meantime, when we had a surplus revenue, it was a mighty good place in which to deposit it in paying for this canal as we went along. We pursued that policy, and when there was not enough accumulation of surplus—there has always been a surplus since—we issued the bonds to take the place of the money out of our current funds that had been used in building the canal.

Now, I am going to refer to this daily statement once more. June 1, right under the statements we put in, on page 2, we find "Panama Canal," and then follows "Receipts—Proceeds of bonds" and "Disbursements for canal," and "Excess of Panama Canal receipts over disbursements," with a star referring to the statement that it is a case of disbursements over receipts, because during the past year no bonds have been issued, and we have paid out for the canal during this year, up to June 1, $34,909,000, or nearly $35,000,000; to this date last fiscal year, $31,207,834.86. Now, the total amount expended on purchase and construction of the Panama Canal from its inception to this date, June 1, was $239,005,414.10; of this the Treasury has been reimbursed from the proceeds of bond sales in the sum of $87,309,594.83. The balance expended out of the general fund of the Treasury and reimbursable from the proceeds of bonds not yet sold, $151,695,819.27. The total bonds authorized by the existing law for Panama Canal—the estimated total expense—$375,000,000. The total bond issue to this date is $84,000,000. Balance of bonds authorized and not yet issued, $290,569,000. And $50,000,000 of these bonds have been advertised and the bids are to be received to-day, and they will go to reimburse the money that has been paid out of current funds and in the building of this canal. We passed two bonding acts in reference to the canal. One of them was contained in the present tariff law, and under this provision the bonds are being sold. It shows the intent of the American Congress to pay that out of the sale of bonds and charge it to the future, and let the future pay for it, and the generations to come ought to pay for it. Last year, on the 30th of June, in the Treasury reports, there was a surplus under this law that had been in force 11 months, of $15,866,328.94.

To-day we are $24,400,000 better off than we were a year ago to-day. [Applause on the Republican side.] Add that $24,400,000 to your $16,800,000 and you get $31,000,000——

Mr. YOUNG of Michigan. Forty-one million dollars.

Mr. PAYNE. Yes; $41,000,000. I used to be a lightning calculator, but some of it has left me. It is $41,000,000. That is the amount indicated as surplus in the Treasury for this year. I put that over your false statement, which comes here with the unanimous sanction of your caucus, that the Treasury is depleted and depleting, framed in order to conjure up an excuse for putting this duty on wool. Oh, how hard pushed you were

that you could not stop even to read, much less to study, the actual statements as to the condition of the United States Treasury when you were rushing this bill through the caucus and getting the assent of the weak brothers to it—men who had conscientious scruples about consenting to it!

Now, I have a statement here from the Bureau of Statistics. Here it is. It was furnished to me last fall, after the present tariff law had been in existence for a single year, commencing on the 1st day of August and running for a year. Of course five days of it ran to the Dingley law. The rest of it was under the present law. I have the amount of the imports under this law, under the McKinley law, under the Wilson law, under the Dingley law, and the revenues each year on those importations. The percentage is figured out for the entire period under each law while it was in existence. I will not stop to read all the figures. I will put them in the RECORD. They are good food for you gentlemen on that side to ponder over about the time you say your prayers and ask God to forgive you for all the lies you have told unwittingly about the present tariff law. [Laughter and applause on the Republican side.]

Here are the figures: Under the McKinley law, 44 months, percentage of duties on the dutiable goods, 47.1 per cent; the Wilson law, 35 months, similar statement, 42.8 per cent; Dingley law, 144 months, 45.8 per cent; present law, 41.3 per cent. [Applause on the Republican side.]

And remember, these figures include the high duties on the luxuries that we put into the present bill. Go out now and look some one in the face in the street and say it was not a revision downward, but a revision upward all the time! [Applause on the Republican side.]

Why, we took the duties almost off of shoes and leather of every kind. We put hides on the free list. We reduced iron ore from Cuba from 40 cents a ton to 12 cents a ton, and 15 cents a ton from other countries. We had to run over my brother from Michigan [Mr. YOUNG] in order to do that, but we did it, and we cut off the duty on pig iron from $4 to $2.50, and the duties on structural steel, except the finished shapes, and we put slightly higher duties on those. All through the schedules of the bill we adjusted the duties to the difference in cost of production between this country and abroad. The result was, of course, a reduction of duties. Why, we cut some duties down so low that we made the industry bleed. They are getting in more iron ore than my friend wishes we were getting, and more pig iron and more scrap iron.

Competition? Yes. They are coming here and taking part of our market. You say we promised a lowering of the tariff. It was an implied promise that where it was higher than the difference in the cost of production here and abroad we would lower it, and we promised, also, that where the duties were not protective we would still make out the difference in the cost between here and abroad. That is what we tried to do, and that is what we did with a great portion of the bill.

As I said before, we could not change this duty in the wool schedule, although some of us wanted to and believed we ought to do it. We did not do it, however, because some of the Members believed that the evidence we had before the committee would not warrant it. They had a right to their opinion and I had a right to mine. They have not changed their opinion since and I have not changed mine.

Here is the table of the Bureau of Statistics:

FIRST FULL YEAR OF NEW TARIFF LAW.

Imports of merchandise into the United States, the per cent entered free of duty, the customs receipts, and the average ad valorem rate of duty during the first 12 months' operation of the Payne tariff law (Aug. 1, 1909, to July 31, 1910), compared with the corresponding period of earlier years; also a comparison with like data covering the entire period of the Dingley, Wilson, and McKinley laws, respectively.

[Prepared by the Bureau of Statistics, Department of Commerce and Labor.]

Tariff laws in force.	12 months, Aug. 1 to July 31—	Imports (million dollars).			Per cent free.	Customs receipts (million dollars).	Average rate of dutiable imports.	Ad valorem duty on total imports.
		Free.	Dutiable.	Total.				
							Per cent.	*Per cent.*
McKinley tariff	1891[1]	378.0	456.4	834.4	45.3	211.1	46.3	25.3
	1892	456.2	369.9	826.0	55.2	179.1	48.4	21.7
	1893	444.2	419.7	863.9	51.4	209.6	47.8	23.2
	1894	387.6	269.5	657.1	59.0	125.6	46.6	19.1
Wilson tariff	1895[2]	357.1	382.6	739.7	48.3	157.6	41.2	21.3
	1896	359.6	399.2	758.8	47.4	157.6	39.5	20.8
	1897	388.5	377.8	766.3	50.7	181.1	47.9	23.6
Dingley tariff	1898	281.7	331.6	613.4	45.9	148.3	44.7	24.2
	1899	306.6	399.6	706.3	43.4	207.9	52.0	29.4
	1900	363.3	490.2	853.5	42.6	236.2	48.2	27.7
	1901	345.5	487.1	832.6	41.5	240.0	49.3	28.8
	1902	399.2	510.2	909.4	43.9	257.6	50.5	28.3
	1903	432.3	596.5	1,028.8	42.0	282.6	47.4	27.5
	1904	449.4	530.7	980.1	45.9	258.3	48.7	26.4
	1905	521.8	609.0	1,130.8	46.1	264.2	43.4	23.4
	1906	554.9	689.7	1,244.6	44.6	305.2	44.3	24.5
	1907	659.5	797.0	1,456.5	45.3	335.9	42.2	23.1
	1908	507.6	648.6	1,156.2	43.9	277.4	42.8	24.0
	1909	606.7	731.3	1,338.0	45.3	310.3	42.4	23.2
Payne law	12 months[3]	768.0	794.6	1,562.6	49.2	327.9	41.3	21.0
	August, 1909	54.2	62.9	117.1	46.3	28.6	45.5	24.4
	September, 1909	59.6	61.4	121.0	49.3	27.3	44.5	22.6
	October, 1909	64.6	63.1	127.7	50.6	29.3	46.4	22.9
	November, 1909	76.0	64.5	140.5	54.1	25.6	39.8	18.2
	December, 1909	77.6	61.1	138.7	55.9	27.1	44.3	19.5
	January, 1910	70.5	63.2	133.7	52.7	25.7	40.7	19.3
	February, 1910	59.6	70.5	130.1	45.8	27.5	39.0	21.2
	March, 1910	76.7	86.3	163.0	47.1	33.7	39.1	20.7
	April, 1910	62.7	71.3	133.9	46.8	27.3	38.3	20.4
	May, 1910	54.7	65.0	119.7	45.7	23.0	35.4	19.2
	June, 1910	54.1	65.7	119.9	45.2	27.7	42.1	23.1
	July, 1910	57.7	59.6	117.3	49.2	25.1	42.0	21.4
Entire period of—								
McKinley law	47 months[4]	1,642.1	1,454.0	3,096.0	53.0	684.8	47.1	22.1
Monthly average		34.9	30.9	65.8		14.6		
Wilson law	35 months[5]	1,080.4	1,132.7	2,213.1	48.8	485.0	42.8	21.9
Monthly average		30.9	32.4	63.2		13.9		
Dingley law	144 months[6]	5,423.5	6,821.5	12,250.0	44.3	3,121.8	45.8	25.5
Monthly average		37.7	47.4	85.1		21.7		
Payne law	12 months[3]	768.0	794.6	1,562.6	49.2	327.9	41.3	21.0
Monthly average		64.0	66.2	130.2		27.3		

[1] Includes 2 months under tariff of 1883.
[2] Includes 1 month under McKinley law.
[3] Includes Aug. 1–5, 1909, under act of 1897.
[4] Includes Oct. 1–5, 1890, under act of 1883; and Aug. 28–31, 1894, under act of 1894.
[5] Excludes last 4 days of August, 1894, included under McKinley law; includes July 24–31, 1897, under act of 1897.
[6] Excludes last 8 days of July, 1897, included under Wilson law; excludes Aug. 1–5, 1909, included under Payne law.

NOTE.—A reduction of about $55,000,000 was caused in customs receipts under the McKinley Act, due to reduced imports in the closing months under that act in anticipation of passage of Wilson tariff, whose revenues were correspondingly increased. Likewise, a reduction of about $45,000,000 was caused in customs receipts under the Dingley Act, due to heavy imports in closing months of the Wilson law, whose revenues were correspondingly increased. The high percentage of free imports under the McKinley law is largely due to the fact that sugar was on the free list under that act. Of merchandise other than sugar imported under that law, 39.56 per cent was free of duty.

Mr. FORDNEY. A few minutes ago the gentleman from New Jersey [Mr. HUGHES], on the question of files, said that this man, Samuel L. Nicholson, who was making files, stated that they were selling them abroad at a profit. I want to show you by the record that he stated they were selling at a loss. I refer the gentleman to page 2201 of the hearings before the Ways and Means Committee in the preparation of the Payne tariff bill. You will find that the gentleman from Alabama [Mr. UNDERWOOD], in questioning Mr. Nicholson, said:

I want to know whether the amount or price at which you were selling your files on the average in these markets is less than the cost of production, with freight added.

Mr. NICHOLSON. I should say that the actual transaction in those two countries—Germany and France—was showing no profit.

That was the thing I had in mind.

Mr. HUGHES of New Jersey. Will the gentleman permit me to read a statement in reply to that, to get it into the RECORD?

Mr. PAYNE. Yes; please give the page.

Mr. HUGHES of New Jersey. Page 2201:

Mr. UNDERWOOD. In Australia you are not selling at a loss?
Mr. NICHOLSON. No.
Mr. UNDERWOOD. You are selling files in France?
Mr. NICHOLSON. Yes; to a limited extent.

And then he goes on and asks a number of other questions, and the concluding one is:

Mr. UNDERWOOD. It does not show you a loss, does it?
Mr. NICHOLSON. We do not figure it as a loss, because there are different ways of fixing what your cost is.

And the testimony shows that he was chased through 20 or 30 printed pages of testimony, and that he qualified, ducked, evaded, and dodged, although it is quite apparent to everybody who read the testimony that he was conducting his operations at a profit in those foreign countries, because he complained at one time——

Mr. PAYNE. Will the gentleman make his speech short?

Mr. HUGHES of New Jersey. I will conclude in a second or two. He complained at one time that in one country he was going to do less business than he had the year before on account of the raising of the tariff.

Mr. FORDNEY. If you will read the whole paragraph you will see he states that because the tariff was imposed upon those goods they were doing business without profit, but in the countries where there was no tariff they may have made some profit, if they figured their cost in a certain way. That is what the gentleman has read.

Mr. HUGHES of New Jersey. If the gentleman will buy me a box of cigarettes, I will buy him a cigar.

Mr. FORDNEY. If I owed you one, I would buy it. [Laughter.]

Mr. PAYNE. I think the committee understands it now. Of course, Mr. Chairman, figuring the percentage on the dutiable goods, you give us no credit for the duties that are remitted entirely. For instance, hides disappear from the dutiable list and go on the free list, and of course they show no reduction in the general percentage. So with the other matters placed upon the free list. For the entire period of the McKinley law the percentage of duty on the whole list, dutiable and free, was 22.1 per cent, and that with free sugar. Under the Wilson law the percentage was 21.9, under the Dingley law 25.5, and under the present law 21 per cent, or lower than any of them. [Applause on the Republican side.] We were revising the Dingley bill, and we reduced these duties from 25.5 to 21 per cent exactly.

But, gentlemen, what was the percentage of reduction of the duty itself? Of course you must subtract the percentage of the duty under the present law from that under the Dingley law and divide that difference by the Dingley ad valorem to get at that fact. When you do that you will find that the reduction in the duties on the dutiable list in the present law is a reduction of 10 per cent from the duties in the Dingley law, on the dutiable list, and the reduction of the duties on the whole business, the equivalent ad valorem under the present law, is a reduction of 0.176 per cent as compared with the duties on the whole business in the Dingley law. Was that a revision upward? Now, honestly, gentlemen, was that a revision upward? These are the Treasury figures of the entire receipts on the goods imported. What is the use? Let justice be done, though your imaginary Democratic heavens fall. Come out and confess the truth, just as you are willing to about the revenue, now that you have been so thoroughly exposed.

Mr. LONGWORTH rose.

Mr. HUGHES of New Jersey. Does the gentleman admit that heaven is Democratic?

Mr. PAYNE. I yield first to the gentleman from Ohio. I did not catch the remark of the gentleman from New Jersey, and I do not want it to go into the RECORD unless I understand what it is.

Mr. LONGWORTH. I want to call the attention of the gentleman to a statement made by me in the debate last year in reply to a statement that the Payne law had increased the duties on the necessities of life. I challenged any gentleman, as I do now, on that side of the aisle to mention one article of daily necessity used either in the poor man's home or on his table, or upon his person, the duty on which had been increased, and the only answer I received was "lemons."

Mr. HARRISON of New York. All sorts of cotton manufactures. [Applause on the Democratic side.]

Mr. LONGWORTH. The gentleman can not name one.

Mr. PAYNE. Mr. Chairman, if I had the time and the strength I would pursue this thing. There is not a phase of it that I am not willing to meet anywhere with any man that lives. [Applause on the Republican side.] All I want is the truth. I do not care to gain my cause by lying, and never did. I have generally weighed my statements before I made them, and sought to verify them. If I have made mistakes, they have been unintentional mistakes. [Applause on the Republican side.] Some of you people have made honest mistakes. Do not repeat them. Find out about it; and if you find you are wrong, say so. It will not make much difference. The period of vilification in the public press has passed. They begin to speak well of this bill. I have had people writing for the muck-rake magazines introduce themselves to me, take me by the hand, and say, "I was prejudiced against your bill and your action in the committee. I did not think you went in for an honest revision of the tariff. I did not think you reduced the duties in the tariff; but since then I have read every word of the evidence, every word of your examination of the witnesses, and I have compared the bill with what went before, and I want to apologize to you now and say that I have been utterly mistaken in regard to this bill and the way it was made and in the framing of it."

Of course, gentlemen, like all others, I like to have a good reputation. I do not like to be hounded and followed with slanderous vituperation. I have had a good deal of it in my day, and I have got to be pretty thickskinned.

I had the Porto Rico business for several months after the bill became a law, and on an appeal the Supreme Court decided our powers in regard to the taxation of imports from Porto Rico, and after the constitutionality of that law was affirmed by the Supreme Court a certain Senator in the Senate had put on the civil government bill, that had been reported by the gentleman from Wisconsin, Mr. COOPER, chairman of the Committee on Insular Affairs of the House, and it was announced in the papers and in the bill and was referred to in the Supreme Court decision as the law of that Senator.

I never got any credit for it. I do not care anything about that. I do not care anything for abuse or for the vilification. In the law itself I put a provision that the money raised for this should go for the support of schools and the building of schoolhouses and civil government in that island. I found that they needed the revenue. A newspaper editor came from the West and said he never got any idea that that was in the bill. Constituents wanted to know why I did not put it in. But that does not make much difference. That is past history. But here is a great piece of legislation involving the welfare and the comfort of millions, and no partisan exigency, no spleen manifested outside of this Hall ought to keep them from telling the truth about the present tariff law. Gentlemen, I thank you. [Loud and prolonged applause.]

Mr. RANDELL of Texas. Mr. Chairman, the distinguished honor of following the gentleman from New York [Mr. PAYNE] in these concluding hours of the debate I fully appreciate. I assure the House that their patience will not be wearied nor their time be taxed by unnecessary details.

The distinguished gentleman from New York, the former chairman of the Ways and Means Committee and the author of the present tariff law, has taken a very wide range in the discussion of this bill. He has talked about almost everything except the bill. His attack upon the Democracy, Democratic doctrines and policies, and statements of Democrats in recent years, seems to be mixed with a considerable amount of feeling. That feeling appears to be largely personal, a thing I regret, because questions of this kind are not generally seen very clearly by those who have personal feeling to blear their vision and to influence the method of mental procedure in considering the various questions at issue. The gentleman from New York [Mr. PAYNE] is rather harsh—perhaps not intentionally, but in the force of his feeling—in characterizing the various Democratic statements that have been made in reference to the Payne bill, a measure which he, as its author, vigorously defends. I think his reference to the Ananias Club is hardly appropriate. The Ananias Club, as I understand it, is an

organization purely Republican in its origin. [Laughter on the Democratic side.] The gentleman says that the present bill is simply a tissue of falsehoods, and he characterizes it as "lies" and objects to our going to the country with "lies," and he says that if we go to the country in that way we will be repudiated. Of course, Mr. Chairman, I agree with him that the country will not commend us for falsehoods and lying, or for any kind of deception. So far as the danger of being repudiated by the people on account of lying is concerned, I am quite sure that the information is very reliable, coming as it does from a stand-pat Republican. Experience is a great teacher, and the Republican machine has had much experience in deception and in receiving the punishment therefor.

But, Mr. Chairman, this bill is not a lying bill, it is not a deceptive measure. Whether it is wise or foolish, whether it should meet with the approval of the American people or not, whether it should become a law upon the statute books or should fail to pass, are matters that can be discussed fully, fairly, and clearly. There is no necessity nor cause for snarling anger. The bill is clear in its terms, and there has been ample time for its consideration and discussion. Many speeches have been made during this discussion relevant and irrelevant to the bill. Many of them, Mr. Chairman, in my opinion, will stand as beacon lights to guide future legislators in considering and revising this schedule. [Applause on the Democratic side.] Many of them, not so relevant to the bill, are nevertheless full of information and wisdom, and they will be read by coming generations, and studied by men who desire honestly to serve the public. Right here I wish to say that the weakness of the Republican position in reference to this bill is very apparent. They show the paucity of their store of arguments when their principal speakers spend most of their time in discussing what they claim was a great mistake made by the gentleman from Alabama [Mr. UNDERWOOD] in reference to the daily financial report of the Treasury. The gentleman from Alabama, chairman of the Ways and Means Committee, stated in his opening speech that the Treasury was in "a depleted and depleting condition." The same statement is made in the report of the Ways and Means Committee in reporting this bill; and like allegation was made by resolution of the Democratic caucus. This statement is denied by the gentleman from Illinois [Mr. MANN], Republican leader on that side, and the denial reiterated by the gentleman from Pennsylvania [Mr. DALZELL] and the gentleman from New York [Mr. PAYNE].

If the gentleman from Alabama made a mistake in reference to one item in a long and intricate financial daily Treasury statement what does it signify? The gist of it is this, that the Treasury under a Republican administration is, and has been for a long time, depleted and in a depleting condition. They may make all the denials they think proper; the facts remain. The money has already been appropriated out of the Treasury by statute for 1911 and 1912. The incidental revenue has been phenomenally large in the last few months (a condition that can not be counted on to remain). Gentlemen may take advantage of the fact that, on account of a number of unusual circumstances, the general fund in the Treasury has not been depleted and is not depleting so much as it has been, but the fact stands that the expenses of this Government are more than the revenue that can reasonably be expected from the laws as they stand to-day; and I reassert in my place here in this House that the records will bear it out, and I reaffirm the fact, as stated by the gentleman from Alabama, and as stated by the caucus, and as stated in the report of the Committee on Ways and Means, that the Treasury of the United States is in "a depleted and depleting condition." [Applause on the Democratic side.]

That being the case, the Democracy of this House, in framing tariff legislation, should endeavor, of course, to provide for the expenses that have been contracted for the coming year. The Canadian reciprocity bill, a Republican measure, already passed by this House, will cause a loss to the Treasury of some ten or twelve million dollars a year, according to some estimates. It will probably pass the Senate and become a law. The Republican leaders in the House earnestly, apparently (because I will not question their sincerity and call their position "lies"), declared most vehemently that this administration bill was a blow at protectionism, and that it would deplete the Treasury.

The ludicrous part of their contention, however, was the plea that the bill would injure the farmer. These champions of the protected interests were awfully afraid the farmer would suffer. The gentleman from Pennsylvania [Mr. DALZELL], in the conclusion of his speech against Canadian reciprocity on February 14, 1911, said:

Mr. Chairman, I have shown that this measure is an unwise business measure. I have shown you years of disaster under a Canadian reciprocity agreement, and after its denunciation succeeding years of great prosperity down to this blessed day. I have shown you that this measure is unrepublican; that it violates the principles of the Republican Party; that it abandons protection and espouses free trade. It is a violation of the pledge of every Republican platform for the last 50 years of our history. [Applause.] I have shown you that this measure is obnoxious class legislation, that it sacrifices the farmer, the bone and sinew of the Republic, and destroys his interests. And now I fain would appeal to party loyalty, but I know it is of no use. The Republican protectionist, when this vote is taken, marches to his doom. He can not resist a united Democratic Party and such Republicans as hear from somewhere else an appeal louder than the appeal of party loyalty. United, together they will march to victory under Democratic leadership under the folds of the Democratic free-trade flag. I decline to follow. I shall stand where I have always stood, and go down with my party.

He followed this speech with a motion—

to recommit the bill to the Committee on Ways and Means with instruction to report the same back with the addition of the following articles to the reciprocal free list, to wit:

"Fresh meat and all meat products, flour, prepared cereal foods, bran, agricultural implements, cotton ties and bagging, binding twine, and lumber."

In his desire to be just to the farmer, in his desire that the bill should be fair, he offered this motion. Now, he knew that would endanger the passage of the bill.

The Democrats did not take the bait, but passed the bill, in good faith, through this House, passed it up to a Republican Senate, passed it as an administration measure, a step in the right direction, of a Republican complexion, which at the same time did promise some relief. Mr. Taft had gotten up that measure in answer to a nation-wide clamor for relief from the Payne-Aldrich bill. Mr. Taft had gotten it up to meet that popular clamor, and yet——

Mr. FOCHT. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Texas yield to the gentleman from Pennsylvania?

Mr. RANDELL of Texas. Certainly.

Mr. FOCHT. I would regret very much to have the remarks of the gentleman pass into the RECORD without some protest with respect, at least, to the statement that this is a Republican measure. It may be an administration measure, but, as the gentleman well knows, a majority of the Republican Members voted against it, and I say to-day that it does not reflect the Republican sentiment of this country. [Applause on the Republican side.]

Mr. RANDELL of Texas. Well, I thought it was a Republican measure. The gentleman admits it is an administration measure and I understood it was a Republican administration, at least in name. If it is an administration measure of a Republican administration, it is a Republican measure; and the fact that many of those who are known as the stand-pat Republicans, who run the Republican machine in this House, opposed the bill simply means that reciprocity was a step in the interest of the people, as against the special interests which the stand-pat Republicans here in this House constantly defend, and that is the reason they fought it. [Applause on the Democratic side.]

Mr. FOCHT. Mr. Chairman, will the gentleman yield for another question?

Mr. RANDELL of Texas. I will yield for a question, but I do not want the gentleman to make a speech in my time, as I am going to get through very soon.

Mr. FOCHT. Is it not a fact that the so-called insurgent element—the progressive element—stood solidly against reciprocity, or so-called reciprocity, and stand solidly against it in the Senate, and that the construction you would put upon this phase of the situation is not the correct one—that it was supported solely by the stand-pat Republicans?

Mr. RANDELL of Texas. Why, Mr. Chairman, I understand there is some division of opinion in reference to this matter. I understand the insurgents, so called, had been stirred up because it was claimed that the farmers in the West would not favor the bill unless they were protected; and yet, when the farmers' free-list bill was presented by a Democratic caucus, and by the Democrats of this House was passed, many of those gentlemen on the Republican side who had made such strenuous talk for the farmer talked against the bill which placed on the free list what the farmer has to buy. They said it would do the farmer no good; it was not just to anybody; it would deplete the revenues, and so forth; and yet we noticed that when it came to a vote on that bill the line of demarcation between the stand-pat Republicans and the brethren known as insurgents was much more marked.

The insurgents looked more with favor upon the bill. The reciprocity bill was forced on the administration by popular clamor for tariff reform. It was the best that could be done under the circumstances, the President thought, and was intended to allay popular clamor and thus avoid a general revision of the tariff. The champions of protectionism felt that the protection wall was in danger of serious injury and, perhaps,

total destruction by concessions contained in the reciprocity bill. They were fighting for protection, and not because the bill lacked merit.

Those who have devoted their lives to the service of the protected interests and know the sources of their predatory power oppose to a man any breach in the protection wall. The specially favored interests know that the beneficiaries of the system must stand together, or the graft of each will be lost by the downfall of the whole system. No revision of the tariff can be made by men of that mind. Hence, their desperate effort to arouse the distrust of the farmer and appeal to his selfishness and cupidity. If the agricultural interests can be combined with "predatory wealth," protectionism may get a new lease on life; otherwise the people will triumph and the fruits of labor will enrich the toiler. That fight was made in the name of labor, and in the name of the farmer, when, as a matter of fact, it was for the manufacturers and trust magnates, and them only.

It is claimed that this revision of the woolen schedule is not a Democratic bill. Some gentlemen of high standing on the other side of the aisle differ very much in their characterization of this measure. We are told by one, the floor leader on that side, the gentleman from Illinois [Mr. MANN], that the protection in this bill is so high it is absolutely unconscionable as a revenue measure. And another gentleman, a former leader on the floor and former chairman of the Ways and Means Committee, who has just addressed the House, the gentleman from New York [Mr. PAYNE], takes the position that the protection is so low that it will destroy the manufacturer in the woolen industry in this country if it should become a law. He sounds that alarm, hoping that the bill will not pass, and that his prophecy may stand as a terrorizing agent to those who are interested in the woolen industry. Why do those men of such high standing on that side of the House speak such opposite doctrine? Why is it that some of the best minds on that side, instead of saying that this bill is undemocratic, instead of saying that it is entirely lacking in any protective feature, instead of saying it is so high protection that it is unconscionable, admit that it is a great improvement on the present law, and they will have to vote for it on that account? If it is an improvement on the present law, then, why should we fight it and talk about deceiving people, talk about trying to deceive the public, and lying to the public? If the bill is an improvement it ought to be voted for by Democrats, Republicans, or any other Members of this House. [Applause on the Democratic side.]

I do not know that I am so specially concerned about whether this bill is a strictly Democratic measure or not. We have to do the best we can according to circumstances. The Democratic Party declared in favor of a gradual reduction of the tariff. What did it mean by that? Everybody understood it. A system had been built up under the high protection of the Republican tariff; conditions had arisen that we must deal with intelligently in the interest of the whole people; and it was not deemed best in revising the tariff to a revenue basis that we should do so in such a sudden manner as to cause any undue shock to the people or the business interests of the country, but that, with strong hands and clear minds, diligently considering the task, we endeavor to readjust the tariff so that the stilts should not break and inflated business suddenly topple and fall, but unnatural conditions should be corrected in a sensible, gradual way to a proper economic basis.

As to Schedule K, have not we reduced it, and considerably reduced it? And yet, I ask every candid man, no matter on which side of the House he may be, is it not a fact that an average of 40 per cent on woolen cloth is a tariff that the manufacturer has no right to complain about, even from the protection standpoint?

I am not here to say there is no protection in the bill. I could not candidly state that. The inequalities and defects have not all be removed. But from the standpoint of a tariff for revenue I would say that the bill is well framed for that result and at the same time with the view to a gradual reduction of the tariff to a proper revenue basis. If we desired to put the bill down to a Democratic basis at once, there would be somewhat of a shock, perhaps, to the woolen manufacturing industry. We, however, could have put raw wool on the free list and followed the Democratic doctrine for the last 50 years or longer, without any shock to the woolen industry, and have reduced the amount of the tariff on the finished product. By so doing under present conditions the amount of the revenue would be greatly decreased. The woolen industry, by having free wool, could afford to have the tariff reduced at least 10 per cent. In other words, if we put 25 per cent ad valorem on woolen cloth with free raw wool, the manufacturer would be in the same condition, practically, as with raw wool at 20 per cent and woolen cloth at 40 per cent, as in this bill. But anyone who is familiar with the statistics in reference to it will see, and will be bound to admit, that the amount of revenue would be greatly decreased. It is estimated that there will be about $13,000,000 derived from raw wool under this bill. That is less than raw wool brings in under the present law, but this tax is only 20 per cent ad valorem, while the present law of 11 cents a pound is from 40 to 60 per cent ad valorem. The manufacturer has claimed, and receives under the Payne bill, a "compensatory" duty of 44 cents a pound on account of the tariff on raw wool. Now, to remove the tariff from raw wool and to remove the compensatory duty would leave him where he would have all the protection that he claimed his industry was entitled to when the Payne-Aldrich law was written, to wit, from 50 to 55 per cent ad valorem.

We propose to strike out the specific duty of 44 cents per pound and to reduce the ad valorem duty 20 per cent. Gentlemen on that side find it bewildering their wits to decide whether to condemn the bill for the protection retained by it or to rave their bitter denunciation for its reduction of protection. The consumer evidently has reason to hope. This bill is denounced as being one of ad valorem duties. That fact is one of its chief virtues. The Payne-Aldrich bill in this very same wool schedule puts on ad valorem duties, specific duties, compensatory duties, every kind of combination duties you can name and mixes them up, so that no one can tell just what the tariffs paid by the people really are. Only experts can even estimate the amounts. It is a cunning device, combining the different kinds of duties, accentuating the evils of each, deceiving the people, robbing the consumer, cutting off revenue, and fostering monopoly.

We have only the one simple method—the ad valorem duties. Our plan is better for the woolgrower as well as the consumer. It works no injustice on anyone. It is easily understood and applied. As shown last night by the able argument of the gentleman from Minnesota [Mr. STEENERSON], the sheep raiser can get more under a 20 per cent ad valorem duty than he had ever gotten under the specific duty of 11 cents a pound.

Mr. LONGWORTH. Will the gentleman yield?

The CHAIRMAN. Does the gentleman from Texas yield to the gentleman from Ohio?

Mr. RANDELL of Texas. Certainly.

Mr. LONGWORTH. Do I understand that the gentleman says that a decrease of the duty by 60 per cent will increase the price of raw wool?

Mr. RANDELL of Texas. I think that while that may be a seeming paradox, it yet may really be the fact, and if the gentleman was not here last night and did not hear the argument of the gentleman from Minnesota, I would recommend that he get his speech when it appears in the RECORD and read it carefully and he will find it was very fully demonstrated.

Mr. LONGWORTH. Then I will ask the gentleman if the duty on raw wool was reduced 60 per cent for the purpose of increasing its price?

Mr. RANDELL of Texas. It was reduced for the purpose of raising revenue in the amount named.

Mr. LONGWORTH. The gentleman says that the duty was formerly somewhere between 40 and 60 per cent, and that it is now reduced to 20 per cent.

Mr. RANDELL of Texas. That is the average.

Mr. LONGWORTH. Yes; the average. Now, I will ask the gentleman this: Whether he thinks by reducing the duty from 60 per cent to 20 per cent that will increase the price of raw wool?

Mr. RANDELL of Texas. I say that the gentleman from Minnesota [Mr. STEENERSON], in a very carefully prepared and learned dissertation on this subject, showed it quite conclusively, and I think he would have convinced the gentleman from Ohio, if he had heard him, that under this law the wool producer, if he sees proper, can recover more profit under a 20 per cent ad valorem tariff than he has ever been able to get under a tariff of 11 cents a pound.

Mr. LONGWORTH. In other words, it will increase the price of raw wool? Will it? I would like to have the gentleman answer my question.

Mr. RANDELL of Texas. He will get more for it. The wool producer will get more out of this bill than out of the Payne-Aldrich bill, but at the same time the price of the finished product to the people will be only 10 per cent higher, by reason of the tax on raw wool, whereas under the Payne-Aldrich bill it was 44 per cent higher.

Mr. LONGWORTH. Then, let me ask the gentleman this question: He states that if raw wool had been put on the free list you could have reduced the duty carried in this bill to the

manufacturer. Do I understand the gentleman to mean that if wool is placed on the free list it would have very much reduced the price?

Mr. RANDELL of Texas. Well, of course, all the wool that is imported into the country has to be paid for according to the rate fixed in the law, and all the imported wool would be taxed 20 per cent ad valorem under this bill. It is taxed now at 11 cents a pound.

Mr. LONGWORTH. I asked the gentleman a question that he can answer by "Yes" or "No." I asked him whether, in the event raw wool was placed on the free list, it would reduce its price?

Mr. RANDELL of Texas. It might do it temporarily, but I really believe the general result of it would be an increased price, by reason of the industry being on a better basis. In other words, I believe that all the tax on raw wool, so far as the protection standpoint is concerned, is a pure gratuity to the wool producer.

Mr. LONGWORTH. That is it! And therefore he gets the higher price, does he not?

Mr. RANDELL of Texas. All he gets is a pure gratuity.

Mr. LONGWORTH. Why is it a gratuity?

Mr. RANDELL of Texas. I say all that he gets is a gratuity.

Mr. LONGWORTH. I want to know if the gentleman desires to go into the RECORD, as the ranking member of the majority of the Ways and Means Committee——

Mr. RANDELL of Texas. What I say will go into the RECORD, and I will stand by that.

Mr. LONGWORTH. I want to know if the gentleman wants to go into the RECORD as saying that a reduction of the duty on raw wool will increase the price of raw wool?

Mr. RANDELL of Texas. I believe eventually it will, but temporarily it will not.

Mr. LONGWORTH. I wanted to know.

Mr. RANDELL of Texas. That is my candid answer.

Mr. SLOAN. If the gentleman will yield to me, I am interested also from the wool producer's standpoint. Do I understand the gentleman correctly that he indorses the argument of the gentleman from Minnesota [Mr. STEENERSON], which shows that the wool producer will have a more effective revenue protection—if I may use that term—under the new bill than he had under the old one?

Mr. RANDELL of Texas. I have just expressed myself along that line. I think he will be benefited by it.

Mr. SLOAN. Then, as a matter of fact, this bill raises the protection over what it has been heretofore to the wool producer?

Mr. RANDELL of Texas. I do not understand that every revenue item is protection, and I do not care to be led off into that sort of a discussion. Some gentlemen believe there is "protection" wherever you levy any tariff. I am not going into such abstruse questions as that. As a matter of fact, whatever protection this bill has in it is simply a necessary remnant of the protection in the present tariff law.

Mr. HUGHES of New Jersey. Is it not true that this bill, by wiping out the discrimination that now exists between the duties on first and second class wool, will to that extent redound to the benefit of the home wool producer?

Mr. RANDELL of Texas. Very much so. We do not produce the finest wool. Under the ad valorem duty the wool in this country will have a much better showing in the market than it would on the basis of so much a pound of specific duty. That has been argued, and I think it is correct; but I do not propose to take up the time to go through the same argument again, or to elaborate on that question.

This discussion is getting clear away from the range of my intended remarks. I do not desire to take all my time on these lines.

Mr. SLOAN. Has any wool producer in the United States asked for a change in the tariff on raw wool from what it is now to the basis in the proposed bill?

Mr. RANDELL of Texas. I understand a number of wool producers in the Middle West have written letters to their Members of Congress here, stating that they wanted free wool, but, to be candid with the gentleman, I do not know of any large producers who have asked it. I did not expect that they would. The miserable arrangement that was made by the Republican Party, of which it ought to be ashamed, the nefarious combination that was made between the woolgrower and the wool manufacturer, in connection with the Republican machine, to rob the public, has so blinded the sheepmen and enriched the manufacturers they still clamor for the schedule to stand untouched. They say leave Schedule K alone. There is no reason on earth why a man who owns a sheep should tax the balance of the people, and the poor people at that, in order to make his wool sell for a little more; he has no right to do it.

Mr. LONGWORTH. The gentleman, as I understand, is arguing in favor of increasing that price?

Mr. RANDELL of Texas. Oh, the gentleman from Ohio does not understand my argument.

Mr. LONGWORTH. The gentleman said that this was an iniquitous duty to enable the sheep owner to tax the public, and now he comes in and says that this bill will increase the price of raw wool.

Mr. RANDELL of Texas. The gentleman from Ohio seems to have his mind at a different angle from mine. I say that the arrangement existed, and exists, and I also add that the wool producer, while he may imagine he is getting something—and some of them seem to think they are benefited by it—as a matter of fact he is robbed by the woolen manufacturer.

Mr. LONGWORTH. But the gentleman just said he was robbing the public.

Mr. RANDELL of Texas. They together are robbing the public, and the manufacturer is putting the money in his pocket.

Mr. LONGWORTH. Does the gentleman think the present price of raw wool too high?

Mr. RANDELL of Texas. I do not know whether it is too high or too low; that question has nothing to do with the argument I am making.

Mr. LONGWORTH. It has everything to do with the argument the gentleman is making, unless the gentleman is frank enough to say that the purpose of the bill is to increase the price of wool.

Mr. RANDELL of Texas. The purpose of the bill is to raise revenue for the Treasury of the United States. I believe the effect of the bill will be good for the men that raise sheep. I have said that several times, and I think the gentleman from Ohio ought to understand it.

Mr. LONGWORTH. I want to know what the gentleman's views are on the tariff—as to the effect of the tariff on the price. Now, I will take a parallel case. The present duty on iron ore——

Mr. RANDELL of Texas. I would rather the gentleman would put his inquiry without putting a parallel case.

Mr. LONGWORTH. I want to know whether the gentleman considers the duty on iron ore affects the price to the consumer?

Mr. RANDELL of Texas. It may or it may not. I would rather talk about wool. I do not desire to go into the iron schedule.

Mr. LONGWORTH. If the gentleman does not care to be interrupted——

Mr. RANDELL of Texas. Oh, the gentleman may ask me any question about the wool matter. The gentleman's question is, Will the price of wool be raised—that is, will the tariff affect the price of wool? I suppose it does affect the price some; but, in my opinion, under the best light that I can get from those who know the most about it, the woolgrower gets about 2 cents a pound more than he would get if there were no tariff on it.

Mr. LONGWORTH. The gentleman just said that the effect of this bill, which decreases the duty 60 per cent, will increase the price over the iniquitous price they are now getting.

Mr. RANDELL of Texas. I believe eventually the wool producer will profit by free wool. His idea to-day is that he can not raise sheep unless protected by law. Men do not desire to go into a business of that kind ordinarily; they do not know when the law might be changed and the business would fail. The president pro tempore of the Senate of Texas, who claims to be a Democrat, and who is candid enough to admit that he is a protectionist, is a woolgrower, and one of the largest in the State, and has been in the business over 20 years, attending to it himself. While here, during this session, he said that wool could be raised as cheaply in Texas, or cheaper, than anywhere else in the world if it was not for the scab and the wolves.

Mr. LONGWORTH. Now, let me ask the gentleman this question, in order to bring out clearly what his views are. I will ask the gentleman if the object of himself and his colleagues on the Ways and Means Committee in bringing in this bill reducing the duty on wool is for the purpose of increasing the price of wool?

Mr. RANDELL of Texas. No; it is not for that purpose. It is for revenue.

Mr. LONGWORTH. I am speaking of the reduction.

Mr. RANDELL of Texas. Mr. Chairman, I have answered the question several times. How many times does the gentleman want it answered? I have answered the question several times, that that was not our purpose. Is that an answer or not?

Mr. LONGWORTH. No; it is not.

Mr. RANDELL of Texas. Then does the gentleman want me to say that such is our purpose? I will not make that answer.

Mr. HUGHES of New Jersey. I suggest that the gentleman from Texas allow the gentleman from Ohio to ask the question and answer it also.

Mr. LONGWORTH. I will ask the gentleman from New Jersey whether he thinks this bill will increase the price of raw wool?

Mr. RANDELL of Texas. Oh, Mr. Chairman, I want to treat my colleague fairly, but——

Mr. LONGWORTH. Oh, if the gentleman does not desire to be interrupted I shall not do it.

Mr. RANDELL of Texas. I want to treat the gentleman with every courtesy, but I submit he is asking a question of whether this tariff was fixed on wool for the purpose of raising the price. I say "no." I think that is an answer to the question.

Mr. LONGWORTH. The reduction of the duty has reduced the revenue, has it not?

Mr. RANDELL of Texas. It will reduce it.

Mr. LONGWORTH. It has, according to the gentleman's statement, reduced it about ten million.

Mr. RANDELL of Texas. No; about eight; it would do it if this bill becomes a law—that is, reduce the revenue on raw wool.

Mr. LONGWORTH. Let me ask the gentleman why, if this bill is in the interest of the consumer, you reduce the revenue, unless it is to depreciate the price of wool?

Mr. RANDELL of Texas. Wool being free, American wool would not sell for as much in the home market, perhaps, under normal conditions, as it would under tariff duty. The situation, however, is such, and the conditions have been and are such, that the producer does not get more than about 2 cents a pound on his raw wool by reason of the tariff and it does not pay nearly so much as the gentleman thinks it does.

The statement of this gentleman from Texas who, I believe, is the president of the Woolgrowers' Association in that State, is that they could raise wool in Texas at as small a cost as anywhere else in the world, except for the wolves and the scab. He further informed us that the State of Texas had already appropriated money to kill out the wolves, which will be exterminated in a very few years; not to exceed five years. He also said that the scab could be eradicated by dipping; that the trouble had been that men would neglect to dip; that he had succeeded in getting a law passed that required dipping for scab, and if the sheep owner did not do it, it would be done at his expense by the State. Not only that, but, he said, by dipping the sheep, and by having wire fences to protect them from the wolves, the wool could be produced as cheaply there now as anywhere else in the world, and he said he was for protection for the next five years. That was his statement.

The committee decided that for revenue it was necessary to put 20 per cent ad valorem on raw wool. Other bills that we had passed would reduce the tariff receipts. The Treasury had been depleted, and was being depleted, under Republican extravagance. This bill was framed, and when we are taunted with having rejected the old Democratic policy of free raw wool it seems to me that the gentlemen who inveigh against misrepresentation should stop and consider. Take this bill and the resolution passed by the caucus together. What do they mean? They mean that the Democratic Party, which has stood for free raw wool for more than 50 years and never did as a policy stand for a tax on raw wool, presented this bill as an emergency measure, for the purpose of revenue and not as a rejection of Democratic principles nor a change of the established policy of the party.

In order that the country might fully understand the position of the party as to taxing raw wool, the Democratic caucus of this House, on June 1, at the time this bill was approved, passed, by a practically unanimous vote, this resolution:

Resolved, That the bill revising Schedule K, as presented to this caucus by the majority members of the Ways and Means Committee, is not to be construed as an abandonment of any Democratic policy; but in view of the Democratic platform demand for a gradual reduction of the tariff and of the depleted and depleting condition of the Public Treasury—a result of Republican extravagance—a tariff of 20 per cent ad valorem on raw wool is now proposed as a revenue necessity.

Now, my friends, is it a Democratic doctrine? The wiles of the sophist and the craftiness of deceit could not obscure the clearness of that declaration.

Mr. CULLOP. Will the gentleman permit an interruption?

Mr. RANDELL of Texas. Certainly.

Mr. CULLOP. It was in keeping with that plank of the national platform of 1908 which provided that in the reduction of the tariff it should be made gradually until it reached a revenue basis solely.

Mr. RANDELL of Texas. Certainly; the resolution stated that. Every Democratic platform since 1856 declared for free wool. In my individual opinion, a gradual reduction on raw wool is not necessary. Were it not for revenue necessities, wool could and would go upon the free list. The tax on manufactures, however, should be gradually reduced. Woolen mills have been builded on an artificial basis by reason of tariff protection; woolgrowing has not. Free wool would permit a greater reduction and a quicker riddance from discriminating rates on woolen manufactures. It would be cheaper to the consumer and better for the business.

Mr. GARNER. Will my colleague yield for a question right there?

Mr. RANDELL of Texas. Certainly.

Mr. GARNER. Why would not my colleague be willing to allow the same duty on raw wool that he does on the finished article—the same rate of duty?

Mr. RANDELL of Texas. I might and I might not. It depends on circumstances. I am not one of those who believe that raw material must be taxed because the finished product is taxed, nor am I one who subscribes to the doctrine that as a matter of principle we should have free raw material——

Mr. GARNER. What is the objection, then, to levying the same rate——

Mr. RANDELL of Texas. I will state my position.

Mr. GARNER. To levying the same rate on the raw material that you levy on the manufactured article?

Mr. RANDELL of Texas. That depends upon the situation entirely.

Mr. GARNER. Let us take it in reference to wool. What is the objection to levying the same rate on raw wool that you levy on the manufactured article?

Mr. RANDELL of Texas. One reason is that in the wisdom of the caucus they did not decide to do it.

I think free wool would have been better, but the wisdom of the caucus, the wisdom of the party, dictated that, instead, there should be levied a tariff of 20 per cent ad valorem. While I admit it is reasonable, from the standpoint of getting revenue, to put it at 20 per cent, and cloth at 40 per cent, yet I do not believe it was a necessity. The caucus thought so; I agreed to it.

Mr. GARNER. Now, Mr. Chairman, just one other question. Would my colleague be willing, then, to levy a 25 per cent duty on raw wool and 25 per cent duty on the manufactured article, which would raise the same amount of duty raised under the present rate in this bill?

Mr. RANDELL of Texas. I would rather reduce the tariff on the manufactured article, giving free raw wool, because I know that when we place the lowest revenue rate on the finished article it will cost the consumer much less than a tax on both, and so I prefer to put the tax in this schedule on the manufactured product.

Mr. GARNER. Twenty-five per cent ad valorem would be the height that the manufacturer of this country could sell his article under a revenue duty. If we levy 25 per cent on the raw material and 25 per cent on the manufactured article would it cost the consumer one dime more?

Mr. RANDELL of Texas. It would not cost the consumer any more if the price of the manufactured article remained the same, but it would cost the consumer less if, instead of taxing raw wool, you lowered the tariff on manufactures to 20 per cent. If the manufacturer can stand 25 per cent tax on raw wool, we can, with free wool, greatly reduce both the tariff rate and the cost to the consumer. Thus imports would increase, holding prices to a reasonable figure, bringing in revenue, and opening the markets of the world to our people. If you put the tax on raw wool at 20 per cent, or any other rate, you would necessarily have to raise the tax on manufactures. I do not desire to go into that further.

Mr. GARNER. I want to understand it. The gentleman says it is necessary. Why is it necessary?

Mr. RANDELL of Texas. Everyone admits that, and if you calculate you will find it necessary. I believe that taxed raw wool is bad for the manufacturer—I mean the legitimate manufacturer who is not trying to rob anybody—and it is bad for the woolgrower. I believe with free raw wool and a low revenue tariff on woolen goods if our manufacturers, instead of giving us shoddy goods, instead of giving us poor quality, instead of manufacturing under high protection and combining for the purpose of exploiting the American market, would endeavor to compete in the great markets of the world as well as at home, they would be the greatest woolen manufacturers in all the world.

Under natural conditions every farm would have some sheep for mutton and for wool and as scavengers. It is estimated a sheep is worth about $2 per annum for increasing the fertility

of the farm. All of these items would count, and if our woolen manufacturers would take the proper position in the markets of the world it would be better for this country and better for the wool producers, although I do not believe sheep would be produced for wool alone.

Mr. SIMS. Is it not a fact, now, if our American manufacturer for foreign consumption is permitted to use foreign raw material free of duty?

Mr. RANDELL of Texas. Nearly so.

Mr. GARNER. Ninety-nine per cent.

Mr. SIMS. Now, why is it that we think so much more of the foreigner than we do of our home people, and why do we not give the American manufacturer free raw material when he manufactures for home demands?

Mr. RANDELL of Texas. I think that is simply a situation which——

Mr. SIMS. Therefore the manufacturer does not pay the tax on goods now manufactured for foreigners?

Mr. RANDELL of Texas. He pays the tariff, manufactures the wool for exportation, and then collects back 99 per cent of the tax. This is called his drawback. Of course, he would be out some time and trouble and interest, and so forth. That would amount to very little; but even that little considerably impedes him in getting into the foreign markets. The condition is this: The manufacturer is willing to combine with the wool producer—who ought to be ashamed of himself to be in such unholy combination—and the American consumer is compelled to pay exorbitant prices or do without woolen goods. Our manufacturers export very little and buy American-grown wool at their own price. We consume in round numbers about $420,000,000 worth of woolen goods in this country, $20,000,000 of which are imported. Five per cent are imported; and the woolen manufacturer is content to rob the people of his own country rather than compete here and in the markets of the world for his fair, just, and honest position among business men.

Mr. WEEKS. Will the gentleman from Texas yield?

Mr. RANDELL of Texas. Certainly.

Mr. WEEKS. I was going to say, apropos of the question asked by the gentleman from Tennessee [Mr. SIMS], that I presume the gentleman from Texas knew that we did not export more than one-half of 1 per cent of the output of woolen and worsted manufactures in this country. It is so little it is absolutely negligible, and so I do not see any point in discussing that question.

Mr. RANDELL of Texas. I thank the gentleman for his statement. I thought I had practically said that. They do not try to get into the markets of the world. They are content to stay here in this country and rob these people. Take a suit of clothes that is worth $8, say, in England, and we put a tariff of 50 per cent ad valorem on it.

The home man does not charge the $12 if the English merchant or manufacturer proposes to contest the market, but he can sell that at $10 and run the English manufacturer out, because the English manufacturer must pay the 50 per cent. He can sell at $8 in an open market. He must pay $4 to come into the market, making the suits cost $12. Hence he must sell the suit at $12, and then he is cutting just as close in competition as he was before in selling it at $8. He is soon run out of the market, and then the American manufacturer will charge the $12, and perhaps $13, or $14, or $15 in some places, but ordinarily, perhaps, he would not go over the amount of the tariff.

Mr. AMES. Will the gentleman yield for a question?

Mr. RANDELL of Texas. Let me finish this illustration, and then I will. But he charges the $12. Now, suppose he had half the market before there was any tariff. If the English merchant kept the same trade he would pay $4 on the same suit, and that would go into the Treasury; so that if he maintained his trade, the American people would get into the Treasury 50 per cent ad valorem on half of the such woolen suits—those imported—and would be paying 50 per cent ad valorem also on those manufactured here, which would go into the pockets of the American manufacturers. But it does not work that way.

The foreigner is driven out of the market, and we pay $12 for the suit of clothes. But that is not all. Not a dollar of it goes into the Treasury. But that is not the worst of it. Having no competition from abroad, they simply combine. You say, "Oh, maybe they may not." But they have combined; and there has been no power yet found that can keep them from it. Certainly no Republican administration has ever kept them from it. [Applause on the Democratic side.]

Now, then, what is the result? They decrease the quality of the goods, and soon instead of two suits at $8 apiece, costing $16, the same man would have to buy three suits at $12 apiece, which would cost him $36. And yet the two good suits would last as long as the three inferior ones, and would look very much better; because a good suit looks very well as long as it lasts, whereas a poor suit does not even look well when it is new.

Mr. MANN. Will the gentleman yield?

The CHAIRMAN. Does the gentleman from Texas yield to the gentleman from Illinois?

Mr. RANDELL of Texas. Yes.

Mr. MANN. I understood the gentleman to give an illustration showing that where the tariff was 50 per cent it would keep out the Englishman from our market on clothing. Now, what is the rate of tariff in this bill on clothing?

Mr. RANDELL of Texas. Forty-five per cent.

Mr. MANN. Does the gentleman draw a very broad distinction between the 50 per cent of his illustration and the 45 per cent under this bill?

Mr. RANDELL of Texas. I did not say the Payne-Aldrich bill had a duty of 50 per cent. I only gave that figure for easy calculation.

Mr. MANN. The gentleman's illustration was based on a tariff of 50 per cent?

Mr. RANDELL of Texas. That was as an illustration.

Mr. MANN. Yes. I say the gentleman's illustration was based on 50 per cent?

Mr. RANDELL of Texas. Yes.

Mr. MANN. The gentleman, by illustration, attempted to demonstrate—very likely correctly—that that would keep out the foreigner from our market.

Mr. RANDELL of Texas. I think it would, very largely.

Mr. MANN. Would the 45 per cent?

Mr. RANDELL of Texas. With taxed wool it will be very much less objectionable. It will not keep it out nearly as much as the 93 per cent under the Payne-Aldrich bill. The gentleman must remember, Mr. Chairman, there are a great many things in this schedule—wool and cloth and suits of clothes, and various articles—that are manufactured abroad that have practically no competition here, because the manufacturers here do not produce a similar article, and, therefore, we get some importations into the country.

That is the way we get about 5 per cent of the woolen goods that are consumed here. But if the manufacturers of this country produced every class and kind of goods that the foreigner tries to bring in they could keep him out entirely. They do not try to keep him out on everything. They let him make some fancy or special goods and bring them in, thereby raising some revenue. The duty is so high that an importation of $20,000,000 worth of those goods brings in about $20,000,000 of revenue; or, to be more accurate, $23,000,000 of imports brought in last year $20,000,000 of revenue. The foreigner can not compete. Imported goods are of kinds not manufactured here, or such as the taste of the buyer prefers to the home manufacture. It is only in that way that we get any revenue out of it at all, and if, as I said, there were no woolen products imported except those that the American manufacturer commonly produces, he could, if he desired, keep every dollar's worth from coming into this country.

Mr. WEEKS. Will the gentleman yield?

Mr. RANDELL of Texas. Certainly.

Mr. WEEKS. I understood the gentleman to say that when these manufacturers get together, in some mysterious way they depreciate the value of their product.

Mr. RANDELL of Texas. I did not say that. I said that, competition being cut off, they have the market and fix the price on the consumer; that they can levy on him all that the consumer will pay for the goods, and when they have no competition they can reduce the quality.

Mr. WEEKS. Has that been the case?

Mr. RANDELL of Texas. I think there has been a great deal of complaint about it.

Mr. WEEKS. Does not the gentleman know that we use nearly 50 per cent more wool per capita in our clothing than any nation in the world?

Mr. RANDELL of Texas. I am not aware of that fact.

Mr. WEEKS. That is a fact; and the amount of cotton used in our clothing has diminished 50 per cent in the last 10 years.

Mr. RANDELL of Texas. If the gentleman will hear me, I did not say that we do not have woolen manufactures that are fit to wear, but I do say that the quality in our woolen manufactures is not what it would be if there was competition which made it necessary.

Mr. WEEKS. You will admit that there is free competition in Great Britain.

Mr. RANDELL of Texas. Yes; and they make better goods there than our manufacturers make, too.

Mr. WEEKS. But we use nearly 50 per cent more wool per capita in our clothing in this country than they do in Great Britain, and we do not use half as much cotton in our clothing as we did 10 years ago.

Mr. RANDELL of Texas. I do not desire to prolong this unduly. Does the gentleman mean that we use more wool per capita——

Mr. WEEKS. In other words, the American people consume more woolen clothing.

Mr. RANDELL of Texas. Certainly; and it is a rich market that the woolen manufacturer has been exploiting for nearly 50 years, and it is a shame on our civilization. It is a shame on the honor of this Government. It is a blot on the Republican Party; and if the party was not already so black, it would show up all over the world. [Applause on the Democratic side.]

Mr. WEEKS. I do not wish to take the gentleman's time; but I understood the impression was given that when these woolen manufacturers got together they depreciated the value of their product.

Mr. RANDELL of Texas. I did not say that.

Mr. WEEKS. I wanted to indicate to the gentleman that the value of the product is constantly increasing in this country, and has been for 20 years.

Mr. RANDELL of Texas. The ouput is greater.

Mr. WEEKS. I am talking about the per capita.

Mr. RANDELL of Texas. I am talking about the quality of the goods.

Mr. WEEKS. I am, too.

Mr. RANDELL of Texas. If the people in one country use only one suit per capita of woolen goods every year, and the people in this country use three suits, they consume more per capita; but if those three suits are of inferior quality and not as well made as they would be under competition, as a matter of fact, our people are imposed upon, on account of the lack of quality in the goods. I am not going to take the time to discuss it with the gentleman, but I state that it is a matter of general notoriety, it is a matter that is stated by many men engaged in the business, that in this country the woolen manufacturer does not make a proper quality of goods, that the quality is inferior because of monopoly and, consequently, the lack of competition.

Mr. WEEKS. Let me add one comment.

Mr. RANDELL of Texas. Does not the gentleman agree to that?

Mr. WEEKS. I do not.

Mr. RANDELL of Texas. Then let us drop the subject.

Mr. WEEKS. If the gentleman will take the census report which was issued the 4th of last April he will find just the contrary to what he states.

Mr. RANDELL of Texas. What report is that?

Mr. WEEKS. The census report.

Mr. RANDELL of Texas. Who furnished it?

Mr. WEEKS. I do not know who furnished it. It was the preliminary report of the recent census on wool manufactures.

Mr. RANDELL of Texas. If the gentleman will investigate he will find that the administration, the census, and all of them take the report that the woolen manufacturers furnish them in reference to this schedule. [Applause on the Democratic side.] That is where the trouble comes when trying to get information, trying to find out how these things are. The majority members of the Ways and Means Committee were confronted with the same trouble; the information we got from the Government, that ought to be correct, simply comes from the interested woolen manufacturers.

Mr. WEEKS. Well, if the gentleman wants to fall back and leave it that way, I am willing.

Mr. RANDELL of Texas. Does the gentleman deny it?

Mr. WEEKS. Absolutely, as far as I know.

Mr. RANDELL of Texas. Has the gentleman any knowledge on the subject?

Mr. WEEKS. I have no knowledge; but I assume that the Government employees do their duty.

Mr. RANDELL of Texas. Then, I hope the gentleman will not take up my time in talking about something about which he has no information. I say that is my understanding, that these figures and reports are furnished by the woolen manufacturers, and they are taken by the department, and that has been the case for some years. I do not care to discuss that any further. If the gentleman does not believe it, he may remain a doubting Thomas all his life, but if he will investigate he will find that it is true. The statistics published by the department are made up by the Woolen Manufacturers' Association.

Mr. SIMS. If the gentleman from Texas will pardon me, if the gentleman making the cloth only makes 10 cents now with the tariff at the present rate, he will go out of business if this bill passes.

Mr. AMES. That is so. The only way to reduce the price of cloth and cheapen wool is to cut down labor.

Mr. RANDELL of Texas. That is what they always do. Mr. Chairman, that is the way the manufacturer that wants to be upheld by the Government, that does not understand that men engaged in the manufacturing business ought to be men for all that, that they ought to stand and uphold their business by their own energy and industry, the manufacturers that propose to be hothoused by law always, as soon as circumstances begin to pinch a little financially, want to strike at the laborer every time instead of going to their accounts, inspecting their business methods, and seeing where the leak is.

Mr. AMES. On the contrary, we do not want to reduce the wages of the working people, and that is why we are opposed to this bill. [Applause on the Republican side.]

Mr. RANDELL of Texas. Mr. Chairman, I have never yet been able to find anyone that would say where the laborer ever got an increase by reason of a tax being placed on a commodity. If we were to let the woolen schedule stand like it is, how much protection would the laborer get? Why, the protection, as they call it, amounts to more than the cost of production in England. That is the fact about it.

Mr. AMES. Will the gentleman permit another interruption?

Mr. RANDELL of Texas. Yes.

Mr. AMES. I would like to inform the gentleman that without any pressure from the outside in the mills at home they have increased the wages 37½ per cent in the last 17 years.

Mr. RANDELL of Texas. I do not know how low they were to start with, but I hope justice may be done. But it does seem to me that when they talk about protection for the purpose of helping labor they ought to show the country how much of the protection labor gets. [Applause on the Democratic side.] The whole cost of production in England is not equal to the amount of protection you have in many of the items in this particular schedule.

Mr. Chairman, what excuse is there that the poor man should have to give for a blanket not only the value of the blanket but 180 per cent additional? Where is the justification? The tariff on blankets brings in no revenue because it is prohibitive. There are practically no importations. And yet the poor people, the old shivering people, the young, tender, and delicate infants, all must be a prey to the rapacity of the man who contends that Schedule K in the Payne bill ought to remain the law and that this bill ought not to pass in the interest of the country.

Mr. Chairman, frequent interruptions have drawn me far away from the intended course of my remarks. In this connection, however, I will here present opinions from high authority as to the effects on public health by reason of the cruelly exorbitant prices charged for woolen goods under Republican tariffs.

Dr. W. Shropshire, a physician and surgeon of Yoakum, Tex., situated in the wool-growing section, where he has practiced for 20 years, answering my inquiry, wrote, under date of June 15th instant:

> Without doubt the high prices of woolens has very materially curtailed the use of flannels and woolen goods, especially by the poor, and, in so doing, very materially affected the health of that class detrimentally. I can not say just how much, but that, with poor food, makes the death rate of the young of that class double that of the young of the middle class.
>
> The class which suffers most for want of woolen goods is, of course, the poor, and it is the very young babies, from birth to 4 or 5 years of age, that suffer greatest, because of the fact that nature has not had time to immune them to the extreme cold or sudden changes that take place as they go from near-fire to out-door atmosphere. Any amount of cotton or linen clothes can not serve their purpose, because those materials are conductors of heat while wool is a nonconductor.
>
> The difference of health and mortality that would come of cheap woolen goods would be very material.

I will read you a letter from Dr. Fly, of the firm of Fly, Lumpkin & Thomas, physicians and surgeons, of Amarillo, Tex., of date June 10, 1911. He says:

> I am a graduate of the Kentucky School of Medicine, Louisville, Ky., and have practiced medicine for 17 years—5 in Fort Worth and 12 in Amarillo.
>
> I am of the opinion that the higher price of woolen and flannel goods has curtailed the use of same, and, no doubt, the health and lives of many people have been affected to a greater or lesser degree because of their inability to afford these materials.
>
> The class of people mostly affected are the poor, in the very young and very old, for it is a fact that this class of individuals are more susceptible to atmospheric changes, and it is my opinion that if woolen and flannel goods could be materially reduced in price many more people would be able to use them as wearing apparel, and the class of people most benefited would be the debilitated, or, in other words, those suffering from any form of chronic diseases, by which their resisting forces and vitality are lowered.
>
> Yours, for suffering humanity, D. R. FLY.

These men stand high in their profession and are prominent in the State.

Is it not an appalling statement that among the young of the poor class the death rate should be double that of the young of the middle class? These letters show that sickness and death are the natural results of the wickedness engrafted into our revenue system by the Payne bill. No wonder that side is ashamed of it. What wonder you try to maintain it. Are your eyes closed to the pallor of dying infancy, and are your ears deaf to the groans of dispairing grief? The decreased use of woolens for the young, taken in connection with poor food, produces an increase of 100 per cent in the death rate over that of the middle class. That is appalling.

Mr. HARDY. Will the gentleman yield?

Mr. RANDELL of Texas. Certainly.

Mr. HARDY. Under our present condition, is it not most probably the fact that while our total per capita consumption of wool may be no less than it was years ago, yet that that per capita consumption is largely by the wealthy, and that the poor are getting less and less of the woolen goods?

Mr. RANDELL of Texas. There is no doubt of that. It goes to the wealthy and the middle classes, to those who are able to buy the comforts of life, no matter what they may cost. There are a great many people in this country able to buy the comforts of life, and they will buy them so as to make themselves and their family comfortable, even though the price may be outrageously high, even though they have to stint in other matters. But when it comes to the poor, it strikes hard, and it strikes on the death rate—doubles it—that and poor food. But they do not all die. The death rate is doubled; but of those who escape death how many thousands and tens of thousands are doomed to the life of the invalid; how many to rheumatism, consumption, and other chronic and fatal diseases, which are fruitful sources of degeneration, misery, and death? Think of it, every poor child in the land is subjected to the condition that has the effect of doubling the death rate!

Whether the child lives or dies, it is subject to that condition which is constant all over this country. It is not only in Texas, it is not merely in the South, but more intensified in the mountainous country of the West, throughout the great North; and all of your workmen and farmers, the people that you talk about so constantly and profess to love so much, are subjected to this outrage, and yet, with Schedule K staring you in the face, with testimony like this, to be obtained anywhere in the country, you are willing to have that condition stand and to let the death rate go on. Talk to me about "the shame and the glory!" You have the shame and there is no glory to it. You have the money. You have profited enough. It does look as though the manufacturer of woolens to-day ought to stay his hand, that he should listen to the cry of the poor and be willing to bring this schedule down to a basis where the poor man can at least buy at a fair and just rate those things that are necessary to the life and comfort of his family.

Mr. MANN. Mr. Chairman, will the gentleman yield for a question?

Mr. RANDELL of Texas. Yes.

Mr. MANN. Mr. Chairman, sympathizing as I do with the desire to save the children, does the gentleman think it fair to impose a duty of 45 per cent on cloth for children's clothing and only 40 per cent on cloth for men's clothing?

Mr. RANDELL of Texas. Mr. Chairman, I would like to ask the gentleman a question. Is he in favor of this bill that imposes an average of 40 per cent on woolens as against the Payne-Aldrich bill, which imposes more than twice that rate?

Mr. MANN. I would be in favor of a protected measure, but as a revenue measure I would not be in favor of putting a higher tariff on children's clothing than on men's clothing.

Mr. RANDELL of Texas. Is the gentleman in favor of this bill, or against the other?

Mr. MANN. I am not in favor of this bill.

Mr. RANDELL of Texas. Very well; the gentleman is not in favor of this bill, hence he is not in favor of a reduction at all. The Payne-Aldrich bill has 55 per cent ad valorem and 43 per cent added, making 98 per cent, as against 45 per cent in this bill.

Mr. MANN. The question is whether we are doing right in this bill. Admitting that we were not doing right in the Payne-Aldrich bill, are we doing right in this bill? If you want to preserve the lives of the children, does the gentleman think we ought to put a higher tariff on children's clothing than on men's clothing?

Mr. RANDELL of Texas. Mr. Chairman, since the gentleman admits the Payne-Aldrich bill to be wrong, he should get right and vote for this bill to correct the evil of the present law. Forty-five per cent with 20 per cent on raw wool is a much better bill than 98 per cent on the finished product and practically 44 per cent on the raw wool.

Mr. GARNER. Will my colleague permit right there? Is not it less onerous on the children who have to pay 45 per cent duty than it is on the children under the present law, where they have to pay 103 per cent duty?

Mr. RANDELL of Texas. Why, certainly; that is what I stated; the average is about 98 per cent. As a matter of fact, the consumer, the parent, has to pay for it, whether the clothing is for his family or for himself. I now yield to the gentleman from Illinois.

Mr. MANN. We are making up or have made up, either one you take it, a bill now. Does the gentleman himself, outside the Democratic caucus action, believe that it is wise to put a higher tax on cloth for children's clothes than it is on cloth for men's clothes?

Mr. RANDELL of Texas. Mr. Chairman, it is unnecessary for me to express myself on the proposition, but to be candid with the gentleman, and as he has expressed a curiosity to know, I will say that personally I should prefer not, but I do not think it lies in the mouth of any Republican who stands for the Payne-Aldrich bill, or Schedule K in it, and who is not going to vote for this bill, to criticize that item. [Applause on the Democratic side.]

Mr. HUGHES of New Jersey. I want to call the attention of the gentleman to the fact that the tax on cloth, ready-made articles, wearing apparel, is 45 per cent ad valorem. That includes men's clothes, so there is no discrepancy which the gentleman attempts to make appear.

Mr. HARDY. Will the gentleman allow a suggestion? I just want to suggest that the distinction made by the gentleman from Illinois seems to me to be utterly without point, from the fact that the father of the family generally buys both the clothes for the women and for the children, and I do not see why it would make any difference to him whether he pays 40 per cent on one and 45 on the other or 45 on one and 40 per cent on the other. He buys the goods.

Mr. RANDELL of Texas. That is an apt suggestion. In this bill 40 per cent is taken as an average. That is the rate on woolen cloth. Clothing is rated 45 per cent. I do not understand how the gentleman can criticize this bill for being too high when he will not vote for it because it is too low. It is a tweedledum and tweedledee that I can not understand. [Applause on the Democratic side.] Mr. Chairman, I will endeavor to enlighten the gentleman further as to why I am for the bill. I believe it is only a question of a short time when the people will intrust the Democratic Party with full power in the Government.

If the party is fortunate enough to be wholly Democratic, having no protectionists nor trust-employed Representatives in its ranks, thus free to carry out the people's will without the subtile influence of those who would frustrate its purpose, the Democratic Party will be able to make a tariff bill and raise the revenue necessary to come from this source, and it will not be necessary to tax raw wool. It may not be necessary to tax woolen goods. This idea that the industries of this country must live by taking from the masses of the people by law what they do not get by contract—to force, in other words, the consumers of this country to pay tribute to the business men—is a fetich that can not last among intelligent men in a free country. The feeling aroused by such a system inspires disgust and impels honest men to seek for a better and a more just administration. Honesty is one of the prime virtues. Equal rights to all men is the foundation principle of the Republic. Special privileges to none is the corollary of that proposition. It can not be misunderstood. When you say "equal rights to all and special privileges to none" you are at variance with the very method and purpose and object of the Payne tariff law and the purpose of those who framed it.

Protectionism has been built up by the Republican Party as a sectional as well as a class issue. Protectionism is wrong in itself. It is ruinous as a class measure, and as a sectional issue it has absolutely failed. Its discrimination has purposely favored the North and East as against the South and West. The average man North and East is in no better condition than the ordinary man in the Southern and Western States; and yet we in the South and West have benefited nothing from protection.

Not only that, those who have to live by their labor in protected industries are not so well off as the laboring man is who is engaged in a business where there is no protection. Not only that, but in the protected communities you will find a deplorable condition among the poor who depend on wages, a condition more deplorable than can be found in the South and West, where protection is practically unknown. It is a mistake. It

is a failure. It is a curse even to the protected barons themselves. They have degenerated morally and physically, and their families are inferior to those in moderate circumstances. Their ill-gotten money has not done them half the good that would have resulted to them had their intelligence and energy been employed in honest and straightforward business. Cupidity is degenerating—honest methods build up character as well as fortune. You say, "We want to keep our money at home." The beneficiaries of this very system, it is estimated, send abroad every year $300,000,000 to purchase titles and pleasures. Three hundred million dollars per annum amounts to $3,000,000,000 in 10 years. This would build 600,000 miles of graded macadamized road, at a cost of $5,000 per mile, an average of more than 12,000 miles for each State and Territory, giving employment to labor and keeping the money at home. The extravagance of the protective system is appalling. It is enervating as well. Men do not use the same industry, they do not use the same amount of intelligence to hold up the business. They understand it is secured by law and combination. Without a combination, why, of course it would be more trouble. They understand that, and they say, "How foolish it is for us to fight one another. Why not join together and uphold one another?" Thus protectionism and monopoly create and uphold a predatory class which control and sap the industries of the country and absorb its natural resources. Such conditions produce socialism. But the brazen impudence of this ilk is astounding. They propose to legalize these monopolistic combinations that even in the olden time would have been classed as crimes, and that in the present day are crimes under the statute laws of this country. Yet so powerful have these barons become that they smile at the law and defy the administration. They acquire all possible influence with the party in power. They find always some means of ingratiating themselves into every party. They care nothing for any particular party, it is for power that they look.

And they desire, by all means, to get as many into their employment, as many under obligation to them, as possible. By fair means and foul, by hook and by crook, by employing here and there, giving favors and fees, they secure a powerful support.

Men in public life, who never made a dollar above their expenses until they got to Congress, have grown rich. Not only one or two, but numbers of them are in the employment of these interests and roll in wealth.

And the Republican Party has for years—pardon this digression—lined up solidly against my antigraft bill that I have been trying to pass for a long while, the Democrats voting for it and the Republicans against it. The gist of the bill is this: That Senators and Representatives shall not during their term of service receive gifts, employment, fees, and compensation from public-service corporations and others directly interested in legislation. [Applause on the Democratic side.] You stand against that reform. It is only an antibribery law up to date.

Mr. WEEKS. Will the gentleman yield?

Mr. RANDELL of Texas. Yes.

Mr. WEEKS. Is that a part of the program that has been adopted by the Democratic caucus?

Mr. RANDELL of Texas. It has not been presented to the House, but will be when we take up general legislation. I have introduced the bill, and I hope the gentleman may have had a change of heart, and that he will support it.

Mr. WEEKS. I have never had a chance to vote on it.

Mr. RANDELL of Texas. The gentleman may not have been in the House, but his party has lined up on it, notably in January, 1908, the Democrats on the one side and the Republicans on the other.

Now that bill is simply an antibribery bill. What is the use in having an antibribery law prohibiting direct bribery if they are permitted to give favors, franks, and other things of value, and, without violating law, can employ Members of Congress, paying them many times more than their salaries? Some of them get rich—acquire thousands and hundreds of thousands and millions—and nobody knows where they get it. If by accident it is found out upon some investigation it is brushed aside with the statement that no law has been violated.

Mr. JACKSON. Will the gentleman yield?

The CHAIRMAN. Does the gentleman from Texas yield to the gentleman from Kansas?

Mr. RANDELL of Texas. Certainly.

Mr. JACKSON. I would like to ask the gentleman if it is any worse for a Member of Congress to accept gifts or bribes, if you please, after the election than before the election, while he is a candidate?

Mr. RANDELL of Texas. I do not propose to discriminate between such rascality at any time. He is just a scoundrel of the deepest dye if he accepts a bribe at any time, either before election or after. [Applause on the Democratic side.] Has the gentleman any doubt about that matter?

Mr. JACKSON. I would like to ask the gentlemen on the other side if they will again, when opportunity offers, line up solidly against the amendment they once voted for and adopted here, to make public campaign contributions in primary elections?

Mr. RANDELL of Texas. I do not know what the gentleman is driving at. I am talking about a material matter.

Mr. JACKSON. If the gentleman will wait until I finish he will understand.

Mr. RANDELL of Texas. I will yield to the gentleman. I do not think he can base his proofs on——

Mr. JACKSON. Did not the gentlemen on that side of the House line up against an amendment offered on this side of the House that would make public contributions in primary elections for Members of Congress?

Mr. RUCKER of Missouri. Will the gentleman yield?

The CHAIRMAN. Does the gentleman from Texas yield to the gentleman from Missouri?

Mr. RANDELL of Texas. I will yield to the gentleman from Missouri to answer that.

Mr. RUCKER of Missouri. The gentleman has referred to the amendment proposed by himself to the publicity bill, I suppose?

Mr. JACKSON. Yes.

Mr. RUCKER of Missouri. Does the gentleman believe that that amendment had any merit in it at all?

Mr. JACKSON. I certainly do, and I did when it was offered. Otherwise I would not have introduced it.

Mr. RUCKER of Missouri. Does the gentleman know that under his amendment any man seeking to be a candidate for Congress could have made his affidavit under the requirements as proposed in his amendment before one single dollar had been expended?

Mr. JACKSON. I do not desire to undertake at this moment to discuss the whole question with the gentleman from Missouri, but——

Mr. RANDELL of Texas. Oh, I do not care about that discussion going into my remarks. I am talking here, Mr. Chairman, about another question. If the gentleman from Kansas is opposed to my bill, he can remain so. That would be consistent with the action of his side of the House. If the gentleman is for my bill, I shall be very glad to have him help me put it through when it comes up.

Mr. JACKSON. And I will say to the gentleman that I shall be glad to have the gentleman help me put through my amendment providing for publicity of contributions made in primary elections, where, as everyone knows, the actual contest arises in the choice of Democratic Representatives from the South. [Applause on the Republican side.]

Mr. RANDELL of Texas. If the gentleman will allow me, I will agree that I will be in favor of any bill that has any proper purpose in the way of reasonable regulations. But I know very well that the amendment which the gentleman offered is one that I would not support, because I believe it is one that is fundamentally wrong. I hate to take up all this time outside of the main subject of my argument, but one of my objections to it is that it would give the Federal Government an opportunity to interfere with the local primary elections in my State, and I do not propose to do that if I can help it. [Applause on the Democratic side.]

Mr. JACKSON. Do I understand the gentlemen on that side of the House to——

Mr. RANDELL of Texas. I do not propose to take up my time in the discussion of the amendment offered by the gentleman. I am against it, and I have told the gentleman why. I do not want the gentleman to take up my time. I am not at all out of humor, but I simply mean what I say. I would rather go on. [Applause on the Democratic side.]

Now, returning to my antigraft bill, there is no use in saying that we have a law against bribery, since, when a party is found out, he can say, "This was a gift, this was a fee, this was employment and compensation." So my bill is an antibribery bill up to date, and I tell you now that you will never get the influence of the trust magnates removed from this Congress until you make it a felony for them to attempt to employ one of the servants of the people. That is the only way to do it; and, furthermore, to make it a penal offense for any servant of the people to receive such employment or gift after he comes here with a commission from the people. [Applause on the Democratic side.]

Mr. SLOAN. I am a new Member. Has that occurred frequently in the House or in another body? I thought they were all honorable men.

Mr. RANDELL of Texas. Does the gentleman mean to inquire whether my bill has been up frequently?

Mr. SLOAN. No; the gentleman referred to a number of men, or a great many men, who came here——

Mr. RANDELL of Texas. Oh, I understand the gentleman's question. He wants to know whether such gifts and employment are frequent.

Mr. SLOAN. Yes.

Mr. RANDELL of Texas. I do not know of my own knowledge just how frequent they are, but I have it from Republican authority——

Mr. SLOAN. Which usually is the best on earth.

Mr. RANDELL of Texas. That that side of the House was honeycombed with that sort of employment.

Mr. SLOAN. Any of it from Texas?

Mr. RANDELL of Texas. There is no one on that side from Texas. All the Members of the Texas delegation are on this side of the aisle. [Applause on the Democratic side.]

Mr. SIMS. Let me make a statement for the gentleman's encouragement. I introduced a bill and sent it to the Committee on the District of Columbia to make it unlawful for a Member of the House or Senate to own stock in any public-service corporation doing business in the District of Columbia, and it could not even get backdoor notice.

Mr. RANDELL of Texas. That is a good proposition.

Mr. SIMS. I want to encourage the gentleman about his bill.

Mr. RANDELL of Texas. Mr. Chairman, I have occupied the time of the committee much longer than I intended. Many things I intended to discuss must be omitted on account of many interruptions and consequent digressions. I want to thank the gentlemen who have listened so long and patiently and who have given me such courteous hearing—gentlemen on both sides of the aisle. If I have not yielded to each as much as he desired, I call attention to the lateness of the hour.

I have not had an opportunity to explain all the changes in this bill. Suffice it to say that the bill reduces to the consumer very materially the cost of woolen goods. I believe with the committee that this bill will raise nearly the revenue that the present tariff does, with less than half the tax upon the people. I myself do not believe that it will produce $40,000,000 of revenue; but those who are competent to judge say that it will. I think it will produce probably about $35,000,000 or $36,000,000. No man can tell with certainty.

Mr. WEEKS. Under this bill there will necessarily be more wool imported than there has been in the past, will there not?

Mr. RANDELL of Texas. I do not know, but I think so. It is so very late, Mr. Chairman, that I would not like to go into a discussion of the details of that. I believe there will be an increased consumption of wool. I believe the people who can scarcely afford to buy these high-priced woolen goods will go into the market, at a reasonable price, and that the consumption of woolen goods will be greater than it has ever been known in this country.

The population of the country is increasing. We have a wonderfully wealthy country, and I believe that the consumption of wool will be greater and that the imports of the manufactured article will be greatly increased, and by that means the amount of the tariff we shall get will be considerable. It may be as much as $40,000,000. The Democrats in the House are, step by step, redeeming the party pledges.

Before I take my seat, Mr. Chairman, I will say there is one thing I should not overlook. The frequent allusion by gentlemen on that side to a gentleman for whom I am not a spokesman or mouthpiece, but for whom I have the highest respect, challenges my attention. From time to time I have heard slurring remarks come across the aisle in reference to the most distinguished Democrat in this country, and it has grated on my nerves. No matter how we may differ in reference to our political views, all men should recognize true manhood and merit wherever they see it. And if there ever was a man in this country who stood out fairly and openly for what he believed, and who expressed clearly the views on each side of every question he discussed, and who stated with clearness and fairness the arguments for and against, that man is W. J. Bryan. [Applause on the Democratic side.] Yet he is abused and hated. I know nothing like it since, in ancient times, Aristides was banished from Athens by a popular vote. His ability and probity stood preeminent. He was called "the Just." But he was banished. If the protectionists and grafters could have their way, Mr. Bryan would have to seek some foreign clime.

Mr. Bryan is a devoted Democrat, he is a patriot, he is a Christian gentleman, and he stands high in the United States and in all the civilized world. Why any man should speak slightingly of him I do not know, and I can not understand why gentlemen on that side should refer to him with unfriendly slurs. I suppose that is the price men have to pay for greatness. As Byron expressed it:

> He who ascends to mountain tops shall find
> The loftiest peaks most wrapped in clouds and snow;
> He who surpasses or subdues mankind
> Must look down on the hate of those below.

[Applause on the Democratic side.]

But, Mr. Chairman, in the future vicissitudes of this Nation, in the calm and in the storm, when reason rules or passion sways, this same man Bryan will, in all the days to come, stand as a tower of Democratic strength, an impersonation of civic righteousness.

> Like some tall cliff that lifts its awful form,
> Swells from the vale, and midway leaves the storm;
> Though round his breast the rolling clouds are spread,
> Eternal sunshine settles on his head.

[Loud and prolonged applause on the Democratic side.]

Mr. UNDERWOOD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. RUSSELL, Chairman of the Committee of the Whole House on the state of the Union reported that that committee had had under consideration the bill (H. R. 11019) to reduce the duty on wools and woolen manufactures, and had come to no resolution thereon.

LEAVE OF ABSENCE.

Mr. WARBURTON, by unanimous consent, was given leave of absence for four weeks, on account of important business.

RECESS.

Mr. UNDERWOOD. Mr. Speaker, I move that the House take a recess until 8 o'clock this evening.

Mr. MANN. Will the gentleman yield for a question?

Mr. UNDERWOOD. Certainly.

Mr. MANN. That is simply for debate this evening?

Mr. UNDERWOOD. And nothing else.

Mr. MANN. Does the gentleman intend to make a request for closing debate on the bill?

Mr. UNDERWOOD. I would be glad to make a request if it will be agreed to. I intended to move to close debate on Tuesday morning. The session of Monday will be devoted to the Discharge Calendar. However, I will make the request that when the House adjourns to-day general debate on H. R. 11019 be closed.

Mr. MANN. Mr. Speaker, it is fair to the House to have some understanding. I think myself it is fair to say that we will close debate to-night if that is the intention.

Mr. UNDERWOOD. That is the intention.

Mr. MANN. And to commence reading the bill on Tuesday?

Mr. UNDERWOOD. Immediately after the reading of the Journal.

The SPEAKER. The gentleman from Alabama asks unanimous consent that general debate on the bill (H. R. 11019) to reduce the duties on wools and woolen manufactures close with to-night's session. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. UNDERWOOD. Mr. Speaker, it has been suggested that we take the recess until 7.30 o'clock this evening, so as to give half an hour more for debate. I therefore modify my motion.

The SPEAKER. The gentleman from Alabama moves that the House take a recess until 7.30 o'clock this evening, the night session to be devoted to debate on the bill.

The motion was considered and agreed to.

The SPEAKER designated Mr. FLOYD of Arkansas as Speaker pro tempore for the evening session.

Accordingly, at 5.30 o'clock, the House took a recess until 7.30 o'clock this evening.

AFTER THE RECESS.

The recess having expired, the House was called to order by the Speaker pro tempore [Mr. FLOYD of Arkansas].

THE WOOL SCHEDULE.

Mr. HUGHES of New Jersey. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11019, to revise the wool schedule.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the wool-schedule bill, with Mr. BOOHER in the chair.

Mr. HUGHES of New Jersey. Mr. Chairman, I yield 30 minutes to the gentleman from Colorado [Mr. MARTIN].

Mr. MARTIN of Colorado. Mr. Chairman, down here in Congress the Democrats are being abused by the Republicans for selling out to we fellows from the sheep States, and out home we fellows from the sheep States are being abused because the sell out was not complete, so it seems to be a case of "be damned if you do and be damned if you don't." Some people seem to be particularly hard to satisfy in the making up of this schedule, but the more I listen to the lamentations arising from the Republican side of the House over the "gross betrayal" of Democratic principles involved in this 20 per cent ad valorem duty on wool, the more I am beginning to suspect that this duty on wool is not such an awfully bad thing after all for we fellows from the sheep States. Indeed, I have a suspicion that if it was such a bad thing for us, there would not be so much lamentation from that side of the House about the betrayal of Democratic principles, but, in that event, it would be the principles themselves that would get the lambasting.

Mr. Chairman, at home I have a little daughter, and she is all the daughter that I have got. She constitutes my family. I have not seen her since the 22d day of last November. This last week she attained her eighteenth year, which in Colorado makes her not only a woman, but also a man, gives her all of the rights that her father ever possessed under the laws of that State, and some that he does not. In addition to that, she graduated and completed her school studies. In addition to that, she had the honor of the leading rôle in the commencement play, and while I never even had the pleasure of hearing her recite, "Twinkle, twinkle, little star," I passed up all of those things and stayed down here in Washington watching and participating in these debates—all for the final purpose of discussing Schedule K for 30 minutes to a vast quantity of furniture. [Laughter.] I felt if I were to be out in Colorado while the Democrats were down here taking the tariff off wool the Republicans would be taking the hide off me. But, as I stated in the opening, I perhaps had practically as well be there because our friends the enemy seem to have made up their minds not to be satisfied with this schedule anyway. Whether it carries no tariff, whether it carries 20 per cent or 30 per cent or whatever it carries, it is going to be a Democratic wool tariff, and that will be sufficient to condemn it in their eyes.

As far as I am concerned, Mr. Chairman, I would be glad to have this cup pass from me—the responsibility of putting anything in the RECORD on this subject, under the probability that I can not please anybody. I never before appreciated the advantage of a seat over here on the Cherokee strip, when I have to make a speech that can not possibly please anybody, because, under the circumstances existing now, there are few on this side to resent the flings and arrows I may direct against them, and the other side of the House, where I really belong, is too far away for them to return any flings and arrows that may be sent in that direction.

Mr. Chairman, the fact is that when I made my first campaign for Congress there was then on in this country the tariff agitation that resulted in the Payne bill, and when I made my second campaign for Congress one of the leading issues in that campaign was a revision of the Payne bill itself, and yet I never made a speech on the tariff, either in or out of Congress. I did not become a Democrat, Mr. Chairman, because of the tariff policy of the Democratic Party.

I became a Democrat because I believed that party in its makeup, in its leadership, in its sympathies, and in its principles was nearer than the Republican Party to the great toiling and producing masses of this country. [Applause on the Democratic side.] That is why I became a Democrat, and Mr. Chairman, I have never had any cause to regret my action or to revise or change my opinion. It is quite a practice with Democrats, and I suppose with Republicans since that party has taken on age, to launch out in campaign speeches and in conventions with the assertion that they have always been Democrats. But I am not able to say that, and if there can be credit due a party in augmenting its numbers by accession rather than by birth, I think it is worth something to the party and something of which it may more properly boast, that here and there is a man who was not born a Democrat, but who, after obtaining his maturity and such judgment as it may have pleased nature to bestow upon him, elected to cast his fortune and affiliate with the party because he believed that of the two great parties it was closer to the masses of the people from which he sprang. [Applause on the Democratic side.]

It is true that I subscribe generally to the tariff theories of the Democratic Party, but I came to this body as nearly open-minded and nonpartisan upon this subject as could well be, and without having in mind any theory of tariff taxation into which all facts must fit or any hard-and-fast rule which must apply in all cases. I came rather in that state of mind where a man might favor a protective tariff, a revenue tariff, or free trade, as the case might be, and while this state of mind might not be in accord with the traditional policies of either of the two great political parties, as declared in their successive platforms, it is my observation that it has been to some extent in accord with the performance of the two great parties and to a still greater extent in accord with the individual actions of a very respectable number of the representatives in Congress of these parties.

THE REPUBLICAN TARIFF POLICY.

In the first place, neither of the parties has consistently adhered to its declared tariff policy. In its last declaration upon this subject, the Republican Party in its platform of 1908 said:

In all tariff legislation the true principle of protection is best maintained by the imposition of such duties as will equal the difference between the cost of production at home and abroad, together with a reasonable profit to American industries.

I can find no place in such a declaration for the proposal of a Republican President to place upon the free list the products of the farm and throw open the markets of this country to the only present and prospective competitor of the American farmer. I can find no place in a policy of protection thus specifically defined—for absolute free trade under the guise of reciprocity.

I heartily supported and voted for Canadian reciprocity, and would be equally glad to support absolute free trade with Canada. Not because I believe that reciprocity with Canada will appreciably reduce the cost of living to the people of this country, but because of the closer and better trade relations that will be thereby established between them; because there are no natural barriers, and, therefore, should be no artificial barriers between the two countries. But the Republican Party has been steeping the American farmer in the belief that his prosperity is almost wholly dependent upon a high protective tariff, and is even now filling those of the American farmers who raise sheep and produce wool with the false fear that the Democratic Party is about to wantonly destroy that industry through a reduction of the tariff; and I am unable to see where free wheat has any more place than free wool in such a doctrine. All these years the Republican Party has been giving the farmer a tariff of 25 cents per bushel upon his wheat. It now tells him that this duty was of no benefit. How is he to know that it will not next negotiate reciprocity treaties with South America, wherein wool will play the part now being played by lumber and its products in Canadian reciprocity? All American products, whether of the mine or the mill or the farm, are produced under the same economic conditions in every material respect, and a free list upon any American product, by whatever name that free list may be called, has no place in the policy of protection.

THE DEMOCRATIC TARIFF POLICY.

But little less difficulty has been experienced by the Democratic Party in its policy of a tariff for revenue only, in which a free list has no more logical place than in the policy of protection, and which must result in heavier duties upon those things taxed for revenue purposes. It is conceded that any duty levied upon a competitive product is to that extent protective, and there is no escape from this proposition. About one-third of the total revenues of the Government is derived through tariff taxation, and if it is the purpose of the Democratic Party, as it seems, to maintain this source of revenue and the tax necessary to derive this revenue is to be laid principally upon things produced in this country, it follows that the amount of incidental protection will approximate the direct protection contemplated by the Republicans. Such incidental protection, I maintain, ought to be equitably distributed, if not for the avowed purpose of protection, at least for the purpose of equity and to prevent one competitive article from receiving much incidental protection because another receives none. A free list of noncompetitive articles may be consistent with the theory of protection to American products, but a free list strikes me as inconsistent with any theory of a tariff for revenue, which, to be equitable, must be uniformly distributed over every subject of taxation. I do not mean this in any spirit of criticism of either party, but merely as showing what necessarily and inevitably happens to a theory when confronted with a condition.

INDIVIDUAL INCONSISTENCY.

When you consider the action of individual representatives of the two parties, you find no less inconsistency. During the passage of the Payne bill, the views of the individual Representative might be more safely forecasted by the products of his locality than by his party affiliations. New England protectionists were solidly for free hides and Texas tariff reformers were as solidly against it. Kansas wanted free lumber and protected wheat. Republicans from the prairie States wanted $1 per thousand on rough lumber for protection, and Democrats from the timber States wanted $2 per thousand for revenue.

And so it went. In many cases it was a question as to whose ox was gored. In this session of Congress we have witnessed that splendid fighting body of independent Republicans go to pieces on the rock of reciprocity, disorganized among themselves, and fallen from the grace of the agency of publicity which was their chief source of support; all because reciprocity proposed to give them free wheat, of which they produce much, along with free lumber, of which they produce none.

NEW ENGLAND TARIFF REFORM—FREE RAW MATERIAL.

Mr. Chairman, this brings me to the flaw, if such it be, in my own armor. I am not a New England tariff reformer. The doctrine of the New England tariff reformer has been made perfectly clear in tariff legislation. It is free trade in raw materials and protection upon manufactures. From a tariff standpoint, there is no such thing as raw material. [Applause on the Democratic side.] Raw material is a manufacturing, not a tariff, term. Used as a tariff term, raw material is an absolutely misleading misnomer. The moment labor or capital is applied to the resources of nature, that moment the yields of nature cease to be raw material, so far as the tariff is concerned. This proposition is so obvious and elementary to me that discussion of it would be wasted upon me.

I am not now arguing for a revenue tariff or for a tariff for protection, but I am simply stating what has become to my mind a transparent, obvious fact, and that is from a revenue or tariff standpoint there is and can be no such thing as raw material, but that the term is solely and only a manufacturing term.

FREE HIDES—IRON ORE—COAL.

The only result heretofore, if any, of free raw materials in tariff legislation has been to increase the margin of protection and swell the profits of the manufacturer. Take the case of hides. In the Payne bill we placed hides on the free list and reduced boots and shoes correspondingly, and hides have gone down and boots and shoes have gone up. Nobody can dispute this. I will insert here in my remarks the provisions of the Dingley law and of the Payne bill upon hides, boots, and shoes as these items appeared in the various stages of the bill from its introduction to its final passage:

HIDES OF CATTLE—BOOTS AND SHOES—DINGLEY LAW.

HIDES OF CATTLE.

SEC. 437. Hides of cattle, raw or uncured, whether dry, salted, or pickled, 15 per cent ad valorem.

BOOTS AND SHOES.

SEC. 438. Boots and shoes made of leather, 25 per cent ad valorem; provided that leather cut into shoe uppers or vamps or other forms suitable for conversion into manufactured articles shall be classified as manufactures of leather and pay duty accordingly.

THE PAYNE BILL AS INTRODUCED.

HIDES OF CATTLE—FREE LIST.

SEC. 581. Hides of cattle, raw or uncured, whether dry, salted, or pickled.

BOOTS AND SHOES.

SEC. 448. Boots and shoes made of leather, and leather shoe laces, finished or unfinished, 15 per cent ad valorem, provided that leather cut into shoe uppers or vamps or other forms suitable for conversion into manufactured articles (and Gauffre leather) shall be classified as manufactures of leather and pay duty accordingly.

This shows that the Payne bill as introduced proposed to remove hides from the dutiable list of 15 per cent ad valorem and place them on the free list, and to reduce boots and shoes from 25 to 15 per cent ad valorem.

THE PAYNE BILL AS AMENDED IN THE SENATE.

HIDES OF CATTLE.

SEC. 447½. Hides of cattle, raw or uncured, whether dry, salted, or pickled, 15 per cent ad valorem.

BOOTS AND SHOES.

SEC. 448. Boots and shoes made of leather, 20 per cent ad valorem, provided that leather cut into shoe uppers or vamps or other forms suitable for conversion into manufactured articles (and Gauffre leather) shall pay a duty of 15 per cent ad valorem in addition to the duty imposed by this paragraph on leather of the same character as that from which they are cut.

This shows that the Senate proposed to retain the 15 per cent ad valorem duty on hides and reduce boots and shoes from 25 to 20 per cent ad valorem, with an additional duty of 15 per cent ad valorem on the forms of leather mentioned in the proviso, instead of taxing such forms as "manufactures of leather."

THE PAYNE BILL AS AGREED TO BY THE COMMITTEE OF CONFERENCE.

HIDES OF CATTLE.

SEC. 450. Hides of cattle, raw or uncured, whether dry salted or pickled, shall be admitted free of duty: *Provided*, That sole leather made from such hides shall pay a duty of 5 per cent ad valorem; that grain, bugg, and split leather made from such hides shall pay a duty of 7½ per cent ad valorem; that boots and shoes, the upper leather of which is made wholly or in chief value from such hides, shall pay a duty of 10 per cent ad valorem; that harness, saddles, and saddlery, in sets or in parts, finished or unfinished, composed wholly or in chief value of leather made from such hides, shall pay a duty of 20 per cent ad valorem.

BOOTS AND SHOES.

SEC. 451. Boots and shoes made of leather, 15 per cent ad valorem: *Provided*, That leather cut into shoe uppers or vamps or other forms suitable for conversion into manufactured articles (and gauffre leather) shall pay a duty of 10 per cent ad valorem in addition to the duty imposed by this paragraph on leather of the same character as that from which they are cut.

THE PAYNE BILL AS FINALLY ENACTED.

HIDES OF CATTLE—FREE LIST.

SEC. 581. Hides of cattle, raw or uncured, whether dry salted or pickled.

BOOTS AND SHOES.

SEC. 448. Boots and shoes made of leather, 15 per cent ad valorem: *Provided*, That leather cut into shoe uppers or vamps or other forms suitable for conversion into manufactured articles (and gauffre leather) shall be classified as manufactures of leather and pay duty accordingly.

This shows that the Payne bill on hides of cattle, boots, and shoes became a law just as originally introduced, placing hides on the free list and reducing boots and shoes from 25 to 15 per cent ad valorem, and only changing the Dingley law by the insertion into the proviso of the words "and gauffre leather."

The Government lost about $2,000,000 annually in tariff revenues by removing the 15 per cent ad valorem duty on hides, and no consumer of the manufactures of leather has been benefited one cent. Where did the tariff go? What has become of the $2,000,000 of which the Treasury of the United States was deprived? In the Payne bill we lowered the duties on coal and iron ore and rough lumber. I do not know what losses the Treasury sustained by the reductions, but I do know what gains the consumer of the finished products made. He gained nothing. There is one theory, and only one, upon which the doctrine of free raw materials can be justified, and that is that the Government shall follow up by some action to see that the consumer and not the trust gets the benefit.

It has been said in a sort of joking way here, Mr. Chairman, that the Representatives from Colorado are between the devil and the deep blue sea because we have got a lot of sheep in our State and have been "steam rollered" into supporting this bill; but, Mr. Chairman, the most dangerous issue that can come out of this legislation would not be, in my judgment, a reduction of the price of raw wool. The most dangerous issue would be that wool should depreciate, and the Treasury be deprived of the revenue, which was the case with placing hides upon the free list, not by a Democratic but by a Republican Congress at the instance of a Republican President; and then, as in the case of boots and shoes, for clothing, I will not say go up, but to even remain stationary; that, in my judgment, would be the most disastrous outcome that could overtake this legislation.

THE TARIFF AS AN ISSUE.

Mr. Chairman, this brings me to a personal view of the tariff which I have hesitated in my own mind to state. The tariff is the piece de resistance of American politics. It is the perennial issue. In the minds of many it is the paramount issue, but to my mind it has become the paramount humbug. So far as affording the relief expected of tariff legislation, it is an ignis fatuus, and only serves to distract and divert public attention from the really great and vital issues crying for solution. It holds the boards and is kicked back and forth while the great trusts, both protected and unprotected, grow and grow. It was an issue when this country was a poverty-stricken handful of States along the Atlantic seacoast, given almost wholly to pastoral pursuits and able to compete with no nation anywhere; it is an issue when we have become the greatest industrial power in the world, able to compete with all nations everywhere, and it is no nearer solution now than then. It is a very corpse of an issue, and I favor a substantial tariff reduction, in large part upon the ground that the people, seeing no substantial relief, will give it burial and turn their attention to the great living issues ripening now for solution, but unborn when the tariff had become hoary with age.

Mr. Chairman, this country has recently produced a great school of reformers, born out of the industrial evolution of this generation, but not one of them has won the attention of the country or made any contribution to progress upon the tariff. Production of wealth has become a science, but the distribution of wealth remains an enigma. The great captains of industry, through combination and invention, have brought production to an almost perfect standard of system, efficiency, and economy, but all for their own profit. The father who worked in the mills at Pittsburg 40 years ago got a little plain food for his belly, a little plain clothes for his back, a little plain shelter over his head, and his employer counted his wealth by hundreds of thousands; the son working there to-day gets just what the father got, but the employer counts his wealth by hundreds of millions. And that employer has come before the great committee of this Congress and has told this Congress that it could take all the tariff off his industry; that he did not need it.

Mr. Chairman, I presume I am in as close touch with the men in the ranks as any man in this body and that I have spent as much time—12 years at hard manual labor—as any other Member. When I was in the ranks I did not talk tariff and the men in the ranks with me did not talk tariff. We did not measure public men by their tariff views, of which views there appears to be nearly as many varieties as there are public men. Some of the great labor organizations of the country have headquarters here in Washington. These organizations are not petitioning Congress about the tariff. Neither are the others. They are not particularly interested by what method you raise $40,000,000 annually on Schedule K. They are operating the great industrial enginery of the country and no solution of the tariff will settle one single issue which has brought about and built up these great combinations of workingmen.

The great issue in this country is to harness the great engines of production, so that they shall work for all instead of for a few, and the men who are making an impress upon the thought of this country are the men who, in city, State, and Nation, have made some contribution to the solution of this question.

TAKE THE TARIFF OUT OF POLITICS.

I have said no solution of the tariff will solve the issues of the wage earner. There is a possible solution that may incidentally help him. Mr. Chairman, the views to which I have given expression impel me in the direction of action which will remove the tariff as far as possible from politics. It is a subject so complex and intricate that it can never be understood by the masses of the people save in a general and vague way; and even their Representatives can not get that thorough and practical knowledge of it to insure intelligent action.

I was reading the other day the testimony before the Ways and Means Committee of the last House of a statesman of national repute who was the especial advocate of wool in Congress for many years. He brushed aside the first question about manufactured wool by saying he knew nothing about the subject. He next admitted that he knew nothing about foreign raw wools. All he knew was a little about sheep raising in this country, and probably the most of that was paper knowledge. But he was no more ignorant of the details of the subject than many more of us—not so ignorant as some of us.

I am inclined, therefore, toward the establishment of a permanent body specially qualified to study this question and shall favor some practical form of tariff board. But my main reason for favoring this reform will be that Congress and the country may be permitted greater opportunity to study and act upon subjects that I consider much more vital than the tariff to the permanent well-being of the people.

FREE RAW WOOL AND PROTECTED MANUFACTURES.

Some views, however, of the tariff generally and of wool in particular have been expressed by Members on both sides of the House to which I can not subscribe and the logic of which I can not follow, even though I am supporting this bill.

Several members of the Ways and Means Committee favor free raw wool. These same gentlemen stand for a duty on manufactures of wool, and explain this apparent discrimination by saying that as to manufactured wool we must have the revenue, but none of these gentlemen has put forward the claim that the woolen mills in this country could operate under free trade, and not one of them, were he given the power and responsibility, would bring in a bill at once transferring all woolen manufactures to the free list, regardless of the question of revenue. Confronted with such responsibility, he would say that the Democratic policy was a gradual reduction to a revenue basis, and that the woolen industry, having been built upon and adjusted to present tariff rates, its sudden transition to the free list would be disastrous to business.

My logic teaches me that a duty is needed on both or neither, as both are produced under identical conditions in every particular. And right here I apply—and I believe the majority of the people apply—the rule of treating each case on its own merits and according to the needs and conditions of the particular product. We have high rates of duty on manufactures of steel and upon everything entering into the composition of steel manufactures, and yet we are competing in the markets of the world on nearly all manufactures of steel, whether locomotives or sewing machines, whether steam threshers or hoes, whether rails or nails, whether stoves or watches; and this fact indicates that we might entirely dispense with the duty on this class of manufactures and upon these schedules.

But nobody will claim that we have at any time, under any conditions, competed with the world in the manufacture of cloth; nor can it be claimed that the removal of the small duty, entering into the raw wool of cloth, will enable our manufacturers to enter into the world competition now enjoyed by the steel industry. Furthermore, it has been pointed out that while this bill carries 20 per cent ad valorem duty on raw wool and 42½ per cent on manufactures of wool, the Wilson bill carried free raw wool and duties of 48 per cent ad valorem on manufactures of wool, or more than twice the actual protection on manufactured wool carried in this bill, thereby clearly indicating the belief of the Democatic Party at that time that fairly high rates of duty must be maintained on woolen manufactures, even with free raw materials. I am, therefore, willing, both on account of raw wool and manufactured wool, to take into consideration the state of the industry itself, here and abroad, and to make allowance for the difference found to exist in the conditions affecting it.

THE PEOPLE WILL REGARD THE HOME INDUSTRY.

And let me say that the people will consider these things; they will regard the home industry. I do not at all follow—and the majority of the people will not follow—those who in the making of a tariff bill place the woolen industry of this country in the same category with rubber and silk, as has been suggested. It has been suggested that the duty to be realized from raw wool might be realized from raw rubber and raw silk, of which we import large quantities, and of which we produce none. Mr. Chairman, I can not understand the statesmanship which does not take into account an established industry which is a substantial item in our list of national assets and a component part of our resources. If there are two sources from which I may derive revenue, one of which we do not produce and the other of which we produce in competition with much cheaper conditions of production elsewhere, and the placing of the tax wholly upon the noncompetitive source will seriously injure the home product, I will at least levy the tax upon the home product up to the point which still leaves it open to foreign competition. And this is exactly the case with raw wool, of which we produce 55 per cent and import 45 per cent, showing conclusively that raw wool is on a competitive basis. And I may add that if every article of consumption in this country was upon the same competitive basis as raw wool there would not be any serious tariff-reform issue and there would not be any extra session of Congress. I submit, Mr. Chairman, that gentlemen who represent a practical people, a people who are interested in results and not theories, should go slowly in saying that in framing a tariff bill they leave wholly out of their calculations the American industry, because the people will consider these things; and they should be considered. No sane man would want to destroy an American industry, even though the argument as to dollars and cents was on that side of the ledger. The future welfare, unforeseen emergencies here and abroad—these and many other considerations would move for its preservation; and I for one am in favor of preserving it.

WOOL A PRECARIOUS INDUSTRY.

Nor do I follow those gentlemen who want free wool on the ground that wool is the gift of God; that the production of wool is largely the act of God. I know little about the sheep industry in this country, but I know more than that. And if you were to tell the herdsman in the mountain wastes, struggling with his flock through storms, fighting drouth and snow and wild beasts and disease, that the clip from the backs of his herd was the gift of God, you would better tell him by mail; it would be safer. And yet I have heard free wool argued for as the gift of God, like water, air, and sunshine. It would be more in consonance with the facts, Mr. Chairman, to argue for free wool on the ground that its production in this country is so precarious and uncertain of profitable returns and so unable to compete with South America and Australia, that it ought to be let go by the board; but since the advocates of free wool have seen fit to take the other position, we shall not only let them maintain it, but shall insist upon its maintenance by them, knowing full well that it has no basis in fact and that our salvation lies rather in the direction of the facts as I have suggested them.

THE UNRELIABILITY OF STATISTICS.

All tariff speeches are replete with figures and statistics, and I observe that it requires tables of statistics to round out any properly proportioned speech on the wool schedule. During this debate I have asked some questions, which in some instances have generated a little heat, with a view to establishing the unreliability of statistics, as well as with a view, in case the figures should prove reliable, to arrive at a conclusion in my own mind. And I think, perhaps, I could make no more serviceable contribution to this debate than to instance some statistics which I believe go at least to raise a substantial doubt as to whether gentlemen upon either side of this Chamber or upon either side of the pending measure can, with even measurable accuracy, forecast the effect of this legislation upon the wool and woolen industries of this country.

I may add that in making these inquiries from the time this measure was presented to the Democratic caucus, I have not confined myself to those gentlemen who have taken some particular side of this subject, but have indiscriminately questioned those who favor the proposed rate of 20 per cent ad valorem upon raw wool, those who favor the present specific duty of 11 cents per pound, and those who favor free raw wool.

The other day the distinguished gentleman from Illinois, the able and well-informed minority leader, was quoting some figures to show that in order to raise the revenue upon Schedule K, estimated by the chairman of the Ways and Means Committee, it would be necessary to increase the imports of wool into this country some 202,000,000 pounds, taking both the raw wool necessary to raise $13,000,000 and the wool in the manufactures necessary to raise $27,000,000, or the total of $40,000,000 contemplated in Schedule K. Prior to that time I had done some figuring myself upon the estimates made in the minority report on the pending bill going to show that imports of raw and manufactured wool must increase nearly 190,000,000 pounds in order to realize the amount of revenue estimated by the majority. Now, in the fiscal year 1910 we consumed in this country, in round numbers, 581,000,000 pounds of wool, of which, in round numbers, we produced 321,000,000 pounds and imported 264,000,000 pounds, a production of 55 per cent and an importation of 45 per cent of the total consumption for that year.

Assuming that the consumption during the first year under the proposed law would be practically the same and that the increased importations would displace a like quantity of domestic wool, I found that instead of producing 55 per cent of the total consumption we would produce but 22½ per cent, and if the figures of the gentleman from Illinois are correct, it would force the domestic production down to about 20 per cent.

I said at the time, and I repeat, that it would be safe to go upon record with the prediction that no such decrease in the production of American wool will occur under this bill, nor will the reduction sufficiently approximate the estimated displacement to give any weight whatever to mere tables of figures indicating that this result will be brought about. On the other hand, in so far as the increase in importations fall short of the figures given, to that extent will the new Schedule K fail to realize the revenues produced by the present schedule.

This, in my judgment, is what will actually occur: Domestic wool will lose its place in the percentage column by reason of increased importations, but these increased importations will be in a substantial measure taken up by increased consumption and the decrease in the quantity of domestic wool will be relative rather than actual. And if, as asserted by the advocates of free wool, the manufacturers of this country are given access to wool supplies which are now practically denied them and which may be advantageously mixed with the domestic wools, thereby stimulating American manufacture, the depressive result upon domestic raw wool will be still less noticeable.

And here is another element that should not be overlooked. The world's wool supply is fairly fixed. There is not sufficient wool in the world to supply the demand; at least there is not a surplus; at least it may be said of wool as of other textiles and of food products that the marvelous growth of a greater use of these things has caused the price of them to increase everywhere, with demand ever more closely treading upon the heels of supply. The world's wool production is about 2,854,000,000 pounds per annum. This country consumes about 600,000,000 pounds of that total. Does anyone imagine that the wool manufacturers of Europe will sit by and permit the diversion into this country of 200,000,000 pounds of wool per annum now going into those countries, or even of the 103,000,000 pounds of raw wool estimated by the minority, without bidding in the markets for their share of it? Would not such a falling off of the supply of raw wool in the manufacturing centers of Europe inevitably tend to sustain prices? Then, if these increased importations are to have the effect of reducing the domestic source of supply, it must work a reduction of the total raw-wool supply of the world and an inevitable sharpening of demand and increase of prices.

I believe we are going to have increased importations of both raw and manufactured wools under this schedule; otherwise it would be useless to enact it, and our producers of both raw and manufactured wools are going to be brought into sharper competition with the woolgrowers and manufacturers of the world, and I mention the foregoing considerations for the purpose of suggesting not only that you can not spell the ruin of the wool industry in this country out of a table of figures, but as suggesting that there are compensating benefits which will in a very large measure counterbalance on one side of the ledger the losses to be noted on the other, to say nothing of the millions who must benefit by better if not by cheaper clothing and of increased commerce with the world at large.

THE TARIFF AND WOOL PRICES.

There are other figures from which it is just as difficult as those I have given to predicate the effect of a tariff rate. The other day I sought to interrupt the gentleman from Wyoming when he was taking the position that the production of wool required stable conditions, and that conditions were stable except in the face of Democratic tariff revision, and I shall insert in my remarks what I then wished to call to his attention, namely, the testimony of one J. M. Wilson, of Douglas, Wyo., who appeared before the Ways and Means Committee during the framing of the Payne bill and stated that he represented the National Woolgrowers' Association. Mr. Wilson said, at page 5035 of the hearings, that in 1907 their wool brought 22¾ cents per pound and in 1908 15¾ cents per pound, a slump of fully one-third in the market price of wool within a period of 12 months.

Mr. Peter G. Johnson, a representative of the Idaho woolgrowers, testified at the same hearings, and at page 5074 gave the following prices for Idaho raw wool:

	Cents per pound.
1903	12½
1904	15
1905	18½
1906	18½
1907	20
1908	15

Mr. J. A. Delfelder, of Wyoming, a woolgrower, testified, at page 5109, to the following prices of raw wool:

	Cents per pound.
1905	13½
1906	17
1907	18
1908	15

I do not believe that, leaving partisanship aside, any man can fairly contend that the fear of free raw wool in 1908, with the Republican Party overwhelmingly in power in every branch of the National Government, with the United States Senate two to one Republican, had anything whatever to do with the slump in wool. The slump in wool in 1908, in my judgment, was more likely due to the panic of 1907, although I am somewhat perplexed in attributing it in part to that cause by the fact that even during and long after the panic of 1907, there was a continued advance in prices upon all commodities and upon all necessaries of life.

I notice also that some of our western woolgrowers placed a very low valuation on wool for the year 1903, indicating that it received little benefit from the present duty. Mr. Johnson, whose figures I have already stated, placed it at 12½ cents per pound, and he was corroborated by Mr. E. S. Erickson, of Salt Lake City, who said that he represented the Utah Woolgrowers' Association, and stated, at page 5062, that Utah wool in 1903 was worth 12 cents per pound. This, by the way, was six years after the Wilson law had been replaced by the Dingley law, giving ample time for clearing the American markets of any stored importations under the Wilson law.

Mr. Chairman, when I scanned the testimony in the hearings upon the Payne bill, showing the low prices of wool which prevailed throughout the Rocky Mountain States during the years the Dingley law has been in force, the question naturally arose in my mind as to what extent our woolgrowers were being benefited by the specific duty of 11 cents per pound upon raw wool. I have not exhausted the testimony upon this subject. One of the principal woolgrowers in my State testified that he sold his wool in 1908 for 12 cents. The largest woolgrower in New Mexico gave his sale prices over a period of years in the nineteen hundreds, and these prices ranged from 11 cents to 13 cents. A Member of this House from one of the Coast States, a very large producer of wool, says that he sold his clip last year for 13 cents per pound. I remember hearing Colorado woolgrowers, in the campaign of 1908, complaining bitterly that their wool and sheep market was the lowest and poorest it had been for years. Indeed, I heard general reports to the effect that it was the worst it had ever been. Arguments as to causes may be as many as there are those to argue, but one fact stands out clearly and above dispute, and that is that the duty of 11 cents per pound upon domestic raw wool has not been worth 11 cents per pound to the wool producers and it has not been worth half of 11 cents per pound, and I have heard men who assumed to speak with knowledge estimate the actual benefit of this duty in market prices to the domestic wool producer as low as 2 cents per pound. Another Member of this body is advised by woolgrowers in his State that they receive no benefit whatever from the specific duty, and they base this claim on the ground of the great difference in shrinkage between our western wools and many imported wools, and they

explain it in this way: They say that whereas our western wools shrink on an average two-thirds and even as much as three-fourths in being reduced from the unwashed to the scoured state, much of this foreign wool shrinks only from one-fourth to one-third in the scouring process, and these foreign woolgrowers take advantage of the specific duty of 11 cents per pound upon unwashed wools by bringing their wool in in this condition and scouring it afterwards.

If the foreign wool shrinks only 25 per cent in the scouring process, it will be seen that the importer after scouring his pound of unwashed wool has left three-quarters of a pound of scoured wool, upon which he has paid a duty of 11 cents; whereas had he imported his wool in the scoured state under the 33 cents per pound rate for scoured wool as fixed in the Dingley law, he would have paid for that quantity of wool three-fourths of 33 cents, or practically 25 cents, a net saving of 14 cents upon his three-quarters of a pound of wool, which would mean a net saving of practically 20 cents per pound; and this is the sort of competition the domestic woolgrower with his great shrinkage is called upon to meet under the Dingley law. The scoured-wool rate of 33 cents per pound in the Dingley law therefore is not a protection to the American woolgrower, but a delusion and a snare, just as much so as the exorbitant compound duties upon all manufactures containing even a shred of wool in their composition. It is said there is such an infinite variety of wools as to make the ad valorem duty difficult of application, and that the ideal method would be the fixing of raw-wool duties upon a scoured basis, but I believe the ad valorem method to be much more nearly fair to the American producer than the specific duty, and I therefore favor this method as against the specific rate.

Another item in the list of uncertainties as to the effect of a given tariff rate upon the domestic product is the fact that while the number of sheep in the United States in 1903, when there was no Democratic tariff agitation, is given as approximately 64,000,000, the number had fallen in 1905 to 45,000,000, a loss of 19,000,000, or more than one-fourth of the total number of sheep in this country. A wool-tariff expert could devote an entire speech to the explanation of this slump in sheep production. He could attribute it in part to the demand for sheep as mutton and he could attribute it to a great many other things, but if he were a high protectionist and a Democratic tariff law was in operation or was even threatened, he would attribute it to that fact. And if a Democratic Congress had been elected in 1907, that fact would be charged with the fall in wool in 1908. With a Democratic tariff, either actual or prospective, every reverse in every industry is charged to it. With a Republican tariff act in operation, no reverse in any industry is charged to it. No wonder with such gross misrepresentation the American people cry, lo here, and lo there, and know not what the truth is.

THE WILSON BILL.

This brings me properly to a brief consideration of the Wilson bill. It is amazing how a fallacy can persist in the minds of the people if it only has behind it a great political party. The panic occurred in June, 1893, and the Wilson bill became a law in August, 1894, fully 14 months afterwards, and yet statesmen, leaders of the people, are heard to say that the Wilson bill was responsible for that era of hard times. During the Harrison administration I was raising corn on the prairies of Kansas, and we burned it for fuel because it was not worth hauling to town; corn selling at 9, 10, and 11 cents per bushel, and the more corn a farmer had the poorer he was; wheat selling down at 45 and 50 cents per bushel; hogs worth nothing; cattle worth nothing; the whole country during that administration, and owing to causes for which it was not responsible—and I will say that as a Democrat—working into the throes of universal industrial depression, finally culminating in the panic of 1893, a panic that was turned over full-fledged and ready to burst in all its fury by the Harrison administration to the administration of Cleveland, a condition which had progressed to the point that in February of 1893 a bond issue was determined upon and the bonds actually lithographed, whereupon the Republicans determined that it would be better to pass that situation on to the Cleveland administration.

Some day, when we are far enough removed in point of time, history will do justice to the panic of 1893, and when it does all that has been said in charging it up to the Wilson bill will read as the merest twaddle, if it is read at all. I read the other day the statement of the recent Republican candidate for governor of Texas with reference to free raw wool under the Wilson law, and he said with a fine sarcasm that we came within 4 cents a pound of having free raw cotton. Since the great bulk of our raw cotton has always been exported and its price fixed in the foreign markets, he seemed to overlook the fact that what he really succeeded in doing was to draw an indictment against the general industrial and financial conditions existing throughout the world and not against the Wilson bill. That cotton of all things produced in this country was worth nothing during that period of depression is to my mind the most convincing argument that the tariff act of 1894 was the victim rather than the cause of hard times. When I say this I say it not in defense of the wool rates in the Wilson bill, but in the interest of mere justice.

I do not recognize the doctrine of free raw material as the test of Democracy. It has been mentioned in but one national Democratic platform, that of 1892, in the whole century of the party's existence, and then only in the way of legislation "in the direction of free raw materials." If free raw material is a cardinal tenet of Democracy, it seems strange that it should be mentioned in but one of some 20 national platforms, and then only suggestively, when during all this time, beginning with 1816, we have had a tariff on raw wool, except during the three years of the Wilson law.

But it is not so singular, in view of the fact that the great Walker tariff, whose author is always quoted with approval by Democratic tariff reformers, carried a 30 per cent ad valorem duty upon raw wool. I wish this bill carried the same rate. I would not ask to go beyond the rate fixed by the author of the greatest Democratic tariff law ever enacted and what is conceded to have been the most successful. Ah, gentlemen say, that rate was fixed in the light of conditions then existing, and conditions are different now. How different? I have heard one of the greatest Democratic students of the tariff now living say that, in his opinion, the wool tariff was an actual benefit to the American farmer. In view of the actual competition to which he is subjected even now, it can only be a benefit because it saves him from even greater and sharper competition with the more cheaply produced wools of other parts of the world.

NO WOOL TRUST.

Mr. Chairman, there is no raw-wool trust. There is no combination in the production of wool. There are no millionaire sheep men. There may be millionaire lumbermen and millionaire cattle men and millionaire wheat men and millionaire cotton men, but I have never heard of any millionaire sheep men. It is very largely a small man's industry, a poor man's industry, and added to that, in this country, as shown by the following figures of the Agricultural Department, it is an almost universal industry. Nearly every State in the Union and nearly every county in every State has its flocks. According to these statistics for 1910, 32 of the 48 States and Territories each produced more than 1,000,000 pounds of raw wool. I give only the round numbers, as follows:

	Pounds raw wool.
Wyoming	36,000,000
Montana	33,600,000
New Mexico	19,200,000
Idaho	19,000,000
Ohio	16,900,000
Oregon	14,400,000
Utah	14,200,000
California	13,300,000
Michigan	11,475,000
Colorado	9,100,000
Texas	8,950,000
Pennsylvania	6,300,000
Wisconsin	6,075,000
Missouri	6,020,000
Nevada	5,950,000
Indiana	5,850,000
Iowa	5,400,000
Arizona	4,950,000
New York	4,950,000
Illinois	4,900,000
South Dakota	4,060,000
Washington	4,050,000
Kentucky	3,800,000
West Virginia	3,450,000
Minnesota	2,550,000
North Dakota	1,750,000
Virginia	1,640,000
Nebraska	1,625,000
Kansas	1,310,000
Maine	1,260,000
Tennessee	1,240,000
Vermont	1,170,000

It is an important industry in these 32 States and Territories, but, as I shall show by other figures, it is a leading industry in some of them. Agricultural Graphics show that for the period of 10 years, from 1899 to 1908, inclusive, the average of sheep in the United States was slightly over 52,000,000, of which approximately 25,000,000, or nearly one-half, were to be found in the Rocky Mountain division of States and Territories comprising Montana, Wyoming, New Mexico, Idaho, Utah, Colorado, Nevada, and Arizona.

I give them in their order, as follows:

	Number of sheep.
Montana	5,813,000
Wyoming	4,565,000
New Mexico	4,338,000
Idaho	3,440,000
Utah	2,842,000
Colorado	1,926,000
Nevada	1,101,000
Arizona	961,000
Total	24,986,000

Some idea of the importance of the sheep industry in many States may be gained from the following table, showing the number of sheep in proportion to population:

States.	Population.	Number of sheep.	Per capita.
Wyoming	146,000	4,565,000	31
Montana	376,000	5,813,000	15½
Nevada	82,000	1,101,000	13½
New Mexico	327,000	1,338,000	13
Idaho	325,000	3,440,000	10½
Utah	373,000	2,842,000	7½
Arizona	204,000	961,000	4½
Oregon	672,000	2,799,000	4
Colorado	799,000	1,926,000	2½
California	2,377,000	2,290,000	1

In order to emphasize the importance of the industry in the foregoing States, it may be of interest to note the relative unimportance of the industry in other States, to which, however, much attention has been given during the debates:

States.	Population.	Number of sheep.	Per capita.
Michigan	2,810,000	2,830,000	1
Ohio	4,767,000	3,125,000	⅔
Texas	3,896,000	1,891,000	½
Indiana	2,700,000	1,163,000	⅖
Pennsylvania	7,665,000	1,035,000	⅛
New York	9,113,000	1,151,000	⅛

And so on down the list.

My own State, Colorado, is tenth in the production of both sheep and wool in the United States and eighth in proportion to population. There are half as many sheep in the district I represent as there are in the entire State of Ohio. There are twice as many sheep in that district as in the entire State of Indiana. I doubt if there is a single Democratic Representative from the States of Ohio and Indiana who would say that in the framing of a tariff bill the sheep industry was not to be considered, or who would subscribe to that view, either publicly or privately, and its consideration must grow in the estimation of the Representative in proportion to its importance, and it should grow in proportion to its importance in the estimation of those who are not directly affected. The gentleman from Kansas [Mr. MURDOCK] furnished me with the following table, showing the rise and fall by decades of the sheep industry of this country by sections, beginning with 1840 and showing that with the exception of the mountain division of eight States and Territories it has reached its climax and declined:

Growth and decline of sheep industry in the United States since 1840.

NEW ENGLAND STATES.

1840	3,750,000
1850	2,500,000
1860	1,750,000
1870	1,500,000
1880	1,500,000
1890	1,000,000
1900	500,000

MIDDLE ATLANTIC STATES, INCLUDING NEW YORK AND PENNSYLVANIA.

1840	7,500,000
1850	5,500,000
1860	4,500,000
1870	4,000,000
1880	3,750,000
1890	3,250,000
1900	2,000,000

NORTH CENTRAL STATES, INCLUDING OHIO AND MICHIGAN.

1840	3,250,000
1850	6,750,000
1860	7,000,000
1870	11,250,000
1880	10,500,000
1890	9,500,000
1900	7,000,000

MIDDLE WESTERN STATES, INCLUDING KANSAS AND NEBRASKA.

1840	500,000
1850	1,000,000
1860	1,500,000
1870	2,500,000
1880	3,750,000
1890	2,500,000
1900	2,250,000

SOUTHERN STATES.

1840	4,500,000
1850	5,750,000
1860	6,000,000
1870	5,000,000
1880	7,000,000
1890	9,500,000
1900	4,750,000

PACIFIC COAST STATES.

1860	1,000,000
1870	3,000,000
1880	7,000,000
1890	5,500,000
1900	4,250,000

ROCKY MOUNTAIN STATES.

1860	750,000
1870	750,000
1880	8,000,000
1890	10,000,000
1900	18,000,000

The figures end with the year 1900, giving the Rocky Mountain States at that time but 18,000,000, whereas now, as I have shown, they number about 25,000,000; and the gentleman from Kansas goes on to say that if we are to have a shepherd race in this country it will probably be in the Rocky Mountains. But, Mr. Chairman, even these figures and this surmise as to the future, taking them to be true, are not sufficient to justify the conclusion that the industry is not worth sustaining, and surely no one will contend that the matter of locality should have anything whatever to do with the fixing of tariff rates. The whole country is interested in the sheep of the Rocky Mountain States as it is in the mills of the New England States. And all that the whole country can fairly ask of any section of the country is that it shall not be given a monopoly of its resources, so as to prosper at the expense of the remainder of the country. And my complaint against the proposed rate upon raw wool is that it is admitted to be below both a revenue and a competitive rate. It is admitted that the present tariff rates on raw wool are absolutely competitive, and that, notwithstanding this fact, these rates produce approximately one-third more revenue, or about $20,000,000 as against $13,000,000, than will be realized under the proposed rates, showing conclusively a substantial loss of revenue and also its reduction below the present competing point; although even here, in order to be perfectly fair, I will say that our failure to produce sufficient raw wool would lead to its importation in large quantities, even though the duty were higher than it is now.

But, Mr. Chairman, we may eliminate speculation and we may eliminate, to a large extent, the figures which seem to be capable of as variable conclusions as the theologian may read from his scriptural text, and we have left the substantial fact that we have here a great American industry which, during the 20-year period from 1891 to 1910, produced 5,899,520,518 pounds of raw wool as against 3,590,838,114 pounds imported, or nearly two-thirds of all the wool consumed in this country; one of the leading industries of a great section of the country and diffused among nearly all sections and among the producing class of people; that this industry is entirely worth preserving as a part of the national economy, an industry which it would be national folly to attempt to eliminate or to seriously injure, but which, under conditions as they now exist, can not produce as cheaply as in some other parts of the world. It being conceded that it is in part benefited and sustained by the tariff, and having been in part benefited and sustained by the tariff practically throughout the entire history of the industry in this country, so that we have no reliable criterion to guide us or to indicate with any degree of certainty the result of its transition to the free list, it will be the part of wisdom to go slowly, and, in the new order of things, to resolve the doubt in its favor by giving it a little more rather than a little less than half of the tariff rates it has been enjoying.

And, therefore, Mr. Chairman, while I believe that our Committee on Ways and Means have labored faithfully and honestly to bring about a solution of this most vexed question which will be fair to all interests involved, and while I would retire from public life before I would stultify myself through fear of consequences to me personally by bolting the party action under these conditions, I should feel entitled to reserve the right in the event the rate of duty upon raw wool should be increased elsewhere to 30 per cent ad valorem to vote to concur in that action.

REPUBLICAN PAPERS PREACHING CALAMITY.

Now, Mr. Chairman, I have displeased some gentlemen on this side of the House by my attitude toward the rate of duty proposed upon raw wool in the pending bill, because I indicated that it ought to carry a somewhat higher rate. At home I have been denounced by Republican papers as a traitor to the interests of my State by agreeing to be bound by the caucus action

on this bill. This bill, according to these Republican papers, is going to absolutely destroy woolgrowing in Colorado. The production of wool in Colorado owes nothing to nature; it owes nothing to the air and sunshine and water; it owes nothing to the natural herbage on the great mountain slopes and in the vast mountain parks; it owes nothing to the law of supply and demand; it owes nothing to the fact that the mills of this country will keep on weaving all the wool they can get and the men, women, and children of this country will keep on wearing that weave; it owes nothing to all these elements, but all is owing to a specific duty of 11 cents per pound on wool, the reduction of which to a 20 per cent ad valorem duty is to absolutely destroy the wool industry of that State.

Mr. Chairman, I want to say that whether the action of the Democrats in Congress in leaving a duty on raw wool is consistent or otherwise, the attitude of the Republican press of my State is thoroughly consistent with the doctrine and teaching of the Republican Party. A duty of 25 cents per bushel on wheat has built up a great, splendid, triumphant civilization in Iowa, Kansas, Nebraska, the Dakotas, and Minnesota; free wheat from Canada is about to restore the primeval waste whence sprang these great Commonwealths. [Applause on the Democratic side.] A specific duty of 11 cents per pound on wool gave that magnificent galaxy of mountain States to the Nation; now through the medium of a 20 per cent ad valorem duty on wool the mountain pines in all their primeval solitude will sigh a requiem over their desolate ruins. [Applause on the Democratic side.] The genius of the world's most imperial people and the world demand, growing by leaps and bounds and theatening to outrun supply, have nothing to do with the life of agriculture and of industry in this country; this life flows and ebbs with the ebb and flow of the tariff, and now with the tariff ebb they are to be swept out completely into the vortex of a common ruin.

Mr. Chairman, I despise the source of these dire but false prophecies and I am not disturbed by them, and I only want to observe here that giving ear to such echoes of its own teachings in the making of its last tariff bill brought the Republican Party into its present low estate. [Applause on the Democratic side.] And I want the Democratic Party, now in its hour of opportunity, to do its duty and to hew to the line, let the chips fall where they may, only asking that they be fair as well as firm. [Applause on the Democratic side.]

If anything in the way of tariff legislation was an issue in the last campaign and was settled by that campaign, it was a substantial revision of Schedule K [applause on the Democratic side], characterized by a Republican President as indefensible, and which is shown by its own operation to be not only highly protective of the wool manufacturing industry in this country, but practically prohibitive of imports of manufactured wool. For the Democratic Party to fail under these conditions to undertake a substantial downward revision of this schedule would unquestionably and properly cost it the confidence of the people, and no Representative whose vision outruns the bounds of his own district, no man who is fit to represent the people, will ask that the cup which he must press to the lips of others shall pass wholly from him. [Loud applause on the Democratic side.]

Mr. MANN. Mr. Chairman, I yield 30 minutes to the gentleman from Missouri [Mr. DYER].

Mr. DYER. Mr. Chairman, the history of this Democratic bill, H. R. 11019, began on June 1, so far as we have any knowledge, with a caucus of the Democratic Members of this House. That information came to us through a resolution presented to this House by the chairman of that caucus, the gentleman from Texas [Mr. BURLESON], on June 2, who asked for the privilege of inserting it in the RECORD. It is to be found on page 1683 of the RECORD, and is as follows:

Resolved, That the bill revising Schedule K, as presented to this caucus by the majority members of the Ways and Means Committee, is not to be construed as an abandonment of any Democratic policy—

[Applause on the Republican side.]

But in view of the Democratic platform demand for a "gradual reduction" of the tariff, and of the depleted and depleting condition of the Public Treasury—

[Applause on the Democratic side.]

a result of Republican extravagance—

[Applause on the Democratic side.]

a tariff of 20 per cent ad valorem on raw wool is now proposed as a revenue necessity.

In that same RECORD, Mr. Chairman, on page 1684, appears the following:

Statement of the United States Treasury at close of business, May 31, 1911.

RECEIPTS AND DISBURSEMENTS, MAY 31, 1911.

(Exclusive of postal revenues and disbursements, except postal deficiency.)

	This day.	This month.	This month last fiscal year.	This fiscal year ending June 30, 1911.	To this date last fiscal year.
Ordinary receipts and disbursements:					
Receipts—					
Customs	$983,099.20	$24,073,286.02	$23,010,989.23	$289,487,993.87	$305,124,965.02
Internal revenue—					
Ordinary	466,275.00	21,855,740.91	21,702,565.15	261,823,939.58	242,413,127.31
Corporation tax	17,934.55	895,285.59	489,271.80	8,241,127.92	696,705.30
Miscellaneous	5,293,818.70	14,408,131.21	6,405,557.74	54,830,384.44	44,158,960.23
Total	6,761,127.45	61,232,443.73	51,608,383.92	614,383,445.81	592,393,757.86
Disbursements—					
Civil and miscellaneous	594,897.49	15,320,967.29	13,584,595.46	162,505,710.32	156,777,391.38
War	729,628.19	11,864,109.81	10,598,514.30	148,049,425.97	144,672,844.18
Navy	331,953.35	9,475,439.56	8,679,309.11	109,821,849.78	112,382,674.25
Indians	4,736,441.49	5,836,319.97	4,017,313.53	19,286,313.63	16,497,113.72
Pensions		14,367,455.64	14,309,208.56	146,245,224.61	148,838,544.75
Postal deficiency		1,035,192.00		1,040,004.74	9,495,628.45
Interest on public debt		1,976,867.94	1,954,760.31	21,210,627.55	21,207,544.19
	6,392,920.52	59,876,352.21	53,143,701.27	608,159,156.60	609,871,740.92
Less repayment of unexpended balances	3,129,455.82	3,967,998.33	4,964,030.07	651,625.16	4,202,872.71
Total	3,263,464.70	55,908,353.88	48,179,671.20	607,507,531.44	605,668,868.21
Excess of ordinary receipts over ordinary disbursements	3,497,662.75	5,324,089.85	3,428,712.72	6,875,914.37	[1] 13,275,110.35

[1] Excess of disbursements over receipts.

Surplus (as above) May 31, 1911	$6,875,914.37
Deficit (as above) May 31, 1910	13,275,110.35
	20,151,024.72

And this was the document or the information on which this resolution was drawn, as to the "depleted and depleting condition of the Treasury," and was inserted at the request of the gentleman from New York [Mr. PAYNE] to show that there was no "depleted and depleting condition of the Public Treasury."

On the opening of the debate in this House on June 7 the distinguished and able chairman of the Ways and Means Committee addressed the House. He called attention to this financial statement of the Public Treasury of the United States, a copy of which is inserted above, to further attempt to show a "depleted and depleting condition of the Treasury." But since the insertion of this report into the RECORD by the gentleman from New York, and by statements and addresses by Members on this side of the House, we have not heard anything further from the gentlemen on that side about the necessity of this bill because of a "depleted and depleting" Treasury. So that argument, which they attempted to make, of the "depleted and depleting condition of the Public Treasury" miserably failed as the reason for the 20 per cent ad valorem. The finances of the Government are to-day in most excellent condition. The United States Treasury will have a surplus of approximately $25,000,000 when the fiscal year of 1911 ends June 30. For 1910 the surplus was $15,000,000. The two years preceding that, to wit, 1909 and 1908, show deficits. The whole truth is it was done to pacify the Members from the woolgrowing States and to keep them in line for next year's election. They

need those States to help elect a Democrat for President and a Democratic Congress next year. Therefore we come to the proposition, which, in my mind, is the real proposition in this bill, and that is that the Democratic Party are to-day, as they were under the administration of Cleveland, in favor of free raw wool. And from the statements of the chairman of the Ways and Means Committee, and from this resolution presented by the chairman of the Democratic caucus, as well as from the addresses made upon this floor by members of that committee and of the majority of this House, it is well understood by the country that they are yet in favor of free raw wool and only await an opportunity to again saddle it upon the people.

So I believe, Mr. Chairman, that the question before this House—at least, it is the question before the American people, and a question that will have to be met by the Democratic Party in the next campaign—is one of whether or not the American people are in favor of free raw wool or in favor of protection as now provided under the law. And that question will have to be met. You gentlemen have made the issue, and you can not deny that that is your position before the country.

The sheep industry has had a hard enough struggle in America to be let alone. It was not until the beginning of the eighteenth century that any success was achieved in raising sheep in this country. The difficulties at first were the climate and the inability of the colonists to understand the proper methods to pursue and the care to take in raising sheep. Then the wolves came along and destroyed them. Another hindrance to sheep raising in this country followed rapidly along, and that was the British woolen manufacturers. They discouraged the sheep industry among the colonists because they wanted to sell to the colonists the woolens manufactured in England. Then the industry was again attacked, not by climate, because the colonists had learned to take care of the sheep; not by the wolves, because they had been killed off in places where sheep were herded, but by the dogs, and they destroyed many of the flocks. So, with the climate, the wolves, the dogs, and the British woolen manufacturers, the sheep industry did not for many years make much headway in America. It was a losing proposition financially. Some wealthy planters pursued the novelty, however, and at much expense brought some fine stock from Spain and other places, especially merinos, and finally there was some splendid flocks in this country. One of the early wealthy citizens to take an interest in sheep raising was George Washington Parke Custis, grandson of Martha Washington, at his Arlington estate. Custis took a great interest in the matter of sheep for stock breeding and domestic manufacture, and he saw in the advent of the merinos a promise of the opening in America of woolen-cloth making. At that time all the cloth of this character used in this country was imported from England, and could only be obtained at considerable cost.

The importance of the matter, because of the success of the manufacture of cotton cloth by the Southern States, was occupying then the thoughts of a number of public-spirited men. To foster improvements in sheep and to encourage woolen manufacture at home, Mr. Custis, in 1803, called a convention of those interested in sheep husbandry and wool manufacture. It met at Arlington House, and really marked the beginning of the woolen-manufacturing interests of the country. It is not known whether or not this convention recommended the imposition by Congress of a tariff on woolen goods, but from the views held at that time regarding and the actual needs of an infant industry, it is presumed it did. The convention also led to the adoption by Mr. Custis of a custom which rendered his fine estate and himself famous throughout the country. He entered into sheep raising with considerable ardor, and in succeeding years the annual sheepshearing at Arlington Spring brought together from all parts of the country an assemblage of men interested in the industry and others distinguished by their ability in public life. All were the guests of Mr. Custis, and the occasion became almost an annual festival.

The spring at which the gatherings took place was at the foot of a wooded slope, near the bank of the river, and not far from where stood the old Alexander mansion. It was a pure and copious fountain, gushing out from the roots of a huge and venerable oak tree, which doubtless stood there when the Indians of a former age came thither to slake their thirst. Around the spring a beautiful grassy lawn, shaded by a variety of trees, extended, affording a magnificent resort for such meetings. Mr. Custis always presided. Toasts were drunk, speeches were made, and prizes were awarded by Mr. Custis to the persons bringing, for purposes of exhibition, the finest specimens of sheep. Generally these ceremonies took place under the shelter of Washington's war tent, which was brought out for the occasion from among the treasured relics of the first President that Mr. Custis possessed. The host usually made a stirring address, and in one of his speeches delivered while wool manufacturers were yet unknown in America, he said prophetically:

> America shall be great and free and minister to her own wants by the employment of her own resources. The citizens of my country will proudly appear when clothed in the produce of their own native soil.

The efforts Mr. Custis was making in behalf of the sheep-raising industry attracted general attention, and among his letters of that time we find several from James Madison, then Secretary of State and afterwards President of the United States. In one of these Mr. Custis is informed that Mr. Madison—

> offers for himself the thanks to which Mr. Custis is entitled from his fellow citizens for his laudable and encouraging efforts to increase and improve an animal which contributes a material so precious to the independent comfort and prosperity of our country. Mr. Madison wishes that Mr. Custis may be amply gratified in the success of his improving experiments, and that his patriotic example may find as many followers as it merits.

In another letter on the same subject Mr. Madison says:

> It gives me pleasure to find your attention to this interesting subject does not relax and that you are successfully inviting to it other public-spirited gentlemen.

In this matter, however, like in a good many others, Mr. Custis understood the theory of sheep raising and of arousing interest in the subject better than he did the practice. His own efforts met with very poor success. He established a large flock of Merinos on the hills of Arlington, but they were gradually killed off by thieves and dogs, until but two animals remained to show that Mr. Custis was still true to his principles. The absence of the sheep somewhat interfered with the successful continuation of the annual sheepshearing gatherings at the Custis Spring, and they were eventually abandoned. Mr. Custis retained his interest in sheep raising, however, and before his own flock became extinct he had the satisfaction of seeing the manufacture of American woolens grow into an important industry.

Beginning with the year 1708, weaving came to be a fixture in many of the homes of the colonists, and by 1719 there was scarcely a New Englander who was not "clad in his own manufacture." Woolen goods for the use of colonists, however, was mostly exported from England. Prior to the Revolutionary War exportations of woolen goods from England to the colonists was of considerable value to England, amounting to several million dollars a year. With the beginning of the Revolutionary War there was increased demand for domestic wool, which stimulated that industry, and for several years there was very little imported from England to this country. After the close of the war, however, importations of British woolens amounted to considerable, and for the years 1790 to 1794 the importations averaged again several million dollars' worth a year, and running as high for the years 1795 to 1799 as $10,000,000 a year. From 1800 to 1807 efforts were made to establish American woolen factories with modern machinery and power. The chief obstacle to their success, however, was the importations of woolens from abroad.

The tariff on woolens was small at this period and was of little benefit to the home industry until 1812, when the tariff was fixed at 35 per cent ad valorem. From 1808 to 1815 woolen manufacture, partially due to the increased raising of sheep, took on great impetus, and a great deal of the woolen goods used by Americans was manufactured at home. In 1810 there were 24 woolen mills in this country. A great hindrance to domestic manufacture at this time was the lack of proper quality of domestic wool. There was little profit in the manufacture of woolen goods at this time and up to 1828, because of competition from abroad. The tariff act of 1828 provided for a mixed duty of 4 cents a pound and 40 per cent, which was afterwards increased to 45 and 50 per cent, ad valorem. Importations still continued very large and amounted at this time (about 1830) to $11,819,000 a year. The number of sheep in this country during this period was about twelve or thirteen million.

From 1830 to 1840 was a period of great growth for the woolgrowing industry, because of protection of American wool. Improvements continued in the supply of wool and the manufacture thereof under protective tariffs until the passage of the tariff act of 1883, which somewhat retarded the industry. The McKinley tariff act of October 6, 1890, gave protection to the woolgrowers substantially as of 1867, under which act the flocks had so rapidly increased.

The prosperity of the woolgrowing industry was not to be let alone, however, for very long, and on August 1, 1894, the Wilson bill was enacted, which took off the protection to wool entirely. This caused almost the ruination of that great industry in this country because of the foreign competition. On July 24, 1897, the Dingley tariff became a law, which restored the duties on wool and revived the American sheep industry. This protection has continued substantially as of that date, and, under that law and the protection of to-day, as unchanged by the last tariff act of the Congress of the United

States, has given to the wool industry the protection that it must have to be successful. These constant changes, however, in the tariff, as well as the threats of the Democratic Party to take that protection away, have kept this industry in turmoil.

Farmers and sheep raisers, remembering the last Democratic administration under President Cleveland and free wool, have hesitated to increase their flocks and develop this industry to its full capacity, as the following facts and figures show, to wit:

Number of farms reporting sheep and lambs, and number of sheep and lambs reported as on farms and ranges, by States and Territories—1910 and 1900.

[Dates of enumeration: 1910, Apr. 15; 1900, June 1.]

States.	Farms reporting sheep and lambs.		Total sheep and lambs.		Ewes.		Rams and wethers.		Lambs.[1]		Unclassified by age or sex.	Wool-producing sheep.	
	(1) 1910	(1a) 1900	(2) 1910	(2a) 1900	(3) 1910	(3a) 1900	(4) 1910	(4a) 1900	(5) 1910	(5a) 1900	(6) 1910	(Columns 3, 4, and 6) 1910	(Columns 3a and 4a) 1900
Alabama	6,631	17,962	142,914	317,053	75,340	157,830	27,060	71,468	31,731	87,755	8,783	111,183	229,298
Arizona	621	602	1,061,363	924,761	537,262	452,271	115,883	216,187	217,980	256,303	190,238	843,383	668,458
Arkansas	8,432	18,302	144,190	256,929	78,976	130,700	15,958	38,061	46,908	88,168	2,348	97,282	168,761
California	3,893	3,616	2,234,125	2,563,353	1,075,313	1,335,390	256,201	389,578	793,593	838,385	109,018	1,440,532	1,724,968
Colorado	1,794	1,255	1,424,187	2,044,814	1,022,834	1,089,680	178,923	263,143	111,139	691,991	111,291	1,313,048	1,352,823
Connecticut	741	1,258	22,418	36,987	12,781	20,655	1,262	2,366	8,375	13,966	.....	14,043	23,021
Delaware	266	466	7,806	11,765	3,924	6,360	491	604	3,391	4,801	.....	4,415	6,964
Florida	660	864	113,631	124,520	55,044	55,881	30,568	46,828	16,729	21,811	11,290	96,902	102,709
Georgia	5,180	10,891	187,589	336,278	101,239	162,704	46,474	96,190	33,147	77,384	6,729	154,442	258,894
Idaho	2,996	1,936	2,950,534	3,121,532	1,598,734	1,611,090	259,800	354,377	790,505	1,156,065	301,495	2,160,029	1,965,467
Illinois	26,262	25,422	1,062,846	1,030,581	586,487	548,853	74,997	80,297	401,362	401,431	.....	661,484	629,150
Indiana	38,191	48,046	1,336,967	1,742,002	742,576	940,387	69,851	70,261	524,540	731,354	.....	812,427	1,010,648
Iowa	21,810	18,788	1,145,549	1,056,718	676,687	576,104	93,230	81,764	375,632	398,850	.....	769,917	657,868
Kansas	3,143	2,095	272,472	262,013	160,681	133,825	35,323	46,082	65,974	82,106	10,494	206,498	179,907
Kentucky	45,707	50,835	1,360,004	1,297,343	719,591	647,838	54,343	68,320	583,110	581,185	2,960	776,894	716,158
Louisiana	3,677	5,740	178,217	219,844	97,923	114,414	37,828	54,820	37,975	50,610	4,491	140,242	169,234
Maine	11,060	18,361	206,434	420,116	143,738	240,717	6,196	11,496	56,500	167,903	.....	149,934	252,213
Maryland	6,228	6,339	237,137	191,101	119,806	101,006	6,445	10,514	110,886	79,581	.....	126,251	111,520
Massachusetts	1,027	1,447	32,669	52,559	20,062	30,441	1,785	3,423	9,997	18,690	825	22,672	33,869
Michigan	54,865	63,339	2,306,476	2,747,609	1,433,263	1,508,503	111,978	117,427	761,235	1,121,679	.....	1,545,241	1,625,930
Minnesota	24,564	28,056	637,551	589,878	417,626	329,984	34,417	29,344	185,508	230,550	.....	452,043	359,328
Mississippi	5,723	14,430	194,285	312,632	105,315	162,188	45,518	74,282	37,779	76,162	5,673	156,506	236,470
Missouri	44,010	38,013	1,808,038	1,087,213	1,012,543	587,757	101,673	75,946	693,822	423,510	.....	1,114,216	663,703
Montana	2,269	1,481	5,372,639	6,170,483	3,050,239	2,995,795	1,602,658	1,219,419	393,676	1,955,269	326,066	4,978,963	4,215,214
Nebraska	3,043	2,764	293,496	511,273	160,955	279,073	56,317	56,877	48,301	175,323	27,923	245,195	335,950
Nevada	316	255	1,103,889	887,039	602,780	434,574	125,906	133,677	292,916	318,788	82,287	810,973	568,251
New Hampshire	2,236	4,202	43,772	105,113	29,075	61,295	2,126	4,023	12,571	39,795	.....	31,201	65,318
New Jersey	875	1,561	30,446	47,730	15,539	24,744	1,054	1,619	13,853	21,367	.....	16,593	26,363
New Mexico	1,848	2,504	3,286,285	4,899,487	1,847,908	2,850,876	424,100	482,867	355,084	1,565,744	659,193	2,931,201	3,333,743
New York	24,830	40,625	929,547	1,745,746	568,414	938,315	37,241	46,201	323,892	761,230	.....	605,655	984,516
North Carolina	14,697	28,941	214,176	301,941	120,315	164,105	19,249	44,707	74,292	93,129	320	139,884	208,812
North Dakota	3,723	4,957	289,354	681,952	178,973	340,273	52,617	111,164	50,240	230,515	7,524	239,114	451,437
Ohio	71,523	73,636	3,907,055	4,020,628	2,178,544	2,090,093	697,693	558,157	1,014,783	1,372,378	16,035	2,892,272	2,648,250
Oklahoma[2]	877	804	62,282	88,363	40,561	45,959	7,189	15,224	13,516	27,180	1,016	48,766	61,183
Oregon	6,394	6,696	2,696,779	3,040,291	1,394,472	1,480,282	491,982	481,073	714,227	1,078,936	96,098	1,982,552	1,961,355
Pennsylvania	25,426	44,057	882,852	1,531,066	473,193	769,463	164,176	190,020	245,483	571,583	.....	637,369	959,483
Rhode Island	242	333	6,789	11,207	3,952	5,901	254	728	2,583	4,578	.....	4,206	6,629
South Carolina	1,732	3,921	37,434	71,538	21,844	40,478	5,425	11,958	9,410	19,102	755	28,024	52,436
South Dakota	5,155	6,392	610,728	775,236	405,308	422,042	86,876	85,296	108,223	267,898	10,321	502,505	507,338
Tennessee	29,978	37,905	794,063	496,011	428,229	256,032	40,320	51,772	323,585	188,207	1,929	470,478	307,804
Texas	6,929	6,416	1,757,963	1,889,298	851,371	924,174	404,391	515,766	393,409	449,358	108,792	1,364,554	1,439,940
Utah	2,419	3,544	1,827,180	3,818,423	1,340,595	1,893,802	330,295	659,332	156,290	1,265,289	.....	1,670,890	2,553,134
Vermont	5,033	8,533	118,551	296,576	78,996	168,292	5,364	13,875	34,191	114,409	.....	84,360	182,167
Virginia	21,497	24,732	803,552	692,929	412,606	353,549	25,382	38,576	365,564	300,804	.....	437,988	392,125
Washington	2,116	2,793	471,521	929,873	206,160	459,158	60,960	98,864	162,659	371,851	41,742	308,862	558,022
West Virginia	26,014	30,266	906,093	968,843	496,623	497,247	67,755	75,492	341,715	396,104	.....	564,378	572,739
Wisconsin	30,040	47,061	929,783	1,675,453	588,628	918,638	39,911	67,574	301,244	689,241	.....	628,539	986,212
Wyoming	1,670	1,076	5,194,959	5,099,613	3,413,975	2,498,914	792,921	828,271	518,753	1,772,428	469,310	4,676,206	3,327,185
The United States	608,363	763,518	51,638,590	61,503,713	29,707,000	31,857,652	7,148,366	7,995,315	12,168,278	21,650,746	2,614,946	39,470,312	39,852,967

[1] Includes for 1910 lambs born between January 1 and April 15; for 1900, lambs under 1 year old June 1.

[2] Includes Indian Territory for 1900.

Owing to the different date of enumeration in 1900 and 1910, the numbers of lambs are not comparable for the two periods, and the only figures that are comparable are the aggregates of ewes, rams, and wethers, and those that are unclassified by ages or sex. The supplemental tabulation not completed will add about 100,000 to the aggregate of the ewes, rams, and wethers. Taken as a whole, the figures indicate a marked falling off in the number of farms having sheep. The number of those farms has decreased in 10 years from 763,518 to 608,363; a decrease of substantially 20 per cent. This decrease in the number of farms keeping sheep is not accompanied by any corresponding decrease in the number of sheep, the number of wool-bearing sheep being substantially the same in 1910 as in 1900. The increase in the average flock offsets the decrease in the number of farms keeping sheep.

The total number of wool-producing sheep on farms and ranges in 1900 was 39,852,967; the number shown in the tabulation for 1910 is 39,470,312. Later tabulation will doubtless increase this number to 39,570,000, which differs from the figures of 1900 by less than 1 per cent.

The number of wool-bearing sheep in barns and inclosures, not on farms, in 1900 was 179,600. The tabulation so far completed indicates a probable number of the same class in 1910 of 255,600. Allowing this number, and further allowing an average weight of fleece of 7.4 pounds, the average indicated by tabulations thus far made, it is probable that the final report of the census will indicate a wool clip in the United States of sheep on farms and not on farms of 40,000,000 fleeces of an aggregate weight of 296,000,000 pounds, as compared with a wool clip in 1900 of 276,992,000 pounds.

The enumerators of 1900 reported an average value for the wool clip of that year of a little more than 17 cents per pound, or an aggregate value of $45,723,739. The tabulation so far completed indicates an average value of 24 cents a pound. If this average is realized for all the wool on the farms of the country, the wool clip of 1910 would have a value of approximately $71,000,000, or over 50 per cent greater than 10 years ago.

My great and prosperous State, Missouri, which has shaken off the shackles of Democracy, and for the last dozen years stood for advancement and protection to her industries, has gone forward also as a woolgrowing and sheep-raising State, as the table below indicates. I call your special attention to the figures regarding Missouri.

Missouri.	1910	1900
1. Farms reporting sheep and lambs	44,010	38,013
2. Total sheep and lambs (number)	1,808,038	1,087,213
3. Ewes (number)	1,012,543	587,757
4. Rams and wethers (number)	101,673	75,946
5. Lambs (number)[1]	693,822	423,510
6. Unclassified by age or sex (number)	.....	.....
7. Wool-producing sheep (lines 3, 4, and 6)	1,114,216	663,703

[1] Includes for 1910 lambs born between Jan. 1 and Apr. 15; for 1900, lambs under 1 year old June 1.

Missouri's annual production of wool to-day amounts to 8,245,000 pounds, with a valuation of $1,978,800. Should even this bill become a law, this industry would be almost ruined in that State. Free wool would be complete destruction.

The following letter from one of the largest woolen importers, located at St. Louis, gives an unprejudiced opinion of this bill. He writes as follows:

ST. LOUIS, *June 12, 1911.*

Hon. L. C. DYER,
House of Representatives, Washington, D. C.

DEAR SIR: Replying to your favor of June 9, as distributors as well as importers of woolens, we naturally favor a lower tariff on woolens. The proposed bill H. R. 11019, however, would, in our judgment, be destructive to the woolen-manufacturing interests in this country as well as impair the quality of woolens offered for consumption. If there was any possible chance of the bill becoming a law, everybody, from the

sheep raiser to the last man manufacturing or distributing woolens, would oppose the bill, as it can only be beneficial to foreign manufacturers.

The price of woolen goods in this country now is not based upon what goods cost to import under the present tariff. In fact, more goods can be produced in the United States than can be consumed; therefore, the competition is between home manufacturers and the values not much higher than they are on the other side. From observation, I believe a better suit of clothes can be purchased in this country for $15 than can be bought in England for £3. The reason of this is not because the goods and making of garments cost less, but on account of the competition among the retail and wholesale dealers in clothing.

An ad valorem duty on woolens would not keep out fraudulent invoices, and the omission of a weight duty would promote the importation of low-class, heavy-weight goods, upon which the ad valorem duty would be small. We went through an experience similar under the Wilson bill, which was very disastrous to the woolen-manufacturing as well as the sheep interests.

Please understand we are not manufacturers, only distributors; hence you can rely upon the statements herein made being impartial.

Yours, truly,

JOS. M. HAYES WOOLEN CO.
JOS. M. HAYES.

Mr. Chairman, 47,701 sheep were received in the markets of St. Louis last week. What does that mean? It means, to my mind, that already the unrest and the threats of free wool have reached the farmers of that State and of that section of the country, and they are beginning already to deplete their flocks because of this, as they believe, impending danger.

The Democratic majority of this House should realize and understand that they are striking, in my judgment, a death blow to one of the great industries of that imperial State. There are 44,000 and more farmers in that State whose livelihood is in great part maintained by the raising of sheep and lambs and the production of wool. These farmers, by raising this wool and these sheep, are doing it not only for their own benefit and for the purpose of making a livelihood, but they are also helping to supply the American manufacturers with wool for the making of woolen clothes and woolen goods, thereby enabling Americans to wear homemade clothes, as well as to give employment to nearly 200,000 American workers engaged in that industry.

Mr. Chairman, Missouri is in favor, not of this policy, indicated in this bill, but she is in favor of that policy of protection that the Republican Party has fostered—protection to American industries, the farm industries, the home industries, the wool industry, and the sheep industry—and ever since Missouri has been a protection State she has progressed in all things, material and otherwise. I can not begin to tell of all the advances she has made since she enlisted under the Republican banner of protection and advancement; but let me for a minute call your attention to one or two things in her principal city, which show how she has progressed under Republican policies and under the laws of protection which that party has caused to be placed upon the statute books. [Applause on the Republican side.]

The business of St. Louis has doubled in the last 10 years. The St. Louis bank clearings for 1900 were $1,688,849,494. In 10 years that amount has nearly trebled. The St. Louis bank clearings for 1910 were $3,727,949,379.

In 1900 the tonnage of St. Louis was 25,313,330 tons. In 1910 the tonnage had increased to nearly 52,000,000.

The post office cash receipts of St. Louis in 1900 were $2,031,664. In 1910 they were $4,539,185.

In 1900 the value of the factory product of St. Louis was $193,783,000. In 1910 it had increased to $327,676,000; and this, Mr. Chairman, under the policies of protection. [Applause on the Republican side.]

And I might say to my colleagues from that great State, that they will have a splendid opportunity in the next campaign to tell the farmers of that State about the great benefits that will accrue to them by having free wool.

Now, Mr. Chairman, with these historical and undisputed facts before us, and recalling the prosperity of the sheep industry under the tariff act of 1867, under which the number of sheep increased to about 50,000,000; then the reduction of duties on wool and woolen goods in 1883, causing the number of sheep to decrease over 7,000,000; then the Republican tariff act of 1890 improving the conditions, and then in 1893 the sheep had increased to 47,000,000; then (1894) the Wilson bill, placing wool on the free list, reducing the number of sheep over 11,000,000 in four years; then the Dingley Act, giving protection as now, and the flocks increasing to their present number of about 51,000,000, with an annual wool clip of 321,000,000 pounds, and, after detailing the hardships and difficulties of the farmers of this country to establish and to make profitable the woolgrowing business, we are now met with another effort by the Democratic Party, which, in my judgment, will destroy and annihilate this splendid American industry. In the words of the distinguished gentleman from Wyoming [Mr. MONDELL], this bill proposes to substitute for the specific and ad valorem duties on wool and woolen goods in the Payne Tariff Act a system of ad valorem duties exclusively. In lieu of the present specific duty of 11 cents per pound on wool of class 1, to wit, fine wools, such as constitute about 75 per cent of the wools grown in the United States, and practically all the wool of the intermountain States; 12 cents a pound on wool of class 2, being long-fibered combing, such as Cotswold and Lincolnshire; and 3 to 7 cents a pound on coarse wool and hair, they propose an ad valorem duty of 20 per cent of the foreign price on wools of all classes.

The specific duties of 11, 12, 3, and 7 cents per pound on wool contained in the Payne tariff were equivalent in 1910, on the basis of the valuations given by importers on the importations of that year, to 47.60 per cent for class 1, 46.54 per cent for class 2 wools, both of which compete directly with domestic wools, and 38.79 per cent for class 3 wools, or an average of 44.31 per cent. So that, assuming that the values were correct and that the protection is in proportion to the ad valorem equivalent of the duties levied, the present bill reduces the duty, and hence the protection, on wools considerably more than half. The reduction on wools partly manufactured is still greater, so that the amount of protection afforded the American woolgrower under the present bill, assuming, for the sake of argument, that an ad valorem duty on wool can be collected without serious undervaluations, probably amounts to about one-third of the protection under the present law.

To get at the true situation, however, and as to the position of the Democratic Party upon the wool industry, we must go beyond this bill, because, as heretofore stated, it has been admitted by Democratic members of the Ways and Means Committee upon the floor of this House that this duty is put upon wool for the simple purpose of bringing in some revenue and not with the idea of protecting the wool industry from the foreign importations, and that as soon as possible they would take that duty off and we will have free wool, as we did under the Wilson Act during the administration of President Cleveland. During the debate upon this bill in this Chamber on June 9, and when the distinguished Member from Massachusetts of the majority of the Ways and Means Committee [Mr. PETERS] was addressing the House, the gentleman from Colorado [Mr. RUCKER], also a member of the Democratic Party, asked of the gentleman from Massachusetts the following question:

> Why is it that since the Wilson Act went out and the Dingley Act came in there has been a constantly growing increase in the price of wool as well as in the production of wool?

The RECORD will show that no satisfactory answer was given to this question. The gentleman from Colorado [Mr. RUCKER] further in that debate stated that he believed that every pound of wool that is brought in here from abroad tends to decrease the price of wool here, because every pound of wool that is brought into this country will displace a pound of wool grown in this country, and, further, that under this bill the American woolgrower could not compete with a foreign grower of wool. These statements are from a Member of this House, a Democrat, who is from a woolgrowing State, and he knows something about the conditions, and what he speaks is the truth, which in substance is that if this bill should become a law the woolgrowing industry in America would be ruined.

They admit that the duty is lowered upon wool so as to encourage importations from other countries, which means of course that every pound of wool imported into this country from foreign countries displaces American-grown wool and will compel the woolgrowers in this country to sell their wool at about half to a third of what they now receive. Statistics and experience already show that American woolgrowers can not do this, and therefore the result would be that the sheep industry in this country would be ruined, and the 44,000 and more farmers in my State who raise sheep and produce wool, as well as the 608,000 and more farmers in the United States, would have to give up the business of sheep raising and the growing of wool because of no home market. The present duty of 11 cents a pound is as low as we can possibly put it and give the wool industry in this country an opporunity to exist, for let me call your attention to the fact that last year with this present tariff duty of 11 cents a pound on wool there was imported into this counry 250,000,000 pounds of wool in the grease, which is almost one-half of the wool consumed in this country. If foreigners could import almost one-half of the wool used in this country last year with the present tariff of 11 cents, what could they be able to do with this tariff reduced to about 4 cents, as it is admitted it would be under this proposed Democratic bill. The answer is plain. They would import practically all of it. It is claimed by the framers of this bill that the importations of wool would increase if this bill should be enacted into a law. This means also that this increase importation will lower the price of wool raised in this country. The gentleman from Massachusetts [Mr.

PETERS], Democratic member of the Committee on Ways and Means, said in this House on June 9:

It is expected the price of raw wool will be lower, if this bill passes, than if the present duty of 11 cents a pound should remain on it.

Mr. Chairman, I shall not go into a detailed discussion of this bill as it relates to manufactures of wool, preferring to wait until the next regular session of this Congress in December, when we will have the best possible information gathered for our information and action. I refer to the Tariff Board, created by the last Congress of the United States, and which was given authority and the means for making a complete study, examination, and report on the woolen schedule. This Tariff Board is composed of experts of both political parties and their report will be based upon the best possible information, data, and figures concerning the growth of wool and the manufacture of woolen articles.

Gentlemen of this House who are advocating this present bill voted to create this Tariff Board for the purpose of getting the best possible information, and reporting it to Congress, concerning Schedule K, the woolen schedule; but now they have grown so wise, because of victory at the polls in the last election, that they think they are well able to legislate upon this most important schedule without further information. Mr. Chairman, I shall vote to suspend action upon this bill till next December, when we will have this additional, important, and nonpartisan but scientific information, upon which we can then act with intelligence. I do not know whether this schedule is perfect, but I do know that if this bill is enacted into law it would make this portion of the tariff laws much more imperfect and cause wide disaster to wool and to the woolen manufacturing industries; and if this schedule is not perfect, then the only way we can make it perfect is by having this reliable information from the Tariff Board to enable us to intelligently change it. I thoroughly believe in a protective tariff, which will enable our manufacturers to pay American wages to American workmen. There was received by this Government as customs receipts for the last fiscal year the amount of $41,900,692 on imports of wool and manufactures of wool. When foreign countries can ship into this country wool and woolen products, on which they pay a tariff of that amount, it does not appear to me that the manufacturers and sheep growers of this country have any exorbitant protection. Is it not much better that this country should raise the sheep to furnish the wool for the manufacture of these goods, so that the manufacturers can make these goods here in America by the employment of American capital and American labor, instead of buying these goods from foreign manufacturers, made out of foreign-grown wool and manufactured with foreign labor? The American wage scale and standard of living are much different than in any foreign country. Everybody admits that the wages paid American workmen are higher than in any other country, and the only way the continued employment for American workmen can be had in this country is to give sufficient protection to our industries to make up for the difference in the goods manufactured in foreign countries with cheap labor and goods manufactured in this country with decent wage paid labor.

Mr. W. C. Jager, of St. Louis, an expert on wool and the woolen industry, writes me under date of June 12 to this effect: That the enactment of this bill into law would cause many mills to shut down, especially those in the Central West, as they would have extra expense in getting any foreign raw stock over the far eastern manufacturers. Besides, he says, the foreign manufacturers would swamp this country with their goods for the reason it does not give to our manufacturers protection sufficient to equalize the cost of production at home and abroad. After 24 years of business in this industry, says Mr. Jager, and knowing of the effects of the Wilson bill with free wool and the great disaster that followed its enactment into law, I should think the lesson should have been so well learned that no effort would be made again to repeat that experience, but protection would be given to our western mills so that they would have a chance at business. The western mills need this protection even more than do the New England mills. This gentleman's opinion of this bill and its effect upon the woolen industry is practically the same as that of all others in that section of the country who understand and know the truth about it.

To show the relative cost of the production of woolen goods at home and abroad and for the necessity of maintaining our standard of wages and living in this country, as opposed to that in the foreign countries, I call your attention to the following tables, prepared by Mr. Julius Forstmann, president of the Forstmann & Huffmann Co., located at Passaic, N. J. Mr. Forstmann is an expert on these matters and was formerly a member of the German Tariff Commission, and from my examination of the statistics and facts covered in these tables I am able to vouch for their substantial accuracy.

Comparative wages paid in woolen and worsted mills in the eastern part of the United States and in Germany.

[Figures for Germany represent in each case the average wage paid by leading firms in six of the principal woolen centers. The actual wages differ in each locality, but the amounts given below represent the average weekly wage.]

	Average wage per week of 56 working hours.		Ratio of United States wages to German.
	Eastern United States.	Germany.	
Worsted spinning (French system):[1]			*Per cent.*
Head wool sorter	$26.00	$9.60	271
Wool sorter	[2] 15.50	3.75	413
Wash-house overseer	22.00	6.10	361
Card-room overseer	22.00	6.35	341
Combing-room overseer	23.75	8.30	286
Drawing-room overseer	23.50	9.45	249
Mule-spinning overseer	21.00	9.05	232
Ring spinning overseer	22.00	8.95	246
Twisting and reeling overseer	21.00	8.50	247
Wool washers	8.20	4.90	167
Card strippers	8.20	5.10	161
Card feeders	7.60	4.35	175
Combs	7.25	2.90	250
Backwashers	5.90	2.80	211
Gill boxes	5.40	2.90	186
Drawing gills	5.70	3.00	190
Drawing frames	6.35	2.85	223
Roving frames	5.95	3.20	186
Mule spinners	13.00	6.40	203
Mule spinners' helpers	6.60	3.55	187
Ring spinners	5.85	3.25	180
Twisters	6.20	3.25	191
Winders and reelers	6.10	3.05	200
Cylinder-room overseers	11.20	5.90	190
Cylinder-room overseers' helpers	6.20	3.40	182
Needle setter overseers	11.20	4.35	257
Needle setter overseers' helpers	7.85	3.35	234
Engineer	20.00	10.40	192
Engineer helpers	11.20	6.40	175
Firemen overseer	12.60	7.30	173
Firemen overseer helpers	11.50	6.60	174
Yard laborers' overseer	16.00	7.75	206
Laborers, all around	8.80	4.70	187
Woolen spinning:			
Boss spinner	32.00	11.50	279
Foreman	18.00	5.50	327
Spinner	14.00	5.60	250
Spinner's helper	6.00	2.75	218
Card cleaner	8.50	4.20	202
Carder	8.50	3.70	230
Laborers for various kinds of work	8.00	3.60	222
Weaving:			
Boss weaver	25.00	10.15	246
Loom fixer	17.30	6.70	258
Warping-room foreman	18.30	7.00	261
Sizing-room foreman	17.00	6.30	270
Drawing-in foreman	15.30	6.30	243
Examining-room foreman	16.30	6.50	251
Weaver	9.20	4.65	198
Warper	8.30	5.05	164
Spooler	4.55	2.30	198
Sizer	8.00	4.60	174
Sizer's helper	7.45	3.60	207
Drawer in	9.40	5.00	188
Hander in	4.95	3.00	165
Warp twister	8.55	6.25	137
Examiner	9.50	6.00	158
Laborers	7.55	4.00	189
Dyeing:			
Head dyer	52.00	19.25	270
Dyehouse foreman	15.00	7.20	208
Dye-tub man	9.60	4.30	223
Rinsing-machine man	8.40	4.05	207
Finishing:			
Burling—			
Head overseer	23.00	8.30	277
Assistant overseer	17.00	6.50	262
Operatives	6.50	3.00	217
Scouring—			
Head overseer	18.00	9.20	196
Assistant overseer	12.00	6.40	188
Operatives	8.00	4.10	195
Carbonizing—			
Overseer	13.00	7.40	176
Operatives	8.00	3.90	205
Fulling—			
Overseer	23.00	8.75	263
Operatives	8.35	4.05	206
Teazling—			
Head overseer	22.00	9.45	233
Assistant overseer	18.00	6.35	283
Operatives	8.25	4.80	172
Steaming—			
Overseer	13.00	4.85	268
Operatives	9.90	4.45	222

[1] The Bradford system of worsted spinning is not used in Germany at all.
[2] The wool sorting in the United States is done principally by men and in Germany by women.

Comparative wages paid in woolen and worsted mills, etc.—Continued.

	Average wage per week of 56 working hours.		Ratio of United States wages to German.
	Eastern United States.	Germany.	
Drying:			*Per cent.*
Head overseer	$18.00	$6.65	271
Assistant overseer	13.00	4.45	292
Operatives	7.50	4.05	185
Shearing:			
Head overseer	23.00	8.50	271
Assistant overseer	20.00	6.75	296
Operatives	7.60	4.05	188
Pressing and glossing:			
Head overseer	21.00	7.20	292
Assistant overseer	13.00	6.70	194
Operatives	9.70	4.70	206
Examining:			
Head examiner	15.00	6.85	219
Examiners	12.00	5.20	231
Putting up:			
Overseer	16.00	5.50	291
Operatives	9.50	4.20	226

Development of woolen and worsted manufacturing in the United States, 1889–1909.

[Compiled from reports of United States Census Bureau.]

Years.	Total number of employees.	Total salaries and wages paid.	Average annual wages paid.	Value of products.	Remarks.
1889...	122,944	$44,359,114	$361	$212,772,629	Tariff law of 1883; McKinley bill 1890; Wilson bill 1894; Dingley bill 1897.
1899...	129,516	50,126,000	387	238,745,000	Dingley bill 1897.
1904...	146,322	61,433,000	419	307,942,000	Do.
1909[1].	168,239	79,214,000	478	419,826,000	Payne-Aldrich bill 1909.

[1] Preliminary figures issued by Census Bureau.

Increase in value of products 1904-1909 was greater than in any 10 years prior to 1900.

From these figures and facts it would appear that every thinking man would want to learn all possible about the woolen industry and await the report of the Tariff Board in December next before passing judgment upon the changes needed in this schedule. Mr. William W. Wood, a large manufacturer of woolen goods, in an address delivered before the National Association of Wool Manufacturers at Washington on February 1, 1911, said, in part, as follows:

Surely Schedule K ought to be regarded favorably by the American people. It protects the labor of the employees in the woolen industry; it contributes largely to the revenues of the country—its proper share—and it admits foreign manufactures of wool. What more could be hoped for?

Are these manufacturers so protected that they become creatures of inordinate wealth? You can count upon the fingers of one hand the wealthy woolen manufacturers of America. I know of no one in the woolen business who has retired because of wealth. The margins of profit are so close in this business that the conduct of the business might be compared with farming in New England as against that in the West. A successful farmer in New England must make his living right from the rocky, sterile soil with his knuckles, whereas the great fertile West produces abundantly and easily. The woolen manufacturer's competition at home is so great and the risks of the business are so great that his margin is as that of the New England farmer.

A suit of clothes bought for the President of the United States yields a profit to the man who made the cloth of not over 38 cents on that suit, and these figures have been challenged by manufacturers from Pennsylvania, who have stated to me that their profit was less than half of that. I have seen overcoats made from the cloth of my own mills, overcoats for boys, on which the net profit to us was less than 9 cents. I merely mention these figures to show you how closely fought the woolen manufacturing business is, and that the high price of clothing is not due to the tariff, nor yet to the manufacturer, but to the middle man, whose expenses are very great, and to the retailer, who also has large expenses to meet in the way of rentals and much advertising in the newspapers of the country. If the newspapers appreciated that feature, I doubt if they would raise a single letter against Schedule K.

After all, should we not give some attention to the retailer and find out what he pays the manufacturer for the woolen goods and what he sells them to the consumers for? I think we will find that that is where a great part of our money for woolen goods goes, and that we will find the facts to be similar to a Chicago man who paid $4 for a barrel of apples, and found tucked away among the apples the following note signed and addressed:

DEAR CONSUMER: I received 75 cents for this barrel of apples. Will you kindly let me know what you paid for them?

I take the following from the RECORD of the Sixty-first Congree, of date March 4, 1911, as bearing further on this point:

Mr. GAINES said:

Mr. SPEAKER: I ask unanimous consent to address the House for five minutes.

The SPEAKER. Is there objection? The Chair hears none. The gentleman from West Virginia [Mr. Gaines] is recognized.

Mr. GAINES. Mr. Speaker, I have several times called the attention of the House to the fact that there is in this country no relation between the prices received by the original producers of articles and the prices which are paid by the purchasers—retail purchasers.

I regret, Mr. Speaker, that the distinguished gentleman from Missouri [Mr. CLARK], the leader of the minority, is not present in the Chamber at this time. I have on my desk a piece of blue serge sufficient to make a suit of the kind which usually costs the ultimate consumer from $40 to $60. I desire to present it to the leader of the minority [Mr. CLARK of Missouri], with the request—not upon any condition, but with the request—that he wear it while making some of his free-trade speeches. [Laughter and applause.]

I wish, Mr. Speaker, to read two letters which I have received in connection with this piece of cloth and the receipted bill for it.

BRISTOL, PA., *February 28, 1911.*

Hon. JOSEPH H. GAINES,
The House, Washington, D. C.

MY DEAR Mr. GAINES: The American Woolen Co. advises me by telephone that they have sent you from their New York offices 3¼ yards of standard serge, at $1.28¼ per yard. This is the net mill price they receive for these goods. The weight per yard is 16 ounces. Receipted bill for this merchandise accompanies invoice.

I have taken up with them also the average price of this weight and quality of serge in the years 1905, 1906, and 1907, and they tell me the price was $1.35 on the same basis of figuring as $1.28¼ to-day; so you see that these goods are selling lower than during the three latter years of the Dingley bill period.

Very truly, yours,

JOSEPH R. GRUNDY,
Per H. M. C.

Then I have the following letter from the American Woolen Co.:

AMERICAN WOOLEN CO.,
New York, February 28, 1911.

Hon. JOSEPH H. GAINES,
House of Representatives, Washington, D. C.

DEAR SIR: Following instructions given us by Mr. Joseph R. Grundy, I beg to say that we are forwarding to you to-day by Adams Express, charges prepaid, 3¼ yards of our 16-ounce serge made from half-blood stock, which we have billed at $1.28¼ per yard, the net price at which we are selling these goods to-day to the wholesale trade of the United States.

I beg also to send herewith receipted bills covering this purchase, which I understand was at your request.

Yours, very truly,

FRANCIS R. MASTERS,
Associate Selling Agent.

[Sold on condition that goods shall not be returned nor allowances made for any cause after 30 days from delivery nor after goods are sponged or cut. Address all claims and correspondence (except remittances) to American Woolen Co., of New York. Post-office box 100, Station D, New York City. Cable address, Wolenco, New York. A. B. C. code used. Remit only in New York or Boston funds to American Woolen Co., of Sew York, post-office box 381, Boston, Mass. Department 1A. Bill No. A6418. New York packing No. SD 10605. Season F 11.]

AMERICAN WOOLEN CO.,
New York, February 28, 1911.

Sold to Hon. Joseph H. Gaines, the House of Representatives, Washington, D. C. Shipped via Adams Express (paid), from New York. Terms: Net cash. Style, 716–5; color, M B; yards, 3¼; price, $1.28¼; total, $4.49.

Paid American Woolen Co., of New York, February 28, 1911.

J. CLIFFORD WOODHULL, *Agent,*
Per C. P. LINDBLUM, *Cashier.*

I wish to make merely a few comments upon these facts: I repeat that the kind of woolen goods that the manufacturers of the country are receiving $1.28¼ for is the kind that enters into a suit of clothes for which the retail purchaser pays from $40 to $60, depending upon the reputation of the tailor.

Mr. KITCHIN. Will the gentleman allow me to ask him a question?

Mr. GAINES. I will yield to the gentleman in due time.

Now, Mr. Speaker, I have repeatedly called the attention of this House and endeavored, although ineffectually, to challenge the attention of the American people to the fact that the prices paid by retail purchasers throughout the country are in no case received by the protected manufacturers of the country. And that statement is true not alone with respect to the goods covered by Schedule K, the woolen schedule in the tariff law, but also with respect to agricultural products as well.

I shall content myself with one fact illustrating the truth of the latter fact. Directly beneath me, in the restaurant of this building, one may buy a Grimes's Golden apple from West Virginia, which, in my judgment, is the best apple grown in America—grown within 50 miles of this city, in Berkeley County. He must pay 5 cents for it; but the farmers of Berkeley County do not average 1 cent apiece for those apples. So that when we consider the relation between producers' price and retail price of commodities, whether farm products or manufactured articles, we find that the final price is always from 5 to 10 or even more times greater than the original price received by the producer.

Mr. FORNES. Will the gentleman yield?

Mr. GAINES. Yes. Now I will yield and answer any question propounded by the gentleman.

Mr. FORNES. Do I understand the gentleman to say that the serge which he presents here from the American Woolen Manufacturing Co. sells at $1.28 a yard? Is that correct?

Mr. GAINES. One dollar and twenty-eight and a quarter cents is received by the mill.

Mr. FORNES. And does the gentleman say that the merchant tailors ask their customers, for making up that serge, anywhere from $40 to $50?

Mr. GAINES. From $40 to $60, depending upon the reputation of the tailor and where one makes the purchase.

Mr. FORNES. Is it not a fact, though, that the merchant tailors, as a rule, do not ask more than $25 for that price serge when made up into a suit?

Mr. GAINES. It is not a fact. The truth is that this sort of a suit would cost more than $25 at the ready-made clothing stores.

Mr. FORNES. I beg to differ with the gentleman on that point. Furthermore, is it not a fact that the same class of serge in 1905 sold at $1.10 net?

Mr. GAINES. I have just read the gentleman the information which shows that the price then was higher than now; that in 1905, 1906, and 1907 it was $1.35 a yard.

Mr. KITCHIN. Will the gentleman yield for a question?

Mr. FORNES. Is it not a fact——

Mr. GAINES. I yield to the gentleman from North Carolina [Mr. KITCHIN].

Mr. KITCHIN. Has the gentleman any information as to what the foreign price would be?

I ask purely for information. Has the gentleman any information as to what the foreign price for that same article would be?

Mr. GAINES. I have no information as to what the foreign price for this article is. My point is that the high prices paid by retail purchasers of the country do not in any case bear any relation to the prices received by the original producer, either the protected or the unprotected producer, in this country. The producers of manufactured articles and the farm producers do not receive the high prices paid at retail in this country. And the truth is, Mr. Speaker, that the way to get relief for the ultimate consumers of this country is not to strike at the very small prices received by the producers, but to encourage the producers of America until there shall be a sufficient supply in the markets of the United States to reduce the price to the ultimate consumer. [Applause on the Republican side.]

So, Mr. Chairman, there are evidently other things than the tariff that contribute to the high cost of living.

Mr. Chairman, over 90,000,000 American people are interested in wool and the woolen schedule. The welfare of many thousands is affected by the adjustment of that schedule. Millions of dollars are involved in the woolen industry from the raising of the sheep to the placing of the wool upon the backs and in the homes of the American people. The present schedule and rates have been substantially in existence since the Dingley Act of 1897, and, while there appears to be some needed changes in this schedule, we can well afford to wait until we have the complete report of the Tariff Board, created by the last Congress, before taking action. The time is not far off and we ought to settle this schedule on a scientific and economic basis and thereby give stability and peace for years to come to this great American industry, and not let politics, political supremacy, and ambition for public office, sway our minds and judgments against the honest and fair discharge of our duties as public servants of 93,000,000 American people. [Applause on the Republican side.]

Mr. HUGHES of New Jersey. Mr. Chairman, I yield one hour to the gentleman from Indiana [Mr. CULLOP].

Mr. CULLOP. Mr. Chairman, it has been with a great deal of pleasure during this debate that we have listened to the great solicitude expressed by the membership of the Republican Party in this House for that great commoner in the Democratic Party, William J. Bryan. Let me say to our Republican friends that whenever and wherever the Democratic Party gathers around the council table for conference his seat will be in the future, as it has been in the past, at the head of the table. [Applause on the Democratic side.] He has not only converted to his policies seven and one-half million Democrats who follow him as their idol, but from the tone of this debate it seems that he has converted the leaders of the Republican Party as well. [Applause on the Democratic side.]

I was somewhat surprised to-day at the speech of the distinguished gentleman from New York [Mr. PAYNE], late chairman of the Ways and Means Committee. It is true that he expressed his sentiments in language a little more emphatic than parliamentary, but we must remember that in the great solitude which surrounded him he was the only Republican, the only Member on that side of this Chamber, who dared to defend the Payne-Aldrich tariff bill throughout this entire debate. [Applause on the Democratic side.]

I was also somewhat surprised at the distinguished gentleman from Massachusetts [Mr. WEEKS] yesterday, who came to the defense of the Woolen Trust, as he did to the defense of the Boot and Shoe Trust two or three weeks ago.

I want to call your attention for a moment to what he said, and if there is any man upon that side of the House who doubts there is a Woolen Trust which ought to be dealt with by legislation on this floor, I should like him to take the time after I am through to make his defense. The gentleman from Massachusetts said this:

> The amount of capital in the year 1909 invested in the woolen and worsted manufacturing industry was $419,000,000. The capital at that time of the American Woolen Co. consisted of $35,000,000 of preferred stock and $29,000,000 of common stock. When the company was organized there was issued $20,000,000 of preferred stock and $29,000,000 of common stock. It was the customary method of organizing corporations of that kind 10 years ago. The estimated value of the plants was submitted to the auditors and a report was made as to the condition of those plants and their value. It was estimated at that time that the plants and machinery and real estate and other things that went to make up the property of that company had a value of $25,000,000.

Ten years ago worth $25,000,000, and with that amount of property it capitalized for $49,000,000; $20,000,000 of which was preferred stock and $29,000,000 was common stock, the latter of which, we are informed by the gentleman, was sold at from 25 to 35 cents on the dollar. That such stock never had paid a dividend and was never intended to pay one. For one, I attack such business methods as unjust and unfair to the general public. [Applause on the Democratic side.]

How much influence this organization had on the entire industry of the country, and what influence it had in fixing the price on all the production of the country is a matter to be considered in determining the ethics of the transaction.

When he made his defense I said to him, and I repeat it now, that if that is the kind of finance you justify, the difference between you and myself is that you justify it and I condemn it. [Applause on the Democratic side.]

Now, why, I ask, should any corporation, trust, or other organization be permitted to sell stock which is never to be remunerative and, when sold, never intended to be? And how such conduct can be defended as legitimate is something I can not understand. It is indefensible. It is one of the many creations of high finance which has been exploiting the unsuspecting public and making a golden reward by plundering the frugality of an innocent people. It was capitalized at the beginning, according to the distinguished gentleman's statement, for $24,000,000 more than the estimated value of its property. It played both ends against the middle by first selling $24,000,000 worth of capital stock more than the estimated value of its property at a net profit; and, second, it was enabled to sell its product under the protective tariff at a larger price than it otherwise could have done. How, under such methods of financiering, could anyone be surprised at its rapid and sudden rise in wealth? It turned nothing into wealth, and on inflated values derived fabulous incomes. It has from the day of its organization controlled the woolen and worsted industry, and now in 10 years the value of the property invested in those lines of industry amounts to $419,000,000. This is an evidence, when properly managed, of what the tariff, the trusts, and high financiering can do, and the poor consumer and the unsuspecting investor must foot the bill. Is not this indefensible? [Applause on the Democratic side.]

Such methods of dealing with the innocent public deserve censure, and should be prohibited by proper legislation, strictly enforced, to the end that integrity in business affairs may be upheld and confidence maintained. [Applause on the Democratic side.]

I was much astonished at the gentleman from Missouri [Mr. DYER] who has just preceded me, who has prophesied all kinds of disaster, if this bill passes, to the sheep and woolen industry in this country. In the light of past experiences he surely has no foundation for his prophetic visions. I ask him if conditions could possibly be worse, be more disastrous, in the sheep and wool industries than they have been under the McKinley, Dingley, and Payne tariff laws, the highest ever known in the history of tariff legislation? It has suffered more and witnessed harder times than it ever did under any other, as the statistics of the trade conclusively show. [Applause on the Democratic side.] It is well sometimes to consult statistics in order that facts may be correctly stated. From the statistics furnished by the Commerce and Labor Department of this Government, we had in 1910, in round numbers, 7,000,000 less sheep in this country than we had in 1904. For six years the number dwindled at the rate of more than a million a year, and during all this time the Dingley bill was in force with the highest tariff on wool the country ever had. If a high tariff encourages this industry, as gentlemen insist, upon what hypothesis do they explain the existing conditions, as the facts show them to be? The truth is they can furnish no explanation consistent with the position they take. The two are irreconcilable. [Applause on the Democratic side.] What is true of the sheep industry is also true of the price of wool. The Wilson bill which put wool on the free list was not passed until August 24, 1894, and the woolen schedule did not take effect until January, 1895, and yet, in 1893, when the tariff on wool was the highest ever known up to the time of the passage of the Dingley law in 1897, wool was the lowest it had ever been known in the last 40 years. It sold that year for 14 cents a pound, and again under the Dingley law a still higher tariff on wool, the producer in 1908 sold it for 13 cents a pound, the lowest ever known. I challenge any Republican on this floor to show during the existence of the Wilson bill, from 1895 to 1897, while wool was on the free list, a time when wool sold as low as it has under the McKinley and Dingley tariff laws. [Applause on the Democratic side.] He will search the market reports in vain for a single instance.

By the courtesy of the gentleman from Ohio [Mr. SHERWOOD], I hold in my hand a letter from R. A. Beatty, of Huron County, Ohio, in which he states, as a wool producer, that he sold his wool in 1893 for 14 cents a pound, and three years ago, in 1908, he sold it for 13 cents a pound. He erroneously states, however, it was on the free list in 1893. It was then sold under the high-tariff duties of the McKinley law. It never while on the free list sold for such low figures as these. He, an Ohio farmer, fears no lower prices than these, he says, if it is free of all duty; and further says, if a tariff would increase the price of raw wool to the farmer, he loses it all, and more, too, on the increased price of clothing. And so he does. [Applause on the Democratic side.]

The gentleman from Illinois [Mr. MANN]—the minority leader—at the beginning of this debate turned to the Democratic Members and said, in a dramatic manner, "Are you going to tax men's clothing, women's dresses, and children's hats?" By such a question addressed to us I am unable to understand what he means. An answer sufficient to him is: The extravagance of his party during its 16 years of power has made it necessary for us to meet the public expenditures under his party's appropriations; that we tax these articles of necessity, as much as we regret to do so. The two billion-dollar Congresses under the administration of the Republican Party, which exploited the public Treasury and depleted its revenues by unnecessary expenditures, makes such a course unavoidable. [Applause on the Democratic side.] But let me say further in reply, we are going to reduce the tax on all these articles more than one-half what his party two years ago fixed it; and I want to know if he has enough concern in their welfare to vote with us on the adoption of this measure? If he is as much interested as he professes, he should vote accordingly, and show his interest by his actions as well as by his words. [Applause on the Democratic side.]

Again our answer to him is in behalf of these people; we are going to reduce the tax his party fixed on their wearing apparel so they will understand the Democratic Party legislates in their interest and the Republican Party against it; we are going to reduce the tax on cloth, out of which the poor man's clothing is made, from 160 per cent to from 25 to 40 per cent; on women's dress goods from 150 per cent to from 30 to 45 per cent; on blankets from 160 per cent to 30 per cent. We are going to reduce the tax on all the woolen schedule—the odious Schedule K, the schedule denounced by President Taft as indefensible—from 90 per cent to 42 per cent. We are going to revise it downward and keep our promise to the people and not violate it as did the Republican Party when it passed the Payne bill. Will the gentleman from Illinois assist in this humanitarian work or will he continue his tactics of obstruction? [Applause on the Democratic side.]

We say to him that for 14 years his party has been, at the behest of the Woolen Trust, taxing cloth at from 80 to 160 per cent, women's dress goods at from 78 to 150 per cent, blankets at from 85 to 166 per cent, flannels from 90 to 150 per cent, and that he then exhibits the courage to ask of us such a question is beyond our comprehension. During this time he has seen the farmers' wool go down in price, the cost of his clothing go up, and the quality of his goods yearly get poorer. [Applause on the Democratic side.] Let me ask, Are the Republicans in this standing with the President for a revision of this schedule downward—he has said it is indefensible—or are they against him? The people would like to know. What is the answer? [Applause on the Democratic side.] Again, others in this debate have asserted with an air of confidence that the present high tariff duties should be maintained in order to enable the operators to pay the high wages now paid employees in these industries, and then ask, Are you going to reduce the American wage earner in these industries to the level of the foreign employee? I answer that that has already been done, and we are striving to raise it to higher levels. Let us see what the facts are on this important matter and expose the fallacy of the Republicans on this subject.

In the woolen and worsted industry William Whitman, one of the greatest manufacturers of this line, recently testified that the American male weavers received 21 cents an hour, or for a day of 10 hours $2.10, or $12.60 per week; spinners, 12 cents an hour, or $1.20 per day, or $7.20 per week; dyers get $9 per week; loom fixers, $15 per week; combers, $7.20 per week; card strippers, $7.80 per week; and burlers, $6.60 per week. Are these the princely wages for which the Republicans levied an average duty of 90 per cent for owners of the woolen industry to pay their employees? How do these look under the conditions of the high cost of living brought under the rule of the Republican Party to a man who has a family to support and educate? And yet the high tariff, according to the Republican position, is levied solely for the benefit of the laboring man's wages. How they can have the audacity to make such a claim in view of the facts is beyond the comprehension of any reasonable mind. [Applause on the Democratic side.]

What do foreign wage earners receive in this line of industry? In Bulletin No. 86, of date January 10, 1910, issued by the Department of Commerce and Labor, we find our department gives the following facts, which is a complete answer on the subject: Workshop wage earners in dress goods in England average $12.39 a week; shirt makers, $7.26 a week; ready-made clothing, $8.15 per week; boots and shoes, $6.98 per week; silk goods, $8.33 per week; straw goods, $8.90 per week; dyeing, $7.18; 26 per cent of those engaged in making clothing made $14.60 per week; 28 per cent made from $12.17 to $14.60 per week; 15 per cent from $9.73 to $12.17 per week. From these incontestable figures it clearly appears that the English laborer is fully as well, if not better, paid than our American laborer. England in this branch of industry is our greatest and most formidable competitor. In view of these facts, does the manufacturer in this country need a high tariff to enable him in this industry to compete with his foreign competitor? Who would dare say he does?

Now, in these comparisons we have not taken into account the efficiency of our labor, which produces almost three times as much daily as the foreign labor, and yet receives just about the same wages. No distinction is made in price and no reward is given for its great superiority in this respect. The truth is we can and do produce more in the same length of time and for less than any other country in the world. Labor knows it and labor can not be flimflammed longer on the levy of the tariff for its benefit. Labor in this country has never been benefited by protection, but the American manufacturers have grown rich under it. [Applause on the Democratic side.]

Mr. Chairman, the other day the gentleman from California [Mr. KAHN] inquired, "Are you going to place our high-priced labor on a par with the labor of free-trade England and shut down our industries and turn our high-priced labor out of employment?" A sufficient answer to that question is to reply that England is not a free-trade country; it is a tariff for revenue only, and it levies its tariff on noncompetitive articles, while our country levies its tariff on competitive articles, and the difference is it can change its tariff policy without interrupting business for this reason, while we can not. This marks the distinction. Again, let me say to him, as a further answer to that part of his inquiry about shutting down the industries and turning high-paid labor out of employment, it is a stereotyped expression coined for the specific use of high-protection advocates in every country in the world. In the recent election for the House of Commons in England, the paramount issue was the tariff question, and the advocates of high protection advocated a change in their tariff policy, and as a reason gave that is was necessary in order to prevent the cheap-labor-made products of the United States of America from being imported and shutting down their industries and turning their high-paid labor out of employment. This argument is used everywhere by the advocates of a tariff for protection, as a means to sustain a system, that its beneficiaries may plunder and extort from the consumers unearned profits, and multiply predatory wealth. It has served its time, its unrighteous purpose; and intelligent people, whether in this or any other country, will soon expose its fallacy and repudiate its hypocrisy. [Applause on the Democratic side.]

Mr. Chairman, the advocates of a tariff for protection's sake have most earnestly asserted on this floor the proposition that without a protective tariff our manufacturing industries, because of the difference between the wages here and abroad, can not compete with foreign manufacturers and will shut down our industries and turn our labor out of employment because of the importation of foreign-made products. This contention, if it be true, presents a serious proposition, and one demanding serious consideration. To all who assert such a doctrine I deny its truth, and assert the facts show there is no foundation for such a charge. On the contrary, I affirm there is no danger of such a result and that the statistics abundantly sustain my position. We are now competing abroad, and if we can pay the freight on our products across continents and oceans and sell them at the doors of foreign factories and in the homes of foreign labor as we are now doing, then there is no danger but that we can do so at home. It does not cheapen the cost to the consumer of an article to pay the freight on it thousands of miles. [Applause on the Democratic side.] This is the familiar plea of the great captains of industry and their satellites, but we meet and refute it with the facts as published from department records.

The Leather Trust tells us if the tariff on its products is removed it can no longer operate, but must close down its

plants and turn its labor out of employment, because conditions in other countries are more favorable than here, and for this reason, without a duty for protection, it can not compete with them. For answer to this contention, the customhouse reports conclusively show we are now successfully competing with foreign countries in leather goods. Take the year 1910 as a fair example. We imported $114,053 worth of boots and shoes and exported $12,408,575 worth. We imported no harness, but exported $650,000 worth. We imported uppers of the value of $3,000,000 and exported $20,000,000 worth. We imported band and sole leather of the value of $49,000 and exported $6,887,000 worth. [Applause on the Democratic side.]

It is clearly shown by these statistics that we are competing abroad and selling there cheaper than the same products are sold here at home. The conclusion necessarily is that to remove the duty will not shut down any industry, nor turn labor out of employment, nor reduce wages. Again, the same assertion has been made here, and apparently repeated with confidence in its correctness, with reference to the manufacture of agricultural implements, which is also refuted by the statistics. Last year we manufactured $92,000,000 worth of these products. We imported none and exported $25,000,000 worth, the same going to every civilized country in the world, and after paying the transportation charges abroad, sold them there for less than they were sold to our people at home. [Applause on the Democratic side.]

The Meat Trust, a giant monopoly, asserts unless a high tariff is maintained on its products, because of conditions in other countries, it can not operate here, and yet last year we imported no canned beef and exported $1,645,000 worth; in meat and its products we imported none and exported $160,000,000 worth.

The lumber kings are industrious in their zeal for a high duty on lumber, and yet last year the report of the revenue officials shows that we imported lumber of the value of $22,000,000 and exported $60,000,000 worth, exhausting the depleted supply in this country, and against which the protectionist has opposed all efforts of public conservation that this valuable product may not be exhausted. [Applause on the Democratic side.]

Again, the great iron and steel operators say that without a high tariff to protect their productions they can not operate and must surrender the business to foreign producers, and yet last year the revenue officials report that we imported $22,000,000 worth of these products and exported to foreign countries $144,000,000 worth. Notice some of the items of this industry. Steel rails, imports, $133,000; exports, $8,324,000. Structural iron and steel, imports, $335,000; exports, $6,954,000. Wire, round iron and steel, imports, $872,000; exports, $8,482,000. [Applause on the Democratic side.]

The miller who fears that cheap foreign-mill products will injure his business appeals to Congress to levy a high duty on flour, and yet last year the revenue office shows that we imported $446,000 worth of flour and exported $51,000,000 worth to be sold in foreign countries in competition with all the world.

The coal operator tells the miner it is necessary to have a high duty on bituminous coal, or foreign mines will drive them out of business, yet last year we imported coal of this quality valued at $3,498,000 and exported $23,000,000 worth and sold it in competition with the coal of all the world.

Sir, we can safely appeal to the customhouse reports for an answer which will refute every contention made by the advocates of a high protective system, save the indefensible one that it creates a monopoly and enables it to extort unearned profits from the consumer, which is a self-evident fact.

The "captains of industry" demand protection because they assert that the conditions of other countries as to labor and raw materials are such that we can not compete, and because of these advantages, without protection, they are able to close down our industries and turn our labor out of employment. Our statistics show that last year our manufacturers exported products of the value of $671,000,000, an enormous amount, and sold them in the markets of every civilized country in the world. We produced sufficient to supply our wants, and this vast surplus we sent abroad to the doors of foreign plants, paid the freight, and sold them in the homes of foreign labor cheaper than they were sold at home. It will not do to say in the face of these irrefutable facts that we can not compete at home with foreign goods made by foreign labor. We can not only do so at home but we are paying the freight on our goods across the continents and oceans and are competing with them in their homes, selling as cheap or cheaper than they sell their own products. If we can do so abroad, as we are doing every year, we surely can do it here at home. [Applause on the Democratic side.]

It is a familiar plea of all protectionists that a high tariff should be levied for the benefit of labor as a shield from competition with the product of the cheap labor of other countries, and for 20 years this has been the slogan of their battle cry, until it is worn threadbare. The employer everywhere seeks labor as cheap as he can procure it. He pays no more than he is compelled to; he reduces wages on the slightest provocation and upon the flimsiest pretense. It is not the importation of cheap labor-made goods that menaces the wages of American labor, but the importation of this labor itself, supplanting our labor in our factories at home, which is yearly turning our laborers out of employment. For more than a decade foreign labor, under the direction of giant monopolies, has been pouring into our country at the rate of a million a year, taking the places of our laborers at less wages, gathering American wage remuneration and sending it back to their native country in large sums, annually diminishing the circulating capital of this country, all for the enhancement of the trusts, combines, and monopolies, under the management of the great "captains of industry." [Applause on the Democratic side.]

Again, the beneficiaries of the system have appealed to the people to sustain its high duties because it would open the mills and create a home consumption for our surplus production. The theory that we should produce all we consume and consume all we produce is a fallacy, and if continually practiced would forever bar the way to the enrichment of our people and Nation.

If an individual, throughout his entire life, would produce all he consumed and consume all he produced he would be no better off when life ended than when it began. He had lived and that was all. What is true of the individual is true of the Nation. The wealth of both is only increased when a people produce enough to supply themselves and have a surplus left to sell to other individuals or nations, and this surplus registers the net profit for the period it covers. It is what makes them better off, increases their wealth, expands their commerce, and multiplies their prosperity. There was a time in the early period of protection when it drew capital to the country and multiplied wealth, encouraged commerce, and inspired thrift; but that time has passed. It was invoked to sustain infant industries; its advocates championed it for no other purpose and promised when that mission was fulfilled it should be abandoned, as its purpose would be completed.

But greed seized and usurped the reason, dethroned the conscience, and it was turned into a machine of oppression against the consuming masses of the most-favored country in all the world. It was converted into an instrument for extorting unearned profits and for founding combines, trusts, and monopolies, to suppress competition and paralyze development. Our factories are turning out yearly $15,000,000,000 worth of wares, produced by the brawn and brain of a progressive and intelligent people. They are made from $8,000,000,000 of raw material, with $3,000,000,000 of labor. Labor is remunerated by only one-fifth of what it produces. Four billion dollars is the net profit on an $11,000,000,000 investment. This is attractive. The division is unequal, it is unfair, and it is no wonder there is discontent. Under this distribution labor and capital are not sharing equally. Capital is protected, labor is not. [Applause on the Democratic side.]

The former is spared competition, while the latter is open to the competition of the world. It is for the equality of both we plead in order that contentment may prevail and prosperity abide. Sir, an unshackled commerce encourages all and stimulates the growth of each. Protection which denies the markets to all must necessarily discourage expansion of trade. The period of exclusiveness is passed if we are to find markets abroad for our surplus. Since the passage of the Payne-Aldrich Act less than two years ago more than one-half billion dollars of American capital has been withdrawn from the marts of our home trade and been taken to foreign countries by our manufacturers to build plants abroad, because our high-tariff wall excluded foreign goods from our markets; the foreigner retaliated and refused to buy our goods, and hence our people withdrew their capital from their business here and invested it in business abroad. Protection is doing this daily. Under the protective policy of the Republican Party as now enforced the trend of capital is to flow abroad instead of accumulating and multiplying the wealth of the people here at home who created it. [Applause on the Democratic side.]

It has been asserted by some during the course of this debate that an increase of tariff duties on any given article does not increase the price of the article to the consumer. If this be true, then the levying of protective tariff duties is of no benefit whatever to the producer. Its sole and only purpose is to enable the producer to increase the price and avoid competition from the producers of other countries. If it is added to the laborer's wage, as some contend, then it increases the cost of production, which is added to the selling price which the consumer has

to pay for it. If it does not increase the price, then it is without justification, and there is no tenable ground for its defense.

Again, some have asserted the higher the duty on any article, the cheaper the article. It can be safely said that nobody ever made such an argument for the purpose of convincing any person of its truth. It contradicts itself. With propriety, we might ask how high it would be necessary to fix the duty on an article in order that consumers might procure it free of charge. One proposition is no more absurd than the other; one is equally as preposterous as the other. [Great applause.]

But, Mr. Chairman, my time is rapidly passing, and I can not let this occasion pass without paying some attention to some charges preferred during the course of this debate about some familiar matters of current history. I have heard it asserted by some overenthusiastic friends of protection that the panic of 1893 was produced by Democratic legislation and Democratic policies. Will anyone point out the enactment of a single line of Democratic legislation prior to the panic of 1893 for the basis of such a charge? I pause for some one to tell this House what legislation of the Democratic Party, which came into power March 4, 1893, caused the terrible panic of that year, paralizing business, shutting down industries, turning labor out of employment, and spreading desolation from ocean to ocean and from the Lakes to the Gulf. There was none. The McKinley tariff law was in force then, which levied the highest duties ever known up to that time. The Wilson bill was not passed until the latter part of August, 1894, and did not become effective until October of that year. Now, how could a law not passed until August, 1894, and taking effect October, 1894, produce a panic in April, 1893? Will some wiseacre tell us?

The panic came under the high McKinley tariff law, under the enforcement of Republican policies, just as the panic of 1908 came under the Dingley law and Republican policies. Just as every panic has occurred in this country, under Republican policies and high protection, and in both, the Democratic Party was called into power to relieve the country of the business situation into which the policies of the Republican Party had plunged it. [Applause on the Democratic side.] Sir, I was amused to hear my colleague [Mr. CRUMPACKER] say on the floor of this House a short time ago that the panic of 1908 was of such little consequence that it did not affect to any considerable extent the business of the country. How woefully mistaken any man is when he flatters himself with such a thought. The commercial agencies by their reports show that the business failures for the first 18 months in the panic of 1908 exceeded those for the first 18 months in the panic of 1893—$146,000,000 in amount, laying desolation throughout the length and breadth of the land, wrecking enterprise, stifling trade, and paralyzing business in every commercial mart of the country.

In 1893, while the panic raged with its most frightful consequences, there was no time but what an individual could go to his bank and draw out his own money, but not so in 1908. All over the country banks were compelled to lay an embargo on this right and refused to let the people withdraw their own funds and deposits from banks.

The public were compelled to establish soup houses in every metropolitan city in the land, and the laborers lined the public highways in quest of employment, but found it not.

Four hundred and fifty thousand freight cars stood idle on the numerous sidetracks of the various railroads of the country with their wheels rusting on the rails—a sufficient number which, if coupled together in one train, would have made a line reaching the entire distance from New York City to the city of St. Louis.

These are some of the features of the panic of 1908. [Applause on the Democratic side.] The foundations were razed from under fortunes and the wealthy became poor, and the poor made more desolate. [Applause.] But we have been told here that the success of the Democratic Party in 1892 at the election frightened the business of the country and this caused the panic of 1893. I deny it. No man of all the great men who have occupied the White House was held in as high esteem by the business men and business interests as was Grover Cleveland. The business men of the country supported him as a candidate, voted for him, and by their votes he was elected. They stood by him loyally, and if you will examine the vote of the country that year you will find the gains were made from the business sections and were made from the business men of the country. These are the facts and I challenge any man to successfully deny them. [Applause on the Democratic side.] Why should business, I mean legitimate business, fear the Democratic Party and its policies? The Democratic Party and its policies are now and always have been for the encouragement of every legitimate business, favoring safe and sound business principles which foster and stimulate genuine prosperity—a prosperity for all, and not a prosperity for a few, at the expense of the many. It favors a prosperity which like the dews of a generous heaven fall on all alike. [Applause on the Democratic side.]

Again, we have been told here by the apostles of protection that business fears the action of this Democratic House. I deny it. From whence do men who so speak get their information? The public press, the independent magazines, the people approve our course, are commending our action, and are sending encouraging messages indorsing our progress and bidding us God speed in our good work. [Applause on the Democratic side.] We are responding to their wishes by diligent action and conservative work, and it is meeting their approval. Tell me that business does not approve our policy, and I ask all such where did the majority in this House come from if not from the great business sections of the country? Can you point to a business center in the whole country but what made some changes from a Republican to a Democratic Member of this House. [Great applause on the Democratic side.]

Let us examine and see how the matter stands. Maine is a great business State, she had a solid Republican membership in the Sixty-first Congress; in this, the Sixty-second Congress, her delegation is equally divided in both the Senate and the House. It now has its first Democrat in the Senate since 1853. So much for that. [Applause on the Democratic side.] Rhode Island with a solid Republican representation in the last Congress comes here now in this with a divided delegation, half and half in this House. Does any one deny it to be a business State? [Applause.] In the last Congress Connecticut had a solid Republican delegation, but in this House a Democrat responds to the roll when it is called. That is a business State, too. [Applause on the Democratic side.] The great Empire State of New York, a business State, in the last Congress had 11 Democrats and 26 Republicans. The representation in this House is reversed; it stands 22 Democrats, 1 Independent, and 14 Republicans. Greater New York City, the greatest business metropolis in the country, if not in the world, sends one lonely Republican of all its membership. Who elected them if it were not the business men? And the business men of that State took a Republican out of the Senate and sent a Democrat in his place. [Great applause.] Now, who would dare say business was afraid of the Democratic Party? The great city of Buffalo had a divided delegation in the last House, but it is solidly Democratic now. Does this look like business was afraid of Democratic policies? I think not. [Applause on the Democratic side.]

The State of New Jersey comes next. It is the home of more big business institutions than any other State in the Union, and it has a membership of 10 in this House. In the last Congress it had 3 Democrats and 7 Republicans; it reversed exactly its representation, and now has 7 true and loyal Democrats and 3 Republicans. It also sent into retirement from the Senate a Republican and put in his place as true and loyal a Democrat as ever lived, the Hon. JAMES E. MARTINE. Does this indicate that business is afraid of the Democratic Party? [Great applause on the Democratic side.]

West Virginia is a great business State. In the last Congress it had a solid Republican delegation; to-day it has four good and true Democrats and only one lonely Republican to answer the roll call. It also sent two Democrats to the Senate. Business interests in that State it seems are not afraid of the Democratic Party. [Applause.] Ohio, the home of the President, is one of the greatest business States in the Union. In the last Congress it had 8 Democrats and 13 Republicans, and both Senators were Republicans. In this Congress it has 1 Democratic Senator, 16 Democrats in the House and only 5 Republicans. Does anyone believe that the business men of Ohio fear the Democratic Party? I do not. [Great applause.]

Pennsylvania and Illinois, both great business States, and from their business centers have increased their Democratic representation as an indorsement of their faith in Democratic policies. [Applause on the Democratic side.]

A MEMBER. How about Indiana?

Mr. CULLOP. Indiana is all right. Just keep your eye on it. Two Democratic Senators are credited now to Indiana and 12 out of the 13 Members of this House are Democrats, and we expect to have a solid delegation in the next House. We will sweep the Republican Party off of the map at the next election, and we are anxious for the contest. [Great applause on the Democratic side.] Do we need more or better proof than this that business indorses our policies, inaugurated them, and approves their adoption? We are opposed by a hostile Senate

and Executive, and can not carry them fully into complete execution. However, we should not falter, but adopt Democratic policies as far as we can and give the people as much relief as possible from the burdens imposed on them by 14 years of unbroken rule by the Republican Party. [Applause on the Democratic side.]

Since this Democratic House convened business conditions all over the country have improved, as evidence of confidence in our ability to solve correctly the great business questions with which we are to deal. Since this bill was presented to this House the price of raw wool has advanced 5 cents a pound. What better evidence could be produced for the approval of our course by the business interests of the country? [Applause on the Democratic side.]

In conclusion, my Democratic brethren, we must falter not, but proceed to perform the duty for which we were commissioned by the people at the last election. We are on trial, and thus far the verdict of popular approval commends our course. Greater responsibilities will fall to us if we but do our duty well. The final battle is to be fought next year, and if we but follow the mandate of the people in the prosecution of our work a sweeping victory will be the reward. A united party can accomplish much, but divided we can never succeed; harmony of forces and harmony of action will assure a complete triumph. The time and opportunity are both present and let us seize and use them, for it would be cruel to waste either. The enemy is on the retreat, its ranks are broken, its fortifications are down, its legions are scattered and fighting each other, and certain victory is assured us if we will enter the approaching contest with a determination which the occasion inspires. Choose for the leadership in the great contest of 1912 any of the great men whose names illumine our party's history; adopt a platform of principles which shall declare the true Democratic doctrine, free of all alliances with special interests, and no power on earth can the opposition invoke which will disturb or embarrass our march to certain victory or the triumph of our cause. The marshaled hosts of Democracy are in the field ready for the contest, and impatiently await the command to engage in the conflict for the triumph of our cause—the people's cause—the application of Democratic principles to the administration of national affairs and the restoration of business to a safe and sound basis, in order that prosperity may be restored to all the people. In such a contest three-fourths of the States in this Union will indorse our conduct by giving their electoral vote to the Democratic candidates. [Loud and prolonged applause on the Democratic side.]

Mr. MANN. Mr. Chairman, I yield 15 minutes to the gentleman from Minnesota [Mr. ANDERSON].

Mr. ANDERSON of Minnesota. Mr. Chairman, I had not intended to speak upon this bill. I intended merely to content myself with voting for it. I am not a partisan upon tariff questions, and in my optimism I had hoped that the Democracy, as you say, fresh from the people, with the mandate of that people in their hands, would at least leave out of this bill that timeworn and threadbare provision, "made wholly or in part of wool," a provision which makes the schedule applicable to everything with even the slightest part of wool in it, from wool-lined rubber boots to wool-upholstered furniture, from all-wool worsted clothing to mercerized cotton with wool polka dots. But I recognize how futile it is to say anything in the face of a militant but caucus-tied and gagged majority, pledged to vote down any amendment, however meritorious.

I recognize that nothing that I could say or that any man can say will change by the addition or subtraction of 1 per cent any of the schedules of this bill; and I rise now only for the purpose of presenting certain tables, which I have prepared with some labor and burning of the midnight oil, and which I am optimistic enough to think will prove of interest to the Members of this House and to the country.

In preparing these tables I have taken as a basis the statistical tables prepared by Samuel S. Dale, editor of the Textile World Record, and which were presented by the late Senator Dolliver, of Iowa, as the basis of his remarks upon the wool schedule in the tariff debate of two years ago in the United States Senate. Dolliver was a star among the actors in the drama of life. His light has gone out. But the radiance of his intellect still sheds its brilliance upon this subject. [Applause.] Time dulls the enthusiasm for ideals and dims the luster of the memory of man, but Dolliver's contributions to tariff knowledge, perpetuated in the morocco-bound volumes of the RECORD, still shed a light upon the pathway of him who would travel the intricate mazes of the wool schedule. [Applause.] So I feel that I need make no apology in basing the tables which I present upon the analysis and statistics presented by Senator Dolliver in the debate of two years ago.

Mr. Dale, who made the analysis of the cloth which are the foundation of my figures, was for many years the manager of a woolen mill, and for many more has been intimately connected with the woolen industry. The accuracy of his figures has not and, I think, can not be successfully contested. For the purpose of ascertaining the exact relation between the compensatory and protective duty under the Dingley and Payne bills he made an analysis of 11 different woolen cloths, determining by that analysis the exact proportion of grease wool, shoddy, and cotton in each. With this exact knowledge of the contents of the cloth in wool, shoddy, and cotton he was able to determine the exact proportion of compensatory and protective duty provided by the tariffs of the wool schedule of the Dingley and Payne laws. I will print the analysis made by Mr. Dale, together with his conclusions as to the amount of compensatory and protective duty upon each of these woolen cloths provided by the Payne and Dingley laws.

Taking Mr. Dale's analysis of each of these cloths as a basis, I have prepared some tables showing the amount of compensatory and protective duties upon each, applying thereto the duties provided by the pending bill. In order to conform to the change in the pending bill from the specific basis provided by the Payne law to the ad valorem basis provided by the pending bill, it was necessary to determine upon some basis of value for the grease wool and shoddy contained in the cloth. In ascertaining that basis I thought it was fair to take the average import price of wool in the grease and have taken as that basis 24 cents a pound, the average import price of raw wool in the year 1909; and as a basis of value for the shoddy I have taken 12 cents per pound which I believe is slightly in excess of the average foreign price of shoddy. It is, of course, true that there would be some slight deviation from this value in the cloth by reason of the fact that in making the cloth the price of the wool might be slightly more or less than these figures. But taking an average of the results of these figures upon 11 different pieces of cloth necessarily results in a fairly accurate conclusion as to the actual compensatory and protective duties provided by the various tariffs levied by this bill. Now, I do not intend to make an explanation in detail of the analysis of these tables as they speak very largely for themselves, but I do desire to make a brief explanation of one of them as a demonstration that will apply to all.

I refer now to piece A207 cotton warp casket cloth. This piece runs 15½ ounces per yard, 68 inches wide; 10,000 yards at 50 cents per yard; 9,688 pounds of cloth. This cloth will require in its manufacture 2,375 pounds of cotton warp, 1,600 pounds of grease wool, 1,125 pounds of raw cotton, and 9,563 pounds of shoddy. The Dingley duty upon this cloth, figured upon the basis of 4 pounds of grease wool, at a tariff duty of 11 cents a pound, to 1 pound of cloth was 44 cents per pound on the cloth and 50 per cent ad valorem.

Applying this basis to the cloth mentioned, we have 9,688 pounds of cloth at 44 cents duty per pound, amounting to $4,262.72, or an equivalent ad valorem of 85.2 per cent, and in addition a duty of 50 per cent on $5,000, the value of the cloth, or $2,500, making a total compensatory and protective duty of $6,672.72, equivalent to an ad valorem rate of 135.2. Now, applying the Dingley duty to the actual amount of compensatory duty required by the contents of the cloth in grease wool and shoddy gives the following result:

One thousand six hundred pounds of grease wool at 11 cents per pound—the Dingley tariff—amounts to $1,760, and, adding a compensatory duty of 5 cents per pound upon the 9,563 pounds of shoddy contained in the cloth, amounting to $478.15, gives us an actual required compensatory duty amounting to $2,238.15, equivalent to 44.8 per cent ad valorem; leaving an actual protection upon the cloth, valued at $5,000, of $4,524.57, equivalent to 90.4 per cent ad valorem.

Now, I propose to take the same piece of cloth and apply to its dutiable contents the rates of duty provided by this bill. Figuring the dutiable contents of the cloth, 1,600 pounds of grease wool at 24 cents a pound, gives the grease wool value in the cloth at $384; taking 9,563 pounds of shoddy at 12 cents per pound gives us the value of the shoddy contents of the cloth at $1,147.56; then, applying a 20 per cent ad valorem rate provided in this bill to the $1,531.56 in value of its dutiable contents, gives us an actual required compensatory duty amounting to $306.20, or an ad valorem equivalent on the value of the cloth of 6.12. The duty of 40 per cent on the value of the cloth at $5,000 amounts to $2,000, leaving an actual protection under this bill of $1,693.80, equivalent to an ad valorem of 33.88 per cent.

I submit that this is a very generous and healthy protection upon a piece of cloth 36 per cent of which in weight is cotton produced in this country and upon which there is no duty whatever. I ask leave at this point to print the tables prepared by Mr. Dale and by myself.

DINGLEY SCHEDULES.

A207—COTTON WARP, CASKET CLOTH, COTTON, WOOL, AND SHODDY.

[15½ ounces per yard, 68 inches wide; 10,000 yards, at 50 cents, $5,000; 9,688 pounds cloth. This will require 2,375 pounds cotton warp, 1,600 pounds grease wool, 1,125 pounds raw cotton, 9,563 pounds shoddy.]

		Duty.	Per cent.
Dingley duty:			
9,688 pounds cloth, 44 cents		$4,262.72	85.2
50 per cent of $5,000		2,500.00	50.0
Total duty		6,762.72	135.2
Actual compensatory required:			
1,600 pounds, 11 cents	$1,760.00		
9,563 pounds, 5 cents	478.15		
		2,238.15	44.8
Actual protection		4,524.57	90.4

PENDING BILL.

A207—COTTON WARP, CASKET CLOTH, COTTON, WOOL, AND SHODDY.

[10,000 yards, at 50 cents, $5,000; 1,600 pounds of grease wool, at 24 cents, $384; 9,563 pounds shoddy, at 12 cents, $1,147.56.]

		Duty.	Per cent.
Duty on cloth valued at $5,000, at 40 per cent		$2,000.00	40
Compensatory duty on grease wool, valued at $384, at 20 per cent	$76.80		
Compensatory duty on shoddy, valued at $1,147.56, at 20 per cent	229.40		
Total compensatory		306.20	6.12
Actual protection		1,693.80	33.88

DINGLEY SCHEDULES.

A96—COTTON-WARP DRESS GOODS.

[6.7 ounces per yard, 50 inches wide; 10,000 yards, at 25 cents, $2,500; 4,187 pounds cloth. This requires 4,515 pounds of grease wool.]

	Duty.	Per cent.
Dingley duty:		
4,187 pounds cloth, 44 cents	$1,842.28	73.7
50 per cent of $2,500	1,250.00	50
Total duty	3,092.28	123.7
Actual compensatory required:		
4,515 pounds grease wool, 11 cents	496.65	19.9
Actual protection	2,595.63	103.8

PENDING BILL.

A96—COTTON-WARP DRESS GOODS.

[10,000 yards, at 25 cents, $2,500; 4,515 pounds grease wool, at 25 cents, $1,083.60.]

	Duty.	Per cent.
Duty on cloth, $2,500, at 45 per cent	$1,125.00	45
Compensatory duty on grease wool valued at $1,083.60, at 20 per cent	216.72	8.66
Actual protection	908.28	36.34

DINGLEY SCHEDULES.

C96—WORSTED DRESS GOODS.

[6.7 ounces per yard, 50 inches wide; 10,000 yards, at 40 cents, $4,000; 4,187 pounds cloth. This will require 9,760 pounds of grease wool.]

	Duty.	Per cent.
Dingley duty:		
4,187 pounds cloth, 44 cents	$1,842.28	46
55 per cent of $4,000	2,200.00	55
Total duty	4,042.28	101
Actual compensatory required:		
9,760 pounds grease wool, 11 cents	1,073.60	26.8
Actual protection	2,968.68	74.2

PENDING BILL.

C96—WORSTED DRESS GOODS.

[10,000 yards, at 40 cents, $4,000; 9,760 pounds grease wool, at 24 cents, $2,342.40.]

	Duty.	Per cent.
Duty on cloth valued at $4,000, at 45 per cent	$1,800.00	45
Compensatory duty on grease wool, valued at $2,342.40, at 20 per cent ad valorem	468.48	11.71
Actual protection	1,331.52	33.29

DINGLEY SCHEDULES.

E119—WORSTED SERGE, PIECE DYED.

[14½ ounces per yard, 56 inches; 10,000 yards, at 90 cents, $9,000; 9,062 pounds cloth. This would require 20,945 pounds grease wool.]

	Duty.	Per cent.
Dingley duty:		
9,062 pounds cloth, 44 cents	$3,987.28	44.3
55 per cent of $9,000	4,950.00	55
Total duty	8,937.28	99.3
Actual compensatory required:		
20,945 pounds, 11 cents	2,303.95	25.6
Actual protection	6,633.33	73.7

PENDING BILL.

E119—WORSTED SERGE, PIECE DYED.

[10,000 yards, at 90 cents, $9,000; 20,940 pounds grease wool, at 24 cents, $5,026.80.]

	Duty.	Per cent.
Duty on cloth valued at $9,000, at 40 per cent	$2,600.00	40
Compensatory duty on grease wool valued at $5,026.80, at 20 per cent	1,053.60	11.7
Actual protection	1,546.40	28.3

DINGLEY SCHEDULES.

A226—COTTON WORSTED.

[14 ounces, 55 inches wide; 10,000 yards, at 50 cents, $5,000; 8,750 pounds cloth. This would require 3,125 pounds grease wool.]

	Duty.	Per cent.
Dingley duty:		
8,750 pounds, 44 cents	$3,850.00	77
50 per cent of $5,000	2,500.00	50
Total duty	6,350.00	127
Actual compensatory required:		
3,125 pounds, 11 cents	343.75	6.8
Actual protection	6,006.25	120.2

PENDING BILL.

A226—COTTON WORSTED.

[10,000 yards, at 50 cents, $5,000; 3,125 pounds of grease wool, at 24 cents, $750.]

	Duty.	Per cent.
Duty on cloth valued at $5,000, at 40 per cent	$2,000.00	40
Compensatory duty on grease wool valued at $750, at 20 per cent	150.00	3
Actual protection	1,850.00	37

DINGLEY SCHEDULES.

A25—WORSTED SERGE.

[18.4 ounces per yard, 54 inches wide; 10,000 yards, at $1, $10,000; 11,500 pounds cloth. This requires 21,941 pounds grease wool.]

	Duty.	Per cent.
Dingley duty:		
11,500 pounds cloth, 44 cents	$5,060.00	50.6
55 per cent of $10,000	5,500.00	55.0
Total duty	10,560.00	105.6
Actual compensatory required:		
21,941 pounds grease wool, 11 cents	2,413.51	24.1
Actual protection	8,146.49	81.5

PENDING BILL.

A25—WORSTED SERGE.

[10,000 yards, valued at $1, $10,000; 21,941 pounds grease wool, at 24 cents, $5,265.84.]

	Duty.	Per cent.
Duty on cloth valued at $10,000, at 40 per cent	$4,000.00	40
Compensatory duty of $5,265.84 on grease wool, or 20 per cent.	1,053.84	10.54
Actual protection	2,946.16	29.46

DINGLEY SCHEDULES.

608—PIECE-DYED KERSEY.

[25 ounces per yard, 55 inches. Stock: Back warp, 40 per cent Oregon, 60 per cent shoddy; face warp and filling, 50 per cent California, 50 per cent shoddy; 10,000 yards, $1.25, $12,500; 15,625 pounds cloth. This would require 32,426 pounds wool in grease, 13,167 pounds shoddy.]

		Amount.	Per cent.
Dingley duty:			
15,625 pounds, 44 cents		$6,875.00	55
55 per cent of $12,500		6,875.00	55
Total duty		13,750.00	110
Actual compensatory required:			
32,426 pounds, 11 cents	$3,566.86		
13,167 pounds, 5 cents	658.35		
		4,225.21	33.8
Actual protection		9,524.79	76.2

PENDING BILL.

606—PIECE-DYED KERSEY.

[10,000 yards, at $1.25, $12,500; 32,426 pounds grease wool, at 24 cents, $7,782.24; 13,167 pounds shoddy, at 12 cents, $1,580.04.]

		Duty.	Per cent.
Duty on cloth valued at $12,500, at 40 per cent		$5,000.00	40
Compensatory duty on grease wool valued at $7,782.24, at 20 per cent	$1,556.44		
Compensatory duty on shoddy valued at $1,580.04, at 20 per cent	316.00		
Total compensatory		1,872.44	14.97
Actual protection		3,118.56	25.02

DINGLEY SCHEDULES.

E382—COTTON-WARP BEAVER.

[28 ounces per yard, 55 inches; 10,000 yards, at 75 cents, $7,500; 17,500 pounds. This quantity would require 3,611 pounds raw cotton, 1,309 pounds cotton warp, 22,123 pounds shoddy, 4,886 pounds fine wool, 1,137 pounds coarse wool.]

		Duty.	Per cent.
Dingley duty:			
17,500 pounds, 44 cents		$7,700.00	102.7
50 per cent of $7,500		3,750.00	50
Total duty		11,450.00	152.7
Actual compensatory required:			
6,023 pounds, 11 cents	$662.53		
22,123 pounds, 5 cents	1,106.15		
		1,768.68	23.6
Actual protection		9,681.32	129.1

PENDING BILL.

E382—COTTON-WARP BEAVER.

[10,000 yards at 75 cents, $7,500; 6,023 pounds grease wool at 24 cents, $1,445.52; 22,123 pounds shoddy at 12 cents, $2,654.76.]

		Duty.	Per cent.
Duty on cloth valued at $7,500 at 40 per cent		$3,000.00	40
Compensatory duty on grease wool valued at $1,445.52 at 20 per cent	$289.10		
Compensatory duty on shoddy valued at $2,654.76 at 20 per cent	530.95		
Total compensatory		820.05	10.93
Actual protection		2,179.95	29.07

DINGLEY SCHEDULES.

E24—IRISH FRIEZE.

[34 ounces per yard, 55 inches. Stock: 50 per cent wool and 50 per cent waste; 10,000 yards, at $1, $10,000; 21,250 pounds cloth. This requires 23,625 pounds grease wool, 17,719 pounds shoddy and waste.]

		Duty.	Per cent.
Dingley duty:			
21,250 pounds, 44 cents		$9,350.00	93.5
50 per cent of $10,000		5,000.00	50
Total duty		14,350.00	143.5
Actual compensatory required:			
23,625 pounds, 11 cents	$2,598.75		
17,719 pounds, at 5 cents	885.95		
		3,484.70	34.8
Actual protection		10,865.30	108.7

PENDING BILL.

E24—IRISH FRIEZE.

[10,000 yards at $1, $10,000; 23,625 pounds of grease wool at 24 cents, $5,670; 17,719 pounds shoddy at 12 cents, $2,126.28.]

		Duty.	Per cent.
Duty on cloth valued at $10,000, at 40 per cent		$4,000.00	40
Compensatory duty on grease wool valued at $5,670 at 20 per cent	$1,134.00		
Compensatory on shoddy valued at $2,126.28 at 20 per cent	425.20		
Total compensatory		1,559.20	15.59
Actual protection		2,440.80	24.41

DINGLEY SCHEDULES.

A211—WOOL CASSIMERE, TERRITORY WOOL.

[13 ounces per yard, 54 inches wide; 10,000 yards, at 85 cents, $8,500; 8,125 pounds cloth. This will require 32,143 pounds grease wool, shrinking 65 per cent.]

		Duty.	Per cent.
Dingley duty:			
8,125 pounds cloth, 44 cents		$3,575.00	42
55 per cent of $8,500		4,675.00	55
Total duty		8,250.00	97
Actual compensatory required:			
32,143 pounds, 11 cents		3,535.73	41.6
Actual protection		4,714.27	55.4

PENDING BILL.

A211—WOOL CASSIMERE, TERRITORY WOOL.

[10,000 yards, at 85 cents, $8,500; 32,143 pounds of grease wool, at 24 cents, $7,714.32.]

	Duty.	Per cent.
Duty on cloth valued at $8,500, at 40 per cent	$3,400.00	40
Compensatory duty on grease wool valued at $7,714.32, at 20 per cent	1,542.86	18.15
Actual protection	1,857.14	21.85

DINGLEY SCHEDULES.

DE—WOOL DRESS GOODS, PIECE DYED.

[6 ounces per yard, 50 inches wide; 10,000 yards, at 40 cents, $4,000; 3,750 pounds cloth. This would require 14,823 pounds grease wool, shrinking 65 per cent.]

		Duty.	Per cent.
Dingley duty:			
3,750 pounds, 44 cents		$1,650.00	41.2
55 per cent of $4,000		2,200.00	55
Total duty		3,850.00	96.2
Actual compensatory required:			
14,823 pounds, 11 cents		1,630.53	40.8
Actual protection		2,219.47	55.4

PENDING BILL.

DE—WOOL DRESS GOODS.

[10,000 yards at 40 cents, $4,000; 14,823 pounds of grease wool at 24 cents, $3,557.52.]

	Duty.	Per cent.
Duty on cloth valued at $4,000 at 45 per cent	$1,800.00	45
Compensatory duty on grease wool valued at $3,557.52 at 20 per cent	711.50	17.78
Actual protection	1,088.50	27.22

Recapitulation.

	Dingley duty.		Dingley duty, actual.		Total Dingley duty.	Pending bill.		Total duty.
	Compensatory.	Protective.	Compensatory.	Protective.		Compensatory.	Protective.	
A25	50.6	55	24.1	81.5	105.6	10.54	29.46	40
A96	73.7	50	19.9	103.8	123.7	8.66	36.34	45
C96	46.0	55	26.8	74.2	101.0	11.71	33.29	45
E119	44.3	55	25.6	73.7	99.3	11.70	28.30	40
A226	77.0	50	6.8	120.2	127.0	3.00	37.00	40
A207	85.2	50	44.8	90.4	135.2	6.12	33.88	40
608	55.0	55	33.8	76.2	110.0	14.97	25.02	40
E382	102.7	50	23.6	129.1	152.7	10.93	29.07	40
E24	93.5	50	34.8	108.7	143.5	15.59	24.41	40
A211	42.0	55	41.6	55.4	97.0	18.15	21.85	40
DE	41.2	55	40.8	55.4	96.2	17.78	27.22	45

	Per cent.
Average compensatory duty under this bill	11.74
Average protective duty under this bill	29.62

Without going into details of these tables, they show actual compensatory duties under the schedules of the pending bill running from 3 per cent to 18 per cent and actual protective duties running from 21 per cent to 37 per cent. They show an average compensatory duty on the 11 pieces of cloth of 11.74 per cent and an average protective duty of 29.62 per cent.

If there is any gentleman on that side of the House who can justify an average protection of approximately 30 per cent on the principle of a tariff for revenue, I would be glad to have him do it. The tables on piece A96 cotton warp dress goods show an actual compensatory duty of 8.66 per cent and an actual protection of 36.34 per cent. If there is any gentleman on the other side of the middle aisle who can justify a rate of 45 per cent, of which more than 36 per cent is protection, on ladies' cotton warp dress goods, I should be glad to have him make that demonstration. To claim that a bill providing protection averaging 30 per cent is a purely revenue measure is a nonsensical absurdity so profound as to startle the brain of an idiot.

There are gentlemen on this side of the aisle who, I think, believe, with honest conviction, that the rate of protection afforded by this bill is too low. I do not share that opinion, for such information as I have been able to gather leads me to the conclusion that a protection of 30 per cent upon the value of the cloth is ample to protect the manufacturer of woolen cloths in this country against the cheaper labor of foreign countries.

Shortly prior to the debate of two years ago in the Senate on the wool schedule Mr. W. A. Graham Clark, special agent of the Department of Commerce and Labor, made an extended and careful investigation and analysis of the cost of production of woolen yarns and cloth in this and several foreign countries.

He prepared, after a thorough investigation, a list of tables showing the various items of cost entering into the production of woolen yarns and cloth, and I print at this point one of these tables as an illustration of the thoroughness and care with which Mr. Clark investigated the subject.

CLARK'S TABLE.

Sample No. 2—Fancy worsted suiting.

[1,056 yards, medium quality; weight per square yard, 11.8 ounces; threads per inch in warp 45, filling 48; grade, dark gray botany No. 64, at 66 cents; No. 64, at 74 cents; yarn, 1,370 pounds, 2/20s.]

	Yarn.	Interest and depreciation.	Repairs.	Rent.	Gas, etc.
Material	$908.20				
Office expense			$0.36	$0.18	$0.18
Discounts, terms, etc		$27.40			
Warehouse				3.12	1.72
Patterns				.16	.06
Weaving		12.36	3.30	4.80	4.94
Mending				1.20	1.20
Finishing and dyeing		6.30	1.08	3.72	3.12
Total	908.20	46.06	4.38	13.36	11.22

	Power.	Supplies.	Wages.	Salaries.	Total.
Material					$908.20
Office expense		$0.12	$20.82	$0.12	21.60
Discounts, terms, etc					27.40
Warehouse		1.56	3.12	21.68	31.20
Patterns		.72	16.58	3.28	20.80
Weaving	$4.12	1.38	86.40	19.90	137.20
Mending			21.60		24.00
Finishing and dyeing	6.48	8.10	30.48	.72	60.00
Total	10.60	11.88	179.00	45.70	1,230.40

Cost per yard, 58 inches, $1.165.
Cost of yarn, $908.20=74 per cent of the cost of finished goods (cloth).

Cost per running yard, 58 inches		$1.165
Weight per square yard	ounces	11.8
Weight per yard, 58 inches	do	18.998
Compensatory duty per running yard at 44 cents per pound	cents	52.228
Protective duty at 55 per cent ad valorem	do	64.075
Total duty		$1.16303

(or practically 100 per cent ad valorem).

Wages, weaving	per cent of cost	14.5
Wages, spinning (12 per cent of cost of yarn)	do	9
Total wages	do	23.5

Total duty should therefore be—

	Per cent.
Protective duty	23.5
Compensatory duty	24.4
Total duty	47.9

The table referred to shows a labor cost in the production of fancy worsted suiting of 23.5 per cent, and an examination of all the tables prepared by Mr. Clark leads to the conclusion that the labor cost of production seldom exceeds 25 per cent of the value of the cloth itself. The table of wages prepared by Clark shows that the wages paid in this country on all classes of employment in the manufacture of yarn and cloth is from 17 to 125 per cent higher than in England. While I believe that there is every reason to think that the average difference in cost of production is considerably less than 100 per cent, in order to be on the safe side, as a protectionist, I have assumed for the purpose of this argument that the labor cost in this country is double the labor cost in foreign countries. So that taking the labor cost in the production of woolen cloth in foreign countries at 25 per cent of the value of the cloth a protection of 25 per cent ad valorem would cover this difference. It must therefore be apparent that the protection afforded by this bill is amply sufficient, so far as the manufacturer of woolen cloth is concerned, and that the pending bill is not only an abandonment by our Democratic friends of the policy of free wool, but a betrayal as well of the doctrine of tariff for revenue only.

The present Schedule K of the Payne bill, covering wool and manufactures thereof, was written into the tariff law in 1867, and has been reenacted substantially in the same form in every Republican tariff measure from that day to this. It was compiled through the various grades of manufacture, washed and scoured wool, yarn and cloth, according to a system of mathematically compounded, frenzied high finance, that, piling one duty upon another, resulted in a schedule that has, not unreasonably, I think, been called the "citadel of protection." I have no doubt that its provisions were adapted to and warranted by the necessities, conditions, and environments of our then infant woolen industries. But wonderful changes have taken place in the method and cost of production of woolen and worsted fabric since that day and generation. The importation of foreign labor and the improvement of machinery has greatly reduced the labor cost in the finished article. It is claimed that the Worsted Trust dominates and controls not alone the market for its products, but in a measure the price of raw wool to the producer in this country. It is not strange that in the application of this schedule to the changed conditions that forty-odd years of development have evolved in the manufacture of wool cloth that great discrimination between manufacturers of different kinds of cloth, inequalities between the woolgrower and manufacturer, and injustice to the consumer have resulted.

The imposition of a specific duty upon raw wool, regardless of its value or shrinkage in the scouring, and the imposition of a high duty upon noils and other by-products of worsted manufacture and shoddy has resulted in a discrimination against the manufacturer of woolen cloth, as distinguished from worsted cloth, that has kept the woolen industry at a standstill for many years. I have no quarrel with the manufacturers of cloth of wool. I desire as a protectionist that they should have all the protection that the difference in the cost of manufacture warrants. But such investigation as I have been able to make indicates that the operation of Schedule K in later years has been detrimental to the development of the industry engaged in the manufacture of cloth of wool as a whole.

It ought not to occasion great surprise that methods and practices have been evolved whereby the provisions of the law and the duties imposed upon raw wool have been, in effect at least, evaded so that the woolgrower has received the benefits of a protection upon his products not exceeding 6 cents per pound, and I believe in many instances less than that. Two things have conduced very largely to this result—one is the discrimination in the law which admits washed wool of the second class at the same specific rate of duty as on grease wool of that class, while it imposes double the specific duty on washed wool of the first class that it imposes on grease wool of that class. The effect of this discrimination and of the specific duty on grease wool generally has been to exclude the heavier-shrinking wool and induce the importation of light-shrinking wools, with the ultimate result of very materially reducing the actual protection to the woolgrower. The general arrangement of Schedule K has also conduced to this result by producing a situation which has enabled the buyer and manufacturer of wool to in some measure, at least, control the domestic price to the producer.

I print at this point the following tables, showing the prices of foreign and domestic wool for the last 20 years, by semi-decades, as follows: First, the Boston price of 13 domestic wools; second, the average foreign or import price of wool; third, the London price of 6 foreign wools; fourth, the Boston price of 6 foreign wools; and, fifth, a recapitulation of the averages of the first four tables.

TABLE No. 1.—*Boston price of domestic wools.*

	1890	1895	1900	1905	1910
Fine Adaine	22	13	21	32	27
Combing, Ohio half blood	26	18	23	35	29
Clothing, Ohio half blood	22	13	20	31	25
Clothing, Ohio quarter blood	25	19	24	34	27
Texas, 12 months' average	25	12	17	25	21
Georgia and Lake	27	19	23	25	26
Oregon Fine Eaden staple	21	13	15	25	21
Oregon Valley No. 1	25	13	22	28	22
Montana staple	21	13	18	30	24
Idaho average	20	12	16	23	18
Mohair combing	28	18	21	33	32
Mohair carding	18	8	15	25	21
Cal. Spg., 12 months	25	15	17	26	21
Average	23	14	19	29	24

TABLE No. 2.—*Average foreign or import price of wool.*

	1890	1895	1900	1905	1910
Clothing wool	23	15	21	23	24
Combing wool	23	20	21	25	25
Average	23	17½	21	24	24½

TABLE No. 3.—*London price of foreign wools.*

	1890	1895	1900	1905	1910
Port Philip	23	17	23	.....	.....
Australian cross breed	20	17	16	.....	.....
Cape fleece	19	14	19	.....	.....
East India	18	15	16	.....	.....
South Down	24	21	20	24	29
London half hog	22	24	16	25	20
Average	20	18	18	24½	24½

TABLE No. 4.—*Boston price of foreign wools.*

	1890	1895	1900	1905	1910
Adelaide 60's combings	41	23	36	48	41
New Zealand cross breed 36's to 40's	42	22	33	38	36
Montevideo quarters	29	16	28	37	35
English and Irish	36	26	28	43	42
Mohair Turkey average	41	30	36	46	46
Buenos Ayres	.....	.....	.....	37	34
Average	36	23	32	41	39

TABLE No. 5.—*Recapitulation.*

	1890	1895	1900	1905	1910
Average import or foreign price	23	17½	21	24	24½
Average London price, foreign wools	20	18	18	24	24½
Average Boston price, domestic wools	23	14	19	29	24
Average Boston price, foreign wools	36	23	32	41	39

I think that a study of these tables will bear out the conclusions that I have mentioned. These tables show a difference of approximately 3 cents per pound between the Boston price of the domestic wool and the London price of foreign wool, but it is probable that this does not measure the whole difference, so far as the domestic producer is concerned by reason of a cheaper rate of water transportation of foreign wool than can be obtained by the domestic producer for railroad transportation. But to me the significance of the situation shown by these tables is to be found in the very much higher price of foreign wools upon the Boston market in comparison with the price of domestic wool upon that market. This situation points, it seems to me, directly to the conclusion that the manufacturer has been importing a high grade shrinking wool, that the woolgrower has not been very greatly advantaged by the supposed duty of 11 cents a pound on grease wool, and that the domestic price is very largely controlled by the user of wool for manufacture.

The consumer, however, has been the chief sufferer from these discriminations, for upon him necessarily falls the entire burden.

In conclusion, let me say that I do not consider the pending bill a perfect one, and it is to be regretted that Democratic caucus action will probably prevent the passage of any amendments looking toward an approximation of that perfection. It is to be regretted that it will probably not be possible to eliminate from the bill the iniquitous clause "in whole or in part of wool" and other provisions which the science of the present day make possible of elimination. Nor must it be inferred that I indorse the Democratic proposal to go still further in the reduction of the schedules of this bill. On the contrary, I shall in the future vote for such increases of duty as an investigation of facts and conditions may show to be warranted.

It is to be regretted that we have not before us a report of the Tariff Board upon this schedule, which would make possible a scientific determination of all of the numerous and intricate questions which an examination of this schedule suggests. I have done what I could to get this information. And in its absence it becomes necessary to arrive at some conclusion regarding the pending bill upon the information which is at hand.

Upon all of the considerations that I have enumerated I find it difficult to vote to retain Schedule K of the Payne bill, with all its discriminations, inequalities, and injustices, which is the effect of a vote against the pending bill. If the time ever comes when caucuses do not dominate and control the action of a majority, when we shall have definite and accurate information gathered by a tariff board, we may build a wool schedule in which well-considered tariffs will be scientifically applied to known necessities and conditions and the burden of taxation justly and equitably apportioned. But until that times comes I intend to do whatever I may to lift from the backs of the people the great and unequal burdens of the existing wool schedule. [Applause.]

Mr. MANN. Mr. Chairman, I yield 20 minutes to the gentleman from Idaho [Mr. FRENCH].

Mr. FRENCH. Mr. Chairman, I have heretofore said in this Congress and during the last campaign that I believe that tariff modification should follow the report of the Tariff Board. I feel that that position is correct, in view of the fact that the Tariff Board will be required by law to make its report not later than the 1st of December of this year, and then there will undoubtedly be placed before this body such information as will enable the Congress to enact a schedule touching our wools and woolens that will commend itself not only to the good judgment of the Members of this body, but as well to the approval of the country at large. I believe that plan to be wiser than the plan the House seems bent upon now, to refuse to await the report, when in all human probability this schedule can not be modified until the report shall have been received. I believe the House should have the benefit of the valuable information that this report will contain, as well as the Senate. I have just that faith in the American people that prompts me to say that they desire nothing but the square deal, and that they desire a reduction in the tariff only to the extent that there will be removed from the tariff the possibility for exorbitant prices to be charged by those who may be in control of special commodities when any kind of competition within this country would warrant a lower price.

MODIFICATION OF WOOL SCHEDULE.

I have no patience with those who urge that we "stand pat" on Schedule K and refuse to recognize errors, however glaring, and I say to those Republicans who feel this way that they are following a most shortsighted policy and are contributing to their own retribution. It is the wise course to place every schedule on a basis that will command the respect of the people of our country.

For my part I do not defend Schedule K. Repeatedly during the last two years have I called attention to the inequalities that exist in that schedule, and repeatedly have I urged that that schedule should be modified at the very earliest practicable date by our Congress. I do not propose in what I shall say to go into great detail in pointing out inequalities that exist in that schedule. I believe that the schedule, as pertains to the manufacture of worsteds especially, is unreasonable, because, in the first place, the compensating duty that is given to the manufacturer is far in excess of what it ought to be, as I think a few words will illustrate.

Under the present law we place a duty of 11 cents per pound upon wool in the grease. We then give a compensating duty—to refer to one paragraph of the law—of 44 cents per pound upon all classes of goods that will require, theoretically, 4 pounds of raw wool to make. If 4 pounds of wool were actually used in the manufacture of a pound of cloth of this character, the compensating duty would be just and uniform; but such is not the case. It is a fact that needs no amplification upon my part that in many instances instead of the best of 4 pounds of wool being used for the manufacture of a pound of cloth that is protected on the basis of 4 pounds of wool to a pound of cloth only 3 pounds, 2½ pounds, or 2 pounds, or even less, are used. Manifestly the manufacturer is given an unreasonable advantage by reason of this inequality in the practical working out of the compensatory duty that he is entitled to under our tariff system. I could use the same illustration with respect to the different classes of manufactured goods,

but it is not necessary. I could go on further and point out that, in addition to this, the manufacturer has the use of the surplus that does not enter into the pound of cloth; and this he uses for the manufacture of some other piece of woolen goods; or if he has discarded the poorer parts that are classified as noils, he can use this in places where a cheaper class of wool will suffice.

I am frank to say that I believe that the manufacturer is entitled to a compensatory duty. I do not believe that he should be required to pay a higher price for his wool in the United States by reason of a tariff if he shall not be granted at the same time the benefit of a compensatory duty on his manufactured goods that will equal the duty that is afforded the grower of wool. Again, the manufacturer is given, as I believe, and as I believe many manufacturers are willing to admit, a higher specific duty than that which represents the cost of production in the United States and in foreign countries. To the extent that this duty is in excess of the difference of cost of production in our country and in foreign countries, it should be scaled down so that no greater difference shall be represented, and so that at the very moment that the consumer is asked to pay a price for any commodity in excess of the cost of producing that commodity in the United States he will be immediately met by a competing commodity.

TARIFF COMMISSION.

I said a little while ago that I have felt that tariff modification should follow along the lines of the finding of the Tariff Board. I am a firm believer in the maintenance by this country of a tariff commission that may be regarded as a permanent institution, and that will be required to furnish to Congress such facts touching the cost of production of all competing goods in the United States and in foreign countries. The need for such a commission is apparent now as never before, and the need for this commission has developed with the rapidity that those interested in various productive lines have concentrated their wealth and have eliminated the element of competition. At a time when competition was the great adjuster of trade conditions we had no need for a tariff board. At a time when in all the various lines of manufacture—for I take it that production upon the farm can not be concentrated under one control—at a time, I say, when in the production of manufactured commodities competition was playing so keen a part that each producer was seeking to invade the territory of his rival, not only in the selling of his goods at the lowest price possible, but in the making of his goods in the best workmanlike manner possible, there was no need for a tariff board.

But in the economic evolution that has been going on during the past comparatively few years more and more organizations have been perfected in the various lines of production and distribution, organizations which now have reached the point that they can dominate not only the prices at which commodities shall be sold or services shall be rendered, but dominate as well the prices that shall be paid to the farmer in the purchase of raw materials and to the laborer for his work.

Hence I say that if prior to recent years there was no necessity for a Tariff Board in the history of our country, the very change that has been brought about in the economic conditions that have attended our people for the last score years has brought with it the necessity for such a board. Under the old system if a tariff was too high the great and inviolable law of competition guaranteed the square deal to the consumer upon the one hand and to the producer of raw materials upon the other. With the elimination of that law, unless the Government shall see to it that the protection afforded any industry does not exceed the difference in the cost of production in foreign countries and at home, the capital invested in that industry will have it in its power through organization to dominate the market, to fix the price of the raw materials and of the manufactured product, and to receive as so much "velvet" for its pains in organizing that which the consumer may be required to pay in excess of the difference in cost of production in our country and in foreign lands.

SCHEDULE K.

As regards Schedule K, I believe that not only the highest good of the people generally demands a speedy modification of that schedule, but I believe that the highest good of every grower of wool and of every manufacturer demands that at the very earliest possible time the schedule may be shaped along such lines as will commend itself to the confidence of the American people, upon the principle that reasonable and fair returns upon an investment that may be counted upon to continue over a long period of years are far more satisfactory than great returns upon an industry that may be brought to ruin as a result of public opinion that shall have been wrought upon by reason of unjust conditions until it finally shall demand relief. I believe we are now dangerously near that condition in this country.

There were those interested not only in woolgrowing, but in the manufacturing of woolens, two years ago, who urged that reasonable concessions be made in the woolen schedules. There were others, and they seemed to be able to dominate the situation, who would listen to nothing less than the most extreme bill that could possibly be framed. Their folly has well nigh pulled down the pillars of their temple, and now, before public sentiment shall have finally demanded such extreme legislation as will complete their utter ruin, let them join in an earnest manner with the great body of people of our country and help to frame at the earliest moment such a law touching wools and woolens as will commend itself to the honest judgment of the American people.

THE PENDING BILL.

The bill that is before us for consideration, I am sorry to say, it is not possible to amend by taking from or by adding to. The bill in the form that it is drawn will undoubtedly be passed by the majority in this House. They have tied themselves hand and foot by a caucus rule which prevents them from accepting any amendment, however reasonable, however much it may add to the merit of the bill. That fact, however, will not prevent me from calling attention to one or two features of the bill that the State that I have the honor to represent has vital interest in.

IDAHO'S INTEREST IN WOOL SCHEDULE.

Mine is a State that produces the raw material. It is an agricultural State. Idaho last year produced wool to such an extent as gave her the rank of third among the States of the Union. The producers of wool in my State are kindred to the producers of wool throughout the United States, and the total number of woolgrowers, in a small and a large way, throughout the United States aggregates between three-quarters of a million and a million people. These are directly interested in the industry. There are, in addition to this, millions of people who have an indirect interest that can not be overlooked. The future of this great industry in our country may depend upon the action that shall be taken by the present Congress in connection with this bill. There has not been the sentiment throughout the country that the woolgrower is responsible for the inequalities in Schedule K.

You must look some place else to find the "Jonah." It may be that the protection accorded to the woolgrower is too high, it may be that it is too low. I have felt that we should be governed in this in very large degree by the report that will be made not later than next December on the cost of growing wool within the United States and in foreign countries.

For my own benefit, I have made something of an examination of this question, and I find some very interesting figures in connection with the cost of production of wool in this country and in foreign countries. In my State, for instance, the time has passed when we had large and unlimited areas of land upon which sheep might be grazed. The time has passed when there was little or no competition, and the time has come when there is great competition to see who shall control, either by ownership or by lease, every available acre upon which sheep may be grown. In my State sheep herders can be employed only by paying them from $35 to $50 per month; and last year probably the largest stock company in my State paid as high as $70 per month for this class of labor. In addition to this, these men have to be kept, and this requires a cost of from $12.50 to $16 each per month. In this connection touching the matter of expense I invite attention to the testimony of Mr. F. J. Hagenbarth and Mr. A. J. Knollin, of Idaho, given before the Senate Finance Committee on the 19th and 22d of last month. More than this, the time has passed when not only good business instinct but humanitarianism demands that the sheep shall not be compelled to take a chance on living through the winter on the range, but hay must be provided, and the hay at probably a fair average per sheep would cost something like 20 cents each for the season. Our lands that are leased from the Government from the forest reserves require a rental of something like from 7 to 9 cents per acre, and besides this large sums must be expended in valuable lands and for necessary improvements.

CONDITIONS IN FOREIGN COUNTRIES.

Now, let us compare the conditions that I have suggested with the conditions in other countries that compete with us. In Great Britain, in the counties of Kent and Surrey, according to the report of the American consul submitted last year, sheep herders can be employed at a cost of $5.34 per week, and the sheep herders are required to "keep" themselves. They may be employed for $4.86 per week and be furnished cottages and little plots of ground for garden purposes. In

another part of the United Kingdom I found that foremen were employed by the year at from $121.66 to $146 and "keep." The wages of horsemen and other farm hands was far below this. In Australia a report that I have and that was made by our consul general at Sydney, at the time the Payne law was being considered, tells us that the wages of sheep "drivers" is $5 per week, including board, and of the more experienced men from $7.50 to $10 per week, including "keep." Not only that, but the difference in wages between Australia and the United States does not represent the difference in cost of production of wool. In the United States a sheep herder, for instance, will be required to take care of something like 1,700 head of sheep. He will be given a camp tender, and the expenses of them both will need to be charged against a flock of sheep of this size. In Australia I am advised that they do not have herders in the sense that we have herders, but they have what they call their "riders," and with the large range and ample fencing one rider is able to care for and supervise not less than 2,000 head of sheep, as in this country, but many thousands of sheep, and he is paid for his labor a compensation that is something like one-half of that which is paid in my own State. The winters there are open and the sheep may run at large upon the range during a season that is most expensive to the American sheep grower. In addition to this, instead of being required to pay from 7 to 9 cents per acre for grazing purposes, the owners of the herds may lease hundreds of thousands of acres at 2 cents per acre, or, in other words, for something like 25 per cent of the cost of leasing our land for similar purposes, and the land that the sheep growers own is of small value in comparison with the land in the United States.

In South America conditions are even worse, and the wages paid something like one-third of the wages paid within the United States. In Europe, in Asia, and in Africa conditions are infinitely worse, and I hesitate to say that in some places sheep herders are paid as low as 25 and 50 cents per week in addition to their "keep" for services for which we pay $10 to $15 per week and board.

I do not mention these figures and conditions with any idea of finality. I do mention them to call attention to the important fact that there is a difference in cost of production at home over the cost of production in foreign countries. I do not believe that the American people expect the growers of sheep and the producers of wool to employ peasant methods of caring for their flocks and compensating their workmen, and I do believe that right here is the great opportunity for the Tariff Board to point out the difference between the cost of production in foreign countries and at home. I would not have you understand that I believe that the measure of cost of production is entirely a question of wages. I was much interested in the address of Representative REDFIELD, of New York, the other day, and I was much impressed by what he said with respect to the greater efficiency of American labor over the underpaid and underfed labor of foreign countries. At the same time it can not be overlooked that the difference in this cost of labor does represent a factor of great importance and one that we can not fail to take cognizance of in the consideration of this important question.

The schedule that is proposed in the bill that has been reported by Mr. UNDERWOOD furnishes practically no protection to growers of wool. For instance, a 20 per cent ad valorem duty gives an apparent protection to our growers of something like 4 or 5 cents per pound. Just at this time it would not be so much. It costs the grower of wool in Australia 1¼ to 1½ cents per pound to ship his wool by steamer from Sydney to Boston, and it costs him but 1⅛ to 1⅜ cents per pound if he ships it by sailing vessels.

The woolgrower of South America can ship his wool to these same markets from his ports for three-eighths of a cent per pound. It costs the woolgrower of Idaho from 1¾ to 2¼ cents per pound to ship his wool to the Philadelphia, New York, or Boston market. But Australian and South American wool shrinks but little more than half as much as Idaho wool shrinks, and while it requires 3 pounds of our wool to make a pound of scoured wool it requires only a little more than 1½ pounds of Australian or South American wool to make the same quantity. As a matter of fact, then, the freight rates on Australian or South American wool are from ¾ to 2¼ cents per pound on the basis of scoured wool, while to reach the same market the scoured wool of Idaho must pay 6 cents per pound. In other words, although the Idaho woolgrower under the proposed bill will have in his favor a duty of, say, 5 cents per pound, he is required to turn a large part of it over immediately to the railroad company, in order that he may have his wool hauled to the same market in which the wool of his Australian or South American competitor is offered for sale.

Even under the present tariff law the manufacturer has had an unfair advantage over the grower of wool, as I intimated a little while ago, because of his ability to buy wool in the grease in foreign countries, whose shrinkage is half or less than half the shrinkage of the wool of the American producer. If under the present law wool is washed or scoured it is required to pay twice the duty that would be asked if it were not washed, and three times the duty if scoured, over what it would pay if in the grease. The woolen manufacturer has been able to bring in wool from foreign countries the shrinkage of which has been as low as 12 and 15 per cent, and from this up to 50 per cent, with little above that figure, while the shrinkage of the wool of Idaho, for instance, is something like 67 per cent.

With the skirting clause inserted in the Payne law, large quantities of wool have been imported on the skin, with the skirt of the fleece removed, or, in other words, the very part of the fleece that was filled with dirt removed and not required to be used in bringing down the average quality of the wool as against our domestic growers.

Suppose the shrinkage on foreign wool were as great as 33⅓ per cent, with the apparent duty of 11 cents per pound upon wool in the grease, the manufacturer would be enabled to import wool to such an extent as would bring down the actual protection to our wool producer, under the present law, as low as 5½ cents per pound. However, as I said, some of the wool goes even beyond that and the duty is but a few cents.

SCOURED WOOL THE TRUE BASIS.

I believe that the true basis for the tariff upon wool should be figured upon scoured wool. Here is a weakness in the Payne law, and in the Underwood bill as well, and I propose at the proper time to offer an amendment on this head. Scoured wool would furnish a basis that would be fair and equitable to the woolgrower, fair and equitable to the woolen and worsted manufacturers. It would be absurd to talk about a bushel of wheat that to one person would weigh out 15 pounds, to another one 30 pounds, and to another one 60 pounds; and yet, using wool in the grease as the unit or basis for our tariff schedules we are committing as great an absurdity, because wool in the grease may mean wool that contains so much dirt that its shrinkage will be even more than 67 per cent, as it is in my State, or it may be less than 15 per cent, as some of the wool that is sold in the market.

A wool buyer may go to my State and pay one price for his wool. He may go to the State of Oregon, where possibly different conditions prevail, and he may pay another price for his wool. The wool will be shipped to the scouring plant, and when it shall have been scoured it will be found that because of the different shrinkage of the two classes of wool that the wool bought has been purchased, as a matter of fact, at the same price.

It will be urged that this method of placing a duty upon wool can not be sustained because of the difficulty in reducing all wool to the basis of scoured wool. In answer to that I would say that there is not the slightest merit in this contention. Any purchaser of wool who has enough experience and ability to be intrusted by any woolen concern interested in the purchase or the sale of wool knows how to reduce wool to the equivalent of a scoured basis upon the most superficial examination of the wool that is brought before him for him to purchase.

For instance, wool buyers will visit a warehouse in my State, they will take several samples of wool, they will separately and apart offer bids upon the wool based upon a certain shrinkage, and they will not miss the same percentage of shrinkage by more than one-half of 1 per cent as the usual thing. If this can be done by men in the rough and tumble of life in the buying of wool, surely as accurate work could be done by the employees of the Government at the customhouses; and any manufacturer of wool whose buyers do not reduce the wool which they buy to the equivalent of scoured wool and do not know how to so reduce it is doing business upon a most dangerous basis, and bankruptcy for him would seem to be a matter of the merest chance. The true basis to be used upon which to rest protection for the wool industry is the basis of scoured wool.

Mr. RUCKER of Colorado. Mr. Chairman, may I interrupt the gentleman there for a moment?

The CHAIRMAN. Does the gentleman yield?

Mr. FRENCH. Yes.

Mr. RUCKER of Colorado. That can be done in a mere washtub.

Mr. FRENCH. It can be done with the very same means that has been indicated—any means of that kind. The wool buyers, as I have said, will go to the warehouse in the gentleman's State, pick out a few bunches of wool here and there from that which is offered for sale, and the different buyers,

each one of them separately, will prepare the bids that they will offer upon it, and will come to practically the same bid, because they are able to figure out within the fraction of less than 1 per cent the exact amount of scoured wool that will be offered for sale.

Mr. RUCKER of Colorado. Is that not true in all the sales in the western country? You will find a man so expert in even the feeling of the wool as to be able to determine what it will amount to in the washed state, although it is in the grease state.

Mr. FRENCH. Absolutely; and hence I say it ought to be a comparatively easy thing, if this can be done in the rough and ready way in that part of the western country, for our Government to employ experts who will be able to tell immediately on slight examination exactly how much scoured wool there is in any cargo that may be landed in any part of the country.

The woolgrower now has an apparent protection of 11 cents per pound on wool, but with light-shrinking wool imported the actual protection is less than that amount. An equivalent of 11 cents per pound on wool in the grease, as it now is, would be 33 cents per pound on scoured wool. I would suggest a flat duty of 30 cents, or possibly 25 cents, on scoured wool as a basis, and then require all wools imported to be reduced to that basis. I propose at the proper time to introduce an amendment on this head. This would constitute a rate on scoured wool less than the present rate, and would establish the right balance that ought to exist between the woolgrower and the manufacturer. It would eliminate entirely the duty of 11 cents per pound on wool in the grease and the duty of 22 cents per pound on washed wool, under which there has been so much of juggling by the importer, and in its place there would be established a basis that would be fair to all alike and easily understood.

AD VALOREM V. SPECIFIC DUTIES.

I do not believe that the ad valorem basis is the best revenue basis from the standpoint of protection or from the standpoint of revenue as regards raw wool. Here is another weakness of the pending bill: From the standpoint of protection the ad valorem basis utterly fails, for it places the highest duty on foreign wool when it is the highest and the lowest duty when it is the lowest.

It applies the law that has been stated in these words: "To him that hath shall be given, and from him that hath not shall be taken even that which he hath." In other words, the very years in which the world's supply is excessive and when the wool is offered on the market at a low price, the very years when our woolgrowers need protection, those years we have the minimum of protection under the ad valorem system. The years that wool is scarce and when the price is high the ad valorem system puts the price still higher, because the duty must increase as the price increases.

I do not believe the ad valorem system meets a better test from the revenue point of view. A given amount of wool might yield in one year upon the ad valorem basis $10,000,000 in revenue, while another year the same wool might not yield one-third that amount of revenue by reason of the low price of wool.

Again, I am opposed to the ad valorem basis, for it will mean that the cheapest kinds of wool will be brought into this country and sold to the American consumer in the clothes he buys. Under the specific basis our buyers would select the best. Under the ad valorem basis the best will be left abroad and the cheaper wool will be brought to this country, for if the better were brought the price would be compounded, for the simple reason that the wool is better and has a higher value in the market.

On the manufactured products probably a combination of ad valorem and specific duties should be established—the specific to meet the compensatory duties on the raw material and the ad valorem to meet the difference in cost of poduction of the manufactured products in foreign countries and in our own.

I believe in tariff modification and not tariff agitation, and in conclusion, and with the end in view of doing away with tariff agitation, I am going to urge the members of my own party in this Chamber to listen no longer to those who urge the sacredness of Schedule K, but to assist in bringing about at the earliest practicable moment modifications along those lines that experience has demonstrated are imperative. Then, and then only, will you have acquitted yourselves so as to bring to you the approval of your constituents. And then you will have aided in placing this great business upon a basis that will be firm and stable, because its foundations will be grounded in absolute justice.

Mr. MANN. Mr. Chairman, I yield to the gentleman from Ohio [Mr. BULKLEY].

Mr. BULKLEY. Mr. Chairman, the pending bill to reduce the duties on wool and manufactures of wool will receive practically a unanimous vote on the Democratic side of this Chamber, and will be supported by at least a few members on the Republican side. The situation from the point of view of the Democratic Party is a very gratifying one. It is, I believe, to the credit of the Democratic membership of this body that we have been able to agree with practical unanimity on the course to be pursued in the revision of Schedule K, and, Mr. Chairman, it is no less to the credit of the Democratic membership that there have been honest and frank differences of opinion among the Democrats. It is a sign of the freedom of thought within our party, and at the same time a sign of the party's fitness to administer the affairs of our Government, that we can think differently and by somewhat conflicting processes of reasoning, and yet, making concessions respecting details, reach a substantial agreement upon the important things which we have been sent here to accomplish.

The pending bill seems to me an exact and literal fulfillment of the Democratic platform adopted at Denver in 1908, so far as Schedule K is concerned. And I state this opinion with all deference and respect to those good Democrats who interpret the platform somewhat differently and sincerely believe that the party was pledged to free wool and to a more radical cut in the rates on the manufactures of wool.

The Democratic platform of 1908 specified that pulp, print paper, lumber, timber, and logs should be placed upon the free list. No other article was specified in this connection. It was declared that—

> Material reductions should be made in the tariff upon the necessities of life, especially upon articles competing with such American manufactures as are sold abroad more cheaply than at home, and graduated reductions should be made in such other schedules as may be necessary to restore the tariff to a revenue basis.

Wool and woolens must be considered necessities of life, and therefore the platform calls for a material reduction. There can be no doubt that the reduction herein proposed is material. The latter part of the sentence I have quoted from the platform, calling for graduated reductions, seems to me to carry a promise of conservatism in dealing with the tariff, a promise upon which the people of the country had a right to rely. Many of us who are free traders in the abstract would not for a moment advocate free trade as a practical working proposition to-day. Nor would we venture a prediction as to when, if ever, it may be a practical issue. Many of us who believe that a tariff should be levied no higher than the highest revenue producing point must concede that an immediate reduction to such a point might in some cases be so radical as to create undue disturbance of business and inflict unnecessary hardships. We must not, if we would retain the confidence of the people, overreach ourselves and overdo our program. We must not go beyond the promises of our platform.

Whether or not it was intended to do so, the pending bill carries a certain amount of protection; and I see no harm in being perfectly frank to say so. I shall be equally frank in saying that I favor it. Let me not be understood to indorse the principle of protection as advocated by the Republican Party. If we had the power to write a retroactive tariff, going back for 40 years, if we could do over again what has been done in the past 40 years, I believe we could develop an economic structure more just and sound than has been developed under Republican rule. But that we can not do. What we can do is to make the best of the situation as it exists, and set our faces in the right direction for the future.

However unsound economically a given rate of duty may be, however unsound economically may be the business grown upon that unsound basis, we must take care in tearing down lest we do more harm than good. We may justly denounce a tariff as a robber tariff, and yet it does not follow that all who have established in business under a robber tariff are themselves robbers. It is probably true that a false economic system can not be remedied without some damage to some individuals at some time. I hope we may have the courage to face this situation squarely, and not to flinch because someone is getting hurt a little by a reasonable tariff revision. But, on the other hand, let us be spared from doing any unnecessary damage; let us proceed with the caution which our platform pledges us to observe.

When I say that I believe our platform is conservative I do not use the word in contradistinction to progressive. The Democratic Party is essentially progressive, and there is no place in it for reactionaries or standpatters. The Democratic Party, as I understand it from reading the Democratic platform, is

conservative as distinguished from radical. It is conservative in the sense that the spirit of the American people is conservative, and, at the same time, progressive as the American people are progressive. In short, it is in tune with the spirit and desires of the whole people, as the elections of last autumn bore witness. And I believe if we continue in conservative progress along the lines we have already commenced a greater victory awaits us in 1912.

It has been said that the duties proposed in this bill are necessary to maintain the revenues of the Government, and I do not question the sincerity of those Democrats who think that this is true. For myself, however, I do not care to place my vote on that ground. I see no reason to question the substantial accuracy of the prediction made by the minority of the Ways and Means Committee that the surplus in the National Treasury of ordinary receipts over ordinary expenditures for the year ending on the last day of this month will be more than $36,000,000; in fact, I believe that estimate is conservative. Schedule K, which produced a revenue of about $42,000,000 for the fiscal year ending June 30, 1910, will fall several millions short of that amount during the present fiscal year. And I believe that the surplus of ordinary receipts over ordinary expenditures during this fiscal year will exceed the total amount of revenue from Schedule K; in other words, we could disregard all revenue from Schedule K during the current year and still show a surplus from the ordinary operations of the Government. Should the Government receipts continue at the present rate, the problem will be rather to reduce them than to maintain them. Some loss in revenue there will doubtless be if the Canadian reciprocity and the "free-list" bills become law, and the amount of such loss is necessarily somewhat uncertain now. If these measures should reduce the revenues by $15,000,000—and the reduction will probably not be greater than that—a large surplus will still remain.

Mr. Chairman, I have endeavored to show my own reasons for supporting this bill. It is sufficient for me that it is a fulfillment of the Democratic platform. I am glad that all my Democratic brethren are going to vote together on this measure, even though some of them may like the bill because it carries some protection, others may favor it because they believe it a revenue necessity, and still others may make some concessions in their views and vote for the bill because it is a party measure.

The speeches made in opposition to our party action on this schedule seem rather to emphasize the wisdom of our course. We have been criticized for acting together, and we have been criticized for thinking independently and disagreeing about the exact extent to which the reduction in this schedule should be carried. We have been criticized because the proposed cut is said to be too great, and we have been criticized for not making a greater cut. I have come to the conclusion that the greatest trouble with the bill from the Republican point of view is that it is too nearly right.

I have listened with particular interest to the remarks of the Ohio member of the Ways and Means Committee, who signed the report of the minority of that committee. I was especially interested to hear him say that he was concerned not only with the interests of his own district, but with the interests of the entire State. I was interested because I, too, have at heart the interests of the State of Ohio and have given some thought to the effect which the proposed legislation might have upon the State.

The minority report on the pending bill contains a criticism of the majority members of the committee for their alleged lack of care and study in preparation of the bill, and my distinguished colleague [Mr. LONGWORTH] who signed that report, emphasized that criticism in his remarks and further criticized the report of the majority members of his committee as being based on insufficient authority, saying:

> I have reason to know from information acquired from this report that its authors have no facts based on information more recent than that of 50 years ago.

What led him to think that they did not have the information contained in the hearings before the Payne committee he did not say, but later in his remarks he did say:

> It has been as difficult to extract any information, any authoritative, up-to-date, modern information from any speech or any presentation of this subject made by any gentleman of the Ways and Means Committee as it is from the report.

Having been thus generous in his criticism of the Democratic position, he could reasonably have been expected in the course of his remarks to present us with at least a little authoritative, up-to-date, and modern information. I listened attentively to secure it, and I have since carefully studied his remarks as they appeared in the RECORD. Being particularly interested in the effect of this bill upon the State of Ohio, I turn first to such up-to-date information as I can find in the gentleman's remarks upon that subject:

> I can not forget that while my district is mostly in the city of Cincinnati, it is also in the State of Ohio. I can not forget that while there are very few farmers in my district, there are thousands upon thousands in the State of Ohio, and that they are there, as they are everywhere else, the backbone and sinew of the community. I am not willing to ask for reasonable protection for an industry in my district and deny to the farmers in Ohio outside of my district reasonable protection on their most important product.

On their most important product! As an example of authoritative, up-to-date information the gentleman tells us that wool is the most important product of the Ohio farmer.

The information to which I shall refer is no more up to date than the Statistical Abstract of the United States for the year 1910, but I believe it will be sufficient to refute that statement. The total amount of wool, washed and unwashed, produced in Ohio in 1910 is given as 17,000,000 pounds, which yielded something over 8,000,000 pounds of scoured wool, having a total value on October 1, 1910, of $4,554,550.

Surely the Ohio farmer is in sore straits if this is his most important product. But I find some encouragement respecting the farming situation in Ohio on other pages of the Statistical Abstract. For example, I find that the Ohio farmer in 1910 produced 144,000,000 bushels of corn, which, at 49 cents a bushel, had a value of over $70,000,000. In that year Ohio produced nearly 4,000,000 tons of hay, having a farm value of over $49,000,000; 31,500,000 bushels of wheat, valued at $28,000,000; 15,000,000 bushels of potatoes, valued at $7,600,000; 75,000,000 pounds of tobacco, valued at $6,400,000. As to eggs, I have not found the figures for 1910, but I presume I shall do no violence to the argument if I show the number of eggs produced in 1900, as there is no doubt that the production in 1910 would be greater. In 1900 Ohio produced some 91,000,000 dozens of eggs, which, at the prices prevailing in 1910, would have sold for more than $21,000,000, or about four and one-half times the value of the scoured wool produced in the State in that year.

I quote again from the distinguished gentleman's remarks:

> The sheep-raising industry is practically the farming industry of Ohio. Practically every farm in the State has sheep, and the profits of that farm at the end of the year are made up largely, in the majority of cases, of the result of the sale of the wool of those sheep; the wool, mind you, not the mutton. It is the wool that makes the Ohio farmer prosperous. If you have a reasonable duty on wool, the Ohio farmer is prosperous.

Mr. Chairman, the investment in farm property in Ohio, including land, improvements, buildings, implements, machinery, and live stock, in the year 1900, as given in the Statistical Abstract, was nearly $1,200,000,000. I believe it is not less than that amount, certainly not substantially less, to-day. Now the total value of all the wool produced in the State in 1910, after it had been scoured, was about $4,500,000. Had it cost absolutely nothing to produce this wool, had it cost nothing to feed, shelter, and tend the sheep, had it cost nothing to shear them and to scour 17,000,000 pounds of wool, had this whole $4,500,000 been net clear profit, without a penny of expense or cost, it would amount to less than two-fifths of 1 per cent of the money invested in farm property in the State. But as the gentleman tells us that the cost of producing wool is so great that the farmer will be unable to continue in the business if his protection is reduced, as he tells us that woolgrowing is done on a very close margin, a precariously close margin, it must follow that only a small part of the $4,500,000 production represents profit to the farmer, and I leave it to the distinguished gentleman from Cincinnati to tell us just what infinitesimal fraction of 1 per cent the Ohio farmer's profit on wool bears to his total investment. Can the gentleman look these figures in the face and tell us that the sheep-raising industry is practically the farming industry of Ohio? Can he tell us that the profits of the farm are made up largely of the result of the sale of the wool—"the wool, mind you, not the mutton"?

When I recall that the sponsor for this extraordinary statement is none other than the author of the Tariff Commission bill, that he is literally thirsting for information which he believes no one but a tariff commission can collect, I wonder whether he and his colleagues on the Republican side who are so concerned about Ohio's wool production will make as intelligent use of the information to be gathered by the Tariff Board as they are making of the information already laid before them by the Department of Commerce and Labor.

To return to the question of the probable effect of the proposed law on the farmers of Ohio, let us endeavor to make an estimate in dollars and cents of what the loss to them is likely to be by reason of this law. In as much as the present price of wool in Ohio is approximately the same as the present price in London, it is difficult for me to see that the Ohio farmer can

lose anything. But as it is argued that the agitation attendant upon the reduction of the schedule has already resulted in a lower price of wool, let us concede for the sake of argument that there will be a drop in the price of wool in Ohio exactly commensurate with the reduction in duty. I will say in passing that if we are really interested in maintaining prices for the Ohio woolgrowers, we would do well to inquire into the charges that there is some understanding among wool buyers affecting the prices to be paid for wool. But that question is not under discussion now, and we are now to assume that the price of wool in Ohio will go down to the full extent of the tariff reduction.

A dollar's worth of wool imported during the fiscal year 1910 paid under the Payne law an average duty of 44.31 per cent. Let us assume then that an amount of wool which would sell in England or elsewhere for the equivalent of $1 would sell in Ohio for $1.45. It is proposed in the pending bill to substitute a 20 per cent straight ad valorem duty for the duty levied under existing law, which has resulted in an ad valorem equivalent of about 45 per cent. Therefore, we are to assume that the amount of wool which has heretofore sold for $1.45 will now sell for $1.20, a reduction of about 17 per cent. If we apply a 17 per cent reduction to the value of the wool production in Ohio we will know the worst. We will then know the total loss which Ohio woolgrowers will theoretically be called upon to sustain. Practically it is not likely that they will lose anything like so much. Applying then the assumed percentage of reduction to the total value of wool produced in Ohio in 1910, we find that had the pending bill been law in that year, and had it had the greatest effect on prices which it possibly could have, and which it probably never will have, the Ohio crop in 1910 would have been worth $775,000 less than the price which it actually brought.

This is the grand total of the possible theoretical calamity which could befall the Ohio farmer. It is one-fifteenth of 1 per cent of his invested capital. If, as the gentleman assumes, there are 71,000 owners of sheep in Ohio, the greatest average loss that each of them could be called upon to bear by reason of this reduction is about $11 a year. Eleven dollars a year is the largest conceivable average gross loss to the individual sheep raiser, and if he has a family of five to clothe he may, perhaps, buy as many as five woolen suits in a year, and possibly some woolen underclothing and blankets. On these purchases under the operation of the proposed law he will recoup at least a large portion of what he may lose in the price of his wool. The ultimate burden on the farmer will be absolutely inconsiderable.

But as the gentleman has refused to have his vision limited to the confines of his own district and has stated his purpose to take a view as broad as the State itself, so he must also refuse to limit his vision to any one class within the State. He must consider not only the growers of wool, but all of the inhabitants of the great State of Ohio.

The average per capita consumption of raw wool or its equivalent throughout the United States for the year 1910 was 7.11 pounds. The average for the State of Ohio, with its climate more rigorous than that of many of the States of the Union, must be very considerably above that average, so that if we assume a per capita consumption of wool in Ohio of 7.11 pounds we shall certainly be well within the truth. The State had last year 4,767,121 inhabitants, and must have consumed not less than 33,894,230 pounds of raw wool or its equivalent—just about twice the State's production. In the face of these figures will anyone say that it is to the interest of the State of Ohio that this tax should be maintained on raw wool?

Let me pause to comment on the significance of these figures. Those Representatives from Ohio who oppose a reduction in the tariff on wool can not justify it on the ground that it is for the benefit of the State as a whole, because they must, if they are candid, admit that the production of wool within the State is totally inadequate to supply the needs of the State. Looked at from the point of view of the State of Ohio, the proposition is simply one that requires the citizens of the State to bear a tax of $1,700,000 in order that one-half that amount may go in profits to the sheep raisers. This refers only to unmanufactured wool. If this bill works out as we have reason to hope, the tax which will be lifted from the shoulders of the Ohio consumer will be much greater than $1,700,000, because it will give us a freer market for the purchase of finished woolen products. As to whether any attempt will be made by dealers and middlemen to gobble up the advantages intended to be afforded to the consumers by reduction in the tariff is a totally different question and one which it is not appropriate to go into at this time. I can only say briefly that if competition is free among the dealers the consumer will get the benefits which he should get; and if there is any restraint of competition we have laws to stop it.

Now, let us examine what sort of authority is sufficient for a Republican member of the Ways and Means Committee to base an opinion on. Let us see what is the reliance of the gentleman who thinks he sees such woeful want of care and scientific accuracy among his Democratic colleagues. I must add that what I am about to quote is the sole and only authority cited in the whole entertaining speech of the gentleman who insists that the Ways and Means Committee has based its action on insufficient authority. Now let me quote:

> Now, Mr. Chairman, I desire to quote some real authority, an authority that, I think, will be admitted by gentlemen on that side of the House to be high. I do not believe that there is a man among you who pretends to be a student of political economy that has not read Taussig's History of the Tariff. This work and his other works on the tariff are the standard in this country, and particularly the standard on the tariff from the free-trade point of view. Prof. Taussig has been for years at the head of the department of political economy at Harvard. He has been for years the leader of the free-trade school of thought in this country—at least one of the great leaders. He appeared before the Ways and Means Committee and testified, and among other things he spoke of wool; and I will read in full what he said about wool. I had hoped that all of the gentlemen on that side of the House had read the hearings on this subject.
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> I doubt whether they have heard Prof. Taussig, their great authority. He said: "I will take up the case of wool. I do not believe there is any sound, economic reason for maintaining a duty on wool; I think, in principle, wool should be admitted free. At the same time the woolen industry of the United States and woolgrowing in the United States has adapted itself to so great a degree to the present duty on wool that I should not now advocate the immediate sweeping away of the duties on wool. I think the wise policy in regard to the duty on wool is to reduce the duties on clothing and clothing wool from their present rate, and I think no substantial harm will be done to the woolgrowers of the United States, not enough certainly to offset the advantage to the community, by reducing those duties one-third, from 12 to 8 cents a pound."
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> That was in the hearings before the Ways and Means Committee on the Payne bill in 1909. Note that he says it would be unwise policy to disturb too greatly either the woolgrowing or the wool manufacturing industries at once, while he still believes ultimately in free trade. Note that he says:
>
> "I think no substantial harm will come to the woolgrowers of the United States, not enough certainly to offset the advantage to the community, by reducing these duties one-third."
>
> But, gentlemen, you have reduced them two-thirds. I am speaking of authority. Upon what authority can you state that you will not destroy the woolgrowing industry of Ohio, my State, and other States similarly situated, when you reduce the duty two-thirds, and when this great authority on the tariff, from the free-trade standpoint, says that it would be unwise to reduce those duties more than one-third?
>
> I think the country ought to understand that even from your free-trade point of view you are not proceeding according to the judgment of authority in this country. That is the reason I use the word.
>
> Now, I ask the question, Upon what authority have the majority of the Ways and Means Committee founded their action upon this bill? What new information have they acquired? A careful reading of this report shows that there is nothing new or up to date in it.

At that point he proceeded to admit that certain tables of figures in the committee's report were up to date, but the passage I have just quoted is the meat of his discourse on "real authority." The date of Prof. Taussig's testimony before the Ways and Means Committee was given by the gentleman as 1909, which is approximately correct, the exact date being December 15, 1908. The testimony, therefore, is just 2½ years old, but is, nevertheless, substantially as good as new, as it has not been necessary for Prof. Taussig to change his position during that time; and that is more than can be said for the Republican Party, which at that time had not yet conceived the necessity of a report from a board of experts in order to revise the tariff. My criticism as to the use of this authority is not based on the fact that the testimony was given two and one-half years ago; my criticism is that the testimony was totally misconstrued and misinterpreted and that it never was intended to convey the inference which the gentleman seeks to draw from it. And in support of this criticism I desire here to quote from a letter which I have just received from Prof. Taussig, which not only upsets the notion that he considered as dangerous a reduction greater than one-third in the duty on raw wool, but also throws light on the opinion of that thorough economic scholar concerning the bill now before the House, a copy of which I sent him.

In the letter I have just received Prof. Taussig says:

> When I appeared before the Ways and Means Committee in 1908 I tried to suggest changes that might be made by a protectionist body really desirous of making some "downward revision;" in other words, minimum changes. I have always been of opinion that, as a matter of principle and of long-run expediency, wool should be duty free; I have repeatedly said so; I still believe so. But the process by which free wool is to be reached may be a slow and gradual one or a quick and abrupt one. What process shall be adopted must be a matter of political expediency and more or less of compromise. There is much to be said in favor of gradual changes and of a tentative measure such as the Democrats now propose.
>
> Whether a reduction of the wool duty not by one-third but by one-half will work "substantial harm" to the woolgrowers no one can predict with confidence. You have got to face the fact that a reduction in duty, if it is really to accomplish anything, must hurt some one

to some degree. The difference between an 8-cent and a 6-cent duty (20 per cent ad valorem=about 6 cents) does not seem to me likely to be of much consequence. Neither would be "ruinous" to the woolgrowers. The Territory ranchers would raise a tremendous howl—they will do so, anyhow, on the slightest provocation—and some of them would very likely shift gradually from sheep to cattle. But woolgrowing would not cease. The farmers proper (in the agricultural districts proper) maintain sheep, if at all, as a by-product, and probably would not be much affected one way or the other—I say, *much* affected. Unless the price of wool falls, and with it that of woolens, the change means nothing.

On the whole, the Democratic bill seems to me to deserve support, whether or no one would have drafted this precise sort of measure if one had the say about it. My own feeling is that carpet wool (as now defined in the tariff) might have been admitted free and the duties on carpets lowered correspondingly. If any general duty is to remain on wool, there is a great deal to be said in favor of an ad valorem rate, especially one so moderate as 20 per cent, which offers comparatively no inducement for undervaluation. The ad valorem rates on woolens are in this regard—undervaluation—dangerous; but that is the case with the existing high duties, and the situation is made better by the pending bill, not worse.

Mr. Chairman, is not this expression from Prof. Taussig a complete answer to the question of my colleague from Ohio when he asks upon what authority we can state that this measure will not destroy the wool-growing industry of Ohio? Can he not find his answer in the words of the great economist whom he quoted and whom he so highly honors? To repeat these words, "the farmers proper—in the agricultural districts proper—maintain sheep, if at all, as a by-product, and probably would not be much affected one way or the other." In the next sentence Prof. Taussig frankly says what I think we all agree with, that the price of wool would probably be somewhat reduced by the proposed reduction in the duty. The point is that the loss to the farmers of Ohio would be very small, as Prof. Taussig states, and as the figures which I have heretofore submitted conclusively show.

Let it be remembered not only that Prof. Taussig is a highly qualified expert who has devoted his life to the study of economics, but that he looks at these questions from an absolutely disinterested point of view, with no ax to grind and no purpose to serve other than to express his best judgment for the best interests of the country. I think, Mr. Chairman, that we may well feel a sense of gratification in knowing that our party platform, and our action in carrying out that platform, are broadly and substantially indorsed by an economist of Prof. Taussig's character and attainments. I have not in the course of this debate heard an equally great authority cited in opposition to this bill.

In conclusion, Mr. Chairman, having discussed the question of scientific, economic authority to sustain this bill, I must refer to that still higher authority, the will of the American people. When the people voted last November they voted for a reduction of tariff duties, and there is no doubt but that they had Schedule K very clearly in mind. There is no doubt but that their votes were cast for a material reduction in this schedule.

The Republican Party once pledged itself to a substantial downward revision of the tariff and violated its pledge, violated it notably in the very schedule which we are now considering, and because of this repudiation of its plain duty the party was itself repudiated at the polls. Let the Republican Members in this body pick flaws in this measure if they will; let them seek, if they will, a still further postponement of this revision, contrary to their own platform and to the known and expressed wish of the people. It is enough for me to know that this bill is a performance of a Democratic promise, a promise which the American people have commissioned us to carry out.

Mr. MANN. Mr. Chairman, I yield to the gentleman from Oklahoma [Mr. MORGAN].

Mr. MORGAN. Mr. Chairman, the bill under consideration is entitled "A bill to reduce the tariff on wool and the manufactures of wool." The bill was introduced by the gentleman from Alabama [Mr. UNDERWOOD], the chairman of the Ways and Means Committee. Before the bill was introduced the Democratic caucus placed upon the measure the seal of its approval. The proposed bill is to all intents and purposes a distinctive Democratic tariff measure, and is fashioned in harmony with the policy of the Democratic Party on the tariff question. The bill will have practically a solid vote in its support from the Democratic membership of this House. Being a party measure, approved by the Democratic caucus, no amendments will be allowed. All effort to perfect, amend, or modify the bill will be futile. Discussion of the measure, with any expectation of thereby changing any of its provisions, will be time and effort wasted. So far as this bill is concerned the House of Representatives, in a formal and perfunctory way, will merely register the will of the Democratic caucus.

As this measure is typical of other Democratic tariff bills that will be passed by this House during the present and subsequent sessions of this Congress, we may with profit give careful study to the same, with a view to pointing out its defects and calling attention to the dangerous provisions therein. This is indeed the duty of the Republican minority. We have no power to control the legislation. The responsibility of legislation rests upon our political adversaries. We do have the responsibility of critics, and we should discharge this duty faithfully and patriotically, with a view of thereby serving our constituents and our countrymen.

After somewhat careful consideration I have concluded that I can not support the bill, and I desire to express some of the reasons for the conclusion I have reached.

PRESENT TARIFF ON WOOL.

Under the present law the tariff on wool is as follows: Wool of first class, 11 cents per pound; wool, second class, 12 cents per pound; wool of third class, 4 cents per pound, if valued at 12 or less than 12 cents per pound, and 7 cents per pound if valued at more than 12 cents per pound. These rates are specific—that is, so much per pound. But these specific rates are equivalent to an average ad valorem rate of 44.31 per cent. Under the proposed bill no specific rates are applied to wool, but, in lieu thereof, ad valorem rates have been substituted. On wool of the first class the rate is 20 per cent ad valorem. This is equivalent to a specific rate of from 4 to 5 cents per pound. So that this bill provides for a reduction in the rate of duty upon wool of the first class from 11 cents per pound to from 4 to 5 cents per pound; or, in other words, a reduction from 44.31 per cent ad valorem to 20 per cent ad valorem. To express the same thing in still different language, the proposed bill makes a reduction in the tariff upon wool of about 60 per cent. A corresponding reduction is of course made on all articles manufactured out of wool.

Before going into the discussion further, I desire to say that my chief objection to this measure is the reduction made on raw wool. I believe some modification should be made in the present tariff on the manufactures of wool. I have no objections to changes in the present rates of duty that apply to the products of our woolen mills. But I can not consent to do a great injury and injustice to the woolgrowers for the sake of securing a more scientific and appropriate rate upon cloth and all kinds of fabrics manufactured from wool. Rates should be reduced when they are excessive, unreasonable, or inequitable; but when an existing rate is fair, reasonable, and competitive, as the present rates on raw wool are admitted to be, any reduction in the rate is unfair and unjust and will inflict great financial loss upon all persons engaged in the industry involved.

VIOLATES PLATFORM PLEDGES.

The Democratic majority of the Ways and Means Committee, in its very lengthy report upon this bill, quotes that portion of the Democratic platform of 1908 which relates to the tariff. Apparently the able gentlemen who prepared this report believe that the provisions of the proposed bill follow the declarations in the Democratic platform. But as I read and construe this platform the pledges therein made are clearly violated, and the principles enunciated therein are wholly ignored.

The Democratic platform referring to the tariff, in part, is as follows:

> Articles entering into competition with trust-controlled products should be placed upon the free list. * * * And gradual reductions should be made in such other schedules as may be necessary to restore the tariff to a revenue basis.

In this language two positive declarations are made, and there is one clearly implied promise. There is a plain statement that all trust-controlled products should be placed on the free list. There is a positive declaration that in other schedules "gradual reduction" should be made to restore the tariff to a revenue basis. Finally, there is a clearly implied promise or pledge that there should be no reduction in rates when the existing tariff is upon a revenue basis.

As I read the proposed bill, it clearly violates these three plain and positive declarations in the Democratic platform of 1908.

TRUST-CONTROLLED PRODUCTS.

It has been asserted in this debate that the American Woolen Co. is a trust. The gentleman from Alabama [Mr. UNDERWOOD], the chairman of the Ways and Means Committee, opened the debate on this bill in a very able and carefully prepared speech. On revenue measures he speaks for his party in this House. During this opening speech he used this language:

> There is nobody in this country who does not know that the American Woolen Co. to-day fixes the price of woolen goods; that it is a monopoly; that it is a trust.

If it be true that the American Woolen Co. "fixes the prices of woolen goods; that it is a monopoly; that it is a trust," then the Democratic platform demands that the products of this trust shall be placed upon the free list. But the proposed bill, indorsed by the Democratic caucus, and presented here as a Democratic revenue measure, places an average ad valorem duty on the products of the American Woolen Co. of 42½ per cent. Is not this a plain violation of the declaration in the Democratic platform that trust-controlled products should be placed on the free list? Have we not the right to conclude that the declaration in the Democratic platform that all trust-controlled products should be placed on the free list is to become a dead letter? Certainly, in the proposed bill no attempt has been made to follow it.

NOT GRADUAL REDUCTION.

But this Democratic platform calls for "gradual reduction" to restore the tariff to a revenue basis. The proposed bill in the rates on wool does not follow this declaration. Changing the rate on wool from 11 cents per pound to 4 or 5 cents a pound is not gradual reduction. Reducing the tariff on wool from 44.31 per cent to 20 per cent ad valorem is not gradual reduction. We are all perfectly familiar with the meaning of the word "gradual." The people understood what it meant. The farmers, the woolgrowers of the country know what gradual reduction means. But that there may be no question about it, I quote the following definition of the word "gradual" from the Standard Dictionary:

1. Proceeding or advancing by steps or degrees; moving, changing, or varying slowly and regularly; slow. 2. Divided into degrees; marked by regular graduations; graduated.

In view of this definition no one will claim that a reduction of the tariff on wool from 11 cents to 5 cents per pound, or a reduction from 44.31 per cent ad valorem to 20 per cent ad valorem is a gradual reduction. In other words, a reduction of 60 per cent on wool, as provided in this bill, is not a reduction "proceeding by steps or degrees"; it is not changing the tariff on wool "slowly and regularly"; and is not therefore a gradual reduction, as demanded and promised to the people in the Democratic platform. On the contrary, the proposed change in the tariff on wool is sudden, sweeping, and radical. Is it right to obtain power, under promise to take the tariff wall down by degrees—to take a layer of stones off at a time—and then when you come to exercise that power to proceed forthwith, in effect, to entirely obliterate the wall? Whatever dissatisfaction there may be with Republican revision in 1909, on the ground that the reduction in some cases were not sufficient, I feel sure there is no sentiment among the people in favor of any sweeping, radical reduction of the tariff at the present time. And the farmers of this country will, at the first opportunity, punish the political party that promised gradual reduction, but gave the country radical reduction in the tariff rates.

REDUCTION BELOW REVENUE BASIS.

There is another particular in which the Democratic platform is not being carried out in good faith. The gradual reduction was to be made to a revenue basis. This clearly implied that rates now on a revenue basis would not be disturbed. The declared policy was to reduce all rates to a revenue basis. This is equivalent to saying there should be no change in rates that were admittedly already on a revenue basis. But the present tariff on wool is conceded to be upon a revenue basis. In 1910 the duty collected on wool amounted to more than $21,000,000. The Ways and Means Committee, in their report on this bill, estimates that under the proposed rate of 20 per cent ad valorem the duties collected will amount to but $13,000,000 annually. In other words, the rate on wool by this bill is reduced below a revenue basis—that is, below the point where the greatest revenue can be collected. Under the platform declaration there can be no authority, justification, or adequate excuse for making a reduction of 60 per cent in the tariff on wool when the present rate on the article is upon a revenue basis. The woolgrowers may justly and truthfully say to the leaders of the Democratic Party, your reductions in the tariff on wool have not been gradual, as you promised all reductions should be, and you have violated the plain implication in your platform that you would not disturb or change rates which under the present law are admitted to be upon a revenue basis.

TEST PROPOSED.

To test the willingness of the Democratic Members of this House to carry out their party's platform declarations, I shall, at the proper time, offer the following amendment to this bill:

That when, under existing law or any law hereafter enacted, it shall be finally determined by any court, board, commission, or other competent legal authority having jurisdiction in such cases, that any article or articles hereinafter mentioned enter into competition with trust-controlled products, then the said article or articles when so imported shall thereafter be admitted free of duty, until such time as said article or articles shall cease to enter into competition with trust-controlled products.

But if this bill goes through without any change, as decreed by the Democratic caucus, my amendment will not be adopted, and my philanthropic effort to aid the Democratic Party in redeeming the pledges in its platform will be in vain.

FREE TRADE WILL NOT DESTROY THE TRUSTS.

Personally I do not believe that "the tariff is the mother of trusts," or that you can regulate, control, or prevent trusts by tariff legislation. We would still have trusts even with every article manufactured in the United States on the free list. This is demonstrated, first, by the fact that in England, where free trade prevails, except as to noncompeting articles, the trusts abound as extensively as in this country; and, second, we have trusts in articles upon which there are no tariff duties levied. But in amending and modifying our present tariff law we may well take in consideration what, if any, competition we have at home in the article or articles upon which protective duties are levied.

In adjusting our tariff we should have all information possible as to whether the articles in the bill under consideration are largely the product of so-called trusts. Every honest industry needs encouragement and protection. As a Republican I believe we may give this encouragement and this protection in levying our tariff duties. But at the same time we should exercise the greatest of care that we do not by our tariff legislation aid those who, in violation of the law, have combined to suppress home competition.

TARIFF LEGISLATION PREMATURE.

General tariff legislation at this session of Congress is premature. We are proceeding without adequate information. There is a widespread sentiment throughout the country in favor of a more scientific method in tariff legislation. This has given rise to the almost universal demand for a permanent tariff commission, to furnish Congress the best information obtainable. While the bill creating a tariff commission failed to become a law at the last session of Congress, by reason of a filibuster conducted by Democratic Members of this House, Congress did, however, authorize the President to appoint a Tariff Board, that may do the same work as the commission. The board was appointed, organized, and its work has been in progress for some time. Two hundred and fifty thousand dollars were appropriated for its support, and all told about 80 persons are now at work under this board. The work of this board is to make a thorough study of the cost of production in the United States and in foreign countries and furnish to Congress all the facts, information, and knowledge obtainable that will guide Members of Congress in the preparation of a tariff law, that will afford reasonable and adequate protection to all American industries, and yet will not be excessive, in such a way as to impose unjust and unnecessary taxation or serve as a shield to monopoly.

But the Democratic majority in this House, without waiting for the information that the Tariff Board will furnish for use at the regular session of Congress which convenes next December, have prepared this bill, and the caucus has decreed that it must be passed without modification or amendment. This is certainly very unwise action. In legislation, as in all other things, nothing contributes so much toward valuable results as comprehensive information and thorough knowledge. The consideration of this measure is premature. It would be much wiser to wait a few months, get the report from the Tariff Board—we will then have more accurate and trustworthy information as to the difference between the cost of production at home and abroad, and will be better prepared to fix rates of duties that will more nearly equalize the difference between the cost of production in the United States and other nations.

PROPOSED LAW BASED UPON WRONG THEORY.

In the preparation of this bill no consideration was given to the producers of the United States. Capital and labor were left to their fate. The manufacturers, the men employed in woolen factories, and the men on farms and ranches engaged in producing wool and mutton were wholly ignored. But one object was kept in view—the raising of revenue. If the bill affords protection to any industry it is unavoidable, unintentional, accidental, and incidental. It is protection forced upon us by the necessity of the Government to have revenue. The distinguished gentleman from Alabama, the chairman of the Ways and Means Committee [Mr. UNDERWOOD], in his speech opening the debate on this bill, said:

The Democratic Party does not believe that any interest in this country is entitled primarily to the fostering care of the Government of the United States.

The primary purpose from the beginning, with those who believe in the principles of the Democratic Party, is to levy these taxes for the purpose of supplying the revenue of the Government, and if any pro-

tection arises from the levying of these taxes it is a mere incident which grows out of the constitutional warrant given by the people to levy taxes at the customhouse.

We disclaim any purpose whatever of writing this bill in the interests of the manufacturers of wool or the producers of raw wool.

I can not subscribe to this doctrine. I can not vote for any measure that places the industries of our country at the mercy of foreign competition. I can not support any bill that may close our mills and factories, rob American workingmen of employment, reduce their wages, and render them unable to support themselves and their families. I can not comprehend how men whose ability and patriotism I do not question can seriously advocate that in the preparation and enactment of a great revenue measure our eyes must be blind to our own industries and our own people.

In the United States we have 914 woolen mills. They have been constructed and equipped at an expense of $415,465,000. Their annual products amount to $419,826,000. Thousands of stockholders are interested in these institutions. But when I point to our 1,000 woolen mills, to the vast capital invested therein, to the immense annual output of these factories, to the large number of individuals directly interested in their growth and prosperity, the Democratic leaders in this House calmly say: "In preparing a tariff bill we can not consider men, mills, or money; we can not foster business, stimulate production, encourage enterprise, or protect American industries; our tariff for revenue only policy must be followed, even though we close mills and factories, destroy investments, paralyze business, wreck industries, and bring financial ruin to thousands of American citizens."

One hundred and sixty-eight thousand two hundred and thirty-nine persons are employed in our woolen mills. With those dependent upon them, they represent 500,000 individuals, all depending upon the profitable operation of these mills for food, clothing, shelter, and other necessaries of life. They receive annually in wages $79,214,000. But the advocates of the tariff for revenue only policy, apparently indifferent as to the fate of these men, declare: "In enacting revenue laws we have no concern about food and clothing and shelter and education for the men employed in our woolen mills."

Nearly 700,000 farmers and ranchmen are interested in the wool industry. They own 57,216,000 sheep. They sell every year 328,110,749 pounds of wool. The annual wool crop is worth $72,439,838. Every year about 20,000,000 sheep are slaughtered for mutton. In wool and mutton our flocks yield to our farmers annually an income of over $100,000,000.

But when I call attention to the vast importance of the wool industry, to the money invested therein, to the large number of farmers interested, to the certainty that, if the proposed reduction in the tariff on wool shall be made, great loss to our farmers is inevitable, you close your eyes, turn a deaf ear, and leave the farmers to their fate.

The present tariff on wool is not excessive. The present rates are competitive. Foreign woolgrowers pay existing tariff rates and compete in our markets with American woolgrowers. If under present rates they can compete, under the proposed rates they can destroy. Nearly one-half of the wool consumed in the United States comes from abroad. Last year 263,939,584 pounds of foreign wool were imported into the United States. There is no woolgrowers' trust. Our farmers are all in free competition. Even with present tariff rates woolgrowing and sheep raising are not sufficiently profitable to induce the average farmer to engage in the business. In the campaign of 1910 the main complaint was that the rates on manufactured products were too high; that the "special interests" dictated the tariff law of 1909. We heard nothing about excessive rates on wool and other farm products. Still, at the very inception of Democratic tariff revision a bill is proposed to reduce the tariff on wool 60 per cent. The farmers are hit first. The great corporations in a measure are able to care for themselves. They may form an international trust and avoid foreign competition. The farmers can not do this. Instead of first giving attention to the tariff levied on products of our giant corporations, a great agricultural industry is threatened with destruction.

I can not voluntarily be a party to this destruction of a great American industry, which, with the men employed and those dependent upon them, directly affects at least 3,000,000 American citizens. If the tariff on woolen and worsted goods is too high, reduce it. I will vote for any reasonable reduction that does not mean annihilation to American industries, but if to get this reduction on woolen and worsted goods you demand that I shall vote to confiscate the property of the woolgrowers of the country, I refuse to follow you. In order to make reasonable reduction in the tariff on manufactures of wool it is not necessary that you inflict irreparable injury upon the woolgrowers. It is admitted that under the provisions of this bill there will be a large increase in the importations of foreign wool, that the farmer will get less for his wool, and the value of sheep will be depreciated. As an offset to this loss the farmer is promised cheaper clothing. The American farmer will not be deceived by such promises. Two years ago the farmers were told that for placing hides on the free list they would buy boots and shoes and harness cheaper. Hides went on the free list, but boots and shoes and harness and leather have not gone down. So when American flocks have been destroyed, when the woolgrowing in the United States has ceased as an industry because it has become unprofitable, the 100,000,000 people in the United States will still be paying the same high prices for woolen goods.

THE PRESENT AND THE PROPOSED LAW—A CONTRAST.

Much has been said in criticism of our present tariff law. However just some of this criticism may have been, time and experience have largely vindicated the measure. It has served admirably the two great purposes for which it was enacted: To provide adequate revenue for the Government and afford reasonable protection to American industries and American labor. Nearly two years have passed since it became a law. What are the conditions in our country to-day? Business is good. Times are prosperous. Commerce is flourishing. Industrial establishments are busy. Labor is employed. Good wages are paid. Never before in our history were our citizens better fed, better clothed, or better housed. Never before were they enjoying superior advantages, greater opportunities, or more substantial blessings.

This Republican tariff act did not close a single factory, destroy a single industry, or bankrupt a single individual. It did not reduce the wage or earning capacity of a single American laboring man. It did not disturb business, reduce production, or retard enterprise. It did not depress trade, discourage commerce, or frighten investors. It made no bankrupts, paupers, tramps, or beggars. It did not depreciate the value of property or multiply debts and mortgages. Under it the farmer has received good prices for his products, and the value of his land has been enhanced. The merchant has extended his trade, increased his stock of goods, and augmented his profits. There is something for every man to do at remunerative wages, and there is a demand for every product at living prices. Our country, throughout its length and breadth abounds in peace, plenty, and prosperity. Fortunate will it be for our country if this happy state of affairs shall continue for an indefinite period.

But, alas! if the present revenue law shall be revised schedule by schedule on the lines followed in the pending bill, no one can fully comprehend the evil consequences that will follow. To change our tariff system from a protective basis to a tariff-for-revenue-only basis is revolutionary and will require an absolute readjustment and rebuilding of our industrial fabric. It means that we must pass through a long period of doubt, uncertainty, and gloom. Prices, values, rents, incomes, wages, salaries, earnings, profits—all must change to correspond to the new order of things. And as the tariff goes downward to a revenue basis, to a point where the greatest revenue will be secured with the lowest rate of duty, so everything else will travel the descending scale. As the tariff wall shall be obliterated and importations of foreign products shall increase, so our standard of living and our standard of prices and values must necessarily seek the level prevailing in foreign countries. A revolution in our tariff from a protective system to a tariff-for-revenue-only system will put in motion a train of misfortunes that will travel along every avenue of trade, commerce, and business in our country, touch every profession, avocation, and calling in life, and visit with its unwelcome shadow every household, fireside, and home in the land. To what level we will be brought no one can foretell. No one can accurately estimate the force and fury of the wave of disaster that is bound to follow a revolution in our tariff system. Those who are conducting this revolution in our tariff system are playing with fire. Persist in this policy and a conflagration is inevitable. There will be reduction in wages, depreciation in the value of farms and farm products, shrinkage in rents and values of real estate in cities, contraction in trade and commerce, and disturbance, depression, disaster, devastation, and ruin in all lines of business. The evil consequences that will follow are beyond the realm of human comprehension—too great to be grasped by the greatest intellect, too complex and far-reaching to be described by the most eloquent tongue, and too awful to be conceived by the most vivid imagination.

Mr. MANN. Mr. Chairman, I yield to the gentleman from Massachusetts [Mr. AMES].

Mr. AMES. Mr. Chairman, I am a manufacturer at home, as my people before me have been for some generations. We manufacture a variety of products, and my family connections are largly interested in the manufacture of cotton and woolens. I feel the necessity, in this debate on this proposed Democratic wool bill, of giving some of the facts concerning the manufacturer, that they may be a matter of record. I realize that with the inflamed public mind on this subject—inflamed by the demagogue, the muckraker, and the misinformed reformer—that for a decent man to tell the facts as he knows them to be in the woolen and worsted industry makes him liable to either ridicule for being a fool or to scorn for being a liar; but the facts I have gathered, and now present to you, have been gathered in my own representative district, which includes the cities of Lowell and Lawrence—I think the largest manufacturing district in the country, where there are many woolen and worsted and cotton mills. I will confine myself to-night to the woolen question, having gone personally into a number of these woolen and worsted mills, having consulted their pay rolls and their cost sheets. I have verified their wage scale, their processes, what they pay for their machinery, and their accounts. The figures that I give can be verified. They are fundamental; they are susceptible of proof or disproof.

Now, a word about the wool "barons" and the Woolen Trust—and we have just had here a fair example of the misconception and misinformation by a Member of the House concerning the so-called Woolen Trust, the same misinformation that is shared by the public. The gentleman from Indiana [Mr. CULLOP] spoke to-night, a few minutes ago, and in the course of his remarks quoted from the gentleman from Massachusetts [Mr. WEEKS], who spoke yesterday. I read from the reporter's notes of the speech of Mr. CULLOP, delivered to-night. Speaking about the gentleman from Massachusetts [Mr. WEEKS], he said:

The gentleman from Massachusetts said this: "The amount of capital in the year 1909 invested in the woolen and worsted manufacturing industry was $419,000,000. The capital at that time of the American Woolen Co. consisted of $35,000,000 of preferred stock and $29,000,000 of common stock. It was the customary method of organizing corporations of that kind 10 years ago. The estimated value of the plants was submitted to the auditors and a report was made as to the condition of those plants and their value. It was estimated at that time that the plants and machinery and real estate, and other things that went to make up the property of that company, had a value of $25,000,000."

That ends the quotation from the speech of the gentleman from Massachusetts, and the gentleman from Indiana then went on with utter disregard of facts, and this is a fair example of the public misconception and misunderstanding of the very simplest thing. The gentleman from Indiana said:

Ten years ago worth $25,000,000; issued $20,000,000 of preferred stock and $29,000,000 of common stock, and out of that little capital to-day it owns a property valued at $419,000,000.

Mr. Chairman, that $419,000,000, which he states is the value of the American Woolen Co., is the total product of the woolen and worsted industry of the entire United States, comprising our 900 establishments, and has no more connection with the property value of the American Woolen Co. than has the total product of the cotton industry [applause on the Republican side]; and yet you gentlemen on the Democratic side applauded that display of misconception of the facts.

Mr. MONDELL. Will the gentleman yield?

Mr. AMES. Just for a moment.

Mr. MONDELL. Did the gentleman from Massachusetts call to the attention of the gentleman from Indiana the error that he had fallen into?

Mr. AMES. I tried to repeatedly, but the gentleman, sure of his facts, would not permit an interruption. Now, a word about the wool barons.

Mr. Frederick Ayer, of Lowell, owned the Washington Mills, in Lawrence; Mr. Charles Fletcher, of Providence, the Providence Worsted Mills; and Mr. James Phillips, of Fitchburg, two mills in Fitchburg. Mr. Wood, the son-in-law of Mr. Ayer and treasurer of the Washington Mills, brought these gentlemen together, and they, with some of Mr. Fletcher's friends, put their mills into the new company, which they called the American Woolen Co. They then issued stock, and with the proceeds bought up a number of bankrupt woolen mills, or mills whose owners were glad to sell out because their business was unsuccessful. The original capital issued in preferred stock was $20,000,000, which was not excessive. Since then there have been two issues of $10,000,000 paid for in cash, in order to build mills which gave more employment to labor and to provide more working capital. Where is the harm in this? Is it criminal to employ labor? Is it illegal to sell stock in order to build mills?

In the relatively short time remaining, I shall hurry from one fact to another. In my district are the largest mills of the American Woolen Co. Its head, Mr. Wood, has repeatedly thrown his influence against me in caucus, and between us little political love has been lost, but he is entitled to his due. How was the American Woolen Co. formed? Their property was audited at the time of organization, and its value was set at $25,000,000, but that does not begin to represent the value of the investment sunk into those plants and never taken out. It is a fact that very few of those engaged in the woolen industries charge off depreciation; and, indeed, I do not know of one, except the American Woolen Co., which charges against the cost of manufacture an interest charge on the money invested, and they have to do it because they have preferred stock that brings in the investment as a charge against the net profits in the sales. So I have no fear as to the final result.

Now, gentlemen of the Democratic Party, inform yourselves and let the country know the truth, because I believe that this wave of misinformation and misstatement can not be overwhelming. I realize that people, even in high positions, have characterized the schedule as "indefensible," but from the point of view of truth, justice, and fact it is most unfortunate. I think they were misinformed, and I think they were hasty in their speech.

The protection afforded by schedule K to the wage earners of America may be high in spots, and the Committee on Ways and Means will bear me out in this statement, that I think I was one of the very few, if not the only Member of Congress, who went before the Committee on Ways and Means with technical and expert testimony in an effort to reduce the rates in the wool schedule. With the treasurer of one of the biggest woolen mills and of one of the biggest worsted mills in my district, I went before the committee and showed how the woolen schedule could be reduced without injury to the manufacturer. We felt that the rates of duty under the Dingley law were higher than were needed, and we knew that the country demanded a lowering of those rates. They gave us full hearings, and were quite impressed with the value and sincerity of the testimony, and I believe they considered the proposed reduction favorably. But when they took it up on the other side of the Capitol, the person in charge of the bill there—I will not mention names; you all know who he is—would not consent to any reduction on raw wool or any change, and as a compromise the woolen schedule was left as it was.

We are going to have a tariff report from the Tariff Board by December 1. Wait until you get some information, gentlemen, that you know is not partisan—and we all have to assume that they are honest men on that Tariff Board—and you will find that Members of Congress, representing districts in which there are large woolen and worsted mills, will come down here and vote for any decent bill within a thousand miles of the truth in order to stop this agitation and permit the already much-disturbed condition of business in this industry to straighten itself out. There is nothing worse for any manufacturing business than this constant agitation of a question which vitally affects values. The woolen business is practically in a state of coma, because the buyers of cloth do not dare to make purchases until they have assured themselves that values have become stable.

Now, to go a bit further. We talk about the difference in labor here and abroad. That is not all. Here are some figures estimated for furnishing a plant capable of producing 6,000 pounds per week of 2-ply No. 44 worsted yarn—that is, drawing and spinning, and so forth. In England, for that machinery, they pay $31,000 and we pay $48,000. Nine-tenths of the worsted-spinning machinery is imported because there is only one manufacturer of that class of machinery in this country. There is not a mill supply that goes into the manufacture of cloth that does not stand us higher than it does the manufacturers in England, because here everything is protected.

Why, I ask, should you pick out the woolen industry, or any other particular industry, to deal it a blow such as you here propose?

This cloth was made in a mill in my district. There are 3½ yards in a suit. This cloth was sold by the mill that made it for $1.50 a yard, and the net profit to that mill on that cloth is 14 cents, and that is all that mill got out of it. The cloth that the average suit of clothes of the average man is made out of is sold by the mill at $1 a yard, and 3½ yards of that is $3.50, and the net profit to the mills making that cloth is a fraction over 10 cents per suit of clothes. Your robber barons——

Mr. RUCKER of Colorado. How much wool is in the suit?

Mr. AMES. It is all wool.

Mr. RUCKER of Colorado. But how many pounds of wool?

Mr. AMES. I can not say offhand.

Mr. RUCKER of Colorado. Not more than 3 pounds—4 pounds.

Mr. AMES. Oh, I will give you the percentage of material in the United States, which is 52 per cent of the cost of the goods; and the gentleman can figure out the value of wool himself. I would like to give the information, but I have only got a few minutes and I have many things to go into. Now, I will take another example. Here are some facts concerning a prosperous mill in Massachusetts, and what I tell you of this mill is true of 99 out of 100 mills engaged in this industry.

The sales of that mill for 10 years from January 1, 1901, to December 30, 1910, were, total, $13,301,422.62. The profit was $416,335.18, or 3⅛ per cent, and that did not count in a charge for interest on the money invested in the plant and in the business. And yet you gentlemen on the Democratic side have denounced the wool barons and the worsted barons, and you are now planning to ruin the industry regardless of facts. If their money had been placed in a savings bank these manufacturers could have sat idly by and twirled their thumbs and got more out of their investment than by working every day in the year and lying awake nights thinking how to cheapen some process.

Mr. CULLOP rose.

Mr. AMES. I have but 25 minutes.

Mr. CULLOP. The gentleman did not hear all the debate between myself and Mr. WEEKS on that question.

Mr. AMES. I only read the gentleman's statement. With his original investment safely placed in a savings bank the manufacturer could sit at home and twirl his thumbs. But what does he do? He takes chances in buying the wool perhaps not at the lowest price. If he makes an error in purchasing his wool, he is likely to lose more than he could possibly earn. He struggles to get the patterns and samples that will attract the public eye, and thereby keep his mill running. He takes the chance of some customer failing to pay or canceling his orders, and a hundred other chances and kinds of worry and hard work, in the end to earn only 3⅛ per cent on his sales. I will go further than that. With one exception, and I will make that the American Woolen Co., because they claim they earn 9 per cent, while other manufacturers doubt that very much. But let that go. You can not name outside of that company, you can not find one engaged in the woolen or worsted business if they allow 4 per cent interest on their actual cash investment in their business, you can not find a so-called wool baron or worsted baron that earns 3⅛ per cent per annum.

Now, there is nothing wicked about an industry that earns as little as that. You can with equal grace, logic, and reason say all the savings banks were money barons and ought to be cleaned out. This small margin of profit has all been brought about by home competition, competition that has forced the price of goods down almost to the price in other markets, and without the additional competition of the cheaper labor of foreign lands. There is no margin to go upon or economy that can be effected, and there are only two ways in which the price of the cloth can be reduced at the mill, and those are to cheapen wool or reduce the wages of labor. There is nothing left to the manufacturer. In the mills at home in the last 17 years they raised wages three times voluntarily—10 per cent in 1895, another 10 per cent in 1905, and another 10 per cent in 1910. You ask where the protection goes. It goes to the operatives, of course; and two years ago the hours of labor under the Massachusetts laws were changed from 58 to 56 hours per week, and that is equivalent to an increase of 3.57 per cent, because wages were not altered, so that the increase amounted in the last 17 years to 37½ per cent, which you will find by compounding the figures just given. And this year the hours of labor have again been reduced from 56 to 54 per week.

Now, a word as to wages, and I commend to you, gentlemen, and to everyone else who has any interest whatever in being guided by facts, the report of the Bureau of Manufactures of the Department of Commerce and Labor, by W. A. Graham Clark, in 1908. I was not willing to take it on faith. So I got some of my relatives who were studying the woolen business in England to bring over to me an account of the wages paid to operatives in the combing, drawing, and spinning industries, those that I knew particularly about, and then I compared them with these, and found that they were very accurate, and I have written in the book here the wages we pay our people in our mills at home. Let me give you a few instances. We pay a gill tenter $7.26, in England she gets $3.04; a spindle gill tenter, $7.22, while in England they get $3.04; drawing-box tenters we pay $14.44, while they pay $6.08; for finishers we pay $28.88, they pay $11.68.

Now, I will read the figures alternately for overlookers, takers-off, twisters, sweepers, and so forth. While we pay totals of $55, they pay $23; while we pay $8, they pay $2.92; while we pay $66, they pay $28; for a jobber lad we pay $8.12, and they pay $2.67; and so on down the list.

Labor.	English mills.		Lowell mills.	
	Per week.	Total.	Per week.	Total.
	£. s.			
1 can gill tenter	12½	$3.04	$3.22	$7.22
2 spindle gill tenters, at 12s. 6d	1 5	6.08	7.22	14.44
2 draw box tenters, at 12s. 6d	1 5	6.08	7.22	14.44
4 finisher tenters, at 12s	2 8	11.68	7.22	28.88
3 reducer tenters, at 12s	1 16	8.75	7.22	21.66
8 rover tenters, at 12s	4 16	23.35	6.94	55.52
1 jobber tenter	12	2.92	8.12	8.12
1 overlooker	1 12	7.78	20.32	20.32
28 spinners, at 10s	14	68.13	5.82	162.96
14 doffers, at 8s. 6d	5 19	28.95	4.76	66.64
1 jobber	11	2.67	6.94	6.94
2 takers-off, at 10s	1	4.86	5.49	10.98
2 setters, at 9s. 6d	19	4.62	4.36	8.72
1 sweeper	7	1.70	.....	.....
1 overlooker	1 12	7.78	17.42	17.42
24 twisters, at 11s	13 4	64.23	6.38	153.12
8 doffers, at 8s. 6d	3 8	16.54	4.76	38.08
1 jobber lad	11	2.67	8.12	8.12
2 takers-off, at 10s	1	4.86	5.49	10.98
2 setters, at 9s. 6d	19	4.62	4.36	8.72
1 overlooker	1 12	77.78	20.32	20.32
	59 8½	289.90	.....	683.60
Share of manager's wages, at £6	4	19.47	.....	20.00
Total	63 8½	308.56	.....	703.60

Now, if you will average those up you will find we pay 230 per cent more than the wages paid in England for the same work, and I think you will agree that English paid labor is as well paid as any on the Continent. In fact, if my memory does not play me a trick, the British Parliament sent over a committee within a year and a half to investigate the wages in America and the cost of living, and what they report back is 230 per cent increase in this country over the English wage, and they also report that the cost of living is only 152 per cent greater over here. And if any of you will go over into the English textile country and stop in one of those cities you will be awakened in the morning when the bell rings at an early hour by the clack, clack of wooden shoes on the street. You will look out of the window and you will see women going by with shawls over their heads. But in our district in Massachusetts you will see the women come to the mills in nice hats, gloves, shoes, and dresses. [Applause on the Republican side.]

You can talk as much as you please about protecting the "barons" and the woolen manufacturers. My friends, there is only one way we can meet this competition from abroad if you open the doors so it may come in, and that will be to reduce wages. We can not get our wool any cheaper. If this bill goes through, you will put a duty of 20 per cent on it, which, by the way, I do not think is enough to protect the sheep raiser. We do not want to reduce the wages of our people. They are fairly well paid; they are happy, prosperous, and contented, and if we started in to reduce wages they would strike; they would not work, and the mills would close. And then what would happen? One advantage of having an industry established in a country is that it takes so many men and women out of the labor market and reduces the competition among the laboring people by just so much. Now, suppose by the reduction which is proposed, which, God knows, I hope will not become a law as it is, that the woolen industry, with its 500,000 employees, be crippled, and that number of working people have to seek some other channel for a livelihood, some other occupation? They will go into other industries. There will be labor competition and wages will be reduced everywhere.

I want to call your attention to another thing. I want to be quite candid with you. In spite of the fact that we Republican Members of Congress got for Massachusetts in the last revision all the protection there was, the people at home came within a few hundred votes of turning us all out; and the reason for that was this: It is 15 or 16 or more years ago since they knew what free trade or reduced protection meant. A man does not vote until he is 21. The average expectation of life of a man having reached 21 years is somewhere around 42 years, and so 31 years would represent the age of the average voter; and the average voter represents the average state of mind in the country. And it is the average state of mind of the country that is the voice of the people; and to that we must bow, right or wrong. It is now more than a decade since they have had an

experience of insufficient protection, and they have got to have their experience. As sure as the sun shines, if you take the protection off of cloth and manufactured goods that is necessary to equal the cost of the difference of labor here and abroad, these people in the course of a year or two will learn for themselves the folly, shortsightedness, and the impossibility of government by the Democracy, and they will come hurrying back to the Republican Party. So I have no fear as to the ultimate result, but I fear for my people and the hunger and want and privation they will have to pass through before they learn the full value of your false promises and your impracticable theories.

And so it follows that with each decade we have a new generation of voters; also that each generation of voters is unwilling to go by the experience of a preceding generation.

The gentleman from New York [Mr. REDFIELD] made a speech here the other day. I am sorry I was not present. I can not find his speech in the RECORD. I do not want to do him an injustice, but I have been told that the purport of his speech was to show that American labor was much more efficient than foreign labor and produced more per capita. I hope I am not overstating the case, as he put it. If so, I wish some one would correct me.

Now, I do not believe the gentleman, if he be a manufacturer, even intimated that his remarks should be applied to the woolen and cotton business, because they can not apply in the slightest degree. And to prove that, let me give you some statistics here.

In the woolen-mill industry in Massachusetts there are 38,801 men and women, of whom 5,038 have native fathers; 33,763 have foreign fathers; so that 87 per cent are of foreign parentage or foreign born. You can get all these figures from page 69 to page 114 of the census of Massachusetts for 1905. There are no later statistics available. The Census Bureau this morning had nothing to date. From what countries do these people come? Ireland, 10,761; Canada (English), 693; Canada (French), 5,743; England, 4,433; Germany, 2,029; Scandinavia, 312; Italy, 1,952; Poland, 1,529; Russia, 1,514; Austria, 952; Scotland, 1,108; and smaller numbers from other countries.

In the cotton business there were 89,467 men and women employed in my State. Of these 7,119 had native fathers, while 82,338 were of foreign parentage. In other words, 92 per cent were foreign born or of foreign parentage, distributed as follows:

Ireland, 16,657; Canada (English), 1,110; Canada (French), 27,185; England, 13,494; Germany, 2,289; Scandinavia, 238; Scotland, 1,695; and smaller numbers from other lands.

Is it not absurd to suppose that crossing the water changes a man's efficiency? These figures that I gave you in regard to wages in the mills at home and in England mean wages for men working at the same machines, running at the same speed, producing exactly the same amount of goods. Do not these facts completely controvert Mr. REDFIELD's proposition?

Mr. RICHARDSON. Mr. Chairman, will my friend allow me just a moment?

Mr. AMES. Surely. I hope the gentleman will not make it too long.

Mr. RICHARDSON. How do you account for the fact that the value of the product of American labor is double that of the product of any foreign labor?

Mr. AMES. I do not know that it is.

Mr. RICHARDSON. And in many instances the product sells for three or four times as much as the product of foreign labor. How do you explain that?

Mr. AMES. I will answer by stating that in these industries—the cotton and woolen—American labor produces exactly the same amount as foreign labor.

Mr. RICHARDSON. As a general proposition, the product of American labor is twice as valuable as the product of foreign labor. We are just as much in favor of taking care of the American laborer as you are, but the difficulty about the question is the profit to the American manufacturer.

Mr. AMES. That may be, but I have no proof of it, and I have to take the gentleman's say so for it. I have not yet seen it.

Mr. RICHARDSON. Do you not know that as a fact?

Mr. AMES. No; I do not know that it is a fact.

Mr. RICHARDSON. Well, it is a fact, to my certain knowledge, that the value of the product of American labor in any given line will average twice that of the product of labor in any country in Europe.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. AMES] has expired.

Mr. AMES. May I have three minutes more to explain just where the cost goes?

Mr. MANN. I yield two minutes more to the gentleman.

Mr. AMES. You want to know why American-made goods cost so much. One reason is this: There is a class of merchants known as tailors to the trade or book houses, because they send out all over the country sample books of cloth, from which suits of clothes may be selected by the customer. Chicago is a center for this business, and it amounts to a good many millions a year. You will see their advertisements in every magazine. We sell them goods at a dollar a yard. They insist they can not make any profit if they pay more than a dollar a yard. Then they send these books around, and a few measurements are taken, and people order clothes in that way. I will tell you how it works.

A treasurer of one of the woolen mills in my district went into a drug store in Florida last year and saw one of these books of cloth on the counter. He recognized some of the cloth as his own make. He asked the druggist what he did with that. The druggist said, "I sell ready-made clothing." The treasurer said, "What do you get for it?" He said, "$25 a suit." The treasurer said, "How do you do it?" He said, "The customer selects his sample from the book, we take the measurement around the neck and the measure around the chest and around the waist and the length of the trousers and send that to Chicago, and the booking house sends me a suit and charges me $15 for it." He got $25, or a gross profit of $10 for filling the order. The manufacturer gets between 10 and 11 cents for making the cloth. Gentlemen, it is the cost of distribution. Of course, the manufacturers can not go into that. [Applause.]

Mr. FOCHT. Will the gentleman yield for a question?

Mr. AMES. Yes.

Mr. FOCHT. It has been said on the floor that the American manufacturers fake the people with all sorts of shoddy clothing. I would like to ask the gentleman if it is not possible to make as good fabric here as they can in England and Scotland?

Mr. AMES. Yes; if we could get the price. But we can not pay 230 per cent of the English wages and pay the tariff on the raw material, and then sell at a price that the average person would be willing to pay for it.

Mr. FOCHT. I was wondering why they imported that cloth.

Mr. AMES. Because they are able and willing to pay $40 or $80 for a suit of clothes.

If some gentleman had asked me if we could make as poor a suit as can be made in England, I should answer that it was very doubtful, because by the report for the year 1907 the latest I happen to have available—but any report would do as well—there was imported into England 113,000,000 pounds of rags from other countries and into the United States in the same year 115,000. Now, I am not abusing rags and shoddy, for they are very serviceable materials for making cheap, heavy garments, like overcoats; but if anyone thinks that they use only pure wool in England he had better take a trip through the Batley and Dewsbury districts and see for himself, or I would refer him to the report of Mr. Clark.

In the preliminary report of the Census Bureau the value of products of woolen and worsted goods is given as $419,826,000 and the salaries and wages as $79,214,000. From the above figures many people, including the present Democratic chairman of the Ways and Means Committee, have erroneously concluded that labor is less than 19 per cent of the value of the product. That this assumption is utterly without justification is shown by the following:

The census report includes in "products"—	Value.
Yarns	$94,539,000
Tops, slubbing, etc	8,110,000
Noils and waste	12,528,000
Other products	3,485,000
Total	118,662,000

All the above-mentioned articles appear again under the heading of "Material," as reported by the maker of cloth, since he buys these articles and adds further value to them by labor and expense. If every mill carried on all the processes of manufacture, there would be one total labor cost and one ultimate value of product, but in the instances of subdivision of product, as reported above, the finished product of one branch of the industry becomes the material of the next, so that it is obvious that any comparison of relative percentages of labor and material are incorrect and misleading.

The following table shows clearly how there may be a small percentage of labor cost where the industry is subdivided, but a much greater percentage of labor cost where the relation

between total labor and the ultimate value of products is considered:

Process.	Material.	Waste.	Labor.	Expense.	Product.	Per cent labor to product.
Manufacturer of tops	$0.45	$0.05	$0.03	$0.02	$0.55	5½
Manufacturer of yarn	.55	.03	.10	.07	.75	13
Manufacturer of cloth	.75	.07	.18	.20	1.20	15

Total labor	$0.31
Ultimate value of product	$1.20
Total labor to total product—per cent	26

I quote the following from page 307 of the Bulletin of the National Association of Wool Manufacturers:

These totals, as seems to be unavoidable in all census returns, contain a very considerable element of duplication, owing to the subdivision of the industry, in consequence of which the productions of one department become the raw material for the next step in the manufacturing process and the statistics for the minor processes become part and parcel both in the cost and value of the final result.

These complications seriously affect, in fact render impossible, an exact comparison of some of the most important points in manufacture. The "Cost of materials used" and the "Value of products" are greatly enhanced, while the items "Capital engaged" and "Wages paid" are not correspondingly increased, so that calculations involving the relations of the second group of items to the first are misleading and of no value.

The costs of production in the earlier processes properly belong in the item of total cost, but the cost of yarn, etc., purchased is a doubtful element. A portion of it no doubt belongs in the general account and clearly also a part of it does not. Again, in the total value a similar difficulty appears. The values of the product of the earlier processes, if carried on independently, appear in the total value twice at least—first as yarn produced, and again in the cloth manufactured. If every establishment carried on all the processes of manufacture, as formerly was the case, such difficulties would not exist, for the cost of the raw material—wool, for instance—would appear in the value of the product only in the cloth, and not, perhaps, as tops, again as yarn, and finally as finished cloth.

Mr. HUGHES of New Jersey. Mr. Chairman, I now yield a half hour to the gentleman from Pennsylvania [Mr. GREGG].

Mr. GREGG of Pennsylvania. Mr. Chairman, reference has just been made to the cost of labor in the United States for woolen operatives. The average wage paid to the woolen operatives, according to the census prior to the last, was $364 per year. [Applause on the Democratic side.]

In approaching a brief discussion of the very important question which is now before this legislative body of the Government, I do so with a full knowledge of the responsibility which should characterize the conscientious effort of every Member of the House. Listening to the debates on this schedule, I am impressed with the sincerity of those who have entered into this discussion. There seems to be an honest difference of opinion between the two great parties upon the question of taxation, one contending that the greatest revenue can be collected by a high protective duty and the other alleging that sufficient revenue can be raised for the economical administration of the affairs of the Government by the imposition of a tariff for revenue only. The issue is well defined. There is no mistaking the battle ground. But whatever the issue, the people of the United States by their ballots at the polls in 1910 declared that there should be an abandonment of the principle of high protective duties and commissioned the majority party of this House to make a reduction in the present high duties. [Applause on the Democratic side.] The duty, then, is not as to whether it is right or wrong to make a reduction, but as to the degree that such reduction should be made, keeping in mind the welfare of all the people of our great country.

TARIFF FOR REVENUE ONLY A CARDINAL PRINCIPLE OF THE DEMOCRATIC PARTY.

The Constitution of the United States has plainly declared what the taxing power is and the use to which the moneys realized from such taxation shall be put. It declares that—

The Congress shall have power to lay and collect taxes, duties, imposts, and excises to pay the debts and provide for the common defense and general welfare of the United States.

This can mean only one thing, and that one thing is laying a duty, a tariff, for the purpose of raising revenue for the administration of the affairs of the Government. The defense and maintenance of this fundamental provision of taxation in the Constitution of the United States always has been, and will remain to be, a cardinal principle of the Democratic Party. [Applause on the Democratic side.]

It has never wavered from this position; and, moreover, it has always insisted, and still insists, that only such revenue shall be raised as is necessary for the economical administration of the affairs of the Government. This always has been its creed. The greatest battle of ballots that was ever fought and won in the interests of the people of the United States and in behalf of an economical administration of governmental affairs was the battle fought and won by the great Samuel J. Tilden. [Applause on the Democratic side.] How well that great master of political economy and civic affairs wrote into his platform this declaration:

Reform is necessary in the sum and modes of Federal taxation, to the end that capital may be set free from distrust and labor lightly burdened. We denounce the present tariff, levied upon nearly 4,000 articles, as a masterpiece of injustice, inequality, and false pretense. It yields a dwindling, not a yearly rising revenue. It has impoverished many industries to subsidize a few. It prohibits imports that might purchase the products of American labor. It has degraded American commerce from the first to an inferior rank on the high seas. It has cut down the sale of American manufactures at home and abroad and depleted the returns of American agriculture, an industry followed by half our people. It costs the people five times more than it produces to the Treasury, obstructs the processes of production, and wastes the fruits of labor. It promotes fraud, fosters smuggling, enriches dishonest officials, and bankrupts honest merchants. We demand that all customhouse taxation shall be only for revenue.

And how true to present conditions! All over this fair land there are cries of fraud; in every port arrests of the "get rich quick" are made for smuggling; dishonest officials are being called to the bar of justice; and the records of the bankruptcy courts show how mercilessly the honest merchants have been trodden under the feet of trusts and combinations. [Applause on the Democratic side.] And this very day, within the shadow of this Capitol, committees of this House are investigating the business conduct of mammoth corporations, the outgrowth of this iniquitous tariff, "the masterpiece of injustice, inequality, and false pretense." [Applause on the Democratic side.] And so down to and including its last great convention, in 1908, the Democratic Party has stood for a tariff for revenue only. At that convention it declared:

We favor immediate revision of the tariff by the reduction of import duties. Material reductions should be made in the tariff upon the necessaries of life, especially upon articles competing with such American manufactures as are sold abroad more cheaply than at home; and that gradual reductions should be made in such other schedules as may be necessary to restore the tariff to a revenue basis.

The report of the Democratic members of the Ways and Means Committee on this wool schedule, understood by every man, woman, and child in the United States who is fortunate enough to have clothes, is sufficient evidence that we propose to redeem that pledge and keep the faith. [Applause on the Democratic side.]

PREELECTION PROMISES OF THE REPUBLICAN PARTY VIOLATED.

On the other hand, the Republican Party since its birth has declared for the very highest rate of protective duties, and with each succeeding tariff bill proposed and enacted by that party when in power increased the rate, while the importation of almost all classes of goods became prohibitive. However, prior to the meeting of the Republican national convention of 1908, the leaders of that party recognized that the people demanded a change from the higher rates of duty to lower rates of duty and wrote into its platform the promise for a revision of the tariff in the following language:

The Republican Party declares unequivocally for the revision of the tariff at a special session of Congress immediately following the inauguration of the next President.

That the people understood that revision to mean a downward revision is unquestionable. President Taft on numerous occasions prior to the election of 1908, and, in fact, prior to his nomination in that year, unequivocally declared in favor of the revision of the tariff downward.

In a speech he delivered at Kansas City February 10, 1908, he said:

In the 10 years which have elapsed since the enactment of the Dingley tariff the conditions have so changed as to make a number of schedules under the tariff too high.

In his speech of acceptance of July 28, 1908, he said:

The tariff in a number of schedules exceeds the difference between the cost of production of such articles abroad and at home, including a reasonable profit to the American producer.

And further:

The excess over that difference serves no useful purpose, but offers a temptation to those who have monopolized the production in this country to profit by the excessive rates.

Later, in a speech delivered at Cincinnati September 22, 1908, Mr. Taft said:

The Dingley tariff has served the country well, but its rates have become generally excessive. They have become excessive because conditions have changed since its passage in 1897.

And after referring to the fact that some of the rates are probably too low, due also to the change of conditions, he next said: "But, on the whole, the tariff should be lowered." And to clinch his statement, and as a further pledge to the people that there

would be a revision downward of the tariff, in this same speech, delivered at his home in Cincinnati, he said:

I wish there to be no doubt in respect to the revision of the tariff. I am a tariff revisionist, and I have been one since the question has been mooted.

Two days later in Milwaukee, on September 24, 1908, in answer to a speech that had there been delivered by Mr. Bryan, he said:

I can say that our party is pledged to a genuine revision, and as a temporary head of that party and President of the United States, if it be successful in November, I expect to use all the influence that I have by calling immediately a special session, and by recommendation to Congress to secure a genuine and honest revision. * * *

It is my judgment that a revision of the tariff, in accordance with the pledge of the Republican platform, will be on the whole a substantial revision downward, though there probably will be a few exceptions in this regard.

Again, in a speech delivered at Des Moines, Iowa, September 25, 1908, Mr. Taft said:

It is my judgment, as it is that of many Republicans, that there are many schedules of that tariff in which the rates are too excessive, and there are a few in which the rates are not sufficient to fill the measure of conservative protection.

And later, on the same occasion and in that connection, he declared:

As the temporary leader of the party, I do not hesitate to say, with all the emphasis of which I am capable, that if the party is given the mandate of power in November it will perform its promises in good faith.

As a result of these preelection promises and pledges Mr. Taft was elected President of the United States. His first official utterance was his inaugural address, March 4, 1909, and then and there Mr. Taft emphasized his previous utterances in these words:

It is thought that there has been such a change in conditions since the enactment of the Dingley Act, drafted on a similarly protective principle, that the measure of the tariff above stated will permit the reduction of rates in certain schedules and will require the advancement of few, if any.

The history of tariff legislation shows that a special and extraordinary session of Congress was called soon thereafter for the purpose of considering the tariff question. At that session the Dingley tariff bill was revised, but instead of being revised downward, as the Republican Party and its standard bearer had pledged, it was revised upward. And although President Taft had pledged the people that there should be an honest revision of the tariff downward, the President signed the bill containing this same Schedule K, the woolen schedule, which proved itself to be the most iniquitous, extravagant, unjustifiable one that has ever been placed upon the statutes of the United States. The Republican authorities admitted this, and President Taft on one occasion declared:

The woolen schedule is indefensible, and I propose to say so.

Later on, in a public address in New York, February 12, 1910, he is officially reported as saying:

The one substantial defect in compliance with the promise of the platform was the failure to reduce woolens.

UNDERWOOD BILL FAIR AND EQUITABLE.

Without going into detail to show that there was no revision at all in the Payne-Aldrich bill by Schedule K, it is agreed by all authorities that the rates in this schedule are too high and go beyond any difference in the cost of production, including protection of profits to the manufacturer. As I have already stated, the people at the polls, last November, demanded a revision of Schedule K. The action of the majority of the members of the Ways and Means Committee in reporting this bill with these substantial reductions, not intended in any manner to injure the trade of the country or to affect the business interests of the country, is abundantly justified. It would be highly foolish and grossly unjust for the Democratic Party, at this time or at any other time, to make radical reductions in the tariff affecting great industries and which might possibly result in business disaster.

The Democratic Party is pledged to conserve the interests of the American people, regardless of class, and the wise provisions and schedules of duties contained in this particular schedule is sufficient evidence to prove the sincerity and honesty of purpose of that great party.

To my mind, and I believe to the mind of the average layman, the most noteworthy and most commendable feature of this bill, outside of the general reduction in the duties on wool and woolen manufactures, is the change from the compound, specific, and compensatory duties to the ad valorem system. This bill, when it becomes a law, will be fair and equitable to all interests under all circumstances. The primary object of any tariff law should be the collection of internal revenue with the least possible burden on the people. Specific duties have always proved themselves unjust and have invariably worked injury upon the consumer. As was admirably said in the report of the majority members of the Ways and Means Committee:

The great evil of specific duties is that they always and inevitably bear more heavily upon the poor than upon the rich. When goods are taxed according to kind, pound, weight, measure, or the like, without regard to value, the coarser and cheaper grades necessarily must pay as much as the finer and more expensive grades, and the taxes fall with most crushing force on those least able to pay.

The abolition of the specific duties removes all opportunity for concealing and disguising the various tricks and manipulations for the private profit of favored rings and groups and prevents frauds and juggling of weights. In other words, it places the collection of duties upon a thorough business basis and makes easy of computation and calculation the amount due the Government.

REDUCTION IN WOOL SCHEDULE DECREASES COST OF LIVING.

The final result of this bill will be the reduction of cost to the consumer and the increase in imports of the articles that he uses. It means that the cheaper class of goods worn by the greater mass of our people, upon which there was a tax equivalent to 144 per cent ad valorem as against a tax of 96 per cent ad valorem on more expensive goods, will be imported into this country, thus giving cheaper cost to those least able to pay. The truth is that the tariff duties upon cheaper grades of woolen goods heretofore were prohibitive and that these goods, the average value of which was 35 cents per pound, were only imported to an amount of 6,016 pounds, yielding $2,111 of duties, while of the more expensive goods, the average value of which was $1.07 per pound, were imported to an amount of 5,433,182 pounds, yielding $5,827,777 in duties.

The people of our country asked for relief. You know and they know that clothing and blankets are a necessity of life. You know and they know that the Payne-Aldrich bill imposed additional burdens upon the consumers of the country. You know and they know that the Payne-Aldrich bill increased the cost of living in every home in the land, and the only thing that saved the Republican Party in the campaign of 1908 was, as I have stated before, its express promise to relieve the American people of this burden. The people trusted the Republican Party and believed it would fulfill its platform pledges and campaign promises. When it failed, they turned to the Democratic Party and asked that they be relieved. The Democratic Party is willing to relieve them. [Applause on the Democratic side.] It has reduced the duty on raw wool from an ad valorem duty of 44.31 per cent to 20 per cent. On wool wastes, rags, and so forth, and materials that are worked up with the raw wool into fabrics, from an ad valorem duty of 38.96 per cent to 20 per cent. On combed wools and combed wool or tops and other woolen hair which have been advanced by processes of manufacture, from 105.19 per cent ad valorem to 25 per cent, the duty was reduced. In fact, in some of the cheaper articles in this group the ad valorem equivalent of the duties collected ranges from 112.86 to 252.21 per cent. On cloths and knit fabrics, wholly or in part of wool, 97.11 per cent to 40 per cent. Yarns were reduced from 82.38 per cent to 30 per cent.

One of the most beneficial paragraphs in this whole bill is the reduction of the duties on blankets and flannels, and it will be observed that the least duty is placed upon the cheaper grades and kinds that are used by those least able to bear the burden of taxation. This section, which should and will receive the hearty indorsement of every American, reads:

On blankets and flannels, composed wholly or in part of wool, the duty shall be 30 per cent ad valorem: *Provided*, That on flannels composed wholly or in part of wool, valued at above 50 cents per pound, the duty shall be 45 per cent ad valorem.

The duty under the Payne-Aldrich bill is 95.57 per cent.

On women's and children's dress goods the burden is again lifted, and instead of an ad valorem rate of 102.85 per cent this bill proposes the rate of 45 per cent ad valorem. On clothing ready made and articles of wearing apparel of every description, including shawls, instead of the high rate of 81.31 per cent ad valorem exacted by the Payne-Aldrich bill this bill proposes an ad valorem rate of 45 per cent. And so we might run through the entire bill in order to show that on those articles most used by the common people the committee has endeavored to reduce the duties in order to relieve the burdens upon the people and at the same time to raise a revenue sufficient to carry on the affairs of the Government economically administered.

According to statistics, the actual imports and duties under the Payne-Aldrich schedule in the fiscal year 1910, the average ad valorem equivalent of the duty collected that year on manufactures of wool was 90.10 per cent. Under this bill on the estimated imports the duties for 1910 and the ad valorem equivalent would be 42.55 per cent. This proposed schedule is giving to more than 92,000,000 American people a relief from the burdens

of taxation, and it is within the power of the toiler to clothe his wife and little ones against the snows and storms of winter without taking the bread out of their mouths.

PRESENT AMERICAN CONDITIONS NOT DIFFERENT FROM ENGLISH CONDITIONS IN 1820.

In this connection it might be well to observe that with the growth of the population there has been more than a corresponding growth of tax collecting. In 1897 the tax paid directly to the National Government amounted to about $3.85 per capita, and in 1910 it amounted to about $7.35 per capita—almost twice as much. In 1910 the tariff tax alone paid directly to the Government amounted to about $3.55 per capita. Add to this the State tax, the county tax, the municipal tax, and the school tax, and we might then exclaim, as did Sir Sydney Smith in 1820, that the American pays—

Taxes upon every article which enters into the mouth, or covers the back, or is placed under the foot; taxes upon everything that is pleasant to see, hear, feel, smell, or taste; taxes upon warmth, light, and locomotion; taxes on everything on earth, and the waters under the earth; on everything that comes from abroad or is grown at home; taxes on the raw material; taxes on every fresh value that is added to it by the industry of man; taxes on the sauce which pampers man's appetite, and the drug that restores him to health; on the ermine which decorates the judge, and the rope which hangs the criminal; on the poor man's salt, and the rich man's spice; at bed or board, couchant or levant, we must pay.

The schoolboy whips his taxed top, the beardless youth manages his taxed horse with a taxed bridle on a taxed road, and the dying Englishman, pouring his medicine which has paid 7 per cent into a spoon that has paid 15 per cent, flings himself back upon his chintz bed which has paid 22 per cent, and expires in the arms of an apothecary who has paid a license of £100 for the privilege of putting him to death. His whole property is then immediately taxed from 2 to 10 per cent. Besides the probate, large fees are demanded for burying him in the chancel, his virtues are handed down to posterity on taxed marble, and he is then gathered to his fathers, to be taxed no more.

[Laughter and applause.]

INDUSTRIES OF WESTMORELAND-BUTLER CONGRESSIONAL DISTRICT.

When I addressed the House on the Canadian reciprocity question I stated that the district which I represent is probably one of the most important in the United States. I stated also that my home county, Westmoreland, was bounded on the west by the district which the distinguished gentleman from Pennsylvania [Mr. DALZELL] has the honor to represent. No county in the State of Pennsylvania contains more diversified industrial and productive interests than does Westmoreland. It is a part of the great bituminous coal field, and is, in fact, second in point of production of bituminous coal in the State of Pennsylvania. Within the confines of my district there are located at least two of the largest plants of the United States Steel Co., the Page Woven Wire Fence Co., the American Window Glass Co., the Pennsylvania Rubber Co., and the Kelly & Jones Co., manufacturer of iron and brass castings, employing upward of 2,000 men in a town adjacent to the one in which I live. In this same county there is located probably the largest tin-plate factory in the United States and one of the largest aluminum factories in the world. We have brick factories, paper mills, iron foundries, breweries, distilleries, drug manufacturing establishments, swing factories, and pit-wagon factories—in short, about everything that is used in the mechanical and industrial world except textile goods.

In Butler County there is located one of the works of the great Standard Car Co., employing 5,000 operatives and more, and a large plate-glass works, and in addition Butler County is one of the greatest oil-producing territories in the North. As I have previously stated on the floor of the House, it is a large agricultural district, probably more than one-third of its inhabitants being engaged in the honorable, honest, and staid pursuit of farming, and everywhere is seen the fructifying results of honest toil.

FOREIGN LABOR PREFERRED TO AMERICAN LABOR.

The claim is made that the enactment of this bill into law will reduce the price paid to the wage earner. It has always been the contention of the Republican Party that a high protective duty increased and maintained the price of wages that the laborer receives. The advocates of a high protective tariff have always contended, and are contending, that the American laborer is the highest-paid laborer in the world. Whether he is the highest-paid laborer in the world, God knows it is low enough. Pennsylvania has always been pointed to as the citadel of high protection and the home of the best-paid wage earner on the earth.

Let us see whether or not Pennsylvania, with its diversified and protected interests, pays such wages as the advocate of high protection can boast of.

I take as my authority the annual report of the Secretary of Internal Affairs of Pennsylvania, prepared by the Bureau of Industrial Statistics of that department, providing data and statistics for the year ending December 31, 1909, and containing also statistical facts taken as late as April 28, 1910. It is well to remark here at this point that this report was prepared by a Republican official, it being generally admitted that the State of Pennsylvania has for its officials no other than those who belong to that political faith, and it might be added that too severe a case would not be made out against the party to which the officers owe their election.

By this report of the Bureau of Industrial Statistics of the department of Internal Affairs of Pennsylvania it is shown that in the several occupations given the total of 790,048 persons were employed. Of this number 126,293, or nearly 20 per cent, were reported with "nationality not known." The remaining 663,755 were grouped in three classes—Americans, foreigners, and negroes—and were employed as indicated in the following table of industries in the year 1909:

Industries and the number of Americans, foreigners, and negroes employed.

	Americans.	Foreigners.	Negroes.
Anthracite mining	51,567	86,105	23
Bituminous mining	54,531	107,728	1,602
Cars, car wheels, and castings	5,600	5,324	35
Cement works	3,498	5,928	14
Foundries and machine shops	5,946	1,295	124
General industries	77,550	20,217	228
Glass factories	15,401	8,057	201
Leathers (tanneries, etc.)	5,418	4,997	21
Paper mills	4,643	2,052	3
Pig-iron furnaces	4,977	8,290	407
Powder mills	533	108	3
Rolling mills	21,487	14,592	804
Steel ingots and castings	4,683	3,316	300
Steel works	22,241	20,331	1,436
Silk mills	22,936	6,014	.....
Slate quarries	3,532	1,204	14
Textile mills, Philadelphia	44,923	9,937	70
Tin plate mills	1,732	671	48
Total	342,197	316,130	5,428

Thus it will be seen that in the 18 industries marked in this table that there are 342,197 Americans employed, as against 316,130 foreigners and 5,428 negroes. It is fair to reason that since this report states that the 126,293 persons were of "nationality not known" that they are mostly foreigners, which would seem to indicate that there is more foreign labor employed in these 18 industries which I have mentioned than there are Americans. In bituminous coal mining, which prevails mostly in the district which I represent, there are 45,531 Americans employed, as against 107,728 foreigners and 1,602 negroes, or, in relative percentage, 29.4 Americans, 69.6 foreigners, and 1 per cent negroes. In the glass factories the percentage is 65.1 per cent American, 34 per cent foreigners, and nine-tenths of 1 per cent negroes. In the pig-iron furnaces the percentage is 26.4 per cent American, 60.6 per cent foreigners, and the balance negroes. In the steel works 42.2 per cent are Americans, 56.2 per cent foreigners, and the balance negroes. In these four industries, which operate chiefly in the district which I represent, there is, then, practically 43 per cent American, 55.1 per cent foreigners, and the balance negroes.

Again, I will quote from this same Republican authority wherein this Republican officeholder makes the following observation:

A particularly noteworthy feature of the tabular statement is the large number of foreigners in some of the chief occupations of the State. It will be seen that they greatly predominate in coal mining and in steel work. That fact may be the explanation, in part, of the many distressing accidents occurring so frequently in those industries, and may be the cause also of so many labor disturbances connected with them. A recent report of the United States Immigration Commission, headed by Senator DILLINGHAM, of Vermont, gives color, if not entire confirmation, to that theory. That body reports concerning the bituminous coal fields of western Pennsylvania that 75 per cent of the miners are unable to write any language, and that more than half of them were incapable of speaking or barely understanding English. It would seem that a very large proportion were from southern Europe, and were composed of elements not at all skilled in even the simplest forms of manual labor as carried on in our country. Scarcely any of these has ever worked in mines before coming to this country, and were so densely ignorant of our usages and customs pertaining to such operations that it is a source of wonder that greater disaster has not occurred in consequence of their employment in such excessive numbers. Compared with them the commission found even the poorest American superior.

All through this debate and in all pleas that are made to preserve the protective tariff there has been a constant demand that the duties which are sought by this bill to be removed be retained in order that the American laborer and American labor may be protected against foreign pauper labor, yet we have the spectacle before us in the State of Pennsylvania of a preponderance of foreign labor. The protectionist would protect woolen manufactures by a high rate of duty and declare against the just reductions in this bill, but under no circumstances would he be willing to put a protective wall around the

physical structure of the American laborer. Every ship bears hundreds of foreigners who come to this country to take the place of the American in the fields and shops of the United States, and no restriction is placed upon this influx. The American laborer competes with the world, but the clothes that cover the backs of himself and his children, and the food that is placed upon his table, and the shoes that he wears upon his feet, and the hat that covers his head is laden with a duty which he must pay, and it is pretended that this is necessary to sustain the Government of the United States.

DOES HIGH PROTECTION BENEFIT AMERICAN LABOR?

Now, we have considered the American laborer in the light of when he competes with foreign labor. Let us see whether or not this American labor is protected to the degree that is contended for it. Let us see whether or not the wages that are paid him are so very much in excess of the wages that are paid labor in foreign countries. Let us see if he is growing rich and fat upon the wages that he receives for work performed in the bowels of the earth or in the heat of the furnace. Let us see if he can clothe himself and his family and lade his table with the necessaries of life, to say nothing of the luxuries of life, upon the magnificent sum which he earns. Let us see what his total bill will be after he lays down his tools at the end of the year. Let us see if he can place a balance to his credit in the savings institutions of the country, or does he place his wages to the credit of the trusts and the protected interests?

THE PENNSYLVANIA COAL MINER.

From this same report, compiled by this same Republican officeholder, I find that the total of value of coal mined in the State of Pennsylvania in the year 1909 was $132,837,578; that the average wages paid superintendents, foremen, and office men were $3,732,612. I find that the number of superintendents, foremen, and office force is 3,603. I find that the average number of people employed was 173,003, and the aggregate wages paid to these employees were $90,680,216; that the average yearly earnings of these men who mine the coal, toil all day, and expose themselves to accidents and death, who are not protected by any employers' liability act, are $524.15, making an average daily wage, according to this report, of $2. I find in this same book a statement of accidents in bituminous coal mining for the year 1909, in which it is shown that there was a total of 449 fatalities, 4,151 nonfatal, making a total of 4,600. From the same Republican authority I discover a comparative table in which it is shown that the average yearly earnings, beginning 1903 and ending 1909, are as follows:

Average yearly earnings.

1903	$540.69
1904	453.09
1905	502.58
1906	545.21
1907	603.72
1908	477.56
1909	534.15

Average daily earnings, same period.

1903	$2.31
1904	2.26
1905	2.23
1906	2.66
1907	2.25
1908	1.92
1909	2.00

It might be of interest at this time to show from this comparative table that the average days of employment was:

1903	234
1904	204
1905	261
1906	205
1907	268
1908	248
1909	279

And while in no instance was he employed more than 279 days in one year, yet we know that it was necessary for him to clothe and feed his family for 365 days in a year.

THE PENNSYLVANIA GLASS WORKER.

Again, let us quote from this same book on the subject of glass bottles and tableware market in the State of Pennsylvania for the year 1909. We find that the market value of the production was $15,615,089, while the aggregate amount of wages paid was $6,609,998, and the average yearly wage was $440.94, and an average daily wage of $1.81. From this same authority we find that the market value of the production of polished plate-glass market in Pennsylvania in the year 1909 was $8,774,240, while the aggregate amount of wages paid was $3,528,337 and the average yearly wage was $628.04, or an average wage daily of $2.14. Window glass is produced to a very large extent in the district that I represent. The market value of that production was $4,848,587, while the aggregate amount of wages paid was $2,646,757, the average yearly wage being $500.87 and the daily wage $2.01.

THE PENNSYLVANIA STEEL WORKER.

Iron and steel bridges and structural work are manufactured in my district, and from the same report I discover that the market value of the production was $20,133,208, and the aggregate amount of wages paid $3,505,295, that the average yearly earning was $464.89, and the average daily wage $1.52. How much of a family could any husband and father provide for on the yearly wage of $464.89?

THE PENNSYLVANIA LEATHER WORKER.

Much was said in a previous debate about shoe leather and the irreparable damage and vast loss that would come to the wage earner in this branch of business, yet I turn to this same report of this same Republican officeholder and find that for the year 1909 the market value of the production of shoe leather, enameled and glazed kid, in the State of Pennsylvania was $19,949,502, while the magnificent amount of wages paid in the aggregate to the wage earners was $2,194,256, making a yearly average of $475.32, and an average daily wage of $1.58. And this same Republican authority informs us that there were actually 1,850 Americans employed as against 2,071 foreigners and 3 negroes in this branch of business. Let me inquire who is protected here? The manufacturer, the American, the foreigner, or the negro?

Again, let me refer to the report of the bureau of industrial statistics of the State of Pennsylvania and see what was done in the way of manufacturing sole and harness leather in 1909. The market value of the production in that year was $37,944,268 and the aggregate amount of wages paid was $2,999,288, and the average yearly earnings was $483.33 and the average daily wage was $1.41. Who gets this great balance of more than thirty millions of dollars? Let us look into another branch of leather production, from the same report of 1909, viz, leather-belting production. The market value of this production was $1,713,701, while the aggregate value of the amount of wages paid was $173,779, and the average yearly earnings $489.57, and the average daily wage $1.58. It will thus be seen that the operative and wage earner who works by the day secures one-tenth of what he produces. The same authority informs us that the market value of leather miscellaneous production for the year 1909 was $5,651,449, that the average amount of wages paid was $380,222, that the average yearly earnings of these laborers was $438.04, while the average daily wage was only $1.41; and it might be interesting to quote that of this average daily wage of $1.41 the average to the male was $1.45 and to the female 93 cents and to the minor 74 cents.

PAUPER WAGES PAID IN HOSIERY INDUSTRY.

If time permitted me, I might go into further detail along this line, on the subject of the various industrial productions in the State of Pennsylvania. I know it would be as interesting to you as it is to me, but I will finish with just one quotation from this report from the bureau of industrial statistics of Pennsylvania, which shows the market value of a protected production and the wages paid. I refer to the hosiery production, and I presume that wool and woolens enter into this production. The market value of this production was $15,388,382 and the aggregate amount of wages paid was $4,315,546, the average yearly earning was $277.26, and the average daily wage paid was 97 cents. In this industry there were employed 2,698 males, 11,032 females, and 1,837 minors; the average yearly wage was $451.14 for the males, $250.89 for the females, and $180.44 for the minors; and the average daily wage, based upon 285 days, being the average time of operation, was, males, $1.55; females, 88 cents; and minors, 63 cents. These are the figures prepared and published in the State of Pennsylvania and reported to the governor of that great State by one of its chief officers. These figures show that the wage earner of Pennsylvania is poorly paid, and that what he does earn he spends for the support of his family.

HIGH COST OF LIVING IN PENNSYLVANIA.

Now let us turn for a few minutes and see what it costs for this wage earner to live in the State of Pennsylvania. In this same report I find that the secretary of internal affairs of Pennsylvania caused an investigation to be made of the prices of foodstuffs. These prices were ascertained on April 28, 1910, at Uniontown, the county seat of Fayette County, 38 miles from where I live, and, as the report says, these prices were found not to vary greatly from those obtained from other localities about the same period. Here are the quotations given:

Beef: Tenderloin and porterhouse, 25 cents per pound; sirloin, 22 cents per pound; pin, 25 cents per pound; round, 18 cents per pound; boiling and neck, 11 to 12½ cents per pound.

Pork: Loin and chops, 22 cents per pound; shoulder, 18 cents per pound; steak and boiling pieces not handled at this season.
Lamb: Leg, 25 cents per pound; chops, 30 cents per pound; roast (loin), 30 cents per pound.
Veal: Cutlet, 25 cents per pound; chops, 17 to 18 cents per pound; chops (loin), 20 cents per pound; roast, 17 to 18 cents per pound.
Dried beef, 35 cents per pound.
Ham: Whole, 25 cents per pound; sliced, 30 cents per pound.
Bacon: Sliced or whole, 30 cents per pound; some at 28 cents per pound.
Chickens and ducks: Live, 22 to 23 cents per pound; dressed, 28 cents per pound.
Bologna, 12 to 25 cents per pound.
Sausage: Fresh, 20 cents per pound; smoked, 12 cents per pound.
Eggs, 24 to 25 cents per dozen.
Butter, 35 to 38 cents per pound.
Lard, 20 cents per pound.
Flour: Winter wheat, 80 cents per 25-pound sack; blend, 85 cents per 25-pound sack; straight spring, 90 to 95 cents per 25-pound sack; fancy brands, $1 to $1.05 per 25-pound sack.
Potatoes, 50 cents per bushel.
Apples: Baldwins, 50 cents per peck.
Turnips: New, 5 to 8 cents per bunch.
Beets: New, 5 to 8 cents per bunch.
Cabbage: Old, 6 cents per pound; new, 10 cents per pound.
Lettuce, 20 cents per pound.
Onions: Green, 5 cents per bunch; old, 3 pounds for 25 cents.
Carrots: New, 5 cents per bunch.
Sugar, 7 cents per pound, or 16 pounds for $1.

These are the prices that are paid by the wage earners in the district which I have the honor to represent. Clothes are not mentioned, nor are shoes. Besides these, the wage earner is required to pay his rent and is required to pay for his fuel and for his light. Thus it will be seen that little remains to him at the end of the year. He can save but little. In most of the industries I have mentioned his employment tends to incapacitate him for work as he grows older. His life of activity and usefulness is not so long as that of others.

Mr. Chairman, this bill is in line with the principles of the Democratic Party and its platform and its pledges. It lifts one of the many burdens from an already tax-burdened people. It places within the means of the toiler the power to purchase with the fruits of honest labor the clothes that shield himself and family from the blasts of winter; that protect him from the heat of the furnace and the deadly fire damp of the mine. It secures to all the necessities and comforts of life without impoverishing any. When our work is done, when we have finished and passed this bill to the other end of this Capitol, the strong, patient, and long-suffering American people will raise their grateful voices and call us blessed. [Loud applause on the Democratic side.]

Mr. HUGHES of New Jersey. Mr. Chairman, I yield to the gentleman from Colorado [Mr. RUCKER].

Mr. RUCKER of Colorado. Mr. Chairman, I am very much obliged to the management of our side of this Hall for giving me the honored opportunity of opening and closing the case on my side. [Laughter.] There has not been anybody here on our side who has spoken from the sheep end of this question.

It was with much reluctance and no little embarrassment, Mr. Chairman, that I addressed the House upon the Canadian reciprocity agreement and the farmers' free list bill, due to the fact that I realized I stood alone in opposition to my party colleagues in the views I entertained and expressed respecting those measures, and it is with similar reluctance and embarrassment, and for a similar cause, that I approach the discussion of the pending measure to oppose its essential provisions.

I am not an absolute unbeliever in the principle and policy of caucus action, but I am unalterably opposed to the principle and propriety of a caucus determination unless it is the outcome of a full, fair, and free discussion of the merits, as well as demerits, of any measure which it is proposed to enact into a law, and after ample opportunity has been afforded individual Members to give expression to their views upon the subject. It is manifestly impossible, in the consideration of a measure of such far-reaching and vital importance to such a large class of people, to accord it the full consideration it merits within the restricted space of ten hours and a half for debate, especially when such debate is confined to the members of the committee presenting the measure for caucus action. Such a time limit and such withholding of opportunity for an intelligent understanding of the character and import of the proposed measure renders it impossible for any unbiased Member of this House conscientiously and under his oath to give his support to the resolution of the caucus.

Mr. Chairman, aside from the members of the Ways and Means Committee, previous to the assembling of the caucus, it is doubtful if there is a Member of this body who knew just what rates were to be incorporated in this bill. It was an open secret that it was the purpose of the committee to carefully withhold the information, both from the Members of the House and the public at large—a species of unjustifiable cloture policy that I confess it is utterly beyond me to sympathize with. It would be a direct reflection upon the intelligence of the constituency which elected me to membership in this body to suppose that they would believe me capable of blindly acquiescing in a decision upon such an important matter and without an opportunity for its proper consideration. What I have said should not be construed as an arraignment of the Committee on Ways and Means, for I believe they were inspired by a disposition to conserve the interests of the country and the party as well; but, I repeat, I can not give my sanction and approval to any legislation the propriety of and the necessity for which I have been unable, through lack of opportunity afforded by the caucus of my party, to understand and discuss.

Mr. Chairman, the State which I have the honor in part to represent on this floor raises more sheep, produces more wool, and markets more mutton than that of all the districts represented by the majority of the members of the Ways and Means Committee combined, and I think I am safe in saying that the comparison would not suffer as respects my individual district alone.

I am neither young in years nor a novice in political affairs, nor am I wholly unacquainted with the sheep industry, Mr. Chairman. To the time I was 12 years of age I had never worn an outer suit of clothes the material of which was not clipped from my father's own flock of sheep, spun into thread by the old spinning wheel, woven into cloth and made into a suit right on the farm—a home product in every sense of the word. We did not have a great number of sheep, but we had over 100 negroes and a half dozen spinning wheels and two looms, which supplied the clothing for our entire family, and as well that of our dependents, both white and black. Since I became of age there has never been a time when I have not been, either directly or indirectly, engaged in farming and stock growing pursuits, in which sheep, and all of its products, have always claimed my favoring attention.

I have recounted this fragment of personal history, Mr. Chairman, as affording possibly some justification for my having entertained a feeling of resentment toward the Committee on Ways and Means for absolutely ignoring in their deliberations one of the Members of this House who really knows something about the sheep industry, and whose judgment respecting any legislation affecting it might not have proven inconsequential. I will, however, say very frankly that that feeling of resentment was completely dissipated by a reading of the bill as submitted and agreed upon in committee, for an examination of its provisions gave ample evidence of the fact that the committee had not been in need of any information or assistance that I, as a stock grower, or anyone else familiar with that business could furnish. Very greatly to my surprise and natural disappointment, the proposed measure failed to contain one provision which in the remotest degree reflected the true interests of the sheep grower. I was equally surprised that the purpose was candidly avowed that it was the intention that the sheep industry should be abandoned; that the 766,474 sheep growers of this country should be given notice to seek other occupation, and that the $500,000,000 of capital invested in that industry should be practically confiscated. My disappointment grew out of the rebuke to the hope I had cherished, that the triumphantly reinstalled Democratic Party, to which I claim allegiance, would deserve the faith recently reimposed in it by the country and would enjoy many years of usefulness. I could not bring myself to believe that that great party, strong of purpose, rich in long years of experience, and glorious in achievement, could, in an unguarded moment, yield to any temptation. And I am reminded, in this connection, of the inglorious fate of Samson of old. I am aware, of course, that we are all familiar with the potency of the historic teachings of the Bible, and their present-day application, but lest there be some who have not profited by them, let me briefly record how Samson was beguiled.

Delilah, the beautiful degenerate, with artful witchery sought for political purposes to know the secret of his strength.

Tell me—

She said—

I pray thee, wherein thy great strength lieth, and wherewith thou mightest be bound to afflict thee.

Then said Samson, evasively, and mayhap suspiciously:

If they bind me with seven green withs that were never dried, then shall I be weak, and be as another man.

The narrative tells us how Samson facetiously invited the binding with the withes; again, with the "new ropes that never were occupied"; and anon the "weaving of the seven locks of his head with the web," from which he severally quickly released himself, until he finally lent himself to his own destruction by revealing to the importunate siren the true source of

his might—his locks. "If I be shaven, then my strength will go from me, and I shall become weak."

We can picture in vivid imagination her luring him into his fatal slumber under the soothing influence of the gentle stroke of her velvety hand, with his head resting upon her knee. She calls to the ready coconspirator, and Samson is shorn, undone, and rendered impotent. "The Philistines be upon thee, Samson," she cries; and they fall upon him and blind him and take him to prison. [Applause.]

This, Mr. Chairman, is the old familiar story of misdirected confidence and overcredulity. I can but wonder who was the fascinating and overweening Delilah who sat at the side of this sleeping giant, Democracy, and conspired to the deprivation of the source of its strength, and with it its golden opportunities. [Applause.]

Mr. MONDELL. Mr. Chairman, who is the conspirator in this case? Will the gentleman tell us? He pointed toward me.

Mr. RUCKER of Colorado. You are one of the Philistines. [Laughter.]

Was it the result of a disposition to "crook the pregnant hinges of the knee" to the pet fetich of the Nebraskan of free raw material for everything, regardless of what it is? Were they to divide with him the sentimental prejudice against the "bleating of the lamb," of which we have read so much in his journal, the Commoner, in his characterization of the selfishness of the stock grower, or is it because they really believe what Mr. Bryan said in the issue of the paper of June 9, as follows:

A heavy tax is placed upon imported wool in the interest of the sheep owners of this country. Figures submitted by sheep men themselves disclose that there are not to exceed 22,000 persons engaged in the industry—owners, herders, shearers, and all. In view of the fact that the wool tariff adds hundreds of millions to our clothing bill, it would be a great deal cheaper for the Government to pension these men several thousand a year each.

Mr. CLARK of Florida. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Colorado yield to the gentleman from Florida?

Mr. RUCKER of Colorado. Certainly.

Mr. CLARK of Florida. Will the gentleman permit a question right there?

Mr. RUCKER of Colorado. Assuredly; and while you are at that I will find my place here.

Mr. CLARK of Florida. But I want my friend to hear what I have to say.

Mr. RUCKER of Colorado. Oh, I will hear you with pleasure.

Mr. CLARK of Florida. My friend does not mean to coincide with the views expressed by some distinguished leaders on the other side that the distinguished Nebraskan whom he refers to is still the leader of the Democratic Party, does he?

Mr. RUCKER of Colorado. Well, sir, that will depend upon how you construe the resolution that was passed by the caucus the other night. [Laughter.]

Mr. CLARK of Florida. Now, does not my friend——

Mr. RUCKER of Colorado. As far as I am personally concerned, I absolutely repudiate his leadership upon the proposition that I am now considering.

Mr. CLARK of Florida. Will my friend permit me just a little further to suggest, does he not know that although that gentleman has been inveighing against the action of certain Democrats here, that in 1894, although the Democratic platform of 1892 had declared expressly for the repeal of the 10 per cent tax on State banks, he, being a Member of this House, not only voted against the repeal, but made a speech against it?

Mr. RUCKER of Colorado. I do remember that.

Mr. CLARK of Florida. Now, then, does not the gentleman also remember that although this distinguished gentleman from Nebraska inveighs against other Democrats for what he calls "bolting," he within the last year bolted the Democratic State ticket in the State of Nebraska and opposed the Democratic nominee for governor?

Mr. RUCKER of Colorado. Yes; but I do not want the gentleman to draw such a parallel between the distinguished gentleman from Nebraska and myself.

Mr. CLARK of Florida. I am not trying to do so.

Mr. RUCKER of Colorado. Are you now meaning to say that I am bolting the Democratic Party?

Mr. CLARK of Florida. Not at all, because I want to say to the gentleman from Colorado I think he is perfectly within his rights, because he simply invokes the rule of the caucus which permits him to do that. It is perfectly honorable and perfectly lawful and perfectly within the party lines, and no man can accuse him of bolting on that account, but what I do want to ask the gentleman is whether he thinks the gentleman who for three times has been honored by one of the great parties of the Nation by a nomination for the Presidency, who bolted the action of the Democratic National Convention not only for the 10 per cent tax on the bank proposition, but he bolted the nominee of his party for governor last year. Is he in any position to advise the Democratic Party as to principles and honor?

Mr. RUCKER of Colorado. Well, I will say to the gentleman I have known the Nebraskan as long and possibly as intimately as anybody in this land. I know that he is obsessed upon this one proposition of free raw material. I am satisfied that there is not a man in the country who is as well posted upon matters generally as that gentleman, but I do believe he has been misled concerning this matter, for, as I have already stated, he made an announcement in his paper of date of the 9th of this month that there were only 22,000 people in the United States who were engaged in the sheep business.

The figures I have given you of the number of sheep owners in this country are taken from the United States Statistical Abstract, and must be regarded as correct as to the sheep owners, to say nothing of the number of herders and other employees.

Mr. MONDELL. Will the gentleman yield to me for a question?

Mr. RUCKER of Colorado. Yes.

Mr. MONDELL. Do I understand it to be the gentleman's opinion that the view of the gentleman from Nebraska touching the possibility of putting wool on the free list was, perhaps, affected particularly by the misinformation he had touching the number of people interested in the industry? In other words, had he known there were a million instead of 22,000, would he have changed his views?

Mr. RUCKER of Colorado. I would hardly say. I prefer to give him the benefit of the doubt as to whether he knew how important this question was, and consequently I do not want to be led into inveighing against Mr. Bryan and his doctrines outside of and beyond this one question.

Mr. CLARK of Florida. Will the gentleman yield?

Mr. RUCKER of Colorado. Certainly.

Mr. CLARK of Florida. I would like to ask my friend if he understands that the doctrine of free raw materials is a Democratic doctrine?

Mr. RUCKER of Colorado. I know that it is not.

Mr. CLARK of Florida. Has it ever, by any Democratic national convention, been declared to be the policy of the Democratic Party?

Mr. RUCKER of Colorado. Never; and never has been enunciated by any enlightened and intelligent leader of our party.

It will be observed, Mr. Chairman, that I am not responsible for the bringing on of this colloquy; it will also be observed that I hold Mr. Bryan in as high esteem as any man on this floor; and it will further be observed—and I wish to accentuate this idea—that I am neither in accord with the views entertained by Mr. Bryan, nor am I in accord with the majority of my party on this question; and therefore I am solely responsible for the views I have presented. What I have said and what I shall say is inspired by purely patriotic feelings and for the welfare of the Democratic Party.

Now, Mr. Chairman, viewing the matter from a party standpoint, can you, my Democratic friends, view with equanimity the following table, showing the sheep and goat owners in 1910 in doubtful States?

	Sheep.	Goat.
California	4,070	3,136= 7,206
Colorado	1,865	1,185= 3,050
Indiana	38,461	=38,461
Iowa	21,944	=21,944
Maine	11,267	=11,267
Minnesota	24,759	=24,759
Missouri	44,208	=44,208
Montana	2,303+ [1]207	= 2,510
New Mexico	2,770+[1]5,810	= 8,580
New York	25,104	=25,104
Ohio	71,906	=71,906
Oregon	6,462+[1]4,225	=10,688
West Virginia	26,147	=26,147
Wisconsin	30,040	=30,040

[1] Goats.

Now, my Democratic friends, you can very safely multiply the number of sheep owners in the United States, as shown by the above table, by four, and this simple mathematical calculation will reveal, with what must strike you with potential and significant force, the very respectable voting strength of these citizens of our country who are either directly or indirectly interested in the sheep-growing industry of the various States I have enumerated, and it is this not inconsiderable and somewhat influential element with whom you will soon be called upon to reckon and suggest a defense of your position upon the

pending measure. How will you meet them on your political "judgment day," and just how will you render an account of your stewardship? Let us pause awhile in some apprehension for the answer.

I listened with much interest to the remarks of those gentlemen who favor this measure, with a view to ascertaining with what school of philosophy they are identified, when in one breath they tell us that wool, next to vegetable life, is most necessary for the human race; and in the next, as further indicated in the laborious effort in the report accompanying the bill, to show that the world's production of wool is on the decrease, and not only not in this legislation but in none promised is or will there be an effort to stay the hand of time against the day when the production will cease. I agree fully with them that this bill, if enacted into law, will lessen the production of wool here, but I deny that there has been any material reduction in the world's supply, barring a few years of drought, which is known to have existed in Australia and other countries. But in the United States our production has increased about 54 per cent in the last 14 years, and there is not a sheep grower in the United States but who will inform you that if we are allowed the freedom of competition with the foreign grower, as contemplated by the present law, in less than 10 years we would be producing more than we consume and have a surplus in addition.

Mr. Chairman, the people of the United States, aside from a natural sentiment, much prefer to patronize their home industry, knowing full well, as I shall later demonstate conclusively, that ours is the best quality of wool that is raised in the world, and that if the home industry is destroyed they will be at the mercy of the foreign grower with respect to what they shall pay for an inferior article. The people of this country had an abiding object lesson of this. They were promised, before the passage of the Wilson tariff bill, that the home industry would not be destroyed and that they would be enabled to purchase clothing at a lower rate. The magnificent result of the passage of that bill and the net benefit to the people was a much inferior article of clothing and at no lower price, and the near destruction of the sheep industry.

I characterized the passage of the "free-meat" provision of the farmers' free-list bill as a stupendous legislative blunder and a monumental outrage against the interests of the farmer and stock grower. I now say the same, with added emphasis, as respects this insidious measure. There was absolutely no excuse for its birth, and there could be no logical apology for its existence.

Mr. Chairman, I am not, as is well known, a protectionist in the commonly accepted definition of that somewhat elastic and much-abused term, but I think I voice the sentiment of approval of the American producer when I say that I view with favor the incidental benefit and protection, if you please, that is afforded the articles of domestic production that are not on the free list, by the mutual competition of similar articles of foreign production that enter this country. This, I take it, in the last analysis, is the true, honest, and correct principle of protection in one aspect of the situation.

I can not, however, be too strong in condemnation of the thoroughly un-American and really recreant policy of enacting legislation which places it within the power of the speculator, vaguely denominated the "middle man," to not only rob the American sheep owner of the just and merited fruits of his labor but also to deprive the Government of revenue receipts aggregating more than $7,000,000, as is the case in this instance, every dollar of which he appropriates to his own selfish purposes while he reaps a golden harvest from the proceeds of his nefarious work, importing no greater amount of wool than he has been importing under the present bill, and we have already seen that he has been importing much more than has been consumed. It has been suggested in a nebulous way that the ultimate consumer will be benefited by this measure, but is it not irresistably logical that as long as there is no specific law on the statute book which compels him to sell at a stipulated price it is within his power, and it is perfectly needless to say he will not fail to avail of it, to charge what he pleases and "bear" the market to the unfortunate producer?

Mr. Chairman, I concede to no man on this floor a greater devotion to and longer services in the maintenance of the principles of our party. There are few if any Members on this floor who enjoy as I do the rare distinction of having voted for 11 different nominees of the Democratic Party for the presidency. In a majority of those elections I was not only one of the modest counselors in the party but was a candidate for elector or some office. I think I am as well informed as the ordinary Member of what our party has stood for in the past and the place it occupies to-day with reference to the tariff, and my vote against the reciprocity agreement, and against the free-meat clause of the farmers' free-list bill, and my position on this bill I claim to be in strict accord with Democratic doctrine as declared by our Democratic platforms, as well as consistent with the intelligent thought expressed by the foremost of our statesmen.

Hear what President James K. Polk said in his message which preceded the Walker tariff law:

> The terms "protection to domestic industry" are of popular import, but they should apply under a just system to all the various branches of industry in our country. The farmer or planter who toils yearly in his fields is engaged in "domestic industry," and is as much entitled to have his labor "protected" as the manufacturer, the man of commerce, the navigator, or the mechanic who are engaged also in "domestic industry" in their different pursuits. The joint labors of all these classes constitute in the aggregate the "domestic industry" of the Nation, and they are equally entitled to the Nation's "protection."

And the author of the bill of 1842, Mr. Walker, said:

> It discriminates in favor of the manufacturer and against agriculture by imposing many higher duties upon the manufactured fabric than upon the agricultural product out of which it is made.

Andrew Jackson said:

> The agricultural interest of our country is so essentially connected with every other, and is so superior in importance to them all, that it is scarcely necessary to invite to it your attention. It is principally as manufactures and commerce tend to increase the value of agricultural productions and to extend their application to the wants and comforts of society that they deserve the fostering care of government.
>
> The general rule to be applied in graduating duties upon articles of foreign growth or manufacture is that which will place our own in fair competition with those of other countries, and the inducements to advance even a step beyond this point are controlling in regard to those articles which are of primary necessity in time of war.

Albert Gallatin said:

> as shall be consistent with the purposes of revenue and equal in its operation on the different parts of the United States, and on the various interests of the same.

The Democratic platform of 1888 declared:

> Our established domestic industries and enterprises should not and need not be endangered by the reduction and correction of the burdens of taxation. On the contrary, a fair and careful revision of our tax laws, with due allowance for the difference between the wages of American and foreign labor, must promote and encourage every branch of such industries and enterprises by giving them assurance of an extended market and steady and continuous operations.

The Democratic platform of 1896 declared:

> We hold that tariff duties should be levied for purposes of revenue, such duties to be so adjusted as to operate equally throughout the country, and not discriminate between class or section, and that taxation should be limited by the needs of the Government honestly and economically administered.

The Democratic platform of 1904 said:

> So levied as not to discriminate against any industry, class, or section, to the end that the burdens of taxation shall be distributed as equally as possible.

I am addressing myself to this bill as if it declared straight out for free wool, because I will show before concluding that at the present price of wool in this country it is as disastrous to the woolgrower as if the declaration should be for free wool absolutely. And it is not without amusement that I have witnessed the controversy going on between Members on this side. Some are trying to uphold the bill because it is protection, others would like to defeat it because it is protection, and it is also rather humorous to listen to the controversy that has been indulged in between the distinguished Nebraskan and those here in favor of the small duty placed upon wool in the bill.

I do not think this distinguished citizen of Nebraska need tear off more than his outer shirt concerning the position of our distinguished friends, the honorable Speaker, our honored leader the gentleman from Alabama, Mr. UNDERWOOD, and others, for, from my viewpoint, the inoculation of these leaders with the protection germ for the wool industry will not bring on even the mildest incipient case of varioloid. [Laughter.]

Mr. Chairman, if the references I have given do not commit the Democratic Party to the doctrine of free wool, then we should look elsewhere for reasons for the passage of this bill. I am not a close student of the Bible, though I believe in the Book; I am possibly more familiar with the laws of our country, and I fail to find either in divine or human law any authority, under any condition or circumstance, that would justify this Government in passing a law to take a dollar from my pocket and transfer it to that of my neighbor, nor the bread that belongs to the mouths of my children to those of my neighbor's. I believe that immoral principle is here invoked, and, believing that, my conscience withholds my vote for this bill in its present form. It is worse than that; it does not go to the mouths, nor my neighbor's children, but to the foreign producer. Now, if from first to last I do not establish the proposition I make, then my attitude allows criticism, but that criticism should not go beyond a reflection upon my intelligence.

Mr. Chairman, it is often said that a Congressman's vote upon the tariff question is controlled by the interests involved to his immediate constituents. Whilst I deny that is entirely so in my case, yet I am not without sufficient reason to oppose this measure, viewed from that standpoint.

My State is credited with having a million and a half of sheep in 1910, but the number was very much greater than that. However, that would place her about seventh in rank of sheep-producing States of the Union. Besides, we have 37,669 goats, the clip of which is of vast importance to our State, and which also comes under the ban of this bill. We have 1,865 farms producing sheep and 1,185 farms producing goats, and I think it is safe to calculate there are at least 4 adults connected with or dependent upon the industry of each farm; there would therefore be 12,200 such persons, the same being one-eighth of the voting population, which, measured by the difference between the two parties in that State, would equal if not exceed a majority. And whilst it is neither here nor there, so far as the merits of this question are concerned, nevertheless, as a devotee of the Democratic Party, I can not close my eyes to the fact that in my judgment there will be at least 12,200 votes, regardless of party, that will be cast against anyone who believes in destroying these two industries of our State. The woolgrowers of that State drank very deeply from the bitter cup of adversity that followed the enactment of the Wilson law. The people of my district during the past winter and spring lost upon their feeding of lambs over a million and a half dollars. Whether justified or not, they believe the hue and cry of the high cost of living, accompanied by the threat of the free importation of meats by subsequent legislation, brought about this loss. Moreover, since the 1st day of May, consequent to the depression in the price of wool, occasioned by the introduction of this bill, they have lost on their wool clip over $400,000. This statement is based upon the wool clip of 1910, as given by the Statistical Abstract, and upon advice by wire I have just received that their loss will be not less than 5 cents per pound, and I regard these figures as extremely conservative. Further, not only in Colorado, but elsewhere, the sheepmen have for years been obliged to borrow money to keep up their foals, expecting always that wool prices and mutton prices would go up.

The wool speculator takes advantage of this situation at all times, and he is especially active in his inactivity to purchase at the present time, believing that prices will lower. The banker is anxious and is insisting upon his money; therefore the poor sheep grower is confronted with the importunate banker, the rapacious speculator, the manufacturer, and the Woolen Trust, clamoring for cheaper wool.

Beyond that, Mr. Chairman, we have a young and rapidly growing Commonwealth. The injury to one industry has always a reflecting and baleful influence upon all others. Our State was nearly depopulated at one time by reason of the demonetization of silver. We are to-day cursed and tax-ridden by the Federal Government in its "new national" doctrine of capitalizing all our natural resources to produce an asset for revenue purposes, and it has driven thousands upon thousands of our best citizens away, retarding beyond measure, in many ways I have not time to point out, the settlement and development of our State.

We live a long way from a central market for our products. Our sources of revenue from cultivation of the soil is now, and for many years to come must be, from the raising of live stock. With free trade with Canada, free meats from the world, and free wool, in my judgment, the clock of progress in our State will be turned back a quarter of a century.

Mr. Chairman, as I have said, I read in vain our platforms to find we are pledged to the Canadian agreement, the free-meat clause in the farmers' free list bill, or the passage of this bill. I search in vain through the columns of debates in the Sixty-first Congress on the tariff bill, and I remember the speeches made during the campaign of 1908 and 1910 by our Democratic leaders, but I neither find in one or the other a syllable expressing a promise for free wool should our party be elevated to power. It certainly was not heard upon the stump in Colorado, nor did it find expression in any of the many Democratic journals of that State over the period mentioned.

I could, Mr. Chairman, bring myself to a more patient pass should I have heard anyone upon this floor undertake to demonstrate that the consumer would obtain a benefit from the passage of the wool provision in this bill. And here let me say that the duty on raw wool has never been a feature in regulating the price paid by the consumer for woolen clothing, because the amount of wool that enters into a suit of all-wool clothing is so small as to be of no consideration when compared to the enormous profits of the middleman. The average suit of clothes requires 3¾ yards of cloth weighing from 10 to 14 ounces per yard. A 12-ounce cloth, then, if made of all wool, would require approximately 8 pounds of average American wool as it comes from the sheep. This wool is now selling at 16 cents a pound; therefore the woolgrower is receiving less than $1.30 for furnishing all the wool that goes to make a suit of clothes. If you figure out the price he is receiving for the wool, namely, 16 cents per pound, and what it has cost him to produce it, he is losing in the furnishing of that 8 pounds of average American wool from 25 to 40 cents per suit; in other words, even under the present law he is making a present to every person purchasing a suit of clothes of from 25 to 40 cents out of his labor and capital. And Heaven only knows what his loss would be measured by the present bill.

I will deflect for a time to the consideration of the objection to the ad valorem mode of fixing the duty as against the specific duty. Ad valorem duties are unfair to the grower of wool, as well as the users of woolen clothing, and offer most protection at a time when least is needed and the least protection when most is needed. For example, on a 20 per cent ad valorem basis—that being the basis of this bill—when wool is 20 cents per pound in London the duty would be 4 cents per pound; when wool is 10 cents per pound in London—when we most need protection—the duty would be 2 cents per pound. Ad valorem duties always lead to undervaluation and put a premium on dishonesty and tend to drive honest importers out of the business.

Wool is a commodity possessed of many variations. It is imported from nearly every nation on the globe, including many that are but partly civilized. It is bought in different manners—some direct from the grower, some through commission men, and some at the market places. Considering the wide variation in quality, the great number of nations from which it is imported, and the different methods of purchasing it, it is perfectly absurd to assume that any customs official should place any different valuation upon imported wool other than that given by the importer.

It is asserted that our customs officials could ascertain the value at which a shipment of wool was sold in the foreign market. This in some instances may be true, but, as I have said, much of our wool is not bought at public auction, and that which is bought at such sales could easily, on account of the insignificant charge for water transportation, be reshipped from the point of purchase to some other port and thence rebilled for shipment to the United States, thus most effectually defeating any effort to determine the point of origin of the consignment.

The value of wool rests largely upon the amount that it may shrink when scoured, and the only way our customs officials could even hope to arrive at an estimate of the foreign value of the consignment of wool would be to scour samples of it and obtain its value in that manner. This law, however, does not permit such a procedure.

Most honest importers are opposed to the ad valorem basis, for on such a basis they must either adopt the tactics of the most dishonest importer or be driven from business by unfair competition.

In all fairness I may ask how our customs officials could determine the foreign value of a shipment of wool purchased direct from the grower, or through some commission firm, in Egypt, Peru, or Russia.

The ad valorem duties are unfair to the consumer of woolen clothing, for under their operation only the lower grades or cheaper wools will be imported. It is only natural to assume that if the duty on a good wool, costing 20 cents per pound, is 4 cents, and a poorer wool costing 10 cents per pound could be imported for 2 cents, it naturally follows that the importer will select the poorer wool in order to effect a saving in duties. This practically would rob our producers and consumers by loading the country up with inferior wools.

The operation of ad valorem duties may be fairly estimated from the result of the tariff upon carpet wools during the past year. The present duty on carpet wools provides that wools valued at 12 cents per pound or less shall be admitted for 4 cents duty; if valued at over 12 cents per pound, the duty is 7 cents per pound. This, in effect, is an ad valorem duty. Last year's custom reports show that out of 115,000,000 pounds of carpet wool imported over 70 per cent came in valued at less than 12 cents per pound and paid the duty of 4 cents per pound, and less than 30 per cent was valued at over 12 cents per pound and paid the duty of 7 cents per pound. This occurred at a time when carpet wools were extremely high abroad, and when many well-informed people estimate that over 90 per cent of them probably cost in excess of 12 cents per pound and should have paid the 7-cent duty. The gross frauds apparently practiced in these carpet wools convinced many that this ad valorem

duty should be abolished and a flat specific duty given to all carpet wools.

It is a common argument of those who seek the destruction of the sheep industry that that has nothing to do with the maintenance of the industry. Every statistic available as to our sheep industry refutes this argument. By examining the report of the Secretary of Agriculture, we find that in 1897, following free trade in wool, the number of sheep in the United States was 36,819,000, valued at $1.82 per head, or a total value of $67,021,000. In the year 1910 the same report shows 57,216,000 sheep, valued at $4.08 per head, with a total value of $233,664,000. Thus showing an increase of sheep, after 14 years of protection, of approximately 50 per cent and an increase in value of 248 per cent.

In addition to this enormous increase we must recall the fact that in 1897 we were normally consuming about 8,000,000 muttons per year, while in the year 1910 it is estimated we consumed between 15,000,000 and 16,000,000 muttons. Had the consupmtion of mutton not increased and had wool production been very profitable during the past 14 years, it is safe to assume that to-day our wool production would fully equal home demands.

Again, in determining the number of our sheep, we must not lose sight of the fact that the national forests during the past five years have been a factor in somewhat decreasing their numbers by the withdrawing of grazing privileges.

The woolgrowers have not, for many years, received the full protection the law specifies and which it intended they should receive.

When the Morrill law was first passed, in 1867, the duty that it gave to the sheepman upon wool was based upon the fact that foreign wool and domestic wool shrunk about the same amount during the process of scouring, or approximately 66⅔ per cent. In other words, it required 3 pounds of grease wool, either foreign or domestic, to produce 1 pound of scoured wool. Foreign and domestic wools at that time did shrink from 60 to 75 per cent, and therefore the protection given the grower against a pound of foreign wool was equal to the protection indicated in the law. The importer of wool soon saw that under this arrangement he was paying a duty on dirt and grease, and forthwith set about to obtain foreign wools of lighter shrinkage, in order that he might get more scoured wool for the same amount of duty. Foreign growers being anxious to meet the American demand, began the production of light-shrinking wool through care in their sorting and preparation for our markets.

The wools were sorted and those of light shrinkage packed separately for the American markets. The cross-bred wools were substituted for the fine merino, and all wools were partially willowed before being packed. These efforts on the part of the foreign grower soon resulted in a material reduction in the shrinkage of foreign wools, and the climax was reached when the skirting clause was added to Schedule K. This clause permitted the foreign grower to skirt—that is, remove the necks, legs, bellies, tags, or locks from every fleece of wool and permitted the importation of the light-shrinking remainder of the fleece, without additional duty. It must be apparent to all that the removal of these parts of the fleece removed the part containing the greatest shrink, and is an injustice to the American grower, who must sell his fleeces intact. The skirts removed from foreign fleeces are not imported and are used by foreign manufacturers. The skirting process has gone on until to-day practically all of the class 1 wools imported into the United States are skirted wools.

In this process of evolution wools which shrank from 60 to 75 per cent as imported in 1867 shrink from 26 to 52 per cent as now imported. Of course, this assertion means that a cross-bred wool has been substituted for a merino and that the merino itself has been materially reduced in shrinkage.

American wools average 61 per cent in shrink, and the wools of Montana, Wyoming, Idaho, Washington, Oregon, Nevada, Utah, Colorado, Texas, Kansas, California, Arizona, and New Mexico shrink on an average of from 63 to 69 per cent. Therefore these heavy-shrinking wools have been displaced by imported wools shrinking on an average of but little more than half of what our wools shrink, and as a result our growers have but little more than half of the protection the law intended them to have.

We imported in 1909 about 20,000,000 pounds of class 1 wool from New Zealand. These wools shrunk when scoured from 26 to 38 per cent, averaging about 32 to 34 per cent shrink.

We imported from South America over 57,000,000 pounds of class 1 wool, shrinking from 30 to 39 per cent and averaging about 34 per cent.

We imported from Australia 60,000,000 pounds of class 1 wool, shrinking from 38 to 54 per cent, with very little shrink as high as 50 per cent.

All of these wools were skirted and paid a duty on the grease pound of 11 cents. Since the New Zealand wools averaged about 34 per cent in shrink, the importer paid in duty 17 cents to obtain sufficient wool to make 1 pound of scoured wool.

The average shrink of the wools from South America was 34 per cent. Therefore, the importer paid in duty about 17 cents to obtain 1 pound of scoured wool.

The duty paid to obtain a pound of Australian scoured wool was a trifle higher, but I am informed does not exceed 22 cents.

On all of the above wools the law says the duty on a pound of scoured wool shall be 33 cents, yet, as I have shown, in reality about half of this is collected on sufficient wool in the grease to produce 1 pound of scoured wool.

You will readily understand that if 3 pounds of our western wool are required to make 1 pound of scoured wool, and if sufficient foreign wool to make 1 pound of scoured wool can be imported for, say, 18 cents in duty, the actual protection our growers receive against foreign wool would be one-third of 18 cents, or 6 cents per pound. We are charged with getting 11 cents protection on class 1 wool, when in reality we have but little more than half of this amount, and in every argument made against the tariff on raw wool they have calculated the increased cost of clothing to the consumer by reason of this tariff, upon the assumption that the growers received the full protection the law intended to give.

Now, when we consider class 2 wools, the situation is just as bad. These are the wools taken from the mutton sheep, such as should be extensively raised throughout all portions of this Nation and a sheep which we can raise as good, if not better, than any other portion of the world. These sheep are largely English breeds of sheep, some of which produce what is known as the luster wools, and I am told by manufacturers and by cloth importers that the United States can and does produce the best luster wool raised in the world. Now it has been asserted that we do not raise these class 2 wools. This is a falsehood, and I want to say that the sheep breeders of this Nation are prepared to produce all the class 2 wool that this country can ever consume any time they are given a modest degree of protection which would permit its production.

The law says the duty on 1 pound of wool of class 2, either washed or unwashed, is 12 cents per pound. We imported last year 31,000,000 pounds of this class of wool, shrinking from 16 to 26 per cent, and averaging not to exceed 20 per cent. Therefore the importer obtained enough of this class of wool in the grease to make 1 pound of scoured wool for 15 cents in duty. The shrink of this class of wool is a matter of record and was testified to before the House Ways and Means Committee two years ago, and is fully established. If there be those who doubt the accuracy of these figures as to shrinkage of foreign wools, I would refer them to page 20 of the "Wool Year Book," a standard publication of the wool industry of England, published by the Technical College, Bradford, England, and to the further fact that these statements have been made by men who know the wool industry.

No one denies that our importers handle only the lightest shrinking wool, on account of the reduction in duty. In the foreign markets the term "suitable for American trade" always means light shrinkage.

In referring further to the actual protection received by our growers, it has been repeatedly charged and never successfully denied that carpet wools imported at 4 or 7 cents per pound are used to a considerable extent in the manufacture of clothing. The extent to which these wools are used for this purpose can not be accurately ascertained and can only be estimated from the fact that carpet wools are advertised for "better than carpet purposes," and by the further fact that one most frequently sees upon the streets and in the stores suits of clothing made from carpet wool. The use of these wools for clothing purposes is admitted by the manufacturers of carpets in their brief submitted to the Ways and Means Committee. Every pound of carpet wool used for clothing purposes displaces a pound of American-grown wool and defrauds our woolgrowers out of the protection the law intended to give them.

The shrinkage of foreign-grown wools has grown less year by year, and will continue to grow less as time goes on. Just as this shrinkage decreases, the actual protection afforded to our growers also decreases.

It must be conceded by all that the cost of producing wool in this country is far greater than it was when the Morrill law was first passed. In fact the cost is gradually increasing each year and is now 50 per cent greater than it was just a few years ago. During all this time that the cost of producing American wool has been increasing, the actual protection that our growers receive from the tariff against foreign wool has been decreasing, due to the decreasing shrink of imported wools, and the wonder is, not that we do not pro-

duce all the wool consumed in this country, but that we do produce as much as we do.

It has been stated that this bill, at 20 per cent ad valorem, gives the grower a protection of 5 cents per pound, but in view of the light shrinkage of imported wools, an evil which is not corrected by this bill, the actual protection that it would afford our growers against imported wool would be from 2 to 3 cents per pound, not taking into account the fraud that would be practiced by undervaluations. Figuring 3 pounds of our Western wool to make 1 pound of scoured wool, our protection per pound under this bill would be approximately 2.9 cents, if undervaluation was not practiced. This is but little more than sufficient to equalize the difference in the cost of transporting wool from foreign countries to Boston and from our Western States to Boston. The Western woolgrower pays from $1.75 to $2.50 per hundred pounds for freight on his wool in the grease to Boston, Philadelphia, or New York, the points to which our wool must be shipped. Wool can be laid down in Boston or New York from South America at less than one-half cent per pound in the grease. And everyone knows that wool is produced in the great producing countries of the world for less than one-half the cost of production in the United States.

The cost of producing wool in the United States is a matter of record and will be found fully itemized in the hearings before the Senate Finance Committee in the brief presented for the National Woolgrowers' Association by Messrs. Hagenbarth, Stericker, and Knollin.

The amount of money paid to labor by our woolgrowers ranges from 75 cents to $1.25 per head, amounting in the aggregate to $60,000,000 per year. The number of laborers engaged in caring for our sheep is over 150,000, and this figure does not include those engaged in other lines of industry dependent upon the sheep industry for its existence. The census shows about 756,474 individual woolgrowers in the United States.

Our Nation has built up a sheep industry which supplies our people with 330,000,000 pounds of the best wool in the world. American wool is superior to imported wool and outwears it, grade for grade, to a considerable degree. It is stronger, works better, wears better, and is better than imported wool. Our Government recognizes this fact, and in all contracts which it lets for woolen clothing for our Army and Navy specifies that only American-grown wool can be used in their manufacture. As tending to show the quality of foreign wools that are largely imported into this country, and upon which our people would have to depend for their clothing if our sheep industry is struck down, I submit the following statements from the Wool Yearbook previously referred to. This book gives the quality and uses of foreign wool and ours:

South American wools: Used as cheap material for blending or medium-quality dress goods. The weakness found in these wools are in strength and uniformity, this being somewhat marked.

African wools: These wools are slightly inferior in strength and are indifferent as to felting quality. Used as cheap material for blending or for medium-quality dress goods.

American wools: Used for the best grade for American trade.

It has been asserted that the sheep industry was limited in scope, but this is misrepresentation. The sheep industry obtains in practically every State in the Union, and it is an industry that should be maintained upon every American farm.

It is believed by some that the wool men make an immense profit from the production of mutton; but, unfortunately, mutton production has not been profitable. The report of the Department of Agriculture shows that the average price paid the woolgrower for 100 pounds of mutton in Chicago during the past six years is $5.13. This certainly is a reasonable price, and its production at this price has lost millions of dollars to the American sheep breeders. If the consumer has paid more than this for his mutton, the woolgrower did not get the difference and can not be blamed for the cost of meat at retail.

If we slaughter in this country annually 15,000,000 mutton, they will average, dressed, approximately 50 pounds each. Therefore the sheep industry furnishes our people with 750,000,000 pounds of meat per year. A reduction in the tariff on wool in the past, when the cost of production was low, has always meant a serious reduction in the number of sheep. A reduction in the duty now, when cost of production is high, means the destruction of the sheep industry and the removal of this annual meat supply of 750,000,000 pounds. This can not help but be reflected in the upward price of other meats. It is, therefore, of vital interest to the average citizen that we maintain our sheep industry in order that our people may have access to an increasing supply of meats. Mutton is recognized as a most desirable food on account of the fact that it is nutritious, low in price, and not bulky in volume, and to the further fact that sheep suffer from no contagious disease communicable to man. The reports of the United States Bureau of Animal Industry indicate that less than one-tenth of 1 per cent of the sheep inspected by its employees are condemned, something that can not be said for other meat foods.

A strenuous effort is made to demonstrate that the lowering of the duties on imported wool will not reduce the production in this country. On the other hand, those who oppose the reduction provided in the bill say that it necessarily will curtail the home production, and the arguments in support of the one or the other position center around the conditions prevailing just before, during, and just after the period when the Wilson tariff law of 1894 was enacted.

It would seem that it would be entirely unnecessary to go to that period or any other to solve the question, for the reason that it seems to me it goes without saying that since the imports and the local production combined are sufficient as a supply for home consumption that the importation of one pound more would necessarily tend to curtail the local or home production, for we must assume that it would lower the price, the doing of which would curtail the production. This must be true unless the price will rise out of proportion to the increased supply.

However, let us briefly examine the history of the wool business over the period of time mentioned.

The bill went into effect in 1895. Our production was 309,748,000. In 1896 it fell to 274,708,000 pounds; in 1897, the last year of the law, it fell to 259,153,251 pounds, a decrease of 50,594,749. The production since has constantly grown. In 1910 it was 281,363,000, showing an increase of 26 per cent.

Now, look at the imports. In addition to the imports of wool, we imported in three and one-half years under the Wilson bill 76,736,522 pounds of waste noils, rags, and shoddy. This reduced to its wool equivalent amounts to 230,209,566 pounds; in other words, it displaced that amount of our wool in the grease. Adding the above imports of shoddy, the wool imports, the total import of wool for the Wilson bill was 1,018,005,522. Compare this with the imports of shoddy, and so forth, during the three years beginning with 1898, which amounted to only 1,250,377 pounds, or an equivalent of our wool in the grease of 3,751,131 pounds. Add to this the imports of wool from 1898 to 1900, which amounted to 365,459,000, giving us a total import of only 369,210,000 pounds of wool and its equivalent in shoddy, showing an excess of importation under the Wilson bill of shoddy of 226,458,435 pounds, and an increase of wool imports of 422,337,000 pounds, or an increase in wool, shoddy, and so forth, during the period of the Wilson bill of 648,795,491 pounds.

Now, in the face of these figures, where is the man who has the assurance to say that the Wilson bill had no effect upon the importation of wool, the kind of clothing, and so forth, and by the same token can he say that the American woolgrower will not be injured by the enactment into law of the present bill?

Besides there was carried over from 1895, 194,724,651 pounds; from 1896, 393,986,523 pounds; from 1897, 794,484,726 pounds; from 1898, 761,515,011 pounds; from 1899, 589,891,246 pounds; from 1900, 494,073,762 pounds; from 1901, 396,818,135 pounds; from 1902, 314,760,961 pounds; from 1903, 286,097,713 pounds; from 1904, 283,622,700 pounds; from 1905, 253,524,107 pounds; from 1906, 180,299,002 pounds; from 1907, 158,115,586 pounds; from 1908, 228,515,586 pounds.

Now, this is over and above consumption and export. It demonstrates beyond question that during these 13 years the importer and speculator had a firm grip upon the wool business. With this large surplus on hand, from time to time he was enabled to manipulate the market against the stock grower as well as the manufacturer, and since 1908 there has been carried over not so much, but many million pounds. On the day this bill was introduced I wired to the customs officers in New York, Boston, and Philadelphia and ascertained that there was in bond in warehouses imported wool equivalent to one-fifth of our production for the year of 1910. And if there be added to this our surplus held by speculators, there is every reason to believe the entire amount will be somewhere in the neighborhood of the other figures I have given.

Now, you propose by this bill to exactly double the power of the speculator and importer to manipulate the market and drive down the price of the home sheep grower's wool by cutting the duties the importer did pay in half, thus enabling him to rob the Government of more than the $7,000,000, that being the amount of revenue we give up under the bill. You see that he was not only willing to pay the duties under the present law, but to import more than was needed for consumption; so, as a revenue measure, the bill must prove worse than a failure.

It is known that sheep will eat and destroy over 300 different varieties of weeds. Before I was pressed into the service of the Government for years they were the only lawn mower I had on my place. They are the only positive exterminators of the dandelion. Extracts from many of the glands of the ani-

mal are now recognized by the medical profession as being absolutely necessary for the nourishment of the ill and staying the hand of death, and especially is it valuable as a remedy for that aggravating and persistent affection—asthma.

It has grown to be a custom to refer to our venerable Secretary of Agriculture, Mr. Wilson, as an authority upon all subjects pertaining to stock growing. I wish to read you what he says about sheep and the sheep industry of this country, and I especially commend it to my fellows on this side who speak so hopefully of the extermination of sheep:

SECRETARY WILSON'S LETTER.

I regret very much that it is impossible for me to accept your kind invitation and attend the annual meeting of your association. It gives me pleasure, however, to send representatives of the Department of Agriculture and to write this message to the convention.

I look upon the development of the sheep industry as a positive necessity for the agriculture of the country, and it should be encouraged all along the line.

Owing to the increase in the price of beef, the increase in the number of people in the cities who live in apartments, and the apparent decrease in the size of families in the cities, housekeepers have found it to their advantage to purchase cuts of meat which are low in price, comparatively small in bulk, and which are used up before they are kept any length of time in a refrigerator. These facts have caused the great extension of the use of mutton by the American people, and a great deal of the prejudice that formerly existed toward this meat has been swept away. The development of the use of mutton in the country has revolutionized the sheep business. The farmer in the East finds that he can make sheep profitable by growing them for sale as meat-producing animals, with the wool as an incidental item of revenue. The ranchman of the West finds that he can add very much to the income from his sheep by paying more attention to the mutton form of his animals.

In the solution of the problem how to feed and clothe our rapidly growing population from our own resources, the sheep will receive increased attention as time goes on, for the reason that sheep lend themselves perhaps more readily than any other animal to the development of agriculture. On almost every farm there could and should be a flock of sheep. In the thickly settled sections of the East, where the raising of beef cattle is becoming more and more difficult, sheep will thrive with a profit. The weeds of the roadside and the fence rows, the stubble field after the grain is harvested, and even the lawn can be turned into a profit if sheep are allowed access to them. There are millions of acres east of the Mississippi; I might say east of the Alleghenies and south as well as north of the Ohio River, that should maintain sheep. New England, which was formerly the center of the sheep-breeding industry, could produce annually many thousand of sheep at a minimum cost.

Somehow the American farmer has not appreciated the full value of the sheep as a meat producer and a renovator of the soil. The spring lamb that comes on the market during the summer is the one kind of meat that has been produced without feeding grain, and that is a mighty reason for the increase of the sheep industry.

The department has three flocks of sheep with which it is studying the industry—one in Vermont, one at the experiment station of the Bureau of Animal Industry near Washington, and one in Wyoming. In the work in Vermont we are endeavoring to encourage the New England people to get back into sheep raising. The sheep near Washington are being used in breeding experiments of various kinds and those in Wyoming in a breeding experiment to study the possibility of improving the type of sheep used on the range. In the Wyoming work the sheep have been selected for mutton form and high wool production, merino stock (principally Rambouillet) being used. The work has not yet gone far enough for us to make exhibitions of these sheep, and on this account we have been compelled to decline many cordial invitations to show them. Furthermore, we have not yet been in a position to make a thorough study of the wool which is being produced. I regard it as of the highest importance that scientific investigations be made of the effects of soil, climate, breeding, and feeding on wool. This will be done with the Wyoming flock. Some persons seem to think that American wool is deficient in quality. If this is true, the Department of Agriculture should ascertain the reasons and show sheepmen how they may breed and handle their sheep to produce wool of the highest quality.

It has been estimated that one sheep would add to the fertility of the soil $2 worth to every acre of agricultural land in the United States. For fear you will fall in your seats with a paralytic stroke, I will not here give you the number of millions of dollars that would add to our national wealth, but will leave you to figure this out for yourselves when you have left this stifling Hall, with its condensed heat, and have secured a comfortable seat before the friendly breeze of an electric fan. [Laughter.]

Besides that, it is known that the sheep industry has ever been a respectable calling since the days of Abraham, that old patriarch and flockmaster, so willing to sacrifice his son Isaac as a burnt offering instead of a ram, until prevailed upon by the Lord to choose the latter.

Going back further than that, we find that wool knocked the fig leaf out of business.

During the course of my colloquy with the gentleman from Massachusetts [Mr. PETERS], I tried to obtain from him some idea as to what we were going to use as a substitute for wool when he undertook to show that the growing of sheep was fast approaching an end. He drove the diminishing number from Vermont through the continent, over the trackless wastes, westward, owing, as he said, to the price of lands, and so forth, and was proceeding to drive them from my State over the snowy mountain tops, then with lolling tongues through the deserts beyond, seeking always for pastures new and green, until finally I had him driving them into the Pacific Ocean, feeding on crabs. [Laughter.] But neither he nor any other Member of whom I sought information concerning what the world was going to do for clothing when the sheep disappeared could afford me the slightest information. I do not share with them their prejudice against woolen clothing, nor yet their affection for the fig leaf. [Laughter.]

No, Mr. Chairman, there will at most be but a temporary cessation in this country of the production of sheep. Phoenix-like it will rise again as it has in times past, resisting the assaults of its enemies and manipulators and pursuing its invincible course, for it is as absolutely indestructible as an industry as it is imperishable and a necessity. But for the industrious and irrepressible ragpicker it would now be selling at at least a dollar a pound. Likely the suit of clothes you now wear contains the wool that was clipped from the back of a sheep three or four hundred years ago, for like gold it ever retains its intrinsic worth and its evolutions are practically limitless.

Many of you doubtless have in your households treasured antiques a thousand years old. There are prayer rugs known to be over 4,000 years old, the wool in which might have been clipped by Abraham, and as they are rare, there are many imitations of them. I bespeak for you, my friends, in the hour, yea hours, of your atonement for the sin you will commit in the passage of this bill the peculiar appropriateness of a prayer rug woven from the fleece of the American sheep; that your hands may be raised alike in supplication for pardon and benediction of the home-grown product which makes so much for American greatness. From the cradle to the grave, from the clipper's hand to the tailor's shears its fruitful coat of down has ever thrown its benign protection around young and old. The babe in arms, the rugged mountaineer, the aged and infirm alike are secure within its ample folds, and the best that is within us should be devoted to its safety and not its sacrifice.

No, Mr. Chairman, nor will the sheepmen be entirely exterminated, though what you have done and are now contemplating will put millions upon millions of dollars into the pockets of wool speculators, importers, and commission men, and will bankrupt 80 per cent of the men whose principal business is sheep raising. They may become tramps for a while, but there is time enough between now and the November election of 1912 for them to find a temporary lodgment long enough to qualify themselves as voters. Nor is the time too short between now and then for the consumer of woolen goods to find out that he has been buncoed, just as he was when promised by the Sixty-first Congress lower prices for leather goods in exchange for the duty upon hides. And unless I miss my guess those bankrupt and disappointed people will not cast their votes at that election for anyone who is not able to convince them that the passage of the measure will redound to their benefit.

A Democratic speech would be incomplete without referring to some sayings and doings of Jefferson, who was not only the "Father of Democracy," but the Abraham of our country. When the soil on his land began wearing out under the intense farming of grain, he said:

The first step toward the recovering of our land is to find substitutes for grain and bacon. I count on potatoes, clover, and sheep—the two former to feed every animal on the farm except my negroes, and the latter to feed them, diversified with rations of salt fish and molasses, both of them wholesome, agreeable, and cheap articles of food.

Capt. Edmund Bacon, who was for 20 years the overseer and business man of Jefferson's plantation at Monticello, says:

Mr. Jefferson was very fond of all kinds of good stock. The first full-blooded merino sheep in all that country was imported by Mr. Jefferson for himself and Mr. Madison while he was President. When I got home I put a notice in the paper at Charlottesville that persons who wished to improve their stock could send us two ewes, and we would keep them until the lambs were old enough to wean, and then give the owners the choice of the lambs and they leave the other lamb and both of the ewes.

We got the greatest lot of sheep, more than we wanted; two or three hundred, I think; and in a few years we had an immense flock. People came a long distance to buy our full-blooded sheep. At first we sold them for $50, but they soon fell to thirty and twenty, and before I left Mr. Jefferson merino sheep were so numerous that they sold about as cheap as the common ones. Some years afterwards he imported sheep from Barbary, I think, four large broad-tailed sheep. I have forgotten their names. He sent these from Washington in his own wagon, which had gone there with a load from Monticello. These sheep made very fine mutton, but they were not so popular—did not disseminate and ran out in a few years.

Mr. Jefferson, by this reference, can not by any source of reasoning be regarded as a free trader.

I want to say another word to my Democratic friends and call their attention to the Democratic platform of 1908 on this subject:

We favor immediate revision of the tariff by the reduction of import duties. Articles entering into competition with trust-controlled products should be placed upon the free list, and material reductions shall be made in the tariff upon the necessaries of life, especially upon articles competing with such American manufactures as are sold abroad more cheaply than at home, and graduated reductions should be made in such other schedules as may be necessary to restore the tariff to a revenue basis.

Reading between the lines, it follows you have not observed its direction by the taking of the duty off what you term "trust-made goods," but you have gone beyond this direction of reducing duties when applied to the wool features of this bill, for I have sufficiently demonstrated the reduction is but in name, avowedly only for the purpose of revenue, and means the destruction of the wool industry, and that was never contemplated by that convention, and much less by any other declaration of the party.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RUCKER of Colorado. I would like five minutes more.

Mr. HUGHES of New Jersey. I call the gentleman's attention to the fact that it is now 25 minutes of 12 o'clock, but I yield five minutes to the gentleman.

Mr. RUCKER of Colorado. I will endeavor to finish in that time.

Calmly, if you can, consider the situation of the woolgrower. We see him beset with every difficulty arising from the higher cost of wages, the increased value of lands, depleted pastures incident to droughts, yearly destruction of his flocks by the storm king, the increased rate of interest owing to his hazardous business, compelling him to sell his clip often before it leaves the sheep's back—the ever-ready victim of the speculator, the shuttlecock of tariff legislation—compelled to compete with the hatless and breechclouted bushman of Australia. And if placed in the position of the wildcat, prone on his back, surrounded by a pack of snarling, snapping hounds, is it passing strange that he should be less like the wildcat in not being over-punctilious as to whether he would use his teeth or his claws in defense? [Applause on the Republican side.]

In conclusion, Mr. Chairman, let me recommend, in all seriousness, the cultivation of a more intimate acquaintanceship on the part of legislators with the American sheep, in whose behalf I speak to-day, and a more thorough realization of what is due it both from a commercial and a sentimental standpoint.

From the commercial viewpoint it represents one of our very greatest and most far-reaching industries, involving, as I have already said, the investment of immense capital, careful and skillful business methods, and invoking the most intelligent operation of its affairs.

Its perennial yield furnishes the means of livelihood to thousands upon thousands of our countrymen in all of its ramifications, from the shears of the clipper to the shears of the tailor, and in the inherent durability of its weave it is a never-ceasing source of comfort from the cradle to the grave.

Gentlemen, you who would pass this measure, with what degree of assurance will you return to your homes, witness the gamboling of the golden hoofs—yes, and golden possibilities—upon the hillside, and greet your farmer constituents, in view of the devastation you have wrought them in this pernicious enactment?

Mr. Chairman, the wool feature of this bill is incomplete, inadequate, inequitable, and iniquitous. At the risk of repetition, I reaffirm that it is unfair in its provisions and seemingly recklessly inconsiderate of the interests of that foundation of our national fabric—the American farmer.

Mr. Chairman, if one can view with equanimity the situation of this forlorn flock master, I believe he could have witnessed without emotion the pressing of the crown of thorns upon the head of the Nazarene, the stretching of His body on the cross, the driving of each nail through His limbs, the dipping of the soldier's sponge into a tankard of vinegar mingled with gall, and the putting of it to His parched and quivering lips, and, following His last cry of agony, see deliberately scrawled above His head the words, "This is Jesus, the King of the Jews." [Applause.]

Mr. HUGHES of New Jersey. Mr. Chairman, I yield to the gentleman from Colorado [Mr. TAYLOR]. [Applause.]

[Mr. TAYLOR of Colorado addressed the committee. See Appendix.]

Mr. HUGHES of New Jersey. Mr. Chairman, I yield 30 minutes to the gentleman from Illinois [Mr. FOWLER]. [Applause.]

Mr. FOWLER. Mr. Chairman and gentlemen of the committee, you do me great honor to permit me to close the debate on this important measure, but as the hour is fast approaching the midnight meridian and as this beautiful Hall is gradually becoming depleted, it would be cruel to tax the patience of those who are here with a long drawn-out speech, going into details. [Applause on the Democratic side.] I will, therefore, content myself by noticing the salient points of objections made by the opponents of this bill. Were I not a new Member, standing in need of experience in debate, and were it not a fact that no one can become useful in this life without taking an active part in the business in which he is engaged, I would not pretend to discuss this question at this late hour.

Mr. Chairman, everybody knows to-day that a tariff is a tax and everybody knows that wherever a tariff is placed upon an article of consumption it gives a chance to increase the price of that article to the consumer in proportion to the amount of the tariff, especially in those cases where there is no competition. For this reason I have never been a believer in high taxation of any kind, but owing to the inequality in the distribution of wealth among men I have always advocated the idea that the larger burdens of taxation ought to be placed upon those who are most able to bear them and the lighter burden should be placed upon those who are least able to bear them, taxing the luxuries most heavily and placing a correspondingly low rate upon the necessaries of life.

There are two great struggling forces among men to-day. One is the capital, controlled by the few, and the other is that great active industrial army of labor, the basis of all productive wealth. I would have no one believe that I entertain ulterior designs against honest capital. He who thinks that a great civilization can be built up without capital makes a mistake, the same as he who thinks a great civilization can be built up without labor. They are counterparts of a great busy commercial world, and must work in harmony in order to produce the greatest results; but the one should be just as honest as the other, and in the adjustment of tariff taxation the one should not be preferred at the expense of the other.

Yet it is a significant fact that for the last 50 years those who have been in control of capital have become immensely rich and those who have been controlling labor have remained poor. There may be more than one cause for this, but everybody knows that the chief cause is the advantage afforded by a high protected tariff, which tends to destroy foreign competition, and with foreign competition out of the way the home industries have pooled their interests and destroyed home competition, thereby giving them an opportunity to prey upon the daily earnings of the masses at their pleasure.

After the fall of the Roman Empire history tells us that the barbarians overran the civilized world and that that portion of land lying along the Mediterranean Sea and the Straits of Gibraltar to the Atlantic Ocean fell into the hands of the Moors. At the ocean end of these straits there is a rocky promontory, called the Pillar of Hercules. At a point on this promontory, called Tarifa, we are told that these Moorish robbers took their stand and collected a toll from every vessel which passed through the Straits of Gibraltar. This toll was called a tariff, which found its way into the civilized world; but the application of this term by our forefathers was never intended to aid anyone in the commission of crime, but, instead thereof, it was intended by them to assist the Government in raising revenue to defray the expenses of the General Government.

Mr. Chairman, when we examine the present wool schedule as it stands to-day under the Payne law, and as it has stood under other acts ever since the year 1864, except the Wilson law, and when we listen to the arguments of certain gentlemen on the floor of this House, offering one excuse after another for the purpose of preventing a change in these high rates of duty, we are forced to conclude that there are now and have been for a long time in America strong advocates of the doctrine of the Moorish barbarians, whose methods were indefensible—robbery by brutal force. Who will say that the present rates on the finished product of wool, averaging nearly 100 per cent, is not robbery? The President of the United States has said more than once that it is indefensible. Who will deny that proposition?

The Sherman antitrust law was intended to protect the consumer from the ravages of high taxation, but the tariff barons have recklessly disregarded its provisions, and until recently the Federal courts have been very slow to enforce it, thereby encouraging unlawful combinations of capital in restraint of trade, until to-day we find a few criminal combines controlling capital stock aggregating nearly $40,000,000,000. How can we best relieve ourselves from these threatening conditions is the great question before the American people to-day. By the enforcement of the antitrust law we can break up unlawful combinations of capital and thereby stimulate competition. We can reduce the tariff taxation, which will aid competition and save to the people vast future fortunes which would otherwise be piled up in the hands of the already rich few. What Congressman will shun his duty to the people in this great contest? Who will stand upon the floor of this Chamber and declare himself a disciple of the Moorish pirates?

Mr. Chairman, the bill before us proposes to reduce the tariff on wool from a duty of 44.31 per cent to 20 per cent. It further proposes to reduce the tariff on the finished product of wool from an average of 90.10 per cent to 42.55 per cent. I am aware that it is not good policy to make radical changes, ordinarily speaking, but the present rate of duty on wool and woolen goods

is so unreasonably high that it takes a radical change to bring it down to a decent and common-sense basis. I think all honest statesmen now agree that the primary object of a tariff is to raise revenue to defray the expenses of government. In his report as Secretary of the Treasury in 1845, Robert J. Walker said:

No more money should be collected than is necessary for the wants of the Government, economically administered. That no duty be imposed on any article above the lowest rate which will yield the largest amount of revenue. That the maximum revenue should be imposed on luxuries. That the duty should be so imposed as to operate as equally as possible throughout the Union, discriminating neither for nor against any class or section.

That strikes me, Mr. Chairman, as being sound doctrine. I think the committee in framing this bill must have been guided by the light of these wholesome principles, for they have more than cut the present rates in two, and at the same time it has been estimated that the bill will raise nearly as much revenue as the present law. In 1910 the present law yielded a revenue from imports on raw wool in the sum of $21,128,728.74 and from imports on the finished products of wool the sum of $20,775,820.76, making a total of $41,908,549.50. Under the proposed law it is estimated that we will get a revenue from the imports on raw wool in the sum of $13,398,200 and from the imports on the finished product the sum of $27,158,000, making a total of $40,556,200.

The greatest fight made against the passage of this measure is waged against that part of the bill dealing with raw wool, yet it is true that a few gentlemen on the other side of the House, belonging to the reactionary school of the Republican Party, such men as PAYNE, of New York, and DALZELL, of Pennsylvania, have made a stubborn fight against the whole of the bill. They remind me of a story I once heard of a church, met in council for the purpose of settling the question relative to the building of a new church house. One of the gentlemen offered a resolution in favor of erecting a new building. The motion carried. Then another gentlemen, wanting to be economical, made a motion that in the construction of the new building the workmen should use the material in the old building in so far as it was fit for such use. This motion carried also, whereupon another gentleman, desiring to keep up the accustomed meetings for worship, made a motion that the church use the old building as a place of worship while the new building was under construction. The motion carried. [Laughter.]

The haunts of high protection, to enrich the few, are very sacred to these gentlemen. They love to worship within the old walls, decorated with the pictures of their masters, whom they have served so long and so well, and they refuse to surrender them without a desperate struggle. And now, Mr. Chairman, they come here and advance a most ingenious argument—the argument of procrastination—in order to prevent the passage of this bill. They claim that we should take no action in the revision of this schedule until the Tariff Commission has made its report, which, they admit, will not be until next winter. This claim is made in the face of the fact that this commission has been at work for 15 months, and, on request, furnished the Ways and Means Committee all the facts in their possession, to be used in the construction of this bill. This is the burden of the speech of the distinguished gentleman [Mr. MANN], my colleague from Illinois, who opened the argument on his side of this Chamber for the discussion of this bill. He has been followed by every standpatter who has taken a part in this debate.

Mr. Chairman, this is the argument advanced by the criminal when indicted for a felony. If it were left to him, he never would be tried. The first thing he does is to enter court with an application for a continuance in order that he may be permitted to hunt up new evidence. It is a trick to deceive the people and should be tolerated by no one who is in favor of honest tariff reduction. [Applause on the Democratic side.]

There are other gentlemen on both sides of this House, I understand, who would be glad to see wool placed on the free list. It is claimed by some that the doctrine of free raw material is Democratic and for that reason we ought to admit raw wool free of duty into the United States. I do not so understand that the Democratic Party is committed to that doctrine. While it is true that Mr. Cleveland once advocated freer raw materials and his friends succeeded in having this sentiment incorporated in the Democratic platform in 1892, yet never before nor since has this idea found its way into a Democratic platform. Raw material is owned in the first instance by individuals and produced by individual labor—men who are at most only ordinary livers. It passes from their hands into the hands of the corporations for a finishing touch. Inasmuch as we have seen that a tariff tends to enhance the value of the article upon which it is placed, and inasmuch as the primary object of a tariff is for revenue, I can see no good reason why, in adjusting tariff rates, Congress should discriminate between raw material, which will yield a revenue, and the finished product, which will yield a revenue. I am aware that in this country we have men who preach a strange doctrine, a doctrine for the benefit of the classes as against the masses, but this doctrine can not be justified by the golden rule, "Do unto others as you would have them do unto you."

The poor man is just as much entitled to the benefit of a tariff which will enhance the price of his product as is the rich man. While a tariff can not be justified for protection alone, yet we all know that in the adjustment of a tariff for revenue it gives an incidental protection, and the poor man is just as much entitled to its benefits as the rich man.

The production of wool is one of the oldest industries known to man. It is coeval with civilization. Abraham was a herder of sheep. It was the shepherd on the mountain who first discovered the Star of Bethlehem, which pointed to the manger-cradle of our Savior. It was the shepherds who met in a distant land to determine how they might best preserve the life of that Savior child. Wool has always played a conspicuous part in furnishing raiment to mankind. He who can live in a cold climate without wool is an animal. [Applause on the Democratic side.]

Mr. Chairman, I want to say that hand in hand with the shepherd of old comes the farmer of to-day, and with the farm goes the flock. It is an incident to the farm throughout the Union and throughout the world. I do not subscribe to the doctrine urged here by some of my friends that sheep raising in America is gradually dying out. You had just as well say that farming is gradually dying out. There is no more reason for the one than for the other. Sheep will always be raised on the farm, because of its usefulness to the farmer, not only in furnishing him with food and raiment, but in destroying the annual shrubbery in old fields and for the further reason that its habits of repose is upon the highest and poorest points of the farm, furnishing a rich fertilizer, to be carried down the hillside by future rains as an alluvial deposit.

Mr. Chairman, it is urged with great force here that the present rate of 44.31 per cent duty on wool is not too high, and that if a reduction be made, it will destroy the sheep industry in this country. Now, I wish to repeat that the sheep is incidental to farming. You show me a territory where sheep raising is an industry to itself, and I will point you to a territory which is fit for nothing else except grazing. Yes; in the mountains of Wyoming, Idaho, New Mexico, and Arizona, where nothing else can be raised, we find great flocks of sheep, raised for the sole purpose of making money. With the advantage of the cheap, wild western lands and sheltered by the high protection on wool, many men have grown rich, and to-day we have wool kings the same as we have ironmasters. One gentleman began business in 1894 with a capital of $960. Prior to that he had been herding sheep for others, but now he embarks in the sheep-raising business for the purpose of making money. He paid $2 a head in 1894, which is shown by his answer in volume 5 of the Tariff Hearings, page 5113, which is as follows:

Mr. HILL (of the Ways and Means Committee). What did you give for your sheep apiece when you started into it and had your 2,500?
Mr. DELFELDER. $2 per head.
Mr. HILL. $2 apiece?
Mr. DELFELDER. Yes, sir.

Within 14 years he made out of this business $100,000, which is shown from his testimony before the Ways and Means Committee, in volume 5, page 5110:

Mr. CLARK. How much money did you have then and how much were you worth in property when you went into the sheep business in 1894?
Mr. DELFELDER. $960.
Mr. CLARK. How much are you worth now?
Mr. DELFELDER. That would depend entirely upon conditions.
Mr. CLARK. You are worth over $100,000, are you not?
Mr. DELFELDER. Yes, sir; I think that would be a safe estimate.

What is true of Mr. Delfelder is true of many other gentlemen who have made sheep raising a business in the western mountains.

It may be, Mr. Chairman, that if I had been drawing this bill I would have placed the rate on raw wool a little higher than 20 per cent. I prepared an amendment in our caucus to make it 25 per cent, but the gentleman from Colorado [Mr. MARTIN] took it away from me before I could get recognition. But after this bill had been reported out from the Ways and Means Committee I trembled at the thought of placing my judgment above that of gentlemen who have served here for many years, fighting to give the toiling millions relief from burdensome taxation which has been placed upon them, not by the votes of all the Republicans, but by the votes of standpatters. I do not desire to denounce any of my Republican friends in bitter terms, for I do not believe in radical partisan speeches; I love all mankind and would not say a word to wound the feelings of my Republican friends any sooner than that of my Democratic friends. I love them both alike, but when it comes to have a certain

school of men say to me that I shall pay a tribute to those who are already rich, a tribute so high that I can not pay it without depriving myself of the necessaries of life and subjecting my family to a beggarly living, then I come to the parting of ways with these gentlemen. [Applause on the Democratic side.]

Mr. BUCHANAN. Will the gentleman yield?

Mr. FOWLER. Yes; certainly.

Mr. BUCHANAN. I take it that when the gentleman believes in the high tariff on raw wool he believes in protection. Is that true?

Mr. FOWLER. I tried to make my position clear. Whenever a tariff is placed upon any article of consumption, it amounts to a protection in a sense, not, however, in the same sense that my standpat friends on the other side think of protection, but it amounts to an incidental protection.

Mr. BUCHANAN. If my friend will yield further I will say to him that a Democrat who is advocating a protective tariff reminds me of a bow-legged man, without any athletic experience, trying to walk a tight rope. [Laughter.]

Mr. FOWLER. Well, I know very well that I am weak enough to be bow-legged, but I am strong enough to stand by the right of the helpless in this country. [Applause on the Democratic side.] And I say, Mr. Chairman, that if a tariff placed upon an article of consumption amounts to incidental protection, I am just as much in favor of giving the producer the benefit of it as I am the man who makes the finished product.

Mr. BUCHANAN. Will the gentleman yield further?

Mr. FOWLER. In justice to the House at this late hour, I feel that I ought to decline. Mr. Chairman, the strongest argument offered in opposition to the 20 per cent on raw wool, as proposed by this bill, is that it is too low to foster the sheep industry in America. This is the Ohio idea. I desire to examine the argument of my Ohio friend. I listened to a speech of one of them [Mr. WILLIS] a few days ago with much interest. He is one of the best looking as well as one of the most intelligent gentlemen on that side of the House. I understand that he is a new Member, but I fear he will not grow much older in this House if he continues to advocate the doctrine which he preached in that speech, although I should like to see him come back for many years. [Applause and laughter.] This distinguished gentleman said that a 20 per cent tariff would not be sufficient to protect the woolgrowers of this country, and declared with much emphasis that the passage of this bill would destroy the sheep industry in Ohio. He cited figures to show how Ohio sheep raising had suffered under free wool during the life of the Wilson law. Then followed the speech of another distinguished gentleman from Ohio [Mr. LONGWORTH], who, in more bitter terms, denounced the 20 per cent rate on raw wool. He, too, cited tables showing a much more alarming condition in Ohio during the life of the Wilson law than those cited by Mr. WILLIS.

He declared upon high authority that Ohio had 4,000,000 head of sheep when the Wilson bill became a law, and that three years thereafter, on its repeal, Ohio had but little over a million sheep. He also declared that the sheep in Ohio were worth but 50 cents a head. Where on earth these gentlemen got these figures is a mystery to all of us. We all know that Ohio sheep are among the largest, as well as the highest-priced, sheep in this country. We have already seen that Mr. Delfelder paid $2 a head in 1894 for New Mexico sheep, which are much smaller and much more inferior than the Ohio sheep.

I hold in my hand Bulletin No. 64 of the Bureau of Statistics of the United States Department of Agriculture, which gives the number and value in gold of the sheep in Ohio from 1867 to 1910, inclusive. I am informed by the Department of Commerce and Labor that it is the most authentic table extant. I invite the attention of my Ohio friends to this table. It shows that in 1867 Ohio had 7,159,177 sheep; that in 1894, the year in which the Wilson tariff bill was passed, Ohio had 3,765,704 sheep. I wish you gentlemen would tell me what became of that three and one-half million of sheep during those 27 years of high protection. During the entire life of the Wilson bill you lost less than one and one-half million sheep. In 1869 you had 6,300,000 head, valued in gold at $7,898,230—a little over a dollar and a quarter a head. Under the worst year of the Wilson law, in 1896, you had 2,754,613 sheep, valued in gold at $5,247,538, or nearly $2 per head.

These figures show the most alarming condition to sheep raising in Ohio, and if argument could be adduced to support the contention of my Ohio friends, these figures are the most convincing; and why they did not cite them in their argument I am at a loss to know, unless they wanted their constituents to believe that the Democratic Party and its policies have always stood against the interest of sheep raising. And again my distinguished friend from Ohio [Mr. LONGWORTH] would have his constituents believe that sheep in Ohio during the life of the Wilson bill were worth only 50 cents a head, whereas as a matter of fact the bulletin from which I have read shows that they were worth nearly $2 per head during that period. I offer this bulletin for the benefit of my friends, and ask that it be printed in full:

Number and farm value of sheep on farms in Ohio Jan. 1, 1867, to 1910, inclusive.

[Bulletin No. 64, Bureau of Statistics, United States Department of Agriculture.]

Years.	Number.	Farm value.[1]
1867	7,159,177	$16,461,852
1868	6,730,126	11,856,769
1869	6,300,000	7,898,230
1870	6,250,000	10,201,978
1871	4,641,000	9,474,851
1872	4,548,100	12,964,795
1873	4,639,000	12,486,435
1874	4,639,000	11,892,709
1875	4,592,600	11,430,106
1876	4,546,600	10,857,551
1877	3,900,000	9,168,434
1878	3,783,000	10,230,292
1879	4,040,000	9,767,031
1880	4,080,400	11,547,532
1881	4,243,616	13,070,337
1882	4,951,511	15,349,684
1883	5,050,541	15,707,183
1884	5,000,036	14,650,105
1885	4,900,035	12,250,088
1886	4,753,034	9,918,156
1887	4,562,913	11,533,675
1888	4,106,622	10,714,177
1889	4,065,556	11,017,657
1890	3,943,589	11,927,384
1891	4,061,897	13,189,386
1892	4,468,087	14,724,581
1893	4,378,725	13,900,263
1894	3,765,704	8,506,725
1895	3,577,419	6,139,924
1896	2,754,613	5,247,538
1897	2,368,967	5,877,171
1898	2,416,346	8,274,777
1899	2,730,471	9,680,885
1900	2,839,690	10,535,250
1901	3,627,721	12,899,451
1902	3,591,444	10,705,735
1903	3,447,786	10,743,991
1904	3,171,963	10,158,528
1905	2,601,010	8,865,284
1906	2,991,162	13,400,406
1907	3,140,720	15,119,427
1908	3,110,000	13,933,000
1909	3,110,000	12,751,000
1910	3,203,000	15,374,000

[1] Values, 1867 to 1878, reduced to gold basis.

I submit the following table, which shows that Ohio had but 2,600,000 sheep in 1910 of shearable age. This is Bulletin No. 75 of the Agricultural Department. The other table, to wit, Bulletin No. 64, includes lambs:

[Bulletin No. 75.]

Wool production, calendar year 1910, by States and Territories.

[From the Bulletin of National Association of Wool Manufacturers.]

State or Territory.	Quality.	Sheep of shearing age, Apr. 1, 1909.	Sheep of shearing age, Apr. 1, 1910.	Average weight of fleece, 1910.	Per cent of shrinkage, 1910.	Wool, washed and unwashed, 1910.	Wool, scoured, 1910.	Average value per scoured pound, Oct. 1—		Total value, Oct. 1, 1910.[1]
								1909	1910	
				Pounds.		*Pounds.*	*Pounds.*	*Cents.*	*Cents.*	*Dollars.*
Alabama	Medium	170,000	160,000	3.5	40	560,000	336,000	56	41	137,760
Arizona	Fine, fine medium, and medium	825,000	825,000	6.0	65	4,950,000	1,732,500	67	53	918,225
Arkansas	Medium	220,000	200,000	4.0	40	800,000	480,000	55	40	192,000
California	33 per cent fall, 67 per cent spring	1,900,000	1,900,000	7.0	66	13,300,500	4,522,000	64	46	2,080,120
Colorado	Fine, fine medium, and medium	1,450,000	1,400,000	6.5	65	9,100,000	3,185,000	68	47	1,496,950

Wool production, calendar year 1910, by States and Territories—Continued.

State or Territory.	Quality.	Sheep of shearing age, Apr. 1, 1909.	Sheep of shearing age, Apr. 1, 1910.	Average weight of fleece, 1910.	Per cent of shrinkage, 1910.	Wool, washed and unwashed, 1910.	Wool, scoured, 1910.	Average value per scoured pound, Oct. 1[1]—		Total value, Oct. 1, 1910.[1]
								1909	1910	
				Pounds.		*Pounds.*	*Pounds.*	*Cents.*	*Cents.*	*Dollars.*
Connecticut	Medium	38,000	35,000	5.25	42	183,750	106,575	56	45	47,959
Delaware	do	6,900	7,000	5.5	45	58,500	21,175	55	46	9,741
Florida	do	110,000	115,000	3.25	40	373,750	224,250	56	41	91,943
Georgia	do	225,000	225,000	3.0	40	675,000	405,000	57	41	166,050
Idaho	Fine, fine medium, and medium	2,800,000	2,600,000	7.3	65	18,980,000	6,643,000	67	52	3,454,360
Illinois	25 per cent fine, 75 per cent medium	700,000	700,000	7.0	50	4,900,000	2,450,000	56	46	1,127,000
Indiana	15 per cent fine, 85 per cent medium	850,000	900,000	6.5	45	5,850,000	3,217,500	57	46	1,480,050
Iowa	30 per cent fine, 70 per cent medium	700,000	800,000	6.75	48	5,400,000	2,808,000	58	46	1,291,680
Kansas	Fine, fine medium, and medium	170,000	175,000	7.5	64	1,312,500	472,500	66	52	245,700
Kentucky	Medium	750,000	800,000	4.75	38	3,800,000	2,356,000	58	46	1,083,760
Louisiana	do	155,000	155,000	3.7	41	573,500	338,365	57	41	138,730
Maine	do	210,000	210,000	6.0	40	1,260,000	756,000	55	45	340,200
Maryland	do	125,000	130,000	5.2	43	676,000	385,320	55	45	173,394
Massachusetts	do	35,000	35,000	6.2	42	217,000	125,860	56	45	56,637
Michigan	25 per cent fine, 75 per cent medium	1,500,000	1,700,000	6.75	50	11,475,000	5,737,500	58	49	2,811,375
Minnesota	20 per cent fine, 80 per cent medium	375,000	375,000	6.8	48	2,550,000	1,326,000	55	42	556,920
Mississippi	Medium	150,000	150,000	4.0	42	600,000	348,000	56	41	142,680
Missouri	15 per cent fine, 85 per cent medium	873,860	860,000	7.0	47	6,020,000	3,190,600	56	45	1,435,770
Montana	Fine, fine medium, and medium	5,000,000	4,800,000	7.0	64	33,600,000	12,096,000	68	56	6,773,760
Nebraska	do	275,000	250,000	6.5	60	1,625,000	650,000	66	52	338,000
Nevada	Fine, fine medium, and medium	875,000	850,000	7.0	68	5,950,000	1,904,000	70	54	1,028,160
New Hampshire	25 per cent fine, 75 per cent medium	70,000	70,000	6.0	50	420,000	210,000	57	49	102,900
New Jersey	Medium	44,000	50,000	5.5	47	275,000	145,750	55	46	67,045
New Mexico	Fine, fine medium, and medium	3,200,000	3,200,000	6.0	65	19,200,000	6,720,000	65	51	3,427,200
New York	33 per cent fine, 67 per cent medium	825,000	825,000	6.0	48	4,950,000	2,574,000	58	50	1,287,000
North Carolina	Medium	204,000	204,000	3.75	42	765,000	443,700	56	42	186,354
North Dakota	Fine, fine medium, and medium	275,000	270,000	6.5	60	1,755,000	702,000	65	54	379,080
Ohio	60 per cent fine, 40 per cent medium	2,500,000	2,600,000	6.5	51	16,900,000	8,281,000	64	55	4,554,550
Oklahoma	Fine, fine medium, and medium	80,000	80,000	6.5	67	520,000	171,600	67	48	82,368
Oregon	do	1,850,000	1,750,000	8.25	68	14,437,500	4,620,000	70	53	2,448,600
Pennsylvania	60 per cent fine, 40 per cent medium	1,000,000	1,050,000	6.0	48	6,300,000	3,276,000	59	55	1,801,800
Rhode Island	Medium	7,500	7,500	5.3	42	39,750	23,055	56	45	10,375
South Carolina	do	50,000	50,000	3.75	42	187,500	108,750	56	41	44,588
South Dakota	Fine, fine medium, and medium	650,000	625,000	6.5	60	4,062,500	1,625,000	65	54	877,500
Tennessee	Medium	291,000	291,000	4.25	40	1,236,750	742,050	57	43	319,082
Texas	25 per cent fall, 75 per cent spring	1,325,000	1,325,000	6.75	67	8,943,750	2,951,438	64	55	1,623,291
Utah	Fine, fine medium, and medium	2,200,000	2,100,000	6.75	66	14,175,000	4,819,500	65	52	2,506,140
Vermont	20 per cent fine, 80 per cent medium	180,000	180,000	6.5	51	1,170,000	573,300	57	49	280,917
Virginia	Medium	365,000	365,000	4.5	37	1,642,500	1,034,775	57	47	486,344
Washington	Fine, fine medium, and medium	450,000	450,000	9.0	69	4,050,000	1,255,500	67	54	677,970
West Virginia	75 per cent fine, 25 per cent medium	587,945	600,000	5.75	49	3,450,000	1,759,500	64	57	1,002,915
Wisconsin	20 per cent fine, 80 per cent medium	850,000	900,000	6.75	47	6,075,000	3,219,750	56	42	1,352,295
Wyoming	Fine, fine medium, and medium	4,800,000	4,650,000	7.75	68	36,037,500	11,532,000	67	55	6,342,600
Grand total		42,293,205	41,999,500	6.7	60	281,362,750	112,605,813	.....	.....	57,479,838
Pulled wool		.....	.....	.....	.....	40,000,000	29,200,000	.....	.....	15,010,000
Total product, 1910.		.....	.....	.....	.....	321,362,750	141,805,813	.....	.....	72,489,838

[1] Market value in Boston.

Mr. Chairman, I am not satisfied with the argument that a high tariff will foster the sheep industry and that a low tariff or no tariff at all will destroy it. Wool was on the free list under the Wilson law, but we must remember that the greatest panic which ever visited this country was on before this bill was passed, the effects of which lasted until after its repeal. Let us compare sheep raising during two great panics—the one of the early seventies, under high protection, and the other in the nineties, under free wool—and see how the sheep fared in Ohio. At the beginning of the panic of 1870 Ohio had 6,250,000 sheep and in 1872 she had 4,548,100 sheep. In two years, under the pressure of that panic, with a high-protective duty on wool, Ohio lost over 1,700,000 head of sheep. At the beginning of the panic of 1891 Ohio had 4,061,197 sheep, and in 1897 she had 2,368,967 sheep, a loss of a little over 1,600,000 head, with wool on the free list, thus showing that these two panics operated about equally upon the sheep industry of Ohio. These figures show conclusively that it was the panic and not the tariff which was so disastrous to the sheep of Ohio.

In 1905 Ohio had 2,601,010 sheep, notwithstanding she had had the benefit of a protective tariff for eight years on wool, at an average rate of 44.31 per cent. I desire to say to my Ohio statesmen friends that in the light of these figures you will be compelled to revise the figures in the tables which you have submitted and look to another cause affecting the fluctuation of sheep raising in your State.

Mr. WILLIS. Will the gentleman yield?

Mr. FOWLER. I have left but a few minutes, but the gentleman was so kind in yielding to me I feel as though I would commit a crime not to yield to him.

Mr. WILLIS. I simply wanted to ask the gentleman what year it was that we had 7,000,000 sheep?

Mr. FOWLER. In 1867.

Mr. WILLIS. There must have been a remarkable decline, because in 1860 we had 3,500,000 sheep and in 1870 we had only 4,000,000 sheep.

Mr. FOWLER. In 1867 you had 7,159,177 sheep. In 1870 you had 6,250,000 sheep. Coming on down to 1894 you had 3,765,704, when you say the Wilson bill destroyed the sheep industry in the great State of Ohio. Now, in 1910, you have but little over 3,000,000. Can you tell me what became of the difference between 3,000,000 and 7,000,000 sheep—a difference of nearly 4,000,000?

But, Mr. Chairman, I was comparing sheep raising during panics in America. Now, let us compare the total number of sheep in the United States during these two great panics. In 1870 the United States had 40,853,000 sheep, in 1872 we had 31,679,300 sheep, a loss within two years of 9,173,700 sheep, under a high protective tariff. At the beginning of the panic of 1891 we had 43,421,136 sheep, in 1897 we had 36,818,643 sheep, leaving a difference of 6,602,393 sheep, showing a loss of 2,571,307 more sheep during the panic under high protection than was lost during the panic with free wool. Let us compare the consumption of wool in this country during these two panics: In 1872 we consumed 274,022,957 pounds, about 50,000,000 pounds more than had ever been consumed before and which was not equaled until the year 1880. In 1897 we consumed in this country 601,306,208 pounds, the greatest amount ever consumed in any one year in this country.

These comparisons show that during panics, whether under high protection or under free wool, our sheep decline in number, and our consumption of wool materially increase over that of other years.

I submit the following table, *Bulletin* No. 68, from the United States Department of Agriculture, which is regarded as the very highest authority upon this subject.

Wool produced, imported, exported, and retained for consumption during 1840, 1850, 1860, and from 1863 to 1897.

Year ending June 30—	Production.[1]	Exports of domestic.	Domestic retained for consumption.	Imports.	Exports of foreign.	Foreign retained for consumption.	Total consumption, domestic and foreign.	Per cent of consumption, foreign.
	Pounds.	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*	
1840[2]	35,802,114	.....	35,802,114	9,898,740	85,528	9,813,212	45,615,326	21.5
1850	52,516,959	35,898	52,481,061	18,695,294	.....	18,695,294	71,176,355	26.3
1860	60,264,913	1,055,928	59,208,985	26,282,955	157,064	26,125,891	85,334,876	30.6
1863	106,000,000	355,722	105,644,278	75,121,728	708,850	74,412,878	180,057,156	41.3
1864	123,000,000	155,482	122,844,518	91,250,114	223,475	91,026,630	213,871,157	42.6
1865	142,000,000	466,182	141,533,818	44,420,375	679,281	43,741,094	185,274,912	23.6
1866	155,000,000	973,075	154,026,925	71,287,988	852,045	70,435,943	224,462,868	31.0
1867	160,000,000	307,418	159,692,582	38,158,382	619,614	37,538,768	197,231,350	19.0
1868	168,000,000	558,435	167,441,565	25,467,336	2,801,852	22,665,484	190,107,049	11.9
1869	180,000,000	444,387	179,555,613	39,275,926	342,417	38,933,509	218,489,122	17.8
1870	162,000,000	152,892	161,847,108	49,230,199	1,710,053	47,520,146	209,367,254	22.7
1871	160,000,000	25,195	159,974,805	68,058,028	1,305,311	66,752,717	226,727,522	29.4
1872	150,000,000	140,515	149,859,485	126,507,409	2,343,937	124,163,472	274,022,957	45.3
1873	158,000,000	75,129	157,924,871	85,496,049	7,040,386	78,455,663	236,380,534	33.2
1874	170,000,000	319,600	169,680,400	42,939,541	6,816,157	36,123,384	205,803,784	17.5
1875	181,000,000	178,034	180,821,966	54,901,760	3,567,627	51,334,133	232,156,099	22.1
1876	192,000,000	104,768	191,895,232	44,642,836	1,518,426	43,124,410	235,019,642	18.3
1877	200,000,000	79,599	199,920,401	42,171,192	3,088,957	39,082,235	239,002,636	16.3
1878	208,250,000	347,854	207,902,146	48,449,079	5,952,221	42,496,858	250,399,004	16.9
1879	211,000,000	60,784	210,939,216	39,005,155	4,104,616	34,900,539	245,839,755	14.2
1880	232,500,000	191,551	232,308,449	128,131,747	3,648,520	124,483,227	356,791,676	34.9
1881	240,000,000	71,455	239,928,545	55,964,236	5,507,534	50,456,702	290,385,247	17.3
1882	272,000,000	116,179	271,883,821	67,861,744	3,831,836	64,029,908	335,913,729	19.0
1883	290,000,000	64,474	289,935,526	70,575,478	4,010,043	66,565,435	356,500,961	18.7
1884	300,000,000	10,393	299,989,607	78,350,651	2,304,701	76,045,950	376,035,557	20.6
1885	308,000,000	88,006	307,911,994	70,596,170	3,115,339	67,480,831	375,392,825	18.0
1886	302,000,000	146,423	301,853,577	129,084,958	6,534,426	122,550,532	424,404,109	28.9
1887	285,000,000	257,940	284,742,060	114,038,030	6,728,292	107,309,738	392,051,798	27.4
1888	269,000,000	22,164	268,977,836	113,558,753	4,359,731	109,199,022	378,176,858	28.9
1889	265,000,000	141,576	264,858,424	126,487,729	3,263,094	123,224,635	388,083,059	31.8
1890	276,000,000	231,042	275,768,958	105,431,285	3,288,467	102,142,818	377,911,776	27.0
1891	285,000,000	291,922	284,708,078	129,303,648	2,638,123	126,665,525	411,373,603	30.8
1892	294,000,000	202,456	293,797,544	148,670,652	3,007,563	145,663,089	439,460,633	33.1
1893	303,153,000	91,858	303,061,142	172,433,838	4,218,637	168,215,201	471,276,343	35.7
1894	298,057,384	520,247	297,537,137	55,152,585	5,977,407	49,175,178	346,712,315	14.2
1895	309,748,000	4,279,109	305,468,891	206,033,906	2,343,081	203,690,825	509,159,716	40.0
1896	[3] 272,474,708	6,945,981	265,528,727	230,911,473	6,026,236	224,885,237	490,413,964	49.0
1897	[3] 259,153,351	5,271,235	253,882,016	350,852,026	3,427,834	347,424,192	601,306,208	57.8
1898	266,720,684	121,139	266,599,545	132,795,202	2,504,832	130,290,370	396,889,915	32.8
1899	272,191,330	1,683,419	270,507,911	76,736,209	12,411,916	64,324,293	334,832,204	19.2
1900	288,636,621	2,200,309	286,436,312	155,928,455	5,702,251	150,226,204	436,662,516	34.4
1901	302,502,328	199,565	302,302,763	103,583,505	3,590,502	99,993,003	402,295,766	24.9
1902	316,341,032	123,278	316,217,754	166,576,966	3,104,663	163,472,303	479,690,057	34.1
1903	287,450,000	518,919	286,931,081	177,137,796	2,992,995	174,144,801	461,075,882	37.8
1904	291,783,032	319,750	291,463,282	173,742,834	2,863,053	170,879,781	462,343,063	37.0
1905	295,488,438	123,951	295,364,487	249,135,746	2,437,697	246,698,049	542,062,536	45.5
1906	298,915,130	192,481	298,722,649	201,688,668	5,450,378	196,238,290	494,960,939	39.6
1907	298,294,750	214,840	298,079,910	203,847,545	3,231,908	200,615,637	498,695,547	40.0
1908	311,138,321	182,458	310,955,863	125,980,524	5,684,357	120,296,167	431,252,030	27.9
1909	328,110,749	28,376	328,082,373	266,409,304	3,495,599	262,913,705	590,996,078	44.5
1910	321,362,750	47,520	321,315,230	263,928,232	4,007,953	259,920,279	581,235,509	44.7

[1] From estimates of the Department of Agriculture.
[2] Year ending Sept. 30.
[3] Estimated by S. N. D. North, secretary National Association of Wool Manufacturers.

ANOTHER REASON FOR LOSS OF SHEEP, 1893–1897.

In addition to the reasons heretofore given for the loss of sheep at various periods of our history there is the further reason of sales and killings for mutton at periods when the price of mutton is abnormally high. One of these high-priced mutton periods came in 1894, 1895, and 1896, and brought about a loss of nearly 2,000,000 sheep, just at the time that Republicans were charging a loss of sheep to the Wilson bill. The following is taken from the Yearbook of 1896 and is another answer to misleading statements of Republicans:

British imports of sheep.

1893	62,682
1894	484,597
1895	1,065,470
1896 (9 months)	614,855

American sheep during the last three years of this period were landed in Liverpool in greater numbers than in any preceding year. The profitable market for mutton appears to have encouraged sheep growing and fattening in many of the Western States.

American yearlings and 2-year-olds commanded practically the same price as English sheep, and were sold during the year 1896 at from 14 to 16 cents a pound.

This trade might have gone on indefinitely, but for the fact that the scab appeared among one lot of sheep from America in the latter part of the year, which broke up the British importation of sheep from the United States, at about the same time that Republicans were passing the Dingley law. The exportation to Great Britain ceased, because of British antagonism to diseased American sheep, and these sheep were retained in American folds, to swell the number of sheep and indirectly aid the new tariff to make a greater showing for the American sheep industry.

The British market might have been lost under any circumstances, for it was certainly more profitable to grow sheep for the 11 and 12 cents a pound on wool, added to the price of wool for five or six years, than to grow sheep for mutton, even at advanced prices. The question remains, however, Why should 80,000,000 of people tax themselves 11 and 12 cents a pound for the sheep growers, who produced 300,000,000 pounds of wool? Why should all industries be taxed enormously and outrageously in order to foster sheep raisers? Why should the people pay sheep men a bounty on sheep and wool?

I submit the following table from the Agricultural Department of the United States, showing the number of sheep and the production of wool in this country since the year 1840:

Number of sheep and production of wool in the United States since 1840.

Years.	Farm animals Jan. 1.				Production of principal commodities.	
	Horses.	Sheep.	Mules.	Swine.	Wool.[1]	Wheat.[1]
	Number.	*Number.*	*Number.*	*Number.*	*Pounds.*	*Bushels.*
1840	4,335,669	19,311,374	.....	26,301,293	35,802,114	84,823,272
1850	4,336,719	21,773,220	559,331	30,354,213	52,516,959	100,485,944
1851	.....	.....	.....	.....	.....	.....
1852	.....	.....	.....	.....	.....	.....
1853	.....	.....	.....	.....	.....	.....
1854	.....	.....	.....	.....	.....	.....
1855	.....	.....	.....	.....	.....	.....
1856	.....	.....	.....	.....	.....	.....
1857	.....	.....	.....	.....	.....	.....

[1] Calendar years.

Number of sheep and production of wool, etc.—Continued.

Years.	Farm animals Jan. 1.				Production of principal commodities.	
	Horses.	Sheep.	Mules.	Swine.	Wool.[1]	Wheat.[1]
	Number.	*Number.*	*Number.*	*Number.*	*Pounds.*	*Bushels.*
1858	.....	.....	.....	.....	.....	.....
1859	.....	.....	.....	.....	.....	.....
1860	6,249,174	22,471,275	1,151,148	33,512,867	60,264,913	173,104,924
1861	.....	.....	.....	.....	75,000,000	.....
1862	.....	.....	.....	.....	90,000,000	.....
1863	.....	.....	.....	.....	106,000,000	.....
1864	.....	.....	.....	.....	123,000,000	.....
1865	.....	.....	.....	.....	142,000,000	.....
1866	.....	.....	.....	.....	155,000,000	151,999,906
1867	5,401,263	39,385,386	822,388	24,693,534	160,000,000	212,441,400
1868	5,756,940	38,991,912	855,685	24,317,258	168,000,000	224,036,600
1869	6,332,793	37,724,279	921,662	23,316,476	180,000,000	260,146,900
1870	8,248,800	40,853,000	1,179,500	26,751,400	162,000,000	235,884,700
1871	8,702,000	31,851,000	1,242,300	29,457,500	160,000,000	230,722,400
1872	8,990,900	31,679,300	1,276,300	31,796,300	150,000,000	249,997,100
1873	9,222,470	33,002,400	1,310,000	32,632,050	158,000,000	281,254,700
1874	9,333,800	33,938,200	1,339,350	30,860,900	170,000,000	308,102,700
1875	9,504,200	33,783,600	1,393,750	28,062,200	181,000,000	292,136,000
1876	9,735,300	35,935,300	1,414,500	25,726,800	192,000,000	289,356,500
1877	10,155,400	35,804,200	1,443,500	28,077,100	200,000,000	364,194,146
1878	10,329,700	35,740,500	1,637,500	32,262,500	208,250,000	420,122,400
1879	10,938,700	38,123,800	1,713,100	34,766,100	211,000,000	448,756,630
1880	11,201,800	40,765,900	1,729,500	34,034,100	232,500,000	498,549,868
1881	11,429,626	43,569,899	1,720,731	36,247,683	240,000,000	383,280,090
1882	10,521,554	45,016,224	1,835,169	44,122,200	272,000,000	504,185,470
1883	10,838,110	49,237,291	1,871,079	43,270,086	290,000,000	421,086,160
1884	11,169,683	50,626,626	1,914,126	44,200,893	300,000,000	512,765,000
1885	11,564,572	50,360,243	1,972,569	45,142,657	308,000,000	357,112,000
1886	12,077,657	48,322,331	2,052,593	46,092,043	302,000,000	457,218,000
1887	12,496,744	44,759,314	2,117,141	44,612,836	285,000,000	456,329,000
1888	13,172,936	44,544,755	2,191,727	44,346,525	269,000,000	415,868,000
1889	13,663,294	42,599,079	2,257,574	50,301,592	265,000,000	490,560,000
1890	14,213,837	44,336,072	2,331,027	51,602,780	276,000,000	399,262,000
1891	14,056,750	43,421,136	2,296,532	50,625,106	285,000,000	611,780,000
1892	15,498,140	44,938,365	2,314,699	52,398,019	294,000,000	515,949,000
1893	16,206,802	47,273,553	2,331,128	46,094,807	303,153,000	396,131,725
1894	16,081,139	45,048,017	2,352,231	45,206,498	298,057,384	460,267,416
1895	15,893,318	42,294,064	2,333,108	44,165,716	309,748,000	467,102,947
1896	15,124,057	38,298,783	2,278,946	42,842,759	272,474,708	427,684,346
1897	14,364,667	36,818,643	2,215,654	40,600,276	259,153,251	530,149,168
1898	13,960,911	37,656,960	2,190,282	39,759,993	266,720,684	675,148,705
1899	13,665,307	39,114,453	2,134,213	38,651,631	272,191,330	547,303,846
1900[2]	13,537,524	41,883,065	2,086,027	37,079,356	288,636,621	522,229,505
1901	16,744,723	59,756,718	2,864,458	56,982,142	302,502,328	748,460,218
1902	16,531,224	62,039,091	2,757,017	48,698,890	316,341,032	670,063,008
1903	16,557,373	63,964,876	2,728,088	46,922,624	287,450,000	637,821,835
1904	16,736,059	51,630,144	2,757,916	47,009,367	291,783,032	552,399,517
1905	17,057,702	45,170,423	2,888,710	47,320,511	295,488,438	692,979,489
1906	18,718,578	50,631,619	3,404,061	52,102,847	298,915,130	735,260,970
1907	19,746,583	53,240,282	3,816,692	54,794,439	298,294,750	634,087,000
1908	19,992,000	54,631,000	3,869,000	56,084,000	311,138,321	664,602,000
1909	20,640,000	56,084,000	4,053,000	54,147,000	328,110,749	737,189,000
1910	21,040,000	57,216,000	4,123,000	47,782,000	321,362,750	695,443,000

[1] Calendar years. [2] Exclusive of Alaska and Hawaii.

I have always believed that the higher the rate of duty on wool and woolen products the less wool is used in making the finished product, and the high rate does not necessarily stimulate the production of wool.

I quote from the evidence of Andrew J. Solis before the Tariff Commission in December, 1908, volume 5, page 5036:

The Dingley tariff law has given the woolgrower one of the highest duties on wool ever carried by a tariff bill. With what result? In 1893 the wool clip was 348,000,000; in 1908, 298,000,000, a decrease of 50,000,000 pounds.

With reference to the use of wool in clothing, Mr. Solis said:

It may not be generally known, but it is a fact, that buyers of manufacturers establish prices which manufacturers must meet. The clothier demands cloth out of which to make a suit which he can sell at $10, and a boy's suit that he can sell for $5. The hosiery manufacturer must meet the demand for hosiery that he can sell for a certain fixed price. The underwear manufacturer must make his shirts and drawers at a given price, and so on along the line. How can it be done with wool advanced to a price equaled only since there was a premium on gold? The problem was solved by the increased use of cotton. The manufacturers of men's wear, in order to make cloth to make the suits at the price laid down by the clothiers, used pure cotton yarn and made the cloth known as cotton worsted, and for the better grade made mercerized cloth 50 per cent wool worsted yarn and 50 per cent cotton yarn. Where all-worsted yarn made entirely from wool was used the weight of the cloth has been reduced; 8, 9, 12, and 13 ounce cloth has been substituted for the regular regulation 16-ounce for the light weights; and for heavy weights, for which the regulation weight was 20 ounces, 16-ounce cloth is used; and in order to make up the lost weight in the cloth, in making the suit, heavy lining packed with cotton wadding and other substances were added, and even 13-ounce cloth has been used for heavy-weight clothing for winter. The light weights are only paper coverings, and have no wear whatever. You have heard Mr. Whitman's statement regarding cotton-warped dress goods. That means they are 50 per cent cotton and 50 per cent wool.

The hosiery manufacturer in order to meet his buyer's prices made his hosiery out of 50 per cent black-dyed cotton and 50 per cent white wool, or with one thread of cotton and one thread of worsted. The length of the hosiery has been clipped wherever possible.

This shows that the manufacturers in order to run either reduce the weight of their cloths or make them out of cotton, and the higher wool is the less wool is used. I think it is no exaggeration of fact to say that during this high-priced wool under the Dingley bill 75 per cent of the people have been clad from head to foot and from skin out in cotton, and the other 25 per cent have been cheated by having to wear paper in summer and lightweight clothes in winter.

Further on he says:

To my mind more wool will be used with wool on an 8-cent-per-pound duty basis than at 11 cents per pound duty, because prices will then be down to the established price level, and instead of woolen manufacturers being forced to use cottons all will be able to use wool.

In volume 5 of the tariff hearings, page 5276, Mr. Peter B. Worrell, a member of a large importing house, which deals also in domestic textiles, said:

I beg to call the attention of Messrs. E. T. Steel & Co. to the fact that a $12 suit under the Wilson bill is now about $16, and a $15 suit of the Wilson tariff bill is now about $20.

I quote from the tariff hearings, volume 5, page 5626, from the testimony of Edward Moir, of Marcellus, N. Y., who is a manufacturer of woolens:

The CHAIRMAN. Then you are expecting us to go it blind?

Mr. MOIR. Well, you know how it is, Mr. Chairman. A 40-cent piece of goods manufactured and sold with a profit would probably have anywhere from 10 to 15 or 20 per cent of cotton in it. It might have 30 per cent of shoddy, it might have 40 per cent of shoddy, and it might have the balance of a reasonably defective wool.

In the same tariff hearings, volume 5, page 5185, Mr. Sidney Blumenthal, of New York, submits the following statement as his views upon the question of the use of wool in the manufacture of woolen goods, which he has copied from The Textile World for January, 1909:

Examples of adulteration.

1. 28-ounce stuff, cotton-warp beaver, 75 cents a yard:
   10,000 yards, making 17,500 pounds, make up— Pounds.
   - Raw cotton — 3,611
   - Cotton warp — 1,309
   - Shoddy — 22,123
   - Fine wool — 4,886
   - Coarse wool — 1,187
2. 34-ounce Irish frieze, $1 a yard:
   10,000 yards making 21,250 pounds—
   - Grease wool — 23,625
   - Shoddy and waste — 17,719
3. 25-ounce piece-dyed kersey, $1.25 a yard:
   10,000 yards making 15,625 pounds; back warp, 40 per cent; Oregon, 60 per cent shoddy; face warp and filling, 50 per cent; California, 50 per cent shoddy—
   - Grease wool — 32,426
   - Shoddy — 13,167
4. 15½-ounce cotton-warp casket cloth, 50 cents a yard:
   10,000 yards making 9,688 pounds—
   - Cotton warp — 2,375
   - Grease wool — 1,600
   - Raw cotton — 1,125
   - Shoddy — 9,563

To make these 40-cent goods—the popular class—there must, on account of the high tariff rates, be an adulteration. A lowering of the tariff will permit the use of more grease wool, which is the same thing as a lowering of price. It will give the people better woolens for the same money.

These gentlemen from whom I have been quoting are men of experience in the manufacture of woolens and know full well what they are talking about. It is quite evident to all who lived during the life of the Wilson law that much more wool was used in the manufacture of woolen goods than there has been at any time since. In 1897 the statistics from the Department of Agriculture state that we consumed 601,205,008 pounds of raw wool. At that time the population of the United States, in round numbers, was about 65,000,000. Since that time we have added to our population more than 25,000,000 people, a little less than one-half of the population during the three years of the Wilson law. Add to the consumption during the life of this bill a ratio equal to the increase in population, and this would bring our consumption of wool up to between 800,000,000 and 900,000,000 pounds, whereas, as a matter of fact, in 1910 we consumed a little over 581,000,000 pounds. The difference between these figures shows how much cotton and shoddy is being sold to the people to-day for wool. Supporting the argument that the consumption of wool increases as the price of wool decreases, I submit the following table.

Quantities of wool produced, imported, exported, and retained for consumption: 1840 to 1910.[1]

Period.[2]	Production.[3]	Exports of domestic.	Domestic retained for consumption.	Imports.	Exports of foreign.	Foreign retained for consumption.	Total consumption, domestic and foreign.	Per cent of consumption, foreign.
	Pounds.	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*	
1840[4]	35,802,114	.....	35,802,114	9,898,740	85,528	9,813,212	45,615,326	21.5
1850	52,516,959	35,898	52,481,061	18,695,294	.....	18,695,294	71,176,355	26.3
1860	60,264,913	1,055,928	59,208,985	26,282,955	157,064	26,125,891	85,334,876	30.6
1862–1870[5]	142,888,889	507,442	142,381,447	53,138,126	918,949	52,219,177	194,600,624	26.8
1871–1880[5]	186,275,000	152,303	186,122,697	68,030,280	3,938,616	64,091,664	250,214,361	25.6
1881–1890[5]	280,700,000	115,025	280,584,975	93,194,903	4,294,346	88,900,557	369,485,532	24.1
1891	285,000,000	291,922	284,708,078	129,303,648	2,638,123	126,665,525	411,373,603	30.8
1892	294,000,000	202,456	293,797,544	148,670,652	3,007,563	145,663,089	439,460,633	33.1
1893	303,153,000	91,858	303,061,142	172,433,838	4,218,637	168,215,201	471,276,343	35.7
1894	298,057,384	520,247	297,537,137	55,152,585	5,977,407	49,175,178	346,712,315	14.2
1895	309,748,000	4,279,109	305,468,891	206,033,906	2,343,081	203,690,825	509,159,716	40.0
1896	272,474,708	6,945,981	265,528,727	230,911,473	6,026,236	224,885,237	490,413,964	45.9
1897	259,153,251	5,271,535	253,881,716	350,852,026	3,427,834	347,424,192	601,305,908	57.8
1898	266,720,684	121,139	266,599,545	132,795,202	2,504,832	130,290,370	396,889,915	32.8
1899	272,191,330	1,683,419	270,507,911	76,736,209	12,411,916	64,324,293	334,832,204	19.2
1900	288,636,621	2,200,309	286,436,312	155,928,455	5,702,251	150,226,204	436,662,516	34.4
1901	302,502,328	199,565	302,302,763	103,583,505	3,590,502	99,993,003	402,295,766	24.9
1902	316,341,032	123,278	316,217,754	166,576,966	3,104,663	163,472,303	479,690,057	34.1
1903	287,450,000	518,919	286,931,081	177,137,796	2,992,995	174,144,801	461,075,882	37.8
1904	291,783,032	319,750	291,463,282	173,742,834	2,863,053	170,879,781	462,343,063	37.0
1905	295,488,438	123,951	295,364,487	249,135,746	2,437,397	246,698,049	542,062,536	45.5
1906	298,915,130	192,481	298,722,649	201,688,638	5,450,378	196,238,290	494,960,939	39.6
1907	298,294,750	214,840	298,079,910	203,847,545	3,231,908	200,615,637	498,695,547	40.0
1908	311,138,321	182,458	310,955,863	125,980,524	5,684,357	120,296,167	431,252,030	27.9
1909	328,110,749	28,376	328,082,373	266,409,304	3,495,599	262,913,705	590,996,078	44.5
1910	321,362,750	47,520	321,315,230	263,928,232	4,007,953	259,920,279	581,235,509	44.7

[1] Does not include data with respect to commerce between the United States and its insular possessions after June 30, 1900.
[2] The periods relate to years ended June 30.
[3] From estimates of the Department of Agriculture prior to 1896; from 1896 to date estimated by the secretary of the National Association of Wool Manufacturers.
[4] Year ended September 30.
[5] Average for the period.

Mr. Chairman, another favorite argument of the high protectionist and of these gentlemen who are opposing this bill is that of protecting American labor. We have been a long time in trying to get them to define just what they mean by the term "protection to American labor," and it was not until the campaign of 1908 that we were able to get them to define their position upon that question in writing. I quote from the Republican platform of 1908, as follows:

In all tariff legislation the true principle of protection is best maintained by the imposition of such duties as will equal the difference between the cost of production at home and abroad, together with a reasonable profit to American industries.

Will anyone contend that 20 per cent on raw wool is not sufficient to make up for the difference between the cost of raising wool in America and abroad? Is there a man here who will say that 42.55 per cent is not enough to make up the difference between the cost of labor in the manufacture of woolens abroad and in America? If there is, I would like for him to stand up so that I can see the color of his hair. You give me 50 yards the advantage of an automobile and I can beat it in a foot race of 100 yards. But, in fact, was the tariff on Schedule K intended to benefit American labor? Let us see what Andrew J. Solis, a woolen manufacturer, says about that. In volume 5, page 5037, of the tariff hearings before the Ways and Means Committee in December, 1908, he said, with reference to this proposition:

Who have been the real beneficiaries of the Dingley wool schedule? It has not been American labor, because many of the mills have been filled from top to bottom with foreigners, many of whom could not even speak the English language. That is why wages did not materially increase. It has not been those on fixed salaries, because no advance has been given, and instead of being better situated they were in a worse condition, because the cost of living was forced up to such an extent that the ordinary individual just about made both ends meet and had hard work at that.

This shows how much these disciples of Moorish barbarians love labor; and what is true of their practices in filling up the woolen mills with cheap foreign labor is true to a greater or less extent in all of the manufacturing centers. Instead of being a friend to American labor, these protected combines have become its worst enemies by importing the cheap pauper labor of other countries to our country to compete with the intelligent American laborer. I quote from the testimony of Henry J. MacFarland, president of M. D. Wells Co., Chicago, Ill., which is found in volume 7 of the tariff hearings, page 6869, November 28, 1908. He was asked a question by the next President of the United States, CHAMP CLARK. [Applause.]

Are you in accord with taking the tariff off of leather?
Mr. MACFARLAND. I am, sir; absolutely.
Mr. CLARK. And on boots and shoes?
Mr. MACFARLAND. I am not an exporter. The exporters have a different opinion from what I hold. I believe that this country can manufacture shoes in competition with any country on earth.

Further on he was interrogated by Mr. RANDELL of Texas, as follows:

You do not just confine that to this country, the home market, but you mean the markets of the world?
Mr. MACFARLAND. I mean the skill with which shoes are manufactured. The skilled workmen of this country can overcome the handicap of the price of foreign labor.

Again, we had distinguished gentlemen in the manufacture of iron and steel before this same committee, such as Andrew Carnegie and Charles Schwab, in which they declared that iron and steel could be manufactured in the United States cheaper than it could be in any country in the world. Now, could you have it made any broader than what these gentlemen say about the matter? Yet, in the light of this testimony, and of the long experience of men skilled in the production of the finished product in America and familiar with the cost of labor, both in America and abroad, these gentlemen here on the floor of this Chamber—gentlemen who are still wedded to the belief that they have a right to pass a law to permit a few thousand men to levy tribute upon more than 90,000,000 of intelligent people in America—stand here and try to convince us that the high rates imposed by the Payne law upon the articles made from wool are just and right. The people at the polls condemned this bill and sent new men to the Sixty-second Congress for the purpose of giving them relief, and I predict that he who fails to vote for this measure will be brought to the bar of justice at the polls in November, 1912, to answer to his constituents for his misdeed. By your conduct in the last Congress you sent many of us here to take the places of men who failed to stand up for the cause of the people, and, if you continue your policy of high protection, you will send many more men here to take your places in the Sixty-third Congress. You can't fool the people any longer. It used to be that the masses waited for their Congressman to come home to tell them what had happened in Congress, but now the intelligent masses are directing their Congressmen how to vote upon every public question which comes up affecting their interests, long before the measure comes to a vote.

Mr. Chairman, I promised not to detain these good people very long, but I fear I have not kept my word very well. I will tell you one more story, which illustrates how these fellows are trying to do the people. I once heard a story of a storekeeper who had a Swede clerk. The Swede was sent out one day to collect the bills, and when he came back the storekeeper said, "Well, Rudolph, how did you get along?" He replied, "Vell, me do purty good; me go to Shon Shones, and Shon Shones, he pay me. Me go to Sam Reynolds, and Sam Reynolds, he pay me, but me go to Patrick Malony, and Patrick Malony, he no pay me." Storekeeper: "What did Pat say about that bill, anyway?" Swede: "Vell, I dink he pay you all right." Storekeeper: "When did he say he would pay me?"

Swede: "Vell, I dink he pay you in Yanuar." Storekeeper: "Did he say he would pay me in January?" Swede: "No; he no say he pay you in Yanuar, but he say it be a damn cold day ven he pay you." [Laughter.]

So I say, Mr. Chairman, to these gentlemen who are clamoring here for time in order to defeat this bill, they are just like Patrick—it will be a cold day when they frame a bill in the interest of the people of this country. I thank you, Mr. Chairman and gentlemen. [Applause.]

Mr. BUCHANAN. Mr. Chairman, I would like for the gentleman to have one more minute in order that I may make an explanation of my question. It was not my intention to intimate that the gentleman was either a protectionist or bowlegged.

Mr. FOWLER. Mr. Chairman, the gentleman does not need to make any apology. It was granted long before he asked for it. He is my friend.

Mr. HUGHES of New Jersey. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. FLOYD of Arkansas having resumed the chair as Speaker pro tempore, Mr. BOOHER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 11019, and had directed him to report that it had come to no resolution thereon.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 23. An act to authorize the extension of Underwood Street NW.; to the Committee on the District of Columbia.

S. 238. An act to authorize the extension of Lamont Street NW., in the District of Columbia; to the Committee on the District of Columbia.

S. 2224. An act to amend an act to regulate the height of buildings in the District of Columbia, approved June 1, 1910; to the Committee on the District of Columbia.

S. 2532. An act providing for an increase of salary for the collector of customs for the district of Montana and Idaho; to the Committee on Ways and Means.

S. 1524. An act to authorize the construction and maintenance of a dam or dams across the Kansas River, in western Shawnee County, or in Wabaunsee County, in the State of Kansas; to the Committee on Interstate and Foreign Commerce.

S. 2052. An act relating to the removal of the North Point light station, Wisconsin, to another site; to the Committee on Interstate and Foreign Commerce.

ADJOURNMENT.

Mr. HUGHES of New Jersey. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 11 minutes a. m., on Sunday, June 18, 1911) the House adjourned to meet on Monday, June 19, 1911, at 12 o'clock noon.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 11671) granting pay to Faver Cason; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 11675) granting a pension to George Stephens, sr.; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 11678) granting a pension to Andrew J. Smith; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SABATH: A bill (H. R. 11821) to raise revenue from persons engaged in and carrying on certain occupations within the District of Columbia, and to create a fund to pay compensation to public servants injured on post roads, and to change the general law heretofore enunciated in actions for the recovery of damages for personal injuries, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. TALCOTT of New York: A bill (H. R. 11822) to promote the safety of passengers upon railroads by compelling common carriers engaged in interstate commerce to use cars constructed of steel, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WARBURTON: A bill (H. R. 11823) to place sugar and molasses on the free list, and to provide for an internal-revenue tax on chewing and smoking tobacco, snuff, cigars, and cigarettes; to the Committee on Ways and Means.

By Mr. DAVIS of West Virginia: A bill (H. R. 11824) to amend section 113 of the act to codify, revise, and amend the laws relating to the judiciary, approved March 3, 1911; to the Committee on the Judiciary.

By Mr. BARCHFELD: A bill (H. R. 11825) to promote pharmacists to the grade of chief pharmacist in the Navy; to the Committee on Naval Affairs.

Also, a bill (H. R. 11826) to class mates in the Navy as warrant officers; to the Committee on Naval Affairs.

By Mr. REILLY: A bill (H. R. 11827) for the establishment of an experimental auto-post-coach rural service; to the Committee on the Post Office and Post Roads.

By Mr. SABATH: Resolution (H. Res. 211) requesting the Attorney General to inform the House what action has been taken to prosecute the carriers who have been violating the commodities clause; to the Committee on Interstate and Foreign Commerce.

By Mr. KAHN: Concurrent resolution (H. Con. Res. 10) to investigate the condition of the Army; to the Committee on Military Affairs.

By Mr. RUCKER of Colorado: Memorial from the General Assembly of Colorado asking for the cession of 1,000,000 acres of land under the Carey Act; to the Committee on the Public Lands.

By Mr. CLARK of Missouri (by request): Memorial from the General Assembly of Colorado asking for the cession of 1,000,000 acres of land under the Carey Act; to the Committee on the Public Lands.

By Mr. ESCH: Memorial of the Wisconsin Legislature asking Congress to cause all dams owned by the United States and maintained in and across the Fox River to be equipped with fishways; to the Committee on the Merchant Marine and Fisheries.

By Mr. LENROOT: Memorial from Wisconsin Legislature asking Congress to cause all dams owned by the United States and maintained in and across the Fox River to be equipped with fishways; to the Committee on the Merchant Marine and Fisheries.

Also, a memorial from Wisconsin Legislature in regard to passports issued by the United States Government; to the Committee on Foreign Affairs.

By Mr. COOPER: A memorial from the Legislature of Wisconsin memorializing Congress to cause all dams owned by the United States across Fox River to be equipped with fishways; to the Committee on the Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARCHFELD: A bill (H. R. 11828) for the relief of Commander William S. Hogg, United States Navy, and others; to the Committee on Claims.

Also, a bill (H. R. 11829) for the relief of the estate of Richard W. Meade, deceased; to the Committee on Claims.

Also, a bill (H. R. 11830) for the relief of Capt. W. W. Quinton, United States Army; to the Committee on Claims.

Also, a bill (H. R. 11831) for the relief of Capt. Charles W. Kennedy, United States Army, and others; to the Committee on Claims.

Also, a bill (H. R. 11832) for the relief of Capt. W. W. Wright and Capt. Claude B. Sweezey, United States Army; to the Committee on Claims.

Also, a bill (H. R. 11833) for the relief of the Snare & Triest Co.; to the Committee on Claims.

Also, a bill (H. R. 11834) to credit certain officers of the Medical Department, United States Army, with services rendered as acting assistant surgeons during the Civil War; to the Committee on Military Affairs.

By Mr. BROWN: A bill (H. R. 11835) granting a pension to Mary C. Wyckoff; to the Committee on Pensions.

By Mr. BURKE of Wisconsin: A bill (H. R. 11836) granting an increase of pension to William H. Beare; to the Committee on Invalid Pensions.

By Mr. BYRNS of Tennessee: A bill (H. R. 11837) granting an increase of pension to Arthur Scrivner; to the Committee on Pensions.

By Mr. COOPER: A bill (H. R. 11838) granting a pension to Joseph J. Held; to the Committee on Pensions.

By Mr. FLOOD of Virginia: A bill (H. R. 11839) for the relief of Sarah J. Norcross; to the Committee on War Claims.

Also, a bill (H. R. 11840) for the relief of J. Ballard Taylor; to the Committee on War Claims.

By Mr. HAWLEY: A bill (H. R. 11841) granting an increase of pension to George E. King; to the Committee on Invalid Pensions.

By Mr. McKINLEY: A bill (H. R. 11842) granting an increase of pension to Joseph M. Junkens; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11843) granting an increase of pension to Frank Offenstein; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11844) granting an increase of pension to Harvey Mahannah; to the Committee on Invalid Pensions.

By Mr. ROTHERMEL: A bill (H. R. 11845) granting an increase of pension to Elias Fisher; to the Committee on Invalid Pensions.

By Mr. J. M. C. SMITH: A bill (H. R. 11846) for the relief of Martha H. Hamlin, widow of John H. Hamlin; to the Committee on War Claims.

By Mr. UTTER: A bill (H. R. 11847) granting an increase of pension to John Hamil; to the Committee on Invalid Pensions.

By Mr. ANDERSON of Minnesota: A bill (H. R. 11848) granting an increase of pension to William T. Williams; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ANDERSON of Minnesota: Papers to accompany bill for increase of pension for William T. Williams; to the Committee on Invalid Pensions.

By Mr. AYRES: Petition of residents of northern part of New York City, in favor of the parcels post; to the Committee on the Post Office and Post Roads.

By Mr. BURKE of Wisconsin: Petition of Retail Druggists' Association of Fond du Lac County, Wis., remonstrating against the passage of House bill 8887, providing for a stamp tax on proprietary and patent medicines and certain druggist sundries; to the Committee on Ways and Means.

Also, affidavits in support of House bill 11423, granting an increase of pension to Marcus L. Weeks; to the Committee on Invalid Pensions.

Also, affidavits accompanying bill granting an increase of pension to William H. Beare; to the Committee on Invalid Pensions.

By Mr. BYRNS of Tennessee: Papers accompanying bill for increase of pension to Arthur Scrivner; to the Committee on Pensions.

By Mr. CLAYTON: Statement of C. M. D. Browne, Alonzo O. Bliss, Elizabeth C. Allen, Shelton T. Cameron, Ephraim J. Totten, Nettie B. Browne, Edward J. Taylor, and S. Fay Harper, alleging that certain streets of the city of Washington, D. C., are being obstructed by private persons without authority of law, and protesting against such obstruction; to the Committee on the District of Columbia.

Also, letter accompanied by printed statement from John Norris, chairman of committee on paper of the American Newspaper Publishers' Association, alleging that if certain information should be obtained that it would show the International Paper Co. to be an illegal combination and has repressed competition by stopping and dismantling paper machines, and alleging that the Root amendment to the reciprocity bill aims to fasten permanently upon the consumers of news-print paper in every State of the Union the tax of at least $6,000,000 per annum, which that consolidation of 30 antiquated mills in New England and New York State has made possible; to the Committee on Ways and Means.

By Mr. CRAVENS: Petitions of numerous citizens of Weeks and Caulksville, Ark., asking for a reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. DALZELL: Petition of 13 citizens of Pittsburg, Pa., asking for reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. DYER: Papers to accompany bill No. 8809; to the Committee on Military Affairs.

By Mr. FITZGERALD: Resolutions adopted by the Milwaukee Clearing House Association, relating to proposed legislation affecting the cold-storage industry; to the Committee on Interstate and Foreign Commerce.

By Mr. GARNER: Petitions of George Hobbs & Sons and other citizens of Alice, Tex., favoring a reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. HENRY of Texas: Petitions of numerous citizens of Waco, Tex., and of the Litchfield (Ill.) Merchants' Association, requesting a reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. HUMPHREY of Washington: Petition of sundry citizens of Snohomish, Wash., protesting against Senate bill 237, for the proper observance of Sunday as a day of rest in the District of Columbia; to the Committee on the District of Columbia.

Also, petitions of H. Slippern, A. Hostmark, and Paul Palmer, of Poulsbo, Wash., asking for reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. KAHN: Petition of Ashley R. Farless, of San Francisco, Cal., favoring Senate joint resolution 3; to the Committee on Rivers and Harbors.

Also, petition of Tillman & Bendel, of San Francisco, Cal., protesting against parcels-post bill; to the Committee on the Post Office and Post Roads.

By Mr. LOUD: Petition of F. J. Ackermann, Bay City, Mich., for reduction in duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. O'SHAUNESSY: Resolution by Pawtucket (R. I.) Business Men's Association, favoring the passage of the Canadian reciprocity bill without amendment; to the Committee on Ways and Means.

By Mr. ROTHERMEL: Petition of Washington Camp, No. 97, Patriotic Order Sons of America, and numerous other petitions, all of Pennsylvania, relating to the question of immigration; to the Committee on Immigration and Naturalization.

Also, petitions of William H. Reeser and others, of Reading, and Wilson Kunkel, of Albany, Pa., in favor of a reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. SABATH: Petition of the United German-American and United Irish-American Societies of New York, urging the rejection of the proposed new arbitration with Great Britain; to the Committee on Foreign Affairs.

By Mr. SULZER: Resolutions of the Alexandria and Logansport branches of the Alliance of German Societies of the State of Indiana, favoring House bill 166, providing for an investigation of the administration of the immigration office at Ellis Island, etc.; to the Committee on Immigration and Naturalization.

Also, petition of Woman's Christian Temperance Union of western Washington, urging Congress to ratify proposed arbitration treaty between the United States and Great Britain; to the Committee on Foreign Affairs.

By Mr. TALCOTT of New York: Petitions of 1,672 citizens of the twenty-seventh congressional district of New York, favoring the establishment of a national health department; to the Committee on Rules.

By Mr. UTTER: Papers to accompany bills granting an increase of pension to John Hamil, Elizabeth F. Taylor, and James M. Green; to the Committee on Invalid Pensions.

Also, resolution of the Woman's Christian Temperance Union of Providence, R. I., favoring a general arbitration treaty with Great Britain, France, and other countries, as proposed by President Taft; to the Committee on Foreign Affairs.

Also, resolution of the Greystone Republican Club of Rhode Island, favoring political union between the United States and Canada; to the Committee on Foreign Affairs.

SENATE.

MONDAY, *June 19, 1911.*

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Journal of the proceedings of Friday last was read and approved.

CLAIMS OF LABORERS IN NAVY YARDS.

The VICE PRESIDENT laid before the Senate a communication from the Chief Justice of the Court of Claims, transmitting information relative to the duplication of certain cases relating to claims of laborers in navy yards transmitted to the Senate in the findings by the court and requesting the return to the court of the findings in which duplications appear, which was referred to the Committee on Claims and ordered to be printed. (S. Doc. No. 50.)

ERSKINE R. K. HAYES V. UNITED STATES.

The VICE PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court and the opinions of Judges Barney and Howry in the cause of Erskine R. K. Hayes *v.* United States, which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed. (S. Doc. No. 51.)

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a concurrent resolution adopted by the Legislature of the State of Colorado, which was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

Senate concurrent resolution 10.

Resolution requesting the Congress of the United States to grant to the State of Colorado 1,000,000 acres of land under the Carey Act of August 18, 1894.

Whereas the State of Colorado did by an act of the general assembly, approved March 15, 1895, accept the original grant of Congress of 1,000,000 acres under the Carey Act of August 18, 1894; and

Whereas the acceptance of said grant has been greatly to the advantage of the State of Colorado; and

Whereas it appears that all of said 1,000,000 acres has been applied for in approved and pending Carey Act applications; and

Whereas there are prospective applications now being prepared that will require several hundred thousand acres; and

Whereas increased irrigated lands means increased prosperity to the State: Now therefore be it

Resolved by the Senate of the Eighteenth General Assembly of the State of Colorado (the House of Representatives concurring therein), That the State of Colorado hereby asks and requests that an additional 1,000,000 acres of land be granted to the State of Colorado under the provisions of said act of Congress; and be it further

Resolved, That a copy of these resolutions be sent to the President of the United States, the President of the United States Senate, and to the Speaker of the House of Representatives at Washington; and further, that the State board of land commissioners, as at present constituted, be authorized to accept on behalf of the State of Colorado said grant, provided the same is made.

STEPHEN R. FITZGARRALD,
President of the Senate.
GEORGE MCLACHLAN,
Speaker of the House of Representatives.

Approved, May 29, 1911.

JOHN F. SHAFROTH,
Governor of the State of Colorado.

The VICE PRESIDENT presented a petition of the Bar Association of Bernalillo County, N. Mex., praying that early action be taken on the joint resolution for the admission of New Mexico as a State, which was referred to the Committee on Territories.

He also presented a memorial of sundry citizens of Amory, Miss., remonstrating against the passage of the so-called Johnston Sunday rest bill, which was ordered to lie on the table.

Mr. PERKINS presented memorials of sundry citizens of Haywards, Alameda County, and Oakland, all in the State of California, remonstrating against the passage of the so-called Johnston Sunday rest bill, which were ordered to lie on the table.

He also presented a petition of the Fresno County Chamber of Commerce, of California, praying for the adoption of an amendment to the so-called corporation-tax law permitting corporations to make returns at the end of their fiscal years, which was referred to the Committee on Finance.

Mr. BRISTOW presented a memorial of O. K. Grange, Patrons of Husbandry, of Burdett, Kans., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

Mr. CULLOM presented petitions of the Men's Club of the Pilgrim Congregational Church, of Brooklyn Hills, N. Y.; of sundry citizens of Cincinnati, Ohio; and of the Woman's Christian Temperance Union, of western Washington, praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

He also presented memorials of Stove Mounters' Union, No. 4, of Brewery Workers' Union, No. 21, of the Trades and Labor Assembly, and of Cigar Makers' Union, No. 250, all of Belleville, in the State of Illinois; of the Trades and Labor Council of Silverbow, Mont.; and of the Central Labor Union of St. Johnsbury, Vt., remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

Mr. HITCHCOCK presented a memorial of sundry citizens of Oconto, Nebr., remonstrating against the imposition of a stamp tax on proprietary medicines, which was referred to the Committee on Finance.

He also presented a petition of the Real Estate Exchange of Omaha, Nebr., praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

Mr. BURNHAM presented a petition of the New Hampshire Unitarian Association and a petition of the Chicago Peace Society, of Illinois, praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

Mr. WARREN. I present resolutions adopted at the twenty-second annual session of the Congress of the Knights of Labor, held at Albany, N. Y., January 10–12, 1911, relative to the proposed reciprocity agreement. The resolutions are short, and I ask that they be printed in the RECORD and referred to the Committee on Finance.

There being no objection, the resolutions were referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

THE CONGRESS OF THE KNIGHTS OF LABOR,
Albany, N. Y., June 17, 1911.

Hon. FRANCIS E. WARREN,
United States Senate, Washington, D. C.

MY DEAR SENATOR: At the twenty-second annual session of the Congress of the Knights of Labor, held at Albany, N. Y., January 10 to 12, 1911, the following resolutions were adopted:

Resolved, That we reaffirm our position in favor of a protective tariff, and that the board of directors be, and they hereby are, instructed to prepare and issue an address to the workers of the country calling their attention to the fact that every dollar's worth of competitive imports entering the ports of the United States displaces that amount of products manufactured in American factories, mills, and workshops by American workmen.

Resolved, That we oppose any revision of the tariff, by reciprocity or otherwise, which does not adequately protect American industrial products against the competition of foreign labor, as any downward revision of the tariff means a downward revision of wages.

Article 2 of our constitution reads:

"The particular objects for which said association is formed and for which it was organized are: To make industrial and moral worth, not wealth, the true standard of individual and national greatness; to enact into statute law the preamble of the Knights of Labor; the maintenance of a tariff policy for the protection of American labor and industry; and the retention of the American market for American products."

In accordance with the above resolutions and constitutional provision of our organization, we are opposed to House bill 4412, which is apparently designed to carry out and make effective the so-called reciprocity treaty entered into between the Canadian Government and the United States.

We will not attempt, for it would be impossible, to point out all of the objections which might be urged to its favorable consideration, for time sufficient to accomplish that end is not at our command.

We have read with great care the provisions of the proposed treaty with reference to the admission of wood pulp and paper into the United States, and we must admit that its provisions are by no means clear, and, in fact, we think will be found not to carry into effect the views of the high contracting parties. It is really bad enough as it is, but to have any mistake made about it would be worse. It must be borne in mind that the various Provinces of Canada own what is called "Crown lands," and each Province has the absolute right to determine what shall be done with its own products. The Province of Ontario about 12 years ago prohibited the exportation of any of the products of the forests in rough state to the United States. This policy was followed by the Province of Quebec just recently. The question now arises under the treaty, Just what are we getting? It does not say in expressed terms, as it should, that the benefits of the American markets shall not be open to the Canadian manufacturers of paper until all restrictions of whatsoever kind are removed by the various Provinces. On the contrary, it is quite possible, and it is our construction, that paper manufactured from wood cut on lands owned by individuals would be admissible into the United States whether the restrictions now maintained by the various Provinces are removed or not. If we are correct in this construction, the outrage of such legislation would simply be increased. The bill should at least be amended so as to leave no error in it upon this very important question, for unless the American manufacturer of paper secures a free and unlimited supply from Canada, then there is absolutely no excuse whatsoever for the terms of this treaty, so far as this industry is concerned.

There was an exhaustive inquiry made into this question of the duty on print paper by the Mann committee two years ago, and while we did not agree with the deductions and conclusions of the committee, they reported at that time that there ought to be a duty of $2 per ton on white print paper. After a very careful investigation the House agreed with the Mann committee on a $2 tariff—a ton. The bill went to the Senate, and they concluded that $4 per ton more correctly represented the required tariff, and Congress finally compromised on $3.75 per ton.

Further, we have been informed upon the best of authority that the President of the United States at that time stated that the paper makers had made a better case than anyone else who had appeared before him for a protective tariff upon their industries. The subject has since that time been referred to the Tariff Board, which during the past year has made an exhaustive inquiry into this subject, and in the final report of this commission the difference in cost of production between the two countries was stated to be $5.35 per ton.

This is one of the greatest industries—in fact, the second greatest single industry—in the United States of America. Its capital is represented by tens of millions of dollars. The amount paid yearly to the laborers is represented in millions of dollars. Its toilers are numbered by the tens of thousands. What has it done that it should be singled out from all the industries which concededly should be protected for public execution—and in behalf of our Canadian brethren and a few newspaper owners—who, through the American Newspaper Publishers' Association, under the direction of Mr. John Norris and Mr. Herman Ridder, have carried on a relentless war for the past five years to destroy the paper industry of the United States because they were not permitted to dictate the price at which print paper should be sold.

If finished paper is to be imported into this country free of duty, the great paper industry will be crippled, and the man who is a paper maker by trade has got to go to Canada to follow his trade, and take his wife and family into the wilderness to live, where there is no compulsory education law and not one of the comforts of civilization. It means the death blow to many communities clustered about the paper mills and the breaking up of American homes and migration of our skilled labor to Canada, and we are going to have a lot of mills on our hands, that won't sell for money enough to pay the bondholders, and the Canadians are going to have our business and our profits.

Reciprocity has been tried in this country several times, but has failed for good reasons. In particular has this been so, and always will continue to be so, where there exists competition between two countries in the raising or production of the same articles which are

affected by reciprocity. Of necessity it is intended that when articles are placed upon the free list, or tariff greatly reduced, it must place the producer of these articles upon both sides at a disadvantage with reference to such production. Take the present proposed treaty, for example. The farmer's products of all kinds are placed upon the free list, while the Canadian manufacturer is supposed, in consideration thereof and of benefits accruing, to reduce the tariff, which is his protection, upon the articles which he produces. Nothing is placed upon the free list for the benefit of either, yet they are compelled to bear the whole burden for the alleged benefit of others. For instance, what return does the American farmer receive in consideration of the placing of all of his prducts upon the free list and which, at the same time, places him in competition with the producers of other lands? We submit that he receives nothing in return for this sacrifice on his part. He still continues to work his farm, which has cost him much more than his competitor; pays more for the wages of his farm hands and purchases all of the necessaries of life for himself and family in the highest markets of the world. No tariff is reduced on anything which he purchases, but only on that which he produces. He pays just as high prices as before on the necessaries of life. Where, then, does he come in? He simply does not come in. He is left to shift for himself as best he can, bearing the additional burdens of state for the benefit of others.

At the same time how fares it with the Canadian manufacturer? Under the provisions of this bill he is also called upon to make sacrifice. He finds that everything that he and his employees purchase has gone up in price, and, at the same time, he is forced into competition with a strong neighbor with reference to all that he produces. Clearly, these two classes of citizens, to wit, the American farmer and the Canadian manufacturer, are being discriminated against for a more favored class. In this case the American farmer is discriminated against in favor of the American manufacturer, and, on the other hand, the Canadian manufacturer is discriminated against in favor of the Canadian farmer. In other words, one class of our citizens is made to suffer a loss for the proposed benefit of another, which policy no party can stand or endure for the reason that it is grossly unfair as well as unequal treatment of our citizens who are being discriminated against. There should and must be equality of opportunity or the principle of protection must perish. We are protectionists. We believe in the principle of universal protection, but it must apply equally to all. It must apply to all parts of our common country, equally to the tillers of the soil and to those engaged in manufacture. Then the principle is safe, otherwise it must perish, for the people will no more endure half protection and half free trade than our forefathers would suffer our Nation to remain half free and half slave. It must be one or the other, and now is the time when that question is to be determined.

The human race is like a man lost in the forests; it moves in circles, but we come back to the starting point in time. So it is with reference to the Canadian reciprocity, for in 1854 a treaty was concluded between the United States and Great Britain acting in behalf of Canada which placed substantially all the products of the farm upon the free list in consideration of certain alleged concessions in favor of our manufacturing industries. This treaty was to continue for a period of 10 years and as much longer as the contracting parties should mutually agree. It is interesting to note the workings of that treaty and the results. It is sufficient to say that the imports into the United States during the time the treaty continued in force, to wit, from 1854 to 1866, increased 261 per cent. We quote the following from a report of the committee of the Canadian Privy Council, dated February 19, 1864, viz:

"It would be impossible to express in figures with any approach to accuracy the extent to which the facilities of commercial intercourse created by the reciprocity treaty have contributed to the wealth and prosperity of this Province, and it would be difficult to exaggerate the importance which the people of Canada attach to the continued enjoyment of these facilities."

While it will thus be seen that the treaty was in great favor, on account of the benefits conferred, with Canada, how is it looked upon by the people of the United States? We find that on January 18, 1865, notice was given by this country to Great Britain of its intention to abrogate the treaty on the grounds that it was "no longer for the interests of the United States to continue the same in force."

This tells the whole story, so far as the United States is concerned. The treaty lasted 12 years and came to an ignominious end on March 17, 1866, and no statesman worthy of the name has sought to revive it up to the present day.

The difficulty of such arrangements we have attempted to point out, to wit: It is impossible to deal fairly and without discrimination with our people; but, on the other hand, it favors one interest to the detriment of another, for which no party can be responsible.

In concluding this subject we desire to call the attention of the Finance Committee of the Senate to the remarks of Senator John Sherman, of Ohio, made in the Senate of the United States in 1865, when the subject of annulling the reciprocity treaty with Canada was under consideration:

"The farmer is compelled to pay tax in various forms on every commodity he consumes and on everything that he raises, while, by our treaty with Great Britain, all the products of Canada come into our markets free from duty. While this treaty stands it is a discrimination against every farmer and every mechanic and every industrial interest of the Western States. The farmer in Canada may raise his grain and produce and send it to our markets free of duty, and it pays no tax. We can not reach their railroads; we can not tax their transportation; we can not affect them in the least; and yet every interest of our farmers is taxed. It is manifest, therefore, that while we maintain our present system of internal taxation the reciprocity treaty is a direct benefit to the Canadian producer, farmer, and mechanic, and it is a discrimination against our own farmers and mechanics. It seems to me, therefore, for this reason alone, if there were no other, that this treaty ought to fall."

The same reasoning which applied then applies now with even greater force, and history will be found to be simply repeating itself.

The Canadian reciprocity bill (H. R. 4412) now pending before the Senate is the entering wedge for the destruction of the policy of protection to American labor and American industry, and we wish to be recorded as being against this bill or any similar measure which seeks to destroy the farming and manufacturing industries of the United States by turning the American market over to foreigners.

Respectfully submitted.

THE CONGRESS OF THE KNIGHTS OF LABOR,
[SEAL.] R. MANSION, *Secretary and Treasurer.*

Mr. SHIVELY presented a memorial of the congregations of the Seventh-Day Adventist Churches of La Fayette and Elnora, in the State of Indiana, remonstrating against the enforced observance of Sunday as a day of rest in the District of Columbia, which was ordered to lie on the table.

Mr. BOURNE presented a memorial of Schools Grange, Patrons of Husbandry, of Oregon, remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

Mr. BRANDEGEE presented a memorial of William A. Harty Branch, Ancient Order of Hibernians, of New Britain, Conn., and a memorial of Local Division No. 2, Ancient Order of Hibernians, of Meriden, Conn., remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

He also presented a petition of the Business Men's Association of New London, Conn., and a petition of the dioceses of the Protestant Episcopal Church of Connecticut, praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

He also presented a memorial of sundry citizens of Monroe, Conn., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

He also presented a petition of the Business Men's Association of Derby, Conn., praying for the adoption of an amendment to the so-called corporation-tax law permitting corporations to make returns at the end of their fiscal years, which was referred to the Committee on Finance.

Mr. GUGGENHEIM presented a concurrent resolution adopted by the Legislature of the State of Colorado requesting Congress to grant to the State of Colorado 1,000,000 acres of land under the Carey Act, which was referred to the Committee on Public Lands and ordered to be printed in the RECORD.

Mr. LA FOLLETTE presented a petition of the First Unitarian Society of Milwaukee, Wis., praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

He also presented a memorial of the Rock County Association of Retail Druggists of Wisconsin, remonstrating against the imposition of a stamp tax on proprietary medicines, which was referred to the Committee on Finance.

Mr. ROOT presented a petition of the Chamber of Commerce of Buffalo, N. Y., praying for the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

He also presented a memorial of sundry citizens of Hart Lot, Mottville, and Skaneateles, all in the State of New York, remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

He also presented petitions of 121 citizens of Elmira and 9 citizens of Horseheads, in the State of New York, praying for the establishment of a national department of health, which were referred to the Committee on Public Health and National Quarantine.

REPORTS OF COMMITTEES.

Mr. DILLINGHAM, from the Committee on Privileges and Elections, to which was referred the bill (H. R. 2958) to amend an act entiled "An act providing for publicity of contributions made for the purpose of influencing elections at which Representatives in Congress are elected," reported it with amendments and submitted a report (No. 78) thereon.

Mr. GALLINGER. I am directed by the Committee on the District of Columbia, to which was referred the bill (S. 1784) authorizing the acceptance of the dedication of certain land for a street, and for other purposes, to submit an adverse report (No. 79) thereon, and I ask that it be indefinitely postponed, a similar bill having already passed the Senate.

The VICE PRESIDENT. The bill will be postponed indefinitely.

Mr. NELSON, from the Committee on Commerce, to which was referred the bill (S. 943) to improve navigation on Black Warrior River, in the State of Alabama, reported it with amendments and submitted a report (No. 80) thereon.

Mr. SUTHERLAND, from the Committee on the Judiciary, to which was referred the bill (S. 2653) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," reported it without amendment.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KERN:

A bill (S. 2790) granting an increase of pension to George R. Howard (with accompanying paper); to the Committee on Pensions.

By Mr. BORAH:

A bill (S. 2791) limiting the hours of daily service of laborers and mechanics employed upon work done for the United States, or for any Territory, or for the District of Columbia, and for other purposes; to the Committee on Education and Labor.

By Mr. POMERENE:

A bill (S. 2792) to provide for the support and maintenance of bastards in the District of Columbia; to the Committee on the District of Columbia.

By Mr. McCUMBER:

A bill (S. 2793) to credit certain officers of the Medical Department, United States Army, with services rendered as acting assistant surgeons during the Civil War; to the Committee on Military Affairs.

A bill (S. 2794) to class mates in the Navy as warrant officers; and

A bill (S. 2795) to promote pharmacists to the grade of chief pharmacists in the Navy; to the Committee on Naval Affairs.

A bill (S. 2796) for the relief of the estate of Richard W. Meade, deceased; to the Committee on Claims.

A bill (S. 2797) to provide for payment of interest on judgments rendered against the United States for money due on public work; to the Committee on the Judiciary.

A bill (S. 2798) granting a pension to Livona C. Becker;

A bill (S. 2799) granting an increase of pension to Oscar Barnes; and

A bill (S. 2800) granting an increase of pension to Royal Cranston (with accompanying paper); to the Committee on Pensions.

By Mr. LIPPITT:

A bill (S. 2801) granting an increase of pension to Maryetta Thurber;

A bill (S. 2802) granting an increase of pension to Susan F. Nicholas;

A bill (S. 2803) granting an increase of pension to Mary E. Harris;

A bill (S. 2804) granting an increase of pension to Rufus S. Dixon;

A bill (S. 2805) granting an increase of pension to William J. Knowles;

A bill (S. 2806) granting an increase of pension to Alfred B. Spencer;

A bill (S. 2807) granting an increase of pension to Amelia A. Baub;

A bill (S. 2808) granting an increase of pension to Sullivan H. Dawley;

A bill (S. 2809) granting an increase of pension to William A. Munroe;

A bill (S. 2810) granting an increase of pension to Sophia Whitworth;

A bill (S. 2811) granting an increase of pension to Sarah B. Arnold Potter;

A bill (S. 2812) granting an increase of pension to Helen Hill Sanford;

A bill (S. 2813) granting an increase of pension to Eliza Bonn;

A bill (S. 2814) granting an increase of pension to Eliza J. Higgins;

A bill (S. 2815) granting an increase of pension to Mary C. Babcock;

A bill (S. 2816) granting an increase of pension to Daniel J. Carlin; and

A bill (S. 2817) granting an increase of pension to Charles H. Collins; to the Committee on Pensions.

By Mr. WILLIAMS:

A bill (S. 2818) providing for competitive designs for a naval monument in the Vicksburg National Military Park; to the Committee on Military Affairs.

By Mr. CLAPP:

A bill (S. 2819) to reimburse certain fire insurance companies the amounts paid by them for property destroyed by fire in suppressing the bubonic plague in the Territory of Hawaii in the years 1899 and 1900; to the Committee on Claims.

By Mr. SHIVELY:

A bill (S. 2820) granting an increase of pension to Henrietta S. Kimball; to the Committee on Pensions.

By Mr. FLETCHER:

A bill (S. 2821) for the relief of James D. Butler; to the Committee on Claims.

By Mr. SUTHERLAND (by request):

A bill (S. 2822) creating a national road commission and prescribing its powers and duties; also creating a system of national roads, establishing a national road fund, and providing the manner of expending the same in cooperation with the several States for the furtherance of good roads; to the Committee on Appropriations.

RECIPROCITY WITH CANADA.

Mr. BRISTOW submitted two amendments, intended to be proposed by him to the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes, which were ordered to lie on the table and be printed.

Mr. TOWNSEND. I submit an amendment, which I shall present later, to the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes, which I ask may be printed and lie on the table.

The VICE PRESIDENT. The amendment will be printed and lie on the table.

SOLDIER'S ROLL OF THE SENATE.

Mr. HEYBURN submitted the following resolution (S. Res. 72), which was read and referred to the Committee on Rules:

Resolved, That the Secretary of the Senate and the Sergeant at Arms of the Senate are hereby directed to retain in the employ of the Senate those persons who served in the Union Army during the late Civil War and whose service in the Senate is satisfactory, and to continue such persons in their positions until cause for their removal shall have been reported to and approved of by the Senate and their removal directed.

SENATOR FROM ILLINOIS.

Mr. DILLINGHAM submitted the following resolution (S. Res. 73), which was read, considered by unanimous consent, and agreed to:

Resolved, That the committee to investigate whether in the election of WILLIAM LORIMER as a Senator of the United States from the State of Illinois there were used and employed corrupt methods and practices under Senate resolution 60, Sixty-second Congress, first session, be, and it is hereby, authorized to have printed for the use of the committee testimony, documents, and records taken and received by it in evidence.

ABOLITION OF SENATE OFFICES.

Mr. LODGE. I submit the following resolution, and ask for its present consideration.

The resolution (S. Res. 74) was read, as follows:

Resolved, That the offices designated as "superintendent of the folding room," "assistant postmaster and mail carrier," "clerk, compiling a history of revenue and general appropriation bills," one unemployed messenger, and one unemployed laborer, be, and are hereby, abolished.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. BURTON. I should like to hear the enumeration of those positions again.

Mr. LODGE. The resolution proposes to abolish the office of superintendent of the folding room, no work being done by anyone under that title; the office of assistant postmaster, as no work is being done by anyone under that title; the office of clerk to compile a history of tariff and appropriation legislation, as all the appropriations are attended to by the clerks of the Appropriations Committee and the tariff work is intermittent, to be provided for by special provisions; a messengership, the holder of which is never present at the Capitol, and a laborer's position, the holder of which is never present at the Capitol.

Mr. BURTON. I do not object to the general tenor of the resolution, but I understood such changes were to take effect August 1 next, and I understand that this is to take effect immediately.

Mr. LODGE. That was in regard to details.

Mr. CURTIS. The changes which are to take effect August 1 are those known as details. I was secretary of the caucus, and that is my recollection; also the minutes show that to be the case.

Mr. LODGE. It was only in regard to details.

Mr. BURTON. I understand that one or two of these are details; one, at any rate.

Mr. LODGE. Only one may be detailed. The others certainly are not.

Mr. SMOOT. One is a detailed officer.

Mr. BURTON. I ask that the resolution may go over.

Mr. KERN. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Indiana?

Mr. LODGE. Certainly.

Mr. KERN. I desire to inquire whether the committee is satisfied that there are no other men on the pay roll of the Senate who are not rendering any service to the Government?

Mr. LODGE. So far as I am aware there are no others on the rolls who are not doing some work.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Missouri?

Mr. LODGE. Certainly.

Mr. REED. I desire to inquire how long the condition has obtained which is described by the Senator—that is, men drawing pay and doing no work.

Mr. LODGE. I can not state how long it has obtained. I have only known of it within six weeks.

Mr. REED. I should like to ask one further question. Who is responsible for carrying on the pay roll the names of these men who are doing no work? Who has been responsible for it?

Mr. LODGE. They have been carried on the different rolls of the Senate, and I suppose it is simply because the Senate has not seen fit hitherto to examine it. I will explain it more in detail, if the Senator desires.

Mr. REED. I should like to know the names.

Mr. LODGE. The superintendent of the folding room has no existence in that capacity, but there is a man who holds that office and who is doing other work. He ought to be recorded and carried on the books for the work he does. The office offers no work. All the work of the folding room is under the superintendency of the Sergeant at Arms, and the foreman and assistant foreman are in charge of it.

The assistant postmaster has done work here and is doing work now as a messenger. But he has not been an assistant postmaster for many years. I do not know that he ever was. The clerk to compile appropriations has done work for the Finance Committee at different times on the tariff, and very excellent work, but that is work which will be provided for properly by special provision for that purpose. The messenger referred to has not been here for more than 18 months, and the laborer for not more than 2 years, on account of ill health.

Mr. REED. Have the men who have filled these positions been drawing salaries ever since?

Mr. LODGE. They have.

Mr. REED. What step is it proposed to take to recover the moneys that have been wrongfully paid or fraudulently received?

Mr. LODGE. Mr. President, they have not received any salaries fraudulently. They have been doing other work than that to which they were accredited with doing in three cases. In the other two cases they have been away on account of illness, I am informed, but the period has been so long that it seems impossible to those of us who investigated it to continue them on the roll further.

Mr. REED. As a matter of fact, the Government has been losing money on these positions other than those filled by the sick men. The Government has been paying out its money and not getting any return.

Mr. LODGE. On two of them it has been paying out money and getting no return.

Mr. REED. What are the names of those gentlemen?

Mr. LODGE. The messenger is named Gaskin, who was attached formerly to the Committee on Naval Affairs, and the other is a laborer named James Jones.

Mr. REED. Thank you.

The VICE PRESIDENT. Did the Chair understand the Senator from Ohio to ask that the resolution should go over?

Mr. BURTON. I do not anticipate that I shall oppose it, but I interpose a formal objection and ask that it may go over.

The VICE PRESIDENT. The resolution will go over on the request of the Senator from Ohio.

SENATE POST-OFFICE EMPLOYEES.

Mr. LODGE. I submit the following resolution, which will require action from the Committee to Audit and Control, and I ask that it be referred to that committee.

The resolution (S. Res. 75) was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved, That the clerk in the post office be hereafter designated as "chief clerk of the post office," and receive an annual salary of $1,800, and that the person now holding the office of assistant postmaster be appointed messenger at the card door and receive an annual salary of $1,600.

ADDRESS OF HON. WILLIAM H. HAYWOOD, JR.

Mr. BAILEY. I ask unanimous consent to have printed as a public document an address issued to the people of North Carolina by Hon. William H. Haywood, jr., when he resigned his seat in the Senate in 1846, and also as a part of the same document, indicating that it is a separate one, the letter of Senator Haywood to the legislature of his State, accepting his election as a Senator from the State of North Carolina. (S. Doc. No. 52.)

The VICE PRESIDENT. Is there objection? The Chair hears none, and the order is entered.

Mr. WILLIAMS. What is it the Senator wishes to have printed?

Mr. BAILEY. Senator Haywood's letter of acceptance and his answer to some rather bitter accusations against him. His resignation, of course, as the Senator from Mississippi well knows, grew out of Senator Haywood's unwillingness to support the tariff of 1846, and the administration organ—they had one in that day, they have several in this day—assailed him with vehement bitterness, and this letter is in reply to that attack. It happens, Mr. President, that it is to be found in no public or official document. I had the letter, which relates to one of the most interesting episodes in our political history, copied from the old Niles Register, and I brought it here, as copied for me by a very careful and capable gentleman, to have it printed and thus made a part of the records of the country.

Mr. WILLIAMS. Mr. President, I shall make no objection, but it strikes me that printing as public documents things that have no present public interest, except the revival of one side of some historical strife, is setting a precedent that might lead to an infinite deal of printing.

Mr. BAILEY. Well, Mr. President, if any gentleman could resurrect a document as valuable as this, I think money would be well spent in printing it. It is, as I said a moment ago, of peculiar historical and political interest.

I will say to the Senator from Mississippi, however, that it does not revive any argument within our own party. It does what I find no satisfaction in doing—it shows that a great Senator was mistaken in the character and effect of a conspicuous Democratic service to the country.

Mr. WILLIAMS. Does the Senator think he ought to bring it up against that Senator now?

Mr. BAILEY. Well, I think his fame and memory can bear the burden of that one mistake. He was one of the greatest Senators who ever held a commission from that Commonwealth.

This letter is valuable in another respect. It shows that they abused and vilified Senators in 1846 just as they did in 1896 and as they do in 1911. I rather feel inclined to show that the muckrakers of this day are not without their ancestors of another day.

The VICE PRESIDENT. If there be no objection, the order to print will be entered.

RECIPROCITY WITH CANADA.

The VICE PRESIDENT. Morning business is closed.

Mr. PENROSE. I move that the Senate proceed to the consideration of House bill 4412.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed consideration of the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes.

The VICE PRESIDENT. The question is on the pending amendment reported by the Committee on Finance.

Mr. McCUMBER. What is the pending amendment, Mr. President?

The VICE PRESIDENT. The Secretary will state the amendment.

The SECRETARY. The pending amendment is the amendment reported by the Committee on Finance. On page 24, line 3, after the word "board," it is proposed to insert:

and when the President of the United States shall have satisfactory evidence and shall make proclamation that such wood pulp, paper and board, being the products of the United States, are admitted into Canada free of duty.

The VICE PRESIDENT. The question is on the amendment.

Mr. LODGE. Mr. President, that amendment was passed over at my request on Friday last because the Senator from New York [Mr. ROOT], whose amendment it is, was not then prepared to go on with its discussion. He is not present this morning, and I hope the amendment will be again passed over.

Mr. BAILEY. Mr. President, I imagine that the Senator from New York does not need to prepare an address to vindicate an amendment which the President himself says conforms the bill to that agreement. Do I understand the Senator from Massachusetts to indicate that there is any serious opposition to making the law exactly what the treaty is?

Mr. LODGE. Mr. President, I said the Senator from New York was not prepared to go on with the amendment on Friday when the bill was up. He is not here this morning. I then understood he would be ready to go on when the bill was again laid before the Senate.

Mr. CRAWFORD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Crane	Jones	Pomerene
Bailey	Crawford	Kenyon	Reed
Borah	Curtis	Kern	Shively
Bourne	Dillingham	Lippitt	Simmons
Bradley	Dixon	Lodge	Smith, Mich.
Briggs	Foster	McCumber	Smoot
Bristow	Gallinger	Martin, Va.	Swanson
Bryan	Gamble	Martine, N. J.	Thornton
Burnham	Gronna	Myers	Townsend
Burton	Guggenheim	Nixon	Warren
Chamberlain	Heyburn	Page	Wetmore
Chilton	Hitchcock	Penrose	Williams
Clapp	Johnston, Ala.	Perkins	Works

Mr. JONES. My colleague [Mr. POINDEXTER] is unavoidably absent from the Chamber on important business.

The VICE PRESIDENT. Fifty-two Senators have answered to the roll call. A quorum of the Senate is present. The question is on agreeing to the pending amendment.

Mr. CLAPP. Mr. President, I notice the absence of a number of Senators who in the former debate on this subject took a very active part, who, I think, might be said to be somewhat in charge of this particular item of paper and pulp and pulp wood. It seems to me that the matter ought not to be acted on at this time. Personally, I have not had an opportunity to study the amendment with reference to its effect upon the bill. When the time comes, I propose to offer an amendment which will have some little bearing upon this subject—that is, to strike out from the bill the condition that it go into effect as to paper and wood pulp and pulp wood only upon condition that Canada remove all charges of any kind on those articles.

When the Payne-Aldrich tariff bill was before the Senate I opposed, and shall again oppose, the double taxation of our people. If, as a matter of fact, viewed from the standpoint of the burden of a tariff on the one hand and the necessity of protection on the other, on the fair equation of those two propositions the duty should be taken off paper, as a matter of justice to the consumer of paper, I for one can not tolerate the idea that that duty shall remain simply because Canada has put another tax upon it. That is biting off our nose to spite our face; and when that point is reached I propose to offer an amendment.

The Senator from Nebraska [Mr. BROWN], who had this matter in charge two years ago, and who is, I think, very much interested in this item, is absent; and it does not seem to me that at this point in the debate, when everybody knows that the debate has got to continue at least for some days yet, we should take a vote upon this question this morning. I move that the motion of the Senator from Massachusetts——

The VICE PRESIDENT. No motion is pending. Does the Senator from Minnesota ask unanimous consent that the amendment be passed over?

Mr. CLAPP. I ask that it be laid aside.

Mr. WILLIAMS. I object.

The VICE PRESIDENT. Objection is made.

Mr. CLAPP. I object to unanimous consent for its consideration.

The VICE PRESIDENT. It does not require unanimous consent. It is the regular order.

Mr. CLAPP. I understood the Chair to say that the request was for unanimous consent for its consideration.

The VICE PRESIDENT. Oh, no. The regular order is the consideration of the amendment, and objection is made to its being temporarily passed over. The question, therefore, is on agreeing to the amendment.

Mr. CLAPP. I move, notwithstanding the objection, that the amendment be temporarily passed over. I think that motion is in order.

The VICE PRESIDENT. The Chair thinks that can not be done. The amendment can be discussed; it can be voted down; but the Chair thinks that it can not be moved to lay aside an amendment which is regularly in order.

Mr. CLAPP. Does the Chair mean, notwithstanding a matter is regularly in order, that a motion to lay it aside is not in order?

The VICE PRESIDENT. Not a pending amendment. The whole matter can be laid aside.

Mr. CLAPP. I can not believe that the Chair really means that a motion to lay an amendment aside would be out of order. If the Chair so rules, of course that ends the matter.

Mr. McCUMBER and Mr. WILLIAMS addressed the Chair.

The VICE PRESIDENT. The Senator from North Dakota first rose. The Chair will recognize that Senator and then recognize the Senator from Mississippi.

Mr. McCUMBER. I yield to the Senator from Mississippi.

Mr. WILLIAMS. Mr. President, I have no desire, of course, to be even seemingly discourteous to any Senator, nor have I any desire to push things with undue haste; but it seems to me that, although the Senate is a highly deliberative body, when it is not ready to talk and deliberate business might be attended to. I am perfectly willing to take advantage of this opportunity—and I especially call the attention of the Senator from Pennsylvania [Mr. PENROSE] to the matter—to suggest that perhaps we might agree now upon a time at which the vote could be taken upon this amendment and upon the bill.

Mr. CLAPP. That can be disposed of now, as I, for one, will object. I did not ask that the amendment go over to-day on my account, but on account of Senators who are absent and who, I know, are interested and I believe want to be here. It is not fair to them.

Mr. WARREN. Mr. President——

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Wyoming?

Mr. WILLIAMS. Yes.

Mr. WARREN. For a question. Does the Senator from Mississippi think it would be quite the thing to push this matter now, with the author of the amendment absent from the Chamber temporarily?

Mr. WILLIAMS. I am not disposed to push it provided a willingness is shown to agree now to some date—I do not care when—not too remote, when the Senate can vote upon the bill and the amendment.

Mr. BACON. If the Senator from Mississippi will permit me, the Senator from New York is not here, but I have no doubt he will be here in a moment.

Mr. LODGE. I have just learned that the Senator from New York is in the Capitol, and I have no doubt will be here in a moment.

Mr. WARREN. He is not present here now to speak for his amendment, which is before the Senate, and to lay it aside for the moment until he can return would be according to the practice of the Senate.

Mr. WILLIAMS. Mr. President, the whole country is waiting out of doors for the result of this vote.

Mr. GALLINGER. Two countries.

Mr. WILLIAMS. Many of those who are opposed to Canadian reciprocity have said that the business of the country was actually being disturbed because of the agitation of this question, and it seems to me that we ought to be able to agree upon a date at which a vote can be taken upon the bill and the amendments. I suggest to the Senator from Pennsylvania, who is in control of the bill—I have no wish to put my oar in, but I have gotten into it accidentally by the suggestion I made—that probably such a consent could now be obtained.

The VICE PRESIDENT. The Senator from Minnesota [Mr. CLAPP] has given notice that he would object to any such agreement being made to-day, as the Chair understood.

Mr. WILLIAMS. I would ask the Senator from Minnesota this question, then: If I withdraw the objection which I have made, then will the Senator from Minnesota consider the question of consenting to a day for a vote?

Mr. CLAPP. The Senator from Minnesota personally has no interest in the postponement of this amendment. It was in behalf of Senators who are absent that he urged postponement.

Mr. WILLIAMS. Mr. President, in view of the fact that this is my first term in the Senate of the United States, and in view of the fact that I am not in charge of the bill and therefore might possibly by my insistence put myself in a false attitude, I shall not insist upon the objection. But I do suggest that it is time that some effort was being made to arrive at an agreement as to a date for a vote upon the bill and amendments.

The VICE PRESIDENT. The Senator from Mississippi withdraws his objection to the request that the amendment be temporarily passed over.

Mr. ROOT. Mr. President, I do not wish, so far as I am concerned, that this amendment shall interfere in any way with progress upon this bill or the disposition of the bill. It was my purpose this morning to give notice that on Wednesday of this week, day after to-morrow, at the close of the routine business, with the permission of the Senate, I should make some remarks upon the reciprocity agreement and incidentally upon the committee amendment to which my name has been popularly attached. Unless that is at odds with the purpose of the Senate, I now give that notice.

In the meantime, Mr. President, as I understand, there is no other amendment pending?

Mr. SMOOT. This is the committee amendment.

Mr. ROOT. This is the committee amendment. I see no reason why the bill should not be reported to the Senate. I can say whatever I have to say upon it just as well in the Senate as in Committee of the Whole; and, so far as I am concerned, although I have no right to say anything about the progress of the bill, for it is in the hands of the committee, I shall have no objection whatever to the bill being reported to the Senate, letting the discussion upon that or any other amendment come up in the Senate.

Mr. SMITH of Michigan. Mr. President——

The VICE PRESIDENT. One moment, please. The Chair understands that the Senator from Minnesota has asked unanimous consent that the amendment be temporarily passed over. To that the Senator from Mississippi [Mr. WILLIAMS] objected. He has now withdrawn the objection. Is there any other objection? The Chair hears none, and the amendment is temporarily passed over.

Mr. ROOT. Then I give the notice of which I spoke, that at the close of the routine business on Wednesday, with the permission of the Senate, I will make some remarks on the pending bill.

Mr. SMITH of Michigan. Will the Senator from New York permit me to ask him a question?

Mr. ROOT. Certainly.

Mr. SMITH of Michigan. I should like to ask the Senator whether the amendment which he proposes is in harmony with the original agreement between the Canadian commissioners and the United States?

Mr. ROOT. It was not my purpose to go into a discussion of the merits of the amendment to-day, but I am quite ready to answer the Senator's question. This amendment, which is proposed by the committee and which is attributed to me because I suggested it, I believe, to the committee, simply makes the bill conform to the reciprocity agreement and has no other purpose or effect.

Mr. SMITH of Michigan. Does the Senator from New York know whether the bill now pending in the Canadian Parliament contains the provision recommended by the committee and urged by the Senator from New York?

Mr. ROOT. I do not.

Mr. CURTIS. Mr. President, I understand that the bill in the Canadian Parliament requires that the provision shall not take effect until the various Provinces have agreed not to place an export duty upon the articles contained in it.

Mr. LODGE. If the Senator will allow me, the bill in the Canadian Parliament repeats exactly the proviso in the agreement submitted by the President. The Root amendment, in effect, reproduces that.

Mr. SMITH of Michigan. Then, so far as we are advised, the bill now pending in the Canadian Parliament giving effect to this arrangement is in exact harmony with the original understanding, and neither with respect to pulp wood nor print paper has it been changed in any particular from that understanding. The changes have been made by the House of Representatives and enlarge the rights of Canada beyond the treaty agreement to the detriment of the American people.

The VICE PRESIDENT. Are there other amendments to be offered to the bill?

Mr. HEYBURN. I should like to make a suggestion in connection with that matter. There seems to be an impression that the Canadian Parliament is subject to the will of the Provinces in regard to foreign commerce. There is no foundation for such a conclusion. The constitution granted to the Provinces expressly excludes that subject. It is all a sham and a pretense that we hear about the necessity for the Government of Canada to have the consent of her Provinces in making any such treaty.

Mr. LODGE. If the Senator from Idaho will allow me, the Provinces have complete control over Crown lands.

Mr. HEYBURN. This is a question of a tariff regulation governing commerce——

Mr. LODGE. But nine-tenths of the wood and wood pulp comes from wood cut on Crown lands——

Mr. HEYBURN. That is another question.

Mr. LODGE. Which those Provinces control.

Mr. HEYBURN. That is another question.

My remarks grew out of the suggestion of the Senator with reference to the right of Canada to make this tariff arrangement. I say it is absolute, and it is not subject to the consent of or to be withheld by any Province in Canada. The ownership of the lands is another question.

Mr. CURTIS. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Kansas?

Mr. HEYBURN. Yes.

Mr. CURTIS. The Senator from Kansas said nothing about the action, power, or the rights of the Canadian Government. He simply repeated what he understood was one of the provisions of the bill which is pending in the Canadian Parliament.

Mr. HEYBURN. If such a provision is pending, it is voluntary and may perhaps be introduced as an excuse on the part of Canada that she is not absolutely free to make any arrangement with a foreign country with reference to commerce, which, of course, includes the making of tariff regulations.

Mr. CURTIS. I ask leave to have printed in the RECORD a copy of the provision I have referred to. I have not a copy of the bill on my desk, but I want it printed so that the RECORD may show just what the provision is.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The matter is as follows:

Provided, That such wood pulp, paper, or board, being the products of the United States, shall only be admitted free of duty into Canada from the United States when such wood pulp, paper, or board, being the products of Canada, are admitted from all parts of Canada free of duty into the United States.

Mr. HITCHCOCK. Mr. President, I can shorten this matter by reading into the RECORD the provision of the Canadian bill with which the chairman of the Committee on Finance has provided us. After providing that pulp of wood, mechanically ground; pulp of wood, chemical, bleached or unbleached, and so forth, shall be admitted into the United States free of duty, this proviso is added:

Provided, That such wood pulp, paper, or board, being the products of the United States, shall only be admitted free of duty into Canada from the United States when such wood pulp, paper, or board, being the products of Canada, are admitted from all parts of Canada free of duty into the United States.

Mr. SMITH of Michigan. That is the provision.

Mr. HITCHCOCK. So it appears to be an absolute agreement on the part of the Canadian Government to admit our paper, our wood pulp, and our pulp wood free into Canada, provided we admit it free into the United States.

Mr. DIXON. Mr. President, I should like to inquire of the chairman of the Finance Committee, or of some individual member of the Finance Committee, whether or not the so-called Root amendment was unanimously reported by the committee for adoption, and whether or not there was any report from the committee as to the wisdom or the folly of adopting the Root amendment.

Mr. PENROSE. Mr. President, the so-called Root amendment was not unanimously adopted by the Finance Committee. I do not recollect the vote, and I do not suppose it is material on the question. So far as the fact that it was put into the bill by a majority vote constitutes a recommendation, the amendment has that recommendation.

Mr. DIXON. There was no reason stated to the Senate in reporting the bill why the Root amendment should be adopted.

Mr. PENROSE. The Senator from New York was before the committee and made a very able address to the committee, which persuaded a majority to vote to put it in the bill.

Mr. DIXON. What I want to know is whether or not there is any information filed with the Senate from the Finance Committee why the Root amendment should be engrafted onto the original bill.

Mr. PENROSE. There is, in the hearings had before the committee, containing the address of the Senator from New York.

Mr. GALLINGER. It is fully stated there.

Mr. PENROSE. It is fully stated there.

Mr. GALLINGER. If the Senator will permit me, I suggest to the Senator from Montana that the strongest possible argument that could be adduced is in print, and he will find it in the agreement between the United States and Canada.

Mr. DIXON. But the Finance Committee has made no statement whatever to the Senate on the Root amendment.

Mr. GALLINGER. Those of us who favor that amendment hardly think it necessary to make more than a mere suggestion that for some inscrutable reason the other House dropped from the bill that provision in the agreement. The Canadian Parliament has retained it in its bill.

Mr. PENROSE. On page 574 of the hearings before the Committee on Finance of the Senate the Senator from Montana will find the address of the Senator from New York fully setting forth all the facts in this case.

Mr. DIXON. As I understand, the Finance Committee was not unanimous in the case of the Root amendment.

Mr. PENROSE. I have already stated it was not, and it was so published in the newspapers at the time.

Mr. WILLIAMS. Has the Senator from Montana inquired whether there is anything coming from the committee which sets forth the reasons for the action which the different members of the committee took concerning the Root amendment, or has he asked whether there was any report from the committee as a whole?

Mr. DIXON. Any report.

Mr. WILLIAMS. There is no report from the committee as a whole. But some of us in a very modest way undertook to tell why the bill ought to pass and why we thought the Root amendment should not be adopted and why its adoption would result in the indefinite, if not the perpetual, exclusion of print paper and wood pulp and pulp wood from Canada into the American market. In making that report we took the liberty of quoting the strongest possible statement and argument on that side of the case, to wit, part of a speech of the President of the United States, who has very much at heart the success of this negotiation, made at Chicago on a very recent date; and the Senator will find that published for perusal.

Mr. DIXON. As I understand, the President of the United States has made a report of his own against the Root amendment.

Mr. SHIVELY. Mr. President, the Senator from Montana [Mr. DIXON] is curious to know why the majority of the Finance Committee did not accompany the bill with a report. While I sympathize with the Senator's curiosity, I must be permitted to remind him that this course is not without precedent. In fact it seems to be growing unfashionable to file majority reports. The more important the measure the less likelihood apparently of a presentation of an explanatory majority report. Minority views are frequently submitted, but for some reason, as the bill rises in importance the majority seem to prefer to report it without assigning reasons for its passage. In illustration of this, I recall to the Senator's attention the fact that the tariff bill of 1909 was brought into the Senate by the Finance Committee unaccompanied by any report whatever. That bill contained between four and five thousand items of taxation, and was in all respects a measure of capital importance to the country. Yet not a word of committee explanation attended its presentation to the Senate.

Mr. McCUMBER. Mr. President, it is hardly a sufficient answer on the part of the chairman of the committee to the query of the Senator from Montana to say that certain pages of the record fully set forth the reasons that were urged for the adoption of what is known as the Root amendment; and it is but fair to the Senator from Montana to say that the only reasons which were urged in its favor were these: First, that the present bill as it passed the House did not conform either to the agreement that was entered into between this country and Canada or to the bill as introduced in the Canadian Parliament; second, possibly which was more important, that under the bill as it now stands we will receive Canadian paper free into the States of New York and Maine. But the paper manufactured in Maine and New York may not go into Canada free. That is the present condition of the bill.

Mr. DIXON. But——

Mr. McCUMBER. Now just one moment. The Senator from Mississippi [Mr. WILLIAMS] gave reasons or suggested that there were other reasons which those who voted against this amendment would have in reference to the righteousness of their vote.

But, Mr. President, I was among those who voted in the committee against the adoption of the Root amendment. I did not consider that it was very important because there are but two great States in this Union which are specially interested in the manufacture of print paper. Those States are New York and Maine; and I am speaking of those two specially. I understand that the representatives from the State of New York will vote for this agreement whether the Root amendment goes into it or not. They would prefer to have the amendment in, but if it does not go in, they will vote for the bill; and I further understand that the representative from Maine in the Senate of the United States who represents the latest expression of sentiment from the State of Maine will also vote for this agreement whether the Root amendment is adopted or not.

Now, my view of it was that inasmuch as these two States would be perfectly satisfied with this agreement and would vote for this agreement without the Root amendment—an agreement that would say that the product of Canada should come into New York free, but that the product of New York should not go into Canada free—I was perfectly willing that they should vote for it in that particular condition; and, in fact, I preferred that if they desired to vote for it that it should be passed in a way and in such a form that the products of New York and Maine could not go into Canada free and the products of Canada could go into Maine and New York free, because in voting for this bill they are voting for exactly the same kind of conditions in my State. The products of North Dakota, Minnesota, Montana, and South Dakota can not go into Canada free because of the conditions, whereas the articles produced in Canada adjoining those States can come into this country free.

I am willing to let the bill go through with the same idea of reciprocity as it affects Maine and New York that it does when it affects North Dakota, South Dakota, and——

Mr. BAILEY. That is the reason you voted against the Root amendment.

Mr. DIXON and Mr. BAILEY addressed the Chair.

The VICE PRESIDENT. The Senator from North Dakota has the floor. To whom does he yield?

Mr. McCUMBER. I yield first to the Senator from Montana.

Mr. DIXON. In view of the very lucid statement of the Senator from North Dakota—and I am certainly obliged to him personally that some one has explained this measure—that this so-called treaty is not reciprocity so far as Minnesota, North Dakota, and Montana are concerned, and is not for our agricultural products——

Mr. McCUMBER. Then I do not want it to be reciprocity for the other States.

Mr. DIXON. And is not reciprocity for Maine and New York, so far as the paper men are concerned, how comes this bill to be called a reciprocity bill?

Mr. BAILEY. Let New York and Maine take care of themselves.

Mr. DIXON. I should like to have that information.

Mr. ROOT. Mr. President, I should like to translate into the ideas that are created in my mind by the remarks of the Senator from North Dakota his reason for voting against this amendment. It appears to be that he wants this bill to be as bad as possible.

Mr. McCUMBER. It can not be much worse.

Mr. ROOT. He knows that the bill without the amendment departs from the reciprocity agreement. He knows that the amendment makes the bill conform to the reciprocity agreement, and because the amendment will make the bill square with the reciprocity agreement he is against the amendment.

Mr. President, it stands with perfect clearness that the second section of the bill, the section which alone relates to pulp and paper, is not a reciprocity bill. It is——

Mr. CURTIS. Mr. President——

Mr. ROOT. Excuse me one moment, Senator. It is not the provision of the reciprocity agreement. It may be a better provision than is contained in the agreement. The Senator from Mississippi thinks it is a better provision, but it is not the same provision; it is a different provision. Instead of being a provision for reciprocity, it appears to be a simple provision to remove our duties upon these articles because we wish to remove them, with no reciprocal compensation whatever.

I yield to the Senator from Kansas.

Mr. CURTIS. I desire to ask the Senator from New York if it is not true that the President opposed this amendment, and it was so announced in the press within the last few days?

Mr. ROOT. Mr. President, the Senator from Kansas has the same access to the columns of the press that I have. I prefer not to discuss upon the floor of this Chamber the question as to what the President of the United States has said or done in regard to a measure pending here, except as he has expressed himself in his messages to Congress. I do not think it is a good practice. I do not think it comports with that independence and dignity of consideration and action which we owe to the office of the Senate to base our considerations upon what this or that or the other person or newspaper may have reported as to what the President has said.

Mr. CURTIS. Mr. President——

The VICE PRESIDENT. Does the Senator from New York yield further to the Senator from Kansas?

Mr. ROOT. I do.

Mr. CURTIS. The Senator from Kansas asked the question of the Senator from New York because he understood the Senator from New York to be criticizing those Senators who oppose his amendment, saying that they wanted it defeated because they might make a bad measure of the bill, and I desired to call attention to the fact that the President, who recommended the passage of the measure, was against his amendment. I am opposed to the amendment of the Senator from New York, because I am opposed to the agreement.

Mr. BAILEY. I wish to ask the Senator from New York a question.

Mr. ROOT. Will the Senator from Texas permit me to make an observation regarding what the Senator from Kansas has said? I have criticized no Senators, Mr. President, for op-

posing this amendment. I merely stated, and stated, I think, accurately, the position of the Senator from North Dakota.

Mr. McCUMBER. Will the Senator just allow me to analyze his position for one minute?

Mr. ROOT. Allow me to finish my sentence. I do not think that other Senators oppose this amendment because they think the bill will be a better one without it. I impute no motives to any Senator and criticize no Senator.

Mr. BAILEY and Mr. McCUMBER addressed the Chair.

The VICE PRESIDENT. Does the Senator from New York yield, and to whom?

Mr. BAILEY. I want a moment with the Senator from New York before he turns his attention to the Senator from North Dakota.

Mr. ROOT. I yield first to the Senator from Texas and then to the Senator from North Dakota.

Mr. BAILEY. The Senator from New York certainly does not insist that it is essential to true reciprocity that the agreement between the contracting nations shall relate to the same articles. As I read the history of the Republican Party, their reciprocity always related to different articles. In other words, reciprocity, as invented and as patented by them, was that this Nation, in exchange for a market for some article which we produce, would invite the contracting nation to our markets with some article which we do not produce. Surely it is not essential to true reciprocity, according to the Republican idea, that it shall relate to the same article.

I think the Senator from New York is right about the Senator from North Dakota. I think the Senator from North Dakota believes that this agreement is so bad if he can make it still a little worse he might defeat it.

Mr. McCUMBER. Mr. President——

Mr. BAILEY. But I may be mistaken.

Mr. McCUMBER. The Senator from Texas is entirely mistaken as to my position. I have not the slightest hope on earth to defeat the bill.

Mr. BAILEY. Then I will revise what I said.

Mr. McCUMBER. I will give my reasons in a moment.

Mr. BAILEY. I will revise what I said and say despairing of its defeat, you want to make it as bad as you can so as to make it odious as soon as you can. My own philosophy is that our real duty is to make a bad thing a little better instead of much worse.

I voted for this amendment, although I want to be frank with the Senate. If they will propose some amendment that will defeat the bill, that amendment will command my earnest support, because, if I could defeat this agreement I would feel that I had done my country a service. But knowing that I can not defeat it, I was rather inclined myself to make it as little objectionable as I could, and in the committee, if I may be permitted to reveal the secrets of the committee room, I voted for the amendment.

If the Senator will excuse me, I want to say one word more in reply to the suggestion of the Senator from New York that we ought not to discuss what the President of the United States has said. My answer is that if it is not proper for us here to discuss what he has said, it was not proper for him to say that anywhere. It will be a long time before I will consent that the President of the United States may traverse this country and discuss matters pending in either House of Congress and still be exempt from such answer as we can make to what he has said.

If the President employs his constitutional means of communication with the two Houses, then the two Houses will confine themselves to his communications, made under and in accordance with the Constitution of the United States; but when the President of the United States speaks, as he did at Chicago, and declared that the purpose of that speech was to induce the public to put pressure on the Senate, he invites a discussion of what he said; and, for my part, I intend to address myself at some length to that remarkable speech of his—remarkable in many respects, but most remarkable of all in that particular paragraph, where, attempting to answer the charge of inconsistency, he involved himself in the most obvious inconsistency that can be found in a presidential document from the beginning of the Government to this day.

Mr. McCUMBER. I will be glad if both the Senator from New York and the Senator from Texas will let me restate my position. It is that the reciprocal idea, if there is any such, in this bill shall apply with the same force and effect in the State of New York as it does in the States of North Dakota and Minnesota.

Mr. BROWN. Mr. President——

Mr. McCUMBER. I will yield in just one moment. Then if the provisions are not reciprocal and just the sooner will they be made reciprocal and just.

I merely want to analyze for one moment the position of the Senator from New York. He says I want to have this bill as bad as possible. If his amendment is not adopted, I understand that he will vote for the bill. Then, Mr. President, the Senator from New York purposes to vote for this bill when it is just as bad as it is possible for it to be. That certainly is a position that I do not want to take. If the nonsupport of his amendment will make the bill as bad as it is possible for the bill to be, then it seems to me that the Senator from New York should join us and vote against it and get a bill that may have more of the elements of true reciprocity, as we understand it from a Republican standpoint.

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Nebraska [Mr. BROWN], who has risen?

Mr. ROOT. In a moment. I do not want to get too far away from the point I am discussing.

The VICE PRESIDENT. To whom does the Senator from North Dakota yield?

Mr. McCUMBER. I yield to the Senator from New York.

Mr. ROOT. I thought I yielded to the Senator from North Dakota.

Mr. McCUMBER. On the contrary, the Senator from Texas [Mr. BAILEY] had spoken.

Mr. ROOT. It is immaterial. What I mean to say is that the Senator from North Dakota is right in supposing that I shall vote for this bill whether this amendment goes on or not. I shall vote for it because I think the bill has a value to the whole country sufficient to overbear and counterbalance any injury or injustice that may be involved in the omission of the reciprocal quality in the provision regarding pulp paper. But I would like to see the bill I mean to vote for made as good as possible. I am going to vote for it because it is a measure of reciprocity, and I should like to see it made in every part a true measure of reciprocity.

Mr. NELSON. Mr. President——

Mr. ROOT. I am going to vote for it because I want the agreement with Canada put into force. I should like to see this bill put that agreement into force as it was made.

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Minnesota?

Mr. ROOT. I yield.

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Minnesota?

Mr. McCUMBER. I yield.

Mr. NELSON. I should like to have the Senator from New York explain what reciprocity there is in the bill for the farmers. Does he expect that the farmers will get any market to any appreciable extent for their agricultural products in Canada?

Mr. DIXON. Mr. President——

Mr. ROOT. The Senator asks me a question. I answer, I do. I think there will be a very substantial measure of reciprocity.

The VICE PRESIDENT. The Senator from Montana.

Mr. DIXON. I want to say to the Senator from Minnesota that exactly what I have been driving at for two or three days here is to get the Finance Committee to explain to the Senate where the reciprocity comes into this bill.

Mr. NELSON. For the farmer?

Mr. DIXON. For the farmer. Why it is that they label a measure reciprocity which forces every farmer in this country to sell all of his products in a free-trade market and purchase all of his things that he buys in a highly protected market. How a bill of that kind coming from a Republican Finance Committee can carry the label of reciprocity upon it puzzles my brain. I have tried my best to get some information from them.

Mr. LODGE rose.

Mr. NELSON. I see the Senator from Massachusetts has risen.

Mr. DIXON. I will be happy to hear from him.

Mr. LODGE. Mr. President, I rose in order to call attention to something said by the Senator from Texas [Mr. BAILEY], who, I am sorry to see, has left his seat. He referred to reciprocity agreements hitherto made, and said that in those agreements it was not a case of reciprocity in the same article, but admission free or at low duty; that one article was balanced, perhaps, by the admission free or at low duty of a different article. That is very true, but those agreements were all, so far as I remember, treaties, and in a treaty, as in the case of Cuba and Hawaii, against the admission of sugar at reduced duty or free they took our manufactured articles at a reduced duty or free, and one was held to balance the other, and, I think, correctly held.

I call attention to this point, Mr. President, because it involves what we must sooner or later consider here very carefully—the question of the favored-nation clause in this bill. This is the distinction I desire to make at this time. In the bill, which is not a treaty, where paper is set off against some other totally different article, each article is set off against the same article. The bill proceeds item by item, wheat against wheat, barley against barley, agricultural implements, and so on all down the list; each one is reciprocal. We take the Canadian free or at a certain duty and they take ours, and they are put in the same list. Therefore, when you get to paper, under the head "wood pulp and paper," which is the head in the bill, there and there alone you find an article for which there is no set-off, because the other articles are all provided for one by one as you go down through the list.

Mr. CRAWFORD. Mr. President, will the Senator permit me to ask a question right at that point?

Mr. LODGE. Certainly.

Mr. CRAWFORD. I understood the Senator to say a few moments ago, when he was on the floor before, that a very large portion of the wood pulp and pulp wood imported into this country from Canada came from the Crown lands.

Mr. LODGE. I did.

Mr. CRAWFORD. In the correspondence, as I recall the fact, Mr. Fielding and his associate protected themselves by declaring that Canada would not undertake through this legislation, which the Senator from Nebraska has read a moment ago, to deliver——

Mr. SMITH of South Carolina. Mr. President——

Mr. CRAWFORD. Let me finish my sentence. They would not agree to make good this pledge so far as it affects pulp wood and wood pulp on the Crown lands of the Provinces.

Mr. LODGE. Mr. President, I am glad the Senator has raised that point. Under the negotiations, as stated in the letter of the Canadian commissioners, and in the agreement which was submitted to Congress, the balancing between wood pulp and paper on the one side and wood pulp and paper on the other was the same, because certain conditions are recognized. They did not say simply wood pulp and paper as they say barley without any other conditions at all, but they said under certain conditions wood pulp and paper shall come in free from Canada, and under certain conditions wood pulp and paper shall go free from the United States into Canada. So there were two balanced items. If the Provinces refused to comply with the wishes of the Dominion Government, both those items drop out; but they are reciprocal all through.

The point I was trying to make was that under this arrangement the item of wood pulp and paper as it stands in the bill passed by the House is an item which has no balancing return; there is no equivalent; and it comes, it seems to me, under the definition which John Quincy Adams made in 1817 of a gratuitous concession. I am not prepared absolutely to say that that is the case, but I am very strongly of that opinion.

Mr. CRAWFORD. Mr. President——

Mr. LODGE. If the Senator will allow me, I will come back to that in a moment. I want to finish this point.

The American doctrine has always been that reciprocal agreements do not invade the favored-nation clause. I think the American doctrine has been perfectly sound, and the European doctrine has been full of contradictions in their efforts to get around their theory. Our doctrine, however, has always been, since John Quincy Adams laid it down in 1817, that a gratuitous concession is that which comes within the favored-nation clause. If you give one nation some particular favor of any kind, no matter whether or not it is a lowering of duties, that comes within the favored-nation clause. I think there can be no question about the doctrine that we have always held. The only question to be decided here is whether this item, as it now stands, stripped of its equivalent, as it is by the House bill, does not come within the classification of a gratuitous concession. If it does, then this comes within the favored-nation clause.

Mr. CRAWFORD and Mr. BAILEY addressed the Chair.

The VICE PRESIDENT. To whom does the Senator from Massachusetts yield?

Mr. LODGE. I yield to the Senator from South Dakota.

Mr. CRAWFORD. Mr. President, I wanted to follow the question I raised a moment ago, which the Senator has not touched upon very much as yet, and that is this: If our chief supply of pulp and pulp wood from Canada must come from Crown lands controlled by the Provinces, in regard to which they can in their local legislatures impose export duties, and Canada has not undertaken, through her Dominion Parliament, to answer for those Provinces, may this not be, after all, an entirely futile agreement so far as getting from Canada any considerable supply of wood pulp and pulp wood is concerned, because the power to control its exportation into the United States is in those local Provinces?

Mr. LODGE. That is absolutely true. I was directing my remarks only to the technical question of reciprocity as applied to the treaty.

Mr. CRAWFORD. Is it not true, then, that there is an immense amount of sham in this whole proposition, which is being held out to the American people as a promise for enlarging the wood pulp and pulp wood supply?

Mr. LODGE. That is too large a question for me to reply to.

Mr. BAILEY and Mr. SMITH of South Carolina addressed the Chair.

The VICE PRESIDENT. To whom does the Senator from Massachusetts yield?

Mr. LODGE. I yield to the Senator from Texas.

Mr. BAILEY. Mr. President, I rather agree both with the general American doctrine and with the statement which he quotes from John Quincy Adams; but this is not a gratuity. I am perfectly satisfied that it is not an equivalent, but it is still a consideration; in other words, they get unrestricted free trade in wood pulp and print paper with the United States, while we get but a limited trade there. I think it might be considered a consideration without being an equivalent.

Mr. LODGE. Mr. President, that is precisely my point, if the Senator will allow me. They get free trade under certain conditions. We can not, as the matter now stands, get free trade into Canada on wood pulp or paper under any conditions, while heretofore we could get in under certain conditions, and it was an unquestionable equivalent.

Mr. BAILEY. I am not so sure, at least I am not ready at this minute to agree that there is no condition under which we might not have a limited concession from Canada, although even that I state with reserve.

Mr. LODGE. The Senator means as it stands in the House bill?

Mr. BAILEY. Yes.

Mr. LODGE. I can not see where the equivalent comes in.

Mr. BAILEY. There is no equivalent, but there may be a consideration.

Mr. LODGE. I mean there is no ostensible equivalent.

Mr. BAILEY. Equivalent implies value for value.

Mr. LODGE. I mean ostensible equivalent.

Mr. BAILEY. A consideration.

Mr. ROOT. Mr. President, will the Senator from Massachusetts permit me to make a suggestion to the Senator from Texas?

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from New York for that purpose?

Mr. LODGE. Certainly, I yield.

Mr. ROOT. Mr. President, I wish the Senator from Texas would study the second section of the bill as it came from the other House, without the proposed amendment. He will find that that section will take effect whether Canada adopts or rejects the reciprocity agreement, whether Canada enacts any legislation or not. The instant the President's signature is put to the bill the duties upon these articles of pulp and paper, the products of Canada coming into the United States, are removed, subject to certain specified conditions.

Mr. BAILEY. And in that contingency I think obviously every country with whom we have a treaty containing the favored-nation clause will be entitled to the same treatment, but I am contemplating a situation in which both Governments approve this treaty.

Mr. ROOT. Well, we can not tell what Canada is going to do. We can not tell whether she will enact legislation on the basis of this agreement or not; but unless this amendment to the second paragraph of that section of the bill is enacted, we establish free trade in paper and pulp without any reference to anything coming to us from Canada.

Mr. BAILEY. Under that condition I agree with what the Senator from Massachusetts [Mr. LODGE] has intimated; indeed, I feel sure that under that condition we establish the same rights in all nations having a treaty with the favored-nation clause that we accord to Canada; but in what I have said I have assumed that the two countries would approve this treaty.

Mr. SMITH of South Carolina. Mr. President——

The VICE PRESIDENT. The Senator from South Carolina has long been asking the attention of the Senator from Massachusetts. Does the Senator from Massachusetts yield to him?

Mr. LODGE. Certainly.

Mr. SMITH of South Carolina. I merely want to clear the point as to which the Senator from New York and the Senator from Massachusetts have been answering the Senator from South Dakota, as well as some others, in reference to what were the conditions which this proposed relation has to wood

pulp. On page 2 of the message of the President of January 26, 1911, Messrs. Fielding and Paterson outlined definitely and clearly the situation.

Mr. LODGE. I yield to the Senator for that purpose.

Mr. SMITH of South Carolina. With the permission of the Senator, I ask to have that portion of the message read and incorporated at this point.

Mr. LODGE. I shall be very glad to have the Senator do so, although I am entirely familiar with it.

Mr. SMITH of South Carolina. Some other Senators are not, and I should like to have the matter incorporated in the RECORD at this point. Without objection, I shall have it read and so incorporated, beginning at section 10, with reference to wood pulp, and going down to section 11.

The VICE PRESIDENT. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

10. With respect to the discussions that have taken place concerning the duties upon the several grades of pulp, printing paper, etc.—mechanically ground wood pulp, chemical wood pulp, bleached and unbleached, news-printing paper, and other printing paper, and board made from wood pulp, of the value not exceeding 4 cents per pound at the place of shipment—we note that you desire to provide that such articles from Canada shall be made free of duty in the United States only upon certain conditions respecting the shipment of pulp wood from Canada. It is necessary that we should point out that this is a matter in which we are not in a position to make any agreement. The restrictions at present existing in Canada are of a provincial character. They have been adopted by several of the Provinces with regard to what are believed to be provincial interests. We have neither the right nor the desire to interfere with the provincial authorities in the free exercise of their constitutional powers in the administration of their public lands. The provisions you are proposing to make respecting the conditions upon which these classes of pulp and paper may be imported into the United States free of duty must necessarily be for the present inoperative. Whether the provincial governments will desire to in any way modify their regulations with a view to securing the free admission of pulp and paper from their Provinces into the markets of the United States must be a question for the provincial authorities to decide. In the meantime the present duties on pulp and paper imported from the United States into Canada will remain. Whenever pulp and paper of the classes already mentioned are admitted into the United States free of duty from all parts of Canada, then similar articles, when imported into the United States, shall be admitted into Canada free of duty.

Mr. LODGE. Mr. President, that last sentence——

Mr. CUMMINS. I rise to a parliamentary inquiry, Mr. President.

The VICE PRESIDENT. The Senator will state it.

Mr. CUMMINS. I was absent when this debate began, and therefore I do not know just how it arose. Is the amendment reported by the committee the pending question?

The VICE PRESIDENT. It has been temporarily passed over by unanimous consent.

Mr. CUMMINS. And therefore the debate, strictly speaking, is not on that amendment?

The VICE PRESIDENT. The bill is before the Senate as in Committee of the Whole.

Mr. CUMMINS. But the amendment itself has been passed over?

The VICE PRESIDENT. The amendment has been temporarily passed over by unanimous consent.

Mr. CUMMINS. While I am on my feet I want to ask one question, not for the purpose of entering into the debate, but to see whether I fully understand the matter.

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Iowa?

Mr. LODGE. I yield, but I should like to finish what I have to say.

Mr. CUMMINS. Did the Senator from New York say——

Mr. LODGE. I object, Mr. President, to asking a question of the Senator from New York. That can be done in the time of the Senator from New York.

The VICE PRESIDENT. The Senator from Massachusetts declines to yield further.

Mr. CUMMINS. Did the Senator from Massachusetts say——

The VICE PRESIDENT. Does the Senator from Massachusetts further yield now?

Mr. LODGE. I yield for a question.

Mr. CUMMINS. I really want the information, and I do not ask the question for the purpose of argument.

Mr. LODGE. If I have the information, the Senator shall have it.

Mr. CUMMINS. Did the Senator from Massachusetts say or did he hear the Senator from New York say [laughter] that if the amendment which is commonly known throughout the country as the Root amendment is adopted and the bill is passed as otherwise reported by the committee, wood pulp and print paper can be imported free from all the world?

Mr. LODGE. Mr. President, I understood the Senator from New York to say that if this bill passes and Canada takes no action upon it whatever the provision about wood pulp and paper will stand as a law of the United States admitting those articles from Canada into the United States under certain conditions, those conditions being dependent upon the provincial restrictions.

Mr. CUMMINS. So that section 2 will become a law and no other part of the bill will if Canada fails to act in the matter?

Mr. LODGE. Section 2 will become a law, no matter what happens to the rest of the bill, the moment it receives the signature of the President. There is no reciprocity whatever about section 2.

Mr. CLAPP. That is true of the whole bill, is it not?

Mr. LODGE. No; I am not discussing that. Section 2 is an independent section, and the moment the President's signature is attached to the bill that section is the law of the United States, without regard to the action of Canada.

Mr. CUMMINS. Mr. President, I question that construction.

Mr. LODGE. That is my impression. I may be wrong in my construction, but it is the construction of a good many people who have examined the subject pretty carefully.

Mr. HITCHCOCK. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Nebraska?

Mr. LODGE. I should like to finish what I have in mind, and then I will yield.

The VICE PRESIDENT. The Senator from Massachusetts prefers not to yield.

Mr. LODGE. I will yield for a question.

Mr. HITCHCOCK. I should like to ask the Senator from Massachusetts whether the waiving of this export duty is not in the nature of a reciprocal concession?

Mr. LODGE. I can not see how it is in the nature of a concession at all. We have no relations with the Provinces of Canada. The Provinces of Canada are unknown, except when they are needed to interfere with negotiations.

Mr. HITCHCOCK. The fact is that the testimony before the Committee on Finance shows that one reason why the manufacture of paper in the United States is expensive, and costs possibly more than in Canada, is because of the fact that the cost of the material here is higher, and one reason why the cost of the material is higher is that Canada, or the Provinces of Canada, maintain export duties. Now, I should like to ask the Senator, if that export duty is waived and those raw materials are given to our manufacturers at a lower price, whether that is not in the nature of a reciprocal concession which will benefit those manufacturers?

Mr. LODGE. Most of the restrictions are absolute restrictions. I do not think the export duties are very significant. They are mostly restrictions on the export of pulp and pulp wood, but not on paper. New Brunswick, encouraged by our legislation, has just passed a highly restrictive bill.

The point I desired to make, Mr. President, was in regard to the character of this amendment, internationally considered. As will be seen from what has been read from Mr. Fielding, he recognizes in the last sentence the reciprocal character of the agreement. He says no agreement can be made, because we ask certain things from the Canadian Provinces, and it is for them to settle that matter, exactly as if Canada came to us and we said, "We can not give you this, because the different States may not agree to it." Nobody on earth will treat with us in that way. We have to treat as a single government. Canada treats as far as she can go, and then the Provinces appear, and she says, "I can not control the Provinces." Therefore we have put in these conditions on the action of the Provinces.

The question is, Does that leave this a gratuitous concession, or can an equivalent of some sort or a consideration of some sort be worked out for it? I think it comes dangerously near a gratuitous concession. If it is a gratuitous concession, then of course it opens up the question of the favored-nation clause. If I am not misinformed, Germany and France and some other countries are already preparing to make claims under the favored-nation clause in regard to the arrangement now pending. That is a mere public rumor that I have heard.

Mr. BROWN. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Nebraska?

Mr. LODGE. I yield.

Mr. BROWN. Conceding that it is a gratuitous concession—I do not agree that it is, as a matter of fact—but conceding that it is and it opens up to our people free paper from the world, that is an additional reason why it ought to be passed by Congress.

Mr. GALLINGER. Of course, it would destroy every paper-making establishment in the United States.

Mr. BROWN. That it will open up free paper from the world is another reason why this particular section ought to be supported without amendment. As I understand the Senator——

Mr. LODGE. We can do it much more simply, without involving ourselves with other nations, by simply enacting a law without any reference to Canada making wood pulp and paper free.

Mr. BROWN. That is what I think this bill does.

Mr. LODGE. That would meet the Senator's views and there would be no international complication. I am not arguing the economic side of it at all.

Mr. BROWN. That is just exactly what I think this amendment does; but even if it goes further and does what the Senator says it would do—open our market to the paper of the world—that would be, to my mind, an additional reason for its approval. What I wanted to ask the Senator is this: He is emphasizing what would happen to us with the Root amendment defeated——

Mr. LODGE. I have only pointed out what international complication I thought might arise.

Mr. BROWN. That is the branch the Senator has been discussing. Now, I want to ask him what will be the result to the consuming public of print paper if the Root amendment is adopted and it becomes a law?

Mr. LODGE. I do not think that it will have the slightest effect one way or the other, for I do not think the Provinces are going to remove their restrictions.

Mr. BROWN. Mr. President, that is just it; that is the truth about it. With the Root amendment adopted, the condition of the paper trade and pulp-wood trade in this country remains where it is to-day.

Mr. LODGE. No——

Mr. BROWN. That is, at the mercy of this combination.

Mr. LODGE. I did not say that. I understood the Senator to ask what would happen if the bill were passed without the Root amendment.

Mr. BROWN. No; you discussed that question. Then I asked you——

Mr. LODGE. No; I have not discussed it. Let me answer, so there can be no misunderstanding. I believe, without the Root amendment, owing to the provincial restrictions, that the agreement will have little or no effect on articles from Canada—I am not speaking of other countries, but from Canada.

Mr. BROWN. I was going to say, if the other position of the Senator was right, if it opens up free paper from all the world, it would have considerable effect.

Mr. LODGE. No, no.

Mr. BROWN. Let us get to the question. What will happen to the paper trade in this country if the Root amendment is adopted?

Mr. LODGE. I do not think it will have the slightest effect.

Mr. BROWN. That is the point. It will have none.

Mr. LODGE. No. I do not think it will change the situation. The Senator is asking me questions and then putting answers into my mouth.

Mr. BROWN. No.

Mr. LODGE. I did not make such an answer as that. I say if the Root amendment is adopted, it will not change the situation except to give us reciprocity, if reciprocity is ever possible.

Mr. BROWN. Let me ask the Senator again (so that we will not have any more misunderstanding) what will happen to the paper trade in America if the Root amendment is adopted?

Mr. LODGE. It will benefit just as much as if it was not.

Mr. BROWN. Will it change conditions at all so far as the paper trade in this country is concerned?

Mr. LODGE. Absolutely, because if the Provinces——

Mr. BROWN. In what respect?

Mr. LODGE. If the Provinces remove their restrictions it will make paper free.

Mr. BROWN. You know they are not likely to remove them.

Mr. LODGE. Then the Root amendment will not affect it.

Mr. BROWN. That is the purpose of the Root amendment.

Mr. LODGE. No; it is not. Leave out the Root amendment; keep on the provincial restrictions; and the clause is not worth a snap of your finger. The Root amendment is not going to stop anybody getting free pulp or paper. It only gives us a poor, miserable chance to put ours into Canada.

Mr. BAILEY. Will the Senator from Nebraska let me ask him a question?

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Texas?

Mr. BROWN. If the Senator from Massachusetts needs assistance, I am willing he should have it.

Mr. LODGE. I do not need any assistance, nor does the Senator from Texas.

Mr. BAILEY. I do not think it will take us both to answer satisfactorily the Senator from Nebraska.

The VICE PRESIDENT. Does the Senator from Massachusetts consent that the Senator from Texas make an inquiry of the Senator from Nebraska?

Mr. LODGE. I do, with great pleasure.

Mr. BROWN. I consent.

Mr. BAILEY. I want to ask the Senator from Nebraska if it is not true that he is in favor of free print paper and free wood pulp from all the world?

Mr. BROWN. I am; absolutely.

Mr. BAILEY. Without any equivalent or consideration?

Mr. BROWN. I am.

Mr. LODGE. Mr. President——

Mr. SMOOT. I want to ask the Senator——

Mr. BROWN. Do I not have something to say about interrupting me?

Mr. LODGE. No; I have the floor. I yielded to the Senator from Texas. I now claim the floor.

The VICE PRESIDENT. The Senator from Massachusetts has the floor.

Mr. SMOOT. Let me ask a question?

Mr. LODGE. No; let me get through.

The VICE PRESIDENT. To whom does the Senator from Massachusetts yield?

Mr. LODGE. I yielded to the Senator from Texas. If he has concluded, I desire to resume.

Mr. BAILEY. I want to ask another question. The Senator from Nebraska says he is in favor of repealing the 10 per cent duty on wood pulp and print paper, which is used by a very small class of our people. I want to ask him now if he is also willing to reduce the duty on woolen goods from 95 to 42 per cent?

Mr. BROWN. If it will ease the mind of the Senator from Texas at all, I am glad to inform him that I shall vote at the first opportunity I have for a reduction in the tariff on woolens.

Mr. BAILEY. Would the Senator be willing to apply the same rule to woolen goods that he applies to wood pulp and print paper and put them on the free list?

Mr. BROWN. That is a question which is not before us; but I say to the Senator from Texas for his own personal gratification that I am for a very substantial reduction in the duty on woolen goods.

Mr. BAILEY. If I can record enough Senators on the other side in the same way we will have the woolen bill passed before August comes.

Mr. LODGE. If we are going to have free wood and free pulp and free print paper from all the world, and make that change in tariff law, that is all right. That is an economic proposition, and will stand on its merits, and will be perfectly fair and understood. But what I am getting at is the reciprocal element in this thing. If we are going to make a reciprocal agreement let it be a reciprocal agreement. If the present wood pulp and paper clause stands as it came from the House, it will, under certain conditions, admit pulp and paper into this country free——

Mr. BACON. Mr. President——

Mr. LODGE. I am going to finish this sentence. I believe under certain conditions that it would come in free. But I do not believe the Provinces are going to withdraw their restrictions. That clause is valueless without the removal of the provincial restrictions.

But the Root amendment does not complicate it in the slightest degree. Putting on the Root amendment will not prevent free wood pulp and print paper, about which the Senator from Nebraska is so extremely solicitous. It will just as well with the Root amendment as without it. The Root amendment simply furnishes the reciprocal quality to that section.

I shall vote for this bill whether the Root amendment is adopted or not, because I believe, as does the Senator from New York, that it will be on the whole a beneficial measure, for reasons which I will undertake to state later, if I have an opportunity.

I only desired to-day to call attention to some of the complications involved in this particular clause and also to emphasize the fact that the Root amendment, if I may quote the language of the President, is in exact conformity with the agreement.

Mr. BACON. Will the Senator from Massachusetts permit me?

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Georgia?

Mr. LODGE. Yes.

Mr. BACON. I am not on the Finance Committee, and consequently have not given this bill as careful study as have the gentlemen who are more directly charged with it. If I understand the Senator from Massachusetts correctly, however, it is to the effect that, as stated by the Senator from New York, as soon as this bill has received the signature of the President the articles mentioned in the second section will be free to enter from all the world.

Mr. LODGE. No; I did not say that, Mr. President; neither did the Senator from New York.

Mr. BACON. I understood the Senator from New York to say, and I understood the Senator from Massachusetts to echo it——

Mr. LODGE. I said in my opinion section 2 would become law without action on the part of Canada, not of the rest of the world.

Mr. ROOT rose.

Mr. BACON. I understood, if the Senator from New York will pardon me a moment, in order that I may not be misunderstood in what I said—the Senator from Massachusetts to be restating what I understood had been previously stated by the Senator from New York, that the moment the President's signature was attached to the bill, without further action by either Canada or this country, the articles enumerated in the second section would immediately be entered free of duty from all parts of the world.

Mr. LODGE. No.

Mr. ROOT. I made no such statement as that.

Mr. BACON. Then I misunderstood the Senator.

Mr. ROOT. May I make a suggestion to the Senator from Georgia? The Senator has combined in his statement two separate and distinct propositions which have been made. The first was the proposition that when this bill is signed the second section goes into effect and makes the articles enumerated therein free, subject to the conditions stated.

The second proposition is the one stated and elaborated by the Senator from Massachusetts—quite an independent proposition—and that is that this, being without consideration, would produce the further effect of making similar articles from the rest of the world free under the favored-nation clause.

Mr. BACON. Does the Senator from New York agree with that statement?

Mr. ROOT. I do. I think it raises a very serious question under the favored-nation clause.

Mr. BACON. It was with reference to that that I particularly desired to ask the Senator from Massachusetts a question, and I shall be glad to have the answer either from him or the Senator from New York.

The proposition is predicated upon the assertion that there is nothing that is reciprocal. I suppose the Senator draws the distinction between that which is reciprocal and that which is conditional. Am I correct in that?

The Senator's proposition is that the products of Canada being admitted upon conditions, regardless of whether those conditions are complied with or not, it not being reciprocal, those articles enumerated in the second section will immediately be thrown open to the balance of the world under the favored-nation clause of the several treaties that we have with them, if I understand it correctly. Am I correct in that statement?

Mr. ROOT. You are correct.

Mr. BACON. I repeat, I do not wish to place my judgment as of equal weight as that of the learned Senator without a more careful examination.

Mr. ROOT. I assented to the question of the Senator from Georgia; but I do not mean to express a final opinion upon that subject.

I tried to state accurately my position upon it, which is that it raises a very serious question under the favored-nation clause. I do not want to cut myself off from taking the other view if we should get into a controversy with other nations upon the subject. But it would certainly put us in a very embarrassing position with regard to the articles enumerated in the second section if other countries claimed their favored-nation rights.

Mr. BACON. Of course, if the Senator qualifies it in that way, I have no disposition to pursue the discussion at this time, because there will doubtless be a more careful and elaborate discussion of the matter hereafter. But I understood the Senator from New York, and also the Senator from Massachusetts, to have made statements based upon careful study and consideration of the effect of this provision of the treaty; and I, perhaps, am the more excused for having thought that the suggestion was based upon that careful study when I recall the fact that the Senator from New York, when he brought it to the attention of the Senate, did so in a suggestion to the Senator from Texas, prefaced by the statement by him that if the Senator from Texas would give or had given careful study to this particular section, he, in his opinion, would find the conclusion to be such as the Senator from New York suggested.

But if it is not intended that this shall be taken as the final conclusion of the Senator from New York or the Senator from Massachusetts, and that they still hold the matter in abeyance, and we are again to have the benefit of their construction upon a more careful consideration, I am willing to pretermit the discussion.

Mr. ROOT. My suggestion to the Senator from Texas did not relate to most-favored-nation clause at all.

Mr. BACON. It did not——

Mr. ROOT. I suggested that if the Senator from Texas would study the terms of the second section of the bill, he would find that that section would take effect independently of any action by Canada. That is all.

Mr. BACON. I do not think that is true, but I am glad to have the recent statement by the Senator from New York, because it marks the line of difference between his view and that which I myself entertain.

I think the condition precedent is certainly something which contemplates action, and this clause, if I read it correctly, does contain a condition precedent, and that is to the effect that if Canada itself or its Provinces shall have upon its statute books any provision with regard to export duties, this clause does not go into effect, and yet the statement of the learned Senator is to the effect that the minute the President signs the bill—that is his own language, possibly put a little more gracefully than I have endeavored to repeat it—without more on the part of Canada, the law will go into effect.

Now, let me read. After enumerating the various articles:

> Pulp of wood mechanically ground; pulp of wood, chemical, bleached, or unbleached; news-print paper, and other paper, and paper board, manufactured from mechanical wood pulp or from chemical wood pulp, or of which such pulp is the component material of chief value, colored in the pulp, or not colored, and valued at not more than 4 cents per pound, not including printed or decorated wall paper, being the products of Canada, when imported therefrom directly into the United States, shall be admitted free of duty, on the condition precedent that no export duty, export license fee, or other export charge of any kind whatsoever (whether in the form of additional charge or license fee or otherwise), or any prohibition or restriction in any way of the exportation (whether by law, order, regulation, contractual relation, or otherwise, directly or indirectly), shall have been imposed upon such paper, board, or wood pulp, or the wood used in the manufacture of such paper, board, or wood pulp, or the wood pulp used in the manufacture of such paper or board.

Now, to say that, with that condition attached, the performance of which must precede the going into effect of this proposed provision of law, that provision of law will go into effect without regard to whether Canada does or has done anything, it seems to me, is untenable. It seems to me it does not go into effect the moment the President signs it. It does not go into effect at all if there are any such laws upon the statute books of Canada or any of the Provinces of Canada. Therefore when the President's signature has been attached, the inquiry will be, Are there such laws upon the statute books of the Dominion of Canada or of any of the Provinces of Canada? If the answer is in the affirmative, then the law is of no effect.

Mr. ROOT. Suppose the answer is in the negative, does not the paper come in free?

Mr. BACON. If it is in the negative——

Mr. ROOT. If the bill is signed to-morrow, and the next day an invoice is presented to the customhouse in Ogdensburg, and free entry is demanded, and there is proof that there is no export duty upon that paper or the material of which it is composed, does it not come in free?

Mr. BACON. But the Senator assumes there is none and will be none when this law is passed. If that were the case, it was not necessary to express the condition in the bill. It was the very fact that either there are now such laws upon the statute books of the Dominion of Canada, or of the Provinces of Canada, or that there was a recognition of the fact that there might be such laws thereafter, that this condition was expressed; and as long as it is expressed, it seems to me, it is illogical to say that this provision of law will go into effect regardless of whether Canada does anything or not.

Mr. ROOT. It is well known that as to a very considerable part of the paper and pulp, or the materials for the manufacture of pulp and paper in Canada, there is no restriction whatever.

Mr. BACON. That may be true.

Mr. ROOT. Mr. President——

Mr. BACON. The Senator will pardon me just a moment further, although I believe I have the floor in my own right.

As to the suggestion of the Senator from Massachusetts, which I understand the Senator from New York to agree with, although he did not first make it, that the passage of this law would be so in conflict with the provisions in various treaties we have with other nations, generally known as the "favored-nation clause," that it would immediately throw our ports open to the entry of these articles from all nations, I can not agree with the Senator from New York in the differentiation he makes between a reciprocal concession on import duties on the part of Canada, and the condition precedent which we speak of, and which is recited in the bill. Anything which is a consideration in the reciprocal agreement relieves it from the favored-nation clause, and the performance of a condition precedent, which of itself is one of money value, to wit, the taking off of export duties, it seems to me would stand exactly in the same relation to the effect it will have upon the favored-nation clause that a reciprocal promise for the admission of certain articles free of duty would have.

There is no difference between the two in principle. A condition that certain export duties shall not be imposed is just as good as a reason why we should concede the remission of a tariff duty, as would be the promise that a certain other article should be admitted free of duty when exported from this country into that. One is a consideration, so is the other, and either as a consideration would relieve us from the criticism that it would be in conflict with the favored-nation clause.

Mr. REED. Mr. President, I wanted to ask the distinguished Senator from New York for his construction of the bill upon one phase of it. I have a very great respect, as I think others have, for his legal ability. I want to inquire whether under the bill, without the amendment, wood pulp and the other materials named in section 2 could not come into the United States free of duty provided they originated in a Province of Canada which levied no export duty. Is that the understanding of the Senator? If I have not made my question plain, it is this: There are two views that might be taken of the bill as drawn. One is that no wood pulp can be received in the United States from Canada free of duty until all our wood pulp is admitted into all parts of Canada free of duty. The other view of the bill, without the Root amendment, would be that if wood pulp originated in any Province of Canada and that Province did not levy an export duty, then that wood pulp could come into the United States free, and citizens of the United States could ship their wood pulp into that Province free. Is that the understanding of the bill without the Root amendment?

Mr. ROOT. No, Mr. President, I can not bring my mind to that view of the effect of this provision of section 2 of the bill or of the corresponding provision of the agreement. It does not seem to me that the terms of the agreement or of the bill furnish a basis for a discrimination between Provinces as such. Nothing is said about Provinces. The distinction drawn is between wood, wood pulp, paper, and so forth, which are subject to export duties or restrictions, and wood, wood pulp, paper, and so forth, not subject to restrictions. The agreement and the bill do not undertake to draw any line of Province or no Province. They make their distinction upon the treatment received in Canada by these particular articles whatever the treatment accorded, whatever the authority for it, or the basis of it may be.

The provision presented to my mind this question, whether, when the agreement says the condition is that such wood pulp and paper shall be free from import duty or restriction, it means the particular article which is presented at the customhouse on the one hand, or the class of article throughout Canada to which the thing presented at the customhouse belongs on the other hand.

Mr. CLAPP. Mr. President——

Mr. ROOT. Let me proceed.

Mr. CLAPP. But there is the crucial point.

Mr. ROOT. I hope the Senator will allow me to finish my sentence.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The Senator from New York declines to yield.

Mr. ROOT. If it means the first, then any article coming from any part of Canada, from whatever Province, which is not subject to restriction or made from material that is subject to restriction, will be immediately entitled to come into this country free on the signature of the President to this bill.

Mr. CLAPP. Mr. President——

Mr. ROOT. If it means the second, then it would be necessary for anyone who sought entry for any one of these articles to show that that class of articles was free from export duty or restriction in Canada.

Mr. REED. In all Provinces?

Mr. ROOT. In all Provinces. In neither case do I see that the line between Provinces enters. I am not prepared to say which of those views of the meaning of this agreement is the correct view. I am in doubt. I understand that the precedents in the Treasury Department of decisions upon somewhat similar statutes have been in favor of the more narrow construction, in one view a broader construction, applying the term such wood pulp and paper, sent to the particular article that is presented at the customhouse. If the course indicated by those precedents be followed, then, no matter from what Province an invoice of paper or pulp comes, if that identical paper and pulp be free from the limitation of an export duty, it comes in free.

Now I yield to the Senator from Minnesota with pleasure.

Mr. REED. Will the Senator from Minnesota let me finish my inquiry of the Senator from New York?

Mr. CLAPP. Certainly.

Mr. REED. Does the Senator from New York intend or does he concede that the amendment he offers would change the construction of the main part of the statute, whatever that construction may be?

Mr. ROOT. Not in the least degree. I intended by the amendment only to provide that when anything comes free here it may go free into Canada, so that if the paper maker in Watertown and on the south shore of the St. Lawrence sees paper made in Canada coming into our market free, he may send his paper into the Canadian market free; and it will have no other effect whatever.

Mr. BROWN. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Nebraska?

Mr. ROOT. Certainly.

Mr. BROWN. May I ask the Senator, since that is his view, it is the contention is it not of the paper maker in Watertown that he is unable to compete now with the paper maker in Canada because of the extra cost of production? Does the Senator contend that it would do the paper maker of Watertown any good to take off the Canadian duty on his product and let it into Canada to compete with Canada's market when that same paper maker contends at least that the Canadian paper maker can drive him out of business here, because he can make it so much cheaper than the Watertown manufacturer?

Mr. ROOT. I do not know about that, Mr. President. The paper makers in Watertown have not been contending——

Mr. BROWN. The Senator mentioned Watertown, and that is the only reason why I mentioned it.

Mr. ROOT. I mentioned it because it is on the border, and I may say it is a city in my own State, where there are many thousand people dependent upon the manufacture of paper. They think if the manufacturers in Canada are entitled to send their paper to New York to sell free of duty, they are entitled to send their paper to Montreal to sell free of duty, and that was the agreement.

Mr. BROWN. If the Senator will yield——

Mr. ROOT. Certainly.

Mr. BROWN. Theoretically, it is true that the paper makers in America have had the same right to an easy market in Canada that the paper maker in Canada has in America, but it is the contention, is it not, that the paper makers of America are unable to compete with the Canadian paper makers in this market, and therefore they are opposed to removing the American duty on Canadian paper. If that is true, what actual benefit do the paper makers of our country derive from having free access to the Canadian paper market?

Mr. ROOT. Mr. President, I can not base my view of this bill upon the contention that the paper makers of America can not compete with Canadian paper makers, because I am going to vote to take away from them all protection by way of a tariff duty. What I do want is, when we take away all protection from them for the purpose of giving effect to an agreement which gives to them an entry into the Canadian market, however much or however little it may be worth, they shall have what the agreement gives them.

Mr. HITCHCOCK. Before the Senator takes his seat——

Mr. ROOT. I will say, Mr. President, that I do not think that this amendment is of the importance which has been ascribed to it in many quarters and perhaps generally. I do not think it is a matter of the first importance, but it is an amendment which provides that our own people shall have one stipulation, valuable or not, that is accorded to them by the Canadian Government in the agreement which has been made.

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Nebraska?

Mr. ROOT. I do.

Mr. HITCHCOCK. Before the Senator from New York resumes his seat I wish to call his attention to the evidence

which exists in the agreement itself that the narrow construction which he thinks might possibly be placed on the word "such" is hardly possible under other language in that same agreement.

I understand the Senator from New York to contend that it might be possible if this bill were passed as it is proposed and section 2 remains as it does now, that immediately upon its passage paper might be brought to this country from Canada, and, provided it was made of wood from a Province which imposes an export duty, then because of the narrow construction of the words "such paper" it would be subject to immediate entry into the United States.

It seems to me that that construction of the word "such" in that paragraph is not possible, for the reason that in the paragraph immediately following the same language is used, not applied to the Canadian products but applied to the products of the United States exported into Canada. The provision I refer to is as follows:

Provided also, That such wood pulp, paper, or board, being the products of the United States, shall only be admitted free of duty into Canada from the United States when such wood pulp, paper, or board, being the products of Canada, are admitted from all parts of Canada free of duty into the United States.

It is manifest from a reading of that provision that it is not possible to apply the narrow construction to the word "such" in the free-list provision, which the Senator from New York has thought possible.

Mr. ROOT. Mr. President, may I say two things regarding the suggestion of the Senator from Nebraska? The first is that the clause to which he has just referred is omitted from the bill, so that there will be no such weight to the construction of this bill.

Mr. HITCHCOCK. However, I think that as the bill is in support of a reciprocity agreement and in view of the fact that it is to carry out that agreement, the agreement might be looked to for language to interpret this particular legislation.

Mr. ROOT. Mr. President, if the bill did follow the agreement, but may it not well be inferred from the fact that the bill industriously departs from the terms of the agreement that it intended to do something else than the agreement.

There is a second thing which I wish to say regarding the suggestion of the Senator from Nebraska. I do not say the construction which he has stated is not correct. As I have already said, I have been in serious doubt as to which of the two constructions was correct which the agreement meant; but if the construction which makes the words "such paper, pulp," apply to that class of articles be correct, then it makes no difference practically in the immediate future as to whether the amendment is put in or left out, because there would not be any results. If the construction is the true one—that there can be no restriction upon the class of articles—then nothing can come in free either with the amendment or without it.

Mr. HITCHCOCK. Then, in reply to the Senator from New York, I want to say that, so far as the export duties levied by the Canadian Provinces are concerned, their treatment in the bill is identical with their treatment in the agreement, and therefore, as far as these paragraphs are concerned, there is no departure from the agreement.

Mr. SMOOT. Mr. President, I should like to call the attention of the Senator from New York to what I believe to be a fact, that there is no Province in Canada that has an export duty upon paper. They have an export duty upon pulp wood and pulp, but they have no export duty upon paper. The bill provides that paper under the value of 4 cents per pound can come in free.

The Senator from Georgia [Mr. BACON] discussed the question as to whether there were any restrictions in section 2 of the proposed bill. There are restrictions in the Provinces as far as pulp wood and pulp are concerned, but not as to paper itself, and therefore paper can come in free as soon as the President signs the bill.

Mr. HITCHCOCK. I want the attention of the Senator from Utah to the fact that paper must be made from wood not subject to such restrictions.

Mr. SMOOT. I think that is true.

Mr. CRAWFORD. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from South Dakota?

Mr. SMOOT. Certainly.

Mr. CRAWFORD. I wish to ask the Senator from Nebraska a question. The Senator may have the Canadian bill here. I do not find it in this report. I thought it was here. The Senator from New York calls attention to the fact that the clause which the Senator from Nebraska read is omitted from the bill pending here. I wish to inquire if it has been omitted from the bill before the Parliament at Ottawa.

Mr. HITCHCOCK. I have already read into the RECORD to-day the provision in the Canadian bill.

Mr. CRAWFORD. Is it from the Canadian bill or the document which is before us, from which the Senator has just read?

Mr. HITCHCOCK. It was the document printed under the authority of the Senate containing a reprint of the Canadian bill.

Mr. WILLIAMS. Mr. President, if the ship of this legislation never encounters any rocks any more dangerous than the one which the Senator from Massachusetts [Mr. LODGE] has imagined he sees under the water, and very far under it at that, she will sail on very smoothly. This for the simple reason that the entire bill as passed by the American Congress and signed by the American President in its totality will be consideration for the entire bill which will be passed by the Canadian Parliament and become a law there in its totality, and for the further reason that it took not only two parties to make this bargain, but it will take two parties to make this legislation. The trouble which is being complained of is cured by the fact of the existence of the provision desired in the legislation now pending before the Canadian Parliament. That is Canada's side of the bargain.

Mr. President, I shall not go into that much more particularly. There are some things in connection with this matter that I know the public does not understand and that I think probably some of us do not understand.

In Canada the public lands are called Crown lands. There are two different classifications of Crown lands. Some of the Provinces, the old Provinces, which entered into the original union at the time of its formation, own the Crown lands within their borders, and the Dominion of Canada has no more to do with those Crown lands than the Government of the United States has to do with the public lands of Texas, which retained its public lands when it entered into the American Union, when it was not "annexed," as that map says, but when it was "admitted."

Now, then, another classification of Crown lands are the Crown lands owned by the Dominion, which is the general or Federal Government of Canada. These exist in such Provinces as Alberta and Saskatchewan, Provinces which were territories at the time of the formation of the Dominion Union, but which have since been admitted as Provinces, or, as we would say, as States. In those cases the Crown lands are Federal lands.

Now, I do not like to argue about words. I always like to argue about things or else keep my lips closed.

If the Root amendment is adopted, wood pulp and pulp wood and paper, and principally news paper, print paper, for that is the thing which is being considered most, can not enter into the United States free of its present tax until every Province in Canada owning its own public lands shall have removed all restrictions upon exportations which those Provinces now have. In other words, the period of the free importations of print paper into the United States will be either perpetually or indefinitely postponed. That is the whole proposition.

If the Root amendment be not adopted, then, although one Province in Canada or two Provinces may maintain their restrictions under their state-rights doctrine, there recognized by the Dominion, we can still obtain print paper into the United States free from these sources: First, from privately owned timber; secondly, from Crown lands owned by the Dominion in those Provinces which were admitted as States subsequent to the formation of the Canadian Union.

Now, you can make your choice. Those of you who want indefinitely to postpone the period of the entry of print paper into the United States from Canada and wood pulp from Canada into the United States can vote for the Root amendment and you will accomplish your purpose.

Mr. CLAPP. Mr. President——

Mr. WILLIAMS. Wait a minute. And not only will this postponement be indefinite, but it will probably be perpetual, for these reasons: You will, with the Root amendment, furnish no sort of inducement to the Provinces in Canada desiring to retain the restrictions to remove those restrictions, and not only that, you will furnish the greatest temptation and inducement to the International Paper Trust of the United States to see to it that they never do remove those restrictions.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Minnesota.

Mr. WILLIAMS. Not right now. The bill did not come from the House accidentally. The House did not word it as it is worded without due deliberation and thought. It was drawn

this way of a set purpose, and, in drawing it, it is to be presumed, at any rate, that the State Department was more or less consulted. If the bill as it passed the House passes the Senate, then this will happen: Print paper out of wood grown upon the Dominion Crown lands and grown upon privately owned lands can come into the United States free, as can also the pulp wood and wood pulp, for the use of our paper manufacturers. This will enable our paper manufacturers to compete with those of Canada, because substantially the only advantage our neighbors have is cheaper raw material, while putting print paper from Canada into the United States on the free list will force them to compete.

Now, those of you who desire indefinitely to continue the present grip of the International Paper Co. upon the paper business of the United States can vote for the Root amendment. Those of you who desire to loosen that grip, who desire to take from the throat of the consumers of paper this great strangling hold, will not vote to put the Root amendment upon the bill.

Now, another thing. A very great deal of importance has been attached to the fact that the Root amendment——

Mr. CLAPP. Mr. President, I should like to ask a question.

Mr. WILLIAMS. Not right now.

Mr. CLAPP. If the Senator will just pardon me, I think he has misquoted. I wish to call his attention——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Minnesota?

Mr. WILLIAMS. Not right now. I will yield later.

The PRESIDING OFFICER. The Senator from Mississippi declines to yield.

Mr. WILLIAMS. I must say in excuse that I am not accustomed to the method of debate in the Senate; I am rather in the habit of trying to finish a thought, and I want to finish it continuously if I can.

Mr. CLAPP. The Senator misquoted, and I wanted to correct him.

Mr. WILLIAMS. A great deal of importance has been attached to the idea that the Root amendment is in strict accord with the agreement between the two countries. Now, I always like to argue things frankly, for two reasons: First, because it is an honest thing to do; and, secondly, because it is always the wisest thing to do. The President of the United States has made no concealment of the fact that the Root amendment does express the original agreement in so far as it was an agreement at all. The House knew it expressed the agreement, and because the agreement as it was made would have resulted in exactly what I have said, perpetually possibly, indefinitely certainly, continuing the hold of the International Paper Co. upon the paper business of the country, the House changed it that far, knowing that when it changed it, it changed the agreement on the whole still further in favor of Canada, and that therefore Canada would not object.

That was the reason why the bill came here in its present shape. The President of the United States has very clearly expressed it in his speech at Chicago. By the way, I hold no brief to defend the President of the United States, and if I incidentally defend him here and there, it will be because of a difference between me and Republican Senators. When a Republican President has a lucid interval on the question of protectionism, I like to go to his assistance, and when he has a lucid interval you feel like hitting him over the head with a club. So I make that excuse, at any rate, for defending him in this particular, in so far as I shall.

It has been charged that the President made a speech in Chicago and that he did not send the speech to the Houses of Congress as a message. With the exception of Thomas Jefferson, who never made any speeches at all, but who did all his work of molding public sentiment and legislation, outside of his messages, around the dinner table and by letter, there has not been a President of the United States from the beginning who did not make speeches to the country, and make speeches upon political subjects, and make speeches for the purpose of molding public opinion.

The Senator from Texas says—I have forgotten his exact language—Oh, yes; that it was "to put pressure upon the Senate" by arousing public opinion. I would not be undiplomatic enough to say that the Republican President wanted to put pressure upon this august body, but I would say that it would not have been lese majesty if he had.

This body is not so very august that anybody, anywhere from a bootblack to a President of the United States, can not rise up and advise it. All the newspapers are advising it every day. Every time one of you makes a public speech at home and it is printed, you are putting pressure through public opinion, in a certain sense, upon both Houses, but not in any wrong or in any bad sense. There is no blame to be attached to the President of the United States because he thinks that the enactment of certain legislation will be for the public welfare, and, believing it, tries to mold public opinion in favor of its enactment, not only in his messages, but in public speeches and even in private conversation. In so far as that be a pressure upon the Senate, it is a legitimate and a right pressure.

My friends, I learned but two things from the hearings before the Finance Committee. One was that nobody in America can in any line of business compete with anybody anywhere with the aid of Government extended in the form of taxation of his competitors.

The other was that when a man came there to plead for the retention of a tax he was treated with the utmost courtesy, as one of the distinguished citizens of the United States, probably as one of its captains of industry; and although the retention of the tax carried money into his pocket, it was not regarded as a treasonable act on his part to beg for its retention; but if a man came before that committee begging for the tax to be reduced, immediately the exclamation was, "Why, by the reduction of this tax you will be richer," and that was regarded as a treasonable way of getting rich. We have got to about the stage where the great interests control this country so completely that a man who wants to untax the people and frankly admits by their being untaxed he as well as the people will be benefited is regarded as a fellow who has committed a sort of high treason, whereas the man who wants to retain a tax or wants to increase a tax is regarded as an enterprising captain of industry whom no man can treat too well and whom no committee can consider too highly.

Mr. President, in connection with the question raised by the Senator from Massachusetts [Mr. LODGE], if Senators will take the trouble to begin on the twenty-fourth and twenty-fifth lines of page 15 and to read down to the fourth line on page 16, and if then they will take the trouble to begin on line 15, on page 19, and read through the twenty-third line on the same page, and connect that with the language on page 23, in section 2 of this bill, they will understand what I have said about this bill being in toto a consideration for a Canadian bill in toto truly reciprocal and not anywhere gratuitous, and not subject to any criticism under the "favored-nation" clause of any treaty.

In conclusion, I beg the Senator's pardon for not yielding at the time he asked me, and shall be glad to do so now; I mean the Senator from Minnesota.

Mr. CLAPP. Mr. President, I ask the Senator from Mississippi if he understands that any Province in Canada can impose an import duty?

Mr. WILLIAMS. No; no Province in Canada can impose an import duty.

Mr. CLAPP. Such a duty can be imposed only by the general Canadian Government.

Mr. WILLIAMS. By the Dominion of Canada. If I said "import duty," I meant "export duty."

Mr. CLAPP. That is what I thought.

Mr. WILLIAMS. Yes. These restrictions are in the shape of export duties wherever the Crown lands—or the public lands, as we would call them—are owned by the Provinces.

Mr. CLAPP. Mr. President——

Mr. WILLIAMS. One word further right there, for I forgot to say it at the proper time. If the Root amendment is not adopted, we hold out the inducement to several Provinces of Canada to withhold those restrictions. If we admit, for example, print paper made from wood grown upon Saskatchewan and Alberta lands free into our country, whereas we retain a duty of $3.75—I believe that is the amount, although I may not be accurate—upon the print paper made from wood in New Brunswick, if New Brunswick be one of the Provinces with restrictions, then we hold out an inducement of $5.75 a ton to New Brunswick to remove its restrictions in order to enter our market. The Dominion of Canada can not make her remove them; the Dominion of Canada never agreed to do it. Moreover, if Senators will mark the correspondence as well as the final so-called agreement, they will see that the minds of the two countries never came together upon the question of paper and wood pulp and pulp wood at all. One merely said, "I will try to do this, if you will do that," the first having said prior to that time, "I will do this if you will do that," and the reply was not, "I will," but, "I will use such influence as I have to get it done, and so far as I am a Dominion I will do it." That is as near as they came to a perfect agreement.

Mr. CLAPP. I am in hearty accord with the Senator, let me say, in opposing the Root amendment, because it is one more entanglement of this proposition; but I doubt whether the Senator is correct in his statement that the Root amendment goes to any action of any Province. The Root amendment simply

relates not to export duties, which are referred to earlier, but to import duties on the part of Canada.

Mr. WILLIAMS. But if the original agreement as it was made had been kept, we would not have admitted any paper that was the product of any Province with restrictions.

Mr. CLAPP. That is true.

Mr. President, I want to say at this time—and I am not going to speak at any length upon the bill—I have heard some speeches made against this bill and have read several others, but I have not heard or read any speech that satisfied me so thoroughly that this bill ought to be defeated as the effort of the Senator from New York [Mr. ROOT] to say what this bill meant. I invite the attention of the Senator from Mississippi [Mr. WILLIAMS] to this: It is true that as to wood pulp from private-owned mills this proposition applies, and yet so learned a man as the Senator from New York, close as he must be to the source of this bill, was in doubt, as shown by his answer in response to a question, I believe, of the Senator from Missouri, as to what the bill did mean. The distinguished Senator from Mississippi is correct that paper made from Crown-lands timber would come in free.

Mr. WILLIAMS. Paper made from timber on Dominion Crown lands.

Mr. CLAPP. Paper made from timber on Dominion Crown lands or made from lands in private ownership would come in free. Let us clear that question from all ambiguity by striking out the entire proviso with reference to paper. If the duty upon paper is a burden, which it is the duty of Congress to remove, then it is our duty to remove it in such a manner that there shall be no question as to whether or not we have removed it.

Mr. WILLIAMS. In that particular, I am heartily in accord with the Senator from Minnesota, not only as to Canada, but as to everybody else.

Mr. CLAPP. I am very glad to hear the Senator accede to that. Two years ago—to use a vulgarism, possibly—Congress gave these people a gold brick in the tariff bill. I opposed it then, and I propose to oppose it now. If we are going to put paper, as we did then, at a certain rate, or if, as the Senator from New York says, he is ready to vote to put paper on the free list if Canada will put it on the free list, which is a mere shadow dance, because last year all the paper products of this country that went into Canada only amounted to a sum total of about $300,000, while the Canadian exports to this country amounted, of all those articles, to over $4,000,000, but if we have reached a point where we are ready to do this, then I, for one, shall insist in the consideration of this bill, as I did two years ago, that it is not right to impose a double burden upon the American consumer. I am very glad, indeed, that the Senator from Mississippi has signified a willingness to join in that proposition.

While I am on the floor I want to call attention to the fact that this debate has drifted very far from the fundamentals upon which it started under the auspices of the Senator from North Dakota [Mr. MCCUMBER]. His objection to this bill in its present form and to the proposed amendment was that it would give a certain class of legislation—reciprocal legislation—to certain States of this Union while it would not accord the same condition to other States. I admire the Senator's fundamental proposition as a matter of morals and ethics, but it has become somewhat antiquated in the history of tariff legislation in this country.

The Payne-Aldrich tariff act gives the State of Maine one kind of a tariff and the State of Minnesota another. Turning to page 90 of that act under section 27, you will find this provision:

> SEC. 27. That the produce of the forests of the State of Maine upon the St. John River and its tributaries, owned by American citizens, and sawed or hewed in the Province of New Brunswick by American citizens, the same being otherwise unmanufactured in whole or in part, which is now admitted into the ports of the United States free of duty, shall continue for two years after the date of the passage of this act and no longer to be so admitted, under such regulations as the Secretary of the Treasury shall from time to time prescribe.

The owner of pine timber in Maine under that provision has the right to float his logs across the river and there have them hewed or sawed, but when the request was made that the same privilege be accorded to the owner of pine timber in the State of Minnesota, it was denied. I do not wonder that the Senator from North Dakota may not have been accustomed to a system of tariff that accorded one privilege to the owner of pine timber in one State and denied it to another; and I simply wanted to remind him that the people of Minnesota had become somewhat accustomed to it, and that the reciprocity bill is not the first bill in the history of tariff legislation that favors one State and withholds the same favors or privileges from the people of another State.

Mr. SMOOT. Mr. President, I should like to ask the Senator if at the time that bill was considered there was any objection to that provision of the bill or did Minnesota at any time ask the same privilege?

Mr. CLAPP. Minnesota asked the same privilege, and, as in a great many other instances in the consideration of the Payne-Aldrich tariff bill in the open forum of the Senate, the privilege was accorded to Minnesota, but when the bill came out of that remarkable conference committee of 1909 the privilege as to Minnesota was stricken out and left standing as to Maine.

Mr. SMOOT. The reason I asked the Senator was because I remembered no act on the part of the Senate tending to show partiality between one State and another; and so it was quite a surprise to have my attention called to it to-day by the Senator from Minnesota.

Mr. CLAPP. Well, it was a surprise to us, but we are getting accustomed to being surprised under this form of legislation. So I wanted to remind the Senator from North Dakota that he, too, must expect to tolerate conditions here and also get somewhat accustomed to this character of legislation.

I did not intend, Mr. President, to rise to debate this question this afternoon. At the proper time—and I understand the bill is now before the Senate, as in Committee of the Whole, and open to amendment—I propose to offer the following amendment: On page 23, line 19, after the word "duty," where it first occurs, to strike out the comma and insert a period and strike out all the remainder of page 23 and lines 1 and 2, on page 24, down to and including the word "board," in line 3, on page 24.

The PRESIDING OFFICER. The proposed amendment will be stated.

The SECRETARY. On page 23, after the word "duty," in line 19, where it first occurs, it is proposed to strike out the comma and insert a period, and to strike out the remainder of page 23 down to and including the word "board," on line 3, of page 24.

The PRESIDING OFFICER. Does the Senator desire action upon the proposed amendment at the present time?

Mr. CLAPP. I ask that the amendment be printed and lie on the table.

The PRESIDING OFFICER. That order will be made.

Mr. CUMMINS. Mr. President, may I ask whether the amendment just sent to the desk by the Senator from Minnesota was offered to the bill or proposed to be offered at some other time?

Mr. CLAPP. I offered it because I understood the bill was being considered as in Committee of the Whole and open to amendment.

The VICE PRESIDENT. The Senator is correct.

Mr. CUMMINS. In a parliamentary sense, is the amendment pending which was brought forward by the committee?

The VICE PRESIDENT. It is to be voted upon when it is taken up. It has been reported by the committee, but action thereon has been temporarily deferred.

Mr. CUMMINS. Can other amendments be offered to the bill until that amendment is disposed of?

The VICE PRESIDENT. Yes; under the circumstances, as long as the Senate has, by unanimous consent, deferred action upon the amendment reported by the committee.

Mr. CUMMINS. Of course, I do not want to interfere with the amendment offered by the Senator from Minnesota; but I wanted to know when the bill comes up again upon what the pending question will be?

Mr. GALLINGER. The question will be on the amendment reported by the committee.

The VICE PRESIDENT. The bill will then be in the same condition it is now, unless in the meantime it has progressed in some manner, and the Chair hardly sees how it could progress with a pending amendment undisposed of.

Mr. CUMMINS. I did not know that two amendments could be pending to the bill proper at the same time.

The VICE PRESIDENT. It can only be by unanimous consent, but by unanimous consent the amendment reported by the committee has been temporarily laid aside, and the Chair supposes that other amendments can be considered in the meantime.

Mr. GALLINGER. Mr. President, the Senator from Minnesota offered an amendment and asked that it be printed and lie on the table to be submitted later.

Mr. CLAPP. Mr. President, at this time, in order that there may be no misunderstanding, I want to make a statement. Of course, it will be understood by those who have followed the text of the bill that the amendments I have submitted and asked to lie on the table, if it prevails, will simply enlarge the con-

cession, and consequently can in no wise interfere with whatever there may be of the idea of a reciprocal relation in the passage of this bill.

Mr. SMOOT. It means, does it not, that wood pulp and paper may come in free from all parts of Canada, no matter whether there are restrictions or not?

Mr. CLAPP. Yes, sir; that is what it means.

The VICE PRESIDENT. The present Presiding Officer was not in the chair when the Senator from Minnesota [Mr. CLAPP] offered his amendment. The Chair understands that he offered his amendment with the request that it be printed and lie upon the table, and not for immediate action.

Mr. CUMMINS. Precisely; but, as I understand, it has the parliamentary standing of an amendment offered to the bill.

The VICE PRESIDENT. That is correct.

Mr. CUMMINS. And takes precedence of the amendment presented by the committee.

The VICE PRESIDENT. Oh, no; not necessarily.

Mr. CUMMINS. It is a little difficult for me to understand how there can be two amendments pending at the same time.

Mr. GALLINGER. Mr. President, if the Senator will permit me, as I happened to occupy the chair at the time, I will say that the amendment was offered in the form that amendments are offered every day, as a matter of information to the Senate. It was *read, ordered* to be printed, and lie on the table, to be offered later on as an amendment upon which action shall be taken. I should judge, however, that it would not necessarily be considered prior to the consideration of the committee amendment, but that it will be taken up for consideration whenever the Senator from Minnesota presents it for that purpose.

Mr. CUMMINS. The Senator from New Hampshire has stated it exactly as I understand it, and my inquiry can be very easily answered by a reply to this further question: Suppose we were to take a vote at this moment, is there an amendment pending upon which we could vote; and if so, what amendment is it?

The VICE PRESIDENT. There is no amendment pending on which a vote could now be taken.

Mr. OVERMAN. When can the vote be taken, Mr. President, on what is known as the Root amendment?

The VICE PRESIDENT. When the Senate desires it to be taken. It has been temporarily passed over by unanimous consent of the Senate.

Mr. OVERMAN. Was it not passed over temporarily; that is, for one calendar day?

The VICE PRESIDENT. The Chair assumes that means for to-day.

Mr. OVERMAN. For to-day only?

The VICE PRESIDENT. The Chair so assumes.

Mr. SMOOT. Mr. President, the bill is before the Senate, is it not?

The VICE PRESIDENT. The bill is being considered as in Committee of the Whole.

Mr. SMOOT. I meant in Committee of the Whole.

The VICE PRESIDENT. The next step, naturally, would be to report the bill to the Senate, but the Chair hardly sees how the bill can be reported to the Senate with an amendment temporarily passed over without action as in Committee of the Whole.

Mr. SMOOT. Mr. President, I understood the Senator from New York to say that he could offer his amendment in the Senate just as well as in Committee of the Whole, and that he would so offer it.

The VICE PRESIDENT. It is not the amendment of the Senator from New York. It is a committee amendment.

Mr. OVERMAN. It has got to be voted on first.

The VICE PRESIDENT. It has been reported by the committee. The Chair presumes it is possible that the bill could be reported to the Senate with this amendment to be acted upon in the Senate, and not be acted upon primarily as in Committee of the Whole; but that can not be done, as the Chair sees the matter, except by unanimous consent of the Senate.

Mr. GALLINGER. I would object to that.

The VICE PRESIDENT. But it could be done.

Mr. SMOOT. There are some 15 proposed amendments that have been offered to the bill. I have them here before me, and it seems to me that they ought to be offered.

Mr. NELSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Minnesota?

Mr. SMOOT. I yield.

Mr. NELSON. I want to say to the Senator that there is no use of his being so eager about this bill. Let us have time, and each Senator will offer such amendments he may have to offer. There is no occasion for the Senator from Utah to borrow trouble about amendments that other Senators have submitted.

Mr. SMOOT. I am not bothering myself about any amendments that anybody else has submitted. All I am troubling myself about is to have the bill considered. If we can pass it, or if it can be defeated—which I would personally like to see—well and good; but it does seem to me that we ought to consider the bill every day the Senate is in session until it is either passed or defeated.

Mr. NELSON. I am surprised to see the Senator so eager now about the bill.

Mr. SMOOT. I do not see why the Senator should be surprised. I should like to get away from here. I will frankly say to the Senator that as soon as we can get through with the public business I would like to see Congress adjourn; and I do not see why we can not consider the bill now just as well as at any other time.

Mr. NELSON. I think we had better consider also the woolen schedule before we adjourn.

Mr. SMOOT. That can be done, Mr. President, if there are enough Senators who want to consider it at this session.

Mr. NELSON. I think the woolen schedule ought to go with this reciprocity bill.

Mr. SMOOT. If the Senate feels that way, the Senate can have it. There is no question about its power, and it is a matter entirely in the hands of the Senate; but the reciprocity bill is now before the Senate and should be considered.

Mr. CUMMINS. Mr. President, I shall not now nor at any other time seek to delay a single moment the consideration of this bill, but in so far as I can effect the procedure it must go along in an orderly way. As I understand, the committee, of which the Senator from Utah [Mr. SMOOT] is a member, reported an amendment. It is pending now before the Senate. I have some desire to submit to the Senate certain observations with regard to that amendment. I do not intend, however, to do so as a mere oration at a time when, under the rule or order of the Senate, the amendment can not be considered; and if the Senator from Utah or the Senator from Pennsylvania [Mr. PENROSE] are willing to have that amendment postponed until some later day, it seems to me that it necessarily follows that they will be instrumental in postponing the consideration of the entire bill. Whenever the amendment proposed by the committee is before the Senate for consideration and for action, then I desire to submit some remarks upon it; but I object to proceeding with other amendments which concern other parts of the bill until this is disposed of, if that be my parliamentary right.

Mr. HEYBURN. Mr. President, it seems to me that the bill having been laid before the Senate with only one amendment pending, when that amendment is laid aside for the day it carries the bill with it. No other procedure can be had. The committee amendment has been laid aside for this calendar day. It could be taken up, of course, only by revoking that action, which was by unanimous consent. The bill can not be before the Senate for action until that amendment is disposed of. So I think, in the absence of any other amendment, we have in fact laid the bill aside for the day.

The VICE PRESIDENT. The Chair thinks not. The Chair thinks the bill is before the Senate as in Committee of the Whole.

Mr. HEYBURN. But could not be voted on.

The VICE PRESIDENT. The amendment could not be voted on——

Mr. HEYBURN. The bill could not be voted upon until the amendment was disposed of.

The VICE PRESIDENT. The bill is not voted on in Committee of the Whole; amendments only. Then the bill is reported to the Senate with the amendments.

Mr. HEYBURN. I refer to the action in Committee of the Whole.

The VICE PRESIDENT. Yes.

Mr. HEYBURN. The question of the passage of the bill could not be taken up until the disposition of the amendment, and the amendment being laid aside for the day, it seems to me we are at a standstill except as to any other amendment that may now be brought forward.

The VICE PRESIDENT. The Chair thinks that is a correct statement.

Mr. GALLINGER. Always keeping in mind the fact that this is, I think, the first time in my somewhat protracted service in the Senate when conversation was not sufficiently voluminous to fill up the gaps.

Mr. WORKS. Mr. President, I am a long way from home. I am longing for the breezes of California. I have been here now about three months. During that time, it seems to me,

the Senate has accomplished very little. I am perfectly content to remain here and do my duty so long as I see that the Senate is, in good faith, undertaking to accomplish results. I should not want to see any Senator denied the right to present his views fully upon this important question, or to see those rights abridged in any way. But it does seem to me that the time has come when we should push this business along.

I have heard a number of Senators say here that they are ready to make their speeches at any time, and I have been wondering for several days why they are not making them. The Senator from Iowa [Mr. CUMMINS] seems to prefer to make his speeech at a time when something is before the Senate. But this bill and until this morning the amendment, was before the Senate for consideration, or before the Senate sitting as a Committee of the Whole, and there is no reason, it seems to me, why these speeches should not be made. Personally I should be glad to see the work pushed along with a little more expedition than has been the case in the past.

Mr. PENROSE. Mr. President, on that point I desire to state to the Senate that while I am advised that a number of Senators desire to speak against this bill, I have no information whatever as to when they will be ready or whether they will ever be ready.

Now, that is the situation for the Senate and the country to consider. If the Senate would agree on a day to vote on the measure, then there could be no objection to Senators taking all the time they wanted to prepare speeches and address the Senate on the measure.

Mr. CUMMINS. May I ask the Senator from Pennsylvania why he consented to the postponement of the committee amendment?

Mr. PENROSE. That unanimous consent was given either while I was out of the Chamber or it escaped my attention. I regret that it occurred, although under the circumstances I am not prepared to say that I would have objected.

Mr. GALLINGER. Will the Senator from Pennsylvania permit me?

Mr. PENROSE. Yes.

Mr. GALLINGER. I think it was largely due—at least that governed my action in the matter—to the fact that the Senator from New York [Mr. ROOT] said that he intended to speak on the bill and would discuss his amendment on Wednesday immediately after the routine morning business.

Mr. PENROSE. That influenced the Senate, and it was also supposed, I assume, that other Senators would be willing to discuss other amendments to the bill in question. It was never suspected or imagined that the postponement of one amendment be made an excuse to suspend the whole discussion on the measure for half a week.

Mr. CUMMINS. So far as I am concerned, I have certain amendments that I expect to propose. I do not want to propose them until after the amendment brought forward by the committee is disposed of. So it is utterly impossible for me to adjust altogether my amendments to the bill until I know what the sense of the Senate is with regard to the wood-pulp and paper amendment. I assumed this morning that we would go forward and debate and finally determine this amendment, and then I assumed that there would be other amendments proposed which would continue the debate.

I have not much sympathy with the general practice of delivering abstract orations upon this or any other bill, and when I offer such amendments as I desire to offer I expect to address the Senate with respect to them, and immediately address the Senate.

But it is too much to expect that we can prepare ourselves against the unforeseen and, as I think, somewhat extraordinary action taken in postponing the pending amendment so that no other amendment could be offered to the bill; at least, we could not foresee that any other amendment could be offered to the bill; and, as far as that is concerned, I think the chairman of the Finance Committee will have to accept the consequences of having been out of the Chamber when that order was asked and entered, and he ought not, as it seems to me, to impute any desire for delay upon the part of those of us who are not ready to accept the bill just as it is.

Mr. PENROSE. I do not desire to inconvenience any Senator, and so far as I have any influence in the progress of this bill I desire to adapt the progress of it to their convenience. But it does seem to be an extraordinary situation that the Senate, which in my 15 years' experience was never known to run out of its flow of oratory, is to-day found to be practically at a standstill in that respect, and the most careful investigation fails to disclose any Senator who with any degree of definiteness or certainty is willing to say that he will be able to proceed on the general bill or upon any phase of it during the present week.

Now, of course, I do not pretend to say that I have seen every Member of the Senate or that there are not Senators ready to go on. I simply state the result of my own investigation.

Mr. BAILEY and Mr. DIXON addressed the Chair.

The VICE PRESIDENT. To whom does the Senator from Pennsylvania yield. The Senator from Montana first arose.

Mr. PENROSE. I yield to the Senator from Montana.

Mr. DIXON. I do not believe there is a desire on the part of any Senator here to delay the debate or the vote on this bill. I personally know of several Senators who want to, and feel it their duty, to make some remarks on the bill, and I am sure some of them have been holding off until somebody had explained what this bill meant and what are the reasons to be advanced for its adoption.

Personally I had hoped to delay my remarks until the Senator from Pennsylvania, the chairman of the Finance Committee, had made his speech in support of the bill, and possibly also the Senator from Mississippi [Mr. WILLIAMS]. How can we go ahead with this debate in the dark? No report has been made upon it. Not a word has been said in its favor. Not a word has yet been said in the Senate in explanation of the bill by any Senator. I think many Senators here who want to discuss it would, for the purposes of being enlightened—and I say this not wholly in a jocular spirit—like to hear some Member of the Senate who favors the bill. The newspapers are filled with reports that two-thirds of the Senate for some reason or other are going to support the bill, and yet not a man has opened his mouth in this Chamber to say that it is a good bill.

I think, in deference to the membership of the Senate, the men here who are supposedly in favor of this bill, who are announced in the papers as going to vote for it, in justice to the Senate and the country, ought to give some reason for the faith that is in them.

Mr. BAILEY. Mr. President, I rose to say practically what the Senator from Montana has just said. I am ready to proceed at any time, and I am simply waiting for the opportunity to answer, or attempt to answer, some speech made in behalf of the bill. I have not prepared what I intend to say, but if there is a speech to be made in favor of the bill I am ready to proceed as soon as that is concluded.

Mr. WORKS. Mr. President——

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from California?

Mr. BAILEY. Certainly.

Mr. WORKS. I should like to ask the Senator from Texas what he is going to do if no speeches are made in favor of the bill?

Mr. BAILEY. Then I shall endeavor to expose the vices of the bill, without having an opportunity to answer, as I think I could answer, any argument that can be made in favor of it. If it is announced that no friend of the measure desires to address the Senate in behalf of it, then the few of us who are opposed to it are ready to proceed, or at least I am. I do not know how many Senators on this side agree with me in opposing the bill, as it has never been my habit to canvass the Senate, but I am frank to say that the fewer they are the more certain I will be to express my opinion upon it. If I could have all the Democrats in accord with me I would be perfectly willing that they should make the argument and I would save myself that labor and that trouble.

Whenever the Senator from Pennsylvania is ready to say to the Senate that the advocates of the measure do not desire to discuss it, then we will proceed to discuss it, and when we have finished we will be ready to vote.

While I am on my feet, Mr. President, I will say to the Senator from Utah [Mr. SMOOT] that he may possess his soul in patience; for he has no chance to see the Senate adjourn until it has, in one way or another, disposed of the free-list bill and the woolen schedule, with such other bills as the House under its prerogative may see fit to send us. But I will also say to him and to the Senator from Pennsylvania, that if they will report the free-list bill and the woolen bill as they have reported this, without a recommendation, then we are ready, and I think I may safely speak for all this side, after a fair debate—and that does not mean a long debate—on all three of the measures, to take a vote. I will go even further and say that I will exert my good offices to procure a unanimous-consent agreement to vote on this bill on a given day, coupled with an agreement to vote on the free-list bill and the woolen bill on succeeding days, allowing only a fair interval between them for debate.

Mr. WILLIAMS. I hope the Senator from Texas will not overlook the bill for publicity of campaign contributions before election.

Mr. BAILEY. I assume that there will be no effort to prevent a vote on that. I am simply addressing myself now to these bills which relate to the tariff.

Mr. SMOOT. I can say to the Senator from Texas that I am as aware as he is that if a majority of the Senate wants to vote on the free-list bill, the Senate will do it. So as to the woolen bill.

As to what the committee will do with the two bills I am not advised, nor can I say what the result of the committee vote will be. But my opinion is, of course, that there will be a majority vote against them.

Mr. BAILEY. I am sure of that, Mr. President—just as sure of it as I am that there was a majority against reporting the reciprocity bill. And all I ask is—and I will make a contract with the Senator from Pennsylvania [Mr. PENROSE] and the Senator from Utah [Mr. SMOOT] here in the open Senate—I think they ought not to be made at all unless they can be made in the open Senate—that if they will agree to vote with us to report those two bills without recommendation, as this bill was reported, then I will agree upon any reasonable day for a vote on this bill.

Mr. PENROSE. I should like to ask the Senator from Texas whether he thinks it would be fair to report the free-list bill without giving such full hearings as the committee very patiently gave to the opponents of the reciprocity bill?

Mr. BAILEY. If the Senator from Pennsylvania will make the calculation he will discover that if he gives the same hearings on the free-list bill that he did on the reciprocity bill it will be later than the 1st of August before the free-list bill finds it way into the Senate.

Mr. PENROSE. Yes, or even later, Mr. President.

Mr. BAILEY. So far as I am concerned, I am ready to remain here. I do not consider Washington a very desirable summer resort, but having undertaken this work I am not at liberty to consult my personal comfort, and I am ready to stay here through August or until the next session convenes. But the Senator from Utah, as I understand him, is solicitous for an adjournment, and I am showing him the way to it. We will dispose speedily of this bill; and all I want is an agreement with the Republicans on that committee for a report on the other bills.

Mr. SMOOT. I will frankly say that I do not want a vote upon any free-list bill or upon the wool bill until we get a report from the Tariff Board, and when that report is received and submitted to the Senate I am perfectly willing to consider any bill for the revision of the tariff and base that revision upon whatever that report may be.

Mr. BAILEY. I can well understand that the Senator from Utah should distrust his information on the woolen schedule, in view of the fact that he helped to frame that of the present law.

Mr. SMITH of Michigan. Mr. President——

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from Michigan?

Mr. BAILEY. I do.

Mr. SMITH of Michigan. As to the suggestion of the Senator from Utah that he is prepared to vote on the other schedules of the tariff law when the Tariff Board reports——

Mr. SMOOT. Not vote, Mr. President—to consider.

Mr. SMITH of Michigan. Oh, I misunderstood the Senator. I thought he said to vote.

Mr. SMOOT. No.

Mr. SMITH of Michigan. That he would then be ready to vote. I want to say I will not be ready to vote for it——

Mr. SMOOT. Vote for or against it.

Mr. SMITH of Michigan. Unless the changes recommended by the Tariff Board appeal to my judgment——

Mr. SMOOT. Nor would I.

Mr. SMITH of Michigan. As to what ought to be done.

Mr. SMOOT. Nor would I. The information they are gathering ought to be in the possession of the Senate, and I think it is proper for the committee to wait until they receive that information.

Mr. BAILEY. We have made many tariff bills in the history of this country without the aid of a tariff board. We have made some bad and some worse since the war, and I think we could afford to reverse the process, and instead of raising them or leaving them as they were, which has produced so much dissatisfaction, we might try a reduction, and see if that will not produce a different state of public mind.

Mr. SMOOT. We have a number of times tried a reduction, I will tell the Senator.

Mr. BAILEY. There has been only one attempt at a real reduction.

Mr. DIXON and others addressed the Chair.

The VICE PRESIDENT. Does the Senator from Texas yield, and to whom?

Mr. BAILEY. I yield to the Senator from Montana, and then I will resume the session with the Senator from Utah.

Mr. DIXON. I heard what the Senator from Utah, a member of the Finance Committee, said about undertaking the revision of the other schedules, and not being willing to go into it until the Tariff Board had made a report. I merely want to inquire whether or not the Tariff Board made a report on Canadian reciprocity.

Mr. SMOOT. The Tariff Board has only made, I was going to say, a partial report——

Mr. DIXON. On Canadian reciprocity?

Mr. SMOOT. On the question of paper, and also some other reports in relation to some other items. But I want to say that if the Canadian reciprocity bill depended upon my vote in any way, shape, or form, it never would be passed.

Mr. DIXON. I want further to ask the Senator from Texas why he limited his inquiries to the woolen schedule and the free-list bill passed by the House?

Mr. BAILEY. Because they are the only bills now in shape for consideration.

Mr. DIXON. I want to say to the Senator from Texas that when Canadian reciprocity, or free trade for the farmers of the Northwest especially, has become a law, and when I see the Members and Senators from the great manufacturing States of this country going on record to put practically every article produced in my State on the free list——

Mr. GALLINGER. Not all of them.

Mr. DIXON. Not all of them, I am corrected by the Senator from New Hampshire, and I am proud that some of them are not. I want to say to the Senator from Texas that there are Senators on this side of the Chamber who always counted themselves pretty good protectionists and who believe in protection to all and not to special interests and special communities—whenever the corner stone is pulled out of the protective tariff system by placing the farmers in a free-trade market, so far as what they sell is concerned, and the attempt is made to make them purchase in a highly protected market everything they buy, there are some votes on this side of the Chamber——

Mr. CRAWFORD. Several of them.

Mr. DIXON. Several of them, as a Senator in my rear suggests, men who have been counted pretty good protectionists, will not be greatly adverse to taking up the chemical schedule and the iron and steel schedule and the cotton schedule and every schedule in the list——

Mr. BAILEY. If we can be assured of enough Republican votes to pass it, we will take one of these bills and make an entirely new tariff bill.

Mr. NELSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from Minnesota?

Mr. BAILEY. Certainly.

Mr. NELSON. I want to suggest to the Senators from Montana and Texas that the proper way to compromise this thing is to attach the free-list bill and the wool bill to the Canadian reciprocity bill. Then we can agree on putting the entire measure through.

Mr. DIXON. So far so good. But I want to add the iron and steel schedule and the chemical schedule and the cotton schedule to Canadian reciprocity, and then we will vote.

Mr. BAILEY. This is the most gratifying session of the Senate that I have attended during my 10 years of service, and I can well understand how the Senator from Montana and the Senator from Minnesota feel about this bill. I regard it as an abandonment of the doctrine of both parties. It is neither consistent with the system of protection nor with the system of a revenue tariff.

It exposes the farmer to the competition of his Canadian neighbor, and it repeals the duties on two commodities which raise the greatest revenue, according to the rate, among all the 4,000 subject to a duty. It repeals the 7 per cent duty on lumber, which raises annually a million two hundred thousand dollars. There is not a single item in all the 4,000 subject to a duty with a rate as low as that on lumber which raises as much revenue, and yet we are urged in the name of a Democratic revenue tariff to repeal it.

The next item which raises the most money at the lowest rate is wood pulp. It raises more than $1,100,000, and yet I am commanded in the name of a Democratic revenue tariff to repeal a 10 per cent duty that contributes more than a million dollars annually to the public expenses. Those duties ought at least to stand until the 95 per cent average duties of the woolen schedule have been reduced to a rate approaching them.

Mr. President, these hearings which the committee have held abound in denunciation of the Paper Trust. I saw a gentleman

stand there and demand the repeal of the tax on print paper as a punishment of the trust, and yet, sir, he coupled that demand with the further demand that the tax shall be taken off of wood pulp. To feed it free raw material is a new way to punish a trust.

Assuming that there is a Paper Trust, the sum of this transaction will be to reduce the cost of the manufacture of its product about in the same proportion that it will reduce its selling price; for this bill couples free raw material for the Paper Trust with the free paper itself. Indeed, sir, it not only proposes to repeal our tariff duty on the raw material of this Paper Trust, but it is so drawn as to coerce the Canadian Provinces into abrogating their export tax on it; and thus this Paper Trust is to have the benefit not only of a remission of the duties which we now collect, but it is to have also the benefit of the remitted export tax now levied by the Canadian Provinces.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from Utah?

Mr. BAILEY. Certainly.

Mr. SMOOT. In this connection I will call the Senator's attention to the fact that the same party who was complaining most bitterly of the Paper Trust made a statement that it would make a difference to the one man or set of papers in this country of $600,000, and that the paper would not be sold to the people of the United States for a cent less if they had free print paper or pulp wood; and he himself admitted that his gains last year amounted to nearly $200,000.

Mr. BAILEY. That is true, Mr. President, and when finally pressed I think the record will show that the same gentleman admitted that his own newspaper paid a Federal corporation tax on $187,000 net profits last year.

Now, this gentleman, an excellent gentleman, no doubt, but biased by his own self-interest, stood in the presence of the committee and declaimed against the Paper Trust, and at the same moment demanded free raw materials for it. The duty he now pays on his print paper is 10 per cent; the duty that every laborer who works for his paper pays on his woolen clothes now averages 95 per cent; and a Democratic House, under the stress of a revenue necessity, was not able to reduce those duties below 42 per cent. In God's name, Mr. President, when did it come to pass in this country that a man whose net profits total $187,000 shall be heard to complain of a 10 per cent duty, while the laborers who work in his establishment are compelled to pay a tax averaging more than 40 per cent on the clothes they wear? Is this the rule according to which Democrats expect to frame a revenue tariff?

Mr. President, this bill takes the tax off of hay, on which we collect $386,000 annually, and yet it leaves a tax on everything which the farmer must use in making and marketing his hay. Three hundred and eighty-six thousand dollars of revenue is remitted, and yet the farmer is sent into his meadow to cut his free hay with a taxed mower, to rake it with a taxed rake, to stack it with a taxed stacker, to bale it with a taxed baler, and then he must haul it to town in a taxed wagon. And this, sir, notwithstanding the fact that the Government of the United States collects 20 times as much on Canadian hay as it collects on Canadian mowers, rakes, stackers, balers, and wagons all combined. Can we be told that it is Democratic to take the tax off of the hay which the farmer sells and still leave it on the implements which he must buy to make it? It is small wonder, sir, that gentlemen like the Senator from Montana and the Senator from Minnesota rebel against such a discrimination.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from New Hampshire?

Mr. BAILEY. I do.

Mr. GALLINGER. The Senator has called attention to the revenue which is derived from hay. It is very considerable. But if this so-called reciprocity agreement becomes a law, I can assure the Senator that there will be no revenue coming from hay in the future; and not only that, but the American producer of hay will suffer a loss that somebody will hear from. I have here——

Mr. BAILEY. I hope it will be the Republican Party, whose President negotiated this treaty.

Mr. GALLINGER. Very likely it will be, so far as this bill is concerned; but if the Senator gets his woolen scheme through, putting wool practically on the free list and reducing the manufactures of wool, I think the Democratic Party will share the discomforts.

Mr. BAILEY. We will take our chance on that.

Mr. GALLINGER. You did in 1892 and 1894.

Mr. BAILEY. We are not now proposing to repeat the folly of 1894.

Mr. GALLINGER. And you put your party out of power.

Mr. BAILEY. Mr. President, it will not surprise me to see any party which applies its doctrine of tariff taxation unequally and unjustly driven from power.

Mr. GALLINGER. Mr. President, I join with the Senator in that declaration. What I wanted to call the Senator's attention to was a report which the Senator can find in the Daily Consular and Trade Reports, recently printed, from Consul Frank Deedmeyer, at Charlottetown, Prince Edward Island, on this question, where he says:

There are now available in Prince Edward Island—

That is a little Province of the Dominion of Canada; we do not think it amounts to very much—

There are now available in Prince Edward Island for shipment to the United States, if freed from tariff duties, 2,000,000 bushels of oats, 100,000 bushels of seed oats, and 150,000 tons of hay, and at the average rate of production maintained during the last five years Prince Edward Island will have for export during the year 1911 100,000 tons of hay, 2,000,000 bushels of oats, 100,000 bushels seed oats, and 75,000 bushels of wheat.

So, if this so-called pact goes through, not only will we lose our revenue from the hay which is brought into this country, but the farmers who are producing hay—and we produced last year in the little State of New Hampshire 780,000 tons—will be deprived to a considerable extent of a profit they have a right to expect if tariff duties are, as the Senator suggests they ought to be, equally distributed on all products and on all industries.

Mr. BAILEY. With a diminishing demand for horses in the work and pleasure of our great cities, the demand for the farmers' hay must correspondingly diminish; and with our supply supplemented and augmented by Canadian importations the price must constantly diminish, or we must relatively curtail our production until we reach a point where the increase in our population is so great that the demand for meat will neutralize this decreased consumption of hay.

Mr. President, I can understand how a man can be a protectionist; and gentlemen who think that they can answer, without effort, the arguments of Alexander Hamilton and Henry Clay are more confident of their capacity than I am of mine. I have more than once in my life found it difficult to frame in my mind an answer altogether satisfactory to some of the arguments which the advocates of protection have advanced; but after considering it up and down until I worked it out, I have no doubt that the best argument lies with those of us who oppose the system of protection. I go so far as to say that if all industries could be permitted to produce on a free-trade basis of cost they could then afford to sell on a free-trade basis of price. There would, of course, be some exceptions. There are some unimportant industries which, in my judgment, would perish, but the capital and labor now employed in them could be more profitably employed in other enterprises just as useful, and the aggregate wealth produced by our people would, in the end, be greater than that produced under this system of protection. But while I believe that, and I would not fear to vote that conviction into a law, I am satisfied that there is no useful industry in this land that can produce upon a protection basis of cost and then market its products upon a free-trade basis of price. If the American Congress subjects any industry to the competition of the world when it comes to sell, and yet compels it to make its purchases at a price enhanced by a tariff, that industry can not survive.

Wise and just as our doctrine of a revenue tariff is, I do not believe it possible to apply it to some industries and free trade to others without working an injustice and a discrimination that must finally culminate in disaster. Under the enormous scale of Federal expenditures now, a tariff for revenue only must of necessity be higher than the fathers of protection advocated in the early days of this Republic, and a large number of men who have heretofore favored protection have come to believe that tariff for revenue affords all the protection that any industry requires; and in a contest between a revenue tariff and a protective tariff I have no shadow of doubt, sir, that a safe majority of the voters of this Republic would support our doctrine.

But, Mr. President, I would fear the result if we allow our adversaries to shift the issue and invoke the popular judgment upon the question of free trade as against protection; and especially would I fear the result if we obscure and complicate the question by advocating a tariff policy which does not operate equally and fairly upon all classes, all sections, and all industries. They shall not, if I can prevent it, excuse the injustice of their policy by assailing the inequality of ours. If we are foolish enough to apply one rule to the American farm and

another rule to the American factory, then we will lose our advantage in the argument, and with it we will lose the favor of intelligent and justice-loving men.

Mr. DIXON. Mr. President, I want to say that the argument of the Senator from Texas, to my mind, is unanswerable. But, at the same time, has not the party of tariff for revenue only done exactly that thing in its vote in the House, by nineteen-twentieths of the vote—removing every vestige of duty on everything the farmer raises? Under this so-called Canadian reciprocity agreement, is not the other side of the Chamber at this time prepared, with the exception of four or five Democratic Senators, to commit the same heresy?

Mr. BAILEY. Canadian reciprocity, Mr. President, is not a party question.

Mr. DIXON. Yes; I admit it is not a party question.

Mr. BAILEY. A Republican President negotiated it.

Mr. DIXON. The Democratic Party is supporting it. Is not that true?

Mr. BAILEY. That, I regret to say, is true; and I think it is a mistake, but all men make mistakes. Our virtue is that we only make an occasional mistake.

Mr. DIXON. But it is an awful one when you do make it.

Mr. BAILEY. Generally the magnitude of a mistake is in proportion to the infrequency of it.

This can not be made a party question unless you are ready to say that your President has come over to our party, because he inaugurated this agreement with Canada. If there is any party advantage in it, your party will obtain it, for I assume that the President will be your next nominee. I understand that he has been composing Republican differences, and you have now about reached the point where the old ticket of Taft and Sherman will be renominated. If that happens, then what advantage can the Democrats hope to derive from this legislation? The assistant never derived any advantage as against the principal. Therefore if this is a wise measure the Republican President who inaugurated it will reap the benefit of it. Then let us agree that if it is not a wise measure the Republican President and his party ought to suffer the odium and the injury of it, instead of trying to shift the responsibility of it to the Democratic Party. That seems fair, even so fair that the Senator from Montana [Mr. DIXON] nods his assent to the proposition. I am content that President Taft shall have all the advantage of it because he inaugurated it. I only insist that if it does not bring good results, and it will not, he shall suffer the disadvantage.

If the price of wheat in the United States falls next year, it will be attributed to this treaty, for this treaty is going to pass, unless some more sturdy threats like that of the Senator from Montana, seconded by several other Senators on that side, shall deter the Republican majority and the Republican administration. If this treaty passes and wheat falls 10 cents a bushel, then all we will need to do is to nominate some man for the Presidency who can read and write [laughter], and we will carry those Northwestern States, for no matter if other causes operate, the people there will simply witness the result and they will hold your party responsible for it. If the price of wheat does not fall, then you will use that circumstance as a refutation of the Democratic claim that a reduction in the tariff on any article will reduce the price of that article. You will ask the farmer, Did we not take the tariff off of wheat, and is not wheat as high as before? Many of the people will not stop to take into consideration that there are many other causes which enter into the question of price besides the tariff, and they will judge by the result which is plainly before their eyes.

My own opinion is, Mr. President, that the effect of this treaty will be to enhance the price of certain articles in Canada and to reduce the price of those same articles in the United States. Under the treaty of 1854 it is probably true that the whole effect was expressed in a rise of Canadian prices. There is a report extant which shows that almost immediately after the enactment of that treaty the price of wheat rose in Canada to a level with the price of wheat in the United States. But it must be remembered, sir, that the Canadian surplus then was insignificant as compared with that of to-day. Therefore it could well have happened that the price of a small Canadian surplus, with the barrier obstructing its flow into the United States removed, would immediately rise to a level with American prices. But the Canadian surplus is now a larger per cent of the crop than ours; indeed, sir, it was larger last year, bushel for bushel, and it is therefore inevitable that this bill will produce an effect upon the price of wheat in both countries, raising it in Canada and lowering it in the United States, until an equilibrium is established; and whatever the Canadian farmer gains the American farmer will lose. Let us remember that out of the proceeds of their wheat our farmers must purchase all other commodities, and let us compensate them by a reduction in the price of those other commodities. In that way we can do them justice. In no other way is it possible; and if the Senator from Montana [Mr. DIXON] and the Senator from South Dakota [Mr. CRAWFORD] and the Senator from Minnesota [Mr. CLAPP] will give us five Republican votes——

Mr. CRAWFORD. I should like to inquire——

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from South Dakota?

Mr. BAILEY. I want to state my proposition first, but if you will accept it before I state it, all right.

Mr. CRAWFORD. If the Senator will offer his free-list bill as an amendment to this bill, and give us a chance to deal with all sections fairly in settling this question——

Mr. BAILEY. I intend to offer the free-list bill as an amendment to this bill, but not exactly as it passed the House. I am going to eliminate—as I did when I offered it in committee—all agricultural products. It did not seem to me much of a compensation to the farmer for the loss which the Canadian treaty will inflict upon him to put him in competition with the balance of the world.

Mr. DIXON. Will the Democratic Senators support that as an amendment?

Mr. BAILEY. I can not speak for all Democratic Senators; but I will tell you what I will do. I will obligate myself to get enough Democratic votes to adopt that amendment if you will obligate yourself to give us enough votes to pass the woolen bill.

Mr. CRAWFORD and Mr. DIXON addressed the Chair.

The VICE PRESIDENT. Does the Senator from Texas yield, and to whom?

Mr. BAILEY. To the Senator from Montana first.

Mr. DIXON. I want to say to the Senator from Texas, with a great deal of admiration for his logic, which, as I said, is almost unanswerable, here is Canadian reciprocity that puts nearly every product of the farm on the free list. Then you are going to follow it up by a so-called free-list bill. The trouble with that is that by the one reported in the House you place some of the farmers' additional products in the free-list bill.

Mr. BAILEY. We will eliminate that provision——

Mr. DIXON. And you crucify the farmer still further. Then when it comes to the House wool bill, reported in a Democratic House, it will bankrupt 500,000 sheepmen west of the Missouri River. With all these blessings falling on the farmer in one year I do not know what is going to become of him.

Mr. BAILEY. We will save him, if you will help us. I shall move to reduce the average duty on woolen goods to 30 per cent and raise the duty on wool to 30 per cent.

Mr. DIXON. It will approach me with a great deal of diplomacy when you do that.

Mr. BAILEY. That will compel the woolen manufacturer to pay the same tax to the Government when he imports his wool that the American laborer and farmer must pay on their woolen goods.

Mr. DIXON. I can not see why the Democratic woolen bill reported in the House gives to the sheep grower 20 per cent and when it comes to the manufacturer gives him 45 per cent.

Mr. BAILEY. It simply continues a Republican inequality.

Mr. DIXON. But while you had the power and the votes to do it, why did you not correct it? Still you protect the manufacturer by double the duty that the sheep grower gets.

Mr. BAILEY. I have just stated my purpose to obviate that criticism.

Mr. WILLIAMS. Will the Senator from Texas permit me to make a suggestion?

Mr. BAILEY. Certainly.

Mr. WILLIAMS. While the House cut the duty on wool less than half, it cut the average duty on woolen goods more than half.

Mr. BAILEY. The House reduced the duty on woolen goods at the rate of about 53 per cent and it reduced the duty on wool at the rate of about 55 per cent.

Mr. DIXON. That is in percentages, of course. As a matter of fact, the woolgrower will get only 50 per cent.

Mr. BAILEY. You know how that happened. While the Republican Party pretended to offer the manufacturer and the woolgrower equal protection, it concealed under specific and compound duties a gross favorism to the manufacturer.

Mr. DIXON. There is no doubt about that. I want to say further to the Senator from Texas that if the Democratic side of this Chamber will agree to submit a free-list bill as an

amendment to the reciprocity bill now pending and enlarge it a whole lot, and will offer it in good faith here in this Chamber, I think it will have enough votes on this side of the Chamber to write it into the bill.

Mr. REED. But will the Senator support it if it is added on, and will the others he speaks of support the bill when thus amended?

Mr. DIXON. I want to be perfectly frank with the Senator from Missouri. The free-list bill reported is just as much an abortion as the Canadian reciprocity bill.

Mr. BAILEY. Not as reported. It has not been reported.

Mr. DIXON. I am a protectionist. I have never had any apology to make to my own conscience or to my constituents. I would not want to be guilty of precipitating the crime. I will say to the Senator from Texas and the Senator from Missouri, if Canadian reciprocity becomes a law, you can not make the free list too wide or too long to suit a whole lot of Republican Senators who have been in their own mind pretty good protectionists.

Mr. BAILEY. Mr. President, that almost reconciles me to reciprocity. [Laughter.]

Mr. REED and Mr. CRAWFORD addressed the Chair.

The VICE PRESIDENT. To whom, if any one, does the Senator from Texas yield?

Mr. BAILEY. I yield to the Senator from Missouri, and will then yield to the Senator from South Dakota.

Mr. REED. Mr. President, I asked the Senator from Montana [Mr. DIXON] who just took his seat a very plain and simple question. I did not get an answer that seemed to me either plain or direct. The Senator said that he could get enough votes to amend the reciprocity bill and add a free list larger than that of the other House, and write it into the law, but he subsequently changed that phrase to "write it into the bill." I want to know if the Senator means to say that he can get enough votes from the Republican side of the Chamber to amend the reciprocity bill and add a free list larger than that of the House, and then command those same votes to pass the bill as amended?

Mr. DIXON. I will answer the Senator from Missouri by saying that I am not speaking for my Republican colleagues; I carry none of their votes in my pocket or under my control; but here is the cruel and unjust situation of the Senator from Missouri, judging generally by his remarks. He is prepared to announce that he is going to support Canadian reciprocity, which removes practically every vestige of protection so far as the farmer is concerned, and yet at the same time he refuses, according to his practically preannounced plan, to support the free-list bill as an amendment to the Canadian reciprocity bill. I want to ask the Senator from Missouri this question: Will he support the free-list bill as an amendment to the bill now pending and give the farmer, from the Senator's standpoint, a square deal?

Mr. REED. I will support the free-list bill as an amendment to the proposition now pending the very moment you will give us enough votes from that side to pass the bill as thus amended.

Mr. DIXON. Oh!

Mr. REED. Of the Chamber to pass the reciprocity bill as amended by the free-list bill; but——

Mr. DIXON. In other words, you place your conscience in the keeping of the Republican side of the Chamber.

Mr. REED. But I will not join a band of legislative assassins who propose to kill the bill by amendment.

Mr. DIXON. No; but you do propose to place your political morals in the keeping of the Republican side of the Chamber by striking down the farmers' protection and at the same time refusing to extend any aid from your standpoint to the free-list bill.

Mr. REED. The Senator from Montana is mistaken. I propose to vote for reciprocity, and I propose, and the Democrats propose, unless we are prevented by the majority, to then give to the Senator who is on his feet, and to all other Senators, the chance to show whether or not they are in good faith when they claim they want to take care of the farmers by giving them a farmer's free-list bill to vote for. When that question comes up, as it will come up, I predict, if we have to sit here all summer, gentlemen who now claim to love the farmer so much will have an opportunity to demonstrate their affection.

Mr. DIXON. But the program of the Senator from Missouri will amount to just this in practical politics: By your vote, under the guise of Canadian reciprocity, you are going to take off whatever protection the farmer now has, the Senator from Missouri well knowing that, as certain as the sun rises east of the Capitol to-morrow morning, when that is done your free-list bill is deader than Hector and will never see the daylight.

Mr. REED. I do not agree to that proposition; but so that my own position may be properly understood, I say now, as I have always said, that, taken in the main, the protective tariff upon the farmers' products is a mere subterfuge and a fraud. I am willing to vote for reciprocity because I do not believe it will injure the farmer, and because I believe it will benefit the country in general.

Mr. BAILEY. Will the Senator from Missouri answer me how it can benefit any class unless it does so at the expense of the farmer?

Mr. REED. Answering the Senator from Texas—and I do not desire to get into a debate with him on this question at this time—I will say I believe that an extension of trade and of commerce between this country and any other country that is inhabited by the same kind of people that we are, which has the same kind of soil, which has substantially the same kind of climate, except not so advantageous, which was made by the same God at the same time, and is divided from us only by the imaginary line on a map, will result in benefit to all the people of the United States.

Mr. CRAWFORD and Mr. GORE addressed the Chair.

The VICE PRESIDENT. To whom does the Senator from Texas yield?

Mr. BAILEY. I will yield to the Senator from South Dakota, and then I will yield to the Senator from Oklahoma.

Mr. CRAWFORD. Mr. President, for the purpose of lending what little encouragement I may to the prospects here for some cooperation, I want to say to the Senator from Texas, speaking only for myself, but I believe in a large measure speaking for many people in the Northwest, that when we find Senators representing the great States of Pennsylvania and New York and Connecticut and Massachusetts and Maine, sections of the country that owe more to the protective tariff than any other portions of these United States, advocating a measure here which proposes to put upon the free list every article that is produced in the States in the Middle West, we want one killing while we are at it.

Mr. BAILEY. We will help you officiate.

Mr. DIXON. In other words——

Mr. CRAWFORD. And, if the Senator will permit me, speaking for myself, I will say very frankly that I want to deal with this matter in its entirety rather than have it come here in a half dozen different forms.

Mr. DIXON. In other words——

Mr. CRAWFORD. Just a moment. If the Senator will prepare an amendment reducing the duties on manufactured articles, particularly articles that are largely used by the country people, and putting on the free list articles commonly known as agricultural implements, so that I can see in his amendment some compensation for what we are asked to give up here in the passage of this bill, I will take delight in going on record in the presence of these Senators from these highly protected manufacturing sections of our country in voting for it and doing what I can to see it pass, because it is a foregone conclusion that unless we can get that we have got to take this. With a great administration backing it, with nine-tenths of the Members on the other side of the Chamber standing for it, and with the Representatives of highly protected manufacturing districts on this side of the Chamber standing for it, we have got to take it; and if we must take it or an amended bill, with your reduction of woolens and cottons and free agricultural implements attached to it, you can have my support.

Mr. DIXON. In other words, the Senator from South Dakota——

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from Montana?

Mr. BAILEY. I am delighted to yield.

Mr. DIXON. The Senator from South Dakota means that he does not think it a square deal to have us participate here in a cannibalistic feast—one section of the country eating up the other at the same time; in other words, the Senator from South Dakota, I think, means—at least some other people do—that when Pennsylvania and Mississippi and Massachusetts strike hands on a political economy propaganda some other portions of the country are going to start out on their own hook, so far as political economy is concerned, and we might as well understand it from the beginning of this debate.

Mr. WILLIAMS. In reference to Massachusetts and Mississippi——

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from Mississippi?

Mr. BAILEY. I do.

Mr. WILLIAMS. The Senator from Mississippi wanted to make one remark in defense and excuse simply for himself. He does not now, in view of that last remark, feel aggressive at all. He has a broken and contrite heart, although he has not the full repentance. I do confess that I do feel badly for Mississippi when I find her temporarily in that sort of company, even when we are all going to the right place. [Laughter.]

Mr. SMITH of Michigan. Mr. President——

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from Michigan?

Mr. SMITH of Michigan. I should like to consider for an instant, if the Senator from Texas will permit me——

Mr. BAILEY. Will the Senator from Michigan wait a moment until I yield to the Senator from Oklahoma, who wants to interrogate the Senator from Montana?

Mr. SMITH of Michigan. Yes.

Mr. GORE. Mr. President, the Senator from South Dakota [Mr. CRAWFORD] has answered, so far as he is concerned, the question which I desired to propound to the Senator from Montana [Mr. DIXON], whether, if the reciprocity agreement passes the Senate as it now stands and becomes a law, the Senator from Montana would then vote for a free-list bill, or would he insist that it be attached to this agreement? I think, if the Senator from Texas will keep the doors of the church open for a few moments longer, we shall have enough converts to do as we please concerning this legislation.

Mr. BAILEY. Now, in the hope that the Senator from Michigan will join us, I yield to him. [Laughter.]

Mr. SMITH of Michigan. Mr. President, I desire to advert for a moment to the suggestion of the Senator from Missouri [Mr. REED] that this is a good thing to do; that this vast territory, peopled by kindred folk and along our border, should be extended the unusual privilege of membership in the American Union as a State, and at the same time have the protection of one of the greatest powers in the world—a rival of ours in our industrial and commercial welfare. I ask if it is fair or just to handicap the American farmer, to tax him for the schools, to tax him a hundred million dollars for the Army, one hundred and forty millions for the Navy, and one hundred and fifty-five millions for pensions annually, none of which are to be borne by the Canadians, who are placed upon an equality with him upon this market, while one of the greatest naval powers of the world stands perpetual guard over Canada's welfare in her relations with the other countries of the earth, without a burden to bear? Yet you propose to ingraft her into the Union with all the privileges of statehood, and to allow her to maintain her attachment of kinship and relationship with the great power across the sea. I denounce that as an unfair deal; I protest against it in the name of equality and justice to the men who have made this country independent of European control; I denounce it in the name of the men who have carried our flag upon every field of battle, who have brought honor to our arms, and dignity to our citizenship. It is unworthy of any Senator, North or South, to admit into the Union aliens with no obligations to our country at all, who cross over our border at daybreak and leave it as the sun goes down, without a single duty to our country or our flag, and to place them upon an equality with the everyday citizen of this Republic who has all these burdens to bear.

Mr. NELSON. Mr. President, will the Senator yield to me?

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from Minnesota?

Mr. BAILEY. I do.

Mr. NELSON. Does not the Senator think we could overcome all those objections by annexing Canada, and would it not be better to annex those three Provinces shown on the map on the wall? They would form a good addition to North Dakota and Minnesota, and even to Michigan.

Mr. BAILEY. I would like to inquire about their habits and their politics before I consented to that.

Mr. NELSON. Michigan has an island in Lake Superior not far from Port Arthur, and that place would be very near if you could annex it.

Mr. SMITH of Michigan. Mr. President, the suggestion of annexation is most interesting.

The VICE PRESIDENT. Does the Senator from Texas yield further?

Mr. BAILEY. I do.

Mr. SMITH of Michigan. If we had no one to deal with but Canada, if Canada stood on her own bottom, if she were unattached to any European State, if she thought as we think and lived as we live, there would be little trouble in a commercial union with a great country like that upon our border; but it is idle to talk of annexation or commercial union with that country so long as England keeps her control over Canada. Her control is as active and strong and powerful and potential today as it ever was. Only day before yesterday the brilliant premier of Canada said in the presence of other distinguished statesmen of the British Empire around a coronation table, where they met for conference, that there would be nothing done inimical to England and her relations to the Dominion, and, in my humble judgment, nothing of that kind is being done by this treaty. It is a straight, square, unadulterated gift of the American market to the producers of the soil of Canada without a compensating fixture to our own people.

Mr. President, the suggestion of reciprocity with Canada has been made over and over again to this Government, but no great American statesman in 50 years has been willing to risk his reputation on a proposition like this. For over 50 years Canada has been knocking at our door with this identical proposition. We put it upon the statute books in 1854, and it remained for the immortal Lincoln among the first acts of his administration to strike it down, because of its unfairness to our countrymen. They approached President Grant with dulcet tones and tried to get him into such an arrangement, but he tore it into tatters. They then went to President Harrison and to his Secretary of State, Mr. Blaine, without effect. They tried to raise it in connection with the Alaska Boundary Commission; they tried to get in on us every year. It is the voluntary proposition of Canada. We have never been obliged to seek this privilege from the people of Canada. They have knocked at our doors, but they have never been heard, and the wisest statesmanship that has governed this Republic in 50 years has been deaf to the pleadings of the Canadian farmer who, with his 54 per cent of surplus agricultural products, has always sought this market as the best place in the world in which to sell what he raises upon his farm.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from Missouri?

Mr. BAILEY. I do.

Mr. REED. The Senator from Michigan rose to ask a question. It is the longest question I have ever heard. [Laughter.]

Mr. SMITH of Michigan. It is no more puzzling than questions the Senator has considered again and again, if he has adjusted himself to the acrobatic performances of his own party in Missouri and throughout the country. [Laughter.]

Mr. REED. I do not know about acrobatic performances; but I do know that the Democratic Party on this proposition is standing on substantially the ground it has stood upon for many years, and I do know——

Mr. SMITH of Michigan. Mr. President——

Mr. REED. Pardon me just a moment. I do know that the party of the Senator is to-day torn into as many different elements and factions as there are Members on the other side.

Mr. SMITH of Michigan. And we have been able to beat the Senator's party, even in factions.

Mr. REED. Yes. I expected to see gentlemen on the other side before this debate was ended wrap themselves in the folds of the American flag and shout loudly of patriotism. I never yet saw a Republican driven by the shafts of logic to the point of despair but he would grab the American flag and wrap it about his body, and say, "Look at that; I own it."

Mr. SMITH of Michigan. Yes; that is our privilege——

The VICE PRESIDENT. The Senator must not interrupt without first addressing the Chair and getting the consent of the Senator having the floor. Does the Senator yield to the Senator from Michigan?

Mr. REED. If he had a question I would, but he has a speech.

Mr. SMITH of Michigan. Yes; and I am going to utter it, but not in the Senator's time.

Mr. REED. The Senator speaks about the American farmer paying school taxes. Does not the Canadian farmer who competes with him pay school taxes? The Senator speaks about the American farmer paying taxes to support the American Government. Does not the Canadian farmer who competes with him bear the burden of taxes? The question is not under what flag these people live; the question to be determined is, What will be the result of trading with them? It will make but little difference to the man who eats a loaf of bread in this country whether the wheat was raised under the flag of England or of Canada or under our own flag. So far as that bread is concerned, it is with the consumer a question of nutrition and price, not the latitude or longitude where the wheat was raised.

Mr. BAILEY. But this bill does not put bread on the free list.

Mr. REED. I understand that. I am not standing for this bill as a perfect measure. I think no Democrat stands for it as a perfect measure. The Senator from Texas and myself differ about the feasibility of this measure, but I want to call attention to this one fact, which seems to be constantly disturbing gentlemen on the other side. They act upon the principle that when A trades with B one or the other of those men is injured, and that when we trade with a citizen of a foreign

country we are necessarily the losers by that trade. The fact is, no two men ever trade in the world who do not each expect to gain a benefit; the fact is, that all business and all trade rests upon this great truth, that 99 per cent of the trades of the country results in mutual benefit. No American citizen would buy a Canadian product unless he gained by it, and no Canadian citizen would buy an American product unless he gained by it. If the conditions are such that interchange takes place, it follows that that is because interchange is beneficial, and it is a mere begging of the question—I will not use a harsher term—for a Senator to rise in discussing a great commercial proposition, a great trade proposition, and appeal to the prejudice that may exist against other countries.

Mr. BAILEY. Mr. President, I thoroughly agree with the Senator from Missouri that trade is beneficial, but my desire is to enlarge our trade in the most profitable direction. The Democratic platform of 1892 specifically denounced reciprocity with agricultural countries and recommended trade agreements with the 300,000,000 people of Europe who stand ready to take the surplus of our farm products. That was Democratic reciprocity then and now. Remembering that upon the whole Continent of Europe we hardly sell the beef product of a single ranch, I would go there for a reciprocal trade agreement. I would seek commercial arrangements, if I sought them at all, with countries which are able to pay for and which need to buy the surplus of our farms and pastures, and I would not seek an arrangement with a nation at our door which produces a surplus of the very commodities which our farmers and graziers need to sell.

Sir, I believe in good fellowship with neighbors, and I would treat our brothers on the north as well, and, as would be our duty, being older and stronger, even somewhat better than they treat us; but in commerce my closest neighbor is my best customer, and I would concede to those who buy most of what I need to sell, if I made concessions to any.

Reciprocity has a curious history. Some Democrats now call it a step in the right direction, and yet Democrats have generally refused to take that step. Every Democratic Senator voted against the provision of the McKinley bill which authorized the negotiation of trade agreements. There is in the archives of the House of Representatives—and I can mention it, as I do not refer to the present House and none of the honorable gentlemen who signed that report are now Members of that body—a minority report denouncing reciprocity of this kind prepared by one of the ablest and most consistent Democrats who ever honored that body with his services, the Hon. Henry G. Turner, of Georgia; and in our campaign book of 1902 appears a more terrific denunciation of reciprocity in general than I have ever spoken or written.

The Republican Party, on the other hand, has always called it the handmaiden of protection; but I think the author of that expression would hardly recognize the "maiden" that the Republican Party now has by the hand. The advocates of the reciprocity, which was to be a handmaiden of protection, believed, as the Senator from Montana [Mr. DIXON] this afternoon declared his belief to be, that these arrangements ought to be made as to noncompeting articles.

Not only has reciprocity a curious history, but this particular example of it has met a curious reception in both the House and the Senate. This bill comes here with the earnest approval of the President, and yet the most enthusiastic friend of the administration, the most partisan Republican on this floor, will not say that it is what it ought to be. Democrats support it under a belief that it may lead to a subversion of the protective tariff system; and if I thought that it would effect that result, I would feel less hostile toward it. I do not like the philosophy which commands us to do harm in order that good may come out of it, because I believe that God so organized this universe that no good ever comes out of evil, and no evil ever comes out of good. It may be, sir, that in our blind and insufficient way it will so appear to us, and tempt us to do some small wrong in the hope that a great good will eventuate, but looking at it beyond the day or the week or the years, and down the long flight of the centuries, I am confident that we can never produce a good by doing a wrong. If, however, I could bring myself to believe that our support of this measure would divide the Republican Party and would destroy the system of protection, I would think that the American farmer could well afford to pay the price which it exacts of him.

If the Republican Party should enact this measure into a law without the aid of Democrats it would destroy that party, because whenever it confesses, either in words or by deeds, that protection can not be equally and impartially applied to all sections, to all industries, and to all classes, the country will utterly and overwhelmingly reject it. Nor do I forget that when we declare that our doctrine of a tariff for revenue calls for exceptions in favor of some classes and exceptions against other classes the country will repudiate it.

Mr. President, the only doctrine in this world which can have the sanction of the blessed truth, the only doctrine in this world which men may safely proclaim, is a doctrine which can be equally and impartially applied at all times and in all places, to all men and to all sections, to all industries and to all classes. A doctrine that can not be so applied has in it some inherent vice.

If any Republican Senator is willing to state that this bill fairly and equally applies his doctrine, I will read an overwhelming refutation of his statement in almost every provision of it. Is there one of you willing to say that? [After a pause.] Has it come to pass, Mr. President, that a compact negotiated by a Republican President can find no single Senator of his party to say that it is a fearless and equal application of his party's doctrine?

I again challenge any one of you to say that this bill squares with your professions. There is the Senator from New York [Mr. ROOT], who sat by the side of the President in the Cabinet of a former administration, and yet, bound by the ties of personal friendship and of political fellowship, he will not say that this impartially and fearlessly and equally applies the Republican doctrine of protection.

The Senator from Michigan [Mr. SMITH], one of the stoutest defenders of the doctrine of protection, has already denounced it in more eloquent and more savage language than I can command.

The Senator from Montana [Mr. DIXON], the Senator from North Dakota [Mr. MCCUMBER], and the sturdiest of them all, the Senator from Minnesota [Mr. NELSON], whose Republicanism has withstood the assaults of insurgency on the one side and of stalwartism on the other side, and who stands like a rock between the two, all denounce this bill. Who is there, Senators, on that side of the Chamber who will rise in his place and say that it is a fair and equal application of your doctrine. [After a pause.] And they are as silent as the grave. [Laughter.]

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from New Hampshire?

Mr. BAILEY. I do.

Mr. GALLINGER. Mr. President, the Senator can get some of us to say that we think it is not a fair and equal distribution.

Mr. BAILEY. They all think that; but they are not candid enough, like the Senator from New Hampshire, to say so.

Mr. President, the most contemptible injustice ever proposed in the American Congress can be found in this bill. Do you know what it is? It is the provision which admits fresh vegetables, specifically naming some of them, free of duty *in their natural state*. If you were to peel a peach you could not bring it in without paying a tax on it, but as long as you bring it in as you plucked it from the orchard, to the rich and prosperous city folks, it will be free of all tax. If the grain from the farm, the cattle from the pasture, the fruits from the orchard, and the vegetables from the garden are to be relieved from taxation, let us not stop there. Let us provide a free list for the farmer as well as against him.

Mr. CRAWFORD. Mr. President——

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from South Dakota?

Mr. BAILEY. I do.

Mr. CRAWFORD. The Senator from Texas brings a thought to my mind which I want to express in just a word, and that is when the Senator is preparing his amendment I hope he will remember that hides are on the free list, and that he will place boots and shoes on the free list.

We want to show our appreciation for the kind attitude of these protectionists in the East who are now so savage in their attempt to place on the free list everything that is produced on the farm.

Mr. BAILEY. The Senator from South Dakota need have no fear. Shoes will join hides on the free list, and I warn these Senators who come from manufacturing States that in good time the finished product will join every other raw material on the free list. The manufacturer has no greater moral or political right to be exempted from his fair share of taxation than the millions who toil from the day's beginning to the day's end for a bare support. The manufacturers, sir, are rich and prosperous. They can better afford to pay their taxes than the working men and women of this Republic, and they may as well make up their minds to take the same measure of justice which they commend to other people. If they pay no tax on what they buy, they shall collect no tax on what they sell. If the Treasury

of this Government will permit the remission of any tax, let us remit the tax on poverty and toil. Let us remit the tax on the shoes that women and children wear rather than the tax on the hides out of which those shoes are made. Let us remit the tax on the common blanket with which the laborer must keep himself warm in the winter time. Let us repeal all of those, sir, before we enter upon the policy of remitting the taxes of the over-rich manufacturers of this land.

Mr. WILLIAMS. Does the Senator from Texas think it makes much difference at which end of the line we begin on, so we can begin and demoralize the enemy.

Mr. BAILEY. It makes a vast difference. At one end is the burden bearer, who for a century has staggered under the mighty load of this protective tariff; at the other end is the rich manufacturer, who has reaped its golden harvest; and if we must begin at only one end—I would cut both ends, share and share alike—but if we can not do this, let us begin where the relief is needed most, and subject those who have so long enjoyed these special favors to our first revision. If we can not free the product of the farm and factory, or if we can not reduce the tax on both at the same time and in the same proportion, then I shall insist upon repealing or reducing the duty on the product of the factory first.

Since a time whereof the memory of no living man runs to the contrary Democratic leaders have asserted and reasserted that our farmers have borne the burden of this protective tariff while our manufacturers have enjoyed its benefits. And shall we now stultify ourselves and impeach our good faith by proposing that the manufacturer shall continue to enjoy the profits while the farmer continues to suffer the losses of the system? I will not, sir, undertake to speak for others; but, speaking for myself, I do not hesitate to declare that I will never consent to any adjustment of tariff taxes which is calculated to augment the wealth of our manufacturers by subtracting from the wealth of our farmers. The farmer's struggle is hard enough at best, and, except the most successful of them, they have not been more than able to discharge their debts and give their children a common-school education. How different, sir, has it been with our manufacturers? They have prospered beyond the dreams of avarice. The wildest extravagance has not been able to dissipate their enormous profits and they have accumulated fortunes which the human imagination can scarcely comprehend. Mr. President, nothing could lead us further from the path of justice, which is the only path of safety, than to follow this suggestion that if we can not repeal the tax which we most desire to repeal, then we must repeal any tax which we can repeal. Such a course might culminate, and would be apt to culminate, in removing all taxes from one portion of our people while leaving onerous taxes on another portion of our people.

There are three aspects in which every tariff duty must be considered. The first is the revenue it will yield to the Public Treasury; the second is the effect upon the consumer; and the third is the effect upon the producer. No Democrat would consent to levy a tax of any kind except for the purpose of collecting money to support the Government; and while some of us think that it would be better to support the Government by a direct ad valorem tax on all property, we all know that under our Constitution, as it now stands, such a tax is not practicable and that we must collect a large sum of money each year through the customhouses. We also know that, as a general rule, the exceptions to which are rare, a tariff duty, though levied purely for the purpose of raising revenue, is a burden to the people who buy and consume the article on which it is levied and a benefit to those who produce and sell that article, and no wise man or just man can ignore that consequence. It is therefore the manifest duty of a Democrat when he comes to levy tariff taxes to adjust them so that the burdens and the benefits will be distributed as equally as possible. We must do that, not because we believe in protecting anybody, but because we believe, first, that the burden of taxation shall rest in fair proportion upon all people; and, second, that an unavoidable incident of taxation shall extend to all classes as nearly as possible without discrimination. This simple rule of justice, sir, is sometimes stigmatized by men who do not think to the bottom of this question, as a plea for protection; but it is far from that, and it is neither more nor less than the assertion of that ancient and fundamental Democratic principle that all men shall have equal rights and that no man shall have a special privilege.

Mr. HITCHCOCK. I should like to interrupt the Senator from Texas with a question or two.

The VICE PRESIDENT. Will the Senator from Texas yield to the Senator from Nebraska?

Mr. BAILEY. I will.

Mr. HITCHCOCK. The Senator speaks of the heavy burdens which have been laid upon the farmers for the benefit of the manufacturers. Is he not aware of the fact that the great strength of the Republican Party in the past years has been due to the fact that it has been able to hoodwink the farmers, of the West particularly, into the belief that they were getting a benefit from this protective system?

Mr. BAILEY. That is true, and I regret it.

Mr. HITCHCOCK. Now, if that be true, I ask the Senator these two questions: If the result of this reciprocity bill, when passed, shall be to take from the farmer some measure of protection, as the Senator from Texas evidently believes, but which I do not believe, then will not the effect be that the farmers' eyes will be opened, and he will then come to the aid of the Senator from Texas in helping to remove this burden from the country? And if, on the other hand, the farmer of the West finds that he has been receiving a gold brick and that he suffers no loss from the removal of this nominal protection, will he not be ready then to vote his own convictions without the corrupting influence of the idea that he has been deriving some benefit out of this tariff?

Mr. BAILEY. In reply to the Senator's first question I will say that if the farmer can be made to understand that the Republican Party desires to repeal the duty on his products, and does not intend to repeal the duty on the manufactured commodities which he must buy, then, undoubtedly, he will take his revenge on that party, but if we help to inflict this injustice we will lose the benefit of the farmer's resentment against the Republican Party. I can not bring myself to believe that we can make people love us by punishing them, and yet that must be true if we can convert the farmers of the United States to the Democratic Party by levying a tax on what they buy and taking it off of what they sell.

The second question of the Senator from Nebraska assumes that the duties on agricultural products do not affect their price. That is true as to some of those products, but it is not true as to others. Our farmers understand that as well as the Senator from Nebraska or myself, but they also understand that a duty which does not increase the price at which they sell does not increase the price at which the city people buy. In an audience of 500 farmers it might be possible for you to convince 100 of them that, due to causes which are not always plain, but which the most thoughtful men can comprehend, the duty on some agricultural products will not benefit the farmer. But if you convince 100 of that audience of that, the other 400 will go about their several ways shaking their heads and rejecting an argument which tells them that a duty enhances the price of what they buy and does not enhance the price of what they sell.

Mr. WILLIAMS and Mr. CURTIS addressed the Chair.

The VICE PRESIDENT. To whom does the Senator from Texas yield?

Mr. BAILEY. I will yield to the Senator from Mississippi first, and then to the Senator from Kansas.

Mr. WILLIAMS. Will the Senator from Texas permit a question? Following up the second part of the question of the Senator from Nebraska, understanding that the Senator from Texas agrees with the Senator from Nebraska that these duties have been put there to hoodwink the farmer and that they have hoodwinked him, could we not perhaps get his love by unhoodwinking him, undeceiving him? Suppose, after we pass this bill, because of the infinitesimal amount of wheat produced in Canada, the price of wheat does not fall.

Mr. BAILEY. Then they will say that our whole argument on the tariff question is unsound.

Mr. WILLIAMS. I beg pardon. We have never contended that where we exported a large surplus of a product protection could raise the price. So the farmers could not say that, but they would say to the Republicans, "For years you have deceived us with a siren song that this protection on wheat added to our profit. We have discovered that it does not. Now we do not believe any of the fish story at all."

Mr. BAILEY. That is presuming too much on the farmer's ignorance.

Mr. HITCHCOCK. Mr. President——

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from Nebraska?

Mr. BAILEY. Just a moment, and then I will. For the first time in a hundred years we have reached the point where a duty, whether for protection or revenue, does affect the price of wheat. When the surplus is the larger part of a crop, as it is of the cotton crop, it is absolutely certain that no duty can enhance the price of the part of the crop consumed in this country. But the price can be enhanced by a tariff duty, notwithstanding a surplus, and I call in witness of that fact the

repeated denunciation of Democratic Senators and Representatives against the American manufacturers who have sold their surplus products in the markets of the world cheaper than they have sold them here.

Mr. WILLIAMS. But if the Senator from Texas will permit, there is this difference, and it is an immense one. A manufacturing industry may overproduce what is needed for the home market and send products abroad year after year and hold up the home market for the price equal to the tariff privilege. But it is because, from the very nature of the business, the manufacturers can combine and form trusts and control prices, protected behind the tariff wall, and the farmer, from the very nature of his business, has never done that in the world and can never do it.

Now, then, just one word more. It is not the quantity of surplus that makes a product a world product, but it is the fact that the man has produced more than he can sell in the home market, and whenever that is the case the supply has outrun the demand in the home market and he must seek an outlet for the surplus abroad. But the moment he has to seek it, that moment he seeks the world's price and not the home price, unless the natural operation of things can be interrupted by the formation of trusts.

The Republican Party taught for years that if you put a tariff upon products until you had encouraged home industry to equal the demand, then finally competition in the home market would bring things down to a price below that at which you could have bought in the world's market. That would have happened in the course of time wherever the protective duty had worked to establish and render profitable an industry to such an extent that that industry, operating in America, could produce cheaper than abroad, as can be done now in the steel business. It would have operated that way but for the fact that these large industrial enterprises of a manufacturing character are necessarily in a few hands, the few heads attached to which can hatch combinations to maintain the price in the home to the level of the foreign price plus that of the tariff, whereas the farmers' business is in the hands of forty-odd million people, and it is absolutely impossible for them to combine. In the natural order of things, after building up, hothousing, artificially, by law, at the expense of the people for a long time an industry of some description, the result was that after a while, if it succeeded at all, it might succeed to the point where it could outproduce the foreigner, in the sense of producing either a better article at the same price or a cheaper article of the same quality and without combination the price would have fallen.

Mr. BAILEY. Mr. President, in a part of what he has just said, the Senator from Mississippi furnishes an additional argument in support of my contention. He says that the farmers can not combine, and do not combine; and I say that therefore it must be less burdensome to others for us to leave a duty on what they produce.

Mr. WILLIAMS. That is true.

Mr. BAILEY. He says that the manufacturers can combine, and do combine; and I say that, therefore, they ought to be the first people exposed to the competition of the world.

Mr. WILLIAMS. In that I heartily concur. I wish to God we could begin at the other end of the line.

Mr. BAILEY. The fallacy of the theory that the price of wheat in this country is determined by its price in the markets of the world is easily exposed. There is not a Senator on this floor, including the Senator from Mississippi, who does not know that if our wheat crop this year should fall below 500,000,000 bushels the Chicago price would rise above the Liverpool price, the cost of transportation considered.

Mr. WILLIAMS. You mean by that simply this: That if the production of wheat reached a point where we would have to import wheat, the price at the point of consumption would be larger than at the point whence it was exported. Nobody will dispute that. If you mean a case where the quantity of American consumption falls so that we would have to import wheat, then I would not deny the proposition. But as long as there was a surplus of home production over home consumption, I do deny your proposition.

Mr. BAILEY. The Senator ought to know that a 500,000,000-bushel crop would not bring us under the necessity of importing wheat. It would undoubtedly place us under the necessity of enlarging our use of corn for breadstuff, but no wheat would be imported unless we take the duty off Canadian wheat, and then we would import that instead of supplementing a short wheat crop with corn. If the Senator from Mississippi will read the report of Israel T. Hatch, made to a Democratic Secretary of the Treasury, he will find it stated there that when they passed the Canadian treaty of 1854 it was believed that the price of wheat was regulated in the markets of the world, but that our experience for six years under that treaty exploded that theory. Hatch was a Treasury expert.

Mr. WILLIAMS. But does the Senator from Texas agree that that opinion by an expert was correct?

The VICE PRESIDENT. The Senator from Mississippi must address the Chair and get the consent of the Senator on the floor.

Mr. WILLIAMS. I beg pardon.

Mr. BAILEY. I yield to the Senator.

Mr. WILLIAMS. Does the Senator believe that that opinion is a correct opinion?

Mr. BAILEY. In my judgment, that opinion was justified by the course of wheat prices which he then had before him.

Mr. WILLIAMS. At a time when we were raising twice as much wheat as we could consume, as was the case then, I would deny the proposition. We are now at a point where we export very largely the crop.

Mr. BAILEY. The Senator from Mississippi is mistaken in his estimate of our wheat exports.

Mr. WILLIAMS. I do not mean mathematically twice as large, but I mean a great deal more.

Mr. BAILEY. We exported less than 18 per cent of our wheat crop last year; and, as a matter of fact, it may happen, and it will happen in any short-crop year, that the price of wheat in this country will be above the Liverpool price, the cost of transportation considered. If the price is fixed at Liverpool, how could the price here be above the price there?

Generally it is true that the price of the surplus will fix the price of the crop, and that is as true of factory products as it is of farm products. But that is subject to a number of limitations, and it grows diminishingly less true as consumption meets production. That is exactly what has happened now. If the Senator from Mississippi and others had joined me, I would now be charging that the Republican Party has maintained a duty on agricultural products when they were of no special benefit to the farmer; but that just as soon as we had reached a point where the farmer will derive some benefit from those duties it proposes to repeal them.

Mr. CRAWFORD. In connection with the forcible argument which the Senator is now making in regard to wheat, I want to call attention to the fact that the Senator from Mississippi and others, who are taking the opposite view, seem to assume that all that is raised upon the farms of the Northwest is wheat, which is exported.

Mr. WILLIAMS. I just happened to use that as an illustration.

Mr. CRAWFORD. As a matter of fact, we raise barley by the million bushels, and we do not export it. We raise flax by the million bushels, and we do not export it. We raise broom corn; we raise vegetables; we raise rye; we raise oats; and we raise numerous articles of which we have no surplus to export. It is not fair to assume that the only subject of discussion in connection with the products of the northwestern farms is wheat. While the argument in regard to wheat has been destroyed by the Senator from Texas and others, it is not the only product that is affected by this trade agreement.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from Mississippi?

Mr. BAILEY. Certainly.

Mr. WILLIAMS. I would not like to be left in an attitude where it might seem I was disingenuous in an argument. I happened to use wheat as an illustration because the Senator from Texas was talking about it. I freely admit that upon all products which are not exported, but which are imported, the removal of the tariff, in the absence of other controlling causes, will or ought to reduce the price. Then, I take the Democratic position that where untaxing a product is removing the tariff tax from a product reduces the price to the consumer it merely gives to the consumer an advantage that God gave him and which he ought to have.

Mr. CRAWFORD. Will the Senator permit me to ask him a question?

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from South Dakota?

Mr. BAILEY. I do.

Mr. CRAWFORD. Then the Senator from Mississippi is drifting into this position. He justifies the removal of the tariff from rye and justifies leaving a tariff of $2.25 a gallon on whisky. He justifies taking the tariff off barley and keeping a tariff of 25 cents a gallon on beer and a tariff of 45 cents a hundred on malt. For the benefit of whom? The consumer of beer and whisky? No; for the benefit of the Brewers' Trust and the Distillers' Trust.

Mr. WILLIAMS. Mr. President, I am not responsible for the curious inferences that may be drawn by the Senator. I am responsible only for what I have said. His inferences are his own; and, like the scriptural definition of man, they are "fearfully and wonderfully made." I stick to what I said, and I decline to have put into my mouth what was said by the Senator.

Mr. BAILEY. Mr. President, although I did not, when I took the floor, expect to occupy a fraction of the time which I have consumed, I believe I will trespass upon the patience of the Senate a little further while I point out to Democratic Senators who think this trade agreement is "a step in the right direction," that as to many of its principal items it affords the manufacturer a higher protection than the existing law. When it was reported to the Senate I made that statement and asserted that by a simple process of addition and subtraction I could sustain it. I will now undertake to do so. First, let us take cattle. The present duty on cattle worth more than $14 per head is 27½ per cent, and therefore the duty on a Canadian steer worth $40 would be $11. The present duty on the meat which that steer will dress is 1½ cents per pound, and, assuming that the steer will dress 800 pounds—certainly he will not dress more than that—the protection to the packer is $12. Thus, under the existing law, the packer pays $11 for the privilege of importing a steer and enjoys a protection of $12 on the dressed meat, giving him a net protection of only $1. Under this treaty the $11 now paid by the packer is entirely remitted, but the duty on the dressed meat is only reduced from 1½ cents per pound to 1¼ cents per pound, or from $12 on the whole carcass under the existing law to $10 under this treaty. So, Mr. President, while under the existing law the packer pays $11 to import a steer and has $12 protection on the meat, under this treaty he pays nothing to import the steer and has $10 protection on the meat, making a net gain of $9 to the packer, with a net loss of $11 to the Government. Is there any fault with that arithmetic? It is a simple calculation.

Will this bill reduce the price of beef? It reduces the duty on it a quarter of a cent per pound. Is anybody simple-minded enough to believe that this quarter of a cent will ever reach the beef-eaters of the United States? Oh, no; beef is not sold to the consumer in fractional parts of a cent.

Mr. HITCHCOCK. Mr. President——

Mr. BAILEY. Let me illustrate this same iniquity with wheat.

Mr. HITCHCOCK. Before the Senator leaves that point——

The VICE PRESIDENT. The Senator from Texas prefers not to yield now.

Mr. BAILEY. I will yield.

Mr. HITCHCOCK. If this is a mathematical proposition, of course it ought to be based on facts which exist. I understand that no beef cattle of that grade are imported from Canada for packing.

Mr. BAILEY. The Senator is mistaken about that.

Mr. HITCHCOCK. I notice in the report of the total imports from Canada, beef cattle of the grade the Senator mentions do not exceed the receipts of five days at the South Omaha stockyards. So it is practically negligible.

Mr. BAILEY. However many or however few are imported, the fact remains that they are imported; and the tariff duty prevents the importation of a large number.

Mr. HITCHCOCK. I think not for packing.

Mr. BAILEY. The attorney of the Cattle Raisers' Association stated before our committee that Chicago buyers were in Canada at that time to buy cattle.

Mr. WARREN. Will the Senator allow me?

Mr. BAILEY. Certainly.

Mr. WARREN. The Senator has demonstrated very clearly if they have not imported cattle from there, there will be every opportunity to do so if this change is made.

Mr. NELSON. Will the Senator from Texas allow me to ask him a question?

Mr. BAILEY. Certainly.

Mr. NELSON. I want to direct his attention to the Province of Alberta, which can be seen on that map yonder. It is about the size of the State of Texas, and it is every bit as good a cattle country. A number of Americans drive their cattle and sheep up there to feed and fatten them and get them in a good condition. They can raise as many cattle in the Province of Alberta as they can raise in the State of Texas.

Mr. BAILEY. That is true. One of the largest ranches in the State of Texas sends cattle from our State to Canada for the purpose of maturing them, and the manager of that ranch is, or at least has been, president of the American Live Stock Association.

Mr. NELSON. Will the Senator allow me one word further?

Mr. BAILEY. Certainly.

Mr. NELSON. I think the Senator from Utah [Mr. SMOOT] can tell him how he has taken sheep up into that country and fed and fattened them.

Mr. SMOOT. I can tell the Senator that men who are interested with me have taken many and many a head of cattle up into Canada to fatten. You can take yearlings from this country to Canada and they will mature into beef cattle, I think, at least 12 months before they can possibly mature in this country.

Mr. BAILEY. That is true.

Mr. SMOOT. The strongest feed I know of anywhere is Canadian buffalo grass.

Mr. REED. I want to ask the Senator from Utah if he thinks that sending his sheep or cattle up into Canada to fatten was injurious to the people of the United States, and if so why so patriotic a gentleman would have permitted them to graze on the grasses of Canada and injure the people of the United States by bringing them back to sell them.

Mr. SMOOT. If the American people have to buy cattle from some other country it would be an entirely different proposition.

Mr. BAILEY. Now, Mr. President, assuming that the tariff, as I say it does, increases the price of the domestic article to the extent of the tariff, and thus keeps out the imported article, that would explain the small importation. But what will you say when the packer is permitted to pay $11 less for all the American steers which he buys?

Mr. HITCHCOCK. The answer to that might be taken from the mouths of some of the Senators on the Republican side who have announced——

Mr. BAILEY. I would not accept their answer.

Mr. HITCHCOCK. Who have announced that if this tariff wall is taken down it will confer a great benefit upon the Canadian producers, who will be able to derive American prices.

Mr. BAILEY. But I do not say that.

Mr. HITCHCOCK. That is what they have said.

Mr. BAILEY. But you can not make me responsible for what even the most excellent of them say. I said the result would be that their price would rise and our price would fall until an equilibrium would be established; and I am willing to record that statement here, and the years to come will verify it.

Mr. SMITH of South Carolina. I should like to ask the Senator a question.

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from South Carolina?

Mr. BAILEY. Certainly.

Mr. SMITH of South Carolina. The Senator from Texas, as he was making this comparison in mathematics, claimed that the duty would be $11 on the steer on foot, and then $12 practically for the dressed beef. Does he mean to argue that the remittal of $11, entailing a consequent drop in the price of American cattle, would have no effect upon the price of beef to those who buy beef? I know there would be less revenue to the Government if we imported any considerable amount, and there might be a loss to the cattle raiser; but would the remittal of $11 on the Canadian importation and the loss of $11 to the American producer have no effect on the price to the consumer, notwithstanding the duty of 1¼ cents a pound on the dressed beef?

Mr. BAILEY. Absolutely none, Mr. President. If the people consumed cattle, then to remit the $11 on cattle would reduce the price; but the people eat beef, and the reduction on dressed beef is only one-quarter of a cent, which is not susceptible of a division that can be transmitted to the consumer.

Mr. SMITH of South Carolina. But, Mr. President, if the Senator will permit me——

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from South Carolina?

Mr. BAILEY. I do.

Mr. SMITH of South Carolina. I can not see exactly how the American people can eat beef which had not been cattle.

Mr. BAILEY. Cattle are the raw material, beef is the finished product, and the Senator knows that a tax on the raw material does not affect the price of the finished product; but only affects the cost of producing it. The cost of cattle affects the cost of producing beef just as the cost of wool affects the cost of producing woolen goods, but you could give the woolen manufacturer his wool, not only free of tax, but free of all cost, and if you left him a duty of 50 per cent on his woolen goods he would charge just as much for them as he would if he paid 50 per cent on his wool. The Senator agrees to that, does he not?

Mr. SMITH of South Carolina. I do; but that comes back to the argument of the Senator from Mississippi, where he claims that on account of the smaller number of those engaged in that kind of business it goes beyond and transcends any protection at all and simply becomes a question of capital and of power to combine.

Mr. BAILEY. Well, Mr. President, if the Democratic Party obtains control of this Government, we shall settle the trust question in the criminal courts, and not at the customhouses. Taxation is not a proper means of punishing crimes. When the shoe manufacturers petitioned us to put hides on the free list they said it would help to break up the trust. We put hides on the free list, and in 90 days the Leather Trust enlarged its operations and increased the price of its products. No; the customhouse is not the place to break up the trusts; the criminal court is the proper place for that work.

Mr. WILLIAMS. If the Senator from Texas will permit me, ought we not to break up the trusts in two ways—first, by not tempting them to commit the crime, which the tariff does; and, second, by punishing them if they do commit the crime?

Mr. BAILEY. The Senator from Mississippi and myself perfectly agree that they ought never to be tempted to commit the crime by a tariff levied for protection; but as the Senator from Mississippi and myself must levy a tariff for the purpose of raising revenue to support the Government, he and I contend that the wool manufacturer when he imports his wool ought to be compelled to pay taxes for the support of the Government the same as our fellow-citizens do when they import their woolen goods. I assume that the Senator from South Carolina agrees with that also.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from New Hampshire?

Mr. BAILEY. I do.

Mr. GALLINGER. I have been wondering, Mr. President, where the temptation comes to the manufacturer in Great Britain, a free-trade country, where they have just as many trusts as we have in our Nation.

Mr. BAILEY. Not as many, but they have them there. None of us have ever doubted that there are certain commodities which can be subjected to trusts and combinations, irrespective of the tariff. But the Senator does not doubt that if trusts can be organized under a system of free trade, they can be organized more easily under a protective tariff.

Mr. WILLIAMS. And, Mr. President, there is this difference, too, if the Senator from Texas will permit me——

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from Mississippi?

Mr. BAILEY. Certainly.

Mr. WILLIAMS. A trust can not succeed in Great Britain except in one way, and that is either by producing cheaper, so that it can sell cheaper to the consumer, or by obtaining such a reputation for the quality of its goods that it virtually monopolizes the market, or very nearly so. It is not aided by the law in doing either. Nobody objects to anybody getting as large a business as he can, provided he does it by either bettering the quality or lowering the price of the article he is producing.

Mr. GALLINGER. Mr. President, if the Senator will permit me——

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from New Hampshire?

Mr. BAILEY. Certainly.

Mr. GALLINGER. It is interesting to see the zeal and avidity with which certain Democratic Senators always come to the rescue of a foreign Government as against ours. I think the Senator from Mississippi is drawing on his imagination when he pictures the trusts of Great Britain as being beneficent institutions.

Mr. BAILEY. Democratic Senators do not come to the rescue of foreign governments; but they endeavor always to come to the rescue of the American consumer.

Now, let me make another illustration. This time with wheat. The present duty on wheat is 25 cents a bushel, and it requires practically 4½ bushels of wheat to grind into a barrel of flour. Therefore, under the existing law, the miller pays to the Government of the United States $1.12½ for importing enough wheat to grind into a barrel of flour. Under the existing law the duty on flour is 25 per cent, and the average price of flour imported from Canada is $5 a barrel. The average of last year, as I now recall, was four dollars and eighty odd cents, but for the sake of the round numbers we will say $5 a barrel. It is sometimes a little more than that and sometimes a little less. At $5 a barrel, 25 per cent would give a protection of $1.25 a barrel. Thus the miller pays to the Government $1.12½ when he imports the wheat out of which he makes a barrel of flour, and has a protection of $1.25 against the Canadian miller's competition. The net protection to him on his flour above what he pays on his wheat is 12½ cents per barrel.

This reciprocity treaty completely repeals the duty on wheat and saves to the American miller the $1.12½ which he pays under the existing law to the Government for the privilege of importing 4½ bushels of wheat; but it still leaves a duty of 50 cents per barrel on flour. Now, make your addition and subtraction. His net protection under the existing law is 12½ cents per barrel. His net protection under this treaty is 50 cents a barrel. Thus this measure multiplies the miller's protection by four. Will any Senator controvert those simple figures? Will any Senator deny that calculation?

Mr. NELSON. Mr. President, if the Senator will allow me, I wish to call his attention to the fact——

Mr. BAILEY. Certainly.

Mr. NELSON. That in addition to the duty of 50 cents a barrel on flour there is a duty of 12½ cents a hundred on the bran and shorts, which is equal to $2.50 a ton.

Mr. BAILEY. That is true.

Mr. NELSON. And the statistics reported by the Tariff Commission show that there is a difference on bran, shorts, and millfeed of from $2.50 to $3 a ton, and the farmer can not even get the benefit of that under this bill.

Mr. BAILEY. That is true. Now, Mr. President, will any fair-minded man contend that it is just and fair to make the American farmer sell his wheat to the miller free of tax, and then compel him to pay a tax on it when he buys it back in the shape of flour. Not only, sir, does this treaty force the farmer to sell free wheat and buy taxed flour made of his free wheat, but it does not even allow him to purchase the by-products of his wheat on the same terms and conditions as he sold it. Is this just? Is this fair? Is this honest? The farmer bestows more labor upon producing wheat than the miller does in grinding it.

The farmer plows the ground; he sows his wheat; he watches it through flood and drought until harvest time, and reaps it. He thrashes it, then takes it to the mill and sells it. Through long and anxious months he watches over his crop and tends it, and yet he shall have no tax upon the product of his land and of his labor, but the miller who converts it by machinery into flour in less time than it took the farmer to haul it from his granary to the mill shall have his 50 cents on every barrel for the process. When, sir, did machinery and inventive genius derive a higher right to the consideration of the American Government than the man of flesh and blood made in the image of his God?

Mr. President, these inequalities and these injustices run through all this bill, but as the hour is such that I can not point them all out this afternoon, I will address myself to this subject again at some more convenient time.

Mr. President, I have already detained the Senate this afternoon longer than I expected to do. The Senate, of course, will bear with me or has borne with me patiently, because I have cheerfully submitted to a number of interruptions. I believe that I will now yield the floor, and at some convenient time—not to-morrow, because I have another matter concerning my duties here which will require my attention then—but at some convenient time I will resume and conclude what I desire to say on this subject.

Mr. GALLINGER. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 37 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, June 20, 1911, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

MONDAY, *June 19, 1911.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Infinite Spirit, our heavenly Father, we thank Thee that in the dispensation of Thy providence Thou didst set apart one day in the seven for rest, reflection, and worship; that a large majority of our people appreciate its worth and feel the uplift of that spirit which makes for righteousness in the soul, in the home, in the State, or Nation through its observance. Grant that it may more and more obtain in the hearts of our people. In the spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of Saturday, June 17, 1911, was read and approved.

ORDER OF BUSINESS.

The SPEAKER. The Clerk will call the Calendar for Unanimous Consent.

The Clerk read as follows:

A bill (H. R. 6733) to accept and fund the bequest of Gertrude M. Hubbard.

The SPEAKER. Is there objection to the consideration of this bill?

Mr. SAUNDERS. Mr. Speaker, I would like to reserve objection to the consideration of the bill in order to have some explanation made of it.

Mr. MACON. Mr. Speaker, I object to the consideration of the bill.

Mr. MANN. Mr. Speaker, I ask that the bill be read.

The SPEAKER. The gentleman from Illinois asks that the bill be read. Is there objection to that?

Mr. MACON. Mr. Speaker, I object.

Mr. MANN. I do not ask that the bill be read, if the gentleman from Arkansas objects.

The SPEAKER. The gentleman from Arkansas objects. That strikes the bill from the calendar.

Mr. ANDERSON of Ohio. Mr. Speaker, I call up the motion to discharge the Committee on Invalid Pensions from the consideration of the bill H. R. 767, the pension bill on the Calendar for Motions to Discharge Committees.

Mr. MACON. Mr. Speaker, I make the point of order that there is not a quorum present.

Mr. KENDALL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman from Arkansas makes the point of order there is no quorum present. The Chair will count. [After counting.] One hundred and sixty-nine Members are present, not a quorum.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn, as a quorum is not present.

The question was taken, and the Chair announced that the ayes seemed to have it.

Mr. MANN. Mr. Speaker, I ask for a division.

The House divided; and there were—ayes 130, noes 78.

Mr. MANN. Mr. Speaker, I ask for the yeas and nays. It has been demonstrated there is a quorum present.

The yeas and nays were ordered.

The question was taken; and there were—yeas 154, nays 115, answered "present" 11, not voting 107, as follows:

YEAS—154.

Adair	Dickson, Miss.	Helm	Richardson
Alexander	Dies	Henry, Tex.	Robinson
Allen	Difenderfer	Hensley	Roddenbery
Ansberry	Dixon, Ind.	Holland	Rothermel
Ashbrook	Donohoe	Houston	Rouse
Ayres	Doremus	Howard	Rubey
Barnhart	Doughton	Hughes, Ga.	Russell
Bathrick	Dupre	Hughes, N. J.	Sabath
Beall, Tex.	Ellerbe	Hull	Saunders
Bell, Ga.	Estopinal	Humphreys, Miss.	Shackleford
Blackmon	Evans	Jacoway	Sheppard
Booher	Faison	Johnson, Ky.	Sims
Borland	Fields	Johnson, S. C.	Sisson
Brantley	Finley	Korbly	Slayden
Buchanan	Fitzgerald	Lamb	Small
Bulkley	Flood, Va.	Lee, Pa.	Smith, Tex.
Burke, Wis.	Floyd, Ark.	Lever	Stanley
Burleson	Foster, Ill.	Lewis	Stedman
Burnett	Francis	Littlepage	Stephens, Miss.
Byrnes, S. C.	Gallagher	Littleton	Stephens, Tex.
Byrns, Tenn.	Garner	Lloyd	Sulzer
Callaway	Garrett	McCoy	Talbott, Md.
Candler	George	McGillicuddy	Talcott, N. Y.
Carlin	Godwin, N. C.	Macon	Taylor, Colo.
Carter	Goeke	Maguire, Nebr.	Thayer
Clayton	Goldfogle	Maher	Thomas
Cline	Goodwin, Ark.	Mays	Townsend
Collier	Graham	Morrison	Tribble
Connell	Gray	Moss, Ind.	Turnbull
Covington	Gregg, Pa.	Oldfield	Tuttle
Cox, Ind.	Gregg, Tex.	O'Shaunessy	Underwood
Cullop	Gudger	Padgett	Webb
Curley	Hamlin	Page	Witherspoon
Daugherty	Hardwick	Pou	Wickliffe
Davenport	Hardy	Rainey	Wilson, Pa.
Davis, W. Va.	Harrison, Miss.	Raker	Young, Tex.
Dent	Harrison, N. Y.	Randell, Tex.	
Denver	Hay	Ransdell, La.	
Dickinson	Hellin	Reilly	

NAYS—115.

Akin, N. Y.	Claypool	Draper	Gardner, Mass.
Anderson, Minn.	Cooper	Driscoll, M. E.	Gardner, N. J.
Anderson, Ohio	Copley	Dwight	Good
Anthony	Crago	Dyer	Guernsey
Austin	Currier	Esch	Hamilton, W. Va.
Bartholdt	Dalzell	Focht	Harris
Burke, S. Dak.	Danforth	Fordney	Helgesen
Calder	Davidson	Foss	Higgins
Campbell	Davis, Minn.	Foster, Vt.	Howell
Cannon	De Forest	Fowler	Howland
Catlin	Dodds	French	Hubbard
Humphrey, Wash.	McKenzie	Post	Sulloway
Jackson	McKinley	Powers	Switzer
Kahn	McKinney	Pray	Taylor, Ohio
Kendall	Madison	Prouty	Thistlewood
Kennedy	Malby	Rees	Towner
Kent	Mann	Rodenberg	Utter
Kinkaid, Nebr.	Martin, Colo.	Rucker, Colo.	Volstead
Konop	Matthews	Sells	Vreeland
Kopp	Miller	Sharp	Wedemeyer
La Follette	Mondell	Simmons	White
Langley	Morse, Wis.	Slemp	Wilder
Lawrence	Murdock	Sloan	Willis
Lenroot	Needham	Smith, J. M. C.	Wilson, Ill.
Lobeck	Norris	Smith, Saml. W.	Wood, N. J.
Longworth	Olmsted	Speer	Woods, Iowa
Loud	Payne	Steenerson	Young, Kans.
McCall	Pickett	Stephens, Cal.	Young, Mich.
McGuire, Okla.	Plumley	Stone	

ANSWERED "PRESENT"—11.

Adamson	Fairchild	Langham	Morgan
Bartlett	Fuller	McLaughlin	Watkins
Clark, Fla.	James	McMorran	

NOT VOTING—107.

Aiken, S. C.	Gordon	Lee, Ga.	Porter
Ames	Gould	Legare	Prince
Andrus	Greene	Levy	Pujo
Barchfeld	Griest	Lindbergh	Rauch
Bates	Hamill	Lindsay	Redfield
Berger	Hamilton, Mich.	Linthicum	Reyburn
Bingham	Hammond	Loudenslager	Riordan
Boehne	Hanna	McCreary	Roberts, Mass.
Bowman	Hartman	McDermott	Roberts, Nev.
Bradley	Haugen	McHenry	Rucker, Mo.
Broussard	Hawley	Madden	Scully
Brown	Hayes	Martin, S. Dak.	Sherley
Burke, Pa.	Heald	Mitchell	Sherwood
Butler	Henry, Conn.	Moon, Pa.	Smith, N. Y.
Cantrill	Hill	Moon, Tenn.	Sparkman
Cary	Hinds	Moore, Pa.	Stack
Conry	Hobson	Moore, Tex.	Sterling
Cox, Ohio	Jones	Mott	Stevens, Minn.
Cravens	Kindred	Murray	Sweet
Crumpacker	Kinkead, N. J.	Nelson	Taylor, Ala.
Driscoll, D. A.	Kipp	Nye	Tilson
Edwards	Kitchin	Palmer	Underhill
Farr	Knowland	Parran	Warburton
Ferris	Konig	Patten, N. Y.	Weeks
Fornes	Lafean	Patton, Pa.	Whitacre
Gillett	Lafferty	Pepper	Wilson, N. Y.
Glass	Latta	Peters	

So the motion was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. WILSON of New York with Mr. ROBERTS of Nevada.

Mr. DANIEL A. DRISCOLL with Mr. GREENE.

Mr. MCHENRY with Mr. HAWLEY.

Mr. SHERWOOD with Mr. STERLING.

Mr. PEPPER with Mr. HEALD.

Mr. SCULLY with Mr. ROBERTS of Massachusetts.

Mr. AIKEN of South Carolina with Mr. BATES.

Mr. SHERLEY with Mr. PRINCE.

Mr. LINTHICUM with Mr. MITCHELL.

Mr. LEVY with Mr. MCCREARY.

Mr. KINKEAD of New Jersey with Mr. HENRY of Connecticut.

Mr. PETERS with Mr. AMES.

Mr. GLASS with Mr. HILL.

Mr. REDFIELD with Mr. MOTT.

Mr. CANTRILL with Mr. MARTIN of South Dakota.

Mr. COX of Ohio with Mr. MADDEN.

Mr. HAMMOND with Mr. CRUMPACKER.

Mr. WHITACRE with Mr. BOWMAN.

Mr. KONIG with Mr. WARBURTON.

Mr. LINDSAY with Mr. PORTER.

Mr. PATTEN of New York with Mr. TILSON.

Mr. STACK with Mr. CARY.

Mr. RAUCH with Mr. HANNA.

Mr. SMITH of New York with Mr. GILLETT.

Mr. UNDERHILL with Mr. REYBURN.

Mr. BROWN with Mr. KNOWLAND.

Mr. HAMILL with Mr. BURKE of Pennsylvania.

Mr. BROUSSARD with Mr. PATTON of Pennsylvania.

Mr. JONES with Mr. NELSON.

Mr. TAYLOR of Alabama with Mr. FARR.

Mr. CONRY with Mr. LAFFERTY.

Mr. WATKINS with Mr. LINDBERGH.

Mr. CLARK of Florida with Mr. NYE.

Mr. MOON of Tennessee with Mr. FULLER.

Mr. MCDERMOTT with Mr. BINGHAM.

Mr. GOULD with Mr. HINDS.

Mr. SWEET with Mr. WEEKS.

Mr. JAMES with Mr. HAMILTON of Michigan.

Mr. MOORE of Texas with Mr. HAYES (transferable).

Mr. KINDRED with Mr. LAFEAN.

Mr. HOBSON with Mr. FAIRCHILD (transferable).

Mr. KITCHEN with Mr. MOORE of Pennsylvania.

Mr. SPARKMAN with Mr. BARCHFELD.
Mr. MURRAY with Mr. MOON of Pennsylvania.
Mr. ADAMSON with Mr. STEVENS of Minnesota.
Mr. KIPP with Mr. LANGHAM.
Mr. PALMER with Mr. GRIEST.
Mr. CRAVEN with Mr. LOUDENSLAGER.
Mr. BARTLETT with Mr. BUTLER.
Mr. RUCKER of Missouri with Mr. HAUGEN.
From May 12 until further notice:
Mr. GORDON with Mr. HUGHES of West Virginia.
From May 24 until further notice:
Mr. LEGARE with Mr. MCLAUGHLIN.
From June 6 until further notice:
Mr. FERRIS with Mr. MORGAN.
For 10 days:
Mr. LEE of Georgia with Mr. HARTMAN.
For the vote:
Mr. BOEHNE (against) with Mr. EDWARDS (in favor).
For the session:
Mr. RIORDAN with Mr. ANDRUS.
Mr. FORNES with Mr. BRADLEY.
Mr. PUJO with Mr. MCMORRAN (transferable).

Mr. JAMES. Mr. Speaker, I desire to know if the gentleman from Michigan, Mr. HAMILTON, has voted?

The SPEAKER. He has not.

Mr. JAMES. Then I desire to withdraw my vote in the affirmative and vote "present." I have a general pair with him.

The name of the gentleman from Kentucky was called, and he voted "Present."

Mr. CLARK of Florida. Mr. Speaker, I wish to inquire if the gentleman from Minnesota, Mr. NYE, voted?

The SPEAKER. He is not recorded.

Mr. CLARK of Florida. Then I wish to withdraw my vote of "aye" and vote "present."

The name of the gentleman from Florida was called, and he voted "Present."

Mr. FAIRCHILD. Mr. Speaker, did the gentleman from Alabama, Mr. HOBSON, vote?

The SPEAKER. He is not recorded.

Mr. FAIRCHILD. Then I would like to withdraw my vote of "nay" and vote "present."

The name of the gentleman from New York, Mr. FAIRCHILD, was called, and he voted "Present."

Mr. WATKINS. How am I recorded, Mr. Speaker?

The SPEAKER. The gentleman is not recorded.

Mr. WATKINS. I desire to vote.

The SPEAKER. Was the gentleman in the Hall and listening when his name was called?

Mr. WATKINS. No, sir; I did not quite get in in time. I thought it was a call of the House. I wanted to vote "present."

LEAVE OF ABSENCE.

Pending the announcement of the vote—

Mr. HAY, by unanimous consent, was granted leave of absence for five days on account of death in his family.

Mr. HAMMOND, by unanimous consent, was granted leave of absence for 10 days on account of important business.

ADJOURNMENT.

The result of the vote was announced as above recorded.

Accordingly (at 12.45 p. m.) the House adjourned until Tuesday, June 20, at 12 o'clock m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting with a letter from the Chief of Engineers report of examination and survey of Absecon Creek, N. J. (H. Doc. No. 71); to the Committee on Rivers and Harbors and ordered to be printed, with accompanying illustrations.

A letter from the Secretary of War, transmiting wih a letter from the Chief of Engineers report of examination and survey of Mulberry and Locust Forks of the Warrior River up to Mulberry Fork to Saunders Ferry, Ala. (H. Doc. No. 72); to the Committee on Rivers and Harbors and ordered to be printed, with accompanying illustrations.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ROTHERMEL: A bill (H. R. 11849) providing for the erection of a memorial at Reading, Pa.; to the Committee on the Library.

By Mr. SHEPPARD: A bill (H. R. 11850) directing the Secretary of the Treasury to prepare designs and estimates for and report cost of a national archives building in the District of Columbia; to the Committee on Public Buildings and Grounds.

By Mr. HAMILTON of West Virginia: A bill (H. R. 11851) to authorize the extension of East Capitol Street; to the Committee on the District of Columbia.

By Mr. O'SHAUNESSY: A bill (H. R. 11852) to authorize the Providence, Warren & Bristol Railroad Co. and its lessee, the New York, New Haven & Hartford Railroad Co., or either of them, to construct a bridge across the Palmers or Warren River, in the State of Rhode Island; to the Committee on Interstate and Foreign Commerce.

By Mr. HOWELL: A bill (H. R. 11853) to establish a mining experiment station at Salt Lake City, Salt Lake County, Utah, to aid in the development of the mineral resources of the United States, and for other purposes; to the Committee on Mines and Mining.

By Mr. BYRNES of South Carolina: A bill (H. R. 11854) providing for the disposition of the tax on cotton collected during the fiscal years ended June 30, 1863, to June 30, 1868; to the Committee on War Claims.

By Mr. SABATH: A bill (H. R. 11855) to protect trade and commerce against unlawful restraints and monopolies; to the Committee on the Judiciary.

By Mr. HOWELL (by request): A bill (H. R. 11876) creating a national road commission and prescribing its powers and duties; also creating a system of national roads, establishing a national road fund, and providing the manner of expending the same in cooperation with the several States for the furtherance of good roads; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AUSTIN: A bill (H. R. 11856) for the relief of Mary A. Shufeldt; to the Committee on Claims.

Also, a bill (H. R. 11857) granting a pension to James P. McLain; to the Committee on Pensions.

Also, a bill (H. R. 11858) granting a pension to Mary E. Cox; to the Committee on Pensions.

By Mr. BROUSSARD: A bill (H. R. 11859) granting a pension to C. H. Saint Clair; to the Committee on Invalid Pensions.

By Mr. COPLEY: A bill (H. R. 11860) granting an increase of pension to Simeon Woodruff; to the Committee on Invalid Pensions.

By Mr. DRAPER: A bill (H. R. 11861) for the relief of Joseph G. McNutt; to the Committee on Military Affairs.

Also, a bill (H. R. 11862) granting an increase of pension to Patrick Ryan; to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 11863) granting an increase of pension to William Patterson; to the Committee on Invalid Pensions.

By Mr. GARDNER of New Jersey: A bill (H. R. 11864) granting an increase of pension to Thomas Gifford; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Kentucky (by request): A bill (H. R. 11865) for the relief of William M. Dougal, trustee of the estate of William H. Dougal, deceased; to the Committee on Claims.

Also (by request), a bill (H. R. 11866) for the relief of William M. Dougal, trustee of the estate of Morris Adler, deceased; to the Committee on Claims.

By Mr. MATTHEWS: A bill (H. R. 11867) granting an increase of pension to John Pattison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11868) granting an increase of pension to Winfield S. Mitchell; to the Committee on Invalid Pensions.

By Mr. POWERS: A bill (H. R. 11869) granting a pension to George M. Tye; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11870) granting an increase of pension to Stephen House; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11871) granting an increase of pension to Israel Howard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11872) granting an increase of pension to Faris Roberts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11873) granting an increase of pension to John Perkins; to the Committee on Invalid Pensions.

By Mr. THAYER: A bill (H. R. 11874) for the relief of Joseph Murray; to the Committee on Military Affairs.

By Mr. SPARKMAN: A bill (H. R. 11875) granting a pension to Arthur T. Whipple; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. AYRES: Resolution of Group 6, New York State Bankers' Association, favoring the Aldrich proposal for currency reform; to the Committee on Banking and Currency.

Also, petitions of numerous citizens of New York City, favoring the parcels post; to the Committee on the Post Office and Post Roads.

By Mr. DRAPER: Resolutions of the Manufacturers' Association of New York, in favor of the establishment of a court of patent appeals; to the Committee on Patents.

Also, resolutions of the Manufacturers' Association of New York, relating to the manner of revising the tariff laws; to the Committee on Ways and Means.

By Mr. ESCH: Petition of citizens of Galesville and Ettrick, Wis., favoring reduction in duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. HAMILTON of West Virginia: Petitions of numerous citizens favoring a reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. HENRY of Texas: Petitions of various citizens of Pearl, Tex., asking for a reduction of the duty on raw sugar; to the Committee on Ways and Means.

By Mr. HUGHES of New Jersey: Petitions of sundry citizens of New Jersey, favoring a reduction in the duty on raw and refined sugar; to the Committee on Ways and Means.

Also, resolution of the Board of Trade of Newark, N. J., favoring an amendment to the corporation-tax law, so as to permit corporations to make their returns as of the fiscal year; to the Committee on the Judiciary.

By Mr. MATTHEWS: Papers in support of bill to grant an increase of pension to John Pattison; to the Committee on Invalid Pensions.

Also, papers in support of private pension bill for Winfield S. Mitchell; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: Petition of Herman Poseman, of Providence, R. I., asking for the adoption of House bill 161, authorizing the Committee on Immigration and Naturalization to investigate the immigration office at the port of New York and other places; to the Committee on Immigration and Naturalization.

By Mr. POWERS: Petition from John C. Rankin, of Rankin, Ky., and other citizens of Rankin and Monticello, Ky., requesting a reduction on the duty of raw and refined sugars; to the Committee on Ways and Means.

By Mr. SULZER: Resolutions of Group 6, New York State Bankers' Association, approving the Aldrich proposal for currency reform; to the Committee on Banking and Currency.

Also, petition of Wilhelm Straube, asking for the adoption of House resolution No. 166, introduced by Mr. SULZER, authorizing an investigation of the office of immigrant commissioner at the port of New York and other places; to the Committee on Immigration and Naturalization.

Also, petition of German-American Alliance, of Hartford, Conn., demanding the removal of Commissioner W. Williams, and for a more liberal administration of affairs at Ellis Island; to the Committee on Immigration and Naturalization.

Also, petition of German-American Alliance, of Hartford, Conn., protesting against the administration of the immigration laws; to the Committee on Immigration and Naturalization.

SENATE.

TUESDAY, *June 20, 1911.*

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Journal of yesterday's proceedings was read and approved.

PRESENTATION OF SILVER SERVICE.

The VICE PRESIDENT. The Chair lays before the Senate the following communication, which will be read.

The Secretary read the communication, as follows:

THE WHITE HOUSE,
Washington, June 19, 1911.

DEAR MR. VICE PRESIDENT: The beautiful silver tea service which the Members of the Senate have so kindly sent us in remembrance of our twenty-fifth anniversary has just arrived, and I hasten to express to you, and through you, to the Senators, our deep appreciation of their courtesy.

In conveying our sincere thanks will you kindly add that we shall always value the exquisite gift more especially as a souvenir of the kindness and courtesy of the distinguished body of men from whom it comes.

In sending our cordial thanks, believe me, with kindest regards from the President and myself.

Very sincerely, yours, HELEN H. TAFT.

PETITIONS AND MEMORIALS.

Mr. LODGE presented a petition of the Board of Trade of Lowell, Mass., praying for the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

Mr. CULLOM presented a petition of the Woman's Christian Temperance Union of Keuka Park, N. Y., and a petition of the Business Men's Association of New London, Conn., praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

He also presented memorials of Brickmakers' Local Union No. 16, of Belleville, Ill.; of the county board of the Ancient Order of Hibernians, of Essex County, Mass.; and of Local Division No. 5, Ancient Order of Hibernians, of New Brunswick, N. J., remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

Mr. CUMMINS presented memorials of sundry farmers of Decatur, Lake City, and Martinsburg, all in the State of Iowa, remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which were ordered to lie on the table.

Mr. NELSON presented a memorial of Local Division No. 1, Ancient Order of Hibernians, of Mankato, Minn., remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

Mr. MARTINE of New Jersey presented a petition of the Board of Trade of Newark, N. J., and a petition of the Board of Trade of Elizabeth, N. J., praying for the proposed reciprocal trade agreement between the United States and Canada, which were ordered to lie on the table.

He also presented memorials of Haddonfield Grange, No. 33; Wayne Township Grange, No. 145; and Pemberton Grange, No. 50, Patrons of Husbandry, of Burlington County, N. J., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which were ordered to lie on the table.

He also presented a petition of the congregation of the Stanley Congregational Church, of Chatham, N. J., praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

He also presented a memorial of Simon Blake, of Jersey City, N. J., and a memorial of Local Division No. 16, Ancient Order of Hibernians, of Jersey City, N. J., remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

Mr. O'GORMAN presented memorials of East Worcester Grange, No. 1238; Gouverneur Grange, No. 303; Enfield Valley Grange, No. 295; Elma Grange, No. 1179; Easton Grange, No. 1123; Lenox Grange, No. 1373; Veteran Grange, No. 1108; Constable Grange, No. 1047; and Watertown Grange, No. 7, all in the State of New York, remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which were ordered to lie on the table.

Mr. DU PONT presented a memorial of the Third Ward Democratic Club, of Wilmington, Del., remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

Mr. BOURNE presented a memorial of Sinslaw Grange, No. 54, Patrons of Husbandry, of Lorane, Oreg., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

ADDITIONAL JUDGE FOR FOURTH CIRCUIT.

Mr. CHILTON, from the Committee on the Judiciary, to which was referred the bill (S. 2604) authorizing the President to appoint an additional circuit judge for the fourth circuit, reported it without amendment.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CRAWFORD:

A bill (S. 2823) for the relief of Charles R. Crosby (with accompanying paper); to the Committee on Military Affairs.

A bill (S. 2824) granting an increase of pension to Edward M. Crabbs (with accompanying paper); and

A bill (S. 2825) granting an increase of pension to Peter M. Myers (with accompanying paper); to the Committee on Pensions.

By Mr. CHILTON:

A bill (S. 2826) granting an increase of pension to Joseph Hunter; and

A bill (S. 2827) granting an increase of pension to Thomas Cogar; to the Committee on Pensions.

By Mr. LODGE:

A bill (S. 2828) authorizing that commission of ensign be given midshipmen upon graduation from the Naval Academy; to the Committee on Naval Affairs.

By Mr. JONES:

A bill (S. 2829) granting an increase of pension to William L. Sapp; to the Committee on Pensions.

By Mr. SHIVELY:

A bill (S. 2830) granting an increase of pension to Robie M. Towle; to the Committee on Pensions.

By Mr. OWEN:

A bill (S. 2831) to provide for the sale of the surface of the segregated coal and asphalt lands of the Choctaw and Chickasaw Nations in Oklahoma; to the Committee on Indian Affairs.

By Mr. BORAH:

A bill (S. 2832) granting an increase of pension to Margaret J. Roberts (with accompanying paper); to the Committee on Pensions.

By Mr. LODGE:

A joint resolution (S. J. Res. 38) permitting the Sons of Veterans, United States of America, to place a bronze tablet in the Washington Monument; to the Committee on the Library.

WITHDRAWAL OF PAPERS—LEWIS C. L. SMITH.

On motion of Mr. DU PONT, it was

Ordered, That leave be granted to withdraw from the files of the Senate the papers in the case of Lewis C. L. Smith, which are filed with the bill S. 3441, Fifty-fifth Congress, there having been no adverse report thereon.

THE MILITARY POLICY OF THE UNITED STATES.

Mr. DU PONT submitted the following resolution (S. Res. 76), which was read and referred to the Committee on Printing:

Resolved, That 2,500 copies of the publication The Military Policy of the United States, by Brev. Maj. Gen. Emory Upton, United States Army, be printed as a document.

MESSENGER TO COMMITTEE ON FISHERIES.

Mr. JONES submitted the following resolution (S. Res. 77), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Fisheries be, and it is hereby, authorized to employ an additional messenger at a salary of $1,000 per annum.

ABOLITION OF SENATE OFFICES.

The VICE PRESIDENT. The morning business is closed, and the Chair lays before the Senate a resolution coming over from a former day, which will be read.

The SECRETARY. Senate resolution 74, by Mr. LODGE——

Mr. LODGE. At the request of certain Senators, I ask that the resolution may go over until to-morrow.

The VICE PRESIDENT. Without objection, that order will be made.

Mr. LODGE. I shall ask that the resolution be taken up to-morrow and disposed of.

WATERS OF NIAGARA RIVER.

Mr. BURTON. I ask unanimous consent for the present consideration of the joint resolution (S. J. Res. 3) extending the operation of the act for the control and regulation of the waters of Niagara River, for the preservation of Niagara Falls, and for other purposes. I should like if the Senator from New York [Mr. ROOT] were present while the joint resolution is under discussion. I do not know that it is necessary.

Mr. CULBERSON. Mr. President, I desire to say in this connection that when this matter was reported on Friday last and unanimous consent was asked for its present consideration, I objected for two reasons. The first was because the joint resolution had not been considered by the Senate, and in its then form I wanted to examine it carefully and see if there was any objection to it. The second reason for my objection to the consideration was because I recalled the fact that the governor of the State of New York had addressed a letter to the Senator from Maine [Mr. FRYE], the chairman of the Senate Committee on Commerce, in opposition to a measure of this general character, and also to Representative ALEXANDER, chairman of the Committee on Rivers and Harbors of the House of Representatives, which letters were printed, as I recollected, in the RECORD.

The Senator from Ohio [Mr. BURTON] has very kindly furnished me a copy of the letter of Gov. Dix, of New York, to Representative ALEXANDER on the subject, and also a letter from the governor of New York to the Senator from Ohio [Mr. BURTON] dated February 24, 1911. I ask that the letter of the governor to the Senator from Ohio be read, and that the other be printed in the RECORD without reading.

The VICE PRESIDENT. Without objection, the Secretary will read the letter indicated, and the other letter will be printed without reading.

The Secretary read as follows:

STATE OF NEW YORK, EXECUTIVE CHAMBER,
Albany, February 24, 1911.

Hon. THEODORE E. BURTON,
United States Senate, Washington, D. C.

DEAR SENATOR BURTON: I am informed that the so-called Alexander power bill, relating to the use of Niagara River water for hydraulic purposes, is still in the hands of the Rivers and Harbors Committee, and, it is understood, will not be passed, and that you have introduced a concurrent resolution proposing to extend the term of the act of 1906, which bears your name, and which would expire by limitation on June 29, proximo, during the lifetime of the new treaty with Great Britain relative to boundary waters.

I have recently communicated to Representative ALEXANDER my views as to the inadequacy of his bill, and I inclose a copy of my letter to him. If this bill should be enacted it should only be after the adoption of amendments to cover the points I have made against it, and in which our State legislature has since concurred. If, however, there is to be no bill enacted on the subject at the present session of Congress, then your resolution should, I am sure, be adopted.

It seems to me that provision for the permanent adjustment of this whole matter should be based upon conferences between the Federal authorities and the authorities of this State, and I would be obliged if you would suggest the appropriate Federal officials with whom conferees in behalf of the State might take up this subject. It would seem, also, that a period of two years would be abundant time within which to reach a definite basis for the final disposition of this matter, and, if I am correct as to that, it would seem as though an extension of the Federal act of 1906 for a period of two years instead of for a term of five years would be desirable.

Respectfully, yours,

JOHN A. DIX.

The letter to Representative ALEXANDER was ordered to be printed in the RECORD, as follows:

FEBRUARY 16, 1911.

Hon. D. S. ALEXANDER,
Chairman Committee on Rivers and Harbors,
House of Representatives, Washington, D. C.

DEAR SIR: The bill known as the Alexander power bill, relating to the use of the hydraulic power of the Niagara River, now pending before your committee, involves interests of very great importance to the State of New York. The act which the bill would amend, usually known as the Burton Act, permitted grants to be made by the Secretary of War to individuals, companies, or corporations for diversion of water for the creation of power which then were, in 1906, actually using such water for that purpose; but that act contained a restriction limiting future use to not over 8,600 cubic feet per second to any one individual, and to not exceeding 15,600 cubic feet per second to all users of water from the Niagara River or from the Erie Canal.

The western level of the Erie Canal being fed from the waters of Lake Erie, a certain quantity of its flow on reaching the eastern end of that level becomes surplus and available for hydraulic purposes. Any use of that surplus should be in conjunction with continuous and unhampered supervision on the part of the State, in order to preserve the navigation interests of that canal. In 1906 there were several users of river water at the city of Niagara Falls who were independent of each other in interest, and there were several users at Lockport of surplus canal waters which had their source in Lake Erie, and who used under the terms of a permit previously granted by the State. That permit, originally made in 1826, was revoked by the superintendent of public works of the State, and any other disposition of that surplus to arise on completion of the canal improvement now in progress is being held in abeyance until after legislation shall be enacted by the State with reference thereto.

I believe there is no instance occurring prior to 1906 of any attempt on the part of the Federal Government to claim any jurisdiction to regulate the use of the waters of the Erie Canal after the same have once entered the State's canal system. The Federal act of 1906 did not allow the issuing of permits to any single interest then existing or thereafter to come into existence, whereby use of all the water which may be taken from the Niagara River for power purposes could come under the control of a single interest, and any injurious monopoly in the product of that power was thereby guarded against. Under the Alexander bill, if a consolidation of interest between the present users at Niagara Falls already has, or shall hereafter occur, the whole of the 20,000 cubic feet per second authorized by the treaty of May 13, 1910, with Great Britain, could be granted to a single user or to a combination of users. Since electric current has become the most valuable product of hydraulic power, Niagara power will no doubt continue to be used as it now is for the development of that current, and oppressive results may be anticipated to follow from any unregulated monopoly thereover.

The Burton Act treated the use of Erie Canal surplus, arising on the canal levels fed by Lake Erie, for power purposes, as coming within the right of the Federal Government to license. The Alexander bill now proposes to reassert that jurisdiction in the Federal Government. That claim on the part of the Federal Government is unsound as well as unjust to the State of New York. The Erie Canal lies wholly within this State and was built at the sole expense of New York, with the acquiescence of the Federal Congress at the time, and it has since been maintained at vast expense to this State but with great benefit to the country at large. Assuming but not conceding that Congress as against the State could now justly interfere and place a limit upon the amount of water from the Niagara River to feed the Erie Canal, nevertheless such water having once entered the canal passes into an artificial channel wholly within the State and within its natural jurisdiction. The treaty referred to undertakes to place no limit whatever nor to require the Federal Government to limit the amount of water which may be drawn from Lake Erie for the purposes of existing canals in the State of

New York. Who shall use the surplus of the Erie Canal when the water reaches Lockport or other points, even though the source thereof was Lake Erie, and under what restrictions and on what terms, is a matter which should rest with the State of New York alone to determine.

In my opinion, the Alexander bill should be so amended as to prevent a monopoly in the product of the power affected, to remove unnecessary restrictions upon the number of those persons or corporations located upon sites available for use of power, and which may desire to share in its use, and so as to leave New York State with the sole and undisputed jurisdiction to control the use of Erie Canal waters at all points within her own boundaries. The question of the transmission of power originating in the natural waters of the State of New York to points without the State, to the prejudice of New York and perhaps to the prejudice of the United States as well, suggests itself.

I am informed that the terms of the Alexander bill will operate to exclude one company already incorporated by the State from any participation in the power water which may be granted. I find that when the State authorized on its part some years ago the use of the river water for commercial purposes, no limitations were imposed for the protection of the public interest, or consideration exacted for the benefits to accrue to the users.

In view of the importance of this subject and because of the impropriety of my assuming to dispose of it on behalf of the State without consultation with the legislature, I intend to submit the subject to the State legislature and I request that congressional action on the Alexander bill be delayed until the interests and desires of the State may be properly determined and made known.

Respectfully, yours, JOHN A. DIX.

Mr. CULBERSON. I simply desire to add that in view of the letters of the governor of New York explaining the situation, I have no further objection to the present consideration of the joint resolution.

There being no objection, the joint resolution was considered as in Committee of the Whole.

It was reported from the Committee on Foreign Relations with an amendment, after the word "act" in line 6, to strike out the words "to remain in full force and virtue during the life of the said treaty, save in so far as any portion thereof may be found inapplicable or already complied with" and to insert "for two years or until June 29, 1913," so as to make the joint resolution read:

Resolved, etc., That the provisions of the aforesaid act be, and they are hereby, extended from June 29, 1911, being the date of the expiration of the operation of said act, for two years or until June 29, 1913.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The joint resolution was reported from the Committee on Foreign Relations with amendments to the preamble, so as to make the preamble read:

Whereas the provisions of the act entitled "An act for the control and regulation of the waters of Niagara River, for the preservation of Niagara Falls, and for other purposes," approved June 29, 1906, and extended by joint resolution (public resolution No. 56) for a period of two years, approved March 3, 1909, will expire by limitation June 29, 1911: Therefore be it

The amendments to the preamble were agreed to.

THE CALENDAR.

The VICE PRESIDENT. The calendar will be proceeded with, under Rule VIII.

The joint resolution (H. J. Res. 1) to correct errors in the enrollment of certain appropriation acts, approved March 4, 1911, was announced as the first business on the calendar.

Mr. HEYBURN. I ask that it may go over.

The VICE PRESIDENT. The joint resolution will go over.

LANDS IN THE CITY OF WASHINGTON.

The bill (S. 20) directing the Secretary of War to convey the outstanding legal title of the United States to sublots Nos. 31, 32, and 33 of original lot No. 3, square No. 80, in the city of Washington, D. C., was considered as in Committee of the Whole.

Mr. GALLINGER. The bill has been heretofore read. On page 1, lines 3 and 4, I move to strike out the words "the present," and to insert the words "William H. Rapley and the estate of William W. Rapley."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER.

The bill (S. 237) for the proper observance of Sunday as a day of rest in the District of Columbia was announced as next in order.

Mr. HEYBURN. I ask that the bill may go over.

The VICE PRESIDENT. It will go over.

The bill (S. 291) providing for the retirement of petty officers and enlisted men of the United States Navy or Marine Corps and for the efficiency of the enlisted personnel was announced as next in order.

Mr. PENROSE. I ask that the bill may go over this morning.

The VICE PRESIDENT. It will go over.

The bill (S. 25) to regulate the business of loaning money on security of any kind by persons, firms, and corporations other than national banks, licensed bankers, trust companies, savings banks, building and loan associations, pawnbrokers, and real-estate brokers in the District of Columbia was announced as next in order.

Mr. POMERENE. I ask that the bill may go over.

The VICE PRESIDENT. The bill goes over.

The bill (S. 123) to alter the regulations respecting the manner of holding elections for Senators was announced as next in order.

Mr. GALLINGER. Let that go over, Mr. President.

The VICE PRESIDENT. The bill will go over.

PUBLIC HEALTH AND MARINE-HOSPITAL SERVICE.

The bill (S. 2117) to promote the efficiency of the Public Health and Marine-Hospital Service was considered as in Committee of the Whole.

Mr. SMOOT. On page 2, line 7, after the word "dollars," at the end of the paragraph, I move to add the following proviso:

Provided, That nothing in this act shall be construed to increase the pay of any officer now on waiting orders.

Mr. GALLINGER. It should read, "Provided also."

Mr. SMOOT. Yes; "Provided also," as it follows a proviso.

The amendment was agreed to.

Mr. WARREN. Mr. President, I should like to ask the Senator in charge of the bill as to what officers and to what extent or limit the longevity applies, and whether there is a maximum limit below the 40 per cent longevity as to the officers of high rank?

Mr. SMOOT. There is a limit that the amount shall not exceed 40 per cent.

Mr. WARREN. Yes; that is the law now, for instance, as to the Army and the Navy. But for the Army, in the case of the general officers and the field officers, there is a maximum which is less than the regular salary and 40 per cent additional. I want to know if that factor is in this bill?

Mr. SMOOT. Certainly; that factor is in this bill, the same as in the law for the Army and the Navy.

Mr. WARREN. This does not raise the salary and pay of the officers?

Mr. SMOOT. Yes; this bill raises the salaries. The Surgeon General to-day gets $5,000, and this bill raises his salary to $6,000, in conformity with the salaries of the officers of the same grade in the Army and the Navy. It raises the salary of the assistant surgeon generals from $2,900 to $4,000; the senior surgeons from $2,500 to $3,500; the surgeons from $2,500 to $3,000; and the passed assistant surgeons from $2,000 to $2,500.

Mr. WARREN. Then I am to understand the Senator that this is to bring the salaries of that service on a par only with the salaries of the officers of the Army, and not above?

Mr. SMOOT. That is the object. It does not increase the salaries above those of the same grades in the Army and the Navy.

Mr. President, on page 2 of the bill, line 22, I offer an amendment to strike out "seven" and insert "five," and also to strike out "two hundred."

The VICE PRESIDENT. The Secretary will state the amendment proposed by the Senator from Utah.

Mr. GALLINGER. Mr. President, I want to say just one word, and only a word, on the general purpose of this bill.

This is, as every Senator knows, a very efficient and extremely important service. There has been no change in the salaries of these officers since the year 1889. It is proper that they should be increased, as it seems to me, to the amount provided in the bill. As to the Senator's amendment, I do not quite understand it, and I should like to have it stated so that we may understand it.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 2, lines 22 and 23——

Mr. GALLINGER. I refer to the first amendment, Mr. President.

The VICE PRESIDENT. To the amendment which has been agreed to?

Mr. GALLINGER. I did not know it had been agreed to. I should like to have it again stated.

The VICE PRESIDENT. The Secretary will state the amendment.

The SECRETARY. On page 2, line 7, after the word "dollars," it is proposed to insert the following proviso:

Provided also, That nothing in this act shall be construed to increase the pay of any officer now on waiting orders.

Mr. SMOOT. Mr. President, in explanation of that amendment I wish to say that at the present time there are three surgeons on waiting orders and one passed assistant surgeon on waiting orders.

Mr. GALLINGER. I think the amendment is entirely proper, and I do not object to it.

The VICE PRESIDENT. The amendment last offered by the Senator from Utah will be stated.

The SECRETARY. It is proposed on page 2, in lines 22 and 23, to strike out the words "seven thousand two hundred" and in lieu thereof to insert "five thousand," so as to read:

The allowance for baggage and personal effects to an officer in changing stations shall be fixed by the Secretary of the Treasury, not to exceed in any case 5,000 pounds.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DAMAGE TO LIGHTHOUSE PROPERTY.

The bill (S. 2053) providing for the disposition of moneys recovered on account of injury or damage to lighthouse property was announced as next in order.

Mr. CULBERSON. Let that bill go over.

The VICE PRESIDENT. The bill will go over.

HARBOR REGULATIONS, DISTRICT OF COLUMBIA.

The bill (S. 1072) to amend section 895 of the Code of Laws for the District of Columbia was considered as in Committee of the Whole.

The bill had been reported from the Committee on the District of Columbia with amendments. The first amendment was, on page 1, after line 5, to strike out:

No barge, lighter, or scow owned, controlled, leased, or employed by the owner or lessee of any wharf used for private business, or for any private purpose, and not used for public or general wharfage, shall be permitted to lie in front of or overlap any adjoining wharf or wharves without the written consent of the owner or lessee of such adjoining wharf or wharves.

The amendment was agreed to.

The next amendment was, on page 2, line 3, before the word "That" to insert "Sec. 895a," and on page 3, line 3, after the word "conviction," to strike out "shall be subject to the penalty provided herein" and insert "shall be punished by a fine not exceeding $100, or by imprisonment not exceeding six months, or both, in the discretion of the court," so as to make the bill read:

Be it enacted, etc., That section 895 of the Code of Law for the District of Columbia, making harbor regulations, is hereby amended by adding thereto the following:

"SEC. 895a. That it shall be unlawful for any owner or occupant of any wharf or dock, any master or captain of any vessel, or any person or persons to cast, throw, drop, or deposit any stone, gravel, sand, ballast, dirt, oyster shells, or ashes in the water in any part of the Potomac River or its tributaries in the District of Columbia, or on the shores of said river below high-water mark, unless for the purpose of making a wharf, after permission has been obtained from the Commissioners of the District of Columbia for that purpose, which wharf shall be sufficiently inclosed and secured so as to prevent injury to navigation.

"That it shall be unlawful for any owner or occupant of any wharf or dock, any captain or master of any vessel, or any other person or persons to cast, throw, deposit, or drop in any dock or in the waters of the Potomac River or its tributaries in the District of Columbia any dead fish, fish offal, dead animals of any kind, condemned oysters in the shell, watermelons, cantaloupes, vegetables, fruits, shavings, hay, straw, ice, snow, filth, or trash of any kind whatsoever.

"That nothing in this act contained shall be construed to interfere with the work of improvement in or along the said river and harbor under the supervision of the United States Government.

"That any person or persons violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine not exceeding $100, or by imprisonment not exceeding six months, or both, in the discretion of the court."

The amendment was agreed to.

Mr. REED. Mr. President, I do not rise to make an objection to the bill, but I should like to know what we are voting on. Those amendments in the form stated at the desk are absolutely blind, and nobody can tell what they mean unless he has a copy of the bill before him. I should like very much if the chairman of the committee which reported the bill would tell us just what it means.

Mr. GALLINGER. The Senator from Washington [Mr. JONES] reported the bill; but I will say that, as I understand, the only change in the existing law is to prohibit the dumping of certain materials in the waters of the Potomac River. Those materials are stone, gravel, and sand, which the present law does not prohibit. That is the only change in the existing law.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LARCENY OF PUBLIC PROPERTY FROM DISTRICT WORKHOUSE.

The bill (S. 1081) to provide for punishment for larceny of public property from the workhouse and the reformatory of the District of Columbia was considered as in Committee of the Whole.

The bill had been reported from the Committee on the District of Columbia with amendments, on page 1, line 3, after the word "that," to insert "whenever"; in the same line, after the word "any," to strike out "larceny as hereinafter provided of"; in line 7, before the word "in," to strike out "any"; on page 2, line 1, after the word "both," to strike out "said" and insert "the"; in the same line, before the word "reformatory," to strike out "said" and insert "the"; in the same line, after the word "reformatory," to insert "of the District of Columbia"; and in line 4, after the word "workhouse," to strike out "whenever any such property"; so as to make the bill read:

Be it enacted, etc., That whenever any property of the United States of America, or of the property of the District of Columbia, either or both, or in the custody or control of the said United States or the District of Columbia, either or both, or in the custody or control of the officers, agents, or employees thereof respectively, in any State or Territory of the United States other than the District of Columbia, which has been or shall be loaned, delivered, given, purchased, provided, or obtained for use at, about, or in either or both the workhouse or the reformatory of the District of Columbia, or which has been or shall be used or employed in any manner at, about, or in either or both said reformatory or workhouse, shall be brought into the District of Columbia, or any other place within the jurisdiction of the United States, by any person who shall feloniously take and carry away the same under circumstances which constitute larceny in the District of Columbia, as provided in the Code of Laws of the District of Columbia, and the amendments thereto, shall be and continue larceny in the district of Columbia, or in any place within the jurisdiction of the United States.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EXHIBITION OF OBSCENE PICTURES IN THE DISTRICT OF COLUMBIA.

The bill (S. 2600) to authorize the Commissioners of the District of Columbia to prevent the exhibition of obscene, lewd, indecent, or vulgar pictures in public places of amusement in the District of Columbia, was announced as next in order.

Mr. SHIVELY. Let that bill go over, Mr. President.

The VICE PRESIDENT. The bill will go over.

CHANGES IN DISTRICT PERMANENT HIGHWAY SYSTEM.

The bill (S. 2599) to authorize certain changes in the plan for the permanent system of highways for that portion of the District of Columbia lying west of Fourteenth Street, south of Taylor Street, east of Rock Creek Park, and north of Newton Street NW., was considered as in Committee of the Whole. It authorizes the Commissioners of the District of Columbia to prepare a new highway plan for that portion of the District lying west of Fourteenth Street, south of Taylor Street, east of Rock Creek Park, and north of Newton Street NW., under the provisions contained in the act of Congress approved March 2, 1893, entitled "An act to provide a permanent system of highways in that part of the District of Columbia lying outside of cities," and an amendment to that act approved June 28, 1898; but section 4 of the amendment shall not apply to the territory above described; and Mount Pleasant Street may be extended with a minimum width of 45 feet; Perry Place may be extended with a minimum width of 50 feet; and Fourteenth Street Road may be established with a minimum width of 50 feet; and upon the completion and recording of the new highway plan it shall take the place of and stand for any previous plan for that portion of the District of Columbia.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FISH-CULTURAL STATIONS ON COLUMBIA RIVER, OREG.

The bill (S. 2775) to authorize the establishment of fish-cultural stations on the Columbia River or its tributaries in the State of Oregon, was considered as in Committee of the Whole. It directs the Secretary of Commerce and Labor to establish two or more fish-cultural stations on the Columbia River or its tributaries in the State of Oregon for the propagation of salmon and other food fishes, and to make the necessary surveys, and purchase sites, construct ponds and buildings, construct, purchase, and hire boats and equipments, and employ such assistance as may be required for the construction and operation of

such fish-cultural stations at suitable points to be selected by him, and the number of such stations to be determined by him; and for these purposes $50,000 is authorized to be appropriated.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

TITLE TO LAND IN THE DISTRICT OF COLUMBIA.

The bill (S. 1899) to repeal a portion of an act heretofore passed relating to the alienation of the title of the United States to land in the District of Columbia was announced as next in order.

Mr. HEYBURN. Mr. President, I think that bill had better go over.

Mr. GALLINGER. I think the bill is all right.

Mr. HEYBURN. It involves a number of properties.

Mr. GALLINGER. Very well; let it go over.

The VICE PRESIDENT. The bill will be passed over.

PUBLICITY OF CAMPAIGN CONTRIBUTIONS.

The bill (H. R. 2958) to amend an act entitled "An act providing for publicity of contributions made for the purpose of influencing elections at which Representatives in Congress are elected" was announced as next in order.

Mr. HEYBURN. I ask that that bill go over, Mr. President.

The VICE PRESIDENT. The bill will go over at the request of the Senator from Idaho.

Mr. CULBERSON. Mr. President, I move that the Senate proceed to the consideration of that bill notwithstanding the objection.

The VICE PRESIDENT. The Senator from Texas moves that the Senate proceed to the consideration of the bill, the objection of the Senator from Idaho to the contrary notwithstanding.

Mr. LODGE. Mr. President, so far as I am personally concerned, I am quite ready to vote now on that bill and the amendments to it, but I think it is rather unusual to compel the consideration of a bill in the absence of the Senator who reported it, the chairman of the committee.

Mr. CULBERSON. Mr. President, this is a measure which I think ought to be considered and passed at this session of Congress; and in view of the fact that we shall be engaged almost exclusively on tariff measures, I think we ought to avail ourselves of every opportunity to consider and finally pass this measure.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Texas. [Putting the question.] By the sound the "noes" appear to have it.

Mr. CULBERSON. I suggest the absence of a quorum, Mr. President.

The VICE PRESIDENT. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Culberson	Kern	Reed
Borah	Cullom	Lippitt	Shively
Bourne	Cummins	Lodge	Simmons
Bradley	Curtis	McCumber	Smith, S. C.
Bristow	Dillingham	Martin, Va.	Smoot
Brown	Dixon	Martine, N. J.	Sutherland
Bryan	du Pont	Myers	Swanson
Burnham	Gallinger	Nelson	Townsend
Burton	Gamble	Nixon	Warren
Chamberlain	Gronna	O'Gorman	Watson
Chilton	Guggenheim	Overman	Wetmore
Clapp	Heyburn	Page	Williams
Clark, Wyo.	Johnston, Ala.	Penrose	Works
Crane	Jones	Perkins	
Crawford	Kenyon	Pomerene	

Mr. TOWNSEND (when the name of Mr. SMITH of Michigan was called). The senior Senator from Michigan [Mr. SMITH] was called away from the city last night.

The VICE PRESIDENT. Fifty-eight Senators have answered to the roll call. A quorum of the Senate is present.

Mr. CULBERSON. On the motion to proceed to the consideration of this measure I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. CURTIS. Mr. President, some of us were not present when the bill was read. I should like to know what the bill is.

The VICE PRESIDENT. The Secretary, without objection, will again report the bill by its title.

The SECRETARY. A bill (H. R. 2958) to amend an act entitled "An act providing for publicity of contributions made for the purpose of influencing elections at which Representatives in Congress are elected."

Mr. CRAWFORD. Mr. President——

Mr. CULBERSON. Mr. President, I understand the yeas and nays have been ordered.

The VICE PRESIDENT. The yeas and nays have been ordered.

Mr. CRAWFORD. I simply wanted to ask a question; that is all. Do I understand that the chairman of the committee who has reported this bill is absent from the city or simply not here?

The VICE PRESIDENT. The question is not a debatable one.

Mr. CRAWFORD. Is not an inquiry of that kind pertinent?

Mr. PENROSE. He is engaged on committee work.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). I have a general pair with the senior Senator from Missouri [Mr. STONE], who I understand is absent from the city. In the absence of that Senator, I withhold my vote. If he were present, I should vote "nay."

Mr. GALLINGER (when his name was called). I am paired with the junior Senator from Arkansas [Mr. DAVIS]. If I were privileged to vote, I should vote "nay," because of the absence of the chairman of the committee.

Mr. GUGGENHEIM (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. PAYNTER], who is unavoidably detained. So I withhold my vote.

Mr. LODGE (when his name was called). I have a general pair with the junior Senator from Texas [Mr. BAILEY]. I do not know how he would vote. So I withhold my vote. If he were present, I should vote "nay."

Mr. MCCUMBER (when his name was called). I have a general pair with the senior Senator from Mississippi [Mr. PERCY]. I transfer the pair to the senior Senator from New York [Mr. ROOT] and vote "nay."

Mr. MYERS (when his name was called). I have a general pair on political matters with the Senator from Connecticut [Mr. MCLEAN]. I hardly know whether the pair would apply to this vote or not. I do not know how the Senator from Connecticut would vote on this question. So I will concede that the pair might apply to this vote, and I will transfer my pair to the Senator from Nevada [Mr. NEWLANDS] and I will vote. I vote "yea."

Mr. REED (when his name was called). I have a pair with the senior Senator from Michigan [Mr. SMITH]. I transfer it to the junior Senator from Tennessee [Mr. LEA] and will vote. I vote "yea."

Mr. SMITH of South Carolina (when his name was called). I have a general pair with the Senator from Delaware [Mr. RICHARDSON]. I transfer the pair to the junior Senator from Maine [Mr. JOHNSON] and will vote. I vote "yea."

Mr. SUTHERLAND (when his name was called). I have a general pair with the Senator from Maryland [Mr. RAYNER]. In his absence, I withhold my vote.

Mr. WARREN (when his name was called). I desire to ask if the senior Senator from Louisiana [Mr. FOSTER] has voted?

The VICE PRESIDENT. He has not.

Mr. WARREN. I am paired with that Senator. I therefore withhold my vote.

Mr. WATSON (when his name was called). I have a general pair with the senior Senator from New Jersey [Mr. BRIGGS]. I transfer it to the junior Senator from Maryland [Mr. SMITH] and will vote. I vote "yea."

The roll call was concluded.

Mr. JOHNSTON of Alabama. I desire to announce that my colleague [Mr. BANKHEAD] is paired with the senior Senator from Connecticut [Mr. BRANDEGEE], and that the Senator from Arkansas [Mr. CLARKE] is paired with the junior Senator from Wisconsin [Mr. STEPHENSON].

Mr. BRADLEY (after having voted in the affirmative). I voted a moment ago under a misapprehension. I find that the Senator with whom I have a general pair, the senior Senator from Tennessee [Mr. TAYLOR], is not present. I therefore desire to withdraw my vote.

Mr. CHAMBERLAIN. I have a general pair with the junior Senator from Pennsylvania [Mr. OLIVER]. I transfer it to the senior Senator from Florida [Mr. FLETCHER] and will vote. I vote "yea."

Mr. CRAWFORD (after having voted in the negative). I discover that the chairman of the committee is here now. That was my only objection to proceeding to the consideration of the bill. I desire to change my vote. I vote "yea."

Mr. DILLINGHAM. I withhold my vote because of my pair with the senior Senator from South Carolina [Mr. TILLMAN].

The result was announced—yeas 42, nays 11, as follows:

YEAS—42.

Bacon	Culberson	Kern	Reed
Borah	Cummins	Martin, Va.	Shively
Bourne	Curtis	Martine, N. J.	Simmons
Bristow	Dixon	Myers	Smith, S. C.
Brown	Gamble	Nelson	Swanson
Bryan	Gore	Nixon	Townsend
Burnham	Gronna	O'Gorman	Watson
Chamberlain	Hitchcock	Overman	Williams
Chilton	Johnston, Ala.	Owen	Works
Clapp	Jones	Perkins	
Crawford	Kenyon	Pomerene	

NAYS—11.

Burton	du Pont	McCumber	Smoot
Crane	Heyburn	Page	Wetmore
Cullom	Lippitt	Penrose	

NOT VOTING—38.

Bailey	Foster	Newlands	Stephenson
Bankhead	Frye	Oliver	Stone
Bradley	Gallinger	Paynter	Sutherland
Brandegee	Guggenheim	Percy	Taylor
Briggs	Johnson, Me.	Poindexter	Terrell
Clark, Wyo.	La Follette	Rayner	Thornton
Clarke, Ark.	Lea	Richardson	Tillman
Davis	Lodge	Root	Warren
Dillingham	Lorimer	Smith, Md.	
Fletcher	McLean	Smith, Mich.	

So the motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. HEYBURN. Mr. President, I have but a few words to say in regard to this measure. I voted against the motion to take it up, and I objected to its consideration. I thought that the sentiment of the Senate was so strongly expressed against this legislation on the occasion of a recent vote that there would be no attempt to press it. Only a few days since the Senate, by a large majority, voted to take out of the Constitution of the United States the section under which this legislation only could exist. Of course, if you repeal section 4 of Article I of the Constitution you can not pass any such bill as this, because it is because of the provisions of that section that you are authorized to enact such legislation. I was looking for consistency.

That can not be controverted. No Senator will name any other section of the Constitution or any other provision in it under which this kind of legislation can be enacted. If anyone can name it, I will be very glad to hear it.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to his colleague?

Mr. HEYBURN. Certainly.

Mr. BORAH. My colleague is in error about the vote being in favor of taking section 4 out of the Constitution. The vote of a majority left it in the Constitution.

Mr. HEYBURN. Well, Mr. President, the vote that will decide it will leave it out.

Mr. BORAH. I am speaking from the record.

Mr. HEYBURN. I was speaking not of the prevailing vote; I was speaking of the number of votes. Let us see. We will not quibble over it. The question is, Are we going to leave section 4 of Article I of the Constitution remain? If we are, we can enact this legislation. If we are not going to allow it to remain, then we can not enact it. That is to say, if section 4 were out of the Constitution, there is no provision under which we can legislate on the subject at all. Now, I should like to know where the consistency is to be found in proposing such legislation as this at this time.

I have been curious to know upon what constitutional provision Senators would rest their support of such legislation.

Mr. CLARK of Wyoming. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Wyoming?

Mr. HEYBURN. Certainly.

Mr. CLARK of Wyoming. I had rather thought I should vote for this provision, but if there is no foundation to rest it upon I want to be informed. I had supposed that the Senate voted to retain that provision of the Constitution upon which this could rest. I certainly voted that way, and I thought I was with the majority.

Mr. HEYBURN. Yes. I am not speaking of what the result of the proposed amendment to the Constitution may be. I am referring to the express opinion in the Senate, and basing some surprise upon it.

Mr. CLARK of Wyoming. Was not the express opinion in the Senate contrary to the opinion now given by the Senator?

Mr. HEYBURN. The committee of which both Senators who have spoken are members, one the chairman and the other a member, reported in favor of eliminating section 4 of Article I.

Mr. CLARK of Wyoming. Yes; and the Senator will remember that while one of the Senators joined in a report to eliminate it the other Senator did not join in the report to leave it out.

Mr. HEYBURN. Yes.

Mr. CLARK of Wyoming. And the Senate agreed with the latter opinion.

Mr. HEYBURN. I give the Senator from Wyoming the fullest credit for having——

Mr. CLARK of Wyoming. No; I am simply——

Mr. HEYBURN (continuing). For having not joined with the report of the committee.

Mr. CLARK of Wyoming. I am trying to ascertain just exactly where I stand on this proposition. I want to vote for the bill now pending. I do not want to vote for it if, as the Senator says, the Senate has decided, or it has been decided, to leave out of the Constitution the section of which this is the foundation.

Mr. HEYBURN. Inasmuch as the question is not decided at all yet and is pending in the House, I think I am justified in the suggestion I made. I think it will be conceded that if the amendment passes Congress and goes to the legislatures it will take out of the Constitution section 4 of Article I.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Does the Senator from Idaho yield to the Senator from Iowa?

Mr. HEYBURN. Yes.

Mr. CUMMINS. The Senator from Idaho evidently forgets that there has been no proposition to take out of section 4 that part of it which relates to the election of Members of the House of Representatives, and the bill before us relates only to Members of the House of Representatives.

Mr. LODGE. If the Senator will turn to page 5 he will find there:

> Every person who shall be a candidate for nomination at any primary election, or for indorsement at any general election, or election before the legislature of any State, as Senator in the Congress of the United States——

Mr. CUMMINS. I did not rise for the purpose of making that correction. I find I am in error about the application of the amendment to the bill; but I believe that if section 4 of Article I of the Constitution were entirely expunged from the Constitution, nevertheless, such legislation as this could lawfully be passed by Congress.

Mr. HEYBURN. On what would it rest?

Mr. CUMMINS. It would rest upon precisely the same foundation as regulations respecting the election of the electors for President and Vice President; and legislation of the same general character has been affirmed and approved and upheld by the Supreme Court of the United States——

Mr. HEYBURN. In what case?

Mr. CUMMINS. With regard to electors for President and Vice President.

Mr. HEYBURN. I think the Senator will find a lack of authority behind that proposition. However, I notice that every time this question has been under consideration—I do not mean this measure, but the principle—much has been said about the laws regulating the election of electors. The provisions of the law and of the Constitution with reference to that matter are separate and distinct and stand upon their own grounds, and it was only calculated to lead the audience away from the consideration of the real question.

I do not intend at this time to make any extended speech on this question, but I merely want to interject into the minds of Senators the inconsistency between those who urge this legislation as being of supreme importance and those who favor taking away from Congress the power to enact it. They can not be right in both propositions. Congress can only do this under the provisions of section 4, making regulations for the election of Senators and Members. If you repeal it, you will find that no law Congress enacts shall provide how a person be elected in a State under State laws can be compelled to abide such control by Congress.

Mr. BORAH rose.

The PRESIDING OFFICER. Does the Senator from Idaho yield to his colleague?

Mr. HEYBURN. I yield.

Mr. BORAH. I did not rise to address my colleague. I thought he was through.

Mr. HEYBURN. I am going to close when I think I have sufficiently interjected the inconsistency of this legislation into the minds of Senators so that they may do what I say in all due respect they have not done before—that is, consider the question. It is very easy to follow a clamor for regulations based upon the assumption that the Members of Congress in both Houses are open to suspicion as violators of the law and must be controlled. It is the play to the galleries, and is based upon an assumption that has no foundation. No Senator here

will stand in his place and charge that any other Senator has been guilty of any of the things that are enumerated in this statute. I will pause until some Senator exhibits that zeal in behalf of his demand for this legislation.

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Utah?

Mr. HEYBURN. I do.

Mr. SUTHERLAND. I am not on my feet in pursuance of the last suggestion made by the Senator, but I rose a moment ago to ask him a question with reference to his position concerning section 4 of Article I. Section 4 of Article I is still in the Constitution.

Mr. HEYBURN. Yes.

Mr. SUTHERLAND. It has not been taken out up to date.

Mr. HEYBURN. I know that.

Mr. SUTHERLAND. Does not the Senator think it might be a wholesome example to the country to pass this legislation, under section 4, and thereby demonstrate the necessity of retaining section 4 in the Constitution?

Mr. HEYBURN. Mr. President, inasmuch as I am in favor of retaining section 4 in the Constitution, I will join with the Senator from Utah in any legitimate proposition that will bring about that end. Of course I am very strongly opposed to the elimination of section 4 from the Constitution, because it was put there for a good purpose, and it has served a good purpose.

I thought this a proper and a convenient occasion to point the morals of this class of legislation. If we pass this now we say to the country that we are afraid of ourselves. I do not suppose any Member would acknowledge that he was afraid of himself personally, but he is afraid of his neighbor doing something that is discreditable and that ought to be checked. He is afraid of it, but he is afraid to say that he is afraid of it; that is all. This class of legislation reflects upon the dignity, it reflects upon the intellectual integrity of the Congress of the United States.

Mr. President, when the original legislation was enacted it was vicious enough, but there seems to be a disposition in these times to out-Herod Herod in declaiming against the honesty of those who administer the Government or make its laws. If a Member or other than a Member can rise up and propose some legislation to prevent a Member of the people's chosen representatives from committing a crime he seems to think he has done a great thing, and the newspapers will flash it in large type at the head of their columns, So-and-so introduced a resolution that will hereafter prevent Members of Congress from being criminals. It has become popular. It is a part of the muckraking spirit of the age. It detracts from the character of the Representatives in Congress, and it is heralded among the schools and among the people of the country as an evidence that Congress itself admits that it needs the restraint of these laws. By implication we say we want to be held to prevent us from violating them by a statute. I will be no party to such a tacit admission of the necessity of being restrained from resorting to criminal proceedings to become a Member of the legislative body. You have got to abandon one thing or the other. You have got to abandon the proposal to strike out section 4 of Article I in the Constitution or you have got to abandon this legislation. Just take your choice.

Mr. BORAH. Mr. President, I am very much in favor of this legislation. I am in favor of it for the reason that I think our elections even to this body ought to be protected against the things this measure is designed to protect against.

I only rose to say, however, that regardless of the question whether section 4 of Article I of the Constitution remains or not, we have ample power to pass this kind of legislation. No one should be discouraged in supporting this legislation by reason of the possible change which may take place with reference to Article I, section 4. We have always proceeded upon the theory that we can protect the purity of election with reference to presidential electors the same as Representatives. We have legislated in the same way and in the same statute concerning both classes of officers to be elected, and the courts have sustained the statute when it has covered both classes of officers to be elected.

I challenge those who seem to think that the Representatives stand upon a different basis from that of a presidential elector, so far as protecting the purity of elections is concerned, to point to any instance in the statute as supported by the courts wherein that distinction is made.

On the other hand, in each and every instance in which this has gone to the Supreme Court it has gone under a statute which protected presidential electors the same as Representatives, and the court has unhesitatingly supported the proposition that whoever or whatever the Federal official might be, the purity of the election could be controlled and protected in such a way as the wisdom of Congress might deem proper.

For that reason we should not hesitate to pass this class and kind of legislation for fear of a change in the Constitution, because it will not affect the validity, whether it is changed or whether it is not changed, with reference to Article I, section 4.

Mr. BAILEY. Mr. President, I cordially indorse any constitutional measure whose purpose is to discourage the use of money in our elections, and I, perhaps, go further than many of my associates, for I am a firm believer in the right, the power, and the duty of the Government to limit the expenditure of money in elections. I believe the States ought to limit it within their jurisdiction, and I believe that the Federal Government ought to limit it within its jurisdiction, because a man who can not induce the people to give him an important office is generally incapable of filling it.

But while I cordially approve the bill as it came to the Senate from the House, I very gravely doubt the power of Congress to enact the amendment which the committee has reported to the Senate. I am a member of the committee from which the report comes, but I did not happen to attend that session of the committee, being otherwise occupied, and had I been present I would at least have reserved the right to say what I now rise to say.

Without having thought this question thoroughly out, Mr. President, this seems to me to assert not only a power that does not exist in the Federal Government, but a power which is liable to a very gross abuse. This amendment assumes that the power of the Federal Government over a primary election is coequal with the power of the Federal Government over a general election. I can not, at least without a further consideration, subscribe to that doctrine. If we have the power to require the publication of the funds contributed to a primary election, the same as when contributed to a general election, then I do not see any escape—although I may revise my opinion in that respect upon a further consideration—from the conclusion that the power of the General Government over a primary is as plenary as it is over a general election. This amendment seems to imply that, and I must dispute therefore our power to enact it. I can not conceive that the General Government can go down into a State and regulate its primary elections.

As the junior Senator from Idaho [Mr. BORAH] has already suggested, the Federal Government having the right to supervise an election, it may supervise the election completely, notwithstanding State officers are chosen at the same time as Federal officers. That being established by the Supreme Court some of the States of the Union have felt compelled, in order to withdraw their local affairs from Federal supervision, to order their State elections at a time different from their Federal elections.

If Congress should conclude to exercise this power we will then be compelled, in order to escape this same Federal supervision of our primaries, to nominate our State and county candidates at one primary and our Federal candidates at another primary, or else nominating them all at the same primary, the Federal Government will have the power to supervise and control it.

I do not impeach the good faith of Senators hastily. I will not now impeach their good faith. Yet I can not refrain from noticing the fact that the Senators who have persistently and consistently resisted legislation of this kind are the advocates and proponents of this amendment. I do not say all of them are, because some of our own people, in their anxiety to procure a publication touching the general election, have consented to this.

If Senators on that side had not insisted something like two years upon an amendment to the House bill at that time, this bill would not be here to-day.

The Republican majority of the Committee on Privileges and Elections insisted upon an amendment to the House bill which confined the publication to a period subsequent to the election. I protested against that then, and in that protest I was joined by every Democratic member of the Committee on Privileges and Elections. We followed that amendment from the committee room to the open Senate and renewed our protest here, and an examination of the roll call will show that every Democratic Senator, without exception, I believe, voted to require that publication before as well as after the election.

Mr. BURTON. Will the Senator from Texas yield for several questions which I wish to ask, largely to obtain the opinion of the Senator from Texas?

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Ohio?

Mr. BAILEY. Certainly.

Mr. BURTON. Is it not conceded that regulations pertaining to registration, the time of holding the polls open, the form of ballot, and so forth, are subjects of Federal law under the Constitution?

Mr. BAILEY. Well, Mr. President, I would question registration. I do not question the power of the Federal Government to appoint registrars under a State law that requires registration.

Mr. BURTON. At any rate, the Federal laws can provide some form of registration. Is not the primary just as much a part of the final selection of Members of Congress, and so forth, as is registration and other regulations which are within the power of the Federal Government?

Mr. BAILEY. Oh, no. The Senator from Ohio will not insist upon that when he gives it his attention. The one is merely a means of identifying the voter and establishing his right to cast a lawful ballot, while the other is wholly a matter concerning a party. For instance, the Senator from Ohio is of such high character and intelligence that I should like to have him in the Democratic Party, but so long as he maintains his present views I would not be willing to have him in the Democratic primary. [Laughter.] The Senator from Ohio is entitled, under any law ever suggested for the control of Federal elections, to vote for a Representative in Congress, but under no rule ever yet suggested by the most visionary advocate of party disruption would the Senator from Ohio be entitled to enter a Democratic primary. The difference between identifying the voter at the general election and the partisan at the primary of his party is as wide as the poles.

Mr. BURTON. The Senator will accept my thanks for his complimentary words. What we are seeking to do, however, is to control the choice so that it may be a fair and an honest choice of the people. Is it not true that in many localities the selection made by the primary is absolutely conclusive, one party being so predominant?

Mr. BAILEY. That is true; but, Mr. President, it is not every regrettable condition in this world that is subject to Federal cure.

Mr. BURTON. Oh, I understand that.

Mr. BAILEY. And the control of a party primary must rest with the State. The Senator from Ohio is not more earnestly opposed to the use of money in elections than I am. I would go, perhaps, further than he would in that direction. I would restrict the right of a man to use money in elections because I am sure that there is no taint matching in its evil effect upon our public life the use of money. I would make it so that a poor man of talent, patriotism, and character could offer himself without being subject to a disadvantage against the richest man in America.

I would make it so that a man's addresses to the judgment and conscience of the voter should control, rather than that subtle and secret influence that addresses itself to the cupidity of the voter. I would make it impossible for any man's bank account to be potential in either a primary or a general election; but our Government is so organized that the primary must be directed by the State, while the Federal Government has ample power to protect its elections for Federal officers against this baleful influence.

Mr. BURTON. One further suggestion. If the right to control the primaries is not granted, must it not be conceded that in any State or district where one party is overwhelmingly in the majority this statute would be absolutely ineffective?

Mr. BAILEY. Well, Mr. President, that is true, assuming that the State itself had no concern for the purity of the ballot. If there is a State in the Union indifferent to the worthy purpose which this bill is intended to advance, then the condition suggested by the Senator from Ohio is undoubtedly true, however unfortunate it may be.

Mr. WORKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from California?

Mr. BAILEY. I do.

Mr. WORKS. Does the Senator from Texas know how many of the States in which the primary practically selects the candidate for Senator have effective laws of the kind that is now proposed?

Mr. BAILEY. I am not able to answer that question with such accuracy that would justify me in attempting to answer it at all.

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Utah?

Mr. BAILEY. I do.

Mr. SUTHERLAND. I understand the Senator from Texas to express some doubt as to whether or not Congress would have the power to supervise the registration of voters.

Mr. BAILEY. Not to supervise the registration, but provide for registration. I mean to say that in a State which requires registration as a condition precedent to voting, undoubtedly Congress would have a right to provide for the appointment of registrars to see that only those qualified under the law of the State to vote actually voted; but for a State which has no registration law, I do not believe Congress would have the right to pass one——

Mr. SUTHERLAND. Congress in this bill is not undertaking to provide that primary elections shall be held, but it is only undertaking to supervise them to the extent that the bill provides in case there are primary elections.

Mr. BAILEY. I fully understand that; but the Senator from Utah will not differ with me in thinking that if you have the right to supervise them you have the right to order them and control them.

Mr. SUTHERLAND. The Senator may be correct about that; but what I was going to suggest to the Senator was that if Congress had the power to supervise the registration of voters, which constitutes merely a preliminary step to the election itself, upon what theory may it not supervise the primary elections?

Mr. BAILEY. That is substantially the same question which the Senator from Ohio [Mr. BURTON] asked me. The difference is this: The Constitution of the United States expressly authorizes Congress to regulate the times, places, and manner of electing Senators and Representatives in Congress, but there is no suggestion in any clause of the Constitution that Congress has the power to regulate the party processes by which its candidates are nominated. If it possesses the power at all, it must derive it from the other power to control the election. If it has the power to supervise a primary election, it would have the power to supervise a convention. Assert that power, and then you not only may be confronted with contests involving the validity and fairness and result of your elections, but you must go one step further down into the States and inquire into the fairness and result of its primaries.

Mr. LODGE. Mr. President, will the Senator from Texas permit me to interrupt him?

The PRESIDING OFFICER (Mr. PAGE in the chair). Does the Senator from Texas yield to the Senator from Massachusetts?

Mr. BAILEY. Certainly.

Mr. LODGE. Under the general power of the Constitution, which the Senator from Texas has just quoted, we are undertaking to supervise the expenditure of money in an election. The expenditure of money is merely incidental; it is neither the time, place, nor manner, but it is purely incidental to the election. Is it not true that the money spent in the primaries is just as incidental to that election as the other?

Mr. BAILEY. Oh, no; there are a thousand nominations to be made which will never eventuate in an election. It is not incidental at all. I am afraid a Democratic nomination in Massachusetts will not be so near an election at times as I would wish it to be.

Mr. LODGE. Mr. President, it seems to me, as the Senator I have no doubt is well aware from observation, that the primaries have added to the election expenses. In many cases the whole expense is in the primaries. So far as my observation has gone, I think more money is spent in the primaries in getting out voters than is spent for the general election. It seems to me impossible to disassociate the final result from the money spent in that way. All of us want to get to that expenditure of money and have it properly returned. In my State we have now, and have had for many years, a very rigid corrupt-practices act, as it is called, which covers both the primaries and the elections; and if we are going to reach campaign expenditures for national offices it is going to be essential in some way to have returns of the expenditures at the primaries as well as at the elections.

Mr. BAILEY. Mr. President, there is no rule of constitutional construction known to the books—I will withdraw that, and will say there is no rule of constitutional construction known to me—under which you can read into the Constitution a power to supervise the action of political parties as either a supplement or an incident to the power of Congress to supervise a general election.

Mr. WORKS. Mr. President——

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Does the Senator from Texas yield to the Senator from California?

Mr. BAILEY. I do.

Mr. WORKS. The Constitution now provides that each House of Congress shall be the judge of the qualifications and elections of its Members. Now, conceding that there is no other

provision of the Constitution under which this character of legislation might be enacted, is it not true that for the purpose of determining that question the Congress itself may provide the means by which it may determine whether or not its Members have been legally elected?

Mr. BAILEY. Undoubtedly Congress can determine whether its Members have been legally elected, but it can not determine whether they have been fairly nominated.

Mr. WORKS. That is one of the steps, if the Senator will allow me, necessary under the primary law by which the election may take place.

Mr. BAILEY. Not necessarily within the meaning of the Constitution, because when the Constitution was written and when it was adopted no such practice was known.

Mr. WORKS. Then, if that be true, any State can evade the Constitution by providing practically for the election of Senators at a primary election.

Mr. BAILEY. They do it now; and that is one of the reasons, I will say to the Senator from California, that moved me to favor the joint resolution amending the Constitution with respect to the election of Senators. We have now all the evils, if there are any evils, of a direct election, without the finality——

Mr. WORKS. At all events, if this bill should pass as it came to the Senate from the House of Representatives, we would have one law applicable in one State not applicable in another, dependent upon the question whether one State or the other provided for a primary election.

Mr. BAILEY. Mr. President, we have different laws in all the States to-day, and this bill will not reach those which have no direct primaries.

Mr. KERN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Indiana?

Mr. BAILEY. I do.

Mr. KERN. Does the Senator understand that section 8, or the amendment, undertakes in any way to supervise primary elections in any State?

Mr. BAILEY. No; I have not indicated that to be my opinion. What I am saying is that if we have the power to require publication with respect to the primary, the same as with respect to the general election, we assume the same power over the primary that we possess over the general election; and it has developed here that Senators on the other side all maintain that view.

Mr. KERN. Does the Senator understand that section 8 undertakes to deal not with the election at all, but with the candidate who aspires to a seat in the House of Representatives or to a seat in the Senate, and does not the Senator believe that Congress has the right, each House being the judge of the qualifications of its own Members, to provide such evidence on that subject as it may see fit; in other words, to require a candidate who aspires to a seat in either of these bodies to file a statement as to how much it cost him to come here? That is all that is provided for in section 8. It simply requires a candidate to file a statement as to how much it cost him to get here in case he is successful, and that would be a dead letter if it applied only to the general election in those States or in those districts where a nomination is equivalent to an election. It was the purpose of the committee, I think, simply to deal with the candidates who sought places in either of these bodies. It assumed the power to require them to file statements as to their expenditures. That is as far as section 8 goes.

Mr. BAILEY. Mr. President, I perfectly understand that this amendment does not go to the extent which I have been indicating; but my argument has been that, as desirable as it is—and I think it is desirable—it assumes a power in Congress which Congress does not possess. It assumes that Congress has the same jurisdiction over a primary election that it has over a general election, and I am unable to assent to that proposition.

Mr. BACON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Georgia?

Mr. BAILEY. I do.

Mr. BACON. I do not desire to enter with any degree of thoroughness into the argument, but I want to say to the Senator that, while I have the utmost confidence in his ability, I entirely differ from him on that subject. I do not think that to require this statement to be made involves the recognition of the power to control or regulate primary elections.

Mr. BAILEY. Mr. President, if I could agree with the Senator from Georgia in that respect I would resume my seat and vote for the amendment; but if we have any power at all over primary elections, we have a plenary power.

Mr. BACON. The amendment does not give us any power over them.

Mr. BAILEY. If the Senator from Georgia could persuade me of that, we would have an end of the argument; but the Senator from Georgia has not, of course, failed to observe that every Republican Senator who has made a suggestion with respect to the matter maintains a different view. They maintain that the primary, to borrow the language of the Senator from Massachusetts [Mr. LODGE], is merely incidental to the general election.

Mr. BACON. Well, Mr. President, I am not altogether surprised that Republican Senators should take that view, but I myself utterly differ from that view. I do not think it involves any question of the power over primaries. It simply involves, in my opinion, what the Senator from Indiana [Mr. KERN] has indicated—the right of the Congress of the United States to make such regulations as will enable it when a Senator presents himself here, or a Representative in the other House presents himself there, to determine whether or not that man has been elected by corruption, whether there has been corrupt use of money in his election; and how in any manner that involves the question of the control of the primaries I am at a loss to see.

Mr. BAILEY. To insist that we have a right to inquire into the corruption of the primaries concedes our control over them——

Mr. BACON. No.

Mr. BAILEY. Because if you can inquire into the corruption, then undoubtedly you have a right to prevent the corruption.

Mr. BACON. Not at all.

Mr. BAILEY. Which this is an attempt to do.

Mr. BACON. I do not follow the Senator to that conclusion by any means, that Congress has the right to prevent the corruption in a primary election. You have the right to prevent a Senator from taking a seat here if he has procured it by corruption. But it does not include the right to go into the State and prevent improper acts in a primary election. The Senate has the jurisdiction over the Senator when he comes here to the extent that it may inquire into the question of corrupt practices, if they existed, by which he came here; but the Senate has no jurisdiction to control the manner in which a primary election shall be held.

Mr. BAILEY. In other words, that proceeds upon the theory that he was not elected, and under our power to judge of the returns, qualifications, and elections, we possess that power.

Mr. BACON. I do not even go to that extent, although I know the Senator can find authorities upon which to base that contention. I do not think the fact that we reject a Senator here on the ground that corruption has been used in his election involves the fundamental proposition that he has not been elected. I think we have a right to reject any Senator for any reason we in good faith think proper, and the fact that bribery has been employed is a sufficient reason.

Mr. BAILEY. Does the Senator mean to say that, if I present myself here from the State of Texas, with a certificate under the great seal of that State, it being admitted that I was chosen by the legislature, that I was fairly chosen——

Mr. BACON. Yes——

Mr. BAILEY. That I possess the qualifications of age, citizenship, and residence prescribed in the Constitution, the Senate could for any reason it thought fit exclude me?

Mr. BACON. Under certain circumstances, if it was a matter which involved the question of the bribery of the electors.

Mr. BAILEY. I am waiving that.

Mr. BACON. Will the Senator let me answer the question he has asked me?

Mr. BAILEY. Yes; but that is not my question, if the Senator will permit me. I did not say for bribery. I said for any reason. I understood the Senator to say that the Senate could set a Senator aside for any reason——

Mr. BACON. I was going on to say, and I still say so, but the Senator would not permit me to finish my sentence—I was proceeding to say that there are certain things which could be alleged against a Senator which would vacate his seat and only a majority vote would be required to unseat him. I care not what his credentials are, if after he has come to this body and has secured his seat, things are developed which in the opinion of the Senate render that man unfit to sit here, by a two-thirds vote he could be excluded.

Mr. BAILEY. Not excluded, but expelled.

Mr. BACON. Expelled; it is the same thing.

Mr. BAILEY. Very different, both in law and fact.

Mr. BACON. I will not——

Mr. BAILEY. You exclude a man not legally elected, by a majority; you expel him by two-thirds for misconduct.

Mr. BACON. I will accept the correction of the Senator, although I do not think the differentiation is important. When I said "excluded," I meant "expelled." I was probably unfortunate in the use of language, and I was trying to call the attention of the Senator to the fact that, in my judgment, there are some things which can be dealt with in the Senate by a majority vote. For instance, if it can be shown that a Senator was elected by votes which were corrupted and without which he could not have been elected, that will vacate his seat and he can be turned out by a majority vote. If, on the contrary, it can be shown that he was overwhelmingly elected and that he had bribed one man, we would expel him by a two-thirds vote.

Mr. BAILEY. Oh, no. That vacates his election, according to all authorities.

Mr. BACON. That may be, but still, if it were not so, we could still expel him. I am simply illustrating the point that the Senator suggested—that when a man has presented himself here and has been accorded his seat, he could not thereafter be dealt with without declaring his seat vacant. We can recognize the right of the Senator to sit here and still expel him because, in our judgment, he is unfit to sit here.

Mr. WILLIAMS. Mr. President——

Mr. BAILEY. The Senator from Georgia answers one suggestion and then he raises another question. The inquiry I submitted to him was as to the power of the Senate to pass upon the returns, the qualifications, and the elections of our Members. I never was more satisfied of anything in my life than I am that the qualifications are limited to age, citizenship, and residence.

Mr. BACON. As prescribed in the Constitution.

Mr. BAILEY. As prescribed in the Constitution.

Mr. BACON. There is no doubt about it.

Mr. BAILEY. And a Senator who presents himself, chosen at an election about which there is no question of its fairness, regularity, or result, and who possesses the constitutional qualifications, must be admitted. The Senate has no power, except that power which answers to nobody, to set him aside.

Mr. WILLIAMS. Will the Senator from Texas permit a suggestion by way of supposition?

Mr. BAILEY. Yes.

Mr. WILLIAMS. Children, in order to clarify the atmosphere in an argument, frequently suppose a case. Suppose that in a given case it could be shown that there had been great corruption in the party primary, and suppose in the same case it was shown that at the general election there was no corruption of any sort, that the man was clearly and overwhelmingly and honestly elected; could the Senate go back of the general election to the primary which had been corrupt?

Mr. BAILEY. I do not think it could. The Senator from Mississippi and the Senator from Georgia only within the last few days were not willing to vest Congress with the power to go into the general election to do it, and I strongly sympathized with their feeling in the matter.

Mr. DILLINGHAM. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Vermont?

Mr. BAILEY. I do.

Mr. DILLINGHAM. Will the Senator allow me for just a moment? When this bill was reported yesterday by the Committee on Privileges and Elections it was not supposed that it would be taken up as quickly as has been done. When the motion was made to take it up, eight members of that committee were engaged, under the order of the Senate, in conducting the investigation of the election of the Senator from Illinois [Mr. LORIMER], which they suspended in order to come in and answer to the roll call on that motion.

For reasons which seem to us important the members of the committee are obliged to return at 2 o'clock, and before going I want to make a statement for the committee, not having had an opportunity to do so before.

In reporting this measure the committee had in mind the fact that the movement to make public the campaign expenditures of different political parties is not entirely a new one. In 1907 we adopted a law forbidding national banks and other corporations deriving their powers from the National Government to make campaign contributions——

Mr. BAILEY. I supported it.

Mr. DILLINGHAM. Yes; of course.

Mr. BAILEY. It was reported on my motion.

Mr. DILLINGHAM. Prohibiting corporations, of whatever nature, from making contributions to what may be briefly termed national elections.

Mr. BAILEY. That was reported on my motion.

Mr. DILLINGHAM. Yes. In 1910, in furtherance of the same idea and for the purpose of discouraging large contributions by making public the source from which they came, Congress passed a law requiring reports or statements from political committees to be made within 30 days after such election.

The main feature of the pending House bill is to amend the law of 1910 by requiring reports to be made before the election as well as after, not more than 15 days nor less than 10 days before the election as well as 30 days after, as now provided.

The committee have reported favorably upon that proposition, believing that the country demands the fullest light in relation to the extent of political contributions, the sources from which they come, and the disposition which is made of them. But it seemed to them, in order to make the measure absolutely complete, that it should not stop with national committees or other committees engaged in influencing national elections, but that it should cover the expenditures made by the candidates themselves if they were candidates either for membership in the House of Representatives or the Senate of the United States.

In the proposed new section 8 they have simply extended the same principle and made it apply to candidates as well as committees—the principle upon which was based the provisions already in the law relating to the duties of political committees.

Mr. BAILEY. I think that is right.

Mr. DILLINGHAM. Yes. Now we have carefully avoided, we have avoided just as far as we possibly can, using any phraseology in this bill implying the right of Congress to go further than that in the control of the election of Federal officers in the various States.

Mr. BAILEY. Do you mean elections or nominations?

Mr. DILLINGHAM. Nominations or primaries of any character.

We understand that in certain States the primaries control, in effect, the election of Senators. In other cases candidates go before conventions and secure the indorsement of the convention, which is intended to control the election in the legislature of the State.

There is no attempt in this bill to require anything—I mean under section 8—but a statement from candidates, either for the House of Representatives or the Senate of the United States, of all moneys they have received and expended in pursuance of their own election. That is the purpose of the proposed amendment.

Mr. BACON. Does it include the presidential electors also?

Mr. DILLINGHAM. It does not. Section 8 only relates to candidates for either one branch or the other of Congress.

Mr. BACON. Is there another provision in the bill which relates to presidential electors?

Mr. DILLINGHAM. No; there is no such provision in the bill.

Mr. JOHNSTON of Alabama. Mr. President——

The VICE PRESIDENT. Does the Senator from Texas yield?

Mr. BAILEY. I yield to the Senator from Alabama.

Mr. JOHNSTON of Alabama. I want to say, in addition to what the chairman of the committee so well said, that we were confronted with the desire to have the widest publicity in all these matters; and I confess that when section 8 was before the committee I expressed my doubts then as to the authority of Congress to enact such a law. I expressly reserved the right to vote against this amendment—that part of the amendment—but at the same time I wanted to accomplish the purpose of the amendment, if possible.

Mr. BAILEY. The Senator from Alabama aptly describes my state of mind. I want to do everything that can lawfully be done. But I have never yet seen any good purpose that could be served by either violating or stretching the Constitution of the United States.

Mr. DILLINGHAM. But if the Senator from Texas please, just a word further. I think a majority of the committee held to the opinion that Congress has the same power to compel a person seeking a seat in either body to make public the means—that is, the financial means—through which his candidacy has been furthered that it has to compel any political committee which may be supporting him to make public the receipts and expenditures by such committee.

Mr. BAILEY. I perfectly agree to that when confined to the election.

But here is my trouble: You assume a power to go one step beyond where the Constitution authorizes you to go. The Constitution authorizes Congress to regulate the election, but you assume the right to go down into the primary, and you would have the same right to superintend a convention that you would have in a primary election.

Mr. DILLINGHAM. But, if the Senator please, this bill does not go either into the primary or election or attempt to control anything in connection with either, but simply to make public how much money has been expended and from what source that money was received and to what persons the money was paid.

Mr. BAILEY. But, Mr. President, that is begging the question which I have raised. The question which I have raised here is, Has Congress the power to do with respect to the primaries the same things it may do with respect to a general election? Does the Senator from Vermont assert that power in Congress?

Mr. DILLINGHAM. A majority of the committee, I will say, had no doubt, I think, as to the power of Congress to require such returns to be made as this bill requires of the candidates either for the House of Representatives or the Senate.

Mr. BAILEY. Will the Senator go one step further and answer my question, which is, Does Congress possess the same power to regulate the primary elections that it does to regulate the general elections?

Mr. DILLINGHAM. That question is so broad, because the primary system varies so in the various States, that I would not hazard an opinion upon it. The committee, as I said before, did not look upon this measure as one intended to enter into the control or the management or even the supervision of those elections. But they did intend to require of those who presented themselves for seats in either branch of Congress a statement made to the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, of the amount of money expended by them in pursuance of their candidacy, from what sources it was received, and to what persons it was paid.

Mr. BAILEY. There is not a Senator here who more cordially approves than I do every lawful effort to prevent the use of money in elections; but I care not what the purpose to be served is, it is not wise unless it can be lawfully and constitutionally served.

Mr. BACON. Will the Senator from Texas permit me to make an inquiry?

Mr. BAILEY. Certainly.

Mr. BACON. I wish to ask the learned Senator whether he recognizes the difference between a requirement of a candidate to state the means used by him in his election and the exercise of the power to control the primary election in which he was a candidate?

Mr. BAILEY. Mr. President, except for our authority to regulate the times, places, and manner of the election, we would have no power to pass this bill, and consequently for the purpose of determining the power there is no difference, I answer the Senator.

Mr. BACON. The question I asked the Senator was preliminary to one which he has already answered and which I intended to ask him, and that was this:

Upon what clause of the Constitution does the Senator base the contention for the right of Congress to require this information of a candidate in a regular election? The Senator has just said he based it upon the fourth section of the first article of the Constitution, which gives to Congress the right to prescribe the times, places, and manner of the election of Senators and Representatives.

Now I utterly and entirely differ with the learned Senator in that conclusion. I do not think the power is found there at all, because this is in no manner a regulation of the times, places, or manner of the election. It is simply requiring of a Senator when he comes here information upon which the Senate may determine whether that man is entitled to his seat or whether he shall be allowed to retain his seat even if he was originally properly seated—that is, if he had the proper credentials, the three essentials of which the Senator has enumerated—and in my judgment the right to exact of one elected, claiming a seat in this body or in the other House, this information, is not based upon the fourth clause of the first article of the Constitution, but based exclusively upon the right of the Senate to inquire into the returns and qualification of its Members. That is my judgment about it.

Mr. BAILEY. Mr. President, it distresses me to see a Democrat like the Senator from Georgia undertaking to find a new provision for the exercise of an old power. I venture to say, without having examined the record, that he is now asserting for the first time that our power to pass a corrupt practice act rests upon that provision in the Constitution. The power of the State does not rest there. The power of the General Government can not be made to rest there.

The VICE PRESIDENT. The Senator from Texas will suspend for a moment while the Chair lays before the Senate the unfinished business, the hour of 2 o'clock having arrived. It will be stated.

The SECRETARY. A bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes.

Mr. BAILEY. I hope some one in charge of the bill will ask to lay it aside for a moment, because I am going——

The VICE PRESIDENT. The Senator from Texas has a perfect right to continue to occupy the floor, of course.

Mr. BAILEY. I know, but I want this measure disposed of. The Senator from Vermont, who is the chairman of the committee which reported this bill, is holding a session of another committee, which he must attend.

Mr. BURTON. I hope the pending measure will not be disposed of to-day. I am as heartily in favor of it as anyone here, and I would desire to add to it rather than detract from it, but it is quite unusual to bring up a measure like this for consideration and final disposition which has not been printed, either the report or the bill, until this morning. I think very likely I may desire to present some amendments to the bill.

Mr. BACON and Mr. CULBERSON addressed the Chair.

The VICE PRESIDENT. Does the Senator from Texas yield, and to whom?

Mr. BAILEY. I yield to my colleague.

Mr. CULBERSON. Inasmuch as the bill was taken up on my motion, having been reached on the calendar under Rule VIII, I desire to say that the Senator from Vermont [Mr. DILLINGHAM], the chairman of the committee, advises me that after 2 o'clock he will be specially engaged, and he desires to be present when this bill is considered. I have no objection, of course——

The VICE PRESIDENT. The bill has been already laid aside, the unfinished business now being before the Senate.

Mr. CULBERSON. I wish to suggest to the Senator from Vermont, however, that the bill ought to be reprinted, so as to be correctly printed. It was reported on the 19th of June, although it passed the House on the 14th of April, and it is incorrectly printed. I invite his attention to that, so that it may be corrected.

The VICE PRESIDENT. The Secretary advises the Chair that it has already been ordered reprinted with the corrections, during the absence of the present occupant of the Chair.

Mr. BAILEY. Mr. President, I am advised that the Senator from Vermont, who is chairman of the committee and who has a right to be present when this matter is discussed, must now absent himself upon some other business of the Senate, and I desist.

Mr. BACON. Before the bill is laid aside I simply desire to say to my distinguished friend from Texas that I hope in the interval his examination may cause him less distress as to my peculiar view in regard to this constitutional function than he is now agitated by.

Mr. BAILEY. If the Senator from Georgia will find me any authority for that peculiar view, and I say peculiar with all deference, I will be very glad to withdraw my opposition, because if there is an authority in Congress to adopt this amendment I earnestly desire to vote for it. I am constrained only by the belief that we are without the power to legislate on this subject.

Mr. President, I know how thankless a task it is to interpose these general suggestions of the want of power against any bill which has a popular support. I suppose I desire to agree with the public as much as any Senator. Though I think I do not yield as readily as some Senators, I am certainly as desirous as any Senator ought to be to agree with the public. I know that there is a universal demand for legislation that shall suppress the use of money in our elections. But until I change my opinion as to the relations between the General Government and the States I must insist that a large part of the good which needs to be done must be left for the States to do. Because I would stand here and oppose a Federal law to punish murder in a State it can not be made the basis of a suggestion that I do not abhor murder and that I would not punish it. But that, according to my doctrine, like nearly all of the other misconduct of this life, is committed not only by the Constitution but by our general scheme of government to the States of this Union, not to the Federal Government.

Mr. BACON. Mr. President, I desire to say that I do not rest with entire acquiescence in the suggestion of the Senator that those who differ from him in this particular are influenced by a disregard in any manner of constitutional obligations or limitations and are controlled in any manner by what may be considered a popular desire.

Mr. BAILEY. I hope the Senator from Georgia will not apply that to himself, for nothing was further from my mind than to make that suggestion with reference to him.

Mr. BACON. Well, the Senator had claimed the virtue for himself that he was opposing it.

Mr. BAILEY. But I will never deny to the Senator from Georgia what I claim for myself.

Mr. BACON. I do not suppose that the Senator does. I simply wish to say that I base my opinion upon what I conceive to be the correct constitutional construction, and I will not go as far as the distinguished gentleman to say that his view is a peculiar view. I think possibly, as it may be viewed in the long run, the one may not be any more peculiar than the other.

I myself regret that I am unable to express in a way to carry full appreciation the view I have, but there is a wide difference between judging of the means by which a Senator or a Representative secured his seat and the question of the control of the machinery of an election, either the regular election or a primary.

I think the two are entirely different. I repeat that I think the power to judge of the regularity of a regular election is under the fourth clause of the first article of the Constitution, which gives to Congress the power to judge of the times, places, and manner of elections; and I am still very strongly of the opinion that the right to require a candidate in a regular election to disclose the means used by him to secure his election, for the purpose of ascertaining whether he has made an undue or an improper or a corrupt use of money, is under the clause which I have cited, which gives to Congress the right to judge of the elections, returns, and qualifications of its own Members. I do not think the Senate, when it comes to consider the question of personal fitness of one to be a Senator, is limited to the three qualifications of age, citizenship, and residence. The Senate may for any reason exclude a man whom they in good faith think personally unworthy to sit here. That is a broad power, which has no limitations to it.

Mr. SHIVELY. The Senate can exclude a man even for the reason that they do not think him worthy of a seat.

Mr. BACON. In my opinion the Senate can rightfully exclude any man whom they think unworthy to sit in this body, I care not how regular his election may have been. For a reason that the Senate shall honestly believe to be sufficient to make a man unworthy to sit in this body the Senate has the right and the rightful power to exclude him. Of course, it is a power which ought to be very carefully guarded and very rarely exercised.

Without detaining the Senate on it, I simply desire to say that recognizing the fact, which we do and must do, that in a great many jurisdictions the primary election is the election and the regular election thereafter is a matter of form, I think that the question as to the propriety of a man's conduct in that primary election is a matter which it is important we should have the opportunity to know about, and I do not think it is in any manner an infringement of the Constitution. For myself, I would desire to see the law embrace the question of expenses in that preliminary election, which, at least in some localities, is the conclusive election.

Mr. BAILEY. Will the Senator permit me to ask him a question?

Mr. BACON. With pleasure.

Mr. BAILEY. There is a test of this matter. Does the Senator from Georgia contend that under our power to judge of the elections, returns, and qualifications of a Senator we could go beyond the legislature and inquire concerning the election of its members?

Mr. BACON. No; I do not by any means.

Mr. BAILEY. And yet the election of members to the legislature is more inseparably connected with the election of a Senator than a primary election.

Mr. BACON. That is doing the very thing which I say we have no power to do. That would be going into the question of the manner of an election of a member of the legislature. I say the right to inquire into the conduct of a candidate in a primary election does not depend upon that part of the Constitution at all.

Mr. BAILEY. Let me take the Senator's own suggestion. Suppose that the most upright Senator in this body—I will not use that expression because there must be no distinction of that kind—but suppose any Senator in this body was elected by two votes, and I could prove that three men elected to that legislature were nominated by fraud and corruption——

Mr. BACON. Of course, we could not go behind that.

Mr. BAILEY. We can not go behind that.

Mr. BACON. Of course not.

Mr. BAILEY. We can not in the exercise of our power which the Senator well says is great, though I can not concur with him in thinking it is so great that it is subject to no limitation, except our own conscience. I think we are limited by certain rules, but that is immaterial in this connection. Asserting the power to be as great as I think it is, and much more if it as great as the Senator thinks it is, when we come to judge of the returns, qualifications, and elections of our Members, the very power under which he says this is to be exercised, he agrees with me that we have no power to go beyond the legislature and look into the election of its members.

I agree with him, and that has been the uniform judgment of the Senate. I then say that, under that same power, we have no right to go down beyond the general election and inquire into the primary.

Mr. BACON. Mr. President, the Senator's logic is not as good as it usually is. The question between us is whether or not the right to exact certain information of a candidate, or one who has been a candidate and who claims an election, carries with it the right to control and judge of what occurred in the primary election so far as the electors are concerned.

Mr. OVERMAN. Mr. President——

Mr. BACON. I beg that the Senator will let me answer the Senator from Texas first; then I will with pleasure yield to the Senator.

I contend that that can not be done. The Senator contends that if the information can be exacted, it can be done; and as a proof that the Senator is right he then illustrates by the case of the regular election and says that we can not inquire into the sufficiency of the election of the electors, to wit, the legislature, and therefore we can not inquire as to the manner of the primary election.

I entirely agree with him. We can not inquire as to the manner of the primary election. What the Senator puts as an illustration simply proves the contention which I make—that we can not inquire. There is no legal power in Congress to inquire into the primary election, just in the same way as there would be no legal power in Congress to inquire into the election of a man who as a member of the legislature was chosen as an elector of a Senator.

Mr. BAILEY. Would the Senator permit me?

Mr. BACON. If the Senator will allow me one moment, I will finish.

Mr. BAILEY. We are near coming to an agreement now.

Mr. BACON. I think not, unless the Senator is coming over to my side.

Mr. BAILEY. Let me see.

Mr. BACON. Let me finish what I was going to say. To illustrate what I meant, the Senator put one case where the Congress would not have the right to go behind the electors, to wit, the legislature.

Mr. BAILEY. Well——

Mr. BACON. I can suggest another case where you can go behind the election of a Senator by the legislature or behind the election of a Representative by the people. Suppose after a Senator has taken his seat it should be shown that he was a bank embezzler prior to that time, or that he was a murderer, or had committed the most heinous of all crimes, does the Senator say we could not, because that occurred prior to the election, exclude him from this body?

Mr. BAILEY. We could do it.

Mr. BACON. No.

Mr. BAILEY. Because there is no power to restrain us; but we could not lawfully do it.

Mr. BACON. I do not agree with the Senator. I do think we could.

Mr. BAILEY. I think all questions of misconduct are settled by the people when they elect him.

Mr. BACON. In my opinion, not by any means.

Mr. BAILEY. But the Senator will permit me to ask him this question: He says that it is under our power to judge the qualifications of a Member of this body. This bill not only requires the information of the man who is nominated and elected, but it requires it of the man who is defeated as well, and surely we have no power over him under our power of judging of qualifications.

Mr. BACON. I will yield that part to the Senator. I am not contending as to the man who is defeated. I yield that to the Senator, but I do not put it where the Senator does. If I put it under the fourth clause of the first article, I would not yield it, because it would cover it as well as the other, but I do not think it rests under the fourth clause of the first article; it rests under the other, which I have mentioned, which gives plenary power to this body to judge of the fitness of a man to sit in this body.

Mr. BAILEY. The Senator does agree that the only difference between him and me now is merely as to the power to require this information, and he fully agrees with me that we have no power to go beyond that and control the election.

Mr. BACON. I am inclined to think the Senator would be entirely right about that.

Mr. BAILEY. The difference then between the Senator——

Mr. POINDEXTER. Mr. President——

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from Washington?

Mr. BAILEY. The Senator from Georgia has the floor.

The VICE PRESIDENT. The Senator from Georgia has the floor. Does he yield to the Senator from Washington?

Mr. BACON. Very well; I will yield to the Senator from Washington, if he desires.

Mr. POINDEXTER. Just on the particular proposition laid down by the Senator from Texas, in which I understand the Senator from Georgia concurs, that the Senate would have no right to go back of the election of members of the legislature, suppose it should be shown that a Senator presenting credentials had, by the use of money, procured the election of members of the legislature, does the Senator mean to contend that it would *not be* within the power of the Senate to hold his election by the legislature, secured by corruption, invalid?

Mr. BACON. Does the Senator address that question to me?

Mr. POINDEXTER. I was addressing it to the Senator from Texas. I understand, however, that both Senators concur in the same view.

Mr. BAILEY. I was trying to analyze the answer of the Senator from Georgia, and I owe the Senator from Washington an apology for not attending closely to what he said. I was looking at him but I was not thinking of his question.

Mr. POINDEXTER. I should like to have the view of the Senator from Georgia on that point.

Mr. BACON. I beg the Senator's pardon.

Mr. POINDEXTER. I say I would be very much pleased to know the views of the Senator from Georgia upon that proposition.

Mr. BACON. If the Senator from Washington means to ask me whether we could determine the invalidity of the election of members of the legislature, and therefore that the Senator was not duly elected if he received those votes, and they were requisite to him, I should say undoubtedly no, because that would have to rest necessarily under the assumed power of the fourth clause of the first article. But if the Senator goes further and asks whether or not we could deal with that Senator when he came here and exclude him on the ground that he had bribed or secured the election of members of the legislature who afterwards elected him and thereby secured his election, I should say yes, we could exclude him for that reason, because he had rendered himself unfit to be a member of this body. I should put it under the same clause of the Constitution, which my learned friend says is a peculiar view of it.

Mr. BAILEY. I do not think that it is peculiar to judge a man's qualifications under that clause. I only think it is peculiar to regulate the elections under it. Undoubtedly the effort to disclose the amount of money used is an effort not to fix the qualification of Senators and Representatives, but it is an effort to purge all elections of the use improperly of money.

The Senator might take it this way. I can conceive a state of case in which a Senator might spend $250,000 and not spend a dollar of it corruptly. The Senator can easily imagine that.

Mr. BACON. That would not disqualify him in any way.

Mr. POINDEXTER. Will the Senator permit me there?

The VICE PRESIDENT. The Senator from Georgia has yielded to the Senator from Texas.

Mr. BAILEY. I was only going to say that does not touch his qualification. Now, if I had my way, no man living would be permitted to spend that amount, or a fraction of it, in any election. I would prevent the use of money, honestly or dishonestly, because the honest use of money is a curse to the politics of any State or nation.

Mr. POINDEXTER. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Washington?

Mr. BACON. Yes.

Mr. POINDEXTER. But the Senator says that he is opposed to doing it by this measure because we have no constitutional authority to act, notwithstanding the Senator would be in favor of the bill if we had the constitutional power.

Mr. BAILEY. I am going to vote for the bill. I am simply going to vote against the amendment to the bill; and in that I am following the overwhelming majority of the Democrats of the House, if it be proper to refer to that.

Mr. POINDEXTER. If the Senator concedes that bribery in the election of members of the legislature in a general election, which legislature is to elect a Senator, would invalidate his election, or is a subject about which Congress could legislate, what substantial difference is there under the Constitution if the candidate for the United States Senate should bribe or corrupt the primary election for members of the legislature, which primary election absolutely determines the personnel of the legislature, which, when it is elected by the use of money in such way as is prohibited by the terms of this bill, controls the election of the candidate for the Senate and gives him a seat in this body?

Mr. BAILEY. That argument all comes back to the proposition that Congress possesses the same power over a primary that it does over a general election, because they are inseparable. I suggest to the Senator from Washington that a constitutional power never depends on a state of facts. The constitutional power, of course, must be exercised under a state of facts, but Congress is not clothed with the power to regulate the primary when it is equivalent to an election and not clothed with the power to regulate the primary when it is not equivalent to an election. The power must exist independently of what relation the primary bears to the general election. If it possesses that power at all, it possesses it when and where the primary is not equivalent to an election the same as it possesses it when and where the primary is equivalent to the general election.

Mr. POINDEXTER. Will the Senator yield further?

Mr. BAILEY. Certainly.

Mr. POINDEXTER. The Senator is simply assuming, of course, basing his assumption upon the argument which he is making, that Congress has no power to regulate primary elections. The matters about which we are now inquiring bear upon the question as to whether or not Congress has power to regulate primary elections. It seems to me perfectly obvious—and there is no escape from it in common sense and in law—that the corruption of the election of members of the legislatures during the election and before the election for the purpose of controlling their votes for a United States Senator is equivalent in all respects—morally, legally, and constitutionally—to their corruption after the election, because it has the same effect, for the same purpose, and the Constitution is framed to reach the effect and the purpose and can not be limited by finely drawn and immaterial distinctions as to whether the act is done at one time or another time.

Mr. BAILEY. No, Mr. President; the time as well as the place where men do a given act frequently determines its criminality or its innocence.

Mr. POINDEXTER. Yes; there are statutes of limitation and there are rules as to venue, but neither of those applies to this case.

Mr. BAILEY. No; I do not refer to that. I mean that the same act committed at one time or at one place might be entirely innocent, and if committed at another place it might be an offense against the law.

Mr. POINDEXTER. Mr. President——

Mr. BACON. Mr. President, in order that I may yield the floor I simply desire to say in conclusion of all that I have to say that if I agreed with the Senator from Texas that this power is under the fourth section of the first article I would undoubtedly agree with his conclusion. But I do not agree to that.

Mr. BAILEY. And I will agree with the Senator from Georgia thoroughly that if this amendment can be referred to the clause to which he refers——

Mr. BACON. To the fifth.

Mr. BAILEY. Yes. If he is right in predicating this amendment on that particular clause, then I would go with him. I assume that if I am right in the other position, he would join with me.

Mr. BACON. Undoubtedly. I only claim that under the fourth clause of that first article there could not possibly be any exercise of power by Congress to regulate the times, places, and manner of a primary election.

Mr. BAILEY. There is no very great difference in principle between the Senator from Georgia and myself, then.

Mr. POINDEXTER. I should like to make one suggestion in connection with the inquiry which I just made. Assuming that the use of money in an election of members of the legislature by a candidate for the United States Senate is a proper subject of regulation by Congress, because it determines his election and secures his election by corrupt means in the legislature, what difference is there in its effect upon the result—and that is, What is to be controlled by Congress, what is reached by the

Constitution between that and the use of money in corrupt practices of various kinds which are proposed to be reached by this act to enable the candidate himself to get before the legislature as a candidate? By one means he secures a legislature favorable to his election to the United States Senate. By the other means he secures the possibility of his appearing before the legislature as a candidate, with the corrupt use of money. We are assuming, of course, a violation of the law. As the Senator has just said, which of course is true, a man might expend money in a perfectly legitimate way. No one would contend that it would invalidate the election; but it is the contrary assumption which is material in considering this act. If he should expend a large amount of money in support of his own candidacy to bring himself as a candidate before the legislature, I submit to the Senator from Texas that the effect of it is just the same as though he expended the money to corrupt the legislature.

Mr. OVERMAN. May I ask the Senator from Washington a question?

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from North Carolina for that purpose?

Mr. BAILEY. Certainly.

Mr. OVERMAN. Senators in some States are nominated by the State convention of their party, and the nomination is equivalent to an election. Has the Senate a right to inquire into the methods of the nomination of such a Senator in a State convention?

Mr. POINDEXTER. Undoubtedly they have a right so to do. I would not contend that Congress would have a right to enact a corrupt practices act such as this to reach the corruption of a convention; but I do contend that this Senate, under its power to judge of the election, qualifications, privileges, and return of its Members, if it is shown to the Senate that a candidate has secured his nomination, which is equivalent to an election, by corruption, would have the power to declare his title to his seat invalid on that account.

Mr. BAILEY. Well, Mr. President, I will make a very brief and a very simple answer to the question which the Senator from Washington has propounded to me. That answer is that when bribery is practiced in the election of members of the State legislature the crime is committed against the State; the State ought to punish it; the State can punish it; and if the State does not punish it, it can not confer the power upon us to do so.

Mr. POINDEXTER. Just one word further, if the Senator will yield to me.

Mr. BAILEY. And I utterly deny that the Senate of the United States can go down into the State legislature and inquire into the qualifications and return of its members.

Mr. POINDEXTER. Just one word in that connection.

The VICE PRESIDENT. Does the Senator from Texas further yield?

Mr. BAILEY. I do.

Mr. POINDEXTER. The contention of the Senator from Texas, it seems to me, is parallel to the contention that was made in the election case recently considered by the Senate. The contention was made, at least by one Senator on the committee, that the Senate ought not to inquire into certain matters in connection with that election, because the State had inquired into them; in other words, one man had been put upon trial and acquitted by a jury, and another man had been a candidate for reelection to the legislature and had been reelected. Does the Senator concur in the view that because the State has ignored the corruption of its legislature, this body ought to ignore it and accept as conclusive the action of the inferior officers of the State?

Mr. BAILEY. I think the Senator meant that it went to the weight of the evidence rather than to its admissiblity, but I have no right to say what was in his mind.

Mr. President, I feel that I owe the Senate an apology for having detained it with this matter so long, and I owe it the greater apology because I have been arguing upon a doubt rather than a conviction, and it may be that when I have a further opportunity to examine the question I shall agree to what the Senator from Georgia [Mr. BACON] expresses as his view; but it is absolutely certain that I shall never agree that the Congress of the United States, under its power to regulate the times, places, and manner of elections, has the power to go into our States and regulate the conduct of our primaries.

RECIPROCITY WITH CANADA.

Mr. LODGE. Mr. President, I believe the unfinished business has been laid before the Senate.

The VICE PRESIDENT. The Chair will lay the unfinished business before the Senate.

The Senate, as in Committee of the Whole, resumed consideration of the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes.

Mr. LODGE. Mr. President, I was called out yesterday while Senators were still discussing the question of the paper section as affecting the favored-nation clause of our treaties. I regretted very much that I should have been called away, because I wanted to hear what the Senator from Georgia [Mr. BACON] had begun to say on that subject. I was unable to return for some time, and the Senate had then passed to another phase of the question. I wish now merely to repeat the suggestion I then made a little more fully than I was able to do yesterday, when there were many interruptions, and I was drawn off to other points.

I was very far from laying down dogmatically the proposition that the House bill as it stood in section 2 involved an infringement of the favored-nation clause, but it has been suggested to me by such consideration as I have given the subject that it is open to that objection. I am perfectly aware, of course, that the removal of export duties or other similar restrictions in the ordinary case is an equivalent for the admission of the article. Taking, for example, the existing law, you will find there are similar provisions in regard to importations of wood pulp and paper. Those provisions contain, it is true, a retaliatory feature. Of course it has never been suggested by anyone that I am aware of that a retaliatory duty imposed on account of a bounty or an export duty by the other country and conditioned on that bounty or export duty was, if removed, in the nature of reciprocity.

Mr. BACON. Because that is not a consideration.

Mr. LODGE. No; I never heard it suggested. It is true that these provisions of the tariff law of 1909 have in them the retaliatory feature, but at the same time they are good examples of the ordinary form of provisions similar to this one. It is the distinction between this now before us and the others which I wish to point out. The existing tariff law of 1909, for instance, in regard to print paper says:

> *Provided, however,* That if any country, dependency, province, or other subdivision of government shall forbid or restrict in any way the exportation of (whether by law, order, regulation, contractual relation, or otherwise, directly or indirectly) or impose any export duty, export license fee, or other export charge of any kind whatsoever (whether in the form of additional charge or license fee or otherwise) upon printing paper, wood pulp, or wood for use in the manufacture of wood pulp, there shall be imposed upon printing paper when imported either directly or indirectly from such country, dependency, province, or other subdivision of government, an additional duty of one-tenth of 1 cent per pound.

That is a retaliatory duty, of course; but what I want to call attention to is the fact that that is made dependent on the law of the country and not on the material itself; that is, if there is material that does not bear the bounty or the export duty, it is no more capable of coming in here free than that which does bear the duty, because the condition is that the country shall put on no restrictive duties or export duties or bounties of any kind. When you take the clause in this bill, you observe at once the distinction between this and the ordinary clause. It does not apply to the action of the country; it does not say that all print paper shall come in when these restrictions are removed, but that all print paper or the material of which print paper is made shall come in free, provided such print paper and material do not bear those duties or bounties. If there is a certain wood on which no export duty can be placed, that can come in, although the other wood on which there is an export duty can not come in. It makes the distinction on the actual material used in the article presented at the border and not on the laws of the country or Province.

Mr. NELSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Minnesota?

Mr. LODGE. Certainly.

Mr. NELSON. I agree with the construction of the Senator from Massachusetts, which is that under the word "such"—and I make the statement in order to ask a question—as the phraseology reads there, to put a concrete case, if I or the Senator from Massachusetts own a section of spruce timber land, under this bill the paper made from that spruce timber could come in absolutely free.

Mr. LODGE. Unquestionably.

Mr. NELSON. Without any restriction; and so under this bill there would be no reciprocity.

Mr. LODGE. No; there would be no equivalent for it, ostensible or otherwise.

Mr. NELSON. Here is the question I am coming to, if the Senator will listen to me, which is, that being the case, does

it come within the purview of the reciprocity agreement as negotiated or is it not a step outside of it? That is the point.

Mr. LODGE. I am coming to that in one moment.

Mr. NELSON. I should like to ask the Senator a question. I will state my contention briefly, and if he thinks with me I should like to have him explain it. My contention is that to the extent I have stated it is outside of the purview of the reciprocity agreement that was made between our State Department and the Canadian commissioners.

Mr. LODGE. I agree with that proposition. The agreement was drawn in that way, Mr. President, of course, with a purpose. The language is unusual in articles of that kind. It is drawn so as to separate the print paper and wood pulp made from wood grown on private lands, over which the Provinces have no control, from the wood pulp and the paper made from wood grown on the Crown lands, to which all restrictions and bounties apply. It is quite true that on the best estimate only one-tenth of the supply of pulp wood is to be found on private lands and that nine-tenths of it are on the public lands, and therefore nine-tenths are affected by this clause; but that one-tenth is not affected by this clause. That one-tenth comes in free at once, owing to those little words "such paper."

Mr. NELSON. May I ask the Senator another question in connection with that? I do not wish to do so for the purpose of annoying the Senator——

Mr. LODGE. Not in the least.

Mr. NELSON. But for the purpose of getting at the truth of the matter. Such being the case, as the Senator and I have agreed, would not the enactment of that section amount to a tariff law under which we could not claim that it was reciprocal and that, therefore, the favored-nation clause would apply?

Mr. LODGE. That is the precise point for which I am contending. Now, Mr. President, you can apply the removal of the restrictions to the wood and pulp or paper, or whatever it is to which the restrictions relate, but you can not make the restrictions an equivalent for the wood to which they do not apply, unless you make the provision general, as usually is done in the law.

Mr. BACON. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Georgia?

Mr. LODGE. Certainly.

Mr. BACON. The Senator will recognize, I presume, that this is an integral part of the bill, and I desire, in view of that fact, to ask the Senator whether, in his opinion, the question of the various provisions of the bill being reciprocal is limited to the case of a reciprocity directly between two articles of the same kind?

Mr. LODGE. The bill is so framed throughout.

Mr. BACON. The Senator thinks that, under the peculiar framework of this bill——

Mr. LODGE. I not only think so, but I can demonstrate that fact by reading the bill; and the President's message shows the same thing.

Mr. BACON. The Senator thinks, from the peculiar framework of the bill, that the question as to the consideration for each concession made by the United States on the one hand or by the Dominion of Canada on the other depends exclusively upon the further question whether the concession in the one case is in consideration of a concession in the other case on exactly the same article?

Mr. LODGE. I have not any question as to that, and this provision is the only exception.

Mr. BACON. Now, the Senator puts the wood pulp and paper provision under the head of an exception, but that, of course, does not controvert the proposition that, as a general rule, all of the concessions on the one side are the considerations for the concessions on the other side.

Mr. LODGE. Unquestionably.

Mr. BACON. And he thinks that in this particular case the proposition for which he contends rests upon the conclusion which he has reached that it is an exception to such general rule?

Mr. LODGE. I do.

Mr. BACON. I am glad to hear it.

Mr. LODGE. Because under the free list every article is balanced off against another. In another table we make identical duties on the same articles. In the third schedule—Schedule C in the message—a group of articles is balanced against another group of articles.

Mr. BACON. That may be.

Mr. LODGE. But this is not in that group; it is not in the list of articles with identical duties; it is not in the free list. Every article in the American free list is balanced against the same article in the Canadian free list, with the single exception of wood pulp and paper. Wood pulp and paper are in the free-list division. The bill runs perfectly even down to section 2. If you will turn back to page 19, where the Canadian list ends, you will find:

> Rolled round wire rods in the coil, of iron or steel, not over three-eighths of an inch in diameter, and not smaller than No. 6 wire gauge.

Where our list ends it ends in precisely the same way. I have no question that each is balanced against the other, but for the item of wood pulp and paper alone you find no balance.

Now, Mr. President, another thing.

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Iowa?

Mr. LODGE. Let me finish the sentence. One other point. If you will turn to the statement of Mr. Fielding, which the Senator from South Carolina [Mr. SMITH] had read on yesterday and which appears in the introduction to the President's message, you will see that Mr. Fielding, in stating his case, expressly refers to the second proviso of the agreement presented by the President as the equivalent for the arrangement which we propose as to wood pulp and paper going into Canada. He did not pretend that the first proviso contained an equivalent. Whether they considered the agreement final or not is no matter; he considered those two provisos as balancing each other, and he refers to them in that way.

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Iowa?

Mr. LODGE. I yield to the Senator from Iowa.

Mr. CUMMINS. If additional articles were put upon the free list so far as their admission into the United States is concerned, and not put upon the free list so far as their admission into Canada is concerned, does the Senator from Massachusetts think that the reciprocal nature of the transaction would be destroyed?

Mr. LODGE. I have not the slightest question of it in a measure framed as this is.

Mr. CUMMINS. Then does the Senator believe that it is necessary that we should give Canada throughout precisely the same terms upon the same articles as Canada gives to us?

Mr. LODGE. Excepting Schedule C, where one group is set off against another.

Mr. CUMMINS. Ah, but I am asking the Senator as a general proposition.

Mr. LODGE. That schedule is not a free list.

Mr. CUMMINS. As a general proposition is it not possible for the United States to say to Canada, "We will give you free admission into the United States upon a long list of articles if you will give us free admission upon one article"?

Mr. LODGE. Yes; but that is not the agreement.

Mr. CUMMINS. I am not speaking about the agreement, but I am speaking about the law. The Senator from Massachusetts is devoting himself to the law. Now, he seems to assume that, in order to escape the operation of the favored-nation clause, there must be an exact equivalent in every article.

Mr. LODGE. Where it is so framed, there must be.

Mr. CUMMINS. Who framed it?

Mr. LODGE. The negotiators.

Mr. CUMMINS. Is it not now for Congress to frame this proposition?

Mr. LODGE. Yes.

Mr. CUMMINS. The President had no power to frame this proposition.

Mr. LODGE. Oh, yes; he had.

Mr. CUMMINS. Under what authority?

Mr. LODGE. Under the treaty-making power—the power to negotiate with foreign nations.

Mr. CUMMINS. Mr. President, at the proper time I intend to discuss that question. I insist that the President has no power to make any such proposition as this to Canada under the treaty-making power, and that it is here for us to make just such proposition to Canada as we think the welfare of the people of the United States demands; and I would be sorry——

Mr. LODGE. That is another proposition.

Mr. CUMMINS. I would be sorry indeed if the suggestion as to international law just made by the Senator from Massachusetts were to receive the approval of the Senate, because I think it is entirely repulsive to the whole practice of the Government as well as to the whole theory of reciprocal trade agreements.

Mr. LODGE. I have not any doubt, Mr. President, of the power of Congress to amend this bill or to amend a reciprocity treaty, if negotiated, and to change it in any way they please; but I understood this measure to relate to making these clauses a part of the agreement with Canada. Whether that is done by

Congress or by the President, if we put anything into that bill for which we have no equivalent and for which no equivalent can be produced, whether nominal or real, I think we open it to the favored-nation clause.

Mr. BACON. Mr. President, if I do not interrupt the Senator——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Georgia?

Mr. LODGE. Certainly.

Mr. BACON. I want to suggest one view to the Senator. I think the suggestion of the Senator from Iowa [Mr. CUMMINS] completely answers the argument; that is, that it would be perfectly competent for the United States to enter into an agreement by proper legislation—I will not stop to discuss the question whether or not it could be done by treaty, and I do not think the pending agreement is under the exercise of the treaty-making power in any degree—it would be perfectly competent by legislation, if you please, to enter into an agreement in which, in consideration of the entry of one single article free into Canada, we would consent to the entry of a hundred articles into this country, and the consideration would be complete, although it might not be ample. Now, what I want to suggest to the Senator is this——

Mr. LODGE. That would be so if you would change the form of the measure.

Mr. BACON. I want to see whether it is so formed. Of course, the general proposition is that all of the concessions on the one side are the consideration for the concessions on the other; that is, all of them that are found in an agreement of this kind, whether or not that general rule is contravened in the particular section. The question I want to ask the Senator is this: Suppose the second section stopped after the word "duty," in line 19, and read in this way, with the remainder of the section stricken out:

SEC. 2—

After enumerating all the other articles which are involved in the several concessions of the United States on the one side and of Canada on the other, the second clause takes up the enumeration, if I may so speak, or the recitation, and uses this language:

SEC. 2. Pulp of wood mechanically ground; pulp of wood, chemical, bleached, or unbleached; news-print paper, and other paper, and paper board, manufactured from mechanical wood pulp or from chemical wood pulp, or of which such pulp is the component material of chief value, colored in the pulp, or not colored, and valued at not more than 4 cents per pound, not including printed or decorated wall paper, being the products of Canada, when imported therefrom directly into the United States, shall be admitted free of duty—

Suppose it stopped right there and said nothing more.

Mr. LODGE. I think, of course, that would be obnoxious to the favored-nation clause.

Mr. BACON. I do not think there would be any other answer to that question than the one that has been given by the Senator from Massachusetts.

Mr. LODGE. I shall have something more to say about it when I am allowed to proceed.

Mr. BACON. I do not question that.

Mr. LODGE. I yielded to the Senator, but I still have the floor, I believe; at least I have not taken my seat.

Mr. BACON. Very well, I will not pursue the matter.

Mr. LODGE. I will yield to the Senator for as long a time as he cares to go on. Then I will state why I answered the question as I did.

Mr. BACON. The proposition that I submit to the Senator is this: If the section ended with the word "duty," in line 19, upon what principle would that particular concession on the part of the United States be defended when the question came up whether or not there was a consideration for that concession? It would necessarily be defended upon the proposition that the remaining part of the agreement was the consideration for that concession. Now, the question I want to ask the Senator is this: Does the fact that a condition precedent is attached to that particular concession in any manner change its nature except to say this——

Mr. LODGE. A condition does not affect it.

Mr. BACON. Very well. The effect of the condition is this——

Mr. LODGE. Except that the wording of the condition is drawing a distinction between two kinds of paper. That is all.

Mr. BACON. The effect of the condition is this: In the absence of the condition the Senator concedes that the consideration would be ample, or, rather, would be sufficient.

Mr. LODGE. No; I said it would be obnoxious. I said exactly the contrary.

Mr. BACON. Then, I misunderstood the Senator.

Mr. LODGE. The Senator did not allow me time to finish.

Mr. BACON. Very well.

Mr. LODGE. I said it was obnoxious to the favored-nation clause.

Mr. BACON. Very well; I misunderstood the Senator, and with that misunderstanding our differences are very much enlarged, because I utterly differ from the Senator in that regard.

Mr. LODGE. I regret that, but I shall have to bear it as best I may.

Mr. BACON. I always do regret it whenever I differ with the Senator, but I have none the less confidence in the correctness of my view, that the concession in that particular would have a consideration found in the remaining portion of the agreement. I thought that proposition was so plain that we would not differ in regard to it; but if we do differ in regard to it, of course there is no chance to predicate an argument upon it. I had supposed that we had found there a common ground.

Mr. LODGE. I think it would make the matter rather clearer to cut it off there.

Mr. SHIVELY. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Indiana?

Mr. LODGE. Certainly.

Mr. SHIVELY. Permit me to recur to the point that the Senator has just been discussing. This bill includes a reciprocal free list and a list of reciprocal reductions of duty. Then it has section 3. Now, as a practical question, I submit to the Senator whether the proposition that Canada admits a certain article free and the United States admits the same article free, and that the free admission by the one in the particular case is the only consideration for the free admission by the other, does not involve an economic solecism; that is to say, can the Senator conceive of commodities of the same kind and same quality going in commercial quantities through the customhouse at the same time in opposite ways? In the very nature of things, if this agreement is to be reciprocal, must not the consideration consist of all the concessions made on each side in exchange for all the concessions made on the other side? In practice there can be no reciprocity on the theory that precisely the same kind of an article will be going at the same time through the customhouse into Canada and coming through a near customhouse from Canada. It is true, with the long divisional line between the two countries, an article may be an import at one point and an export at another; but, relating to the same border point, does not the idea of reciprocity on each particular item involve a practical impossibility, a commercial absurdity? And in case the article placed upon the reciprocal free list or subjected to reciprocal reduction of duty is possible of production by only one of the parties to the agreement, what reciprocal consideration sustains the agreement as to such article?

Mr. LODGE. Mr. President, undoubtedly there would be nothing whatever in this point if this measure were framed as all our reciprocity treaties have been framed and as Schedule C is framed in the President's message, where Canada makes special duties on a certain group of articles and we make special duties on a certain group of articles, and neither the articles nor the duties correspond; they are set off, one group against another. But this bill is made up item by item, as set forth in the agreement made by the negotiations, and upon this bill and nothing else we are now voting. Typecasting and typesetting machines, for instance, are set off against typecasting and typesetting machines; and so all through. You can find nowhere in that bill any consideration for making pulp of wood, ground, and print paper free.

Mr. SHIVELY. On the theory of all the concessions on one side being the consideration for all the concessions on the other, is not the manner of statement in this bill the most convenient way to state the agreement?

Mr. LODGE. Undoubtedly, if the bill was made in that way, this which I am pointing out would be of no importance. But it is not made that way. They carefully balance one thing against the other all the way down until they get to this article. Then they put it in a second section.

If the Senator will allow me, I will make a suggestion at this point for the benefit of those who have been thinking that there is no chance of the favored-nation clause applying, and which I have not heard them make themselves. Canada has put into her bill what was in the President's agreement submitted to Congress. That is, the provision for our paper going in under certain conditions. I do not think it is really of any economic value to us. But under certain conditions paper may go into Canada free. That is in the Canadian bill, although it is not in ours, and what makes me doubt whether this clause as it stands would be obnoxious to the favored-nation clause is the presence in the Canadian law of that clause, omitted

from this bill as sent in by the President, because if the bill become law, it will be possible for us then, when the claim is made on the favored-nation clause—and it is going to be made by many countries under this bill—we can say that the compensation is in the Canadian act. I do not know that that would hold. I am not quite so absolutely sure about this matter as my friend the Senator from Georgia [Mr. BACON]. I have some doubt not only of his opinion but of my own, and I have very grave doubts about the views of other countries with which we have treaties. I suspect that they may not agree with the Senators who think that there is nothing in this point.

Mr. NELSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Minnesota?

Mr. LODGE. I yield.

Mr. NELSON. If the Senator will allow me, if it is not disagreeable——

Mr. LODGE. Not in the least.

Mr. NELSON. I will call his attention to the fact that section 2 is utterly outside of the scope of the agreement made by the President, through the Secretary of State and the commissioners of Canada.

Now, let me read from this document, as sent in by the President, January 26 last. In paragraph 10, on page 2, of the communication of the Canadian commissioners there is this statement:

The provisions you are proposing to make respecting the conditions upon which these classes of pulp and paper may be imported into the United States free of duty must necessarily be for the present inoperative.

The final sentence of that paragraph reads as follows:

Whenever pulp and paper of the classes already mentioned are admitted into the United States free of duty from all parts of Canada, then similar articles, when imported from the United States, shall be admitted into Canada free of duty.

Mr. LODGE. That is——

Mr. NELSON. In reply to that, I wish to call attention to what Mr. Knox, Secretary of State, says:

It is a matter of some regret on our part that we have been unable to adjust our differences on the subject of wood pulp, pulp wood, and print paper. We recognize the difficulties to which you refer growing out of the nature of the relations between the Dominion and Provincial Governments, and for the present—

I call the attention of the Senator from Massachusetts to this language:

And for the present we must be content with the conditional arrangement which has been proposed in Schedule A attached to your letter.

Now, what is that? Let us read and see what that is, and that will explain the whole thing.

Mr. SHIVELY. If it will not interrupt the Senator, I will ask him from what is he reading?

Mr. NELSON. I am reading from what is attached to the letter of Messrs Fielding and Paterson, on page 5. This is a part of the proposition of Messrs. Fielding and Paterson:

Pulp of wood mechanically ground; pulp of wood, chemical, bleached or unbleached; news-print paper, and other paper, and paper board, manufactured from mechanical wood pulp or from chemical wood pulp, or of which such pulp is the component material of chief value, colored in the pulp, or not colored, and valued at not more than 4 cents per pound, not including printed or decorated wall paper.

That is on the free list.

Provided—

I want to call the attention of Senators to these two provisos:

Provided, That such paper and boards, valued at 4 cents per pound or less, and wood pulp, being the products of Canada, when imported therefrom directly into the United States, shall be admitted free of duty, on the condition precedent that no export duty, export license fee, or other export charge of any kind whatsoever (whether in the form of additional charge or license fee or otherwise), or any prohibition or restriction in any way of the exportation (whether by law, order, regulation, contractual relation, or otherwise, directly or indirectly) shall have been imposed upon such paper, board, or wood pulp, or the wood used in the manufacture of such paper, board, or wood pulp, or the wood pulp used in the manufacture of such paper or board: *Provided also*—

Now, here is the next proviso, on page 6:

Provided also, That such wood pulp, paper, or board, being the products of the United States, shall only be admitted free of duty into Canada from the United States when such wood pulp, paper, or board, being the products of Canada, are admitted from all parts of Canada free of duty into the United States.

The second section of this bill, if the Senator will allow me, is utterly outside of the scope of this agreement in every point and particular. It is a new matter that has been injected into the bill, and is pure and simple tariff legislation, without any reciprocity agreement as the basis of it. Neither the President nor anybody else has the right to insist that section 2 is carrying out any bargain that we have made with Canada. And for the President or anybdy else to say that "you can not amend section 2 because it is what I have agreed to with Canada" is utterly groundless and without any foundation, because section 2 of this bill is outside the treaty entirely in that particular, and is outside of it just as much as though the President had never had any negotiation at all.

Mr. CUMMINS. This is very interesting. I suggest the absence of a quorum.

The VICE PRESIDENT. The Senator from Iowa suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Clark, Wyo.	Heyburn	Poindexter
Bailey	Crane	Hitchcock	Pomerene
Borah	Culberson	La Follette	Shively
Bourne	Cullom	Lodge	Smith, Md.
Bradley	Cummins	McCumber	Smith, S. C.
Bristow	Curtis	Martin, Va.	Smoot
Brown	Dixon	Nelson	Sutherland
Bryan	du Pont	Nixon	Swanson
Burnham	Foster	O'Gorman	Warren
Burton	Gallinger	Overman	Watson
Chamberlain	Gore	Page	Wetmore
Chilton	Gronna	Penrose	Williams
Clapp	Guggenheim	Perkins	Works

Mr. POINDEXTER. I desire to state that the senior Senator from Washington [Mr. JONES] is engaged with the Lorimer investigating committee.

Mr. PAGE. My colleague [Mr. DILLINGHAM] is engaged in the Lorimer investigation, and is necessarily absent.

The VICE PRESIDENT. Fifty-two Senators have answered to the roll call. A quorum of the Senate is present.

Mr. LODGE. Mr. President, I shall detain the Senate but a moment or two longer. I brought this matter up not because I am confident that this paper section as it stands is obnoxious to the favored-nation clause, although I think I see a manner in which it might be held to be very strongly obnoxious to that clause. I have brought it up because it is absolutely certain that foreign nations are going to make claims under the favored-nation clause in regard to this arrangement with Canada.

Mr. BACON. Will the Senator pardon me if I make a suggestion?

Mr. LODGE. Yes.

Mr. BACON. Conceding, for the argument, that the Senator from Massachusetts is right, would not the whole matter be cured by the simple insertion of a statement to the effect that the concessions on one side are regarded as the consideration for the concessions on the other?

Mr. LODGE. Certainly; and if the Senator will undertake to amend this bill I should be delighted to join in anything of that sort which would put it beyond doubt.

Mr. BACON. Possibly the Senator would like to see it amended.

Mr. LODGE. No; I do not want to see it amended with anything outside of the agreement, as that would be. We have had a great many cases in the past on treaties which seemed to me obviously outside the favored-nation clause. We had it with Hawaii, in the sugar treaty. We had it in the Cuban treaty of reciprocity. It has occurred again and again.

Now, it is very desirable to avoid these contests with foreign nations, if possible. It is desirable to avoid these claims for equal concessions. It is not in the least that I am disturbed, as the Senator from Nebraska [Mr. BROWN] suggested, at the amount of paper and pulp that will come in from other countries. There are very few countries in the world which make wood paper and pulp, and still fewer which have any surplus to export. It was testified before us by Mr. Herman Ridder, recently, the president of the Newspaper Publishers' Association, that it was not practical for them to get paper from Sweden and Norway, which are really the only exporting countries there are; that it was not practical for them to get it there, because it was too distant for paper. They could get wood pulp, but not paper; but that for newspapers, for their immediate demand, they had to have their paper supply very near, and the amount that those countries could export would be small.

It is not that which is disturbing me. It is because it seems to me so desirable not to make this treaty, this arrangement, this bill, as proof as we can make it against claims from foreign nations.

The Senator from Idaho [Mr. HEYBURN] has been kind enough to call my attention to the agreement with Japan, made in 1894, which has been superseded by our recent treaty, but which contains the same clause. I should like to read it to the Senate to show how far the doctrine of the favored-nation clause goes. Article 14 of the treaty with Japan of 1894 provides:

The high contracting parties agree that in all that concerns commerce and navigation any privilege, favor, or immunity which either high contracting party has actually granted, or may hereafter grant, to the Government, ships, citizens, of subjects of any other State, shall be extended to the Government, ships, citizens, or subjects of the other

high contracting party gratuitously, if the concession in favor of that other State shall have been gratuitous, and on the same or equivalent conditions if the concession shall have been conditional; it being their intention that the trade and navigation of each country shall be placed in all respects by the other upon the footing of the most favored nation.

Now that goes on—and there are other treaties with the same provision, with the favored-nation clause, laying down the undoubted law, as we hold it, about the concessions being gratuitous—to make provision that if concessions are made to other nations on conditions, they can have the same concessions on the same conditions.

Therefore, Mr. President, I have tried to make my point clear on this, and, as I say, my only object is to retain the agreement as it was made by the American and Canadian negotiators—whatever defects may have been in it—and the clause which has been omitted gives us really nothing. They at least, as diplomatists engaged in framing an agreement, understood the importance in a negotiation of this kind of making every item balance, or at least leaving no item without an express equivalent. The President has said that the Root amendment is in exact conformity with the agreement. In Canada it was received with approval.

Mr. Fielding, who negotiated the treaty, said that he thought the Root amendment made the treaty clearer, and he approved it, and the feeling in Canada—I am quoting from a dispatch from Ottawa which appeared the day after the report of the committee—is that they wanted the passage of the bill just as the Senate committee reported it.

The author of the amendment, who is not here now, offers it in no spirit of hostility. I voted for it in committee. I did so in no spirit of hostility. I think it will make the agreement better and stronger; otherwise I should not vote for it. I shall vote against all hostile amendments. I shall vote for the measure for general reasons, and for the principal reason that I think in the long view it is going to be of great advantage to draw Canada and the United States closer together.

But I do not desire to enter upon that phase to-day. At some later time in the debate I may have a little to say, but I only desired now to make it clear that there were some doubts raised by the present form of the agreement, as passed by the House, and that it was well to be on our guard and not take unnecessary risks of embroiling ourselves with other nations while we are trying to make a mutually beneficial agreement with Canada.

Mr. CUMMINS. Mr. President, I believe the amendment was postponed until to-morrow?

Mr. LODGE. Yes.

Mr. PENROSE. Until to-day.

Mr. LODGE. No; it was passed over until to-morrow.

The VICE PRESIDENT. It was passed over temporarily——

Mr. PENROSE. Until Wednesday?

The VICE PRESIDENT. No——

Mr. PENROSE. I understood only for the calendar day of yesterday.

The VICE PRESIDENT. The Chair thinks that was the understanding; that it was passed over for the legislative day; but the Senator from New York [Mr. ROOT] gave notice that he would address the Senate upon the subject of that amendment and the bill in general to-morrow.

Mr. PENROSE. I did not expect a vote on it to-day, but only wanted to correct a statement that the amendment was not pending to-day. I understand it is.

The VICE PRESIDENT. The Chair so understands.

Mr. CUMMINS. Then if it is pending to-day, there being no further debate upon it, will there be a vote?

Mr. PENROSE, Mr. McCUMBER, and others. No.

Mr. PENROSE. The intention is not to ask for a vote to-day, because the Senator from New York has given notice to the Senate that he desires to address the Senate to-morrow on the pending amendment.

Mr. CUMMINS. Very well. I shall probably submit some observations on the amendment, not now, but after the Senator from New York has presented his views.

I present certain amendments to the bill, which I ask may be printed and, when printed, laid on the table, to be offered to the bill at some appropriate time.

The VICE PRESIDENT. The Senator from Iowa presents certain amendments to the bill, which will be printed and lie on the table, according to his request, if there be no objection. The Chair hears none, and it is so ordered.

Mr. CUMMINS. I make a further request with regard to these amendments, because they are somewhat extensive and will, if adopted, change in some respects the concessions granted by the United States to Canada. My request is that the copy of the bill be printed as it would be with these amendments adopted, so that there can be a continuous reading of the amendments in connection with that part of the bill to which they are related, and the parts to be stricken out to be denoted by lines through the text and the part offered to be indicated by italics.

The VICE PRESIDENT. Is there objection to the request of the Senator from Iowa? The Chair hears none, and it is so ordered.

Mr. HEYBURN. Mr. President, it is not my intention to take up this measure for extended discussion to-day, or to enter into the merits of it in detail or by comparison. But since yesterday seemed to be devoted to the statement of the position of the several Senators who occupied the time of the Senate, I desire at this early day, in order that I may not be misunderstood at any time during the consideration of this question, to state my position with reference to the proposed amendments.

I am unalterably opposed to the legislation; I am opposed to the treaty in support of which the legislation is proposed, and my opposition is not based primarily upon the details of the articles included within the measure. My objection begins with the statement of the principle that I am in favor of a protective tariff policy as a discriminating measure of legislation in favor of the whole country, without local application, because I regard it as a policy of government rather than one of barter and trade.

Entertaining that view, that a discriminating protective tariff is a policy of government, then I am bound to oppose this entire proposition, not because by a comparison of the rates or the difference of duty it may affect the wheat crop in one State or the cattle in another, but because it opens the market of the American people to the stranger, and the first effect of that is one of displacement in our market. I attach very much more importance to the question of displacement in our market than I do to the question of the difference of duty. If a foreigner sells a million bushels of wheat or a million dollars' worth of any commodity in our market, it means that the opportunity for our own citizen to sell the equivalent of that is lost and gone forever; that instead of the money being paid to our own citizen for the million bushels of wheat, it will be paid to a foreigner and the money will go out of the country and the wheat will come in to displace that opportunity to our own producer.

I am not going to vote for the Root amendment because it recognizes the validity, if I may use the word, of the bill itself. You can not amend this bill so that it will not, to the extent that it covers, destroy the American market. You might perhaps reduce to some extent the disadvantages of this bill by an equivalent to be gotten through the Root amendment, but the equivalent is so insignificant as compared with the whole item that it is not worth considering.

I will not vote to put anything on the free list in resentment of this proposed legislation. I am opposed to free trade either as a governmental policy or as a weapon with which to compel our people, or any part of them, to yield up the great principle of the protective tariff. I propose, so far as my action is concerned, to be true to the principle of a protective tariff policy such as the Republican Party has stood for without any compromise; and I shall not therefore vote for any amendment to this bill, whether with a view of lessening its evils or of striking at those who favor it in the spirit of resentment. In order that no one who may expect me to vote for an amendment that has that spirit behind it may be mistaken I desire——

Mr. NELSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. HEYBURN. Certainly.

Mr. NELSON. I think the Senator from Idaho will admit that the amendments I have offered, with which the Senator is familiar, are not in that spirit. I have offered an amendment to put the agricultural products of the country on the Canadian bill at reduced rates, about 50 per cent. It preserves a limited amount of protection, and there is nothing hostile to the spirit of true reciprocity in that.

Mr. HEYBURN. My objection to the amendment of the Senator from Minnesota is that it undertakes to cut in two the rights of our people. He says, "I will not utterly destroy you; I will reduce you from three meals a day to one." Now, that does not appeal to me. The measure of protection that the American people are entitled to is that which will give the American producer the American market, and all of it. Every dollar of competitive product that comes in displaces the opportunity of the producer in our own country. This being regarded as a principle, it can only be placed upon that foundation. If it is a question of barter and trade, then it is this: You trade wheat, oats, and barley for meat and corn, or something else. That, in my judgment, is not the protective-tariff policy. This

Government had its origin in the necessity for protective-tariff legislation.

The object and purpose of those who came together to frame the Constitution—they did not come together to frame the Constitution, but they came together—and that coming together resulted in the framing of the Constitution, to regulate commerce. That was their declared and avowed purpose. They had commercial wars across the rivers between the States. When they came together and looked at this proposition, they arrived at the conclusion I have expressed, and that I now express, that the policy is either one of government or it is no policy at all. There can be no policy in trade or barter in regard to items. That is not policy; it is procedure.

Mr. President, looking at the question from this standpoint, I am unable to see how Republicans who have throughout a lifetime avowed themselves to be the adherents of a policy of government, can degenerate into hucksters in the products of our people. The product of the American people is the living of the American people. It is the support without which we could not be a people; we could not be a government; we would be in no better condition than the Indians, who traded in pelts and skins before we came.

It is as absolutely necessary to the cohesion of the American people as a government that they stand together as against other nations of the earth as it is that they have the right to use the soil, the attributes, and the resources of the land in which they live. Those are natural rights. The American people have a right to dwell upon, to cultivate, and to reap the benefit from dwelling upon and cultivating the soil. They have a right to the use of the forests and the mines and the rivers of the country in which they live, and from these uses they derive their livelihood, and their prosperity is measured by the manner of their use.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from New Hampshire?

Mr. HEYBURN. Certainly.

Mr. GALLINGER. It is refreshing to me, Mr. President, to hear some talk in this debate along protection lines. I know that those of us who stand for the principles of the Republican Party as enunciated in the days of George Washington and Abraham Lincoln are apparently in the minority, but I am delighted to know that there are yet some Senators who are not terrified at the existing condition of things.

Mr. President, I want to ask the Senator from Idaho if we are to adopt the policy of this so-called reciprocity agreement, which is a misnomer so far as Canada is concerned, if there is not an equal reason why we should extend it to the Republic of Mexico, our neighbor on the south.

Mr. HEYBURN. I would say that as I read the commercial treaties with Mexico we will be bound to do it.

Mr. GALLINGER. I think so. But I want to ask the Senator further, as we hear a great deal of talk these days about affecting a union with the English-speaking peoples of the world, and especially Great Britain, a treaty I think now pending that it is said will bind us closer to the mother country, inasmuch as that country gives us free trade is there not greater reason why we should extend the free-trade principles of this so-called agreement with Canada to Great Britain and her colonies?

Mr. HEYBURN. Mr. President, whatever we have received from Great Britain we have taken on the point of a bayonet. We never took it from the open hand of charity or affection.

Mr. GALLINGER. That is undoubtedly true in a broad sense, but I am now speaking as to our economic relations with that country as well as other countries of the world. If, in other words——

Mr. BACON. Mr. President——

Mr. GALLINGER. I will finish my sentence. If, in other words, there is any obligation upon us along any lines to give Canada access to our markets upon more favored conditions than we extend to other countries, why should we not extend that privilege to other countries?

Mr. HEYBURN. Mr. President, there is no reason why we should differentiate in favor of Canada, and there are many reasons why we should be more careful in guarding our doors against the menace close at hand than there is for guarding it against one across the sea.

Mr. GALLINGER. Mr. President——

Mr. NELSON. Will the Senator from Idaho yield to me?

Mr. HEYBURN. As soon as the Senator from New Hampshire concludes.

Mr. NELSON. I want to say to the Senator from New Hampshire——

The VICE PRESIDENT. The Senator from Idaho says he will not yield just now.

Mr. HEYBURN. I have yielded to the Senator from New Hampshire, and if the Senator from Minnesota will wait a moment until that courtesy is complete, then I will be pleased to yield to him.

Mr. NELSON. Mr. President, I wish to say in answer——

The VICE PRESIDENT. But the Senator from Idaho says he will not yield at this time to the Senator from Minnesota.

Mr. HEYBURN. If the Senator from New Hampshire desires to yield in favor of the Senator from Minnesota I have no objection.

Mr. GALLINGER. I will be pleased to yield to the Senator.

The VICE PRESIDENT. The Senator from Minnesota will proceed.

Mr. NELSON. I wanted to answer the question of the Senator from New Hampshire why we should not extend this privilege to other countries. I can only see one prospective benefit in this reciprocity agreement. It may lead to Canadian annexation. We can not hope to annex all the rest of the world, but if we can annex Canada we will accomplish a great deal.

Mr. GALLINGER. Canadian annexation is "an iridescent dream," to use the phrase of a distinguished Senator now dead. There was a time when that was very seriously considered by leading men in Canada, as I chance to know, but that is past. Canada has become a strong, vigorous, self-assertive nation, and we propose in this so-called reciprocity agreement to make Canada stronger and more vigorous and more self-assertive than she is to-day.

I was struck on yesterday by an observation made by the Senator from Nebraska [Mr. BROWN]. I will detain the Senator but a moment. I thank him for his courtesy. It was in reference to the free entry of paper and wood pulp from Canada, when he said he would extend it to all the nations of the world; that is to say, that the paper and wood pulp from Finland, from Norway, and from Sweden should come into this market and absolutely destroy every paper-making industry in the United States. That would be the inevitable result. Yet the Senator from Nebraska is in favor of that.

If we are going into this business, Mr. President, I can see but one ultimate result, and that is, as the Senator from Idaho has suggested, perhaps not in words, that with some Republican help and with Democratic advocacy, perhaps wisely on the part of our Democratic friends from a party standpoint, we are taking out the foundation stone of the protective policy when we pass this bill, and we will be fortunate indeed as a Nation if the entire structure is not destroyed before we get through with our work.

Mr. HEYBURN. I yield to the Senator from Georgia [Mr. BACON].

Mr. BACON. Mr. President, I dislike to interrupt with something which may not be directly in connection with what the Senator from New Hampshire has just said, and what the Senator from Idaho has been discussing. However, I am unwilling that too much of the space of the RECORD should be occupied in the interval between the remarks of the Senator from Idaho in regard to England and the assertion on the part of the Senator from New Hampshire that what the Senator said is true, without there appearing a contention to the contrary of that. I think such a statement is a grave matter in view of our relations with England. The Senator from Idaho said that we owed her nothing; that we had never received anything from England that we did not get at the point of the bayonet.

Mr. HEYBURN. I spoke of governmental matters.

Mr. BACON. I know, but the Senator did not qualify it. The Senator spoke in most unqualified language, and the Senator from New Hampshire in equally unqualified language said "that is true."

Mr. GALLINGER. But, Mr. President, I did qualify my observation, as the RECORD will show, by saying that what I had reference to was economic matters; and the Senator's statement that we had received nothing in a governmental way from Great Britain except through the sword I did assent to.

Mr. BACON. I do not know what we have ever gotten from England in the sense the Senator speaks of, by the sword, except the fact that we achieved our independence; and that is a long time ago for the remark now to be made that we have nothing from England except that which we have gotten at the point of the sword. I think we have more to enjoy which we have received from England than we have from all the other nations of the earth put together.

Mr. GALLINGER. If the Senator will permit me, Mr. President, we achieved our independence and we continued our independence, and if England had had her way in 1862 our Nation

would have been destroyed, because she gave all the aid and comfort she could give to those who were attempting to destroy our Government.

Mr. BACON. The greatest criticism I have to make on England is that she did exactly the opposite thing. All that England had to do was to then lift her hand and the result the Senator speaks of would have been accomplished. However, I am not going into that discussion. I am perfectly content with the disclaimers of both Senators as to their purpose in what they said of England. I was unwilling that such utterances should appear in the RECORD and there be nothing said on the other side. Now, the Senators have disclaimed the meaning as I understood it and I am satisfied.

Mr. GALLINGER. If England had lifted her hand in 1862 other nations would have likewise lifted their hands.

Mr. BACON. That may be.

Mr. HEYBURN. Mr. President, I think I shall have to resume control of this question for a few minutes until the mind of man can quiet itself and get back on a conservative track.

Of course, that page of which the Senator from Georgia spoke when he said that he did not want it to appear unpunctured, perhaps would express it, was not complete when the Senator undertook to write his thoughts on it. When I spoke of taking away our liberties from England only upon the point of the bayonet, I did not refer to the class of benefits we have derived from England and from many nations and peoples of the earth, to which the Senator's mind seems to have attached itself.

Mr. BACON. If the Senator will permit me——

Mr. HEYBURN. If the Senator will permit me to finish this paragraph upon that page, we took our liberty from England, and we preserved it and protected it against England by the sword. We gained from England a race of people; we gained from England the traditions of human kind and all that that means in building up and maintaining a civilization and the culture which goes with it. We meet them to-day as intellectual, personal, and political equals, because we compelled them to recognize us as entitled to occupy that position. But I am discussing matters of a different character. I am not here to discuss the feeling of brotherly love that does or should exist between this and any other country. We are here to discuss business and commercial questions that affect our people, regardless of the effect upon the people of other nations whom we must concede to be equal to the task of taking care of their own people and the affairs of their people.

This line between Canada and the United States is more than an imaginary line, as it has been described repeatedly. It is a bulwark, a fortress, between the people of the United States and their rights and the people who stand behind that wall. It is a most important line to keep deeply and sharply marked upon the geography of the world so far as this country is concerned. It stretches from one shore to the other. There are the same number of States involved in this question, in point of interest, as were involved when the original struggle came for our freedom from England.

There are 13 border States standing to-day for their right under the laws of this country to protect the interest of their citizenship. They are calling upon the other States that would be less affected perhaps in a selfish sense and that ought to have the same principles of government to actuate and govern them as have these border States.

Is one State of this Union to play another against a foreign advantage? Is that patriotism? Is it patriotic for Texas or Alabama or Georgia to play the interests of Minnesota or Michigan or New York against the advantages which she might reap by subjecting those border States to rivalry in business and competition in trade, forsooth, because it might not affect the States lying farther to the south? That is not patriotism. Patriotism is not a matter of State lines. It is limited only by the extent of all over which the flag floats. The patriotism that is limited to less than the national interest is not patriotism at all; it is selfishness.

Mr. BACON. Mr. President, will the Senator permit me right there?

Mr. HEYBURN. Yes.

Mr. BACON. As the Senator speaks about our States, one of the principal grievances that is held by the States in the group to which the one from which I come belongs is the principle and cardinal policy of the party to which the honorable Senator belongs, a principle which seeks to enrich one part of the country in an utter ignoring of interests of the part of the country from which I come, so far as the great business of agricultural production is concerned.

Mr. HEYBURN. I do not concede it.

Mr. BACON. I simply want to tell exactly what I mean. The article of cotton furnishes the largest single export of any other product—agricultural, mineral, or manufacturing. I can go further. Unless the figures have been altered by the last census, it furnishes as much as any other two articles put together. In its total production it amounts to a thousand million dollars a year. It is the basic industry upon which rests the prosperity and development of that whole section. Yet it is a fact that the protective tariff, of which the Senator is so great an advocate and of which he is so stout a champion, is one which lays all of its burdens upon the people who are engaged in that great industry, when by reason of the fact that the price of cotton is necessarily fixed in Liverpool those who are engaged in that production can receive no benefit from the protective duty.

Now, the Senator speaks in very eloquent terms of the great injustice of a policy which is not national, one which does not extend all its benefits in a general way to all the people. Yet I point the Senator to the fact that this tremendous industry, with its thousand million dollars of product in one year, with its export more than that of any other two products of the country—agricultural, mineral, or manufacturing—is one in which there is not this national consideration, but against which there is this most marked and pronounced discrimination.

Mr. HEYBURN. Mr. President, it would be impossible in a country of this size that every industry should be equally represented in every part of it. Government is a question of compromise, as is business, as is humankind. One man or one community receives a benefit that it would be impossible to bestow upon another. It does not follow because every section of the country can not benefit by reason of one act of legislation that that legislation, in the great balance of equality, is not wise.

The Senator from Georgia knows well that there are many other interests and industries in that State that do benefit by reason of the protective tariff as it has in the past been enacted and administered.

Mr. BACON. And not a single one of which could survive one year were it not for the success of the great industry of which I have spoken.

Mr. HEYBURN. Mr. President, the thing of most value to the State of Georgia and to every other State in the Union is a market for its productions.

Mr. BACON. That is true, Mr. President, but where is the cotton market? Is that made by the protective tariff?

Mr. HEYBURN. The cotton market is upon the backs of 90,000,000 people in the United States. Should they discard the use of cotton, then perhaps the Senator from Georgia might realize that its prosperity depended upon the prosperity that enabled other people to wear its production in the shape of clothes.

Mr. BACON. Does the Senator from Idaho contend that the amount of cotton sold depends upon the protective tariff or the manufactured articles of cotton? In other words, does the Senator contend because you make a cotton shirt more expensive in the United States by putting a tariff on it, therefore the man who has cotton to sell to make the shirt will sell more of it on that account?

Mr. HEYBURN. The man who wears a cotton shirt in the United States is a $5 man, and the man who wears it in some other country is about a 35-cent man. That is the difference.

Mr. BACON. That may be; but, nevertheless, he has to sell the same amount of cotton all the same, and it is a question whether the price of cotton is in any manner affected so far as to enhance it by reason of the protective tariff. Does the Senator contend that?

Mr. HEYBURN. I suppose the Senator would not like to have the mills of the South deprived of the protection that they use?

Mr. BACON. I certainly would—every dollar of it over and above what is necessary to raise revenue for the Government.

Mr. HEYBURN. Then it is evident the Senator from Georgia belongs to a different economic school from that which I profess.

Mr. BACON. I have no doubt of that.

Mr. MARTINE of New Jersey. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from New Jersey?

Mr. HEYBURN. In one moment.

The VICE PRESIDENT. The Senator from Idaho declines to yield to the Senator from New Jersey.

Mr. HEYBURN. I have yielded to the Senator from Georgia. I am not at liberty to yield to another Senator as long as the Senator from Georgia is exercising that privilege.

Mr. MARTINE of New Jersey. If the Senator will yield——

Mr. BACON. I was not interrupting the Senator; he was proceeding. He said that he belonged to a different school from myself, and it is the first thing I have agreed with him on.

Mr. HEYBURN. That being conceded, there is one task that I would not undertake at 4 o'clock in the afternoon, and that is to convert the Senator from Georgia to my political belief.

Mr. BACON. If the Senator will pardon me one moment, I will say to him that it would take him not only this afternoon, but the balance of the century, to prove that any law passed in this country fixes the price of cotton. The price of cotton is fixed in Liverpool.

Mr. HEYBURN. Some day when the question of the tariff as applied within our own country in the enactment of a tariff law is before the Senate, and the Senate will have patience to listen to me, I may take up that phase of the question of protection, but it is not within the line of the subject I have undertaken to discuss briefly this afternoon. I have heard that doctrine; it is not unfamiliar at all; but in a proper hour and at a proper time let us discuss it.

Mr. BACON. I hope when the Senator proposes to discuss the question as to how the protective tariff affects the price of cotton I will be present to hear him.

Mr. MARTINE of New Jersey. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield?

Mr. HEYBURN. I yield to the Senator from New Jersey.

Mr. MARTINE of New Jersey. The unfortunate and remarkable thing upon the part of the distinguished Senator from Idaho, and, in fact, with the Republican Party, is that they attribute the magnificent prosperity in the North, the West, the East, and the South to their iniquitous and intolerable and dishonest tariff policy. That we have grown beyond the parallel of nations no one will dispute, but our Republican friends give no credit to the magnificent condition that surrounds us and the magnificent conglomerate which makes up American citizenship. That we have grown is true, but we have grown in spite of your tariff. I have listened to such talk with the greatest interest. It was really worth a trip across the continent to see the heaving breasts of our Republican friends and the tearful eyes for the farmer, and yet, my friends, all your tariff process has been a burden upon the farmer. You say we have grown rich through your process of tariff. We insist that we have not shared nor fared equally in your process of tariff.

Mr. HEYBURN. Mr. President, I can not at this late hour yield the floor, and while I am very much pleased to be interrupted by the Senator from New Jersey and take notice of his suggestion in regard to the credit to be given for prosperity in this country, I think it would be well at this time, inasmuch as I am——

Mr. MARTINE of New Jersey. I realize, Mr. President——

The VICE PRESIDENT. The Senator from Idaho can not be interrupted until he has assented to interruption.

Mr. MARTINE of New Jersey. He will be, Mr. President——

The VICE PRESIDENT. The Senator from New Jersey is not yet recognized.

Mr. MARTINE of New Jersey. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from New Jersey?

Mr. HEYBURN. For a question, but not for a speech.

Mr. MARTINE of New Jersey. I have simply to say to the Senator from Idaho that you are big enough in stature and broad enough in intellect to be generous. We do not feel that we are foes; but we feel that we are American citizens, and you have banquetted and grown rich, politically, on fostering this intolerable nonsense regarding the tariffs; and as a farmer I must enter my protest against it.

Mr. HEYBURN. That is a well-rounded sentence, Mr. President, and I decline further to yield.

The VICE PRESIDENT. The Senator from Idaho declines further to yield.

Mr. HEYBURN. Mr. President, I have been entertained by such preachments for many years; I have heard them throughout my life; and I have concluded that, as a rule, it is best to leave the reply to the future. We have only to look over the history during our own lives to know the facts. The policy of protection is as old as the country. The policy of free trade, which is evidently what the Senator from New Jersey speaks for, has never been successfully applied to our country, and no man will rise in his place and say that the free-trade policy as a political principle has ever brought and sustained prosperity to the American people——

Mr. OWEN. Mr. President——

Mr. HEYBURN. Outside of certain establishments with their gilt signs "Money to loan," and things like that. They have prospered. Does the Senator from Oklahoma——

Mr. MARTINE of New Jersey. Mr. President——

Mr. OWEN. Mr. President, may I——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from New Jersey?

Mr. HEYBURN. The Senator from Oklahoma [Mr. OWEN] first rose and addressed the Chair.

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Oklahoma?

Mr. HEYBURN. For a question.

Mr. OWEN. When the Senator from Idaho said that no man would rise in his place and speak of the value of free trade——

Mr. HEYBURN. No; I did not. I said no man would rise in his place and say that prosperity had been brought about and maintained by free trade.

Mr. OWEN. I rise in my place for the purpose of saying that, if the Senator will permit me to say it.

Mr. HEYBURN. What does the Senator say? Will he name the period and section of the country where this prosperity existed under free trade?

Mr. OWEN. Mr. President, in answer to the Senator from Idaho, I will say that the prosperity of the United States from the foundation of this Government until the present time is due to the freedom of trade between the States of this Union. We have 46 great States here. We have perfect freedom of intercourse.

Mr. HEYBURN. Now, Mr. President, I will have to call that sentence off.

The VICE PRESIDENT. The Senator declines further to yield.

Mr. OWEN. Mr. President——

The VICE PRESIDENT. The Senator from Idaho declines further to yield, and, if the Senator from Idaho will permit the Chair for one moment, the Chair desires to call to the attention of the Senate its own rule, which the Chair has been attempting to enforce, and has had very poor success thereat in the last day or two—

When a Senator desires to speak—

This is Rule XIX—

he shall rise and address the Presiding Officer, and shall not proceed until he is recognized.

Further on, in the same rule, it is provided that—

No Senator shall interrupt another Senator in debate without his consent.

It does seem to the Chair that, particularly within the last two or three days, Senators have fallen into the habit of interrupting a Senator on the floor without addressing the Chair or without waiting for the permission of the Senator, and gone on to make addresses when the Senator had said he yielded for a question, but not for a speech. It is of no consequence to the Chair whether the Senate lives up to its rules or not, but it is for the Senate; and the Chair calls the attention of the Senate to the exact provision of the rule.

Mr. OWEN. Mr. President, I should like to make a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. OWEN. In case a Senator on the floor invites another Senator to rise and express himself, does the rule provide for that opportunity?

The VICE PRESIDENT. The Chair would say that that was a case where the Senator had submitted to the interruption and that then the Senator could proceed, but that he first must address the Chair and be recognized by the Chair.

Mr. HEYBURN. Now, Mr. President, I think I need not explain, and especially need not apologize, for declining to be further interrupted for a discussion of the question of the trade between the States.

Mr. BAILEY. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Texas?

Mr. HEYBURN. I yield to the Senator from Texas.

Mr. BAILEY. I simply want it to go into the RECORD, side by side with what the Senator has said, that at no period in the history of this Government has "free trade," as he expresses it, ever prevailed. If the Senator means to challenge a contradiction of his statement that the country has not prospered and prospered most happily under a revenue tariff, I am prepared to contradict that, and I am prepared to cite him to the time when that condition existed.

Mr. HEYBURN. Mr. President, I have not referred to a revenue tariff, although I would not retreat from the challenge to discuss it; yet to enter upon it would be taking me away from the line of my purpose to-day.

Mr. BAILEY. Mr. President, of course no Senator can accept the challenge the Senator makes to specify a time when the country prospered under free trade, because that time has never existed.

Mr. HEYBURN. I am indebted to the Senator from Texas for sustaining my statement.

Mr. President, when I was interrupted, since which time I have digressed far from the line of my thought, I was speaking of the character of the boundary between this country and Canada so far as it was necessary to consider it in relation to this question. I say that it is much more important that the law be strictly drawn and strictly enforced between this country and Canada than between this country and any other country in the world, unless it be Mexico, because they are those having most ready access to our territory. In the case of Mexico, they are a cheap-producing and a cheap-living people, while in the case of Canada they are large producers with a scant market; so that they are both of them dangerous so far as our trade is concerned.

I care not whether the Liverpool market fixes the price of wheat. I will never reach that question in arriving at a conclusion that will dictate my action in this matter. I do not minimize it and I do not reflect upon the judgment of those who use it as a basis of argument, but I say there is a larger and a broader principle that is sufficient in itself to control us in wise legislation.

In the American nation of people there is no North or South or East or West; their rights are equal, their opportunities are as variant as it is possible to imagine, but they are nevertheless the American people, owing allegiance to their country and owing support to each other. No man in this great family of the Nation, because he might be benefited perhaps, has a right to do that which would affect or destroy the prosperity or happiness of other people. It is a question, as I was saying when interrupted, of mutual concession, one section of the country to another; but that principle does not carry beyond the lines of our country. Patriotism ends at the border line in times of peace. It is only carried beyond the border line to the music of the fife and with the flag in times of war. At other times it is here at home, and in the exercise of that patriotic duty of citizenship we must look to the interest of the people as a whole and see to it that no part of our country is called upon to sacrifice the interests of its people in order that some other part of the country may have something beyond what they are entitled to.

Mr. President, the farmer and the mechanic, the laborer and the loafer, live under the same law. We do not classify men for the purpose of making laws in this country. There is no preferred class. The farmers' rights are no greater than those of the mechanic. Whenever we depart from that rule we are then in danger of doing just what is sought to be done here or proposed to be done in the enactment of this legislation. If you deviate from the rule in the one case, there is no method by which you can determine where it shall cease.

Mr. President, that is the reason I said in the beginning that this is a political principle and not a trading market. The principle being established, there will be found no difficulty in applying it to the several interests. The first thing in a government is to establish the principle of government, not its policy. The policy of a government is written in its laws. The principle is that from which the policy flows.

Above all, avoid following the policy of any man. I resent men foisting their policies upon the Government in lieu of the law. I resent the modification or evasion of the law through what is termed the policy of this man or that.

I am going to discuss this question without attacking the President of the United States or reflecting upon him. We differ in regard to this measure, but it does not follow that either differing party is corrupt or insane. There is great room for differences of opinion in this country. I am not going to leave the Republican organization because of what it does or does not do in this matter. The repairs to be made in the household of the Republican Party are to be made by its friends within the household, and not by the process of demolition from the outside. The thing that I stand for is the principle of the party; and the party is composed of the individuals that support that principle or the principles of a majority of the party. They may go astray temporarily, and I may differ from a large majority of my party, but I will continue to work within that party and I will not go out and join those who have no sympathy with it and who are trying to destroy it.

More than once in my lifetime I have been brought face to face with the question as to whether I would go with the cry and the excitement of the hour because it was going to win, or whether I would stay at home and wait for those who went out to come back in their saner moments with the experience of the period as their future guide.

Mr. President, I did not intend and do not intend to enter further upon the discussion of this matter to-day. There are specific questions involved in the consideration of this proposed legislation that I may feel called upon from time to time to discuss to some extent, and having outlined, as I think, candidly and fairly my position, I will allow the matter, so far as I am concerned to-day, to rest.

EXECUTIVE SESSION.

Mr. CULLOM. Mr. President, several Senators are desirous of having an executive session. I move, therefore, that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After eight minutes spent in executive session the doors were reopened, and (at 4 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, June 21, 1911, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate June 20, 1911.

COLLECTOR OF CUSTOMS.

Morton Tower, of Oregon, to be collector of customs for the district of Coos Bay, in the State of Oregon. (Reappointment.)

MELTER AND REFINER.

Harrison J. Slaker, of New York, to be melter and refiner of the United States assay office at New York, N. Y., in place of Henry B. Kelsey, resigned.

DEPUTY COMMISSIONER.

Hugh M. Smith, of the District of Columbia, to be deputy commissioner in the Bureau of Fisheries, Department of Commerce and Labor, effective June 1, 1911.

PROMOTIONS IN THE ARMY.

CAVALRY ARM.

Capt. Francis H. Beach, Seventh Cavalry, to be major from June 13, 1911, vice Maj. Ellwood W. Evans, Cavalry, unassigned, detailed as paymaster on that date.

First Lieut. Robert M. Nolan, First Cavalry, to be captain from June 13, 1911, vice Capt. Francis H. Beach, Seventh Cavalry, promoted.

First Lieut. William O. Reed, Sixth Cavalry, to be captain from June 13, 1911, vice Capt. John A. Wagner, Cavalry, unassigned, detailed as quartermaster on that date.

Second Lieut. Roy W. Holderness, Sixth Cavalry, to be first lieutenant from June 13, 1911, vice First Lieut. William O. Reed, Sixth Cavalry, promoted.

COAST ARTILLERY CORPS.

First Lieut. George W. Cocheu, Coast Artillery Corps, to be captain from June 12, 1911, vice Capt. James R. Pourie, detailed as quartermaster on that date.

INFANTRY ARM.

Maj. William H. Sage, Eleventh Infantry, to be lieutenant colonel from June 13, 1911, vice Lieut. Col. Henry C. Hodges, jr., Infantry, unassigned, detached from his proper command under the provisions of an act of Congress approved March 3, 1911.

Capt. Henry J. Hunt, infantry, unassigned, to be major, from June 13, 1911, vice Maj. William H. Sage, Eleventh Infantry, promoted.

Second Lieut. Richard R. Pickering, Sixteenth Infantry, to be first lieutenant from March 11, 1911, vice First Lieut. Abraham U. Loeb, Ninth Infantry, promoted.

Second Lieut. Lowe A. McClure, Fifteenth Infantry, to be first lieutenant from March 11, 1911, vice First Lieut. William B. Baker, Eighth Infantry, promoted.

Second Lieut. Charles F. Conry, Tenth Infantry, to be first lieutenant from March 11, 1911, vice First Lieut. Constant Cordier, Fourth Infantry, promoted.

Second Lieut. Clement H. Wright, Second Infantry, to be first lieutenant from March 11, 1911, vice First Lieut. James M. Loud, Twenty-eighth Infantry, promoted.

Second Lieut. William R. Scott, Seventh Infantry, to be first lieutenant from March 11, 1911, vice First Lieut. Edmund S. Sayer, jr., Twenty-first Infantry, promoted.

Second Lieut. William W. Harris, jr., Thirtieth Infantry, to be first lieutenant from March 11, 1911, vice First Lieut. J. De Camp Hall, Fourth Infantry, promoted.

MEDICAL CORPS.

To be captains with rank from June 13, 1911, after three years' service.

First Lieut. John R. Barber.
First Lieut. Joseph A. Worthington.
First Lieut. Mahlon Ashford.
First Lieut. Edward G. Huber.
First Lieut. John S. Lambie, jr.
First Lieut. Arthur N. Tasker.
First Lieut. Howard McC. Snyder.

First Lieut. Calvin D. Cowles, jr.
First Lieut. Garfield L. McKinney.
First Lieut. Hiram A. Phillips.

PAY DEPARTMENT.

Maj. Thomas C. Goodman, paymaster, to be Deputy Paymaster General, with the rank of lieutenant colonel, from June 13, 1911, vice Lieut. Col. Francis L. Payson, Deputy Paymaster General, retired from active service June 12, 1911.

APPOINTMENTS IN THE ARMY.

MEDICAL RESERVE CORPS.

To be first lieutenants with rank from June 12, 1911.

Thomas Crooke McCleave, of California.
Homer Clifton Moses, of Colorado.
George Louis Painter, of California.
Louis Austin Bolling, of Indiana.
Arthur Alexander Finch, of Oregon.
William Henry Lloyd, of Pennsylvania.
Chalmers Melancthon Van Poole, of North Carolina.
Raymond Carl Andries, of Michigan.
Francis Theodore Buechli Fest, of New Mexico.
Louis Alexander Greensfelder, of Illinois.
Neal Luther Hoskins, of Michigan.
James Wooffendale Inches, of Michigan.
Lawrence Lee, of Georgia.
Hiram Rittenhouse Loux, of Pennsylvania.
Alexander Johnston MacKenzie, of Michigan.
William Jason Mixter, of Massachusetts.
Robert Albert Carl Wollenberg, of Michigan.
Richard Mills Pearce, jr., of Pennsylvania.
Frederick Casimir Simon, of Missouri.
William Norwood Souter, of New Hampshire.

PROMOTIONS IN THE NAVY.

Capt. Charles B. T. Moore to be a rear admiral in the Navy from the 14th day of June, 1911, to fill a vacancy.

Commander Edward Simpson to be a captain in the Navy from the 4th day of March, 1911, to fill a vacancy.

Medical Inspector James E. Gardner to be a medical director in the Navy from the 2d day of June, 1911, to fill a vacancy.

Machinist Frederick H. Richwien to be a chief machinist in the Navy from the 3d day of March, 1909, upon the completion of six years' service as a machinist.

Lieut. Henry E. Lackey to be a lieutenant commander in the Navy from the 4th day of March, 1911, to fill a vacancy.

Lieut. Frederick J. Horne to be a lieutenant commander in the Navy from the 14th day of June, 1911, to fill a vacancy.

Lieut. (Junior Grade) Edward S. Robinson to be a lieutenant in the Navy from the 23d day of October, 1910, to fill a vacancy.

Lieut. (Junior Grade) Benjamin H. Steele to be a lieutenant in the Navy from the 4th day of March, 1911, to fill a vacancy.

Machinist John R. Likens to be a chief machinist in the Navy from the 29th day of December, 1910, upon the completion of six years' service as a machinist.

POSTMASTERS.

CALIFORNIA.

James W. Roe to be postmaster at San Gabriel, Cal. Office became presidential April 1, 1911.

IOWA.

John E. Deitrick to be postmaster at Afton, Iowa, in place of Henry E. Bolinger. Incumbent's commission expired January 24, 1910.

MASSACHUSETTS.

Austin E. Stearns to be postmaster at Conway, Mass. Office becomes presidential July 1, 1911.

MICHIGAN.

Thomas B. Wynn to be postmaster at Eau Claire, Mich. Office becomes presidential July 1, 1911.

OHIO.

Frank M. Kain to be postmaster at Batavia, Ohio, in place of William W. Dennison. Incumbent's commission expired March 3, 1909.

William J. Lockheart to be postmaster at Bellville, Ohio, in place of William W. Johns. Incumbent's commission expired January 29, 1911.

RHODE ISLAND.

J. Milton Payne to be postmaster at Pawtucket, R. I., in place of William H. Barclay, resigned.

UTAH.

William W. Wilson to be postmaster at Sandy, Utah, in place of William W. Wilson. Incumbent's commission expired February 20, 1911.

WASHINGTON.

Willis R. Hulett to be postmaster at Twisp, Wash. Office becomes presidential July 1, 1911.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 20, 1911.

UNITED STATES DISTRICT JUDGE.

Frank A. Youmans to be United States district judge for the western district of Arkansas.

ASSOCIATE JUSTICE SUPREME COURT, NEW MEXICO.

John R. McFie to be associate justice of the Supreme Court of New Mexico.

UNITED STATES ATTORNEY.

Arthur J. Tuttle to be United States attorney for the eastern district of Michigan.

ASSAYER OF MINT.

William M. Lynch to be assayer in charge of the mint at New Orleans, La.

PROMOTIONS IN THE NAVY.

Commander William B. Fletcher to be a captain.

Lieut. Clark H. Woodward to be a lieutenant commander in the Navy from the 4th day of March, 1911, to fill a vacancy.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 13th day of February, 1911, upon the completion of three years' service as ensigns:

Ray S. McDonald,
Carroll S. Graves,
Charles A. Woodruff,
Lesley B. Anderson,
Hollis M. Cooley,
Edward D. Washburn, jr., and
Robert V. Lowe.

Gunner Ulysses G. Chipman to be a chief gunner in the Navy from the 25th day of May, 1910, upon the completion of six years' service as a gunner.

Gunner Frederick T. Montgomery to be a chief gunner in the Navy from the 4th day of February, 1911, upon the completion of six years' service as a gunner.

The following-named ensigns to be assistant naval constructors:

Edmund R. Norton, and
Andrew W. Carmichael.

The following-named ensigns to be lieutenants (junior grade):

Julian H. Collins, and
Stuart W. Cake.

The following-named citizens to be second lieutenants in the United States Marine Corps from the 9th day of June, 1911, to fill vacancies:

Bernard F. Hickey, a citizen of New York,
John L. Doxey, a citizen of Arkansas,
Archibald Young, a citizen of New York,
John A. Gray, a citizen of Maryland, and
Andrew M. Jones, a corporal in the United States Marine Corps.

Rear Admiral Reginald F. Nicholson to be a rear admiral.

Paymaster Gen. Thomas J. Cowie to be a paymaster general with the rank of rear admiral.

POSTMASTERS.

ILLINOIS.

Joseph C. Holly, McHenry.

MASSACHUSETTS.

Arthur E. Walker, Maynard.

MONTANA.

Allan Cameron, Bozeman.
W. W. McCall, Whitehall.

NEW YORK.

Minnie N. Slaight, Tottenville (late Bentley Manor).

OREGON.

Herbert H. Mack, Huntington.

RHODE ISLAND.

J. Milton Payne, Pawtucket.

UTAH.

William H. Rex, Salina.

VERMONT.

Edward B. Hatch, Chelsea.

WYOMING.

John F. Crowley, Fort Russell.

HOUSE OF REPRESENTATIVES.

TUESDAY, *June 20, 1911.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We bless Thee, our Father in heaven, for the men of old who climbed the heights of glory, dreamed dreams, and saw visions which illumine the present, to guide us on our way. Grant that the visions of the now may cast their light far out into the future, to guide those who shall come after us to larger life and grander achievements, that humanity may march on with steady and unfaltering footsteps until the ruling passion of men shall be love to Thee and to their fellow men; that man's inhumanity to man may perish in the strife of men to overcome evil with good. And pæans of praise we will ever give to Thee, our God and our Father. Amen.

The Journal of the proceedings of yesterday, June 19, 1911, was read and approved.

THE WOOL SCHEDULE.

Mr. UNDERWOOD. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 11019) to reduce the duties on wool and manufactures of wool.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 11019) to reduce duties on wool and manufactures of wool, with Mr. SULZER in the chair.

Mr. UNDERWOOD. Mr. Chairman, general debate has been closed by general consent on the bill. I will ask that the Clerk read the bill under the five-minute rule.

The CHAIRMAN. General debate on this bill has been closed, and the Clerk will now read the bill by sections under the five-minute rule.

The Clerk read as follows:

Be it enacted, etc., That on and after the 1st day of January, 1912, the articles hereinafter enumerated, described, and provided for shall, when imported from any foreign country into the United States or into any of its possessions (except the Philippine Islands and the islands of Guam and Tutuila), be subjected to the duties hereinafter provided, and no others; that is to say——

Mr. MANN. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk and ask to have read.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois.

The Clerk read as follows:

Amend by striking out all of lines 3 to 9, inclusive, page 1, and inserting in lieu thereof the following:

"That the act entitled 'An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes,' approved August 5, 1909, be, and the same is hereby, amended by striking out paragraphs 360 to 395, inclusive, of section 1 of said act, as they now read, and by inserting in lieu thereof as part of section 1 of said act the following."

Mr. UNDERWOOD. Mr. Speaker, reserving the point of order, I did not understand the amendment offered by the gentleman. It said, "Insert the following." Had the Clerk finished reading the paragraph?

Mr. MANN. Yes. That is, the first paragraph.

The CHAIRMAN. The gentleman from Alabama reserves all points of order.

Mr. MANN. There is no point of order on the amendment.

Mr. UNDERWOOD. I did not understand, from hearing the amendment read at the desk. I understand now, and I have no point of order to make.

Mr. MANN. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

Mr. UNDERWOOD. I do not object, Mr. Chairman, to the request of the gentleman to proceed for 10 minutes, nor shall I object to the request of any gentleman to proceed for 10 minutes, because I think that is a reasonable latitude to discuss amendments; but if a request is made to proceed for longer than 10 minutes I shall object.

Mr. MANN. There might be some case where the gentleman would be willing to give an extension.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] asks unanimous consent to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. MANN. Mr. Chairman, I may say to the gentleman from Alabama and to the House that I think with a reasonable amount of debate we will still be able to get through the bill to-day.

Mr. Chairman, this bill is entitled "A bill to reduce the duties on wool and manufactures of wool."

It is a bill independent, by itself. It is not and does not purport to be an amendment to the existing tariff law. If passed, its language takes effect as a new, independent law, repealing, of course, those laws that are inconsistent with it. But it is not inserted as a part of the Payne law, and by its passage it does not become an amendment to the Payne law.

The amendment I have offered proposes to have the bill inserted as an amendment to the Payne law, so that it will not repeal other provisions in the Payne law which may or ought to remain in the law. For instance, the Payne law provides that nothing in that act shall be held or construed to abrogate in any way the Cuban reciprocity treaty or the law based upon it; but if this bill be enacted as a separate and independent act, fixing, as it does, the rates of duty upon woolen importations, it absolutely repeals, so far as wool and woolen goods are concerned, both the Cuban reciprocity treaty and the Cuban reciprocity law which we passed. If this should be inserted as an amendment to the Payne law, it would not repeal the maximum and minimum provisions of the law; but if it be passed as an independent measure, as it now stands, it absolutely repeals, so far as wools and woolens are concerned, the maximum and minimum provisions of the existing tariff law.

If it is the purpose of the majority of the House to repeal the maximum and minimum provisions of the law as to wool and woolens, then the offer of the bill is correct; but if it is intended to leave to our country the maximum and minimum club, which has been used quite effectively so far, then this should be inserted as an amendment to the Payne law. The amendment which I have offered is to strike out the paragraphs of the Payne law relating to wool and woolens and to insert the text of this bill as an amendment to the Payne law. That would be the ordinary and sensible provision for amending this law.

That is not all. As will be shown later in the debate—or perhaps it may be well to refer to it now—this bill contains all through it the provision:

Not otherwise specified in this act.

Manufactures composed wholly or in part of wool, not otherwise specified in this act.

I called the attention of the House, in my opening speech on this bill, to the fact that under its provisions it would put the woolen tariff upon every piece of goods composed partly of wool and partly of cotton, and I was told by gentlemen on that side of the House who were not well informed that if the goods were composed in chief value of cotton they would pay the cotton schedule, and if composed in chief value of wool they would pay the woolen schedule. That is true of the existing law, because the courts have said that under the existing law there was special provision made, so that where goods were composed in chief value of cotton they would pay the cotton schedule; but as this bill is not an amendment to the existing law, as it does not purport to amend the existing law, and as it is written last, its provisions take effect as independent provisions, and the provisions of this bill are that all manufactures composed wholly or in part of wool shall pay the duty provided in this act unless otherwise specially provided for in this act. Now, if the amendment which I offer prevails, the term "this act" will apply to the law to which this is amendatory—the existing tariff law—but if my amendment does not prevail, the term "this act" will refer to this woolen-schedule act; and there being no other provision in this act in reference to goods composed in part of wool, then all goods composed in part of wool must pay the duty fixed by this act.

For instance, we authorize in the existing law the importation by a traveler abroad coming home of $100 worth of wearing apparel; but this act, if it passes in its present form, will, so far as woolen goods are concerned, repeal the existing law, because this act provides that all woolen goods shall pay the duty provided for "in this act," the new act, unless otherwise specially provided for "in this act," the new act.

But if the amendment which I have offered prevails, that language might remain in because then it would be an amendment to an existing act and the term "this act" would apply to the existing law.

Mr. KENDALL. Mr. Chairman, will the gentleman yield?

Mr. MANN. I yield.

Mr. KENDALL. I want to inquire of the gentleman if it is his assumption that cloths imported now under the Payne bill are assessed according to the quantity of wool or cotton they may contain?

Mr. MANN. It is not my impression at all. Cloths imported now are assessed on a woolen schedule, but if their chief value be cotton, composed chiefly of cotton, there is a special provision that they shall take the cotton-schedule duties.

Mr. KENDALL. And if their chief value is woolen, composed chiefly of wool, they take the woolen-schedule duties?

Mr. MANN. Yes.

Mr. KENDALL. And the gentleman's contention is that no matter how slight may be the presence of wool, under this language it would have to take the woolen schedule?

Mr. MANN. Under the provisions of this bill silk goods which paid $3, if they have one yarn of woolen in them will pay the woolen-schedule duties; in the same way they have construed the provisions with reference to mercerized cotton.

The way is to amend the Payne law; insert the balance of section 1 in this bill in quotation marks showing it becomes a part of the existing law, and strike out the provisions that are now in the existing law. [Applause.]

Mr. UNDERWOOD. Mr. Chairman, my friend from Illinois is always so cocksure that he knows all the law that it is really difficult to take issue with him on any question. I would hesitate myself to take issue with him on this important question if the Treasury Department had not already decided that this bill covers what the gentleman from Illinois says it ought to cover.

Now, as to the language of this bill, except as to the first provision relating to raw wool, which we changed entirely because we put it under the ad valorem rate, wiped out the classification under the specific rates of duty—the language of this bill practically in all parts follows the language of the Payne bill, and the only changes that are made is to change the rates of duty from specific and ad valorem rates combined—that is, compound duties—to strictly ad valorem duties.

Now, the very language that the gentleman complains we have left out of this bill is inserted in this bill in order to conform to the decisions of the court, which I have here on my desk, if the gentleman from Illinois wants to investigate them.

Mr. MANN. I have investigated them.

Mr. UNDERWOOD. I submitted the language of this bill to the Treasury Department before we offered it in the committee, and requested them to criticize the language, so that it would conform to the rulings of the Treasury Department and in order that we would not have to go outside and bring about new decisions.

I hold in my hand a letter from the Secretary of the Treasury in which he refers to this very proposition which the gentleman from Illinois thinks so important to insert in order that goods composed in the chief part of wool will come under the classification of wool. The paragraph to which the decision was rendered of the Payne bill corresponds to paragraph 7 of this bill. I will not take the time to read the entire letter of the Secretary of the Treasury, but in reference to paragraph 7, similar to the one referred to in the decision that the gentleman from Illinois refers to, the court in the United States against Johnson, the Treasury Department, in its letter, says:

Paragraph 7 of the proposed draft provides for women's and children's dress goods, coat linings, etc., composed wholly or in part of wool, and not specially provided for. If this paragraph is intended to cover any women's and children's dress goods, etc., no matter whether cotton, flax, or other fiber is the element of chief value, when composed in part of wool, then it should carry that intent into the paragraph in specific language, for the reason that the courts have repeatedly held that the corresponding provision in the act of 1897, paragraph 366, for cloths made wholly or in part of wool, covers only such cloths in which wool is the element of chief value, the latest decision upon this subject being that of the United States Circuit Court of Appeals for the Second Circuit in United States v. Johnson (157 Fed. Rep., 754).

Mr. MANN. Will the gentleman from Alabama yield?

Mr. UNDERWOOD. No; I can not yield, I have only 10 minutes.

Mr. MANN. We will give the gentleman more time.

Mr. UNDERWOOD. I do not desire to ask for more time, because I do not desire to yield to anyone more than 10 minutes.

So that as to the provisions of this bill, if the language is incorrect, then the language in the Payne bill was incorrect, and the language in the Dingley bill was incorrect; and I will say to the gentleman from Illinois [Mr. MANN] we were careful to follow the language of the Payne bill, except so far as it related to the change from a compound rate of duty to an ad valorem rate of duty, because we wanted but one issue to come before the American people on this question, and that was the issue of rates—as to whether they desire to stand by a relative ad valorem rate of 90 per cent on the woolen schedule or an average ad valorem rate of 42½ per cent on the woolen schedule.

Mr. LENROOT. Mr. Chairman, will the gentleman yield?

Mr. UNDERWOOD. Mr. Chairman, I do not desire to yield, as my time is nearly up. As to the other objection that the gentleman raises in reference to this bill, I concede that the law in reference to the Cuban treaty will be wiped out in reference to wool and woolens if this bill is passed, because this is a law enacted, if it is enacted by Congress, subsequent to the ratification of that treaty. There is no issue between the gentleman and me, but I want to call the gentleman's attention to the fact that there are no importations of raw wool coming from Cuba, and the importations of woolen goods and woolen manufactures coming from Cuba in the last year amounted, if I recollect the figures correctly, to about $101—certainly not over a few hundred dollars of importations coming from Cuba.

Mr. MANN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Alabama yield to the gentleman from Illinois?

Mr. UNDERWOOD. I do not care to yield.

Mr. MANN. Oh, the gentleman is in charge of the bill and he ought to be willing to yield.

Mr. UNDERWOOD. I yield for a question.

Mr. MANN. Would not even that change in the Cuban treaty invalidate the entire treaty?

Mr. UNDERWOOD. I do not think so. It would not invalidate it at all, unless the Cuban Government said that they wanted the treaty wiped out, and they could do that whether this bill was passed or not. If they notified us that they wanted to give up the treaty, they could do so, but I take it that when there is only a hundred dollars or a little more than a hundred dollars worth of wool imported into this country from Cuba that the Cuban Government will not think that those importations are of the importance that the gentleman from Illinois thinks they are and ask for a revocation of the treaty.

As to the maximum and minimum tariff, everybody except the partisans of the Payne law on that side of the House recognizes that the maximum and minimum rates enacted into law in the Payne tariff law have been an absolute failure. The President of the United States was driven home from Canada in disgust because of the enactment of the inefficient maximum and minimum rates in the Payne tariff law; and, so far as I am concerned, I am not only willing to repeal the maximum and minimum rates in the Payne law, so far as they relate to the wool schedule, but when the proper time comes I would be glad to see them absolutely repealed and wiped off the statute books and the law enacted by which this Government could negotiate pacts with foreign nations that would be effective and be of some benefit to the American people. [Applause on the Democratic side.]

Therefore, Mr. Chairman, I say this amendment ought to be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. MANN) there were—ayes 83, noes 142.

So the amendment was rejected.

The Clerk read as follows:

1. On wool of the sheep, hair of the camel, goat, alpaca, and other like animals, and on all wools and hair on the skin of such animals, the duty shall be 20 per cent ad valorem.

Mr. RUCKER of Colorado. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RUCKER of Colorado. Mr. Chairman, I have a substitute to offer to sections 1, 2, and 3 of this bill. I want to give notice now and also ask the Chair if it is in order to offer my substitute when the bill has been fully read, and whether I will be recognized to do that?

The CHAIRMAN. The Chair will determine that when the bill is read. The Chair can not determine that now.

Mr. UNDERWOOD. Mr. Chairman, I thought the gentleman was asking unanimous consent. Of course I can not consent to any amendment being taken up except it is relevant to the paragraph under consideration.

Mr. KOPP. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 1, line 12, strike out "twenty" and insert "forty."

Mr. KOPP. Mr. Chairman, of the many iniquities of this bill there is none more glaring than the proposed tariff on raw wool.

Now, Mr. Chairman, I have heard a good deal here during the past three or four months in reference to the protection the farmer is receiving. It seems that there is a determination throughout the country by some people if possible to annihilate the farmer and to ruin his prosperity. You have passed a bill here, the Canadian reciprocity bill, that is now at the other end of the Capitol, which, if it becomes a law, will as sure as the sun comes up in the morning ruin the dairy industry of this country and injure the farmer generally. Now you are attempting to strike a blow at those who are engaged in the raising of sheep by putting a tariff which amounts to practically nothing. Forty per cent ad valorem will be a less rate than he is receiving, but it will be somewhere near to what he is entitled, and it does seem to me, Mr. Chairman, that we ought to increase this rate to 40 per cent. Of course I

have no hope it will be increased in the face of the determination of the other side of the Chamber to pass the bill as it is.

I will say, Mr. Chairman, that so far as I am concerned I am willing to take a tariff for the farmer on everything which he produces which equalizes the difference in the cost of production at home and abroad, but can any man here tell me what is the difference in the cost of the production of wool here and abroad? What we want to know are the facts. We do know positively that there is a great difference in the way sheep are grown, and we do know positively that there is a great difference in that cost; and it seems to me we ought to wait until we have definite information; and when that information is obtained I am willing to let the people I represent take the result, whether it be a protective tariff for the farmer or not; but until we have that information I am unwilling to have the farmer deprived of all substantial protection on all his products, and so, Mr. Chairman, I hope that the amendment will be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

Mr. SHARP, Mr. MOORE of Pennsylvania, and Mr. FRENCH rose.

Mr. SHARP. Mr. Chairman, I wish to offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

In line 12, page 1, strike out the word "twenty" and substitute therefor the word "thirty."

Mr. SHARP. Mr. Chairman, although the word "thirty" does not imply much more than the word "twenty," I wish to say in all sincerity that I do not offer this amendment to increase the duty merely out of a captious spirit, but with the belief that if adopted it will mean certainly a 50 per cent increase in the revenue that is to be derived from the importation of the raw product, as estimated under the provisions of this bill. I did not get an opportunity to speak at length upon this question during the general debate, and in the brief time allotted under the rules of the House it will be impossible for me to enter into anything like a full discussion of this important subject, but I was impressed with the remarks of my colleague——

Mr. HILL. Will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Connecticut?

Mr. HILL. I would like to ask the gentleman if that increase on wool of 10 per cent is made in this House will the gentleman then vote to increase the fabric duties accordingly?

Mr. SHARP. Not until I understand that question a great deal better than I do now.

Mr. HILL. You will not vote to increase the fabric duties accordingly. Do I understand the gentleman to say that he will not vote to increase the fabric duties accordingly?

Mr. SHARP. Not until I understand that feature of the bill better than I do at the present time. In connection with that question, let me say that I was a great deal interested in the remarks made by the gentleman from Massachusetts [Mr. WEEKS] the other day, and, drawing my conclusions from his very thorough explanation of the operations of the American Woolen Co., or trust, as it is called, I am not one of those who are willing at this time to believe that it needs any special consideration or favors at the hand of the House. Certainly a company which, in season and out during the past 12 years, covering two periods of financial and industrial depression, can continue to declare regularly 7 per cent dividends per annum upon their preferred stock, which has grown in amount to a total issue of $40,000,000, which dividends actually declared and paid out have amounted to $21,583,000, in addition to a large amount of surplus, besides charging off for repairs and renewals at least $15,000,000, according to that gentleman's statement, is not an object of my special solicitude at this time.

I was very much interested as well as amused by the facetious humor indulged in by my colleague from Ohio [Mr. LONGWORTH] in his comments upon the report accompanying this bill. His speech was witty and highly humorous. I think, however, in the light of some of the speeches during the long debate upon this bill, now extending over two weeks, on both sides of the House, it is hardly too much for me to say that it would not be out of place to have a little more elementary knowledge upon some of these vexed questions upon which we must vote to-day. I differ from some of my colleagues upon this side of the House as to the doctrine of free raw materials and its application.

The other day I heard the gentleman from Arkansas [Mr. MACON] learnedly discuss the question of raw material, and he was asked, during his speech, whether he was in favor of removing the duty entirely upon wool. The gentleman replied by saying that anybody who voted for the removal of the duty upon lumber, making it free raw material, in order to be consistent ought to vote for free wool.

But, gentlemen, it seems to me that no wider differences could be presented in the status of any so-called raw material than those of lumber and wool. In the former case, the supply is generally conceded to be held in the hands of a very few great timber owners, and the existence of a lumber trust is now under investigation. Then, too, by the American people being permitted to use free of duty the lumber of Canada our own supply would be better preserved and its use prolonged. Besides, it is not a business which has to be developed by long and patient toil, as the supply of timber is ready for the woodsman's ax upon the shortest preparation. In the consideration, however, of the product of wool it must be conceded that substantially the opposite conditions prevail. Looking at it from its aspect as a revenue producer, there is also a wide difference between them, for during the last fiscal year the revenues derived from the importation of lumber amounted to only about $2,000,000, while that on wool was 10 times that amount. In at least all of the Eastern and Middle States sheep are owned by the farming class and divided into comparatively small flocks. No trust relation exists among them, and only by the greatest care and development of their sheep, aided by length of time, has it been able to develop this valuable source of our country's wealth. I believe the preservation of our wool-growing flocks, both from the standpoint of food product as well as for clothing material, is a conservation of our resources in the fullest sense. The history of the past shows that the strongest nations have been those that have cultivated its wool industry, and in times of war or famine its value to a nation is invaluable.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHARP. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. SHARP. In so far as lumber is concerned, I voted in favor of free lumber in order to save our own product, and, if possible, let down the gates, getting our supply from Canada, in order that the life of our own forests might be prolonged and the product cheapened to the consumer by such competition.

The importance, nay, the necessity, of raising a revenue from this product—and, I am sorry to say, I think more or less in a partisan sense doubt has been thrown upon the motive of the majority as to the purpose of imposing this duty upon wool—should not be overlooked. The revenues derived from the wool schedule, I believe, are next in amount to that received from any other imported article, that on raw wool alone amounting to substantially half the entire amount received under this schedule. The adoption of this amendment would, in my judgment, result in the saving of at least $4,000,000 or $5,000,000 per annum to our revenues, if the estimates of the framers of the bill are to be relied upon. Then, too, it seems to me that it would be, to the extent in which the increase in the rate of duty is provided by the amendment, just that much fairer and more just to the woolgrower. As the gentleman from Wisconsin [Mr. KOPP] has just said, and truly said, if there is any class of producers in the United States to-day that have always been entirely free from the cry of a combination and trust it is the great farming element.

We hear very much about the profits of the farmers, and yet the more we investigate the high cost of living, the more our attention is called to the undisputed fact that at least one-half of it comes in the cost of distribution. The farmer by no means gets the measure of profit that is supposed to exist upon his products when he takes them to the retail grocer and merchant. I believe, if the truth be known, that the cost between the manufacturer and the consumer in most lines of goods, as well as between the farmer and the consumer, really is doubled, and often more than this, before it reaches the hands of the consumer.

Some strictures have been indulged in by gentlemen on the other side of the House as to the methods adopted by the majority in binding its members by the action of the caucus. As one who has exercised the right to differ at times from his party associates—the use of which right, let me say, has never been questioned—I can not subscribe to this view. Our party has adopted liberal rules and made generous exceptions that will allow any Member to express by his vote his honest convictions; and certainly no complaint can justly be made upon the action of this caucus as it has to do with the vote upon this bill.

Let me conclude by saying that if we can not adopt this amendment here in the House, yet I hope before the bill receives the sanction of the Senate at the other end of the Capitol and becomes enacted into law, some of the reasons which I have endeavored to set forth in advocacy of this amendment may find favor with that body. [Applause.]

Mr. CANNON. Mr. Chairman, the gentleman from Alabama [Mr. UNDERWOOD], in presenting this bill to the House, made a somewhat lengthy and very interesting speech. It has not yet, I believe, been printed in the RECORD. In the course of his speech he was kind enough to yield to me for a question, in which I very briefly made a statement or two. I want to restate in substance what I said then, consuming a minute or two for that purpose.

The gentleman from Alabama, in discussing the bill, said that the duty upon raw wool under the law now—the Payne law, now in force—was only compensatory——

Mr. DALZELL. Competitive——

Mr. CANNON. Yes; was competitive. I had in mind the next step, and I misquoted the word——

Mr. UNDERWOOD. Highly competitive, I said.

Mr. CANNON. Yes. The gentleman said that the duty on manufactures was protective, but the duty on the wool was competitive, commencing at 11 cents a pound on raw wool, and increasing on washed and scoured wool; and he said that this pending bill was not to protect, but to yield revenue, and therefore he insisted that the bill should receive support.

The gentleman from Ohio [Mr. SHARP], for whose opinion I have high respect, especially as he comes from Ohio, where they grow wool, said that his amendment, providing for 30 per cent duty, would be a better revenue producer than 20 per cent, the rate fixed in the bill. I am inclined to believe that he is correct in that statement; but that, even, would not measure up to the competitive point.

Now, this bill, confessedly, if it becomes a law, is away below the difference in the cost of production of wool in the United States and its production by the competitive woolgrowers elsewhere in the world.

I merely wanted to call attention to the matter by having the gentleman restate in my remarks what he said in his general speech. The gentleman from Ohio kindly and courteously has my sympathy. He comes from Ohio. He confesses he is bound by the caucus action that will destroy the wool industry in the United States and greatly damage that industry in the State of Ohio, as well as elsewhere in the country. It seemed to me his voice is the voice of Jacob, but his vote will be the hand of Esau. [Applause on the Republican side.] Whether that voice of Jacob is going to materialize in the coming campaign in Ohio I do not know. I am not the gentleman's constituent. I consign him to his constituency. While I will not enter the domain of prophecy, I think they will discover by his vote the hand of Esau. Now, that is about all I desire to say on this particular amendment.

Oh, you are going to pass this bill, of course, and all that we can do is from time to time briefly to register our objections. If I did not have regard for the industries of the country—for the wool industry, the industries in factory and on farm—from the mere political standpoint, if I were playing from that standpoint, I would bid you Godspeed. But larger than the political standpoint, larger than the success or failure of the Democratic Party——

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANNON. Just a minute more, if I can have it.

Mr. KAHN. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. The gentleman from California asks unanimous consent that the time of the gentleman from Illinois be extended five minutes. Is there objection? The Chair hears none, and it is so ordered.

Mr. CANNON. I will not consume all of the five minutes.

I say, larger than the welfare of any political organization, or the election of a President or of a House, or the indorsement of a President for reelection, is the well-being and prosperity of the men, women, and children, 90,000,000 strong, who constitute the great Republic. [Applause on the Republican side.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Ohio.

Mr. ANDERSON of Minnesota. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in a speech which I made in this House on Saturday last I presented some tables based on an actual analysis of wool content of woolen cloth, showing that the compensatory duty under this bill on the average amounts to 11.76 per cent, and that the protective duty under this bill amounts to 29.62 per cent.

I do not know whether it is the intention of gentlemen on that side of the aisle to try to justify that protective duty from the standpoint of a tariff for revenue. I do not believe it can be done. I am in favor of this amendment because I think it tends to equalize the duty to the wool grower and to the manufacturer. Its effect would be to increase the compensatory duty in the cloth about 5 per cent and reduce the protective duty about 5 per cent.

In an analysis and an investigation of the cost of production in foreign countries and in this country two years ago, Mr. W. A. Graham-Clark, special agent of the Department of Commerce and Labor, submitted the results of his investigation, and these results were made the basis, in part, of the argument in the Senate two years ago. His investigation shows that the labor cost of producing woolen cloth in England is slightly less than 25 per cent. Assuming that the labor cost in this country is double that amount, it would only justify a protective duty upon woolen cloth of 25 per cent. So it seems to me that the adoption of this amendment will do no injustice to the manufacturer of woolen cloth. It does not necessitate any other or further change in this bill, and it seems to me that justice requires that it be adopted.

I was one of those who stood in this House a few days ago when we took the vote upon the reciprocity measure. That day I saw many men here vote to take from the farmer the fruits of his victory in the very morning of his triumph. So far as I am concerned, it seems to me that justice should be done him now.

I am not entirely sure as to just what the duty upon raw wool should be, but I believe that a duty of 30 per cent on raw wool will do the manufacturer no injustice under this bill, and I trust that the amendment will be adopted. [Applause.]

Mr. SHACKLEFORD. Mr. Chairman, the bill now before the House is one to reduce the tariff on the woolen schedule. Some complain that we have reduced the rate on raw wool too low, while others declare that we should have put raw wool on the free list. It were strange indeed if in this body of 391 Members any bill could be reported which would precisely meet the views of each.

The task of the Democratic majority here is a very delicate one. We must so steer our ship that she shall neither go aground in the shallows of stagnant conservatism nor be dashed to pieces on the rocks of radicalism. Fortunately for us we have a chart by which we may safely sail the political sea—the tariff plank of the Denver platform. It declares for "an immediate reduction of import duties" by such "gradual reductions as may be necessary to restore the tariff to a revenue basis."

This tariff plank is a declaration for neither protection nor for free trade, but for a revenue tariff. Many prominent Democrats are free traders, but in all of its history the party has never declared for that policy. It has universally stood for a tariff for revenue.

How shall we pass from a policy of a tariff for protection to one for revenue? Our platform points the way—by "such gradual reduction as may be necessary to restore the tariff to a revenue basis." Why was it thought necessary to declare for a "gradual reduction"? Why not do it suddenly? The answer is easy. A half century has been devoted to building up an evil protective policy. It has been the law of the land. Many honest enterprises have been undertaken with this law in force. The statesmen who wrote the Denver platform desired the people to know that if we came into power we would immediately enter upon "a reduction of the tariff to a revenue basis," but that we would not do it with such violence that disaster might follow. If a man were in the top story of a burning building he could remain and be burned or he could come down. If he determined to come down, he could choose between two methods. He could jump out of a window and collapse upon the ground. That would be the quickest way. Or he could climb down the fire escape. That would be the safest way.

If this bill be compared with the Payne bill, it will be found that we are climbing down the tariff-reduction fire escape with much speed. Be patient with us, Mr. Chairman, and ere long we will in safety get down onto the solid ground of tariff for revenue. Some of the ablest of our tariff-reform leaders think we have not gone far enough in this bill, but we have gone as far as a majority here felt that we could go and remain within our platform declaration for "a gradual reduction to a revenue basis." Philosophy discerns and proclaims absolute perfection. Statesmanship demands the highest degree of perfection which can be secured from collective council and cooperative action in the face of confronting conditions.

I may be permitted to say that most of the majority members of the Ways and Means Committee are of the most progressive type, and individually they probably would have gone much further than this bill. We felt, however, that as members of the committee we represented not ourselves but those who had chosen us; that it was our duty to bring in such a bill as a majority of our party in the House would approve, provided always that it should be within the limitations of our platform. We recognized that in union there is strength. We were in daily association with our fellows, and felt that we knew about what they would regard as a fair compliance with the commands of our platform. Having in mind these considerations, we brought in this bill. It did meet with the approval of our party in the House. It does "reduce import duties." It does commence in emphatic form "a gradual reduction of the tariff to a revenue basis." It is a redemption of our platform pledges. What is of vastly more importance, we present a bill which, if enacted into law, would give substantial relief to the American people.

The CHAIRMAN. Without objection the pro forma amendment of the gentleman from Minnesota will be withdrawn, and the question recurs on the amendment of the gentleman from Ohio.

The question was taken, and the Chair announced that the amendment was rejected.

Mr. NORRIS (from his seat). A division, Mr. Chairman.

The CHAIRMAN. The gentleman from Nebraska demands a division.

Mr. UNDERWOOD. Mr. Chairman, I make the point of order that the gentleman who asks for a division did not rise in his seat.

Mr. NORRIS (rising). Mr. Chairman, I ask for a division.

The committee divided; and there were—ayes 55, noes 127.

So the amendment was rejected.

Mr. RUCKER of Colorado. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

SECTION 1. All wool, hair of the camel, goat, alpaca, and other like animals shall be divided, for the purpose of fixing the duties to be charged thereon, into the following classes:

SEC. 2. Class 1; that is to say, merino, mestiza, metz, or metis wool, or other wools of merino blood, immediate or remote; down clothing wools and wools of like character with any of the preceding, including Bagdad wool, China lamb's wool, Castle Branco, Adrianople skin, or butcher's wool; Leicester, Cotswold, Lincolnshire, down combing wools, Canada long wools, or other like combing wools of English blood and usually known by the terms herein used; and also hair of the camel, Angora goat, alpaca, and other like animals; and such wools as have been heretofore imported into the United States from Buenos Aires, New Zealand, Australia, Cape of Good Hope, Russia, Great Britain, Canada, Egypt, Morocco, and elsewhere; and all wools not hereinafter included in class 2.

SEC. 3. Class 2; that is to say, Donski, native South America, Cordova, Valparaiso, native Smyrna, Russian camel's hair, and all such wools of like character as have been heretofore usually imported into the United States from Turkey, Greece, Syria, and elsewhere, excepting improved wools hereinafter provided for.

SEC. 4. The standard samples of all wools which are now or may be hereafter deposited in the principal customhouses of the United States, under the authority of the Secretary of the Treasury, shall be the standards for the classification of all wools under this act; and the Secretary of the Treasury is authorized to renew these standards and to make such additions to them from time to time as may be required, and he shall cause to be deposited like standards in other customhouses of the United States when they may be needed.

SEC. 5. Whenever wool of class 2 shall have been improved by the admixture of merino or English blood from their present character, as represented by the standard samples now or hereafter to be deposited in the principal customhouses of the United States, such improved wools shall be classified for duty as class 1.

SEC. 6. If any bale or package of wool or hair specified in this act invoiced or entered as of class 2, or claimed by the importer to be dutiable as of class 2, shall contain any wool or hair subject to a higher rate of duty, the whole bale or package shall be subject to the rate of duty chargeable on wool of class 1; and if any bale or package be claimed by the importer to be shoddy, mungo, flocks, wool, hair, or other material of any class specified in this act, and such bale contains any admixture of any one or more of said materials, or of any other material, the whole bale or package shall be subject to duty at the highest rate imposed upon any article in said bale or package.

SEC. 7. When wool or hair of the first class shall be imported, the duty thereon shall be assessed upon the estimated amount of scoured wool or hair such importation of wool or hair will yield, this amount to be determined by scouring in the regular manner, under such regulations as the Secretary of the Treasury may provide. Representative samples of such wool or hair, and the amount of scoured wool or hair derived from such tests, shall be used as a basis to determine the total amount of scoured wool or hair contained in the importation covered by such test. The duty upon the amount of scoured wool or hair thus estimated as contained in such importation shall be 30 cents per pound: *Provided, however,* That where wool or hair of the first class shall be imported scoured the test herein provided for need not be made, but the duty on such scoured wool shall be 30 cents per pound: *And provided further,* That the duty upon wool of the first class imported on the skin shall be 26 cents per pound on the estimated amount of scoured wool such wool on the skin will yield when scoured, this amount to be determined by such regulations as the Secretary of the Treasury may provide.

SEC. 8. On wool of the second class, and on camel's hair of the second class, the duty per pound shall be 6 cents per pound: *Provided,* That where such wool or hair is imported in a condition for use in carding or spinning into yarns, or which shall contain not more than 8 per cent of dirt or other foreign substance, the duty per pound shall be three times that to which it would otherwise be subjected: *And provided further,* That the duty on wool of the second class when imported on the skin shall be 1 cent per pound less than when imported not on the skin, the amount of such wool to be determined by such rules as the Secretary of the Treasury may provide.

Mr. UNDERWOOD. Mr. Chairman, I reserve the point of order, if the gentleman wishes to speak to his amendment.

Mr. RUCKER of Colorado. Mr. Chairman, this amendment is offered in lieu of section 1 of the bill. Section 1 of the bill provides for a duty of 20 per cent ad valorem on wool of the sheep, hair of the camel, goat, alpaca, and other like animals. Under existing law there are three classifications of the wools referred to in section 1 of the present bill. The difference in the duty on classes 1 and 2 is so slight that it disappears in the classification I have made. For that reason, and also for simplification, I have placed those wools in the first class, and in class 2 the wools described in class 3 in existing law.

My purpose now is to endeavor to demonstrate the appropriateness of and the necessity for this change, and, preliminarily, I wish to express the hope that what I have to submit in the brief time allowed me will be sufficiently convincing to justify the expectation of securing for it some votes in addition to my own. You will remember that when I offered my amendment to strike out the free-meat provision of the bill known as the farmers' free-list bill I was the only Member on this side who voted for it, and I am hopeful that the present result will make it possible to congratulate the country and myself individually that some progress is being made toward desirable and effective legislation.

In making some observations upon this subject I stated, in substance, the other day, that if you had entered into a conspiracy with the wool speculator and importer and had effected a secret agreement with him to pass this bill at this time you could not possibly have better accommodated his wishes nor accomplish a purpose which would more effectively redound to his individual benefit, for I am advised, and I believe authoritatively, that the speculator has, in anticipation of favoring results, put down the price on the wool clipped this spring more than 5 cents per pound, by which he has profited to the extent of some $150,000,000. I have further information from equally credible sources that the prospective deprivation to the farmers of my district—the largest sheep-feeding field of the West—of the opportunity to dispose of their grain and hay for feeding purposes has resulted in a tremendous depreciation in farm values.

These conspicuously serious results, if there were no others, involving disaster to the American sheep producer, should plead "like angels, trumpet-tongued, against the deep damnation" of the passage of the wool provision in this bill.

Mr. Chairman, you know there is always a "black sheep" in every flock, and the sheepman will tell you it is the first one to scent the approaching wolf and nimbly lead its companions to safety. I must naturally assume that I am the ebony one of this flock, and I am frank to concede the motives actuating my associates to be as pure as the fleece of the balance of the flock is white. That they are sagacious and at heart as anxious to escape the crouching, ravenous wolves over there across the aisle goes without saying, and I can only hope they will heed the warning bleat of this "black sheep" and adopt my amendment.

It may be recalled, Mr. Chairman, that on another occasion quite recently I stood almost singly and alone in the midst of my Democratic associates in opposition to the so-called Canadian reciprocity agreement—a Republican administration measure. I did not then, nor do I now, believe that the time has come when the farmers of our country are prepared to engage in a scheme of farming on shares with a people whose patriotism rises to its sublimest heights at the strains of "God save the Queen," and who now so loyally, universally, and filially voice the significant motto, "Long live the King." I recalled the fact that we in this country have never obtained from the people who fly that flag any especially advantageous concessions save those that sprang from the bloody sacrifice of our forebears at Bunker Hill, Brandywine, Valley Forge, Yorktown, and other sanguinary fields.

Mr. Chairman, our national experience should teach us to regard with some suspicion the too ready acceptance of our magnanimous proposition to divide with the whole world the fruits of our great stock-growing business, as was contemplated in the passage of the meat provision of what is familiarly known as the farmers' free-list bill, nor should we permit our eyes to become beclouded in the careful consideration of a kindred measure of equally great concern to the welfare of the farmer and stock grower, such as the one now before the House.

I regard as some recompense at least for my efforts in this behalf the receipt of numerous communications of approval of

my position on that subject from the officers of the National Grange, the Farmers' Union, and the American Stock Growers' Association, as well as from the local officers of the various organizations in my State and from innumerable private citizens whose interests are so vitally involved in the fate of this bill.

Mr. BUCHANAN. Mr. Chairman, I rise to a point of order, because the gentleman is not discussing the point of order which was raised to the amendment.

The CHAIRMAN. The gentleman from Alabama reserves the point of order. The gentleman from Colorado will proceed.

Mr. SHARP. Mr. Chairman, will the gentleman yield?

Mr. RUCKER of Colorado. Yes.

Mr. SHARP. In the substitute that the gentleman has proposed I would like to know the relative amount of protection accorded to the woolgrowers over the present tariff.

Mr. RUCKER of Colorado. On the first-class wools it would be a reduction from 33 cents a pound to 30 cents a pound, and on the second-class wools a reduction from 36 cents to 30 cents, based on the scoured pound.

Mr. BUCHANAN. Mr. Chairman, I insist on my point of order. I want to know whether it is well taken, whether or not under this point of order the question of revenue may be discussed and the merits of the bill.

The CHAIRMAN. The point of order of the gentleman from *Illinois* is not well taken.

Mr. BUCHANAN. There has been a point of order raised. I did not understand that it was reserved.

The CHAIRMAN. It was reserved.

Mr. BUCHANAN. Oh, reserved. I was under a wrong impression.

Mr. RUCKER of Colorado. Mr. Chairman, the duty would be upon the specific basis—a 30 per cent specific duty upon the first and second class, making no distinction between the two.

I could, if I had the time, possibly interest you more if I traced back the history of the black sheep and told you how, in the first instance, in the natural and economic law there was a necessity for a black sheep at all, and why even to-day that natural and economic law is in force. But time, as I said, will not permit such digression. In my speech of last Saturday in the House I dwelt at length upon the principles underlying this amendment, and those who care to follow the subject further may find that speech in one of the RECORDS of this week. I arose merely to make a short statement explaining the provisions of the amendment.

In suggesting that wool be placed upon a scoured basis for the purpose of levying the duty on that basis I am suggesting the only honest and scientific basis upon which a tariff on wool can or should be levied. Some wools shrink 33 per cent, while other wools shrink 66 per cent; and it therefore must be evidently unfair to the man who imports wool shrinking 66 per cent to charge him the same rate of duty as the man pays who imports wool shrinking but 33 per cent, for in the latter instance the importer of the 33 per cent wool obtains twice as much scoured wool for his duty paid as does the man who imports the 66 per cent wool.

There has grown up a great deal of dissension on account of light-shrinking wool and heavy-shrinking wool. This is but the logical consequence of basing the tariff, either specific or ad valorem, upon the greased pound. And this dissension will exist and grow greater until the matter is equalized by placing the duty solely upon the amount of scoured wool upon which the duty is paid. If the duty is assessed upon the scoured wool that may be contained in an importation, it will not matter to the importer whether it shrinks 30 per cent or 70 per cent, neither will it matter to the woolgrower what foreign wools may shrink when imported.

The wools of this country are sold on a scoured basis—it is absolutely on a scoured basis—and unless the tariff is placed upon the same basis it is impossible for him to know the extent of the competition he must meet.

There may be some who would state that a scoured basis is impracticable and would be unfair to the manufacturer or importer, but I say there never was a pound of wool sold on any other than the scoured basis. In fact, the wool buyer, after determining the quality of the wool, has no other concern except the amount it will shrink when scoured. He is not buying grease and dirt; he is after scoured wool; therefore the price which he is willing to pay must be based upon the amount of scoured wool that the grease wool will yield. Wool in the grease is not made into cloth, and there is no use for the dirt and grease that such wool contains. The average wool buyer can tell within 1 per cent in almost every instance just the amount of scoured wool he will obtain from the grease wool. In fact, at the great wool sales in the West it is a common custom where the man has a clip of 100,000 pounds of wool to open not more than 10 of these sacks, which contain 300 to 400 pounds of grease wool, and to examine that wool with his hand and eye, and from such examination determine the amount of scoured wool it will yield, and on that determination to base the price that may be paid for it.

I am advised from the Wool Yearbook, an English publication, that South American wools are sold upon a scoured basis, and that the commission firms in that country when they offer these wools guarantee to the buyer that a certain wool will yield a certain per cent of scoured wool, and in the event that is does not so yield, the importer or buyer is refunded the difference. This book says that all the Argentina wools are sold on this basis.

Now, much of our wool is purchased in London. Our wool buyers go to the sales in Coleman Street and sample before purchasing the various clips that are to be offered. These small samples they take to what is known as conditioning houses, where they scour the samples, and from that determine the shrinkage of the entire clip. However, many of the buyers are so expert in determining the shrinkage of these wools by a mere examination of them that they do not trouble themselves even to scour samples.

In my amendment there is no occasion for guesswork; it provides for the actual scouring of samples of imported wool. There is no reason why the Government can not as effectively and intelligently scour these samples as can the houses which do so commercially.

The scouring of wool is an extremely simple process. It represents nothing more than a washing out of the dirt and grease, such as wool may contain. The machinery incident to scouring of samples of wool could be placed on a table 4 by 10 feet in size. When the wool has been once washed in a solution largely of soap and water, the single process that remains is the drying of it. This is done by simply passing the wool through the drying machine and removing the excess of moisture.

If we have the weight of the samples that go into the scouring solution, after drying we can take the weight, and we have the amount of scoured wool. The process is almost as simple as washing clothes with the washing machine.

The amendment which I introduce, as you will notice, reduces to some extent the duty upon wool. The present law says that the duty upon a pound of wool of the first class shall be 11 cents and the duty upon a pound of wool of the second class shall be 12 cents. The law assumed and still assumes that these wools shrink 66⅔ per cent, for it immediately proceeds to state that when wools are imported scoured the duty upon wool of the first class shall be three times the duty assessed against it when not scoured, or 33 cents per pound. On wools of the second class when imported scoured the duty shall be three times the duty levied when it is unscoured, or 36 cents. Now, when these wools do shrink 66⅔ per cent, it requires exactly 3 pounds of it to make 1 pound of scoured wool; therefore, the amendment which I introduce reduces the duty on first-class wools from 33 cents a pound to 30 cents a pound, and reduces the duty on second-class wools from 36 cents per pound to 30 cents per pound. This is a material reduction—one which I think will be acceptable to the woolgrowers.

In the speech to which I have referred I demonstrated the fact that the Government has been systematically robbed of its revenue by reason of undervaluation of imports. You will observe that when the duty is based upon the scoured contents of the wool at so much per pound, there is no opportunity for defrauding the Government, and, at the same time, it is a protection to our home woolgrower.

Mr. Chairman, in the few minutes I have allowed me I wish to say that the proponents of this measure base their argument in support of the necessity of a duty at all on wool upon the fact that it will produce revenue. They all agree that under the present law the woolgrower is at least theoretically placed on a competitive basis with the foreign producer, and they are in equal accord in conceding that with the duty under the present bill he is at a disadvantage. They seek to justify themselves for this course by claiming that it is necessary in the passage of tariff laws to do so with a view of accommodating the greatest number. If this view is carried to its logical conclusion it would mean, of course, that wherever one had built up at whatever expense in money and toil an industry in this country, if a foreigner happened to be in a position to produce that thing cheaper than he, then our home citizen must be deprived of it.

But, as I have said, the claim is made that it is necessary to enact the bill for revenue purposes. In the speech to which I refer as having been made by me on last Saturday, I showed there had been carried over from year to year from 1895 to 1908, over and above consumption and exports by the importers and speculators, an average of 370,596,353 pounds of wool, and that now the Government warehouses are bursting their sides

with held-over wools, demonstrating that the speculator and importer was not only willing under the present law to pay such duties, but imported that large amount from year to year beyond what was necessary for consumption. In other words, he was willing to and did pay more than $21,000,000 in duties last year, but by the proposed bill is permitted to deprive the Government of the difference between that sum and the $13,000,000 estimated to be collected under the present bill, and to tighten his grasp on the throat of the woolgrower as well as the consumer.

I said in that speech, among other things, that you have sought to convince the people in a nebulous way that the masses would secure some benefit from the lowering of these duties, and I answered by saying that you have not the power to compel the importer to sell his wool at any given price nor the manufacturer his goods. You have simply, as I say, put it in their power to rob the Government in the one case and the consumer in the other; and, more than that, "bear" the price of the woolgrower on his product and ultimately drive him out of the business.

Mr. Chairman, I can not conclude my brief remarks without respectfully and prayerfully inviting the attention of the House to some of the declarations of our party and our party leaders, and hope that it will be borne in mind that we are now considering the very important subjects of reducing tariff rates and how the duties should be levied with the view of equal distribution of burdens.

Let us pause a moment and ask ourselves what was meant by President James K. Polk when he said:

> The term protection to domestic industry is of popular import, but it should apply under a just system to all the various branches of industry in our country. The farmer or planter who toils yearly in his fields is engaged in domestic industry, and he is as much entitled to have his labor protected as others.

Again, what did Andrew Jackson mean when he said:

> The agricultural interest of our country is so essentially connected with every other, and is so superior in importance to them all, that it is scarcely necessary to invite to it your attention. * * * The general rule to apply in graduating duties upon articles of foreign growth or manufacture is that it will place our own in fair competition with those of other countries. * * *

And what did the Democratic platform of 1888 mean when it said:

> Our established domestic industries and enterprises should not and need not be endangered by the reduction and correction of the burdens of taxation. On the contrary, a fair and careful revision of our tax laws, with due allowance for the difference between the wages of American and foreign labor, must promote and encourage every branch of such industries and enterprises by giving them assurance of an extended market and steady and continuous operations.

And that of 1896, which was equally impressive in its enunciation:

> The duties to be so adjusted as to operate equally throughout the country and not distinguish between class or section.

And then in 1904, when it declared that such duties should be—

> so levied as not to discriminate against any industry, class, or section, to the end that the burden of taxation shall be distributed as equally as possible.

Now, my Democratic friends, let me ask you in all earnestness, in view of these plain, positive, and unequivocal utterances of the great minds of our party, what possible defense can you urge to the people of this country for your undisguised purpose to strike down at a single blow one of our greatest industries, in which over a million people are directly interested? As I have before suggested, it is not claimed that under this present bill the American sheep grower will be afforded fair competition with the foreign grower; and I affirm that by no possible process of analysis is such a demonstration possible.

Mr. Chairman, the fate of the American sheep grower, his well-being, and his best interests are in the keeping of the majority of this body. May they well and truly try the issue and a true deliverance make.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RUCKER of Colorado. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

Mr. HARRISON of New York. I object.

The CHAIRMAN. The gentleman from New York objects.

Mr. UNDERWOOD. Mr. Chairman, I think the point of order made against this amendment will lie, but as the amendment goes clearly to the first clause of the bill and no other section of the bill, I will not insist, but hope the motion will be voted down as clearly not in accord with the bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado.

Mr. MONDELL. Mr. Chairman, I desire to discuss the amendment. Mr. Chairman, the amendment offered by the gentleman from Colorado is so lengthy and involved that it is a little difficult for one to determine from having listened to the reading just what the gentleman proposes, but what I understand his proposition to be is that wool shall be divided into two classes; that the present classes 1 and 2 wools shall constitute class 1, and that wools that are now classified as class 3 wools shall constitute class 2, and, as I understand, on the present class 1 and 2 wools he proposes a duty of 30 cents a pound on the scoured content of the importation. On class 3 he seems to propose a compound duty, which I do not clearly understand.

Mr. RUCKER of Colorado. It is the same; 20 cents a pound on the scoured content.

Mr. MONDELL. The gentleman informs me he proposes a like duty on the scoured content of class 3 wool. In the speech which I made the other day I expressed the opinion that a specific duty levied on the scoured content of the fleece was the fairest and most equitable of all wool duties, and so I approve the purpose and intent of the gentleman's amendment, though I do not bind myself to the detail of the proposition, for I do not clearly understand it from the reading from the Clerk's desk. As to whether or not the 30-cent per pound duty which he proposes is sufficient, I think it is impossible for us to determine until we shall have secured all the information which the Tariff Board is now collecting. I would prefer not to vote on any amendment to this bill, but rather content myself with voting against it, in view of the fact that the Democratic caucus agreement prevents amendment, and feeling assured the protection which it contains is entirely insufficient, and knowing that in the absence of definite information it is difficult for one to vote intelligently on amendments. However, inasmuch as the amendment of the gentleman from Colorado is based on what I believe to be a wise form of duties on raw wool, and inasmuch as I believe the protection he proposes is perhaps reasonably adequate, I shall vote for the amendment.

Mr. RUCKER of Colorado. Will the gentleman permit a suggestion? I wish to say to the gentleman that this amendment, as I am informed, meets with the entire approval of a great majority of the woolgrowers in the country.

Mr. MONDELL. Well, I do not know whether that may be true or not, Mr. Chairman, but I do know that there are many woolgrowers who believe that the duties should be levied on the scoured content of the fleece, and it seems to me that is an infinitely better form than an ad valorem duty such as is carried in this bill, and a more equitable form of duty than that contained in the present law. [Applause on the Republican side.]

Mr. MANN. Mr. Chairman, the amendment offered by the gentleman from Colorado is long and somewhat complex. Just what it provides for I do not understand. It is a good illustration of the need of information to be received from a responsible board before we attempt to vote upon such an amendment, and, not being able to understand it, I shall not vote for it.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Colorado.

The question was taken, and the amendment was rejected.

Mr. WILLIS. Mr. Chairman, I desire to offer the following amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

> Amend, on page 1, lines 10 to 13, by striking out:
> "On wool of the sheep, hair of the camel, goat, alpaca, and other like animals, and on all wools and hair on the skin of such animals, the duty shall be 20 per cent ad valorem."
> And inserting in lieu thereof the following:
> "On wool of the sheep, hair of the camel, goat, alpaca, and other like animals, and on all wools and hair on the skin of such animals, the duty shall be 44.31 per cent ad valorem."

Mr. WILLIS. Mr. Chairman, it has been stated repeatedly that the object of this bill is to produce more revenue. The amendment I have offered will add $8,000,000 to the revenues of this Government. The truth of this statement is shown by the following table, taken from the committee report, page 65:

Items.	Present act—Results for year ending June 30, 1910.	Proposed act—Estimated results for a 12-month period.
Imports	$47,687,293.20	$66,991,000.00
Duties	$21,128,728.74	$13,398,200.00
Average unit of value, per pound, on—		
Class I	$0.230	
Class II	$0.259	
Class III	$0.126	
All wools	$0.186	
Equivalent ad valorem rate.....per cent..	44.31	20.00

Bills.	Rates.
Wilson:	
As passed House	Free.
As enacted	Do.
Springer	Do.
Mills	Do.

By the statement appearing in the committee report it is shown that the revenues under the present rates on raw wool amount to $21,000,000 per year. It is also shown that under the proposed rates the revenues will amount to $13,000,000 a year. The proposition involved in this amendment is to put the duty upon raw wool exactly as it stands under the present rate, but figured upon an ad valorem basis. At page 27 of the report of the committee it is shown that the average rate on first-class wool reduced to an ad valorem basis under the present law is 47 per cent; on second-class wool it is 46 per cent; and on third-class wool it is 37 per cent, making an average of 44.31 per cent according to the figures of the committee. The portion of the report referred to is as follows:

In the *fiscal* year 1910 the duties collected on the imports of raw wool amounted to $21,128,728.74. Of this amount $12,289,700.72 was received from wools of class 1, of which the average import value was 23 cents per pound, and on which the average ad valorem equivalent of the duties collected was 47.54 per cent. Class 2 wools yielded $3,212,413.03 in duties, the average import value being 25.9 cents per pound and the average ad valorem equivalent of the duties collected 46.25 per cent. Class 3 wools yielded $5,626,614.99 in duties, the average import value being 12.6 cents per pound and the average ad valorem equivalent of the duties collected 37.79 per cent. On all the raw wools of the three classes the average import value was 18.6 cents per pound, and the average ad valorem equivalent of the duties collected was 44.31 per cent.

I have taken those figures, and I propose in the amendment that the rate shall be retained at that figure. And I want to say, Mr. Chairman, that if this amendment is adopted not only will you subserve the purpose that has been set forth many times in this debate, particularly this morning by the gentleman from Missouri [Mr. SHACKLEFORD], when he repeated again and again that the object of this bill was to get revenue, but here is an amendment which, if adopted, will save to the Government of the United States $8,000,000 of revenue per year, and at the same time will preserve a great industry which will be ruthlessly stricken down if you pass the bill without the amendment.

Mr. Chairman, I will say further that this will not defeat the object that gentlemen on that side have in view in cheapening the cost of clothing, because the rate of duty on raw wool has practically no effect upon the price of a suit of clothes. For example, I turn to the committee report, at page 41, and there is given an illustration of the ordinary suit of clothes made of a fabric weighing 9½ ounces to the yard. And then a little bit farther down on the page it says:

It requires 3½ yards of cloth to make a suit.

Well, according to those figures, then, 3½ times 9½ ounces would make approximately 32 ounces, or approximately 2 pounds would be the weight of the woolen cloth in the suit.

Now, on the preceding page of the report, page 40, is set forth the fact that the present basis is 4 pounds of unwashed wool to the pound of cloth, and the committee says, and I think probably they are right in this, that that is too high. The portion of the report referred to is as follows:

The existing rates on scoured wools are based on the supposition that 3 pounds of unwashed wool are required to make 1 pound of scoured, and the compensatory duty on cloth on the supposition that an additional pound of unwashed wool, or one-third more of the scoured contents, is required in going on through the manufacture of 1 pound of cloth. This appears to be an excessive allowance for either woolen or worsted cloth in general.

If it takes 4 pounds of raw wool to make a pound of cloth, then by the most liberal estimate, and an estimate which the committee itself says is too high, you have 8 pounds of wool entering into a suit of clothes. And figuring on the present basis, the amount of duty would be only 88 cents, and, as a matter of fact, that is too high. It ought not to be figured, perhaps, more than 3 pounds, and that would make the amount of duty 66 cents on a suit of clothes. Now, does anyone suppose that if you take the tariff off this wool that the tailor is going to sell a $15 or $20 suit of clothes at a reduction in price of 66 cents?

In view of the fact that to-day's statement of the Treasury Department shows that the Treasury is more than $70,000,000 better off than it was one year ago, there is no foundation for the claim made on that side that there is immediate financial necessity for this legislation.

But if more revenue were needed, as is claimed by the committee, then this amendment I have offered should prevail, because while saving from destruction the great woolgrowing and sheep-raising industry of the country, it at the same time will increase the annual revenues under this proposed measure $8,000,000 without increasing the price of clothing one penny to any American consumer. As it is now, the American farmer gets less than $1.30 for the wool that goes into a suit of woolen clothes.

If all the tariff on wool were added to the price of the manufactured article, it would not amount to 75 cents on an all-wool suit of clothes. Does anyone think that under free wool a $20 suit of clothes would sell for $19.25? Certainly not! The manufacturer might gain by getting his wool cheaper temporarily, but the consumer would have to pay the same for woolen clothing as before (if under this Democratic plan of destruction he shall have anything to buy with), and at the same time the industry of woolgrowing and sheep raising in the United States will be annihilated. In the name of 75,000 woolgrowers and farmers in Ohio I plead for the adoption of this amendment.

I submit a statement by S. W. McClure, secretary of National Woolgrowers' Association:

IN REALITY NO PROTECTION AT ALL.

If the House passes its bill placing the duty on fleece wool at 20 per cent, this will give the growers an actual protection against foreign wools of from 2 to 3 cents per pound, which, in reality, is no protection at all. Since the Democrats assess the duty on the value of the imported wools, it necessarily follows that only the lower grade of wools will be imported, for the duty on them will be less than on the higher quality of wools. In other words, this tariff encourages the importations of poor wools.

Wool can be grown in Australia, South America, and Africa for considerably less than half of what it costs to produce it in this country. Therefore, without adequate protection, our growers will soon be driven out of the sheep business, and if this Democratic wool bill should pass the value of American sheep will shrink $150,000,000 in less than five years.

OVER A MILLION WOOLGROWERS.

The census of 1900 showed 765,000 woolgrowers in the United States, and the next census should show over 1,000,000 individual growers. You can not bring financial distress to 1,000,000 American farmers without disturbing in a large degree the commercial progress of the country. The sheep of the United States are valued at $233,000,000, and the lands upon which they feed are valued at $300,000,000 more. Thus, the sheep industry represents an investment of $533,000,000. Is this to be destroyed purely in the interest of political expediency?

We have in the United States, according to Government figures, over 57,000,000 sheep that last year produced 330,000,000 pounds of wool. Under the present tariff law the sheep of the United States have increased 49½ per cent in number and 248 per cent in value in the past 14 years. In addition to this increase, we slaughtered last year 15,000,000 mutton that had a powerful influence in keeping down the price of other foods.

NO INFLUENCE ON THE PRICE OF CLOTHING.

The tariff on wool has never had any influence on the price of clothing, and everyone understands this who has taken the pains to investigate it.

An all-wool suit of clothing which you buy from your dealer for $40, or from the store for $25, if of the usual summer weight, contains, if it be all wool, just 7½ pounds of wool as it comes from the sheep. For fine merino wool our growers now receive about 16 cents per pound; and figuring 8 pounds to the suit, it would make the wool that went to make a $40 suit of clothes cost just $1.28. That is all the woolgrower gets out of the suit, in spite of the tariff. You can figure this out for yourself. The average suit of clothes requires 3½ yards of cloth; the cloth weighs from 10 to 16 ounces per yard. There are very few suits of clothes, regardless of what they may sell for, that the woolgrower gets as much as $2 for furnishing all the wool that goes into them. At present prices it is almost impossible to put $2 worth of wool in a summer suit. The value of the wool contained in the suit is so small that it is never a factor in regulating the price for which the suit must be sold.

WHAT IT HAS SAVED THE AMERICAN PEOPLE.

The tariff on wool has saved the American people hundreds of millions of dollars, for it has built up in this Nation a sheep industry that furnishes our people annually with 330,000,000 pounds of the best wool in the world. American wool is superior to any imported wool, and clothing made from it will wear from 25 to 60 per cent longer than cloth made from similar grades of foreign wool. The only reason for using foreign wool in our clothes is that it may be purchased cheaper than domestic wool. Australia and South America recognize the superiority of the American wool-producing sheep, and in many instances they have purchased from us sheep for the improvement of their foreign flocks. I have been told by manufacturers and wool experts, men who have spent a lifetime in the business, that foreign wools, as imported, do not compare with ours in wearing quality. Our Government recognizes this fact, and in letting contracts for woolen clothing for both Army and Navy specifies that nothing but American wool shall be used in their manufacture.

The woolgrowers of the Nation only ask for a square deal. They have indorsed the idea of a Tariff Board to ascertain the difference in cost of producing wool in this and foreign countries. The representative of the Tariff Board has gone to the home of the woolgrowers and has been welcomed there in an endeavor to obtain the true facts as they relate to the sheep industry. The Tariff Board has sent expert accountants to many of the sheep ranches, who have gone over the books of the sheepmen in a very careful manner. This board will report its findings to the American people next December, and the woolgrowers only ask that action upon the wool tariff shall be delayed until this report makes it possible for Congress to know just what protection our sheepmen are entitled to.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from Ohio [Mr. WILLIS].

The question was taken, and the amendment was rejected.

Mr. GRAY. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Indiana [Mr. GRAY] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Resolved, That H. R. 11019, the same being a bill to reduce the duties on wool and manufactures of wool, be amended by striking out all in lines 10 to 13, inclusive, on page 1, and being paragraph 1 of section 1 therein, and inserting in lieu thereof the following:

"1. All wool of the sheep, hair of the camel, goat, alpaca, and all other like animals, and all wool and hair on the skins of such animals, when imported into the United States, shall be exempt from duty."

And that the remaining paragraphs of section 1 of said bill be recommitted to the Ways and Means Committee with instructions to amend the same by reducing the duties on manufactures of wool to an average of 20 per cent ad valorem.

Mr. UNDERWOOD. Mr. Chairman, I reserve a point of order on the amendment of the gentleman from Indiana.

Mr. GRAY. Mr. Chairman, certain charges have been made here against the Democratic caucus by the two honorable gentlemen from the State of Illinois [Mr. MANN and Mr. CANNON], and also on the floor of this House by certain other gentlemen. But I take no exceptions to the charges, nor the criticisms from insurgent Republicans, because these men are consistent and practice what they preach, but I do take exceptions to the charges from these other men, because they are inconsistent and they do not practice what they preach. They say nothing against the procedure of their own caucus, and I take it that a man who has not the moral courage to denounce a bad thing in his own party has no standing to make charges against and criticize his opposing party. [Applause on the Democratic side.] These gentlemen have never been in a Democratic caucus, and they are evidently judging a Democratic caucus from the proceedings of a Republican caucus.

Mr. MADDEN. Mr. Chairman, I make the point of order that the gentleman is not talking to the point of order.

Mr. GRAY. Mr. Chairman, I submit that this is responsive to the criticism from these men.

Mr. MANN. Mr. Chairman, I hope my colleague [Mr. MADDEN] will not insist upon his point of order. Let the gentleman from Indiana proceed.

Mr. MADDEN. The Chair has not acted upon the point of order that is pending.

The CHAIRMAN. The point of order was reserved, and the gentleman from Indiana [Mr. GRAY] will continue.

Mr. GRAY. What I wanted to say, Mr. Chairman, was that these men are judging our caucus by their own caucus, and from their charges certainly a Republican caucus must be bristling with the gag rule, shrieking with the strains of the steam roller, and doleful with the wails of the crushed. But I say to you, Mr. Chairman, such is not the proceedings of a Democratic caucus. I am a member of the Democratic caucus, and believe that I am in good standing, and yet under the rules of that caucus I am permitted to stand here on this floor and make a motion to amend the bill reported at the caucus and to move this House to place wool on the free list and reduce the duties upon manufactured wool to an average rate of 20 per cent ad valorem, and I am free to vote for any and all amendments which, in my judgment, I may see fit to support. So I say to these gentlemen that their criticisms are not well taken.

Mr. Chairman, along with the tariff on woolen clothing, behind which the woolen manufacturers have intrenched themselves for 50 years to exact millions in tribute annually from the people, there is a tariff on raw wool, placed there and kept there at the demands of the woolen manufacturers themselves. And while this tariff would have the effect, if allowed to operate, to increase the cost of the manufacturers' raw material, yet we are confronted with the spectacle of the woolen manufacturers, their agents, attorneys, and special representatives entreating and imploring Congress to allow the tariff on wool to remain, and to permit them to continue the payment of a tax on their raw material. Why have the woolen manufacturers thus demanded, and why are they still demanding, a tariff upon wool and asking to be permitted to continue the payment of this tax? Let no man be deceived in their purpose. It is a stratagem to gain the woolgrowers' support for a tariff upon manufactured wool, to blind him with self-interest, to make him a party to the crime of extortion, and to close his mouth against the evils of private monopoly and the exploitation of the consumers of woolen clothing.

Monopoly and extortion never ask in their own name, but always for and in the name of others. The woolen manufacturers' demand for a tariff upon wool is a subterfuge to claim a tariff for themselves on manufactured wool under the name of the woolgrowers. It is to disguise the Wool Trust in the cloak of the shepherd to deceive the people and decoy them to support a tariff on woolen clothing.

And the woolen manufacturers can well afford to make this bargain with the woolgrowers, for the manufacturers do not live up to their promise to divide the tribute collected off of the people. But if the manufacturers did so divide with the woolgrowers they would only have to add any increase in price of wool they paid to the price of their cloth and collect it back off of the consumers, and would make the woolgrowers pay their own tribute.

During the last 13 years the tariff upon Indiana one-fourth blood wool, unwashed, has been 11 cents per pound, and yet the average Boston price for these years has been less than 4 cents per pound above the London market for the same class of wool, and in 1903 the price was only 3½ cents higher, in 1907 only 3¼ cents higher, in 1906 only 4 cents higher, in 1908 only 1½ cents higher, and in 1910 only 1 cent higher per pound in the Boston market over the foreign price at London. The reason for this is plain. The farmers and woolgrowers have never been able to organize and cooperate to hold their product, while the woolen manufacturers have long been combined as a trust, and thus acting as one buyer they offer the woolgrower whatever price they determine to pay in directors' meeting, and the woolgrower has to take it.

While the tariff of 11 cents per pound remained the same during all these years, the price of wool fluctuated with each year. If the tariff had been the controlling factor in fixing the price of wool and the measure of that price, as the woolen manufacturers promised the woolgrowers it would be, the price of domestic wool would have been maintained uniformly 11 cents higher than the foreign markets. The tariff was always to control the price of wool before the election, but the Woolen Manufacturers' Trust has been the potent factor of control after the election.

But this is not all. While the woolgrowers have been induced to support a tariff upon woolens on the promise of being allowed to share in the tribute exacted from the consumers of woolen clothing, the woolen manufacturers have been collecting an average tariff tax of 90 per cent off of the American people, including the woolgrowers themselves, amounting, as variously estimated from official figures, from $175,000,000 to $200,000,000 annually.

The value of the manufactured wool produced in the United States for 1909, with imports added and less exports, leaving the amount consumed in the United States for that year, was $530,862,522. Taking the average tariff rates of the Dingley and Payne laws at 90 per cent, as officially ascertained, it is found that the enhanced price of manufactured woolens which the consumers are compelled to pay on account of the tariff, is the sum of $251,461,247. Deducting from this amount the amount of revenues collected from imports on woolens leaves the amount paid to the woolen manufacturers as increased price by reason of the tariff $228,403,890. And for the purpose of illustration, conceding that the woolen manufacturers had lived up to their promise to divide the tribute collected off of the American people on the basis of 11 cents per pound of wool on the amount of wool produced that year in the United States, 323,110,749 pounds, and amounting to $36,092,182, the woolen manufacturers were safe in making the bargain, even if the woolgrowers could have held them to the trade, for they would have still been collecting off of the people $215,279,461 more than they had obligated themselves to pay out to the woolgrowers to secure their support of the 90 per cent tariff upon manufactures of wool.

While under this promise to divide profits with the woolgrower, and while the American people have been paying, at a most conservative estimate, from $175,000,000 to $200,000,000 annually to stimulate and encourage the sheep industry, the number of sheep in Indiana, as shown by the bureau of statistics of that State, has declined from 832,856 in 1900 to 710,238 in 1909, and the wool clip from 4,537,975 pounds in 1900 to 3,939,168 pounds in 1909.

The woolen manufacturers tell us the excessive tariff of the Payne bill is to protect the woolgrower. Assuming the roll of philanthropist, they say they appear not in their own interest, but only to guard the welfare of others. This plea of defending others is a subterfuge as old as history. It is a pretext to hide and cover up that which can not be openly defended. Every man who has enslaved another man has enslaved him under the claim of charity and benevolence for the enslaved. Every nation which has conquered another people to exact tribute from them has entered upon its campaign of subjugation under the pretense of improving and bettering the state of the subjugated. Every imposition heaped upon one man

by another by and through deceptive forms of legislation has been heaped upon him under the pretense of protection and safeguarding the welfare of the burdened. Oh, farmer and woolgrower, what crimes are committed in thy name!

To say nothing of the interests of the consuming public, the time is at hand for the inauguration of a new commercial policy. The growth of our manufacturing interests will hereafter not be measured by a monopolized, exclusive market at home, but by the development of a broad open market abroad. Our industries, even from the most selfish and mercenary standpoint, must no longer seek to profit by protection against the world's markets, but must prepare to meet open competition and conquer by merit and policy of commerce.

The merits of free raw material have been denied in this debate as a tariff-reform measure. Manufacturers must be free to produce from crude products and raw materials of the earth and to sell them without restriction from retaliatory tariff barriers and in the freedom of open trade, if we demand they sell at home as cheap as abroad.

While we are denying the right to give manufacturers undue advantage of monopoly, it is not the purpose to place them at a disadvantage, but only to remove an artificial industrial basis and furnish a merit foundation. It is the purpose to compensate them for the loss of a limited exclusive market based upon monopoly by giving an enlarged and world market, and to change the system of profits from extortion to profits by increased production and volume of business.

Taxing raw material gives foreign manufacturers an advantage, and affords the foreign manufacturer an actual protection against competition from the home manufacturer, and gives the home manufacturer at once a standing from which to plead for a high compensatory tariff, and an apology for discriminating against the home consumer.

After the woolen manufacturers have made a plea for and secured a tariff placed upon raw wool, they adroitly add:

"American woolen manufacturers demand no reduction in the duty on raw material; they only ask that they shall continue to be sufficiently compensated for the increased cost of raw material to protect them from the lower price at which foreign manufacturers are able to obtain their wool."—Julius Forstmann, president of Forstmann & Huffmann Co., woolen manufacturers, Passaic, N. J., in a pamphlet addressed to Members of Congress during this debate on the wool schedule.

And having once justified their claim on the grounds of compensation for the duty paid by them on raw wool, and still claiming for the woolgrower, the manufacturers assume the right to fix the limit of the compensatory duty and make it prohibitory, all in the name of charity and benevolence for the woolgrower. And as long as the woolen manufacturers can plead protection under the name of the woolgrowers they can not only hold the allegiance of the woolgrowers by dangling before their eyes a division of tribute to be exacted from the people, but can use the woolgrower as a decoy to secure the support of the woolgrowers' unsuspecting friends.

Give our manufacturers free raw wool and the right to produce from the open markets of the world, and you take away the delusive claim adroitly made for a compensatory tariff and the right to dictate the limit of the protection thus justified.

Give our manufacturers an equal footing and basis of production from free raw wool with foreign manufacturers and you remove from them the basis for the delusive plea of compensatory duties, without which there can be no pretext of justification for selling higher at home than abroad. The raw-material rebate clause is a crafty device to reach out in the world's market while holding monopoly intact at home.

Our manufacturers themselves are to-day recognizing the growing necessity of a broad world market and increased sales, with profits based upon a greater volume of business than upon monopoly and exclusive sales in a limited market, and they are likewise beginning to appreciate the benefit of an equal basis of production resulting from free raw material enjoyed by manufacturers abroad. The proposed Canadian reciprocal agreement comes from the manufacturing interests as an effort to extend their markets abroad, and is the one first step which will lead to many more until greater freedom and extension in commerce is attained. While the reciprocal agreement standing alone is not fair to the interests of the consumer, the free-list measure lately passed by this House makes the consumer and manufacturer walk hand in hand in the enjoyment of a greater and more unrestricted trade.

Along with our pledges to revise the tariff is the promise to levy the lowest duties upon necessaries and the highest upon luxuries and nonessentials. While sharing the highest regard for the opposing views of my colleagues, as supported by the almost unanimous judgment of the caucus, and appreciating the weight of the able argument advanced for a compromise ground to insure united support for the bill, yet, as I construe our position, the excessive and exorbitant duties of the wool schedule under the Payne law should be still further reduced, and to an average duty of not to exceed 20 per cent ad valorem, with the highest rates laid upon luxuries of dress and the lowest upon the common essentials of comfort; and to avoid the claim and argument from manufacturers of compensatory duties, wool should be made duty free. The deficiency of revenue thereby resulting can be made up by a tariff of 20 per cent ad valorem imposed upon rough diamonds, raw silk, and india rubber, now duty free under the Republican free list.

On the basis of importations of manufactured wool for the year ending June 30, 1910, and valued at $23,057,357.78, at 20 per cent duty the revenue derived would be $4,611,471.55. The importation of rough diamonds and precious stones for the same year ending were of the value of $10,557,800, which, at 20 per cent duty, would yield a revenue of $2,111,560. The value of the imports of raw silk for that period was $67,129,603, and upon which a 20 per cent duty would bring into the Treasury $13,425,920, and the imports of crude rubber and substitutes were in the sum of $106,851,475, which, at 20 per cent duty, would produce $21,372,295, or, in all, making a total revenue upon the basis of importations for said year of $41,521,246.55, with 20 per cent duty on woolens, and raw wool on the free list. The duties collected under the Payne law for the year ending June 30, 1910, with a tariff of 44 per cent duty upon raw wool and an average duty of 90 per cent on woolens were $41,904,549.50. The duties estimated for the pending bill, with 20 per cent duty on raw wool and 42.55 per cent duty upon manufactured wool, with imports estimated at $63,831,000, are $40,556,200.

The iniquities of the Payne-Aldrich tariff law are observed by a mere glance at the wool schedule, disclosing exorbitant and excessive rates of duty imposed. The rates upon many of the items of this schedule are prohibitory, and the people are left without the semblance of protection from competition. Yarns under 30 cents per pound in value are taxed 159.75 per cent; blankets valued at not more than 50 cents per pound are taxed 105.50 per cent; cloth valued at not more than 40 cents per pound is taxed 144.05 per cent; dress goods valued at not above 70 cents per pound are taxed 103.75 per cent; flannels weighing over 4 ounces to the yard and valued at less than 70 cents per pound are taxed 121.62 per cent. The present bill under consideration of the House reduces the duties by more than one-half. The duty on yarn is fixed at 30 per cent; on cloth and knit fabrics, 40 per cent; on blankets and flannels, 30 to 45 per cent; with corresponding reductions upon other items.

This bill is a good bill, but it would be a much better bill if it carried out further the principle of levying the lowest taxes upon necessaries and the highest upon luxuries and nonessentials by reducing the tariff on manufactures of wool to an average of 20 per cent and taxing rough diamonds, raw silk, and crude rubber. It would be a much better bill if it invaded the Republican free list and levied a tax upon raw materials that enter into the production of luxuries and nonessentials and placed wool used in the manufacture of a vital necessity on the free list instead. It would be a better bill if it took away from the Wool Trust the vantage ground of a tariff on wool from which to recruit support through delusive promises of gain to the woolgrower from the helpless consumer under stifled competition.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, I ask unanimous consent that the gentleman have five minutes more.

Mr. SIMS. I join in that request, Mr. Chairman.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the gentleman from Indiana be allowed five minutes more. Is there objection? [After a pause.] The Chair hears none. The gentleman will proceed.

Mr. GRAY. I thank the gentleman. A tariff on raw wool, if allowed to remain, will nullify the doctrine of free necessaries, furnish an argument to restore the duties on lumber and hides, call a halt to the further extension of the free list in the vital necessaries of life, and destroy the only principle under which the people can hope for relief from tariff exactions—the principle that the taxing power can only be lawfully invoked for public purposes.

If we want to be free from the burdens of an excessive tariff, if we want relief from private monopoly, if we want to escape tribute to the special interests, we must first ourselves renounce the right to levy taxes for private purposes. We can not invoke relief under a principle while we deny and violate it ourselves.

If we believe in serving the greatest good to the greatest number, if we subscribe to the policy of equal and exact justice to all and special privileges to none, if we hold the common welfare above private gain, if we adhere to the doctrine that a private monopoly is intolerable and indefensible, we can not vote for a protective tariff upon one of the vital necessaries of life and justify ourselves upon the grounds of loyalty to local private interests.

The tariff is more than a local question. It is a selfish question, a question in which the selfish interests of the few are always clamoring to prevail over the welfare of the many. Whenever we open the door to private selfish interests we break the ranks of unity and good faith to the public, and no congressional district will be found so poor, so barren, or so unproductive that its Representative in Congress can not justify the desertion of principle by claiming the right to favor local private industry.

But they tell us from the other side that a high tariff is to protect our labor from competition with labor abroad, that if we lower the tariff foreign labor, now hungry and starving, will take our work and home labor will be idle. I deny that the welfare of our labor is dependent upon the downfall of foreign labor. I deny that it is necessary for foreign labor to perish that our labor shall prosper. I deny that it is necessary for the labor of other lands to be destitute in order for our labor to be fed and clothed and sheltered. I repudiate that doctrine. While there is a difference in the standard of living, there is a corresponding difference in capacity to produce in favor of American labor equalizing the wage scale, and I hold that, in many substantial matters, labor here and labor abroad have a common interest, a common cause, and a common object to obtain. I hold that the downfall of labor in one country has the effect to jeopardize the welfare of labor in every other country. I hold that the elevation of labor in one land has an influence to raise the standard and sustain the independence of labor everywhere. I hold that this effort to prejudice American labor against their brothers across the seas is only to divide the forces of industry and make them the easy prey of rapacious greed. The employer who sounds this alarm against foreign labor with hue and cry so loses his fears and apprehensions when he fails to agree with home labor on the wage scale that he imports foreigners to take their places.

Statistics from the Census Bureau, as ascertained by the Tariff Board and shown in its preliminary report, discloses that woolen and worsted goods were produced in the United States in 1909 of the value of $419,826,000, while the total wages paid, including salaries, for such production was $79,214,000, or less than 19 per cent of the value of the production, and more accurately stated at 18.79 per cent. If labor is performed gratuitously to produce woolen and worsted goods abroad and costs nothing, and the whole labor cost here is the difference in labor cost here and abroad, a 20 per cent duty upon woolen and worsted goods, with wool on the free list, would be more than a compliance with the standard which the protectionists declared for before the elections—a tariff to equalize the difference in the labor cost. Under these statistics what justification can there be for the 90 per cent duty on woolen goods in the Payne bill without resort to the pretext for compensatory duties on account of the tariff upon wool.

Now, shall I have five minutes more? [Laughter and applause.]

Mr. MANN. I hope the gentleman may have it.

The CHAIRMAN. Unanimous consent is asked that the time of the gentleman from Indiana [Mr. GRAY] be extended five minutes. Is there objection?

There was no objection.

Mr. GRAY. Members of this House are elected not only to represent their own districts especially, but all districts generally as well. It is their duty to serve not only the greatest good to the greatest number in their own districts, but to consider the greatest good to the greatest number in all districts.

No duty is enjoined upon Members of this House by reason of their office to burden not only the majority of their own constituents but the whole of the great consuming public in order to favor a few individuals or a single private industry in their own district. Such a policy is representing the few instead of the many and serving private interests at the expense of public welfare. There never can be relief from the burdens of the tariff while men are willing to surrender principle to favor local private interests. Whenever we claim the right to impose a protective tariff upon one of the necessaries of life because that article is produced in our congressional district we stultify our principles and justify like burdens imposed upon every other necessary. We preclude tariff reform and perpetuate private monopoly.

I, too, come from a woolgrowing district, but I hope that that fact will not deter me from my duty to serve the greatest good to the greatest number, nor impair my obligations to all the people and the great consuming public, nor lead me to act upon my fears instead of my convictions of justice and right. I hope I can realize that while a part of the people of my district have wool to sell that all the people from my district have clothing to buy, and that the right to buy clothing is as sacred a right as the right to sell wool. And I hope I can appreciate that the laboring man, when he looks into the faces of his wife and children, with winter impending, realizes as great a responsibility before him as the man who raises sheep or the wool manufacturer, who claims the right to draw dividends on watered stock. [Applause on the Democratic side.]

Mr. UNDERWOOD. Mr. Chairman, I insist on the point of order. A part of the motion is a motion to recommit the bill.

Mr. GRAY. I will say, Mr. Chairman, in order to make this motion effective, if the gentleman from Alabama insists upon his point of order, I have an amendment here that I can file to this paragraph, which amendment will not be subject to the point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. FRENCH. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Idaho offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend page 1 by striking out all of the paragraph following the word "animals," in line 12, and inserting in lieu thereof the words "25 cents per pound on the basis of scoured wool, and the Secretary of the Treasury is authorized to make such provisions as may be necessary to determine the quantity of scoured wool contained in all wool that may be imported."

Mr. FRENCH. Mr. Chairman, just a few words upon the amendment that I have proposed. I will say that I have let the language of the bill stand, in so far as possible, so far as this particular paragraph is concerned. My amendment calls for the striking out of the words "20 per cent ad valorem."

I have proposed this amendment—to strike out that part of the paragraph—because I believe that the ad valorem basis for a duty upon wool is a wrong basis. It is wrong from the revenue point of view because you have no certainty of the amount of revenue that can be collected from one year to another. It is absolutely false from the standpoint of protection because the very times when the producers of wool need protection most they have the least protection, and when they need protection least they have the greater protection.

I have proposed that the basis be specific, and that it be 25 cents per pound upon scoured wool. Under the present law the duty rests upon the basis of wool in the grease, requiring theoretically something like 3 pounds of wool in the grease to make 1 pound of scoured wool; or, in other words, theoretically a protection of 33 cents a pound upon scoured wool.

This amendment proposes that it shall be 25 cents per pound upon that basis, and removes the opportunity for the great wrong that has been made possible, as I see it, by figuring the protection upon the basis of wool in the grease. We all know that wool is imported into this country having a shrinkage of 12 per cent, 15 per cent, and as high as 50 per cent; and while the wool from my State shrinks 67 per cent, very little wool is imported from foreign countries that has a shrinkage of that amount. This amendment then, if it prevails, will provide a basis that will be absolutely fair to the grower of wool, absolutely fair to the manufacturer, because he will know just exactly what he is importing, and it will be absolutely fair to the country at large, because it will be easily understood, and there can be no opportunity, as I see it, for a wrong to exist in the importation of wool under the guise of a protection that rests upon a wrong basis.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Idaho [Mr. FRENCH].

The question being taken, the amendment was rejected.

Mr. MOORE of Pennsylvania. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Insert before the word "goat," in line 10, page 1, the word "Angora."

Mr. MOORE of Pennsylvania. Mr. Chairman, the reason for this amendment is an endeavor to relieve the gentlemen on the other side, and particularly the gentleman from Missouri [Mr. SHACKLEFORD], who seemed a little while ago to be in a hole. The bill H. R. 11019 provides in the paragraph now under discussion that "on the wool of the sheep, hair of the camel, goat, alpaca, and other like animals, all wools and hair on the skin

of such animals, the duty thereof shall be 20 per cent ad valorem."

The Payne tariff law, which has come in for so much criticism, provides in section 583 that there shall be on the free list the "hair of the horse, camel, and other animals, cleaned or uncleaned, drawn or undrawn, but unmanufactured and not specially provided for in this section, and human hair uncleaned and not drawn."

Now, Mr. Chairman, our friends on the other side are making appeals in behalf of the consumer who uses manufactured products that come from raw material furnished by wool producers. They claim that the reduction of the tariff will reduce the cost of living to the consumer, and particularly the cost of clothing. Here we have an illustration of how an attempted reduction of duty works with respect to the consumer, and also with regard to the wool producers for whom fervent appeals have been made on the other side.

The Payne tariff law actually placed on the free list these various wools and hairs to which I have referred in section 583. These materials very largely affect those commodities which the consumer, for whom our friends on the other side appeal, uses. They enter into the manufacture of clothing.

The bill bearing the name of the gentleman from Alabama [Mr. UNDERWOOD], proposes to let these raw materials, which help to provide cheap clothing, and which are put on the free list of the Payne bill—proposes to put against these commodities a duty of 20 per cent ad valorem. It seems to me that this is a hole from which the gentleman on the other side should be extricated, and I offer the amendment in order that such a remedy may eventuate.

Mr. UNDERWOOD. Mr. Chairman, the bill was not written for protection but for the purpose of raising revenue. The hair that the gentleman refers to is used for horse blankets. It was proposed by some that we refuse to tax third-class wool because it was not competitive wool, and only levy the tax on the first and second class wools that were competitive wools. I can see very readily how a Republican could levy a tax that way because he is legislating for protection, but when we levy a tax on certain classes of articles for the purpose of raising revenue, it is not within our function to discriminate between levying a tax on goat's hair that is used for horse blankets and goat's hair used for clothes. I think the amendment ought to be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The question was taken, and the amendment was lost.

Mr. MORGAN. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amend by adding the following after the last word in line 13, page 1: "*Provided*, That when under existing law, or any law hereinafter enacted, it shall be finally determined by any court, board, commission, or other competent and legal authority, having jurisdiction in such cases, that any article or articles hereinafter mentioned enter into competition with trust-controlled products, then the said article or articles when so imported shall thereafter be admitted free of duty until such time as said article or articles shall cease to enter into competition with trust-controlled products."

Mr. UNDERWOOD. Mr. Chairman, I make the point of order that the amendment is not germane.

Mr. MORGAN. Mr. Chairman, I hope that the gentleman will withhold his point of order.

Mr. UNDERWOOD. Mr. Chairman, I will say to gentlemen on that side if they want to discuss this wool bill I am willing to let this debate run on, but if they propose to offer amendments and to discuss questions that are not in line with the bill before this House I shall move to close debate.

Mr. MORGAN. I would like to have five minutes, Mr. Chairman.

Mr. UNDERWOOD. Mr. Chairman, I insist upon the point of order.

The CHAIRMAN. Does the gentleman from Oklahoma desire to discuss the point of order?

Mr. MORGAN. Mr. Chairman, I move to strike out the last word.

Mr. UNDERWOOD. Mr. Chairman, does the Chair sustain the point of order?

The CHAIRMAN. The Chair sustains the point of order.

Mr. MORGAN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Oklahoma moves to strike out the last word.

Mr. MORGAN. Mr. Chairman, the amendment which I have offered to section 1 of this bill is as follows:

Provided, however, That when under existing law, or any law hereafter enacted, it shall be finally determined by any court, board, commission, or other competent and legal authority having jurisdiction in such cases, that any article or articles hereinafter mentioned enter into competition with trust-controlled products, then the said article or articles when so imported shall thereafter be admitted free of duty until such time as said article or articles shall cease to enter into competition with trust-controlled products.

A point of order was made against the amendment, and the point of order has been sustained. Without questioning the correctness of the ruling of the Chair, I want to state briefly why such an amendment was offered.

The Democratic national platform of 1908, in the paragraph relating to the tariff, contains the following:

We favor the immediate revision of the tariff. Articles entering into competition with trust-controlled products should be placed upon the free list.

Mr. Chairman, here is a plain, definite, specific, certain, and positive declaration by the Democratic Party in the national platform that "articles entering into competition with trust-controlled products should be placed upon the free list."

If this promise made by the Democratic Party is to be carried out, there is only one way it can be done and that is to first ascertain, before revising a schedule of the present tariff law, whether or not the articles in that schedule or any of them "enter into competition with trust-controlled praducts." If it shall, as a preliminary fact, be ascertained that the articles are in competition with trust-controlled products, then unless these articles are placed on the free list the Democratic majority in this House violates the pledge in the platform.

In support of this bill the Democratic majority of the Ways and Means Committee has submitted a lengthy report, consisting of nearly 300 pages. But there is no information in that report as to whether or not any of the articles included in Schedule K, or the woolen schedule, are trust-controlled products. Yet, if this schedule is to be revised in harmony with the declaration in the Democratic platform, the most important information of all is whether or not these articles, or any of them, are trust-controlled products. I am sure, for one, that I would like to have this information. I would like to know whether the articles involved are the products of a trust or are manufactured by factories in free competition with each other. It has been charged in this debate that the American Woolen Co. is a trust. But this matter has not been ascertained by any authority with power or jurisdiction to act. But you propose to pass this bill without any effort on your part to ascertain the facts, and by so doing you are ignoring your platform and violating your promises to the people. For in this bill you announce that you have fixed the schedule of rates solely with a view to raising the largest amount of revenue, and lose sight entirely of whether or not any of these articles are controlled by a trust.

Of all the great questions before the American people to-day, the most important of all is the proper regulation and control of our great industrial corporations, commonly known as trusts. I do not myself think that these corporations can be controlled or regulated by the adjustment of the tariff on the articles they manufacture. But in amending the present tariff law, and in determining the degree of protection allowed, I for one would certainly take in consideration the matter of the competition at home. I would not only exercise great care to protect properly every industry in which there is free competition at home, but would exercise equally as great care to see that undue encouragement, aid, and assistance were not given to industries that would be classified as trusts or monopolies.

Mr. COX of Indiana. Mr. Chairman, will the gentleman yield for a question?

Mr. MORGAN. Certainly.

Mr. COX of Indiana. Would the gentleman vote to put steel and all steel commodities on the free list?

Mr. MORGAN. Mr. Chairman, I can not in advance say how I will vote on any bill to amend the tariff law, because every bill involves so many propositions. But when these bills shall be presented from time to time, I shall give them my earnest and conscientious attention and vote as I think will best serve the business interests of this country, provide employment at good wages for the laboring men of the Nation, and promote alike the welfare of both producers and consumers.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COX of Indiana. Mr. Chairman, I ask unanimous consent that the time of the gentleman be extended for two minutes.

SEVERAL MEMBERS. Regular order!

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

2. On all noils, top waste, card waste, slubbing waste, roving waste, ring waste, yarn waste, bur waste, thread waste, garnetted waste, shoddies, mungo, flocks, wool extract, carbonized wool, carbonized noils, and on all other wastes and on rags composed wholly or in part of wool, and not specially provided for in this act, the duty shall be 20 per cent ad valorem.

Mr. MANN. Mr. Chairman, I offer the following amendment.
The CHAIRMAN. The Clerk will report the amendment.
The Clerk read as follows:

Amend, page 2, line 3, by striking out the word "shoddies."

The question was taken, and the amendment was rejected.
Mr. MANN. Mr. Chairman, I offer a further amendment.
The CHAIRMAN. The Clerk will report the amendment.
The Clerk read as follows:

Amend, page 2, line 5, by striking out the words "on rags composed wholly or in part of wool."

The question was taken, and the amendment was rejected.
Mr. MANN. Mr. Chairman, I offer a further amendment.
The CHAIRMAN. The Clerk will report the amendment.
The Clerk read as follows:

Amend, page 2, line 6, by striking out the words "in this act."

The question was taken, and the amendment was rejected.
Mr. MURDOCK. Mr. Chairman, I offer the following amendment to paragraph 2.
The CHAIRMAN. The Clerk will report the amendment.
The Clerk read as follows:

Amend by adding, after the words "ad valorem," in line 6, page 2, the following: "*Provided*, That all combed wool or tops, made wholly or in part of wool or camel's hair, shall be admitted free of duty."

Mr. MURDOCK. This is one of four amendments I wish to offer to the bill, amendments seeking to bring in free of duty certain products in the manufacture of wool. The first, the one just offered, relates to tops, and if I can have the indulgence of the House I desire to point out to the members of the committee just how the manufacturing processes of woolens and worsteds are distinct. The raw wool is first beaten and cleaned of certain dirt and burs. Then it is washed, then it is dried, and then it is chemically treated.

Mr. HILL. Will the gentleman yield for a question?

Mr. MURDOCK. No; not right at this point of my explanation.

Mr. HILL. I would like to ask the gentleman a question on which his explanation must be based.

Mr. MURDOCK. Oh, no; I will say to the gentleman I want to go ahead with my explanation first.

Mr. HILL. But your explanation is based on a false theory.

Mr. MURDOCK. Oh, well, I will say to the gentleman he may say it is false before I finish, but he might better hear me first. After the raw wool has been chemically treated it has had its last cleaning. Then the wool takes one or two roads, according to whether it is going to be worsted or woolen. If it takes the worsted track, it is first combed, and in the combing process the short fibers are taken out and become the nolls. The remaining product is the tops. Now, the process of combing is of laying the fibers of the wool parallel. If the wool takes the woolen road, the process is carding, which is not combing. In combing the fibers are laid parallel. In carding they are intermingled by means of a carder, which is a large central cylinder known as a "swift," which is surrounded by smaller cylinders which take on and off these wool fibers and thoroughly intermingle them. Now, the two products resulting are entirely different and distinct. The worsted is a wide sliver of fibers, all laid parallel; the woolen, however, is a long sliver or ribbon of wool fibers thoroughly intermingled. Now, it happens that wool has this peculiarity over other hairs in the world. It is serrated, has a scale-like surface, and when the wool fibers are thoroughly intermingled they have the quality of felting, of matting. So these worsteds and woolens are completely distinct. Now, the next step is the making of the yarn. Here the process is entirely distinct and the product resulting distinct as well. In woolens the yarn is made by a draft or extension of the material by a spindle, the spindle giving an alternating draft as it draws the woolen thread toward it and gives it its twist. Now, the worsted process is this: The worsted yarn starts in with a large run of fiber between a series of rolls, each succeeding set of rolls going more rapidly than the set preceding it, with the result that the fiber of the wool passes between the rolls, which run the fiber thin; and while the fiber is still running and being drawn out under the heavy draft it is given a twist by the spindle.

So that you have on the one hand a loosely twisted yarn, woolen, and a hard-twisted yarn, worsted. And if you will take the microscope and examine first the woolen you will find a soft, pliable thread, which apparently is covered with a fringe, and if you will take a worsted thread and subject it to the same examination——

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. KENDALL. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MURDOCK. When you examine the worsted thread under the microscope you find it hard, compact, and apparently without a cover. Here we have two distinct products, and yet in all tariff measures in recent years—that is, since the Civil War—there has been apparently no distinction observed between the two when it came to writing the wool schedule. They have been called indiscriminately woolens and worsteds. It is the most difficult thing in the world to get figures either in the census, in the statistical abstract, or in any of the reports of our various boards which will show illuminating statistics differentiating between the woolen and the worsted production. But if anyone in this House will read the hearings held on the Dingley bill, in the first instance, and on the Payne bill in the second, he will find that in this country throughout the years the woolen industry—that is, the industry which uses the soft, pliable yarn—has been going down and the worsted industry has been going up, with the result that to-day, in spite of all denial, the worsted interest in this country controls the markets so far as suitings for men and women are concerned. And inside the worsted interest, I want to emphasize to the gentlemen of this committee, is the American Woolen Co., and the facts that I related about the American Woolen Co. the other day are just as I stated them, and were given after long study and careful research. If the gentlemen here will read, as I have read, the textile journals of America week by week as they are published, if gentlemen will go down on Wall Street and talk to the informed financial interests there, if they will go home to their retail traders and talk with them, they will find beyond doubt that, whether the American Woolen Co. produces 20, 30, or 40 per cent of the worsted suitings of this country, it controls the market. Is there anyone here who thinks that the American Sugar Refining Co. controls 50 per cent of the refined sugar in this country? Do the gentlemen here realize that there are about 98 oil refineries in this country and only 23 of them are owned by the Standard Oil Co.? Do the gentlemen here believe that the United States Steel Co. makes over 50 per cent of American steel rails? Does anyone here contend that a given industry must control a majority of the units of that industry in order to control the market? No one here will so contend.

You have in America, whether you on the other side have investigated it or not, and whether you pigeonhole the resolutions asking for an investigation of the Woolen Trust, which are before your Committee on Rules, you have a Worsted Trust, and you have a chance in this bill by making tops free, by making worsted yarns free, by making men's worsted suitings and women's dress goods made of worsted free, to take protection away from that trust. It has enjoyed, I want to say to the gentlemen on this side, for years preferences in the tariff. It enjoyed them by reason of a slight shrinkage in certain wools from the Argentine. It enjoys them by reason of a differential between unwashed wool on the skin in classes Nos. 1 and 2. From 1898 to the time of the passage of the Payne bill the worsted industry enjoyed a preference by reason of a high duty on tops and on yarns. Partly by the aid of its financial transactions and partly by the aid of the tariff this great Worsted Trust has grown up.

Now, I want to say to the gentlemen on that side, pledged, as they are pledged, to a higher authority than their party caucus, namely, to their national convention utterance, the pledge in a national convention, they can not afford to vote against the proposition to make either tops, worsted yarns, or cloth for men or women free. I ask for a vote.

Mr. HILL. I read while at home this past week the speech of the gentleman from Kansas on the American Woolen Co., and with much of it I agree. If he will stop and take into consideration what he proposes now, to make worsted free, where would the carded industries come out on that proposition? Is he willing to make wool free, too?

Mr. MURDOCK. Does the gentleman ask me that question?

Mr. HILL. Yes.

Mr. MURDOCK. Certainly. I am willing to say this to the gentleman from Connecticut. Not very long ago I voted with the gentleman, after a very eloquent pleading of his, to make some products of Kansas free. Why does not the gentleman from Connecticut vote with me to make some of his manufactured products free?

Mr. HILL. Oh, the gentleman's proposition is——

Mr. MURDOCK. I ask the gentleman that question.

Mr. HILL. The gentleman from Connecticut is ready to vote on any proposition respecting the tariff, and he takes no bluff from any gentleman from Kansas or any other Western State with respect to any New England manufacturing industry. [Laughter and applause.]

Mr. MURDOCK. Will the gentleman vote for my amendment to remove the duty on tops?

Mr. HILL. If the gentleman wishes to vote for English free trade, I will give the gentleman an opportunity out of my time to take that question up and discuss it.

Mr. MURDOCK. I ask merely that the gentleman vote for free tops, and——

Mr. HILL. The gentleman from Kansas declined to allow me to interrupt him.

Mr. MURDOCK. I yield to the gentleman.

Mr. HILL. Here are two articles that sell side by side on the counter in competition with each other, a worsted suit of clothes and a woolen suit of clothes. The gentleman proposes to put a tax of 40 per cent on one, while making the other free. Where is the woolen industry of the United States coming out on that proposition? Why, Mr. Chairman, it simply illustrates the old couplet:

> A little learning is a dangerous thing;
> Drink deep, or taste not the Pierian spring.

[Applause and laughter.]

The gentleman wants to carry out his ideas and let the rest of the country go to wherever it pleases. [Laughter.]

Now, that is all I have got to say about the matter, Mr. Chairman. I simply present the proposition that you take two competing articles, placed side by side, making one free and putting a high tax on the other, and you destroy the taxed industry, for it is just as easy to protect a thing by putting it on the free list as by putting a high duty on it. The gentleman has not discovered that feature of tariff legislation in view of the remarks which he offers on this propositon.

Mr. MURDOCK. Now will the gentleman yield?

Mr. HILL. Certainly.

Mr. MURDOCK. Does the gentleman, then, when he votes against my amendment here, vote it down because of his solicitude for the carded-woolen manufacturer?

Mr. HILL. Oh, no; not at all. I want to be fair to everybody. I want to be fair to the woolgrower in the Rocky Mountains, and I want to be fair to the woolen manufacturer in Pennsylvania as well as the woolen manufacturer in New England. I want to be fair to everybody. But it is not fair to take two competing articles and protect one by free trade and put a high tax upon the other. That is all there is about it. [Applause.]

Mr. MURDOCK. I would like to ask whether the gentleman is acquainted with the testimony that was given——

Mr. HILL. Oh, I am not afraid of anything. [Laughter.]

Mr. MURDOCK. I know that the gentleman is not afraid of anything. I am aware of the gentleman's courage. [Laughter.] But is the gentleman aware of the testimony taken in 1909, when the gentleman was present as a member of the Committee on Ways and Means, and asked questions about woolens? Does the gentleman remember the answer he got to one question, I think from Mr. Moir, to the effect that the worsted interest regarded the woolen interest as virtually out of it in the United States as a competitor?

Mr. HILL. Yes; I think there was injustice and unfairness in the apportionment of the duties in that bill as between the woolen industry and the carded-wool industry. But I do not think it would regulate or remedy that unfairness by making it still more unfair.

Mr. MURDOCK. May I ask the gentleman if he believes in protecting trust-controlled products?

Mr. HILL. O Mr. Chairman, I do not believe in destroying an industry of $500,000,000 annually simply for the sake of getting a crack at any institution. [Applause.]

Mr. MURDOCK. And the gentleman to-day, after the decision of the Supreme Court, would vote for a duty on petroleum, crude and refined.

Mr. HILL. No; the gentleman is mistaken. I voted against it, because I did not think it made a particle of difference whether it had a duty or not. We were exporting $150,000,000 worth of it a year, and the duty could not affect the price of it any more than a duty could affect the price of wheat. I do not believe in duties laid either for revenge or favoritism. One is just as bad as the other.

The CHAIRMAN. The question is on the adoption of the amendment.

Mr. LONGWORTH. Mr. Chairman, I ask that the amendment be again reported.

The CHAIRMAN. The Clerk will again report the amendment.

The amendment was again reported.

Mr. HARRISON of New York. Mr. Chairman, I do not propose to detain the House at this time. With much that the gentleman from Kansas has said I am in hearty accord, but his ground of complaint against the committee is not well founded, because the existing duty upon combed wool and tops works out an ad valorem equivalent of 111 per cent, and the committee has offered you a bill reducing that duty to 20 per cent. That seems to me a sufficient answer to the argument of the gentleman from Kansas.

Mr. MURDOCK. Will the gentleman yield to me?

Mr. HARRISON of New York. Certainly.

Mr. MURDOCK. If the Ways and Means Committee and the Democratic caucus had put tops upon the free list, would not the gentleman from New York have supported the proposition?

Mr. HARRISON of New York. Of course, I would have supported the proposition; but I support this proposition because it is the one that the committee did adopt, and that the caucus advocated.

Mr. MURDOCK. It is better, is not, to go still further and do what is the plain duty of this body to do, which is to make these tops free? Tops go wholly into the manufacture of worsted. Tops do not enter into woolens at all.

Mr. HARRISON of New York. The gentleman from Kansas is no doubt aware that if my personal preferences had prevailed, this would be free, but I am satisfied that the committee in its wisdom has come to the proper conclusion, and the caucus having adopted the bill, I am willing to vote for it.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Kansas [Mr. MURDOCK].

The question being taken, the amendment was rejected.

Mr. DONOHOE. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for five minutes.

Mr. DONOHOE. Mr. Chairman, I believe that the pending bill will greatly benefit the carpet and other textile industries and also the hundreds of thousands of skilled operatives employed in those lines, as well as the consumers of woolen goods.

On Wednesday last one of my colleagues from Pennsylvania [Mr. MOORE] made a long speech against the revision of the wool schedule. His remarks were taken very seriously by one Philadelphia newspaper, which stated in large headlines that all on this side of the House who had the temerity to question his statements—from the leader, Mr. UNDERWOOD, down to my humble self—were swept aside or promptly squelched by the cyclonic force of Mr. MOORE'S eloquence. Of course, my distinguished colleague would not be a party to any such exaggeration, for I believe he is entirely fair and wants to be correctly reported.

That gentleman did, however, make some broad statements regarding certain mills in Philadelphia having discontinued business as a result of the tariff agitation. As a matter of fact, I am informed that most of the concerns which he mentioned have been in a bad way for a long time; and we know that mills have failed in Philadelphia and elsewhere during periods of greatest industrial prosperity.

As to the "soup houses" in Philadelphia, to which my colleague referred in his speech, I find that there has been no increase in their number during the past two years; that in the northeastern section, to which he particularly alluded, the same number exists as did immediately after the passage of the unfortunate Schedule K, which now finds few earnest defenders even among the standpatters.

President Taft, in his speech at Beverly, Mass., said:

> The woolen schedule *is indefensible*, and I propose to say so.

And the same high Republican authority has repeated that statement, in substance, in his more recent speeches.

The carded-woolen manufacturers as far back as March, 1909, issued this significant manifesto regarding the high duty upon wool:

> The carded-woolen manufacturers have appealed to the Ways and Means Committee for fair play in vain. If the House of Representatives denies it to them, they will appeal to the Senate. If justice is refused there, they will appeal to the President of the United States. If he fails to give us justice, then we will carry our case to the court that makes and unmakes Presidents, Senates, and Houses of Representatives—the American people—confident that they will sooner or later *strip from the tariff law the special privileges* that are now giving the worsted spinners such great advantages at the expense of the woolgrowers, the carded-woolen manufacturers, and the consumers of this country.

I have no doubt that my presence here to-day as a Representative of a great textile district is part of the response of the American people to the appeal of those who have prayed to be relieved of this unjust burden. [Applause.]

Mr. Robert Dornan, of Philadelphia, one of the leading representatives of the carpet industry in America, wrote me under date of May 9, 1911, as follows:

> DEAR MR. DONOHOE: The within brief, as you will notice by the names appended, represents the views of the carpet manufacturers of the country. The committee whose names appear have been selected

to represent the industry, and the brief embodies their ideas, and, as you will note, as no third class (carpet wools) are raised in the United States there is no necessity for a protective duty on such wools.

It is their belief, however, that an *ad valorem duty* for revenue would be a proper one, and I hope your views may concur with those expressed in the brief.

Very truly, yours, ROBERT DORNAN.

I will place in the RECORD the brief to which Mr. Dornan refers, and also some other excerpts.

When the President of the United States has declared Schedule K to be indefensible, when the carded-woolen manufacturers of the country have condemned it as fostering monopoly, and when the spokesmen of other great textile branches, in which wool forms an essential part of their raw material, have declared in favor of the pending bill, I, as the Representative of the fifth Pennsylvania district, the greatest textile center in the country, have no hesitation in supporting the measure. Its passage will mean cheaper and better raw materials and hence higher quality in our manufactured goods; and these will assuredly make for increased demand for our textile products and increased employment for our people. [Applause.]

The late Senator Dolliver in a debate in the Senate had this to say regarding Schedule K:

I think the duties on all the by-products of worsted making are too high. They are prohibitory. They are unequal. The range of the prices of the articles is so great that when you set a specific duty on one you are already necessarily creating inequalities. When you put the rate high enough for the highest, you make it ridiculously high for the low and the ordinary.

And again:

GROUND TO POVERTY BY TARIFF LAWS.

I want now to approach one of the complaints that these great American manufacturers have made to me, and I confess it has not only convinced my judgment, but it has touched my heart. I am not so cold-blooded as some. When a man comes to me and says, "For 50 years my father and I have been building up a great woolen manufacturing industry, and I find myself ground to poverty and bankruptcy by the laws of the United States," I am not so constituted that I can tell him not to occupy my time; that if the business is not profitable to quit it; that the thing is obsolete; that their inheritance from their fathers is in a way to be totally destroyed; lock it up and quit and get into some other business. I am not so constituted. I would not do that until I had spent a good many days trying to find out what the man's real grievance was, and I think I have gotten down to this simple point.

In a letter to the Woolgrowers' Association, Mr. Edward Moir, president of the Carded Woolen Manufacturers' Association, under date of December 24, 1910, said:

I desire to urge upon you the vital importance of a prompt and thorough revision of Schedule K on the basis of justice. It is not alone the woolgrowers and wool manufacturers who are the parties in interest. The consumers are asserting their right to be heard, and no tariff can remain long on the statute book that does not have the approval of the consumers. We have good reason to congratulate ourselves on the fact that an overwhelming majority of the American people believe in and are ready to maintain the policy of protection to American industry. But the people want this protection to be fair. They want privilege and discrimination to be eliminated. It is for us, producers of wool and wool goods, to cooperate with the public in accomplishing that result. The woolgrowers, carded-woolen manufacturers, worsted manufacturers, and clothiers should resolve henceforth to defend no schedule that is not fair to all. They should repudiate once and for all the policy by which for 44 years schedules have been defended by alliances of special interest. They should cooperate, but that cooperation should have only one object—to make the tariff on wool and wool goods fair to all—and thus insure the permanence of the protective tariff by retaining the confidence of the people.

INJURY TO BUSINESS NOT CAUSED BY THOSE WHO ARE TRYING TO MAKE SCHEDULE K FAIR.

The plea for a cessation of tariff agitation because of the disturbance of business is entitled to no consideration. The injury to business is not caused by those who are trying to make Schedule K fair, but by those who, profiting by special privileges under that schedule, have successfully resisted every effort to eliminate its inequalities.

And to the worsted weavers and knitters, Mr. Moir has stated:

Schedule K was framed by the worsted spinners and for the worsted spinners. It promises the woolgrower a protection of 33 cents a scoured pound, and then allows the worsted spinner to import worsted wool at 16 cents or less a scoured pound, while excluding the wool and by-products for carded-woolen goods by prohibitory duties. It gives the worsted spinner a secure monopoly by means of prohibitory duties on yarn, and on the by-products he has for sale, and provides that any foreign competition in manufactured materials shall fall on the mills that buy yarn to be woven or knit into goods. The worsted spinner profits going and coming under this schedule, which in its way is the most remarkable document the human mind has ever produced.

HOW LONG WILL THE WEAVERS AND KNITTERS CONSENT TO REMAIN THE WORSTED SPINNERS' GOAT?

All this is plain, but the feature of the situation that is unexplained and, possibly, unexplainable, is why the worsted weavers continue to lick the hands of those who smite them. How long will the worsted weavers and knitters be content to have their business existence depend on such difference between the domestic and foreign price of yarn as the spinners may allow? How long will the weavers and the knitters consent to remain the worsted spinners' goats? Will the weavers and knitters take advantage of the present opportunity and insist that their industry shall be placed under conditions of fair competition by the approaching revision of the Payne tariff?

On May 1, 1911, the following brief was submitted by the carpet manufacturers' committee to the Ways and Means Committee of the House of Representatives:

On behalf of most of the carpet manufacturers in the country, we beg to submit a few observations on the subject of third-class wools, commonly known as carpet wools.

Certain facts with regard to these wools stand admitted by all men with any knowledge of the subject, and are as follows:

No third-class wool is raised in the United States, and none has been raised here for many years.

That as no carpet wools are raised in the United States, the duty thereon should be considered for revenue.

That all carpet wools brought into the United States are used for making carpets and rugs, except a very small percentage, not to exceed 2 to 3 per cent, used for making horse blankets and felt boots. That a very trifling quantity, if any, is used in making clothing.

That wools of the third class, as defined by all our tariff laws since 1867, are becoming scarcer every year as the semicivilized peoples who raise the native sheep (from which carpet wools must come) learn to cross them with Merino or English blood. This they are gradually doing all over the world, and this at once takes the wool out of the third class and puts it in either first or second class.

That because of this growing scarcity the price of these wools is steadily increasing, and the cost of such wools coming into the United States at the present high duty is growing greater each year.

That the scarcity referred to has been intensified because certain carpet wools were taken out of class 3 and put into class 1 when the Dingley law was enacted. These wools had always been classed as carpet wools and were used for no other purpose, and since the reclassification referred to, have not come into this country, with the result that the Government has been deprived of the revenue, and the carpet manufacturer has been deprived of the wools. They have sold in the foreign market since the reclassification at lower prices than they brought when they were admitted to the United States as carpet wools, showing conclusively that their only value abroad was as carpet wools.

That the duty on these wools, being in effect only a revenue duty (there being no industry of the kind in this country to protect), the duty is included in the cost of the manufactured goods and becomes a part of the price to the consumer. Any reduction of the duty on these wools would immediately result in lower prices on carpets and rugs.

The carpet business, which has invested in it more than $75,000,000 and employs more than 40,000 operatives in normal times (mostly skilled), is still conducted in the old-fashioned way, and each manufacturer is independent of the other. There is not now, nor has there ever been, a combination or trust in the industry.

It is not our purpose to haunt the Halls of Congress or importune the various members of the committee on this subject. We refer you to the arguments made before the Payne committee, which are as sound to-day as they were then, and which show, as we believe, that we are entitled to the relief we ask.

COMPENSATORY DUTIES.

We do not ask for lower duties on raw materials and high duties on our manufactured products, for we expect the compensating duty on our manufactured goods to be reduced in the same proportion as the duties are reduced on our raw materials.

We presented to the Payne committee reliable and accurate figures, showing how carpet wools are consumed, and that only a nominal percentage of the total imports can possibly be used outside of carpet and rug factories. These figures were secured at the request of the committee and have never been disputed.

SCHEDULE K PLACES PREMIUM ON FRAUD.

The present duty on third-class wools being specific, with a dividing line in value, places a premium upon fraud and dishonesty, and we believe this has been the experience of our Government under the Dingley law. We are informed that a greater number of entries of third-class wool have been advanced and penalized than in first and second classes combined. How can it be otherwise, when we know that dishonest importers, by undervaluing only a fraction of a penny per pound, escape an advance of 3 cents per pound in the duty? A saving of 3 cents per pound is about 25 per cent on the cost of the wool.

If we had ad valorem duties, no importer, however dishonest, would take the chance of a penalty by understating the cost of his wool, for the difference in the duty would be very slight. If his wool now costs him 12 cents per pound he pays 4 cents per pound duty, but if it cost him 12½ cents per pound he pays a duty of 7 cents. On 1,000,000 pounds (which is but an ordinary purchase) this difference in duty would amount to $30,000, quite a sufficient inducement for a dishonest man to attempt to defraud the Government; whereas if the wool cost him 12½ cents per pound and he paid an ad valorem duty, the difference in the amount of duty would be too small to be a temptation to undervalue.

MORE REVENUE.

Statistics show that the Government collects more revenue under an ad valorem duty on wools than it does under specific rates, and there is less undervaluing.

So it may be said of all classes of wool that a specific duty per pound of wool in whatever condition it is imported is as unscientific as it is unjust, and the only duty equally fair to the Government and the manufacturer is an ad valorem duty, for the condition and quality of the wool determine its value, and the ad valorem duty follows the value either up or down.

Where is the justice of assessing the same duty per pound on wool yielding only 40 pounds of clean wool out of 100 pounds in the grease as on wool yielding 75 pounds of clean wool out of 100 pounds of wool in the grease, thus practically doubling the duty per pound to the manufacturer who brings in wool yielding only 40 pounds?

AMERICAN CARPET MANUFACTURERS HANDICAPPED.

England, France, and Germany admit all wools free, and with such a duty as now exists on carpet wools it is plain to see under what a handicap the American carpet manufacturer labors when he competes in the markets of the world for his raw material. The dividing line in cost under our tariff places him absolutely at the mercy of his foreign competitor on third-class wools, and he is obliged to stand back until the wants of the foreign manufacturers have been supplied. Our manufacturers can bid against them up to 12 cents, but there they must stop or have an additional duty of 3 cents per pound charged against the purchase. An ad valorem duty would remove this restraint on business and result in increased imports of the better grades of carpet wools, thus insuring increased revenue to the Government.

NO INJURY TO ANY INDUSTRY AND CHEAPER CARPETS TO THE PUBLIC.

A purely revenue duty could be placed upon wools of the third class, including the wools taken from this class in 1897, and which should now be restored, without doing the least injury to any industry in the United States, and would result in cheaper carpets to the public.

If it is thought best to fix a lower ad valorem rate on wools of the third class than on wools of the first and second classes, we respectfully ask that the wools of the third class, which under the Dingley law of 1897 were transferred to class 1, be restored to class 3. These wools are Bagdad, China lamb's, Castel Branco, and Adrianople, or butcher's wool.

We should be glad to furnish your committee with any information in our possession; to appear and answer any question propounded to us, and prepare, if desired, a schedule showing reductions on manufactured goods to correspond with any reductions made on raw wool.

Respectfully submitted by the carpet manufacturers' committee.

CHARLES F. FAIRBANKS,
Treasurer Bigelow Carpet Co., Boston, Mass.
GEO. MCNEIR,
Vice President W. & J. Sloane, New York City.
ROBERT DORNAN,
Dornan Bros., Philadelphia, Pa.
ROBERT P. PERKINS,
President Hartford Carpet Co., Thompsonville, Conn.
A. J. ABBOT,
Treasurer Abbot Worsted Co., Graniteville, Mass.

POLITICAL PARTISANS AND SPECIAL INTERESTS.

The foregoing plain statements are sufficient to convince me that the wool schedule of the Payne bill is inequitable and unjust and that it should be revised downward with the least possible delay. I am willing to accept the sober judgment of men who have practical knowledge of the subject rather than the opinions of men who are practical only as politicians and whose special training has been in the direction of special interests.

When gentlemen talk about their great concern for our manufacturers and yet vote in favor of monopolies that are crushing them to the wall, and when they make noisy and incessant proclamation of their love for the toiling masses and yet vote against such measures as Canadian reciprocity, that would bring them relief in steadier employment and cheaper necessities of life, I am forced to inquire: Do these gentlemen believe that most of the people can be fooled most of the time, or do they not know that an intelligent electorate can, and sometimes does, choose its own Representatives? [Applause.]

During the delivery of the foregoing, the time of Mr. DONOHOE having expired,

Mr. DONOHOE. I ask two minutes more.

The CHAIRMAN. Is there objection?

Mr. MANN. Reserving the right to object, I desire to say that apparently the afternoon will be occupied properly in discussing amendments to the bill itself, and not engaging in general discussion, which all gentlemen had plenty of time to get into in the 15 days' general debate. While I shall not object to this, if there are many more speeches of this kind, I shall object.

The CHAIRMAN. If there be no objection, the gentleman's time will be extended two minutes.

There was no objection.

Mr. DONOHOE resumed and completed his remarks, as above recorded.

The CHAIRMAN. If there be no objection, the pro forma amendment will be considered as withdrawn, and the Clerk will read:

The Clerk, resuming the reading of the bill, read as follows:

3. On combed wool or tops and roving or roping, made wholly or in part of wool or camel's hair, and on other wool and hair which have been advanced in any manner or by any process of manufacture beyond the washed or scoured condition, not specially provided for in this act, the duty shall be 25 per cent ad valorem.

Mr. MANN. Mr. Chairman, I offer the amendment which I send to the desk.

The Clerk read as follows:

Amend page 2, line 12, by striking out the words "in this act."

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Illinois [Mr. MANN].

The question being taken, the amendment was rejected.

Mr. FRENCH. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Idaho offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend page 2 by striking out the words "30 per cent ad valorem," in line 15, and inserting in lieu thereof the words "25 cents per pound and in addition thereto 25 per cent ad valorem."

Mr. FRENCH. Mr. Chairman, if my first amendment had prevailed, I should have offered an amendment that would have harmonized paragraph 2 of the bill with the basis of a duty upon scoured wool instead of wool in the grease.

I have offered this amendment to paragraph 3, the effect of which is to strike out the words "washed or" in the paragraph, and to place the duty on the wool upon the basis of scoured wool, to remove the ad valorem basis, making it specific, and give to the manufacturer a protection equivalent to that given to the grower, proposed by me in my first amendment, and then a protection as against the manufacturers of foreign countries upon an ad valorem basis.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Idaho.

The question was taken, and the amendment was lost.

The Clerk, proceeding with the reading of the bill, read as follows:

4. On yarns made wholly or in part of wool, the duty shall be 30 per cent ad valorem.

Mr. MURDOCK. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend by adding, after the word "ad valorem," in line 15, page 2, the following: "*Provided*, That all worsted yarns be admitted free of duty."

The CHAIRMAN. The question is on the adoption of the amendment.

The question was taken, and the amendment was lost.

Mr. FRENCH. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend, on page 2, by striking out the words "30 per cent ad valorem," in line 15, and inserting in lieu thereof the words "25 cents per pound and in addition thereto 25 per cent ad valorem."

Mr. FRENCH. Mr. Chairman, just a word. This is the last amendment I propose to offer, and I have offered it for the purpose of indicating the amendments I would offer if it seemed worth while to offer any further amendments to the succeeding paragraphs. I want to reiterate that my plan is a duty on a specific basis upon the imports of wool measured upon wool in the grease, and then a duty to protect the manufacturer as against the competition of foreign countries upon the ad valorem basis.

And now a word with regard to how I propose to vote. I have already outlined my position on Schedule K. I have pointed out wherein it should be amended. I have called attention to the errors of the pending bill as I see them. The majority of this House appears determined to pass this bill without amendment and without waiting the report of the Tariff Board, and should the idea not prevail of holding this bill upon the House side until we may have the report of that board, I propose to support the motion to send this measure to the Senate. Many Republicans feel that a vote for this bill will be misunderstood. I say not. Rather a vote against it will be misunderstood. Such a vote will be regarded as an approval of Schedule K. Are you in favor of it, or are you opposed to it? Are you afraid to intrust the wool schedule to consideration in the Senate? Under the Constitution all revenue bills must originate in the House. They can not originate in the Senate. What bills are before the Senate that could possibly be used as a basis for modification of tariff schedules? The Senate will not use the reciprocity bill for such a basis. That is not thinkable. The free-list bill is not a revenue bill, and it was so held in this body. Regardless, then, of errors in the pending bill, I say that Republicans who believe that the woolen schedule should be amended should vote to send this bill to the Senate. Under the circumstances, I believe that such a vote is the only vote that is consistent with a belief that this schedule should be amended at the earliest possible date, and I believe that before many months the Senate and the House will be able to unite on a measure that will bring the desired relief to the consumers, and at the same time place the great businesses that have been entered upon of manufacturing woolens and of husbanding the flocks and producing wool upon a stable basis, because they will be upon a basis that will commend itself to the sense of equality and fair play of the American people.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Idaho.

The question was taken, and the amendment was lost.

The Clerk read as follows:

5. On cloths, knit fabrics, felts not woven, and all manufactures of every description made, by any process, wholly or in part of wool, not specially provided for in this act, the duty shall be 40 per cent ad valorem.

Mr. MANN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend, page 2, line 18, by striking out the words "in this act."

Mr. MANN. Mr. Chairman, I called the attention of the committe a while ago to the fact that this was an independent bill and will be an independent act if made into law. It is not a part of the present tariff law. This provision in the bill provides that all manufactures, of every description, made by any

process, of wool or any part of wool not especially provided for in this act shall pay a duty of 40 per cent.

It repeals every provision in the existing law in conflict with it. It will put upon the dutiable list scientific, religious, and educational apparatus and instruments if they are composed in any part of wool. It will put on the dutiable list tools of trade composed in any part of wool. All of these not now mentioned being now on the free list.

It will put on the dutiable list society and religious regalia if composed in any part of wool. It will put on the dutiable list collections in illustration of the progress of art, science, and manufacture if composed in any part of wool, as many of them are. It will increase the duty on roofing felt from 10 per cent, as provided by law, to 40 per cent, as provided in this bill. It will increase the duties on manufactures of rubber having some wool in them from 35 per cent to 40 per cent, and in some cases much more. It will put on the dutiable list of 40 per cent rubber scrap, that now comes in free, if it has any wool in connection with it.

If the gentleman will accept the amendment which I propose, striking out the term "in this act," it leaves all of these provisions in the law and provides that articles not otherwise specially provided for shall pay the duty or come in free, as now provided for. But when they say "not specially provided for in this act," and there being no provision in this act in reference to these things—and this being an independent act, putting all of these things under this provision in this act which are composed in part of wool—if that is the intention of the gentleman, very well; but if it is the intention of the gentleman to leave these articles now coming in free upon the free list, then they should strike out the language "in this act."

Mr. UNDERWOOD. Mr. Chairman, I desire to detain the committee only a moment. The gentleman from Illinois is a very able parliamentary leader. He is well versed in the specialties that he has studied in this House, but I think that he has clearly demonstrated that he has never served on the tariff committee of this House in the amendments and arguments that he has offered to-day. The gentleman makes the argument before this House that because we take this law out of the Payne tariff law and enact a separate law that anything that has wool in it that we do not enumerate as being on the free list is put on the dutiable list. Now, the absurdity of that is answered in one question. I ask the gentleman what the duty would be? What would the duty be on these articles?

Mr. MANN. That is easily answered—40 per cent. That is what the bill provides.

Mr. UNDERWOOD. Not at all. There is nothing in these articles that he refers to that would connect them with this "cloth and knit fabrics and felt not woven, and all manufactures of every description."

Mr. MANN. "And all manufactures of every description made, by any process, wholly or in part of wool." That means everything.

Mr. UNDERWOOD. The courts have held, and the decisions are uniform, that you can not take a matter from the free list and put it on the dutiable list or from the dutiable list and put it on the free list by implication. You have got to enact specifically or the court will construe that you did not intend to amend the original law.

Mr. MANN. That is what this is. Mr. Chairman, the existing law in all of these provisions says "Not specially provided for in this section," and if this were in the existing law, and that language read that way, with the rest of the language precisely as it is, then when the article comes in which is made partly of wool and cotton, for instance, the question is, Which is the most definite description of the article, this provision "All manufactures, composed wholly or in part of wool," or a provision in the cotton schedule providing that goods shall pay a duty under the cotton schedule when the chief value is cotton?

The courts have held, construing these two provisions apparently contradictory in the same law, where they must presume that there was not intent to have contradiction, that in reference to cotton or other articles where there is the provision respecting an article composed in chief value of cotton, that that shall pay the cotton-schedule duty, although there is another provision, providing that an article composed in part of wool shall pay the woolen schedule. If it had been inserted as an amendment to the Payne law, that would still exist, but here is an independent act which does not refer to the Payne law at all.

Mr. UNDERWOOD. I will say to the gentleman that the language of this act has been submitted to the Treasury Department and conforms to their views. The decisions are here, and my colleague will read them.

Mr. MANN. Oh, the decisions have no application. The decisions are based upon a law containing both provisions in the same law. Here we pass a subsequent act. I am familiar with the letter from the Treasury Department. The Treasury Department suggests certain changes in the form of this bill, supposing that it was to be inserted as an amendment to the Payne law.

Mr. UNDERWOOD. Not at all.

Mr. MANN. Well, I talked with the Treasury Department, and I have a copy of the letter.

Mr. UNDERWOOD. The bill was submitted to them in this form, except the changes that we adopted.

Mr. MANN. I have a copy of the letter which the Treasury Department submitted to the gentleman, and talked with the Treasury officials about it, and the Treasury officials said there could be no possible escape from the conclusion that I reached, that this, being a later, independent act, controls, and that it was not controlled by a provision in the existing law.

Mr. UNDERWOOD. Mr. Chairman, I would not differ with the gentleman from Illinois in his statement of a fact, but I would not at the same time bring the indictment that he does against the Treasury Department of the United States—that they submitted to the Ways and Means Committee of this House a letter advising them as to the technicalities of a bill that was to be presented to pass, and then changed their minds about it and did not advise the Ways and Means Committee to that effect. The gentleman must have misunderstood the Treasury officials, because the indictment he brings against them is entirely too serious.

Mr. MANN. The letter I suppose the gentleman has is from the Secretary of the Treasury. I did not converse with the Secretary of the Treasury, nor did the gentleman from Alabama adopt the suggestion made by the Secretary of the Treasury in his letter as to the amendment in this regard.

Mr. UNDERWOOD. Oh, yes, I did.

Mr. MANN. Oh, but the gentleman did not. If he will examine the letter he will see that the Treasury Department suggested that the bill be amended not along the lines that I have suggested, but in another respect, and the gentleman did not adopt that suggestion.

Mr. UNDERWOOD. I did, absolutely.

Mr. MANN. Well, I will get the letter and publish it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PETERS. Mr. Chairman, the contention which the gentleman from Illinois has just made has been brought already before our courts, and there is a specific rule laid down in the decisions which cover this point. The court, in the case of Hartranft *v.* The United States (135 U. S., 237), which is a decision made in 1890, and followed by the decision of United States *v.* Scruggs (156 Fed. Rep., 940), which was a decision rendered in 1907, both laid down the doctrine that the provision for manufactures of chief value is more specific than the provision for manufactures in part of value of wool or any other component part, and that if it was desired to extend the scope of the woolen paragraph to all manufactures of which wool is a component a general provision to that effect should be inserted in the wool schedule. In the case which laid down the same rule, of Slazenger *v.* United States (91 Fed. Rep., 517), it was held that tennis balls made partly of wool and partly of rubber were subject to the duty on rubber, as that was the component part of chief value, and this rule so laid down and supported will be the rule applied in importations under this present bill.

Mr. MANN. Will the gentleman yield for a question?

Mr. PETERS. Certainly.

Mr. MANN. Were not those decisions all rendered under the act which contained both those provisions in it?

Mr. PETERS. I believe they were; but I do not think that makes any difference.

Mr. MANN. Does the gentleman think it makes no difference, or rather does the gentleman think there is any method by which we can say in this act the articles composed in part of wool should pay the wool schedule? Is there any language by which we could do that?

Mr. PETERS. I presume such language could be used, but it is not used in this bill.

Mr. MANN. Could the gentleman find any language or suggest any language that would be more complete than this language:

All manufactures of every description made by any process wholly or in part of wool.

Can the gentleman suggest any language more complete than that language if he wanted to put a provision in this bill that

all articles manufactured or composed in part of wool should pay the woolen schedule?

Mr. LENROOT. Mr. Chairman, I move to strike out the last word.

Mr. PETERS. Mr. Chairman, I have the floor and I yielded for a question to the gentleman from Illinois, and I am trying to answer it. I still have the floor.

Mr. PAYNE. Will the gentleman yield for a question?

Mr. PETERS. I wish first to answer the question of the gentleman from Illinois. I think that the language is the same as that used in the present law and would be subject to the same construction, but if it is the desire to make this provision——

Mr. MANN. The language is not the same that is in the present law. The gentleman is mistaken. The present law provides that articles not specially provided for in this section, which is this section of the Payne law. This provides, in this act——

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. MANN. Mr. Chairman, I ask that the gentleman have five minutes more. I have consumed part of his time.

The CHAIRMAN. Is there objection to the request that the gentleman from Massachusetts have his time extended for five minutes? [After a pause.] The Chair hears no objection.

Mr. PAYNE. I desire to ask the gentleman a question.

The CHAIRMAN. Does the gentleman from Massachusetts yield to the gentleman from New York?

Mr. PETERS. Certainly.

Mr. PAYNE. The decisions the gentleman referred to relate to clauses in the Dingley bill, the decision of 1890 related to the McKinley bill, but the conflicting provisions were all contained in the same act, were they not?

Mr. PETERS. Yes.

Mr. PAYNE. Now, here is a different case I want to point out to the gentleman. This repeals all provisions in regard to wool in the present law by the repealing clause in the bill. This section refers to the present act. It is a subsequent act to the present law and contains this expressed language, and I do not think the gentleman has answered the objection at all.

On cloths, knit fabrics, felts not woven, and all manufactures of every description made, by any process, wholly or in part of wool, not specially provided for in this act, the duty shall be 40 per cent ad valorem.

Now, that repeals all the clauses so far as they conflict with this act.

Mr. PETERS. The gentleman is making a speech and not asking me a question.

Mr. PAYNE. I do not see any escape from it. I do not think the gentleman or the decisions in any way answer the plain interpretation of that language in this bill. It is a mistake, and the gentleman might just as well acknowledge it now as to acknowledge it afterwards.

Mr. PETERS. It is difficult for me to derive a question from the gentleman's speech to answer, but, so far as I can get a question, I will say that this bill that we have before us takes the place of the other section—the present Schedule K of the Payne Act—and would be subject to the same construction, and I do not think the objections which the other side are making on this point are valid.

Mr. PAYNE. Let me refer the gentleman again to the language of the repealing section:

That all acts and parts of acts in conflict with the provisions of this act—

The duties on any part of wool that conflict with it—

are hereby repealed.

Now, it repeals everything that is in conflict with this act.

Mr. PETERS. The only thing it repeals is Schedule K of the present Payne law.

Mr. PAYNE. It repeals everything in conflict with the provisions of this act, and the section referred to by the gentleman from Illinois [Mr. MANN], on page 2, is in conflict with all the provisions of the present law in regard to a duty on wool, where only a part of an article, and a small part of it, is made of wool. There is no escape from it. I do not care what the Secretary of the Treasury has said where his attention was called to the specific language in this act, and I do not care what the Secretary of the Treasury may finally conclude, as it goes to the court.

Mr. PETERS. Is the gentleman still asking me a question?

Mr. PAYNE. Certainly.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. PETERS] has expired.

Mr. PETERS. Mr. Chairman, I can just repeat that this section comes in plainly as taking the place of Schedule K of the present law.

Mr. MANN. It would have come in that way if you had adopted the first amendment I offered.

Mr. FORDNEY. Mr. Chairman, I do not care to talk on the amendment, but I would like five minutes under the five-minute rule.

The CHAIRMAN. The gentleman is recognized for five minutes.

Mr. FORDNEY. Mr. Chairman, I want to say to the gentlemen of the committee that I am naturally opposed to this bill because it reduces the duty to a point, in my opinion, that will be absolutely destructive, not only to the wool producing, but the woolen manufacturing industry of this country. I have before me statistics and figures that show that the rates of duties fixed in the Wilson law reduced the duty on manufactured woolens to 50 per cent ad valorem, provided that the price did not exceed a certain sum, and 55 per cent on values above that amount, and placed wool on the free list, which drove to the wall a great number of woolen manufacturing institutions in this country. They either went into bankruptcy and discontinued business, or went into the hands of a receiver, or were absorbed by some other concern. This proposed law goes further than that, for it would reduce the duty on woolens to 40 per cent ad valorem, an average of 40 per cent, and, in addition, leave a duty of 20 per cent ad valorem on wool. That places the manufacturer at a much greater disadvantage than the Wilson bill, which destroyed a great number of institutions, a list of which I will give.

Therefore, Mr. Chairman, past history and sad experience of people engaged in this industry shows us that if this bill is enacted into law it will prove of greater destruction to the woolen industry than did the Wilson tariff law that destroyed so many of those institutions.

As to the price of foreign wools, I may say, first, the average foreign wools that are imported are not the heavy shrinking wools, but the lightest shrinking wools found in foreign markets, for the reason that heavy shrinking wools, paying the rate of duty on wool of the first class of 11 cents per pound, can not be imported into our market and sold in competition with the light shrinking wools of Europe. Therefore, I say it is only the light shrinking foreign wools that come into our markets, and the price of such wool to-day in our markets is about 22½ cents to 24 cents a pound.

Now, a reduction of the duty from 11 cents a pound to 20 per cent ad valorem means a reduction on wool now coming into our market at the present market price of about 60 per cent of the present rate of duty. Now, a producer of wool on the farm or a manufacturer of wool can not stand that reduction, gentlemen, and succeed. There is no question in my mind about that.

We have to-day, in round numbers, about 50,000,000 sheep—wool sheep—in this country. The great demand for mutton for food supply brings about the destruction, by slaughter for food supply, of nearly 25,000,000 head of sheep annually in the United States. The great increase in the number of sheep since the repeal of the Wilson tariff law has been due to the great value of sheep for our meat supply and not altogether to their value for wool, because on the best grade of sheep in the land about 8 pounds of wool to the sheep is the average high-grade fleece; and when wool is selling for 15 or 18 or 20 cents a pound it can be readily seen that in the average State in this country sheep can not be raised for the wool alone, but are raised not only for the wool but also for their value for mutton. Therefore, gentlemen, a reduction of the duty to the point that will not make it profitable for the farmer to raise sheep for wool will destroy our flocks of sheep and reduce the number as it did in 1894 and 1895 and 1896 and make it unprofitable to raise sheep in this country—a very valuable asset to the American people.

But much has been said of late through the magazines and press of the country about woolens being so high that woolen goods in the homes of people of ordinary and humble circumstances were as scarce as diamonds. Let me call your attention to this fact, gentlemen, that the entire woolen product of the United States is about $500,000,000 annually, and the people of the United States last year spent for strong drink alone more than three times that sum, or $1,600,000,000.

If the people of the United States would economize on strong drink, by using the money spent for that luxury, or, rather, that article, which is not a necessary of life, we could all walk covered with the best of woolen clothing.

Mr. Chairman, all must admit that we are an extravagant people and squander large sums of money for many articles that bring little or no comforts to our families, where, on the other hand, if the husband and the housewife would economize in such expenditures, the real necessaries of life could be obtained to a far greater degree than at present.

This assault upon Schedule K gives special timeliness to the report upon the woolen and worsted industry of the United States which was recently published by Director Durand of the Federal Census. This new statement is for the calendar year ending December 31, 1909, the year of the enactment of the Aldrich-Payne tariff and a period of high prosperity in the American woolen and worsted trade. An enumeration for the present year would undoubtedly tell a very different story.

But in 1909 American mills were very fully employed, and a great deal of new and productive machinery was coming into operation, particularly in Massachusetts and other New England States. It should be understood that the present statement covers only woolen and worsted goods, and does not include carpets, felt goods, hosiery, knit goods, and so forth. This makes all the more significant the announcement of the Census Bureau that the total capital invested in the making of woolen and worsted goods had increased from $256,554,000 in 1899 to $302,767,000 in 1904 and to $415,465,000 in 1909, a proportionate gain in the decade of 62 per cent. The total value of the products had increased from $238,745,000 in 1899 to $307,942,000 in 1904 and to $419,828,000 in 1909, a gain in the decade of 76 per cent. The growth of the industry in the 5 years, from 1904 to 1909, as a matter of fact, was greater than in any 10 years before. In no other country, save perhaps in Germany, has the wool manufacture flourished and expanded of late years as it has in the United States.

The cost of the materials used in this great American industry was $148,087,000 in 1899, $197,480,000 in 1904, and $273,466,000 in 1909, a gain for 10 years of no less than 85 per cent. One reason for this increase is apparently the fact which this impartial Federal investigation discloses, that American mills engaged in the manufacture of fabrics for American clothing are consuming more and more of pure wool and relatively less of substitutes. The census statement specifically shows that the amount of raw wool, foreign and domestic, used in American mills increased from 330,179,000 pounds in 1899 to 474,751,000 pounds in 1909, a gain of 44 per cent; or, a still fairer basis of comparison, that the wool used, in a scoured condition, was equivalent to 192,706,000 pounds in 1899 and to 289,703,000 pounds in 1909, a gain of 50 per cent. In the same period, according to these authoritative Federal returns, the use of shoddy fell off from 33,037,000 pounds in 1899 to 21,554,000 pounds in 1909, a decrease of 35 per cent.

Raw cotton used in the same period fell off from 40,245,000 pounds to 20,055,000 pounds—a decrease of 50 per cent; and although cotton yarns increased from 35,343,000 pounds to 39,169,000 pounds, a gain of 11 per cent, the Federal report notes that—

> The net result is a decided decrease in the amount of cotton used as a material by wool manufacturers.

The report states further that the lessened use of shoddy—

> is explained by the fact that the manufacture of worsted fabrics into which shoddy does not enter as a material to any appreciable extent has increased enormously, while the quantity of woolen fabrics in which shoddy is utilized was actually less in 1909 than in 1899.

These hard official facts and figures are rather sharp and damaging comment on the assertions of certain overzealous writers in recent magazines that shoddy and cotton pervaded all American cloths and that real wool was swiftly vanishing. Now that a revision of Schedule K has become inevitable, the Government itself appears to be proving that the political attack upon it has been seriously overdone.

In the manufacture of shoddy it will be remembered that rags are used to a very great extent. Rags are graded into three grades, the third being the poorest grade. Such rags are taken from rags gathered that have rendered long service, and the wool in which has long since lost its durability. When washed, such rags are picked into yarn once more, and then, by a system of machines, picked back into the wool fiber and again spun into woolen yarns, the strength of which will not stand the throw of the shuttle in the looms, and in order to give such yarns the necessary strength to stand the weaving without breaking, a machine has been invented by some genius which wraps a little thread of cotton around this rotten yarn, which gives it strength. Then the yarn is converted into shoddy cloth and placed upon our markets as all-wool goods—an imposition upon the people, an article sold to them represented to be good woolen clothing, which really, by law, should be prohibited from being converted into cloth.

This bill, instead of placing a duty of 10 cents per pound on imported rags, reduces the duty to 20 per cent ad valorem. An examination of the records of the Treasury Department or the Bureau of Statistics would reveal the fact that under the Wilson-Gorman tariff law, when such rags were on the free list, their importation greatly increased. The Dingley law placed a duty of 10 cents per pound on rags, and since the adoption of that law in 1897 the importation of rags has greatly fallen off, a very meritorious act indeed, and the Payne tariff law—a tariff law now in force upon our statute books—carries the same rate of duty on rags that was carried in the Dingley law. I warn the people of the country to beware of the purchase of worthless shoddy put upon our markets, and I warn Congress that the reduction of the duty on rags as proposed in this bill will greatly increase this imposition on our people.

The Gorman-Wilson tariff law in its woolen schedule took effect on January 1, 1895, and remained in force until superseded by the Dingley tariff law on July 24, 1897.

In March, 1893, the Boston price of Montana medium wool was 52 to 53 cents a scoured pound, and in March, 1894, anticipating by a few months the free wool of the Gorman-Wilson law, the price of this same wool was 30 to 32 cents a scoured pound, a loss of 40 per cent.

The report for January, 1895, of the statistician of the Department of Agriculture showed that American sheep had shrunk in numbers from 47,274,000 in 1893 to 42,294,064, or practically the figure of 1880.

In 1880 fine Ohio washed-fleece clothing wool was selling at 50 cents a pound, medium at 55 cents, and coarse at 48 cents. In January, 1894, under the threat of imminent free wool the same wool was selling at 23 cents, 24 cents, and 21 cents.

From the taking effect of the Gorman-Wilson woolen duties on January 1, 1895, foreign woolen manufactures poured into this country at an average rate of $5,000,000 per month, reaching a total for the year of $60,000,000, foreign value, or equivalent to about $90,000,000 on the duty-paid home valuation, which is about one-third of the total value of all American wool manufactures as reported in the census of 1890, and considerably more than one-third of the total value of American wool manufactures in the year 1895.

The practical result of the Gorman-Wilson law was thus summarized by the National Association of Wool Manufacturers:

> I. It was argued that the great increase of domestic manufacture, in consequence of free wool, would create so large a demand for domestic wool that the price, instead of falling by the amount of the duty, would increase. The price of wool has not only fallen by the amount of the duty, but it is lower to-day than the foreign prices.
>
> II. It was argued that free wool, by cheapening the raw material, would greatly lessen the use of shoddy in the United States. There has been more shoddy consumed since this law went into effect than ever before in our experience.
>
> III. It was argued that free wool would enormously reduce the cost of clothing to the people, on the pretense that the whole of the duty, both on wool and on cloths, was added to the cost of clothing made of domestic goods. It has been found that there has been no substantial reduction in the cost of clothing, grade for grade, beyond the fall in values universal throughout the world; and this for the obvious reason that the costs of distribution, wholesale and retail, have remained fixed, and these costs bear so large a ratio to the total cost of manufacture that the final purchaser of woolens in the form of clothing finds that the reduced cost, due to the removal of the wool duty, when divided up between the wholesaler and retailer, leaves a margin of gain for the consumer so small as to be hardly appreciable.
>
> IV. It was argued that by reason of the advantage of free raw materials the American manufacturer would find himself not only in full control of the domestic market but actively competing for the markets of the world. We have seen the havoc played with the domestic market. As for the foreign market, it has been practically confirmed, as nearly as can be ascertained, to two cases of woolens shipped to Bradford early in the year, and there discovered by the American consul, who immediately telegraphed to the Secretary of State in Washington that the conquest of the foreign markets had been accomplished. That episode has been the one amusing feature of the whole business.

The Gorman-Wilson law, whatever may have been its motive, actually did result to the great benefit of the wool manufacturers of Europe in the same proportion in which it reduced or ruined the wool and woolen industries of the United States. This historic fact is frankly acknowledged in every European review of the textile market for that time. Helmuth Schwartze & Co.'s annual circular, issued in London for 1895, makes the naive announcement that—

> The dominant factor in the past 12 months has been the recovery and rapid development of the (British) export trade of wool and woolens to the United States under the stimulating influence of free wool and reduced duties on goods.

The British Board of Trade returns showed that in the year 1895 almost the entire increase of exports of British wool manufactures had come in the trade with America. The United States in that year "was the largest customer of Great Britain, taking 24 per cent of her total export of woolens."

The Bradford Observer, in its annual review of the trade for 1895, speaks of the year as "the most extraordinary of the waning century," and calls "the more reasonable tariff adopted by the United States" the most important of the factors which had produced this great boom in British industry.

The London Times, in a review of the British woolen trade, published these words of exaltation over the Democratic tariff:

> There is room for doubt whether outside the West Riding of Yorkshire it is at all generally realized that the year 1895 witnessed a revival in the worsted industry of such magnitude as to be a matter not only for local but for national congratulation. After long years of depression, the varying, sometimes doubtless intermitted, gloom of

which had lately become painfully intense, the great manufacturing district of which Bradford is the center was visited last year by the full sunshine of prosperity. * * * Roughly speaking, the Gorman-Wilson tariff, which came into effective operation in the last month of 1894, in place of the strangling system of duties associated with the name of McKinley, reduced the customhouse charges upon the principal products of the Bradford district imported into the States from 100 per cent of their value to 50 per cent. * * *

Thus it came about that the value of worsted coatings imported from the Bradford district into the United States in the first five months of 1895 was more than double that of the like imports during the whole year (December, 1893, to November, 1894), and the value in dollars for the whole of 1895, as compared to the whole of 1894 (years ending September 30), was $7,575,052, against $1,275,626, being an increase of fully 600 per cent.

And this was only one item in the great development received by the reviving industry of Bradford from across the Atlantic. Bradford had for months been able to supply the United States with a large amount of "stuff goods"—a classification embracing fabrics for ladies' dresses, whether of the soft or "bright" descriptions, and materials for use in the linings of both male and female apparel, which are largely made from the glossy yarns of long-stapled wools, woven upon a warp or foundation of cotton. Under this extensive category the imports into America from the Bradford district in the 10 years immediately preceding the McKinley tariff has been maintained at an average value of more than $6,000,000 a year; and in 1890, owing, doubtless, to the anxiety of the merchants to fill up their stocks, it ran up to the very high figure of $10,600,000.

Under the McKinley law the Bradford stuff goods imported into the *United States* were always under $5,000,000 a year, and in 1894, through the same causes as those accounted for the great falling off of worsted coatings from Bradford, the value sank to little over $2,200,000. Last year it sprang up with a bound to $8,375,000. Much of this great leap was doubtless explicable in the same way as that which occurred in worsted coatings, but in the case of the "stuff goods" there came in that other element, fashion, which 20 years before had operated so injuriously to the trade of Bradford.

What has the future in store? From what has been said it will be seen that there are two main external influences which have a powerful effect on the fortunes of the Bradford trade—tariffs and fashions. As to the first, there is apparently a good deal of reason to fear that in 1897 or 1898 a system of largely enhanced import duties shall be brought into force in the United States. The more clearly assumed that the melancholy anticipation becomes, the larger, let us remember, is likely to be the importation of Bradford goods in America before the new tariff takes effect. But when it takes effect, there must invariably be a heavy drop in that importation. Nothing that Bradford can do can vitally affect the volume of the trade passing from its mills across the Atlantic. That issue rests with American politicians.

Under the McKinley law, the tariff of 1890, the number of sheep in the United States had reached a total of 47,000,000, according to the figures of the Department of Agriculture, and was increasing at about the rate of 1,000,000 a year. These sheep, at an average value of $2.50 a head, were worth in 1892 the sum of $118,000,000. These American sheep were decreasing at the rate of 3,000,000 annually under free wool. Their number had fallen on April 1, 1896, to 36,464,405, with an average value of $1.70 a head. The loss in number was more than 10,000,000 sheep in three years, and in value over $60,000,000. That is what the Gorman-Wilson law had cost American farmers in a single department of their great industry.

Under the McKinley law the wool product of the United States had reached in 1893 a total of 348,500,000 pounds, the largest clip in the history of this country.

The average value of this American wool was not far from 15 cents a pound on the farm, and at this rate the wool clip of 1893 was worth $52,200,000 to the farmers of America. The clip of 1896 was not more than 270,000,000 pounds, and the average farm value was not more than 8 cents a pound, making the total value of the American clip of 1896 not more than $20,800,000, or a loss of 60 per cent to the farmers of this country on their wool alone.

The Quarterly Bulletin of the National Association of Wool Manufacturers, in a review (vol. 26) of the effect of Gorman-Wilsonism on the American wool industry at this time, said:

In the bulletin of this association appear the monthly quotations of the prices of 60 different varieties and growths of domestic wools in the Boston markets. Taking these quotations by groups, as they are there arranged, and comparing the prices in April, 1890, with the prices in April, 1896, we have the following results by groups:

	Average price.		Per cent of decline.
	April, 1890.	April, 1896.	
Ohio, Pennsylvania, West Virginia, Michigan, New York, New England, Kentucky, Indiana, and Missouri, 24 varieties, washed and unwashed.....	*Cents.* 30.3	*Cents.* 17.4	42.3
Texas, California, Oregon, Montana, Wyoming, Utah, Colorado, New Mexico, Georgia, and Southern, 26 varieties, scoured.....	49.1	27.4	44.2
Pulled wools, 10 varieties, scoured.....	45.9	28.5	38
Total, 60 varieties.....	40.9	23.5	42.4

The average decline in the whole group is 42 per cent.

No other commodity, raw or manufactured, has suffered a decline in value which approximates this. Its extent and significance may be shown in the specific case of Ohio XX wool. It has dropped in value, in the face of equal competition, from 29 cents in 1892 to 18½ cents per pound in 1896. The 1892 price on the scoured basis was about 28 cents above the value per scoured pound of the London price of the corresponding grade of Australian wool, while the 1896 price is about 4½ cents below the London scoured price of the like grade of Australian wool. This drop of 42 per cent in value represents the loss to the farmer from the repeal of the duty fixed by the McKinley Act. It is not in any sense due to a general decline in the world's wool markets, for a comparison of the London prices of various grades of wool, at the same dates, shows an average advance of about 9 per cent in 1896, as compared with 1892.

The pretense that the woolgrower got no benefit from the tariff on wool has thus been exploded for all time to come. With the obliteration of the theory has come the practical demonstration of the fact that the growing of wool can not be carried on as a profitable industry in this country without some measure of protection. Cheap as is domestic wool to-day, it is not as cheap, when all the conditions of shrinkage are taken into account, as many of the foreign wools which are now everywhere to be found in our markets. As the pressure of these foreign wools increases the prices of domestic wools are destined to fall still lower, in comparison with foreign prices. This is proved by the fact that they can not now be profitably shipped abroad for sale in competition with foreign wools. The experiment has been tried a number of times during the present year, and each time it has proved a failure. Some sale abroad may in time be found, but not at prices that will pay the farmer to export.

Thus it is evident that there is but one customer available for the domestic woolgrower, and that is the American manufacturer. But free wool will deprive him of that single customer. Indeed, this has already occurred in large measure, as is shown by the statistics of wool imports since the removal of the duty. In the first 12 months of free imports, 120,000,000 pounds of clothing wools entered our ports, an increase of over 300 per cent, as compared with the largest imports under duty; and the aggregate imports of all classes reached 250,000,000 pounds, as compared with 175,000,000 pounds in the largest year under dutiable wool. This total came within 20,000,000 pounds of the total production of domestic wool in 1896. If we add to it the rags, noils, wastes, shoddy, and other wool substitutes imported during the same period, we shall have a total about equal to the present year's clip. Very few years of increasing imports and diminishing clip will suffice to place the aggregate imports far above the domestic production. This enormous volume of foreign wool reached this country in a year when the consumption of American manufacturers was below normal quantity, and its presence here, much of it still unconsumed, explains the fact that there has been almost no market for American wools at any price.

The experiment has proved a practical demonstration that the United States must stop growing her own wool, except as a by-product, unless there is a reasonable duty placed upon the wool of countries which can grow it cheaper, because they grow it under conditions of a cheaper civilization. To learn this fact has cost our farmers an annual sum of money greater than the value of the property destroyed in the Boston fire of 1872.

That was the effect upon the farmers and ranchmen, upon the woolgrowers of the country, so far as the Gorman-Wilson tariff was concerned. How about its effect upon the manufactures? On this point the Bulletin of the National Association said:

These two years in which they have had unrestrained and unfettered access to the wools of the world have been the most disastrous in the history of the American wool manufacture, not excepting the collapse that followed the close of the War of 1812 or the panic of 1837 or the panic of 1857. These three occasions have heretofore stood in men's minds for the worst that could happen to this particular industry, in consequence of commercial panic or change in economic law. Neither of them furnishes a standard by which to measure the extent of the present disaster, because at neither period had the wool manufacture reached the relative importance among our national industries it has acquired under 30 years of thorough-going protection.

The disturbance in the industry began far in advance of the actual enactment of the tariff in 1894; the anticipation of the free-listing of wool operated to create a shrinkage in the values of all goods and stocks on hand, which brought them down to the free-wool basis long before the manufacturer could turn about, readjust his business, and make a new start. He received this blow between the eyes before the Wilson bill had even been drafted. It became necessary in every mill in the country to charge off a lump sum—greater or less, according to the amount of goods and stock on hand—a direct loss due to legislation that was only impending, which strained the resources of the most solvent concerns.

The woolen schedule did not go into effect until January 1, 1895, four months after the rest of the tariff bill became operative. In the very first month the true significance of the abandonment of specific duties began to appear. There was no longer any clew to the values which domestic manufacturers must meet to hold their market. All the old standards were broken down. The volume of the imports soon became appalling. * * * It was like the breaking loose of the Johnstown reservoir—it swept everything before it.

* * * The output of American mills was reduced in a larger percentage in 1895 than the imports were increased; to such a degree, in fact, that it is safe to say that nearly one-half of all the woolens which entered into consumption in that year were of foreign manufacture. We have in this country enough woolen machinery to manufacture all the woolen goods our people can consume. But we have no use for it under the present tariff.

Toward the end of the year 1895 production began to decrease, and before the heavy-weight season was over nearly one-half of the machinery employed upon men's wear was idle. In the transition from the heavy-weight to the light-weight season the real condition of the American wool manufacture was for the first time apparent. Many mills shut down entirely; others ran alternate days or half or two-thirds time; still others discharged the half or more of their employees; and with the advance of this summer about 80 per cent of the wool machinery of the country stood idle.

This idleness of American mills under the pressure of huge imports of cheap-wage woolen products from abroad soon bred widespread disaster to the industries of the United States.

To take a mere partial record of the ruin wrought by Gorman-Wilsonism in the year 1896: In January the Halifax Mills, of Laconia, N. H., were attached for $75,000, the machinery was

stopped, and the mills were closed. The Saxon Worsted Co., of Providence, R. I., shut its doors and went out of business. The firm of Wilson H. Brown & Co., of Germantown, Pa., was dissolved and merged into the Leicester Mills. The Windermere Mills, in Rockville, Conn., one of the most ancient and famous of American wool-manufacturing towns, were sold for a bicycle factory. The East Pond Manufacturing Co., of Newport, Me., failed. The Saxony Woolen Mill, of Trenton, N. J., and the Earl Knitting Mills, of Northville, N. Y., were closed and disposed of.

In February of that disastrous year the Pioneer Worsted Mill, of Louisville, Ky., was sold; the Standard Worsted Mill, of Lowell, Mass., fell into the hands of the auctioneer; and the Eastlake Woolen Co., of Bridgeton, N. J., was taken over on account of a mortgage. In March the Crane & Waters Mill at Millbury, Mass., was sold, and the Halifax Mills, of New Hampshire, were put up at auction. James Long Bros & Co. and the Angora Mills, of Philadelphia, both assigned.

In April of this Democratic year of 1896 the Lion Knitting Mills, of Cohoes, N. Y., were sold under foreclosure of mortgage. J. C. & J. C. Miller, of Baldwinsville, N. Y., assigned, with liabilities of $500,000. The Allen Woolen Mill, of Hanover, Conn., failed. The Lacon Woolen Manufacturing Co., of Lacon, Ill., was sold, as was the Houlton Woolen Mill, of Houlton, Me. The Hope Mill, of Waterford, N. Y.; the Meyers Hosiery Mill, of Philadelphia; and the Tremont Worsted Co., of Methuen, Mass., assigned; and the Arnold & Perkins Manufacturing Co., of Pascoag, R. I., disposed of its machinery.

In May the Glenmore Worsted Mills, of Philadelphia, were attached; the Hudson Valley Knitting Co., of Amsterdam, N. Y., failed, and had its stock sold out by the sheriff. In June the Nonamtum Worsted Mills, of Newton, Mass., failed, and the Everett Woolen Mills were sold in Great Barrington, Mass. In July the Empire State Knitting Mills, of Schenectady, N. Y., assigned, and its stock and plant were disposed of for what they would bring. There was a sale also of the Spencer Woolen Mill, of Spencer, Mass. The record of this month is full of other failures, sales, and reorganizations in the woolen business.

All of this time the woolen and worsted factories of England, the great beneficiaries of the Gorman-Wilson legislation, were working overtime with their cheap labor on goods for the American markets and were enjoying a prosperity which the Bradford Observer well calls "the most extraordinary of the waning century." But there was a grim difference in the United States. In August the Brooklyn Knitting Mill, of Brooklyn, N. Y., failed. The Franklin Woolen Co., of Jackson, Ohio, failed. So did Davis, Russel & Co., of Phoenixville, Pa., and the Hampshire Blanket Co., of Williamsburg, Mass. The Dubois Knitting Mill Co., of Dubois, Pa., went into voluntary liquidation. In September the New Albany Woolen Mills, of New Albany, Ind., failed, and the property was sold at auction. The American Wool & Felt Manufacturing Co., of Kansas City, Mo., was attached; the Rose Valley Woolen Co., of Auburn, N. Y., failed, and the Enterprise Knitting Mill, of Cohoes, N. Y., was sold under foreclosure of a mortgage. A little later the Albany Woolen Mills, of Albany, Oreg., went into the hands of a receiver, and the Kennebec Woolen Mills, of Philadelphia, assigned with liabilities of $70,000. The Anchor Knitting Mills were bought in by the mortgagee. The great carpet factory of Alexander Smith & Sons' Co., at Yonkers, N. Y., closed down for the time being, because it could not find the market for its products, which were piling up in the storehouses while foreign goods were pouring into the country.

This is how the Gorman-Wilson law—a more favorable law by far to American manufacturers than this new Democratic proposal—dealt with the manufacturers and the wage earners of the United States. It meant idleness, loss, bankruptcy, starvation for them, and high, exultant prosperity for their competitors in Europe.

Gentlemen of the committee, it is my prediction that if this proposed measure is enacted into law the growers of wool and the raisers of sheep will again suffer an inestimable financial loss, as was the case under the so-called Wilson-Gorman Tariff Act of 1894, which is so fresh in the memories of the people then trying to make a living by the raising of sheep and wool.

The woolgrower of the United States has no other market for his product than the woolen manufacturer of the United States. The two industries, woolgrowing and wool manufacturing, go hand in hand. One can not succeed without the other. The woolen manufacturers can not possibly survive without adequate protection against foreign wools produced cheaper than American wools can be produced. One of two things must happen if this measure becomes a law—the woolen manufacturers of the United States must go into bankruptcy or the labor employed, both in the production of wool and the manufacturing of the same, must be reduced to a level with labor employed not only in England, but in the Orient.

Our Democratic friends hold out the hope and the sop to the consumers of woolen clothing that if the duty on wool and woolens is reduced the laboring man will obtain his clothing just that much cheaper, but they should also add this statement, that there never was a time in our history when the laboring man for his week's wages could purchase more woolen clothing than he can to-day. The clothing, the food, and all the necessaries and comforts of life enjoyed by the laboring men of this country are measured by his purchasing power. If low prices on manufactured and agricultural articles prevail on account of greater importations of those articles from abroad, the result is inevitable—the wages of the labor producing such articles in this country must be lowered and the amount of employment offered to American labor reduced, for the greatest evidence that our industries have been transferred abroad is the fact proven by heavy importations.

In concluding I wish to submit some instructive figures showing the decline in the number of sheep in the United States during the operation of the Wilson-Gorman tariff law. The figures explain themselves:

Number of sheep of shearing age in the United States and the wool product, 1891–1910, inclusive, as estimated by the National Association of Wool Manufacturers.

Years.	Sheep.	Wool.
	Number.	*Pounds.*
1891	43,419,136	303,401,507
1892	44,938,365	333,018,006
1893	47,273,553	348,538,138
1894	43,501,994	325,210,712
1895	39,949,388	294,296,726
1896	36,464,405	272,474,708
1897	34,784,287	259,153,251
1898	35,671,914	266,720,684
1899	36,905,497	272,191,330
1900	40,267,518	288,636,621
1901	41,920,900	302,502,328
1902	42,184,122	316,344,032
1903	39,284,000	287,450,000
1904	38,342,072	291,783,032
1905	38,621,476	295,488,438
1906	38,540,798	298,915,130
1907	38,864,931	298,294,750
1908	40,311,548	311,138,321
1909	42,293,205	328,110,749
1910	41,909,500	321,362,750

Mr. Chairman and gentlemen, I thank you.

Mr. MURDOCK. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk.

Mr. LENROOT. Mr. Chairman, if there is any necessity——

Mr. MURDOCK. Mr. Chairman, I yield the floor to the gentleman.

The CHAIRMAN. The Chair will state for the information of the gentleman from Kansas [Mr. MURDOCK] that there is an amendment now pending.

Mr. LENROOT. Mr. Chairman, if there was any question as to the necessity of the amendment of the gentleman from Illinois to perfect this bill, it seems to me it has been entirely removed by the reading of the court decisions by the gentleman from Massachusetts [Mr. PETERS].

Mr. Chairman, I urge this amendment, not as one hostile to the bill, but as one who intends to vote for it and wishes to perfect it so far as possible. [Applause on the Democratic side.]

These decisions that were read by the gentleman from Massachusetts amount simply to this: That in the law then being construed there were two conflicting provisions, one laying a duty upon articles made wholly or in part of wool, and another laying certain duties upon articles where the component part of chief value was a certain material. Now, it is a familiar rule in the construction of statutes that specific provisions must control and govern general language, and all that the court decided in that case was that the provision "component part of chief value" was more specific than the provision "wholly or in part of wool." And so the decision was made, and it could not have been otherwise.

But I submit, Mr. Chairman, that this is an entirely different case. I submit that no one can cite any authority holding that general language in a subsequent statute does not control and govern specific language in any prior statute.

And so the construction of this bill must be—indeed, there is no room for construction, because it is so plain—that if it passes in its present form all articles of wool or partly of wool not otherwise provided for in this bill will come in under a 40 per cent ad valorem duty.

Mr. Chairman, what will be the result of that? Turn to the silk schedule, for instance. The duties in that schedule run from 60 to 128 per cent where the material consists of 30 per cent or more of silk. These are all luxuries. You will reduce the tariff on these luxuries, now ranging from 60 to 130 per cent, where they contain a small part of wool, down to 40 per cent.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LENROOT. I should like three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LENROOT. Is that a part of your scheme of tariff revision, to reduce the duties upon luxuries?

Take the other extreme. Turn to the cotton schedule, and we have there duties running from 27 per cent up. With the construction that will follow in this bill, in certain kinds of cotton, where the duty is now 27, 30, or 35 per cent for cheap goods, matters of necessity to the common people, if they are composed in part of wool you propose to increase the duties upon those articles to 40 per cent ad valorem. Is that part of your policy of tariff revision?

Mr. Chairman, it seems so clear to me that this amendment is necessary that I say in the utmost good faith to gentlemen upon the other side of the Chamber they ought to accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. MANN].

The question being taken, the Chairman announced that the "noes" appeared to have it.

Mr. MANN. Mr. Chairman, I ask for a division.

The committee divided; and there were—ayes 51, noes 119.

Accordingly the amendment was rejected.

Mr. MURDOCK. Mr. Chairman, I offer the amendment which is at the Clerk's desk.

The Clerk read as follows:

Amend by adding after the words "ad valorem" in line 19, page 2: "*Provided*, That all worsted coatings, serges, and suitings for men's wear, and all worsted-filling cassimeres, doeskins, jeans, tweeds, coatings, suitings, and other cotton-warp goods for men's wear shall be admitted free of duty."

Mr. MURDOCK. Mr. Chairman, I have in this amendment attempted to reach that variety of worsted goods which go on a man's back. There are two kinds of worsted goods for men's wear. One is an all-wool worsted and the other is a wool-filled worsted, the warp being of cotton and the filling of wool.

We make in woolen fabrics in this country about 510,000,000 square yards. Of that amount 210,000,000 square yards are worsted, but apparently only 59,000,000 square yards of worsted, all wool, reach the backs of men in this country for clothing, and only about 16,000,000 square yards of cotton warp and woolen filling. In other words, the amendment which I have offered reaches 75,000,000 square yards of worsted fabrics.

I want to say to the House again that I am perfectly aware that there is no disposition on the part of this committee to amend this bill. It is my belief that there will be no wool legislation in the Sixty-second Congress, but I predict to all in this House that whether the Republicans or the Democrats are in control in the Sixty-third Congress, worsted fabrics for men's wear will go on the free list.

It is no new thing to put worsted fabrics on the free list. They were on the free list in most of the tariffs before the Civil War.

In the law of 1867 they were given the preference of a tariff, a tariff which they enjoyed for almost half a century, save for one short period, and I want to take a moment to point out that period. We passed an act in 1883 which reduced the duty on worsteds, and that duty remained in the law for seven years. The worsted industry did not decline, it did not suffer, it was not put out of business; it went ahead and enjoyed a normal growth. Now here is a scene which occurred in this Hall on May 9, 1890, and I commend it to my friends. This resolution was passed:

Be it enacted, etc., That the Secretary of the Treasury be, and he hereby is, authorized and directed to classify as woolen cloths all imports of worsted cloth, whether known under the name of worsted cloth or under the names of worsteds or diagonals or otherwise.

It is an interesting incident which I commend to my friends in the House of Representatives, that it passed by 138 yeas, with 189 Members present in addition and not voting.

Now, the worsted trust has enjoyed all sorts of favors in the past.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. MURDOCK. I ask unanimous consent for two minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas? [After a pause.] The Chair hears none.

Mr. MURDOCK. Now, here is a proposition to admit free merely the worsted fabrics that are worn by the average citizen of the United States. It will not materially affect your revenues. There are other ways of getting revenue. It will, so far as the tariff can, bring relief, partial relief to men who wear worsted in this country. And I have no doubt that if the gentlemen of the majority in this House had not subscribed to the caucus that they would vote this amendment up and in.

Mr. RICHARDSON. Mr. Chairman, I move to strike out the last word. I have listened, Mr. Chairman, with a great deal of pleasure and instruction to the debate on the woolen schedule. I have become thoroughly satisfied that wool occupies the important position that a great Republican gave it, as being the "key of the arch of protection." No schedule on the tariff list so clearly draws the lines of demarkation between the policies and principles of two great political parties of this country—the Democratic and the Republican Parties—as does the tariff on wool. Why this is true can hardly be told, but yet, 'tis true. I dare say that never before in the history of this country has the interest and attention of the American people been more intensely focused on the tariff, and especially now on wool.

The Republican Party, that for more than 16 years has bestowed its most valuable special favors of the wool and woolen interests to enrich a class, has been overthrown in the popular branch of the Government, and the overthrow at the polls, in public estimation, is chiefly attributable to the dictation of the Association of Wool Manufacturers of Maine—woolen schedule—which the Republican Party openly admitted on the floor of the House in its pretended revision in 1909 was too strong to resist, and placidly yielded to the continuance of its enormities on the American people.

No beneficial change scarcely of any character in the woolen schedule was made in the law of 1897 by the Payne-Aldrich law of 1909. The Republican Party possessed a guilty knowledge of the inordinate exaction concealed in the bewildering classifications of Schedule K. The clamor that came up from the people everywhere against these excessive tax burdens went unheeded and unnoticed. Mr. Taft, while Secretary of War, said in a speech he delivered on September 5, 1906, at Bath, Me.:

Speaking my individual opinion, and for no one else, I believe that since the passage of the Dingley bill there has been a change in the business conditions of the country, making it wise and just to revise the existing tariff. The sentiment in favor of a revision of the tariff is growing in the Republican Party, and in the near future the members of the party will doubtless be able to agree on a reasonable plan. * * * How soon the feeling in favor of revision shall crystallize into action can not be foretold, but it is certain to come, and with it those schedules of the tariff which have inequalities and are excessive will be readjusted.

"How soon the feeling in favor of revision shall crystallize into action can not be foretold." The tariffs which have "inequalities and are excessive" will be readjusted. How long and patiently the people were fed on such political chaff! But were the "inequalities" and "excessive" duties readjusted? Were they reduced, as Mr. Taft promised in his Bath speech?

I quote this clipping for the purpose of showing that the Republican Party was warned as to what the people expected and demanded in the reduction of tariff duties. Some time after this, when Mr. Taft had been elected President on the platform adopted at the Republican national convention of 1908, in making a speech at Milwaukee in September, 1908, he said:

I expect to recommend to Congress a genuine and honest revision of the tariff.

Then, after Mr. Taft was elected President, in making a speech on December 16, 1908, to the Ohio Society of New York City, in speaking of the pledge of his party:

On this plank we were successful; and unless we act in accordance with our promises, or if we only keep the word of promise to the ear and break it to the hope, we shall be made accountable to the American people and suffer such consequences as failure to keep faith has always been visited with. Better to have no revision at all unless we are going to honestly and faithfully revise the tariff on the basis promised by our party.

These are the utterances of your President—a Republican. He believed that the pledge and promise made in the Republican platform was to reduce excessive rates. He was honest, innocent, and guileless then. He had a suspicion then that the standpatters of his party were "fooling" and so they were.

But my purpose is to call attention of the committee to a strange and apparently meaningless sentence at the close of the minority report of the members of the Ways and Means Committee. It is as follows:

For purely political reasons this cold-blooded measure is brought forward.

Think of it—"cold blooded." If the old adage is to prevail, "That you judge the force of the shot by the fluttering of the birds," then this wool bill as presented has done irreparable damage in the ranks of the Republican Party.

The Democrats who are guiding us in this Congress are not denying that there is just as much politics in the air all around us as can well be. You know this is a fact and we know it on this side of the Chamber. But you forget one important fact, that this "cold-blooded measure" receives from the masses of the people this encomium, "that he who serves his party best serves his country best." I speak for myself when I say that no House of Representatives has assembled in Washington for the last half century that is charged more decidedly with the responsibility of shaping legislation that would give victory or defeat next year to the Democracy than the present Democratic House. We are bringing Schedule K up now because it is more oppressive on the people than any other tariff schedule.

And again I repeat, Mr. Chairman, that I recognize the presentation and discussion of the wool schedule at this time as the most auspicious event in the struggle we are making for our party. It gives us the welcomed opportunity on a subject of universal interest to show and convince the country that the Democratic Party does not propose to be rash and reckless in handling the great interests of our country. We recognize that the demand for a reduction of the excessive tariff duties imposed and enforced by the Republican Party in the woolen schedule, but in cotton cloth and many other articles, exists among patriotic and unselfish citizens of all classes throughout the country, and a true utterance of that demand was recorded by the election last November.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. RICHARDSON. I move to strike out the last two words.

Mr. UNDERWOOD. Mr. Chairman, I would suggest to the gentleman that his motion is in the nature of an amendment in the third degree, but I ask unanimous consent that he may proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. RICHARDSON. Mr. Chairman, to continue.

The people will bear patiently with a work the result of thoughtful care and prudence, while they will become angry and condemn inconsiderate, reckless party action. I realize and appreciate the fact that raw wool is lustily declared by some to be the first and most important subject worthy of the free list. Under certain conditions that would be true, but those conditions do not exist now. This woolen schedule and the action of a Democratic caucus on the same, which action will be ratified on the floor of the House in a few hours, indicate to the country that no change will be made which of itself will cause any sudden or violent interruption or readjustment of business interests of the country. Under the policy of the Republican Party of building up great business combines by special favors and preferences under the tariff schedules large amounts of capital have been accumulated and invested. We can not afford to so handle most large interests with such disregard as would bring on a business convulsion by attempting to undo all of that by one stroke. We could not have satisfied our political opponents as much in any other way as by putting raw wool on the free list.

Speaking alone for myself, I believe it is politically wise for our party to establish a national policy for the laying and collection of tariff duties based on revenue which will remove the menace that at every national election confronts our industrial system, which paralyzes business. It can not be denied that the Republican policy of excessive prohibitive duties has invited the economic and industrial agitations that we have suffered from for many years past. And they will continue just as long as our people are willing to have their money taken by the Government from them under the guise of law to create wealth and power for a favored class. This woolen, more than any other tariff, offends in that way. It has been truly declared that the woolen schedule was the key to the arch of protection. No one can fairly claim that if the policy of a tariff for revenue is made our national policy that any great injury will result to our home industries by a gradual adjustment. It is manifest that the interests of labor has been used by the Republican Party to conceal its real purpose of unjust gains for the manufacturer. The manufacturer nor the laborer will suffer under the economic and just policy of a tariff for revenue.

In this tariff on raw wool, imposed, as I believe, in good faith, for revenue and in strict accord with the fundamental Democratic creed and without directly or indirectly contravening any Democratic platform for revenue, we are bound to know that such a tariff carries with it a limited protection to home industries.

Mr. Chairman, it occurs to me that we could not have given more genuine political satisfaction to our political opponents than by putting raw wool on the free list. They would have lustily charged us with abandoning the Treasury of the Government by placing an article on the free list that annually yielded millions of revenue to aid in bearing the expenses of the Government.

We have correspondingly disappointed them by placing on raw wool a tariff of 20 per cent, something less than one-half of the tariff under the present law. This woolen schedule and our surroundings makes us hopeful that the National Democratic Party is on its way back to its great and fundamental principles, the assertion and adherence to which has made the Democratic Party the great party of this country, that truly represents the interests of the masses against the grasping greed of the classes. "Equal rights to all and special privileges to none."

Mr. Taft, in speaking of the evils of the protective policy of the Republican Party for past years, said in his letter to the Republican national congressional committee, under date of August 20, 1910:

> The evil of excessive tariff rates, however, showed itself in the temptation of manufacturers to combine and suppress competition, and then to maintain the prices so as to take advantage of the excess of the tariff rate over the difference between the cost of production abroad and here.

The wool schedule was manipulated in the way the President described, and for years millions have been extorted from the people to enrich a class favored by the Republican Party. The President declared himself that the wool schedule was "indefensible." That is strong language. The wool duties are hoary with age. If we subject it to fair and equitable rule of law the arch of protection is weakened.

I think this a suitable occasion to congratulate the Democratic leaders of the House that they have laid down such a wise, discreet program as the business of this special session and the manner it is being carried out gives cheer and great stimulus and hope to our party. We do not mean to go into the shop and destroy all of the cutlery. What we want to get is the confidence of the people, which the Democratic Party needs, and we have the opportunity at this time of getting that. That is what we need more than anything else. [Applause.]

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN (Mr. SULZER). An amendment is pending, and the Chair recognizes the gentleman from Pennsylvania.

Mr. MOORE of Pennsylvania. Mr. Chairman, the other day, in an address to the House, I referred to a suit of clothes made from a piece of cloth manufactured in a mill in Rhode Island. The cost of that cloth laid down by the manufacturer was $7.87½. I emphasize the cost price of the cloth, for it contained 3½ yards, sufficient to make a suit of clothes. It was laid down by the manufacturer at $7.87½. It was American-made cloth, with all of the tariff charges and all of the manufacturer's charges, and all of the woolgrower's charges, and all the mill worker's charges paid. That piece of cloth was taken to a tailor, who made it up into a suit of clothes, for which he charged me $30. I took the cloth to the tailor because I wanted to find out who paid the tariff on it. I wanted to find out where the consumer was hit by the tariff on the purchase of the finished garment.

DRAWING THE TAILOR'S FIRE.

I have drawn the fire of the tailor who made the suit. He does not agree with me upon the question of the tariff, and still insists that it is an iniquity, although the tariff charges upon that $7.87½ piece of cloth, if imported, would have been $3.92. My speech attracted some attention in the newspapers, and has invited an answer from the tailor. I have his letter before me. In it he gives some figures that I desire to lay before the House.

Here is the letter:

PHILADELPHIA, *June 15, 1911.*

Hon. J. HAMPTON MOORE, *Washington, D. C.*

MY DEAR MR. MOORE: I have read with more than ordinary interest your remarks upon the revision of the woolen schedule as reported to-day in the Public Ledger, and especially that portion which refers to the conversation with your tailor. I recall the conversation perfectly, but as quoted there is such an unfair impression created regarding tailors' prices and profits, that knowing you as well as I do, I am sure you would not intentionally or deliberately be a party to making that kind of an impression.

I want the privilege of submitting the following facts and data to illuminate the subject which will probably interest yourself and the House as well as the public, and authorize you to use them, if you see fit to do so.

Taking up the price of $30, which you paid me for making, cutting, and fitting the suit in question, I submit the following figures of costs:

Wages paid pieceworkers on coat, vest, and trousers	$12.50
Wages paid weekly and yearly workers	6.50
Paid for material (trimmings)	4.50
Gross profits (21½ per cent)	6.50
Total	30.00

LABOR WAS PAID ITS SHARE.

You will notice that $19 was paid to labor alone in the first two items. Trimmings cost include mohair lining, canvas, linens, silk, cottons, and various other sundries which paid duty to the Government or were manufactured in this highly protected country. Lastly, gross profits of $6.50 includes cost of doing business, such as rent, general expense, advertising, insurance, interest on capital, and also net profit for the man who runs the business, which includes his labor or services. Now, as a manufacturing business which requires, as the tailoring business does, highly skilled operatives, does it strike you that we are the "robber barons"? It must also be remembered that a tailor working organization must be kept together for 12 months in the year, while the public has use for him about 7 months. He can not hibernate the other 5 months while the public won't buy, because they don't need him—it is a business of seasons, and we must live on such net surplus as remains after paying the foregoing costs referred to out of the 21½ per cent gross profit. A department store, whose business never stops a day during the year, will not try to do business for a gross profit of less than 25 per cent to 33⅓ per cent, while the tailor gets less than 25 per cent, being due to the fact that his labor cost and his woolen or trimming charges are so great that he can not put so large a percentage of profit and sell his goods.

In the matter of cost of the cloth in the suit you mention, assuming that it is accurately quoted as $7.87½, I have handled, bought, and sold woolens for about 30 years and make this statement, to which I challenge contradiction, that no tailor in the United States can buy the cloth in your suit for $7.87½ in a regular way. I doubt whether a clothing manufacturer would be able to buy it for $2.75 per yard by the piece of 35 to 40 yards.

I do not know anything about the profits of the woolen jobber, but the price you quote—$2.25—for your cloth at the mill and the price the tailor pays before it reaches the final consumer, opens up a very interesting vista.

I write you in the interest of fair play—which I know you stand for—taking up only the tailor's side of the case, who in the past few years has become a much abused and long suffering manufacturing tradesman, whose profits the public say are large, but the aforesaid tradesman all over this country is in most cases making but his living, and is losing his eyesight looking for the "big profits."

As a tailor I favor a moderate revision of the tariff on woolens, but the present Schedule K is a monstrous injustice to the public and the tailor.

Yours, faithfully and sincerely,

W. H. DIXON, *Merchant Tailor.*

THIS LABOR WAS PROTECTED.

Now, Mr. Chairman, I have only five minutes, under the rule, in which to make this talk. In my speech the other day I called for an explanation of the $30 charge for making up a suit out of a $7.87½ piece of cloth. Notwithstanding Mr. Dixon's statement, this was very high-priced American cloth. Now, my answer comes in the letter just quoted. It fully supports the contention I have been making that the tariff has little or nothing to do with the price to the consumer in the protection of $3.92 lodged at the customhouse against that $7.87½ worth of cloth. The American woolgrower was benefited and every workman, from the man who sorted the wool up through the scouring, carding, combing, dyeing, and finishing process to the weaving and delivery of the woven cloth, was protected. Our quarrel with the tariff, if we had any, was up to this point and no further, except as it may have affected tailors' trimmings.

Now, what does the tailor say in justification of the $30 charge? He says substantially what the manufacturer said: "I did not get it." Where, then, did it go? Let Mr. Dixon answer:

Piece wageworkers	$12.50
Wage earners regularly employed	6.50
Total labor cost	19.00

There is my whole argument. Labor was taken care of in the transaction and had to be taken care of before the finished garment was delivered. I was willing to pay that $30, including the tailor's profit of $6.50, because I preferred to pay the American wage and encourage American industries all along the line, from the woolgrower to the merchant tailor. If I had purchased that suit in England under similar circumstances the cloth could have been obtained for the $7.87½, minus the tariff of $3.92, but there would have been a displacement of all the American labor in all the branches of industry that engaged in the production and manufacture of the cloth, and I would have obtained the suit, so far as the tailor was concerned, for one-half his $19 labor cost, or $9.50, since labor receives one-half the wage in England it receives in the United States.

ALL BRANCHES OF THE INDUSTRY INVOLVED.

I have no fault to find with the profit of $6.50 made by the American tailor on this suit of clothes, nor on the $19 paid for labor in making up the suit, for I presume that is a fair American wage, but I do find fault with the Democratic Party and all others who are depressing wool prices, and wages, and who seek to break down the tariff barriers and remove protection to American labor by charging unjustly that the manufacturer is the only beneficiary of the protective system. I think I have shown that you can not strike the manufacturer without also carrying down the woolgrower, the workingman in the mill, and even the merchant tailor. In the instance of this suit of clothes we have seen that the tariff helped to keep employed woolgrowers, woolsorters, scourers, carders, combers, dyers, weavers, and finishers, and that, in addition to them, it protected wage earners employed by the merchant tailor, including cutters, seamstresses, and other skilled labor. We have also seen that the profit of the cloth manufacturer upon this particular piece of goods was 10 cents a yard, or 35 cents for the entire piece, and that notwithstanding the suggestion that there may be middlemen who enhance the price of the cloth, as between the cloth maker and the tailor, the profit of the latter, including his overhead charges, was $6.50, as against the cloth manufacturer's profit of 35 cents, the tariff being against the cloth man and not up to the tailor at all.

TIME FOR DISCUSSION LIMITED.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask for five minutes more.

Mr. SISSON. Mr. Chairman, I am not going to object to my good friend having one more minute, but——

Mr. MOORE of Pennsylvania. Five minutes! The gentleman from Mississippi would not be satisfied with one minute on a matter of this importance.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. SISSON. Mr. Chairman, I am going to serve notice now——

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to speak for five minutes more. Is there objection?

Mr. SISSON. Mr. Chairman, I want to say now I serve notice——

Mr. HARRISON of New York. Mr. Chairman, I object.

Mr. MOORE of Pennsylvania. Then, Mr. Chairman, in view of the letter already introduced, I shall have to content myself by extending in the RECORD a letter from Mr. Nathan H. Folwell, president of the Manufacturers' Club of Philadelphia, and a large manufacturer himself, which gives the other side of this question. I have a sample of the pure worsted cloth referred to in Mr. Folwell's letter, quoted at substantially $1.10 per yard for tailor's purposes. I think most anybody would be glad to wear it, especially if made up into women's dress goods, and, as a rule, women do not pay less than their husbands for what they wear.

A MANUFACTURER GIVES PRICES.

FOLWELL BRO. & CO.,
Philadelphia, June 19, 1911.

Hon. J. HAMPTON MOORE,
Washington, D. C.

DEAR SIR: At the request of Mr. John P. Wood I send you a sample of our fancy worsted, 58 inches wide, 9 to 9½ ounces, with the detailed cost of the same of $0.966.

We are willing to take orders on these goods at (net cash)	$1.1025
The cost of selling these goods is 6 per cent	.06615
Which would net us	1.03635
Deducting the cost of the same	.966
Total	.07035

These figures are based on the present cost of wool, which, on account of the tariff agitation, is very much below the foreign cost with the duty added.

Prior to this tariff agitation wool here brought the same price as foreign wool with the duty added. Then the goods cost us $1.1125.

We sold them at	$1.2825
Less the cost of selling, 6 per cent	.0769
Which would net us	1.20555
Deducting the cost of the same	1.1225
	.0931

or less than 7½ per cent on the selling price.

You can make use of these figures if you wish to combat the ideas of Mr. UNDERWOOD that we are trying to rob the consumers.

Truly, yours,

N. T. FOLWELL.

P. S.—From the above you see we make less than 10 cents per yard.

PERCENTAGES OF COST.

FOLWELL, BRO. & CO.,
Philadelphia, June 19, 1911.

Mr. N. T. FOLWELL,
625 Chestnut Street.

DEAR SIR: I inclose you a detailed statement of the cost of our No. 410 X, 58-inch, fancy worsted. The warp in these goods being made from 50 per cent of 10s domestic wool and 50 per cent of 7s domestic wool. The filling being of 7s. The 10s represent a full blood X wool and the 7s represent a one-half blood.

I have carefully gone into the various items entering into the cost of these goods, and find them to be as follows:

Sixty per cent in cost of materials.

Twenty-six per cent in wages.

Fourteen per cent in fixed charges, which represents interest on capital, rent of our buildings, motive power, and all supplies used in making the yarns, dyeing, etc.

I also inclose you the wool tests which show you the shrinkage actually made on these goods. These items represent the data collected in making thousands of these pieces, showing the same to be correct.

Trusting this is what you require, I am,

Very truly, yours,

MITCHELL STEAD.

FOLWELL, BRO. & CO.,
Philadelphia, June 19, 1911.

COST OF NO. 410 X, 58-INCH, FANCY WORSTED, WEIGHING 9½ OUNCES PER YARD.

Expenses	$31.50
Materials (yarns)	358.85
Weaving wages	31.50
Dressing	6.00
Mending	10.00
Finishing	20.00

A total of $457.85 for 500 yards, or 92 cents per yard.

Add to this 5 per cent for damages, returns for all causes, and for cancellations, making an actual cost of 96.60 cents per yard.

WHERE IS THE "ROBBER BARON"?

Recurring to the statement of Mr. Dixon, the tailor, that the tailor's gross profit of $6.50 on a suit of clothes does not make the tailor a "robber baron," I invite a comparison of that profit with the profit of 35 cents to the cloth maker on the 3½ yards in question, and ask wherein the cloth manufacturer, who has taken greater risks in the construction of his mill and in the employment of so many more people than the tailor employs, is a "robber baron"? Mr. Folwell's figures, just given, indicate that he is willing to sell all the "fancy worsted" above described at substantially $1.10 per yard. Three and one-half yards of this material, if used for the purpose, would make a suit of clothes. The total cloth cost is thus shown to be $3.85. May I ask, in view of the fact that this is the material which the tariff protected, what the retail department store would charge for a suit of clothes ready made from such material? Does any one contend for a moment that such a suit could be purchased for less than $12 or $15, or even $20 or $25? Or can anyone tell what the merchant tailor would charge above the cloth price of $3.85? I have said repeatedly, and I say it again, that the "iniquitous" tariff to which Mr. Dixon, the tailor, still objects is all within the $3.85, and before he appears upon the scene, as it were. Everything above that figure, except tailors' trimmings, is subject to employment, tailor's charges and American wages. Or, to make the matter still more plain, the "robber baron," if there be any, is hidden in the $3.85 only. The Democratic Party apparently sees no "robber baron" in the difference between the $3.85 and the ready-made dealer's price of $15 or $20, or the tailor's charge of anything all the way up to $75.

BETWIXT CLOTH AND CONSUMER.

In my address before this House on June 14 last I exhibited samples of American-made cloth having the benefit of the protective tariff, which were quoted for 3½ yards at $3.93, $4.29, and $4.38. I stated then, and I repeat, that many manufacturers would gladly agree to make that material on long-term contracts for a profit of 5 cents a yard, or 17½ cents for the suit, as against the tailor's profit of $6.50, more or less, for making up the suit. I stated that yarn makers were willing to take contracts to deliver yarns at a profit of 5 cents a pound. Now comes the Folwell statement, above quoted, which shows that with regard to the cloth exhibited his concern is willing to sell it at $1.10 per yard. The manufacturer's net profit is less than 10 cents per yard.

AMERICAN WORKERS DID THE WORK.

In this instance, and upon examining the statement with regard to the cost of this particular fancy worsted, we find that 60 per cent is in materials, 26 per cent in wages, and 14 per cent in fixed charges. As to the 60 per cent in cost of materials, we find upon closer examination that "materials" means wool produced by the American woolgrower at American prices, sorted by American sorters, scoured by American scourers, carded by American carders, combed by American combers, spun by American spinners, dyed, finished, and woven by American operatives in those grades, and that all these have to be considered and accounted for before the manufacturer can come out with his profit of less than 10 cents per yard.

Now, Mr. Chairman, in making this statement I am not pleading the cause of the manufacturer so much as I am pleading the cause of the American farmer and the American workman. If you are going to transplant all this business to the other side of the water, you are not smiting the manufacturer with more severity than you will smite the farmer and the industrial worker. If the price of cloth is high to the consumer, you have not developed a remedy in your attack upon the protective-tariff system. Neither will you reduce the price of clothing without reducing the power of the wage-earning consumer to purchase clothing. There is ample precedent for this statement.

DO PRICES COME DOWN? NO.

We levied a duty once upon coffee, but we took it away upon the theory that the consumer would get coffee cheaper. The consumer not only failed to get coffee cheaper, but the Brazilian Government matched our generosity in taking off the American tariff by imposing a Brazilian export duty. Brazil took for its treasury what we rejected from ours and the consumer paid the same old price for coffee. There is no duty upon tea, and yet tea comes into the United States at as low as 7 and 11 cents a pound. No labor is employed upon tea in this country, and yet the price of tea is just as high to the consumer as it ever was. The truth is that if we were to levy a duty upon tea and make the importer pay that duty, we would still get tea at the same old price. Instead of the importer getting the duty, as he does now, in effect, it would go into the Treasury of the United States and relieve people of the direct taxation which the Democratic Party is aiming to impose upon them.

I shall be very much mistaken, Mr. Chairman, if the passage of this wool bill does not work injury in industrial districts throughout the country. It certainly holds out no promise of cheaper clothing, while it does anticipate a lowering in the prices of American wool and a depression in the wage-earning power of the textile worker. Such depression is to be deplored, and the pretense of "finding revenue" for the Government, when the Republican Party has provided revenue without depression, is inexcusable.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

6. On blankets and flannels, composed wholly or in part of wool, the duty shall be 30 per cent ad valorem: *Provided*, That on flannels composed wholly or in part of wool, valued at above 50 cents per pound, the duty shall be 45 per cent ad valorem.

Mr. HILL. Mr. Chairman, I move to strike out the last word. I have not been present during the debate, being compelled to be away, but it was my wish to get 20 minutes by taking 10 on the last paragraph and 10 on this one. Perhaps I shall not need it, but I should like to call the attention of the chairman of the committee for just a moment and also the attention of members of the committee to these two paragraphs. In paragraph 6 there is a duty of 30 per cent on some flannels and 45 per cent on others. I recognize the justice of that grading, that there should be two or more grades of duty according to the grade of material, but what I want to know, if the gentleman will kindly answer, is why the gentleman did not make a similar grading of duties on cloths in the previous paragraph. Will the gentleman kindly give me that information?

Mr. UNDERWOOD. I will state to the gentleman that the committee, having adopted an ad valorem rate all through the bill that rises and falls with the value of goods, concluded that the ad valorem rate would adjust itself without having to make a specific change.

Mr. HILL. Would it not adjust itself as well in blankets as cloths?

Mr. UNDERWOOD. When it came to blankets, we did not desire to put an ad valorem higher than 30 per cent on blankets, including with blankets the very cheapest class of flannels. On the higher flannels there had to be some adjustment, and we made that adjustment on that line for the purpose of making the higher flannels pay the higher duty and getting that much more revenue.

Mr. HILL. Mr. Chairman, I supposed that would be the answer. There never was a greater fallacy submitted to the American people than just that. Now, let me say that I noticed when I was on the floor before that the statement met with considerable applause that I voted for a free list so far as Canadian reciprocity was concerned. I hold now in my hand a report made by myself to the chairman of the Committee on Ways and Means two years ago recommending an ad valorem duty on wool that should be 40 or 50 per cent, with complete schedules on fabrics based on each duty, and I can give no better statement of my views of what a wool duty should be than is found in that report. I do not believe in a specific duty on wool. I believe that a specific duty on wool in the grease is a fraud and a delusion. I believe it should either be ad valorem or that it should be a specific duty on clean wool, as advocated by the chairman of our committee. So much for that. Now, then, in regard to the answer which the gentleman from Alabama has made, that he thought than an ad valorem duty would adjust itself, I am fully satisfied that he believes that that is correct; but I call his attention to his own report, is-

sued under his own name, on page 10, and I ask the Members of the House who have the report before them to examine it as I take it up.

It gives the cost as far as labor is concerned in 70 establishments in the United States and in a certain number in Great Britain on cotton. It gives also the comparative labor costs on woolen, and then it goes on and it shows that the whole idea of this committee in framing this bill has been founded upon an absolute mistake, and a mistake which was made a few moments ago by the gentleman from Minnesota when he made the statement that if the cost of labor in the United States is 50 per cent and in a foreign country is 25 per cent, a duty of 25 per cent will equalize it. No such thing at all, in any way, shape, or manner. The committee are laboring under the same mistake. Now, then, I will read:

If foreign goods had no labor cost whatever, 27 per cent would have been the maximum average rate required to equalize the labor cost of production at home and abroad.

Now, that is not true. The difference in percentage would have been precisely in the proportion that the total foreign cost was to the total American cost.

Let me illustrate: Suppose the English cost was 50 cents a yard and the American cost $1 a yard. In this citation the American labor cost is 27 per cent and the English labor cost is nothing. Twenty-seven per cent of a dollar is 27 cents, and nothing on the other side. The percentage of duty required to equalize the difference in labor would be 54 per cent, for the duty is laid against the cost of the foreign fabric.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HILL. Mr. Chairman, I ask for an extension of five minutes.

The CHAIRMAN. The gentleman from Connecticut asks unanimous consent to proceed for five minutes longer. Is there objection?

Mr. BUCHANAN. Mr. Chairman, I object.

Mr. HILL. Mr. Chairman, is objection made?

The CHAIRMAN. Yes.

Mr. HILL. There will be no more extensions to-day, Mr. Chairman, if objection is made. I have not been here for two weeks, being away because of the advice of my physician.

The Clerk read as follows:

7. On women's and children's dress goods, coat linings, Italian cloths, bunting, and goods of similar description and character, composed wholly or in part of wool, and not specially provided for in this act, the duty shall be 45 per cent ad valorem.

Mr. MANN. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 3, by striking out on lines 1 to 5, the following language:

"On women's and children's dress goods, coat linings, Italian cloths, bunting, and goods of similar description and character, composed wholly or in part of wool, and not specially provided for in this act, the duty shall be 45 per cent ad valorem."

And inserting in lieu thereof the following:

"On women's and children's dress goods, coat linings, Italian cloths, bunting, and goods of similar description and character, composed wholly or in part of wool, and not specially provided for, the duty shall be 40 per cent ad valorem."

Mr. MANN. Mr. Chairman, the amendment I offer is designed to place the same duty upon women's and children's dress goods as it does upon cloths for men's goods. That has already been passed at 40 per cent, and this amendment proposes to make 40 per cent on the cloth used by women and children. It also leaves out the language in this act, "not specially provided for."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois [Mr. MANN].

The question was taken, and the amendment was rejected.

Mr. HILL. Mr. Chairman, I move to strike out the last word.

Take the next illustration: There the American labor cost is 27 per cent and the English is 13½ per cent, and the conclusion drawn is as follows:

Then the rate of duty required to prevent the foreign manufacturer from securing an advantage from cheaper labor would have been 27 per cent as to cotton manufactures, and the American cost, less 13½ per cent, would have been the European cost, or 13½ per cent.

The gentleman from Minnesota [Mr. ANDERSON] made the same mistake which the average man would make unless he had thoroughly analyzed the proposition, namely, that 50 per cent of American cost as against 25 per cent of English cost meant 25 per cent difference. It does not. It is dependent entirely on the respective valuations of the products. Thirteen and one-half per cent of 50 per cent is about 6¾ per cent, 27 per cent of a dollar is 27 cents, and the difference is a trifle over 20 cents, so that it requires 40 per cent duty on the foreign fabric to equalize the labor alone. Now, you will find that mistake carried all through the report, and you have practically figured the protective feature of this bill by applying the duty to the American cost, whereas it is a well-known fact outside of Congress that the rate of duty is laid upon the foreign product and not upon the American product. I had supposed it was understood so in Congress. If you will turn to page 41 you will find you have made the same mistake. I do not know who drew this report. I do not care. It is absolutely wrong in its mathematics. You there provide, "labor, 25 per cent; material, 60 per cent; interest and depreciation, 7½ per cent; and all other charges, 7½ per cent;" and then the man who drew this report made this wise comment:

The present protection on the cloth before mentioned, equivalent to 78 per cent, is therefore more than three times the labor cost, and almost as much as the entire cost in labor and materials.

There is no truth in that. It is absolutely a mistake. It is 78 per cent applied to one principal; 25 per cent is applied to another. Of course 78 is more than 3 times 25, but on the basis of your own figures 25 per cent of $1.30, the American cost, is 34½ cents, and 78 per cent on your 77 cents, which is the English cost, is nowhere near twice, to say nothing about three times, as much.

Now, reading this over as I sat on my piazza during the last week, I wondered to myself how I could show to this House of Representatives that the application of an ad valorem duty, which I believe in, on textiles—do not misunderstand me—how the application of an ungraded ad valorem duty would utterly fail to compensate for the difference in the cost of production; and if my friend from Illinois would pardon me and give me five minutes, I would like to show to this House the absolute failure of the single ad valorem proposition submitted in this bill by a practical illustration, which I think would be exceedingly interesting.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HILL. I shall speak further, then, on the next amendment.

The CHAIRMAN. The Clerk will read.

Mr. MURDOCK. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend by adding, after the words "ad valorem," in line 5, page 3, the following:

"*Provided*, That all worsted dress goods, cashmeres, serge, and other worsted goods for women's and children's wear, and all worsted filling dress goods, delaines, cashmeres, serges, mohairs, and alpacas, and other stuffs for women's and children's wear, shall be admitted free of duty."

Mr. MURDOCK. Mr. Chairman, this amendment covers all the dress goods for women's and children's wear which are of worsted. They are in large measure produced by a trust, and I wish to read in my time the platform of the Democratic Party adopted at its last national convention as it relates to the matter of trust-controlled products. The plaform on the tariff is as follows:

We welcome the belated promise of tariff reform now offered by the Republican Party as a tardy recognition of the righteousness of the Democratic position on this question; but the people can not safely intrust the execution of this important work to a party which is so deeply obligated to the highly protected interests as is the Republican Party. We call attention to the significant fact that the promised relief is postponed until after the coming election—an election to succeed in which the Republican Party must have that same support from the beneficiaries of the high protective tariff as it has always heretofore received from them; and to the further fact that during years of uninterrupted power no action whatever has been taken by the Republican Congress as to correct the admittedly existing tariff iniquities.

We favor immediate revision of the tariff by the reduction of import duties.

This bill does that. Then the platform proceeds:

Articles entering into competition with trust-controlled products should be placed upon the free list; material reductions should be made in the tariff upon the necessaries of life, especially upon articles competing with such American manufactures as are sold abroad more cheaply than at home; and gradual reductions should be made in such other schedules as may be necessary to restore the tariff to a revenue basis.

Now, I want to say, Mr. Chairman, that the President of the United States is on record, and, so far as I know, no one has successfully refuted his allegation that there is a combination in this country between all the wool interests, both on its manufacturing side and on its producing side, so great that it is able in an American Congress to defeat remedial legislation.

Now, every man here who has had any service in this or any other Congress knows that you have in this bill minimum duties. So far as practical legislation ultimately is concerned, every man knows that if this bill by any manner of chance should get through the other body of Congress, all these duties would go out, and every man knows that in conference, before any wool bill can pass, by reason of the pressure which was

mentioned by the President of the United States, the pressure of great interests, the duties in this bill will be increased; the duties will not remain at their minimum, but will go higher. Every man who has helped frame this bill will tell you that now you have a Woolen Trust in the United States.

You have resolutions before your Rules Committee to investigate that trust. You have refused to do it. You are investigating the sugar company and the steel company. Why not investigate the American Woolen Co.? You are placing upon trust-controlled articles a protective duty, not a revenue duty, in obedience to caucus dictation and in violation of your platform pledge.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HILL. Mr. Chairman, I should like to show how utterly ineffective an ungraded ad valorem duty would be in protecting American labor, and I will ask my friend, the gentleman from New York [Mr. HARRISON], or some other gentleman, to come and help me just a minute while I unfold and show to the House what is known as an Orenberg shawl. There you see is a fabric almost as filmy as a spider's web. It was bought in Moscow at a Government depot for the sale of the products of peasant industries. It cost $32 after the duty had been paid. It weighs 3 ounces. You will see that there are about 8 square yards of it. Peasant labor is paid $27 to $50 a year in Russia. And I am told that it required nearly a year's labor to select the fibers of wool and make the fabric. It was made by Russian peasants. It was bought at cost. There are 3 ounces of wool, which in that form would cost $100 to $150 in the United States. I paid $32 for it—$20 for the shawl itself and 60 per cent duty—and your single ad valorem duty is utterly ineffective both for revenue and for protection as well. You have figured, all the way through your report practically, that the protective feature of the bill was to be found by applying the duty to the American cost; and when your experts have said in your report that 27 per cent of American labor cost would be equalized by making a duty of 13½ per cent on the foreign product you are absolutely mistaken. It would take 40 per cent in the case cited, and it would take at least 400 per cent to do it on the shawl. It shows the fallacy of the straight ad valorem as a protective duty. You have recognized this with reference to flannels; why not on cloths, which are far more important and with a much greater variety of fabrics?

Mr. BORLAND. Does the gentleman yield for a question?

Mr. HILL. I will, if I have time.

Mr. BORLAND. It is a very brief question. Does the gentleman claim that shawl is an article of necessity?

Mr. HILL. Not at all; and all the more reason why you should make your duties graduated, instead of levying a single duty as you propose. [Applause on the Republican side.] I suppose there are only half a dozen of those in this country. I bought it as a curio, not because I could afford it; but the person who buys that as an article of luxury ought to be made to pay a big duty on it, at least 100 or 150 per cent.

Now here is a skein of cotton thread, so fine that you can hardly pick out one single thread. Yet that is made by doubling and twisting two threads, No. 400. You can not make that in the United States under any duty that you have imposed, because American labor is not able to compete. This is No. 200 thread, doubled and twisted, and I think the finest we make is No. 60. You are all wrong in your wool proposition.

Mr. GUDGER. Is the gentleman complaining at the low duty he paid on that shawl?

Mr. HILL. I am.

Mr. GUDGER. Which party levied that duty, the Republican Party or the Democratic Party?

Mr. HILL. I am complaining because for some mysterious reason, unknown to me, you have recognized the principle in your flannel schedule, but have not recognized it in your cloth schedule.

Mr. GUDGER. But your party levied the duty that you complain of. [Applause on the Democratic side.]

Mr. HILL. I ask why you did not recognize the principle in your cloth schedule? If there is any justification for recognizing it in the flannel schedule there is far more justification for recognizing it in the cloth schedule. It simply shows that this bill is the work of amateurs, that is all there is to it. [Applause on the Republican side.]

Mr. MANN. There is no doubt about that.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas [Mr. MURDOCK].

The question being taken, the amendment was rejected.

The Clerk proceeded with and completed the reading of the bill, the last section of which is as follows:

SEC. 3. That all acts and parts of acts in conflict with the provisions of this act be, and the same are hereby, repealed; but this section shall not take effect until the 1st day of January, 1912.

Mr. MANN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend page 6 by striking out all after the word "repealed," in line 5, and inserting in lieu thereof the following: "This act shall take effect and be in force on and after the 1st day of January, 1912."

Mr. MANN. Mr. Chairman, the bill now provides in section 3 a repealing clause, and then says in the same section, "this section shall not take effect until January 1 next." I propose to strike out that language, "this section shall not take effect until January 1 next," and insert a provision that this act shall take effect and be in force from and after the 1st day of January, 1912.

Mr. UNDERWOOD. Mr. Chairman, I accept the gentleman's amendment. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was agreed to.

Mr. UNDERWOOD. Mr. Chairman, I move that the committee do now rise and report the bill to the House, with the amendment that has just been adopted, with the recommendation that the amendment be agreed to and that the bill as amended do pass. [Applause on the Democratic side.]

The motion was agreed to.

Accordingly the committee rose, and the Speaker having resumed the chair, Mr. SULZER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 11019, a bill to reduce the duties on wool and the manufactures of wool, and had directed him to report the same to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. UNDERWOOD. Mr. Speaker, I move the previous question on the bill and amendment to its final passage.

The motion was agreed to.

The SPEAKER. The question now is on the amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The question was taken, and the bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. PAYNE. Mr. Speaker, I offer the following motion to recommit with instructions.

The Clerk read as follows:

Mr. PAYNE moves to recommit the bill H. R. 11019 to the Committee on Ways and Means, with instructions to that committee to hold the bill in the committee until the Tariff Board makes report to Congress, not later than the first Monday in December next, of the information secured by the special and complete investigation now being made by said Tariff Board in regard to the production, manufacture, use, and consumption of wool and woolen goods, and especially covering every element of the cost of production, as required by the act of Congress approved March 4, 1911, and to report said bill back to the House with such provisions and amendments as the committee may deem proper after examination and consideration of the information so reported by the Tariff Board, said report by the committee on the bill to be made to the House not later than the 10th day of January, 1912.

Mr. UNDERWOOD. Mr. Speaker, I move the previous question on the motion to recommit with instructions.

The previous question was ordered.

The SPEAKER. The question is now on the motion to recommit.

Mr. PAYNE. I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 118, nays 197, answered "present" 6, not voting 66, as follows:

YEAS—118.

Akin, N. Y.	Focht	Longworth	Prouty
Ames	Fordney	McCall	Rees
Anderson, Minn.	Foss	McCreary	Reyburn
Anthony	Francis	McGuire, Okla.	Roberts, Mass.
Austin	French	McKenzie	Roberts, Nev.
Barchfeld	Gardner, Mass.	McKinley	Rodenberg
Bartholdt	Gardner, N. J.	McKinney	Sells
Bowman	Gillett	McLaughlin	Simmons
Bradley	Good	McMorran	Slemp
Burke, S. Dak.	Griest	Madden	Sloan
Butler	Guernsey	Madison	Smith, J. M. C.
Calder	Harris	Malby	Smith, Sami. W.
Campbell	Hartman	Mann	Speer
Cannon	Haugen	Matthews	Stephens, Cal.
Catlin	Heald	Miller	Stevens, Minn.
Cooper	Helgesen	Mondell	Sulloway
Copley	Henry, Conn.	Moon, Pa.	Switzer
Crago	Higgins	Moore, Pa.	Taylor, Ohio
Currier	Hill	Morse, Wis.	Thistlewood
Dalzell	Howell	Mott	Towner
Danforth	Howland	Needham	Utter
Davis, Minn.	Humphrey, Wash.	Nelson	Wedemeyer
De Forest	Jackson	Norris	Wilder
Dodds	Kahn	Olmsted	Willis
Draper	Kendall	Patton, Pa.	Wilson, Ill.
Driscoll, M. E.	Kennedy	Payne	Wood, N. J.
Dwight	Kopp	Pickett	Young, Kans.
Dyer	La Follette	Plumley	Young, Mich.
Esch	Lawrence	Porter	
Farr	Lenroot	Pray	

NAYS—197.

Adair	Dies	Johnson, Ky.	Robinson
Adamson	Difenderfer	Johnson, S. C.	Roddenbery
Aiken, S. C.	Dixon, Ind.	Jones	Rothermel
Alexander	Donohoe	Kent	Rouse
Allen	Doremus	Kindred	Rubey
Anderson, Ohio	Doughton	Kinkead, N. J.	Rucker, Colo.
Ansberry	Driscoll, D. A.	Kitchin	Rucker, Mo.
Ashbrook	Dupre	Konig	Russell
Ayres	Ellerbe	Konop	Sabath
Barnhart	Estopinal	Korbly	Scully
Bartlett	Evans	Lafferty	Shackleford
Bathrick	Faison	Lamb	Sharp
Beall, Tex.	Fields	Lee, Pa.	Sheppard
Bell, Ga.	Finley	Lever	Sherley
Berger	Fitzgerald	Lewis	Sims
Blackmon	Floyd, Ark.	Lindbergh	Sisson
Boehne	Foster, Ill.	Linthicum	Slayden
Booher	Fowler	Littlepage	Smith, N. Y.
Borland	Gallagher	Lloyd	Smith, Tex.
Brantley	Garner	Lobeck	Stanley
Broussard	Garrett	McCoy	Stedman
Brown	George	McGillicuddy	Steenerson
Buchanan	Godwin, N. C.	McHenry	Stephens, Miss.
Bulkley	Goeke	Macon	Stephens, Tex.
Burke, Wis.	Goldfogle	Maguire, Nebr.	Stone
Burleson	Goodwin, Ark.	Maher	Sulzer
Burnett	Graham	Martin, Colo.	Talbott, Md.
Byrnes, S. C.	Gray	Mays	Talcott, N. Y.
Byrns, Tenn.	Gregg, Pa.	Morrison	Thayer
Callaway	Gregg, Tex.	Moss, Ind.	Thomas
Candler	Gudger	Murdock	Townsend
Cantrill	Hamill	Murray	Tribble
Carlin	Hamilton, W. Va.	Oldfield	Turnbull
Carter	Hamlin	O'Shaunessy	Tuttle
Claypool	Hardwick	Padgett	Underwood
Clayton	Hardy	Page	Volstead
Cline	Harrison, Miss.	Palmer	Watkins
Collier	Harrison, N. Y.	Patten, N. Y.	Webb
Connell	Heflin	Pepper	Whitacre
Conry	Helm	Peters	White
Cox, Ind.	Hensley	Post	Wickliffe
Cox, Ohio	Hobson	Pou	Wilson, N. Y.
Cullop	Holland	Rainey	Wilson, Pa.
Curley	Houston	Raker	Witherspoon
Daugherty	Howard	Randell, Tex.	Woods, Iowa
Davis, W. Va.	Hughes, Ga.	Ransdell, La.	Young, Tex.
Dent	Hughes, N. J.	Rauch	The Speaker
Denver	Hull	Redfield	
Dickinson	Humphreys, Miss.	Reilly	
Dickson, Miss.	Jacoway	Richardson	

ANSWERED "PRESENT"—6.

Davidson	Kinkaid, Nebr.	Loud	Morgan
Hayes	Langham		

NOT VOTING—66.

Andrus	Gordon	Latta	Riordan
Bates	Gould	Lee, Ga.	Saunders
Bingham	Greene	Legare	Sherwood
Burke, Pa.	Hamilton, Mich.	Levy	Small
Cary	Hammond	Lindsay	Sparkman
Clark, Fla.	Hanna	Littleton	Stack
Covington	Hawley	Loudenslager	Sterling
Cravens	Hay	McDermott	Sweet
Crumpacker	Henry, Tex.	Martin, S. Dak.	Taylor, Ala.
Davenport	Hinds	Mitchell	Taylor, Colo.
Edwards	Hubbard	Moon, Tenn.	Tilson
Fairchild	Hughes, W. Va.	Moore, Tex.	Underhill
Flood, Va.	James	Nye	Vreeland
Fornes	Kipp	Parran	Warburton
Foster, Vt.	Knowland	Powers	Weeks
Fuller	Lafean	Prince	
Glass	Langley	Pujo	

So the motion was rejected.

The Clerk announced the following pairs:

For the session:

Mr. RICRDAN with Mr. ANDRUS.

Until further notice:

Mr. FERRIS (against) with Mr. MORGAN (to recommit), commencing June 6.

Mr. UNDERHILL with Mr. WARBURTON.

Mr. KIPP with Mr. LANGHAM.

Mr. MOORE of Texas with Mr. HAYES.

Mr. GOULD with Mr. HINDS.

Mr. FORNES with Mr. HANNA.

Mr. PUJO with Mr. HUGHES of West Virginia.

Mr. MOON of Tennessee with Mr. LAFEAN.

Mr. CRAVENS with Mr. LOUDENSLAGER.

Mr. LEGARE with Mr. LOUD (transferable).

Mr. SPARKMAN with Mr. DAVIDSON.

Mr. GLASS with Mr. BATES.

Mr. GORDON with Mr. CARY.

Mr. HAMMOND with Mr. CRUMPACKER.

Mr. HENRY of Texas with Mr. PRINCE.

Mr. DAVENPORT with Mr. KNOWLAND.

Mr. LEVY with Mr. FOSTER of Vermont.

Mr. SAUNDERS with Mr. STERLING.

Mr. SHERWOOD with Mr. TILSON.

Mr. TAYLOR of Alabama with Mr. GREENE.

Mr. LINDSAY with Mr. HUBBARD.

Mr. STACK with Mr. MITCHELL.

Mr. HAY with Mr. LANGLEY.

On this vote:

Mr. FLOOD of Virginia with Mr. FAIRCHILD.

Mr. LATTA (against) with Mr. KINKAID of Nebraska (to recommit).

Mr. MCDERMOTT (against) with Mr. BINGHAM (to recommit).

Mr. SWEET (against) with Mr. WEEKS (to recommit).

Mr. SMALL (against) with Mr. BURKE of Pennsylvania (to recommit).

Mr. COVINGTON (against) with Mr. PARRAN (to recommit).

Mr. LITTLETON (against) with Mr. VREELAND (to recommit).

Mr. CLARK of Florida (against) with Mr. NYE (to recommit).

Mr. LEE of Georgia (against) with Mr. HAWLEY (to recommit).

Mr. EDWARDS (against) with Mr. MARTIN of South Dakota (to recommit).

Mr. FULLER. Mr. Speaker, I desire to know how I am recorded?

The SPEAKER. The gentleman is not recorded.

Mr. FULLER. I desire to vote "present."

The SPEAKER. Was the gentleman in the Hall listening when his name was called?

Mr. FULLER. I was not.

The SPEAKER. The gentleman does not bring himself within the rule.

Mr. KINKAID of Nebraska. Mr. Speaker, I desire to know if the gentleman from Nebraska, Mr. LATTA, is recorded as voting?

The SPEAKER. He is not recorded.

Mr. KINKAID of Nebraska. I am paired with Mr. LATTA, and I desire to withdraw my vote of "aye" and vote "present."

The SPEAKER. Call the gentleman's name.

The name of Mr. KINKAID of Nebraska was called, and he answered "Present."

The SPEAKER. Call my name.

The name of Mr. CLARK of Missouri was called, and he voted "No."

The result of the vote was announced, as above recorded.

The SPEAKER. The question is, Shall the bill pass?

Mr. UNDERWOOD. On that, Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 220, nays 100, answered "present" 6, not voting 61, as follows:

YEAS—220.

Adair	Dies	Jacoway	Rees
Adamson	Difenderfer	Johnson, Ky.	Reilly
Aiken, S. C.	Dixon, Ind.	Johnson, S. C.	Richardson
Alexander	Donohoe	Jones	Robinson
Allen	Doremus	Kent	Roddenbery
Anderson, Minn.	Doughton	Kindred	Rothermel
Anderson, Ohio	Driscoll, D. A.	Kinkead, N. J.	Rouse
Ansberry	Dupre	Kitchin	Rubey
Anthony	Ellerbe	Konig	Rucker, Colo.
Ashbrook	Estopinal	Konop	Rucker, Mo.
Ayres	Evans	Korbly	Russell
Barnhart	Faison	La Follette	Sabath
Bartlett	Fields	Lamb	Scully
Bathrick	Finley	Lee, Pa.	Shackleford
Beall, Tex.	Fitzgerald	Lenroot	Sharp
Bell, Ga.	Flood, Va.	Lever	Sheppard
Berger	Floyd, Ark.	Lewis	Sherley
Blackmon	Foster, Ill.	Lindbergh	Sims
Boehne	Fowler	Linthicum	Sisson
Booher	French	Littlepage	Slayden
Borland	Gallagher	Lloyd	Sloan
Brantley	Garner	Lobeck	Smith, N. Y.
Broussard	Garrett	McCoy	Smith, Tex.
Brown	George	McGillicuddy	Stack
Buchanan	Godwin, N. C.	McHenry	Stanley
Bulkley	Goeke	Macon	Stedman
Burke, Wis.	Goldfogle	Madison	Steenerson
Burleson	Goodwin, Ark.	Maguire, Nebr.	Stephens, Cal.
Burnett	Gordon	Maher	Stephens, Miss.
Byrnes, S. C.	Graham	Martin, Colo.	Stephens, Tex.
Byrns, Tenn.	Gray	Mays	Stone
Callaway	Gregg, Pa.	Miller	Sulzer
Campbell	Gregg, Tex.	Morrison	Talbott, Md.
Candler	Gudger	Morse, Wis.	Talcott, N. Y.
Cantrill	Hamill	Moss, Ind.	Taylor, Colo.
Carlin	Hamilton, W. Va.	Murdock	Thayer
Carter	Hamlin	Murray	Thomas
Claypool	Hardwick	Nelson	Townsend
Clayton	Hardy	Norris	Tribble
Cline	Harrison, Miss.	Oldfield	Turnbull
Collier	Harrison, N. Y.	O'Shaunessy	Tuttle
Connell	Haugen	Padgett	Underwood
Conry	Heflin	Page	Volstead
Cox, Ind.	Helgesen	Palmer	Watkins
Cox, Ohio	Helm	Patten, N. Y.	Webb
Cullop	Henry, Tex.	Pepper	Whitacre
Curley	Hensley	Peters	White
Daugherty	Holland	Post	Wickliffe
Davenport	Houston	Pou	Wilson, N. Y.
Davis, Minn.	Howard	Rainey	Wilson, Pa.
Davis, W. Va.	Hughes, Ga.	Raker	Witherspoon
Dent	Hughes, N. J.	Randell, Tex.	Woods, Iowa
Denver	Hull	Ransdell, La.	Young, Kans.
Dickinson	Humphreys, Miss.	Rauch	Young, Tex.
Dickson, Miss.	Jackson	Redfield	The Speaker

NAYS—100.

Akin, N. Y.	Farr	Lafferty	Pray
Ames	Focht	Lawrence	Prouty
Austin	Fordney	Longworth	Reyburn
Barchfeld	Foss	McCall	Roberts, Mass.
Bartholdt	Francis	McCreary	Roberts, Nev.
Bowman	Fuller	McGuire, Okla.	Rodenberg
Bradley	Gardner, Mass.	McKenzie	Sells
Burke, S. Dak.	Gardner, N. J.	McKinley	Simmons
Butler	Gillett	McKinney	Slemp
Calder	Good	McLaughlin	Smith, J. M. C.
Cannon	Griest	McMorran	Smith, Saml. W.
Catlin	Guernsey	Madden	Speer
Cooper	Harris	Malby	Stevens, Minn.
Copley	Hartman	Mann	Sulloway
Crago	Heald	Matthews	Switzer
Currier	Henry, Conn.	Mondell	Taylor, Ohio.
Dalzell	Higgins	Moon, Pa.	Thistlewood
Danforth	Hill	Moore, Pa	Towner
De Forest	Howell	Mott	Utter
Dodds	Howland	Needham	Wedemeyer
Draper	Humphrey, Wash.	Olmsted	Wilder
Driscoll, M. E.	Kahn	Payne	Willis
Dwight	Kendall	Pickett	Wilson, Ill.
Dyer	Kennedy	Plumley	Wood, N. J.
Esch	Kopp	Porter	Young, Mich.

ANSWERED "PRESENT"—6.

Davidson	Hobson	Langham	Morgan
Hayes	Kinkaid, Nebr.		

NOT VOTING—61.

Andrus	Greene	Legare	Riordan
Bates	Hamilton, Mich.	Levy	Saunders
Bingham	Hammond	Lindsay	Sherwood
Burke, Pa.	Hanna	Littleton	Small
Cary	Hawley	Loud	Sparkman
Clark, Fla.	Hay	Loudenslager	Sterling
Covington	Hinds	McDermott	Sweet
Cravens	Hubbard	Martin, S. Dak.	Taylor, Ala.
Crumpacker	Hughes, W. Va.	Mitchell	Tilson
Edwards	James	Moon, Tenn.	Underhill
Fairchild	Kipp	Nye	Vreeland
Ferris	Knowland	Parran	Warburton
Fornes	Lafean	Patton, Pa.	Weeks
Foster, Vt.	Langley	Powers	
Glass	Latta	Prince	
Gould	Lee, Ga.	Pujo	

So the bill was passed.

The Clerk announced the following additional pairs:

On this vote:

Mr. LEE of Georgia (in favor of woolen bill) with Mr. HAWLEY (against).

Mr. SMALL (for the bill) with Mr. BURKE of Pennsylvania (against).

Mr. LATTA (for the bill) with Mr. KINKAID of Nebraska (against).

Mr. MCDERMOTT (for the bill) with Mr. BINGHAM (against).

Mr. JAMES (for the bill) with Mr. HAMILTON of Michigan (against).

Mr. WARBURTON (in favor) with Mr. PATTON of Pennsylvania (against).

Tuesday, June 20, 3 p. m., until Thursday, June 22, 12 m.:

Mr. COVINGTON (for the bill) with Mr. PARRAN (against).

Until further notice:

Mr. HOBSON with Mr. FAIRCHILD.

Mr. LITTLETON (in favor) with Mr. VREELAND (against).

Mr. FERRIS (in favor) with Mr. MORGAN (against).

Mr. EDWARDS (for the bill) with Mr. MARTIN of South Dakota (against).

Mr. SWEET (for the bill) with Mr. WEEKS (against).

Mr. CLARK of Florida (for the bill) with Mr. NYE (against).

Mr. LINDSAY with Mr. CARY.

Mr. UNDERHILL with Mr. KNOWLAND.

Mr. KINKAID of Nebraska. Mr. Speaker, it seems that the gentleman from Nebraska, Mr. LATTA, understood that I paired with him also on the vote on the bill. I did not so understand it, but I am perfectly willing, inasmuch as he so understood it, to abide by that, and I ask to withdraw my vote of "no" and vote "present."

The SPEAKER. Call the gentleman's name.

The name of Mr. KINKAID of Nebraska was called, and he answered "Present."

The SPEAKER. Call my name.

The name of Mr. CLARK of Missouri was called, and he voted "Aye."

The result of the vote was announced as above recorded. [Loud applause on the Democratic side.]

On motion of Mr. UNDERWOOD, a motion to reconsider the vote by which the bill was passed was laid on the table.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to—

Mr. PADGETT, for three weeks, on account of important business.

Mr. HAWLEY, for five days, on account of business relating to duties of member of National Forest Reservation Commission.

Mr. TAYLOR of Alabama, indefinitely, on account of important business.

Mr. BROWN, for two weeks, on account of business engagements.

REPORT OF TARIFF BOARD.

The SPEAKER laid before the House the following message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on Ways and Means and ordered to be printed. (H. Doc. No. 74):

SCHEDULE K—WOOL.

To the House of Representatives:

On June 7, 1911, your House passed the following resolution:

Resolved, That the President of the United States be, and he is hereby, requested to transmit to the House of Representatives, for the use of the Members thereof, all the information secured and the tables and statistics prepared by the board of experts, composed of Henry C. Emery, James B. Reynolds, Alvin H. Sanders, William M. Howard, and Thomas W. Page, relating to the various articles and commodities named in Schedule K of the act approved August 5, 1909, being "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," and relating to wool and manufactures thereof.

In response thereto, I beg to submit that I transmitted your resolution to the board of experts named therein, who in reply have prepared a statement under date of June 15, which I inclose.

The board says in this statement:

Statistics compiled by us from the latest available form and domestic sources covering the production, distribution, and consumption of raw wools and woolen manufactures, have already been transmitted, on request, to the Ways and Means Committee of the House of Representatives, and some 20 pages of the recent report of that committee to the House are made up from this compilation and duly credited. The board is conducting an inquiry in relation to raw wools—their production and shrinkage—woolen and worsted manufacturing, and into the manufacturing of certain staple articles made from the products of that industry, which involves original research work that is world-wide in its scope. A large amount of material has already been obtained. This, however, will not be of actual practical value until properly checked and tabulated. Our representatives throughout the United States and in foreign countries are now forwarding data. This incomplete information, necessarily fragmentary in character, if transmitted to Congress would be not only of doubtful utility but actually misleading. In making this statement we are not unmindful of the fact that we are under instructions to complete our work upon this and other important schedules at the earliest possible date. We shall develop the essential facts in relation to both the wool and the cotton schedules in time for forwarding to Congress next December, and in this endeavor we are not only working to the limit of the present appropriation but to the utmost capacity of our entire force. In order that the magnitude of the task may be understood, we respectfully present herewith an outline of our procedure.

This language and an examination of the detailed account of what the board is doing contained therein will show that they have no further information than that which has already been transmitted to the Committee on Ways and Means in any form or condition proper for transmission.

The board of experts was first engaged in assisting the Executive in the discharge of his duties under the maximum and minimum clause of the Payne tariff bill. Its attention was then directed to accumulating information for use in connection with the reciprocity agreement made with Canada, and especially the comparative cost of commodities in Canada and in the United States, the price of labor, and particularly farm labor in the two countries, and the cost of producing paper and wood pulp on both sides of the boundary.

The sundry civil appropriation act of last year provided that if a tariff commission or board was established it should report on the wool schedule by the 1st of December. The Tariff Commission bill was lost, but under the discretionary power vested in me I appointed a board as near like the one described in the bill which was lost as possible, a nonpartisan board of five members, and I directed them to make the examination into Schedule K, its meaning, and the cost of production of wool and of woolens in this country and abroad, and to have their report ready by the 1st of December, in accordance with the direction of the appropriation bill to the tariff commission, a direction which passed both Houses of the last Congress.

The board of experts reports to me, as will be seen by this inclosed statement, that they will have a full and complete report on the subject of Schedule K and its contents, the cost of production of wool and woolens at home and abroad, and also upon the same facts in respect to the cotton schedule, by the 1st of December next, when I shall be glad to submit both to the Congress.

Meantime, the board is not in a position to transmit anything except what has already been sent to the Ways and Means Committee.

In order that Congress may more fully understand what the board of experts is engaged in, I transmit, in connection with their statement, a report by a committee of the National Tariff Commission Association, which applied to me for permission

to investigate the methods of procedure of the board of experts and the scope and progress of the work.

Their judgment is shown in the following paragraph:

In conclusion, our committee finds that the Tariff Board is composed of able, impartial, and earnest men, who are devoting their energies unreservedly to the work before them; that the staff has been carefully selected for the work in view, is efficiently organized and directed, and includes a number of exceptionally competent technical experts; that the scale of salaries is reasonable—indeed, very moderate—and that all other expenditures are closely scrutinized and appear to be equally reasonable; that the work of the board, vast and intricate in detail, is already highly organized, well systematized, and running smoothly; and that Congress and the people can now await the completion of that work with entire confidence that it is progressing as rapidly as consistent with proper thoroughness, and that it will amply justify all of the time and expense which it entails. We believe that the value of the work when completed will be so great and so evident as to leave remaining no single doubt as to the expediency of maintaining it as a permanent function of the Government for the benefit of all the people.

THE WHITE HOUSE, *June 20, 1911.* WM. H. TAFT.

THE TARIFF BOARD, TREASURY BUILDING,
Washington, June 15, 1911.

The PRESIDENT:

In acknowledging receipt of a copy of the resolution of the House of Representatives calling for all the information in the possession of the Tariff Board relating to Schedule K, we beg to submit the following statement:

Statistics compiled by us from the latest available foreign and domestic sources, covering the production, distribution, and consumption of raw wools and woolen manufactures, have already been transmitted on request to the Ways and Means Committee of the House of Representatives, and some 20 pages of the recent report of that committee to the House are made up from this compilation and duly credited. The board is conducting an inquiry in relation to raw wools—their production and shrinkage—woolen and worsted manufacturing, and into the manufacturing of certain staple articles made from the products of that industry, which involves original research work that is world-wide in its scope.

A large amount of material has already been obtained. This, however, will not be of actual practical value until properly checked and tabulated. Our representatives throughout the United States and in foreign countries are now forwarding data. This incomplete information, necessarily fragmentary in character, if transmitted to Congress would be not only of doubtful utility but actually misleading. In making this statement we are not unmindful of the fact that we are under instructions to complete our work upon this and other important schedules at the earliest possible date. We shall develop the essential facts in relation to both the wool and the cotton schedules in time for forwarding to Congress next December; and in this endeavor we are not only working to the limit of the present appropriation, but to the utmost capacity of our entire force. In order that the magnitude of the task may be understood, we respectfully present herewith an outline of our procedure.

The rates provided by Schedule K in its present form are based largely upon the duty on raw wool. The logical starting point, therefor, for any comprehensive study of the facts underlying the schedule is the sheep husbandry of the United States, South America, Australia, New Zealand, South Africa, and various parts of Europe. The board began, more than a year ago, the consideration of plans designed to cover this wide field of investigation. An original inquiry as to all the conditions surrounding the industry in the great woolgrowing regions of the United States was imperative. It was found at the very inception of the work that the inquiry presented many problems difficult of solution, especially in the matter of determining wool-production costs. Few attempts at ascertaining the exact cost of maintaining sheep under different conditions have ever been made, so far as we have been able to discover, either by individuals, experiment stations, or agricultural departments in this or any other country. Time was necessarily consumed in an effort to formulate the inquiries in such a way as to bring out the data desired.

The first inquiry schedule adopted was printed last November and placed in the hands of representatives chosen for their special knowledge of sheep management, farm and ranch wages, and forage values. They were instructed to visit personally representative flock owners throughout the leading wool-producing sections and obtain first-hand information, to be made the basis of the necessary computations and tabulations.

Woolgrowing in the United States centers largely in the trans-Missouri country, probably two-thirds of the domestic clip coming from the far West. Throughout the Middle Western States wool is for the most part produced as an incident to lamb feeding and mutton making; but in Ohio and the contiguous territory of West Virginia, Pennsylvania, and Michigan there is an established industry having as its chief objective the production of wool of the finer grades. It was believed that production costs for that region could be worked out with reasonable exactness, because in a large proportion of instances the entire farm and its products are devoted chiefly to the maintenance of the flock. The figures in such case are not complicated by expense items chargeable to other production. Typical counties in this territory were covered by our representatives.

Some 500 different farms were visited, and the returns thus obtained are being carefully checked and tabulated, the cost of maintenance determined, the weight and selling price of the clip ascertained, the cost in each case computed, and samples of the wool submitted to an expert to determine its market grade and its probable shrinkage. One of these agents also studied the situation in the Province of Ontario. Meantime the board's representatives were sent into the Southwest with new schedules specially adapted to conditions prevailing in that part of the country. They have already covered Texas, New Mexico, Arizona, Nevada, California, Utah, Colorado, Oregon, and Washington, and are now entering Idaho, Montana, and Wyoming. They are under instructions to push the work with all possible dispatch consistent with accuracy. It has been found desirable to utilize, as far as possible, the same agents throughout the entire territory to be covered. These representatives are now nearing the end of their study of woolgrowing in the western part of the United States. Considerable time, however, will necessarily be required in checking carefully the mass of figures being accumulated. Not until this is completed will it be possible for the board to analyze and interpret the information, statistical and otherwise, being received from so many different sources.

Concurrently with this work, foreign fields have also been under investigation by special agents of the board. One of these agents proceeded to Australia last October, has recently returned, and is now perfecting his report in London, England, a great distributing point for the Australian wools. A similar report from New Zealand, representing the work of a special agent in that country, is nearing completion. In February a special agent of the board was sent to South America, proceeding direct to Punta Arenas. He is now nearing the end of an investigation, attended by many difficulties, throughout the vast domain extending from the Straits of Magellan to Montevideo. His report will include valuable facts and figures from remote woolgrowing regions seldom, if ever before, visited by students of this question. He is also under instructions to report upon wheat production in Argentina, as well as upon the meat-export possibilities of that country. The latter subject is of especial interest at this time in view of pending proposals to open our ports for the free entry of meat products. This agent is expected back about August 1. It should be stated that a large proportion of all these reports are accompanied by samples of the wool produced, together with selling prices and estimated shrinkages.

The board is making careful inquiry into the whole question of shrinkages in both domestic and foreign markets. A member of the board has been in recent attendance upon the colonial auction sales of wool in London and will also visit continental ports where foreign wools are handled. Experts are under instructions to obtain the fullest possible data as to the ratio of scoured to grease wool in various clips, as determined by the experience of leading makers of "tops" and yarns at home and abroad. Agents of the board are also obtaining information concerning wool wastes and shoddy in their relation to the spinning and weaving processes.

The matter of rail and ocean freights on raw wools is of importance and is receiving our attention.

The work of the board in connection with woolen and worsted manufactures deals with four elements of this question: First, cloth of domestic manufacture; second, cloth of foreign manufacture imported into the United States; third, cloth of foreign manufacture not coming into the United States; fourth, efficiency of labor and of mill equipment.

The inquiry into this first section is an investigation of the cost of production here of staple cloths of American manufacture and the production cost of similar cloths made abroad. This embraces the complete range of woolen and worsted fabrics in general use at the present time in the United States. The great variety of fabrics manufactured by various mills makes it necessary that only those cloths shall be taken for inquiry which are staple and are representative of the industry in its different branches.

A careful study was made of this question and a large number of specimen cloths were secured by the board to cover this entire range, equally divided between the men's wear and women's dress goods, and ranging in grade and price from the lowest to the highest. The board is securing the actual cost of production of these cloths from the mill where each fabric was made, this being taken directly from the books of the manufacturer.

An extensive part of this work is the collection of verified estimates of cost of these goods in different mills of the United States. All of the specimen cloths have been analyzed, and samples are being taken to manufacturers, with a descriptive card attached, giving the width, weight, number of picks, number of ends, the different yarns that go to make up the fabric, and their size and quality. The purpose of the board in this part of the inquiry is to ascertain the cost of making these cloths, not only in different parts of the country, but in mills which vary in size, equipment, and output. Agents of the board take these samples to different manufacturers, and with their representative figure out the cost of production of such goods in their mills. This accounting is done upon schedules which go into every detail of manufacture, from the original stock to the finished cloth. It takes up each process separately, from the sorting and blending of the wool to the finishing of the cloth. In every process it goes into the elements of productive labor, nonproductive labor, and department expense, and it secures every item and detail entering into the making of the fabric.

By these schedules is also obtained the yearly general expense of each mill, together with every detail of works expense and fixed charges, and all such items as taxes and depreciation. All of this cost accounting is based upon identical fabrics, bearing identical analyses, and is being secured from mills that make identical or similar fabrics. Samples of these same cloths have been sent abroad, and similar production costs are being secured there by our agents under the personal supervision of a member of the board.

Cloths of foreign manufacture are being treated in a similar way, and information secured as to what would be the cost of such fabrics if manufactured in the United States. Typical cloths have been secured by personal visits of a member of the board to foreign manufacturers, and these are being used as the basis of this part of the inquiry. A special feature of the investigation is the question of what, if any, cloths are now excluded from the United States. From foreign manufacturers have been obtained sample cloths, which they assert they can not export to this country because of prohibitive tariff rates. The board is conducting a careful inquiry as to whether or not such goods do come here, and also as to the price of similar goods made in the United States. This latter question will be gone into thoroughly, to ascertain the effect upon the American consumer of any nonimportation of such cloths.

The fourth element is the entire question of labor, hours of labor, and efficiency of labor, and equipment. Agents of the board are now at work along this line in this country and in England, Germany, and France. They are using the same schedules in all four countries in order that the whole matter of efficiency may be properly determined and the results obtained be comparable.

These schedules provide for the securing of all details of mill manufacture in this industry. They call for particulars in regard to the persons employed in each and every occupation in worsted and woolen manufacture, the machine equipment, its nature, age, and efficiency, the amount of work done by each employee, together with hours of work, amount earned, and output produced.

The board is also engaged in conducting an investigation into the production cost of articles made from woolen and worsted cloth to ascertain the details and cost of the manufacture of garments for men and women. An inquiry is also being planned into the production cost of woolen blankets, and this will embrace such manufacture in the different sections of the country.

In addition to this, a complete glossary of Schedules I and K will be ready for submission in December. This will include all the latest statistical information available, definitions of terms used, ad valorem equivalents of existing duties, brief presentation of the commercial geography of the industries involved, and concise descriptions of manufacturing processes. It will be accompanied by graphic charts and the completed results of the board's own research work, covering both the cotton and the woolen schedules.

Respectfully submitted.

ALVIN H. SANDERS, *Vice Chairman.*

THE NATIONAL TARIFF COMMISSION ASSOCIATION,
New York, June 14, 1911.

Mr. JOHN CANDLER CORB,
President the National Tariff Commission Association.

DEAR SIR: Under the permission given at your request by President Taft, in his letter to you of May 4, 1911, the committee of our association selected to investigate and report on the organization, methods, and work of the Tariff Board submits the subjoined report.

The President's action was predicated on the concurrence of the Tariff Board, whose chairman, in a letter to the President dated May 2, 1911, wrote:

"I beg to say that the Tariff Board are unanimous in welcoming this proposal, and that we shall be very glad indeed to have a committee of the National Tariff Commission Association make a thorough examination of our work and to offer them every facility for doing so."

Five members of our committee went to Washington in order personally to investigate the organization and work of the Tariff Board, with which most of them were previously more or less familiar, and devoted much additional time to reviewing the information thus obtained and in reaching conclusions thereon. We undertook the investigation with open minds, without previous commitment or prejudice, either for or against the Tariff Board and its methods. Our effort throughout was to ascertain facts. The conclusions reached represent the unanimous judgment of the committee.

Our investigation was so thorough and the information gathered so voluminous that our record of the results is necessarily somewhat extensive. To facilitate its use we have divided it into two parts, namely, the report, which summarizes the essential facts and states our conclusions thereon, and a supplement, which contains a historical review of the Tariff Board and gives the detailed information on which our conclusions are based. Those who desire a full understanding of the matter should read both papers.

The committee desires to record its appreciation of the cordial cooperation and assistance given to it throughout by each and all of the members of the Tariff Board. Unlimited opportunity was afforded us in our investigations of the work and methods of the board, the organization of the staff, the rates of salaries paid, and the kind and amount of all other expenses incurred. Every inquiry by us was responded to unreservedly and satisfactorily. We are justified, therefore, in stating that our conclusions are based upon a full and intelligent understanding of the facts.

Respectfully,

HENRY R. TOWNE, *Chairman,*
President Merchants' Association of New York.
JOHN KIRBY, Jr.,
President National Association of Manufacturers.
CHARLES M. JARVIS,
Vice President National Association of Manufacturers.
H. E. MILES,
Ex-President National Association of Implement and Vehicle Manufacturers.
J. J. CULBERTSON,
President Southern Cotton Seed Crushers' Association.
FRANCIS T. SIMMONS,
Member Executive Council, Chicago Association of Commerce.

THE NATIONAL TARIFF COMMISSION ASSOCIATION REPORT.

1. Organization of the Tariff Board: The Tariff Board was created in September, 1909, and under the instructions of President Taft devoted itself exclusively to work relating to the application of the maximum and minimum tariff rates in our treaties with foreign countries until April 1, 1910. For reasons explained in the supplement the board was not organized for its permanent work until October 1, 1910. All that has been accomplished in investigations, statistical work, and reports has been done since the latter date.

Our committee was favorably impressed with the character, ability, and fitness of the members of the Tariff Board appointed by President Taft. We think it fortunate that the country has been able to secure for service in this new and untried field five men who, on the whole, are so well equipped for their duties, so impartial and able in so short a time to organize the work on an effective basis. In this connection it is important to keep in mind the fact that the functions of the Tariff Board are administrative and judicial; that its members were not selected as technical experts in any one field of industry; that the work of technical investigation will be done by many experts employed for this purpose by the board; and that the highest function of the board will consist in weighing the evidence thus gathered, in reaching sound conclusions thereon, and in embodying all essential facts in its reports. In this respect the board acts as a court of first instance to review the evidence gathered by its experts and to pass judgment thereon. It thus fulfills the functions of a commission appointed by a court of justice to make findings of fact for the information of the court. Briefly, the motto of the board might be "to furnish facts, not opinions." Congress is and will remain the court of final judgment, which will receive the findings of the Tariff Board and take such action thereon, if any, as in the judgment of Congress may appear to be necessary or expedient.

The view has been expressed that each member of the board should be an expert in some one field, the investigation of which would be referred to him, and that the board should consist of 15, 20, or even 30 members; but reflection will show that under this plan there would be no unity or cooperation in the work, that in effect the report on each subject would be by a subcommittee, and that the final result would be a series of unrelated and possibly discrepant conclusions and reports. The plan actually adopted wisely avoids this danger by making the whole board a reviewing body to pass judgment upon the voluminous facts gathered and submitted by the experts employed for this part of the work, all five members of the board thus participating in every conclusion reached and judgment rendered. Thus far the final decisions of the board have in every case been unanimous.

2. The staff: For the technical investigation which the work involves the board utilizes the services of trained experts, carefully selected with reference to their ability and past experience in each line of investigation taken up, and the experience thus far indicates that men possessing the requisite experience, skill, and knowledge can be secured on fair terms. Members of our committee passed in review every important employee of the board (except those absent on field work), investigated their duties, ascertained the salaries paid, and thus informed themselves generally concerning the business organization and methods thus far developed. The resulting impression was unexpectedly satisfactory and fully justifies the statement that the administration of the work of the Tariff Board is on a sound, economical, and businesslike basis, which does credit to the members of the board and demonstrates conclusively their fitness to perform the executive function which their duties involve. Their equal fitness to perform intelligently and impartially the judicial function, which constitutes the other and greater part of their duty, may be judged from the two reports which they have thus far rendered and which are referred to in detail in the supplement.

The development of the staff is shown in detail in the supplement, but is summarized in the following table, which shows the total number of employees of all kinds on the several dates mentioned, viz:

Apr. 1, 1910, at completion of work on maximum and minimum schedules	12
Oct. 1, 1910, permanent work fairly organized	25
Jan. 15, 1911	70
May 15, 1911	80

The present staff is as large as justified by the present annual appropriation, a considerable part of which is absorbed by other expenses incident to the work. The present organization appears to be large enough for efficiency and good economy, but if more rapid progress is desired it would seem feasible for the board to accomplish it, in case Congress should see fit, for this purpose, temporarily to increase the appropriation.

3. Scope and progress of work: Our committee, although previously familiar with the subject, was deeply impressed by the immense complexity and scope of the work which the Tariff Board has undertaken, and also by the progress already made in creating an organization for its effective conduct, and by the volume of work accomplished in the past eight months, or since October 1, 1910, when the board was first effectively organized. The actual achievement during this short period justifies the prediction that the work on other important schedules can be completed in similar periods or less, and on the simpler schedules in proportionately shorter time. If Congress should deem it desirable that work on all of the schedules should be conducted coincidently, and should make the additional appropriation thus implied, the Tariff Board undoubtedly could arrange accordingly and thus accelerate the completion of work on all the schedules. When the initial work thus implied has once been completed, the continuing work of keeping it revised and corrected to date will be relatively easy and simple.

The situation at this date may be summarized as follows, viz:

The tariff includes 14 schedules, lettered from A to N, inclusive.

"Glossary work" has been started as to 12 of these schedules, is well advanced, and probably will be nearly completed by the close of this year.

"Field work" has been started as to 4 schedules, on which it is planned to consolidate until these are completed, whereupon work on others will be begun. The schedules referred to are K (wool and woolens), A (chemicals), N (paper and pulp), and I (cotton manufactures).

With the present appropriation of $250,000 per annum, it seems probable that all of the work of original research, covering all of the 14 tariff schedules, will be completed within three years or a little more—say, by December 1, 1914. When the original work has thus been completed, the labor and cost of keeping it closely corrected to date will be relatively small.

4. Coercive powers: The Tariff Board at present has no power to compel the giving of testimony, and thus far has found no need for such authority. The manufacturers who have been approached thus far have given the board, voluntarily, free access to their books and records and cordial cooperation in ascertaining and verifying all facts pertinent to the inquiry in hand. Tenders of similar cooperation from producers in other lines are being received, with every indication that the experience above referred to will be repeated with each new industry as it is taken up. These facts are a credit to American manufacturers and justify the belief that they do not shun investigations of this kind, that they ask no unfair favors, and that they desire that future tariff schedules shall be framed with knowledge of all the facts and with fair regard for the interests of all the people. All interested in or affected by the tariff should welcome the creation of an impartial and competent tribunal for this purpose.

While the board thus far has found no need for coercive power in the procurement of evidence, we regard it as desirable that the board should have conferred upon it the qualified power in this respect contemplated in the bill making permanent the organization of the board, which was favorably considered by each House of the last Congress.

5. Reports: The board has already filed two reports (1) on "Canadian reciprocity," and (2) on "Pulp and news-print paper." It proposes in each future report to cover one, or possibly several, schedules, until all of these have been completed. Obviously it can not and should not report concerning any schedule until its investigations relating thereto have substantially been completed, for until then the members of the board are not in position to pass in review the completed work of the experts, and to make final report thereon. To ask the board to report before the completion of the investigations on which its report must be based would be equivalent to asking a court of justice to render a verdict upon a case before it after hearing only a fraction of the available and essential evidence.

Our committee is satisfied that the board is working with great diligence and with as great rapidity as thus far has been consistent with thoroughness and sound results, but, under a larger appropriation, as pointed out elsewhere, the work could now be considerably accelerated if Congress so desires. In this connection the chairman of the board has recently made the following statement, with which we concur, viz:

"It would be inconsistent to expect of any such body that it should adopt the new standard of thoroughness demanded of it and yet be prepared to make a complete and carefully matured report on any subject at a moment's notice. Such investigations are arduous and involve the collection of a vast amount of data from many parts of the world, and when these data are received they require careful tabulation and analysis before they can be scheduled properly for a report.

"On the other hand, a tariff board should confine itself within the field of the practical and realize that with due diligence promptness may be combined with accuracy. Furthermore, as such work progresses it may be pushed with increasing rapidity as the machinery of investigation which had to be created anew for the first inquiries is available and in improved working order for each new task."

Commenting on one of the issued reports an official of the Royal Imperial Ministry of Commerce of Austria, regarded in Europe as a leading authority on tariff questions, says:

"The report is excellent and in line with the latest theory, and I know of no European publication which so correctly interprets the most improtant features of the question of commercial policy as does your report on the paper industry. This is a very good beginning, and I already see that you will soon leave all the European government departments far behind in the publication of model reports on questions of commercial policy. This report will attract great attention in Europe."

Referring to the same report the president of the American Paper & Pulp Association, which, through its officers, gave willing and valuable aid to the board, has asked for 800 copies of the report, and says: "I consider it a most valuable book, which should be in the possession of every manufacturer."

The observations of our committee confirm and justify these favorable comments. We believe that the reports of the Tariff Board, as they are issued, will prove to be of great value not only to Congress and the executive departments of the Government, but also to American producers in all fields of industry, collectively and individually. We predict that this opinion will be indorsed by the latter as rapidly as they have opportunity to receive and study the reports relating to their respective lines of industry.

At present the Tariff Board exists only by Executive order, and therefore its reports are addressed to the President through the Secretary of the Treasury. It is earnestly to be hoped that at an early date Congress will enact a law making the Tariff Board a permanent part of the machinery of the Federal Government, and in so doing Congress presumably will make provision whereby the board shall, on request, report directly to Congress, or to either House thereof, concerning any matter within its field of investigation and concerning which its work has been completed or is sufficiently advanced to enable it to respond to such a call.

6. Expenditures and appropriations: Congress appropriated $75,000 for the use of the President in securing information in the manner authorized in article 718, section 2, of the Payne-Aldrich bill, of which over $25,000 was unexpended on June 30, 1910. The net expenditure of the Tariff Board up to the latter date was thus under $50,000.

Congress next appropriated the sum of $250,000 for the expenses of the Tariff Board during the fiscal year commencing July 1, 1910. It is estimated that about $50,000 of this will be unexpended on June 30, 1911. The net expenditure for the fiscal year will thus be within $200,000.

The total expenditures from the beginning to July 1, 1911, will thus be within $250,000.

As the work of the board is now organized (June, 1911), the expenditure involved is at a rate about equivalent to the present appropriation. As a similar appropriation exists for the next fiscal year, it will thus suffice for the continuance of the work at the present rate.

In conclusion, our committee finds that the Tariff Board is composed of able, impartial, and earnest men who are devoting their energies unreservedly to the work before them; that the staff has been carefully selected for the work in view, is efficiently organized and directed, and includes a number of exceptionally competent technical experts; that the scale of salaries is reasonable, indeed very moderate, and that all other expenditures are closely scrutinized and appear to be equally reasonable; that the work of the board, vast and intricate in detail, is already highly organized, well systematized, and running smoothly; and that Congress and the people can now await the completion of that work with entire confidence that it is progressing as rapidly as consistent with proper thoroughness, and that it will amply justify all of the time and expense which it entails. We believe that the value of the work when completed will be so great and so evident as to leave remaining no single doubt as to the expediency of maintaining it as a permanent function of the Government for the benefit of all the people.

SUPPLEMENT.

The tariff act of August 5, 1909, commonly known as the Payne-Aldrich bill, contains in article 718, section 2, the following provision:

"To secure information to assist the President in the discharge of the duties imposed upon him by this section—that is, relating to the application of the maximum and minimum rates—and the officers of the Government in the administration of the customs laws, the President is hereby authorized to employ such persons as may be required."

Under the authority thus given, the President, by a letter dated September 14, 1909, appointed three persons to assist him in the manner contemplated by the act, and designated them as constituting the Tariff Board. The persons so appointed were: Prof. Henry C. Emery (chairman), professor of political economy in Yale University; Alvin H. Sanders, editor of the Breeders' Gazette (a leading agricultural journal), and for 30 years a student and writer on agricultural subjects; James B. Reynolds, Assistant Secretary of the Treasury, and for some four years previous in charge of customs.

The members of the board met for the first time September 24, 1909, and at this meeting issued a letter to importers concerning the application of the maximum and minimum provisions of the new tariff law. About October 15 the board received instructions from the President, through the Secretary of the Treasury, to proceed to investigate and report concerning the application of article 718, section 2, of the tariff act to our treaties with foreign nations, and to assist the Department of State in conducting the negotiations relating thereto, the instructions stating that, when this work was completed, the Tariff Board should then apply itself to ascertaining the costs of production, at home and abroad, of all articles covered by the tariff schedules.

The work relating to the application of the "maximum and minimum" provisions of the tariff act involved an exhaustive investigation of all commercial treaties with all nations, and the provisions of the act required that this work must be completed by April 1, 1910. The work thus involved occupied the Tariff Board exclusively until that date, by which time it had successfully been completed. It involved the analysis of the tariffs of every other country, most of them expressed in foreign languages, measures, and values. The negotiations conducted by the State Department, with the assistance of the Tariff Board as to technical matters, were of vast importance to the commerce and industry of the country. They removed all undue discriminations against the United States without resort to reprisals by the application of the maximum tariff rates, and resulted in many tariff concessions from other countries which we had never before enjoyed. The benefits thus secured were vast and lasting, thus saving the country from tariff wars, and they were well worth all they cost in time and money. And yet some persons, not appreciating these facts, and ignoring the order of the President that the Tariff Board should devote itself exclusively to this work and complete it before beginning its investigation of "costs," criticized and condemned the board because it had not, forthwith upon its creation, applied itself to the latter work. On April 1, 1910, when the board had thus completed the work first assigned to it, its employees were 12 in number.

For the work assigned to the Tariff Board, Congress appropriated the sum of $75,000 for the fiscal year ending June 30, 1910, of which on the latter date $25,795.80 was turned back into the Treasury unexpended.

Upon the completion of its initial work, April 1, 1910, the Tariff Board was unable to formulate its further plans by reason of the fact that no appropriation existed for the continuance of its work after June 30, 1910. By an act passed June 25, 1910, Congress appropriated the sum of $250,000 for the expenses of the Tariff Board during the fiscal year commencing July 1, 1910. Anticipating the chronological sequence of events, it may be stated here that the unexpended balance of this appropriation on May 1, 1911, was $112,004.28 (excluding the April pay roll, due but not paid), and that it is now estimated that the total expenditures for the fiscal year ending June 30, 1911, will not exceed $200,000, thus leaving $50,000 of the appropriation unexpended. As the work is now organized, however, the full amount of the present appropriation is needed and is being effectively used.

On May 11, 1910, Prof. Emery went to Europe to lay the foundations for the future work of investigation there and to study European methods of conducting tariff investigations. He spent most of his time in Germany and Austria, with brief visits to London and Paris. He returned July 16.

On June 14 Mr. Reynolds went to Europe in order to utilize his previously acquired experience and acquaintance with the special agents of the Treasury Department and to secure the benefit of their experience and knowledge in matters pertaining to foreign costs of production; also to arrange for securing a full line of samples of certain European products needed in the textile investigation. His trip covered numerous places in France, Italy, Switzerland, and Great Britain. He returned October 1.

During the summer of 1910 Mr. Sanders remained in Washington and devoted his time to finding men qualified to serve on the staff of the Tariff Board. Their selection demanded great care and much investigation. The work proposed was new, serious, wide in scope, highly technical, and its ultimate success depended upon the ability of the board to secure men of the right abilities and experience. That they have been successful in doing so is demonstrated by the facts set forth in the report.

The first definite appointment of a technical expert was made in July, 1910, the position involving charge of the foundation work relating to Schedule K (wool and woolens), which thus was the first schedule to receive attention. In August another appointment was made of a special agent who was sent to Australia to study and report on the wool industry of that country.

On September 6, 1910, Chairman Emery submitted a report to the Secretary of the Treasury giving the results of his European trip and of his investigation of European methods. During this month the "glossary" work was started and the field force organized by the appointment of some 8 or 10 picked men.

The "glossary" work above referred to had its origin in the instructions given by the President to the board, that, in connection with its other work, the board should "translate the tariff into plain English" by showing the ad valorem equivalent of every rate embraced in the tariff schedules, whether such rate, as fixed by the law, is specific, ad valorem, or compound. In carrying out this plan the board has found it expedient to incorporate with it a large amount of additional statistical data necessary for its work and of great public interest. As a result, the "glossary" when completed will show, as to each important article of product enumerated in the tariff law, the following facts, viz: Kind of material; history and development of the industry; geographical distribution of the industry; technical description of product; technical description of processes employed, domestic and foreign; uses for consumption or for further manufacture; statistics of production, domestic and foreign; existing duty and ad valorem equivalent; previous duties and ad valorem equivalents.

The greater part of this work of compilation is already done, and it is expected that the "glossary" will substantially be completed by January, 1912, and thereafter will be published in sections, each covering the facts relating to one or several tariff schedules, and issued coincidentally with the report of the board on such schedules. Most of the statistical material needed was already in existence, although it had never before been combined and utilized in the manner now proposed.

The "glossary" when completed will be a mine of information for Congress and the people on all statistical subjects relating to the tariff, and will be invaluable in all future work of tariff revision. While its original preparation has entailed a vast amount of work, its value will amply justify the moderate cost. The work of keeping the "glossary" complete and corrected to date in the future will be comparatively light and inexpensive.

On October 1, 1910, the Tariff Board was fairly organized, all three of its members were again at home, it had 25 employees selected and engaged, and its "field work" was planned and started. This date marks the real commencement of the work of the board in investigating and determining "costs of production at home and abroad." Practically all that the board has accomplished in this its permanent field of operations has been accomplished since October 1, 1910.

The term "field work" used above relates to the work of experts employed by the board in visiting industrial plants, at home and abroad, to investigate their products and processes, and, by personal inspection of their books and records, to obtain, at first hand, all information essential to determining, on a uniform basis for each industry, previously planned by the board, the actual cost of production for each product investigated.

On January 1, 1911, the staff of the Tariff Board was well organized and its work in full swing, the number of names on the pay roll being 70. The Senate, by a resolution adopted February 23, called on the board for an immediate report on the then pending Canadian reciprocity bill, and on farm products. By calling in men from field work, and by working nights and a Sunday, this report was completed in five days, and was handed in on February 28. It covers 132 printed pages and is fully responsive to the resolution.

During the short session of the Sixty-first Congress, ending March 4, 1911, several bills were introduced intended to make the Tariff Board permanent, increasing its number to five, and more clearly defining

its powers. A bill to this effect was adopted by each House of Congress, in slightly different forms, but failed of final enactment during the last hour. It is greatly to be hoped that a bill of this kind may be passed by the present Congress at the earliest practicable date, thus guaranteeing the permanence of the Tariff Board and its work, and removing both from the field of partisan politics.

On March 4, 1911, President Taft appointed two additional members of the Tariff Board, thus raising its membership to five, and in doing so selected Democrats, the three previous appointees being Republicans, thus giving practical effect to two of the provisions of the bill above referred to. The two new appointees were Prof. Thomas W. Page, professor of economics in the University of Virginia, and previously dean of the College of Commerce, University of California; and Hon. William M. Howard, for 14 years a Member of the House of Representatives from Georgia, and a member of the Foreign Relations Committee in the Sixty-first Congress.

On May 15, seven and one-half months after its effective organization, the board handed in its first completed report on a tariff schedule. This is a report of 134 printed pages on "The Pulp and News-Print Paper Industry," and can properly be regarded as a specimen of the work which the board can accomplish. As such it should be noted carefully by all American manufacturers. It will be referred to in detail later. On this date the number of names on the pay roll of the board was 78, including 31 men engaged in "field work," 4 of the latter being in Europe and the remainder in domestic plants.

The tariff embraces 14 schedules, designated by letters A to N. The first selected for investigation was Schedule K, wool and woolens. The work on this will be finished as to raw wool for all countries during July, and it is expected to have the remaining work, relating to woolen manufactures, completed, including the "glossary," so that the entire report will be finished and available by December, 1911. The work is very broad in its scope, has disclosed numerous discrepancies and errors in previously accepted authorities, and will have great permanent value. Work was next started on Schedules M (paper and pulp), A (chemicals), and I (cotton manufactures). The work on the first of these is now about 80 per cent completed, on the second about 40 per cent, and on the third about 33 per cent. Work has not yet been commenced on any of the other schedules, except that the "glossary work," as above stated, for all schedules is well advanced toward completion.

By the same date the board expects to submit its report on Schedule I (cotton manufactures) complete with "glossary," and the "glossary" relating to Schedule A (chemicals), which will be of exceptional importance because of the relations of this schedule to many others. The whole field force of 31 experts is now engaged on the textile schedules, K and I, in the domestic and foreign markets, and the work of the board is being conducted on as large a scale as is justified by the present appropriation.

The Tariff Board hopes to utilize, in connection with Schedule C (iron and steel) and Schedule D (lumber), much of the data heretofore accumulated by the Bureau of Corporations of the Department of Commerce and Labor. It is greatly to be desired that the work of the two bureaus, where it overlaps, should be so coordinated as to avoid needless duplication and to advance the purposes of both.

Work on the subjects covered by report No. 1, on the pulp and paper industry, above referred to, began October, 1910, and the report was forwarded to the President May 15, 1911. In the "field work" from five to eight experts were employed during an average of about three months. In the office work two persons were employed about one month in the preparation of the necessary forms, two persons about one week in visiting plants to verify the correctness of these forms, and 12 persons about two months in digesting and tabulating the data obtained by the field force. In this industry every domestic manufacturer who was called on responded unreservedly to the requests of the board except one small manufacturer, who, however, consented later. This was done, not by furnishing ex parte statements (as in congressional investigations heretofore undertaken), but by opening their books to the field representatives of the Tariff Board and by permitting the latter to obtain all desired information and to verify its correctness by all necessary checks. All of this was accomplished by the voluntary cooperation of the manufacturers and without the possession by the board of any coercive powers. This experience was repeated in Canada, where, after some reluctance at first, the manufacturers cooperated with equal willingness and unreserve. The data thus obtained relating to the pulp and paper industry covered 80 per cent of the domestic production and 78 per cent of the Canadian production.

As illustrative of the value and possibilities of the work of the Tariff Board this report (of 134 pages) may be compared with the special report of the Sixtieth Congress, second session, House Document No. 1502, relating to the same subject, which is embraced in five volumes, containing 3,366 pages, and an index volume of 284 pages, the investigation having commenced in April, 1908, and closed in March, 1909. The essence of this report of the Tariff Board is contained in Tables 4 and 5, on page 28, and in Table 17, on page 52. The facts contained in these tables afford a sounder basis for intelligent action by Congress than has ever heretofore been available, although the report is replete from beginning to end with useful and enlightening data. One of the significant facts brought out is the wide discrepancy in plant efficiency, due partly to size and location, but chiefly to quality of equipment. The evidence thus developed should have a wholesome influence in stimulating all owners of plants of low efficiency to secure the obvious benefits to be obtained by conforming them to the best modern practice.

It is already apparent that the cooperation of manufacturers, given so unreservedly in the paper and pulp investigation, can confidently be looked for in other industries. It has definitely been tendered by leading interests identified with the cotton, woolen, steel, and chemical industries. The reluctance of manufacturers to cooperate, which at first was anticipated, if it ever existed, is yielding to the influence of experience and good judgment, and bids fair ultimately to disappear. The producer who believes that he needs and should have protection should be willing to furnish facts in support of this plea, and the experience thus far tends to show that a majority, if not all, of those interested in the tariff are ready to assist the Tariff Board in ascertaining impartially, accurately, and completely all of the essential facts in each industry involved. With this cooperation assured, we are convinced as to the ability of the board to accomplish the important work for which it has been created.

The organization of the Tariff Board on May 26, 1911, was as follows:

Members of the board	5
Executive secretary of board	1
Private secretaries to members and official reporter	2
File clerk	1
Assistant file clerk	1
Statistician	1
Technical experts in field (1 in Europe)	3
Chief examiners in field (both in Europe)	2
Representatives in field (1 in Europe)	4
Statistical clerk and chart maker	1
Statistical clerk and stenographer	1
Statistical clerks	2
Agents in field	18
Examiners in field	3
Examiners in office	4
Chief examiner in office	1
Stenographers in office	8
Librarian	1
Clerks	10
Special employee (loaned by New York customhouse)	1
Technical expert in office	1
Messenger	1
Assistant messengers	3
Telephone operator	1
Charwomen	2
Total	78

Mr. COOPER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COOPER. Why was not the message read before the vote was taken on the bill?

The SPEAKER. The Chair does not know. The message came in while the House was in Committee of the Whole House on the state of the Union, and did not give any information on the subject under consideration.

Mr. FITZGERALD. If it had been sent in before the President left town, it would have been in time.

Mr. RUCKER of Missouri. Mr. Speaker, I would like to have the indulgence of the House for one minute. I will not ask a longer time than that.

Mr. MANN. Mr. Speaker, just a second. I think, in justice to the Speaker, I should say that the message just read came to the House while the House was in Committee of the Whole House on the state of the Union, the committee rising informally for the purpose of receiving the message. The gentleman at the Speaker's desk, the parliamentary clerk, submitted the message to myself, the gentleman from Alabama [Mr. UNDERWOOD], and a few other gentlemen of the House, and asked whether we desired to have the committee rise and go back into the House for the purpose of having it read. As the message stated that it had no information to convey to the House from the Tariff Board other than that which had already been sent to the Ways and Means Committee, I said that I thought at that stage it was not necessary for the committee to rise in order to have the message read, and which, of course, would have been a very unusual proceeding. [Applause.]

The SPEAKER. The Chair thanks the gentleman from Illinois for making that graceful statement.

DIRECT ELECTION OF SENATORS.

Mr. RUCKER of Missouri. Mr. Speaker, just a minute.

The SPEAKER. The Chair will recognize the gentleman from Missouri [Mr. RUCKER].

Mr. RUCKER of Missouri. Mr. Speaker, it was my purpose, after a conference with gentlemen on the other side a few days ago, to wait until the passage of the bill just voted upon and then move to take from the Speaker's table, or ask the Speaker to lay before the House, the resolution relating to the election of Senators by popular vote. I understood that by agreement on both sides this course would be pursued immediately following the passage of the bill which has just been voted on. Relying upon that, and believing that that was the understanding, I told numerous gentlemen so. Now, in order to be fair with myself and to gentlemen on the other side, I want to say we expected to go at it at a time when we had daylight in which to transact the business. There seems to be a desire for debate. The indications are that as much as an hour and a half on a side may be wanted. That much debate now would prolong the session until a late hour, and I find that a large majority of the membership of the House protest against such a prolonged session. I have made this statement in order to put myself right with gentlemen whom I have promised I would ask for immediate action on the bill. A few minutes ago, in conference with gentlemen representing the other side of the Chamber, we agreed that, with the approval of the House, the matter be passed until to-morrow, and then be taken up immediately after the reading of the Journal, and then proceed to consider it and conclude it. The impression now prevails that we will get through in time for all gentlemen who desire to do so to leave the Capitol building by 5 o'clock, or probably a little earlier; but until then I earnestly hope that all gentlemen interested in this question, especially all Democrats, as well as those on the other side of the aisle, will remain here to-morrow and determine the course we will take with reference to the amendment which came to us from the Senate.

Now, I thank the House, Mr. Speaker. for its courtesy. [Applause.]

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 13 minutes p. m.) the House adjourned until Wednesday, June 21, 1911, at 12 o'clock m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

A letter from the Acting Secretary of the Treasury calling attention to department letter of December 9, 1910, recommending legislation respecting disposition of old Federal building at Owensboro, Ky. (H. Doc. No. 73); to the Committee on Public Buildings and Grounds and ordered to be printed.

A message from the President in reply to House resolution of June 7, 1911, inclosing communications from the Tariff Board (H. Doc. No. 74); to the Committee on Ways and Means and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 386) granting a pension to Emma L. Miller; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 9170) granting an increase of pension to Nathaniel J. Smith; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 11103) granting a pension to H. E. Rives; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SHERLEY: A bill (H. R. 11877) to amend section 8 of the Food and Drugs Act, approved June 30, 1906; to the Committee on Interstate and Foreign Commerce.

By Mr. GRIEST: A bill (H. R. 11878) authorizing travel allowances to railway postal clerks; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 11879) authorizing the Postmaster General to transfer or detail railway postal clerks to certain clerical positions; to the Committee on the Post Office and Post Roads.

By Mr. CULLOP: A bill (H. R. 11880) granting pensions to certain enlisted men, soldiers, sailors, and officers, who served in the late War with Mexico; to the Committee on Pensions.

By Mr. COX of Indiana: A bill (H. R. 11881) to amend section 1321 of the Revised Statutes of the United States; to the Committee on Military Affairs.

By Mr. CLINE: A bill (H. R. 11882) providing for the discontinuance of ports and subports of entry that are not self-supporting; to the Committee on Ways and Means.

By Mr. HAYES: A bill (H. R. 11883) to amend an act making an appropriation for the support of the Military Academy for the fiscal year ending June 30, 1911, and for other purposes, approved April 19, 1910; to the Committee on Military Affairs.

By Mr. SLAYDEN (by request): A bill (H. R. 11884) to acquire certain land in Washington Heights for a public park to be known as McClellan Park; to the Committee on Appropriations.

By Mr. SABATH: Resolution (H. Res. 212) directing the Secretary of State to secure information concerning American ladies marrying titled foreigners, why certain ones have not been permitted to take part in the coronation ceremonies in London, and for other purposes; to the Committee on Foreign Affairs.

By Mr. WICKERSHAM: Resolution (H. Res. 213) authorizing the Committee on the Territories to investigate the present needs and requirements of the people of Alaska, and for other purposes; to the Committee on Rules.

By Mr. LLOYD: Resolution (H. Res. 214) appropriating money for the payment of Nathaniel T. Crutchfield and Mrs. H. McKenna Kolkmeyer for services in connection with the preparation of the rules of the Fifty-third Congress; to the Committee on Accounts.

By Mr. MARTIN of South Dakota: Joint resolution (H. J. Res. 123) permitting the Sons of Veterans, United States of America, to place a bronze tablet in the Washington Monument; to the Committee on the Library.

By Mr. TALBOTT of Maryland: Joint resolution (H. J. Res. 124) for the relief of the heirs of George R. Simpson; to the Committee on Claims.

By Mr. STEPHENS of Texas: Joint resolution (H. J. Res. 125) to make immediately available a certain appropriation heretofore made for the Mexican Kickapoo Indians; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 11885) granting an increase of pension to William C. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11886) granting an increase of pension to George A. Carpenter; to the Committee on Invalid Pensions.

By Mr. ANDERSON of Ohio: A bill (H. R. 11887) granting an increase of pension to John W. Young; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11888) granting an increase of pension to John J. Rumsey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11889) granting an increase of pension to James A. Henry; to the Committee on Invalid Pensions.

By Mr. BURKE of Wisconsin: A bill (H. R. 11890) granting an increase of pension to John Bahm; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11891) granting an increase of pension to James W. A. Dittmar; to the Committee on Pensions.

By Mr. CAMERON: A bill (H. R. 11892) granting a pension to Thomas W. Magill; to the Committee on Pensions.

By Mr. CLINE: A bill (H. R. 11893) granting a pension to Cyrus Fike; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11894) granting a pension to John B. Flint; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11895) for the relief of Manuel and Celestino Luz; to the Committee on War Claims.

By Mr. DAUGHERTY: A bill (H. R. 11896) granting a pension to Albert Yoder; to the Committee on Pensions.

Also, a bill (H. R. 11897) granting a pension to Nannie J. Beckmon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11898) granting an increase of pension to Henry V. Leach; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11899) granting an increase of pension to Andrew M. Cage; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11900) granting an increase of pension to Summerville Burns; to the Committee on Invalid Pensions.

By Mr. DENVER: A bill (H. R. 11901) granting a pension to Hannah Leverton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11902) granting a pension to John Albright; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11903) granting a pension to Alexander Kirkpatrick; to the Committee on Pensions.

Also, a bill (H. R. 11904) granting a pension to Levi Faris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11905) granting a pension to Daniel E. Bavis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11906) granting a pension to M. Claire Hughey; to the Committee on Pensions.

Also, a bill (H. R. 11907) granting a pension to James I. Taylor; to the Committee on Pensions.

Also, a bill (H. R. 11908) granting an increase of pension to Edward W. Conger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11909) granting an increase of pension to William H. Buffinger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11910) granting an increase of pension to David C. Cass; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11911) granting an increase of pension to Marion P. Phillips; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11912) granting an increase of pension to John Wilkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11913) granting an increase of pension to Joseph W. Randell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11914) granting an increase of pension to Staley F. Stemble; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11915) granting an increase of pension to Francis M. Sears; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11916) granting an increase of pension to John Carnahan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11917) granting an increase of pension to Morgan Tedrick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11918) granting an increase of pension to Peter O. Benham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11919) granting an increase of pension to James Monroe Sutton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11920) granting an increase of pension to Azubath Srofe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11921) granting an increase of pension to James Long; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11922) granting an increase of pension to George W. Huston; to the Committee on Pensions.

Also, a bill (H. R. 11923) granting an increase of pension to John Black; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11924) granting an increase of pension to Asher E. Brooks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11925) granting an increase of pension to Walter P. Moody; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11926) granting an increase of pension to Ephraim Castello; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11927) granting an increase of pension to John Hiett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11928) granting an increase of pension to William H. Few; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11929) granting an increase of pension to Elijah Cowen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11930) granting an honorable discharge to James B. Mulford; to the Committee on Military Affairs.

Also, a bill (H. R. 11931) to pay Charles L. Gallaher the sum of $215; to the Committee on War Claims.

By Mr. GUERNSEY: A bill (H. R. 11932) granting an increase of pension to Manly S. Tyler; to the Committee on Invalid Pensions.

By Mr. GILLETT: A bill (H. R. 11933) authorizing the quitclaiming of the interest of the United States in certain land situated in Hampden County, Mass.; to the Committee on Military Affairs.

By Mr. HAMILTON of West Virginia: A bill (H. R. 11934) granting an increase of pension to George M. Riddle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11935) granting an increase of pension to Gideon Mason; to the Committee on Invalid Pensions.

By Mr. HENSLEY: A bill (H. R. 11936) granting a pension to John A. Tuttle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11937) granting a pension to Sarah Stringer; to the Committee on Pensions.

Also, a bill (H. R. 11938) granting an increase of pension to John Martin; to the Committee on Invalid Pensions.

By Mr. LANGHAM: A bill (H. R. 11939) granting an increase of pension to John D. Neff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11940) granting an increase of pension to William Reynolds, alias William McGurk; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11941) granting an increase of pension to Joseph Taylor; to the Committee on Invalid Pensions.

By Mr. MAHER: A bill (H. R. 11942) granting an increase of pension to Patrick Carey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11943) granting an increase of pension to John K. Willson; to the Committee on Invalid Pensions.

By Mr. MALBY: A bill (H. R. 11944) for the relief of James D. Dardis; to the Committee on Military Affairs.

Also, a bill (H. R. 11945) for the relief of Albert H. Sanders; to the Committee on Military Affairs.

Also, a bill (H. R. 11946) granting an increase of pension to Oscar F. Maynard; to the Committee on Invalid Pensions.

By Mr. POST: A bill (H. R. 11947) granting a pension to Philip G. Herrnstein; to the Committee on Pensions.

By Mr. REILLY: A bill (H. R. 11948) granting an increase of pension to Henry B. Wood; to the Committee on Invalid Pensions.

By Mr. RUCKER of Colorado: A bill (H. R. 11949) granting an increase of pension to Thomas C. Noonan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11950) granting a pension to Walter Cox; to the Committee on Pensions.

By Mr. SHARP: A bill (H. R. 11951) granting a pension to Anna R. Wright; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11952) granting an increase of pension to Joseph Lockhart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11953) granting an increase of pension to Joseph Finley; to the Committee on Invalid Pensions.

By Mr. SIMS (by request): A bill (H. R. 11954) for the relief of David W. Reed; to the Committee on War Claims.

By Mr. SPEER: A bill (H. R. 11955) granting an increase of pension to Isaac Shakely; to the Committee on Invalid Pensions.

By Mr. STEPHENS of California: A bill (H. R. 11956) granting a pension to Ida M. Angell; to the Committee on Invalid Pensions.

By Mr. BOOHER: A bill (H. R. 11957) granting an increase of pension to George W. Gordon; to the Committee on Invalid Pensions.

By Mr. STEPHENS of California: A bill (H. R. 11958) for the relief of Ella R. A. Anderson; to the Committee on War Claims.

By Mr. STERLING: A bill (H. R. 11959) granting a pension to James W. Bennett; to the Committee on Pensions.

By Mr. SWITZER: A bill (H. R. 11960) granting an increase of pension to John P. Locey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11961) to correct the military record of Allen Fenton; to the Committee on Military Affairs.

By Mr. TAYLOR of Colorado: A bill (H. R. 11962) granting a pension to Mary E. Kellerman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11963) granting a pension to Emma K. Drips; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11964) granting a pension to Mary A. Best; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. AUSTIN: Petition of C. B. Jones, heir of John Jones, deceased, late of Anderson County, Tenn., praying reference of his claim to the Court of Claims under the Bowman Act; to the Committee on War Claims.

By Mr. BURKE of South Dakota: Petition of South Dakota Conference of Seventh-day Adventists, opposing the enactment of any legislation relative to the observance of the first day of the week; to the Committee on Rules.

By Mr. DANIEL A. DRISCOLL: Resolutions of the Retail Merchants' Association of Buffalo, N. Y., opposing House bill 8887, proposing a tax on patent medicines; to the Committee on Ways and Means.

By Mr. FULLER: Petition of Illinois Pharmaceutical Association, opposing House bill 8887, known as the Sherley stamp-tax bill; to the Committee on Ways and Means.

By Mr. GRIEST: Petition of Messrs. Miller & Hartman, and other merchants of Lancaster County, Pa., favoring a reduction of the import duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. GUERNSEY: Petitions of numerous citizens, favoring a reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. HAMILL: Resolution of Robert Fulton Social and Literary Society, of New York City, condemning Consul General Griffith's indorsement of a recent speech made by Sir Edward Grey in the English House of Commons in reference to the purpose of Anglo arbitration; to the Committee on Foreign Affairs.

By Mr. HAMILTON of West Virginia: Petitions of numerous citizens of West Virginia, asking that the duty on raw and refined sugars be reduced; to the Committee on Ways and Means.

By Mr. KONOP: Petition of citizens of Wisconsin, for fishways on the Fox River to the Committee on Rivers and Harbors.

By Mr. LANGHAM: Petitions of numerous citizens of Pennsylvania, favoring a reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. LEE of Georgia: Petition of J. C. Knight, heir of Charles G. Knight, late of Polk County, Ga., praying reference of his claim to the Court of Claims under the act of March 3, 1883, known as the Bowman Act; to the Committee on War Claims.

By Mr. MARTIN of South Dakota: Petitions of numerous citizens of Minnesota and South Dakota, favoring a reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. SHARP: Resolutions adopted by Hurd Post, No. 114, Department of Ohio, Grand Army of the Republic, of Mount Gilead, Ohio, protesting against the passage of House bills 167 and 4470, and all like bills; to the Committee on Pensions.

By Mr. SIMS: Papers to accompany bill for the relief of David W. Reed; to the Committee on War Claims.

By Mr. STEPHENS of Texas: Petition of the Cattle Raisers' Association of Texas, protesting against the passage of certain legislation (H. R. 4693) relating to the cold storage of meat products; to the Committee on Interstate and Foreign Commerce.

By Mr. SULZER: Memorial of East St. Louis (Ill.) Branch, National German-American Alliance, approving House resolution No. 166 and condemning the manner in which the immigration office at Ellis Island is at present conducted; to the Committee on Immigration and Naturalization.

SENATE.

WEDNESDAY, *June 21, 1911.*

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Journal of yesterday's proceedings was read and approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a bill (H. R. 11019) to reduce the duties on wool and manufactures of wool, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. CULLOM presented petitions of the Commercial Club of Chicago, Ill.; of the Diocese of the Protestant Episcopal Church of Connecticut; and of the congregation of the Calvary Baptist Church, of Rochester, N. Y., praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

He also presented a memorial of United Mine Workers' Union No. 99, of Belleville, Ill., remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

Mr. WETMORE presented a petition of the Board of Trade of Providence, R. I., praying that an appropriation be made to increase to a depth of 30 feet the harbor at that city, which was referred to the Committee on Commerce.

Mr. BURNHAM presented a memorial of Local Grange, Patrons of Husbandry, of Chester, N. H., and a memorial of Cheshire Grange, No. 131, Patrons of Husbandry, of Keene, N. H., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which were ordered to lie on the table.

Mr. WARREN presented memorials of Rev. H. E. Reeder, general pastor of the Northeastern Wyoming Field, Seventh-day Adventists, and of sundry citizens of Sheldon, Thornton, and Upton, in the State of Wyoming, remonstrating against the enforced observance of Sunday as a day of rest in the District of Columbia, which were ordered to lie on the table.

Mr. CUMMINS presented memorials of sundry citizens of Victor and Iowa City, in the State of Iowa, remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which were ordered to lie on the table.

Mr. BURTON presented a petition of the Chicago Peace Society, of Illinois, praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

Mr. GALLINGER presented a petition of the Columbia Heights Citizens' Association of the District of Columbia, praying for the enactment of legislation to correct the alley-slum conditions in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented a petition of the Columbia Heights Citizens' Association of the District of Columbia, praying for the enactment of legislation to prohibit the pollution and obstruction of the waters of Rock Creek, etc., which was referred to the Committee on the District of Columbia.

Mr. PERKINS presented memorials of sundry citizens of Susanville, Lodi, and Santa Cruz, all in the State of California, remonstrating against the passage of the so-called Johnston Sunday-rest bill, which were ordered to lie on the table.

Mr. POINDEXTER presented memorials of sundry citizens of College Place, Walla Walla, Dayton, North Yakima, Pomeroy, Richland, Granger, Farmington, Penawawa, Cle Elum, Wilcox, Endicott, Spokane, Douglas, Prescott, Burbank, St. John, Pullman, Pasco, Kennewick, Eureka, Turk, Addy, Myers Falls, and Kettle Falls, all in the State of Washington, remonstrating against the passage of the so-called Johnston Sunday-rest bill, which were ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. LODGE, from the Committee on the Philippines, to which was referred the bill (S. 2761) to amend an act approved February 6, 1905, entitled "An act to amend an act approved July 1, 1902, entitled 'An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes,' and to amend an act approved March 8, 1902, entitled 'An act temporarily to provide revenue for the Philippine Islands, and for other purposes,' and to amend an act approved March 2, 1903, entitled 'An act to establish a standard of value and to provide for a coinage system in the Philippine Islands,' and to provide for the more efficient administration of civil government in the Philippine Islands, and for other purposes," reported it with amendments and submitted a report (No. 83) thereon.

Mr. NELSON, from the Committee on Public Lands, to which was referred the bill (S. 2462) to cede jurisdiction to the State of Georgia over certain land in Fulton County, reported it without amendment.

REPORT ON SEIZURES OF COTTON.

Mr. SMOOT, from the Committee on Printing, to which was referred Senate resolution No. 49, submitted by Mr. WILLIAMS on the 23d ultimo, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That there be printed for the use of the Senate document room 1,000 copies of Executive Document No. 23, Forty-third Congress, second session, entitled "A Report of the Acting Secretary of the Treasury," in relation to the number of bales of cotton seized under orders of that department after the close of the war.

FEDERAL ANTITRUST DECISIONS.

Mr. SMOOT, from the Committee on Printing, to which was referred Senate concurrent resolution No. 3, submitted by Mr. GORE on the 17th ultimo, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound 3,000 copies of the Federal antitrust decisions, 1890 to 1911, to be compiled by the direction of the Department of Justice, 1,000 copies for the use of the Senate and 2,000 copies for the use of the House of Representatives.

TEXTILE INDUSTRY OF THE UNITED STATES.

Mr. SMOOT. From the Committee on Printing, I report back favorably an article presented by the Senator from New Hampshire [Mr. GALLINGER] on the 12th instant, relative to the textile industry of the United States, and ask that it be printed as a public document. (S. Doc. No. 53.)

The VICE PRESIDENT. Without objection, the order to print will be entered.

ST. FRANCIS RIVER BRIDGE IN ARKANSAS.

Mr. MARTIN of Virginia. From the Committee on Commerce I report back favorably without amendment the bill (S. 2766) to authorize the St. Louis, Iron Mountain & Southern Railway Co. to construct and operate a bridge across the St. Francis River, in the State of Arkansas, and for other purposes, and I submit a report (No. 82) thereon. I ask unanimous consent for its present consideration.

The Secretary read the bill, and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PALMERS OR WARREN RIVER BRIDGE IN RHODE ISLAND.

Mr. MARTIN of Virginia. From the Committee on Commerce I report back favorably without amendment the bill (S. 2732) to authorize the Providence, Warren & Bristol Railroad Co. and its lessee, the New York, New Haven & Hartford Railroad Co., or either of them, to construct a bridge across the Palmers or Warren River, in the State of Rhode Island, and I submit a report (No. 81) thereon. I call the attention of the Senator from Rhode Island [Mr. LIPPITT] to the bill.

Mr. LIPPITT. I ask unanimous consent for the present consideration of the bill just reported by the Senator from Virginia.

The VICE PRESIDENT. The Secretary will read the bill for the information of the Senate.

The Secretary read the bill, and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BACON:

A bill (S. 2833) granting an increase of pension to John T. Peel (with accompanying paper); to the Committee on Pensions.

By Mr. CULLOM:

A bill (S. 2834) granting an increase of pension to Chastina E. Hawley (with accompanying paper); and

A bill (S. 2835) granting a pension to David Black; to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 2836) granting an increase of pension to John W. Yount (with accompanying papers); to the Committee on Pensions.

By Mr. KENYON:

A bill (S. 2837) to amend an act entitled "An act to regulate commerce, as amended June 29, 1906, April 13, 1908, and June 18, 1910"; to the Committee on Interstate Commerce.

A bill (S. 2838) granting pensions to certain enlisted men, soldiers and officers, who served in the Civil War and the War with Mexico;

A bill (S. 2839) granting a pension to Elizabeth R. Griffith;

A bill (S. 2840) granting a pension to Caroline Kudebeh;

A bill (S. 2841) granting an increase of pension to James E. Houghland (with accompanying papers); and

A bill (S. 2842) granting a pension to Ellen G. Robison; to the Committee on Pensions.

By Mr. FOSTER:

A bill (S. 2843) for the relief of Ella O. Richardson; to the Committee on Public Lands.

By Mr. SMITH of Maryland:

A bill (S. 2844) to establish a commission to be known as the national forest demonstration and experimental commission, and to make an appropriation therefor; to the Committee on Agriculture and Forestry.

By Mr. CLARK of Wyoming:

A bill (S. 2845) to acquire certain land in Washington Heights for a public park, to be known as McClellan Park.

The VICE PRESIDENT. The bill will be referred to the Committee on the District of Columbia.

Mr. GALLINGER. I suggest that the bill go to the Committee on Public Buildings and Grounds, that committee having jurisdiction of parks in the District of Columbia.

The VICE PRESIDENT. Without objection, that reference will be made.

By Mr. POINDEXTER:

A bill (S. 2847) granting an increase of pension to Austin J. Marsh; to the Committee on Pensions.

By Mr. OWEN:

A bill (S. 2848) authorizing the sale of certain lands to the Dwight Mission School, on Sallisaw Creek, Okla. (with accompanying papers); to the Committee on Indian Affairs.

IMPROVEMENT OF RURAL DELIVERY ROADS.

By Mr. SIMMONS:

A bill (S. 2846) for experimental improvement of rural delivery roads by the Secretary of Agriculture in cooperation with the Postmaster General, for investigating the subject of Federal registration and license of automobiles used in interstate travel, and for other purposes.

Mr. SIMMONS. I ask that the bill may lie on the table, subject to my call; and I desire in this connection to give notice that on Friday next, after the close of the morning business, I will submit to the Senate some remarks upon the bill.

The VICE PRESIDENT. Without objection, the bill will lie on the table.

PUBLICITY OF CAMPAIGN CONTRIBUTIONS.

Mr. BURTON. I submit two amendments intended to be proposed to the bill H. R. 2958, the pending publicity bill, which I ask may lie on the table and be printed.

The VICE PRESIDENT. Without objection, the amendments will lie on the table and be printed.

SENATE EMPLOYEES.

Mr. KERN. I submit a resolution and ask for its present consideration.

The resolution (S. Res. 78) was read, as follows:

Resolved, That the Secretary of the Senate and the Sergeant at Arms of the Senate are hereby directed to retain in the employ of the Senate all of their appointees and employees who are capable and efficient, and to continue such persons in their positions until cause for their removal shall have been reported to and approved of by the Senate and their removal directed.

The VICE PRESIDENT. The Senator from Indiana asks for the immediate consideration of the resolution. Is there objection?

Mr. GALLINGER. I think it had better go over.

The VICE PRESIDENT. Objection is made.

Mr. GALLINGER. It ought to go to the committee.

The VICE PRESIDENT. The resolution will be referred to the Committee on Rules.

BLACK WARRIOR RIVER, ALA., IMPROVEMENTS.

Mr. JOHNSTON of Alabama. I ask unanimous consent for the present consideration of the bill (S. 943) to improve navigation on Black Warrior River, in the State of Alabama.

I make this request because the Chief of Engineers says that the proposition embraced in the bill is a very important one, involving as it does material changes in the adopted project, and it is commended by the Board of Engineers as very important, because the work is about to commence on the lock as to which the proposed change is to be made.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with amendments.

The first amendment was, in section 1, page 2, line 9, after the word "proposed," to strike out "and the building of the said Locks 18 and 19 is hereby abandoned," so as to make the section read:

That for the purpose of improving navigation of the Black Warrior River above Lock 17 to Cordova and as far up said river as the foot of Sanders Shoals, 5 miles above Cordova and 56⅘ miles above Lock 17, and for the purpose of aiding and developing the water power at Locks 16 and 17, in cooperation with the Birmingham Water, Light & Power Co. (hereinafter styled "the company"), a corporation organized under the laws of the State of Alabama, its successors and assigns, for the purpose of developing the water power of said river and supplying the public with same, the Secretary of War is hereby authorized, in his decretion, to change the detailed plans and specifications for the construction of Lock and Dam 17 so as to increase the height of the pool level over the dam crest of Lock 17 to a height of 63 feet above the pool level of Lock 16, so as to render unnecessary the building of Locks 18 and 19, as now proposed.

The amendment was agreed to.

The next amendment was, in section 3, page 3, line 5, after the word "to," to strike out "terminate existing contracts at" and insert "enter into supplemental agreements with the present contractors for"; and in line 8, after the word "seventeen," to strike out "provided the construction of higher lock at Dam 17 is found advisable for the interest of the United States" and to insert "providing for the annulment of existing contracts or for their modification, so as to cover the work required for the construction of the higher lock and dam, as he may deem most advantageous for the interests of the United States," so as to make the section read:

SEC. 3. That the Secretary of War is authorized, in his discretion, to suspend operations during investigations and to enter into supplemental agreements with the present contractors for Lock and Dam 17, providing for the annulment of existing contracts or for their modification, so as to cover the work required for the construction of the higher lock and dam, as he may deem most advantageous for the interests of the United States.

The amendment was agreed to.

The next amendment was, on page 3, to strike out section 4, as follows:

SEC. 4. That the Secretary of War is hereby authorized to equip Locks 16 and 17 with electrical apparatus for operating gates and valves and lighting same.

The amendment was agreed to.

The next amendment was, on page 3, section 5 (4), line 17, after the word "of," to strike out "high locks and"; in line 21, after the word "of," to strike out "Lock and"; and, in the same line, after the word "seventeen," to insert "and such locks as may be necessary to overcome the lift between the pools created by Dams 16 and 17," so as to make the section read:

SEC. 4. That should the construction of dam at site 17 be found advisable the appropriations and authorizations heretofore made for the costs of locks and dams on the Warrior River shall be available for the construction of Dam 17 and such locks as may be necessary to overcome the lift between the pools created by Dams 16 and 17.

The amendment was agreed to.

The next amendment was, on page 5, section 6 (5), line 4, after the word "develop" to strike out:

From the water wheels delivering a minimum of not less than 80 per cent of the theoretical horsepower from the natural flowage of the river at and during the dry season, upon the basis of a minimum of 1,200 horsepower daily per annum at Lock 16 and 2,000 horsepower daily per annum at Lock 17; the payment for such power so created at each lock to begin one year after the lock is finished and ready for transportation and power.

And insert:

From the normal flow of the river, for a period of 20 years, which rate shall be subject to readjustment by the Secretary of War at the end of that period and thereafter at the end of every 10-year period; and payment for the power created at each lock shall begin one year after the lock shall be finished and ready for transportation and power, and shall be made on the basis of a minimum of 1,200 horsepower daily per annum at Lock 16 and 3,800 horsepower daily per annum at Lock 17.

And, on page 6, line 4, after the word "rights," to strike out "on" and insert "over"; in the same line, after the word "lands," to strike out "to" and insert "that will"; in the same line, after the word "temporarily," to insert "or permanently"; in line 8, after the word "assigns," to strike out "beginning with the year 1920"; in line 11, after the word "the," to strike out "three thousand two hundred" and insert "five thousand"; in line 24, after the word "that," to insert "beginning with the year 1920"; in line 25, after the word "minimum," to strike out "power" and insert "rental"; on page 7, in line 2, after the word "be," to strike out "equal to"

and insert "on the basis of," and, in the same line, after the word "horsepower," to insert "and the contract shall further provide that the works herein contemplated, including the storage reservoirs, shall be commenced within 1 year and completed within 10 years from date of approval hereof," so as to make the section read:

SEC. 5. That for the purpose of securing the performances and obligations of the company imposed by this act the Secretary of War is authorized and empowered to enter into a contract with said company for the purpose of more efficiently carrying out the stipulations and performances herein mentioned. And it shall be provided in said contract that for and in consideration of the aid to and improvement of the system of navigation of the Black Warrior River by the company from the construction and operation of its plant and works, the company, its successors and assigns, shall have the right to construct, maintain, own, and operate, at its own cost, in connection with Dams and Locks 16 and 17, for a period of 99 years, electrical power stations and other structures, including turbo-generator intakes, equipped with double gates and valves at a level in said dam with the turbine water-wheel penstocks, for the development of water power for industrial and other purposes, and for converting to its own use, benefit, and profit the power created with the surplus water not needed for lockage, including the right to sell, lease, or otherwise dispose of said power to persons and private and municipal corporations and associations: *Provided*, That the company shall furnish, free of charge to the Government, at Locks 16 and 17, all power necessary for the operation of said locks, gates, and valves, and for the lighting of the Government stations and houses situated at said locks. And the said contract shall further provide for the payment by the company to the Government of an annual rental for its use of the water power at Dams and Locks 16 and 17 at the rate of $1 per annum per horsepower realized and developed from the normal flow of the river, for a period of 20 years, which rate shall be subject to readjustment by the Secretary of War at the end of that period and thereafter at the end of every 10-year period; and payment for the power created at each lock shall begin one year after the lock shall be finished and ready for transportation and power, and shall be made on the basis of a minimum of 1,200 horsepower daily per annum at Lock 16 and 3,800 horsepower daily per annum at Lock 17: *And provided further*, That the company shall have ingress and egress over Government lands for the construction and operation of its plants and works and the right to use Government lands at or near said locks for the erecting of power houses and appurtenances in connection therewith. It shall be provided further in the contract that the company shall transfer to the Government flowage rights over all lands that will be temporarily or permanently overflowed in connection with said improvements of Lock and Dam 17. It shall be further provided in said contract that the company, its successors and assigns, shall pay to the Government an additional rental or royalty of 50 cents per horsepower per annum for all power sold in addition to the 5,000 horsepower above mentioned for additional power created at Locks 16 and 17 by the company's storage and impounding dam, power stations, and works, to be located at the head of Sanders Shoals, on the Black Warrior River, and more particularly described as being in the center of section 23, township 14, range 6 west, in the northeast corner of Walker County, Ala., 56.3 miles above Lock 17; the Government to have free access to the company's books and power and curve load sheets for the purpose of ascertaining and calculating the amount of additional power produced and sold by the company from its storage reservoirs at said locks, it being understood that, beginning with the year 1920, the minimum rental to be paid for to the Government by the company shall be on the basis of 15,000 horsepower. And the contract shall further provide that the works herein contemplated, including the storage reservoirs, shall be commenced within 1 year and completed within 10 years from date of approval hereof.

The amendment was agreed to.

The next amendment was, in section 7 (6), page 7, line 13, after the word "Sixteen," to strike out "but may draw down" and insert "nor shall"; in line 14, after the word "Seventeen," to strike out "3 feet, this being the minimum pool level, Dam 17 being built with flashboards 3 feet higher than necessary for navigation, this additional 3 feet of height to be used as a storage supply for water-power purposes," and insert "be drawn down below 63 feet above the crest of Dam 16, but in order to create a storage surplus for water-power purposes, the Secretary of War may, in his discretion, permit flashboards or a removable crest not exceeding 3 feet in height to be installed on Dam 17 by the company, at its own expense"; on page 8, in line 2, after the word "be," to insert "executed"; in line 5, after the word "and," to insert "to"; in line 8, after the word "and," to strike out "for the securing of" and to insert "to insure"; in line 9, after the word "performance," to strike out "on the part of" and insert "by"; in line 11, after the word "require," to strike out "of"; in line 12, after the word "company," to strike out "the execution of" and insert "to execute"; and in line 13, after the word "as," to strike out "shall be approved by the Secretary of War, and conditioned upon the faithful performance of all the terms and conditions imposed upon it by said contract" and insert "he may determine to be necessary," so as to make the section read:

SEC. 6. That in the exercise of the authority granted to the company herein or by said contract the company shall conform to such regulations as may be imposed by the Secretary of War for the protection of navigation and of the property and other interests of the United States. The company shall at no time disturb the pool level made by the erection of Dam 16, nor shall the pool level of Dam 17 be drawn down below 63 feet above the crest of Dam 16, but in order to create a storage surplus for water-power purposes, the Secretary of War may, in his discretion, permit flashboards or a removable crest not exceeding 3 feet in height to be installed on Dam 17 by the company, at its own expense; and at no time shall the company make any claim against the United States for failure of water power from any cause whatsoever. That the work and improvements herein provided for shall be executed under the direction and with the approval of the Chief of Engineers and the Secretary of War, the structures provided for being always subject to the provisions and requirements of this act and to such stipulations as may be imposed by Congress or by the Secretary of War for the protection of navigation and property and other interests of the United States; and to insure the performance by the company of the acts and obligations imposed upon it by said contract, the Secretary of War may require the company to execute a bond in such an amount and with such surety as he may determine to be necessary. Whenever the company shall have acquired and transferred to the United States Government all lands to be flooded and temporarily overflowed and erected power stations sufficient to supply the Government with all necessary power to light and operate said locks, so much of said bond as was required for the performance of said acts shall cease or be reduced to an amount not to exceed $50,000.

The amendment was agreed to.

The next amendment was, on page 10, after line 7, to insert a new section as follows:

SEC. 10. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

Mr. BURTON. Mr. President, there is a rather trivial amendment which should be made. On page 8, line 11, after the word "require," I move to strike out the word "of."

The amendment was agreed to.

Mr. SUTHERLAND. Mr. President, it seems to me that this is rather an important bill to be hurried through at this time. I have not had an opportunity to look over it. I should like to have some explanation of the bill from the Senator in charge of it.

Mr. JOHNSTON of Alabama. I shall be very glad to give it. This is a very important bill in regard to the navigation of the Black Warrior River and the development of water power there. The present plan is to build a dam there of 63 feet and to build Locks 18, 19, and 20, each of 21 feet. This bill proposes to establish and build a high dam at Lock 17, which will back up the water of the river entirely to the railroads that pass over the river and beyond where it is contemplated in the present project. It will cost, the Board or Engineers estimate, about $150,000 more to build the dams, but the Government will receive a revenue of about $15,000 a year from the use of the water power. The completion of the project for the creation of the water power referred to will greatly facilitate the transportation of products from Birmingham to the Gulf.

Mr. SUTHERLAND. Let me ask the Senator, does the bill undertake to recognize the right of the Federal Government to sell and dispose of the water——

Mr. JOHNSTON of Alabama. No; not at all.

Mr. SUTHERLAND. Or the water powers of the State?

Mr. JOHNSTON of Alabama. Not at all. It is in accordance with the provisions of the act passed by Congress in regard to fixing the rate or charge for the additional height of the dam that produces the power.

Mr. SUTHERLAND. Mr. President, I should like to look into this bill, and I ask that it may go over.

Mr. JOHNSTON of Alabama. I want to say to the Senator that the bill is unanimously indorsed by the Board of Engineers and by the Chief Engineer of the Army, who speak of it as being highly important that it be acted on immediately.

The VICE PRESIDENT. The bill can not go over on an objection, for it is being considered by unanimous consent. It has not been reached in the regular order.

Mr. JOHNSTON of Alabama. All of the amendments to the bill which have been agreed to have been suggested by the Board of Engineers, and have been so framed as to make it entirely satisfactory to the Government.

Mr. NELSON. Will the Senator from Alabama allow me to make a suggestion?

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Minnesota?

Mr. JOHNSTON of Alabama. Yes.

Mr. NELSON. I want to state that this bill was referred to the War Department and to the Board of Engineers, and all the amendments which have been agreed to have been suggested by the Board of Engineers. There is a report on the bill from that board recommending its passage. The questions involved in this bill are not such as relate to the water-power question in the West at all.

Mr. JOHNSTON of Alabama. Not at all.

Mr. NELSON. They do not have any bearing on those questions in which I know the Senators from the Pacific coast and mountain States are interested.

Mr. DIXON. Mr. President——

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Montana?

Mr. JOHNSTON of Alabama. Certainly.

Mr. DIXON. Mr. President, I rise, really, to inquire generally about the same matter which the Senator from Utah [Mr. SUTHERLAND] and the Senator from Minnesota [Mr. NELSON] have referred to. As I listened to the reading of the bill, it

empowers the Federal Government to receive revenue from the water power of an Alabama river.

Mr. JOHNSTON of Alabama. Yes.

Mr. DIXON. Is that correct?

Mr. JOHNSTON of Alabama. Water power created by the Government work.

Mr. DIXON. Created by the Federal Government?

Mr. JOHNSTON of Alabama. Yes.

Mr. DIXON. But, as I have always understood the matter, the waters of a nonnavigable stream, and even those of a navigable stream, belong to the State in which that stream is situated.

Mr. JOHNSTON of Alabama. I understand that perfectly.

Mr. DIXON. Does this bill contemplate the inauguration of a new policy on the part of the Federal Government to sell water power within the limits of the State where the water belongs to the State?

Mr. JOHNSTON of Alabama. Not at all. It provides for the constructing company to put up the reservoir to impound the water of the river to make navigation more perfect, and to contribute to the increased cost of building the dam. Only $150,000 increased cost is recommended by the engineers, and the revenue, it is supposed, will be from $10,000 to $25,000.

Mr. DIXON. Does that revenue flow to the Federal Government?

Mr. JOHNSTON of Alabama. It flows to the Federal Government through a company chartered by the State to do this work.

Mr. DIXON. Why should not that revenue go to the State of Alabama?

Mr. JOHNSTON of Alabama. Because the State has already given this power to the company, and they have transferred it to the Federal Government.

Mr. BURTON. Mr. President, I think what the Senator from Montana has in mind is this: What is the reason why any license should be paid to the Federal Government?

Mr. DIXON. Yes; for water power in Alabama.

Mr. BURTON. The water power is created as an incident by dams constructed for the purpose of promoting navigation. Those dams are constructed by the Federal Government. This bill involves no new policy. On the Kentucky River and on the Muskingum River the Government for many years past has been receiving rental for water power created by its dams constructed for the purpose of navigation.

Mr. DIXON. But does not that recognize the title of the Government to the water?

Mr. BURTON. I do not think so at all. It recognizes, where the Government builds a dam and creates a water power which would not otherwise exist, that it has the right to charge for it.

Mr. SUTHERLAND. Let me ask, does the Government build this dam?

Mr. BURTON. The Government builds this dam. There are proposed additions to it in the way of flashboards, and so forth, which the Secretary of War may, in his discretion, allow those who are utilizing the water power to build. All the expenses for the dam proper are borne by the Federal Government in carrying out the plan to canalize the Black Warrior River, a plan adopted nearly 20 years ago.

Mr. SUTHERLAND. I have looked over the bill very hastily, and it seems to me to go entirely beyond the mere authority of the Government to deal with the subject of navigation. It seems to recognize the right of the Federal Government to dispose of water and water power in the stream.

Mr. BURTON. Not except as created by Government construction in the way of dams or locks erected primarily for the purpose of navigation.

Mr. SUTHERLAND. Section 6 of the original bill provides——

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Utah?

Mr. JOHNSTON of Alabama. Certainly.

Mr. SUTHERLAND. If the Senator will permit me to finish. Section 6 of the bill provides:

> That the company shall furnish, free of charge to the Government, at Locks 16 and 17, all power necessary for the operation of said locks, gates, and valves, and for the lighting of the Government stations and houses situated at said locks. And the said contract shall further provide for the payment by the company to the Government of an annual rental for its use of the water power at Dams and Locks 16 and 17 at the rate of $1 per annum per horsepower realized and developed.

As I say, I have not had time to go over the bill.

Mr. BURTON. Certainly, two provisions are contained in section 6, just read, which are in accordance with policies already adopted. First, it is made a condition in all cases where the Government grants the right to a private company or individual to utilize water power created by Government dams, the company shall furnish the power for the operation of the locks connected with such dams.

The second feature which the Senator from Utah mentions is also one already in vogue, that a certain rental per horsepower shall be charged in such cases. It would be quite unjust to say that the Government should construct these dams at a great expense—endeavoring to improve rivers through a hilly country, where locks and dams are necessary, and put such rivers on the same footing with the improvement of a river through a level country—and receive no revenue by reason of the expensive construction of the locks and dams.

Mr. WORKS. Mr. President——

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from California?

Mr. JOHNSTON of Alabama. I do.

Mr. WORKS. I should like to explain to the Senator from Utah that if there should be any assumption of the right on the part of the National Government to deal with the water, that would in no way affect or bind the legal claimants to the water in the stream. It can only dispose of whatever rights it may have in the water, as suggested by the Senator from Ohio [Mr. BURTON]. Certainly, no action taken by the National Government in this way could bind any legal claimant to the water or his right either as an appropriator or as a riparian owner.

Mr. NELSON. Mr. President, if the Senator will allow me, I will state that this bill does not involve the principle which governs where a private individual or a private company constructs a dam and the Government seeks to obtain payment for the water. I have been utterly opposed to that proposition; but this is a case where the Government constructs a dam in aid of navigation, and as an incident to it there is a water power, and the Government, on account of the expense it has been put to, charges for the use of that water. That is all that is involved in this bill, which is carefully guarded by the amendments which have been suggested by the War Department.

Mr. DIXON. Mr. President, while I had intended to ask that the bill go over, under the explanations made I have no further objection to it.

Mr. SUTHERLAND. The explanation just made by the Senator from Ohio [Mr. BURTON] and the Senator from Minnesota [Mr. NELSON] is satisfactory to me. I did not at first understand the bill, because it is a long bill and there has been no opportunity of reading it. I simply caught a fugitive expression here and there, and I do not want to give my vote to any bill which will recognize the right of the Federal Government to dispose of the waters or the water powers in any State.

Mr. JOHNSTON of Alabama. I agree perfectly with the Senator from Utah, and I myself shall stand against any such proposition.

Mr. HEYBURN. Mr. President, the power of the Government to the use of streams is limited to navigation purposes. It is perfectly proper for the Government to improve a stream in order that it may be made navigable. The Government's function is complete when it has created the navigation or aided it. The sale of water is something entirely disconnected from the creation of navigable conditions in a stream, and I am not able to see why the Government may charge anyone for the use of water after it has performed the function of creating a navigable stream. The title to water can not be acquired by anyone; it is the title to the use of the water that may be acquired, and not to the water itself.

The Government having impounded the water may use it to the limit of the purposes contemplated by the Constitution, but not beyond. The Government has no legal right to sell this water to anyone or to charge for its use, because, upon the face of the bill, it is a measure in the interest of the promotion of navigation. That being effectuated, the power of the Government ceases. I do not feel inclined to go into that question further than to make the suggestion this morning. It is a question of very great importance.

Mr. BURTON. Will the Senator permit me?

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Ohio?

Mr. HEYBURN. I do.

Mr. BURTON. I would suggest to the Senator from Idaho that the question raised by him has been repeatedly decided both by the State and by the Federal courts. I think the case of the Kakauna Water Power Co., of Wisconsin, in the Supreme Court of the United States, is one of them. The tenor of these decisions is that where the right is given to create navigation, and where, as an incident to the exercise of that right, water

power is created, the Government, or, indeed, a private corporation owning the franchise, can utilize the water power or sell it.

Mr. HEYBURN. The question is, Where can it utilize it; at what point? The decisions are uniform that after the Government has accomplished the purpose which it is authorized to effectuate anyone may locate water rights under the laws of the State, not under the laws of the United States, for the United States Government has no law under which water rights may be located.

Mr. BURTON. Suppose, however, in the construction of an important public work dams are constructed and water is impounded, and in the liberation of that water, water power is created, is there any reason why the Government should not receive compensation for it? The water power is a necessary and inevitable incident of the improvement.

Mr. HEYBURN. But this bill is not within that question.

Mr. BURTON. I think it is.

Mr. HEYBURN. The improvement authorized is not created for any other than navigable purposes, because the bill says so.

Mr. ROOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from New York?

Mr. HEYBURN. Certainly.

Mr. ROOT. May not the power have been created with a view to the fact that the cost may be materially reduced by the application of the proceeds of the power created?

Mr. HEYBURN. There is no law on the subject.

Mr. ROOT. That is, may it not be that a very salutary improvement may depend upon the fact that its creation would not be all a matter of expense, but that it would, while improving navigation, at the same time pay for itself in some part by the creation of a disposable water power? Is it not desirable that that view should obtain?

Mr. HEYBURN. Mr. President, the Senator is appealing to the law of expediency, but there is no law of the land under which that can be done. It might be that such a law could be enacted, but there is no existing law; and the only rule to which the Senator's reasoning applies is that of expediency, as to whether such a law should not exist. None exists to-day.

Mr. ROOT. But we can make one, and do we not make one if we pass the bill of the Senator from Alabama?

Mr. HEYBURN. That is what I am afraid of. If that bill can not be invoked in the future as a basis for establishing the right of the Government in relation to water, I would have no word to say about it, but I listened very carefully to the reading of it——

Mr. JOHNSTON of Alabama. I want to ask the Senator if he does not think the State has the right to the water?

Mr. HEYBURN. Absolutely.

Mr. JOHNSTON of Alabama. This is confined to the corporation that is named in this bill. It is to impound the water above where it is backed up by this dam, to preserve the navigation of the river all the year round, and to improve it in that way.

Mr. HEYBURN. Under the authority of State legislation?

Mr. JOHNSTON of Alabama. Under the authority of State legislation.

Mr. HEYBURN. Why should the State legislation be supplemented by an act of Congress?

Mr. JOHNSTON of Alabama. It is because the original proposition provided for the construction of a dam 31 feet high and for one lock. Now it is proposed to build a dam 63 feet high and put in three locks at that place.

Mr. HEYBURN. Why do we not stop with conferring the power to build the dams 63 feet high? Why is it necessary to invade this other very dangerous field?

Mr. JOHNSTON of Alabama. I do not think there is any danger at all, because no water is diverted from the river—not one particle. It will improve the navigation of the whole length of the river to the Gulf.

Mr. HEYBURN. If I could be convinced that the suggestion of the Senator from New York [Mr. ROOT] that this bill might be the initiation of a construction to be placed upon the law authorizing the Government to sell water is not to be acquiesced in I would not raise my voice in this matter. But it is in order to be sure that that will not be done that I want the record which will accompany the passage of this bill to show that Congress did not consider this as the initiation of, or recognition of, a new principle.

Mr. JOHNSTON of Alabama. I agree perfectly with the Senator from Idaho in that.

Mr. ROOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from New York?

Mr. HEYBURN. Certainly.

Mr. ROOT. There is a further consideration, though perhaps not a very important one. These works have to be maintained, and, if they have to be maintained, it is certainly good policy to so provide that they may take care of themselves without being a continual burden upon the Public Treasury. The application of the water power that is created by them to the maintenance of the project certainly would seem to be desirable.

Mr. HEYBURN. That is still the law of expediency.

Mr. ROOT. Yes; it is.

Mr. HEYBURN. But not the law of the land.

Mr. ROOT. But of importance as a matter of expediency.

Mr. HEYBURN. I only rose in order to perfect the record in this case. Were I convinced or did I think that this would be, as is suggested by the Senator from New York, considered as entering upon a new system, which recognizes the right of the Government to charge either a State or the citizens of a State for the right to use the water flowing in a public stream, I should perhaps be much more insistent in my opposition to it. I think the Senator from Alabama is in accord with the views I have expressed.

Mr. JOHNSTON of Alabama. Thoroughly.

Mr. HEYBURN. And I want the record to show that this is not to be taken as a recognition by Congress of the right to make such charges.

Mr. JOHNSTON of Alabama. I should not have introduced the bill if I had thought it accomplished such a purpose as that.

The VICE PRESIDENT. Without objection, the amendments will be agreed to.

Mr. BACON. I should like to ask the Senator from Idaho a question for information. In what way does the construction put upon it by the Senator relieve the bill from the express stipulations that a certain amount shall be paid for the water? I am asking for information.

Mr. HEYBURN. There are so many interruptions and there is so much noise——

The VICE PRESIDENT. The Senate will please be in order.

Mr. HEYBURN. That I am not quite sure that I caught correctly the question of the Senator from Georgia. Will the Senator kindly state the question again?

Mr. BACON. I understood the objection which the Senator urged was that the Federal Government had no such property interest in the water as would enable it either to sell or lease the water power. Then I understood the Senator to have suggested some construction of this bill which would avoid that conclusion.

Mr. HEYBURN. I am far from being satisfied that a construction of this measure would not, if it were to be taken as a precedent, as in a case in court, lead to the conclusion that the Government would not hereafter claim the right to sell the water in public streams. No one has title to water flowing in public streams. That was established by the Supreme Court at an early day, and that has been the law, and it is not controverted. No title exists in the water. It is only in the use of power. That is a clearly defined difference. Now, in this case, as I understand the bill, the Government is proposing to sell the right to use the water because it has impounded it, for an entirely different purpose, having it on hand, so to speak.

According to the law of expediency invoked by the Senator from New York [Mr. ROOT], it says, "Having this water on hand, we might as well make some use of it." But the law of the land says that that does not authorize any use of it except in pursuance of the laws of the State; and it is a serious question; and if this bill passes I want it to pass with this record, so that hereafter the discussion invoked by the submission of the bill may always tend to explain the position of Congress in enacting such a bill.

Mr. BACON. Before the Senator from Idaho takes his seat I wish to ask him a question. I am seeking light; I am as anxious as is the Senator to assist, if I can, the Senator from Alabama in the matter without compromising what I consider to be a serious principle. I desire to know in what way has the Senator reconciled himself to it, in order that I may see if I may, pursuing the same road, reach the same conclusion.

Mr. HEYBURN. I am not reconciled to it, and my vote will perhaps indicate that.

Mr. BACON. In what way does the Senator propose that our action to-day shall not be taken as a precedent?

Mr. HEYBURN. Well, Congress does not establish precedents that are as binding as in the case of decisions of courts.

Mr. BACON. I understand that; but I understood the Senator to say that a certain construction was going to be announced, for which we have to answer in the future, whenever a similar right may be sought to be exercised.

Mr. HEYBURN. Not necessarily a precedent, but that the question shall still be open when presented on another occasion.

Under the law of Alabama, or any other State of the Union, the water flowing through these locks or over that dam is subject to appropriation by any citizen of the State. Congress can not take away that right. There is not a State which has not protected that right in its citizen.

Mr. BACON. I can perceive of certain arrangements which might be made which would avoid this difficulty. I recollect that a colleague of the Senator in a former Congress proposed that dams should be constructed at the joint expense of the Government and some private enterprise, with the stipulation that, having joined in the construction of the dam, the parties thereafter should have the right to use the water, the assumption being of course that it was their own land. If the parties owned the land, they would have the right to use the water.

Mr. HEYBURN. I thought it was in the nature of a loan, to be repaid, and did not come to the question of the title to the use of the water. For instance, in the reclamation act, the Government only loans the money. It does not become the proprietor. It becomes the agent only, and the money is repaid to the Government. That does not involve the question of title. But in this case the question of title seems to be involved.

Now, let me give a concrete instance in regard to this use of water: Should the Senator from Georgia or any other person build a dam in a stream in which the water was flowing through the State, for the purpose of diverting the water to create power, the surplus water running over the dam could be appropriated or located by any person. He has no title to it at all. That is the universal law, and there is no decision to the contrary.

You may go to the end of a tailrace, below a mill in which the power is generated and located, and nothing can prevent you. The water has been released from the control which was obtained under the appropriation as soon as it has passed the line. For instance, the water flowing over the spillway of a dam is subject to appropriation by any other citizen. No title vests in the person owning the dam. He has built the dam for the purpose of creating power, and may use it to the extent of his purpose or his right under the law.

This is an interesting point: Though a man may claim in his location 5,000 inches of water, if the conduit which he describes in his location notice—and he must describe it—will convey only 1,000 inches, he takes title only to the use of 1,000 inches of water. That is the universal law.

If a man builds a dam to any water in excess of that necessary for the purpose for which he builds it, he obtains no title. In this case there is evidently more water than is used for the purpose of navigation, and the Senator describes it—several Senators have—as incident to the creation of navigation, or the maintenance or aid of navigation. The fact is that the locator has not any title to the excess water above that which is necessary to properly fulfill the purpose for which the location is made.

Mr. SMITH of South Carolina. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from South Carolina?

Mr. HEYBURN. Yes.

Mr. SMITH of South Carolina. I am extremely interested in this matter. In the bill I read this clause:

> And the said contract shall further provide for the payment by the company to the Government of an annual rental for its use of the water power at Dams and Locks 16 and 17 at the rate of $1 per annum per horsepower—

It specifies it at the rate of $1 per annum per horsepower—

> at the rate of $1 per annum per horsepower realized and developed.

This is a specific case. Would that not establish the precedent that the Government might at any place where it had created a dam for the purpose of navigation raise the dam and charge this rental as covering its cost, as incidental or expedient, as indicated by the Senator from New York. Could not that be used for that purpose?

Now, I understand that this bill provides for a specific case, bearing on a specified location, and therefore is not intended to have general application. But why should it be done? Are you going to admit the right of the Government to raise a dam and increase the water power above the necessity of water for the use of navigation, and contend that it is then entitled to a rental for the water power throughout any State on any public stream?

Mr. HEYBURN. I do not think the Government has the power to create a right of that kind. The State can afford to its citizens through legislation the right to locate this surplus water, and no action by Congress could prevent a State from doing it, because the State has control of the water.

All of the great States have legislative enactments authorizing the location of water rights, and after this dam is raised to the height contemplated the citizens of Alabama can go in there, notwithstanding the fact that the Government is seeking to sell the water, and locate it. They could in the West, and under the law of Alabama I think probably they could. The courts of Alabama would undoubtedly hold that the right of a locator under the laws of the State was superior to the right of a person claiming under a contract with the Government, because the Government is selling something that it has no right to sell and to which it has no title.

The VICE PRESIDENT. The question is, Shall the bill be ordered to be engrossed for a third reading and read the third time?

The bill was ordered to be engrossed for a third reading, and was read the third time.

The VICE PRESIDENT. The question is, Shall the bill pass?

Mr. HEYBURN. I merely desire an opportunity to vote against the bill.

Mr. CLARK of Wyoming. Mr. President, I do not rise to discuss the bill. I shall vote "nay" upon the question of the passage of this bill, for I recognize no right in the General Government, by the Constitution or otherwise, to perform the functions proposed by the bill.

The VICE PRESIDENT. The question is, Shall the bill pass?

Mr. BACON. Mr. President, of course I recognize that the building of these dams creates an opportunity for the use of the water power, and I am perfectly in accord with the desire that some scheme may be devised by which this water power may be used. At the same time I am not willing to concede that the Federal Government has the right to sell the water power of a stream within a State.

Mr. BAILEY. It does not belong to the Government.

Mr. BACON. As the Senator from Texas says to me, it does not belong to the Government. It belongs to the State or the riparian owner. If the Senator from Alabama will take his bill and so recast it that that difficulty shall be avoided, I shall be glad to give it my support; but I think that is a most vital principle, which it is dangerous to disregard.

It may be that the bill can be passed without that difficulty being remedied, but I desire to say that I can not vote for it, for the reason I have stated. At the same time I wish to add that I recognize the importance of the utilization of this power; and if there are conflicting rights of any kind or doubtful rights in the matter and the bill can be withheld so this vital principle shall not be contravened, I shall be glad to give it my support.

Mr. SMITH of South Carolina. I should like to make an observation with regard to the bill. If these locks are necessary for navigation, the National Government is amply able, and it has every right, to construct just such dams as to make the river navigable; but I will not vote for a bill which, in order to induce the National Government to improve any public stream and improve the navigation of the stream by virtue of the increased improvement, gives it the power to usurp the rights of the State. That is what this bill proposes to do—that by virtue of the Government creating a larger lock, and a greater water power, in order to reimburse it for this extra expense, it shall be given control over the water for other purpose than navigation.

If the Senator from Alabama will meet the question suggested by the Senator from Georgia, or recast his bill so as to separate the private or State rights to this power from those of the Government, I believe the bill will receive the support of this body.

Mr. REED. Mr. President, I have not had the opportunity to examine this bill with any degree of care. I would very much like if it could go over until to-morrow or next day, in order that all Senators may have an opportunity to give it further consideration. I dislike very much to oppose the bill introduced by the Senator from Alabama, but I dislike a great deal more to vote for a bill that, from a surface examination, such as I have been able to make, may not only establish a bad precedent, but, I am afraid, has other evils, if not connected with it, evils which may flow out of it.

In a few moments' time only I want to call attention to one or two matters. To begin with, if I understand the bill from a hasty reading, it proposes to enter into a contract, and the bill we are now passing is in some respects similar to a franchise granted by a municipality to some corporation desiring to operate therein.

If we are to concede that the Government of the United States is to begin the business of improving streams, building

dams, and renting the property or the power out, then it seems to me perfectly patent that that grant should not be made to some one company without permitting all companies who may desire to bid for that power to have an opportunity to offer their bids, so that the best possible price can be obtained.

Mr. PENROSE. Mr. President, will the Senator yield to me for a moment?

Mr. REED. Certainly.

Mr. PENROSE. I do not desire to interrupt the Senator from Missouri if he wishes to continue his remarks on the pending measure, but as he has suggested that he would prefer to have the bill go over, if he is willing to yield to me for that purpose I will move that the Senate proceed to the consideration of the reciprocity bill.

Mr. LODGE. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Massachusetts will state it.

Mr. LODGE. The bill is not open to objection?

The VICE PRESIDENT. It is not. It is under consideration by unanimous consent.

Mr. LODGE. And it has been ordered to be engrossed and to be read the third time?

The VICE PRESIDENT. It has been ordered to be engrossed and to be read the third time.

Mr. LODGE. The question is on its passage?

The VICE PRESIDENT. The question is on its passage.

Mr. HEYBURN. Mr. President, a parliamentary question. The amendments have not been concurred in in the Senate?

The VICE PRESIDENT. Oh, yes.

Mr. LODGE. The amendments have been concurred in.

The VICE PRESIDENT. And the bill ordered to be engrossed.

Mr. LODGE. The question is on its passage.

Mr. HEYBURN. I think those who have given consideration to this matter would like to have the amendments voted upon separately, because, as I understand it, and I ask the Senator from Alabama to correct me if I am mistaken, the amendments contain all the provisions with reference to the price to be paid for the use of water.

Mr. JOHNSTON of Alabama. No; they do not.

Mr. HEYBURN. As I heard the amendments read I think many of them refer to that question. I think the bill had better go over.

Mr. PENROSE. If the Senator from Missouri is willing to yield to me for the purpose, I understand that my motion will be in order. If it is entirely agreeable to the Senator, I would suggest that the bill shall go over to another day, that we may proceed to the consideration of the reciprocity bill.

Mr. LODGE. Mr. President, a parliamentary question. That can only be done on motion?

Mr. PENROSE. I have made the motion.

Mr. LODGE. I beg the Senator's pardon.

Mr. JOHNSTON of Alabama. I hope the bill will not go over——

The VICE PRESIDENT. The Senator from Missouri [Mr. REED] has the floor and yielded to the Senator from Pennsylvania. Does the Senator from Missouri yield to the Senator from Alabama?

Mr. REED. Certainly.

Mr. JOHNSTON of Alabama. I hope the bill will not go over, because the project of completing the improvement for navigation on Black Warrior River is held up pending action on this bill; and if it is passed in the present shape, adopting the recommendation of the Board of Engineers and the Chief of Engineers, who state that it will vastly improve the navigation and put up the trade to the railroads stretching out from Birmingham, producing millions of tons of trade. It can be completed in a little over one year, whereas it would take three years to finish the project as originally contemplated.

I will say to the Senator from Missouri that the bill recognizes the right of the State to control the surplus water, and it is the corporations organized by the State who will expend over a million and a half dollars for the purpose of impounding the waters above the dam in order to continue the flow for navigation during the dry season. I hope very much that the bill will not go over.

Mr. SMITH of South Carolina. I should like, with the permission of the Senator from Missouri, to ask the Senator from Alabama to explain clearly, so that I may understand it, why this rental should be proposed to be paid to the Government of $1, as here stipulated in line 25 on page 6 and lines 1 and 2 on page 7?

Mr. JOHNSTON of Alabama. Simply because the Government is raising the dam from 21 to 63 feet.

Mr. SMITH of South Carolina. Is the Government raising the dam for the purpose of improving navigation or to furnish this power?

Mr. JOHNSTON of Alabama. For the purpose of improving navigation purely. The engineers say it is the best plan that can be devised for improving the navigation of the river, but incidentally it creates a water power, and the State having the right to the surplus water not needed for navigation, this right is conferred upon this corporation.

Mr. SMITH of South Carolina. I ask, and I am asking, a question seriously for information. Why, then, should the proposition be made to give the Government $1 per so many horsepower?

Mr. JOHNSTON of Alabama. I say it is because of the increased cost of the improvement.

Mr. SMITH of South Carolina. Therefore the proposition is, in order to get the Government to raise the dam to create this water power, it is to be reimbursed, when, by raising the dam creating the water power, it will also increase the navigability of the stream.

Mr. JOHNSTON of Alabama. It certainly will. It is a mere incident to it. The power is developed.

Mr. SMITH of South Carolina. I should like to ask, with the permission of the Senator——

The VICE PRESIDENT. The Senator from Pennsylvania made a request of the Senator from Missouri. Does the Chair understand that that request was declined?

Mr. REED. No, Mr. President; I was not given the opportunity to accept it or decline it, because other Senators rose to ask questions. I would have preferred finishing the sentence I was uttering, but I am quite content that it shall stop here and that the Senator from Pennsylvania shall be recognized to make his motion. I did think it was only proper to allow these interrogatories to be made, and I am——

Mr. SMITH of South Carolina. With the permission of the Senator——

The VICE PRESIDENT. The Chair recognizes the Senator from Pennsylvania, if the Senator from Missouri yields the floor.

Mr. PENROSE. I would not persist in the motion if I thought it would delay the bill in which the Senator from Alabama is interested. I believe it to be a meritorious measure, but I think there is evidently enough opposition to the bill to make it evident that he will get it through speedily by letting it go over a day and permitting Senators to have an opportunity to examine it. Therefore, with the consent of the Senator from Missouri, I move that the Senate proceed to the consideration of the reciprocity bill.

RECIPROCITY WITH CANADA.

The VICE PRESIDENT. The Senator from Pennsylvania moves that the Senate proceed to the consideration of House bill 4412.

Mr. SMITH of South Carolina. I wish to suggest that the very purpose for which I rose was to ask——

The VICE PRESIDENT. The motion is not debatable. The motion is in order, and it is not a debatable motion. The Senator from Pennsylvania moves that the Senate proceed to the consideration of House bill 4412.

The motion was agreed to, and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes.

Mr. ROOT. Mr. President, on the 26th of January of this year the President sent to Congress a message in writing, accompanied by papers entitled "Correspondence embodying an agreement between the Department of State and the Canadian Government in regard to reciprocal tariff legislation"; also statistical data to show the effect of the above agreement upon the commerce and revenues of the United States and the Dominion of Canada.

The President in his message recommended legislation by Congress in accordance with the provisions of the agreement embodied in the correspondence thus transmitted by him. The bill which is now before the Senate, House bill No. 4412, is entitled "An act to promote reciprocal trade relations with the Dominion of Canada, and for other purposes"; and throughout the greater part of the bill; that is to say, down to the end of section 1, on the twenty-third page, the bill does follow the agreement which is described as between the Department of State and the Canadian Government in regard to reciprocal tariff legislation.

The action of the President in bringing before Congress this subject affecting the foreign relations of the United States in this manner has been the subject of criticism to some extent

in the public press and to some extent upon the floor of either House of Congress. I should not refer to this criticism were it not that it has received the dignity and authority derived from the advocacy of the distinguished senior Senator from Minnesota [Mr. NELSON], whose solid and sterling qualities we all recognize and admire.

I wish to submit to the Senate, sir, that the President has followed a course in bringing this subject before Congress which was entirely within his power, which was in accordance with precedents, and which was strictly in accordance with official propriety.

The agreement between the Department of State and the Canadian Government has been spoken of as a treaty. It is in no sense a treaty. It is one of those informal, temporary, and preliminary arrangements between the executive branches of two Governments which are exceedingly common and which are necessary for the effective conduct of negotiations regarding international affairs.

For example, in the year 1899, when the dispute between this country and Great Britain regarding the Alaskan boundary was at its height, the State Department entered into an agreement with the Government of Great Britain fixing the line on either side of which the jurisdiction of the respective countries should be recognized until such time should elapse as to make it possible for a final and definitive settlement of the controversy to be reached. That was not a treaty. It destroyed no property or jurisdiction and it created none, but it was a necessary arrangement in order that while the two Governments, through their constitutional treaty-making powers, were settling the question there might not be controversy and bloodshed. That controversy was ultimately settled by a treaty between the two countries for a tribunal to hear and determine the question, and that question has been heard and determined and has passed into history.

In 1906, when the controversy as to the rights of our fishermen upon the treaty coast of Newfoundland was rife, the Department of State and the Government of Great Britain entered into an agreement as to what the colonial authorities of Newfoundland should be permitted to do and should not do, as to what American fishermen should do and should not do. It was not a treaty, but it was an agreement between these executive branches of the two Governments temporary and preliminary to a final settlement, so that there might not be strife and actual conflict pending the settlement, and it held a condition of peace until by a treaty between the two countries and an arbitration the question was finally disposed of.

Mr. President, it makes no difference whatever whether the question is to be settled by treaty or by legislation so long as there is a question and it is deemed desirable by the executive authority charged with the conduct of negotiations that there shall be a preliminary arrangement until a final decision shall be reached upon the question by the duly constituted and empowered authorities of the two countries; it makes no difference whether those authorities who are to settle the question are the Senate with the President or the Senate with the House of Representatives and the President, whether the settlement is to come by the making of a treaty or to come by the making of concurrent laws by the two countries.

This agreement, Mr. President, is of a still lower and milder form than the agreements to which I have referred. It does not in its terms, as did those agreements, bind the Governments of the countries at all. It does not bind the United States nor Great Britain nor Canada. It does not bind the Government of the United States nor that of Great Britain nor that of Canada. It is merely an agreement relating to the course of conduct which will be followed by the President and the State Department on the one hand and the administration in Canada on the other, a thing which is done every day, without which the business of negotiation between different countries and the diplomatic intercourse between different countries can not be pursued. If a President or a Secretary of State or a minister of foreign affairs can not say what he will do, can not bind himself regarding his conduct; if he can not say, "I will answer your letter to-morrow"; if he can not say "I will give you an audience next week, Thursday"; if he can not say, "No action will be taken upon this until such time as you shall have had an opportunity for an interview and hearing," why, then, business can not go on. This agreement, I repeat, is but the most ordinary example of a class of assurance given by the diplomatic officers of one country to the diplomatic officers of another regarding their own conduct.

Now, the President has in a great measure executed the agreement that he made by the recommendation which he has sent to Congress, and when the matter comes before Congress it has no element of a treaty. There is no treaty. There is a recommendation from the President with the information that Canada, in case we comply with his recommendation, is ready to enact similar legislation on her part. What is now before us is a bill which stands upon the same basis as all other bills to be considered and to be enacted by the legislative power of our Government.

This bill might have been the product of a treaty. The President, with the advice and consent of the Senate, might have made a treaty, under which there would have been an agreement to submit this legislation to Congress. He did not do so. There would have been no object in his doing so, because it would have resulted merely in making the same submission to the legislative power which is now made. He has taken the simple, direct, natural, and proper course in making this recommendation to Congress in accordance with his constitutional authority, and acting in good faith, pursuant to the agreement which he made regarding his own conduct and in accordance with his right, with precedent, and with propriety.

Mr. President, the agreement which was submitted to Congress by the President meets with my approval. There were many reasons why it naturally appealed to me and why my first impulses were to favor it, because by long years of labor in the direction of the settlement of differences and the promotion of kindly and friendly feelings between this country and Canada, I have acquired that habit of mind. Be that as it may, I was at the beginning, and always have been and am now, in favor of giving effect to the President's recommendation for the reciprocal arrangement with Canada.

But, Mr. President, I have not been permitted to maintain that view in any complacent or untroubled mood. It has been impossible for me to so steel myself against the opposition of the farmers of northern New York and of the paper-making communities of northern New York, in which tens of thousands of people are dependent upon that industry, that I could hold my course in support of this reciprocity agreement without disturbance and solicitude.

The farmers of northern New York, more in number than the entire inhabitants of many of the States represented in this Chamber, are in a great measure opposed to this agreement, and they have by thousands of communications to me made their opposition known. They fear that it will result in the reduction of the price of their products and in the depreciation of the value of their lands, and in making harder the severe conditions of their lives. I can not but be affected by their representations. They are the people among whom I was born and grew to manhood, among whom I live, and I would not have them feel that I am unmindful of their interests; nor, Mr. President, can I be indifferent to the speeches which I have heard here in this Chamber—speeches made by old and tried associates, upon whose sincerity I would stake everything I possess, for whose judgment I have respect, and with whose deep and evident feelings I have sympathy. But, Mr. President, nevertheless, I do still believe that the enactment of this reciprocal agreement with Canada is for the best and the permanent interest of our country, and I must be for it.

I think, sir, that my friends, the farmers in New York and the farmers all along the northern border, are unduly apprehensive. I think that they have greatly exaggerated in their own minds the injury which will come to them from the enactment of this measure. It is but natural that they should. All experience in the enactment of tariff laws indicates that those whose business is to be affected greatly exaggerate the injury which they apprehend from any legislation that at all reduces the measure of protection which they have had; and if it be true, as would appear from the report of the hearings before the Committee on Finance, that an organized effort has been made, with agents or attorneys employed to circulate among the farmers of the country statements of the injury that will be done to them, in order to arouse them to opposition to this bill, it follows necessarily that the arguments would lose nothing in the telling, and that to every farmer would come a tale of apprehension and of anticipated injury, painted in the most vivid colors. So that it is but natural that this feeling should exist; but I think it is greatly exaggerated.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Idaho?

Mr. ROOT. I do.

Mr. BORAH. I do not desire to interrupt the course of the argument of the Senator from New York, but I desire to ask if the Senator proposes before he closes to state whether or not, in his judgment, the reciprocity measure will affect the interests of the American farmer?

Mr. ROOT. Yes. I think, Mr. President, that the apprehension of injury, which is natural to any class of producers as to

whom there is a proposal to reduce the tariff, is very readily to be answered by the fact that the two countries are under substantially the same conditions. There may be little differences in labor cost here and there, but, in general, by and large, the labor conditions of Canada and the labor conditions of the United States are the same. It is not a question of competing with the familiar adversary, the pauper labor of Europe. The two countries are similar in their social conditions, in their laws, in their manner of doing business, of thinking and of acting, in their individual independence, and in their power to maintain their wage scale; and the proposal to take down the tariff wall between Canada and the United States, in so far as it is taken down by this reciprocity agreement, is much more like the taking down of a tariff wall between two States than it is the taking down of a tariff wall between the United States and the countries of Europe; and, for reasons which I shall give presently, I think that any ill effect that may be produced upon any of our farmers will be more than counterbalanced by the advantages which they will derive in common with the whole American people from the enactment of the bill.

Mr. President, I could not be indifferent to what has been said upon this floor as to the effect of this measure upon the general policy of protection. We have been told here that if this bill be passed it will drive a wedge into the protective system that now obtains, will rend it asunder, will split it into pieces, and will destroy it. We have been told that if this bill passes the farmers of the Northwest will see to it that the manufacturers of New York and Massachusetts and Pennsylvania suffer in their turn. These are serious propositions, Mr. President, for one who believes, as I believe, that the policy of protection has played a great part in the building up of the prosperity and the happiness of our country, and who believes, as I believe, that to continue the policy of moderate protection, reasonable protection, based upon ascertained facts, is of high importance to the future prosperity and happiness of our country.

A serious picture is presented to us by these declarations coming from men whose sincerity we respect; but, Mr. President, it appears to me that throughout this whole discussion, and very much of late in other discussions in this Chamber which have touched upon tariff questions, there has been always a suppressed premise—an assumption never stated but always present—that what we make tariff laws for is to benefit the manufacturer or the miner or the farmer or whoever may be engaged in the industry that we protect.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Does the Senator from New York yield to the Senator from Idaho?

Mr. ROOT. Certainly.

Mr. BORAH. Will the Senator permit me to read——

Mr. ROOT. I beg the Senator not to interrupt me at this point.

The PRESIDING OFFICER. Does the Senator from New York yield?

Mr. ROOT. I shall be very glad to afford the Senator an opportunity to read anything when I get through, but at present I would rather be permitted to go on.

Mr. BORAH. I will not, then, interrupt the Senator. I only wanted to read a statement of ex-Speaker Thomas B. Reed upon the question the Senator is now discussing.

Mr. ROOT. That is something which it is manifestly unfair to ask me to do.

The PRESIDING OFFICER. The Senator from New York declines to yield.

Mr. ROOT. Mr. President, I say there is running through the discussion of this subject the assumption that we make tariff laws for the benefit of the people who are engaged in the industries. That I deny. We make, or we ought to make, no law for the benefit of any man or any group of men. We care no more, Mr. President, neither you nor I, nor the Senators about me, for any manufacturer, great or small, of any article, be it steel or wool or cotton or whatnot, or for any miner, whatever he may be taking from the earth, or for any farmer, or for any granger upon this earth than we care for the men who are using their products. And we do not protect them for their benefit.

We pass all laws putting protection on the products of industry for the benefit of the whole American people, and if we can not sustain the imposition of a duty upon that ground, then it ought not to be imposed. If we do legislate for the benefit of the people engaged in any particular industry, then we are perverting our powers; are false to our duty.

Mr. President, it is because for the moment, for the time being, the people of the United States have come—many of them; I hope not all, but many of them—to believe that we have forgotten this primary and fundamental rule of tariff legislation, because they have been led—misled, I believe—into the conviction that we have been legislating for particular men or particular groups of men instead of legislating for the interests of the whole country, that the people overturned the majority in the House of Representatives in the last election and very nearly, and in a certain sense altogether, changed the political complexion of the Senate.

Mr. President, when my friends, who declare that this legislation, if it be enacted, will be the death blow of protection, and their constituents, in the cool afterthought, consider, as they will consider, the interests of the whole people, they will forget their revenges, and they will vote in accordance with their principles, under the guidance of their love of their country, for protection or against protection, and if for protection for such measure of protection as they believe will help not the manufacturers of New York or Massachusetts, but the whole people of our country.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from North Dakota?

Mr. ROOT. I do.

Mr. McCUMBER. Does the Senator believe that while the public may forget their revenges in forgetting they will lose their sense of justice and equal justice to all the people?

Mr. ROOT. I do not. I count on their keeping it, and I know they will keep it and will act under their sense of justice——

Mr. DIXON. But, Mr. President——

Mr. ROOT. A sense of justice to the whole people of the United States. Mr. President, let me say this: No economic system, be it for protection, be it for a tariff for revenue, be it for free raw materials and high duties upon finished products—no economic system can stand upon any other basis than that which I am pressing as a necessary basis on which we must act regarding this legislation and on which my friends who are opposing this legislation ultimately will act.

Mr. DIXON. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Montana?

Mr. ROOT. I hope the Senator will excuse me for just one moment. I believe a reasonable policy of protection is beneficial to our country; I believe it tends to make it more prosperous, more happy, more useful in the world, and that it provides a better home for our people, with greater opportunities for every one of us. But, Mr. President, I know that that view of protection can not prevail if protection is to be rested by its advocates upon a system of bargain and trade. I believe in protection, but I wish to buy no man's vote for it. If the majority of the people of the United States come to the conclusion that it is better for the country to abandon protection and establish a revenue tariff or free trade—under any name whatever—then let them do it, and I for one will put out no hand to stay them by bargaining and trading the respective private interests of different parts of our country. If they are wrong in abandoning protection, then they will find it out and come back. If they are right in abandoning protection, then we will confess our error, according to the outcome.

And, Mr. President, if we have so sinned against the duty of keeping always an eye single to the interests of all our country as to leave the system of protection to be tried not upon its merits, but upon its abuses, then we must endure the tribulation that is to come upon us before the hard lesson is learned that there is a sound and impregnable basis for a protective tariff law which concerns no private or individual interest, but concerns the power and prosperity and happiness of our whole country.

I wish to say one word further with special reference to the effect of this law upon the farmer. If I were at home I would say it in private conversation to my farmer friends about me in the country, and that is this: The taking off of the duty on farm products between this country and Canada, while it will in a technical sense, a strict sense, be accomplished by the passage of this bill, nevertheless was inevitable; and if it did not come in this bill it would come in its own way by ordinary tariff legislation.

No one can mistake, no one ought so to blind himself as to mistake, the changed feeling of the people of this country regarding the tariff as exhibited by the election of last fall, and not only by the election of last fall, but exhibited in 10,000 expressions all over the country and exhibited in the highest degree by the possibility of this reciprocal arrangement.

No one may suppose that this arrangement could be made by the President, carried through the House, certain of passage here in the Senate, if there were not a great public opinion

behind it. What we say here is of little consequence. Our arguments do not advance or retard it. It is moving along with a public opinion behind it.

Mr. President, there is no one here who believes that there is the least possibility that the people of the United States, until another revolution of sentiment has come, will permit the cost of their living to be increased by the imposition of a duty on ordinary foodstuffs.

Mr. BAILEY. Why on clothing?

Mr. ROOT. Why on clothing? On ordinary foodstuffs, just as soon as the consumption approaches the limit of production——

Mr. BAILEY. Mr. President——

Mr. ROOT. The Senator from Texas will excuse me for one moment. The Senator from Texas says, why clothing? Clothing does stand on a little different footing with regard to the general principle, because it is an illustration of the original idea that it was desirable for the country to have manufactures. Yet that is practically unimportant, because the opinion of the country undoubtedly is in favor of a large reduction of the duty on clothing.

Mr. BAILEY. Why a reduction on clothing——

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Texas?

Mr. ROOT. I do.

Mr. BAILEY. Why a reduction on clothing and a total repeal on foods? One is as much a necessity of life as another. If we do not eat, we will starve. If we do not wear clothes, we will freeze.

Mr. ROOT. Not now. [Laughter.]

Mr. BAILEY. No.

Mr. ROOT. But that is true in winter.

Mr. BAILEY. That is true. But there is another and probably a more potential consideration, which the Senator from New York has not overlooked. If we undertook to go without clothing, even in this warm weather, the authorities would put us in jail.

Mr. ROOT. That might improve our condition. [Laughter.]

Mr. BAILEY. Now, you have the physical necessity in the winter and the legal compulsion in the summer time. You are under no more physical necessity with respect to food than you are with respect to clothes, and there is no law compelling you to eat, while there is one compelling you to wear clothes.

That being true, why is it that you are going to take the duty off of those necessities which come from the farm and not take it off of those necessities which come from the factory? There must be some explanation of that. The Senator says, because the factory was originally a part of the protective scheme. But the Senator from New York will not tell me—and the Senator from New York will not tell the country—that the factory is more essential to the prosperity and happiness of this country than the farm.

Mr. ROOT. Mr. President——

Mr. BAILEY. I suspect, if the Senator will permit me, that the reason for leaving it on the factory and taking it off the farm is that they fear that they may close up the factory, whenever the dividends disappear, and they know they can not close up the farm; that the farmer must go on producing at a diminished price; and he must meet a falling price by producing more as the price of what he produces falls, and in order to produce 50 bushels where 40 before sufficed, he calls his children from the schoolhouse to the field; and it is more the curse of the country that the farm shall fail in its prosperity than it is the curse of the country that the factory shall close.

Mr. ROOT. Mr. President, the Senator from Texas has intervened upon a statement of mine as to the state of feeling of the people of the country by asking me why some whom he designated as "they" are going to take off one duty and not another. I say I do not know why the people of the country take the view that there ought not to be duty on foodstuffs. It appears to me that they do take that view, and I perceive a very strong tendency toward the reduction of the duty on clothing. Now, I will have to refer the Senator from Texas to the newspapers, of which I know he is very fond.

Mr. BAILEY. And with which I am about as popular as the Senator from New York. [Laughter.]

Mr. ROOT. I congratulate the Senator from Texas upon the virtue which has brought him to that condition. I shall have to refer him to the newspapers to find out what is the origin and nature of that opinion.

Mr. BAILEY. I think I know.

Mr. ROOT. The fact that the farm will not close while the factory will close is suggested by the Senator from Texas. That distinction may be a reason for the difference in treatment. Whether it is the reason in the public mind or not I do not know.

Mr. President, I have stated my view regarding the inevitable result of the process which is now going on upon the system of food duties. I never have thought that the duties which were imposed upon farm products were of any real general benefit to the farmer. They have been quite indifferent, affecting only several localities here and there, so long as our production ran far ahead of our consumption. But, with the increase of our cities as compared with our farming population and the using up of our waste lands and the fencing in of old cattle ranges and the reduction of the productive power of our land, we have about come to the point where the continuance of those duties, instead of being a matter of indifference to the people of the country, would result in putting up the cost of food.

I am not arguing the question. I am simply stating a reason why the farmers should not consider that this reciprocity arrangement is doing them any particular harm, because it is something that is sure to come to them anyway.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from North Dakota?

Mr. ROOT. I do.

Mr. McCUMBER. Does the Senator believe it would be a bad condition to arrive at when consumption and production were about equalized with each other? Does he not believe, on the contrary, that we would get nearer an element of justice upon the price of the article sold and the price that is paid for it upon the energy expended in producing the article and the energy expended in securing the money to purchase it? Does the Senator really feel that there would be an injustice to the consumers if the farmers produced just about what the consumers needed; and will not the Senator agree with me that to-day it takes a great deal more expended energy upon the farm to produce a bushel of wheat than it takes in the factory or elsewhere to buy the flour that is in that wheat? Is not that a correct proposition?

Mr. ROOT. There are several propositions involved in what the Senator has said. As to his first question, about the result of production and consumption, I think it is desirable to have a production for export. So long as we have any money to spend abroad we will spend it, notwithstanding the vigilance of the customs authorities. We will expend some of it, at all events, and I think it is a good thing to keep the balance of trade in our favor. So I like to see a surplus of production.

As to the other question, I do not think that I quite understand it.

Mr. McCUMBER. My proposition, I will say to the Senator, was simply that it requires far more labor on the farm to produce the wheat that goes into a loaf of bread than it requires in the city to earn the value of that loaf of bread.

Mr. BAILEY. The money to buy it.

Mr. ROOT. I am inclined to think that is true.

Mr. McCUMBER. Then should not the law, in so far as the law affects the value of the property, tend rather to equalize this condition than to cheapen the product of the farm for the benefit of the person in the city who purchases it?

Mr. ROOT. No; I do not think it is our business to equalize that condition by law. I think that is a matter of trade, which should be equalized by the natural forces which govern trade.

Mr. McCUMBER. Have we not been equalizing those conditions by our protective system, and is not the whole argument of protection based upon the idea that we do equalize our conditions as against the conditions of the foreign markets?

Mr. ROOT. That is an entirely different question, Mr. President. It is not that we equalize trade conditions as between ourselves. We have never undertaken to do that by our tariff legislation, and I do not think we ever shall undertake to do it.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Missouri?

Mr. REED. I do not want to interrupt the Senator, but I want to get some light.

Mr. ROOT. I am nearly through, and I hope the Senator will not——

The PRESIDING OFFICER. The Senator from New York declines to yield.

Mr. REED. It was with reference to a statement which I understood the Senator to make.

Mr. ROOT. Very well; I yield for a question.

Mr. REED. Do I understand the Senator to say he concedes the point that it takes more labor to produce a loaf of bread than to earn the money to buy it in a city?

Mr. ROOT. I said I was inclined to think that was true.

Mr. REED. I differ very strongly from the Senator on that point.

Mr. ROOT. I may be wrong. I do not make myself responsible for the statement, but I am inclined to think it is true that it takes less labor to earn the money to buy a loaf of bread in the city than it does to raise the loaf of bread in the country—that is, that less money goes to the producer. Of course, there may be, and frequently is, any amount of putting up of price through successive middlemen, who destroy the relation between the producer's reward for his labor and the consumer's cost for the article which he consumes.

Mr. MARTINE of New Jersey. Mr. President——

Mr. ROOT. The great problem of distribution, of bringing the products from the original producer to the consumer is a subject which very much needs attention, but it is no part of a tariff law or a reciprocity agreement with Canada.

Mr. MARTINE of New Jersey. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from New Jersey?

Mr. ROOT. I do.

Mr. MARTINE of New Jersey. I want to ask the honorable Senator from New York if it is not his admission here, from what he has just stated, that the farmer has received no benefit from the tariff; that he, in other words, has been hoodwinked with the idea that the protective tariff was protecting him? Is not that your statement, sir?

Mr. ROOT. Mr. President, the distinguished Senator from New Jersey puts a question to me and then puts a gloss on his question.

Mr. MARTINE of New Jersey. I want it glossed so that the Senator will not get away from it.

Mr. ROOT. Yes; but the Senator from New Jersey must not hoodwink my answer.

Mr. MARTINE of New Jersey. I have no disposition to do that.

Mr. ROOT. Mr. President, my own opinion is that the farmers have not in general been benefited by the protection upon their food products.

Mr. MARTINE of New Jersey. I ask, have they in any particular——

The PRESIDING OFFICER. The Senator from New Jersey will please address the Chair and get permission to interrupt.

Mr. MARTINE of New Jersey. It is a part of my original proposition.

Mr. ROOT. I must be permitted to answer the question of the Senator, because a question put by him is always entitled to respectful consideration. I think that here and there, at certain localities along the border, farmers have been benefited by protection on their food products. I do not think that as a class in general up to this time or until perhaps within a very short period, the protection upon food products has been of any real advantage to the farmer. I do not think that the Senator from New Jersey is justified in inferring from that that the farmers have been hoodwinked. I think that the farmers have, upon their own good judgment, believed that it was beneficial to them to have this duty, probably more because they were looking forward to the time when it would be useful for them than that they thought it had already been useful for them as a class.

Mr. MARTINE of New Jersey. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield further to the Senator from New Jersey?

Mr. ROOT. I do.

Mr. MARTINE of New Jersey. The farmers have been looking for forty-odd years for the magnificent dream and the rainbow that was to come. But each year the struggle for the bread-and-butter winner and toiler has grown harder and harder and more bitter, while they have seen their farms sold out under foreclosure and the manufacturers growing wealthy beyond the dreams of avarice. Hence the farmers of this land have held up their hands to God and said, "Pray, how long!" and the last election decreed that it would be short. I can say to the distinguished Senator from my neighboring State, in which I was born, that your day of promise is too far off with your Republican talk of protection, and we want no more of it.

Mr. ROOT. Mr. President, I am glad the Senator from New Jersey has completed his question. He really ought not, under permission to put a question, make my poor, dull remarks the matrix in which shall shine the bright jewels of his eloquence. [Laughter.]

Mr. President, let me now pass to what seems to me to be the general and controlling consideration affecting this reciprocity agreement. I have always thought that the surrender of the right to impose tariff duties against each other by the original 13 States was the most valuable act forming a part of the Constitution of our Government. I have always thought that that played a greater part in the prosperity and progress and friendly intercourse of our States than any other thing that they did or refrained from doing in forming the Government of the United States.

Mr. President, it seems to me that the existence of a political line between Canada and the United States does not militate at all against the proposition that in like manner the taking down of the tariff wall between these two kindred States, these two communities of people speaking the same language, living under the same system of law, with the same social and economic system, with the same wage scale in general, the same habits of thought and action, the same methods of conducting business, as similar in all respects as the people of the original 13 States were to each other, will bring the same benefits to the people of both countries.

Mr. CLARK of Wyoming. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Wyoming?

Mr. ROOT. I do.

Mr. CLARK of Wyoming. I suppose the Senator has considered, perhaps from that point of view, the difference that exists between Canada and the United States with relation to the imports from other countries which does not exist between the several States of the Union. I should like to have the Senator's view upon that point.

Mr. ROOT. Mr. President, I do not think that that at all affects the general proposition which I am making. I can see that the fact that Canada has a different tariff from the United States, as against the people of all outside countries, may prove an embarrassment in detail; but as to the general proposition that the utmost freedom—the greatest possible freedom—of trade between Canada and the United States will bring to both countries the same great blessings that it has brought to the different States of our Union, I think this matter of detail plays no part whatever. I do not think, Mr. President, that the people of New York have been injured because there was full and free trade between them and the people of Pennsylvania. I do not think the people of New York and Pennsylvania and New Jersey and Massachusetts have been injured in the long run, by and large, by the opening up of the great wheat and corn fields of the western prairies and the valleys of the Mississippi and Missouri, and the plains, and the Pacific. I think that while they may have been required to change the character of their crops here and there, while they have been hindered here in a particular respect or there in a particular respect, the fact that they, with their farms and their farmhouses, their fields and their crops, were part of the great activity, having available to them the vast and effective machinery of a great and powerful and prosperous country, has overborne and counterbalanced a hundred times over any harm that has come to them from the freest competition on the part of these other communities.

Mr. DIXON. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Montana?

Mr. ROOT. I do.

Mr. DIXON. I have agreed with many things the Senator has said. I would not object strongly to vote for absolute free trade between Canada and the United States. But the Senator omits the basic criticism of the Republican Senators here who are in opposition to this treaty; that is, the rank injustice of making free trade in agricultural products alone and still leaving tariff duties and tariff walls between the two countries on manufactured articles. That is what we complain of, and that is what I should like the Senator from New York to elucidate with his wonderful ability.

Mr. ROOT. I thank the Senator. I hope he is serious.

Mr. DIXON. I am.

Mr. ROOT. Mr. President, we are dealing now with a reciprocity agreement

Mr. DIXON. But it is not reciprocity.

Mr. ROOT. It is reciprocity so far as it goes, until you get to the second section.

Mr. DIXON. It is a jug-handled reciprocity.

Mr. ROOT. It is quite plain, and it is a fact—if it were not plain upon the papers, I think that we all of us know—that Canada was unable to go further than she did go in her reciprocal agreement regarding manufactured products, and we are left, therefore, in this position, that while our reciprocal legislation, that is, our legislation reducing certain duties in consideration of Canada's legislation reducing certain duties, goes only to the mark to which Canada could be brought in the agreement—the mark to which she found herself able to go in the agreement—nevertheless we are at liberty quite independently of that reciprocal agreement to go on and reduce or take off any other duties that we see fit.

Mr. President, I do not doubt that the American people will stand for doing whatever is just, and I do not want to prevent their doing whatever is just. If it is just and for the best interests of the whole country that the duties on the manufactured products of New York should be cut down, let them be cut down. That is no reason why we should not pass this reciprocity agreement. That is my view about it.

Mr. DIXON. Mr. President——

Mr. ROOT. In one moment.

Mr. BAILEY. Does the Senator think they ought to be cut down?

Mr. ROOT. I will not answer that question now, because we are not engaged in a general tariff discussion. I will say frankly to the Senator, I do not know. I have been hoping that from the study, the investigation of facts by the Tariff Board, we should get early light on the question as to what ought to be cut down and what ought not to be cut down.

Mr. DIXON. Should we not have waited on reciprocity until the Tariff Board reported?

Mr. ROOT. No; because the question involved in this reciprocity agreement, so far as it goes, does not depend upon any Tariff Board report, except this paper business, as to which I have been trying to confine the bill to the reciprocity agreement. The reciprocity agreement except in regard to that does not depend upon any Tariff Board report.

Mr. BAILEY. Mr. President——

The PRESIDING OFFICER. Will the Senator from New York yield to the Senator from Texas?

Mr. ROOT. Certainly.

Mr. BAILEY. In other words, we do not need the advice of a Tariff Board until we touch the manufactured article. That is the philosophy.

Mr. ROOT. We do not need the advice of the Tariff Board until we come into some region in which the facts are so obscure and difficult that the man who runs can not read aright, so obscure and difficult to determine that we require the kind of assistance that a court calls upon a master in chancery for.

Mr. President, I wish to hasten to a conclusion. I have said that I think the same great benefits will come from freer trade with Canada that come to our States from tearing down the tariff walls between each other.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Mississippi?

Mr. ROOT. Certainly.

Mr. WILLIAMS. I do not want to interrupt the argument of the Senator from New York; I am very much interested in it; but I should like to ask him a question. Does he not think that this agreement, even though it does not go to the extent he has indicated, may be a first step toward yet freer trade relations with Canada in manufactures as well as in natural products?

Mr. ROOT. I hope it will. I share in the hope that was expressed by the House in the concluding clause that they put into the bill. In all such matters we have to go step by step, and every friendly arrangement which is made between two countries which works satisfactorily to mutual benefit makes some further friendly arrangement more possible and easy.

Now, let me return to the proposition. The fact that there is a deeper and broader political line between Canada and the several States than there is between the States to my mind makes no difference whatever in the practical certainty that the same great benefits will come from breaking down the trade barrier. The political line is of no consequence in such matters. It is the character of the people, their law, their language, their business habits, their conditions of life, that make intercourse upon equal terms natural and easy, which are of importance.

Mr. President, I have regretted to hear remarks made from time to time, some I have thought through inadvertence, and sometimes I have feared with a hope of beating this reciprocity agreement on the other side of the line, about the annexation of Canada. Let us dismiss from our minds, if it has found any resting place in the mind of any of us, any such idea. There may have been a time, generations ago, when it was possible that such an idea should receive consideration. That time has long since passed. Canada, with her wonderful progress of the last 20 years, has become a nation, and she is instinct with the spirit of nationalism. Never in the most assertive and vigorous times of our young Republic was there a greater sense of patriotic nationality than exists in Canada to-day. The political line will continue between Canada and the United States. Her loyalty, her love for her mother country, will continue; her separate nationality will continue; but across the line of political division will pass and repass the messages of trade and intimate business relation and intimate personal relation, which will create for both peoples the blessings that our States have received from each other in our happy Union.

Mr. President, there is another consideration that I can not leave out of mind. When I consider the mighty power to which that northern neighbor is sure to grow; when I consider the 3,000 miles of boundary, when I look across the Atlantic and see the nations of Europe each an intrenched camp, each scanning the other across battlements and ranks of steel, with suspicion and distrust; and when I think of the possibility that we here may be robbed of the happy security in which we have so long lived by the growth of an unfriendly neighbor to our north, powerful and vigorous as we have been, I confess, sir, that all small calculation or detailed advantage or disadvantage sinks into insignificance compared with the overmastering duty of inaugurating and maintaining a national policy toward this infant of mighty strength—a policy which shall make two peoples bound together in the ties of friendship, rendering it impossible that we should duplicate the conditions of Europe.

Mr. President, one of the Senators here the other day recounted the number of times that Canada had knocked at our doors for reciprocity and had been turned away. Ah, yes; that is true; it is true that for many years we have conducted our Government under a policy that has wounded the people of Canada, has wounded their self-respect, wounded their feelings, made them indignant, and created unfriendly feelings toward the Government of the United States. It has been a stupid policy, and it is time for us to depart from it. Never again should the friendly approaches of this most friendly people be met with indifference. Now is the time, if we love our whole country and are willing to look far into the future, to shape our policy so that our strength shall help the growth of Canada and Canada's strength shall help our growth; that the power of each shall contribute to the power of the other; and that the enduring friendship of each for the other shall make the great English-speaking continent the strongest, the most prosperous, and the most happy part of the globe.

Mr. President, if this reciprocity measure is to be beaten, I hope it will be beaten in Canada rather than here. I hope it will not be beaten there; I do not think it will be; but let it be there rather than here, for the sake of the future, for the sake of the continuance of that good old agreement under which we have been for nearly 100 years without armament upon the Lakes.

Mr. DILLINGHAM. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Vermont?

Mr. ROOT. I do.

Mr. DILLINGHAM. I simply want to ask the Senator from New York, if he can do so, to tell the Senate when in the last 60 years Canada has ever expressed a willingness for reciprocity with the United States in anything outside of natural products?

Mr. ROOT. Mr. President, I am unable to answer the Senator's question in detail. I know that Canada has frequently asked for reciprocity and has been met with indifference.

Mr. DILLINGHAM. May I ask the Senator a further question?

Mr. ROOT. Yes; but let me finish answering the question the Senator has just asked. I know the subject was up for consideration in 1905; I know that it was up for consideration at the hands of the Joint High Commission in 1898; and in a few minutes, if I could go to the volumes of Foreign Relations, I could look up a number more; but I was quoting from a Senator who spoke here the other day, the Senator from Michigan [Mr. SMITH]. It is true that Canada has of late years, and perhaps always, put her special stress on natural products, but that does not at all vary or interfere with the proposition that I have just made.

Mr. DILLINGHAM. May I ask the Senator one further question?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Vermont?

Mr. ROOT. I do.

Mr. DILLINGHAM. I have seen it stated in the public prints—I do not know whether it be true or not—that in the negotiations between the two Governments which have resulted in this agreement the United States offered to Canada free trade in manufactured articles as well as in natural products, and that Canada, following the doctrine she has held for 60 years, ever since the abrogation of the treaty of 1854, absolutely declined to go further than as appears in this agreement, which is confined substantially to natural products.

Mr. ROOT. I have no doubt that our Government was desirous of going further, and I will contribute to the discussion

the interesting statement that the American commissioners in the joint high commission of 1898 offered to Canada free trade in all things upon the trifling condition that Canada would adopt our tariff, which naturally formed a disagreeable impression in the minds of Canadians, and which, of course, they were unwilling to accede to.

Now, Mr. President, a single word, and with a very few additional words I will be through.

Mr. McCUMBER. Mr. President, will the Senator yield for another question?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from North Dakota?

Mr. ROOT. Yes.

Mr. McCUMBER. I think the Senator has unintentionally omitted something that he promised us in the beginning of this debate. I call attention to his statement that the injuries which the farmers of the Northwest would suffer would be counterbalanced by certain advantages which they would obtain from this treaty. The Senator has failed, as yet, to name any of those advantages. To make myself clear, let me call the Senator's attention to the fact that the farmers of the North and Northwest raise from 650,000,000 to 700,000,000 bushels of wheat——

Mr. ROOT. Mr. President——

Mr. McCUMBER. I merely wanted to put it in the form of a question, and then to ask the Senator, if they raised that amount, are they to get an increased market in Canada for their 650,000,000 to 700,000,000 bushels of wheat, for their 800,000,000 bushels of oats, for their 170,000,000 bushels of barley, or for their 30,000,000 bushels of flax? Do they get a Canadian market for any one of those things; and, if they do not, what do they get in the manufactured products of Canada that would be an advantage to them?

Mr. ROOT. Mr. President, I should not think that the products which the Senator from North Dakota has enumerated would find any considerable market in Canada, but I have been very unfortunate if I have made no lodgment in the mind of the Senator from North Dakota with the reasons which I have undertaken to give that his constituents, in common with all the people of our country, will derive benefits from the freer trade with Canada that will counterbalance any particular injury or limitation upon the sale of their crops.

Mr. McCUMBER. I simply want the Senator from New York to name one benefit that they will derive.

Mr. ROOT. I have endeavored to state a number.

Mr. President, there is an amendment proposed to this bill. The Senator from Mississippi [Mr. WILLIAMS], with that candor and courage that naturally accompany so acute a mind and so great ability as he has, has relieved me of any necessity of devoting very much time to explaining the relation of that amendment to this bill. I wish simply to state very briefly what it is. The agreement contains a schedule called Schedule A, and I now read from the heading of the schedule:

SCHEDULE A.

Articles the growth, product, or manufacture of the United States to be admitted into Canada free of duty when imported from the United States, and reciprocally articles the growth, product, or manufacture of Canada to be admitted into the United States free of duty when imported from Canada.

Under that heading in that schedule were enumerated a great number of articles, including pulp and paper. The bill, which was originally introduced in the House of Representatives, followed that schedule by providing for the free admission of those articles into the United States, with the condition that the President should find and proclaim that a bill for their free admission into Canada had been enacted. That bill was for the agreement pure and simple. That bill, however, was amended in the other House by taking pulp and paper out of that enumeration which followed Schedule A, putting it in a separate section—section 2—and dropping out the provision requiring the corresponding legislation on the part of Canada; so that, without any legislation on the part of Canada and without any provision being made for the free admission of our paper into Canada, it would, on the enactment of the bill, subject to certain conditions stated, come into the United States free of duty.

Mr. NELSON. Mr. President, will the Senator yield for a brief question?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Minnesota?

Mr. ROOT. Certainly.

Mr. NELSON. Does the Senator from New York maintain that the second section of this bill is within the scope and purview of the reciprocity agreement as outlined in the message of the President and sent to the Senate?

Mr. ROOT. Mr. President, I maintain that it is not; and I was trying to explain why it is not. The Senator from Mississippi [Mr. WILLIAMS], in the remarks to which I referred a few moments ago, said on Monday last:

Mr. WILLIAMS. A great deal of importance has been attached to the idea that the Root amendment is in strict accord with the agreement between the two countries. Now, I always like to argue things frankly, for two reasons: First, because it is an honest thing to do; and, secondly, because it is always the wisest thing to do. The President of the United States has made no concealment of the fact that the Root amendment does express the original agreement in so far as it was an agreement at all. The House knew it expressed the agreement, and because the agreement as it was made would have resulted in exactly what I have said, perpetually possibly, indefinitely certainly, continuing the hold of the International Paper Co. upon the paper business of the country, the House changed it that far, knowing that when it changed it, it changed the agreement on the whole still further in favor of Canada, and that therefore Canada would not object.

That is a very fair statement of the exact situation. The amendment which I suggested to the Finance Committee and to which my name has been attached was designed to put the bill back where it originally was, so that the bill would cover nothing but the agreement. To vote for that amendment would be equivalent to voting against the change of the bill that was made in the House and which added to the bill, in addition to the reciprocity agreement and beyond that agreement, a further and different provision, taking off the duty from pulp and paper, which the agreement did not require to be taken off.

Mr. President, it may be that, as the Senator from Mississippi believes, the provision of the House bill taking the duty off of pulp and paper without any compensatory legislation by Canada is a better provision than the provision in the agreement. I am not going to discuss that now. I say that it may be that it is a better provision; it certainly is a different provision.

I have become satisfied that the amendment which bears my name will not be adopted. For many different reasons a large majority of the Senate are going to vote against it, some because they want the bill to be bad, some because they are afraid the bill would not pass in another place if the amendment were adopted.

I am not going to discuss the question whether the duty ought to be taken off. It is a modest duty—practically 10 per cent on the importation of paper—but I am not going to discuss the question whether it should be taken off. It evidently is going to be taken off, but I do not want it done under cover of the reciprocity agreement, and I am satisfied to have suggested the amendment and to have had it discussed here, because the discussion has stripped off the cover of the reciprocity agreement that was spread over this independent pulp and paper provision so largely by public misapprehension, although, I believe, honest misapprehension, on the part of great numbers of the newspaper journals of the country. There was also much misapprehension here in the Senate for a long time about it.

The amendment the House incorporated in the bill taking off this duty and making the wood-pulp and paper schedule a separate and independent proposition is going to pass, but it is not going to pass under any false pretenses, inadvertent or otherwise. It is going to pass because this Congress means to take that duty off, and not because it is a part of the reciprocity agreement.

Mr. BROWN. Mr. President——

Mr. ROOT. I will close in a moment.

Mr. BROWN. I wanted to ask the Senator a question right there.

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Nebraska?

Mr. ROOT. Yes.

Mr. BROWN. With the provision in the bill as passed by the House, the duty would be taken off. With the Senator's amendment incorporated into the bill, it would not be taken off.

Mr. ROOT. Not until Canada took her duty off, which is in accordance with the agreement.

Mr. BROWN. That means never.

Mr. ROOT. No; it means the time the agreement specifies.

Mr. BROWN. What I want to get at is this: The Senator does not contend that his amendment removes the duty?

Mr. ROOT. Certainly not.

Mr. BROWN. But it leaves the duty now as it is?

Mr. ROOT. It leaves the duty until Canada shall comply with the terms of the agreement.

Mr. BROWN. In other words, it means that it never will be taken off.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Mississippi?

Mr. ROOT. Certainly.

Mr. WILLIAMS. In the Senator's opinion, is it not probable that Canada would never comply with the agreement——

Mr. ROOT. Mr. President, I——

Mr. WILLIAMS. Wait a moment—in the sense which he means, unless every Province in Canada removes the restrictions?

Mr. ROOT. I think that is probably true.

Mr. WILLIAMS. That is the point I wanted to make; so that if just one Province continues to maintain the restrictions we would not get the free entry of paper.

Mr. ROOT. Precisely. That is true.

Mr. President, now let me say one thing more, and I am done. I am and have been for the agreement, the whole agreement, and nothing but the agreement. The amendment made to the bill in the House, which I wish to negative by the amendment to which my name has been attached, has added to the agreement another separate and distinct tariff provision. I am against that for one reason, because I believe that if you make this reciprocity measure the vehicle for discussing all the tariff questions that can be raised the bill will never pass. The bill as passed by the House in this respect, as I have said, may be better than the provisions of the agreement. There may be a hundred measures better than the provisions of the agreement. My friend from North Dakota [Mr. McCUMBER] can doubtless put his finger on some that he thinks better; my friend from Iowa [Mr. CUMMINS] on some that he thinks better; half the Senators here can do likewise. I was against the addition to the agreement of this separate tariff provision, and I shall be against the addition to the agreement of any other tariff provision; and I, with the very small number of Senators who vote for this amendment, will stand in a singular group of consistency, for we shall take the same view about all the proposed changes of this reciprocity agreement.

While I say I shall be against all amendments that may be offered, I wish also to say that I do not doubt that there will be some amendments offered which as separate and substantive propositions I should favor; I shall be against them because I think it is our duty, acting upon the soundest public policy and with the broadest judgment as to the benefit of our country, to pass this reciprocity agreement. When we have done that, at convenient and proper time, if, as the result of passing that agreement or the result of anything else that has happened or shall happen, justice and the public good require that further changes be made in our tariff law, my friends upon both sides of the Chamber will find me trying to be reasonable and just in meeting their desires and striving to agree with their judgment.

Mr. HITCHCOCK. Mr. President, before the Senator takes his seat——

The VICE PRESIDENT. The Senator from New York has yielded the floor. The Senator from Nebraska is recognized.

Mr. HITCHCOCK. Then for a few moments I should like to direct the attention of the Senate to a reply to the Senator from New York upon the paper schedule in section 2. The Senator from New York says that he is for the agreement, for the whole agreement, and for nothing but the agreement. It seems to me, however, Mr. President, that the amendment which the Senator from New York offers would make of section 2 an absolute dead letter, just as completely as if the Senator from New York should move to strike section 2 out of the bill. The Senator from New York knows, and every other Senator knows, that all of the Canadian Provinces will not waive, abolish, or do away with their export duty upon print paper, pulp, and pulp wood; and the Senator from New York knows, and every other Senator must know, that until that is done the United States will not admit pulp and paper and pulp wood from the Provinces in question.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from New Hampshire?

Mr. HITCHCOCK. Permit me to finish my sentence. And the Senator from New York must know that so long as that condition exists, so long as the United States exercises its right to discriminate against a single Province of Canada, Canada will not admit paper, pulp, and pulp wood from the United States; and then, under the amendment which the Senator from New York offers, the President of the United States could not issue his proclamation and the United States could not admit paper, pulp, and pulp wood from any Province of Canada, although it is the very purpose of section 2 to admit these articles from such Provinces as waive those restrictions.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from New Hampshire?

Mr. HITCHCOCK. I yield.

Mr. GALLINGER. The Senator from Nebraska states without qualification that every Senator knows that if this amendment prevails it will practically nullify the paper clause of the agreement. Does not the Senator think that the negotiators on the part of Canada had an intelligent conception of what the agreement would do, and does he not think that the bill now before the Canadian Parliament, which contains the very provision embodied in the amendment, indicates that the Canadians are not so sure that the restrictions will not be removed as the Senator from Nebraska seems to be?

Mr. HITCHCOCK. On the contrary, Mr. President, I think that the bill now pending before the Canadian Parliament proves conclusively that Canada anticipates and expects that the Provinces—or some of the Provinces—may not remove that selfsame duty on exports, and for this reason that the bill before the Canadian Parliament contains this proviso:

Provided also, That such wood pulp, paper or board, being the products of the United States, shall only be admitted free of duty into Canada from the United States when such wood pulp, paper or board, being the products of Canada, are admitted from all parts of Canada free of duty into the United States.

Mr. GALLINGER. Yes; but that——

Mr. HITCHCOCK. There is a manifest attempt in that bill to compel the United States to admit paper, pulp, and pulp wood from all Provinces of Canada regardless of whether those Provinces maintain their export duty or not.

Mr. GALLINGER. It seems to me that Canada is dealing in that proviso with her own Provinces; that it is not suggested that the United States shall make any compulsion upon Canada. The provision is that this so-called reciprocity shall become operative when we have access to the Canadian market and all parts of Canada, precisely what the bill in the Canadian Parliament says.

Mr. HITCHCOCK. On the contrary, it was distinctly understood that the negotiators on the part of Canada were not able to guarantee to the United States that these export duties were to be removed by all the Provinces, and for that reason—desiring to have them removed—they consented to this proviso, embodied in the bill as it comes to us from the House of Representatives, which, if we take it just as it comes from the House of Representatives will, in the course of time, be a force which will gradually compel one Province after another to remove the export duty, because any Province which maintains the export duty will realize in a short time that its market for wood and wood pulp is restricted. Not only will the American manufacturers be unable to buy Canadian wood and wood pulp without paying the American tariff, but the Canadian manufacturers will not be able to buy the wood and the wood pulp from that Province for export to the United States because of the proviso that paper made from those products shall not be admitted into the United States without the payment of the duty.

And hence it was believed by the original negotiators, and I have no doubt it was believed by the framers of this bill in the House of Representatives, that to maintain there the proviso that such paper, pulp, and pulp wood should only be admitted free of duty from those Provinces that abolished their export duty, would result in the course of time in forcing each Province, as a commercial proposition, to abandon the attempt to restrict its exports.

Mr. CLARK of Wyoming, Mr. SMOOT, and others rose.

The VICE PRESIDENT. Does the Senator from Nebraska yield and to whom?

Mr. HITCHCOCK. I yield, first, to the Senator from Wyoming.

Mr. CLARK of Wyoming. Assuming for the sake of the argument that the Senator from Nebraska is right as to the agreement, I will ask him whether, as he understands the agreement, it provides or looks to future reciprocal trade in these articles after the prohibition may have been removed from Canadian timber? Does he understand that as a part of the agreement it looks to future possible reciprocal trade in these articles?

Mr. HITCHCOCK. That would ultimately be the result of the measure.

Mr. CLARK of Wyoming. Now let me ask the Senator: Is there anything in section 2, which is now before us, that hints in the slightest degree at any reciprocal trade in these articles, even if the effect should be to cause the provincial governments to remove these restrictions? Is there anything in section 2 that hints in the slightest degree at reciprocal trade between the two countries?

Mr. HITCHCOCK. There is not in this particular bill; but as we know from an official publication published under the order of the Senate, the bill before the Canadian Parliament does provide that the American manufacturers of paper shall be permitted free access to the Canadian markets.

But, Mr. President, I want to say to the Senator from Wyoming that the market in Canada for paper made in the United States is of comparatively insignificant value to the American

manufacturers of paper as compared with the great benefit which they are likely to derive from the importation into this country of the raw materials or the partly manufactured material of wood pulp from which they manufacture their paper.

Mr. CLARK of Wyoming. Mr. President——

Mr. HITCHCOCK. They themselves before the Committee on Finance and on every other opportunity have shown that one reason why they are at a disadvantage in manufacturing paper is that the Canadian manufacturer has the cheaper wood to manufacture his paper from, and the purpose of this bill is to give to the American manufacturer the cheaper Canadian wood.

Mr. CLARK of Wyoming, Mr. WILLIAMS, and others rose.

The VICE PRESIDENT. To whom does the Senator from Nebraska yield?

Mr. HITCHCOCK. Just now to the Senator from Wyoming.

Mr. CLARK of Wyoming. Assuming that the Senator's argument is correct, has this section any place in a reciprocal bill? Ought it not to come in a tariff bill—properly before the Senate and the House as a tariff bill? In other words, the Congress of the United States to-day is engaged in revising certain schedules of the tariff—the woolen schedule and the cotton schedule. Why should we select from Schedule M one article in that schedule and leave the balance of the schedule untouched, thus effecting tariff legislation pure and simple under the guise of a reciprocity agreement.

Mr. HITCHCOCK. We would do that because it was embodied as one of the schedules which came to us from the President, and the language of the bill as it comes from the House is exactly in the language of the paragraph of that agreement as transmitted to the Congress of the United States by the President.

I now yield to the Senator from Mississippi.

Mr. WILLIAMS. I merely wanted to suggest, in connection with the remark the Senator made a moment ago, that the evidence showed that the sole advantage of the Canadian paper manufacturer and the sole disadvantage of the American paper manufacturer consisted in the price of the raw material.

Mr. HITCHCOCK. That is very true, and I am at a loss, for my part, to understand why the paper manufacturers of the United States are making such a determined opposition to this paragraph if all they want is a fair opportunity to compete upon equal grounds with the Canadian manufacturer. The American market for paper is 15 or 20 times the size of the Canadian market, which is comparatively insignificant; and if what they want is to get raw material upon the same basis as the Canadian manufacturer gets his raw material this is the very bill that will give it to them.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Utah?

Mr. HITCHCOCK. I do.

Mr. SMOOT. Do I understand the Senator from Nebraska to say that the House bill is in conformity with the agreement between the two countries?

Mr. HITCHCOCK. I say that so far as the language of the House bill goes there is not a word in it that was not in the message of the President of the United States as transmitted to us.

Mr. SMOOT. The Senator qualifies it now. He now says "as far as the language goes."

Mr. HITCHCOCK. I used that same qualification before.

Mr. SMOOT. We all admit that. But the Senator qualifies his statement now. I did not catch it if he thus qualified it before.

In relation to the Root amendment, the Senator, in speaking a little while ago, said that the Root amendment has no relation to the agreement as negotiated, and that it was not in conformity, as I understood him to say, to the agreement.

I have here a telegram printed in the daily press June 8, which reads as follows:

> The reporting of the reciprocity agreement by the United States Senate was heard with satisfaction at Ottawa. The Root amendment to the pulp and paper clause in no way injures the pact from the Canadian point of view. It is known that Finance Minister Fielding, who is now in Europe, expressed the opinion that the Root amendment merely gives effect in a clearer way to the intention of the treaty makers. It is hoped here that the Senate will act favorably and promptly on the bill as reported by the committee.

Mr. HITCHCOCK. I will say, in answer to the Senator from Utah, that I am not arguing this matter from the Canadian standpoint. I am not seeking to make an argument for the benefit of Canada. I am making an argument for the benefit of the people of the United States. I am making an argument for the purpose of showing that the Root amendment might just as well have been a motion to strike out section 2, because it will nullify section 2 and make it a dead letter, by making it impossible to enforce it.

And I may go further, Mr. President. I may say that the bill, as drawn and submitted to the House of Representatives, was first submitted to the President of the United States, and had then, and has now, his unqualified approval.

Mr. SMOOT. In his speech in Chicago the President plainly stated that the Root amendment was in conformity with the agreement, and I do not think there is a doubt about it, and I do not think there is any Senator in the Senate who will dispute it.

Mr. HITCHCOCK. He, however, said at the same time that any amendment, even though apparently innocent and even though upon its face designed to carry out the agreement, was likely to imperil the passage of the reciprocity bill; and that is the position we take here—that any amendment placed upon this bill is likely to defeat it.

Mr. SMOOT. You certainly will admit it is not going to defeat it in the Canadian Parliament, because the bill before the Canadian Parliament to-day has, if not the exact language, the meaning that is contained in the Root amendment. So if it can not defeat it there, and if it can not defeat it in the Senate, where is it going to be defeated?

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Iowa?

Mr. HITCHCOCK. I yield.

Mr. CUMMINS. I should like to ask the Senator from Utah who is the author of the legal opinion he has just read in our hearing?

Mr. SMOOT. This is a reported statement from Finance Minister Fielding.

Mr. CUMMINS. A report from him, or a statement by some Canadian reporter with regard to some rumor with respect to the opinion of Mr. Fielding? Read it again.

Mr. SMOOT. I will read that part of it referring to him. It says:

> It is known that Finance Minister Fielding——

Mr. CUMMINS. Who knows it? Who is the author of this dispatch?

Mr. SMOOT. It is a dispatch sent by the Associated Press.

Mr. CUMMINS. Oh, I see; gathering up the reports in Ottawa?

Mr. SMOOT. They have not gathered and reported very many rumors in relation to this bill which were detrimental to it; I will assure the Senator of that.

Mr. CUMMINS. In the United States.

Mr. SMOOT. Or any other country.

Mr. CUMMINS. I do not know about that.

Mr. SMOOT. All the letters issued by the American Newspaper Publishers Association to every paper in the United States to support the measure were sent to their correspondents in Canada.

Mr. CUMMINS. But the Senator from Utah is not asking the Senate to accept a rumor of that sort, disseminated by the Associated Press, as a deliberate opinion of a responsible minister of the Canadian Government, is he?

Mr. SMOOT. No. If it were based upon this alone I would not, but it is not based upon this alone, because Minister Fielding has already reported to the Parliament of Canada a provision in full accord with the Root amendment as carrying out the agreement between the two countries.

Mr. CUMMINS. I do not want to take the time of the Senator from Nebraska, but whenever an opportunity is given me I intend to endeavor at least to show that the Root amendment is not in harmony with the agreement, but on the contrary is in exact opposition to the purpose or object of the agreement.

Mr. SMOOT. Then, of course, the Senator disagrees with the President.

Mr. CUMMINS. This is not the first time he has.

Mr. SMOOT. I am aware of that. I was going to say many other Senators do not agree with him either; but, of course, that is a question to be discussed hereafter.

Mr. CUMMINS. I do not know that the President has ever said that it was in conformity with the agreement.

Mr. SMOOT. He said so in his Chicago speech.

Mr. HITCHCOCK. I have no desire to hold the floor further and shall be glad to yield it.

I simply want to repeat that the inevitable effect of the Root amendment will be to nullify section 2, and if it is desired to do that we might just as well adopt a motion to strike out section 2 from the bill.

Mr. SMOOT. The result of the Root amendment will be this: If Canada wants our market free she must make her market free to us. It is bad enough to have free trade between the two countries, but without the Root amendment the bill gives Canada a free entrance to our market and our

manufacturers can not get into Canada unless they pay the 25 per cent duty.

Mr. HITCHCOCK. Of course I have very serious doubts whether the Senator from Utah would favor absolute free trade in paper between the United States and Canada, but assuming that he did hold such a position, the Senator from Utah must know that the Canadian Government possesses no power to compel her Provinces to do away with the export duty, and as long as she lacks that power to place it in a treaty or to place it in legislation it was specifically designed that the United States could begin to give free entry to paper and pulp and pulp wood to those Provinces which imposed no export duty, which in the course of time would, through commercial means, compel the other Provinces to do what the Canadian Government did not have the power to compel them to do.

Mr. SMOOT. I should like to ask the Senator how he knows all that. It is not expressed in the agreement nor in the Canadian bill. And how does the Senator know the intent or design of the negotiators?

Mr. HITCHCOCK. How do I know that the Canadian Government has no power to compel her Provinces——

Mr. SMOOT. Oh, no; as to the agreement or as to the intent or design of the agreement that he was informing the Senate about. How does the Senator know the intent of the agreement? We can only judge by the wording of the agreement.

Mr. HITCHCOCK. I will call the Senator's attention to some of the wording of the agreement

Mr. SMOOT. I will be glad to listen to it.

Mr. HITCHCOCK (reading):

Provided, That such paper and board, valued at 4 cents per pound or less, and wood pulp, being the products of Canada, when imported therefrom directly into the United States, shall be admitted free of duty, on the condition precedent that no export duty, export license fee, or other export charge of any kind whatsoever (whether in the form of additional charge or license fee or otherwise) or any prohibition or restriction in any way of the exportation (whether by law, order, regulation, contractual relation, or otherwise, directly or indirectly) shall have been imposed upon such paper, board, or wood pulp, or the wood used in the manufacture of such paper, board, or wood pulp, or the wood pulp used in the manufacture of such paper or board.

Mr. SMOOT. Go right on and read the proviso.

Mr. GALLINGER. "Provided"——

Mr. SMOOT. Read the proviso. That is a part of the agreement as reported to the Senate by the President.

Mr. HITCHCOCK. I am only reading that part to prove to the Senator that the Canadian negotiators took into account the fact that the United States Government desired to compel the Provinces to abolish their export duty; and not being able to guarantee that they would abolish the export duty, the negotiators agreed that the United States should only admit those products from the Provinces which did.

Mr. SMOOT. Now, if the Senator will read the proviso, the statement will be complete.

Mr. HITCHCOCK. My statement is absolutely complete to show that the negotiators took the export duty into account and opened the door to the United States to secure the abolition of the export duty, although the Canadian Government itself was not able to guarantee it.

Mr. SMOOT. Every Senator knows that. But there were two parties to the negotiation, and the negotiators for the United States demanded that paper from Canada should come into the United States free, provided—now, if the Senator will read the proviso I asked him to his statement will be complete.

Mr. HITCHCOCK. It was to come in only from those Provinces which abolished the export duty.

Mr. SMOOT. Of course, but——

Mr. HITCHCOCK. The amendment of the Senator from New York [Mr. ROOT] would make it impossible for anyone to get paper or wood pulp or pulp wood from any Province without admitting it from all Provinces, regardless of the export duty.

Mr. SMOOT. That is exactly the wording of the treaty—that they are to be admitted from all parts of Canada. That was the proviso. Canada insisted upon it, and that is a part of the Canadian bill to-day.

Mr. HITCHCOCK. All parts of Canada, provided those parts did not impose an export duty.

Mr. SMOOT. It does not say that.

Mr. HITCHCOCK. It says it exactly, I think.

Mr. SMOOT. Read the proviso.

Mr. HITCHCOCK. But, as I have stated, I do not desire longer to occupy the floor. It seems to me a self-evident proposition that the Root amendment is essentially an effort to nullify section 2. The short way to nullify section 2 is to move to strike out section 2 and bring it to a vote on that proposition.

Mr. CLARK of Wyoming. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Wyoming?

Mr. HITCHCOCK. I yield.

Mr. CLARK of Wyoming. In order that I may understand the position of the Senator from Nebraska, I desire to ask him a question. Is it his desire, by section 2 or otherwise, to incorporate anything in the pending bill that was not provided for in the agreement between the two Governments?

Mr. HITCHCOCK. No; it is not.

Mr. CLARK of Wyoming. Then there must be a difference of opinion as to the effect of the Root amendment and as to the effect of section 2. Would the Senator be willing, instead of section 2, to have the exact wording of the compact between the two nations restored to the bill?

Mr. HITCHCOCK. I would not be willing myself to consent to any amendment which would send this bill back to the other body, where it might not finally reach concurrence.

Mr. CLARK of Wyoming. Has the Senator so little confidence in the other House as to believe that they would want to put anything in the bill that was not included in the agreement?

Mr. HITCHCOCK. I have every confidence in the other body and am perfectly willing to take the bill as they sent it to us.

Mr. CLARK of Wyoming. The Senator has a degree of modesty as a Senator which he never had when he was a Member of the House.

PURE FOOD AND DRUGS ACT.

The VICE PRESIDENT laid before the Senate the following message from the President of the United States (H. Doc. No. 75), which was read:

To the Senate and House of Representatives:

Your attention is respectfully called to the necessity of passing at this session an amendment to the food and drugs act of June 30, 1906 (34 Stat., 768), which will supplement existing law and prevent the shipment in interstate and foreign commerce and the manufacture and sale within the Territories and the District of Columbia of worthless nostrums labeled with misstatements of fact as to their physiological action—misstatements false and misleading even in the knowledge of those who make them.

On June 30, 1906, after an agitation of 20 years, the food and drugs act, passed by the Fifty-ninth Congress, received the approval of the President and became law. The purpose of the measure was twofold—first, to prevent the adulteration of foods and drugs within the jurisdiction of the Federal Government; and, second, to prevent any false labeling of foods and drugs that will deceive the people into the belief that they are securing other than that for which they ask and which they have the right to get. The law was received with general satisfaction and has been vigorously enforced. More than 2,000 cases have been prepared for criminal prosecution against the shippers of adulterated or misbranded foods and drugs, and seizures have been made of more than 700 shipments of such articles. More than two-thirds of these cases have been begun since March 4, 1909. Of the criminal cases more than 800 have terminated favorably to the Government, and of the shipments seized more than 450 have been condemned and either relabeled or destroyed. In every case in which the food seized was deleterious to health it was destroyed. A large number of cases are now pending.

The Supreme Court has held in a recent decision (United States *v.* O. A. Johnson, opinion May 29, 1911) that the food and drugs act does not cover the knowingly false labeling of nostrums as to curative effect or physiological action, and that inquiry under this salutary statute does not by its terms extend in any case to the inefficacy of medicines to work the cures claimed for them on the labels. It follows that, without fear of punishment under the law, unscrupulous persons, knowing the medicines to have no curative or remedial value for the diseases for which they indicate them, may ship in interstate commerce medicines composed of substances possessing any slight physiological action and labeled as cures for diseases which, in the present state of science, are recognized as incurable.

An evil which menaces the general health of the people strikes at the life of the Nation. In my opinion, the sale of dangerously adulterated drugs, or the sale of drugs under knowingly false claims as to their effect in disease, constitutes such an evil and warrants me in calling the matter to the attention of the Congress.

Fraudulent misrepresentations of the curative value of nostrums not only operate to defraud purchasers, but are a distinct menace to the public health. There are none so credulous as sufferers from disease. The need is urgent for legislation which will prevent the raising of false hopes of speedy cures of

serious ailments by misstatements of fact as to worthless mixtures on which the sick will rely while their diseases progress unchecked.

At the time the food and drugs act was passed there were current in commerce literally thousands of dangerous frauds labeled as cures for every case of epilepsy, sure cures for consumption and all lung diseases, cures for all kidney, liver, and malarial troubles, cures for diabetes, cures for tumor and cancer, cures for all forms of heart disease; in fact, cures for all the ills known at the present day. The labels of many of these so-called cures indicated their use for diseases of children. They were not only utterly useless in the treatment of the disease, but in many cases were positively injurious. If a tithe of these statements had been true, no one with access to the remedies which bore them need have died from any cause other than accident or old age. Unfortunately, the statements were not true. The shameful fact is that those who deal in such preparations know they are deceiving credulous and ignorant unfortunates who suffer from some of the gravest ills to which the flesh of this day is subject. No physician of standing in his profession, no matter to what school of medicine he may belong, entertains the slightest idea that any of these preparations will work the wonders promised on the labels.

Prior to the recent decision of the Supreme Court the officers charged with the enforcement of the law regarded false and misleading statements concerning the curative value of nostrums as misbranding, and there was a general acquiescence in this view by the proprietors of the nostrums. Many pretended cures, in consequence, were withdrawn from the market, and the proprietors of many other alleged cures eliminated false and extravagant claims from their labels, either voluntarily or under the compulsion of criminal prosecution. Nearly 100 criminal prosecutions on this charge were concluded in the Federal courts by pleas of guilty and the imposition of fines. More than 150 cases of the same nature, involving some of the rankest frauds by which the American people were ever deceived, are pending now, and must be dismissed.

I fear, if no remedial legislation be granted at this session, that the good which has already been accomplished in regard to these nostrums will be undone, and the people of the country will be deprived of a powerful safeguard against dangerous fraud. Of course, as pointed out by the Supreme Court, any attempt to legislate against mere expressions of opinion would be abortive; nevertheless, if knowingly false misstatements of fact as to the effect of the preparations be provided against, the greater part of the evil will be subject to control.

The statute can be easily amended to include the evil I have described. I recommend that this be done at once as a matter of emergency.

WM. H. TAFT.

THE WHITE HOUSE, *June 20, 1911.*

The VICE PRESIDENT. The message will be printed and referred to the Committee on Manufactures.

HOUSE BILL REFERRED.

H. R. 11019. An act to reduce the duties on wool and manufactures of wool was read twice by its title.

The VICE PRESIDENT. The bill will be referred to the Committee on Finance.

Mr. WILLIAMS and Mr. GORE addressed the Chair.

The VICE PRESIDENT. The Senator from Mississippi first rose. The Senator from Mississippi.

ELECTION OF SENATORS BY DIRECT VOTE.

Mr. WILLIAMS. Mr. President, I rise for the purpose of asking unanimous consent to insert in the RECORD an article from the Charleston News and Courier of June 17 upon the subject of the Bristow amendment.

The VICE PRESIDENT. Is there objection?

Mr. GALLINGER. Mr. President, I will ask the Senator what will be the permanent value to insert it in the RECORD. Some of the newspapers of my State have had editorials on that question, but I had not thought of making them a part of the RECORD.

Mr. WILLIAMS. I can only say to the Senator from New Hampshire that unless I had thought it was a valuable contribution to the discussion and a valuable thing in the way of forming public opinion through the CONGRESSIONAL RECORD I would not have asked the unanimous consent; and I can hardly answer the question more in detail without reading the article itself. I think it contributes to clarify the atmosphere upon that particular subject. I think it will have an influence with some Senators when the question comes back to the Senate from conference.

Mr. GALLINGER. The matter was very thoroughly debated on both sides. I did not participate in the debate, because I am not in the habit of talking much in the Senate now; but after the joint resolution has passed the Senate and gone to the other body, it seems to me we ought not to lumber up the RECORD here with all sorts of newspaper articles. That is the only feeling I have about it. Still, if the Senator particularly desires it, I will not object, of course.

Mr. WILLIAMS. I do desire it, and I would rather not be forced to read it out aloud.

Mr. GALLINGER. I will not ask the Senator to do that.

Mr. WILLIAMS. It would put me to trouble unnecessarily.

Mr. GALLINGER. I want to say that I think never in the history of the Government has so much extraneous matter been inserted in the RECORD, as newspaper editorials and speeches of individuals, as during the last year. While I am not going to object to the request of any Senator, I am very careful myself not to ask leave to insert these matters. I had a very interesting newspaper article the other day on the textile industry of the United States, which I thought ought to be printed, but I sent it to the Committee on Printing, because I was not quite sure that I ought to ask that it should go into the RECORD.

Mr. WILLIAMS. I quite agree with the Senator from New Hampshire as a general rule, and my only reason for asking this unanimous consent now was that I thought it would contribute to general information and to molding public opinion. The question having passed beyond the Senate, we expected that it would come back later on a different proposition, which is under discussion now, and I did not want to wait and take up the time of the Senate away from gentlemen who desire to discuss the immediate proposition before us.

Mr. GALLINGER. I have been hoping that the House would accept the joint resolution as it was amended by the Senate, and that it would not come back.

The VICE PRESIDENT. No objection is heard, and the paper referred to by the Senator from Mississippi will be printed in the RECORD.

The matter referred to is as follows:

THE BRISTOW AMENDMENT.

[From the Charleston (S. C.) News and Courier, June 17, 1911.]

It is a rare event to find so many newspapers, of all shades of political opinion and in all parts of the country, united in the opinion that the adoption by the Senate of the Bristow amendment to the resolutions providing for the adoption of a constitutional amendment so that Senators might be elected by direct vote of the people was, in the language of Mr. Hearst, a piece of political hypocrisy. It is interesting, furthermore, to follow the discussion as to what would happen or what should happen in case the House should acquiesce in the Bristow amendment.

That stanch Ogdenite journal, the Brooklyn Eagle, thinks that "the effect of the constitutional amendment in its amended form would be the nullification of the restrictions now imposed by the Southern States upon negro suffrage." This surprises the New York Tribune, which proceeds to argue that "there is no grant of power in the Senate amendment which is not as old as the Constitution," but, strangely enough, omits to explain why in this event the amendment should have been proposed or adopted.

The New York Press, like the Tribune, a Republican organ, but with decided "progressive" leanings, and which has strongly advocated popular election of Senators, declares that "nothing could more clearly show the insincerity of the Bristow amendment to the Borah joint resolution for popular election of United States Senators than the character of most of its supporters," and thinks that "under cover of protecting the freedom of suffrage in the black belt the promoters of this insincere and unenforcible project intend to deny the people of all the States the right to elect their Senators."

The New York World, the most forceful Democratic newspaper of America and an advocate of direct elections, declares that "the Bristow amendment is unnecessary and mischievous," that "it merely arouses sectional animosities and repels the movement for the election of Senators by direct vote," and thinks, like the Press, that "the fact that LORIMER, DU PONT, GALLINGER, GAMBLE, GUGGENHEIM, ROOT, SMOOT, PENROSE, and STEPHENSON voted for it explained its real meaning far more clearly than the text itself."

The New Haven Journal-Courier, a strongly edited independent newspaper, regrets that the issue should have been beclouded by the injection of the Bristow amendment, and declares that "the people of this country have a right to decide what is best for them in the organization of their political household, and if in this regard the Senate has played fast and loose with them, those responsible will feel the lash of popular discredit when the time comes." The Hartford Daily Courant, Republican, quotes from a speech delivered in the Senate by Mr. RAYNER, of Maryland, last week, in which he predicted that it would take "a tremendous struggle in the Southern States if you put it (the Bristow amendment) in to carry, perhaps, any of them," and also from an interview which he gave to the Baltimore Sun, after the adoption of the Bristow amendment, in which he said: "I am satisfied that no practical danger will result from the adoption of this amendment." "Our own impression," remarks the Courant, "is that the Marylander was a better prophet last week than this." The New York Globe, Republican, thinks that the Senate amendment as passed was "fathered in prejudice or of a desire to mix things up and to prevent action."

These are the views of some of the most influential of the northern newspapers. Let us turn now to the South. That the resolution will meet with great opposition in this part of the country, if submitted to the States for ratification as passed by the Senate, is made plainly evident. The Montgomery Advertiser, for example, thinks that "the proposed reform is prohibitively dear if we have to buy it with our complaisant acceptance of the atrocious force bill which a small band of devoted and courageous Senators defeated in the last generation when it appeared certain of enactment." Another influential Alabama newspaper, the Mobile Register, thinks that "the legislatures of the

South are not likely to accept the amendment upon the terms that it is offered. Fortunately, there is available the State primary, which meets the needs of the people in expressing their choice for Senators, so that no loss will be suffered if the amendment fails of confirmation."

The Petersburg Index-Appeal does not think that the evident attempt which has been exhibited to embarrass the South would succeed, but it is not surprised that "Southern Senators oppose the Bristow amendment, remembering the attempts by the Republican Party to enact the force bill, giving the General Government absolute control of the election of Members of the Senate. The attempt failed, but it showed the animus of the Republican Party."

The Athens Banner entertains the view that "if the advocates of the direct vote are in earnest and really want to see this amendment to the Constitution passed they will be speedy in their work of defeating the Senate amendment when it comes to the House for action. With that amendment tacked on, there is practically little hope for the ratification of the amendment to the Constitution, and there should be no hope for favorable action thereon, for such action would be to the detriment of the country."

The Newberry Observer and the Charlotte Evening Chronicle are agreed that, in the language of the Observer, "it might be better for the Southern States and for all other States that advocate State rights and are opposed to Federal interference in their elections to let things remain as they are for the present."

"We ought," says the Houston Post, "to have direct election of Senators unhampered by such a provision as Mr. BRISTOW would insert in the amendment." The New Orleans States hopes that "the Democratic House will think well and carefully before accepting the resolution as amended by the Senate." A like sentiment is expressed by the New Orleans Times-Democrat. "The voters," says the Times-Democrat, "understand the issues involved, and most of them have read between the lines of the Bristow and Sutherland riders. If the question is left open for a season, they can be depended upon, we think, to insure its early settlement in the right way."

Thus the matter stands. It is not likely in the circumstances that the House Democrats will accept the resolution as it has come from the Senate. Indeed, it would not be surprising if the trickery which again has been resorted to by that body should have the effect of bringing about a Federal constitutional convention, at which the matter could be settled once for all. That is not desirable in the present mental state of the American people, but the United States Senate seems determined to force it.

TARIFF ON WOOL.

Mr. McCUMBER. Mr. President, I think it proper at this time to make a very few remarks concerning the message of the President concerning the pure-food law.

Mr. GORE. Mr. President——

The VICE PRESIDENT. Will the Senator from North Dakota yield to the Senator from Oklahoma?

Mr. McCUMBER. I will yield.

Mr. GORE. I should like to make a parliamentary inquiry at this juncture.

The VICE PRESIDENT. The Senator from Oklahoma will state it.

Mr. GORE. I was addressing the Chair when House bill 11019 was referred to the Committee on Finance. I desire to submit to the Senate a motion upon that subject. I should like to know whether I will still be permitted to submit a motion.

The VICE PRESIDENT. Certainly. The Chair did not understand that the Senator wished recognition in connection with that bill. Certainly the Chair will recognize the Senator to make a motion in reference to the bill.

Mr. GORE. Mr. President, I desire to move that the bill be referred to the Committee on Finance with instructions to report the same back on or before July 4 next.

The VICE PRESIDENT. The Senator from Oklahoma moves that the bill which was laid before the Senate by the Chair be referred to the Committee on Finance with instructions, and that the bill be reported back to the Senate on or before July 4.

Mr. GORE. On that I ask for the yeas and nays.

Mr. GALLINGER. Mr. President, I regret the absence of the chairman of the committee. I have never known a proposition of that kind to be offered, I think, to the Senate concerning a very important bill, and I feel sure that the Senate will not agree to that motion. It would be a departure from all our custom in matters of this kind, and I think a very direct reflection upon the committee.

Mr. GORE. Mr. President, I certainly have no intention to reflect upon the Committee on Finance, but I think there is a general feeling, at least on this side, that this woolen bill should be brought before the Senate as soon as possible. I do not care to obstruct the progress of the Canadian agreement at this time, but I should like to have the Committee on Finance understand that it is the sense of the Senate that this measure shall be reported at an early day. I may say further that I do not care to press the motion at this moment, during the absence of the chairman of the Committee on Finance.

Mr. WILLIAMS and Mr. CULBERSON addressed the Chair.

The PRESIDING OFFICER. To whom does the Senator from Oklahoma yield?

Mr. GORE. I yield to the Senator from Mississippi.

Mr. WILLIAMS. I suggest to the Senator from Oklahoma to make the date July 10. July 4 is a holiday.

Mr. GORE. I am aware of that, but the motion was on or before July 4, and I thought if we could be emancipated from Schedule K, or at least initiate the emancipation on that day, it would be well. I will accept the suggestion of the Senator from Mississippi and say on or before July 10, and on that motion I should like to have the yeas and nays.

Mr. GALLINGER. There will be some debate on that motion, I will assure the Senator.

The VICE PRESIDENT. Will the Senator from Oklahoma state the motion, so that the Secretary may be sure of the date he now proposes?

Mr. GORE. Mr. President, wait just one moment, that I may ascertain the day of the week.

The VICE PRESIDENT. Saturday is July 1.

Mr. GORE. My motion is that House bill 11019 be referred to the Committee on Finance with instructions to that committee to report the same back to the Senate on or before July 10.

Mr. President, I am not sure whether the motion is debatable or not.

Mr. LODGE. Oh, yes.

The VICE PRESIDENT. It is a debatable motion.

Mr. GORE. I do not think a motion to refer is debatable.

Mr. GALLINGER. Yes; it is.

Mr. LODGE. Any motion to refer is debatable.

The VICE PRESIDENT. It is a debatable question. Does the Senator desire to debate it?

Mr. GORE. It is not debatable in reference to petitions and memorials. Perhaps a different rule prevails in reference to bills.

Mr. GALLINGER. Mr. President, I have no desire to debate this motion at length, but I want to suggest to the Senate in all seriousness that here is a bill involving very grave changes in our tariff laws. It may be my own fault, but I have not read the bill. We have been very actively engaged in work here during the time since the House has been considering this measure, and I certainly want very much to acquaint myself intimately with the provisions of the bill before I should vote to instruct the committee to report it back at any given time.

I personally feel, Mr. President, that the woolgrowers and woolen manufacturers of this country have a right to be heard on this bill, and a right to be heard at length on the bill.

We passed a bill relating to wool a few years ago. I am not going to stop now to enumerate what it did to the woolgrowers and woolen manufacturers of this country. It is a matter of history. Whether or not this bill will accomplish the same result, if it is enacted into law, I am not so sure; but, at least, we ought to have an opportunity to look at it. At least we ought to give to the Committee on Finance the usual courtesy of sending a bill to that committee for their consideration and giving them an opportunity to examine it. If they do not report it at a time that will suit the views of the Senator from Oklahoma, or any other Senator, a motion can then be made to discharge the committee from its further consideration and have it brought into the Chamber. But to do that when a bill is first presented to the body is so extraordinary, so unusual, so unfair to the committee and to the Senate itself, that I can not believe, however earnestly Senators may feel on this question, that they will vote in favor of the motion.

Mr. President, that is all I care to say about it. I chance to be a member of the Committee on Finance for the first time in my legislative experience. I feel personally that I have a right to consideration in this matter and that I should be permitted to examine the bill in the committee and to have it discussed there before the Senate takes it into its hands and deprives the committee of its usual privileges in matters of legislation.

Mr. PENROSE. Mr. President, this bill refers to what is probably the most complicated schedule in the whole tariff law. It was framed after a careful and thorough investigation extending over months, and I may say years. It has received attention such as has not been given any other schedule in what is known as the Payne bill, or another preceding tariff bill.

As far as there is any record or public knowledge the bill has been reported from the House Committee on Ways and Means and passed by the House of Representatives without any opportunity for a hearing on the part of the great interests involved. It is a schedule which concerns the shepherd in the West and the manufacturer in the East, a schedule which embraces the varied industries of a continent, and the Senate is asked to pass upon it within two or three weeks after its reception by this body.

More than that, Mr. President, it would be idle to report the measure to the Senate until the reciprocity measure is disposed of, because this body could not be fairly or properly called upon to consider it.

If this motion is made seriously, it seems to me it is uncalled for and unreasonable. If it is simply made to call public attention to the zeal of the Senator from Oklahoma in favor of the bill, I hope the purpose will be satisfied and the motion will not be pressed.

Mr. MARTIN of Virginia. Mr. President, the doctrine of courtesy to which the Senator from New Hampshire alludes, it seems to me, is carried a little too far. There is certainly not a Member of the Senate who would be more unwilling than I to treat the Finance Committee with any discourtesy, but it does seem to me that this notion about courtesy ought not to stand in the way of legislation. It appears to me the essentials of the business life of this country are entitled to some consideration, and ought not to be thrust aside by talk about courtesy to a committee.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from New Hampshire?

Mr. MARTIN of Virginia. I yield to the Senator.

Mr. GALLINGER. If the Senator will permit me, I did not put my suggestion upon that ground. I said it was usual to refer important bills to committees without accompanying the reference with instructions. But I went further than that, and I went to the very point the Senator has just now announced, that the interests of the people should be considered. That is true. The interests of the men who raise sheep and the men who manufacture the wool into clothing are entitled to our consideration and ought to have our consideration, and they ought to have an opportunity to be heard.

Mr. MARTIN of Virginia. But, Mr. President, I think the 90,000,000 people who wear woolen fabrics are entitled to a little more consideration than the few people who raise wool or manufacture woolen fabrics.

Mr. GALLINGER. If the Senator will permit me——

The VICE PRESIDENT. Does the Senator from Virginia yield further to the Senator from New Hampshire?

Mr. MARTIN of Virginia. I yield.

Mr. GALLINGER. That depends upon whether they wear fabrics made out of American wool or foreign wool, or wear fabrics made in American mills or foreign mills. I do not think they are entitled to much consideration if we are going to blot out the woolen industry of the United States and import our goods for the benefit of the 90,000,000 people wearing them.

Mr. MARTIN of Virginia. That is just exactly the difference between the Senator from New Hampshire and myself. I feel that the people that wear these fabrics are entitled to consideration, and when they buy them they are not making any great inquiry whether the wool is raised abroad or in this country.

Mr. GALLINGER. Some people are not.

Mr. MARTIN of Virginia. The great body of the American people are not the people who have these articles.

Mr. LODGE. Mr. President——

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from Massachusetts?

Mr. MARTIN of Virginia. In a moment.

Mr. LODGE. I want to ask the Senator, What is his plan? Does he intend to set aside the reciprocity bill?

Mr. MARTIN of Virginia. There is no intention to set aside the reciprocity bill.

Mr. LODGE. Does the Senator intend to get the reciprocity bill out of the way by July 4?

Mr. MARTIN of Virginia. Before the 10th. I hope it will be considered with all possible dispatch and disposed of as soon as possible; but in the meantime there is no reason why the Finance Committee should not be doing some work on other bills of great importance which are before it.

We talk about the necessity of having time. We have not heard anything about the farmers' free-list bill, which has been before the Finance Committee for several weeks. If they are so anxious to have hearings, why have they not had some hearings on the farmers' free-list bill?

Mr. GALLINGER. We have had some.

Mr. LODGE. I am perfectly willing to discuss all three bills at once. I am only trying to find out what the plan is. If the plan is to give instruction to the Finance Committee to report at once, or practically at once, they are somewhat engaged now in trying to get the reciprocity bill through, and we shall have to discuss the wool bill on this matter. There is a good deal to be said on this bill, although the Senator may not think so. There is a good deal to be discussed, and we will discuss it on this motion. I am perfectly ready to do it.

Mr. PENROSE. Mr. President——

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from Pennsylvania?

Mr. MARTIN of Virginia. Certainly.

Mr. LODGE. I do not think it will expedite either bill.

Mr. PENROSE. If the Senator from Virginia is in favor of the reciprocity measure, as I understand he is, I am astonished that he raises a proposition in this body now which will open a flood of discussion calculated to keep us here until the snow appears on the ground, thereby endangering and jeopardizing the measure for which this special session was primarily called. The proposition to attempt to report the wool bill or any other bill of that dimension while the reciprocity measure is before the Senate is rank absurdity and shallow demagogism, and I am too much——

Mr. MARTIN of Virginia. Mr. President, I decline to yield any further.

Mr. PENROSE. All right.

Mr. MARTIN of Virginia. The Senator does not seem to be willing to confine himself to the courtesy——

Mr. PENROSE. I hope the Senator's feelings have not been hurt by my endeavor to state the truth.

Mr. MARTIN of Virginia. Mr. President, I decline to yield any further.

The VICE PRESIDENT. The Senator from Virginia declines to yield further.

Mr. NELSON. Will the Senator from Virginia yield to me for just a moment?

Mr. MARTIN of Virginia. I will yield to the Senator from Minnesota.

Mr. NELSON. It seems to me, if we are to have reciprocity in all other agricultural products besides wool with Canada, we might as well have reciprocity with our own people in wool; and therefore I am very anxious to have this wool bill voted upon about the same time that the reciprocity bill is voted upon.

Mr. CRAWFORD. Mr. President——

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from South Dakota?

Mr. MARTIN of Virginia. I yield to the Senator from South Dakota.

Mr. CRAWFORD. I wish to say to the Senator that I think perhaps we would get along with just as much dispatch if the Committee on Finance will understand that the sooner they report the free list bill and this woolen bill, and these other bills, the sooner they will be able to get unanimous consent here to consider the reciprocity bill, because I, for one, in the frame of mind I am in now, will not consent to fixing a day to vote on the reciprocity bill, that singles out the American farmer, until some other proposition can be considered at the same time.

Mr. MARTIN of Virginia. Mr. President, there seems to be a determination on the part of the Finance Committee to withhold from the Senate reports on matters of vital importance that have been referred to that committee to be considered and reported back to the Senate. If there had been any disposition shown by the Finance Committee to give prompt attention to these matters and to make prompt report to the Senate, I am very sure the Senator from Oklahoma would never have submitted the motion which he did submit.

The question has been asked several times on the floor of the Senate as to what course the Finance Committee contemplated pursuing in respect to these matters of vital importance to the entire country and not one word has been said to indicate that there was any purpose to report anything to the Senate except the reciprocity bill, which has been reported.

This talk about hearings impresses me as an indication of a purpose to delay. If there was any need of hearings, protracted hearings, I would be the last one to dissent from that course; but we had hearings on the Payne-Aldrich bill elaborate enough and comprehensive enough to elucidate these subjects, if they can be elucidated at all by hearings. Between now and the 10th of July there is ample time for any additional information which may have accumulated since the Payne-Aldrich bill was under consideration.

I believe that all this talk about hearings is simply an indication of a purpose to hinder and delay the progress of legislation on tariff questions, and I do not see that any discourtesy——

Mr. CLAPP. Will the Senator from Virginia yield a moment?

Mr. MARTIN of Virginia. I will.

Mr. CLAPP. I do not think that we ought to attach so very much importance anyhow to the question of hearings. There is a bill here framed as to every detail affecting one of the greatest industries of this country, that was put into Congress with all the prestige of the dictum from the presidential office without one moment of hearings, and I think there is no particular necessity of our being so very particular from this time on about hearings.

Mr. CRAWFORD. Mr. President——

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from South Dakota?

Mr. MARTIN of Virginia. I yield to the Senator.

Mr. CRAWFORD. I was going to suggest that there does not seem to be any great necessity of the Finance Committee spending a long time considering these tariff bills, because after we have waited for weeks for them to conclude their hearings we are unable to get any report or any recommendation from them. They simply report the bill here with no conclusions or no result of the deliberation connected with it. The sooner we get these bills here from that committee, it seems to me, the better.

Mr. MARTIN of Virginia. Mr. President, I do not expect any valuable information to come to the Senate through the means of the hearings of which we hear so much. I do not believe any Senator on this floor expects to have any material benefit given from the hearings that we hear talked of so much. We all realize that this talk about hearings is simply an indication, as I have said, of a purpose to hinder and delay the progress of legislation on these subjects. I can understand that the Senator from Pennsylvania does not want this citadel of protection, as the woolen schedule is so often called, interfered with in any way, and so it is his purpose to hinder and impede and delay legislation in respect to the wool schedule.

Mr. JOHNSTON of Alabama. Mr. President——

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from Alabama?

Mr. MARTIN of Virginia. I yield to the Senator.

Mr. JOHNSTON of Alabama. I wish to ask the Senator from Virginia if my recollection is correct that the Payne bill was received from the House one day and reported to the Senate the next?

Mr. GALLINGER. Oh, no.

Mr. JOHNSTON of Alabama. That is my recollection.

Mr. MARTIN of Virginia. My impression is that it was very early reported.

Mr. JOHNSTON of Alabama. Within a few days.

Mr. MARTIN of Virginia. There was a brief hearing, but my memory does not enable me to state the length of time. Some member of the committee, of course, will be able to answer that question.

Mr. JOHNSTON of Alabama. Without any hearings it was reported back in a few days.

Mr. SMOOT and Mr. PENROSE addressed the Chair.

The VICE PRESIDENT. Does the Senator from Virginia yield, and to whom?

Mr. MARTIN of Virginia. I yield to the Senator from Utah who addressed the Chair.

Mr. SMOOT. For the information of the Senator from Alabama, I refer him to the hearings in the House upon the woolen schedule in the Payne bill.

Mr. JOHNSTON of Alabama. Oh, yes.

Mr. SMOOT. As far as the Senate committee is concerned it had the bill under consideration for weeks before it passed the House or was reported to the Senate.

Mr. JOHNSTON of Alabama. I understand that the committee had hearings while the bill was considered in the Senate.

Mr. SMOOT. No; we had no hearings while the bill was considered in the Senate.

Mr. JOHNSTON of Alabama. My recollection is distinct on that point, that the passages of the Senate Office Building were filled up with woolen manufacturers in hearings upon the Payne-Aldrich bill while the bill was being considered in the Senate.

Mr. SMOOT. Of course I do not know what the Senator wants to infer as hearings, but I am sure that the Committee on Finance had no hearings while the Payne-Aldrich bill was being considered by the Senate, but did hear, informally, parties for weeks before it was reported to the Senate.

Mr. BACON. That is not what the Senator from Alabama alludes to.

Mr. BAILEY. Mr. President——

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from Texas?

Mr. MARTIN of Virginia. I will yield to the Senator in a moment, when the Senator from Utah gets through.

Mr. SMOOT. I should have said the Republican members of the Finance Committee held informal hearings for weeks before the bill was reported to the Senate.

Mr. BAILEY. The Senator from Utah needs to refresh his memory. He will find statement after statement made while that bill was pending that they had not held any hearings. There were, as I recall, no notes taken of what was said. That the Republican members did confer frequently and fully with those interested in the preparation of the bill has been generally understood, and was avowed at that time. Of course, the Senator from Utah does not want to incorporate into the RECORD the statement that the Finance Committee held meetings.

Mr. SMOOT. I said it was the Republican members of the Finance Committee, the majority members, and that has always been the case in framing tariff bills. The Democratic Party, when in power, did the same thing, and a tariff bill was formed with the minority members excluded.

Mr. BAILEY. If the Senator will permit me, I think that is true.

The VICE PRESIDENT. Does the Senator from Virginia yield further to the Senator from Texas?

Mr. MARTIN of Virginia. I yield.

Mr. BAILEY. While it is not permissible to refer to what transpires in the other body, I admit that the Democratic members of the Ways and Means Committee framed the bill which passed the House yesterday. I make no complaint. I only rose to correct the statement of the Senator from Utah, which was that the Finance Committee had held meetings.

Mr. MARTIN of Virginia. I should like to ask the Senator from Utah, if his memory will enable him to answer the question, How long was it after the bill came from the House to the Senate before it was reported to the Senate?

Mr. SMOOT. A very few days, Mr. President, as I remember; but it had been considered by the Republican members of the Finance Committee——

Mr. MARTIN of Virginia. Can the Senator tell me how many days?

Mr. SMOOT. I can not state, because I do not remember exactly, but I will say within a few days. I simply say to the Senator that the Republican members of the Finance Committee held informal hearings for 12 hours a day for over two months before the bill was passed by the House.

Mr. CULBERSON and others addressed the Chair.

The VICE PRESIDENT. To whom does the Senator from Virginia yield?

Mr. MARTIN of Virginia. If the Senator from Utah is through, I yield to the Senator from Texas.

Mr. CULBERSON. I wish to ask the Senator from Utah if it is the purpose of the Republican members to exclude the Democratic members from the hearings they purpose having on the wool schedule?

Mr. SMOOT. That question has never been discussed by the Finance Committee at this session, but I will say that in the framing of a tariff bill in the past, whether the Republican Party is in power or the Democratic Party is in power, the minority members of the Finance Committee have been excluded when the bill was being framed.

Mr. MARTIN of Virginia. I think the Senator from Utah is far from accurate in the statement which he has made.

Mr. SMOOT. Well, Mr. President——

Mr. MARTIN of Virginia. Just let me get through, if you please. I do not think that it has ever been the custom in the Senate to use the methods of procedure which were used by the Republicans of this body pending the consideration of the Payne-Aldrich bill.

Mr. SMOOT. Mr. President——

Mr. MARTIN of Virginia. Just let me get through, if the Senator pleases.

Mr. SMOOT. I thought the Senator was through.

Mr. MARTIN of Virginia. It is entirely reasonable and proper for the Members of the majority party to retire to themselves or to exclude the minority when they go into the consideration of any question, but never until the consideration of the Payne-Aldrich bill, according to my knowledge and information, has the majority of any committee proceeded with such hearings as were had by the Finance Committee in the consideration of the Payne-Aldrich bill. My former colleague made open protest many times upon the floor of the Senate, and a resolution was offered by him from his seat in the Senate protesting against the extraordinary and unprecedented course taken at that time by the majority members of the Finance Committee.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from Utah?

Mr. MARTIN of Virginia. I yield.

Mr. SMOOT. I was going to call the Senator's attention to the very fact that his colleague had introduced such a resolution and it was discussed on the floor of the Senate time and again.

It was admitted here during that discussion that the Democratic tariff bill when it was formed was formed in the same way, and the Senator's colleague stated that whether it was or

not he objected to the practice. It is exactly as the Senator from Texas says, as I have always understood it, and he agrees with me in the statement I have made.

Mr. BAILEY. No, Mr. President; I do not agree that it was ever the practice of either body to exclude the minority from the hearings. The practice was merely to exclude the minority when the majority came to propose, consider, and adopt amendments. My understanding was that you all claimed before that that you were not having hearings.

Mr. SMOOT. Mr. President, in answer to the Senator from Texas, I wish to say that while we were considering and framing the tariff bill—that is, the Republican members of the Finance Committee—as the schedules were reached, there were parties interested for and against different schedules who were before the committee—not in the way of public hearings—but they were there to submit any information that they had or that they desired to give to the committee. The schedules were formed in that way.

Mr. MARTIN of Virginia. Mr. President, the Senator from Utah has gotten about to the place where I started. They were secret hearings behind closed doors, from which——

Mr. SMOOT. Mr. President——

Mr. MARTIN of Virginia. Just let me get through or, if the Senator wants to elaborate his remarks into a speech, I will sit down, or if he wants to ask a question, I am ready to yield, or I am ready to yield for any reasonable and appropriate statement in reply to what I am saying, but not for a long speech.

Mr. SMOOT. The Senator was saying they were secret hearings, and I thought he was through, and so I was going to——

Mr. MARTIN of Virginia. I am not through. That is exactly what I was saying, that at that time the majority members of the Finance Committee repudiated the idea that they were hearings, and the charge made on the floor of the Senate by my former colleague and others was that hearings were being conducted; that parties were being examined; that their statements were being taken down in shorthand and typed up; and that the minority members of the committee, and the Members of the Senate generally, were not having the benefit of the information gathered by those members of the Finance Committee. I feel that we are entitled to see and to hear what takes place in the nature of hearings before a committee of the Senate. The Finance Committee is but an agency of the Senate; its members are not the masters of the Senate; and surely the Senate has a right to instruct its agencies.

Mr. CLAPP. Mr. President——

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from Minnesota?

Mr. MARTIN of Virginia. I yield to the Senator from Minnesota.

Mr. CLAPP. The Senator from Virginia will recall that two years ago the Finance Committee were the masters of the Senate.

Mr. MARTIN of Virginia. They usurped the power of masters, but I never recognized their right to act as the masters of the Senate then, and do not now. They are the agencies of the Senate, and they should respond to the will and pleasure of the Senate. If they could then report a House bill on two or three days' time for consideration, surely they ought to be able to report a House bill now between this time and the 10th day of July, especially when, as the Senator from Mississippi [Mr. WILLIAMS] suggests, it is on the same subject in respect to which elaborate hearings have already been had in public as well as in secret by the majority members behind closed doors.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Virginia further yield?

Mr. MARTIN of Virginia. I do.

Mr. SMOOT. Mr. President, in order that the Senate may understand the conditions as they existed, I wish to state that the then chairman of the Committee on Finance reported to the Senate that there were no public hearings being held; that there was not a reporter in the committee room at any time when the bill was under consideration; but that the House hearings had been printed, that there were nine volumes of those hearings, and that the committee used the House hearings in connection with the consideration of the bill. The chairman of the committee so stated to the Senate; and there never was a time, I say again to the Senator from Virginia, when there was a shorthand reporter inside of the room of the Committee on Finance, and no testimony was reported.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from Mississippi?

Mr. MARTIN of Virginia. I yield.

Mr. WILLIAMS. Mr. President, I was not a Member of the Senate then, and I am inquiring for information. I understand that the Senator from Utah made the statement that there were no reporters allowed in the committee room. Then I understood him to make, some time before that, the statement that the Republican members did confer with the parties in interest or parties interested—parties who wanted to be heard.

Mr. SMOOT. Parties who desired to be heard for or against the schedule that was under consideration.

Mr. WILLIAMS. Yes. Then I understood the Senator from Utah a little bit after that last statement to which I have called his attention and a little bit before the first statement to which I have called his attention to state that these so-called conferences were not secret. How does he explain that?

Mr. SMOOT. Mr. President, they were not made public any further than as to the men who were interested in giving the committee information. I do not know that you would call statements before any committee of the Senate public hearings unless the public could attend the committee meeting. Those informal hearings were held for statements to be made by parties interested, the same as happens often before other committees of the Senate.

Mr. WILLIAMS. Were not the hearings, I will ask the Senator from Utah, upon the Canadian reciprocity bill public?

Mr. SMOOT. They were public hearings.

Mr. WILLIAMS. Were they not taken down by stenographers and published every morning for the purpose of being made public?

Mr. SMOOT. They were.

Mr. WILLIAMS. Then how can the Senator say that he does not know that any hearings before any committee could be called public?

Mr. SMOOT. We have hearings before committees of the Senate every day in the week, but they are not reported and taken down by a stenographer and are not public hearings. That is the character of the hearings which were held by the Republican members of the Finance Committee upon the Payne-Aldrich bill.

Mr. WILLIAMS. By the Republican members.

Mr. MARTIN of Virginia. Mr. President, we all know that the procedure of the Republican members of the Finance Committee, pending the consideration of the Payne-Aldrich bill, was up to that time unprecedented; and we all know the controlling party is accustomed to having members of its committees get together and deliberate upon public measures and exclude from those deliberations the minority, but the course of the Finance Committee at the time referred to was unprecedented. As the Senator from Utah [Mr. SMOOT] says, the hearings were not public. I say all the more was it subject to complaint when secret hearings were held for weeks, when a stream of people poured into the room of the Finance Committee from day to day and occupied the attention of that committee for a very long time; and yet the world was excluded from knowledge of what was going on in that committee room, and even the Senate was never allowed to learn the testimony that was given for the enlightenment of the committee. I feel that every Senator has as much right to enlightenment on a subject before a committee of the Senate as has the committee itself.

Mr. SMOOT. Mr. President, I should like to ask the Senator a question.

The VICE PRESIDENT. Does the Senator from Virginia further yield?

Mr. MARTIN of Virginia. I yield to the Senator from Utah.

Mr. SMOOT. Mr. President, I should like to ask the Senator if the Committee on Ways and Means of the House, which has just reported the wool schedule, held public hearings or did the public know what they were going to decide upon, and were the Republican members of the Ways and Means Committee of the House present when that schedule was formed?

Mr. MARTIN of Virginia. Mr. President, I venture to say that there were no hearings had by the Ways and Means Committee of the other House behind closed doors when the minority party in the House was excluded from the room, but I will add, Mr. President, that I am not here to review the action of the House committee nor the action of the House. It is not within the province or jurisdiction of the Senate to arraign the other House or any committee of that House. I do not propose to go into a discussion of the procedure had before the House of Representatives or before any committee of the House, but I do have a right to raise my voice in respect to the procedure of a Senate committee, and I am simply exercising that right and expressing my views as to what the proper course is, and what should be done on this particular occasion by the Finance Committee of the Senate.

Mr. SMOOT. The only reason I called the Senator's attention to the matter or asked him the question was because he was stating that there was no precedent for the action taken by the Republican members of the Finance Committee two years ago.

Mr. MARTIN of Virginia. Mr. President, I have no doubt that statement was right in its broadest sense, and I made it in respect to the procedure in the Senate. I feel that there is no occasion whatever for delay about this matter. I do not believe that the Finance Committee contemplate having any hearings on the wool schedule with a view to gathering information and expediting the legislation which was referred to it for consideration with a view to having it expedited. I believe the Finance Committee is indisposed to lend its aid to this legislation as a committee of the Senate is expected to lend its aid to the Senate.

Mr. OWEN and Mr. BACON addressed the Chair.

The VICE PRESIDENT. Does the Senator from Virginia yield, and to whom?

Mr. MARTIN. The Senator from Oklahoma interrupted me first, and I will yield to him.

Mr. OWEN. Mr. President, I merely rise to call the attention of the Senator from Virginia to the fact that not only the Finance Committee submitted no record of testimony of any witnesses before them to the Senate, but they made no report to the Senate on the Payne-Aldrich bill. While it is true that the report of the hearings before the House committee was available to every Senator, it consisted of 8,000 pages of miscellaneous matter, given not under the proper safeguards of an oath.

Mr. MARTIN of Virginia. And they are available yet.

Mr. OWEN. They are available now; but the then chairman of the Committee on Finance in the Senate confessed that he had not read those hearings in the House.

Mr. MARTIN of Virginia. Mr. President, there is ample time between this date and the 10th day of July for the Finance Committee to consider this matter and make a report to the Senate, if it desires to extend that aid to the Senate which the Senate has a right to expect from one of its committees. That is my deliberate judgment. For that reason I rose to express my approval of the motion of the Senator from Oklahoma [Mr. GORE] and to express the hope that it would meet with the favorable consideration of the Senate. I think the time has come——

Mr. McCUMBER. Mr. President——

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from North Dakota?

Mr. MARTIN of Virginia. I yield.

Mr. McCUMBER. I desire to ask the Senator from Virginia one question. He has suggested that we would probably elicit very little useful information if we had hearings before the Finance Committee on both of the bills which are still before it. Would the Senator from Virginia suggest that both of the bills be reported back to the Senate without any hearings on the part of the Senate committee—would that be agreeable to him—so that they might be discussed here at any time or at an early date, or does the Senator desire that there be some hearings had upon those bills?

Mr. MARTIN of Virginia. I am entirely willing to leave that to the Finance Committee, just so they make a report of some kind by the 10th day of July. For my part, I do not believe that any valuable information will be elicited from any hearings that may be given; and, so far as I am concerned, I do not desire to hear any of the evidence that may be adduced before that committee. I think we have had hearings ad nauseam. I believe we now have information enough at the command of the Senate to enable every Senator to reach a conclusion satisfactory to his own mind and just to all interests in this country.

Mr. McCUMBER. What I want to ask the Senator is this: Would the Senator and those whom he possibly represents, or those who have the same view as he, support a motion that both of these bills—the wool-schedule bill and the farmers' free-list bill, as it is called—be reported back immediately to the Senate, without any further testimony being taken by the Senate Committee on Finance?

Mr. MARTIN of Virginia. I shall be glad to see them both reported at the earliest day the committee is willing to report them.

Mr. McCUMBER. But that was not the question. The question was whether the Senator would support a motion to report them back without taking any evidence?

Mr. MARTIN of Virginia. I will support a motion at an early day to discharge the committee from the further consideration of those bills.

Mr. McCUMBER. I would just as soon they would come before us now.

Mr. MARTIN of Virginia. I think it is the duty of that committee to give the Senate a report one way or the other, and I do not believe there is any occasion for elaborate hearings or for any extended consumption of time. If the committee want to have any hearings let them go about it promptly and expeditiously. Why have they not had hearings on the farmers' free-list bill during the several weeks that bill has been before them?

Mr. McCUMBER. Mr. President, if the Senator will allow me, I will state, first, that there have been some hearings upon the free-list bill, though a very few. We had a hearing one day on that bill. Second, as a member of the Finance Committee, I think probably I would favor the proposition suggested in the introductory talk of the Senator of reporting both of these bills back to the Senate without any further investigation by the Senate Finance Committee if the Senator would stand for a motion of that kind.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from Mississippi?

Mr. MARTIN of Virginia. I yield.

Mr. WILLIAMS. I merely wanted to call the attention of the Senator from North Dakota to the statement made by him, which, unqualified, might deceive the Senate or the country.

Mr. McCUMBER. How is that?

Mr. WILLIAMS. The Senator said that the Finance Committee had had some hearings upon the free-list bill.

Mr. McCUMBER. On one day.

Mr. WILLIAMS. As a matter of fact, what happened was this: While we were having hearings upon the reciprocity bill, some parties being here who desired to be heard later on upon these questions were permitted to be heard in the intervals of the other discussion.

Mr. McCUMBER. Certainly; but it was upon that bill.

Mr. LODGE. But we had a hearing upon that bill.

Mr. WILLIAMS. A number of boot and shoe men came here for that purpose, but there have been no formal hearings upon the free-list bill. They apprehended that at some time that matter would be before the Senate, and those parties, being here in Washington under some misapprehension, they were permitted to be heard then. I think that is a correct statement.

Mr. McCUMBER. That is a correct statement; but that was a hearing upon the free-list bill.

Mr. JOHNSTON of Alabama. Mr. President——

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from Alabama?

Mr. MARTIN of Virginia. I do.

Mr. JOHNSTON of Alabama. I merely want to apologize to the Senate for my inaccuracy in stating the length of time that the Payne-Aldrich bill was in the Senate Committee on Finance. I said that my recollection was that it was there one day. I find upon referring to the RECORD that it was received from the House on April 10, 1909, and reported to the Senate on April 12, 1909. So the committee had it for two whole days.

Mr. MARTIN of Virginia. Mr. President, I think two whole days would be amply sufficient for the consideration of the wool bill, because I do not believe there is any occasion for any elaborate hearings on that bill, and if the Senator from North Dakota is unwilling to wait until the 10th day of July for a report he might offer an amendment to the motion made by the Senator from Oklahoma. So far as I am concerned, I was willing to give until the 10th day of July, so that brief hearings could be had if the committee thought they were desirable. I myself do not think they are necessary, and I would be perfectly willing to see both the farmers' free-list bill and the wool-schedule bill reported forthwith from the Finance Committee to the Senate and without recommendation, for I have not the slightest idea we shall ever get a recommendation one way or the other in respect to either of those bills.

Mr. McCUMBER. If the Senator will excuse me, I can assure him that there will be one recommendation one way upon it, the same as there was upon the reciprocity bill.

Mr. MARTIN of Virginia. The Senator means the recommendation of one member of the committee. He does not mean to say that a majority of the committee will unite in a recommendation.

Mr. McCUMBER. I mean to say that there will be a member of the committee who will make a report of some kind on both of those bills.

Mr. MARTIN of Virginia. By the majority?

Mr. McCUMBER. I am not speaking of the majority.

Mr. MARTIN of Virginia. It would not be a report unless signed by a majority of the committee; otherwise, it would be

merely the views of those who signed the report. I do not expect members of the Finance Committee to agree; I do not expect the members of the Finance Committee to give us any light by reason of hearings. I fear that we shall have all the delay interposed that the Finance Committee can interpose to prevent tariff legislation at this session of Congress. For that reason I am willing to unite with the Senator from Oklahoma in an appeal to the Senate to instruct its agency to proceed with the work confided to them, to do that work, and to make a report to the Senate.

Mr. LODGE. Mr. President——

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from Massachusetts?

Mr. MARTIN of Virginia. I do.

Mr. LODGE. I am perfectly willing, as a member of the Finance Committee and as a Member of the Senate, to vote to report both bills and put them on the calendar to-morrow.

Mr. MARTIN of Virginia. That makes two Senators.

Mr. LODGE. Allow me to say that my only objection to that course is that it is as certain as anything can be that, if you put those two bills on the calendar with the reciprocity bill pending, we shall be here until next December talking about reciprocity. I want the reciprocity bill to get through, and I do not want to be held responsible for the inevitable delay that will come if you mix those three bills up together.

Mr. MARTIN of Virginia. That is exactly what I am complaining of. It is another evidence of the unwillingness to trust the people. Why should the Senator from Massachusetts think he is a safer man to deal with this subject than the Senate of the United States?

Mr. LODGE. It is not an unwillingness to trust the people——

Mr. MARTIN of Virginia. If they choose to tie it up and they choose to delay reciprocity, is it not their prerogative to do so?

Mr. LODGE. It is not unwillingness to trust the people. I am speaking of the Senate.

Mr. MARTIN of Virginia. I meant the Members of the Senate. It is the same spirit——

Mr. LODGE. If the Senator means the Members of the Senate——

Mr. MARTIN of Virginia. The distrust of the people elsewhere seems to have gotten into the mind of the Senator from Massachusetts, and he is unwilling to trust his colleagues in the Senate.

Mr. LODGE. I am, as to expedition.

Mr. MARTIN of Virginia. Well, perhaps the Senator has more wisdom than all the rest of the Senate; but at least there are some Senators who will not admit that, notwithstanding the high esteem in which he is held and the wisdom which he always manifests as a Senator on this floor. He is but one Senator. I say that the Senate, as such, or a majority of it, should have the privilege of dealing with bills which have come to it and which are referred to a committee for investigation and report.

Mr. LODGE. Personally, I have not the slightest objection, Mr. President, as I have said, to having those bills reported to the Senate. I should like to have the whole three bills here; and, so far as I am personally concerned, I would agree to vote on them to-morrow. I have not the slightest desire to delay the matter a moment. I only want to relieve myself personally from taking part in doing what I believe will delay the reciprocity bill very much indeed.

Mr. MARTIN of Virginia. The Senator is only responsible for his own actions, and when he makes his report to the Senate he will exonerate himself of all responsibility.

Mr. LODGE. If Senators on the other side will take the responsibility of delaying the reciprocity bill, I have not a word to say.

Mr. MARTIN of Virginia. We will meet such responsibilities as come. There is one responsibility that we are seeking, and it is the responsibility of dealing with the wool schedule. The Senator seems determined that we shall not exercise that responsibility, though it has been conferred upon us by the States that sent us to the Senate for that purpose.

Mr. LODGE. All I want, Mr. President, is to put the responsibility of delay at the door where it belongs.

Mr. MARTIN of Virginia. We accept the responsibility. Give us the bill, and we will take care of it.

Mr. DIXON. Mr. President——

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from Montana?

Mr. MARTIN of Virginia. I do.

Mr. DIXON. After the inability to get together on the part of the distinguished statesmen who have participated in the discussion a plan has occurred to me whereby we might get action on those bills immediately, without any regard to the Finance Committee. If you want to pass them in good faith, I would not limit action to the farmers' free-list bill nor the wool bill, because it strikes me that, after the passage of the Canadian reciprocity bill, if we are to have a "farmers' free-list bill," we might also have a "blacksmiths' free-list bill," a "lawyers' free-list bill," a "preachers' free-list bill," and probably 20 other kinds of "free-list bills."

Now, if the Senator from Virginia and the Senator from Oklahoma are in such a hurry to get these bills out of the committee, I will say to them very frankly that, while I am a pretty good protectionist, if they will offer as amendments to the pending reciprocity bill the farmers' free-list bill, as you call it, and the other bills, I will vote for them.

Mr. MARTIN of Virginia. If the Senator from Montana can show the votes to carry those measures into law and will manifest a bona fide purpose of carrying them into law, I am ready to meet him——

Mr. DIXON. I will say to the Senator——

Mr. MARTIN of Virginia. But if he wants these bills offered as amendments for the purpose of assassinating the reciprocity bill, I am not with him.

Mr. DIXON. Oh, there is no assassination in my mind.

Mr. BAILEY. Will the Senator from Virginia permit me?

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from Texas?

Mr. MARTIN of Virginia. I yield to the Senator from Texas.

Mr. BAILEY. The Senator from Montana [Mr. DIXON] will have an opportunity to vote to attach the free-list bill to the reciprocity bill. I make no concealment that I intend to offer that bill as an amendment, as I did in the committee, and I would offer it if I knew it would defeat the reciprocity bill, because I want the sacrifice and the compensation of the farmer to go together. I want them both to carry or both to fail. But what I want to know from the Senator from Montana now is this: If after we have given an opportunity to vote to attach that amendment to the bill, if that fails, will he then help us to pass that bill as an independent proposition?

Mr. DIXON. The reciprocity bill?

Mr. BAILEY. No; the free-list bill.

Mr. DIXON. I have not examined the free-list bill. [Laughter.] The amusement comes a little bit early, for I want to say to the Senator from Texas and to my Republican colleagues—and we might as well have an understanding here now once for all—that I will reply to the Senator's question.

Mr. BAILEY. I know the Senator will, and I think I know he is going to say he will do it.

Mr. DIXON. The Senator is not far from the truth. I have always counted myself a pretty good protectionist. I voted for the Payne bill without any apology; it was not perfect, but I voted for it because I knew that no tariff bill that any American Congress ever could enact would be perfect, and because it seemed a comprehensive bill that covered all phases of American industry and American life. The whole theory of protection has appealed to me. I am not in favor of protecting the industries of Massachusetts and not the industries of Montana; I am not in favor of striking down the fishing industry of Gloucester and preserving the lemon industry in California.

It was this broad, national spirit of protection that made me a Republican. It was my belief in the principles of a protective tariff that caused me to cast my first ballot in North Carolina in 1888 for Gen. Harrison for President, running on a protection platform, and I have never varied nor wavered in my allegiance or belief in that policy from that time to this; but I want to say—and we need not have any diplomacy or misunderstanding about it—that when the Democratic membership of the Senate, aided by a few Republican Senators from States which have reaped great benefit from a protective tariff—seek to put the American farmer outside the pale of protection, as is sought to be done under this so-called Canadian reciprocity bill, they are driving a wedge that is as certain to destroy the protective principle as it is that the law of gravity will continue to operate. I will not be the first Republican Senator to strike the blow; I will not be actuated by revenge; but I do say that when Canadian reciprocity becomes a law—and I am addressing myself to the Senators, Republicans and Democrats alike, from Massachusetts and Rhode Island and Connecticut and Pennsylvania and New York and New Jersey, who by their votes are making it possible—there is no more question of what the inevitable result will be than there is that the Senate will adjourn to-night. We nead not cheat ourselves about the matter. You can not deprive the farmers

of the West of their measure of protection for the products of their farms and stock ranges and at the same time expect to retain protection for your manufacturers. You shall not, by my vote, make fish of one industry and flesh of another, as is proposed in this misnamed reciprocity pact. We do not propose that the western farmer shall be relegated to a "Jim Crow" car while the eastern manufacturers continue to ride in Pullmans.

At the risk of wearying the Senate I will say that I received a letter in my mail this morning among many other letters, one to which I want the Republican Senators who are supporting reciprocity to listen. I will not read the name, but I will say to you that the man who wrote it is a Republican in my State, a farmer, a man of college education, and a man who knows conditions in that State as well as any man in it. He lives in the great Gallatin Valley, the richest grain valley in the world, not excepting the far-famed Valley of the Nile. The letter reads:

BOZEMAN, MONT., *June 16, 1911.*

I see by press reports that the opposition to the so-called reciprocity agreement by the farmers is not real; that it is being fostered by the "lumber interests," and so forth. Anyone making any such statement either does so willfully or has taken no pains to correctly inform himself of the true feeling of the farmers. The farmers of this valley are practically a unit in opposition, and we do not need any "ghost dances" or "medicine men" to agitate us either, as Jim Hill has stated. We understand why we do not want it just as well as he understands why he does want it, and it is simply a matter of dollars and cents. Under no circumstances can we be benefited by it.

The report that opposition is dying is not true as far as this part of the State is concerned; in fact, the opposition is stronger than it ever was. The farmer is the joke again, as usual. We are not free traders, but we will be with a little more legislation like that proposed.

Very respectfully,

——— ———.

I want to say to Senators, Republican and Democrat—those of them from New England and New York and Pennsylvania and the others who have lived in the citadel of protection—that that letter I think truthfully reflects the feelings of the farmers of this country to-day——

Mr. GALLINGER. We are getting scores of them from every State.

Mr. DIXON. The men who have given the Republican Party its majorities for the past 40 years. Do not be mistaken, gentlemen. Whenever you deliberately, under whatever pressure, whether from the other end of the Avenue or from the newspapers of your State, who hope to be financially benefited by the "free print-paper" clause, agree and consent to destroy the measure of protection that the farmers of this country have enjoyed, that minute the death knell of protective tariff is rung, and no sophistry of argument, no temporary state of public opinion in your States, and no newspaper editorials are going to save the very thing which I now prophesy from becoming a certainty. It may not last; the probabilities are that the American people after one dose, such as we had from 1893 to 1897, may again recover from the emetic which they will take, commencing with this Canadian reciprocity and winding up with free wool and free everything else. It may bring us to our senses.

You who are supporting this so-called reciprocity scheme talk about being the friend of the farmer! You have already prepared to crucify him on the cross of Canadian reciprocity. And now you Democratic Senators want to put wool on the free list to demonstrate your abiding affection for him.

Mr. BAILEY. There are not 3 votes on this side of the Chamber to do that.

Mr. DIXON. I am glad to know that; but your 20 per cent ad valorem means about the same thing. The bill, as it passed the House, will bankrupt every woolgrower in the West. While it is not quite as bad as the wool bill of 1893, the sheep man will, under its provisions, slowly but surely be put out of business.

Mr. MARTIN of Virginia. I hope the Senator from Montana will not ask to proceed with an elaborate statement.

Mr. DIXON. Just wait. I want to answer the question of the Senator from Texas. Then I will finish.

The VICE PRESIDENT. Does the Senator from Virginia yield further?

Mr. MARTIN of Virginia. I will.

Mr. DIXON. I want to say, do not come in here with popgun revision of the wool schedule and a fake farmers' free list. If the Canadian reciprocity bill passes—and it looks as if it is going to—and we destroy the principle of protection, let us not leave Washington with only one corner of the temple torn down. It presents a bad, a mutilated effect. Let us go through the whole list, and out of the ruins which will come, after the American people have taken a new survey of conditions, we may be able to again construct a comprehensive system of protective tariff that will deal justly with all forms of American industry—manufacturer, farmer, and miner alike—one that will be equitable to all classes and all sections of our common country.

Now, answering the Senator from Texas, when reciprocity passes, if it does, I am ready to start revising the tariff, and it will not be confined to the wool schedule and the farmers' free list. I am ready to take the whole thing from A to Z, and so far as I am concerned, I am ready to give it a revision that will not be a homeopathic one.

Now, I have answered the Senator from Texas, evidently to his satisfaction.

Mr. MARTIN of Virginia. Mr. President——

Mr. BAILEY. Will the Senator from Virginia permit me?

Mr. MARTIN of Virginia. Certainly.

Mr. BAILEY. I ask the Senator the direct, specific, and simple question if the free-list bill, when offered as an amendment to the reciprocity bill, is rejected, will he then vote for it as an independent proposition? I am afraid he talked himself out of a disposition to do so.

Mr. DIXON. No. I want to be frank. To tell you the truth I have not seen the free-list bill. I understand it only as I have read the newspaper headlines. I am not here to say that I shall vote for anything in it, because I do not know what is in it. I want to inquire if shoes and the products of leather are on it?

Mr. BAILEY. They are.

Mr. DIXON. Then, I will say to the Senator from Texas, with a great deal of pleasure I will support that.

Mr. BAILEY. And agricultural implements.

Mr. DIXON. Agricultural implements?

Mr. BAILEY. Of all kinds.

Mr. DIXON. And cotton goods and free rice and almost everything else.

Mr. BAILEY. No. [Laughter.] We cut out everything, I will say to the Senator from Montana——

Mr. LODGE. There is no movement for free rice.

Mr. BAILEY. I will say to the Senator from Montana, that in the amendment, which I offered in the committee, I eliminated all the products of the farm and made it——

Mr. DIXON. And mutton?

Mr. BAILEY. Eliminated that.

Mr. DIXON. Mutton and steers, I understand, are on it.

Mr. BAILEY. No; I eliminated everything that comes from the farm and confined it to the things that go to the farm.

Mr. DIXON. Well, I am——

Mr. BAILEY. The Senator will vote for that, will he?

Mr. DIXON. I am in a state of mind——

Mr. BAILEY. "Almost persuaded." [Laughter.]

Mr. DIXON. I am waiting, preferring that the Senator should strike up that hymn again and postpone his question until reciprocity has become a law. I am going to vote——

Mr. BAILEY. I am not going to press the Senator from Montana, because I believe he will vote for it.

Mr. DIXON. Do not have any fear about shoes and leather. I remember two years ago in this Chamber when the biggest humbug ever put up to the American people came up, when the shoe manufacturers and the tanners engaged in a joint propaganda to persuade the Congress to give them "free hides," and said that if we would give them "free hides" they would give the people "cheap shoes." I remember the little pink slips that the shoe drummers peddled all over my State, addressed to the Congressmen and Senators, "Please vote for free hides so that we may have cheap shoes." I saw the lobby of the shoe manufacturers and the tanners becloud the Senate Office Building that spring demanding "free hides" in the "interest of the people" of the United States, that they, the people, might have "free shoes."

Mr. MARTIN of Virginia. I hope the Senator from Montana——

Mr. DIXON. Gentlemen on the other side of the Chamber supported it, and a very few on this side did. We got "free hides." The people of the United States got left. Shoes and leather went up in price immediately. The result was that the farmers and cattlemen lost the 15 per cent duty on hides, the United States Government lost $2,000,000 in revenue, and the tanners and shoe manufacturers divided the profit.

Mr. BAILEY. Will the Senator from Montana permit me?

Mr. DIXON. The Senator from Texas was broadgauged enough at that time to foresee what would happen, and he did not vote, under his idea of a revenue tariff, to deprive the farmer of the protection of 15 per cent on cattle.

Mr. BAILEY. And the Government of more than $2,000,000 of net revenue that it was getting.

Mr. DIXON. And he so prophesied at that time.

Mr. MARTINE of New Jersey. Mr. President——

The VICE PRESIDENT. Just a moment, until the Chair ascertains whether the Senator from Virginia will yield.

Mr. MARTINE of New Jersey. I should like to have a few moments.

Mr. DIXON. I understand the Senator from New Jersey wants to ask me a question.

The VICE PRESIDENT. The Senator from Virginia claims the floor for himself. Other Senators are asking recognition. Does the Senator from Virginia yield to the Senator from New Jersey?

Mr. MARTIN of Virginia. For a question.

Mr. MARTINE of New Jersey. I want to set myself right. The distinguished Senator from Texas——

The VICE PRESIDENT. That is not a question.

Mr. MARTINE of New Jersey. The distinguished Senator from Texas says that there are not three men on this side of the Chamber who will vote for free wool. I do not know who those three men may be, but I want to say for myself I will vote for free wool with you, and I will vote for free sugar, too.

Mr. DIXON. Will you vote for free leather?

Mr. MARTINE of New Jersey. Yes, sir; I will vote for free leather.

The VICE PRESIDENT. The Senator from Virginia has not yielded to the Senator from Montana.

Mr. MARTIN of Virginia. I know that the Senator from Montana thinks the farmers of the country have tired of the domination of the Republican Party.

Mr. DIXON. Oh, no.

The VICE PRESIDENT. The Senator from Virginia has not yielded, and nobody has requested him to yield.

Mr. DIXON. But by his smile he invited an answer.

The VICE PRESIDENT. The Senator from Virginia has the floor.

Mr. MARTIN of Virginia. He sees the handwriting on the wall; everybody else sees it there; and the line of cleavage between the old-line Republicans and the American farmer is a little more distinct than the line of cleavage between the Senator from Montana and many of his associates on the floor of the Senate.

Mr. DIXON. Let me answer.

Mr. MARTIN of Virginia. I will yield.

The VICE PRESIDENT. Does the Senator from Virginia yield?

Mr. MARTIN of Virginia. I will.

Mr. DIXON. No; the Senator from Virginia is only half right. The American farmer sees the entire Democratic membership, except two or three, arrayed against him on this question of reciprocity, while only a minority on this side of the Chamber will support the bill.

Mr. MARTIN of Virginia. The Senator seems to forget that the originator of this movement is the President of the United States.

Mr. DIXON. I have some doubt about that.

Mr. MARTIN of Virginia. He has at least assumed responsibility for it. It would not have been here in the Senate except by his ipse dixit.

But there are, Mr. President, about 13, or around that neighborhood, Members of the Senate who have heretofore been loyal Republicans who now see this protective-tariff system carried to such an extent that they are in revolt against it.

Mr. DIXON. Mr. President——

The VICE PRESIDENT. Does the Senator from Virginia yield further to the Senator from Montana?

Mr. MARTIN of Virginia. I yield.

Mr. DIXON. I am a protectionist, and I always have been.

Mr. MARTIN of Virginia. I have not put you in that list. I thought the Senator was putting up a little establishment of his own, and that he had brimstone and was proposing to put some fire to it, and no doubt he will open a small shop before he gets through with it, if he proceeds on the line he has indicated here this afternoon.

Mr. DIXON. Just as big a one as I know how.

Mr. MARTIN of Virginia. The Senator from Montana need not be uneasy about a popgun performance. If we can get these 13 or these 11, as it may be, progressive Republicans to stand up with us for true and honest downward revision of the tariff we will give you a dreadnought broadside and not a popgun performance. We just want about a half dozen votes, and we will show you some tariff reform sure enough, and if you are earnest, just come up to the book, and we will go ahead with the performance.

Mr. DIXON. Will the Senator from Virginia yield?

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from Montana?

Mr. MARTIN of Virginia. Certainly.

Mr. DIXON. Make your promise good. Let me suggest a way to you. If you are in good faith and not playing politics——

Mr. MARTIN of Virginia. I do not think I should be called upon to yield the floor to——

The VICE PRESIDENT. The Senator from Virginia declines to yield further.

Mr. DIXON. Just offer a whole tariff bill.

The VICE PRESIDENT. The Senator from Virginia declines to yield.

Mr. DIXON. He is yielding for that purpose.

The VICE PRESIDENT. But the Senator from Virginia says he is not.

Mr. WILLIAMS. How would you get it out of the Finance Committee?

Mr. DIXON. We will vote with you.

Mr. MARTIN of Virginia. I have digressed further than I intended. I did not contemplate occupying more than five minutes of the time of the Senate, and that was simply to endeavor to express the idea that the committees of the Senate are the servants and the agents of the Senate, and they should respond to the orders of the Senate. It is no discredit to a committee to be appealed to to do that for which it was created.

I want these bills that are before that committee reported out of that committee, and I do not care whether there is a recommendation one way or the other. I just want the Finance Committee to discharge its duty and make a report to the Senate one way or the other, and that was the motion made by the Senator from Oklahoma; and I believe that motion ought to prevail, and I hope it will.

Mr. GALLINGER. The bill is not yet before the committee.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. The Senator from Oklahoma once or twice indicated a desire to speak when other Senators were on the floor. Does the Senator from Oklahoma desire to be recognized?

Mr. GORE. In a moment.

Mr. WILLIAMS. Mr. President, I do not want to add anything to the economic information of the Senate right now, but I want to emphasize and try to carry down to history a piece of historical information, a thing that, at any rate, may be interesting to future generations.

The Republican Party has had a great many great leaders. I used to say that the Republican Party had been guilty of everything except stupidity. Blaine was a great leader; Thomas Reed was a great one. There are lots of them, and a great many of them gave to the country a great many keynote utterances that seemed to tickle the ears of the groundlings whether they made the judicious grieve or not; and a great many of them gave to the world some keynote utterances that were really worthy of recollection.

But it remained for this day of our Lord's grace for an elected leader of the Republican Party to utter the newest Republican note thus far uttered to an admiring universe. While the Senator from Virginia was talking, the Senator from New Hampshire interrupted him, and said that the people who were raising wool and the people who were manufacturing wool deserve some consideration. The Senator from Virginia replied by saying, "Yes; and the people who are wearing clothes deserve some consideration." Whereupon there came from the great well, the deep well of the intellect and economic ability of the present leader of the Republican Party this utterance: "It depends upon whether they wear clothes made out of American wool or not." The man who wears clothes deserves consideration, provided he wears clothes made out of American wool. That is the latest, the newest, the cleanest, the brightest, the wisest, and the deepest Republican utterance yet.

In the hearings before the Finance Committee I discovered a great many new Republican doctrines. Years ago the chief defense of the tariff was that the foreigner paid it, anyhow. They have quit that now. A little while before that the defense of the tariff was that you wanted to build up industries, protect infants until they could grow. They have quit that now; that is not bothering anybody. Then a little bit later on they took recourse in the assertion that protectionism was justified by the fact that they wanted to equalize the price of labor in foreign manufactories and in the manufactories of the United States.

Mr. DIXON. Mr. President——

The VICE PRESIDENT. Does the Senator yield?

Mr. WILLIAMS. And as they could not find any difference in the labor cost between Canada and the United States upon which to base their claim for protection with regard to the matters dealt with by the Canadian reciprocity agreement, they shifted their base again.

Mr. DIXON. Mr. President——

Mr. WILLIAMS. In a minute, because this is so interesting. Then they wanted us to found a system of protection upon what, do you suppose? The comparative infertility of our land. Then they wanted us to found a system of protectionism upon what else, do you suppose? Upon the comparative greater nutritiousness of Canadian grass; and when we examined into that we found that the grass grew richer the farther you went north; and then when some of these people who were being heard were interrogated about the nutritiousness of Mexican grass, some of us being of the impression that going farther and farther and farther south the grass daily and daily losing more and more nutrition, by the time you got to Mexico it could not feed anything, we found that the Rio Grande was a sort of boundary which started a new process of nutrition in grass.

Then later on from the State of North Carolina, the State of my forebears, came a new basis for a system of protection. Hitherto they have argued that you ought to have protection because American labor was paid higher wages, but North Carolina lumbermen actually argued that they ought to have protection because, although their labor was paid half as much as the labor in Canada, it was so much less efficient that the cost of production had to be equalized. On the one hand, protection because labor is higher; on the other hand, protection because labor is less efficient.

Now, I will yield to the Senator from Montana.

Mr. DIXON. The Senator has given a definition of the Republican Party's position on protection, its historic growth or evolution. Getting down to the modern Republican doctrine of protection, I believe it is to equalize the difference in the cost of production at home and abroad.

Mr. WILLIAMS. The cost of labor, I thought it was.

Mr. DIXON. To my great surprise the other day I was reading the Democratic Party's national platform——

Mr. WILLIAMS. I yielded to the Senator merely——

Mr. DIXON. I want to call the Senator's attention to something more interesting than what he has recited. The Democratic platform on which Mr. Cleveland ran for President the second time said that party favored a tariff for revenue, with a view to equalizing conditions in the cost of the manufactured article abroad and at home, taking into consideration the difference in wages in the two countries. Now, I should like the Senator from Mississippi to differentiate between the Democratic Party's platform in Mr. Cleveland's time and the Republican position of to-day, for they are in almost identical words.

Mr. WILLIAMS. I yielded for a question, and I prefaced my remarks this afternoon by saying that I did not rise for the purpose of adding to the fund of economic information. I was only calling attention to incidents of history that are very dear to me as a student of history and as a hero worshiper. I first rose for the purpose of worshiping the brand-new idea which sprang from the brain of the Senator from New Hampshire, and while I was about it I thought I would call the attention of the country to some comparatively new ideas that had been developed before the committee.

Now, I shall not undertake to expound the profound meaning of the Democratic tariff platform of 1888.

Mr. DIXON. It was practically on all fours with the Republican declaration of to-day.

Mr. WILLIAMS. I do not care to deflect here. I will say this much, however, to the Senator from Montana, that, in my opinion, there has never been any difference in principle between protectionism and so-called incidental protection.

Mr. DIXON. I agree with that.

Mr. WILLIAMS. I have never in my life seen any difference. The principle is the same. They differ only in degree.

Now, Mr. President, our amiable friend, the Senator from Pennsylvania, who generally keeps so quiet and intrudes himself so little upon public discussion, never was known, that I know of, to threaten anybody until to-day. But his threat carries with it no horrors, so far as I am concerned. He informs us that if we do not behave like good children we will be here until we see the snow on the ground. I want to inform the Senator from Pennsylvania that, so far as I am concerned, I, in the first place, wish I could see the snow on the ground to-day [laughter], but if I have to wait until in the due course of nature the snow falls, I, even I, will abide with thee from now until the snow falls, and from then till the buds come in the next spring, and from then on till the dog days in the next August, and from then on till the snow falls again in the following winter, and from then on till the trees begin to put forth their leafy buds on March 4, 1913, unless the Senate of the United States and the Finance Committee will give us a vote—we ask nothing else—upon the most salient and important measures which the Democratic House has passed—in its opinion, at any rate—in the interest of the people of the United States.

We do not ask you to vote our way; we simply ask you to go on the record; and we especially ask gentlemen from the West who have been cursing standpatters because the last campaign was waged upon a pledge and promise to revise the tariff downward by those who afterwards revised it upward, to sit with us until March 4, 1913, unless we can get these votes. He serves his party best who serves the people best. If you really do want to revise the tariff downward, stay with us until we do it—especially on Schedule K.

Oh, I remember well how, when I was sitting in the library of my plantation home in Mississippi, relegated for that two years to private life, I would get the CONGRESSIONAL RECORD and read the utterances of that distinguished and eloquent and now deceased Senator from the great State of Iowa, Mr. Dolliver, as he tore to shreds this Schedule K, this woolen schedule; as he exposed its iniquities and its cheats and its pretenses and its oppressions; and I remember that the sitting Senator from the State of Iowa was not far behind him then. Has any change come over the spirit of his dreams? Has any change come over the dream of the apostle of protection himself, who, almost providentially, though accidentally, is approaching the Democratic Party by the position of the seat he occupies at any rate. Has any change come over the spirit of the dreams of the Senator from Kansas? Did you mean what you said then, or were you fulminating in the air? Do your people want these reductions of taxation? Is the popular force which was behind you then behind you now? Do you desire to serve them by doing their will as well as doing the thing that will subserve their interest? If you do, you need not bother with putting the wool bill upon the reciprocity bill as an amendment. If you do, and you wish to regenerate Schedule K and make out of the abnormality and monstrosity a clean child, even though it be a protectionist child, even though you do not reduce the duties down to where we Democrats would like to see them reduced, hold the Senate here; amend the House bill on Schedule K—the woolen schedule—as far as you can to suit yourselves, and help us to put it through.

I ask, Senators, do you contend that the Canadian reciprocity bill discriminates against the farmer; that it puts what he produces and sells upon the free list while it retains upon the heavily taxed list the things that he must buy?

Very well, then, after Canadian reciprocity is passed, let us compensate him by passing, not the free-list bill, but a free-list bill. If the House free-list bill will not suit you, go out and get together and offer here one in the interest of the farmers that will. Offer the various schedules and items of it as amendments to the House free-list bill, as it is brought up here for consideration. You may neglect to put some things on it that I would like to see there, but you will not put anything on it that I can not vote for.

Outside of this Chamber, are the people of the United States deserving of consideration, whether it happens that the clothes they may wear are made out of American wool or Australian wool; deserving consideration whether it happens that the hats they wear were made in Great Britain or made in New England; deserving consideration whether it happens that the shoes they wear were made in New England or made somewhere else? Here we are—gladiators in an arena fenced off by party lines. But the interests of the American people are a solidarity. Whatever their wishes and party affiliations may be, their interests are an independent thing, with which politics has nothing under the sun to do. Stay here until the snow falls. I am willing to stay here until the snow falls, and if a Democratic House serves a notice to that effect, I am willing to sign a paper with every Democratic Senator on this floor to the effect that we will abide with them until the wee small hours of the remote years.

I am willing and more than glad and I would be rejoiced to have my friend, who formerly served with me in the House, now one of the distinguished Members of this body, and all the gentlemen who have been giving the standpatters fits because they did not revise the tariff downwards, stay here with us and revise it downward, schedule by schedule, as the House gives us the opportunity, for it alone can originate revenue bills.

Mr. GRONNA rose.

Mr. WILLIAMS. I yield to the Senator from North Dakota.

Mr. GRONNA. I want to say to the Senator from Mississippi for whom, as he knows, I have the highest regard, that I am willing, I will say that I intend to vote for the motion made by the Senator from Oklahoma, but in connection with that I wish to ask the Senator a question. The Senator has referred

to the progressives. Can the Senator from Mississippi name one single item that is now included in the reciprocity bill for which the progressives in the Senate or in the House gave a vote to have the tariff reduced upon?

Mr. WILLIAMS. I beg my friend's pardon; I did not hear him.

Mr. GRONNA. I asked the Senator this question: Can the Senator from Mississippi name one item that is now included in the reciprocity bill for which the progressives in the Senate or in the other body made a fight and in regard to which they contended that the tariff was too high.

Mr. WILLIAMS. Frankly, at this moment I can not, and still more frankly I would not desire to do it. I am not engaged now in cultivating differences between you. I am engaged in trying to find points of agreement and mutual cooperation.

Mr. GRONNA. Mr. President——

Mr. WILLIAMS. I shall be very much pleased, indeed, if we can not agree upon many things that will benefit the American people, that we shall agree to a few.

The VICE PRESIDENT. Does the Senator from Mississippi yield further to the Senator from North Dakota?

Mr. WILLIAMS. Certainly.

Mr. GRONNA. Evidently the Senator from Mississippi misunderstood me. I said to the Senator, and I only speak for myself——

Mr. WILLIAMS. Yes.

Mr. GRONNA. That I am willing to vote and ready to vote for the motion made by the Senator from Oklahoma.

Mr. WILLIAMS. Oh, I beg my friend's pardon. I did not hear that much of his remark.

Mr. President, so far as this particular motion is concerned, why not let us deal honestly with one another and honestly with the people? It ought not to be a hard job. There is not a man within the sound of my voice who does not know that nobody expects the slightest enlightenment from any further hearings on the woolen schedule. If you will tell me when a so-called witness comes before the Finance Committee what business he is engaged in, where he comes from, and what political party he belongs to, I can write out his hearing beforehand. I say that from long experience on the Ways and Means Committee of the House and the Finance Committee of the Senate. I have made this statement to several Republican Senators laughingly, and they have agreed with me that they could do the same thing.

What further light does the Senator from Pennsylvania want upon the woolen schedule? Bless my heart, if the light that met Saul on his way to Tarsus would come across his pathway, he would still vote for Schedule K, and he would still vote against the House woolen bill.

Mr. PENROSE. Will the Senator permit me?

Mr. WILLIAMS. Yes.

Mr. PENROSE. I am prepared to consider carefully a revision of Schedule K. It has been on the statute books for a long time. But the Tariff Board has the matter under investigation and will not report until December; and I feel that I ought to be permitted to pursue my own method of investigation. If I feel that I can give a more intelligent opinion upon the revision of the schedule after the report of the Tariff Board and not in the urgent manner suggested by the Senator from Mississippi, I hope he will allow for the infirmity of my judgment and give me an opportunity to have that time.

Mr. WILLIAMS. "Thou, Paul, almost persuadest me."

Mr. PENROSE. One minute more. The committee is in receipt of a great many requests from Democrats and Republicans from all over the country requesting hearings on the woolen bill and the free-list bill; and if I recollect aright, the very lengthy hearing which we gave covering several days was to hear a number of gentlemen from Texas who were opposed to the free-list bill. I should like to be able to give people from all over the United States some opportunity at least to appear in Washington and record their views about these impending changes.

Mr. WILLIAMS. Mr. President, I do not know the precise time it takes now to come from San Francisco to New York, but under the motion of the Senator from Oklahoma a man would have time to come from San Francisco to Washington twice and go back. Twenty days is no short time for hearings before a committee. The Senator from Pennsylvania can not create the impression upon the country that we are cutting off hearings. The motion is that the Finance Committee shall report back the bill on or before the 10th day of July, which is 20 days away—very nearly 3 weeks. That is the first proposition.

The next proposition is that if a Finance Committee at the last Congress could report to the Senate the woolen schedule of the present tariff law, after no public hearings of any description, but upon the information obtained by them from the House hearings and some secret conferences with interested parties, then those nine volumes of House hearings are still before the Finance Committee as the basis of information, and there is no way under the Constitution or under the laws of preventing them from having such secret conferences with parties interested now as they choose, and 20 days is a long enough time to have them in, it seems to me.

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Iowa?

Mr. WILLIAMS. Yes.

Mr. CUMMINS. Mr. President, inasmuch as the Senator from Mississippi has honored me with a reference during his very eloquent address, I want to reassure him, together with all his associates upon that side of the Chamber, as well as all my political associates upon this side of the Chamber, that my opinions with respect to the tariff have not changed in two years. They have rather been emphasized and intensified. I expect that my votes during the remaining days of the present session will be entirely in harmony with the arguments I submitted and the votes I cast two years ago, but I now want to ask the Senator from Mississippi a question.

Mr. WILLIAMS. Before the Senator asks me the question let me express my gratification at what I have just heard and express the hope that there will be at least six of you, seven, let us say——

Mr. CUMMINS. I think, Mr. President——

Mr. WILLIAMS. To constitute a majority of one in this body, and then we can either carry through the House woolen bill or we may, in some respects, concede to one another and make it a little bit better and put it on the statute book so that the people who deserve no consideration, unless they happen to wear their clothes made out of wool raised in the right place, might not be——

Mr. CUMMINS. I have as little sympathy with that suggestion as has the Senator from Mississippi. I do not speak for any of my progressive associates. I would not venture to pledge them to any course.

Mr. WILLIAMS. I do not ask you to do that.

Mr. CUMMINS. I only know what I intend to do. I now desire to ask the Senator from Mississippi a question: Does he believe that the reciprocity measure, so-called, if adopted, demands some compensation in behalf of the farmers whose products are put in free competition with Canada, and that such compensation should come in the form of either reduced duties or an enlarged free list in the general tariff?

Mr. WILLIAMS. Mr. President, in answer to the question just propounded by the Senator from Iowa, I will say that I do not believe that the Canadian reciprocity bill is of such a character as that it will injure the farmer and demand compensation; but I am willing to give the farmer what the Senator from Iowa chooses to call compensation and what I call justice; not as a matter of trade for Canadian reciprocity, but as lagniappe, as they say in New Orleans. They make a trade, and after it is made the merchant gives the child a stick of candy for lagniappe. I am willing to give it to the farmer because justice demands it, because Democratic principles and ideas demand it, because it is relief and not compensation.

But the motive that actuates me and the motive that actuates the Senator from Iowa have nothing to do with our walking along the same path toward the same end. It makes no difference if he calls the relief from taxation to the farmer compensation for what he considers a legislative injustice done by the reciprocity bill, and whether I consider it merely a right that he has, that God gave him, to be as little taxed as can be consonant with the necessities of Government revenue. We will not mind about that.

Mr. CUMMINS. But, Mr. President, I do mind. I believe it is the rankest injustice to so adjust our laws that the farmer will be compelled to sell everything that he produces in a free market and buy everything he buys in a market protected by duties upon manufactured products, for which there is no defense whatsoever.

Mr. WILLIAMS. The Senator and I shall not quarrel about that, sir.

Mr. CUMMINS. Now, then, here is, I fancy, however, the point at which we part. It is perfectly well known——

Mr. WILLIAMS. We were getting along so nicely. [Laughter.] I wish the Senator had not brought up that point.

Mr. CUMMINS. I may be compelled, however, to sever these beautiful relations, for we must look the facts in the face. The Senator from Mississippi has announced, I think, heretofore his intention to vote against any amendment that may be proposed

to the reciprocity measure. It is well known that those who favor this measure are in the majority here, a large majority, as I am told by those who have canvassed the votes of the Senate. Let us assume, therefore, that the reciprocity measure is passed; it is approved, and it becomes a part of the law of the United States. We pass the free-list measure. We readjust Schedule K. We enter into some of the iniquities of the metal schedule.

Mr. WILLIAMS. And the cotton schedule.

Mr. CUMMINS. And we try to destroy some of the privileges in the cotton schedule; but I fear that when they reach the Executive Department, by reason of the failure on our part to enjoy the information that will come from the Tariff Board, those bills will be vetoed and will therefore not become the law of the land.

If I understand the position of the Senator from Mississippi aright, in his zeal for lower duties, he will have put the farmer of the United States into free competition with Canada with respect to all that he produces, and he will have failed to relieve him of a single one of the high duties that burden the commodities which he must buy. There is the point of difference. I want the Senator from Mississippi to so unite these measures of relief that——

Mr. WILLIAMS. To so unite that we would kill the bill.

Mr. CUMMINS. That there shall be a disposition of all of them by the same vote in the same instrument.

Mr. WILLIAMS. Mr. President, there may be in the Senate a majority for a reformation of the woolen schedule; I think there is, if gentlemen who have hitherto poured out the vials of their wrath and their maledictions upon that schedule have not changed their opinion. There is, I know, a majority in favor of the Canadian reciprocity. But I also know that the lines cross and that there is not a majority in favor of the two tacked together, and everybody within the sound of my voice knows that.

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from Mississippi further yield to the Senator from Iowa?

Mr. WILLIAMS. I do.

Mr. CUMMINS. I want to correct the Senator from Mississippi here. I do not mean that he has made any misstatement, but to put my judgment against his own. I believe there is a majority in the Senate for a general and uniform reduction of the duties of the present law.

Mr. WILLIAMS. Mr. President, it became a part of my self-appointed task to find out whether, if some of these measures were tacked upon the Canadian reciprocity measure, there would be votes enough, not to do the tacking—there would be plenty for that—but to make the tacked instrument a law later on. I did not lightly conclude that that majority could not be found, and I know that when I want two things, even though I can not get one of them, it would be stupid to throw away both.

Now, the difference between the Senator from Iowa and me upon the Canadian reciprocity consists in this, that he sincerely believes it will seriously injure the farmers of this country and I do not.

Mr. CUMMINS. Mr. President——

Mr. WILLIAMS. One moment.

The VICE PRESIDENT. The Senator from Mississippi declines to yield for the present.

Mr. CUMMINS. I do not want the Senator from Mississippi to——

The VICE PRESIDENT. But the Senator from Mississippi declines to yield.

Mr. WILLIAMS. I will yield to the Senator.

Mr. CUMMINS. I did not want the Senator from Mississippi to understand that I believe in the somewhat hysterical statements which have occasionally been sent out for publication, that free trade with Canada in agricultural products will ruin or destroy the American farmer. I do believe, however, that it will result in some diminution in the prices of some agricultural products.

Mr. WILLIAMS. Ah, so do I—a few things raised along the border that are affected by local trade conditions. That I thought was the difference between us. Whether it be the difference between us two or not, it is the difference between me and the men of whom I have selected you as a type. They believe that Canadian reciprocity will seriously injure the American farmer, and I do not believe one word of it. I remember when we had the Cuban reciprocity measure up in the House of Representatives—and I can refer to that House now, because it has passed into history—it affected southern agricultural products, sugar, rice, and all the things that our people raise. They became perfectly hysterical down there, and there moved down upon the Capitol, as the present President of the Senate will remember, a perfect army of beet-sugar raisers from the Northern States. It was said that beet sugar was going to be put out of existence by Cuban reciprocity; that Louisiana cane could never for a moment be grown again with a particle of profit. They knew it all. They knew it so well that there were tears in their voices while they told us about it. Their voices reminded me of the tone of the voice of my friend who sits just opposite me whenever he mentions Canadian reciprocity. I saw upon the floor of the House of Representatives one of the best friends I ever had, and one of the most intelligent men, and heard him while he stood and made a speech in which he scared himself out of his boots at the prospects of a half-naked and half-fed anemic Cuban; and, later on, when the Philippine free-trade bill came up, at the prospect of a half-naked, half-fed, and half-paid anemic Filipino with a water buffalo and a crooked stick running Louisiana out of the rice business, with her magnificently organized system. They even went so far as to tell us that all the rice our people would eat would come from the Philippines and from Cuba——

Mr. CURTIS. Mr. President——

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Kansas?

Mr. WILLIAMS. Wait a minute until I finish this—would come from the Philippines and from Cuba; and as to that, when I replied to some of them, "But, my dear boy, the Filipinos have got to live, and they live on rice." "Oh, yes; but they will raise their rice and send it to us, and they will buy their rice from Canada." [Laughter.] In some of these hearings, I think, somebody was going to have the Canadians send us some of these things. The Canadians were going to sell us their lumber, while they bought lumber from Australia or somewhere just across the Pacific.

Mr. CURTIS. Does not the Senator from Mississippi know that they are importing rice into the Philippine Islands, and were doing so at the time the so-called Philippine bill was pending here?

Mr. WILLIAMS. Yes; I do, and that made the idea of being scared to death about the Philippine rice of greater insubstantiality to the people that were frightened about it.

Mr. CURTIS. Mr. President, will the Senator from Mississippi submit to another question?

The VICE PRESIDENT. Does the Senator from Mississippi yield further?

Mr. WILLIAMS. Yes.

Mr. CURTIS. Has the Senator from Mississippi changed his position on the wool question from the position which he occupied in 1894?

Mr. WILLIAMS. If the Senator will tell me what position I occupied in 1894, I will tell him whether or not I have done so. [Laughter.] I belong to a class of organisms that grow. I do not know whether I have changed my position or not. Tell me what my position was then and I will answer the Senator.

Mr. CURTIS. The Senator voted for free wool in 1894, as I remember.

Mr. WILLIAMS. Yes; I voted for the Wilson bill, and, by the way, I would prefer to have a slight revenue duty upon wool, as I would prefer to have a slight revenue duty upon all other things, but if I can not reduce taxes on any article except by putting it on the free list, I am going to put it on the free list if my vote will do it. If I can not relieve the consumer in keeping with the beautiful and symmetrical proportions of a tariff-for-revenue-only theory, I will relieve him anyhow whenever the chance comes and it is in my power to relieve him.

In answer to the Senator from Kansas I will say that I do not know that I have changed my opinion, but I am going to change my vote. I voted for free wool when it was upon the Wilson bill because it was there. That bill, in my opinion, was not then, as the Senator will remember, the abortion that it afterwards became when the Senate of the United States got through doctoring it; but on the Wilson bill I voted for free wool because it was upon the bill and the bill reduced taxes upon the people. I am going to vote for the House bill with a 20 per cent duty on wool for exactly the same reason.

Mr. CURTIS. The Senator voted for the final passage of the Wilson bill, which contained a provision for free wool.

Mr. WILLIAMS. Oh, yes, I did; and many a poor fellow traveling through the wilds of the banditti country in Italy has surrendered his purse thinking that it was better than to run the chance of losing his life. What has my vote for free wool got to do with this question? [Laughter.] I never was a hero in my life; I never sought the rear for safety; but I never sought the front for glory, and I am far from being a hero. Whenever I am half-starved and dying for a loaf of bread, and somebody comes along with a long knife and says, "I want half of that," and presents the knife, and half a loaf will do me

good, I am going quietly to let him have half of the loaf and keep his knife, and I am going to eat the other half and thank God for that much. [Laughter.]

Mr. DIXON. How if he wants all of it?

Mr. WILLIAMS. Oh, my friend, the Senator from Montana does not belong to the progressives. He voted for the Payne-Aldrich bill. He will not join in this tirade against Schedule K, and yet he begins to see the error of his way. A moment ago I expected him to paraphrase the Scripture while the Senator from Texas was interrupting him, pleading with him, calling him up to the mourners' bench, and having an experience meeting with him. I expected him to say: Thou, Joe, almost persuadest me. I hope that before we are through somebody will have persuaded him completely——

Mr. DIXON. Mr. President——

Mr. WILLIAMS. And that he will be just as we are to-day, save these minorityship bonds.

Mr. DIXON. I did have a text of Scripture on my mind, but in the mêlée I forgot to quote it. The one that occurred to me when the Senator from Texas was on the floor, if I remember my Sunday-school lessons aright, was: "Unto everyone that hath shall be given, and he shall have abundance; but from him that hath not shall be taken away even that which he hath." I wanted to apply that.

Mr. WILLIAMS. That idea failed to occur to the Senator, an old, life-long Republican, until it was suggested by something that was said by the Senator from Texas. I am astounded, because I had always looked upon the genial Senator from Montana as one of the most quick-witted of men, and how any man could have gone through a lifetime, beginning early, even in North Carolina voting the Republican ticket and advocating and standing for protectionism, without having remembered it not only as a quotation but as a creed, that part of the Scripture which says, "Unto everyone that hath shall be given, and he shall have abundance; but from him that hath not shall be taken away even that which he hath," I can not understand. [Laughter.]

Mr. GALLINGER. Mr. President, I do not propose to detain the Senate at this late hour for more than a few moments. I have listened with a great deal of interest to the speech of the Senator from Mississippi [Mr. WILLIAMS], and I listened with interest to his criticism of a reply that I made in response to a remark made by the Senator from Virginia [Mr. MARTIN]. I do not recall precisely my words. Possibly the Senator quoted them correctly; but if he did, it was an inadvertence on my part. My position is well known in reference to the doctrine of protection. As the Senator from Mississippi knows, it is as wide as it possibly can be from the position that he occupies.

The Senator has told us of some things that happened in the committee. I will not refer to them beyond saying that, if they are attentively perused, the fact will be developed that the Senator from Mississippi more than once gave us to understand that he was a practical free trader, and that he would not balk at putting almost any product on the free list if he had an opportunity to do so.

Mr. WILLIAMS. I do not want to interrupt the Senator——

Mr. GALLINGER. I yield to the Senator.

Mr. WILLIAMS. But if he can find anything that justifies that statement, I should like him to put it in the RECORD.

Mr. GALLINGER. I think I shall be able to find it; if not in express terms, then by implication at least. Mr. President, the Senator from Mississippi takes issue with me on the question of protection, and I want to say to the Senator from Mississippi that, while we may not be as persuasive as he, while we may not be as erudite as he, or be able to entertain either the Senate or the galleries as well as he can, when this issue is drawn between the two political parties in the Senate or out of the Senate those of us who believe in the doctrine of protection will be quite ready to discuss that question. For myself, I regret that the issue has come in to-day to interrupt the consideration of the bill that we have been considering for so long a time.

I had no disposition, and have no disposition now, Mr. President, to delay a vote upon the so-called reciprocity measure. From my point of view it is not reciprocity at all, but it is here before us. The committee gave it careful consideration and listened patiently to men from the South, men from the North, men from the East, and men from the West, and it is now before this body for its deliberate consideration and action. For myself, I have no disposition to unduly delay it. I shall vote against it, but if in the wisdom of this great assembly it is thought best to put that measure on the statute book, I shall be content and trust to the future for my vindication.

Mr. President, I am against the bill that has come here from the other House dealing with the question of wool. We had an experience a few years ago which I think will be duplicated if that bill becomes a law. If this debate is to continue along tariff lines, I will take occasion in my own time and at my own convenience to call the attention of the Senator from Mississippi and of the Senate to what happened to the woolen industry in the New England States under the Wilson Tariff Act of 1892.

I am in favor, Mr. President, of American labor and American industry. I prefer that employment be given to an American in preference to a man owing allegiance to any other country on the face of the earth. I am in favor of increasing the flocks of sheep in this country instead of decreasing them. I believe that by proper protection we can greatly increase our flocks of sheep and raise a much larger proportion of the wool that is being consumed by the American people to-day. I am in favor, Mr. President, of protecting the factories and the mills that are producing woolen goods in this country, because I prefer that labor at high wages be given to the people of America rather than to the people of any foreign country.

I do not know certainly, but I think I can turn to the record and show what our imports of wool and woolen goods have been of recent years. I find the figures, and here they are: In the year 1909 we imported over $18,000,000 worth of the manufactures of wool, and in that year we imported 290,000,000 pounds of foreign wool. If we can manufacture those goods in this country, and if we can raise that additional amount of wool in this country, then I prefer that those goods shall be manufactured here, and that that wool shall be raised in our own country rather than in Europe, in Australia, or in Argentina or any other country on the face of the earth. That is my position. I have no apologies to make; I have no qualifications to make in reference to the views that I hold on the great question of protection to American industries and American labor as heretofore advocated by the Republican Party.

Mr. President, I had not thought of saying a single word to-day. When the tariff question comes up for debate, as I presume it will later on, I may engage in the discussion, and I am willing to stay here with the Senator from Mississippi, for he is a most genial companion, and we all love him, nothwithstanding he is somewhat severe in his criticisms at times, as I think he was to-day in his observations concerning a remark that I made, in which I, perhaps, inadvertently used language that did not convey the meaning I intended—I am willing to stay with him here this summer and next winter and the next summer if need be.

Mr. WARREN. And so will we all.

Mr. GALLINGER. And so will we all, to fight out this question that divides the two great political parties of this country. If the people of this country have ordained that we shall sacrifice the agricultural interests of our people in a so-called reciprocity agreement with Canada; if the people of this country have ordained that the woolen manufacturing industry and the raising of sheep in this country shall be sacrificed, I am willing to take my share in the controversy, and to go down to defeat if a majority of the Senate should so vote. I will wait after that has occurred for what I believe will be a vindication of the position that I hold, and I will not find fault with any Senator or with any man in the United States who holds an opposite opinion to mine, because I think he has an equal right with me to hold firmly to the views he holds and to the conclusions which he has reached.

Now, Mr. President, I think that is all I care to say to-day. This discussion, perhaps, will be valuable, but for myself I would much prefer that this bill should take its usual course; that it should go to the Committee on Finance without instructions, and that we should continue the consideration of the bill which my friend from Mississippi is so anxious to have voted on, and which I have had no disposition whatever to delay. I am against the reciprocity agreement, but I believe it ought to be acted on by the Senate.

Mr. REED. Mr. President, I only want to take enough time to bring the discussion, which has been most interesting, back to the question that is at issue.

The Senator from Oklahoma [Mr. GORE] has moved that this bill be referred to the Committee on Finance with instructions to report it back on the 10th day of July. Objection is made to that motion by the chairman of that committee in the polite, courteous, and senatorial phrase that the proposition is idiotic and demagogic.

It has been developed in this debate that this same committee, not composed of exactly the same members when the Payne-Aldrich bill was referred to it, excluded the Democrats from the hearings. I presume that exclusion was done in the interest

of senatorial courtesy, but I pause long enough to make the remark that if it be true that a majority of the Finance Committee can exclude the minority of the Finance Committee from the hearings, gentlemen who indulge in those practices ought not to think it a serious reflection if a majority of the Senate venture to direct them as to the day they should report back to this body.

Moreover, it has been developed that these hearings were not only had in the absence of the Democratic members, but that certain gentlemen were admitted in secret, the press being excluded, and I say that if our Finance Committee proposes to adopt any such method we had better not refer this bill to that committee at all, and we had better keep the public business in a public hall where the people can know what is going on.

I should like to have a list, I should like to see the list published, of those secret hearings that they did not dare hold in the broad, open day, for I say that no man and no committee dealing with public business ever went behind locked doors to hear any evidence for a good purpose.

Mr. President, what is this proposition as it stands before us? The chairman of the committee has intimated, if I understand him correctly, that the Democratic members might again be excluded from that committee when the hearings or when the deliberations take place. I deny with all the emphasis of which I am capable, regardless of any precedent that may have been set either by the House or the Senate, that it is proper for a portion of a committee to meet for the purpose of determining the action of the committee.

The reason we have a committee is that we may have the consensus of opinion of the entire committee, and we have called here for the proposed action of the committee, and the nearest we have as an answer as to when that committee will report is the suggestion that the Tariff Board will not report until next December.

Now, if it be true that the committee proposes to follow its former precedent and the majority members of that committee are to consider and formulate a report, then we have a situation that was well described by the great Senator who sits on my right, the Senator from Wisconsin [Mr. LA FOLLETTE], when he pictured to the Senate the fact that 9 or 10 men could hold up the business of the Senate, that a small minority could hold up the business of the Senate by holding secret caucuses; and we not only have the secret caucus, but it is proposed or at least it has been introduced into the committee.

Here is a matter that concerns 90,000,000 people, and you propose that this body, representing all of the people, can not say to the nine Republican members of that committee—I apologize to the Senator for counting him almost as one of them in this illustration—that they can not tie it up indefinitely. I say, if there is any danger of this kind, this body ought to instruct the Finance Committee every time it commits anything to it.

You talk to me about senatorial courtesy. You say it is a reflection on the committee for the Senate to instruct it to report back at a certain time, and then the committee says that they will not—the majority—that they have the right to exclude the minority. Then they not only have the right to exclude the minority from a chance to participate in the deliberations, but they have the chance and the opportunity to exclude the Senate from the consideration of that proposition and to throttle a measure that affects the welfare of the American Republic.

Mr. PENROSE. Mr. President——

Mr. REED. Mr. President, I say that that kind of senatorial courtesy is dead and buried in the Senate. It will be discovered that there are men on this floor who may be young and inexperienced, but who have had sufficient experience to understand what that kind of method leads to in the country.

Mr. PENROSE. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Pennsylvania?

Mr. PENROSE. Will the Senator from Missouri yield?

Mr. REED. Certainly.

Mr. PENROSE. Will the Senator yield, that I may make plain the position, as I understand it, of the Finance Committee?

Of course, the hearings would be attended not only by the full committee, but would be open to reporters and to the public. It was only in the framing of the bill two years ago that the Republican members met apart from the minority members, and the hearings held by the Finance Committee two years ago were informal hearings, and, as I recollect, in no case was even a stenographer present to take down the testimony. It was merely the testimony, advice, and information of persons familiar with the various schedules who were sent for by the committee, the House Committee on Ways and Means having early in the winter, before the organization of Congress, conducted over a period of several months exhaustive hearings on the bill which was to be introduced in the approaching Congress. There was no mystery about the proceedings, and no secrecy. The hearings on the reciprocity bill were attended by the full committee.

Mr. GALLINGER. And the press.

Mr. PENROSE. And the reporters of the newspapers were present, as were stenographers, and the hearings are published and before every Senator.

I ought to say, if the Senator will permit me for one moment, that two years ago, immediately upon the call of the extra session, the then chairman of the Finance Committee gathered together the members of the committee, although the committee was not then complete, as the Senate had not organized its committees, and prior to the 4th of March the Finance Committee of the Senate began its sittings and continued its sittings daily for several months, during which the bill was pending in the House of Representatives, anticipating the measure coming to the Senate and with the desire to expedite the work, to pass the bill, and quiet the business disturbances caused by the prolonged discussion.

Mr. REED. That is the trouble with the whole matter. The hearings were quite too informal and quite too secret.

Now, I do not understand the position of my friends on the other side. A moment ago, when it was being urged that we needed a long time to take evidence and to consider this bill, we were told that the committee in considering the Payne-Aldrich bill had sat for a long time and had had hearings, and that was used as a justification for the quick passage of that bill. But now we are told by the Senator they were informal hearings; that only experts of some kind came before that committee; that evidence was not taken. So that either one or the other of these positions must be true, either the Payne-Aldrich bill was passed without any real hearing, without any real evidence, without giving the public a chance to be heard, and therefore it might well be used as a precedent here for a short hearing, or else they did have hearings; and if they did have hearings, then they were secret hearings from which the press was excluded, and from which the Senate was excluded, and the benefit of which neither the minority of the committee nor the Senate ever received.

Mr. PENROSE. I would like to call the attention of the Senator from Missouri, in all fairness and all seriousness, to the radical difference between the situation at this Congress and two years ago. Two years ago the House of Representatives held prolonged and exhaustive hearings, and it would have been unwarranted delay and unnecessary labor for the Senate committee to have indulged in a repetition of those hearings from the same persons who appeared before the House committee; but in this Congress, as far as the record shows, no opportunity has been given to be heard to the hundreds and thousands of persons asking for hearings, and the situation is reversed. It would seem as if it was almost the duty of this great deliberative body to give an opportunity to be heard in view of the fact that no hearings, apparently, were granted by the House.

Mr. REED. The hearings that were had before the House that went exhaustively into every one of these questions are as available now as they were when the committee reported back the Payne-Aldrich bill after two days consideration.

Mr. PENROSE. The proposition is different.

Mr. REED. And every fundamental fact that was brought out with relation to production and consumption and the cost of production is as true to-day as it was then, with the slight fluctuations in the market; and in 20 days' time any committee that means business, that wants to report this bill back, can gather every fact of that kind that it desires to gather, and they can not only get the evidence, but they can get more evidence than will ever be read by this body, and if they proceed as that committee has proceeded on the subject of reciprocity, and at the end of the time the majority of the committee are unable to lay before this body its views or its suggestions, I want to know what benefit we will get from its prolonged consideration of this subject.

Mr. WORKS. Mr. President——

Mr. REED. One moment. The truth is, and every Senator here must recognize it, that there is an indisposition to report back to the Senate the bill known as farmers' free-list bill, and the Senate ought to make sure before it sends anything to that committee that they will report it back. I say again, and then I will yield to the Senator from California, that I have nothing but profound contempt for that kind of senatorial courtesy which would prevent the Senate from saying when its committee shall report back, when that committee has in the past, and it does not yet disclaim its purpose for the future, excluded a portion of its own members from the deliberation of public matters that were consigned to its keeping.

Mr. WORKS. I should like to ask the Senator from Missouri if he believes that the motion of the Senator from Oklahoma was made in good faith to hasten action upon this bill?

Mr. REED. I so believe.

Mr. WORKS. If so, I think some of us on this side of the Chamber are willing to vote for the motion upon that theory. But if the other side is going to take the great part of the time in speechmaking I am afraid we are going to change our minds, because it is devoted to a discussion of the tariff question generally and the conduct of the Finance Committee; and that has no bearing upon the question which is before the Senate. I am one of those who believe that the business of the Senate should be hastened, and I think this is a good time to commence.

Mr. REED. The Senator from California will bear me out in the statement that I have not been discussing the tariff. I have tried to discuss the necessity of the Senate keeping its hand upon its own business and of seeing that this matter is reported back.

I want to assure the Senator from California that this motion made by the Senator from Oklahoma was made in good faith in the hope to expedite this business and in the hope that the Senate might have before it these important measures at an early date.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Utah?

Mr. REED. Certainly.

Mr. SMOOT. I want to call the Senator's attention to the fact that the bill came from the House of Representatives to-day, and I doubt very much whether it is in the hands of the Finance Committee, and before it is received by the committee a motion is made that we are to make a report upon it on the 10th day of July.

Mr. REED. Certainly.

Mr. SMOOT. The Senator must know that the business of the Senate is always in its own hands.

The Senator made a statement that the committee had excluded certain Members from its hearings, and inferred as much as that it could exclude the whole Senate from the consideration of any question. The Senator must know that under the rules of the Senate the Senate can discharge a committee at any time when a majority of the Senate wishes it so. So there is no need of any haste here at all. If the committee does not report the bill in time, after a due length of time has been given to it, any Member of the Senate can move to discharge the committee from its further consideration, and if there is a majority of the Senate in the same frame of mind it can take the bill away from the committee and bring it on the floor of the Senate.

Mr. REED. I thank the Senator for suggesting to me that the Senate can discharge a committee. I have not been here very long, but I was quite aware of that fact.

Mr. SMOOT. Well, I——

Mr. REED. But if we were to undertake to do it we would again be confronted with the ghost of senatorial courtesy, and we would be told we were abusing the committee.

Now, I submit that outside of this body it is the universal and uniform custom, at least on occasions, to fix times for committees to report back. We are giving 20 days, and that is enough. That is all I want to say about the matter.

Mr. McCUMBER. Mr. President, all of the arguments upon the other side to-day have suggested and have been based upon the presumption that any evidence which will be produced by the committee will be of no value to the Senate, and I am in perfect accord with that suggestion. We have spent six weeks in taking testimony upon the reciprocity agreement. All of the evidence taken was practically on one side. All of the evidence was against the reciprocity agreement. There was a little talk in its favor, but there was no evidential fact before the committee which could be said in any way to favor the reciprocity agreement, and notwithstanding the volumes of testimony, notwithstanding their evidential value, we will not be able to change a single vote in the Senate of the United States.

If that is true upon the reciprocity agreement, I think I am justified in saying and in agreeing with the Senators on the other side that it will be equally true with reference to any testimony that may be secured by the Committee on Finance.

Mr. President, I have not talked with my associates upon that committee as to whether or not they wish to investigate the subjects any further. I am inclined myself to agree with the Senator from Missouri [Mr. REED] that the evidence which was taken two years ago is perhaps pretty good evidence to-day; that there has been very little change in conditions such as to make that evidence valueless; and if that evidence was sufficient for us to base general tariff legislation upon, I am inclined to think that it is sufficient for us to-day.

Being a member of the Committee on Finance and not having discussed the question with my associates, I am hardly in a position to father a motion that the bill be printed and lie on the table for future action without reference to the committee. But if the argument of the Senators on the other side is correct, I am willing that any one of them should make that motion, and I am perfectly willing on my own part to relieve myself of the necessity of many long days of investigation of that subject. I would support a motion to print the bill and allow it to lie on the table without any reference whatever.

But I do think, Mr. President, that if we go into the subject, if we are compelled to investigate it anew, it is not proper to-day to fix the day on which we shall report it back, inasmuch as that request can be made at any time. The Senate Committee on Finance may show that it is not at all dilatory in its action, and I for one will not favor any dilatory tactics whatever. I am willing to get through with this evidence as soon as possible. It seems to me that then we should wait until we find what the committee is going to do. If the committee goes at this matter in too leisurely a style and shows a disinclination to hurry it, then I think it would be time enough for the Senate to call it to account and ask it to report the bill back at a time fixed.

But if Senators on the other side wish to have this matter before the Senate to-day without any further investigation, I am with them and will vote with them upon a motion of that kind. On the other hand, I can not support this motion that will to-day fix a time, if we are going to investigate it at all.

Mr. SUTHERLAND. Mr. President, I am quite willing to vote upon this question now. The Senate has been in session something over six hours, and there does not seem to be any indication that this debate is to end in any reasonable time. I ask the Senator from Oklahoma whether he is not willing that we should now take an adjournment?

Mr. CULBERSON. We are unable to hear the request of the Senator from Utah.

Mr. SUTHERLAND. Inasmuch as the indications are that this debate is to continue for some time, and nothing is to be gained by remaining in session any longer, I suggested to the Senator from Oklahoma that we might take an adjournment.

Mr. SHIVELY. It will not take any longer to take a vote on the motion to refer with instructions than on a motion to adjourn.

Mr. SUTHERLAND. If we could take the vote, that is quite true; but there is no indication that we will be able to do it.

Mr. GORE. I think we had better proceed now, if possible, to vote. I will not be willing now to have it go over.

Mr. GALLINGER (at 6 o'clock and 5 minutes p. m.). Mr. President, if it is determined by a majority of the Senate that this discussion shall proceed, I will have no objection; but the only way to determine that is upon a vote, and I move that the Senate do now adjourn.

Mr. MARTIN of Virginia. I ask for the yeas and nays on that motion.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CHAMBERLAIN (when his name was called). I have a general pair with the junior Senator from Pennsylvania [Mr. OLIVER]. If he were present, I should vote "nay."

Mr. CLARK of Wyoming (when his name was called). I have a general pair with the Senator from Missouri [Mr. STONE]. In his absence, I withhold my vote.

Mr. JOHNSTON of Alabama (when the name of Mr. CLARKE of Arkansas was called). The senior Senator from Arkansas [Mr. CLARKE] is paired with the Senator from Wisconsin [Mr. STEPHENSON]. The Senator from Alabama [Mr. BANKHEAD] is paired with the Senator from Connecticut [Mr. BRANDEGEE].

Mr. DILLINGHAM (when his name was called). Observing my general pair with the senior Senator from South Carolina [Mr. TILLMAN], I withhold my vote.

Mr. GALLINGER (when his name was called). I am paired with the Senator from Arkansas [Mr. DAVIS] and will withhold my vote. If I were privileged to vote, I would vote "yea."

Mr. McCUMBER (when his name was called). I am paired with the senior Senator from Mississippi [Mr. PERCY]. As he is absent, I will withhold my vote.

Mr. REED (when his name was called). I am paired with the senior Senator from Michigan [Mr. SMITH]. I transfer that pair to the Senator from Tennessee [Mr. LEA], and vote "nay."

Mr. TOWNSEND (when the name of Mr. SMITH of Michigan was called). The Senator from Michigan [Mr. SMITH] was un-

expectedly called out of town night before last on an important matter. He has not yet returned.

Mr. SMITH of South Carolina (when his name was called). I have a general pair with the junior Senator from Delaware [Mr. RICHARDSON]. I transfer that pair to the junior Senator from Maine [Mr. JOHNSON] and vote. I vote "nay."

Mr. SUTHERLAND (when his name was called). I have a general pair with the Senator from Maryland [Mr. RAYNER]. In his absence, I withhold my vote.

Mr. WATSON (when his name was called). I have a general pair with the senior Senator from New Jersey [Mr. BRIGGS]. I transfer that pair to the senior Senator from Oklahoma [Mr. OWEN] and vote. I vote "nay."

The roll call was concluded.

Mr. CLARK of Wyoming. I will transfer my pair with the Senator from Missouri [Mr. STONE] to the Senator from Nevada [Mr. NIXON] and vote. I vote "yea."

Mr. BRADLEY. I have a general pair with the senior Senator from Tennessee [Mr. TAYLOR]. As he is not present, I withhold my vote.

Mr. GALLINGER. I have been requested to announce that the Senator from Connecticut [Mr. MCLEAN] is paired with the Senator from Montana [Mr. MYERS].

Mr. CURTIS. I have been requested to announce the pair of the Senator from Colorado [Mr. GUGGENHEIM] with the senior Senator from Kentucky [Mr. PAYNTER].

Mr. BAILEY. I wish to announce the pair of the Senator from Kentucky [Mr. PAYNTER], which the Senator from Kansas has just stated.

Mr. MYERS (after having voted in the negative). I have a general pair on political matters with the Senator from Connecticut [Mr. MCLEAN]. I understood from other Senators that a motion to adjourn is not considered a political matter. On the next vote to be called, the vote on the motion of the Senator from Oklahoma, I intend to vote, if I vote at all, "nay," because I think the Senator from Connecticut will vote the same way, and my pair would not hold. Therefore I considered my vote on the matter of adjournment immaterial. However, as my vote is in a measure challenged, I will withdraw my vote on the motion to adjourn, and not vote.

Mr. BACON. I have a general pair with the senior Senator from Maine [Mr. FRYE]. I transfer that pair to my colleague [Mr. TERRELL], and I will vote. I vote "nay."

The result was announced—yeas 21, nays 35, as follows:

YEAS—21.

Bourne	Dixon	Lodge	Townsend
Burnham	du Pont	Lorimer	Warren
Burton	Gamble	Penrose	Wetmore
Clark, Wyo.	Heyburn	Perkins	
Cullom	Jones	Root	
Curtis	Lippitt	Smoot	

NAYS—35.

Bacon	Fletcher	Martin, Va.	Simmons
Bailey	Foster	Martine, N. J.	Smith, Md.
Bristow	Gore	Nelson	Smith, S. C.
Brown	Gronna	O'Gorman	Swanson
Bryan	Hitchcock	Overman	Thornton
Clapp	Johnston, Ala.	Poindexter	Watson
Crawford	Kenyon	Pomerene	Williams
Culberson	Kern	Reed	Works
Cummins	La Follette	Shively	

NOT VOTING—35.

Bankhead	Davis	Myers	Richardson
Borah	Dillingham	Newlands	Smith, Mich.
Bradley	Frye	Nixon	Stephenson
Brandegee	Gallinger	Oliver	Stone
Briggs	Guggenheim	Owen	Sutherland
Chamberlain	Johnson, Me.	Page	Taylor
Chilton	Lea	Paynter	Terrell.
Clarke, Ark.	McCumber	Percy	Tillman
Crane	McLean	Rayner	

So the Senate refused to adjourn.

Mr. HEYBURN. Mr. President, there is not only the question of the immediate disposition of this bill involved but there is involved a principle that it seems to me should appeal to Senators. Only two years ago the people of the United States through their Congress enacted a law covering this schedule. It was after the people had been heard fully. It was after the people had had an opportunity of being heard before both Houses of Congress. The people, responding to the opportunity given them to present themselves and the facts upon which they based their conclusions, appeared before Congress and were heard at great length. As a consequence of that hearing Congress in its wisdom enacted the present law. It has only just gone into effect.

Now, it is proposed within a few months to disregard the wishes of the people who were heard before the committee, and to repeal the legislation of Congress that was enacted in response to the demand of those who appeared. That is the question presented by this bill.

The measure comes to us in the ordinary course of legislation from the House. It receives three days' consideration in the committee of that body. It was introduced on the 2d of June, reported on the 6th, and one of the intervening days was a Sunday. We have no suggestion that the people whose interests are involved in this legislation have changed their mind or that any new condition of facts than those upon which the last Congress acted have arisen. Presumably the facts are the same, and it naturally follows that the wisdom of the legislation rests upon those facts.

We are asked to change our conclusion of the last Congress without any additional facts upon which to base that change. Under the ordinary procedure of the Senate an opportunity to present the new facts upon which to urge new conclusions would be afforded before the Senate's Committee on Finance, having charge of this measure. It is obvious that this opportunity should be afforded the people. It does not seem to me to be fair that the verdict of the last Congress should be set aside without some reasons being given for such action. It is true that in the period suggested of 20 days some facts might be ascertained. It is equally true that because of the size of this country geographically those facts could not reach the committee during that time except to a very limited extent. It is equally true that the people whose interests will be affected by this proposed legislation are entitled to be heard. It is braggart legislation that is forced through under such circumstances by those who are continually fretting the air with their assertions of devotion to the will of the people. They clamor for the echo of the voice of the people—that is, they do in public—and when the responsible hour comes to test their sincerity, they deny the public the opportunity to be heard.

Mr. President, I was not willing, and I am not now willing, that this matter should be disposed of without making a record that the people can read, whether they hear it or not. This is a proposed repudiation of the express judgment of the last Congress, which terminated only on the 4th of March last. We are asked to assume that it is true that the people between the 4th of March of this year and this day have changed their minds and that the facts and conditions which were the basis of existing legislation have also changed. It is sought to deny us the opportunity of ascertaining whether or not this is true. I think it will hardly commend itself to the people of the country that Congress is willing to act in an irresponsible way by asserting in one hour that the judgment of a Congress that was the result of months of consideration is no longer to be commended or sustained.

Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Curtis	La Follette	Root
Bailey	Dillingham	Lippitt	Shively
Bourne	Dixon	Lodge	Simmons
Bradley	du Pont	Lorimer	Smith, Md.
Bristow	Fletcher	McCumber	Smith, S. C.
Brown	Foster	Martin, Va.	Smoot
Bryan	Gallinger	Martine, N. J.	Sutherland
Burnham	Gamble	Myers	Swanson
Chamberlain	Gore	Nelson	Thornton
Clapp	Gronna	O'Gorman	Warren
Clark, Wyo.	Heyburn	Overman	Watson
Crane	Hitchcock	Penrose	Wetmore
Crawford	Johnston, Ala.	Perkins	Williams
Culberson	Jones	Poindexter	Works
Cullom	Kenyon	Pomerene	
Cummins	Kern	Reed	

Mr. MARTIN of Virginia. I desire to announce that the junior Senator from Tennessee [Mr. LEA] is unavoidably detained from the Chamber by his own illness and by illness in his family.

The VICE PRESIDENT. Sixty-two Senators have answered to the roll call. A quorum of the Senate is present. The Senator from Idaho.

Mr. HEYBURN. Mr. President, I have no greater interest in this matter than another Senator, and it is not my intention to undertake to prolong the consideration of this question until to-morrow's session. I am sincere in my belief that the people to be affected by this legislation should have an opportunity of being heard in one body or the other. Had hearings been held where the bill was introduced, then we might have availed ourselves of the facts, which must be stupendous in themselves to justify the repeal of legislation which has been in effect only a year.

Some great revolution must have occurred in the industrial world to make it wise or necessary to change a law enacted less than two years ago, and, as a member of the Committee on Finance, I want to know what it is. I want to know what new conditions have arisen that demand even the consideration of the revision or repeal of that law, so recently enacted. I, for

one, want to hear some testimony or statement from some responsible source as to why that law should be repealed or modified; I want to hear some facts upon which to challenge the wisdom of the Sixty-first Congress, and I want them to be heard in the usual manner in which such things are brought before the Senate.

The Committee on Finance is empowered, under the standing rules that govern this body, to inquire into the necessity and wisdom of certain legislation proposed to be enacted. Some Member arises in his place and asks that that committee shall be limited and directed and controlled before the bill is read in this House, before the measure is even before the Senate, so that Members may know what is proposed in the way of legislation, and before it is referred to the committee at all. It can not be that it is with the suggested alternative that, unless this committee will abrogate its office or promise itself not to perform its duty, the measure will not be referred to it at all.

There is no Member of the Senate and no member of that committee who could form any intelligent and honest judgment as to the length of time necessary to develop before that committee such facts as would justify it or justify the Senate in reversing the action of the Sixty-first Congress. It is sensational in the highest degree to propose that a standing committee of this body shall perform its duty at the dictation of anyone, when that duty must represent the conscience of the committee.

We have no cloture rule in the Senate, yet you propose to establish one for the committee before a single circumstance has developed that would indicate the necessity for so doing. What is it that prompts Senators to anticipate failure in the performance of duty by a committee of this body? It is difficult to choose words within parliamentary rules to describe it. It is not senatorial; it is not parliamentary; it is not fair merely because a Senator is in favor of a measure to trample down every rule of propriety in order to rush it through, regardless of what is fair.

If it were possible to break down this great Government of ours, I can think of no procedure more apt to bring it about. What confidence will the people have in legislation if it shall be based upon a refusal to listen to the voice of the people when they are entitled to be heard? They have recently spoken through their Representatives in Congress upon this question. Congress has recorded the will of the people in the legislation that was enacted. Talk about sensational proceedings, this motion is as sensational as you might expect to hear in a socialistic convention. It is not befitting the dignity, it is not befitting the conservatism that should mark the proceedings of the Senate of the United States. Its purpose is to ride over the established order of procedure in this body, to disregard it. It is the kind of sentiment that should have no place in the Senate.

We have not undertaken to attack any other committee of this body in this way. If a committee shows a disinclination to perform its duty, then bring it before the Senate, because the committee is comprised of Senators equal in every respect with those who are not on the committee. To do this on party lines is less creditable. I am speaking in the aggregate now. It is not a creditable performance that either party in the Senate shall undertake to say to a standing committee, "You shall not exercise a conscientious judgment in this matter; you will jump to the snap of the whip, and you will come in with your report when we tell you to, and you will report as we tell you to." That will be the next thing. Some Senator may rise in his seat and offer a resolution that the committee be authorized and instructed to report favorably or unfavorably on a measure before it. One might be done with as much propriety as the other.

Mr. JONES. Mr. President——

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Does the Senator from Idaho yield to the Senator from Washington?

Mr. HEYBURN. Yes; I yield.

Mr. JONES. I think we ought to have a quorum present.

Several SENATORS. Oh, no.

Mr. HEYBURN. I have nothing to do with it.

The PRESIDING OFFICER. The Senator from Washington raises the question of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Bryan	Culberson	Fletcher
Bailey	Burnham	Cullom	Foster
Bourne	Chamberlain	Cummins	Gallinger
Bradley	Clapp	Dillingham	Gamble
Bristow	Clark, Wyo.	Dixon	Gore
Brown	Crane	du Pont	Gronna
Heyburn	Lodge	Overman	Smoot
Hitchcock	Lorimer	Penrose	Sutherland
Johnston, Ala.	McCumber	Perkins	Swanson
Jones	Martin, Va.	Pomerene	Warren
Kenyon	Martine, N. J.	Shively	Watson
Kern	Myers	Simmons	Wetmore
La Follette	Nelson	Smith, Md.	Williams
Lippitt	O'Gorman	Smith, S. C.	

Mr. DILLINGHAM. My colleague [Mr. PAGE] was obliged to leave the Chamber on account of indisposition.

The PRESIDING OFFICER. Fifty-five Senators have answered to their names. A quorum of the Senate is present. The Senator from Idaho will proceed.

Mr. HEYBURN. Mr. President, it is not my intention to prolong this debate. There should be no occasion to speak at all. The country is under the impression that it has a Republican Senate. The people are entitled to believe that the Senate of the United States is Republican by majority. So that this question having been made a party question by the other side, should safely go to a vote with the assurance that the Republican Party would prevail. The vote that is cast on this question of protection or the manner of legislating upon this question of protection will show the people of the country whether or not the Senate is Republican. Unless the vote is against this motion, the people may have been mistaken.

Republicans vote together on tariff questions. When it is a question of the consideration of tariff questions, while they differ in regard to details in the making up of tariff measures, when the question is, Shall the tariff be considered from the Republican standpoint? Republicans vote for it, Democrats vote against it; and I shall watch the result of this vote with interest—and the country will—to see whether or not the Republican Party has a majority in the Senate.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. HEYBURN. Certainly.

Mr. CLAPP. Does the Senator mean that he will watch the vote on the so-called Canadian tariff bill for that purpose?

Mr. HEYBURN. I mean exactly what I said. I will watch the vote on this question, which is whether or not this tariff measure shall be considered along Republican lines or along Democratic lines. That is the vote I will watch. And if the Senator means to anticipate the vote on the Canadian tariff bill, I will say to him that he will not have the opportunity of seeing me walk out of the Republican Party at this or any other time.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield further to the Senator from Minnesota?

Mr. HEYBURN. Yes.

Mr. CLAPP. The bill comes from a President elected as a Republican; it passed the House against a majority of the Republican vote of that House; and I should like to know the Senator's analysis of its Republicanism.

Mr. HEYBURN. The bill came from a Democratic House, and I want to know whether or not a Democratic Senate is going to determine its destiny.

Mr. CLAPP. Mr. President——

Mr. HEYBURN. There will be no majority of Republicans in favor of this Democratic measure. I can assure the Senator of that fact.

Mr. CLAPP. And I can assure the Senator that that bill can never pass the Senate without Republican votes.

Mr. HEYBURN. Well, there are a good many measures——

Mr. CLAPP. Yes.

Mr. HEYBURN. That have passed the Senate which should not, that passed it with the aid of Republican votes.

Mr. CLAPP. Never as vicious a one as this, however.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oklahoma.

Mr. LA FOLLETTE. Mr. President, speaking for myself, I am prepared to vote at this time on the tariff bill revising the duties on wools and woolens, which passed the House of Representatives on yesterday and was received by the Senate to-day. I believe that every Senator is ready to record his vote upon this bill. The Congress that framed the Payne-Aldrich law took the testimony of some 250 witnesses on wool and woolens as affected by Schedule K of the tariff law, and printed the evidence in a volume of nearly 800 pages. That testimony is accessible to every Senator. We need waste no further time with hearings. The country wants legislation on this subject. It has had enough of hearings. It wants action. If the Committee on Finance were to examine witnesses for months and print volumes of testimony it would not change the opinion of a member of the Finance Committee or a Senator upon this floor.

It has been asserted in the course of the debate upon this resolution that the vote will determine whether there is a

Republican majority in the Senate. I do not permit any Senator to question my Republicanism because I do not happen to agree with that Senator upon some phase of the tariff question. I defined my views regarding Schedule K two years ago when the tariff bill was pending before this body. At that time I analyzed that schedule, presented a series of amendments to revise it upon a basis which I believed to be, and, I think, demonstrated to be, strictly in accord with the Republican platform of 1908. There are no changed conditions, Mr. President, which would lead me to a different conclusion upon that schedule. Every Senator here knows full well that nothing has transpired which would lead any Senator to a change of attitude regarding the tariff on wool and woolens within the last two years.

The fact that I do not agree with some Republican Members of the Senate who are opposed to any changes in the duties in Schedule K warrants no challenge of my good faith in any respect, and I resent it here and now. No Senator here has the right or power to determine my political status or my political standing.

I regret the course, in one respect, which this discussion has taken this afternoon. It is becoming quite the fashion recently, first upon the Democratic and then upon the Republican side of the Senate, to arraign and assail the progressive Republicans. I do not believe it serves any good purpose to indulge in that sort of political practice upon either side of this Chamber. There are a few Members of this body who are progressive Republicans. They have certain convictions, and they will support and defend their convictions regardless of the taunts and innuendoes and baitings from either side of this Chamber. They will stand, I will say to the Senator from Mississippi, on the tariff question, now and hereafter, just where they stood when the Payne-Aldrich bill was before the Senate, and they do not need to be catechised by anybody. They have never swerved one hair's breadth, Mr. President, from the course which they have marked out for themselves, nor will they.

Now, then, it was suggested by the Senator from Mississippi [Mr. WILLIAMS] that he would not stand for any amendment of the President's reciprocity pact as formulated in the pending bill, because he had taken some pains—I do not undertake to quote exactly his language—to ascertain that if it were amended it could not become a law. I took that to mean, and I can not interpret it in any other way, that he has been informed by the Executive that if the so-called reciprocity bill is amended it will be vetoed.

Mr. SMOOT, Mr. CLAPP, and others. Ask him.

Mr. LA FOLLETTE. No. If he desires to make plainer what he said, he will do so without my catechising him. I want to suggest to him that some Senators here have learned from experience when other measures were pending that such Executive suggestions do not materialize when the test comes.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Utah?

Mr. LA FOLLETTE. Certainly.

Mr. SMOOT. The only reason I suggested it was because the inference I got from the remarks of the Senator from Mississippi was that the House would not accept the bill if there was a change in it. I may be wrong. That is the reason why I suggested to the Senator from Wisconsin that he ask the Senator from Mississippi.

Mr. WILLIAMS. I will say that all gentlemen are at liberty to speculate.

Mr. BAILEY. Will the Senator from Wisconsin permit me?

Mr. LA FOLLETTE. With pleasure.

The PRESIDING OFFICER. Does the Senator from Wisconsin yield?

Mr. LA FOLLETTE. I do.

Mr. BAILEY. If it is true that to amend the reciprocity bill with the free-list bill would defeat them both, then it absolutely means that the free-list bill has no chance whatever to become a law unless we do attach it to that bill.

Mr. LA FOLLETTE. Mr. President——

Mr. WILLIAMS. One word.

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Mississippi?

Mr. LA FOLLETTE. In just a moment.

Mr. President, I concur in the view expressed by the Senator from Texas, and, sir, it is equally true then, without doubt, that an independent reduction of the duties in Schedule K would have no chance to become a law. If we honestly desire to relieve the people of some of the excessive burdens of taxation by reducing tariff duties, the amendment of this Canadian tariff bill offers us the opportunity, and the only opportunity which may come to us during the life of the present administration.

The friends of this Canadian bill aver that they have the votes to pass it. I believe their confidence is well grounded. It will go to a President who will sign it. He might veto an independent tariff bill, making wholesome reductions in the duties on woolens and cottons and adding to the free list articles which will substantially benefit the farmers, who, by the terms of the so-called reciprocity bill, are to surrender their market to Canada. But if we add these just and righteous reductions to the Canadian tariff bill the entire measure will receive Executive approval. Thus the agricultural interests will be in some measure compensated for the loss of their markets and the consumers throughout the entire country secure a measure of the downward revision of tariff duties which they were promised in 1908.

If we will make reductions in the woolen and cotton schedules which we can safely make—reductions which will wrong no manufacturing interest, reductions which will leave a margin of safety above the line of difference in production cost between this and the competing countries—with the loss of only a modest revenue, we shall save to the purchasers the better part of $200,000 annually. Sir, this would be a great service to the people of this country everywhere. This Canadian tariff bill, passed just as the President desired it, will benefit nobody but Canada, the railroads, a few trusts, and the newspapers.

Mr. President, shall we incur the risk of letting this chance of at least a partial tariff revision go by? How shall we answer to the public if we then fail of tariff reduction altogether?

Sir, the President has declared Schedule K an "indefensible outrage." Further, he made a campaign and was elected upon a declaration that the revision of the tariff should be downward and not upward. I believe he will think it unwise to withhold approval of a bill that enacts into law his particular measure—this Canadian pact, which is not reciprocity in any sense—because we have amended it, even though not to his liking. This will be especially true when our amendments actually reduce taxation upon the people of this country by revising downward that same Schedule K and some others nearly, if not quite, so intolerable.

In advocating reductions I am unwilling, with my view of tariff revision, to go further than the present information will justify.

Mr. President, what I shall offer to the Senate as an amendment to the Canadian administration bill, as a revision of Schedule K and of the cotton schedule, will be shown to be easily and safely within the line of the difference in production cost. It will be offered with the expectation that when the Tariff Board shall have completed its expert work upon any one of these schedules that schedule can be taken up by Congress for thorough and scientific revision. I have no doubt that when that work shall have been done it will be found that upon the difference in the cost of production between this and the competing countries we can cut far below the duties which I shall propose in the amendments I offer.

Mr. President, just one word further with reference to the suggestion I made that there was an Executive threat here that this bill would be vetoed if it were in any way amended.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Mississippi?

Mr. LA FOLLETTE. Certainly.

Mr. WILLIAMS. In reference to what I said a moment ago, that there may be no misunderstanding I wish to say that there has been no communication with the President of the United States to me to that effect, or anything similar to it, if the Senator from Wisconsin really meant that. I thought he was joking.

Mr. LA FOLLETTE. Does the Senator mean an official or a personal communication?

Mr. WILLIAMS. Any sort involving any expression of what the President would do in regard to any veto upon any subject.

Mr. LA FOLLETTE. I am very glad to hear the Senator from Mississippi make that statement. I was not quite able to interpret just what the Senator meant by the statement that he had taken pains to ascertain whether it would not become a law later.

Mr. WILLIAMS. If the Senator from Wisconsin will permit me one further interruption, I will state what I meant by that.

Mr. LA FOLLETTE. I shall be glad to hear it.

Mr. WILLIAMS. I said there was a twofold danger; that the first and greatest danger was that after the amendment had been tacked upon the Canadian reciprocity bill enough Republican Senators now supporting Canadian reciprocity would desert the combination of the two to defeat both. But it is a mere speculation upon the part of the Senator from Wisconsin, and upon my part, as to what the President of the United States will do with a free-list bill or with the woolen schedule. I

agree with him that the President of the United States would probably sign a properly reconstructed woolen schedule, but it is a mere speculation as to both.

Now, the Senator from Wisconsin can afford to involve in that speculation the Canadian reciprocity bill because he is not in favor of it, so that if the President did veto the two both would be dead, and he would not care so much. But I can not afford to involve in the speculation as to the free-list bill, for example, a speculation as to Canadian reciprocity. That is another risk.

The greatest risk is right on the floor of the Senate. Republicans here who are supporting the administration and voting for Canadian reciprocity would probably vote against that, but others would tack it on. Those who want to defeat Canadian reciprocity, of course, would join hands with the Senator from Wisconsin, who would be willing, in good faith, to vote for the measure as amended.

They would join hands with him until they had amended it and then they would join hands with those who had left the bill to defeat the measure as amended, and enough Republicans who are supporting Canadian reciprocity now would leave the two measures tacked one to the other to defeat the combined measure. That is what I meant. I have taken some trouble to try to satisfy myself whether or not that would be the result, and whether I arrived at an accurate conclusion or not, I arrived at a conclusion satisfactory to myself that it would be the result.

Mr. LA FOLLETTE. Mr. President, I have no means of knowing how thoroughly the Senator from Mississippi made his investigation or how accurate his conclusion. In this matter I can speak only for myself. If the administration bill can be so amended as to compensate the farmers for the loss of their markets by reducing tariff duties, and hence reducing excessive prices for commodities and supplies which they and all the people must buy from our protected manufacturers, trusts, and combinations, then, sir, I would vote for the bill so amended.

Mr. President, if the Democrats on this floor will stand for amending the reciprocity bill by reducing these duties, which can not be justified, on woolen goods, making a saving of $100,000,000 to the people who must buy clothing; by reducing the duties on cotton goods, making a saving of fifty or more millions annually to the people who must buy cotton clothing; and by further reducing duties upon certain items in other schedules, I have no doubt——

Mr. OVERMAN. And increasing the free list.

Mr. LA FOLLETTE. And by reasonably increasing the free list I have no doubt we will be able to send to the President a reciprocity bill amended by tariff provisions that, on the whole, will be beneficial to the entire country. I believe the agricultural interests of this country will take the reductions that will come to them from the reciprocity pact if at the same time they can have just, reasonable, and proper offsets and compensation in reduction of the excessive duties on the things they have to buy.

Sooner or later, in the consideration of this Canadian pact, the Senate will come, Mr. President, to pass upon exactly that question, and it will not be necessary for any Senator upon the Democratic side or any Senator upon the Republican side to set the progressives in this body up as targets for their jibes and sneers. We will take care of our record, if you will take care of yours. Do not worry about that. We will perform our duty according to our lights, as you perform yours according to your lights.

I have had no authority conferred upon me to speak for the progressive Republiacns in this matter; but, sir, basing my judgment upon the record which they have made upon tariff legislation, I believe I have fairly stated their position.

For my own part, upon this motion, Mr. President, believing that the Senate is in possession of all the facts necessary to act upon this bill and that the public interest will be subserved by its adoption, because it will bring to a speedy determination the questions that are pending before the Senate, I shall support it.

Mr. SIMMONS. I wish to ask the Senator one question before he takes his seat.

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from North Carolina?

Mr. LA FOLLETTE. Certainly.

Mr. SIMMONS. Do I understand the Senator to say that if a solid or something like a solid Democratic vote can be secured in favor of an amendment to the reciprocity treaty, embracing the several schedules to which he has referred, and including the putting of certain things upon the free list, enough votes can be secured from that side of the Chamber to amend the treaty in this respect, and then to pass the treaty, even if every Republican now supporting the treaty shall abandon it?

Mr. LA FOLLETTE. Mr. President, in my judgment, having in mind the public record of the progressive Republican Senators, I believe a reasonable tariff revision along the lines which I have suggested can be made a part of the President's bill, and that, when so amended, the bill will receive the same support upon its passage. I make this statement, not because I am commissioned by progressive Republican Senators to announce their votes upon this bill (and I certainly do not assume to deliver any votes upon any proposition), but I know something of the views and the records of progressive Republicans and of their controlling purpose to serve the public interest, and I state what I believe the results will fully confirm.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield further to the Senator from North Carolina?

Mr. LA FOLLETTE. Certainly.

Mr. SIMMONS. The question I wish to have the Senator answer is, Whether if that proposition should receive something like a solid Democratic support, in the judgment of the Senator would it receive enough votes from the other side to pass it with the amendment?

Mr. LA FOLLETTE. In my judgment, if the Democrats, who have been criticizing the progressives and speculating as to whether they were merely talking for effect upon the tariff two years ago, will just make sure of the votes upon the Democratic side to amend the so-called reciprocity bill by reducing tariff duties along the lines which I have suggested, then, I repeat, in my judgment there will be enough progressive Republican votes not only to amend but to pass the bill through the Senate. That is precisely what I mean.

Mr. President, the course which I have marked out is the only way to insure at this session real tariff reductions which will be of any substantial benefit to the consumers of the country.

Mr. CUMMINS. Mr. President, ordinarily I would not support a motion of this character, because I believe that under the circumstances which usually surround this body a committee to which a bill is assigned should have an opportunity to consider it without an instruction of this sort. But we are not surrounded by ordinary circumstances. It is idle to disregard the atmosphere that fills this Chamber, and that has filled it from the beginning of the session until the present moment. The man who does not know in a general way what has been proposed with regard to the work of this session has closed his eyes and has deadened his ears to the most obvious facts all about us.

I am not imputing it to any especial source, but it is well known that it is proposed to pass the alleged reciprocity measure unamended and allow it to become a law. It is well known that the Finance Committee has not proposed and has not intended to report any other bill which looks to the revision of the law of 1909. I am not criticizing that committee, but their point of view is just as well understood as is the point of view of anyone who has expressed his opinion openly upon the floor of the Senate.

Mr. LODGE. Will the Senator allow me?

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Massachusetts?

Mr. CUMMINS. I do.

Mr. LODGE. As one member of the Finance Committee, I desire to say to the Senator there has never been any such understanding on the part of the Finance Committee within my knowledge, or of any kind. As one member, I expected those bills to be dealt with and reported at the earliest possible moment; I do not say how reported, but reported to the Senate at the earliest possible moment.

Mr. CUMMINS. It is immaterial how they are reported; but I have heard so often the suggestion that we must not enter upon the revision of any of the schedules of the tariff until we had the complete and final report of the Tariff Board, with respect to such schedules as may be attacked, that I can not but believe that I have correctly stated the intent. Mark you, I did not use the word "understanding." I do not suppose there has been any agreement among the members of the Finance Committee about it; but I do know, if I am permitted to believe what my eyes see and my ears hear, that it is not expected that we shall enter upon the revision or the consideration of any other schedules of the tariff save those which are involved in the alleged reciprocity measure.

Mr. McCUMBER. Will the Senator yield to me?

The PRESIDING OFFICER. Will the Senator from Iowa yield to the Senator from North Dakota?

Mr. CUMMINS. I will.

Mr. McCUMBER. I simply desire to say, as one member of the Committee on Finance, there has been no such intent, no such purpose, but I expected that we would report on

both of the important bills which passed the House and have them acted on during this session. If there is any understanding of any member of the Finance Committee to the contrary, it has been an understanding in his own mind, which he has not conveyed to the other members of that committee, so far as I know.

Mr. PENROSE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Pennsylvania?

Mr. CUMMINS. I do.

Mr. PENROSE. I desire to state as a member of that committee, and as chairman, that it has always been my intention, and my publicly expressed intention, to call a meeting of the committee immediately on the receipt of this wool bill and proceed in good faith to the consideration of it. I have been in receipt of thousands of requests from people from the Atlantic to the Pacific Ocean and from the Canadian border to the Gulf of Mexico asking for hearings on the free-list bill and on the wool bill, and I have answered all their communications, and informed them that when the wool bill was received by the committee those bills would be taken up promptly, and that they would receive ample notice of the hearings.

As to the character of the report, of course, there was no assurance, but that the bills would be reported at some time or other certainly and proceeded with was distinctly understood among all the members of the committee. If it shall be the will of the Senate that these thousands of persons shall be denied the same rights which were patiently extended to the agricultural interests of the country on the reciprocity bill, it will not be the fault of the Finance Committee of the Senate.

Mr. CUMMINS. Mr. President, I do not doubt in the least degree the statements just made by the chairman of the Finance Committee, but I remember that a few days ago I read a report which seemed to come from the Finance Committee—I mean from the chairman of the Finance Committee—immediately after he had visited the Executive Mansion.

I read the report in one of the Washington newspapers—I do not know how accurate it may have been—the substance of which was that the distinguished Senator from Pennsylvania [Mr. PENROSE] had just been in consultation with the President; that he had reassured him respecting the early passage of the reciprocity bill without any amendment whatsoever, and had stated that it was his opinion that Congress would be able to reach an early adjournment, and I think the first part of July was mentioned as the probable date of the adjournment. I put that together with a great many other things. I do not want the members of the committee to think that I am criticizing them; they have a perfect right to conclude that there ought to be no general tariff revision at this session; they have a perfect right to assume that they ought to wait until they secure the evidence or the facts which may be at some time in the future reported to them by the Tariff Board.

I only say these things in order to show the Senate why I have believed that it was not the intent of the Finance Committee and not the intent of those who have been in supremacy in the Senate of the United States, to allow any changes in the tariff, save those that are proposed in the alleged reciprocity arrangement with Canada.

There is no man in the Senate or in the country who is more anxious than am I to establish freer commercial relations with our northern neighbor. There is no man who will go further than I will go in order to accomplish that most desirable result. I believe that Canada has given to us or proposes to give to us in the arrangement we now have before us substantially all that she can give; but I do not believe, if we want to do toward Canada a tardy justice and to do toward our own people an equally belated justice, that we have given to Canada all that she deserves or all that the welfare of our people demands.

My first insistence is that this arrangement shall be so modified as not to demand especially more of Canada, although Canada ought to change the arrangement in one or two respects, but to change it with regard to the concessions that we grant Canada, and when we admit from Canada her agricultural products free, that we shall at the same time admit all her manufactured products free, so that in so far as Canada is concerned, the farmers of the United States shall have as free a market in which to buy as it is proposed they shall have in which to sell.

But further than that, we all understand that, granting practical free trade to Canada—and I think it can be granted to Canada without any inconsistency with the Republican doctrine of protection, so far as many manufactured articles are concerned—we have not done enough. We have not yet given the farmers or the persons who are particularly affected by the proposed arrangement with Canada that relief which justice to them demands. We have still to give them a freer market in which to buy, a market in which prices will not be enhanced by unjust and excessive duties. Therefore, it is not only our privilege, but it is our imperative duty, to enter upon a revision of such schedules of the tariff as particularly affect our relations with the remainder of the world, and reduce our duties to a point that will measure the difference in the cost of production here and abroad. So far as I am concerned—and I speak for no other man—my vote will not be cast for any adjournment of this session of Congress until, if the reciprocity treaty, so called, passes unamended, we have entered upon a revision of every schedule of our tariff which contains unjust and unfair duties.

I think for the reasons which have been given by the Senator from Wisconsin [Mr. LA FOLLETTE], and which I outlined at an earlier time this afternoon, we ought to attach such legislation to the measure which has been called reciprocity with Canada, and I shall use all the influence I have to so attach that legislation, because I believe that if it is not so connected it will not receive the approval necessary to put it into effect, and that for two years yet the people must bear the burdens which have been created—no, not created, but perpetuated—by the act of 1909.

It seems to me that the commonest patriotism on the part of those who want these burdens alleviated will require them to so vote that when the arrangement with Canada becomes effective at the same moment these heavy duties shall fall from shoulders illy able to bear them.

I want to be perfectly frank. I do not make any bargain with anybody with regard to my vote. I care vastly with respect to the manner in which my friends on the other side of the Chamber shall cast their votes; I am deeply concerned in the view which they shall take of this vital subject; but, so far as I am concerned, it makes no difference how they shall cast their votes. If we are not able to attach to the reciprocity measure these revisions of the schedules of the tariff which ought to be revised, I shall vote to pass them as separate and independent measures in the form in which I believe they ought to be passed, and that form will witness a very great reduction in duties. It might just as well be understood, I think, that we have entered upon a revision of the tariff from the beginning to the end, and I care not whether we conclude it in June, or July, or August, or September, or October, or November. In so far as I am concerned, that effort will be continued until we either reach the desired result or a majority of the Senate has declared that the result ought not to be attained.

I believe that the Committee on Finance does not need any hearings with regard to the wool tariff. I am not agreed with the bill passed by the House of Representatives; I do not think it proceeds upon the right principle. I believe in specific duties on wool and woolen cloth and fabrics and garments, instead of ad valorem duties; but I am in entire sympathy with the effort to take away from the manufacturer of woolens in this country a large part of the so-called compensatory duty which, on its very face, bears the evidence of its unrighteousness as well as of its unsoundness. I shall do what I can to secure such reductions in the schedule as I believe should take place in it; and, whatever may be the outcome of the struggle, we might just as well bring it upon the floor of the Senate with the information that we have and that is accessible to us on every hand, and dispose of it according to the views and opinions of a majority of the Members of this body.

I do not want to be discourteous to the Finance Committee, and especially to its chairman, and if he would indicate that the time suggested in the motion of the Senator from Oklahoma was five days too short or ten days too short, I would be disposed to yield to his views in that respect; but he has made no such suggestion and opposes, as I understand, the motion, because he believes the time ought not to be limited at all. In that respect I can not agree with him.

Mr. PENROSE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Pennsylvania?

Mr. CUMMINS. I do.

Mr. PENROSE. On that point, Mr. President, it is not possible to gauge the length of the hearing. The committee patiently listened to over 100 persons for a period of nearly a month on the reciprocity bill; and the other measures open questions of far greater complication and extent.

All that I can assure the Senator is that the committee will do as it did in the case of the reciprocity measure—meet promptly at 10 o'clock in the morning, continue the hearings

without missing a day, and endeavor to comply with what is ordinarily accepted as the right of an American citizen to be granted a hearing by a committee of Congress. If, as the work progresses, it becomes evident to the Senate that the committee ought to be discharged, it is within the power of the Senate to discharge the committee; but it certainly is unprecedented to limit the time which the committee may have to consider a bill at the same time that the bill is referred, and it is certainly rank injustice to thousands of Democrats and Republicans scattered all over the country who have petitioned for a hearing.

Mr. CUMMINS. Whether it is unprecedented or not, Mr. President, I do not know; but if it is unprecedented, the justification for it lies in the fact that we are surrounded by unprecedented circumstances.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from North Carolina?

Mr. CUMMINS. I do.

Mr. SIMMONS. With the permission of the Senator from Iowa, I should like to ask the chairman of the Committee on Finance one question. The chairman of the committee has several times this afternoon given the Senate assurance that there would be hearings.

Mr. PENROSE. Right away.

Mr. SIMMONS. But the Senator has not given the Senate the assurance that after a reasonable time devoted to the hearings the committee will report the bill back to the Senate either favorably or unfavorably. Does the Senator give the Senate that assurance?

Mr. PENROSE. Mr. President, I have not consulted with the members of the committee. I assume that, when the hearings are closed, the committee will necessarily have to take some action on these measures. They will either have to report the bills favorably or unfavorably, or the committee will have to agree not to proceed further with the consideration of the measures until the fall. In that case it is within the power of the Senate to discharge the committee and acquire possession of the bills.

Mr. SIMMONS. It has been customary here, Mr. President, if the Senator will permit me, when the chairman of a great committee was interrogated as to his purpose to report a bill back to the Senate during the session of the Senate, to give a categorical answer; and I think the Senate is entitled to have the Senator from Pennsylvania, chairman of the Finance Committee, say absolutely and without qualification whether it is the purpose of the committee—I can not believe that the Senator is in doubt about the purpose of the committee—to report this bill back at this session.

Mr. PENROSE. Mr. President, I can——

Mr. SIMMONS. I will put it in another way; I will ask the Senator if it is not the purpose of the committee not to report the bill back?

Mr. PENROSE. The Senator desires an answer to his question?

Mr. SIMMONS. Yes.

Mr. PENROSE. The Senator from North Carolina is a member of the committee.

Mr. SIMMONS. But a minority member.

Mr. PENROSE. Mr. President, every member of that committee is in the minority. Of course when the hearings are closed and every person has had a fair and reasonable chance to explain his views on the pending measures, it will be in the power of any member of that committee to move that the bill be reported favorably, and that motion can be amended so that the question will be that it be reported unfavorably; and neither I nor any other member of the committee can prevent a vote upon that motion.

Mr. CUMMINS. Mr. President, with regard to that, it occurs to me that if this motion is adopted, and if, when the 10th of July shall come, a majority of the committee shall feel that it is necessary to have further time in which to take evidence, that request could well be laid before the Senate, and it would be judged according to the situation as it may then exist.

Mr. PENROSE. Mr. President, on that point I will say candidly that I would not feel justified or warranted in assuring the citizens of the United States who are interested in these controversies that they could have a hearing and at the same time not have any assurance that the committee will have full power to carry out its promise. Many of these gentleman live at a distance from the Capital, so that they can not reach here under 5, 6, or 10 days. They must notify the other persons engaged in the industry in which they are concerned; they must have an opportunity to confer with each other, to select their speakers, to organize the committee which shall come to Washington, to have a date fixed for the hearing, and how that can be done in any sort of good faith or fairness in the limited period suggested by this motion or in any period suggested to-day, I am at a loss to understand.

When the Senator from Texas, a member of this committee, had constituents from Texas in Washington and asked to have a hearing on the free-list bill, the committee cheerfully and willingly and promptly gave it to them, and they have assured other persons who made the request at that time that they would be given a hearing. But these people can not come here on a 24-hour telegraphic notice, and they can not be expected to, and I for one am not prepared to say to the Senate that I will advise these scores of persons anxious to have a hearing that they can have one when the limitation of time may make it impossible.

Mr. CUMMINS. I now yield to the Senator from Texas.

Mr. BAILEY. Mr. President, I simply want to say to the Senator from Iowa and to the Senator from Pennsylvania that this is not an unprecedented proceeding. One of the most important tariff acts in all our history was taken from the table and considered without any reference to the Finance Committee, and the Senate was moved to that action by the same apprehension that evidently controls it now, which was that the committee might not report it back to the body at that session. That apprehension arose, not out of the fact that the committee as then organized was in opposition to the majority sentiment of the Senate, but out of the fact that one of the members of the committee happened to be absent, and it was feared that the committee, in his absence, would be unable to report.

Mr. SMOOT. Was it not also due to the fact that the committee was a tie—with one absent member?

Mr. BAILEY. It was a tie in the absence of that Senator.

Mr. CUMMINS. In so far as we know this committee is a tie.

Mr. BAILEY. This could not very well be equally divided, with a full attendance, because it consists of an odd number. It was an odd number then, but the absence of the Senator, who I believe was Senator Spaight, of North Carolina, left the committee evenly divided.

Mr. PENROSE. Will the Senator from Iowa permit me one word there?

Mr. CUMMINS. I yield.

Mr. PENROSE. The Senator from Iowa has kindly and very courteously expressed his regard for my feelings as chairman of the committee, and I thank him for his expressions, and appreciate them. But my feelings are in no way sensitive. I recognize the fact that the Republican Party no longer controls this Chamber, and if the pending motion passes this body I shall be compelled to notify the scores and hundreds of persons who have requested what is ordinarily considered a right—to be heard—that they are denied it by order of the United States Senate and that hearings will not be had.

I am quite content to stand upon the record as made.

Mr. CUMMINS. I was quite sincere in expressing——

Mr. PENROSE. I know you were.

Mr. CUMMINS. My appreciation of the Senator from Pennsylvania——

Mr. PENROSE. I know that, Mr. President.

Mr. CUMMINS. But I do not believe that he can mean what he has just said. I do not think that he will notify the American people that the Republicans are no longer in control of the Senate. He may in his place upon this floor, but he will not as chairman of the Finance Committee.

It is perfectly evident anyhow that, so far as this tariff discussion is concerned, from beginning to end, the Members of the Senate do not divide upon political lines. The Senator from Pennsylvania himself is not aligned upon the Republican side, as the Senator from Idaho [Mr. HEYBURN] claims, on the reciprocity bill, as carrying into effect Republican doctrine. Who shall be the censor of Republican policies or Republican morals in this Chamber?

Mr. GORE. Mr. President——

Mr. CUMMINS. Who shall determine who is or who is not a Republican? The Senator from Idaho says——

Mr. HEYBURN. Mr. President——

Mr. CUMMINS. Mr. President, the Senator from Idaho says that any man who is for free trade with Canada in agricultural products is not a Republican.

Mr. HEYBURN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Idaho?

Mr. CUMMINS. I yield to the Senator from Oklahoma. He was the first to ask.

Mr. GORE. Mr. President, I am obliged to the Senator from Iowa for yielding to me, because I wish, before we proceed too far from the notice which the Senator from Pennsylvania has

given us and which he has advised us he intends to serve upon the American people touching their desire to appear before the Finance Committee, to say that I hope the Senator from Pennsylvania, when he sends that notice to any portion of the American people, will append this postscript—that they have 20 days in which to appear before that committee and present their views upon the pending bill, which involves only one schedule, and that the Payne-Aldrich bill, involving every schedule, involving 4,000 items, was received in the Senate on April 10 and was reported to the Senate on April 12, two days having been set aside by the committee of which the Senator from Pennsylvania is now chairman to allow 90,000,000 people to express their views on four thousand and several items.

I trust the Senator from Pennsylvania will append a postscript of that description, in order that he may be just to the Senate of the United States, to the people of the United States, and to those who have supported the pending motion.

I thank the Senator from Iowa.

Mr. CUMMINS. I now yield to the Senator from Idaho.

Mr. PENROSE. Will the Senator from Iowa yield to me for a moment?

Mr. CUMMINS. I will, after the Senator from Idaho shall have concluded.

Mr. PENROSE. I simply want to say briefly that two years ago a number of informal hearings were granted by the Finance Committee of the Senate to persons desiring a hearing. There was no general request, because all those people had appeared before the House Committee on Ways and Means. This year what is commonly and in a slang phrase called the "steam-roller process" was applied in the House of Representatives, and this bill comes over here without any of those people having had an opportunity to have even a day in court.

Mr. GORE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Oklahoma?

Mr. CUMMINS. I yield to the Senator from Oklahoma for a brief answer.

Mr. GORE. I wish to propound this inquiry to the Senator: Those informal hearings of which we have heard before this, and of which we hear so much now, were had after the bill was reported to the Senate by the Finance Committee.

Mr. PENROSE. They were held three months before the bill ever reached the Senate.

Mr. CUMMINS. I do not intend to yield further for the discussion of what occurred in connection with the Payne-Aldrich legislation.

The PRESIDING OFFICER. The Senator from Iowa declines to yield further.

Mr. GORE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Oklahoma?

Mr. CUMMINS. The Senator from Oklahoma was just finishing his sentence.

Mr. GORE. I merely wish to state that the people on this occasion should have a like opportunity here in these informal secret hearings as two years ago.

I thank the Senator from Iowa.

Mr. CUMMINS. I now yield to the Senator from Idaho.

Mr. HEYBURN. The Senator from Iowa inquired as to where the principle and power of the Republican Party were to be found.

Mr. CUMMINS. No, Mr. President. The Senator from Idaho does not state it with his usual accuracy.

Mr. HEYBURN. The Senator used better language. I would be glad to have him repeat the language.

Mr. CUMMINS. I asked who in this Chamber——

Mr. HEYBURN. Ah!

Mr. CUMMINS. Is the censor of Republican morals or Republican policies?

Mr. HEYBURN. The Republican majority, acting through its organized caucus, is the master of Republicans, and the man who does not recognize it is not a Republican.

Mr. CUMMINS. Mr. President, so far as I am concerned, I want the Senator from Idaho and the Senate of the United States and the whole world to understand that no caucus of any party or of any element of society can determine for me what I shall do or to what party I shall belong.

Mr. HEYBURN. The Senator has given himself the status that I think will be conceded to him.

Mr. CUMMINS. Precisely; a status of which I am very proud. I recognize the doctrine of protection which was announced by the Republican Party in 1908, and I intend to carry it into effect as faithfully as I can, but no body of men on earth can tell me how to apply the principle that was announced in 1903.

Mr. HEYBURN. Will the Senator allow me?

The PRESIDING OFFICER. Does the Senator from Iowa yield further?

Mr. HEYBURN. It is to correct what I think is a wrong impression as to what I was addressing my remarks to.

The Senator's inquiry was concerning this Canadian tariff bill, and he cited certain instances where it received support or did not, and then inquired in connection with that as to where the test was to be found. I say that this is not a Republican measure—it matters not to me who supports it—because it has not a majority of the Republicans in this Chamber to support it, and it did not come here vouched for by a majority of the Republicans elsewhere, and it can only originate in Congress, and I repudiate the idea that legislation can receive its political character outside of Congress.

Mr. CUMMINS. The action of a Republican caucus upon this measure would make it neither better nor worse. But I agree entirely with the Senator from Idaho in his conclusion that it is not a Republican measure, and I might just as well say frankly that, so far as I am concerned, I intend to do what I can to bring before the Senate revisions of other schedules in this tariff before the measure with Canada is voted upon.

We need not conceal our purposes here, because they are open, I think; visible to everybody. I for one would like the arrangement with Canada or the bill which was passed by the House of Representatives and reported by the committee so amended that it could command my conscience and my support. But it is impossible for Senators to dream of the consideration of a measure of this character and its final disposition by this body until these other measures are also before the Senate and under the consideration of this body.

I therefore, deprecating of course the feeling that there is any discourtesy to the committee intended by this motion, feeling that my highest duty to the American people demands that this and all other measures that are intended for the revision of the tariff shall be before us and under consideration, shall vote for the motion of the Senator from Oklahoma.

Mr. BORAH. Mr. President, I presume the State which I have the honor in part to represent is as much interested in the woolen schedule, perhaps, as any one of three or four States that might be mentioned, and I should, of course, very much desire in a matter of such importance to my constituents that they should have an opportunity to be heard. If I were convinced that a hearing could have any effect, I would not vote to deny them that hearing. But, Mr. President, I do not know just what effect a hearing would have with reference to the woolen schedule.

I know precisely what effect it had with reference to the reciprocity bill. The committee treated the farmers who came here with all deference and courtesy, and listened to them, the farmers knowing all the time and the committee knowing all the time, and everybody else knowing all the time, that it did not make any difference what they said or what facts were produced. The decree had gone forth that the reciprocity agreement was to be passed as written. And if the farmers had been heard for the next six months and had produced the most conclusive evidence, as they did, of the injustice and unfairness of that agreement, it would not have made a particle of difference as to its ultimate passage in the Senate.

That agreement was made elsewhere, and the decree had gone forth that it must pass. Senators standing upon the floor to-day were moved almost to tears because they must part with the farmers, with whom "they had grown up"; but they must part. And sad as it all was, they took their departure. I could only understand the tearful exhibition upon the theory that there was a deep consciousness of being about to do the farmer an injustice. They give to the farmers tears. They give to the manufacturers protection. I have no doubt the farmer would prefer to have his protection and let the manufacturer have the tears.

But it would not serve any good purpose, Mr. President, to bring these wool men here from all parts of the country under the conditions which confront us with reference to legislating at this session. So far as I am concerned, if it is within my power, by vote or otherwise, to drag into the Senate Chamber every single schedule and revise the Payne-Aldrich bill, I am now ready and willing to do it. So, I say, that, knowing that my State is as much interested in the woolen schedule as perhaps any other State in the Union, nevertheless I am ready to begin a general revision.

If we are to have absolute free trade as to the farmer, then we must certainly have revision of the tariff as to all other important schedules in order to have even a semblance of performing our duty here. Believing that we can discover the defects, if there be any, and ascertain the facts, if we need them,

to determine what we should do with reference to the woolen schedule precisely the same as was determined with reference to the reciprocity agreement, I see no reason why we should not do it. It will keep us here a considerable length of time, but it is much more important that we do this right than that we go home; and I do not believe we can justify ourselves by refusing now, as we have an opportunity, to revise the entire tariff in the Senate to the satisfaction of those who think it ought to be done; I believe that it ought to be revised in many respects.

Therefore, while I would not for a moment vote for anything in the nature of a criticism or condemnation of the committee, I think the sooner we get the entire tariff bill into the Senate at this session and commence work we will be at that work which it is our duty at this session to perform.

Mr. JONES. Mr. President, I desire to say that I am going to support the reciprocity measure. I reached that conclusion after a very careful study of the testimony. I shall not vote for any proposed amendment to the reciprocity agreement that is likely to defeat it, but I do think, as the Senator from Idaho [Mr. BORAH] has just said, that the sooner we get a tariff measure in here revising all the principal schedules the better it will be for the country and the better it will be for the Republican Party. I should like to see the Republican members of the Finance Committee get together and exclude the Democratic members and prepare a tariff bill along Republican lines, present it possibly to the full committee for their consideration first, and then bring it into this body, and let us consider it. As the Senator from Iowa [Mr. CUMMINS] said, the woolen bill that has been sent over here is not framed on Republican lines, and I should like to see this bill acted on by the Republican membership of the Finance Committee and that they should bring into this body a bill framed on Republican lines for our consideration.

Mr. NELSON. Mr. President, will the Senator from Washington yield to me?

Mr. JONES. Certainly.

Mr. NELSON. Is the reciprocity bill framed on Republican lines?

Mr. JONES. I think it is, and I shall state my reasons for it later on. I have come to that conclusion after a very careful consideration of it. I want to say that the only question which made me hesitate in regard to it was as to whether or not I could justify that measure along the line of the Republican policies I have heretofore advocated. I believe I can; at least I am satisfied of it in my judgment, and my reasons for it I will present later on.

Mr. NELSON. The Senator has come to the conclusion, then, that everybody in this country is entitled to protection except the farmers.

Mr. JONES. No; I do not agree with the Senator on that. I think I am just as sincere in my opinion with reference to the protective character of the reciprocity agreement as the Senator from Minnesota, and I know that he is honest and sincere in the matter.

I believe that the Republicans of this body owe it to themselves and to the country to make some revision of the woolen schedule, and of the metal schedule, and of the sugar schedule, and of the cotton schedule, and, possibly, some other schedules.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Utah?

Mr. JONES. Certainly.

Mr. SMOOT. I was going to ask the Senator how he felt in relation to the tariff on lumber as provided in this bill. He is from a lumber State, and I want to know if he thinks that it is fair and right that lumber finished on one side——

Mr. JONES. I am not going into those details now, I will say to the Senator.

Mr. SMOOT. That is a question of tariff.

Mr. JONES. I will discuss that at the proper time, and my constituency will be pretty well satisfied with my position. They have not any protection on lumber now.

Mr. SMOOT. Of course, if the Senator does not want to yield, I will not interrupt him.

Mr. JONES. I do not care to go into details with reference to these matters. I want to state my position generally because of the vote I am going to give on this matter and from the fact that very likely after to-day I will not be on the floor of the Senate very much while the matter is under consideration, because I will be engaged upon an investigation ordered by the Senate.

Mr. SMOOT. I think it is very poor reciprocity to have a 50-cent rate on lumber into the United States and a $1 rate on lumber going into Canada.

Mr. JONES. I will answer to my constituency upon that matter so far as they are affected by that proposition, and I think satisfactorily to them as well as satisfactorily to myself.

I voted for the Payne-Aldrich bill, and I voted for it without any apology. It was not exactly the sort of measure I should have liked. I voted for a great many what I consider fundamental propositions to that bill that were not included in it, but I considered that bill as a step forward, and I believe so yet. However, the people of the country have not been satisfied with it. There is not any question about that. They want to have some changes made in it; and I believe that it is for the best interests of the people and the best interests of the Republican Party, now that we are in session here, to proceed with the revision of the schedules that practically everybody concedes ought to be revised to a certain extent. My vote will be cast for considering these propositions.

If the Finance Committee will bring into the Senate a bill embodying a revision of these various schedules along Republican lines, not radical but reasonable in its scope, then I will vote to put that on the reciprocity bill, because in my judgment a measure of that kind would be signed by the Executive.

I have no authority to speak for him, as far as that is concerned, because I have not discussed the matter with him at all; but it is my judgment that if a measure of this sort were framed by the Republican members of the Finance Committee, and they are just as competent to do it to-day as they will be in a month from now with all the hearings they may hold, and if they bring it into this body and put it on the reciprocity bill, and it goes to the President of the United States, he will sign it, and it will become law. I believe the people of this country would be satisfied with what the Republican Party has done, and that they would be satisfied with what Congress has done.

Now, Mr. President, I am going to vote for this motion. I would rather have a motion directing the committee to report out by the 1st of August a bill revising all of these various schedules in one measure. But I suppose a proposition of that sort might not meet with favor. I believe that until the 10th day of July is not an abundance of time to give all the hearings that ought to be held with reference to this matter. Read the vast amount of testimony that has been taken on this reciprocity measure, and it is page after page of repetition after repetition of facts and arguments that ought to be confined and condensed into one-tenth of the volume that it is now in.

If the committee will direct the representatives of the woolen manufacturers to send here one or two men to present their side of the proposition and the woolgrowers one or two men to present their side of the proposition, they can get all the information in one or two days that they could get at hearings held for a month with reference to the measure. As far as that is concerned, the members of the Finance Committee are themselves just as well equipped to prepare a measure of this kind, with a proper revision of this schedule, as they will be the 10th day of July.

So I propose to vote for this motion as a Republican. I do not care to put any prefixes or affixes to it, or anything of the sort, but as a Republican within the Republican Party I propose to vote for this motion, and I propose to vote in a way that will possibly bring about a reasonable revision of these various schedules of the tariff act.

Mr. McCUMBER. Before the Senator from Washington takes his seat let me ask him, Do I understand the Senator to proclaim now that he would vote to tack on this bill a revision of the entire tariff from a Republican standpoint?

Mr. JONES. I would.

Mr. McCUMBER. Would the Senator vote for it if from a Republican standpoint there was incorporated in it honest protection for the farm products of this country?

Mr. JONES. I would.

Mr. McCUMBER. Then does the Senator think that this bill would ever be signed by the President, or does he think it would ever be adopted by the Canadian Parliament, if it contained any protection whatever to the farm products of this country?

Mr. JONES. I do not agree with the Senator that we are taking away all the protection of the farm products.

Mr. McCUMBER. I am asking if the Senator will vote for an amendment to this bill which shall give adequate protection to farm products—the cereals, wheat, oats, barley, rye, flax—and tack it on this agreement?

Mr. JONES. I think this reciprocity agreement will not do the farmers of this country any injury.

Mr. McCUMBER. That is not the question.

Mr. JONES. Therefore no amendment along the line the Senator proposes would appeal to me at all.

Mr. McCUMBER. That is not the question I asked the Senator. The Senator suggested that he would vote for an amendment which should be considered from the Republican standpoint and should be passed as a Republican measure and attach it to this bill. Now, I want to know if he would do that even though the majority of the Republicans believed that the farm products I have mentioned ought to be protected?

Mr. JONES. I will not vote for an amendment to this bill, as I said a moment ago, that I think will defeat it or for the purpose of defeating it. I do not believe that a proposition along the line I have already suggested would defeat it.

Mr. McCUMBER. I think it would defeat it.

The PRESIDING OFFICER. The Senator from Oklahoma [Mr. GORE] moves that the bill be referred to the Committee on Finance, with instructions that it shall be reported back not later than the 10th day of July next.

Mr. MARTIN of Virginia. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. MARTIN of Virginia (when Mr. BACON's name was called). The Senator from Georgia [Mr. BACON] was called from the Chamber. He is paired with the senior Senator from Maine [Mr. FRYE]. If the Senator from Georgia were present, he would vote "yea."

Mr. CHAMBERLAIN (when his name was called). I have a general pair with the junior Senator from Pennsylvania [Mr. OLIVER]. I transfer that pair to the senior Senator from Nevada [Mr. NEWLANDS] and vote. I vote "yea."

Mr. CLARK of Wyoming (when his name was called). I have a general pair with the Senator from Missouri [Mr. STONE]. I transfer that pair to the Senator from Nevada [Mr. NIXON] and vote. I vote "nay."

Mr. CRANE (when his name was called). I am paired with the junior Senator from West Virginia [Mr. CHILTON]. I transfer that pair to the senior Senator from New York [Mr. ROOT] and vote. I vote "nay."

Mr. DILLINGHAM (when his name was called). I have a general pair with the senior Senator from South Carolina [Mr. TILLMAN]. I transfer that pair to my colleague [Mr. PAGE] and vote. I vote "nay."

The PRESIDING OFFICER (when Mr. GALLINGER's name was called). I am paired with the Senator from Arkansas [Mr. DAVIS].

Mr. McCUMBER (when his name was called). I am paired with the senior Senator from Mississippi [Mr. PERCY]. As he is absent, I will withhold my vote.

Mr. REED (when his name was called). I am paired with the senior Senator from Michigan [Mr. SMITH]. I transfer that pair to the junior Senator from Tennessee [Mr. LEA] and vote. I vote "yea."

Mr. SMITH of South Carolina (when his name was called). I have a general pair with the senior Senator from Delaware [Mr. RICHARDSON]. I transfer that pair to the junior Senator from Maine [Mr. JOHNSON] and vote. I vote "yea."

Mr. SMOOT (when Mr. SUTHERLAND's name was called). My colleague [Mr. SUTHERLAND] was called out of the Chamber. He has a pair with the senior Senator from Maryland [Mr. RAYNER]. If my colleague were here, he would vote "nay."

Mr. FOSTER (when Mr. THORNTON's name was called). My colleague [Mr. THORNTON] has been called out of the Chamber. He is paired with the senior Senator from Kansas [Mr. CURTIS].

Mr. WATSON (when his name was called). I have a general pair with the senior Senator from New Jersey [Mr. BRIGGS]. I transfer that pair to the junior Senator from Georgia [Mr. TERRELL] and vote. I vote "yea."

The roll call was concluded.

Mr. JOHNSTON of Alabama. I desire to announce that my colleague [Mr. BANKHEAD] is paired with the senior Senator from Connecticut [Mr. BRANDEGEE], and the Senator from Arkansas [Mr. CLARKE] is paired with the Senator from Wisconsin [Mr. STEPHENSON].

Mr. BAILEY. I again announce the pair of the Senator from Kentucky [Mr. PAYNTER] with the Senator from Colorado [Mr. GUGGENHEIM]. If the Senator from Kentucky were present, he would vote "yea."

Mr. GORE. My colleague [Mr. OWEN] has been called from the Senate. If he were present, he would vote "yea."

Mr. BRADLEY (after having voted in the negative). I desire to withdraw my vote. I am paired with the senior Senator from Tennessee [Mr. TAYLOR], who did not vote.

Mr. SMITH of Maryland. My colleague [Mr. RAYNER] is paired with the Senator from Utah [Mr. SUTHERLAND]. If my colleague were here, he would vote "yea."

The result was announced—yeas 39, nays 18, as follows:

YEAS—39.

Bailey	Cummins	Kern	Shively
Borah	Dixon	La Follette	Simmons
Bourne	Fletcher	Martin, Va.	Smith, Md.
Bristow	Foster	Martine, N. J.	Smith, S. C.
Brown	Gore	Nelson	Swanson
Bryan	Gronna	O'Gorman	Townsend
Chamberlain	Hitchcock	Overman	Watson
Clapp	Johnston, Ala.	Poindexter	Williams
Crawford	Jones	Pomerene	Works
Culberson	Kenyon	Reed	

NAYS—18.

Burnham	Dillingham	Lodge	Smoot
Burton	du Pont	Lorimer	Warren
Clark, Wyo.	Gamble	Myers	Wetmore
Crane	Heyburn	Penrose	
Cullom	Lippitt	Perkins	

NOT VOTING—34.

Bacon	Frye	Oliver	Stephenson
Bankhead	Gallinger	Owen	Stone
Bradley	Guggenheim	Page	Sutherland
Brandegee	Johnson, Me.	Paynter	Taylor
Briggs	Lea	Percy	Terrell
Chilton	McCumber	Rayner	Thornton
Clarke, Ark.	McLean	Richardson	Tillman
Curtis	Newlands	Root	
Davis	Nixon	Smith, Mich.	

So Mr. GORE's motion to refer the bill with instructions was agreed to.

Mr. PENROSE. I move that the Senate adjourn.

The motion was agreed to, and (at 8 o'clock and 18 minutes p. m.) the Senate adjourned until to-morrow, Thursday, June 22, 1911, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *June 21, 1911.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Infinite Spirit, whose life-giving rays permeate all space and whose love reaches out to all mankind, we thank Thee for that strong, intelligent, and ever-growing faith which recognizes Thee as the Father of all men, which enhances, dignifies, and ennobles life, takes away the sting, the fear of death, and fills the heart with eternal hope, accentuates the sinfulness of sin, and inspires to holy living. Grant, O most merciful Father, that it may continue to grow until all men shall know Thee and worship Thee as such in the spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday, June 20, 1911, was read and approved.

SWEARING IN OF A MEMBER.

Mr. KENDALL. Mr. Speaker, the Member elect from the ninth Iowa district is present, and desires to have the oath of office administered. [Applause.]

The SPEAKER. The Chair has examined the certificate, and finds it in the regular form.

The certificate of election is as follows:

CERTIFICATE OF ELECTION.

STATE OF IOWA, EXECUTIVE DEPARTMENT.

To WILLIAM R. GREEN, *Greeting:*

It is hereby certified that at an election holden on the 5th day of June, A. D. 1911, you were elected to the office of Representative in Congress from the ninth congressional district of said State for the residue of the term of two years ending on the 3d day of March, A. D. 1913.

Given at the seat of government this 12th day of June, A. D. 1911.

B. F. CARROLL,
Governor of the State of Iowa.

(Countersigned) W. C. HAYWARD,
Secretary of State.

Mr. KENDALL. Mr. Speaker, I present Mr. GREEN to be sworn in.

The SPEAKER administered the oath of office to Mr. GREEN of Iowa.

CALENDAR WEDNESDAY.

The SPEAKER. This is Calendar Wednesday.

Mr. UNDERWOOD. I move that the proceedings under Calendar Wednesday be dispensed with for to-day.

The SPEAKER. The gentleman from Alabama moves that the proceedings under the Calendar Wednesday rule be dispensed with.

The question being taken, and two-thirds voting in the affirmative, the motion was agreed to.

ADJOURNMENT UNTIL SATURDAY NEXT.

Mr. UNDERWOOD. Mr. Speaker, I move that when the House adjourns to-day it adjourn to meet on Saturday next.

The motion was agreed to.

ELECTION OF SENATORS BY THE PEOPLE.

The SPEAKER laid before the House the joint resolution (H. J. Res. 39) proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States, with a Senate amendment.

The Senate amendment was read, as follows:

Strike out all after the resolving clause and insert:

"That in lieu of the first paragraph of section 3 of Article I of the Constitution of the United States, and in lieu of so much of paragraph 2 of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the States:

"'The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

"'When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: *Provided*, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

"'This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.'"

Mr. RUCKER of Missouri. Mr. Speaker——

The SPEAKER. The gentleman from Missouri.

Mr. RUCKER of Missouri. Mr. Speaker, I understand the gentleman from Pennsylvania [Mr. OLMSTED] desires to submit a motion.

Mr. OLMSTED. I move that the House do concur in the Senate amendment.

Mr. CANNON. Mr. Speaker, has this amendment been printed?

Mr. OLMSTED. It has not been printed.

Mr. CANNON. It occurs to me that the House ought to be in possession of the amendment in some other form besides the copy on the Speaker's table.

The SPEAKER. The Chair will state to the gentleman from Illinois that the amendment has been printed.

Mr. OLMSTED. The amendment has been printed in the Senate, but only in the form of an amendment proposed to be introduced by Mr. BRISTOW.

Mr. CANNON. I listened to the reading of the amendment from the Clerk's desk, and, as I caught it, I do not think the reading conformed to the print of what purports to be an amendment proposed in another body by a Senator. It occurs to me that the House ought to be in possession of the official copy of the amendment as reported at the Clerk's desk, and that it ought to be in print.

The SPEAKER. The Chair will state to the gentleman from Illinois that the Clerk is in possession of the official copy of the Senate amendment.

Mr. CANNON. Precisely.

The SPEAKER. And the Chair is in possession of a printed copy of that amendment.

Mr. CANNON. I have not been able to get it.

Mr. MANN. It is the same as the Bristow amendment.

Mr. OLMSTED. If the Speaker will observe, what he holds in his hand is a copy of an amendment intended to be proposed by Mr. BRISTOW, and so forth. I will state, however, that I understand it is precisely the amendment which the Senate did adopt.

The SPEAKER. What is the trouble about it then?

Mr. CANNON. The trouble is that we must resort to the Senate files, if the gentleman is correct in his statement, rather than to our own files, to get a printed copy. And, having listened to the amendment as read from the Clerk's desk, I am not sure that the printed copy which we have is identical with what was read by the Clerk.

Mr. FOSTER of Illinois. Mr. Speaker, I ask unanimous consent that the amendment be again read, so that we may compare it.

The SPEAKER. The Chair will state to the gentleman from Illinois and to the House that, while this amendment has been on the Speaker's table for three or four or five days, by agreement all around it was not to be precipitated on the House until after we had disposed of the wool bill, so that nobody has had a chance to have it printed.

Mr. CANNON. Well, if we are to depend on the Senate print of the proposed amendment, I should be glad to have the official amendment read again so that it can be compared.

The SPEAKER. If there be no objection, the Clerk will report the amendment again.

The amendment was again read.

Mr. RUCKER of Missouri. Mr. Speaker, I received recognition from the Chair for the purpose of making a motion, and I do not want to lose the floor. I want to have control of it pending this consideration. I desire to make a motion to disagree to the Senate amendment.

Mr. FLOYD of Arkansas. Mr. Speaker, will the gentleman yield for a question?

Mr. RUCKER of Missouri. I yield for a question.

Mr. FLOYD of Arkansas. In comparing the original House resolution with what is known as the Bristow amendment, I find that that does not seem to be in the resolution as read from the Clerk's desk at all. I will state in the first place that I endeavored to get a copy of the resolution as it passed the Senate and was informed that it had not been printed. I examined the RECORD, and when the resolution was read from the Clerk's desk it did correspond with the original resolution passed by the House, except some amendments, which do not strike me as very material. The Bristow amendment, as I understand it from report, does not appear in the resolution read from the Clerk's desk.

Mr. MANN. The gentleman is mistaken; the Clerk read the Bristow amendment.

Mr. FLOYD of Arkansas. If the gentleman will look on page 1938 of the RECORD——

Mr. MANN. But the original papers are here.

Mr. FLOYD of Arkansas. I think this is material, if the gentleman will let me proceed, and if I am wrong I can be corrected. On page 1938 of the RECORD we find this language:

The SECRETARY. It is proposed to amend the substitute proposed by Mr. BRISTOW by adding, on page 2, after line 2, the following:

"The times, places, and manner of holding elections for Senators shall be as prescribed in each State by the legislature thereof; but the Congress may make or alter such regulations in any State whenever the legislature thereof shall neglect or refuse to make such regulations, or from any circumstances be incapable of making the same."

Now, I would like to know whether or not that is in the resolution as read by the Clerk?

Mr. RUCKER of Missouri. The gentleman has not read the Bristow amendment; he is reading the so-called Bacon amendment.

Mr. FLOYD of Arkansas. The RECORD, as I understand, refers to it as the Bristow amendment; if wrong, I stand corrected; I was asking for information.

The SPEAKER. But the RECORD does not control. The House acts upon the engrossed copy of the bill.

Mr. MANN. The RECORD is right, and the gentleman is mistaken; he has not read the Bristow amendment.

The SPEAKER. It does not make any difference, the House is bound by the papers in its possession.

Mr. GREGG of Pennsylvania. Mr. Speaker, I would like to ask the gentleman from Missouri if, on page 2, lines 10, 11, and 12, the Bristow amendment did not eliminate those three lines and leave section 4 of Article I of the Constitution just as it was prior to the offering of the amendment?

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. What is there now before the House?

The SPEAKER. The motion of the gentleman from Missouri to disagree to the Senate amendment, followed by the preferential motion of the gentleman from Pennsylvania to concur in the Senate amendment, and the debate will take place in the first place on the motion of the gentleman from Pennsylvania to concur.

Mr. RUCKER of Missouri. Mr. Speaker, I would like to confer with the gentleman from Pennsylvania as to the question of time, because it is important that we do not prolong the debate. I would like to ask the gentleman from Pennsylvania how much time is desired for debate?

Mr. OLMSTED. I have received requests for about two hours and a half on this side.

Mr. RUCKER of Missouri. A great many gentlemen are very anxious to get through with this matter as speedily as possible.

Mr. OLMSTED. What would the gentleman from Missouri suggest?

Mr. RUCKER of Missouri. An hour and a half on each side.

Mr. OLMSTED. Could not the gentleman make it two hours?

Mr. RUCKER of Missouri. Can not the gentleman agree to an hour and a half on a side?

Mr. OLMSTED. Well, make it an hour and three-quarters on a side.

Mr. RUCKER of Missouri. Very well. Mr. Speaker, I will ask unanimous consent for an hour and three-quarters on each side for general debate; that the time on this side be controlled by myself and on the other side by the gentleman from Pennsylvania.

The SPEAKER. The gentleman from Missouri asks unanimous consent that there be a debate of an hour and three-quarters on a side, and that the time on the Democratic side be controlled by the gentleman from Missouri [Mr. RUCKER] and on the other side by the gentleman from Pennsylvania [Mr. OLMSTED].

Mr. MANN. And at the end of that time the previous question shall be ordered?

Mr. RUCKER of Missouri. Yes; and at the end of that time the previous question shall be considered as ordered.

The SPEAKER. And he further asks that at the end of that time the previous question shall be considered as ordered.

Mr. CARLIN. And the general debate is to be on both motions?

The SPEAKER. Upon both motions.

Mr. OLMSTED. If my motion prevails there will not be any motion to disagree.

The SPEAKER. Upon that question the Chair will express no opinion. [Laughter.] Is there objection to the request?

Mr. NORRIS. Mr. Speaker, there was so much confusion I could not hear what the request was.

The SPEAKER. If the House will be in order the Chair will state the request again. The gentleman from Missouri asked unanimous consent that there be a debate of an hour and three-quarters on a side on these two motions; that the time on one side be controlled by himself and on the other by the gentleman from Pennsylvania, and that at the expiration of that time the previous question shall be considered as ordered upon both propositions. Is there objection?

Mr. OLMSTED. I would like to add, and that all gentlemen who address the House on either motion may have five days to extend remarks.

The SPEAKER. And that all gentlemen who make remarks on this subject shall have five days to extend remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. RUCKER of Missouri. Mr. Speaker, I expect the gentleman from Pennsylvania [Mr. OLMSTED] would like to lead off in behalf of his motion, and I will ask him to use some of his time.

Mr. OLMSTED. Mr. Speaker, the convention presided over by George Washington, which framed the Constitution of the United States, was composed of very wise and very farseeing men, whose names will be honored in the history of this Republic so long as the Republic itself shall endure. The instrument they framed with such wondrous care is the most valuable and important of its kind the world has ever known, and each added year brings fresh testimony to the wisdom of those to whom we so often refer as "the fathers." Only three times within the past 107 years have the people of the United States seen fit to alter or amend it. The organic law under which this Republic has so long lived, so wonderfully grown, and so marvelously prospered, should not be made the subject of experiment nor amended in any particular, except for the most weighty reasons, and then only with the utmost care and consideration. That Constitution, under which the First Congress assembled, in 1789, contains, in section 3 of Article I, this provision:

> The Senate of the United States shall be composed of two Senators from each State, chosen by the legislature thereof, for six years, and each Senator shall have one vote.

The proposed amendment of that provision is not the result of recent suggestion. There has been for some years a demand for the election of Senators by the people. That demand has grown from year to year. It has been widely discussed, and the proposed change is well understood. Three times since I have been a Member of this body resolutions have passed this House proposing an amendment to the Constitution so as to permit the election of Senators by the people. With some misgivings as to the wisdom of the proposition, and some doubt whether the proposed method would result in improving the personnel of that body, I have in at least three different Republican Congresses voted to permit the election of Senators by the people, or at least to submit the proposition to the States for their approval. At this time there is not in this body any substantial opposition to that proposition. House joint resolution No. 39 as it passed the House, and also as it passed the Senate, contains a modification of the clause of section 3, which I have just quoted, to make it read as follows:

> The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof for six years, and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

There is no longer any serious opposition to that change, and if that were all the resolution contained there would be hardly an opposing vote in this body. There are some other provisions in the resolution with reference to the filling of vacancies and providing that the amendment shall not affect the elections or terms of Senators chosen before it shall become valid as a part of the Constitution. There is no objection to those provisions. They all bear directly upon the single amendment of section 3, so as to provide for the election of Senators by the people instead of by the legislatures of the States.

The demand for such an amendment of section 3 of Article I of the Constitution is very great and very pressing. It comes from different parts of the country, in the form of petitions and resolutions of State legislatures and other bodies. That demand is borne to us upon a great wave of popular favor. Some of the supporters of this resolution are trying to ride that wave for a very different purpose and to bear away upon its crest the amendment of an entirely separate and distinct provision of the Constitution, for which there is no demand whatever, for which not a single petition has been presented, and for which, I venture to say, no Member of this House has received a single request from a constituent. Section 4 of Article I of the Constitution says—

> The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof, but the Congress may at any time by law make or alter such regulations except as to the places of choosing Senators.

Now, if you will turn to lines 10, 11, and 12, on page 2, of House joint resolution No. 39 as it passed the House, you will find that, not content with changing the method of electing Senators, not content with amending the third section of Article I of the Constitution so as to provide for the election of Senators by the people, it proposes also to amend section 4, for the lines I have named contain this language:

> The times, places, and manner of holding elections for Senators shall be as prescribed in each State by the legislature thereof.

This is declared, on page 1 of the resolution—

> To be in lieu of all of paragraph 1 of section 4 of said Article I, in so far as the same relates to any authority in Congress to make or alter regulations as to the times or manner of holding elections for Senators.

It omits these words, now found in section 4:

> But the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

In other words, it takes away from Congress the power which it now has under the present Constitution to make or alter any regulations touching the election of Senators, as well as Representatives, and makes their election entirely subject to State control.

Mr. RUCKER of Missouri. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Pennsylvania yield to the gentleman from Missouri?

Mr. OLMSTED. Certainly.

Mr. RUCKER of Missouri. Mr. Speaker, I presume it is in the gentleman's mind, having stated that it was that portion of the proposed amendment to which he objects, to tell the House why he objects to it, and I would like to know.

Mr. OLMSTED. Mr. Speaker, I shall proceed to do so, and I hope to make my objection clear.

Mr. KENDALL. Mr. Speaker, will the gentleman yield?

Mr. OLMSTED. Certainly.

Mr. KENDALL. If the Bristow amendment, which is now before the House for action, shall be adopted, the Constitution will remain the same, except that Senators will be directly elected by the people.

Mr. OLMSTED. That will be the only change.

Mr. KENDALL. And if the Bristow amendment is rejected, as proposed by the gentleman from Missouri, and the House resolution should be enacted into law, the Congress of the United States would surrender all authority over the election of Senators?

Mr. OLMSTED. Mr. Speaker, as another gentleman was speaking to me at the moment, I did not quite understand the gentleman's question.

Mr. KENDALL. If the resolution as it passed the House should be finally enacted into law, it would amount to a surrender on the part of Congress of any authority over the election of Senators.

Mr. OLMSTED. It would, indeed; and it is very questionable whether it would not so emasculate section 4 as to make it inoperative and ineffectual for any purpose.

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

Mr. OLMSTED. Certainly.

Mr. LONGWORTH. I understood the gentleman to say that the proposition for the election of Senators by the people has passed this House in different times.

Mr. OLMSTED. Yes.

Mr. LONGWORTH. Has it ever passed this House with the amendment proposed in this House resolution—amending section 4?

Mr. OLMSTED. It never has to my knowledge—never. The demand for the change of that section sprung up only after the recent elections had changed the political complexion of this House.

Mr. KENDALL. Has that amendment ever been proposed in all the numerous times that the subject has been under discussion in the House until now?

Mr. OLMSTED. It never has.

This House joint resolution No. 39 has been amended by the Senate. That amendment, known as the Bristow amendment, is now before us. If we concur in the Bristow amendment then the constitutional amendment which will be submitted to the people will be precisely the same as the constitutional amendment which the House resolution in its original form proposed to submit, except that the words "The times, places, and manner of holding elections for Senators shall be as prescribed in each State by the legislature thereof" will be omitted. In other words, as amended by the Senate this resolution proposes to submit to the people the single question of the amendment of section 3 so as to provide for the election of Senators by the people. It eliminates the proposed amendment of section 4 and permits that section to remain in the Constitution in the same form in which it has always existed.

As I have already stated, there is no popular demand for the amendment of section 4. The amendment of that section has never been the subject of popular discussion. It is not understood by the people that anything of the kind is seriously contemplated.

Mr. HARDY. Mr. Speaker, will the gentleman submit to a question?

The SPEAKER. Does the gentleman yield?

Mr. OLMSTED. Mr. Speaker, I will in this instance, but my time is so limited that I must ask gentlemen not to interrupt.

Mr. HARDY. I just wanted to ask whether or not, historically, the Congress had ever undertaken to dictate as to the time or manner of the election of Senators under the clause of the Constitution to which the gentleman referred?

Mr. OLMSTED. Whether it has or has not does not affect the question.

Mr. HARDY. Except that it would be a very small matter to "kick" at, if in a hundred years——

Mr. OLMSTED. Then why "kick" at it? Why not leave it out, concur in this amendment, and let the matter go. [Applause on the Republican side.] As matter of fact, by the act of 1866, Congress has declared both the time and the manner in which Senators shall be elected.

Mr. HARDY. But the gentleman's objection is that it has not been utilized heretofore in the history of our country.

Mr. OLMSTED. No; that is the gentleman's objection—not mine—and it is not sound. It has been utilized. It is utilized to-day. Every Member of the United States Senate to-day was elected in pursuance of the dictation of an act of Congress passed in pursuance of authority contained in section 4 of Artile I of the Constitution. I call the gentleman's attention to sections 14 to 19 of the Revised Statutes.

The impression has gone abroad that the so-called Bristow amendment proposes to put into the Constitution something which is not now and never has been there, which in some way may be used to enforce certain results in the election of Senators. Nothing could be further from the fact. The Bristow amendment is an amendment to the House resolution. It does not propose any amendment to the Constitution. Its design and object is to prevent any amendment to the Constitution except in the single matter of providing that Senators shall be elected by the people and not by the legislatures of the States. The Bristow amendment proposes that whatever power the Constitution now gives to Congress in the matter of regulating elections of Senators and Representatives in Congress shall remain untouched. It neither adds to, nor subtracts from, that power.

Why should section 4 be amended at all? The Senate and the House are simply separate branches of the law-making body. Senators and Representatives are all Members of Congress; they are all officers of the Federal Government. It is intended that Senators as well as Representatives shall henceforth be elected by the people. What process of reasoning justifies any distinction or discrimination in the power of Congress to make or alter regulations touching the times, places, and manner of electing the Members of these two bodies? The fact that Senators are now to be elected in the same manner as Representatives affords all the more reason why the same power should continue to exist in Congress in the one case as in the other.

It has been urged in argument that there is no necessity for retaining this power in Congress at all as to either branch; that the power conferred by section 4 is not now used and is not likely to be. This is a grave mistake. The law which Congress heretofore put upon the statute books prohibiting corporations from making campaign contributions in Federal elections finds its sanction in section 4. Unless it be there found, Congress has no authority to pass any such law; unless section 4 authorizes Congress to require publicity of, or to limit, campaign expenses, then there was no authority in Congress to pass the law which it did pass one year ago, or for the further act which recently passed this body, and both those acts are invalid and of no account.

As long ago as 1842 it was found necessary for Congress to provide that the election of Representatives should be by districts. The only authority for that congressional action is found in section 4, and the same is true of the act of February 28, 1871 (16 Stat. L., 440), requiring all votes for Representatives to be by written or printed ballot; and then there is the act of 1872, and it is not necessary to mention the so-called enforcement acts, all of which were deemed necessary at the time of their passage, but all of which were repealed in 1894. The act of 1866, providing when and how Senators shall be elected, is in full force and operation.

The Democratic national platform of 1908 contains this plank:

> We demand the enactment of a law preventing any corporation from contributing to campaign funds and any individual from contributing an amount above a reasonable minimum, and providing for the publication before election of all such contributions above a reasonable minimum.

Adopt resolution No. 39 in the form in which it passed the House and Congress will be deprived of all power to pass any such enactment touching the election of Senators; and I am not sure but that you will have so emasculated section 4 as to take away from Congress the authority to pass any enactment whatever upon that subject. But, in any event, are you willing, Mr. Speaker, while placing the election of Senators in the hands of the people, to deprive Congress of the power to see that those elections are free from corrupt and contaminating influences? As there are only 2 Senators from each State, while some of the States send 10, 20, and one will soon send 40 Representatives, it follows that each Senator has vastly more power and influence in the making of laws than the average Representative. The argument is made that vast business interests seek to control legislatures in the election of United States Senators. If that be true, will they be any less likely to seek to control the election of Senators by the people? If it is so important to prevent corporations and individuals from controlling or influencing the election of Representatives, is it not vastly more important to prevent them from controlling the election of Senators, in whose elections they will be vastly more interested? Why shall not Congress retain the power which it now has to make or alter regulations for the election of Senators and Representatives, who are officers of the Federal Government?

Mr. BARTLETT. Will the gentleman permit an interruption?

The SPEAKER. Does the gentleman from Pennsylvania yield to the gentleman from Georgia?

Mr. OLMSTED. I do.

Mr. BARTLETT. The proposed amendment which the Senate adopted would leave section 4 of this article unchanged, would not it?

Mr. OLMSTED. Entirely and utterly unchanged just as it exists now in the Constitution and as it has existed for more than a century and a quarter.

Mr. BARTLETT. I was going to ask the gentleman, under that section 4 would the gentleman think that Congress now would have any power to regulate the election of United States Senators in any way by prescribing qualifications for electors, registration laws, or returning boards. Does the gentleman think the power exists in the Congress now with reference to the election of Senators to prescribe any regulations for electing Senators?

Mr. OLMSTED. It has whatever power the Constitution now gives to Congress. That power we propose to preserve and we do not propose to do away with nor add to it in any way. We leave it unchanged. You propose to take that away——

Mr. SHERLEY. Will the gentleman yield right there?

Mr. OLMSTED. I do.

Mr. SHERLEY. While technically an accurate statement, is that practically an accurate statement? Does not the very change of method from election by legislatures to election by

direct vote change inevitably the power of the Federal Government over such election in a practical sense?

Mr. OLMSTED. Of course we change the Constitution so that the people elect the Senators; of course we change it to that extent.

Mr. SHERLEY. But do not we also by that change actually enlarge the power that the Federal Government has as to the election of Senators?

Mr. OLMSTED. The power remains precisely the same.

Mr. SHERLEY. Oh, the language of the power remains the same, but the application of that power under certain circumstances is so different as to enlarge the power.

Mr. OLMSTED. Changing from the legislature to the people, of course, provides different circumstances to which the same power will apply.

Mr. SHERLEY. And does not that practically serve to enlarge that power?

Mr. OLMSTED. It does not enlarge it at all. You bring certain conditions within that power, and why not?

Mr. SHERLEY. That is a different question. I am challenging the gentleman's statement that there is no change of power.

Mr. OLMSTED. There is no change of power whatever. You bring other conditions and other circumstances within the application of that same power. Why should not there be the same power? These two bodies are coordinate bodies; they have the same powers; they exercise the same authority. The Members are all Members of the Congress; they are all Federal officers; why should not the Federal Government have power to regulate, when it may be necessary to regulate, the election of its own officers? Why should it not continue to have the same power?

Mr. SHERLEY. Will the gentleman yield again?

Mr. OLMSTED. I do.

Mr. BARTLETT. If the gentleman's argument is correct, why should not the same power exist as to electors that elect the President and Vice President of the United States?

Mr. OLMSTED. Perhaps it should.

Mr. BARTLETT. But it does not.

Mr. OLMSTED. When an amendment to the Constitution shall be submitted touching that point, we will consider it, but we are are not discussing it now. It is not involved in this pending resolution.

In my judgment it is absolutely essential that the power now conferred by the Constitution upon Congress shall continue to exist. Upon that point perhaps no better or higher authority can be found or better reason given than is contained in the language of distinguished Justices of the Supreme Court in the cases to which I shall refer. In ex parte Siebold (100 U. S., 371) the Supreme Court of the United States had before it in habeas corpus proceedings the case of a man who had been found guilty of stuffing a ballot box in Maryland, in the city of Baltimore. He had been convicted under an act of Congress. The Supreme Court sustained the conviction and found that under section 4 of Article I of the Constitution of the United States Congress had power to pass the statutes in question touching the election. Mr. Justice Bradley, speaking of the statutes passed by Congress upon the subject, said:

> They relate to elections of Members of the House of Representatives, and were an assertion on the part of Congress of a power to pass laws for regulating and superintending said elections, and for securing the purity thereof and the rights of citizens to vote thereat peaceably and without molestation. It must be conceded to be a most important power and of a fundamental character. In the light of recent history and of the violence, fraud, corruption, and irregularity which have frequently prevailed at such elections it may easily be conceived that the exertion of the power, if it exists, may be necessary to the stability of our frame of government.

The right to vote for Senators or Representatives in Congress is not and can not be derived from State authority. It is derived from the Constitution of the United States.

Mr. BARTLETT. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Pennsylvania yield to the gentleman from Georgia?

Mr. OLMSTED. Yes.

Mr. BARTLETT. Does the gentleman think he is accurate in stating the Supreme Court decided that the right to exercise the franchise to vote even for Members of Congress was derived from the Constitution of the United States?

Mr. OLMSTED. The court did say it.

Mr. BARTLETT. Where?

Mr. OLMSTED. And it does not require any argument to show it. Can any man vote for Senators of the United States now? No. How can he get that right? Through an amendment to the Constitution, and in no other way.

The people can not vote for Senators now; they will derive that right only from an amendment to the Constitution of the United States. Senators as well as Representatives are very important functionaries of the United States. One very important branch of the Government can not be carried on without them. As declared by the Supreme Court in the Yarbrough case (110 U. S., 651):

> The right to vote for Members of Congress is fundamentally based upon the Constitution of the United States and was not intended to be left within the exclusive control of the States.

Why should we now so amend the Constitution as to leave it within the exclusive control of the States? Was there ever any Government on earth having legislative officers which did not retain control of the power to regulate the elections? [Applause.]

Mr. BARTLETT. I understood the gentleman to say that the Supreme Court had decided that a man has the right to vote for a Member of Congress.

Mr. OLMSTED. No; except as that right is conferred by the Constitution. The State prescribes the qualifications of voters for the most numerous branch of the State legislature. The Constitution provides that persons possessing those qualifications may vote for Representatives in Congress. The State could not confer that right. I am unable to extend in the short time that I have the courtesy that I would like to extend to the gentleman for further interruption.

Mr. BARTLETT. I thought I had permission to interrupt, or I would not have done so.

Mr. OLMSTED. I did give the permission, but I find that I can not yield further now.

Mr. BARTLETT. I maintain the gentleman can not find any such law.

Mr. OLMSTED. The reasons why Congress must have power to regulate elections are forcibly stated by Mr. Justice Miller, who delivered the unanimous opinion of the Supreme Court in the Yarbrough case, wherein he said:

> That a Government whose essential character is republican, whose executive head and legislative body are both elective, whose most numerous and powerful branch of the legislature is elected by the people directly, has no power by appropriate laws to secure this election from the influence of violence, of corruption, and of fraud, is a proposition so startling as to arrest attention and demand the gravest consideration. If this Government is anything more than a mere aggregation of delegated agents of other States and governments, it must have the power to protect the elections, on which its existence depends, from violence and corruption. If it has not this power, it is left helpless before the two great natural and historical enemies of all republics, open violence and insidious corruption.

Mr. SHERLEY. Will the gentleman permit an inquiry right there?

The SPEAKER. Does the gentleman from Pennsylvania yield to the gentleman from Kentucky?

Mr. OLMSTED. I would like to do so, but the time is so short that I trust the gentleman will excuse me.

And, again, Mr. Justice Miller, in the same case, said—and I commend these words to the gentleman from Georgia [Mr. BARTLETT]:

> But it is not correct to say that the right to vote for a Member of Congress does not depend on the Constitution of the United States. The office, if it be properly called an office, is created by that Constitution and by that alone. It also declares how it shall be filled, namely, by election. * * * It is not true, therefore, that electors for Members of Congress owe their right to vote to the State law in any sense which makes the exercise of the right to depend exclusively on the law of the State.

And he concludes his opinion in these terms:

> It is as essential to the successful working of this Government that the great organisms of its executive and legislative branches should be the free choice of the people as that the original form of it should be so. In absolute governments, where the monarch is the source of all power, it is still held to be important that the exercise of that power shall be free from the influence of extraneous violence and internal corruption.
>
> In a republican government like ours, where political power is reposed in representatives of the entire body of the people, chosen at short intervals by popular elections, the temptations to control these elections by violence and by corruption is a constant source of danger.

[Applause.]

> Such has been the history of all republics, and, though ours has been comparatively free from both these evils in the past, no lover of his country can shut his eyes to the fear of future danger from both sources.
>
> If the Government of the United States has within its constitutional domain no authority to provide against these evils, if the very sources of power may be poisoned by corruption or controlled by violence and outrage, without legal restraint, then, indeed, is the country in danger; and its best powers, its highest purposes, the hopes which it inspires and the love which enshrines it are at the mercy of the combinations of those who respect no right but brute force, on the one hand, and unprincipled corruptionists on the other.

In the celebrated McCullough case, Chief Justice Marshall said:

> No trace is to be found in the Constitution of an intention to create a dependence of the Federal Government on the governments of the States for the execution of the great powers assigned to it. Its means are adequate to its ends, and on those means alone was it expected to rely for the accomplishment of its ends.

This is the first attempt to make the Government of the United States dependent entirely upon the will of the States. If there is reason for the existence of power in Congress touching the election of members of one branch of the law-making body, there is equal reason for its existence as to the other. There is, indeed, much more reason for congressional authority in the election of Senators than there is in the election of Representatives. It may be seldom necessary to exercise it as to either, but the time may come when it will be necessary to exercise it as to both. The Constitution was not made for a day, and amendments are not made for a day.

Let me show to gentlemen upon the other side of this Chamber what Mr. Madison, speaking in the Virginia convention, gave as the reason for the adoption of section 4, Article I of the Federal Constitution. These are his words:

> It was found necessary to leave the regulation of these (times, places, and manner) in the first places to the State governments as being best acquainted with the situation of the people, subject to the control of the General Government, in order to enable it to produce uniformity and prevent its own dissolution. Were they exclusively under the control of the State governments, the General Government might easily be dissolved. But if they be regulated properly by the State legislatures, the congressional control will very probably never be exercised.

"Easily dissolved." Is that the position in which gentlemen desire to place the General Government?

Mr. Speaker, if the gentlemen upon the other side of the Chamber really and honestly desire to bring about the election of Senators by the people, let them not attempt to burden that proposition with an entirely different matter. Let them be content to amend section 3 of the Constitution without attempting to amend section 4.

How many States would ratify a proposition to amend section 4 alone? How many States would ratify a separate proposition to take away from Congress the power now vested in it by the Constitution to regulate the times, places, and manner of holding elections for Federal offices? Very few, if any. How many States desiring to secure to the people the right to vote for United States Senators would fail to ratify a proposition to give them that right, merely because it did not at the same time take away the power which now exists in Congress to alter or amend regulations for Federal elections? Not one. But many States would be unwilling to ratify any amendment depriving Congress of the power it now possesses in that regard. Leave section 4 alone. Do not touch the power which now exists in Congress to act, as the necessity shall arise in such way as to secure and protect that freedom, fairness, and purity of elections, in which lies the safety of the Republic. Leave untouched that authority, the very existence of which in the Constitution serves to prevent the necessity for its exercise. Concur in this Senate amendment and there will not be a dozen votes in this House against the adoption of this resolution. [Applause on the Republican side.]

Mr. RUCKER of Missouri. Mr. Speaker, I yield to the gentleman from Indiana [Mr. CULLOP].

Mr. CULLOP. Mr. Speaker, I have listened to the gentleman from Pennsylvania [Mr. OLMSTED] for his construction of what is known as the Bristow amendment. The original amendment does not add to or take away from the Constitution, as to the election of United States Senators, the power to review their election if the Bristow amendment was eliminated altogether. Section 5 of the Constitution, which it is not proposed to amend, reads as follows:

> Each House shall be the judge of the elections, returns, and qualifications of its own Members.

The construction put upon that provision of the Constitution has always enabled the body itself to determine the right of any person elected, or purporting to be elected thereto, to have the seat. Now, the Bristow amendment, if adopted, would provide a means for a dangerous precedent to be set. It is a step in the direction of taking from the people of the several States the right to conduct their own elections. It means the transfer of power from the States themselves to the General Government, a proposition that is dangerous within itself. It would give ample foundation for striking down powers now exercised by the States and transferring it to the National Government.

By the provisions of the Bristow amendment the elections of the several States might be held at a different time from the general elections of those States and under different election laws and by different election machinery. The expenses of the elections to be borne by the States could therefore be multiplied upon the people of the several States. It takes from them the right, if Congress sees fit, to hold their elections as they may desire and the right to hold them at the time that they hold other elections. Now, the purpose of the Bristow amendment is plain. It is not offered in the interest of the election of Senators by the direct vote of the people, but it is offered for the purpose of preventing an election by a direct vote of the people of the several States—for the purpose of defeating the movement. [Applause on the Democratic side.] Certain States in the Union are opposed to the election of United States Senators by a direct vote of the people. A great majority of the States—but perhaps not three-fourths of them—are in favor of the election of the United States Senators by a direct vote of the people. These States which are not in favor of it as an original proposition are advocating this amendment, with the hope of securing the aid of other States which fear the effect of this amendment to join them in refusing to ratify this amendment; and that is the purpose of the Bristow amendment, and the only purpose of it. If by the adoption of this amendment to the proposed measure they hope to secure by indirection what they are unable to accomplish by direction, they hope, by incorporating it into the proposition, that it will drive certain States against its ratification and thereby defeat its ultimate adoption by three-fourths of the States and therefore never become an amendment to the Constitution.

Our action, therefore, becomes the more important, not because of what we do but because of its future effect upon the result of this important question.

Now, what does it mean? It means to defer this proposition—the election of the United States Senators—if this proposition is adopted, more than a quarter of a century before the ratification by enough States to adopt the amendment will occur. It is proposed in order to have States which have had experience in Federal control of elections, because of the hardships they have had to bear under such procedure, to register their disapproval of this amendment and join with the other States that are opposed to it as an original proposition.

The SPEAKER. The time of the gentleman has expired.

Mr. RUCKER of Missouri. Mr. Speaker, I yield three more minutes to the gentleman.

Mr. CULLOP. Now, Mr. Speaker, it resolves itself into this kind of a proposition: The Democratic Party stands, as a party, in favor of the election of United States Senators by direct vote of the people. If this amendment, the Bristow amendment, is adopted, it means the defeat of that proposition or the postponement of it for at least a quarter of a century. It endangers its success when referred to the people for ratification. Why? There are certain interests in this country, as every man knows, opposed to the election of United States Senators by direct vote of the people, because they can manipulate the election of these Senators under present conditions and continue their control in one of the great legislative bodies of the United States. Numerous illustrations might be given. The present method of electing Senators is destroying the influence and the integrity of one of the great legislative bodies of the United States. It is minimizing its influence and disparaging its influence with the people. It is taking away the confidence of the people in the action of that body, and that has been done because of the manner in which elections of United States Senators have been made in the last 20 years.

We have an illustration to-day before that body. The State of Colorado has only one Senator in the United States Senate to-day. If they had had a direct election by the people, that question could have been settled at the ballot box and not by a legislature tying up the election for a whole session of the legislature, and now the State has only one-half of its representation in the United States Senate. It is a well-known fact that legislatures do not always reflect the will of the majority of the people of the State. Numerous examples of betrayal in this respect are familiar to us all.

This proposition when submitted to the people, in order that they might vote by ballot for their choice for United States Senators, is absolutely fair and is in keeping with the original traditions and best thought of the people who founded our institutions. Let the people control this question and not the little cliques that gather around the legislature for the purpose of manipulating the election of a United States Senator in behalf of some special interest. If you had had an election of United States Senators by the direct vote of the people, much of the time and expense to the Government would not have been consumed, as it is to-day, by investigating the election of a certain Member of the United States Senate at this time. [Applause on the Democratic side.] By popular vote that kind of procedure would be eliminated and such disgraceful scandals avoided. [Applause on the Democratic side.]

The SPEAKER. The time of the gentleman has expired again.

Mr. RUCKER of Missouri. Mr. Speaker, does the gentleman desire to use any more time now?

Mr. OLMSTED. I yield to the gentleman from Michigan [Mr. YOUNG].

The SPEAKER. The gentleman from Michigan [Mr. YOUNG] is recognized.

Mr. YOUNG of Michigan. Mr. Speaker, on the 12th day of last April the Committee on the Election of President, Vice President, and Representatives in Congress, as the result of about one hour's deliberation, reported to this House two important measures: One the resolution now under discussion, for an amendment to the Constitution providing for the election of Senators by a vote of the people, and, as a part of the same resolution, another amendment taking away from Congress all power to regulate the time and manner of holding elections for Senators. The other measure was a bill for the publicity of campaign expenses.

The resolution and the bill were twin measures. The period of gestation had been brief, as I have previously explained in this House. The parturition was painless, and no one on the Democratic side of this House seems to have noticed that there was any incongruity between these two, the offspring of a common mother. No one over there seems to have noticed that they were born back to back, one looking in one direction and the other in precisely the opposite direction.

Where did Congress derive its power to pass the publicity bill? Clearly from paragraph 1 of section 4 of Article I of the Constitution, which it is now proposed to amend. There is no other word or line in the Constitution upon which the power to pass the publicity bill can be based.

But this is precisely the section that the resolution seeks to have amended. The power under which Congress acted in passing the publicity bill is precisely the power that the resolution to amend the Constitution proposes to abolish so far as it relates to Senators.

So you have the novel spectacle of the committee and the House saying in the bill that it is necessary for Congress to exercise the power given by this paragraph to prevent fraud and corruption and the subtle and furtive influence of malefactors of great wealth in the election of Representatives, and saying in the resolution that those malefactors should be left entirely untrammeled by Congress to exercise that crafty, silent, corrupt influence in the election of Senators. It has been often charged on the Democratic side of the House that the Senate is the seat of the corrupt influence of wealth, the last citadel of monopoly, and in an amendment intended to make that body more directly responsive to the will of the people it is now proposed to withdraw from the election of its members every safeguard against fraud and corruption.

It will not do to say—it is not honest either with this House or with yourselves to say—that you have removed this danger when you have changed an election by the legislature for an election by the people. You know better. The position of a Senator of the United States in power and in the estimation of the people is of greater dignity than that of a Representative in Congress. It is a greater prize to struggle for. The temptation to seize it by fair means or foul is greater than in the case of a Representative. Not only does the Senate exercise equal power with this House in legislation, but the Senate must be consulted in the enactment of all treaties and the appointment of all officials named by the President. To a selfish moneyed interest, seeking to control legislation for its own benefit, a Senator is four times as great a prize as a Representative. But this Democratic House of Representatives proposes, while guarding the elections where there is least danger of corruption, to thrown down the bars entirely in the case where there is the greatest danger of corruption. [Applause on the Republican side.]

Mr. RUCKER of Missouri. The gentleman from Michigan has spoken of the great power exercised by a Senator, and the supposed anxiety of special interests to take advantage of that power. Does not the gentleman believe it would be infinitely harder for these special interests to control the election of a Senator when that election is by the people of the State, rather than by the legislature?

Mr. YOUNG of Michigan. I think it would be somewhat harder, and I have been in favor of that proposition, but that is not what I am discusing at this time.

Why did not some patriotic gentleman upon that side of the House point out the danger from this source to the palladium of our liberties, to the rights of the people from great combinations of capital, large employers of labor, Wall Street, Morgan, and the trusts, all seeking to capture a United States senatorship? Oh, I know that the gentleman from California gave us on this bill the first exhibition of the marvelous agility of the contortionist which our Democratic friends in this House have brought to such wonderful perfection, and which enables them on any and all occasions to talk one way and vote the other.

But it is said that the power to regulate the election of Senators has never been used. Oh, yes, that is true. Our fathers who sat in the Constitutional Convention placed many powers in the National Government which have never been exercised.

Mr. SHERLEY. Will the gentleman permit an inquiry?

Mr. YOUNG of Michigan. I should like to, but I have not the time. They were placed in the Constitution by a wise foresight to preserve and strengthen the Government and endow it with power to meet the exigencies of each occasion as it arose. These were beneficent powers. There let them remain, awaiting the time for their necessary exercise. Why strike any of them down?

Mr. LINTHICUM. Will the gentleman yield?

Mr. YOUNG of Michigan. I should like to, but I have not the time. The main argument in favor of depriving the National Government of all power to provide for or regulate the election of its own Senators was wisely placed by his party friends in the hands of the distinguished gentleman from Kentucky [Mr. SHERLEY]. There is no one in this House to whom I listen with greater pleasure. The clarity of his thoughts, the precision of his expression, his intellectual integrity which has often led him to differ with his party, make him interesting and instructive. And then he enjoys the distinction of being about the only Democrat of the old school remaining in this House. Gentlemen upon that side do lip service to the great name of Thomas Jefferson, but they rarely follow his teachings. The gentleman from Kentucky, however, is always faithful to the principles of the master, except where his doctrines were consumed in the furious fires of the Civil War. But the gentleman from Kentucky, it seemed to me, labored somewhat in the impossible task he had set himself of showing a good reason why Congress should continue to regulate the election of Representatives and should be shorn of its power to regulate the election of Senators. He said there should be such a distinction because Senators represented the State and were in a sense ambassadors from the State to the General Government, while Representatives in Congress represented the people. Why, the only purpose of the amendment as to the election of Senators is to do away with what little difference exists in this respect and make the Senators more directly representative of the people.

Mr. SHERLEY. Will the gentleman permit an interruption?

Mr. YOUNG of Michigan. I should like to, but I have not the time. If this amendment will not have that effect, it is not worth passing.

But, sirs, there is little analogy between the functions of a Senator and those of an ambassador. Ambassadors negotiate treaties, subject to the approval of their principals. Senators alter, amend, approve, or reject treaties, and their action is final; and, in addition, they exercise equal jurisdiction with this body in legislating for 90,000,000 of people. Let us never surrender the power to keep the fount of their election pure. But gentlemen upon the other side of the House have said that the provision in this resolution which sweeps away all power to regulate the election of Senators is of little importance—they have characterized it as mere "verbiage," as "phraseology," as only a difference in words—but, thank God, one frank and truthful Democrat from the South has spoken out. The gentleman from Georgia said the other day that with this provision in the resolution he and many other Democrats on that side of the House would vote for it; that without it they would probably oppose it. Why is so much importance attached to mere verbiage? Because it is plainly seen not to be mere verbiage, but the very essence of the proposition. What has any honest man, who believes in fair elections, who wishes to see fraud and corruption at elections punished, to fear from this proposition?

The other gentleman from Kentucky [Mr. JAMES] said that when Republicans insisted on the amendment offered by me—the same Bristow amendment which is now pending, to leave the power in Congress to regulate the election of Senators—he felt almost like suspecting that we were not in good faith in supporting the major proposition—the election of Senators by vote of the people—and the gentleman from Indiana [Mr. CULLOP] just now has indorsed that choice. This is no place for crimination or recrimination, for charges or countercharges. It is a great deliberate body, for the discussion of great questions. I will say, however, to the gentleman from Kentucky [Mr. JAMES] and to the gentleman from Indiana [Mr. CULLOP] that it is as true now as when Butler wrote the lines that—

> No man e'er felt the halter draw
> With good opinion of the law.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. YOUNG of Michigan. I should like two minutes more.

Mr. OLMSTED. I can not yield two minutes, but I will yield one minute more.

Mr. YOUNG of Michigan. When gentlemen are so insistent on attaching this rider to the provision for election of United States Senators by the people, if I were as suspicious as the gentleman from Kentucky seems to be, I should almost suspect that they were inspired by desire to be free from all legal restraints in the use of money, fraud, and violence in the election of United States Senators, but I will not say I think that. I think the House should recede from its disagreement with the Senate and pass this resolution exactly as it came from that body. [Applause on the Republican side.]

Mr. RUCKER of Missouri. I yield to the gentleman from Texas [Mr. HARDY].

Mr. HARDY. Mr. Speaker, in my interruption of the gentleman from Pennsylvania [Mr. OLMSTED] I asked him but one question, and that was in what way Federal authority over the election of Members of Congress had been exercised, and his answer was to require that election to be by districts. I want to say that that very answer discloses one essential objection that we have to Federal authority controlling the manner and time of election of Senators. To say that Senators should be elected from the east and west half of a State, or from this or that district of a State, might be the action taken by the Federal Government under the Bristow amendment, and that would be to destroy the very purpose of the organization of the Senate of the United States, which purpose was to have a body composed of representatives of the States to sit as ambassadors of whole and undivided States.

Mr. NORRIS. Will the gentleman yield?

Mr. HARDY. I have only five minutes, and I have all I can say in that time and more too.

The SPEAKER pro tempore. The gentleman declines to yield.

Mr. HARDY. Furthermore, in the great State of New York, Congress might so prescribe conditions in regard to the election as to throw the election of one Senator into the city districts and the other into the rural districts, preventing the whole State from electing one or the other, so that States might come here divided against themselves, in a body intended to preserve the integrity of a State. [Applause on the Democratic side.]

Let me say that while on its face the Bristow amendment preserves the form of our Government by adhering to the letter of the Constitution, or leaving the letter there, the fact is that the Constitution now prescribes that the whole legislature, and not a section of it, shall elect a Senator; and now each Senator is an ambassador from the whole State, while the Bristow amendment might be used to divide the senatorial representatives of the State. The Bristow amendment is revolutionary, and would change the constitutional nature of one body of our National Congress. [Applause on the Democratic side.]

Let me state another thing. The gentleman last addressing the House [Mr. YOUNG of Michigan] said the purpose of this amendment was to do away with the distinction between the functions of a Representative and the functions of a Senator. Not at all. The function of the Representatives in this House is to represent the aggregate mass of all the consolidated people of the United States. Texas stands with Pennsylvania. Represented here, it might be in this House by a mixed delegation—it may be part Democrats and part Republicans—but in the election of a Senator the whole State acts as a unit. A Senator elected by Texas represents the whole State of Texas, and that Senator elected by Pennsylvania represents the whole State of Pennsylvania. This House represents a union of a whole people. It represents that portion of the theory of the Government in its formation which said "We are a Nation"; "we, the people of the United States." The other body represents that portion of the Government which in its foundation said "We are a confederacy of independent and sovereign States." The lapse of time and the march of history has destroyed the landmarks, to some extent, which our fathers established, but, thank God, north and south of Mason and Dixon's old line there still remains a devotion to the spirit of local self-government which caused the little State of Rhode Island to stand out of the Union for years and years, until Washington had been inaugurated, because she wanted to preserve the autonomy of her independent State organization.

And when you change, when you say that a Senator is no longer a representative of a State the equal, though his State be small, of any other Senator, though his State be large, you destroy the only principle—the foundation principle upon which our Government was divided—into an upper and lower house, as to its legislative branch. [Applause on the Democratic side.] I wish to say that the purpose of this amendment was not to change the function of a Senator, not to change his representative capacity or character, not to make him less a representative of a whole State, but to make him more truly a representative of the people of a whole State as one individual entity and autonomy. [Applause.] No other reason on earth calls for this amendment except the demand that our Senators, with all the powers, duties, and obligations contemplated by the fathers, be so elected as to truly represent the States, and the people of the States, whose servants they are.

Mr. RUCKER of Missouri. Mr. Speaker, I yield to my colleague [Mr. DICKINSON].

Mr. DICKINSON. Mr. Speaker, the Constitution of the United States, in the first paragraph of section 3 of Article I thereof, provides that the Senate of the United States shall be composed of two Senators from each State, chosen by the legislature thereof for six years, and each Senator shall have one vote. And the first paragraph of section 4 of said Article I of the Constitution provides as follows:

> The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time, by law, make or alter such regulations, except as to the places of choosing Senators.

Responding to a great public demand, my distinguished colleague, Mr. RUCKER, from the second district of Missouri, on the 5th day of April, 1911, introduced the following joint resolution proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States, which reads as follows:

> *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein)*, That in lieu of the first paragraph of section 3 of Article I of the Constitution of the United States, and in lieu of so much of paragraph 2 of the same section as relates to the filling of vacancies, and in lieu of all of paragraph 1 of section 4 of said Article I, in so far as the same relates to any authority in Congress to make or alter regulations as to the times or manner of holding elections for Senators, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the States:
>
> "The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.
>
> "The times, places, and manner of holding elections for Senators shall be as prescribed in each State by the legislature thereof.
>
> "When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: *Provided*, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election, as the legislature may direct.
>
> "This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution."

On a final vote in the House this joint resolution was adopted by a vote of 296 to 15.

In the Senate an amendment, proposed by Senator BRISTOW, of Kansas, was adopted as a substitute to the Rucker resolution.

The Rucker joint resolution, otherwise known as House joint resolution No. 39, contains the provision that the times, places, and manner of holding elections for Senators shall be as prescribed in each State by the legislature.

The Bristow amendment or substitute joint resolution, passed by the deciding vote of the Vice President upon a tie vote of 44 for to 44 against, strikes that provision out, and, in all other respects, is the same as the Rucker resolution, and comes now to the House for concurrence or nonconcurrence.

The issue is clearly made.

The demand for the election of United States Senators by direct vote of the people of the States is general and should not be longer disregarded by Congress, and the House resolution proposed by Mr. RUCKER of Missouri, seeking to so amend the Constitution, responds to that demand by seeking to amend the first paragraph of section 3 of Article I of the Constitution by substituting the words "Elected by the people thereof" for and in lieu of the words "chosen by the legislature thereof," and by adding the additional words, as follows: "The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature," being the same provision as paragraph 1 of section 2 of Article I, relating to election of Members of the House of Representatives.

And the Rucker resolution seeks also to amend paragraph 1 of section 4 of Article I, so as to provide in the Constitution that "the times, places, and manner of holding elections for Senators shall be as prescribed in each State by the legislature thereof," so that Congress may not by law make or alter the regulations as to the times and manner of holding elections for Senators from that as prescribed in each State by the legislature thereof, placing the times and manner upon the same constitutional basis as "places of chusing Senators," which regu-

lation by the legislature of a State can not now be interfered with by Congress.

Mr. Speaker, I am opposed to the Bristow amendment. The effect of it, in my judgment, is to defeat the insistent demand of the people for this great reform. Fifteen Senators from Northern and Western States, after voting for the Bristow amendment, voted against the resolution as amended on its final passage, which, with the vote cast by southern Senators against the resolution because of the amendment, indicates very strongly that the joint resolution would not be ratified or adopted by three-fourths of the States. Twelve States failing to adopt would defeat the joint resolution. Five Northern States voted solidly in the Senate against the resolution on final passage, as against three Southern States. Northern Senators are more opposed to popular election of Senators than southern Senators. The Bristow amendment has evidently lessened the chance of securing this much-desired reform.

Speaking for myself, I would preserve to every State in the Union the right to elect its own United States Senators.

The effort to further centralize and extend the powers of the Federal Government has been persistent on the part of those who would lessen the power and authority of the States. Special interests and other advocates of a strong centralized government are at all times seeking to curb and lessen the power of the people. It appears in every contest where the rights of the majority of the people are involved. The encroachment of Federal authority upon the rights of the States and the people thereof should at all times be jealously watched and guarded against, to the end that too much power be not centered here at the seat of the Federal Capital or of the National Government. The interference by Federal authorities in elections in the States to the end that each State may not be allowed to elect its own United States Senators in its own way and under its own laws and regulations should not find any authority in the statutes of the Nation. The special appointment of United States marshals and other Federal officers by Federal judges, holding office for life, for the purpose of supervising State elections, should not have any sanction in the Federal laws, and the law should be so written that no Federal court could find any warrant of law for any order by which the right of any State to elect its own Senators could be interfered with.

It seems to me insistence on the Bristow amendment jeopardizes the adoption of the joint resolution. The House ought to stand by its former action. [Applause.]

If Senators are to be elected as heretofore, by the legislatures of the several States, the constitutional provision might well remain unchanged, but when a new method of electing Senators is inaugurated, to wit, election by direct vote of the people, it is logical and proper to so modify this constitutional provision as to settle the question as to what governmental authority shall safeguard the election. Who should furnish the regulation, the State that sends the two Senators to the United States Senate or the Congress that receives the credentials?

The Bristow amendment coupled with the change in the law in response to popular demand restricts and narrows the power of the States while enlarging the power of Congress. The defeat of the Bristow amendment and the passage of the original resolution unamended restricts the power of Congress by preventing Congress from passing laws regulating election of Senators.

Strong constitutional power that permits Congress to pass laws regulating the times and manner of electing Senators—with such broad power—might it not permit regulations absolutely controlling said elections and an ultimate interference in the free choice of the people when deemed necessary or desirable in the judgment of strong interests to control election of Senators by the use of Federal officials, not only at the polls but by a supervision over registration of voters and qualification of electors; not only a control of the ballot box, but even over the very enactment of laws, regulating elections, and to the nullification of State constitutions adopted by the people of the States?

The very sovereignty of the States may be involved by the action of United States district courts taking jurisdiction by reason of this very amendment, and enforcing their decrees through their especially appointed marshals and supervisors of elections. This very thought is involved in the discussions of this amendment. It is true, it is asserted by some favoring the Bristow amendment, that this power exists now under the law. It is denied by those opposing the amendment. But under the new application in the change in the method of the election of Senators, and in the light of the discussions in both the Senate and the House, might not the Federal courts settle the question of dispute against the States if the Bristow amendment prevails? The great contest in this country is between strong special interests that have long sought to dominate and control the action of State legislatures and of Congress and of the courts, and that have shown keen interest in the election of Senators, State and national, and also in the appointment of Federal judges.

The South is no more involved, in my judgment, by the Bristow amendment than any other State. The selfish interests will exercise their power and influence in the large cities and in all parts of the United States so as to place in the Senate men closely allied with them to secure legislation for their own special benefit and to defeat popular will.

The advocates of the Bristow amendment seek to shield the desires of the interests by attacking conditions in the South—obscuring the real issue—by attempts to fire the heart, obscure the judgment, and play upon the prejudices of some Members to aid them in fastening upon the country the right of the Federal Government to control the election of Senators in the interest of the money power and great corporate influences. It is true that for 124 years Congress has not availed itself of its constitutional power to pass laws regulating the times and manner of holding elections for Senators. The people have not desired during these long years that Congress should exercise this power, and now that the people of the States are about to take from the several legislatures and unto themselves the power of direct election of Senators to represent sovereign States—not special interests—in the Senate of the United States they do not want any Federal restraint or interference in their free choice of United States Senators other than the regulations provided by the laws of their own States. They would preserve the original thought of the fathers of the Republic, when the Senate was constituted of two Senators from each State to represent in that body the sovereignty of each State and the entire people thereof, regardless of the population of said State. They would preserve the integrity and sovereignty of each State and its representation in the United States Senate by retaining absolute control over their election.

The country should watch with jealous care and anxiety all attempts by the courts to usurp the rights and powers of the legislative department, and the fundamental law of the land should be so written that no court shall be able to construe away the rights of the people or write into the law unwarranted language. This day and age is fraught with apprehensions of dangerous encroachments upon the rights of the people, who, by reason of the fact that malefactors of great wealth have had undue influence in the Nation, are seeking to gain control of all branches of the Government.

Mr. OLMSTED. Mr. Speaker, I yield to the gentleman from Nebraska [Mr. NORRIS].

Mr. NORRIS. Mr. Speaker, I have always felt that there was not and ought not to be any partisanship in the question of the election of United States Senators by direct vote of the people. I have known that the rank and file of the people, as far as I have come in contact with them, have been in favor of this proposition for many years, and they were not confined to any one political party.

I have known that there were thousands who for various reasons opposed this change in our Federal Constitution, and that this class of people was not confined to any one political party. We are confronted, however, here to-day with practically a division along partisan lines on the question as it is presented before the House. The resolution now before this House that has passed the Senate provides simply and solely for the election of United States Senators by a direct vote of the people.

The Constitution as now existing provides that the Senators shall be chosen by the legislatures of the States. In substance the resolution now before the House changes the words "chosen by the legislature" and substitutes in lieu thereof "elected by the people."

The Democratic Party in 1908 in its national platform said:

> We favor the election of United States Senators by direct vote of the people, etc.

In the platform of 1904 they said the same thing. In the platform of 1900 they said the same thing. It seems almost as if the Democratic platform makers had a rubber stamp and they slapped this proposition on every time they adopted a platform.

I am not speaking of it in any disrespect; it is commendatory of them; but, my friends, the day of promise has passed, the time of redemption is here. You have pledged to the people that if you had the power you would change the Constitution of the United States and make United States Senators elected by a direct vote of the people. That is the proposition that is now before the House, and a vote to concur in the Senate amendment will bring about a redemption of that pledge.

Mr. SHARP. Mr. Speaker, will the gentleman yield?

Mr. NORRIS. For a question.

Mr. SHARP. Mr. Speaker, the simile used by the gentleman as to the use of the rubber stamp prompts me to ask if the frequent use of that stamp has not tended a great deal to bring about the sentiment which has crystallized in the resolution now before us?

Mr. NORRIS. It may be, and you are entitled to all of the credit that actually belongs to you. I want to say, however, that the promises that have been frequently made by political parties and the redemption of those promises are two propositions. It seems to me if you have meant what you said all these years, you will vote to concur in the Senate amendment, which means the Bristow amendment, as it is spoken of here, the Senate resolution as now before us. But what is the predicament we find ourselves in? We find the Democrats who have thus far spoken have said to us, Yes; we are in favor of the election of United States Senators by the people, but we are not going to give that right to the people unless you take with it another amendment, and so you propose to couple on here an amendment of a different part of the Constitution, wherein the power to control Federal elections is vested by the Constitution in Congress; and you say, if we must have the election of Senators by the people, we are going to take with it an amendment to the Constitution that gives to the States exclusive control over the election of United States Senators.

Mr. SHERLEY. Will the gentleman yield?

Mr. NORRIS. Mr. Speaker, I hope the gentleman will not interrupt me, as my time is very limited. It has been argued that this amendment now before the House, if adopted, would defeat the proposition. Let us see. It is a simple proposition to elect Senators by a direct vote of the people. You propose to put in its place a resolution that is identically the same, as far as it goes, but which goes further and says that the right to control elections of Senators shall be taken away from Congress and vested in the several States. I would vote for the proposition either way, but I want to submit to you, my friends, that it is not fair to put on this proposition that the people of the United States are almost unanimous for a proposition that has never been advocated at any time by any faction or put in any platform of any political party anywhere on earth. If this has something of merit in it, then why should you couple it onto this other thing which everybody admits has merit, and that practically everybody wants? There are men who honestly think that it is very damaging. I think it would be a mistake myself, but at the same time I do not look on it with the same fear that some other people honestly do. It has been said here that this can not be approved by the legislatures unless this additional amendment is tacked on. My friends, what State would refuse to approve it? The gentlemen who have made that argument have been Democrats, and have made it along partisan lines, and I want to call your attention to a fact that everybody knows to be a fact, and that is that, as a rule, the legislatures that will defeat this amendment are the Democratic legislatures, and they are going to say to the people, While we pledged to you all these years that we ought to elect Senators by a direct vote of the people, we will not give you that privilege unless you amend the Constitution at the same time in another respect. If there is any merit in this other proposition, why don't you submit it as a separate proposition and let it stand on its own bottom; let it go to the legislatures on its own merits; let it stand here in this House on its own merits. Why will you couple with the proposition to elect Senators by a direct vote of the people another amendment that nobody has asked for, at least in the open?

I do not believe there has been a political party which has held a convention and adopted a platform anywhere in the United States that ever approved that proposition. Take the Democratic platform that I have read from and all of the other Democratic national platforms, if you will read them, and not one put in the proposition to give the States control over Federal elections that you insist shall be put in here to-day. It seems to me that it reduces itself to this proposition. Everybody, practically, is in favor of an amendment to the Constitution for the election of Senators by a direct vote of the people. You who have the power in this House to-day either to kill or to pass that resolution are going to say to the country: You can not have that amendment unless we tack on another one, that we never discussed before, that you never discussed, and that nobody dares to stand before the people of the country on as a part of any political platform.

Mr. RUCKER of Missouri. Will the gentleman yield?

Mr. NORRIS. In just a moment. The gentleman from Indiana [Mr. CULLOP] said that this Bristow amendment, which is the one now before the House, was a proposition to defeat the election of United States Senators by a direct vote of the people. I want to deny that most emphatically. It is the only genuine proposition, uncoupled and untrammeled with any other proposition, that is before this House. On the other hand, the amendment that you would add to it, a separate additional amendment to a different part of the Constitution, is one that, in my judgment, will endanger the adoption of this amendment by the legislatures of the different States, because, as I have said, many men who favor the election of United States Senators by a direct vote of the people will not vote to change the Constitution in the other respect and take away from the Congress the right to control the election of United States Senators and Members of the House of Representatives. [Applause on the Republican side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. RUCKER of Missouri. Mr. Speaker, I yield to the gentleman from Florida [Mr. CLARK].

Mr. CLARK of Florida. Mr. Speaker, I agree fully with the gentleman from Indiana [Mr. CULLOP]. It may not be the intention of its proponents, but the result of the adoption of the Bristow amendment will be to defeat the resolution. There is not any sort of question about that. Now, I want to address myself for just a moment to the situation as I see it. This is a proposition, Mr. Speaker, to elect Senators by a direct vote of the people. As the gentleman from Kentucky has well said, Senators stand upon a different plane from Representatives in Congress. The Congress, in the first place, apportions representation among the different States. They prescribe how many Representatives a State shall have. The Constitution prescribes how many Senators a State shall have, and the Congress has never undertaken to interfere, and I question seriously whether they now have the power to interfere, in the manner and the times of the elections of Senators. The gentleman from Nebraska [Mr. NORRIS] says, or rather asks the question, Why should we couple another proposition? I assert, Mr. Speaker, that the original resolution which passed this House is the only genuine proposition providing absolutely for the election of Senators by the people that has been before this Congress. Gentlemen on the other side desire to couple it with something else. They charge us with being afraid of the people. Now, this resolution of ours is the only proposition which is designed to leave the election entirely to the people at interest. [Applause on the Democratic side.] And those gentlemen desire that Congress shall have authority and supervision over the election by the people in the different States. You are not leaving it to the people as long as you hold or attempt to hold some kind of supervision over the action of those people. A Senator comes from a State; he is an ambassador; he represents the State in its entity. The State is a sovereignty which Senators represent at the other end of this Capitol.

Now we propose to take the election away from the legislature and put it directly in the hands of the people of the different States to elect their own Senators, and you propose, although you say you are willing for that to be done, that although the people may have the right to elect, yet you insist that you, a body sitting here in Washington, in the Capital of the Nation, shall reserve to yourself the right to say whether or not the people have been fair, whether they have been honest, whether they have been just in the election of their Senators. We propose to strip it from every outside influence; we propose to take the power away from the legislature, and to take it away from the Congress, and leave the people of those sovereign States absolutely free to elect their own Senators. If the people are corrupt, then it is the fault of the people, not ours; and if the people of the different States are so corrupt that they can not hold an election for United States Senator without that election be tainted with fraud, then your Government is a failure, and a failure now. So that I say, Mr. Speaker, that instead of our undertaking to attach something to this to deprive the people of absolute power, the Bristow amendment proposes to do that and to give another, a foreign body, a body entirely removed from the State, removed from the people, surveillance or jurisdiction or censorship over their acts in the election of their own Senators.

Mr. CULLOP. Mr. Speaker, will the gentleman permit an interruption?

The SPEAKER. Will the gentleman from Florida [Mr. CLARK] yield to the gentleman from Indiana?

Mr. CLARK of Florida. Yes.

Mr. CULLOP. It goes further than that. It vests the power in Congress to pass the election law by which the election shall be held; it goes further than supervising.

Mr. CLARK of Florida. Undoubtedly; and goes further than the power given now, because they can not pass laws to regulate the election of members of the legislature who, under the present system, elect the Senator. [Applause.]

The SPEAKER. The time of the gentleman from Florida has expired.

Mr. RUCKER of Missouri. Mr. Speaker, I yield to the gentleman from Mississippi [Mr. WITHERSPOON].

Mr. WITHERSPOON. Mr. Speaker, as I understand the question before the House, it is this: That the resolution for the election of Senators by the people, as passed by this House, provided that the time, the places, and the manner for the people to elect their Senators should be provided by the legislatures. That resolution, as it passed the Senate, as it now pends under this motion before the House, strikes out that provision and leaves the power to regulate the time and the manner of holding the election for United States Senators ultimately in the Congress of the United States. And for that reason, Mr. Speaker, I am opposed to it. I do not believe that the Congress of the United States should have the power to determine the time, the place, and the manner for a State to elect its Senators. Why should it so determine? Does the Congress of the United States know better, and can it determine with greater wisdom the time when Mississippi shall elect her Senators? Do the Members of this House from other States think that they have so much better knowledge of the local conditions existing in our State and of the conveniences of our people that they could vote in this House more intelligently to determine the time and the manner of electing our Senators than we? I undertake to say that you know no more about what is best in our State than we do of what is best in your State. Now, in the very formation of the Government we see in every provision this fundamental idea: That there are certain matters which in their nature are of such general interest that the Congress of the United States can deal with them better and with greater wisdom than the people of the several States. We see that the Nation can legislate with greater wisdom on matters that affect our foreign relations, on matters that affect our interstate commerce, and on every matter of that kind which is of general interest; and for that reason the framers of our Government in their wisdom have committed all such matters to the Congress. On the other hand, there are a great many matters of local interest where the wise and best solutions of the questions that arise out of them can be made with more wisdom by a local government, and that is the foundation of the doctrine of local self-government. [Applause on the Democratic side.]

The value of local self-government lies in the fact that the people of any community have so much deeper interest in their local affairs and so much better knowledge of local conditions that they are able to enact better laws to regulate their affairs than it is possible for those to enact who live in distant States. For this reason the people of each State in the Union reserved to itself in the formation of the Federal Government the right to regulate everything of a local nature. The protecton of life, liberty, and property within the State, the question of public education, the maintenance of benevolent institutions, the enforcement of the criminal laws, the construction and maintenance of public highways, and the enactment, interpretation, and execution of laws pertaining to these and all other matters of local interest was wisely reserved within the control and jurisdiction of the State governments.

The question therefore presented by the motion to concur in the Senate amendment is whether the determination of the time and manner of the election of a United States Senator by a State is a matter of local interest, like the establishment of a common school, like the punishment of a murderer, like the maintenance of an asylum for the insane, about which the people of other States would know nothing and have but little concern, and should therefore be intrusted to the State government; or is the determination of the time and manner of electing Senators like a treaty between a foreign government and our own, like the regulation of interstate commerce or like the coinage of money, in which all the people of the Union have the same identical interest, and which is therefore best intrusted to a common government? Every State in the Union is deeply interested in who shall be the Senators of every other State, because the Senators of every other State must participate in the enactment of the laws pertaining to matters in which each State has, together with all others, a common interest, and therefore the Democrats of the House without a single dissenting vote have passed the resolution to amend the Constitution so as to take from the legislature of each State the power to elect the Senators from such and to intrust that power to the people thereof. The value of this change lies in the fact that the wisdom, virtue, and patriotism of the people of a State will result in the selection of Senators who will serve the people better and enact better laws than could be expected from Senators chosen by the legislatures. The bribery, the scandal, and the shame which has resulted from the intrusting of this power to the legislatures, and the servile fidelity of those elected by legislatures to the special interests of those whose money and power had influenced their election in the legislatures fully justifies the wisdom of this change in the organic law. The proposed change in the Constitution will give to the people of each State not only the right to choose their own Senators, but the guaranty that the honesty and intelligence of the people of every other State will be exercised in choosing its Senators.

While this change in the organic law is a matter of common and universal interest, and while each State is so deeply interested in the selection of all the Senators, yet no State has any sort of interest or concern in either the time or manner of electing Senators in the other States. The time and manner in which the Senators from Mississippi are elected is of no interest or concern to the people of Maine, nor do the people of Mississippi care when or how the people of Indiana elect their Senators.

The time at which the people of Mississippi should elect their Senators presents a question of local convenience in which no other State has any interest. Being engaged mostly in agriculture, it suits the welfare of the people of Mississippi best to hold their elections in July and August, between the end of the cultivation and the beginning of the harvest of their crops, and since no other State has any concern in the time of their elections, the control of the time is not a matter in which any other State should have a voice. It seems to suit the people of other States to hold their elections at different seasons of the year, and therefore Mississippi should have no voice in fixing the time for them. When the time for electing Senators is fixed by the laws of the State it can be so arranged as to have the election of Senators, Congressmen, and State and county officers all at the same time and thus save a great deal of expense to the people, but if Congress should fix the time of holding elections for Senators it would have to fix the same time in all the States, and thus fasten upon the people a double and useless expense.

The manner of electing Senators is purely local and should be left to the States. If any State in the Union should elect two men to represent it in the Federal Senate no other State could have the slightest interest in the manner of such election. The Constitution of the United States prescribes the qualifications for Senators, and if the chosen Senators from any State have the prescribed qualifications it should not matter what the manner of election was.

But it is urged that the time and manner of electing Senators is a matter of common interest and national concern, and that Congress should control it, because it is necessary to the preservation of the Federal Government. This I deny. The true theory of the Federal Government is maintained by leaving the entire selection of Senators to the States. The Federal Constitution was largely a compromise between the advocates of a strong centralized Government and the friends of State rights, and one of the most prominent and important of all the concessions to the sovereignty of the States was the provision that each State should be represented in the Federal Senate by two Senators, without regard to population, thus putting all the States on an equality. The idea was that each State should have the same power in the Senate and that its two Senators should represent the State. It is in perfect accord with this idea that the State should elect its Senators in its own time and manner. If Congress can determine the time and manner of electing Senators, and the time and manner fixed by Congress does not suit the State, then, in so far as the time and manner of the election is concerned, the Senators elected contrary to the time and manner desired by the State and in accordance with the will of Congress will represent not the State, but the National Government.

If the Senators should represent the National Government in its will as to the time and manner of their election, then we will have taken one step toward their representation of a centralized government in all respects, and instead of preserving the Federal Government in its integrity, the object and effect of the Bristow amendment is to destroy the very nature of the Federal Government in so far as it is affected by the time and manner of electing Senators. One of the great political evils of the day is the fact that too many Members of the Senate represent, not the will of the people, but the will of their masters who dominate a subservient legislature to secure their election, and the very object of the proposed amendment to the Constitution is to remedy this evil. It is therefore illogical to concur in the Bristow amendment, which provides that Senators from a State may not represent the will of the people of that State as to the time and manner of their election.

But the Bristow amendment is illogical, unwise, and inconsistent in that, if it be adopted, the power to fix the places of electing Senators will be vested in the State governments, and the time and manner of their election in the Federal Govern-

ment. This will necessitate two systems of laws, one of which must be enacted by the States to determine the places of holding the elections and the other must be enacted by Congress to determine the time and manner of the election. If the places of holding the elections for Senators is not a matter of national concern and common interest, which should therefore not be intrusted to Congress, it is impossible to conceive any reason why the time and manner of the election is not also a matter of State jurisdiction. If the will of the people of the State should prevail as to the places of electing their Senators, why should not that same will prevail as to the time and manner of the elections? If the preservation of the Federal Government does not depend upon its selection of the places of holding the senatorial elections, as the Bristow amendment concedes, how, then, can it depend upon the selection of the time and manner of the elections? But the argument is made that the Constitution, as it now stands, provides that the legislature can fix the places and Congress the time and manner of the elections. This is true, and there is some reason for it, because the elections of Senators by the legislatures, as now provided, had to take place at the capitals of the States, and it would therefore have been folly to empower Congress to provide for an election by the legislature at any other place; but when the election is transferred from the legislature to the people, there can be no good reason why the legislature should fix the places of the election, as the Bristow amendment admits it should, and not also fix the time and manner of the election.

Another fact, which demonstrates that the power to fix the time and manner of electing Senators should reside in the people of a State is that, while the Congress has from the beginning of the Government had the ultimate power to determine the time, places, and manner of electing Representatives, yet it has for more than an hundred years permitted the States to exercise it. The fact that the Congress has for such a long time acquiesced in the exercise of this power by the States, and that each State has provided for the time and manner of electing its representatives, is a confession of the Federal and State governments that the power can be exercised with greater wisdom and to the best advantage by the States and not by the Congress. The wisdom of the rule that the States should control the time, place, and manner of elections is forcibly illustrated and emphasized by the only exceptions to the rule, which were in the dark days of reconstruction and force bills, when, dominated by sectional hate and bitter partisanship, the Republican Party assumed control of the elections of the South and destroyed local self-government, substituting the rule of ignorance and vice for that of intelligence and virtue, and with the point of Federal bayonets fastening the heel of the negro upon the neck of the white man.

But it is urged that the Bristow amendment should become a part of the Constitution because, while the Congress has never exercised its power to control the election of Representatives except in the period of reconstruction, yet it has always exercised that power as to the time and manner of election of Senators. This is a mistake. While section 14 of the Revised Statutes does provide that the legislature shall on the second Tuesday after it convenes proceed to elect the Senator, yet this does not fix the time, because the State determines when the legislature shall convene. The fact that section 14 does not fix the time of electing Senators is demonstrated by the fact that no two States elect their Senators at the same time. There is hardly a month in the year in which some State does not elect its Senators, and this great difference in the times of the election is the result of each State determining for itself when it will elect its Senators, and shows that even when Congress attempts to fix the time, as it did in section 14, it can not do so, but the time of the election varies and changes according to the will of the State.

But it is also urged that the Congress has exercised the power to provide for the manner of electing Senators in the legislature. The manner in which the legislature shall elect the Senators, as provided in section 15 of the Revised Statutes, is harmless and unimportant, because no manner that could be devised for the election by a fixed and definite body, over whose numbers and membership Congress has no control, could possibly affect the result or change the choice of the person elected. An election of the Senator by the people is a radically different proposition, in which the control of the manner could be and would be exercised to determine the choice, and the very fact that Congress has exercised its power to control the manner of the election of Senators by the legislature, which manner could not in the nature of the election affect the result, and that it has failed to control the manner of the election of Representatives by the people where the control of the manner would affect the result is an irresistible argument to show that the wisdom of Congress, as manifested in the whole history of the country, favors the jurisdiction of the State over the manner of popular elections, and is a historic condemnation by Congress of the Bristow amendment.

It is therefore clear that the Congress throughout the history of the country has always deemed it best to leave the selection of the time and manner of Federal elections to the States, except during the very period when above all others it should have done so, and that was when partisanship had dethroned reason and sectional hate had supplanted patriotism and brotherly love. And the very motive now behind the insistence that the power to control the time and manner of Federal elections should be reserved in the Congress is the hope of the Republican Party that the dark day may return when the happy reunion and widespread affection which now binds every section of the Union together will give place to such sectional ill will and hostility that public sentiment at the North will sustain that party in again overthrowing southern civilization. The exhibition of ill will to the South and the repeated flings at our section that have come from the Republican side of the House all through the debate at this session of Congress is sufficient assurance that this party still has the disposition to overthrow local self-government in the South, and has been deterred from doing so by public sentiment in the North. And while I confidently believe that this public sentiment and sectional good will is now and always will be sufficient protection to the people of the South, yet I can not support the Bristow amendment to the resolution, since its only object and purpose is, as I believe, to enable the Republican Party to destroy southern civilization whenever sectional conditions may so change that it can gratify its malignant feelings toward the South without danger of being turned out of office. It seems, therefore, that both the rule of inaction on the part of Congress throughout the entire history of the country, permitting the States to control Federal elections, and the lamentable exception to that rule both demonstrate the wisdom of vesting the States with the power to regulate the time and manner, as well as the places, of holding senatorial elections.

But it is said that Congress should have the power to determine the time and manner of holding senatorial elections, because it has the power with reference to the election of Representatives. This contention is based on the idea that there is some virtue and advantage in making the power of Congress the same in both cases. Even if this were a sound argument, it would be inapplicable to the Bristow amendment, which does not propose to give the Congress the same power with reference to the election of Senators which it has with reference to the election of Representatives, for the Congress can control the time, places, and manner of electing Representatives, while the Bristow amendment proposes to give the Congress power to control only the time and manner, and to leave the State the power to control the places of the election of the Senators.

The provision of the Constitution with reference to the election of the Representatives, whether wise or unwise, is at least logical, consistent, and sensible, being based on the fact that the same government, whether the Federal or State government, should control the time, place, and manner of election, while the Bristow amendment is illogical, inconsistent, and senseless in making a useless and unreasonable division of the same election by committing the place of the election to the jurisdiction of the State and the time and manner to the Federal Government.

But the argument that the provisions with reference to the election of Senators and Representatives should be the same is not only inapplicable but is unsound. The fact that the Congress has the power to control the time, place, and manner of electing Representatives is a strong reason why it should not also have the power to control the time and manner of electing Senators, because if the Congress should ever again exercise that power so that the Congressmen from a State would not represent the sentiment and will of the people of the State, then there should be a constitutional guaranty that the State could, at least, choose its Senators at such time and in such manner that its sentiment and will should have some expression in one branch of the Congress at least. There is no escape from this conclusion, except to those who may desire that in certain contingencies the will of the people should be wholly disregarded, and that the present union of the States shall become a great empire in which the Members of both branches of Congress shall represent not the will of the people but the will of the Government.

If, therefore, as I have shown, the people of a State can more wisely determine the time and manner of electing its Senators because it has a deeper interest and better knowledge of local conditions than the Congress; if, as I have shown, the time

and manner of electing Senators is not a matter of common concern, but of local interest and a part of local self-government; if, as I have shown, the committing to the State of the power to determine the time and manner, as it now has the constitutional right to determine the places of the election, would save expense and trouble and promote the public convenience; if, as I have shown, the determination of the time and manner of electing Senators carries out the fundamental theory of our Government that the two Senators from a State should represent its wishes, its sentiment, its will and welfare, and not the will, wishes, and sentiment of the Federal Government; if, as I have shown, it is illogical and without reason that the matter of the election should be so divided that the State will have jurisdiction over the places and the Congress over the time and manner of senatorial elections; if, as I have shown, the failure of Congress from the beginning of our history to fix the time and manner of Federal elections, except in times of great sectional excitement and partisanship, is an admission that the determination of the question had better be left to the control of the States; if, in short, as I have shown, every consideraion of reason, policy, and convenience, expense, and theory favors the jurisdiction of the State over the time and manner of elections of Senators, and if there is no sound reason why the Congress should have the jurisdiction, the question arises why is the Republican Party, both in the House and in the Senate, so determined that the people of the State should not control the time and manner of electing Senators? And why has this party made such a long and vigorous fight to tack the Bristow amendment to the resolution for the popular election of Senators? Why so much vehemence and feeling manifested on the Republican side to retain the power to fix the time and manner of electing Senators?

No explanation can be obtained by a consideration of the subject of the contention. To the ordinary mind it would seem that the mere time and manner of an election is a matter of little importance, and does not merit the great consideration that it has received. It would seem to one who only looks upon the surface and fails to discover what is concealed beneath, that it is utterly immaterial whether the State or the Federal Government fixes the time and manner of the election. If a State can elect a Senator to represent it at one time and can also elect the same person as Senator at a different time, it is true that the question of the time would amount to nothing whichever government might fix it; and if the State can elect the same person as Senator in a manner determined by the State as in a manner fixed by the Congress, then the manner would be immaterial. It is plain, therefore, that there is a deeper significance involved in the question than appears on the surface. There is something more important than the mere time and manner of the election which has aroused such determined effort on the part of the Republican Party. Under the fraudulent pretense of controlling the time and manner of electing Senators, the real purpose and object of the Republican leaders is to determine who shall be the Senators from the Southern States. Instead of Senators who will represent the sentiment, views, and will of the southern people, the Republican leaders would like to have southern Senators, as they once did, who would represent the will of the Republican Party, and who will be the pliant tools of the trusts and monopolies, which are the masters of the Republican Party and which furnish the money to keep that party in power for their selfish ends. The accomplishment of this purpose finds its possibility, and the danger in the whole proposition lies in the ambiguity of the two words "people" and "manner." The friends of the Bristow amendment tell us that it really works no change in the Constitution, that the provision now is that the Senators shall be chosen by the legislature, and that the Bristow amendment only substitutes for the word "legislature" the word "people." But right here lies the danger. The word legislature is a fixed, unambiguous term, describing a body composed of a certain number of men elected by the people of the State. The Congress has no jurisdiction over the election of members of the State legislature, and if the legislature fails to elect Senators who represent the will of the people of the State, the people have the power to turn their legislators out of office and to replace them with men who will respect the popular will, as they often do. But the word "people," which the Bristow amendment substitutes for the word "legislature," is an uncertain, ambiguous term. It is sometimes used to include children as well as adults, women as well as men, unregistered as well as registered voters, and when we say that the people shall elect Senators, then whichever government, whether the State or the Federal, has the power to determine the manner of an election must determine what classes constitute the people. Under the present law of Mississippi, the people who have the right to elect officers are the men 21 years of age who can read the Constitution, or understand it when read to them, and who have paid their taxes on or before the first day of February in the year in which they seek to vote, and who have not been convicted of certain crimes, and who have registered four months before the election. These classes of men constitute the people of Mississippi as determined by the legislature of the State, but the real object of the Bristow amendment is to let Congress determine who shall be included in the word "people." And the leaders of that party would like to determine that every negro in Mississippi, whether he has paid his taxes or not, whether he can read the Constitution or not, whether he is a criminal or not, and whether he is a registered voter or not, is a part of the "people" and shall have the right to vote.

The object of the Bristow amendment is to wrest the political power of Mississippi and every other Southern State from the virtue and intelligence of the people and vest it in the ignorant and vicious class of the State. In short, the object is to destroy the civilization of the South, and instead of southern representation in the Congress of the United States they aim ultimately at the overthrow of local self-government in the South and the selection of the tools of monopoly and trust to sit in the House and Senate as representatives of Southern States. Whenever this object is accomplished and the Senators from the Southern States cease to represent the will of the people of those States, but represent the will of the Republican Party, then the Union of the States shall have been destroyed and converted into an empire, in which the voice of the people amounts to nothing.

The accomplishment of the real object of the Bristow amendment will be facilitated also by the uncertainty and ambiguity of the word "manner." What does the manner of the election mean? Does it include the registration of the voters? If so, then the Government which has the jurisdiction to fix the manner must provide for the registration, and hence determine who are qualified to be registered. Does it include the appointment of the clerks and managers? If so, then the Government which controls the manner must appoint the managers and clerks of the election. Does the manner of the election include the determination and declaration of the result of the election? If so, then the Government having control of the manner must decide who has been elected. It is therefore clear to my mind that the whole object of the Bristow amendment is to deprive the State of the power to determine who shall represent it in the Senate, and to give to Congress the power to determine and select Senators of the Southern States.

The danger to Southern civilization in this unrighteous amendment would not be half so great if the American people were divided into two national parties. But the Republican Party is a sectional party. It was organized as a sectional party, and it has never had any existence in the South, and never will have. The hearts of its leaders are filled with bias, prejudice, and hate toward the southern people, and all through the debates in this very Congress they have given full expression to their ill will toward the people of the South. And just as long as there is a possibility of this sectional South-hating party having control of the Federal Government, just so long will I oppose giving the Congress the power to interfere with elections in the South.

It is perfectly clear that the ground of Republican contention in the Bristow amendment is to overthrow white supremacy and to reinstate negro domination in the Southern States. The Republican position, clearly expressed throughout the debate, full of malignant tirades against the South, and breathing the bitterness of hate toward the southern people, does not even pretend to limit the operation of the Bristow amendment to the control of the time and manner of the election throughout the Union, but boldly warn us that the object and aim of the amendment is negro rule in the South, is Federal interference with southern elections, is Federal compulsion of what is denominated honest and fair elections in the South. The Republican Party not only avows its regret that it has heretofore been too lenient in not overthrowing local self-government in the South, but avows its purpose, under the Bristow amendment, to usurp control of southern elections whenever necessary to preserve the progressive civilization of the day.

If one-half the reports in circulation are true, and if the statements of Republican and northern Senators correctly describe the political situation, then the very center of the unfairness, dishonesty, and corruption in senatorial elections has not been in the South, but in those very Northern States in which the Republican Party raise the cry of dishonest and unfair elections in the South in order to divert attention from its own shame. The very ground of the well-nigh universal de-

mand throughout the North for the popular election of Senators is the bribery and the corruption which has been practiced in northern legislatures by the trusts and monopolies which dominate and control the Republican Party, and surely this party of corruption and vice should be silent about the elections in the South.

But by honest and fair southern elections is not meant elections free from bribery and corruption on the part of the corporate masters of the Republican Party, but the term "honest and fair elections" is used to describe southern elections in which ignorant and criminal negroes are used to control southern elections, as was once done under Republican misrule. In other words, the purpose of the Bristow amendment, as interpreted by the Republican Party, is not merely to have the Congress determine the time and manner of the election, but to give the General Government jurisdiction to enforce such elections in the South as the sectional South-hating Republican Party may call honest and fair, and thereby, under the false pretense of controlling the time and manner of southern elections, to secure elections in which ignorant and vicious negroes shall be the managers and clerks and in which a negro majority shall be counted.

The entire drift of the debate on the Republican side shows that negro domination of southern elections is the ultimate aim of the Bristow amendment. The love of the Republican Party for the negro is the rankest hypocrisy. The iniquitous system of taxation by which the fruits of the negro's toil, as well as of the southern white man, have been legislated into the coffers of the monopolies and trusts of the country shows that the Republican Party only loves him to rob him. In the whole Republican organization there is not as much real affection for the negro as you can find in one southern white family. We know that the welfare of the negro as well as that of the white man forbids that he should again, under the guidance of the Republican carpetbaggers, ruin the Southern States, and we therefore oppose the Bristow amendment, which aims at such disastrous results.

But the Bristow amendment is not made in good faith. It is not proposed because it is believed that the Federal Government can more wisely determine the time and manner of an election in a State than the State can do. The object of the amendment is not to improve and better the law, but it is a scheme to defeat the popular election of Senators. Those who oppose the popular election of Senators all favor the Bristow amendment. The real idea of the Republican Party is the same old Hamiltonian idea that the people are incompetent and unfit to rule, and that a strong centralized government is necessary to compel the people to submit to the will of the government. In every State where this idea is dominant, the legislature will refuse to ratify the amendment for the popular election of Senators, and the scheme of these enemies of the people was to so change the resolution by the Bristow amendment as to threaten southern civilization with negro rule and thereby force the Southern States to join the Republican enemies of the people in Northern States where that party still has control and defeat and kill the proposition for popular senatorial elections. This unrighteous scheme will certainly be successful if the Bristow amendment is adopted, and for that reason, Mr. Chairman, I oppose it.

In conclusion, the question presented by the Bristow amendment is apparently not whether it is best and wisest that the State or the Congress shall control the time and manner of senatorial elections but really whether southern Senators shall represent the will of the people of those States or the will of a partisan majority in Congress. The practical importance of this question in the past became apparent when the Republican Party overthrew local self-government in the South and established negro supremacy in order to perpetuate itself in power.

The patriotic sentiment of the North and the sectional affection that now binds every part of the Union together has for many years restrained the Republican Party from a repetition of its hostile interference with the election laws of the South, but the strong effort to fasten the Bristow amendment on the resolution for the popular election of Senators, and the expressions of the Republican leaders of their hatred of the South and of their infatuation for negro rule, show that the hope of again destroying southern civilization is still cherished in their hearts. The time when they dream of accomplishing this purpose is indicated in the avowal that the Federal Government should exercise the power given it by the Bristow amendment whenever it shall become necessary to the preservation of our progressive civilization. It is a civilization in which the Republican Party has exercised every function of the Government to legislate the wealth of the country from the masses who produce it into the pockets of the classes who enjoy it. It is a civilization in which year by year the rich are made richer and the poor are made poorer by unjust legislation. It is a civilization in which half of the American people own no property and the number of paupers are increasing and the number of millionaires and multimillionaires are multiplying under the operation of the class legislation of the Republican Party. This civilization is called progressve. It is growing from bad to worse. And the great issue of American politics is whether this civilization, as it is called, shall progress still further or shall be changed—whether injustice in legislation shall be continued or abandoned. It is an issue between the masses and the classes, between the people and plutocracy. And when the last final struggle comes, when it is finally decided whether the people or the plutocrats shall govern the country, it is the dream of Republicanism, as openly expressed, under the necessity of preserving this progressive civilization, to overthrow local self-government in the South and to use the poor deluded negro to overthrow and destroy the rights of the American people and to establish forever the reign of plutocracy in American politics. When that awful day comes, then the preservation of the rights of the American people in every Northern State will need southern Senators who represent the will of the southern people instead of Senators who represent the will of the favored classes, who dominate and control the Republican Party.

Mr. OLMSTED. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. MOON].

Mr. MOON of Pennsylvania. Mr. Speaker, the resolution originally adopted by the House proposes two distinct and disconnected amendments to the Constitution. The one providing for the election of United States Senators by the people, without the intervention of State legislatures, and the other depriving Congress of all power of supervision over these elections.

The Bristow amendment to the House resolution eliminates the provisions to abrogate Federal control of the senatorial elections and confines the proposition to the one subject, namely, to amend the Constitution of the United States so that the people of the several States may vote directly for United States Senators.

The proposition to concur in the Senate amendment which is now before us affords the opportunity to limit the proposed amendment to one subject. I am in favor of concurring in that amendment.

Mr. Speaker, however we may differ respecting either the advisability or the legality of the present proposition, there is one thing upon which I think both sides of this House will be agreed, namely, that we are now engaged in one of the most important functions conferred upon us by the Constitution. We are exercising the extraordinary legislative power of Congress. We are engaged in amending the Constitution of the United States. I want to call the attention of gentlemen of this House to this fact, that we are proceeding in the discharge of this important duty with what we all must admit is unseemly haste. We occupy many days in the discussion of the fiscal policy of the Government in the adoption of tariff measures. I think we took 10 or 15 days here for the discussion of Canadian reciprocity and a week in the discussion of the wool-tariff schedule. We are on the eve of a temporary adjournment. We have one day remaining before that time. The Members want to get away on Thursday. We have a day to fill in, and therefore we say, "All right; let us amend the Constitution of the United States." Now, that is what we are attempting to do, and the gentleman from Missouri [Mr. RUCKER], under the stress of such conditions, was obliged to deny to the gentleman from Pennsylvania [Mr. OLMSTED] even two hours and a half to discuss this problem.

Mr. RUCKER of Missouri. Mr. Speaker——

The SPEAKER. Does the gentleman from Pennsylvania [Mr. MOON] yield to the gentleman from Missouri [Mr. RUCKER]?

Mr. MOON of Pennsylvania. I have only 10 minutes.

Mr. RUCKER of Missouri. I merely want to call the gentleman's attention to the fact that yesterday evening gentlemen on that side expressed the belief that an hour and a half would be ample, and I have given the gentleman from Pennsylvania [Mr. OLMSTED] all the time he wants.

Mr. MOON of Pennsylvania. My statement was that under the stress of conditions like these you were obliged to do it.

Mr. RUCKER of Missouri. The gentleman always make such an interesting speech that if the gentleman from Pennsylvania [Mr. OLMSTED] can not yield enough time to him, I will yield him some time myself.

Mr. MOON of Pennsylvania. Now, gentlemen, let me consider this proposition from a different standpoint than that from which it has already been considered. I do not desire, in the little time at my command, to repeat the arguments already made and so well made. But let me recall the fact to you, gen-

tlemen, that if we are willing to amend the Constitution under these irregular circumstances and with so much unseemly haste, the people of the United States are not willing to join with us in so serious a proposition.

Do you know that in 125 years there have been seriously proposed over 2,000 amendments to the Constitution of the United States? And do you know that the people of the United States have practically rejected every one of them. Let us consider for a moment what the people have done in the past with such propositions and the circumstances and conditions under which the existing amendments to the Constitution were adopted, and out of that consideration let us draw a line of policy to be pursued at the present time. We have, it is true, 15 amendments to the Constitution, but a consideration of the subject of those amendments and the circumstances under which they were proposed and adopted give no warrant for our present proceedings.

The first 10 amendments are almost an integral part of the Constitution itself. They are simply declarations of the old immutable principles of Magna Charta, a cautionary reservation of the rights of the States, a bill of rights.

The eleventh amendment was proposed in 1794, almost immediately after the organization of the Government, and was made to recall a portion of State sovereignty with which the States had inadvertently parted. In the recital of the judicial power of the United States there was a provision that it should extend to all suits between a State and its citizens or the citizens of a foreign State; and in the early case of Chisholm against Georgia, Justice Jay declared that under the Constitution a State could be brought to the bar of the court at the instance of a citizen of a State. Then the people of the United States said, "We never intended to do this and inadvertently parted with a part of our sovereignty," and they proceeded to amend the Constitution to recall that power.

Later on the people found that the method employed for the election of the President and Vice President, as provided in the third paragraph of the first section of Article II, was cumbersome and defective, and in the twelfth amendment they simply amended a part of the machinery of the Government at the demand of the people of the United States, and this constitutes the twelfth amendment. You all know that the thirteenth, the fourteenth, and the fifteenth amendments grew out of conditions that were revolutionary, when the liberation of the colored race from slavery created conditions with which the States were unable to cope, and it became necessary to protect their rights by a series of constitutional amendments. It will be seen, therefore, that all of these changes grew out of the acknowledged inadequacy of the Constitution and were made in obedience to the intelligent demand of the people or of the States themselves for a change in the organic law to meet these demonstrated conditions.

But, Mr. Speaker, we are confronting a proposition to-day that this country never heard of before; we are establishing a precedent, if you adopt this resolution without the Bristow amendment, that, in my judgment, is the most serious and dangerous precedent ever established by an American Congress. Understand, gentlemen, that the Constitution of the United States is a concession of the power of the various States, and that every amendment has been made either through a demand on the part of the people for a return of a part of that power or by a voluntary concession of greater powers by the States themselves for the establishment of a more perfect Government.

But for the first time in the history of legislation the Members of Congress themselves are initiating a constitutional amendment that no State, or the people of no State, ever thought of or ever asked at our hands. No class of people, no State, and no newspaper even ever demanded the relinquishment of governmental power in the supervision of the election of United States Senators, a power which in the field of its operation has been demonstrated to be essential to the integrity of the Government. I repeat, neither do the people of the United States or the States themselves demand that we should relinquish that power. We initiate the demand; we beg the States to take it back; we ask to be relieved from the burden of its exercise. Why, Mr. Speaker, this proposition absolutely amounts to treason by the Congress of the United States to their own prerogatives, to their own responsibilities, and to their own constituency. [Applause on the Republican side.] We voluntarily declare that we are unfit and unworthy to discharge the power that the States have conferred upon us. We abandon the discharge of an important function absolutely at our own initiative.

It has been the boast of every jurist and every statesman that the powers and functions of government have been so wisely distributed by this Constitution that by accepted principles of construction it has adapted itself to the amazing changes of a progressive century without changing its fundamental character. It has been heretofore an immutable instrument written on bronze. But if you are going to adopt this simple and easy principle of amendment by a voluntary abandonment by the Congress of powers never sought to be recalled, if you begin to emasculate it by supinely relieving yourself from the exercise of those powers, you will make it a facile instrument written in sand. [Applause on the Republican side.]

The SPEAKER. The time is up.

Mr. OLMSTED. Mr. Speaker, I had expected to recognize the gentleman from Iowa [Mr. KENDALL] for five minutes. He is willing to yield that time to the gentleman from Pennsylvania [Mr. MOON]. [Applause.]

Mr. MOON of Pennsylvania. The proposition to elect United States Senators by the people is a legitimate subject of constitutional amendment that has been demanded by the people of the States. It has been demanded by resolutions of States; it has been demanded by State legislatures. Nay, more, many of the States have practically adopted it by legislation, and there is a universal demand for that species of constitutional amendment.

Mr. SHERLEY rose.

The SPEAKER. Does the gentleman from Pennsylvania yield to the gentleman from Kentucky?

Mr. MOON of Pennsylvania. I should like to, but I can not.

The SPEAKER. The gentleman declines to yield.

Mr. MOON of Pennsylvania. But the second proposition—the proposition to relieve ourselves from the supervision of the election of United States Senators—is not only uncalled for but it takes away from us a vital fundamental power necessary to the preservation of the Government itself. I call your attention to the fact that it absolutely destroys the equilibrium of the United States Government as conceived by its founders and as developed and demonstrated by actual experience for 125 years. Bear in mind, Mr. Speaker and gentlemen, that the two branches of the legislative department, the House and the Senate, are one. They are not two coordinate powers, they are two parts of one coordinate power, differing somewhat in their minor functions, but in all constitutional powers, in all constitutional matters, one before the law of the land.

You propose to surrender to the States the right of Congress to exercise that prerogative of sovereignty in the election of United States Senators, and you propose to preserve it so far as the election of the Members of the House is concerned.

Mr. Speaker, I have been in this House a few years, and on many occasions—indeed, on all occasions where it was possible—I have heard the Members of this House inveigh against any attempt to create any distinction between the power, dignity, and sovereignty of this House as contrasted with the power, dignity, and sovereignty of the House at the other end of this Capitol. You now propose, gentlemen, for the first time in history, to do what the fathers never dreamed of doing, to draw a distinct line of demarkation. You say, in effect, that so far as the regulation of our own elections is concerned, we can control that, but that we are entirely too weak and insignificant to control the election before the people of so great, dignified, and august a body as the United States Senate. [Applause on the Republican side.]

Why, Mr. Speaker, we are all officers of the United States Government. Our qualifications are prescribed by the same Constitution. Under this amendment we shall be elected by the same electors. Our duties are the same, and we both stand at the legislative bar of the country and take the same oath of office, the same oath of allegiance to the Government of the United States. Yet, for some covert and undisclosed purpose, you propose for the first time to destroy absolutely your own dignity and equality before the law and to place the United States Senate in a position of greater power and authority. [Applause on the Republican side.]

The exercise of the power of Federal supervision over the election of both Members of the House and the Senate is vitally important to the preservation of the integrity of the Government.

The necessity for such supervision was one of the primary reasons for the adoption of the Constitution of the United States. The preamble to that Constitution declares—

> We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty for ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

The first declaration of the purpose for forming a constitution was in order "to form a more perfect union."

The Union existing under the Articles of Confederation was fatally defective, because there existed no power therein to compel the States to send Representatives to the Congress.

The States failed or refused to send Representatives, and thereby so emasculated that body as to render it incompetent to perform the responsible functions of government, and for that reason section 4 of Article I of the Constitution provided that the times, places, and manner of holding election for Senators and Representatives shall be prescribed in each State by the legislators thereof, that the Congress may at any time by law make or alter such regulations except as to the places of choosing Senators.

The power to compel the States to send their representatives, both in the House and in the Senate, to create a Federal legislative body is one, therefore, of primary importance.

This power has been exercised by the Federal Government, not, it is true, to compel them to send Representatives, because no State, except during the War of the Rebellion, has ever refused to perform that function.

Congress has at various times, however, exercised the power conferred upon it by this section as concerns both the election of the Members of the House and Senate.

The first exercise by Congress of the power conferred by this section was in 1842. To remedy the evil which arose from the different methods adopted in the various States for the election of Members of the House of Representatives an act was passed requiring that each Member of the House should be elected by a separate district composed of contiguous territory, some of the States having elected their representation by a general ballot—that is, by permitting each elector to vote for as many names as there were Representatives—which worked an injustice to other States which did not adopt that system.

To remedy the evil arising from the election of Members of Congress at various times in the different States, Congress, in 1872, placed upon the statute books a law requiring the election of all such Members to be held on the Tuesday following the first Monday in November in the year 1878 and on the same day of every second year thereafter.

Congress has likewise exercised this power with respect to the time and manner of electing Senators of the United States. Section 14 of the Revised Statutes was designed to provide uniformity in the time of electing United States Senators by requiring the legislature of each State chosen next preceding the expiration of the term of any Senator to choose his successor on the second Tuesday after its meeting and organization.

Section 15 of the Revised Statutes was intended to overcome the frequent failure of the legislatures of the States to elect Senators at the proper time by one branch of the legislature voting for one person and the other branch for another person by compelling the two bodies to meet in joint convention, fixing the day when this should be done and requiring them to meet every day thereafter until a Senator was elected.

That this power has not been more frequently used is due to the fact that the several States conscious of its existence have by consistent and uniform action complied with the spirit of the Constitution without the necessity of Federal action.

The resolution of amendment adopted by this House, and which is now being so earnestly advocated by the Democratic majority, provides for the relinquishment of this vital and necessary Federal control over the election of United States Senators and to return the same to the people of the United States to be exercised wholly as they may determine, free from the supervision of the Federal Government.

This, Mr. Speaker, is an insidious and dangerous attack upon the vitality of the Federal Constitution. The central idea of that instrument, as conceived and constructed by the philosophic statesmen who made it, was that of a complete Federal organism, having within itself perfect powers of organization and of perpetuation—its three coordinated departments under its own complete dominion and each exercising its own functions with entire immunity from State interference. It was to be a national autonomy, a complete sovereignty, and the essential prerogative of sovereignty is undisputed and undivided power over its own instrumentalities.

This amendment means the overthrow of this scheme. It removes from Federal control an undivisable half of the legislative organism of the Government. It is no longer to be a sovereign power capable of complete independence, controlling its own instrumentalities by the laws of its own creation; but hereafter its laws are to be made partly by the ambassadors of individual States over whose election it can exercise no control and whose local and peculiar interests may be adverse to the general interest of the whole country, which the United States Congress was created to protect.

Mr. Speaker, this work we are doing to-day—this off day—which we are filling in by amending the Constitution, may become historic. We are putting the ax to the root of our institutions. We are in the most casual and indifferent manner touching sacred things. Cut out one of the functional parts of a vital organism and the whole may speedily die. I see in this sectional attempt to strike down Federal power grave danger—irremediable mischief.

But, Mr. Speaker, I do not believe the American people will consent to it. I believe they will be wiser than we are. I believe they love our great Constitution more than we do, and I believe they will reject the amendment. They will see in this attempt what we now ignore. They will understand that those who advocate this measure, who openly declare that they will prevent the amendment providing for the direct election of United States Senators being submitted to the States unless it is coupled with this revolutionary condition—I say the people will understand that those advocates have some dangerous ulterior object in view—that they design to obtain a power for their States which the Constitution of our fathers denied them.

The reasons for this are not difficult to discover. One section of this country is still arrayed against the other politically. In the great civil conflict of 50 years ago they were defeated. They are now in power in this House. This demand comes chiefly from that section. It is seeking the same power now that was denied it then—the power of the State to control the Nation for its own end untrammeled by Federal supervision. The attempt now is more insidious, but none the less dangerous. A constitutional amendment has not the terror of a conflict of arms, but it may be found more destructive.

This resolution of submission will pass the House in the unamended form in the face of the great Democratic majority against us; we can not prevent it. But I repeat, I have still unbounded confidence in the people of the country. I believe when submitted to them they will absolutely reject it; that they will not purchase the power to elect their Senators by a direct vote at the price of relinquishment of the Federal control over these elections; that they will hold responsible at the polls the party that thus seeks to entrap them. I believe they will say to this Congress: If you are unwilling or unable to exercise the powers conferred upon you by the Constitution to discharge the full measure of the duties you were elected and sworn to discharge and which has always been discharged by your predecessors, instead of going to the States and pleading to be relieved of your responsibilities by taking away from you these powers, resign your positions, and we will send other men who can and will uphold the Constitution, preserve the Government as it was given to us by our fathers, and maintain the supremacy of our great Nation not only against the other nations of the world, but against its enemies at home as well.

Mr. RUCKER of Missouri. I yield to the gentleman from Kentucky [Mr. SHERLEY].

Mr. SHERLEY. Mr. Speaker, it ought not to be necessary, after the prolonged discussion that was had here and in the Senate of this proposed amendment, to restate certain propositions. And yet the debate that has taken place to-day makes the restatement necessary.

Bear in mind that it is not, in any true and practical sense, accurate to say that in proposing simply an amendment to the Constitution as to the manner of electing Senators of the United States you do not affect the power of the Federal Government over such elections. No man can here state—I will give such little time as I have to any man who can state—any practical way that the Federal Government now has of controlling the election of United States Senators.

Mr. MOON of Pennsylvania. Will the gentleman permit me?

Mr. SHERLEY. The gentleman would not yield to me, but I will yield to him.

Mr. MOON of Pennsylvania. I can tell the gentleman how it has exercised that control very potentially and very necessarily.

Mr. SHERLEY. State how and where.

Mr. MOON of Pennsylvania. In compelling the two houses to meet jointly for the election of a United States Senator, thereby preventing what might frequently occur, the two houses voting separately for different men and never reaching a conclusion.

Mr. SHERLEY. The gentleman has stated one case where Congress provided as to how the legislature shall ballot, and to that extent my statement may seem too broad, but the gentleman would have to admit that there is no power now in the Federal Government to control the election of Senators in the same sense that the power exists to control the election of Representatives. While the language is the same, the practical

power is different. Under the power to regulate the manner of holding an election for Representatives, Congress, while unable to prescribe the qualifications of voters, can give to the Federal Government complete control, as it actually did during the reconstruction period; but while Congress can now determine the manner by which members of the legislature of a State shall elect a Senator, it can not control the manner by which those members of a State legislature shall be chosen. As the Constitution now reads, Congress has power over but one of the two steps in the election of Senators. Now, by providing for the direct election of Senators you eliminate this step, leaving only one, and to that transfer the power that now relates only to the second. The result is that this House and the country in considering this amendment is confronted with this proposition: Shall you, by changing the method of electing Senators in Congress, enlarge the power of the Federal Government, or shall you narrow the power? That is the practical question.

The Bristow amendment enlarges the power. The adoption of the House provision narrows the power. I am going to be perfectly frank; it does not leave it in the same condition; it does legally narrow it, although, in my judgment, it does not narrow it in any practical way. Neither is it so, as implied by speeches of gentlemen on that side of the House, that the Federal Government has by the Constitution the same power to control all of the agencies necessary to its own existence. If gentlemen will read the provision referring to the election of President and Vice President, they will find that the power there conferred was originally limited to the "time" and did not extend to the "manner." And yet the gentleman from Pennsylvania would use the strong word "treason" because we say a different rule should apply to the power of the Federal Government over the election of Senators to that over the election of Representatives.

Mr. MOON of Pennsylvania. Will the gentleman yield?

Mr. SHERLEY. Yes; I will yield to the gentleman.

Mr. MOON of Pennsylvania. The gentleman does not pretend to say that the Constitution does not exercise a protective power over the election of President and Vice President?

Mr. SHERLEY. I mean to say that the Constitution of the United States does not confer upon Congress anything like as broad power over the selection of electors as it does over the election of Representatives.

Mr. MOON of Pennsylvania. Does it not prescribe the time and manner and place of holding the election?

Mr. SHERLEY. I will read what the Constitution says. The third paragraph of the first section of the second article is: "The Congress may determine the time of choosing electors."

It does not refer to the place and manner.

Mr. MOON of Pennsylvania. Read the twelfth amendment.

Mr. SHERLEY. Yes; I will. It reads:

The electors shall meet in their respective States and vote by ballot for President and Vice President, one of whom at least shall not be an inhabitant of the same State with themselves.

Mr. MOON of Pennsylvania (interrupting). The amendment goes on to tell how the election shall be held and declares the time, the place, and the manner of holding that election.

Mr. SHERLEY. That is true; but the gentleman can not show any warrant for an assertion that the Federal Government has control over the selection of presidential electors by the State in the sense that they have over the selection of a Representative.

Mr. MOON of Pennsylvania. Oh, no——

Mr. SHERLEY. The gentleman from Pennsylvania says, "Oh, no," and that is the vital matter. It is the power to determine the manner in which such electors are chosen which is fundamental, and Congress has not the power in that regard that it now possesses over elections of Representatives.

Mr. MOON of Pennsylvania. The Constitution prescribes the time, manner, and place of controlling the electors for Members, the electors for Senators, the electors for Vice President, but the people happen to be the electors of Representatives. The legislatures of the various States are the electors of Senators, and the constitutional electors are the electors of the President and Vice President.

Mr. SHERLEY. The Constitution of the United States does not, in my judgment, give to the Federal Government the power as to the choosing of electors that it does over the choosing of Representatives. The power is not the same. The power as to the Federal Government over the election of Senators now is not the same as exists over the election of Representatives. Now, it is true that the Supreme Court held that the power over an election of Representatives was a power sufficient to enable the Federal Government to practically take charge of the election of Representatives.

In my humble judgment that power was never contemplated by the makers of the Constitution, but that is no longer a material question, because the Supreme Court declared the power was there. But there never has been and can not be under the Constitution as it now exists the power over Senators that now exists over Representatives. Some of us are not willing to give that power. We do not believe that the danger of the Federal Government failing through the States failing to elect Senators is nearly so great or potential as is the danger of an abuse of power in the election of Senators, if the Federal Government was given that power now. [Applause on the Democratic side.] Whatever fear there was in the beginning of this Government that the Government would not exist by reason of the failure of its component parts to provide for the election of Members of Congress has passed away. There is no man who seriously believes that we are in any danger of the Senate disappearing as a body by reason of the failure of the States to elect Senators. If we really believed that, you would have been willing to accept the suggestion I made on this floor, and the suggestion that was made in the other body, that the amendment be limited to those cases where the States refused to act. But gentlemen contend that this power must be given.

The Federal Constitution is a compromise between the believers in a National Government and the believers in a Federal Government. Running all through that instrument are these two ideas. Those who believed in a central government, where the States should be merged into it, had to concede their extreme position, just as the State rights men, who did not believe in the Federal Government having any power to exist except at the volition of the States, had to give up some of their contentions. Out of those concessions came the Constitution. The very provision that a Senator shall represent a State is an evidence of that compromise, and in representing a State he does not represent the people in the sense that a Representative does. The provision as to Representatives is distinctly national, that as to Senators distinctly Federal. Every Representative here is here because of the number of people in his district. Every Senator in that body is there irrespective of the number of the people within the State that he represents. [Applause.] He stands as an ambassador, and I repeat what I said before, as an ambassador of the State in its sovereign capacity.

How childish is it to say that the people of a State can not be trusted to send their representatives to the Senate of the United States, to a body that has power in some respects greater than either the Executive or the House of Representatives. It can do with the Executive what the House can not do. It can do, with the House acting with it, what the Executive and the House can not do.

I deny that the States will ever fail to elect Members to this great body, and I do not believe supervision by the Federal Government is either necessary or, in the broad sense gentleman urge it, desirable. I say to you that when history is written without passion, when the events of the days when our country was rent in twain have faded into enough distance to judge of that period impartially and without regard to section, it will not be found that the intervention of the Federal Government in the election of Representatives helped in the long, true course of history toward the preservation of purity of elections or of the real rights of the States and of the people. [Applause.] I do not believe that we can afford now to enlarge this power of the Federal Government. If it were possible to keep the power as it now is I would say yes; and why will not gentlemen on that side be fair? Why constantly undertake to give the impression that it is possible to leave the control of the Federal Government the same? Will the gentleman from Pennsylvania [Mr. MOON] state that in his judgment as a lawyer he believes that the adoption of the Bristow amendment would not serve in a practical sense to enlarge the power of the Federal Government over the election of Senators?

Mr. MOON of Pennsylvania. If the gentleman would permit——

The SPEAKER. Does the gentleman yield?

Mr. SHERLEY. Yes.

Mr. MOON of Pennsylvania. I would say, if the gentleman would permit me and I had the time to discuss the proposition in his time, that I would engage to demonstrate with mathematical accuracy that it would do just that thing.

Mr. SHERLEY. All I can say in answer to the gentleman is that he occupies the unique distinction, so far, of being the only gentleman who has been willing to maintain that position. The debates in each body of Congress have not shown anyone else possessed of such a judgment as to power.

Mr. OLMSTED. Mr. Speaker, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. OLMSTED. I would like to ask the gentleman whether he does not believe that the prohibition of campaign contribu-

tions by corporations to the election of Representatives tends to purity of elections?

Mr. SHERLEY. I do.

Mr. OLMSTED. Then do not you believe that the same prohibition applied to the election of Senators when they are elected by the people would further tend to purify the elections?

Mr. SHERLEY. I do.

Mr. OLMSTED. Then why do you not join with us in concurring in this amendment, which would leave the power in Congress?

Mr. SHERLEY. For this reason: Because the giving of the power that the gentleman wants would not simply rest in giving to the Federal Government the power to prevent corporate campaign contributions. The gentleman is wise enough to know that in this life you can not segregate things in that way——

The SPEAKER. The time of the gentleman has expired.

Mr. RUCKER of Missouri. I yield five minutes additional to the gentleman.

Mr. SHERLEY. It is because I believe that it is more important to preserve, having some knowledge of the history of my country and of the conditions that confront all sections of it, the absolute control of the States in the election of their Senators than it is simply to give the Federal Government power to pass a law as to campaign contributions that I do not agree with the position occupied by the gentleman. This is my answer to the assumption of the gentleman that the power of Congress to protect elections at which Federal officers are chosen rests only on section 4 of Article I.

Mr. JACKSON. Will the gentleman yield for a question?

Mr. SHERLEY. Yes.

Mr. JACKSON. Does the gentleman think it is dangerous to increase the power of the people over the Federal officers of the Government?

Mr. SHERLEY. I do not. But I have not so much fear of the people of the respective States that I fear any danger to the National Government through the exercise of their rights to choose Senators of the United States. [Applause on the Democratic side.] I have more faith in the people of Kansas than to believe that.

Mr. JACKSON. The people of Kansas did choose their own Senators contrary to many of the Southern States, and the man who offered this amendment in the United States Senate was elected by the people of his State, and yet the man who comes here and charges that he is not in favor of this amendment must know——

Mr. SHERLEY. Oh, I have not charged anything of the kind. The gentleman was either unable to hear me or to understand me.

Mr. JACKSON. I was not charging the gentleman——

Mr. SHERLEY. I simply stated——

The SPEAKER. The gentleman from Kentucky refuses to yield.

Mr. SHERLEY (continuing). I stated I had enough faith in the people of Kansas to believe their having exclusive power over the election of Senators from that State would not imperil the Nation. If the gentleman draws the other inference from it he is welcome to it.

Mr. JACKSON. I regret there is a difference between Kansas and other States in the Union——

Mr. SHERLEY. Oh, well, I congratulate myself that my belief in the patriotism of the people of America is not confined to sections. [Applause on the Democratic side.] I trace my ancestry through those who stood on opposite sides when this country was divided in the great conflict. I, for one, thank God those days are far back, and I do not believe there is anything in the history of the Southland since those days that warrants the aspersions which the gentleman undertakes to cast upon those people and my people. [Applause on the Democratic side.]

Mr. JACKSON. Did not the gentleman state in the main debate on this question that he wanted this amendment, or wanted it passed as the House passed it, because if it was not so passed it would be defeated in the Southern States?

Mr. SHERLEY. I stated this: The gentleman from Kansas asked me the question and he asked my opinion. I stated that, in my opinion, in the State of Kentucky it would make no difference, but I was inclined to believe, and I still am, that there was more probability of the amendment being adopted if it went to the States as passed by the House than if it contained what is now known as the Bristow amendment.

Mr. JACKSON. Well, did not that in itself bring sectionalism into the debate?

Mr. SHERLEY. It brings the viewpoint of sections, and there is a vast difference between the viewpoint of sections and that narrow prejudice that impugns the motives of men because they differ with one another. [Applause on the Democratic side.] It is a distinction that is world-wide.

Now, Mr. Speaker, if the gentleman will permit, the colloquy can hardly add to the solution of this question.

Let me in conclusion say to the House simply this, that the question that you have presented is not one of whether you will leave, as it now exists, the power over the election of Senators, but the question is whether you shall enlarge that power by the Bristow amendment or whether you shall narrow that power. In my judgment, for all practical purposes the power does not exist now. We have presented what we believe is the real reform asked by the people. And let me state one curious fact, that it is those people who are least in sympathy with the reform itself that seem most solicitous over having the Bristow amendment incorporated in it. [Applause on the Democratic side.] And if gentlemen doubt the accuracy of that statement, a review of recorded votes will do much to enlighten them on the subject. So I conclude now, as I concluded before, that those of you who believe sincerely in giving to the people a more direct method over the election of their Senators can well afford to stand, as they stood a while ago, in the position taken by the House. They need not have any fear that the Federal Government's existence is going to be imperiled. The gentleman from Pennsylvania stated that the power, because it existed, would probably not need to be used. I go a step further and say that, if existing, I do not believe it will be used, and if not existing, no need for it will arise. Many men differ with me as to the probability of its use, and I beg of you who really desire to bring about this reform that you do not force those who hold a position more extreme perhaps than mine, but who are sincerely desirous of this reform, from the advocacy of it into an opposition of it. [Applause on the Democratic side.]

Mr. OLMSTED. Mr. Speaker, I yield 10 minutes to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. Mr. Speaker, I always listen with great pleasure to the gentleman from Kentucky [Mr. SHERLEY]. And yet what is this proposition? It is a proposition to change the method of electing Senators. I voted several times, right or wrong, but following my best judgment and voicing what seemed to me to be public sentiment, to submit to the States an amendment to the Constitution for the election of Senators by direct vote of the people of the respective States.

I voted against the passage of the House joint resolution at this session, not because it proposed to amend the Constitution to elect Senators by direct vote of the people, but for the reason that the joint resolution, in addition to providing for a direct vote, would have changed the Constitution in that provision which enables the Congress of the United States at any time, if the necessity should arise, to make or alter regulations made by the respective States for the election of Representatives and the choosing of Senators.

The Senate amendment to the House joint resolution provides for the election of Senators by a direct vote of the people, but otherwise does not change the Constitution as it now is. The gentleman from Kentucky [Mr. SHERLEY] was not as happy as he usually is when he sought to place the Senate higher than the House by calling the Senators "ambassadors" of their respective States. Nay, nay; they are plain Senators. [Laughter.]

Now, I will not vote for a proposed amendment to the Constitution which places a Senator in his election without the safeguards that surround the election of Representatives. Therefore I am going to vote for this Senate amendment, which will cure what many people believe has grown into an abuse—the control of legislatures in the selection of Senators by improper methods.

The gentleman from Pennsylvania [Mr. OLMSTED] asked a question as to whether it would be in the power of a State—in effect, by throwing the State into districts—to elect Senators by a minority vote in the event the House joint resolution was enacted into law without the Senate amendment. Undoubtedly that might be done. Undoubtedly the respective State legislatures would have this power. And yet gentlemen on that side—Democrats, glorying in "the rule of the people"—propose to place it in the power of a State legislature, by this joint resolution, to enact laws under which practically a minority can choose Senators; and the Congress of the United States would be powerless in the premises if the joint resolution is enacted without amendment and should be agreed to and ratified by the States.

A law has been—or will be—enacted for publicity of campaign expenses. Such a law, if the Constitution should be amended as this House joint resolution proposes, would compel publicity of campaign expenses of candidates for Representa-

tives, but would not apply to senatorial "ambassadors." [Laughter.]

Mr. MOON of Pennsylvania. Mr. Speaker, will the gentleman permit an interruption?

The SPEAKER. Does the gentleman from Illinois yield to the gentleman from Pennsylvania?

Mr. CANNON. With pleasure.

Mr. MOON of Pennsylvania. I would like to hear the gentleman discuss a feature of this subject which I think is of great importance, and which I did not get the opportunity to touch upon. The gentleman will observe that there is one very vital distinction between the original and the language that is left in. That feature does not seem to have been referred to at all in the discussion. The existing provision of the Constitution is:

The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof.

Now, the portion that they leave in they change vitally. They say:

The times, places, and manner of holding elections for Senators shall be as prescribed in each State by the legislature thereof.

I wish the gentleman would discuss that feature.

Mr. CANNON. Precisely. The Congress can prescribe the manner of the election of Representatives under the Constitution as it is and under the Constitution as it would be in the event the Senate amendment is agreed to and ratified; but in the event the Senate amendment is not agreed to and ratified the Congress will be powerless to change the regulations in any State as to the election of Senators. For one, I shall not approve, by speech or vote, such a provision.

I want to say to gentlemen from the South, we had an unfortunate contest between the majority and the minority, leading to the great Civil War. Prejudice passed away from me long, long ago. You say there is no danger in the future. God knows. I trust there is no danger. Some people believe that if danger should come in the future it would not come from the Southland. Many so believe. Oh, I would to God that the successors of the men in the main who made that great contest from the Southland would recognize, as they practically do, the results of the great contest and would legislate in the present and in the future without harking back to the graveyard and conjuring up ghosts and then running from the ghosts.

I do not believe there would be the slightest objection on that side to the Senate amendment except as it might be made by you who failed in that great contest, for those who fail are always last to forgive and forget. [Applause on the Republican side.]

The SPEAKER. The time of the gentleman has expired.

Mr. CANNON. I would like just one more minute.

Mr. OLMSTED. Mr. Speaker, I yield five minutes more to the gentleman.

The SPEAKER. The gentleman from Illinois is recognized for five minutes more.

Mr. CANNON. I shall not need that much time.

If you had forgotten, as we have forgotten—we who constituted the majority in that contest—this joint resolution as passed by the House, in my judgment, never would have been passed in its present shape, and the Senate amendment would not now be opposed.

Now, my friend from Kentucky, always candid, says that, true, under the Constitution Congress may in certain cases regulate the election of Senators. Yes; he acknowledges it.

Mr. SHERLEY. Will the gentleman permit?

Mr. CANNON. Yes.

Mr. SHERLEY. I said I would simply state this, that there is no practical way in which they can do it now.

Mr. CANNON. Precisely. There is no practical way, the gentleman says, and there is no practical way now by which the people can elect Senators by direct vote. I will not split hairs with the gentleman. If there is no way that the same law and the same power should reside in the American Congress, touching the election of Senators as well as Representatives, I am here to help provide a way. [Applause on the Republican side.] I would not, to secure this joint resolution, make legislation that would apply to this body in the election of its Members and would not apply to the Senate in the election of its Members.

We are trying to correct that real or supposed abuse by a direct vote of the people; and yet you say "Nay; nay; we do not want that direct vote of the people to give the people the same power as to Senators that they have as to Representatives."

Great God! if a man is competent to vote for the election of a Representative, is he not competent to vote for the election of a Senator?

Mr. COOPER. Will the gentleman permit a question?

The SPEAKER. Does the gentleman from Illinois yield to the gentleman from Wisconsin?

Mr. CANNON. Oh, certainly.

Mr. COOPER. I am much interested in what the gentleman said on the question of an ambassador from a State. Now, in the case of the late Galusha A. Grow, who was a Representative at large from the State of Pennsylvania, all the people of the State having voted for him, the Congress of the United States could have passed a law regulating his election, could it?

Mr. CANNON. Absolutely.

Mr. COOPER. He would have been just as much an ambassador, would he not, so far as the State of Pennsylvania was concerned?

Mr. CANNON. Oh, yes; in substance.

Mr. SHERLEY. Will the gentleman from Illinois yield?

Mr. CANNON. I always yield to the gentleman.

Mr. SHERLEY. I want to suggset that the exception to a rule is hardly the test of a rule.

Mr. CANNON. You know our power is pretty considerable under the Constitution as it is; not greater than it ought to be in the main. [Applause on the Republican side.]

The SPEAKER. The time of the gentleman has again expired.

Mr. RUCKER of Missouri. I yield to the gentleman from Mississippi [Mr. SISSON].

Mr. SISSON. Mr. Speaker, when I addressed the House before on this amendment I called attention to the fact that the power to elect Senators is now in the State legislatures, and if section 4 of Article I remains as it is, it does extend the power of Congress to the electorate.

This extension of the power of Congress over the voter of the State is too dangerous. That power now only extends to the election of Members of the House.

In the very fact that Congress can, if it deems proper, regulate and control the elections to the lower House of Congress and can not now control elections as to the other branch lies the real reason why Congress has not passed general election laws for the control of all Federal elections.

If now they passed a law prescribing the manner in which Congress should be elected and providing for Federal officers to hold these elections and determine who should vote in such elections, they could only control the election of Congressmen, because under Article I, section 4, of the Constitution, as it now is, the power of Congress only gets as far as the State legislature, but if we change the Constitution and put the power to elect Senators in the hands of the people, where it belongs, then the power of Congress to control elections of both branches of Congress will add tenfold to the desire to pass Federal election laws.

The people should control the Federal Government and not the Federal Government the people. The people of the States, so says the Constitution in Article X, are the source of all power. They can always be trusted. The Federal Government should reflect their sovereign will and not the people the will of Congress. Congress should ever be under the control of the people and not the people under the control of Congress.

No Federal election law should ever be passed. Mr. Madison and Mr. Hamilton, when the States were asked to ratify the present Constitution, assured the people of all the States that no such laws would ever be enacted by Congress. If the States had believed that the power would ever have been exercised there never would have been States to ratify the instrument.

No man who can trust his own constituents and the people of his own State can ever consent to extend the power of the Federal Government over elections. In God's name, as we love our liberty and freedom, let us guard at least one branch of our Congress from the possibility of Federal control.

I believe in placing all the officers of the Government as close as possible to the people who elect them. The power to determine who shall and who shall not vote is the sovereign power. If Congress can determine the manner of holding elections it can pass election laws, appoint the officers to hold the elections, prescribe the qualifications of voters, and say who shall or who shall not vote, and who shall or who shall not hold office, and finally become the supreme power in all elections, thus transferring the power of control from the people to the Federal Government. God forbid that such an evil day should ever come.

A complete guaranty that no Federal election laws will ever be passed is to adopt this amendment as it originally passed the House. A guaranty that Federal election laws will be passed will be to pass the Bristow amendment.

Mr. Speaker, it is indeed surprising that some of our friends on the other side of the Chamber should, with such zeal, oppose the Rucker amendment. They are very careless with the facts of history.

A moment ago this colloquy occurred:

Mr. RUCKER of Missouri. Mr. Speaker, I presume it is in the gentleman's mind, having stated that it was that portion of the proposed amendment to which he objects, to tell the House why he objects to it, and I would like to know.

Mr. OLMSTED. Mr. Speaker, I shall proceed to do so, and I hope to make my objection clear.

Mr. KENDALL. Mr. Speaker, will the gentleman yield?

Mr. OLMSTED. Certainly.

Mr. KENDALL. If the Bristow amendment, which is now before the House for action, shall be adopted, the Constitution will remain the same, except that Senators will be directly elected by the people.

Mr. OLMSTED. That will be the only change.

Mr. KENDALL. And if the Bristow amendment is rejected, as proposed by the gentleman from Missouri, and the House resolution should be enacted into law, the Congress of the United States would surrender all authority over the election of Senators?

Mr. OLMSTED. Mr. Speaker, as another gentleman was speaking to me at the moment, I did not understand the gentleman's question.

Mr. KENDALL. If the resolution as it passed the House should be finally enacted into law, it would amount to a surrender on the part of Congress of any authority over the election of Senators?

Mr. OLMSTED. It would indeed; and it is very questionable whether it would not so emasculate section 4 as to make it inoperative and ineffectual for any purpose.

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

Mr. OLMSTED. Certainly.

Mr. LONGWORTH. I understood the gentleman to say that the proposition for the election of Senators by the people has passed the House at different times.

Mr. OLMSTED. Yes.

Mr. LONGWORTH. Has it ever passed the House with the amendment proposed in this House resolution—amending section 4?

Mr. OLMSTED. It never has to my knowledge—never. The demand for the change of that section sprung up only after the recent elections had changed the political complexion of this House.

Mr. KENDALL. Has that amendment ever been proposed in all the numerous times that the subject has been under discussion in the House until now?

Mr. OLMSTED. It never has.

This colloquy is a nice frame up on its face, but it is not in accordance with the facts.

My friend Mr. GOODWIN, of Arkansas, called my attention, and that of several other Members of the House, after this colloquy ended, to the fact that all of these gentlemen were entirely mistaken, and but for Mr. GOODWIN's attention and alertness it would not have been corrected in this discussion. The entire credit for the facts, as I now state them, is due to Mr. GOODWIN, who did not want the RECORD to go to the country without stating the facts.

Mr. KENDALL and Mr. LONGWORTH, in this colloquy, both were in error, and led the distinguished lawyer, Mr. OLMSTED, into the same error when they asked him if at any time an amendment had been proposed in all the numerous times that the subject had been under discussion in this House until now similar to the Rucker amendment, and Mr. OLMSTED replied positively that "it never has."

These gentlemen also leave the impression that this amendment is one never before discussed on the floor of this House. But such is not the fact. The zeal of these gentlemen led them into this error.

This very resolution has several times passed this House, word for word and letter for letter, as it passed a few weeks ago. This identical resolution was introduced in the Fifty-second Congress by the Hon. Henry St. George Tucker, of Virginia, and after quite a discussion was passed without a single dissenting vote, so far as the RECORD shows.

This resolution failed to pass the Senate. The same resolution was introduced in the Fifty-third Congress by Mr. Tucker, of Virginia, and passed by a vote of 141 yeas and 50 nays.

The first time this resolution passed all the Republicans voted for it, or, to be more accurate, not a Republican voted against it. The second time it passed, in the Fifty-third Congress, such Republicans as the late Speaker Henderson and Mr. Hepburn, both of Iowa, voted for it, and the Hon. H. A. COOPER, of Wisconsin, and Dr. BARTHOLDT, of Missouri, also voted for it. These distinguished Republicans admitted that the resolution, identical with the one introduced and passed by this House, was a perfectly proper one.

Every intelligent vote cast against this measure and for the Bristow amendment is by a man who does not want the Senators elected by the people, and he wants it passed so that it will not be ratified by the States. Those followers and unintelligent Members who vote against it and for the Bristow amendment do not really appreciate how they are insulting their constituents at home and the people of their States and do not have perception enough to see the real change in the power now vested in Congress.

So, Mr. Speaker, we must conclude that every man who votes for the Bristow amendment is really against the election of Senators by direct vote of the people, because the great and patriotic Republicans of the Fifty-second and Fifty-third Congresses voted for the identical resolution which is now before the House.

This resolution is the one which has been most discussed before the people, because at the time it was being discussed in Congress the Populist Party was pressing it and made it a great national issue at that time.

Now, Mr. Speaker, the statement of the gentleman from Iowa [Mr. KENDALL], in his question to the gentleman from Pennsylvania [Mr. OLMSTED], that to pass the Bristow amendment will leave the Constitution just as it is, except that Senators will be directly elected by the people, and the answer by Mr. OLMSTED, "That will be the only change," are also erroneous. These distinguished gentlemen are doubtless sincere in their position, but a careful examination into the question will convince them that they are in error.

If section 4 of Article I is left as it is and section 3 should be changed by amendment, placing the power to elect Senators in the people of the States instead of the legislatures of the States, it certainly extends the power, under section 4 of Article I, to the people who vote for Senators; whereas as it now is this power can only extend to the State legislature. So that a Federal election law passed by Congress now could not affect the manner in which a State will choose its own legislature. After that legislature is chosen then Congress can say in what manner that legislature must elect Senators. But this power in nowise affects the manner in which the people of the State have elected its own legislature or who had the right to vote or no right to vote in such State election. The people of the States are thus beyond the reach of Congress in senatorial elections, as the Constitution now is, but if the people vote directly for Senators, then the power which elects is the people of the State, and section 4 of Article I would apply to that power and thus enable Congress to control the State electorate in senatorial elections, which it can not now do. This is perfectly obvious, and the Democratic objection to the Bristow amendment is not foolish, sectional, or partisan.

Now, Mr. Speaker, to summarize the case, let me say that I believe that no great reform in our legislation will ever be effected until we get Senators elected by a direct vote of the people of the States.

The greatest indictment against our present form of government is the corruption of our legislatures in senatorial elections. Within recent years every allegation in this indictment has been proven. We must not imagine that the verdict of the people is in doubt. It is made up. But we must not now trifle with the people. Let us not betray them by submitting an amendment which we know they will not and ought not to adopt.

We can trust the people of these States. They should have the right to send whom they choose to represent them in the Senate. They should not be supervised by their servants, whom they send here. A Senator is and ought to be a servant of the people of the State and of the whole State. He should not in any manner have the right to prescribe the manner of his own election. This should be left to his masters, the people of the State. The servant should never be permitted to get beyond the reach of the master. The people should always be permitted to control their servants and the manner of choosing them. The Senator is the ambassador of the people of the State, and they should determine in what manner they shall choose him. It should never be in the power of the ambassadors to prescribe the manner in which they shall be chosen. Leave that to the wisdom of the people of the States.

Great and powerful influence can be used more effectively upon Congress than upon the people of the States.

You Republicans have been so recently repudiated at the polls that you fear the people.

Good governments have never been destroyed by the people, but by those who fear them. Bad governments should be destroyed by them. No government should ever be organized so that when it is bad that with its army and navy it is stronger than the majority of the people. The people should never consent in their organic laws that their servants be vested with a power which, when abused, they can not destroy with their ballots. Therefore any control of the people's ballot by our Federal Government, which controls the Army and the Navy, should never be permitted. Let ballots and not bayonets control. Ballots should always be out of the reach of the bayonets.

Gentlemen of the House, as you love the institutions of your fathers, do not extend the Federal control of the election of Senators so far that that control shall reach the sovereign voter of the State. You can not reach him now in senatorial elections, and he will resent it if you undertake to do so.

The Bristow amendment, if adopted here and in the States, will reach him. You may adopt it here, but the States will not do so unless the people thereof shall say, We can not trust our-

selves; we are unworthy; local self-government is impossible; we must have Congress to rule us and tell us who may and may not vote; we can not hold fair elections; we are too dishonest and too weak; we want the strong arm of the Federal Government made stronger, so that it will make us do right; the Declaration of Independence is a lie; local self-government is a failure; Article IX and Article X should never have been placed in our Constitution; government by the people is a failure; we want all power vested in Congressmen and Senators; they are wiser than we; we know not what we need; we are dishonest and can be bought; they are honest and can not be bought.

Gentlemen of the House, do you really think the people will ever say this? Do you not know that the people are aroused and will not thus be trifled with? You can not longer play upon their prejudices and passions. You can no longer make progress in the South, East, West, or North with the old "bloody shirt." Our people have a common destiny. The people of every section of our great Republic are ready to scourge from public life forever that man who would attempt to reopen the healed and healing wounds of the past.

Now, Mr. Speaker, coming as I do from that section of the country which has just been referred to by gentlemen on the other side; born, as I was, after the great conflict was over; taught to love this Government, taught to honor and respect my flag, I regret that any word should have been said on the floor of this House during this debate on this question affecting, as it does, the people of Maine, no less than the people of California, the people of Washington, no less than the people of Florida; affecting, indeed, the sovereign citizen in one section as vitally as in another. I had hoped that at this hour in the glory of this great country of ours we of the South might be permitted to speak our honest sentiments without having hurled in our faces the fact that our fathers differed as to great questions.

Is it possible that in these discussions in the future they will rake up the old embers? I trust not; because this amendment which we are presenting to you to-day did not originate with the gentleman from Missouri [Mr. RUCKER], who has charge of it, but this was the work of the brain of the great Democratic statesman from Virginia, Mr. Tucker, and was introduced by a great and patriotic Republican Senator at the last session of Congress who hails from a State bordering upon Canada, a young gentleman who stands to-day as one of the leaders of this age, a man who rises above section, a man who looks at the question squarely and impartially; this same amendment was presented to the Republican Senate by this Republican Senator, and this amendment that the Democrats are supporting here is word for word and letter for letter as it was introduced by this Republican Senator. [Applause on the Democratic side.] Therefore you can not accuse this side of the House of acting in any partisan spirit.

I want to say that I fear more the concentration of power here in the city of Washington than I do the exercise of power by the people in their respective States. I have an abiding faith and confidence in the people of Maine, New Hampshire, Vermont, Pennsylvania, and other States. I believe they will be able to take care of the situation. The time has passed when there can be any fear of a lack of representation in either branch of this body. The time has passed when anyone believes there will be a failure to elect, which was the fear confronting the fathers of the Republic.

Now, one gentleman on the other side of the House, the gentleman from Michigan [Mr. YOUNG], referred to the fact that the power of the corporations and the great interests of this country would be exercised, or might be exercised in the election of Senators. I say to him that if that be true, I would infinitely rather trust the sovereign people of these States than to trust the laws that might be made in this body regulating the election of United States Senators.

Gentlemen, I know—and I would not refer to it but from the fact that others have—I trust that no State in this Union will ever again be called upon to drink to its dregs the bitter cup of Federal control of elections. [Applause on the Democratic side.] I sincerely trust that that fear is, as our distinguished Representative from Illinois had to say a moment ago, a mere ghost. May God forever deliver the people from that criminal ordeal through which we had to go when our old Mississippi capital was a saturnalia of crime, and when bonds were issued for public works that never were built and the people loaded down heavily with taxation because laws were made, not by the people of the State, but made here in Congress. [Applause on the Democratic side.]

I trust the hour will never come when the people of Maine, Washington, Illinois, or any other State in the Union will be governed from the city of Washington. [Applause.]

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. RUCKER of Missouri. Mr. Speaker, I yield to the gentleman from Texas [Mr. RANDELL].

Mr. RANDELL of Texas. Mr. Speaker, the election of United States Senators by direct vote of the people has been a long-cherished hope of a majority of our well-informed citizenship.

The framers of the Constitution, having in mind both the expression of the popular will and the preservation of the sovereign States, provided in that instrument for Members of the House of Representatives to be elected by the direct vote of the people, while Senators were elected by the legislatures of the several States.

Article I of the Constitution of the United States provides:

SECTION 1. All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

SEC. 2. The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature. * * *

SEC. 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the legislature thereof, for six years; and each Senator shall have one vote. * * * And if vacancies happen by resignation, or otherwise, during the recess of the legislature of any State, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies. * * *

SEC. 4. The times, places, and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the legislature thereof; but the Congress may at any time, by law, make or alter such regulations, except as to the places of choosing Senators. * * *

This resolution as it originally passed the House, April 13, 1911, provided for an amendment to the Constitution, as follows:

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

The times, places, and manner of holding elections for Senators shall be as prescribed in each State by the legislature thereof.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: *Provided*, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election, as the legislature may direct.

This amendment was in lieu of the first paragraph of section 3, Article I, and in lieu of so much of paragraph 2 of the same section as relates to the filling of vacancies, and in lieu of all of paragraph 1 of section 4, Article I, in so far as the same relates to any authority in Congress to make or alter regulations as to the times or manner of holding elections for Senators.

The Senate amendment to this resolution which is now under discussion, and upon which we will soon vote, strikes out the provision that "the times, places, and manner of holding elections for Senators shall be as prescribed in each State by the legislature thereof," and places it in the power of the Congress to prescribe the time, manner, and places of holding elections for United States Senators.

To adopt this amendment would be to place in the power of the National Congress an absolute control of the elections held by the people of the various States in selecting United States Senators; a power that might be used despotically and in a manner subversive of liberty, preventing a fair expression of the people in the election of Senators.

Under the Constitution, the Congress has such power in regulating the elections of Senators and Representatives, but such control of the senatorial elections is adequately guarded, Senators being elected not by the people but by the State legislatures.

The popular idea that the Senate has, by reason of the manner of its election, been less responsive to the public will than was expected of it has occasioned a general demand all over the country that Senators should be elected directly by the people.

I most heartily favor this resolution; but I am unalterably opposed to the Senate amendment, which refuses to allow each State, by its legislature, to prescribe the time, place, and manner of holding an election for Senator without the power of Federal supervision. The abuse of elections by congressional authority, and the ever impending threat of interference with State elections of Members of Congress, should be a sufficient warning to every patriotic citizen, and should inspire this Congress to vigorously defend the right of the people in each State to manage their local affairs.

If the resolution without this amendment should become the law, our purpose would be accomplished; United States Senators would be elected by direct vote of the people, under regulations prescribed by each State, and at the same time the integrity and efficiency of the Congress would neither be impeached nor impaired.

Our danger lies not in the liberty of the people, but in restricting that liberty. If the means of despotic interference with the sacred right of elections is made possible by the terms of our organic law, no one is wise enough to foretell where nor by what means the despotic power will be exercised. The interest of any one State is the interest of all; and a power inimical to one is a threat to each.

Mr. Speaker, it is as unfortunate as it is unjust that gentlemen favoring the Senate amendment, evidently desiring to force Federal control over elections, should endeavor to drag into this debate the animosities of sectional differences long since past. The war has been over for nearly half a century, and the issues that grew out of it have no bearing upon the question now before Congress save to awaken a rational caution against unduly investing the National Government with supervisory power over the political affairs of the States. It is, however, remarkable that those who adopt such questionable argument are the Members who seem to be opposed to this reform, and are really not in favor of the election of United States Senators by direct vote of the people. That school of politicians are always found against any proposition which seeks to put the people closer to the Government. They seem to distrust the people, and to consider that instead of the people controling the Government the Government should control the people, a theory that is contrary to the genius of the Republic. It is painful to observe Members who have grown gray in the service exert themselves with all their might to make this a sectional issue. The principle we contend for is not sectional; it is national. Democrats from all the States—North, South, East, and West—recognize the importance of trusting the power of elections to the intelligence and patriotism of the citizens of each State, realizing that the expressed and implied powers of the National Government are fully adequate to protect its integrity. It is in no danger from any State, but each State may be endangered by it if the rights of local self-government are foolishly surrendered.

Mr. Speaker, there is not a section in all this Union more loyal to the Constitution and the national flag than the Southern States. No section has more Americanism and none possesses greater patriotism. Our forefathers made the Constitution and unfurled the flag, and we are proud of both. The results of a fratricidal war, in which was spilled the best blood of the Republic, have been accepted by our people, and their pledge of loyalty is without qualification. We make no apology and ask none. Neither shame nor hate can be found in the bosom of the South.

The Southern States have never in all their history shown nor felt a disposition to interfere in any degree with the local self-government of any other section or any other State. Since the fires of war were extinguished and the smoke of its devastation has cleared away, the people of the South, instead of cherishing malice and ill will, have devoted themselves to the rebuilding of their homes, the fostering of their industries, and the uplifting of their citizenship, making a history that, were it truly written, would stand more resplendent than the achievements of any people in any country at any time. [Applause.]

In the last 40 years the South, arising from the ashes and desolation of war, has builded a prosperity that proclaims it to-day the most advanced and favored section of the Republic. Her people are in better condition than those of any other section of this Nation. They are not as wealthy as some, but their wealth is more justly distributed. They do not equal some sections in magnificence and display of wealth, but the opportunities are open to all. Freedom waves her pinions over every hamlet, the hum of industry mingles with hosannas, and hope stirs the blood and quickens the noble ambitions of brave, God-fearing people, who are true to their ancestry and love their traditions. We have suffered interference by the National Government with our local elections in time of peace. That day is past. We hope it will never come again. But not for ourselves alone do we uphold this fundamental principle—the right of local self-government. We protest just as firmly against the power of the National Government being exercised adversely to the rights of the people of any other section. [Applause on the Democratic side.] We stand for the people of the States. When they elect a United States Senator, they should do it in their own way. It is safe to have the people the repository of power; it is dangerous to take the power from them and unnecessarily intrust it to a delegated government. Such power in the Federal Government as the supervision of our elections might, under normal conditions, in times of absolute quiet, remain unexercised and do no harm. The danger would come in time of war, when, amid popular dissension, ambitious men, having the reins of government, would exercise such supervisory power in a manner dangerous to the liberties of the people and the life of the Republic. [Applause.]

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. RUCKER of Missouri. Mr. Speaker, I yield to the gentleman from New Jersey [Mr. HUGHES].

Mr. HUGHES of New Jersey. Mr. Speaker, I have voted on every occasion when this proposition was before the House in favor of electing United States Senators by the direct vote of the people. I have not given as much thought and attention to the Bristow amendment as perhaps I might have done, because I am perfectly frank to say that the Bristow amendment is not a burning issue in my section of the country. Amending the Constitution is a serious work, and one not lightly to be entered upon, and, in search of light to guide one's actions, it sometimes is useful to look up the RECORD and discover who are for and who are against the pending propositions. An examination of the RECORD when this matter was before the House will disclose the fact that many of the gentlemen who voted for the Bristow amendment, then offered in substantially the same form by the gentleman from Michigan [Mr. YOUNG] when it was before the House, on the final roll call voted against the election of United States Senators by a direct vote of the people. [Applause on the Democratic side.]

Mr. MADDEN. Is not the gentleman mistaken there? Did not all of the Republicans vote for the amendment and only 15 against the resolution?

Mr. HUGHES of New Jersey. It may be that I have stated it wrong. I will state it over again, that all of the gentlemen who voted against the concurrent resolution, every single one of the gentlemen on your side of the House who finally voted against the concurrent resolution voted in favor of the Young amendment, which is substantially the Bristow amendment.

Mr. MANN. We all voted for it.

Mr. MADDEN. As a matter of fact, did not all of the Republicans vote for the Young amendment?

Mr. HUGHES of New Jersey. That does not alter my statement that every gentleman who voted in favor of the Young amendment voted against the proposition when he finally had it amended to suit himself.

Now, Mr. Speaker, the RECORD will show that of those voting "no" on the concurrent resolution all of them voted in favor of the Bristow amendment. It has been said by gentlemen on that side of the House that a failure to amend this concurrent resolution as it would be amended by the Bristow amendment might cause its defeat in certain sections of the country. Other gentlemen think that if the amendment prevails it will cause its defeat in certain sections of the country. I am inclined to the belief that perhaps there is more danger that this constitutional amendment will not become effective if the Bristow amendment is added to it. At any rate, as a Democrat who desires this sincerely, interested in the welfare of his party, I would rather the responsibility of defeating this amendment would rise on that side of the House than this. [Applause on Democratic side.]

The SPEAKER. The time of the gentleman has expired.

Mr. OLMSTED. Mr. Speaker, I yield to the gentleman from Iowa [Mr. PROUTY].

Mr. PROUTY. Mr. Speaker, I have been sitting in this and the other Chamber listening to the discussion of this question in silence. I confess that I have been somewhat annoyed by the evasion and dissembling that has been practiced in the discussion of this question. I am one of those persons who believe it is always best to be frank and discuss a question on its merits without evasion.

I confess I have been rather pleased this afternoon to find gentlemen on that side of the House at least becoming candid. [Applause on the Republican side.]

Now, what is the question involved here. It is the same question which has run through the history of this Republic and divided its people. The only difference between that side of the House and this is the difference between them on the question of State rights.

Every man familiar with the history of discussions which have taken place upon this floor during the progress of this country knows that the same question being discussed here to-day is the question that was discussed in these Halls just prior to the Civil War. It was the insistence of the South upon the doctrine of State rights that finally culminated in the Civil War.

There has been a group of States in the South that from the very foundation of this Government have entertained ideas upon the scope and power of the Federal Government at variance with the ideas of a large majority of the people of the United

States, and this fact has made a constant conflict between these people, or, more accurately speaking, between these two ideas, and it seems to crop out in every effort of general legislation.

We are discussing here to-day the very questions that were discussed by Calhoun and Webster years ago. The same arguments are being offered on that side of the House that were offered by Calhoun. Now, gentlemen, I had hoped that that question had been settled and settled forever. I had hoped that that question would never again be the one upon which the fate of great legislation depended; but it is here, and there is no use in trying to disguise it. Let us strip off the mask, gentlemen, and look each other in the eye. You people are afraid that if the Federal Government retains the power to control elections in the South some of your plans will be interfered with.

You must have some plan in mind that you have not revealed because you do not believe, gentlemen, that the people of the United States as a whole are going to pass laws or make regulations that will interfere with a fair and honest election in South Carolina or any other Southern State.

Mr. RUCKER of Missouri. Will the gentleman yield?

Mr. PROUTY. Certainly.

Mr. RUCKER of Missouri. Do you believe if the people of Iowa had the unlimited power to regulate the election of United States Senators that they would unwisely exercise that power?

Mr. PROUTY. No; and therefore we are not afraid that the General Government will interfere with us. Men only fear interference when they are contemplating some wrong. [Applause on the Republican side.]

Mr. RUCKER of Missouri. Did not this proposed amendment as it passed the House a few days ago enlarge the powers of the people?

Mr. PROUTY. No; not as I see it, except as to the election of Senators by the direct vote of the people.

Mr. RUCKER of Missouri. Ah!

Mr. PROUTY. It is not changed because you say "Ah!" That fortunately does not change the Constitution of this interpretation.

Mr. RUCKER of Missouri. I merely expressed regret that one gentleman can not see a thing so obvious to me.

Mr. PROUTY. I hope the gentleman's regrets will not be taken out of my time.

Mr. FINLEY. Mr. Speaker, will the gentleman yield?

Mr. PROUTY. Mr. Speaker, I guess I will be compelled on account of time to decline.

Mr. FINLEY. I did not catch the gentleman's remark about South Carolina.

The SPEAKER. The gentleman refuses to yield.

Mr. FINLEY. I did not catch what the gentleman said about South Carolina.

Mr. PROUTY. I refuse to yield; and if you can possibly stop that gentleman, I will go on.

The SPEAKER. The gentleman refuses to yield to the gentleman from South Carolina.

Mr. PROUTY. Again, what is the question involved?

It is a question as to whether or not the Federal Government shall have the power to preserve its own existence and purity by determining, if necessary, the manner in which United States Senators shall be elected.

You gentlemen from the South seem to be extremely nervous for some reason. Why is it? Do you contemplate doing something that is wrong? I want to say to you that I am northern born and northern bred, and I know that these people contemplate no wrong toward you or your people. So long as you attempt to elect a man to the United States Senate from the South fairly you will not be interfered with by the North. I want to say with equal candor, if you have in your mind the contemplation of the election of United States Senators by methods that are unfair and unpatriotic, the North wishes to reserve in its Constitution sufficient power to interfere and secure for your people fair elections, if you are either unable or unwilling to secure them for yourselves.

You gentlemen say we are raising a sectional question. Now, who raised it? This constitutional provision applies to the North and to the South. This provision applies as well to Iowa as to Florida. It can not be said to raise a sectional question unless the South is contemplating doing something or attempting something that she does not expect the North to attempt. Then it is sectional. If the gentlemen put an interpretation upon the Constitution that clearly reveals the intent upon the part of the South to fraudulenfly elect United States Senators if necessary, then I concede that we are raising a sectional question; but if sectionalism has crept into this discussion, it has been due to the attitude of the gentlemen from the South. They have always fought for the doctrine of State rights. They have always chafed under the power reserving in the Constitution the right of the Federal Government to supervise the election of Congress, both in the lower and in the upper House, and they think they are now in a situation where they can force an amendment of the Constitution in that respect.

They frankly say that the little coterie of Southern States will defeat the adoption of this amendment to the Constitution providing for the popular election of United States Senators unless another amendment is made to the Constitution limiting the powers of the Federal Government and extending the power of the States.

Almost everybody seems to be in favor of the popular election of United States Senators, and the gentlemen from the South are taking advantage of this situation to force into the Constitution that which they were not able to accomplish by the debates on this floor prior to the Civil War, nor by the decisions of the Supreme Court, nor by the terrible conflict of arms.

The gentleman from Kentucky was the first gentleman on that side of the House to admit or declare that the adoption of this constitutional amendment as proposed by his side of the House would limit the power of the Federal Government and extend the power of the State government beyond that now contained in the Constitution. It was his remark that caused me to rise and make this protest.

I am extremely anxious for the election of United States Senators by popular vote. For more than 10 years upon the stump in Iowa and elsewhere I have advocated such elections, believing it would do much to restore this Government to the people; and I say frankly that I know of no measure that would more quickly produce results along that line than by placing the gentlemen at the other end of the Capitol in a position where they would have to respond to popular demand; but if it comes squarely to a decision on my part between the election of United States Senators as now by the legislature or surrendering to the South all the power of the Federal Government to interfere with their elections; if it comes squarely to a decision between the popular election of United States Senators and the extension of the doctrine of State sovereignty, I shall choose what I believe to be the least of the two evils and shall content myself by allowing the Constitution to remain as it is until such time as you gentlemen in the South are willing to have a Constitution that applies to you as well as to us. You have thrown down the gage of battle clearly. I for one accept it without faltering.

Mr. OLMSTED. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Speaker, I have always been in favor of the election of United States Senators by direct vote of the people, but I am in favor of the Federal Government retaining control over the manner of their election. Gentlemen from the Democratic side of the House have said that in all likelihood this constitutional amendment would not be ratified by the States if it is adopted in the form in which it is presented by the proposed amendment; that is, if the Federal control is not taken away. Why do the Democrats say this? Why do they insist on taking the power to legislate on this subject away from the Congress? Why do they want to strike from section 4 of the Constitution the words "but the Congress shall have the power to legislate"? The reason must be apparent to everybody who reasons. It takes no superior intelligence to understand their purpose. Their motive is that certain well-known States may have unlimited and unrestricted power to destroy the franchise of the negro. They want him while ostensiby free to remain the chattel of the designing politicians of the South.

They are willing to use the negro to do their menial service, but they wish to prevent his advancement in the scale of civilization. They are opposed to him as a man. They look upon him merely as an instrument to serve their purposes; they are not willing to accord him the rights of citizenship guaranteed by the Constitution and the right vouchsafed by God to all men. They disregard the Biblical injunction "Do unto others as you would have others do unto you." They are not willing to concede that this is a government of manhood suffrage; they do not believe it is; in fact, they declare against it, not in words, but by acts, which are much stronger than words. They say this amendment to the Constitution can not be ratified unless it takes the power to legislate from the Congress. They know it, because there are enough Southern States to prevent its ratification. They want the States to have unrestricted control. They want to be able to pass laws through the State legislatures which can not be set aside by the Congress. They will not admit it, but if they are given the unlimited and unre-

stricted power to do so they will forever prevent a black man from exercising the right to vote.

I want the Congress to retain the power of control which it now has under the Constitution. You, my Democratic friends, want to take this power away. I want every man, black and white, guaranteed in his right of citizenship. The Democratic oligarchy of the South wants no interference with its arbitrary power. The Democrats are in control in this body—they have the votes to pass the amendment in any form they choose—the responsibility is yours, gentlemen; exercise it if you will give this additional evidence of your hatred of the negro. Stamp him under foot as you have always done, but remember that a just God still reigns and that the day will come when your present discrimination against the black man will be looked upon with disfavor by an unselfish, intelligent, and liberty-loving southern citizenship. Until that time comes it is my earnest hope that the Federal Government, through the Congress, may retain the power now given by the Constitution to prevent any unjust, unwise, revolutionary legislation by the States by which millions of human beings may be robbed of the right of participation in governmental affairs.

There is no reason why we should curtail the power of the United States Government as to the right to regulate the election of United States Senators. The Congress has the power to legislate on the question of how Members of the House shall be elected. Is a Senator any more sacred than a Member of the House?

Is there any more reason why the power of the Congress should not be extended to the regulation of election of Senators than there is that it should be retained as to the regulation of the election of Members of the House?

We are to have one set of rights under the proposition presented by the Democratic side of the House with respect to the election of United States Senators, and another set of rights with respect to the election of Members of the House. Do gentlemen from the Southern States wish it understood that the people of these States through their legislatures will fail to ratify a constitutional amendment which does not take away from the Congress the power to regulate?

The proposition, it was stated, was originated by a certain Member of the Senate. But the Democrats in the Fifty-second and Fifty-third Congresses presented this same proposition; they have presented it every time they have had power. They have endeavored to take away the right of the Congress to regulate the election of Federal officers.

The power of the Congress should not in any wise be curtailed. It is in no wise extended by this amendment proposed and known as the Bristow amendment. The rights of the people of the Union should be sacredly guarded by the Congress, and no State should be given the power to regulate the election of United States Senators without retaining in the Congress of the United States the power to control the action of the State in the event that that State undertakes to do what it ought not to do for the best interests of the people of the United States. We have 8,000,000 freemen in this country, liberated as a result of a civil war, and these men have rights, and those rights should be protected. Ah, it is true that Congress never has attempted to exercise special power with respect to the regulation of these elections, but it is because Congress has had the power that these States have failed to enact radical legislation discriminatory against certain classes of citizenship. To-day they are compelled to pass laws which, on their face, treat everybody alike, but which, as a fact, discriminate against a large number of our citizenship. They plead for the Filipino, but they do everything they can to crush to earth the American negro. [Applause on the Republican side.]

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. OLMSTED. Mr. Speaker, I will ask the gentleman from Missouri [Mr. RUCKER] how many more speeches he expects to have on his side?

Mr. RUCKER of Missouri. Why, two or three. How many more has the gentleman on his side?

Mr. OLMSTED. Two.

Mr. RUCKER of Missouri. If the gentleman will recognize some gentleman on his side for a speech now, I will put mine in immediately following.

Mr. OLMSTED. I yield five minutes to the gentleman from Kansas [Mr. JACKSON].

Mr. JACKSON. Mr. Speaker, I concede that every Member who really wishes that the people shall elect the Senators wants this question submitted to the people of the country untrammeled by any other question, untrammeled by any question of race prejudice, and untrammeled by any questions of special interests.

Now, that being true, I think enough has been said to show one question and one fact on the floor of this House that ought to lead to a solution of this proposition. And that will come, I believe, Mr. Speaker, from submitting this question to be voted upon by the people, changing the Constitution only so as to give the people the right to vote for Senators. Now, why do I say that enough has occurred here to show that that is right and the way it ought to be done? I say that the intensity of this demand coming from the people of the country and the anxiety of the people of the South to shoulder the responsibility of defeating this amendment, if it is submitted, upon the people of the North, and, on the other hand, the anxiety of the northern people to shoulder it upon the southern people, if it is defeated, show one fact. Now, what is it? It is that the election of a Senator of the United States is a national question and not a local one. The people of Kansas are not alone interested in the proposition of electing their own Senators. They are also interested in the proposition that when they do elect a Senator by a direct vote of the people that his vote shall not be annulled by the vote of another Senator who was not elected by the vote of the people, but was elected because of race prejudice or ignorance, or, if you please, by special interests in some other State of the Union.

Mr. SHERLEY. Will the gentleman permit a question?

Mr. JACKSON. Just a moment. Replying to what the gentleman from Kentucky, who now seeks to interrupt me, said when I interrupted him, I had no idea of reflecting upon the people of the South. In my judgment, Mr. Speaker, the demand for laws enacted by the Federal Government to regulate elections will more likely, as the gentleman from Illinois [Mr. CANNON] has already indicated, come from the Eastern States, where special interests have too often controlled State legislatures, or the Western States, where industrial prejudices have at times threatened the safety of life and property, or the extreme West, where a new race problem is fast becoming imminent, rather than from the South, or at least it is just as apt to do so. But I protest that gentlemen upon that side of the House should stand here and declaim in favor of the rights of the people day after day, and yet the very moment that somebody proposes to give the Federal Government power to do the will of the people through the power of the people they vehemently object.

Now, I would like to know how you are going to make this a Government of the people; I would like to know how you are going to establish in the Constitution of the country the right to elect Senators by the people, unless you give that same Government, which you profess to have confidence in, the power to regulate those elections.

Mr. SHERLEY. Now, will the gentleman permit an inquiry?

The SPEAKER pro tempore. Does the gentleman from Kansas yield to the gentleman from Kentucky?

Mr. JACKSON. I will.

Mr. SHERLEY. Does not the logic of the gentleman's position carry him to the point where the Federal Government should determine the qualifications of the voters themselves?

Mr. JACKSON. It does; and I claim that it has the power now as to the Representatives who sit in this body.

Mr. SHERLEY. Will the gentleman permit another question?

Mr. JACKSON. Yes.

Mr. SHERLEY. The gentleman does not mean to contend that the Congress can now determine the qualifications of voters in the States?

Mr. JACKSON. I contend that it can prevent fraud and discriminations, and it has done so.

Mr. SHERLEY. The gentleman does not meet the question.

Mr. JACKSON. In certain respects it does determine the qualifications of the voters.

Mr. SHERLEY. The gentleman is mistaken in that.

Mr. JACKSON. I can not yield any more.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. OLMSTED. Mr. Speaker, I yield three minutes more to the gentleman.

Mr. JACKSON. Referring again to the question of the gentleman from Kentucky, which has been discussed heretofore, I desire to call attention to the decision of the Supreme Court in the case of ex parte Yarborough, which has been cited back and forth in the debate on this resolution. I read:

"Counsel for petitioners, seizing upon the expression found in the opinion of the court in the case of Minor *v.* Happersett (21 Wall., 162) that 'the Constitution of the United States does not confer the right of suffrage upon anyone,' without reference to the connection in which it is used, insists that the voters in this

case do not owe their rights to vote in any sense to that instrument.

"But the court was combatting the argument that this right was conferred on all citizens, and therefore upon women as well as men.

"In opposition to that idea it was said the Constitution adopts as the qualification for voters of Members of Congress that which prevails in the State where the voting is to be done; therefore, said the opinion, the right is not definitely conferred on any person or class of persons by the Constitution alone, because you have to look to the law of the State for the description of the class. But the court did not intend to say that when the class or the person is thus ascertained this right to vote for a Member of Congress was not fundamentally based upon the Constitution, which created the office of Member of Congress, and declared it should be elective, and pointed to the means of ascertaining who should be electors."

This answers the gentleman's question more fully than I can do.

Now, I say if the Federal Government means anything, it must have the power to protect its elections, to protect its electors, and in that way only can you secure the real rights of the people to control the election of Members of Congress and Senators.

Mr. SHERLEY. Will the gentleman yield?

Mr. JACKSON. Yes.

Mr. SHERLEY. I agree with the gentleman in that very opinion that the gentleman read, and it is fortified by a long list of cases where it is held that, so far as the qualifications of the electors are concerned, it is a State right and not a Federal right.

Mr. JACKSON. The gentleman can read those decisions for himself. I do not care to go into a further discussion of them.

This decision makes the matter as plain as can be. The Constitution fixed the qualification of the voter in its own way. In the language of the court, when the class, or person is thus ascertained, his right to vote is based upon the Constitution, which created the office of Member of Congress, declared it should be elective, and pointed to the means of ascertaining who should be the electors.

The whole law of this subject is clearly set forth in this decision, as well as excellent reasons why it should be maintained as it is and why it should be made to apply to elections of Senators. I read into the RECORD, the language of the court, at pages 660 and 661 of the decision (110 U. S. Rep.):

"So also has the Congress been slow to exercise the powers expressly conferred upon it in relation to elections by the fourth section of the first article of the Constitution."

This section declares that—

"The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time take or alter such regulations, except as to the place of choosing Senators.

"It was not until 1842 that Congress took any action under the power here conferred, when, conceiving that the system of electing all the Members of the House of Representatives from a State by general ticket, as it was called; that is, every elector voting for as many names as the State was entitled to Representatives in that House, worked injustice to other States which did not adopt that system, and gave an undue preponderance of power to the political party which had a majority of votes in the State, however small, enacted that each Member should be elected by a separate district composed of contiguous territory. (5 Stat., 491.)

"And to remedy more than one evil arising from the election of Members of Congress occurring at different times in the different States Congress, by the act of February 2, 1872, 30 years later, required all the elections for such Members to be held on the Tuesday after the first Monday in November in 1876, and on the same day every second year thereafter.

"The frequent failures of the legislatures of the State to elect Senators at the proper time by one branch of the legislature voting for one person and the other branch for another person, and refusing in any manner to reconcile their differences, led Congress to pass an act which compelled the two bodies to meet in joint convention, and fixing the day when this should be done, and requiring them so to meet on every day thereafter and vote for a Senator until one was elected.

"In like manner Congress has fixed a day which is to be the same in all the States, when the electors for President and Vice President shall be appointed.

"Now the day fixed for electing Members of Congress has been established by Congress without regard to the time set for election of State officers in each State, and but for the fact that the State legislatures have, for their own accommodation, required State elections to be held at the same time, these elections would be held for Congressmen alone at the time fixed by the act of Congress.

"Will it be denied that it is in the power of that body to provide laws for the proper conduct of those elections? To provide, if necessary, the officers who shall conduct them and make return of the result? And especially to provide, in an election held under its own authority, for security of life and limb to the voter while in the exercise of this function? Can it be doubted that Congress can by law protect the act of voting, the place where it is done, and the man who votes from personal violence or intimidation, and the election itself from corruption and fraud?"

We have been treated in this House to a long dissertation from the gentleman from Rhode Island [Mr. O'SHAUNESSY] describing the rotten boroughs of his own State and appealing to the national Democratic Party as the great deliverer of the people of Rhode Island from that condition.

Now, I do not mean here to approve of what he said of conditions in Rhode Island. I do not know about them. But what I would like to know is how in the world can the Congress of the United States, through the Democratic Party or any other party, guarantee to the people of Rhode Island the right to elect Senators unless the Government has the power to secure honesty of elections? [Applause on the Republican side.]

The gentleman from Indiana [Mr. CULLOP] so far forgets himself in this debate as to assert that the proposer of this amendment is not really in favor of the election of Senators by the people. The gentleman probably does not know that the mover of this amendment is one of the few Senators who was really elected by the people of the State which he represents.

And I assert that the Senators can as well be elected under the present laws of Kansas and Oregon, with the consent of the legislature, as under the laws to be prescribed by State legislatures under the proposed resolution, if it shall be adopted. If the State legislature so wills, Senators can now be elected by the people. It is the failure of the State legislatures to faithfully perform the duties conferred upon them by the Constitution which necessitates the proposed amendment of the Constitution.

The same gentleman refers to the failure of the Legislature of Colorado to do its duty. What is the remedy? According to the gentleman from Indiana, increase the power of the legislature. The gentleman from Indiana bemoans certain unfortunate circumstances which have been revealed in Illinois concerning the election of Senators. What is the remedy? Increase the power of the Legislature of Illinois; make it greater than Congress and more powerful than the Government of the United States. Then the gentleman delivers himself of this mighty truth:

"It is a well-known fact that legislatures do not always reflect the will of the majority of the people. Numerous examples of betrayal in this respect are familiar to us all."

And yet the gentleman pleads to have the power of the legislature increased. Down with "Federal control!" Let us have more power for the State legislature! In the South these legislatures can continue to keep nearly half of the people from voting, and in the North they can continue the conduct the gentleman so eloquently describes—that of betraying the public will.

The position of the gentleman as well as that of the party to which he belongs should be described as an attempt to increase the power of the State legislatures, and not as an endeavor to increase the power of the people over the election of Senators.

The whole truth is that these gentlemen themselves do not believe in the lopsided government which would result in giving into the hands of State legislatures unrestrained power over the election of one branch of Congress. But they fear, unless this trade of giving up Federal rights to the State as a bribe to persuade them to let the people vote for their Senators is carried through, the resolution can not secure the approval of the States in the South.

But what will become of it in the Northern States, where it must meet the approval of representatives of thousands of intelligent colored men who really vote? Thousands of these industrious well-to-do citizens are intelligent enough to vote even in the South, and would do so if they lived there. They are human beings, they have minds and hearts, and can think and feel. They are not likely to come forward and say to their former masters in the South, "We will now vote to help you continue your imposition on our brothers in the South, and we will do this in order that you may be given the right to vote directly for United States Senator."

The Constitution now says when a man is entitled to vote for the most numerous branch of the legislature, he is entitled to vote for a Member of Congress, and the Federal Government is back of the guaranty. Why not leave it this way and adopt the same rule as to United States Senator? What is this "Federal control" which the Southern States fear so much? The control of a Government in which both Houses of Congress are to be elected directly by the people. There can be no great danger there. And it is manifest that the will of the people of the whole country as to election laws will be wiser and more wholesome than that of any one part of the Union, subject as it will always be to local causes and prejudices.

I want every jot and tittle of the States' sovereignty on local matters under the Constitution retained, but I also want the integrity of the National Government secured.

The hour has struck for the Democratic Party. It has come again to the parting of the ways. As so well said by the gentleman from Nebraska [Mr. NORRIS], "The hour of promise is over and the hour of performance is here." Choose this day between the right of all the people to elect their Senators and the exploded doctrine of State rights.

You say this right which you propose to take away from the National Government is inconsequential; then, why contend for it? Let no one deceive himself; this resolution must be passed now or it will not be passed this session, and every Democratic Member of this House knows it. When you refuse to consent to the Senate amendment you have killed the entire resolution and declared to the country that you are more interested in securing a little more State rights than in securing the election of Senators by direct vote.

Mr. RUCKER of Missouri. Mr. Speaker, I yield five minutes to the gentleman from Alabama [Mr. RICHARDSON].

Mr. RICHARDSON. Mr. Speaker, I do not believe there is a Member of this House who is more reluctant than I am to see the Constitution of the United States altered or amended, unless the welfare of the people of the country demands the change. I do not believe, Mr. Speaker, that any sectional feeling can properly be brought into the consideration of this subject. I do not see how it can justly find a lodgment in this discussion. The object of the joint resolution we are discussing now is to elect United States Senators by the people. The joint resolution passed the House and was amended in the Senate by the narrow margin of one vote, known as the Bristow amendment. It is that amendment that provokes opposition. In order to make myself intelligible I shall read Article I, section 3, of the Constitution:

ARTICLE I.

SEC. 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the legislature thereof for six years; and each Senator shall have one vote.

The amendment seeks to elect Senators by the people and change the manner in filling vacancies. The other article of the Constitution involved in this important question is Article I, section 4:

ARTICLE I.

SEC. 4. The time, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

The joint resolution as it passed the House left the matter of the time, place, and manner of election of Senators to the respective legislatures of the different States. The Bristow amendment strikes out or leaves out the words of the joint resolution as it passed the House that directed that the legislature shall prescribe the manner and time for the election of United States Senators, and leaves such authority entirely dependent on section 4, Article I, of the Constitution, which I have just read. That, Mr. Speaker, is the situation, as I understand it. The question is asked: How is it that any of us object to the amendment?

It is generally conceded, and that in a much broader sense than I am willing to admit here now, that the Federal Government has the right to supervise and provide for the election of Members of the House of Representatives, under the provisions of section 4, Article I, of the Constitution. But I shall not undertake to elaborate my views on that line now. But it is not denied that under section 4, Article I, that the Government has exercised some authority and control over the election of Members of the House of Representatives. But the vital and far-reaching inquiry is, If by a constitutional amendment the election of United States Senators is taken from the legislature and the authority granted to the people, what effect will that have on section 4, remaining as it now is, in the Constitution? That section provides for "holding elections for Senators and Representatives."

It looks to me that is a clear proposition that the Federal Government would assume, under section 4, the same control over election of Senators that it has exercised, or can ever exercise, over the election of Members of the House. That is why the opposition to the Bristow amendment is emphatic and decided. There are strong corroborative circumstances to substantiate these views and warn us all against the dangers lurking in this amendment. The election of Senators or the manner, time, and place of election has never, under section 4, been invoked by the Federal Government. It would have been unreasonable and impracticable. United States Senators are chosen by the legislatures, and the people elect the members of the legislative bodies that elect Senators.

Mr. Speaker, I repeat that I do not think any sectional feeling can properly enter into this discussion. I find that many of the old Colonial States, in the ripeness of their wisdom and acquainted with the grasping power of monarchy, frankly expressed their views at the time our Constitution was framed as to what control or supervision the Federal Government should have or exercise over State elections; and they were pronounced in their convictions that the Federal Government should not interfere in elections provided for, unless the State had neglected or failed or refused to hold such elections as were necessary to carry on the Government. They simply said if the State should, for any cause, neglect to perform its highest duties to the Federal Government then the Government to protect its own existence could step in and take charge of the elections. No sane, patriotic man can object to that policy, and that is what our side of the Chamber wants.

Mr. Speaker, I say again, the fear that we have about this is not a sectional matter. That gives us no trouble. In fact, our section feels practically safe. Some man might, by some overzeal, bring in a racial question, which would be unjust and unfair, because race feeling has developed itself in all parts of the North. It is no longer confined to any one section. We are conscious of the fact that some few people of the North object to our State constitutions as to its limitations on the manhood franchise. The State I have the honor in part to represent—Alabama—makes no discrimination in its requirements of suffrage qualifications. As I am advised, the Supreme Court of the United States passed on a similar suffrage qualification and held it not in conflict with the Constitution of the United States. We are getting along very well on that line. The South is becoming rapidly one of the most prosperous sections of the Union. Better drop that.

Mr. Speaker, I heard the gentleman from Illinois [Mr. MADDEN] a few minutes ago—and I have great respect for the gentleman—put this question, as I understood at this distance: "Why is it that Senators should not be subjected to the same election rules and regulations as Members of the House?" Why, Mr. Speaker, if a man studies the theory of our dual form of government, I am surprised that he should ask that question. We know that, not the South alone, but Massachusetts and other colonial States, with Hamilton and Madison to help, who contributed so much to the strength, virtue, and wisdom of our Constitution, stood strongly for the view that a Senator represented an entity, represented the sovereignty of a State—representing all the people. The Senate as a body can and does engage in a great many things that the House can not engage in. We represent districts and subdivisions of the people.

The Senate represents the sovereignty of the State, with equal power given every State in the Union. It may be that the next proposition will be to give the large States not more than a certain number of Senators and the small States shall have not more than a prescribed number. We are, as a Government, stepping in that direction. I said just now that possibly a racial question might be brought into this contest. But I am reluctant to believe that any Member on the other side of the Chamber would willingly do that injustice and wrong to our peaceful condition. There is no occasion for sectional pyrotechnics, and I hardly think anyone will so indulge. It is a plain, open question as to whether the Senators should be subject in their election to the same restrictions as are Members of the House. I say that to do that is to menace dangerously the perpetuity of our Republic.

No extreme measure of legislation for control of elections has ever been applied to Senators. Look at the Force bill that was attempted here years ago. I refer to it merely as an example. Did it apply to Senators? Why, no. It applied only to Representatives. [Applause on the Democratic side.]

The SPEAKER. The time of the gentleman has expired.

Mr. RUCKER of Missouri. I yield to the gentleman from Alabama [Mr. HEFLIN].

Mr. HEFLIN. Mr. Speaker, the war is over. [Applause]. I did not intend to speak upon this question, but the sarcastic remarks and bitter insinuations of ex-Speaker CANNON about the South and the war between the States are responsible for my part in this debate. Dr. Ellis—and he is a northern man—in his History of Our Country, says that the question of secession was never authoritatively settled until the war settled it. Charles Francis Adams, of Massachusetts, said that prior to the war between the States the opinion was universal that in case of conflict between State and Federal governments sovereignty resided with the State and to it allegiance was due.

Mr. Speaker, good men and true fought on opposing sides in that conflict, fought for the right, as God gave them the power to see it. The South accepted in good faith the settlement of the sword, and we have supported loyally the flag of our common country. But the South since that struggle has suffered humiliation and persecution, and the ex-Speaker of this House, who was so ungenerous in his remarks a little while ago, has contributed to that humiliation and persecution.

He voted for the force bill, and he voted to reduce the South's representation in Congress, and he has voted against the election of United States Senators by direct vote of the people. He has been repudiated by the country, humiliated by his own party, that refused to make him minority leader, and now he invites upon his head the contempt of the South—the section that gave him birth. [Loud applause on the Democratic side.] He may talk about the war and say that we are slow to forget and forgive.

Mr. Speaker, when my country was embroiled in war with Spain I saw "Fighting Joe" Wheeler stand side by side with Gens. Shafter and Fitzhugh Lee and the son of Gen. Grant, fighting beneath our country's flag, and when I saw Worth Bagley, a southern boy, spill the first blood in that struggle at Cuba and the Stars and Stripes wrapped about his lifeless form and buried with him in North Carolina, I said: "Thank God! The war of the sixties is over; we are a reunited people, with one heart, one country, and one flag." [Loud applause.] Mr. Speaker, I want to say to the gentlemen who represent the trusts, who do not want United States Senators elected by the people, that they can no longer deceive the North, the East, the West, nor the South by appealing to prejudice and trying to stir up strife between these sections. [Applause on the Democratic side.] Gentlemen, you can no longer hide your opposition to meritorious measures by appealing to the prejudices of the people. Your real position on this question shall be known. Stand up like men and show your hands, and never again try to hide behind a struggle long since dead and gone. Let the dead of that war—the blue and the gray—sleep, each in the mellow moonlight of his own proud memories—sleep until the light of eternity's morning shall break beyond the mystic mountains. Let East and West and North and South all work together for the good of each, and each for the good of all. Let us in the living present strike hands about a common center, for the good of the Republic, and bury this sectional feeling forever. [Loud and prolonged applause on the Democratic side.]

Mr. OLMSTED. Mr. Speaker, I would like to ask the gentleman from Missouri how many speeches will be made on his side?

Mr. RUCKER of Missouri. Only one more.

Mr. OLMSTED. I yield the balance of my time to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Speaker, I want to yield two minutes to my colleague [Mr. CANNON].

Mr. CANNON. Mr. Speaker, I just came into the House at the close of the remarks of the gentleman from Alabama [Mr. HEFLIN]. I am told that he took occasion to criticize my remarks as well as myself. I look in his eye and say that in my judgment the threat that you claim came to the South on account of the ignorant votes, especially the far South, has been for years removed; and in my judgment, it is just such gentlemen as the gentleman from Alabama, instead of accepting the situation, gets up the scarecrow of negro domination to play upon the minds of the people of the South that he may be perpetuated in political power. [Applause on the Republican side.]

Mr. MANN. Mr. Speaker, my colleague from Illinois, the former Speaker of this House, did not need to say a word defending himself from the aspersions of the gentleman from Alabama [Mr. HEFLIN], because the mere birth of the gentleman from Illinois in North Carolina has cast more luster on the South than all the labors of the gentleman from Alabama ever has or ever will. [Applause on the Republican side.]

Mr. Speaker, the Constitution of the United States now provides that Congress may at any time by law make or alter regulations in regard to the time, places, and manner of holding elections for Senators and Representatives which may be prescribed by the several State legislatures, except as to the places of choosing Senators.

The distinguished gentleman from Kentucky [Mr. SHERLEY], usually very accurate in his statements, challenged any exercise of the power by Congress under this provision of the Constitution as to the election of Senators, forgetting, apparently, that every Senator now in the Senate was elected, not in pursuance of State law, but in pursuance of the law of the Congress of the United States. [Applause on the Republican side.]

We have not exercised the powers that we have to regulate the manner of electing Members of the House, but we have exercised the power of regulating the time and manner of electing Senators. You do not have to read far in the Revised Statutes, until you find the third page, and it is in accordance with the provisions of the third page of the Revised Statutes of the United States that every senatorial election has been held in every State for years in the past. And yet the gentleman from Kentucky thinks that this power has not been exercised.

Mr. SHERLEY. Will the gentleman permit?

Mr. MANN. I have not the time to enter into a controversy with the gentleman on that subject.

Now, what is this proposition? It is to take out of the Constitution this power which has been and is now exercised by the Congress. We have passed the law governing the election of Senators. It is to take out of the Constitution the power under which we passed that law. We would still retain, it is true, the power to regulate the time and manner of electing Members of the House. Is it proposed, then, to have a separate election for Members of the House and Members of the Senate that gentlemen on that side of the aisle are so strenuous? We will retain the power to regulate the election of Members of the House, but we shall have no power over the election of the Members of the Senate.

What is the reason for this? Mr. Speaker, it is not far to seek. Gentlemen on that side of the House have referred to sectionalism, have decried the raising of sectionalism. Who has raised the issue of sectionalism on this point? Here was a case where the people were asking that we give to them the power of direct election of Senators. No word said about changing the other provision in the Constitution; and lo and behold, that side of the House sprang sectionalism into this issue, proposing to amend another provision of the Constitution. They threaten that if that does not go into the Constitution they and their States in the South will refuse to ratify the amendment to the Constitution. They have raised the issue of sectionalism on this.

The proposition involved is fundamental to the perpetuation of our Government. If the provision now being sought for had been in the Constitution when the War of the Rebellion broke out, the South could have paralyzed the Government without rebellion, without actual secession.

What you want on that side of the House is now, after the war has settled the fact that the States can not secede, you want to accomplish indirectly what you were not permitted to accomplish directly. Since we by force of war declared that all the States in the Union shall remain in the Union, you want to give the power to the States to take away her representation in the Senate and refuse to participate in the Senate of the United States, indirect secession.

Mr. SHERLEY. Will the gentleman yield?

Mr. MANN. Yes.

Mr. SHERLEY. Will the gentleman, speaking for his side, agree on an amendment that will limit the power of the Federal Government to those cases where the States fail to send Senators?

Mr. MANN. I will consider that question when we get to it.

Mr. SHERLEY. It is presented now.

Mr. MANN. The gentleman from Kentucky is great, but he has not the power at this stage of the proceedings to present that question to the House.

Now, I do not want to waste any more time on that. The gentleman knows as well as I he can not do it. [Applause on the Republican side.] The gentleman's party had the power to make that motion, a preferential motion. The gentleman from Kentucky himself had the power this morning to offer that as a preferential motion, which would have come first before either of the motions now pending in the House, but the gentleman did not seize the opportunity.

Mr. SHERLEY. Why, the gentleman knows that the motion to concur is ahead of the motion to concur with an amendment.

Mr. MANN. I know quite the contrary, that the motion to amend takes precedence of the motion to concur. The gentleman himself ought to know that much.

Mr. SHERLEY. Well, declamation does not make law.

Mr. MANN. Now, what is the proposition? That side of the House says that it will not ratify the amendment to the Constitution, and why? You are no more interested in the South in the election of Senators than we are in the North. Any law which Congress might pass that affected the South would affect the North. What is your peculiar interest in the matter? Why do you object to a possibility of Congress controlling the election of Senators in the South any more than we should object in the North? Why are you so tender on the point? Why are you so touchy about elections in the South if they are on the square? If the Constitution as we propose——

Mr. RUCKER of Missouri. Will the gentleman yield?

Mr. MANN. For a question.

Mr. RUCKER of Missouri. Why does the gentleman always vote against electing Senators by the people, if you want to elect them and not buy them?

Mr. MANN. The gentleman is mistaken. I have not done anything of the kind. I voted against this proposition. Now, why is it that gentlemen on that side of the House from the South claim that they are so afraid of Congress intervening and requiring honest and fair elections? I shall speak the plain truth, because the truth ought to be spoken. The gentlemen on that side of the House are afraid that the grandfather clauses in the constitutions and elsewhere will be declared unconstitutional.

They are afraid that Congress may interfere to prevent the disfranchisement of the Negro vote in the South. They are in favor of the repeal of the fifteenth amendment to the Constitution, which says that "the right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude."

You southern Democrats believe that if you can insert in the Constitution, as you are now proposing, the following provision, "the times, places, and manner of holding elections for Senators shall be as prescribed in each State by the legislature thereof," that this may be construed as a partial repeal of the fifteenth amendment, and whether it so operates as a matter of theoretical law, you know that you intend that it shall operate so in fact. The southern Democrats are not satisfied with the noninterference by the General Government which so far has prevailed in regard to the election laws of the Southern States. You want us in the North, by the adoption of this provision in the constitutional amendment, to condone and approve your actions in the Southern States in depriving people of the right to vote solely because of their color. Having kept the blacks in the South in slavery for many years, you now again wish to reduce them to a condition of practical serfdom and servitude.

You want the National Government to give to you a power under which you can deprive them of the right to vote, which means, in the long run, to deprive them of the right of education, which means, in the long run, the creation of a caste of laborers and practical serfs.

We of the North have had patience with you, probably more than we ought to have, in your struggle growing out of the freeing of the slaves. It was not possible for the ex-slaves and their descendants to fully embrace or appreciate in a short time the blessings or responsibilities of our American civilization and our form of popular government. But we certainly protest against depriving the General Government of power to require and compel honest and fair elections in the South and elsewhere when it shall become necessary to the preservation of our Union or our progressive civilization.

You ought to be more than satisfied that we of the North have not been unduly oppressive in regard to your elections and election laws. But now, nearly 50 years away from the War of the Rebellion, you are seeking to minimize the results of that war. You are trying to take away from the General Government a power which it has always had and you are endeavoring to force the North to agree to this by attaching it as a rider to an amendment providing for the election of Senators by direct vote.

The method of electing Senators is after all a mere incident in government. But the power of the General Government to preserve and perpetuate itself by regulating, if necessary, the election of Members of Congress, both Members of the House and of the Senate, is fundamental and necessary to the perpetuation of the Union.

With your minds inflamed and your heads swelled by a temporary partisan victory in the country you gentlemen of the South are now attempting the rôle which the southern people before the war performed, that of forcing the northern Democrats to yield to your leadership and to blindly follow you in matters which you propose in the selfish interests of Southern States and which tend to the destruction of national sovereignty.

You believe in giving to the States power which the General Government now has and ought to exercise. On this side we believe in preserving to the National Government national sovereignty. You wish to aggrandize the sovereignty of the States at the expense of the sovereignty of the Government. We wish to preserve intact the distribution and balance of power between the National Government and the States as laid down in the Constitution.

You believe in the impossibility of the progressive civilization of the Negro. We believe that the Negro is part and parcel of our community, and that we ought to do everything within our power to educate the Negro into the responsibilities of citizenship. We recognize him as a man with equal political rights. You object to his being anything but an inferior. We propose to protect his rights. You believe he has no rights. You declaim your devotion to the national flag, but you seek to strike the national power a blow, which in the course of time may become deadly and tend to the destruction of the Union.

We are willing to vote for the amendment to the Constitution providing for the election of Senators by vote of the people, but we are not willing, in order to obtain your vote for that proposition, to pay you the price of adding to it the other proposition to destroy the power which the Government now has to regulate, in case of necessity, the election of Members of both Houses of Congress.

We are not willing to abandon national sovereignty and national preservation and forsake the race which we set free. The slave power of the South in its palmiest days was no more imperious and impudent in its demands than you are in this demand to-day. But there will come an awakening. I repeat there will come an awakening. You will not always be permitted to stamp derisively upon the colored race which is making an heroic struggle for proper place and position.

Mr. RUCKER of Missouri. Mr. Speaker, it is surely the irony of fate that brought the eloquent discussion of the learned gentleman from Illinois [Mr. MANN] to a close just while he was in the midst of the grandfather clause, found in the constitution of some States, because that is about as near a live, pertinent question pertaining to the great moral reform demanded by the people of this country in the election of United States Senators as any Republican leader ever gets. It is entirely appropriate that the gentleman from Illinois [Mr. MANN], who boldly asserts his opposition to any and every measure looking to the election of Senators by direct vote, should be chosen to close this debate for those who pretend to favor popular election, but who insist on a form of resolution which they think would be rejected and which they know would withdraw from the States some of the power they now have. [Applause on the Democratic side.]

Mr. Speaker, it was not necessary for the distinguished ex-Speaker, the gentleman from Illinois [Mr. CANNON], to make his last speech, delivered a moment ago. His first speech put him correctly on record. The gentleman from Alabama [Mr. HEFLIN] made no reference to the negro question. He does not have to appeal to sectional or race issues to perpetuate his service here. His vote and his eloquent voice ever raised in behalf of the people of his country are a guaranty that Alabama will keep him here. [Applause on the Democratic side.]

I had sincerely hoped that nothing of a partisan character would be injected into this debate. I appealed to my very nonpartisan friend from Pennsylvania [Mr. OLMSTED] to keep the lid on and not inject partisan politics into this discussion, but he took the lid off; and following him came the distinguished gentleman from Michigan [Mr. YOUNG], then the distinguished gentleman from Illinois [Mr. CANNON], and others, all digging into the graves of the past, seeking to arouse passions which have long since been subdued, and which I had hoped were "in the deep bosom of the ocean buried" forever and forever.

Mr. CANNON. Mr. Speaker, does the gentleman think that my remarks to which I am informed the gentleman from Alabama replied abounded in partisanship?

Mr. RUCKER of Missouri. Oh, I am not going to enter into a discussion with the gentleman. He has just expressed the fear that with popular election of Senators it might be possible to elect a Senator by a minority vote. This may be true, but I confess I would prefer to have a Senator elected by even a minority of honest, loyal voters rather than to have that high office bought in and controlled by special interests. Would he? He is the most distinguished exponent of the remnant of the once great Republican Party. He is the only man here who has the courage of his conviction—always wrong, but never afraid to champion the cause of error. [Laughter and applause on the Democratic side.]

Mr. Speaker, I do not intend that the question now before the House shall be confused. The issue presented is a plain one. Permit me to say to my Democratic friends, let no man fear that in following the lead of Democracy he will ignore the oft-expressed will of the people of the United States. We stand for that great reform which our party has so long and so often demanded, that the gentleman from Nebraska [Mr. NORRIS], who is sometimes right, but generally wrong, says we insert in our party platforms with a rubber stamp. The Democratic Party intends to keep this great question before the people and before Congress until popular sentiment aroused by the sober judgment and unconquerable will of a determined people shall have lashed those who oppose us into submission.

Let me remind the gentleman from Nebraska [Mr. NORRIS] that the only time the party to which he gives allegiance ever voted in convention upon this issue they voted down this reform demanded by millions of people, and which he says he favors, by a vote of about 700 to a little over 100. There was not righteousness enough in that Republican convention to save his party from the fate which befell Sodom and Gomorrah, if the good Lord in his mercy and compassion had not changed his mode of punishment.

Mr. Speaker, I earnestly hope that every man who sincerely, honestly, and conscientiously desires to respond to the voice of the people, a voice which has been echoing and reverberating through the corridors of this Capitol for 50 years, but which only penetrated the Senate Chamber in the last few months, will vote to nonconcur in the Senate amendment now under consideration. The command of the American people is plain and unmistakable. We are charged and commissioned to take the election of United States Senators out of the market. I do not want the price of a Senator from my State fixed by boards of exchange, in counting rooms, or in the offices of corporations or trusts. [Applause on the Democratic side.] The gentleman from Virginia [Mr. CARLIN] suggests that so-called jack pots have recently been resorted to for the purpose of corrupting legislatures and controlling the election of Senators. We want no jack-pot business in the election of Senators hereafter.

My learned and distinguished friend, Mr. MANN, like his distinguished colleague, Mr. CANNON, fearlessly and defiantly tramples upon the will of his constituents, as I believe I know that will, and opposes this reform; but I admire him. I admire him not for the good he does, but for his abandon in boldly saying to the people of that State which he so well represents in many respects, a people to-day discussed and sympathized with by everybody, a State which to-day in sack cloth and ashes is lamenting a condition which has placed a stigma upon its fair name, which time only can efface. [Applause on the Democratic side.] I am sorry, under the circumstances——

Mr. JACKSON. Will the gentleman yield?

Mr. RUCKER of Missouri. Not now; I will get to Kansas in a minute—I am sorry he [Mr. MANN] will not vote the sentiments of the great majority of the people of his State, Democrats and Republicans alike; that he will not by his vote reflect the judgment and wishes of the people and help to send this amendment to the several States in a form in which he knows it will be ratified. Let me warn you that if the Bristow amendment is agreed to by this House we will have evaded and not discharged our sworn duty. We are not simply directed to submit a proposed amendment to the Constitution, but we are charged with the duty of submitting a proposed amendment which we believe will be ratified by the States, thus securing the reform so long and so earnestly demanded. Concurrence in the Bristow amendment means the submission of an amendment for ratification which entire delegations on this floor tell us is objectionable to their people. Let me say, personally I do not share the apprehension that is expressed by gentlemen from one section that the Bristow amendment is fraught with dangerous and deadly menace to the welfare, happiness, and prosperity of that section, and I spurn the arguments made by gentlemen from another section that without the Bristow amendment the perpetuity of this great Republic is threatened. I can not believe the Federal Government will ever invade any sovereign State in this Republic to destroy it, and I will not believe that of all the 46 States, or of those which may hereafter come into the Federal Union, a solitary State can be named where any one man can ever be found who will be so unpatriotic as to seek to snatch from that flag a single star of that constellation representing the Union of States and the glory and the power of this great Republic. [Applause on the Democratic side.] I want to say, gentlemen, that treachery, insubordination, rebellion, and treason are not nurtured into the children of this country by the mothers who give them birth and under whose tender care they grow to manhood and womanhood. God bless the good mothers and wives of our land. [Applause.] It is to them that we look for the patriotism which in all the years to come will guarantee and preserve the Union of States, and a continuation of our onward and upward march which will forever make this the beacon light of all the civilized and patriotic nations of the world.

Mr. Speaker, I proudly proclaim we do fear the people of our country. God knows the safety and perpetuity of this free Government lies in and with the plain people. The danger which we may with good reason fear is the machinations, combinations, and conspiracies formed behind closed doors, in great counting rooms, in boards of exchange, in the private rooms of special interests, which seek to make a merchantable and commercial article of the most important and sacred right of the American people, the right to say who shall serve them.

I hope that the gentleman from Nebraska [Mr. NORRIS], the gentleman from Wisconsin [Mr. COOPER], the gentleman from Kansas [Mr. JACKSON], and the gentleman from Illinois [Mr. MANN] do not mean to say that it would be dangerous to intrust the people of their States with a little more power. We propose to take just a little power from the Federal Government, not to lose it—God knows, not to lose it—but deposit it where it can and will be used—to give a little more power to the patriotic citizens of sovereign States, to those who respond to the country's call in the hour of peril, to the men who make the Nation great, and permit the loyal citizens of each State to determine the time, place, and the manner of electing their United States Senators. Do this and we will take the Lumber Trust, the Sugar Trust, the Leather Trust, the Steel Trust, and every other trust out of the Senate of the United States. [Applause on the Democratic side.] Does the gentleman from Michigan, and these other gentlemen, want to say to the intelligent, patriotic people of their States, "You are not worthy of this confidence"? Are the people of your States not patriotic enough and intelligent enough to be trusted with this small increase of power? Way down in the southland, the abiding place of virtue and beauty, of chivalry and patriotism, the hearts of those gallant people, those loyal sons of America, beating in unison, say to you: "We believe in the patriotism and intelligence of the people of the North, and we want to enlarge your powers and ours, we want to join with you and want you to join with us in amending the Federal Constitution so as to permit each sovereign State, unhampered and uncontrolled, to purify her elections, and secure the election of the people's choice to serve them in the Senate of the United States."

Our position is one of confidence in the great body of the people. You Republicans repudiate and denounce the citizenship of your States as wanting in intelligence, patriotism, and civic pride. They will soon repudiate you because you have proven yourselves unworthy of the trust reposed in you.

A distinguished gentleman, one of the great lawyers of this body, the gentleman from Pennsylvania [Mr. MOON], spoke of treason to the States. I was surprised at that. One trouble with him, and those who think as he does, is that they are governed too much by their personal views and inclinations and too little by the desires and wishes of a great constituency which reposed confidence in them. They subordinate the will and welfare of the people to their individual wishes and desires—sometimes the result of unpatriotic motives. The gentleman from Pennsylvania [Mr. MOON] used the pronoun "we" where he ought to use the pronoun "them" or "they." I am proud to be intrusted to do the will of the people I represent. I have no patience with a political boss.

Mr. MOON of Pennsylvania. Mr. Speaker——

The SPEAKER. Will the gentleman yield to the gentleman from Pennsylvania?

Mr. RUCKER of Missouri. Not now. I have passed Pennsylvania and I want to get to Kansas. [Laughter.]

Mr. Speaker, I have said that I do not believe the Federal Government will ever invade the States; but suppose I do not. I am not one of those self-constituted bosses who trample upon the will of the people and who deny and spurn the voice that comes to them from every nook and corner in their district, and who undertakes to read a lecture to the people on what is best for them. I do not believe that any of you gentlemen will deceive any considerable part of the people by your eulogies and panegyrics, your magnificent, beautiful expressions with reference to the fathers. The fathers specifically empowered and commanded us in that sacred instrument itself, the Constitution, to amend it just as soon as the trusts in this country commenced buying United States Senators. [Laughter and applause.] We have a duty to perform which now invites us. We can not put it off. If we delay one hour we violate the injunction imposed upon us by the fathers. I tell you to-day, my good friends,

and especially you Republicans, who hail from that State whose people were first to catch the glad tidings of liberty, flung to the morning breeze by old Liberty Bell, that those immortal patriots who framed that matchless charter of liberty, the Constitution of the United States, with prophetic wisdom looked down the corridors of time and saw that the time would come and the necessity would arise to amend the Constitution they gave us. And let me say to you further in the words of the great Irish patriot, "If the spirits of the departed participate in the cares and concerns of this life," I doubt not that the spirits of the fathers are to-day hovering about this Chamber, solicitous for the preservation of the liberty they secured for us, and by their silent presence seeking to arouse you Republicans to patriotic action in your response to the known will of the people who confided in you.

Mr. MOON of Pennsylvania. The gentleman has now gotten back to Pennsylvania. Will he permit an inquiry now?

Mr. RUCKER of Missouri. If the gentleman will make it very short.

Mr. MOON of Pennsylvania. I want to ask the gentleman whether the very object of forming the Constitution of the United States, as contained in the preamble, namely, that "in order to form a more perfect union"——

Mr. RUCKER of Missouri. I am not going to discuss that. You gentlemen on that side would lead me into a discussion of the Ten Commandments, which you know nothing about and care less about. [Laughter.]

Mr. MOON of Pennsylvania. Will not the gentleman permit me an inquiry?

Mr. RUCKER of Missouri. Let me tell you something. Four or five Senators——

Mr. MOON of Pennsylvania. I have not finished the question.

Mr. RUCKER of Missouri. I know I am not permitted to mention a Senator's name on this floor. I can criticize my colleagues here on this side of the House or on that side, if I want to do so, but parliamentary usage forbids that I refer to a Member of another august body.

In the language of the poet—

A subject's faults a subject may proclaim,
A monarch's errors are forbidden game.

But let me say to you, and if, perchance, my words should be wafted on the breeze to a distant part of this Capitol, let me state with all the emphasis I can command: Backed by the will of the people of this Republic, people who have been oppressed in the exercise of their rights, people who have been degraded and States that have been tainted; supported by the will of millions of loyal people, I say to the representatives of special interests everywhere, I say to you Republicans who refuse to do your duty, you may do your worst; the will of the people will be accomplished. And I say, "So mote it be." [Applause on the Democratic side.]

Mr. MOON of Pennsylvania. The gentleman has not permitted me to finish my question.

Mr. RUCKER of Missouri. The gentleman will pardon me. My time is limited. We are going to pass this resolution submitting to the States for ratification an amendment to the Constitution providing for the direct election of Senators by the people. We are going to see to it hereafter that the taint of scandal shall not attach to the election of Senators in any State of the Union, if we are given the power, and it will be given. The Federal Government has had the power for 125 years, but it has lain dormant.

The Government of the United States, through Congress, has never exercised the power given by that clause of the Constitution which you talk so much about. It has been a dead letter. We want to put it in effect in Illinois and in Pennsylvania and in Missouri. We want to put it in action in Kansas and in Colorado. We want to put it in effect in New York. We want to put it in operation wherever that flag floats to the breeze [applause on the Democratic side] and guarantee to the American people honest elections to the United States Senate and to the House of Representatives.

Now, let me digress a little for a minute or two. Let me call your attention to a few things that give me hope. Let me make some observations on the vote in yonder body on the Bristow amendment, an amendment which some gentlemen say was offered for the purpose of killing the measure. I will not say that, because it might be unparliamentary even if true, and besides, in the language of Mark Antony, "Those who did that deed are honorable men and will with reason answer" their constituencies. [Laughter.] Oh, if Senators could only be required to answer at the bar of public opinion to-day, at the time our messenger returns to the Senate the Bristow amendment with our disagreement noted, my word for it, the 44 Senators who voted for it would simultaneously spring to their feet, each vieing with the other for the privilege and honor of moving to recede from the Bristow amendment and to concur in the resolution as it passed the House. The trouble is, the people can not confer with their Senators to-day. But they will before the ides of November, 1912, and do not a single one of you Republicans forget it. [Applause on the Democratic side.]

Remember, 44 Senators voted against and 44 Senators voted for the Bristow amendment. Those votes, strange to say, came from 30 States. Thirty States cast 44 votes for the amendment, and 30 States cast 44 votes against the Bristow amendment.

On the vote on the Bristow amendment both Senators from 14 States voted for the amendment, and both Senators from 14 States voted against it. The Senators representing 14 States divided, one voting for and one voting against the adoption of the Bristow amendment.

Senators from two States, only one Senator being present from each and voting, voted for the Bristow amendment, and Senators from two other States each having but one Senator present, voted against the Bristow amendment.

That was a peculiar state of affairs. The 14 States whose Senators voted solidly for the Bristow amendment are Connecticut, Delaware, Illinois, Iowa, Kansas, Massachusetts, Michigan, Minnesota, New Hampshire, Pennsylvania, Rhode Island, South Dakota, Utah, and Wyoming.

The 14 States whose Senators voted solidly against the amendment of the resolution are Alabama, Florida Georgia, Indiana, Louisiana, Maryland, Mississippi, Missouri, North Carolina, Oklahoma, Tennessee, Texas, Virginia, and West Virginia.

The 2 States represented by 1 Senator each which supported the amendment are Colorado and Vermont.

The 2 States represented by 1 Senator each which opposed the amendment are Maine and South Carolina.

On the passage of the resolution in the House, after having first voted down here by a large majority an amendment offered by the gentleman from Kansas [Mr. JACKSON] similar in all essential respects to the Bristow amendment, the vote was 297 in favor of the resolution, just as reported by your committee, and only 15 against it.

The decisive vote by which the resolution was passed in this House was cast by public servants who were elected last fall and who in April stood before the bar of this House and before Almighty God and swore they would respond to their duties as Representatives. It was a phenomenal vote—297 for the resolution against the pitiful number of 15 against it. I am not going to tell the gentleman from Illinois [Mr. MANN] where 2 or 3 of those 15 came from, or even remind him of the fact that some of them came from the city of Chicago, the home of a distinguished member of his political party who has demonstrated that he has more confidence in results obtained through the medium of a jack pot than through a ballot box. [Laughter.]

Mr. MANN. I was one of them. [Applause and laughter.] The gentleman never need stop telling how I voted for fear of hurting my conscience. [Laughter.]

Mr. RUCKER of Missouri. No; I could not hurt your conscience. [Laughter.] I regret to have to say, Mr. Speaker, that there is not saving grace enough in any political party to rescue and save that man from his political sins. [Laughter and applause.]

Mr. MANN. The gentleman sees there was not, does he not?

Mr. RUCKER of Missouri. I conscientiously believe that the just God which Patrick Henry said presides over the destiny of nations and to whom he appealed does in fact preside over this Nation, and that some day He will deign to stoop from His great white throne and touch the heart of the gentleman from Illinois and make him respond to what he knows to be right. [Laughter and applause.]

The figures which I gave you a moment ago show that when the vote was taken in the House on the passage of the resolution as reported to the House the Members of this body, chosen at the last election by the people of the various districts in the 30 States represented, in whole or in part, by the 44 Senators who voted for the Bristow amendment, cast 176 votes for the adoption of the resolution and only 14 votes against it, 59 Members being absent or paired with absentees.

The vote in this House of Members representing the 14 States whose Senators voted solidly for the Bristow amendment was 82 for and only 11 against the resolution in the exact form reported by your committee.

The vote in this House of the Members representing the 14 States whose Senators divided on the Bristow amendment was 91 for the resolution as reported to the House and only 3 votes against it.

The vote of the Members representing the 2 States which each had only one Senator present and voting for the amendment was 3 votes for the House resolution and none against it.

The gentleman from Pennsylvania [Mr. OLMSTED] told us that this House had never gone on record in favor of a resolution in the form of the one we now contend for until we passed it a few days ago. He is mistaken. I call his attention to the fact that a resolution, of which the pending resolution is an exact copy, was introduced in the Fifty-second Congress by a distinguished Democrat from Virginia [Mr. Tucker], and passed the House with the necessary two-third vote, without division or roll call. Of course it failed to pass the Senate. The same resolution, in language exactly like this, was again introduced in the Fifty-third Congress by Mr. Tucker, and passed on a roll call by a vote of 141 for to 50 against it. It may also be interesting to the gentleman from Pennsylvania [Mr. OLMSTED] to know that among those who voted for the resolution in the Fifty-third Congress were ex-Speaker Henderson, Hon. W. P. Hepburn, Hon. RICHARD BARTHOLDT, and Hon. H. S. Cooper, all prominent and distinguished Republicans, whom Democrats forced to meet the issue, and who had courage enough to discard all other considerations and vote the will of the people they represented.

Mr. Speaker, Members of this House know they will have to show their constituents by their votes that they are sincerely in harmony with the public sentiment which demands the passage of this resolution for the direct election of Senators by the people, and pass it in a form which will be acceptable to the States, if they hope to ever come back here again after Speaker CLARK is elected President, and—— [Prolonged applause and cheering.]

The SPEAKER. The time of the gentleman has expired. All time has expired.

Mr. RUCKER of Missouri. Mr. Speaker, I do not think my time ought to be curtailed by this unnecessary and unusual demonstration. [Laughter.]

The SPEAKER. The question is on agreeing to the motion of the gentleman from Pennsylvania [Mr. OLMSTED] to concur.

The yeas and nays were ordered.

The question was taken; and there were—yeas 111, nays 171, answered "present" 9, not voting 97, as follows:

YEAS—111.

Akin, N. Y.	Foss	Lawrence	Pray
Anderson, Minn.	Foster, Vt.	Lenroot	Prouty
Anthony	French	Lindbergh	Rees
Barchfeld	Gardner, Mass.	McCall	Reyburn
Bartholdt	Gillett	McCreary	Rodenberg
Berger	Good	McKinley	Simmons
Bowman	Green, Iowa.	McKinney	Slemp
Bradley	Griest	McLaughlin	Sloan
Burke, Wis.	Guernsey	McMorran	Smith, J. M. C.
Butler	Harris	Madden	Speer
Campbell	Hartman	Malby	Steenerson
Cannon	Haugen	Mann	Stephens, Cal.
Catlin	Helgesen	Matthews	Stevens, Minn.
Cooper	Henry, Conn.	Miller	Sulloway
Copley	Hill	Mondell	Taylor, Ohio
Crago	Howell	Moon, Pa.	Thistlewood
Currier	Howland	Moore, Pa.	Towner
Dalzell	Hubbard	Morse, Wis.	Utter
Danforth	Humphrey, Wash.	Murdock	Volstead
Davis, Minn.	Jackson	Needham	Wedemeyer
Dodds	Kahn	Nelson	Wilder
Driscoll, M. E.	Kendall	Norris	Willis
Dwight	Kennedy	Olmsted	Wilson, Ill.
Dyer	Kent	Patton, Pa.	Wood, N. J.
Esch	Kopp	Payne	Woods, Iowa
Farr	Lafferty	Pickett	Young, Kans.
Focht	La Follette	Plumley	Young, Mich.
Fordney	Langley	Porter	

NAYS—171.

Adamson	Carlin	Faison	Heflin
Aiken, S. C.	Carter	Fields	Helm
Alexander	Claypool	Finley	Henry, Tex.
Allen	Clayton	Fitzgerald	Hensley
Anderson, Ohio	Cline	Flood, Va.	Holland
Ansberry	Collier	Floyd, Ark.	Houston
Ashbrook	Connell	Foster, Ill.	Howard
Ayres	Conry	Fowler	Hughes, Ga.
Barnhart	Cox, Ind.	Francis	Hughes, N. J.
Bartlett	Cox, Ohio	Gallagher	Hull
Bathrick	Cullop	Garner	Humphreys, Miss.
Beall, Tex.	Curley	Garrett	Jacoway
Bell, Ga.	Daugherty	Glass	Johnson, Ky.
Blackmon	Davis, W. Va.	Goeke	Jones
Boehne	Dent	Goldfogle	Kinkead, N. J.
Booher	Denver	Goodwin, Ark.	Kitchin
Borland	Dickinson	Graham	Konig
Brantley	Dickson, Miss.	Gray	Konop
Broussard	Dies	Gregg, Pa.	Korbly
Buchanan	Difenderfer	Gudger	Lamb
Bulkley	Doremus	Hamill	Lee, Pa.
Burleson	Doughton	Hamilton, W. Va.	Lever
Burnett	Driscoll, D. A.	Hamlin	Lewis
Byrnes, S. C.	Dupre	Hardwick	Linthicum
Byrns, Tenn.	Ellerbe	Hardy	Littlepage
Callaway	Estopinal	Harrison, Miss.	Lloyd
Candler	Evans	Hay	Lobeck
McCoy	Pou	Scully	Taylor, Colo.
McGillicuddy	Raker	Sells	Thayer
McHenry	Ransdell, La.	Shackleford	Thomas
Macon	Rauch	Sharp	Townsend
Maguire, Nebr.	Redfield	Sherley	Tribble
Martin, Colo.	Richardson	Sims	Turnbull
Mays	Robinson	Sisson	Tuttle
Morrison	Roddenbery	Slayden	Underwood
Moss, Ind.	Rothermel	Smith, N. Y.	Watkins
Murray	Rouse	Smith, Tex.	Whitacre
Oldfield	Rubey	Stedman	White
O'Shaunessy	Rucker, Colo.	Stephens, Miss.	Wickliffe
Page	Rucker, Mo.	Stephens, Tex.	Wilson, Pa.
Palmer	Russell	Stone	Witherspoon
Pepper	Sabath	Talbott, Md.	Young, Tex.
Post	Saunders	Talcott, N. Y.	

ANSWERED "PRESENT"—9

Clark, Fla.	Hinds	Longworth	Morgan
Davidson	Kinkaid, Nebr.	Maher	Smith, Saml. W.
Gregg, Tex.			

NOT VOTING—97.

Adair	Gardner, N. J.	Legare	Reilly
Ames	George	Levy	Riordan
Andrus	Godwin, N. C.	Lindsay	Roberts, Mass.
Austin	Gordon	Littleton	Roberts, Nev.
Bates	Gould	Loud	Sheppard
Bingham	Greene, Mass.	Loudenslager	Sherwood
Brown	Hamilton, Mich.	McDermott	Small
Burke, Pa.	Hammond	McGuire, Okla.	Sparkman
Burke, S. Dak.	Hanna	McKenzie	Stack
Calder	Harrison, N. Y.	Madison	Stanley
Cantrill	Hawley	Martin, S. Dak.	Sterling
Cary	Hayes	Mitchell	Sulzer
Covington	Heald	Moon, Tenn.	Sweet
Cravens	Higgins	Moore, Tex.	Switzer
Crumpacker	Hobson	Mott	Taylor, Ala.
Davenport	Hughes, W. Va.	Nye	Tilson
De Forest	James	Padgett	Underhill
Dixon, Ind.	Johnson, S. C.	Parran	Vreeland
Donohoe	Kindred	Patten, N. Y.	Warburton
Draper	Kipp	Peters	Webb
Edwards	Knowland	Powers	Weeks
Fairchild	Lafean	Prince	Wilson, N. Y.
Ferris	Langham	Pujo	
Fornes	Latta	Rainey	
Fuller	Lee, Ga.	Randell, Tex.	

So the motion to concur was lost.

The following pairs were announced:

For the session:

Mr. RIORDAN with Mr. ANDRUS.

Mr. MAHER with Mr. CALDER.

Until further notice:

Mr. MOORE of Texas with Mr. HAYES.

Mr. SWEET with Mr. WEEKS.

Mr. DIXON of Indiana with Mr. MADISON.

Mr. CRAVENS with Mr. LOUDENSLAGER.

Mr. JAMES with Mr. HAMILTON of Michigan.

Mr. LEGARE with Mr. LOUD.

Mr. SPARKMAN with Mr. DAVIDSON.

Mr. CANTRILL with Mr. DE FOREST.

Mr. CLARK of Florida with Mr. NYE.

Mr. TAYLOR of Alabama with Mr. GREENE of Massachusetts.

Mr. MCDERMOTT with Mr. BINGHAM.

Mr. SHERWOOD with Mr. TILSON.

Mr. FORNES with Mr. HANNA.

Mr. HAMMOND with Mr. CRUMPACKER.

Mr. COVINGTON with Mr. PARRAN.

Mr. REILLY with Mr. AUSTIN.

Mr. FERRIS with Mr. MORGAN.

Mr. LITTLETON with Mr. VREELAND.

Mr. GREGG of Texas with Mr. DRAPER.

Mr. PUJO with Mr. HUGHES of West Virginia.

Mr. EDWARDS with Mr. MARTIN of South Dakota.

Mr. HOBSON with Mr. FAIRCHILD.

Mr. KIPP with Mr. LANGHAM.

Mr. SULZER with Mr. MCKENZIE.

Mr. PADGETT with Mr. GARDNER of New Jersey.

Mr. WEBB with Mr. WARBURTON.

Mr. UNDERHILL with Mr. MOTT.

Mr. DONOHOE with Mr. SWITZER.

Mr. STACK with Mr. MITCHELL.

Mr. LEVY with Mr. STERLING.

Mr. LATTA with Mr. PRINCE.

Mr. KINDRED with Mr. MCGUIRE of Oklahoma.

Mr. GODWIN of North Carolina with Mr. KNOWLAND.

Mr. GEORGE with Mr. FULLER.

Mr. DAVENPORT with Mr. CARY.

Mr. ADAIR with Mr. HEALD.

Mr. GOULD with Mr. HINDS.

Mr. PATTEN of New York with Mr. BATES.

On this vote:

Mr. STANLEY (against) with Mr. ROBERTS of Nevada (for amendment).

Mr. LEE of Georgia (against) with Mr. HAWLEY (for amendment).

Mr. SMALL (against) with Mr. BURKE of Pennsylvania (for amendment).

Mr. JOHNSON of South Carolina (against) with Mr. HIGGINS (for amendment).

Mr. RANDELL of Texas (against) with Mr. KINKAID of Nebraska (for amendment).

For two weeks:

Mr. BROWN with Mr. ROBERTS of Massachusetts.

Mr. MOON of Tennessee with Mr. LAFEAN.

For three weeks:

Mr. RAINEY with Mr. BURKE of South Dakota.

Ending June 26:

Mr. SHEPPARD with Mr. AMES.

Commencing June 21, ending July 1:

Mr. HARRISON of New York with Mr. LONGWORTH.

After vote on woolen bill, ending with consideration of cotton bill:

Mr. WILSON of New York with Mr. SAMUEL W. SMITH.

The result of the vote was then announced as above recorded.

The SPEAKER. The motion to concur fails because two-thirds have failed to vote for it, and that carries with it the vote to disagree to the Senate amendment.

Mr. RUCKER of Missouri. Do I understand the Chair to rule that it is unnecessary to make the motion to disagree?

The SPEAKER. That is what the Chair holds.

Mr. RUCKER of Missouri. If the Chair should put the motion to the House to disagree to the Senate amendment, that would not hurt anything, would it?

The SPEAKER. It would not, except that you might accidentally lose it, and then what? [Laughter.] At first the Chair was inclined to take the gentleman's view of it, but after consultation with the parliamentary clerk and the gentleman from Illinois, Mr. MANN, and finally with the great authority on parliamentary law, Mr. HINDS, of Maine, we all agreed that the failure of the motion to concur was equivalent to a motion to disagree.

Mr. RUCKER of Missouri. I think we can safely leave the situation as it is, then; I have implicit confidence in the Speaker and in his parliamentary clerk, as well as in the gentleman from Maine, who formerly held that position. I understand that there is agreement among them that no further motion is necessary. Now, if there should be error in that, and it should be called to our attention from the other end of the Capitol, we would have a chance to take action, because the longer this thing goes the stronger the situation will become.

Mr. MANN. Mr. Speaker, I want to suggest to the gentleman that there can be no condition of affairs arising in the Senate of that kind, because the message which the House sends to the Senate will be that the House does not concur in the Senate amendment.

The SPEAKER. The House refuses to concur in the Senate amendment.

PURE FOOD AND DRUGS ACT.

The SPEAKER laid before the House the following message from the President of the United States, which was read and, with the accompanying papers, ordered to be printed and referred to the Committee on Interstate and Foreign Commerce (H. Doc. No. 75):

To the Senate and House of Representatives:

Your attention is respectfully called to the necessity of passing at this session an amendment to the food and drugs act of June 30, 1906 (34 Stat., 768), which will supplement existing law and prevent the shipment in interstate and foreign commerce and the manufacture and sale within the Territories and the District of Columbia of worthless nostrums labeled with misstatements of fact as to their physiological action—misstatements false and misleading even in the knowledge of those who make them.

On June 30, 1906, after an agitation of 20 years, the food and drugs act, passed by the Fifty-ninth Congress, received the approval of the President and became law. The purpose of the measure was twofold—first, to prevent the adulteration of foods and drugs within the jurisdiction of the Federal Government; and, second, to prevent any false labeling of foods and drugs that will deceive the people into the belief that they are securing other than that for which they ask and which they have the right to get. The law was received with general satisfaction and has been vigorously enforced. More than 2,000 cases have been prepared for criminal prosecution against the shippers of adulterated or misbranded foods and drugs, and seizures have been made of more than 700 shipments of such articles. More than two-thirds of these cases have been begun since March 4, 1909. Of the criminal cases more than 800 have terminated favorably to the Government, and of the shipments seized more than 450 have been condemned and either relabeled or destroyed. In every case in which the food seized was deleterious to health it was destroyed. A large number of cases are now pending.

The Supreme Court has held in a recent decision (United States *v.* O. A. Johnson, opinion May 29, 1911) that the food and drugs act does not cover the knowingly false labeling of nostrums as to curative effect or physiological action, and that inquiry under this salutary statute does not by its terms extend in any case to the inefficacy of medicines to work the cures claimed for them on the labels. It follows that, without fear of punishment under the law, unscrupulous persons, knowing the medicines to have no curative or remedial value for the diseases for which they indicate them, may ship in interstate commerce medicines composed of substances possessing any slight physiological action and labeled as cures for diseases which, in the present state of science, are recognized as incurable.

An evil which menaces the general health of the people strikes at the life of the Nation. In my opinion, the sale of dangerously adulterated drugs, or the sale of drugs under knowingly false claims as to their effect in disease, constitutes such an evil and warrants me in calling the matter to the attention of the Congress.

Fraudulent misrepresentations of the curative value of nostrums not only operate to defraud purchasers, but are a distinct menace to the public health. There are none so credulous as sufferers from disease. The need is urgent for legislation which will prevent the raising of false hopes of speedy cures of serious ailments by misstatements of fact as to worthless mixtures on which the sick will rely while their diseases progress unchecked.

At the time the food and drugs act was passed there were current in commerce literally thousands of dangerous frauds labeled as cures for every case of epilepsy, sure cures for consumption and all lung diseases, cures for all kidney, liver, and malarial troubles, cures for diabetes, cures for tumor and cancer, cures for all forms of heart disease; in fact, cures for all the ills known at the present day. The labels of many of these so-called cures indicated their use for diseases of children. They were not only utterly useless in the treatment of the disease, but in many cases were positively injurious. If a tithe of these statements had been true, no one with access to the remedies which bore them need have died from any cause other than accident or old age. Unfortunately, the statements were not true. The shameful fact is that those who deal in such preparations know they are deceiving credulous and ignorant unfortunates who suffer from some of the gravest ills to which the flesh of this day is subject. No physician of standing in his profession, no matter to what school of medicine he may belong, entertains the slightest idea that any of these preparations will work the wonders promised on the labels.

Prior to the recent decision of the Supreme Court the officers charged with the enforcement of the law regarded false and misleading statements concerning the curative value of nostrums as misbranding, and there was a general acquiescence in this view by the proprietors of the nostrums. Many pretended cures, in consequence, were withdrawn from the market, and the proprietors of many other alleged cures eliminated false and extravagant claims from their labels, either voluntarily or under the compulsion of criminal prosecution. Nearly 100 criminal prosecutions on this charge were concluded in the Federal courts by pleas of guilty and the imposition of fines. More than 150 cases of the same nature, involving some of the rankest frauds by which the American people were ever deceived, are pending now, and must be dismissed.

I fear, if no remedial legislation be granted at this session, that the good which has already been accomplished in regard to these nostrums will be undone, and the people of the country will be deprived of a powerful safeguard against dangerous frauds. Of course, as pointed out by the Supreme Court, any attempt to legislate against mere expressions of opinion would be abortive; nevertheless, if knowingly false misstatements of fact as to the effect of the preparations be provided against, the greater part of the evil will be subject to control.

The statute can be easily amended to include the evil I have described. I recommend that this be done at once as a matter of emergency.

WM. H. TAFT.

THE WHITE HOUSE, *June 20, 1911.*

Mr. FOSTER of Illinois. Mr. Speaker, I would like to inquire the number of copies of this message that are printed under the rules?

Mr. MANN. Mr. Speaker, the usual number, I will state, is fourteen hundred and odd, of which the House receives 400 copies.

LEAVE TO PRINT.

Mr. LANGLEY. Mr. Speaker, I had arranged with the gentleman from Pennsylvania [Mr. OLMSTED] to grant me some time to briefly discuss the joint resolution providing for the election of Senators by the direct vote of the people, and to get permission to print in the RECORD my reasons for favoring the Bristow amendment. During the progress of the debate I was called out of the Chamber by a constituent and when I returned debate had closed. I am in favor of the proposed amendment to the Constitution, but I prefer to see it adopted with the amendment referred to. I now ask unanimous consent to print in the RECORD my reasons for favoring that amendment.

The SPEAKER. Is there objection?

There was no objection.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to—

Mr. ANDERSON of Minnesota, for three weeks, on account of important business.

Mr. GREGG of Texas, for three weeks, on account of important business.

Mr. KONOP, for three weeks, on account of important business.

Mr. BURKE of Wisconsin, for 25 days, on account of important business.

Mr. THAYER, for 20 days, on account of important business.

Mr. UTTER, until July 10, on account of business.

Mr. DOREMUS, for three weeks, on account of important business.

Mr. GREGG of Pennsylvania, until July 12, on account of important business.

Mr. KOPP, for three weeks, on account of important business.

WITHDRAWAL OF PAPERS.

By unanimous consent, leave was granted to Mr. Moss of Indiana to withdraw from the files of the House, without leaving copies, the papers accompanying H. R. 30155, Sixty-first Congress, third session, no adverse report having been made thereon.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. J. Res. 3. Joint resolution extending the operation of the act for the control and regulation of the waters of Niagara River, for the preservation of Niagara Falls, and for other purposes;

S. 2117. An act to promote the efficiency of the Public Health and Marine-Hospital Service;

S. 20. An act directing the Secretary of War to convey the outstanding legal title of the United States to sublots Nos. 31, 32, and 33, of original lot No. 3, square No. 80, in the city of Washington, D. C.;

S. 1072. An act to amend section 895 of the Code of Law for the District of Columbia;

S. 1081. An act to provide for punishment for larceny of public property from the workhouse and the reformatory of the District of Columbia;

S. 2599. An act to authorize certain changes in the plan for the permanent system of highways for that portion of the District of Columbia lying west of Fourteenth Street, South of Taylor Street, east of Rock Creek Park, and north of Newton Street NW.; and

S. 2775. An act to authorize the establishment of fish-cultural stations on the Columbia River or its tributaries in the State of Oregon.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 2599. An act to authorize certain changes in the plan for the permanent system of highways for that portion of the District of Columbia lying west of Fourteenth Street, south of Taylor Street, east of Rock Creek Park, and north of Newton Street NW.; to the Committee on the District of Columbia.

S. 2775. An act to authorize the establishment of fish-cultural stations on the Columbia River or its tributaries in the State of Oregon; to the Committee on the Merchant Marine and Fisheries.

S. 2117. An act to promote the efficiency of the Public Health and Marine-Hospital Service; to the Committee on Interstate and Foreign Commerce.

S. 20. An act directing the Secretary of War to convey the outstanding legal title of the United States to sublots Nos. 31, 32, and 33 of original lot No. 3, square No. 80, in the city of Washington, D. C.; to the Committee on the District of Columbia.

S. 1072. An act to amend section 895 of the Code of Laws for the District of Columbia; to the Committee on the District of Columbia.

S. 1081. An act to provide for punishment for larceny of public property from the workhouse and the reformatory of the District of Columbia; to the Committee on the District of Columbia.

S. J. Res. 3. Joint resolution extending the operation of the act for the control and regulation of the waters of Niagara River, for the preservation of Niagara Falls, and for other purposes; to the Committee on Foreign Affairs.

CANADIAN RECIPROCITY—THE ROOT AMENDMENT.

Mr. MANN. Mr. Speaker, I ask unanimous consent to address the House for 15 minutes on the so-called Root amendment to the Canadian reciprocity bill (H. R. 4412).

The SPEAKER. Is there objection?

There was no objection. During the remarks of Mr. MANN, his time having expired, by unanimous consent, on the request of Mr. LONGWORTH, he was granted time in which to conclude his remarks.

Mr. MANN. Mr. Chairman, I desire to submit a few remarks about the pulp and paper provision in the Canadian reciprocity bill and the so-called Root amendment thereto. The reciprocity bill as it passed the House contained the following provision:

SEC. 2. Pulp of wood mechanically ground; pulp of wood, chemical, bleached, or unbleached; news-print paper, and other paper, and paper board, manufactured from mechanical wood pulp or from chemical wood pulp, or of which such pulp is the component material of chief value, colored in the pulp, or not colored, and valued at not more than 4 cents per pound, not including printed or decorated wall paper, being the products of Canada, when imported therefrom directly into the United States, shall be admitted free of duty, on the condition precedent that no export duty, export license fee, or other export charge of any kind whatsoever (whether in the form of additional charge or license fee or otherwise), or any prohibition or restriction in any way of the exportation (whether by law, order, regulation, contractual relation, or otherwise, directly or indirectly), shall have been imposed upon such paper, board, or wood pulp, or the wood used in the manufacture of such paper, board, or wood pulp, or the wood pulp used in the manufacture of such paper or board.

The Root amendment proposes to add at the end of the foregoing the following words:

And when the President of the United States shall have satisfactory evidence and shall make proclamation that such wood pulp, paper, and board, being the products of the United States, are admitted into Canada free of duty.

So that the section as amended would read as follows:

SEC. 2. Pulp of wood mechanically ground; pulp of wood, chemical, bleached or unbleached; news-print paper, and other paper, and paper board, manufactured from mechanical wood pulp or from chemical wood pulp, or of which such pulp is the component material of chief value, colored in the pulp, or not colored, and valued at not more than 4 cents per pound, not including printed or decorated wall paper, being the products of Canada, when imported therefrom directly into the United States, shall be admitted free of duty, on the condition precedent that no export duty, export license fee, or other export charge of any kind whatsoever (whether in the form of additional charge or license fee or otherwise), or any prohibition or restriction in any way of the exportation (whether by law, order, regulation, contractual relation, or otherwise, directly or indirectly), shall have been imposed upon such paper, board, or wood pulp, or the wood used in the manufacture of such paper, board, or wood pulp, or the wood pulp used in the manufacture of such paper or board; and when the President of the United States shall have satisfactory evidence and shall make proclamation that such wood pulp, paper, and board, being the products of the United States, are admitted into Canada free of duty.

The amendment would be in better grammatical form if a comma instead of a semicolon were inserted at the end of the present section and the word "and," in the beginning of the amendment, were left out. In other words, the meaning of the amendment is that certain paper, and so forth, shall be admitted into the United States on certain conditions named, when the President proclaims that the same articles are admitted into Canada free of duty without any conditions.

The other day even the Chicago Tribune made this statement editorially:

The adoption of the Root amendment to the reciprocity bill would make it conform to the reciprocity agreement in the one particular in which it was departed from by the House, and yet the amendment should not be adopted.

I have seen a similar statement by others. When papers and men usually so well informed get so wide of the mark, correction should be made. The Root amendment is not in conformity with the reciprocity agreement. The Root amendment violates the agreement.

I prepared the original draft of the provision in the reciprocity agreement which sets forth the condition precedent upon which paper might be brought from Canada into the United States free of duty, and I prepared the provision in the reciprocity bill in reference to pulp and paper, and the

provision in the bill absolutely follows the provision in the agreement.

The Root amendment destroys the agreement as to pulp and paper. It renders the agreement entirely nugatory. It completely prevents the importation of paper free from Canada, or of paper into Canada from here free. It would be plainer than the Root amendment, but no more effective, if we should add at the end of the pulp and paper provision in the bill the further provision, "This section shall never take effect," because that is the practical effect of the Root amendment.

In order to understand the Root amendment it is necessary to understand the situation.

We consume large quantities of print paper. We obtain that paper from our mills in this country and from the Canadian mills.

Print paper is made from the wood of the spruce tree, and before manufacture that wood is called pulp wood. We are the principal consumers of print paper, and spruce pulp wood is mainly found in Canadian forests.

Portions of the Canadian forests are owned in private ownership, but the bulk of the Canadian forests are publicly owned, are called Crown lands, and are owned by the Provinces of Canada. The Province that owns pulp-wood forests owns them absolutely and can dispose of them as it pleases. These Provinces have put a prohibition on the exportation of pulp wood in the manner following.

The Province of Quebec, for instance, owning large pulp-wood forests, sells the right to cut pulp wood under a contract which provides that the pulp wood shall be manufactured within the Dominion of Canada. The Province will not sell any pulp wood on other terms, and hence under the new order of that Province no pulp wood can be cut in the Crown-land forests to be exported into the United States for the use of our paper mills here. The Province of Ontario and other Provinces have adopted similar restrictive contracts.

It is to the interest of this country that we be able to obtain spruce pulp wood from Canada. It is to the interest of Canada that she be able to send her print paper here free of duty. That being the situation, the reciprocity agreement provided that paper might come into the United States from Canada free of duty if made from pulp wood which itself might have been brought from Canada here. This provision is put in the form of admitting Canadian paper free of duty on the condition precedent that there is no restriction or prohibition of the exportation from Canada of the wood from which the paper is made.

The terms of the agreement would admit paper here free of duty if made from wood cut from the private forests, because there is no restriction on the exportation from Canada of pulp wood cut on the privately owned lands. The agreement would admit paper made from Crown land pulp wood if the Province which owned the forest allowed the exportation of the wood to the United States when cut; but if the Province prohibited the exportation of the pulp wood, then the paper which is made from that pulp wood would not be admitted free here.

The agreement leaves each Province to determine for itself whether it will accede to the condition precedent and take advantage of the offer we make to admit the paper free if the Province permits the pulp wood to come over here. The Dominion Government has no control over the pulp-wood forests in the eastern Provinces, and it is a matter solely for each Province to determine for itself.

It will be noted that the condition precedent is a condition which we impose upon Canadian paper; that it is a condition precedent for the benefit of our people. It is to secure to us pulp wood from Canada.

In other words, Canada desired the admission of pulp and paper into the United States free of duty. Such free entry would be of great advantage to Canadian manufacturers. On our side, we desired to obtain the right of free exportation from Canada of pulp wood in order to supply our mills with raw material for the making of pulp and paper. This right of free exportation, however, so far as the Crown lands are concerned, is not controlled by the Canadian Government. It is controlled by the various Provinces, and the General Dominion Government is powerless to legislate concerning the control of these lands or the pulp wood cut on them. This situation was appreciated by the Canadian commissioners when, in their letter to the Secretary of State, they said, referring to the importation of pulp and paper:

> We note that you desire to provide that such articles from Canada shall be made free of duty in the United States only upon certain conditions respecting the shipment of pulp wood from Canada. It is necessary that we should point out that this is a matter in which we are not in a position to make any agreement. The restrictions at present existing in Canada are of a provincial character. They have been adopted by several of the Provinces with regard to what are believed to be provincial interests. We have neither the right nor the desire to interfere with the provincial authorities in the free exercise of their constitutional powers in the administration of their public lands. The provisions you are proposing to make respecting the conditions upon which these classes of pulp and paper may be imported into the United States free of duty must necessarily be for the present inoperative. Whether the provincial governments will desire to in any way modify their regulations with a view to securing the free admission of pulp and paper from their Provinces into the markets of the United States must be a question for the provincial authorities to decide. In the meantime the present duties on pulp and paper imported from the United States into Canada will remain. Whenever pulp and paper of the classes already mentioned are admitted into the United States free of duty from all parts of Canada, then similar articles, when imported from the United States, shall be admitted into Canada free of duty.

In other words, the Canadian officials said that, as the United States was proposing in the agreement to insert a condition precedent which involved future action by the different Canadian Provinces, pending such action by the Provinces, the provisions of the agreement for free entry would be inoperative as to pulp and paper affected by the condition precedent coming from any Province until that Province had changed its regulations or form of contract. They further said, in effect, that until all of the Canadian Provinces permitted free exportation of pulp wood, meanwhile the present duty on pulp and paper imported into Canada would remain.

The meaning of the agreement is further expressed in Schedule A, attached to the agreement, which is practically in the language of the reciprocity bill as it passed the House, and which provides that the pulp and paper therein described, when imported from Canada into the United States, shall be admitted free of duty on the condition precedent that no export duty or fee or any prohibition or restriction of exportation by contract or otherwise shall have been imposed upon such pulp or paper or the wood used in their manufacture.

The Crown land pulp wood and the private land pulp wood are in competition in Canada. If we let in paper made from the private land pulp wood free and charge a duty of $5.75 a ton on paper made from the Crown land pulp wood, the Crown land pulp wood will be at such a disadvantage that the Province which is the owner of it will naturally seek to secure the same benefits for the Crown land pulp wood that the private land pulp wood enjoys, and therefore take off the prohibition on exportation.

The reciprocity agreement further provides that if the time comes when we admit paper from all parts of Canada free, then Canada shall admit our paper free, and that provision of the agreement is incorporated in the measure now pending in the Canadian Parliament. The real advantage to us, however, is not in securing the admission of our paper into Canada free, because that will amount to but little.

The real advantage to us in the agreement will be the securing of the right to obtain pulp wood from Canada—pulp wood that is cut on her Crown lands which we can not now obtain. The agreement, however, does not make the admission of paper into the United States free of duty dependent in any way upon the admission of our paper into Canada free of duty. The Canadian Government would jump at the chance to admit our paper into Canada free of duty in return for our admission of Canadian paper here free of duty. But in the agreement we do not propose to admit all Canadian paper free of duty at once, nor ever, unless all of the restrictions or prohibitions on the exportation of pulp wood are removed in the different Provinces.

The Root amendment proposes that we shall not admit any paper from Canada free of duty until Canada admits all of our paper, of the kind described in the agreement, into Canada free of duty.

If the Root amendment prevails, this would be the situation: We would not admit any paper free of duty unless the pulp wood from which it was made might have been exported to us.

Hence, we would not admit all paper from a Province free of duty until that Province had removed the restriction on exportation.

Hence, we would not admit all paper from Canada free of duty until the restrictions on exportation were removed in every Province of Canada.

Hence, so long as any Province maintains its prohibition on exportation of pulp wood, we would not admit all paper from Canada free of duty. [Applause.]

Hence, Canada would not admit our paper free of duty, because we would not admit all of the Canadian paper free of duty.

And hence, under the Root amendment, we would not admit any paper from Canada free of duty, because Canada does not admit all of our paper free of duty.

As the Root amendment provides that the pulp and paper provision in the act shall not take effect until Canada admits all of our paper free of duty, and as Canada does not, under the terms of the agreement, admit our paper free of duty until

we admit all of her paper free of duty, and as we have a provision or condition precedent in the act to the effect that we will not admit paper coming from a Province free of duty if made from pulp wood that might not have been exported to us, we would leave it within the power of any one Province in Canada to prevent the taking effect of any portion of these provisions and thereby prevent the admission of any paper free merely by refusing to remove the restriction it makes in its contract on the exportation of pulp wood. If this power be left in each individual Province of Canada, it is absolutely certain that the provision in the act is not worth the paper it is written on.

If Ontario, for instance, has the power, by refusing to permit the exportation of its pulp wood, to keep the law from having any effect, it will exercise that power, and under the Root amendment that Province would have such power.

The agreement proceeds on the theory that we admit certain paper free of duty in return for the prospect of being able to import the Crown land pulp wood without restriction.

The agreement is based on the idea that it is worth more to us to secure Crown land pulp wood than it is to have the right to send paper to Canada free of duty. It is impossible to make the condition precedent we propose work in harmony with the Root amendment.

It is impossible to make effective both the Root amendment and the condition precedent so far as accomplishing results are concerned.

If, however, the manufacturers of print paper do not care to obtain the right to secure Crown land pulp wood, but prefer instead to obtain the right to export paper to Canada, that result can be reached in a very simple manner.

We can simply strike out the condition precedent and provide in the act that we will admit pulp and paper coming from Canada free when Canada admits our pulp and paper going there free.

While I do not believe such a provision is to the interest of the paper manufacturers of the United States, yet if they prefer to have the right to export paper to Canada rather than the right to obtain Canadian pulp wood, I do not know that I would object to the proposition. The bill might then provide, leaving out the condition precedent, that we will admit pulp and paper of the character described in the bill—

when the President of the United States shall have satisfactory evidence and shall make proclamation that such wood pulp, paper, and board, being the products of the United States, are admitted into Canada free of duty.

This latter language is the exact language of the Root amendment. If such a provision were enacted, it would simply leave out of consideration all question in regard to obtaining pulp wood and would provide for reciprocity in pulp and paper on even terms.

But, of course, under such a provision, the Canadian Provinces would still maintain their prohibition against the exportation of pulp wood, and though by the provision we would obtain the right to export paper to Canada free of duty, it is perfectly plain that we would not have the paper to export. Our own supply of spruce pulp wood would soon be gone and the paper industry would be transferred to Canada.

If the paper manufacturers desire to cut off their supply of Canadian pulp wood and transfer the print-paper-making industry to Canada, all they need to do is to keep on urging the Root amendment, and they will probably be accommodated by a provision for simple, plain, reciprocity on paper between the United States and Canada, without any reference to pulp wood or our obtaining pulp wood from Canada.

Mr. Chairman, the pulp and paper section as we passed it will greatly benefit the American reader, the American school children, the American newspaper, the American manufacturer of news-print paper, the Canadian manufacturer of news-print paper, the Canadian owner of pulp wood, and the Canadian pulp-wood forests. It tends to make available the raw material and to prevent undue increase in price of the finished product; but the Root amendment will render the whole provision ineffective and of no value. It practically destroys the agreement. Its adoption would put up the price of print paper in the United States and would prevent our obtaining the raw material from Canada.

Canada has the great pulp-wood forests; we have the great consuming public. The pulp-wood forests of Canada are of little value unless we furnish a market for the product into which they may be converted. We are great consumers of the paper into which the Canadian forests may be converted. Common sense dictates that we enter into an arrangement which is mutually profitable both to us and to Canada.

The Root amendment would prevent this. It would keep the Canadian pulp-wood forests and the American paper consumer far apart. It would be of no benefit to anyone, except those paper mills in the United States which own a temporary supply of spruce pulp-wood forests and which hope to convert them into paper at high prices during the next few years, leaving the future to look out for itself. That is neither statesmanship nor wise economy.

Mr. MALBY. Mr. Speaker, I shall not request time of the House this afternoon to reply to my friend from Illinois [Mr. MANN] in reference to his attack upon the Root amendment, but inasmuch as the amendment was offered by the distinguished senior Senator from the State of New York, and as the district which I have the honor to represent is mightily interested in the subject, I ask the indulgence of the House that I be permitted to file for printing in the RECORD within five days such remarks as I may be able to get together in relation thereto.

The SPEAKER. The gentleman from New York asks unanimous consent to print within five days remarks on the subject of pulp wood and print paper. Is there objection?

There was no objection, and it was so ordered.

ELECTION OF SENATORS BY THE PEOPLE.

Mr. MURDOCK. Mr. Speaker, a parliamentary inquiry. This afternoon the House nonconcurred in the Senate amendment to House joint resolution 39 respecting the election of Senators by a direct vote of the people. My recollection of the parliamentary proceeding is that when the House nonconcurs in a Senate amendment we usually ask for a conference. Apparently we did not do that this afternoon, and I would like to inquire what physically now becomes of the House joint resolution? Is it messaged to the Senate?

The SPEAKER. It is sent back to the Senate.

Mr. MURDOCK. And the Senate must now ask for a conference?

The SPEAKER. If there is one; yes.

Mr. MURDOCK. Is that proceeding regular?

The SPEAKER. It is. The Chair will state that he inquired into it as particularly as it was possible to do, and he came to the conclusion, against his own first impression, that the procedure that was had was the correct procedure, and the message that will be sent to the Senate is that the House refuses to concur in the Senate amendment.

Mr. UNDERWOOD. Mr. Speaker, by unanimous consent I would like to state to the gentleman from Kansas that as there was an even division in the vote in the Senate on this proposition, and as those who voted against concurring desired the Senate to have an opportunity to vote on the proposition as to whether they should recede or not before a conference was asked, the House did not ask for a conference for that reason, but leaves it to the Senate to determine by another vote in the Senate as to whether they will recede from their amendment.

Mr. MURDOCK. Then this proceeding, I understand from the gentleman from Alabama, is not the regular proceeding?

Mr. UNDERWOOD. Very often.

The SPEAKER. This proceeding has been pursued; that is, a vote to disagree and send back has been done a dozen times.

Mr. MANN. I do not know that this will add to the gayety of nations, but does the gentleman from Alabama contend now that the Senate, by a majority vote, can recede from its amendment and adopt the resolution without a two-thirds vote in the Senate?

Mr. UNDERWOOD. I do; I do not think it requires a two-thirds vote for the final vote.

Mr. MANN. But the final vote has been had; that is the final vote.

Mr. UNDERWOOD. But when the House sends it back to the Senate it is in dispute between the two Houses.

Mr. MANN. But if the Senate recedes it is a final vote, and it must take a two-thirds vote.

Mr. UNDERWOOD. I will say to the gentleman from Illinois this discussion is purely academic.

Mr. MANN. I understand that; we do not have to state that.

Mr. UNDERWOOD. And if we agree to a conference, after it went back to the Senate from conference the Senate, by a majority vote, could disagree or could agree, and I do not think that this changes the situation.

Mr. MANN. The gentleman and I agree, anyway; it does not affect the procedure between the two Houses whether we ask for a conference or not.

Mr. PAYNE. I would like to ask the gentleman from Alabama in that case where and in what way would the Senate by a two-thirds vote adopt the House proposition?

Mr. FITZGERALD. Let the Senate decide that.

Mr. UNDERWOOD. If it receded there would be no vote on the amendment.

Mr. PAYNE. By a majority vote?

Mr. UNDERWOOD. No; it would have to be adopted by a two-thirds vote.

Mr. PAYNE. Of course.

Mr. FITZGERALD. They could recede by a majority vote.

Mr. MANN. If the Senate recedes by a majority vote that ends the matter between the two Houses.

Mr. FITZGERALD. They can adopt the resolution——

Mr. MANN. That can only be by a two-thirds vote.

Mr. UNDERWOOD. I will say to the gentleman from Illinois, the purpose in the Senate is not to recede alone, but, as I understand it, there are some gentlemen in the Senate who desire to recede with an amendment, and if the Senate recedes with an amendment, why after the amendment is adopted by a majority vote, of course there will be a two-thirds vote required if the amendment comes back to the House.

DESIGNATION OF SPEAKER PRO TEMPORE.

The SPEAKER. The Chair will designate Mr. FLOOD of Virginia to preside on Saturday for eulogies on the late Senator DANIEL.

ADJOURNMENT.

The UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 5 o'clock and 21 minutes) the House, under its previous order, adjourned to meet on Saturday, June 24, 1911, at 12 o'clock m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a message from the President (H. Doc. No. 75), calling attention to the necessity of passing at this session an amendment to the food and drugs act of June 30, 1906 (34 Stat., 768), was taken from the Speaker's table, referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 10790) granting a pension to Sarah A. Mangus, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ANDERSON of Ohio: A bill (H. R. 11965) to prevent and punish the desecration, mutilation, or improper use of the flag of the United States of America; to the Committee on the Judiciary.

By Mr. CARTER: A bill (H. R. 11966) to provide for the sale of the surface of 15.64 acres of the segregated coal and asphalt lands of the Choctaw and Chickasaw Nations to the municipality of Heavener, Le Flore County, Okla.; to the Committee on Indian Affairs.

Also, a bill (H. R. 11967) to provide for the sale of the surface of 80 acres of the segregated coal and asphalt lands of the Choctaw and Chickasaw Nations to the Haskell County Fair Association, of Stigler, Haskell County, Okla.; to the Committee on Indian Affairs.

By Mr. SABATH: A bill (H. R. 11968) to provide for the reorganization of the police force of the Library of Congress; to the Committee on Appropriations.

By Mr. BYRNES of South Carolina: A bill (H. R. 11969) to provide for an experiment in the improvement of post roads by the Secretary of Agriculture in cooperation with the Postmaster General, and for other purposes; to the Committee on Appropriations.

By Mr. WILSON of Illinois: A bill (H. R. 11970) to provide for refund or abatement of corporation tax under certain conditions; to the Committee on Ways and Means.

By Mr. McHENRY: A bill (H. R. 11971) to amend section 801 of the Criminal Code of the District of Columbia; to the Committee on the District of Columbia.

By Mr. GOEKE: A bill (H. R. 11972) to make October 12 in each year a public holiday, to be called "Columbus Day"; to the Committee on the Judiciary.

By Mr. STEPHENS of Texas: Resolution (H. Res. 215) to investigate the affairs of the Chippewa Indians at White Earth and other reservations in Minnesota and Wisconsin and the Osages in Oklahoma; to the Committee on Rules.

Also, resolution (H. Res. 216) requesting the Secretary of the Interior to furnish the House of Representatives with certain information in relation to covering into the Indian Service certain sectarian Indian schools; to the Committee on Indian Affairs.

By Mr. WICKERSHAM: Resolution (H. Res. 217) calling on Attorney General for information; to the Committee on the Judiciary.

Also, resolution (H. Res. 218) calling on the Secretary of War for information; to the Committee on the Territories.

By Mr. GARDNER of Massachusetts: Resolution (H. Res. 219) directing the Committee on Military Affairs to investigate the charges of favoritism in letting contracts for Army and Navy shoes; to the Committee on Rules.

By Mr. BARTHOLDT: Resolution (H. Res. 220) providing for an investigation touching the practicability of the study of Esperanto as an auxiliary language; to the Committee on Rules.

By Mr. EVANS: Joint resolution (H. J. Res. 126) to create a joint commission to revise and codify the present pension laws, to report what legislation is necessary, if any, to adequately represent the gratitude of the Nation to its defenders, and to punish frauds in the administration of pension laws; to the Committee on Invalid Pensions.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of Ohio: A bill (H. R. 11973) granting an increase of pension to John Hueter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11974) granting an increase of pension to Ephraim Armstrong; to the Committee on Invalid Pensions.

By Mr. BLACKMON: A bill (H. R. 11975) granting an increase of pension to Isaac McKinsey; to the Committee on Invalid Pensions.

By Mr. BRADLEY: A bill (H. R. 11976) granting an increase of pension to Emma L. Goodale; to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 11977) granting an increase of pension to Samuel D. Cowmen; to the Committee on Invalid Pensions.

By Mr. CARLIN: A bill (H. R. 11978) for the relief of William R. Oliver; to the Committee on War Claims.

Also, a bill (H. R. 11979) granting an increase of pension to Bertha A. Mulhall; to the Committee on Pensions.

By Mr. DONOHOE: A bill (H. R. 11980) granting a pension to Angeline Hopkin; to the Committee on Invalid Pensions.

By Mr. MICHAEL E. DRISCOLL: A bill (H. R. 11981) granting a pension to Ann E. Timmons; to the Committee on Invalid Pensions.

By Mr. FIELDS: A bill (H. R. 11982) for the relief of Overton Turner; to the Committee on Military Affairs.

By Mr. GRAY: A bill (H. R. 11983) granting an increase of pension to John Dixon; to the Committee on Invalid Pensions.

By Mr. KENNEDY: A bill (H. R. 11984) granting an increase of pension to Webster M. Pixley; to the Committee on Invalid Pensions.

By Mr. KINKEAD of New Jersey: A bill (H. R. 11985) granting an increase of pension to John Callaghan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11986) to reimburse the men of the U. S. S. *Georgia* who suffered loss through the defalcation of Paymaster's Clerk E. V. Lee; to the Committee on Claims.

By Mr. LANGHAM: A bill (H. R. 11987) granting an increase of pension to Arthur McCloskey; to the Committee on Invalid Pensions.

By Mr. McKINLEY: A bill (H. R. 11988) granting an increase of pension to David Quick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11989) granting an increase of pension to John F. Weaver; to the Committee on Invalid Pensions.

By Mr. NELSON: A bill (H. R. 11990) granting a pension to Louisa De Volve; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11991) granting a pension to Eva L. Cooley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11992) granting an increase of pension to Andrew Klaila; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11993) granting an increase of pension to Wellington Case; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11994) granting an increase of pension to Edwin D. Case; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11995) granting an increase of pension to Henry F. Bump; to the Committee on Invalid Pensions.

By Mr. NORRIS: A bill (H. R. 11996) granting an increase of pension to Jesse Clark; to the Committee on Invalid Pensions.

By Mr. PALMER: A bill (H. R. 11997) granting an increase of pension to William H. Miller; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 11998) granting an increase of pension to John Bailey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11999) to correct the military record of J. W. Young; to the Committee on Military Affairs.

By Mr. STEPHENS of California: A bill (H. R. 12000) granting an increase of pension to Thomas Mead; to the Committee on Invalid Pensions.

By Mr. TALCOTT of New York: A bill (H. R. 12001) granting an increase of pension to Richard Sands; to the Committee on Invalid Pensions.

By Mr. TOWNER: A bill (H. R. 12002) granting an increase of pension to David M. Caviness; to the Committee on Invalid Pensions.

By Mr. UTTER: A bill (H. R. 12003) granting an increase of pension to Annie E. J. Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12004) granting an increase of pension to Lydia A. Verry; to the Committee on Pensions.

By Mr. VREELAND: A bill (H. R. 12005) granting an increase of pension to Frank H. Mathews; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12006) granting an increase of pension to Wilbur B. Wood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12007) granting an increase of pension to Hiram M. Squires; to the Committee on Invalid Pensions.

By Mr. WHITE: A bill (H. R. 12008) granting a pension to Charles D. Barnett; to the Committee on Pensions.

Also, a bill (H. R. 12009) granting a pension to Mary A. Cougill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12010) granting a pension to Frank H. Biehl; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. AYRES: Petition of residents of the Bronx in favor of the parcels post; to the Committee on the Post Office and Post Roads.

By Mr. BARTHOLDT: Petition of Ellis A. Hullett and 25 other citizens of St. Louis, Mo., praying for a reduction of the duty on raw and refined sugars; to the Committee on Ways and Means.

Also, petition of St. Louis Branch of Workmen's Sick and Death Benefit Fund, in favor of the resolution to investigate the McNamara affair; to the Committee on the Judiciary.

By Mr. BLACKMON: Papers in the pension case of Isaac McKinsey; to the Committee on Invalid Pensions.

By Mr. CARLIN: Papers to accompany bill granting an increase of pension to Bertha A. Mulhall; to the Committee on Pensions.

Also, papers to accompany bill for the relief of William R. Oliver; to the Committee on War Claims.

By Mr. MICHAEL E. DRISCOLL: Petitions of numerous citizens of New York State, urging a reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

Also, resolutions adopted by the Central Trades and Labor Assembly of Syracuse, N. Y., protesting against proposed arbitration treaty with Great Britain; to the Committee on Foreign Affairs.

By Mr. GARDNER of Massachusetts: Resolutions from the Essex County Board of the Ancient Order of Hibernians, requesting the Senate of the United States to reject the proposed arbitration treaty with Great Britain; to the Committee on Foreign Affairs.

By Mr. GILLETT: Petitions of citizens of Hampden, Hampshire, Franklin, and Worcester Counties, Mass., in behalf of a national department of health; to the Committee on Interstate and Foreign Commerce.

By Mr. HENRY of Connecticut: Resolutions adopted by the Hartford Business Men's Association, of Hartford, Conn., opposing an extension of the parcels-post system; to the Committee on the Post Office and Post Roads.

Also, petition of the Eagle Dye Works Co., of Hartford, Conn., favoring the Sulzer and Howard bills; to the Committee on the Post Office and Post Roads.

Also, resolutions adopted by the National Automobile Manufacturers' Association, favoring an amendment to the corporation tax; to the Committee on Ways and Means.

Also, resolutions adopted by Division No. 1, Ancient Order of Hibernians, of South Manchester, Conn., opposing the ratification of a treaty between the United States and Great Britain; to the Committee on Foreign Affairs.

By Mr. HUGHES of New Jersey: Resolution of the Board of Trade of Elizabeth, N. J., urging the passage of the Canadian reciprocity agreement; to the Committee on Ways and Means.

By Mr. LAWRENCE: Petitions of citizens of Pittsfield and Holyoke, Mass., for a reduction in the present duties on sugar; to the Committee on Ways and Means.

By Mr. LLOYD: Petitions of sundry citizens of Canton, La Grange, Knox City, Hurdland, Lewistown, Kirksville, Memphis, Lancaster, and Kahoka, of the first congressional district of Missouri, protesting against parcels-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. NELSON: Petitions of citizens of Madison and other places in Wisconsin, asking for a reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. O'SHAUNESSY: Resolution of the Board of Trade of Providence, R. I., urging upon Congress the necessity of a 30-foot channel to meet the demands of commercial conditions at the port of Providence; to the Committee on Rivers and Harbors.

By Mr. SULLOWAY: Petition of 49 soldiers of Mexico, Mo., praying for the passage of the Sulloway or Anderson pension bill; to the Committee on Invalid Pensions.

By Mr. SULZER: Resolution of the Muncie branch of the Alliance of German Societies of the State of Indiana, approving House resolution 166, regarding the affairs of the immigration office at Ellis Island; to the Committee on Immigration and Naturalization.

By Mr. TUTTLE: Resolutions of the Board of Trade of Newark, N. J., urging amendments to corporation-tax law; to the Committee on the Judiciary.

Also, resolution of the Elizabeth (N. J.) Board of Trade, favoring passage of reciprocity pact with amendment; to the Committee on Ways and Means.

Also, memorial of numerous retail druggists of Plainfield and Westfield, N. J., protesting against the passage of House bill 8887; to the Committee on Ways and Means.

Also, petition of New Jersey Pharmaceutical Association, opposing House bill 8887; to the Committee on Ways and Means.

By Mr. UTTER: Resolution of the Providence Board of Trade, of Providence, R. I., urging upon Congress the necessity of a 30-foot channel to meet the demands of commercial conditions at Providence; to the Committee on Rivers and Harbors.

Also, petition for increase of pension of Annie E. J. Miller; to the Committee on Invalid Pensions.

Also, resolutions of the Pawtucket Business Men's Association, of Pawtucket, R. I., urging the passage of the Canadian reciprocity bill without amendment or change; to the Committee on Ways and Means.

By Mr. WHITE: Papers supporting House bills 11714 and 11715; to the Committee on Invalid Pensions.

By Mr. WILSON of New York: Resolutions of Group 6 of New York State Bankers' Association, favoring Aldrich plan of currency reform; to the Committee on Banking and Currency.

SENATE.

THURSDAY, *June 22, 1911.*

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Journal of yesterday's proceedings was read and approved.

RECIPROCITY WITH CANADA.

Mr. TOWNSEND. Mr. President, I give notice that on Tuesday next I should like to submit some remarks on House bill 4412, pending before the Senate, known as the reciprocity bill.

The VICE PRESIDENT. After the morning business?

Mr. TOWNSEND. After the morning business.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had disagreed to the amendment of the Senate to the joint resolution (H. J. Res. 39) proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States.

PETITIONS AND MEMORIALS.

Mr. BURTON presented memorials of sundry citizens of Clyde, Ohio, remonstrating against the passage of the so-called Johnston Sunday-rest bill, which were ordered to lie on the table.

He also presented a petition of the National Association of Automobile Manufacturers, praying for the adoption of an amendment to the so-called corporation-tax law permitting corporations to make returns at the end of their fiscal years, which was referred to the Committee on Finance.

Mr. CURTIS presented a memorial of sundry citizens of Silver Lake, Kans., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

Mr. PERKINS presented a petition of the Chamber of Commerce of San Francisco, Cal., praying for the adoption of an amendment to the so-called corporation-tax law permitting corporations to make returns at the end of their fiscal years, which was referred to the Committee on Finance.

He also presented a memorial of sundry citizens of Oroville, Cal., remonstrating against the passage of the so-called Johnston Sunday-rest bill, which was ordered to lie on the table.

Mr. CLAPP presented a memorial of the Minnesota Retail Hardware Association, remonstrating against the establishment of a parcels-post system, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of the Minnesota State Pharmaceutical Association, remonstrating against the imposition of a stamp tax on proprietary medicines, which was referred to the Committee on Finance.

He also presented a memorial of the Pope County Farmers' Cooperative Mercantile Co., of Starbuck, Minn., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

He also presented a petition of the Republican Club of West Duluth, Minn., and a petition of the Garfield Republican Club of Minneapolis, Minn., praying for the proposed reciprocal trade agreement between the United States and Canada, which were ordered to lie on the table.

Mr. LA FOLLETTE. I present a joint resolution passed by the Legislature of the State of Wisconsin, which I ask may be printed in the RECORD and referred to the Committee on Commerce.

There being no objection, the joint resolution was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

Joint resolution (J. Res. No. 120, A.) memorializing Congress to cause all dams owned by the United States and maintained in and across the Fox River to be equipped with fishways.

Whereas the public right of fishing in the Fox River, between the cities of De Pere and Oshkosh, Wis., has been practically destroyed by the placing of dams unequipped with fishways in said river; and

Whereas the United States Government owns, controls, and maintains a number of such dams in and across said river: Therefore be it

Resolved by the assembly (the senate concurring), That the Congress of the United States be respectfully requested to cause all dams owned and controlled by the United States, and maintained in and across the Fox River in Wisconsin, to be equipped with adequate fishways for the free ascent and descent of fish; and be it further

Resolved, That a copy of this resolution be forwarded to the United States Senators and Congressmen from the State of Wisconsin and to the Chief Clerks of the two Houses of Congress.

C. A. INGRAM,
Speaker of the Assembly.
THOMAS MORRIS,
President of the Senate.
C. E. SHAFFER,
Chief Clerk of the Assembly.
F. M. WYLIE,
Chief Clerk of the Senate.

Mr. LA FOLLETTE. I present a joint resolution adopted by the Legislature of the State of Wisconsin, which I ask may be printed in the RECORD and referred to the Committee on the Judiciary.

There being no objection, the joint resolution was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

Joint resolution (J. Res. 15, A) relating to the Sherman antitrust law.

Resolved by the assembly (the senate concurring), That our United States Senators and our Representatives are requested to introduce an amendment to the Sherman antitrust law in their respective Houses, and to lend their aid in every reasonable manner for its passage, as follows: "*Provided*, That this act shall not be construed to apply to any arrangement, agreement, or combination between the laborers made with a view of lessening the number of hours of labor or increasing wages; nor to any arrangement, agreement, or combination among persons engaged in horticulture, agriculture, dairying, live stock, or poultry raising made with a view of minimizing the expense of marketing horticultural, agricultural, or dairy products, or live stock or poultry"; and be it further

Resolved, That a copy of the foregoing be immediately transmitted by the secretary of state to each of the Senators and Representatives from this State.

C. A. INGRAM,
Speaker of the Assembly.
THOMAS MORRIS,
President of the Senate.
C. E. SHAFFER,
Chief Clerk of the Assembly.
F. M. WYLIE,
Chief Clerk of the Senate.

Mr. PENROSE presented resolutions adopted by sundry citizens of Philadelphia, Pa., survivors of the Philadelphia Brigade, praying that an appropriation be made to commemorate the fiftieth anniversary of the Battle of Appomattox, which were referred to the Committee on Military Affairs.

Mr. GALLINGER presented a memorial of Cheshire Grange, No. 131, Patrons of Husbandry, of Keene, N. H., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

Mr. ROOT presented memorials of Pittstown Grange, No. 1211; Mapletown Grange, No. 613; Clinton County Pomona Grange; Gouverneur Grange, No. 303; Shawangunk Grange, No. 1018; Elma Grange, No. 1179; Easton Grange, No. 1123; Veteran Grange, No. 1108; Constable Grange, No. 1047; Wadhams Mills Grange; Watertown Grange, No. 7; Ashville Grange, No. 694; Potsdam Grange; Sherman Grange, No. 36; Rath Grange, No. 294; Millerton Grange, No. 796; East Worcester Grange, No. 1238, of the Patrons of Husbandry, in the State of New York, remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which were ordered to lie on the table.

COURTS IN VERMONT.

Mr. DILLINGHAM, from the Committee on the Judiciary, to which was referred the bill (S. 1650) to amend section 110 of "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, reported it without amendment.

BILLS INTRODUCED.

Bills were introduced, read the first time, and by unanimous consent, the second time, and referred as follows:

By Mr. McCUMBER:

A bill (S. 2849) to amend an act entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes," approved June 30, 1906; to the Committee on Manufactures.

A bill (S. 2850) granting a pension to Maggie Boutiette (with accompanying papers); and

A bill (S. 2851) granting an increase of pension to Byron A. Cole (with accompanying papers); to the Committee on Pensions.

By Mr. BORAH:

A bill (S. 2852) for the relief of the Title Guaranty & Surety Co., of Scranton, Pa., surety for David B. Wickersham; to the Committee on Claims.

By Mr. CLARK of Wyoming:

A bill (S. 2853) authorizing John T. McCrosson and associates to construct an irrigation ditch on the island of Hawaii, Territory of Hawaii; to the Committee on Pacific Islands and Porto Rico.

By Mr. WATSON:

A bill (S. 2854) for the erection of a statue to commemorate the bravery of Maj. Andrew Summers Rowan, at the War College, Washington, D. C.; to the Committee on the Library.

A bill (S. 2855) to amend the military record of Milton Oatman, alias William Kelley; to the Committee on Military Affairs.

A bill (S. 2856) granting an increase of pension to John W. Pell;

A bill (S. 2857) granting an increase of pension to David E. Leach;

A bill (S. 2858) granting an increase of pension to Samuel Welch; and

A bill (S. 2859) granting an increase of pension to William Wyatt; to the Committee on Pensions.

By Mr. LA FOLLETTE:

A bill (S. 2860) reserving from entry and sale the mineral rights to coal and other minerals mined for fuel, oil, gas, or asphalt upon or underlying the public lands of the United States, and providing for the entry of the surface of public lands underlaid with or containing coal or other minerals mined for fuel, oil, gas, or asphalt, and providing for the leasing of the mineral rights in such lands; to the Committee on Public Lands.

By Mr. CURTIS:

A bill (S. 2861) granting an increase of pension to Daniel Davenport (with accompanying papers);

A bill (S. 2862) granting a pension to George T. Anderson; and

A bill (S. 2863) granting an increase of pension to George W. Dart; to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 2864) granting an increase of pension to Mathias Parthemore; to the Committee on Pensions.

PAYMENT OF MONEY IN POLITICAL CAMPAIGNS.

Mr. CULBERSON. Mr. President, I present a Senate resolution and ask that it be read. Inasmuch as it provides for the payment of money out of the contingent fund of the Senate, I ask that, in the first instance, it be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 79) was read, and referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved, First. That the Committee on Privileges and Elections of the Senate be, and it is hereby, directed to inquire and report to the Senate as early as practicable the amount of money subscribed and paid to every committee of any political party or to any member of such committee or to any person acting under the authority of or on behalf of such committee, as treasurer or otherwise, by any person, firm, association, corporation, or committee to influence the result or attempt to influence the result of the election of November 8, 1904, and November 3, 1908, at which Representatives in the Congress of the United States were elected, giving the names of such persons, firms, associations, corporations, or committees, and the respective amounts subscribed and paid by each of them as aforesaid.

Second. That said committee is authorized to sit during the session of the Senate and during any recess of the Senate or of the Congress; to hold sessions at such place or places as it may deem most convenient for the purpose of this inquiry; to employ stenographers and such other clerical force as may be deemed necessary; to send for persons, books, records, and papers; to administer oaths; and that the expenses of the inquiry be paid from the contingent fund of the Senate upon vouchers to be approved by the chairman of the committee.

Third. That said committee shall also report to the Senate what measures, if any, are necessary to further prohibit or curtail such subscriptions and payments so as to lessen and confine them to proper and legitimate objects in relation to such elections and prevent the undue or corrupt use of money in such elections.

THE CALENDAR.

The VICE PRESIDENT. The morning business is closed and the calendar is in order under Rule VIII.

The joint resolution (H. J. Res. 1) to correct errors in the enrollment of certain appropriation acts, approved March 4, 1911, was announced as the first business in order on the calendar.

Mr. HEYBURN. I ask that the joint resolution may go over.

The VICE PRESIDENT. It will go over.

The bill (S. 237) for the proper observance of Sunday as a day of rest in the District of Columbia was announced as next in order.

Mr. HEYBURN. I ask that the bill may go over.

The VICE PRESIDENT. It will go over.

The bill (S. 291) providing for the retirement of petty officers and enlisted men of the United States Navy or Marine Corps, and for the efficiency of the enlisted personnel, was announced as next in order.

Mr. BURTON. I ask that the bill may go over.

The VICE PRESIDENT. It will go over.

The bill (S. 25) to regulate the business of loaning money on security of any kind by persons, firms, and corporations other than national banks, licensed bankers, trust companies, savings banks, building and loan associations, pawnbrokers, and real-estate brokers in the District of Columbia, was announced as next in order.

Mr. POMERENE. Mr. President, I have an amendment which I have prepared and which I desire to offer to the bill, but there are amendments of the committee, and I observe that members of the committee are now absent. For that reason, I ask that the bill may go over for the present.

The VICE PRESIDENT. It will go over.

The bill (S. 123) to alter the regulations respecting the manner of holding elections for Senators, was announced as next in order.

Mr. GRONNA. Let the bill go over.

Mr. HEYBURN. I ask that the bill may go over.

The VICE PRESIDENT. It will go over.

LIGHTHOUSE PROPERTY.

The bill (S. 2053) providing for the disposition of moneys recovered on account of injury or damage to lighthouse property was considered as in Committee of the Whole. It provides that hereafter all moneys recovered on account of injury or damage to lighthouse property shall be covered into the Treasury to the credit of the proper appropriations for repair and maintenance of works under the control of the Bureau of Lighthouses for the fiscal year in which said deposits are made.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

REPORT ON TARIFF-REVISION BILLS.

Mr. PENROSE. Out of order, as I just came into the Chamber, I ask unanimous consent to make a report from a committee.

The VICE PRESIDENT. Without objection, the report will be received.

Mr. PENROSE. I am directed by the Committee on Finance to report back the bill (H. R. 11019) to reduce the duties on wool and manufactures of wool with a negative recommendation. (S. Rept. 85.)

The VICE PRESIDENT. An adverse report?

Mr. PENROSE. An adverse report.

The VICE PRESIDENT. What is the Senator's request for action? Indefinite postponement?

Mr. HEYBURN. Yes.

Mr. PENROSE. Yes; that is the request.

The VICE PRESIDENT. Is there objection?

Mr. NELSON. I ask that the bill may go to the calendar.

Mr. MARTIN of Virginia. The bill should take its place on the calendar.

Mr. CULBERSON. Let it go to the calendar.

Mr. PENROSE. The bill will go on the calendar, with the adverse report.

The VICE PRESIDENT. Ordinarily on an adverse report a bill is indefinitely postponed, but, of course, it goes to the calendar on request.

Mr. PENROSE. I am directed by the same committee to report back with an adverse recommendation the bill (H. R. 4413) to place on the free list agricultural implements, cotton bagging, cotton ties, leather, boots and shoes, fence wire, meats, cereals, flour, bread, timber, lumber, sewing machines, salt, and other articles. (S. Rept. 84.)

Mr. NELSON. Let that bill go on the calendar.

The VICE PRESIDENT. It will be placed on the calendar.

Mr. GORE. I desire to ask if the bill just reported will take the place of the former bill and go to the calendar.

The VICE PRESIDENT. Certainly.

Mr. GORE. Mr. President, in this connection and at this time I desire to congratulate the Finance Committee of the Senate on the expedition which it has displayed respecting these two measures just reported to the Senate. I desire to congratulate that committee upon the facility which it has just exhibited in transacting the business with which it has been charged by the Senate.

This early report on these two important measures will command the universal approbation of the American people, and if the Finance Committee has, either with or without cause, forfeited the confidence of this country, that confidence will be in great measure restored by the prompt and patriotic action which that committee has just taken.

Mr. President, the Finance Committee of the Sixty-second Congress has demonstrated that it has not only as much facility for the discharge of the public business, but it has demonstrated that it has as much patriotism as the Finance Committee of the Sixty-first Congress. The Finance Committee of the Sixty-first Congress reported the Payne-Aldrich bill after a deliberation of two days. As suggested on yesterday, that important measure, involving, I believe, 13 schedules, involving 4,000 items, was sent to that committee on April 10, and on April 12 that measure was reported to the Senate of the United States with the recommendation that it should be passed. On yesterday it was a problem as to whether the Finance Committee having reported 13 schedules in 2 days the same committee could report one schedule after a deliberation of 20 days. In a spirit of patriotism, highly commendable, the Finance Committee has demonstrated its capacity to emulate the expedition of its predecessor in the Sixty-first Congress.

Mr. President, I will not even intimate that this great committee, consisting of the most distinguished Members of this Senate, has been pouting over night; I will not intimate that it has refused "to play in anybody's back yard" or in anybody's front yard.

On yesterday I felt impelled by sentiments of self-respect to submit a few observations touching the remarks of the Senator from New Hampshire [Mr. GALLINGER] and those of the Senator from Pennsylvania [Mr. PENROSE], but the Senate was making such splendid progress that I was unwilling to interrupt the procession to vindicate myself.

Mr. President, to me it is painful to be regarded as unfair by the distinguished Senator from New Hampshire; it is equally painful to be regarded as unreasonable by the distinguished Senator from Pennsylvania; I set a high value upon their good opinion; but I was not insensible to the compliment intended by the remark of the chairman of the Finance Committee when he observed that the motion which I had the honor to submit was conceived in shallow demagogism.

Mr. President, I would rather be the object than the author of such a suggestion. I will not, and I would not, retaliate in kind. I would not, and I will not, descend to bandy charges

with the Senator from Pennsylvania, though I conceive myself equal to that ungracious task. I do not believe in a reciprocity of epithets, certainly not in this high forum. Epithets are never resorted to until arguments are exhausted. I would not even say, Mr. President, that the authorship of the criticism in great measure moderates the sting of the criticism.

Mr. President, if an enduring hostility to Schedule K, if a deep and abiding desire to reduce the extortionate duties of Schedule K, if a steadfast and unfaltering wish to emancipate the American consumer from the joint tyranny of the shepherd and the weaver—if that answers the Senator's definition of demagogue, then, sir, I must own the harsh impeachment.

Mr. President, I am unwilling to be unfair to the Finance Committee of the United States Senate; I am as unwilling to be unfair to that great committee as I am unwilling that the tariff legislation of the United States should be unfair to 90,000,000 consumers; but if I should ever be driven to the disagreeable necessity of choosing between unfairness to that illustrious committee and unfairness to the American people, I could not and I would not hesitate in my choice. I would select that horn of the dilemma which seemed to me most compatible with my conscience, my convictions, and my sense of public duty.

It is not my purpose here or now to embark upon a discussion of Schedule K. I am not willing to be unfair either to the producer of wool or to the manufacturer of woolen and worsted goods. This is a great industry, one of the leading industries of the United States, built up behind a wall of protection. To my mind the wall is too high; it was conceived in injustice; it has been builded in injustice; it has been fraught with injury and injustice to the American people; but, sir, I would not abolish a wrong system by means that are revolutionary or destructive. These duties, too high, should be reduced gradually. We should come down upon the lock-and-dam system, allowing business to adjust itself to the changed conditions, doing no violence and no needless injury to any industry in the United States. That is my own feeling in the premises, and I feel sure that that sentiment is shared by my associates on this side of the Chamber. I do not believe it will be difficult to demonstrate that the rates of the wool schedule are too high.

Mr. President, I was in Canada last autumn. While there I bought an article of wearing apparel known as a pony jacket No. 5. For that article I paid $2.50, retail, in Windsor, Canada. Upon that article I paid a tariff duty of $1.94 to introduce that article of necessity into the land of the free. I have here the bill from the merchant, and I have the customhouse receipt. That article cost me $4.44 duty paid, although it was worth only $2.50 in Canada; and the merchant who owned it and who sold it in Canada required me to pay only $2.50 for the article.

Mr. President, that garment was manufactured by the Monarch Knitting Co., which has mills situated at Buffalo, N. Y., and at St. Catherines, Canada. According to my information, pony jacket No. 5 wholesales in Canada at $21 a dozen. I hold in my hand the Dry Goods Economist of October 29, 1910, which contains an advertisement of the Monarch Woolen Co. According to this advertisement pony jacket No. 5 wholesales in the United States for $42 a dozen, while they wholesale in the Dominion at only $21 a dozen. They wholesale in the United States at the rate of $3.50 a piece, and they retail in Canada at $2.50 a piece, the wholesale price in the United States being $1 more than the retail price in the Dominion of Canada.

I do not know, Mr. President, how long a hearing would be necessary to convince the senior Senator from New Hampshire that the rates in Schedule K are too high. I do not know how long a time would be required to convince him that an article which retails in Canada at $2.50 ought not to wholesale in the United States at $3.50. I wish that the Senator and myself might survive until he is convinced that Schedule K is too high; I had almost said that I wished that he and I might afford the country the benefit of our services in the United States Senate until he is convinced that Schedule K is too high.

I have other articles on which the disparity is just as glaring, but I shall not take the time of the Senate now to demonstrate that the American consumer is subjected to unreasonable exactions through the operation of Schedule K.

I am aware, Mr. President, of the fundamental difference between the views of myself and those of the Senator from New Hampshire. He thinks the system is right—nay, sir, he thinks the system is holy and is consecrated—and he warns Senators not to lay a profane hand upon the temple of protection; but, sir, I am much mistaken if the veil of that temple is not already rent in twain, although in view of ancient and consecrated wrath there are those of us who hesitate to decide whether in revising Schedule K we are really desecrating the shrine or, may I say, "demolishing a den." I think, sir, that I quote the last words from an authority that will challenge the respect of Senators on the other side.

Mr. President, I do not believe in a protective tariff; and I agree with my distinguished friend from Mississippi [Mr. WILLIAMS] in my opposition to even incidental protection for protection's sake. I am not willing to listen to the song of that siren. The sole object of a protective tariff is to enable the producer to get more for what he sells than he could get without the tariff. It does not always succeed; that is not always the effect; but, sir, that is always the intention. I do not believe that this Government, I do not believe that any government, has the right to give any man the privilege to charge more for a thing than the thing is worth.

Mr. POMERENE. Mr. President——

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Ohio?

Mr. GORE. I yield; yes, sir.

Mr. POMERENE. Just for a question. The Senator from Oklahoma has given to us the retail price in Canada of a certain article, and he has also given us the wholesale price for that same article in the United States, the increase being due to the tariff duty. May I ask the Senator whether that was one of the tariff duties that was framed by the majority of the Finance Committee in secret session?

Mr. GORE. Mr. President, the duty was maintained by the Finance Committee of the Senate in secret session. That committee at that time, however, regarded Schedule K as the keystone in the arch of protection; it regarded Schedule K as the ark of the covenant of protection; and it dared not lay the profaning hand upon that ark lest the lightnings from an enraged protected interest would strike the then omnipotent majority from its place of power and authority in the Senate. My recollection is that they did not even consider, that they did not even discuss, a revision of Schedule K. The chairman of the Finance Committee during that debate observed upon this floor that Schedule K was "the citadel of protection." Nay, sir, I believe he denominated it as the keystone of the arch, and no one would venture then, as none of his kind would venture now, to lay the hand of revision upon that consecrated schedule.

Mr. President, I am equally opposed to undue precipitation and to undue delay in the revision of the tariff. My friend from Mississippi [Mr. WILLIAMS] and the Senator from Iowa [Mr. CUMMINS] were correct on yesterday when they did the committee the compliment of saying that it could report within 20 days, but I suspect that neither of them was so sanguine as to imagine that we would be favored with a report upon the morrow. That they have done so is only another tribute to the activity of that committee when impelled by a sense of patriotic duty to the long-suffering consumers of the United States.

I intend to "render unto Cæsar the things that are Cæsar's." The Senator from Idaho [Mr. HEYBURN] objected to this "unseemly haste." He desired time for deliberation. No prophet could forecast the æons of time which would be required by the Senator from Idaho to revise his views upon this sacred schedule. The Senator said that the existing law had been in effect only the brief and fleeting period of two years. He asked why the United States Senate should be required with such undignified haste to reverse its action of only two years ago; he challenged us to present some reasons for the reversal of our attitude upon this important legislation. I shall venture to oblige him to the extent of suggesting only one reason—that is, that 93,000,000 people have condemned the Payne-Aldrich Act of two years ago.

If the 93,000,000 people of the United States favored that legislation then, they condemn that legislation now. That condemnation was registered in the most expressive and eloquent way by the American electorate in the congressional elections of last November. It occurred to me, and it occurred to my associates on this side, that if 93,000,000 people could reverse their position in one year and six months, 91 Senators of the United States ought to be able to face about within a period of two years; and for that reason, responding to the demand of the American people, we have ventured to challenge Schedule K.

Mr. President, I have no disposition to retard the progress of the Canadian agreement in its pilgrimage through the Senate. I shall vote for the Canadian agreement. I am sensible that it goes further than our Republican friends would have gone. I am equally sensible that it does not go so far as my Democratic associates would have gone. For my part, I would have placed flour as well as wheat, and dressed meats as well as cattle, on the free list. But, Mr. President, in my opinion a protective tariff on one article is wrong; a protective duty on two articles is doubly wrong. A protective duty on 4,000 articles is an unspeakable injury and injustice. I would reduce

them all, if I could. I will reduce but one if I can not reduce more.

When we remove the protective tariff from one article we render a service to the American consumer. When we remove the protective tariff from two articles we render a twofold service to the consumer. But, sir, with my friend, the Senator from Mississippi, I shall vote to emancipate the people from one burden if those upon the other side refuse to permit us to go further.

I repeat that I have no disposition to defeat the Canadian agreement; I have no disposition to delay the Canadian agreement; I have no disposition to amend the Canadian agreement; and I would strenuously resist any amendment that was either designed or calculated to prove a stumbling stone in the progress of that measure through the Senate.

With the "free list" and the woolen bill slumbering in the committee, with no assurance that either would ever be reported, there might have been some reason for offering those measures as amendments to the Canadian agreement; but, sir, with those two bills on the Senate anvil—with those two bills on the Senate Calendar—there is no reason for attaching those measures to the reciprocity agreement. Let us pass the Canadian agreement; then let us pass the free list and the woolen bill without needless discussion or delay.

No delay can be charged to any Senator upon this side. We are willing to vote now on the Canadian agreement. We are willing to fix a time now to vote upon that agreement. I would yield to any Senator upon the other side to prefer a request now to fix a day and a date for taking the final vote on the Canadian agreement.

Mr. President, neither Senators nor the country can charge, and the country will not charge, any delay to this side of the Senate respecting the Canadian reciprocity agreement. Senators on this side are willing now to fix a day to vote on the free-list bill. I believe Senators on this side are willing now to fix a day, a reasonable day in the future, to vote on the bill revising Schedule K; and I wish to say now that if any growers of wool in the United States, if any manufacturers of woolen fabrics in the United States have any data or suggestions which they wish to submit to the United States Senate or to the American people touching the woolen bill, and they will forward their protest or their approval to myself or to any Senator who voted for the motion on yesterday, that protest will be printed as a public document, to enlighten the Senate, and will render all possible service to those who wish to register their views upon the pending measure.

Mr. President, this Congress was convened in extraordinary session on April 4. We have now been in session during a period of 10 weeks. We have dragged our slow lengths along. During this time the other branch of Congress has passed five important measures. The other House has reported, has considered, has debated, and has passed the Canadian agreement. The other House has reported, has considered, and has passed the free-list bill. The other House has reported, has considered, has discussed, and has passed the bill for the publicity of campaign expenditures. The other House has reported, has considered, has debated, and has passed a constitutional amendment for the direct election of United States Senators. Nay, sir, the other House has considered, reported, and passed a measure for the remodeling of Schedule K.

During that time the Senate of the United States has passed one of those measures, in a form which I fear foreordains its ultimate defeat. But, sir, for 10 weeks—and I regret to say it—the Senate of the United States has marked time. Nay, sir, the Senate of the United States has murdered time. The country has grown weary with waiting. The country wants action now—prompt, enlightened, and patriotic action.

And I know, sir, that the manufacturers of woolen goods and worsted goods desire final action upon the revision of Schedule K. If those duties are to be reduced, in the wisdom of the Senate, they desire to know that now. If that ancient and consecrated shrine is to be maintained, they desire that assurance now. Uncertainty is the evil which vexes the manufacturers this day. They can not buy wool for future delivery. They can not sell woolen fabrics for future delivery, because they do not know upon what basis their calculations are to be made. Free them of this uncertainty, sir, and you will bring peace and confidence to them, and they will soon adjust themselves to the revision of Schedule K, if the Senate and the Congress should be patriotic enough to undertake and execute such a revision.

Now, Mr. President, I must apologize to the Senate for taking its time on this occasion. But I did not feel disposed to embrace the opportunity yesterday, because the team work between this side and a portion of the other side was so magnificent that I could not find it in my heart to interrupt or delay the triumphal march merely to indicate my own motives and my own conduct.

Mr. PENROSE. Mr. President, I should like to state in two or three words the attitude of the Finance Committee and the reason for its action to-day.

In the opinion of the majority of the committee it was impracticable to give hearings on this measure within the brief period allowed by the Senate under the motion made by the Senator from Oklahoma. In view of the fact that the majority were persuaded that it would be impossible to conduct hearings with any degree of fairness or with any proper consideration of the measure, it was determined, under the motion adopted by a substantial majority of the Senate, however unprecedented such action may be, that it was useless to hold the bills any longer, and the bills were therefore reported adversely without that full hearing which the vast importance of the subject demanded and without the committee's being able to extend to the scores of persons who have asked for an opportunity to be heard the courtesy usually accorded by committees of the American Congress.

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from Pennsylvania yield to the Senator from Iowa?

Mr. PENROSE. I do.

Mr. CUMMINS. I should like to ask a question of the chairman of the Committee on Finance.

Mr. PENROSE. Certainly.

Mr. CUMMINS. As I understand, the report of the majority is not accompanied with any explanations or views—simply an adverse report. May I ask whether the chairman has been advised as to the probability of a minority report, or, to speak more accurately, a report of the minority views upon these measures?

Mr. PENROSE. There is a general understanding among the members of the Finance Committee that any member on measures of this character reserves the right to file an individual or minority report. Whether that right will be exercised by any members of the committee on this occasion I am not, as chairman of the committee, advised.

Mr. NEWLANDS. Mr. President——

The VICE PRESIDENT. Does the Senator from Pennsylvania yield to the Senator from Nevada?

Mr. PENROSE. I have concluded.

The VICE PRESIDENT. The Senator from Nevada is recognized.

Mr. NEWLANDS. Mr. President, I desire to add my felicitations to those of the Senator from Oklahoma [Mr. GORE] to the Senate upon the prompt action of the Committee on Finance, and I wish to extend my felicitations to the Senator from Oklahoma upon the authorship of the motion of yesterday which produced so decisive a result.

I regard it as one of the most significant events that has taken place during my service in this Chamber. I regard it as an indication that the old deference to committees, under the guise of senatorial courtesy, which so long has protected existing abuses in legislation, has been ameliorated. And now, Mr. President, inasmuch as this action has produced so decisive a result regarding the woolen schedule I wish to call the attention of the Senate briefly to the importance of now determining upon a program of legislation for the extra session.

It is likely that this session will be a long one. There is no probability of an early adjournment. There is no reason why, when the decks are clear as to legislation relating to appropriations, we should not take up numerous measures of legislation regarding which public opinion is now made up.

CONGRESS LAGGING BEHIND PUBLIC OPINION—LEGISLATIVE PROGRAM.

Congress has lagged far behind public opinion. I am sometimes accused in the Senate of being 10 years ahead of my time in my views regarding legislation. My only reply to that is that I am not ahead of my time, I am simply abreast of the times, but that the Senate and Congress in their action are 10, 20 years behind the times and the demands of an intelligent public opinion.

On the 11th day of May, within a month after the extra session commenced, I presented to the Senate a resolution prescribing a program of legislation relating not only to measures which should be taken up for immediate legislative action, but measures which should be considered in committee with a view to report early in the next regular session, so that prompt action could then be taken upon them.

Now, what were the subjects which I suggested should be taken up for legislative action at this session? They were nine:

First. The Canadian reciprocity bill.

Second. Enlarging the free list of importations.

Third. The reduction of the excessive duties in the wool, cotton, and steel schedules.

Fourth. The gradual reduction of all duties of a prohibitory character to a revenue basis.

Fifth. The immediate reduction of the appropriations for military and naval expenses for the fiscal year ending June 30, 1912, to the extent of $30,000,000, such reduction to be apportioned by the President with the aid of a military board or boards.

Sixth. A graduated increase in the corporation tax sufficient to make up any deficit caused by a reduction in customs duties, and also sufficient to provide a fund for the regulation of river flow and the promotion of river navigation.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER (Mr. HEYBURN in the chair). Does the Senator from Nevada yield to the Senator from Minnesota?

INCREASE OF CORPORATION TAX.

Mr. NEWLANDS. Certainly.

Mr. CLAPP. I want to say to the Senator from Nevada that I am heartily in accord with that suggestion, but when that time comes we must duly increase the revenue by taxing the trusts and subjecting them to the corporation tax. The Senator will remember that they were stricken out in conference two years ago.

Mr. NEWLANDS. That tax can be made a graduated tax in such a way as not to be oppressive to the small corporations and yet insure a fair revenue from the great combinations of capital, a revenue which will make up for any temporary deficit caused by the reduction of the tariff duties.

The resolution proceeds:

Seventh. Publicity of campaign expenditures before the election and prohibiting contributions by corporations.

Eighth. Providing for the election of United States Senators by popular vote.

Ninth. Providing for the immediate admission of Arizona and New Mexico as separate States.

Mr. President, when that resolution was offered in the Senate a broad smile passed over the faces of most Senators here at the suggestion of so large a program. Yet, as a matter of fact, the House of Representatives has already acted upon six of the nine measures covered by this resolution, and bills passed by them are now knocking at our doors and demanding recognition.

It is true they have not yet acted regarding a graduated increase in the corporation tax, and yet I take it, if as the result of our legislation here it is ascertained that there will be a substantial reduction in revenue, it will be the duty of the dominant party in the House to suggest some method of increasing that revenue. Until the constitutional amendment is adopted with reference to an income tax, obviously a graduated increase in the corporation tax, striking largely at the great trusts and combinations to which the Senator has referred, would be the easiest and most direct method of proceeding.

Mr. President, what were the other measures which that resolution suggested, a resolution which is now pending and which I trust will receive favorable action? What were the other measures suggested in that resolution upon which committee action, not legislative action, was desirable in advance of the legislation of the next session, so that at the very commencement of the session in December next we could enter upon this great work of reform and constructive legislation?

The first one was a measure concerning which public opinion is fully made up, with reference to which I undertake to say there will hardly be a division in the Senate, though it has been vigorously fought hitherto, the physical valuation of the railroads of the country by the Interstate Commerce Commission, for what public man can face his constituents claiming any credit for consistency or integrity who will say that when the Supreme Court has determined that the valuation of the railroads is a factor in the determination of rates, the Interstate Commerce Commission shall not be fully provided with the machinery for making such valuation, conspicuously so in the face of the statement of the Interstate Commerce Commission that within one year one great system of the country raised its proof of the value of a railroad about $150,000,000 more than they had alleged that value to be a year before.

PROPOSED BOARD OF INTERSTATE TRADE.

What is the second one which I suggested? I suggested legislation providing, in connection with the Bureau of Corporations, for a board of interstate trade, with powers of examination, correction, and recommendation with regard to interstate trade similar to those conferred upon the Interstate Commerce Commission regarding interstate transportation. This resolution was offered before the recent decision of the Supreme Court regarding the trusts, and I then declared that whatever might be the decision of that court the creation of such a commission was essential. Interstate trade is just as much a part of interstate commerce as interstate transportation. The abuses of interstate trade have become just as great as the abuses of interstate transportation in the past have been. Obviously the teachings of experience lead us to the organization of a commission or board similar to the Interstate Commerce Commission, with a view of taking hold of the great combinations of capital and making them obedient to the law, giving such a commission powers of examination, recommendation, and condemnation similar to those enjoyed by the Interstate Commerce Commission.

Since that decision the trust managers themselves have seen a great light and in public examinations have stated that in their judgment the time has come for as complete regulation of corporations engaged in interstate trade as of corporations engaged in interstate transportation. Whether that regulation will ever extend so far as the regulation of the price itself is a matter to be determined in the future, for Congress will be called upon to decide how great these corporations shall be, what the extent of their capital shall be, what number of plants they shall own, and what shall be the extent of their operations. If they conclude to maintain the principle of competition, even though it leads to destruction, there will then, of course, be no necessity of regulating prices. But if they recognize the principle of helpful cooperation instead of destructive competition, then it will be necessary for them in extreme cases to face the question of the regulation of prices just as the prices of any public utility are regulated.

I do not venture to express an opinion now as to what course should be pursued with reference to this great question, but it is time that the Interstate Commerce Committee of the Senate were entering upon an inquiry of the most important question in economics that has engaged the attention of the country since the railroad question was first presented to it; and what more appropriate time could we have for such action than during this extra session of Congress, when but one committee of the Senate is actively engaged and all other committees are idle, and our decks are clear of obstructive legislation, such as appropriation bills, and when there is ample time and leisure for the conduct of this inquiry?

PREVENTION OF BANK PANICS.

The third proposal which I suggested for committee consideration was one providing for the protection of bank depositors and the minimizing of bank panics by the organization of a national reserve association in each State, in which the national banks and the State banks engaged in interstate commerce shall be stockholders, such national reserve associations to have ample capital and reserves and to take over the note-issuing functions now enjoyed by the national banks, including the power to issue emergency currency; such associations to have the power to insure or guarantee the depositors of their constituent banks, and in connection therewith powers of examination of such banks; such associations to be brought into federation through a national banking board fairly representative of the different sections of the country, one-half of which shall be selected by such associations and one-half by the President of the United States; and such board to be advisory to the Congress and to the President.

Of course, this is a mere suggestion as to a line of legislative action, coming from a Democrat who is opposed to the suggestion of a central-bank organization such as is recommended by the former distinguished Senator from Rhode Island. It is incumbent upon the Democratic Party to present some measure in opposition to that measure. It is incumbent upon the Democratic Party to present its view upon this question. Already the banks of the country are being organized for the purpose of carrying through the Aldrich monetary bill. Already the commercial organizations of the country are being exploited upon this subject.

Already public sentiment is being created, and it is absolutely essential for the Democratic Party, if it has any distinctive view upon the subject, to present it now. Why should not this party, both in the Senate and in the House, through its membership in committees be engaged in this work, and why should not the Republican committees of the Senate undertake this work? Thus far we have intrusted it to a monetary commission, originally composed of Members of the Senate and of the House, but by death and the mutations of politics almost every one of the original members on that commission, so far as the Senate is concerned, has departed from public life. So instead of having the members of that commission active Members of this body as our guides, they occupy the position of any other commission with powers of recommendation.

IMPORTANCE OF INTERSTATE EXCHANGE.

Mr. President, so far as the Democratic view of this question is concerned, it seems to me that interstate exchange is just as important a branch of interstate commerce as interstate transportation or interstate trade. We have stood patiently these biennial and decennial paralyses in exchange which have arrested the business of the entire country, and which, as a matter of economics, are just as easily prevented as would be the obstruction of transportation itself.

With what patience would the people of the United States view a process by which the railway cars of the country could be gathered into the city of New York and there used as storehouses for goods, and then when the various sections of the country would call for cars for the moving of the crops New York would deny these cars upon the ground that they were being used as storehouses? And yet that has been practically what has been accomplished in interstate exchange. The circulating medium of the country, absolutely necessary both to transportation and to trade, has been locked up in New York through a vicious system of lending the reserves of the country banks to the great central banks to be loaned out by the latter in speculative promotion and development, thus arresting and obstructing their use when they are required for the exchanges and the trade and the transportation of the country.

This is a great question, involving just as scientific adjustment as that of transportation itself; and yet Congress has done nothing whatever upon this subject under the administration of the Republican Party. For years nothing whatever was done by way of amendment of our banking act except to give the banks larger powers in the increase of credit. No restrictions have been imposed upon them tending to the security of depositors or the prevention of panics.

DEMOCRATIC PLAN OF BANKING REFORM.

In my judgment, the Democratic plan of bank organization should be practically like that of our system of Government, the recognition of each State as an economic unit and the union of the State associations under some plan of federalization. The Aldrich plan absolutely obliterates the States, and creates in their place 16 commercial zones, in which the branch organizations of the central organization are organized. I would substitute for those zones the States themselves, and organize in each one of the States a national reserve association similar to the central national reserval association which the Senator from Rhode Island desires. I would have both the State banks and the national banks organized in these reserve associations within the boundaries of each State as a separate and individual unit, and then having created 46 such associations I would devise some method of federalizing them just as we federalized our State governments by the creation of a National Government. I would find some method of federalizing them through some commission at Washington that would fairly represent all these various States, with powers of recommendation, with powers of examination, and with powers of suggestion, in the hope that ultimately these State organizations thus federalized would, by a process of evolution, fill every useful purpose that could be accomplished by the Aldrich plan.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Utah?

Mr. NEWLANDS. Yes.

Mr. SMOOT. I have been quite interested in what the Senator has been stating. Does not the Senator think that if these organizations or zones, so called, were limited to the boundary of a State it would greatly weaken them, and that in case of a panic, a panic sometimes locally, it would be the means of great financial disturbance; that no assistance could come to that organization other than the mere banks within the States, and there would be no advantage in the way of creating a sound, strong banking center?

Mr. NEWLANDS. I will say to the Senator that whilst his criticism might apply to some of the smaller States, it would apply to but few, and provision could be made in the bill, if it should be deemed desirable, that the associations in smaller States could tie themselves to associations in the larger States adjoining in such a way as to give them the benefit of cooperation. From a merely economic point of view there may be something in the suggestion of the Senator, that it would be better regardless of State lines, to make these economic zones each tributary to some great financial center to which each part of such zone would look for protection and for defense. But in my judgment it is not practicable, for no measure can be passed, certainly for many years, which does not receive the approval of the Democratic Party. The Democratic Party is now intrenched in power in the House of Representatives, and it will probably remain so. All the indications are of an absolute change in the politics of the Government within the next year. I am addressing myself practically to an economic question which should address itself to the patriotism of both parties, and an economic solution of this question will immensely improve existing conditions.

Mr. SMOOT. I was only advancing an economic point of view. I did not have any political thought in my mind. But the Senator said there would be 46 such organizations, and I took it from that statement that every State in the Union would have an organization, and it seemed to me that in some of the weaker States it would be almost a failure; and, if not a failure, there would be great danger attached to it.

Mr. NEWLANDS. There is always danger, of course, in having a weak point in a chain. The strength of a chain is simply the strength of its weakest link.

Mr. CLAPP. Will the Senator pardon me?

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Minnesota?

Mr. NEWLANDS. I do.

WEAK LINK IN INTERSTATE EXCHANGE.

Mr. CLAPP. I wish to suggest to the Senator from Nevada and the Senator from Utah that the weak link to-day in our chain is shown by the most apt illustration of the Senator from Nevada, that they get all the cars in New York City and use them for storage purposes. In other words, they get the currency and exchange there, and the cause of panic is that the people at large are deprived of the use of it. That is the weak point in the chain. The point to strengthen in the chain is the weak point.

Mr. NEWLANDS. That is right; and I hope that legislation will embrace that.

Mr. President, it is not my intention in reviewing the measures which I have suggested for the action of the Senate and the action of the committee to enter exhaustively into the consideration of any one of them, and I will simply pass from this question of bank reform by stating that it is obvious that great economic changes are going on now in the country. We are to have undoubtedly an adjustment of the tariff. I should very much prefer a scientific and gradual adjustment of that tariff, but I very much fear that, in the contention of parties, it will not be so accomplished. I hope that the Democratic Party will not go too fast, but whether it goes too fast or not, it will be charged with going too fast and an attempt will be made to create alarm and apprehension throughout the country because of its action, either threatened or realized. There is such a thing as being scared to death when there is no physical reason for human dissolution.

In all these matters involving economic readjustment it is of the highest importance that we should have our system of exchange based upon principles that will permit a free movement of the medium of exchange; otherwise exchange is blocked, arrested, impeded, and production is embarrassed. Obviously, therefore, there is no time in which financial legislation is of such importance as now, and yet we are likely to attend to it last instead of first.

HIGH CUSTOMS DUTIES—SHALL WE JUMP OR SLIDE DOWN?

As to customs legislation, we are very much in the position of a man who has climbed to the top of a high steeple and who realizes that he can not remain there long, that it is dangerous for him to remain there, and he hesitates as to whether he should jump down or slide down. The question now before us is, the American people having made up their minds that this tariff shall be reduced, and materially reduced, whether Uncle Sam, having reached this high and perilous pinnacle, shall throw himself to the ground or shall gradually slide down. So far as I am concerned, I believe in the sliding process. We have made so little progress during the last 50 years in tariff reform that if we should take 25 years to accomplish that which we desire I would not regard the time as very lengthy. In the history of governments and of great economic movements it does not make much difference whether a thing is accomplished in 1 year or in 25 years as compared with the great eras of time through which governments live and in which economic principles operate. So I would rather slide down slowly to a correct standard than tumble down or throw our entire economic and industrial system into confusion.

Mr. CLAPP. Mr. President, will the Senator pardon an interruption?

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Minnesota?

Mr. NEWLANDS. I do.

Mr. CLAPP. Following the suggestion made by the Senator from Nevada, is not the danger that if we fall down, instead of sliding down, the effect, coupled with the psychological effect that the Senator has referred to, will produce a reaction that

will result again in the old tariff conditions, and really we shall get nowhere?

Mr. NEWLANDS. That is the danger.

Mr. CLAPP. And that I wish might sink into the mind of every Member of the Senate. If we go too fast, what the Senator has stated will be the result, whereas if we will take our time, go along gradually, and avoid the reaction that will come from a depressed condition of our business affairs, we should make some tangible and permanent headway.

Mr. NEWLANDS. Mr. President, there is no question but that very radical action is likely to have the effect referred to by the Senator from Minnesota and result in such a revulsion of feeling upon the part of the people as to intrench the old advocates of the high protective system again in power; and so, without referring to any particular method of gradually sliding down to a reasonable standard, it seems to me that our efforts should be in that direction, and I have no doubt that in this Congress we can do it. I have no apprehension that the schedules coming over here to the Senate from the House of Representatives will be very radical in character. They may not be sufficient to satisfy the reform sentiment of the country; but, with reference to all of them, we can certainly provide for the gradual destruction of absolutely prohibitive duties—which serve no purpose except that of protection and accomplish nothing in the way of revenue—by providing in just a few lines that wherever, under any duty, the importations of a particular article do not equal one-tenth of the total consumption, a reduction of that duty shall be made at the rate of 5 per cent per annum until the importations have reached that level, and instruct the President to then report the matter to Congress for its further action. Thus, without inviting a flood of foreign importations, we can maintain the brake upon foreign importations and at the same time steadily reduce the tariff until it reaches the standard of revenue production.

DANGERS OF RADICAL REDUCTION.

We have, of course, to realize that to-day we get $300,000,000 per annum from our customs duties, and that this revenue is obtained from about $700,000,000 of dutiable imports, the duty being on the average of about 45 per cent. There is no man who favors revenue tariff reform who would regard an average duty of 30 per cent as reaching the point of reduction at which we should aim, and yet, if we were to frame a measure to-day that would yield an average duty of 30 per cent, which would be high protection, it would mean that all the existing duties would have to be reduced one-third on the average.

What would be the effect if the importations do not increase? A reduction of one-third in the duties would mean that, instead of getting $300,000,000 revenue, we would get $200,000,000 revenue, and we would have to make up that deficit by some other tax. But it is claimed that the importations would increase to such an extent as to yield us the $300,000,000. If that were so, then the importations must increase to the extent of nearly 50 per cent in order to yield that amount, and instead of having importations of dutiable articles to the extent of $700,000,000, we would have importations of dutiable articles to the extent of $1,000,000,000. What effect would it have upon the industries of the country if within a year the products of our domestic factories to the extent of $300,000,000 were supplanted by foreign products? It would mean, of course, an industrial disturbance in the country.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Minnesota?

Mr. NEWLANDS. I do.

Mr. CLAPP. Has the Senator figured out the percentage of increase? It strikes me, from a somewhat hasty computation, that it is too much. I do not know whether or not the Senator has figured it out.

Mr. NEWLANDS. It is very easily ascertained.

Mr. CLAPP. Yes, I know that; but I did not know whether the Senator had figured it out.

Mr. NEWLANDS. Forty-five per cent of $700,000,000, the amount of present importations, would yield about $300,000,000. Thirty per cent on $1,000,000,000 of dutiable importations would produce $300,000,000, so that you see the existing importations will have to be increased pretty nearly 50 per cent in order to give us a revenue of $300,000,000.

Mr. CLAPP. That is correct.

Mr. NEWLANDS. Then, we have got to measure the effect upon the industries of the country, the disturbance in labor, and so forth. Can we take out of the production of this country within one year $300,000,000 in value without creating an industrial disturbance, strikes, and so forth, which may have the effect of driving the party which has made so immediate and instant a change out of power?

It is clear that if under a 30 per cent duty importations are maintained just as at present our revenue would be reduced from $300,000,000 to $200,000,000. On the other hand, it is just as clear that if we are to maintain our present revenue of $300,000,000 the importations would have to be increased from $700,000,000 to a billion dollars of dutiable articles. I have not the slightest doubt that the country could adjust itself to those conditions within a reasonable and moderate time, but to have them precipitated upon us within one year, particularly in times when our whole financial system is out of joint, when we have, as is admitted, the worst banking system in the world, no one can measure what the result might be.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Missouri?

Mr. NEWLANDS. Certainly.

Mr. REED. I want to get the Senator's view a little clearer upon this proposition. Does the Senator believe that a reduction of one-third of the present tariff duty would necessarily mean the introduction into this country of one-third more of foreign-manufactured goods?

Mr. NEWLANDS. No; not necessarily.

Mr. REED. The difficulty, I take it, therefore that the Senator is laboring with is not so much the question of disturbance of the industrial conditions of our own country, but with the problem of how we are to raise the revenue which we would lose if we reduce the tariff, and the foreign importations were not increased correspondingly?

Mr. NEWLANDS. Yes.

Mr. REED. I do not take it that the Senator means to say if we reduce the tariff to 30 per cent on the average that that would mean that there would be a billion dollars worth of foreign goods imported here, but that, on the contrary, it might mean a reduction of the extortionate profits of American manufacturers to the benefit of the consumers, but we would lose the revenue.

Mr. NEWLANDS. Yes.

Mr. REED. And that could be made up by some other means.

Mr. NEWLANDS. I stated the effect in the alternative, as the Senator will recollect.

Mr. REED. I understand the Senator, but I wanted to make it plain that that was his meaning.

Mr. NEWLANDS. I stated the effect in the alternative. I said that one of two effects would be produced, either that there would be a large increase in importations, which would make our revenue just as it is—an increase in importations amounting to pretty nearly 50 per cent—or there would be a reduction in revenue of $100,000,000 annually, for which we must provide in some other way.

Mr. SHIVELY. Mr. President——

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Indiana?

Mr. NEWLANDS. Certainly.

Mr. SHIVELY. In the latter alternative which the Senator states is he not proceeding on the theory that the present rate is the maximum revenue-producing rate—that is, that it is at the highest revenue point? Of course, if the Senator is to assume that a reduction of duties is to result in a reduction of revenue, his assumption must rest on the theory that the present rate is nearer the maximum revenue point than the new rate would be. You can reduce revenue by increasing the rate above the maximum revenue point or reducing the rate below it, and can increase revenue by approaching the maximum revenue line whether from above or below.

Mr. NEWLANDS. Well, but assuming that a large portion of these duties is prohibitory and the reduction in the duty is made——

Mr. SHIVELY. That is the other alternative.

Mr. NEWLANDS. Then we are likely to have an increase of revenue from those duties only through an increase of importations.

Mr. CLAPP. But, Mr. President——

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Minnesota?

Mr. NEWLANDS. Certainly.

Mr. CLAPP. The more nearly the existing tariff is prohibitory, unless it is so excessively prohibitory that it would still be prohibitory at 30 per cent, the more certainly there would be an increase of importations if duties were reduced to an average of 30 per cent.

Mr. NEWLANDS. I do not quite catch the Senator's meaning.

Mr. CLAPP. The more nearly the present tariff is prohibitory, unless it is so prohibitory that the reduction to 30 per cent would still leave it prohibitory, the more certainly the reduction to 30 per cent would result in very marked increase of importations.

REDUCTIONS MUST BE GRADUAL.

Mr. NEWLANDS. Yes. So we have got to confront one of two situations, it seems to me, by any great and material immediate reduction in the tariff, namely, either an increase in importations, which will disturb the industries of the country, or, on the other hand, a reduction of the revenue.

Now, then, I believe this thing can be accomplished without materially disturbing either our revenues or our importations, by gradual action, extending over a period of years. So far as I am concerned, I am not content with the reduction even to 30 per cent. I think the tariff duties of this country ought to be less than 30 per cent, and I would hope to achieve something very much less. The fact is that whilst I have been moderate in my views regarding the reduction of the tariff, I have been so appalled at the methods employed to maintain these customs duties; I have been so appalled at the results of the interference of these great industrial managers in the control of the Government, that I am growing less and less patient every day with the system of protection. I would be glad to see it abandoned altogether. I would hope ultimately to have a system of free trade. That is the goal which I would strive to reach. But I would not expect to accomplish it within 20 years or 30 years or perhaps 50. But I would put in the law itself such a principle of reduction as regardless of party mutations would certainly reduce these duties, and I would fix it in such a way as to require the joint action of the Senate and the House of Representatives and the President to destroy the working of that principle.

Mr. SHIVELY. Mr. President——

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Indiana?

Mr. NEWLANDS. I do.

Mr. SHIVELY. Do I understand that the Senator regards it as necessary and wise to put up a system of brakes between the present average duty, which he says is about 45 per cent, and an average duty of 30 per cent?

Mr. NEWLANDS. I would.

Mr. SHIVELY. I presume the Senator recalls a certain document laid before the Senate in the discussion of the act of 1909. The figures produced related to the census value of products embraced in the several schedules of the bill, and in parallel columns showed the total wages paid in producing the product to be 17 per cent of the total census value of the product. The alleged difference in the cost of labor has usually been urged as the necessity for, and basis of, a protective rate. Now, does the Senator contend that there is danger involved in reducing the duty on the average article in the schedules to 30 per cent?

Mr. NEWLANDS. I should say that an immediate reduction of all the duties of the tariff to an average of 30 per cent would be attended by serious industrial disturbance.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Idaho?

Mr. NEWLANDS. I do.

Mr. BORAH. Do I understand the Senator to say that he would eventually be in favor of free trade?

Mr. NEWLANDS. Yes; I stated that I have become so out of patience with the manifestations relating to the political control exercised by the great interests, with a view to maintaining the protective system, that I am prepared to go gradually to free trade, but I would not expect to see that accomplished within the next 25 years, and, perhaps, not within the next 50 years.

Mr. BORAH. Would the Senator then raise revenue by direct taxation?

Mr. NEWLANDS. What is that?

Mr. BORAH. Would the Senator then raise the revenue necessary for the Government by direct taxation?

Mr. NEWLANDS. It would have to be raised by internal revenue, by income tax, and corporate taxes, and other taxes of that kind.

Mr. President, among the other measures to which I referred as demanding immediate action was one providing for the neutralization of the Philippine Islands. I shall not comment upon that. It is obvious that those islands constitute the great danger spot in our future. At any time there a conflagration involving international complications may be ignited that will involve the energies of the entire country in putting it out.

Mr. SHIVELY. Mr. President——

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Indiana?

Mr. NEWLANDS. I do.

Mr. SHIVELY. The Senator just observed in his reply to the Senator from Idaho that we would have to raise revenues by some other method. When he speaks of free trade to which we might approach, does he mean the abolition of customhouses, or does he mean the readjustment of duties so that they would bear simply upon noncompeting products. That is sometimes popularly referred to as free trade. Of course the total abolition of the customhouses would be quite a different proposition. That would involve some other system of taxation by which to raise the revenue.

Mr. NEWLANDS. I will state, Mr. President, that I have not given very much thought as to what should be the sources of revenue in case either free trade were established or such a system of customs duties as the Senator points out should be established. I only say that as a matter of theory, not of practical judgment addressed to existing conditions, I am so out of patience with the protective system that I would gladly see it abandoned and gladly see as an alternative absolute free trade, even free trade with reference to products concerning which there is no competition in this country. I believe essentially in the principle that the taxation of the country should be levied upon the wealth of the country and not upon the consumption of the country, and I would welcome any gradual change that would bring that about, but I do not favor a sudden change, involving serious industrial readjustments.

CONSTRUCTIVE LEGISLATION—RIVER REGULATION.

The fifth measure which I suggested should be taken up by our committees was one providing for the cooperation of the National Government with the States in devising and carrying out comprehensive plans for the regulation of river flow, with a view to the promotion of navigation and the prevention of destructive floods through the preservation of forests, the storage and use of flood waters for the irrigation of arid lands, and the storage of flood waters for the development of water power; and providing a fund ample for continuous work, to be conducted under the direction of a board of experts authorized by law.

Now, this is a matter upon which public opinion is made up. There is no question that we should have full development of our rivers for every use to which civilization can put them, and one of those uses is navigation and another use is irrigation and another use is its development as water power. There is no reason why these great rivers should not be developed by the cooperation of the sovereigns having control over these respective uses, the National Government having control of the navigation and the State governments having control over the other uses of the river.

Public opinion is made up upon this question. We should expend at least $50,000,000 annually from this time on in this matter just as we have expended about that amount on the Panama Canal. It is one of the great constructive works of the country, and with reference to the development of this work, it seems to me we should enter upon a material reduction of our military expenses and should save at least $30,000,000 annually in the matter of our Army and Navy establishments.

The sixth measure which I have suggested provides for the protection of our natural resources in timber, coal, iron, and oil against monopolistic control.

The mind of the public is made up upon this question, and yet no substantial advance has been made in legislation.

The seventh one provides for the upbuilding of the American merchant marine by free entry to American registry of all ships, wherever constructed, and by the construction of auxiliary ships for our Navy, to be used in time of war in aid of the fighting ships and in time of peace in establishing new routes of commerce through lease to shipping companies; such legislation to involve the temporary diminution of the construction of fighting ships and the substitution of auxiliary ships, with a view to the creation of a well-proportioned and self-sustaining Navy.

It is not necessary to enlarge upon this. We all know that our Navy is incomplete. It is a badly proportioned Navy. It is a Navy composed of fighting ships which would be derelict upon the ocean without the auxiliary ships necessary to support them in case of war. One of the arguments used by our opponents with so much force for the creation of a merchant marine and the subsidizing of a merchant marine is that this merchant marine, when established, could furnish these ships. It seems to me instead of entering upon this perilous project of subsidizing private interests, it would be very much better for us to immediately determine to build a well-proportioned navy, instead of permitting it to continue a badly proportioned navy, and to provide for the use of the auxiliary ships in time of peace by leasing them out to commercial companies, so that they can be used in opening up these new routes of commerce to Africa and South America and Asia of which we hear so much.

Mr. President, it was not my intention when I rose to speak at such length, but interruptions have led me on from stage to

stage. My purpose was only to call the attention of the Senate to a definite legislative program, involving nine questions upon which we shall act and seven questions upon which our committees can act, all of them questions upon which public opinion is made up.

CONTROL AND RESPONSIBILITY REST ON PROGRESSIVES IN SENATE.

Now, this recent vote has demonstrated what? It has absolutely demonstrated that the legislation of the Senate is in the hands of the reform and progressive element of the Senate. The responsibility rests upon us and not upon the so-called dominant party for a systematic adjustment of the business of the Senate, both in committee and in the sessions of the Senate, so that we can speedily accomplish these great matters of reform and constructive policy to which the progressive forces of the country have committed themselves. The vote yesterday shows what the progressive element of both parties can do. The responsibility for future action rests upon us. It has been shifted from the so-called Republican Party and now rests upon this union of forces composed of the Democratic Party, now nearly a majority of this body, and the progressive element of the Republican Party. The question is whether we shall make our action equal our responsibility.

I call the attention, therefore, of the Members of the Senate to these resolutions, and I suggest that they be seriously considered. Those of them which the Senate may not regard as of immediate importance may be eliminated, but by some decisive vote, such as given yesterday, we should express the firm determination of the Senate to proceed in order to the accomplishment of these great reforms.

Mr. SMOOT. Mr. President, I desire to refer again to the question which was under discussion last evening, and intend to do so very briefly, indeed.

It was almost painful last night to behold the Senator from Missouri [Mr. REED] charging the Republican members of the Finance Committee of the Senate with entering into secret sessions, and the Senator from Ohio this morning asking the Senator from Oklahoma [Mr. GORE] about a secret session held by the Republican members of the Finance Committee when the Payne-Aldrich bill was under consideration in 1909.

Mr. President, I have been looking up somewhat the history of the consideration of tariff bills, and, as I stated last night, the majority members of the Finance Committee in 1909 simply followed the precedent that has been pursued in the consideration of tariff bills by the Senate Finance Committee for years; and that statement was questioned. I want to read from a debate that took place in this body on the 21st day of February, 1894, when the Wilson-Gorman bill was under discussion. I want to call the Senators' attention to a colloquy between Mr. Chandler, known to all Senators as a Senator from New Hampshire, and Mr. Voorhees, of Indiana, who was then chairman of the Finance Committee of the Senate.

I find in the CONGRESSIONAL RECORD of February 21, 1894, the following:

Mr. CHANDLER. * * * I am asking the Senator from Indiana whether the acting member of that committee to-day and now is the Senator from Texas or the Senator from New Jersey, or whether both of those Senators are acting? Is not that a fair inquiry to make?

Mr. VOORHEES. Mr. President, I have no disposition to give the Senator from New Hampshire a short answer, as he knows personally; but we are doing our business in our own way, which is none of his business. He is not a member of that committee, nor charged with any of the duties connected with it. We are hard at work transacting the business intrusted to our hands to the best of our ability. If the Senator is not satisfied with that answer, he may introduce a resolution of inquiry as to what we are doing, who is doing it, and how it is being done; and then we shall investigate it. That is all the answer I have to make to the Senator.

Mr. CHANDLER. I beg leave to say to the Senator from Indiana that it is my business to know what the committee is doing. * * *

Mr. VOORHEES. Mr. President, I am not to be betrayed into a loss of temper. I have nothing but feelings of personal kindness toward the Senator from New Hampshire, and I told him in tones of courtesy, I thought, that the RECORD showed who constitute the committee. * * * I ventured to say that we were doing our work in our own way, that it was our business and not the Senator's business, and that if he wanted a further answer, aside from what the RECORD shows as to who are on the committee, he could introduce a resolution and investigate. We can stand investigation right well, strange as that may seem.

The VICE PRESIDENT. Will the Senator from Utah suspend for a moment? The Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes.

The VICE PRESIDENT. The Senator from Utah will proceed.

Mr. SMOOT. Continuing, I read what Mr. Sherman said:

Mr. SHERMAN. * * * It is said that, in pursuance of a custom which has sprung up within the last few years—or at least it has been said to me—the bill should be referred, in the first instance, to a subcommittee of the Committee on Finance favoring the bill as sent to us from the House of Representatives. I believe that rule or that custom is being pursued now by our Democratic friends. Certain it is that no member of the Committee on Finance who is classed as a Republican has been called into consultation with respect to the action upon the bill. I do not know but, upon the whole, that is probably the best way to consider the question.

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Mr. VEST. * * * There has never been any subcommittee on the tariff upon the Democratic side of the Finance Committee, and such a statement has grown out of the active and prolific imagination which characterizes the modern newspaper reporter.

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Mr. BUTLER. There are but six Democratic votes in the committee.

Mr. VEST. As a matter of course, there are only six Democratic votes in the committee, and there can be but six. It should not make any difference to our distinguished friends on the other side of the Chamber whether the work on the tariff bill be done by three or five or six of us. Without using the words of the Senator from Indiana, Mr. Voorhees, I submit in the kindest and most parliamentary sense that it can hardly be any of their business affecting the direct result in this case. The work that we have done has been done by those of us who are willing and able to do it, not under any appointment, but because we appreciate the great public necessity which requires that the bill shall be reported to the Senate as soon as possible.

* * * * * * *

There has been no star chamber about it. We have had no public hearings, because we deliberately resolved not to have them. We have listened, as far as we could, to the extent of human ability and endurance, to all who have come to us; and what a task it has been will be known only to those who have been afflicted in that regard. * * * This is a small matter, Mr. President. When we bring the bill before the Senate there will be time enough for the eloquence and logic which have been so unsparingly used here to-day. As to the modus operandi, so long as we do not violate the rules of the Senate or the laws or the Constitution, I respectfully submit that we ought to be permitted to do this work in our own fashion, submitting it, of course, afterwards to the full Finance Committee, and then reporting it to the Senate for their action upon it.

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Mr. VOORHEES. * * * Now, so far as the question of a subcommitte is concerned, I think it matters nothing to Senators on either side of the Chamber whether the bill is considered by a subcommittee technically or by men who have been named as a subcommittee. The fact is that a majority of a committee which is charged with framing a bill must necessarily, before it is considered by the full committee, put their case in shape on paper. Every Senator on the other side of the Chamber knows what I say to be true. Every Senator there knows when they had the majority and brought forward the tariff measure of 1883, and notably of 1890—the McKinley bill—for weeks (I am tempted to say months, for it was a long time) none of the minority of the committee, then belonging to this side of the Chamber, was in consultation with them. We abided our time. We knew it was their right to make their bill to suit themselves before they submitted it to us or to the country.

* * * * * * *

Mr. VOORHEES. * * * I repeat, Mr. President, the only logical and reasonable and proper method of legislation on a subject of this kind is for the party in the majority, who are responsible for legislation, to put it in such shape as may be satisfactory to them, and then put it before the Senate and the country and take the consequences. Private discussion, prolonged and protracted debate between man and man, between 11 people—6 on one side predetermined, 5 on the other—is simply a ruthless consumption of time, while the interests of the country are demanding speed, rapidity of action. * * * Those who plead for delay, for long hearings, for technicalities, for Finance Committee discussions between man and man, will be known before the country as the advocates of delay in an hour when it is important to the business interests to know what is to happen to them.

Mr. President, this discussion took place upon the floor of the Senate when the Wilson-Gorman bill was reported from the House of Representatives, showing the course that the majority members of the Finance Committee, which was Democratic at that time, took in the forming of that bill.

I do not wish to take the time of the Senate longer to refer to other precedents, so will let this suffice, as it is the last tariff bill that the party on the other side of this Chamber had the responsibility of making.

Mr. President, I was in hopes that before we began the revision of any of the schedules of the tariff act of 1909 we would have a report from the Tariff Board to base the revision upon. Not having it, I think that it is unwise at this time to undertake to revise Schedule K or to consider the free-list bill. I am not opposed to a revision of the tariff if there can be produced reliable information, gathered by disinterested parties, showing that the present rates are too high. We have already a report from the Tariff Board upon print paper. I am willing to accept their findings, but we find that Members on the other side of this Chamber will not. I want to say that, as far as I am concerned, if the Tariff Board at any time submits information to the Senate through the President, and it is such information that can be readily verified, I am willing to act upon it in the revision of the tariff, if found necessary.

I know, Mr. President, if there is going to be a revision of the tariff schedules it ought to be made quickly. I have in my office to-day dozens of letters from clothing manufacturers from different parts of this country, asking whether there is going to be a revision of the tariff or not. The manufacturer of clothing hesitates to place his orders for cloth. The lightweight season is opening, the samples are being shown for next season's goods, and the clothing manufacturers are at a loss to know whether to buy or not. In turn, the retailer does not know

whether to place his order with the clothing manufacturer. So the business is almost at a standstill. I insist that it is due the men interested in the great woolen industry and the thousands of workmen depending upon the operation of the mills for their daily bread to be given some consideration in this matter.

I do not want to put anything in the way of an early vote on the reciprocity bill. I am opposed to it. I think it is wrong in principle. It does not affect materially one product of my own State, but it does affect, in my judgment, the product of the farmer in the Northwestern States and the business interests of other parts of the country.

Mr. President, I believe in protection, and I believe that the reciprocity bill is not in conformity with the idea of protection and may be the beginning of the destruction of that great principle.

Mr. President, in relation to the early report of the Democratic woolen bill, made by the Senate Finance Committee this morning, I was in hopes that if it was to be reported time would be given the men from different parts of the country interested in that great industry to be heard. I know it is impossible to get many of the prominent men from the sheep ranches of our western country here in time to testify by July 10. Now is the time when they are exceedingly busy. Many have just finished shearing their sheep. They are moving them to the summer ranges; they are a long way from home and can not leave their flocks until the summer range is reached.

Again, I do not believe in a limited hearing, in the idea of having two men or three men to represent or testify for the varied interests involved and located in different sections of the country.

The idea of getting two or three men to come here to testify for all of the hundreds and thousands interested in the woolen industries in this country, when we know that the carded-woolen people and the worsted people are divided as to what the provisions of a tariff bill ought to be! We know that three-fourths of all the wool raisers do not belong to the National Woolgrowers' Association, and therefore that great body of men and the great body of independent manufacturers of woolen goods in this country, if the program had been followed out, would have been shut out from being heard by the Finance Committee. Rather than to have a partial hearing—an incomplete one—I thought it better that we should report the bill to the Senate and let every Senator judge for himself and get what information he could as to whether it is a proper measure or not.

Mr. BACON. May I ask the Senator a question before he takes his seat?

Mr. SMOOT. I shall be glad to yield to the Senator.

Mr. BACON. I did not interrupt the Senator while he was in the flow of his argument. These several interests had their full hearings before the House Committee on Ways and Means, something over two years ago, did they not?

Mr. SMOOT. Yes.

Mr. BACON. I am asking not for argument but for the purpose to see if I am correct in my understanding. That is true, and all those hearings are printed?

Mr. SMOOT. They are all printed.

Mr. BACON. Now, the question that I was leading up to is this: Have conditions materially changed since then?

Mr. SMOOT. Let me answer the question in this way: Conditions have not materially changed, but the provisions of the bill from the House have materially changed. If the Senator from Georgia is willing to accept the evidence as conclusive that was given before the Ways and Means Committee of the House of Representatives affecting Schedule K, I do not believe he would support this bill. It is a different proposition entirely. Hearings were had upon the question whether the rate of duty on wool should be 11 cents per pound, whether it should be on washed wool twice that amount, or whether it should be three times that amount upon scoured wool. That question is not before the Senate in this bill.

Mr. BACON. But, Mr. President, I understand that the questions we have to deal with in determining as to the proper rates to be imposed are questions largely dependent upon the cost of production; that is, from a protective standpoint. I do not view it from that point myself, but I am taking now the position the Senator occupies when he urges that there should be a hearing for the purpose of ascertaining to what extent the industry can be subjected to a lessened tariff, or rather relieved of a greater tariff and have a lesser one imposed. From a protective standpoint that question is largely influenced, if not controlled, by the question of the cost of production, the question of supply and demand, and so forth.

As I understand it, the conditions as to the cost of production and supply and demand have not materially changed since then, and if not, the information which is found in those hearings is simply to be applied to the new proposition to see whether under the evidence which is found there this new proposition can be successfully and logically maintained and supported. Am I not correct?

Mr. SMOOT. The Senator is correct; but——

Mr. BACON. Very well.

Mr. SMOOT. I want to say to the Senator that the result of the hearings gave to the woolgrower a rate of 11 cents a pound. The bill before the Senate proposed 20 per cent ad valorem, and the question as to whether 20 per cent ad valorem was sufficient protection to the woolgrowers of the West never was discussed or testified to in those hearings.

Mr. BACON. But, Mr. President, you do not want hearings for the purpose of getting the opinion of a man as to whether such and such a rate is sufficient protection from the protective standpoint, because when he gives you the fact you are the one to form an opinion. Aside from the fact that opinions are not testimony, it is particularly true that it should not be testimony to guide and control others when it is given by those who are particularly interested in personal and special interests, which would be the case with the woolgrower.

Mr. SMOOT. I thought I told the Senator that at the hearings in the House it was concluded, taking the cost of production of wool into consideration, that 11 cents per pound was the proper rate of protection. The question was not considered by the sheep men of the country as to whether this proposed rate of 20 per cent ad valorem would ruin them or not.

Mr. BACON. We have the facts. They could only come forward and give us the same facts now that they did then. The only difference between the Senator and myself is this: I understand his contention to be that with the same information, with conditions as to those matters unchanged, we ought not to proceed upon the information already obtained, but we should get their opinion as to whether that is sufficient protection for them.

Mr. SMOOT. Mr. President, I say if the Senator will look at the hearings, and I think I read them pretty carefully, he will find that the testimony given before the Ways and Means Committee of the House shows that it was necessary to have a rate of 11 cents a pound.

Mr. BACON. The Senator has exactly the same information that was acted upon then to argue that the same protection should be given. It is the same argument at last.

Mr. SMOOT. There may be different men from different parts of the country come and testify.

Mr. BACON. They would not give different facts though they might give different opinions.

Mr. SMOOT. They would, of course, give not only their opinion, but the facts might be different from those testified to two years ago. Besides, with new testimony we could judge as to whether the conditions of one section are the same as the conditions of another section and what would be an average expense in producing wool between different sections.

Mr. BACON. Unless the Senator is prepared to say that the conditions have so changed that the cost of production now is different from what it was two years ago, and the question of supply is different from what it was two years ago, and the question of demand is different from what it was two years ago, I do not see upon what ground the Senator can base the contention that a further hearing is needed, because those are the elements which furnish the consideration upon which we must base conclusions.

Mr. SMOOT. I think even upon those points there is justification for a hearing, owing to the fact that wool is less per pound now than it was then, that mutton is less per pound than it was then, and the price of sheep is less per head now than then.

Mr. BACON. I understand.

Mr. SMOOT. And of course on the usual increase of sheep per annum the price being less, there would be a decrease of income to the flockmaster.

Mr. BACON. Does the Senator require that men should come from the sheep ranches of the Northwest in order to give him that information? Does he not know those facts now? The Senator certainly knows that the price of wool, except so far as it may be influenced by transportation, is not different in one part of the country from another, and the price of sheep and mutton, of course, differs in some localities. The Senator knows what are the quotations of wool, of mutton, and of live sheep. He does not require more than three weeks in order to get that information. He can get it any day from any of the great centers. I presume there are Senators in this body who are thoroughly conversant with every detail of it.

Mr. SMOOT. I myself know about what is the price of wool, I know about what is the price of mutton, I know what is the price of sheep, but there are a good many Senators who do not know. The Senator says that the price of wool is the same in one section as another. Of course that is not the case.

Mr. BACON. With the difference in transportation, and all that.

Mr. SMOOT. We need not take transportation into consideration. The wool grown in Montana is worth, I suppose, on an average, 2 cents a pound more than the wool grown in Nevada.

Mr. BACON. That gives a man who buys and sells it that much margin for his profit.

Mr. SMOOT. Not at all; it is because the wool is cleaner.

Mr. BACON. I am speaking about the same grades of wool, not different grades of wool.

Mr. President, the Senator is a business man. He knows the proposition to be true that if any article has any very great difference in value in one locality from what it has in another it is very speedily equalized by the fact that those who have the opportunity will take advantage of that opportunity to make a profit by taking it from one part of the country to the other and selling it, and that the demand for it speedily brings it to the same price. There is no material difference throughout this country in the price of articles of the same grade and quality, except what may be required for transportation and for the reasonable profit of men who are engaged in the interchange. I suppose the Senator as a business men recognizes that fact as an economic principle.

Mr. SMOOT. That is true as to principle.

Mr. BACON. Now, I do not think, if this were an original proposition and we had not been so recently through it, there would have been the ground for insistence upon prompt action that there is when within the past two years all this matter has been gone through, and here are the volumes which contain the hearings which were had before a Republican committee in the House upon possibly every question that we will have to deal with. Wherever conditions have changed, wherever prices have changed, that is a matter which can very easily be brought to the attention of the Senate, and brought in a way that nobody will dispute it. The Senator says he knows it but other Senators will not know it.

Mr. SMOOT. Mr. President, I desire to say to the Senator that he can go through the testimony before the Ways and Means Committee of the House and he can not find where the actual cost in this country, as compared with the cost in any other country, has been given on any class of wool or woolen goods; and that is one question to be considered.

Mr. BACON. The Senator is not only a member of the Finance Committee, but he was a member of it when the former bill was enacted. Does the Senator mean to say that at that time, when we had that strenuous debate in this Chamber and these schedules were so vigorously attacked and so earnestly and stubbornly defended, the Finance Committee had not informed itself upon the important change in regard to which the Senator now says those hearings do not give any information?

Mr. SMOOT. I said that that information is not in the hearings had before the Ways and Means Committee of the House.

Mr. BACON. Where was it?

Mr. SMOOT. We had nothing to do with the Ways and Means Committee of the House.

Mr. BACON. But for action in the Senate?

Mr. SMOOT. But the Senate committee did have the wage scale of foreign countries paid in woolen mills.

Mr. BACON. The Senator says the Senate committee had it.

Mr. SMOOT. Yes.

Mr. BACON. When?

Mr. SMOOT. When the Payne-Aldrich bill was under consideration.

Mr. BACON. Did the committee have it, or the part of the committee the Senator now belongs to?

Mr. SMOOT. Any Senator who wanted that information could send down to the Department of Commerce and Labor and get the wage scale of the different departments in a woolen mill, and they were quoted a number of times upon this floor.

Mr. BACON. Then there is nothing in the contention of the Senator that if there was such a defect in the former hearing it should be supplied by a hearing now, because if it could be obtained then from the Department of Commerce and Labor it can be obtained now.

Mr. SMOOT. The Senator is relying upon the hearings of the Ways and Means Committee of the House, and I simply said to the Senator that the testimony taken before the Ways and Means Committee of the House does not show the difference in any one class of woolen goods made in this country as compared with any other country.

Mr. BACON. But at the same time that fact does not support the contention of the Senator that further opportunity should be given for hearings, because the Senator presents to the Senate the fact that whereas in the House hearings there was that omission, when it came to the consideration by the Senate that omission was easily supplied by a simple application to the Department of Commerce and Labor, something which can be done now.

Mr. SMOOT. It is a question as to whether there are differences existing in different parts of the country and in different mills. That would have to be taken into consideration as well. I know of no report giving the difference in cost of the production of wool in this country and foreign countries.

Mr. BACON. If the Senator will pardon me, I want to call his attention to some of the items in that bill which have been absolutely incomprehensible to me in the past, except from the standpoint of those who were more particularly interested in the profits to be derived from the sale of the articles which are included in it, but which may be answered by the fact now, if the Senator is correct in his representation that the committee did not have the necessary information. I want to read it to the Senate, and I would be glad to have the Senator state whether what I am about to read is due to the fact that the committee did not have sufficient information or whether it now maintains that its action was correct.

I want to read the information derived from that committee itself as to duties upon certain articles of common use in the wool schedule, to see whether or not these exorbitant rates are due to the fact that the committee thinks they are right, or due to the fact that the House committee had not furnished this information as to the difference in cost of foreign goods and domestic goods, and therefore the committee was misled. In the wool schedule, of course, there are specific duties and ad valorem duties, and when we read them simply as they are stated in the bill a correct appreciation of the ad valorem duty is not conveyed to us.

The Finance Committee, or a portion of it, two years ago, at the instance of some Senators, brought into the Senate a table prepared by their experts, which showed what were the ad valorem duties upon those articles, the law specifying in part ad valorem duties and in part specific duties. This table, a copy of which I still have, specifies in each case where the ad valorem duty and the specific duty were combined what the maximum ad valorem duty was. Without reading it in detail, I will merely state enough of it to give a suggestion of the character of the article.

I want to say to the Senator that it is, in my opinion, the existence of these very exorbitant duties which would in itself justify the Senate in insisting that there should be early action in the attempt to remedy what we think to be a great evil. For instance, I will now enumerate some of them. I will say that I wish now to read the items as they were in the bill as reported by the Finance Committee. I do not think these particular items were materially changed in the report of the conference committee, which afterwards was enacted into law by Congress. If I read any article in which there has been any material change, I know that the Senator from Utah is so very familiar with the subject that he can correct me.

Mr. SMOOT. There were very few changes.

Mr. BACON. There were very few changes, and I do not think there were any in this particular part of the bill.

Mr. SMOOT. And perhaps none on those particular items.

Mr. BACON. I now read from paragraph 378 of the bill:

"On clothing, ready-made, and articles of wearing apparel of every description, wool hats, shawls, whether knitted or woven, and knitted articles of every description made up or manufactured wholly or in part, felts not woven, and not specially provided for in this section," and so forth, the ad valorem duty, according to the testimony of the experts of the committee submitted in the table, was 95.98 per cent—nearly 96 per cent.

Mr. SMOOT. That is on importations.

Mr. BACON. Yes; the customs duty. You might say, in round numbers, the duty is 96 per cent. It lacks only two one-hundredths of 1 per cent of being 96 per cent.

"On women's and children's dress goods, coat linings, Italian cloths, bunting, and goods of similar description or character, composed wholly or in part of wool," the duty is 118 per cent ad valorem.

According to another paragraph, paragraph 376—I am reading this backward, because I am beginning at the lower and going on the ascending scale—"on women's and children's dress goods, coat linings, Italian cloths, and goods of similar description and character," and so forth, the duty is 115.53 per cent ad valorem.

"On cloths, knit fabrics, and all manufactures of every description made wholly or in part of wool, not specially provided

for in this section," and so forth, the duty is 141 per cent ad valorem.

"On yarns made wholly or in part of wool," and so forth, the duty is 143.02 per cent ad valorem.

And, to cap the climax of all, the thing which, if anything, ought to be cheap and which is necessary to the comfort of the people when they go to bed at night to protect themselves and their children from cold and disease, on blankets the duty is 165.42 per cent ad valorem.

Mr. President, I brought that in simply because of the statement of the Senator that on these particular articles, as well as on others, and on the particular class of goods he mentioned, there was no hearing on the part of the other House which would give information as to the difference of cost abroad and at home of those particular articles. I then propounded the inquiry whether or not these enormous and exorbitant rates on things of everyday use, necessary not only for comfort, but for health, were due to the fact that the Senate Finance Committee did not have the requisite information at the time, or whether in the opinion of the Senator those are now proper duties?

Mr. SMOOT. Mr. President, it would take a considerable length of time to go into this question in detail, but I want to say to the Senator that the fact that a certain grade of blankets protected by a 165 per cent ad valorem duty is being proclaimed throughout the country for the purpose of creating the impression among the people that all woolen blankets carry that high and excessive rate——

Mr. BACON. Very naturally.

Mr. SMOOT. But those who proclaim it do not stop to tell the people that the blanket that is imported carrying a duty of 165 per cent costs below 30 cents a pound, whereas fine scoured wool, without being touched by way of manufacture, was worth 60 cents a pound, so it can not be a straight all-wool blanket. If it was a woolen blanket—and Schedule K was made for woolen goods—the rate would not be 165 per cent. If the manufacturer in a foreign country mixes cotton, shoddy, mungo, and chopped-up rags from the discarded clothes of the people of the world with a little wool and calls it a woolen blanket and ships such blankets into this country as woolen blankets, I care not what the duty on them may be.

I will say to the Senator that the profit on the blankets that are made in this country of wool does not at any time exceed 10 per cent, and the woolen mills would be delighted to make them at a rate of 10 per cent profit. Senators talk about woolen cloth. Schedule K is formed on a scientific basis, as it was in the early sixties, and with a view that woolen goods would be made of wool. If we reduce the rates in Schedule K to provide an ad valorem duty of 50 per cent on a 30-cent-per-pound blanket, I tell Senators that every piece of woolen cloth, every woolen blanket, and every piece of woolen dress goods would come into this country on almost a free-trade basis, and no mill in this country could survive such a rate. It is for that reason that these large percentages of ad valorem duties can be pointed out. Take the importation of 30-cent-per-pound blankets, they amount to nothing.

Mr. BACON. Of course it amounts to nothing with a 165 per cent duty on them, which is prohibitory.

Mr. SMOOT. Mr. President, the blanket which comes in here with not a pound of pure wool in it is sold to the American people for a woolen blanket. Take yarns at 40 cents a pound. Scoured wool was worth 60 cents a pound; and with all the work that is put upon it, it is possible that the Senator will say that yarns under 40 cents per pound is woolen yarn; yet the law is that if there is wool in it, or a component part of it is wool, it has to pay woolen rate. If you would take high-priced woolen yarns the ad valorem rate would be more than cut in two.

Mr. GORE. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Oklahoma?

Mr. SMOOT. Certainly.

Mr. GORE. Mr. President, the Senator speaks of blankets being made, I believe, at a profit of 10 per cent. I wish to say that that is not applicable to all woolen goods. I want to call the Senator's attention to the fact that Schedule K was finally agreed to on June 11, 1909, upon the Payne-Aldrich bill. On June 15, 1909, four days later, the directors of the Whitman Mill declared a dividend of 33 per cent.

Mr. SMOOT. Made upon real estate.

Mr. GORE. Mr. President, I exploded the thriftiness of that real estate transaction in a former session of the Senate.

Mr. SMOOT. Mr. President, all I have to say in answer is I know nothing of the facts other than by letter. I do not know whether the letter contained a falsehood or not, but I received that information by letter.

Mr. GORE. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield further to the Senator from Oklahoma?

Mr. SMOOT. Certainly.

Mr. GORE. Mr. President, the Senator, I think, has confused his facts. The Senator from Massachusetts [Mr. LODGE] alleged that an extortionate dividend realized by one mill in Fall River, Mass.—I think the Troy mill—was due to a successful real-estate transaction. I allude to a subsequent occasion when the directors of the Whitman mill declared a dividend of 33 per cent after Schedule K was agreed to in the Senate and after the real-estate transaction referred to by the Senator from Massachusetts and after the real-estate dividend had been declared.

Mr. SMOOT. Mr. President, of course all I know is from information I received by letter; but I want to ask the Senator does he know whether, if the case is as represented by him, it was not a cumulative dividend, one that the company had been earning and laying aside for many years?

Mr. GORE. Mr. President, I think I quoted the figures at the time concerning the granting of those dividends, showing the capital stock and showing the surplus. One mill, I remember distinctly—a cotton mill, however—had accumulated a surplus exceeding its capital stock and had declared a dividend for nine years—an annual dividend—of 67 per cent.

I will say now that on the occasion when the 33 per cent dividend was declared, a half million additional stock was issued, I presume in order to moderate the appearance of high dividends in the future.

Mr. SMOOT. Mr. President, in answer to the Senator from Oklahoma [Mr. GORE], who says that a profit of 10 per cent is not the case on other cloths, I will say I am positive that there is not a woolen mill in the United States that would not be perfectly willing to contract its entire output at a profit of 5 cents a yard, unless, perchance, it might be a mill or two that is making the finest sort of goods. I know the ordinary mill would be delighted to contract every yard of their production at a profit of 5 cents a yard.

It takes 3½ yards of cloth, on an average, to make a man a suit of clothes, thus giving a profit to the manufacturer of only 17½ cents on a suit of clothes.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Missouri?

Mr. SMOOT. I do.

Mr. REED. I understood the Senator to say awhile ago that there was a changed condition—that is, a change between the condition now and the condition which existed two years ago, when the Payne-Aldrich bill was passed—and to specify as to that change that there had been a reduction since then in the price of wool. Could the Senator tell us about how much?

Mr. SMOOT. I judge about 6 cents per pound.

Mr. REED. A pound?

Mr. SMOOT. A pound.

Mr. REED. But the Senator also said that there had been a reduction in the price of mutton. Could the Senator tell us about how much?

Mr. SMOOT. About 1⅞ cents.

Mr. REED. Will the Senator enlighten us whether the Payne-Aldrich bill raised the tariff on wool and woolen goods or lowered it?

Mr. SMOOT. It lowered it, Mr. President, on a few items.

Mr. REED. But, on the whole, raised it, did it not?

Mr. SMOOT. It did not raise it on a single item.

Mr. REED. How much did it lower it?

Mr. SMOOT. I said a very little on a few items.

Mr. REED. So that, notwithstanding the enormous protection of the Payne-Aldrich bill, it nevertheless remains true that the price of wool and of mutton have both decreased in the United States?

Mr. SMOOT. Yes; and if the Senator and others keep up this agitation much longer, and keep the business of the country unsettled, it will go still lower.

Mr. REED. Well, after you had settled it by the Payne-Aldrich bill, do you not think that that ought to have completely restored confidence to the country and sent your wool sky high? But I do not care to go into that; I want to get the facts.

Mr. SMOOT. Mr. President, the facts are that ever since the Payne-Aldrich bill passed there has been an agitation in this country for revision of Schedule K, and there has been a feeling that there was to be a change; and, of course, no manufacturer is going to buy wool upon an 11-cent duty basis when he expects there is to be a reduction in the duty. Does not the Senator know that a woolen manufacturer who buys a pound of wool to-day does not get his money out of it for over 12 months?

It has to be put through the process of manufacture, then sold to the clothing manufacturer sometimes four or five or six months before the day of delivery, and then is compelled to give four months' time on invoice dated ahead.

Mr. REED. I only desire to have the fact, from an expert upon the matter, appear in the RECORD that, notwithstanding the passage of the Payne-Aldrich bill, which is supposed to confer untold benefits upon the wool and woolen industry, the price of both wool and woolen goods has decreased enormously, and I want to stick a pin here so that if the price should go further down in the course of the development and competition of this country, our friends will not say it is because the wicked Democrats lifted some of the burdens from the backs of the people.

Mr. SMOOT. If the Senator from Missouri could speak for the Democrats upon the other side of the Chamber, and to-day say that they would vote against the House wool bill and that it would not pass, the price of wool would increase immediately.

Mr. REED. For how long?

Mr. SMOOT. Until agitation was started again or a panic should interfere.

Mr. REED. It is evident then, Mr. President, if the Senator's statement is correct, that there would be more potentiality in my poor voice to raise the price of wool than there was in the Payne-Aldrich bill.

Mr. SMOOT. No, Mr. President; I said if the Senator could speak for the Senators upon the other side of the Chamber—not his poor voice. I referred to the voice of the Democratic Party.

Mr. REED. Then there would be more potentiality in our promise than there was in Republican performance rendered through the Payne-Aldrich bill.

Mr. SMOOT. It all depends upon what the promise is. In this case it would preserve the Payne-Aldrich bill.

Mr. GORE. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Oklahoma?

Mr. SMOOT. I yield the floor, Mr. President.

Mr. GORE. I wish to propound a question.

The VICE PRESIDENT. The Senator from Utah yields the floor. The Senator from Oklahoma is recognized.

Mr. GORE. I wish to ask the Senator from Utah whether wool is as low to-day, or whether wool has been as low since the Payne-Aldrich bill passed, as it was in September, 1908?

Mr. SMOOT. In 1908 there was a money panic, as the Senator from Oklahoma knows.

Mr. GORE. No; that was in October, 1907.

Mr. SMOOT. But the wool sold in 1908 was affected by the money market, and the panic extended into 1908.

Mr. GORE. Under what sort of Schedule K did that panic occur?

Mr. SMOOT. Under the present schedule.

Mr. GORE. Was that due to agitation on the Democratic side of this Chamber?

Mr. SMOOT. No one ever claimed that it was. I said, in answer to the Senator from Missouri [Mr. REED], that the price would decrease either through agitation or a money panic of some kind.

Mr. GORE. Mr. President, one further question. I did not understand whether the Senator from Utah stated that woolen cloth and woolen goods had declined correspondingly with the decline in wool?

Mr. SMOOT. Mr. President, that is rather a hard question for me to answer, because of the fact that I have not given special attention of late to the wholesale price of woolen goods in the way of comparing prices one year with those of another.

Mr. BACON. Mr. President, I simply want to say one word before the Senator from Utah leaves the subject, and that is that he has opened a new suggestion to me, which is that the real purpose of the high protective tariff on wool, with the duties, which I have read, ranging from 85 per cent up to 165 per cent, was to protect the American people against shoddy goods.

Mr. SMOOT. If the Senator will read the debates on every tariff bill since 1883, or since the inauguration and adoption of the present system of tariff legislation of the wool schedule, he will find the theory of Schedule K is as I have stated.

Mr. BACON. Mr. President, I probably did not express myself properly, or probably the meaning intended was not fully appreciated by the Senator in the manner in which it was expressed. I quite grant the proposition that the duties in many of the items which I have read are for the purpose of protecting the manufacturers of shoddy goods in this country. I grant that; but I understood the Senator in his remarks to-day to intend to suggest the proposition that the purpose was to protect the people themselves from the wearing of inferior goods, and not for the purpose of protecting the manufacturers of similar goods.

Mr. SMOOT. I referred to the fact that articles come into this country as woolen goods and considering the price for which they are sold the people ought to be protected and ought to know that they are not woolen goods. For instance, let me again call the Senator's attention to the price of blankets. He refers to blankets, as a good many others have done of late, and the 165 per cent duty on them; that is, the duty on blankets valued at not to exceed 30 cents a pound. Some of the imported blankets are valued at less than 30 cents a pound and none mentioned by the Senator exceed 30 cents a pound. Remember that. At that time fine wool was worth 60 cents a pound clean; let us say, it costs 90 cents a pound to produce a straight wool blanket. The duty on that class of blankets would be one-third of the duty on blankets valued at less than 30 cents a pound, or 55 per cent ad valorem, instead of 165 per cent.

Mr. BACON. Well, Mr. President, but when you reduce it to an ad valorem basis, it does not in any manner relate to the question of a specific duty——

Mr. SMOOT. No; not at all.

Mr. BACON. Because the ad valorem that is stated here is the equivalent of both the specific and the ad valorem.

Mr. SMOOT. I know that, Mr. President.

Mr. BACON. I know the Senator knows it; I am quite sure of that.

Mr. SMOOT. But I was telling the Senator that if you take an imported woolen blanket valued at 90 cents a pound, instead of the rate on woolen blankets being 165 per cent, it would be 55 per cent.

Mr. BACON. Well, Mr. President, here is a report brought to us by the Finance Committee itself, stating the fact that upon blankets, adding together the equivalent of the specific duty and the additional ad valorem duty, the ad valorem equivalent is 165 per cent.

Mr. SMOOT. Mr. President, that is true; but it is upon blankets the value of which is under 30 cents per pound.

Mr. BACON. I have not got the table before me now, because I gave it to one of the reporters; but, Mr. President, 165 per cent is of course the maximum. There are some classes of blankets on which the rate is not so great; but on all of them there are most exorbitant rates of duty.

Mr. SMOOT. I will ask the Senator, is it not true that if the value of the blankets imported into this country had been 90 cents per pound, instead of 30 cents, the ad valorem duty would have been 55 per cent, instead of 165 per cent?

Mr. BACON. The Senator means to say that the different classes of blankets that are put in different tables——

Mr. SMOOT. They are all in the tables as to valuation.

Mr. BACON. Exactly; but they are not all dutiable at 165 per cent.

Mr. SMOOT. No; that is what I say. I was simply saying that if there is imported into this country a woolen blanket valued at 90 cents a pound, which is three times the value of a blanket at 30 cents a pound, under the same duty the ad valorem equivalent instead of being 165 per cent would be one-third of that, or 55 per cent.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Mississippi?

Mr. BACON. I do.

Mr. WILLIAMS. I should like to ask the Senator from Utah [Mr. SMOOT] a question. From his statement it appears that there is a duty of 55 per cent ad valorem, when it is reduced to an ad valorem basis, upon the higher quality of all wool and the higher priced blankets, and that there is a duty of 165 per cent upon shoddy blankets. Is that correct?

Mr. SMOOT. Such blankets as have a little wool in them, but I want to say that the 165 per cent——

Mr. WILLIAMS. When I use the word "shoddy," I mean a thing that makes a pretense of being wool when it is not. Is that true or substantially true?

Mr. SMOOT. Yes, Mr. President; but in connection with that, I want to say to the Senator that I suppose the only blankets that are shipped into this country at that price and which carry that rate are brought in more than likely as samples, and are not sold to the people to any extent and should not be. Look at the amount of importations and you will see that is the case.

Mr. WILLIAMS. I understand that, Mr. President, and I understand that 165 per cent is very apt to be prohibitive, but that is not the point that I am raising. The point that I am raising is that, according to the Senator's statement, all-wool blankets are protected at a rate of about 55 per cent, according

to his calculation, and that shoddy blankets are protected at a rate of 165 per cent. Now, I want to ask the Senator, as a Republican leader, with a very potent voice in connection with tariff legislation, upon what basis of justice, right concept, Republican tradition, or anything else, he defends the policy of protecting the manufacturers of shoddy blankets in the United States by a duty of 165 per cent?

Mr. SMOOT. Mr. President, if the cheaper class of blankets were imported as cotton blankets, and a cotton blanket is 100 times better than the mungo or cotton waste——

Mr. WILLIAMS. I understand that.

Mr. SMOOT. They would not carry this high rate, but they are imported as and sold for wool blankets.

Mr. WILLIAMS. I understand that.

Mr. SMOOT. They are labeled "wool blankets," and they are intended to deceive the people and to be sold to the people as wool blankets, but they are not such.

Mr. WILLIAMS. I understand that. Now, Mr. President, one question more: Do the imported shoddy blankets, made out of cotton with a wool pretense, an outward and visible sign of wool without any inward substance, come in competition in America with anything except the same sort of blankets manufactured in America; and is not the object and result and effect of the duty to protect by 165 per cent American fraudulent institutions which are also manufacturing exactly the same sort of blankets? In other words, would not the blanket that would come in as a cotton blanket, frankly making no pretense, come in competition with a blanket in America manufactured as a cotton blanket and making no pretense; and a shoddy blanket from abroad meet in competition in America the shoddy blanket made in America? And there stands a duty of 165 per cent to encourage the American manufacturer of shoddy blankets to go on in his business.

Mr. SMOOT. If the Senator understood the woolen business and the manufacturing of woolen goods he would know that many manufacturers who make low-grade blankets, especially in the same mill where higher grade goods are made as well, the waste of the mill is made into blankets; and the competition in American mills upon this grade of blankets is so sharp that there is no profit upon them.

Mr. WILLIAMS. That is not the question I asked.

Mr. SMOOT. Well, that is the result.

Mr. WILLIAMS. I do not know about that.

Mr. SMOOT. That is the result.

Mr. WILLIAMS. And while I am not very fond of hearings, it would require a great many hearings to convince me that that is the result. But what I am asking the Senator is this: To attempt, if he can, to defend the Republican policy of protecting American manufacturers of shoddy blankets by a duty of 165 per cent?

Mr. SMOOT. That is not the theory of the bill at all. The theory of the bill is to protect woolen goods, because it is a woolen schedule and not a shoddy schedule.

Mr. WILLIAMS. But did not you say a moment ago that it applied to blankets which came in with the fur on them and with the felt?

Mr. SMOOT. Not in those words, Mr. President.

Mr. WILLIAMS. Yes; and in that case it amounted to 165 per cent, and do not you admit that that sort of blanket competes with its own sort in the American market, and therefore the protection is a protection of shoddy blankets, whether that was the intent or not; and are you not willing to join us in removing that duty which protects every shoddy blanket, thus helping to deceive the American people by selling to them shoddy instead of wool?

Mr. SMOOT. I want to say to the Senator from Mississippi, as I said to the Senator from Georgia, that if the rate in Schedule K was only sufficient to protect shoddy blankets, called wool, the American manufacture of woolen goods would be upon a shoddy basis, and I, as an American, would prefer to see all wool goods made by American workmen rather than to reduce the rate to a shoddy basis and have shoddy goods only produced by American labor.

Mr. WILLIAMS. Then why has the Senator so cunningly devised a tariff schedule as to protect all-woolen blankets by only 55 per cent while he protects shoddy blankets by 165 per cent?

Mr. SMOOT. I thought I had stated that over and over again, and I do not know that I can give the Senator any more enlightenment than I have.

Mr. WILLIAMS. I do not think you can either——

Mr. SMOOT. I am glad to have the Senator so admit to the Senate.

Mr. WILLIAMS (continuing). But I merely wanted to disclose the fact that you could not.

Mr. GORE. Mr. President, I believe I can answer the question of the Senator from Mississippi perhaps better than the Senator from Utah saw fit to answer——

Mr. WILLIAMS. I hope so.

Mr. GORE. With reference to the Senator's disposition to reduce the extortionate duty on cheap blankets.

According to the statistics of the Treasury Department submitted to us two years ago the duty on the most expensive character of blankets was 70 per cent. The duty on the cheapest kind of blankets was 165 per cent, I believe. I submitted a motion in the Senate to reduce the duty on cheap blankets from 165 per cent to 70 per cent, so that costly blankets and cheap blankets would pay exactly the same duty, so that the blankets purchased by the rich and by the poor should pay exactly the same duty. That motion was voted down in the Senate almost by a strictly party vote. The Senator from Utah voted against that motion. That answers as to their disposition to discriminate between the two characters of blankets.

ELECTION OF SENATORS BY DIRECT VOTE.

Mr. SMITH of South Carolina. Mr. President, yesterday the Senator from Mississippi [Mr. WILLIAMS] had sent to the desk and printed in the RECORD an editorial from one of the leading papers in my State in reference to a certain amendment introduced by the Senator from Kansas [Mr. BRISTOW] with respect to the election of the Senators by the direct vote of the people. That editorial being printed in the RECORD might lead to a misapprehension as to the sentiment of the people in my State in reference to the action taken by a Senator representing that State on this floor. Therefore, though I do not pretend to indorse either editorial, I ask the privilege of having printed in the RECORD an editorial from the other leading paper in order to counteract any misapprehension as to the sentiment of the people of my State in reference thereto.

The VICE PRESIDENT. Without objection, permission is granted.

The matter referred to is as follows:

TALL MEN NEEDED.

[Editorial article in The State, Columbia, S. C., June 21, 1911.]

When WILLIAM E. BORAH, insurgent Republican from Idaho, speaking in the Senate in the latter days of the Sixty-first Congress, tore the sham of Republican love for the negro from that pathetic political figure, asserted the existence of universal race antagonism in this country, charged flagrant hypocrisy on the part of Republicans for assuming for political purposes such friendship, and declared in effect that the negro issue was dead, there was applause in the South for the boldness and frankness of the speaker, and the whole country appeared to accept his portrayal of conditions as a true description. There was recognition throughout the country that the intelligence and sanity of the country had, after playing it more than 40 years, advanced beyond that phase of the political game.

When northern Republicans holding high office voluntarily concede political equality and political independence of the Southern States, and hold the small minority of South haters impotent to draw sectional lines for the punishment or humiliation of Southern States for dealing with their problems in their own way, it would be only compatible with the dignity and self-respect of representatives of the South to regard as settled that which is thus conceded, and to refuse to entertain the idea of this marvelously developing section being ever again regarded by other parts of the country as a subject province.

It is time for men from the South to stand in the National Congress not merely in the attitude of local representatives, but as American statesmen and lawmakers. It is past the day for southerners to huddle together like sheep at a note of alarm sounded by a timid Member, and to imagine that tricks of legislation can be used to oppress or are needed to defend this section. It is time for the South to be exhibiting tall men in Congress, men with faith in themselves and in their whole broad country, men whose view is not confined to their State or section and who are not frightened by such scarecrows as the Bristow amendment.

To be great there must be self-reliance and infinite faith in inherent strength. A United States Senator publicly opposed compulsory education in South Carolina on the ground that if educated the negroes would occupy fields of endeavor now monopolized by whites, and the whites would suffer. When there is such lack of faith in the inherent superiority of the whites as is expressed in such an argument, how far toward power and independence will such leadership carry the whites? Given equal opportunity, the white man fearing negro competition in life's race is not worthy to triumph. To be worthy he must have faith in himself, and for the South to be worthy of power and independence it must have faith in itself and the justness of its position.

Instead of cringing before the menace of a political switch such as the Bristow amendment, the South's Senators should spurn the suggestion of the rights of their States being invaded, just as New England Senators would scoff the idea of political oppression by a combination against their section of the South and the West.

RECIPROCITY WITH CANADA.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4412) to promote reciprocal trade relations with Canada, and for other purposes.

The VICE PRESIDENT. The question is on the amendment recommended by the committee.

Mr. BACON. What is the amendment?

The VICE PRESIDENT. The amendment commonly known as the Root amendment—the Root amendment.

Mr. CUMMINS. Mr. President, it is not my intention at this time to discuss the general features of the bill before us.

At a later day I shall ask the Senate to hear from me in regard to the amendments which I have proposed to the bill. I can not, however, permit a vote to be taken upon the amendment presented by the committee and which bears the name of the Senator from New York [Mr. ROOT] without giving as briefly as I can the reasons which will control my vote upon that amendment.

I shall vote against it, but I shall not vote against it because it is either in harmony or out of harmony with the agreement which is said to have been made between the Executive Department of the United States and certain representatives of the Dominion of Canada. I shall vote against it because I am in favor of free wood pulp and of free print paper. I am in favor of the free admission to the markets of the United States of these articles, because I believe that the manufacturers of paper in the United States have by a long-continued and successful effort practically eliminated competition from this enterprise in America.

I believe it to be true that the prices at which print paper is sold in the United States are not determined by the ordinary rules and forces of trade and commerce. I believe that these manufacturers have so restricted their own operations, have so manipulated the business in which they are engaged, that they fix for the publishers of the United States just such price as they desire to demand for what they produce. I believe that every American competitive industry is entitled to a protective duty which will in substance measure the difference between the cost of producing at home and elsewhere, with this one exception, which I am about to name.

I more than once said, and I repeat now, that according to my political philosophy, according to my economic views of the welfare of the people of the United States, the consumer of any article or commodity has a better right to competition in the production and the sale of that commodity than the producer has to protection in that commodity; and, in so far as I am able to do it, when I can separate any such article from the mass which may be contained in any schedule, I never intend to vote for any protection upon any article in which, or concerning which, competition has been by unlawful agreement, conspiracy, or practice destroyed in our own country.

I am a believer, notwithstanding some modern doctrines in that respect, in competition. I believe it is the only force which can be depended upon in industrial life to safely and fairly and justly determine prices. I believe it is the chief factor in a reasonable and fair and just distribution of the wealth which is from time to time produced by the labor of man.

I think it is the highest duty of the Congress of the United States to fashion and mold every enactment with the purpose to preserve in the business affairs of this country that effective and substantial competition which will protect not only those who are engaged in the business, but those who must buy the products that are the result of the business.

Mr. BAILEY. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Texas?

Mr. CUMMINS. I do.

Mr. BAILEY. I cordially agree with the Senator in thinking that competition is still the life of trade, and most desirable, but unless I misunderstand this matter, the Paper Trust, if it be a trust, would be substantially in the same position when the tariff is taken off of wood pulp and print paper as it is to-day with the tariff on both. In other words, unless I am mistaken, the repeal of the duty on their raw material will fully compensate the paper manufacturers for the repeal of the duty on their finished article.

Mr. CUMMINS. I understand perfectly the point to which my friend the Senator from Texas refers, and I agree entirely with the view which he expressed upon that subject a few days ago. I, however, am powerless to change this situation in that regard. All that I can do at the present time is to see to it, in so far as my vote is concerned, that print paper shall come from Canada free of duty or paper of the value of 4 cents per pound or less. If I had my way there would be no such limitation in the bill. I see no reason for admitting free paper that costs 4 cents a pound or less that does not equally apply to paper that costs more than 4 cents per pound, but I can not rewrite this measure. I can not inject into it my own opinions with regard to the proper adjustment, and I am limited to the mere recording of a vote at the present time upon the amendment proposed by the Senator from New York.

I do not claim that the tariff is now or will be in the future the chief instrument for the destruction of those combinations which have fastened themselves upon the American people, and which have destroyed in many of the great fields of enterprise the competitive forces upon which the world has heretofore depended for its safety. It is, however, one of the instruments which we can employ to make it more difficult for the American manufacturer to combine with his fellows in order to extinguish the competition, which will, if permitted its free and its full effect, fairly regulate prices in our country and protect the consumer of all articles against the unchecked avarice and greed of men who take all they can and keep all they take.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Idaho?

Mr. CUMMINS. I do.

Mr. BORAH. I wish to ask a question for information. What difficulty will there be upon the part of the trust to extend its operations across the line?

Mr. CUMMINS. I do not say that the free admission of this or any other article will effectually and permanently prevent the organization of trusts. It is possible for the manufacturers of the United States to combine with the manufacturers of Canada and then exact whatever prices they may see fit to demand. My only answer to the inquiry of the Senator from Idaho is that it will be more difficult for the manufacturers of paper in the United States to embrace in their combination all the manufacturers of the continent than it has been to take in the manufacturers of our own country.

I have no sympathy with the modern doctrine which is disseminated so carefully not only by the selfish but the altruistic; I do not believe in the propaganda that comes at the same time from the lover of humanity and the captain of industry, namely, that we must permit the business of the United States to combine, to monopolize, and then attempt to protect the people by a Federal commission which shall fix the price of the things they make and sell.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from New Hampshire?

Mr. CUMMINS. In just a moment. I do not believe that at this day and in our age the Government of the United States should undertake to fix the price of everything in which the American people deal, and when it does undertake that function it will have absorbed so much of the energy of the Nation that it may well take the next step, and it will very speedily take the next step, of excluding entirely the individual interest in our industrial life.

I now yield to the Senator from New Hampshire.

Mr. GALLINGER. Mr. President, I will be glad to join at any time with the learned Senator from Iowa in legislation dealing with trusts when they are declared to be trusts, but I think the Senator will agree with me that it has never been determined that there is such a thing as a paper trust in the United States. It has been charged——

Mr. CUMMINS. I think the Senator from New Hampshire is mistaken about that.

Mr. GALLINGER. No; I think some of the officials have been indicted, but it has not yet been determined that it is a trust in restraint of trade. But, however that may be—and I think I am correct—the Senator is aware, of course, that there are a great many independent manufacturers of paper in the United States.

Mr. CUMMINS. I am.

Mr. GALLINGER. And if this so-called trust, which has not yet been legally determined to be a trust, is to be punished by opening our markets to Canadian paper, I suppose all these independent manufacturers will likewise be punished.

Then, again, I should like to ask the Senator this question—we will take the International Paper Co. as an illustration: Would he be in favor of dissolving that corporation and reestablishing 25 or 30 small paper concerns over the country; and, if that could be done, does he think it would reduce the price of paper?

Mr. CUMMINS. I do not base my belief with regard to the character of the Paper Trust upon any judicial proceeding. That belief arises from a somewhat careful examination of the evidence that has been laid before the Finance Committee, and a somewhat studious investigation with respect to the general operations of this company in the United States, and some experience with the paper mills of the United States. I had, while governor of the State of Iowa, the duty put upon me of buying from the paper mills of this country the supplies for the State of which I was governor, and I became somewhat familiar with the general subject.

With regard to the following question, I understand perfectly that some hardship might follow the rule which I advocate. I know that there are some alleged independent manufacturers.

They are independent in the sense that they are not financially combined with, or absorbed into, the Paper Trust, but I believe it to be true that the Paper Trust substantially dominates the business and determines the prices, and fixes the conditions upon which paper shall be sold, and to whom paper shall be sold, and by whom paper shall be sold to particular purchasers; and if I must impose a hardship upon the independent, or so-called independent, manufacturers in order to relieve the people of the burden of these greater evils I choose to destroy the trust rather than to preserve the independent manufacturers.

Mr. GALLINGER. Now, Mr. President, one other question, if the Senator pleases.

Mr. REED. We can not hear the Senator from New Hampshire.

Mr. GALLINGER. I wish to ask the Senator from Iowa one other question, if he will permit me to do so.

Mr. CUMMINS. I am very glad to yield to the Senator from New Hampshire.

Mr. GALLINGER. I think I am correct in saying that the International Paper Co., which is the company always haled into court—at least the court of public opinion—manufactures print paper exclusively. The independent companies, so called, make different grades of paper, and there are I do not know how many hundreds of different kinds of paper made in this country.

Now, while the destruction of this so-called trust may be a good thing in the broad sense—I have never been persuaded that it is a trust, but we will admit that for the sake of the argument—our anxiety is always expressed in behalf of the ultimate consumer. I will ask the Senator, in all seriousness, if print paper from Canada is admitted free of duty and while it will, it is alleged, put $6,000,000 into the pockets of the publishers of newspapers in this country—one is to receive $550,000 out of it—will it help, to an infinitesimal amount, a single man who buys his 1-cent paper or his 10-cent magazine?

Will it not put that money absolutely into the coffers of the rich men who are now making enormous profits out of the publication of large newspapers? One gentleman, who gave testimony that his concern was a small newspaper compared to many others, said that his profits are $200,000; and yet he wants free print paper to make larger profit.

Mr. CUMMINS. I am not inquiring into the financial operations or the financial successes of newspaper publishers. I have looked upon the newspaper publisher as a consumer of this particular commodity. I take it for granted, however, that in the general attrition of affairs, if we had the competition in this country that we ought to have, if the newspaper publisher can buy his paper for $500,000 per year less than he now pays, somehow and somewhere the people who deal with that newspaper publisher will receive the benefit, or a part of the benefit, of the reduction in price.

Mr. GALLINGER. Now, if the Senator will permit me——

Mr. CUMMINS. I am simply endeavoring to plant myself upon the competitive idea in the business of the United States.

Mr. GALLINGER. I will not interrupt the Senator further. It has troubled some of us to discover a way whereby the ultimate consumer, the man who buys the newspaper or who advertises, is going to derive any benefit whatever out of this. One gentleman before the committee did say that he thought they might make the newspapers a little larger than they are. I would pray heaven that they would make them smaller, rather than larger, if I had my way. I think they are big enough now.

Mr. CUMMINS. I am not intending to quarrel with the Senator from New Hampshire upon that point. I am not here as the defender or apologist of the newspapers. Formerly they treated me with some kindness, but anyone who has seen the issues of the newspapers for the last few months will understand my unselfishness in what I am now saying.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER (Mr. BROWN in the chair). Does the Senator from Iowa yield to the Senator from Idaho?

Mr. CUMMINS. I do.

Mr. BORAH. Assuming that there is a Paper Trust and that it is in control in a large measure of the American market with reference to the production and sale of paper, but assuming also that there are some independent paper companies, would it not be better to pass the resolution of the Senator from Ohio [Mr. POMERENE] instead of passing this reciprocity bill in order to get rid of the trust?

Mr. CUMMINS. I am not for the reciprocity bill, and therefore I can not speak for those who do favor it in its present form. With respect to the proposal of the Senator from Ohio, I am entirely favorable to his suggestion, for I believe that the man who violates the law ought to suffer the consequences of his violation of it.

Mr. BORAH. I suppose the Senator, though, would favor a limitation upon attorneys' fees in case the prosecution was begun.

Mr. CUMMINS. I am convinced upon that point that it will be vastly more economical for the Government to increase the force of its regular employees and abandon the practice of employing special counsel.

Mr. President, I do not want it to be understood from anything I have said that I do not believe in the modern development of business. I understand perfectly that business must be carried on in a big way in these days, in a way so big and comprehensive that it can employ all the economies which are known to modern times. But there is no field of enterprise so small that it is not sufficient to hold more than one concern; I care not whether it is the business of selling peanuts or the business of manufacturing steel rails; the field is large enough to absorb and employ all the energies of mankind and all the capital that can contribute to economy and still preserve competition in its most effective form.

This is not material to the present discussion, of course. I have thought it necessary to digress a moment in order that it might be understood fully why I propose to vote against this amendment. I did not want it to be thought by any Senator that I was voting against it because I believe it to be either with or against the original agreement for reciprocity with Canada. I do not recognize any original agreement. I entirely dissent from the view that the President of the United States had any power to make any proposition to Canada or receive any proposition from Canada looking to a change in the tariff laws of the United States. I shall discuss that phase of the matter at some later time.

I do not criticize our Chief Executive because he entered upon the investigation of our tariff or commercial relations with Canada. I applaud him for his industry in that respect. But if we are to observe the Constitution of our country, if we are to preserve those relations which ought to exist between the coordinate branches of the Government, our Executive must pause and stop short of creating any condition out of which any obligation arises, moral or legal, for the change of our tariff laws. That power is in Congress alone. It is not only in Congress alone, but any proposition looking to a modification of our revenue laws must originate in the House of Representatives. If the President has the power to do what he has done, then as the Senator from Minnesota [Mr. NELSON] said, and so well said, the other day, our relations with Canada could be changed by the mere assent of two-thirds of the Senate without any reference whatsoever to the House of Representatives.

This bill must be considered as though it had originated in truth and in fact in the House of Representatives. It must not be treated as having been originated anywhere else in any other department of the Government. I would not care to say so much as this were it not that I intend to insist later on upon that freedom of consideration, that liberty of amendment, and not only the legal right of amendment but the moral right and duty of amendment, which ought to be felt by every Senator in this body.

I would not say one word with regard to the contention of my distinguished friend from New York, with regard to the harmony of this amendment with the arrangement made between the Secretary of State of the United States and the two representatives of the Dominion of Canada, were it not that I can not stand silently by and see a doctrine of that sort become the prevalent impression throughout the country.

The senior Senator from New York says the President has stated in a speech delivered somewhere, I think in Chicago, that his amendment—that is, the amendment proposed by the committee, is according to the original arrangement. I do not think it is. I submit to the Senate that it is not only not in harmony with the original arrangement, but it is in direct and positive opposition to the original arrangement. The truth is that the bill as introduced in the House of Representatives is not an accurate statement of the arrangement made between the State Department of our country and the ministers of Canada. Why? Because the bill as originally introduced in the House of Representatives and as passed by the House of Representatives omits the condition upon which paper is to be admitted free into Canada. I agree to the criticism of the bill made in that respect. The proposed amendment, however, attaches a new condition upon the admission of certain paper and pulp and wood into the United States, and therefore we have a bill here which, if unamended, does not conform to the original arrangement and which, if amend as proposed by the

Senator from New York, overthrows the entire spirit and purpose of the original arrangement so far as wood pulp and paper are concerned.

I can prove that, I think, so plainly and so effectually that there can be no longer doubt about it. It will be remembered that Schedule A, which is found in the message of the President transmitted to the Houses of Congress January 26, 1911, was attached to the letter signed by Mr. Fielding and Mr. Patterson to the Secretary of State, and that letter, together with these schedules, constitute whatever proposition was made by these representatives of Canada to our State Department; and the letter of Mr. Knox accepting these propositions, in so far as he could, constitutes the only acceptance of the proposal. I now turn to Schedule A and ask those Senators who are here to follow me a moment.

Wood pulp, paper, and wood are on the free list, a free list which, according to the title, is to be reciprocal, but the title of the list is of course modified by the conditions which are found in the body of the paper. It first declares on this subject:

Pulp of wood—

And so on—

valued at not more than 4 cents per pound, not including printed or decorated wall paper.

If the agreement or arrangement had ended there, then there would have been an understanding that wood and pulp and paper of the sort described here would be admitted free into the United States and free into Canada. The first condition, however, provides the circumstances under which it shall be admitted free into the United States; that is, it limits the effects of the paragraph to which I have just referred, and that is that this paper and board, and so forth, shall not come into the United States free if it comes burdened with any export duty or restriction or limitation whatsoever upon its export from Canada into the United States. That fixes, according to the agreement, the circumstances under which these articles shall come into the United States free. The substance of this provision is that if the wood from which the paper is made, or the pulp from which the paper is made, or the board from which the paper is made comes from a quarter in Canada which imposes any such duty, fee, or restriction, then it can not come into the United States under this arrangement, but must pay the general duty prescribed by our general tariff law. But if these things come from lands which are not subject to the provincial duties or restrictions or limitations, then such pulp and such board and such paper enter our markets without any duty whatsoever.

The next provision determines the circumstances under which our wood and pulp and paper shall enter Canada free, and it provides:

That such wood pulp, paper, or board, being the products of the United States, shall only be admitted free of duty into Canada from the United States when such wood pulp, paper, or board, being the products of Canada, are admitted from all parts of Canada free of duty into the United States.

That is to say, Canada will not admit our wood or pulp or paper until we admit all the paper, all the pulp that may come from any part of Canada free.

Mr. SMOOT. Mr. President——

Mr. CUMMINS. I will yield in just a moment. That simply means, Mr. President, that for the time being we shall admit these articles free if they come from lands that are not subject to these limitations, but that Canada shall not admit our like products free until we give to Canada free paper and pulp from all her Dominion. I now yield to the Senator from Utah.

Mr. SMOOT. I fully agree with the Senator from Iowa in all of his propositions, with the exception of the latter.

Mr. CUMMINS. That is the vital proposition.

Mr. SMOOT. The latter I could agree to if the second proviso was not to be considered in connection with the paragraph, but the words are used in the last proviso. It does not say "provided," but it says "provided also," meaning that it was to be interpreted as a part of the paragraph, and so sure am I that that is the intention of the agreement or the parties to the agreement had that idea that I took particular pains to find out what was said upon the part of Mr. Fielding in the Parliament of Canada. I have with me here a copy of his remarks.

Mr. CUMMINS. I have read them.

Mr. SMOOT. His remarks plainly state that this applied to the paper and pulp of Canada only when the restrictions from every district or, in other words, from all parts of Canada were removed.

Mr. CUMMINS. I have read what purported to be a part of the speech made by one of these ministers in the Parliament of Canada, and I think it was Mr. Fielding; and my recollection of the purport of what he said does not at all agree with the recollection of the Senator from Utah.

Mr. GALLINGER. Will the Senator permit me?

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from New Hampshire?

Mr. CUMMINS. Certainly.

Mr. GALLINGER. Mr. Fielding on the 26th day of January introduced into the Canadian Parliament a bill, a copy of which I hold in my hand, but I presume the Senator has seen it.

Mr. CUMMINS. I have it here.

Mr. GALLINGER. I should like to know, because I want to be set right on this question, how the Senator gets rid of the words which I will read:

Provided, That such wood pulp, paper, or board, being the products of the United States, shall only be admitted free of duty into Canada from the United States when such wood pulp, paper, or board, being the products of Canada, are admitted from all parts of Canada free of duty into the United States.

Mr. CUMMINS. That is in exact accordance with the arrangement. In fact, it is an exact copy of the arrangement.

Mr. GALLINGER. That is practically the same thing as the so-called Root amendment, as I read it.

Mr. CUMMINS. Not at all. That is just where there seems to be so great a mistake. The proposition which the Senator from New Hampshire has just read fixes the circumstances or conditions under which these articles shall pass from the United States into Canada. The amendment that is proposed by the committee fixes the circumstances and conditions under which the wood pulp and paper shall be admitted into the United States, and therein lies a very great difference between the two.

Mr. GALLINGER. I can not see why this does not operate both ways——

Mr. CUMMINS. Not at all; it was——

Mr. GALLINGER. Because it says that our products shall be admitted free into Canada when the products of Canada are admitted free of duty into the United States from all parts of Canada.

Mr. CUMMINS. Precisely. Canada did not intend that any of our products of the character under discussion should be admitted into the Dominion until the like products from all parts of Canada came into the United States free. The United States intended, however, that these products from lands which are not burdened with these limitations or restrictions should come in at once free of duty, waiting for future developments to see whether we would ever get into Canada free.

Mr. GALLINGER. I am seeking light now; and I should like to ask the Senator where he finds that provision in the agreement or in any statement of the agreement?

Mr. CUMMINS. I have read it already. I will read it again, in order to be sure of it. We first have a schedule——

Mr. GALLINGER. I want the Senator to read the proviso also in connection with it.

Mr. CUMMINS. I will read just as fast as I can. Schedule A is entitled—

Articles the growth, product, or manufacture of the United States to be admitted into Canada free of duty when imported from the United States, and, reciprocally, articles the growth, product, or manufacture of Canada to be admitted into the United States free of duty when imported from Canada.

If there were nothing more, every article mentioned in the list would be admitted into the United States free of duty and would be admitted into Canada free of duty. It requires some sort of modification in order to change that result. Let us see now what it is.

Mr. GALLINGER. That is genuine reciprocity, is it not?

Mr. CUMMINS. I do not call it reciprocity.

Mr. GALLINGER. It is not quite reciprocity. It would be exchange.

Mr. CUMMINS. It is not reciprocity in any sense of the word.

Mr. GALLINGER. No; it is not.

Mr. CUMMINS. It is simply free trade in those articles. In the sense in which free trade is reciprocity, this, of course, would be reciprocity, but not in the sense in which we have used that term heretofore, and especially in the sense in which we have used it as a political doctrine or to describe a political doctrine.

Now, I read—

Provided, That such paper and board, valued at 4 cents per pound or less, and wood pulp, being the products of Canada—

Being the products of Canada—

when imported therefrom directly into the United States, shall be admitted free of duty, on the condition precedent that no export duty, ex-

port license fee, or other export charge of any kind whatsoever (whether in the form of additional charge or license fee, or otherwise) or any prohibition or restriction in any way of the exportation (whether by law, order, regulation, contractual relation, or otherwise, directly or indirectly) shall have been imposed upon such paper, board, or wood pulp, or the wood used in the manufacture of such paper, board, or wood pulp, or the wood pulp used in the manufacture of such paper or board.

Now, we have limited the admission into the United States to certain conditions:

Provided also, That such wood pulp, paper, or board, being the products of the United States, shall only be admitted free of duty into Canada—

Mark you now, the former provision referred to admissions into the United States. This provision refers to admissions into Canada—

shall only be admitted free of duty into Canada from the United States when such wood pulp, paper, or board, being the products of Canada, are admitted from all parts of Canada free of duty into the United States.

If the Member of the House of Representatives who brought the bill forward there had wanted to make the bill an exact counterpart of the arrangement between these two departments, there would have been in the bill, in addition to the words now in it, the provision that when wood pulp, paper, and so forth, came into the United States from all parts of Canada free then the manufacturers of the United States should have the right to export into Canada free, and that the Parliament must pass a law of that character before this bill goes into effect.

So when Mr. Fielding introduced his bill into the Canadian Parliament he made exactly that provision, and proposed just such a law as the bill in the House of Representatives ought to have prescribed in order that if the law were not passed and we were not made sure thereby of free admission into Canada when these articles came free from all parts of Canada into the United States the agreement itself would never become effective. Why that was omitted from the bill introduced in the House I do not know, but I dissent entirely from the proposition that the amendment here proposed brings the bill into accordance with the arrangement made between the two countries.

Mr. GALLINGER. Mr. President, it strikes me that the first provision the Senator has read, where it is provided that products of Canada shall not come from Provinces that impose an export duty, means that Mr. Fielding entertained the view that that inhibition would be removed, and that he was willing to go into this bargain with the United States upon the assumption that they would get sufficient benefits for the provincial parliaments to remove that inhibition.

Mr. CUMMINS. I do not know whether Mr. Fielding thought these restrictions would be removed or not. It seems to me that he and his associates dealt very gingerly with that particular phase of this negotiation. You will remember that in their letter they say, in substance, "We have no power to deal for the Provinces, and we have no desire to influence their action with respect to these things." Is not that the language substantially in that letter? I am quoting entirely from memory. In order to be sure about it I will refer to it.

With respect to the discussions that have taken place concerning the duties upon the several grades of pulp, printing paper, etc.—mechanically ground wood pulp, chemical wood pulp, bleached and unbleached, news-printing paper and other printing paper and board made from wood pulp, of the value not exceeding 4 cents per pound at the place of shipment—we note that you desire to provide that such articles from Canada shall be made free of duty in the United States only upon certain conditions respecting the shipment of pulp wood from Canada. It is necessary that we should point out that this is a matter in which we are not in a position to make any agreement. The restrictions at present existing in Canada are of a provincial character. They have been adopted by several of the Provinces with regard to what are believed to be provincial interests. We have neither the right nor the desire to interfere with the provincial authorities in the free exercise of their constitutional powers in the administration of their public lands.

It seems to me that if these ministers in fact desire that the exchange of these commodities should be mutual and reciprocal, they might have done at least as much as the executive department did with regard to this whole arrangement, namely, agree that they would use every effort and all the influence they had to induce the Provinces to so modify their laws that these commodities might come into the United States free. I observe a great deal more delicacy on the part of these commissioners in treating with their Provinces than I observe in the general relation between the executive department of our own Government and the Congress of the United States.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Utah?

Mr. CUMMINS. I do.

Mr. SMOOT. I should like to ask the Senator if he thinks that the House bill, without the second proviso, is in conformity with the agreement?

Mr. CUMMINS. I do not. I said that originally. I think it omits the prescription of the conditions under which our manufacturers of these articles are to enter Canada free.

Mr. SMOOT. In the bill as it now stands, if it should become a law, there is no word in it that would even signify that paper could go from the United States into Canada free under any circumstances or conditions.

Mr. CUMMINS. There is absolutely nothing. I agree to that. It is, of course, a just criticism of the bill.

Mr. SMOOT. Would there be any opposition on the part of the Senator from Iowa if the House bill had included the second proviso?

Mr. CUMMINS. The suggestions I am now making, of course, would have been entirely irrelevant. I could not have made the objection to the House bill, if it had been so framed, that I am now making to the amendment proposed by the committee.

Mr. SMOOT. But the Senator does not claim that if the second proviso had been in the bill it would have been contrary to the agreement in any way?

Mr. CUMMINS. No; of course I do not.

Mr. SMOOT. Then the Senator thinks that the second proviso is to be considered by itself?

Mr. CUMMINS. Not at all.

Mr. SMOOT. And apart from the remainder of the paragraph?

Mr. CUMMINS. It is an integral part of the entire matter; it is to be considered with what precedes it. The only difficulty that the Senator from Utah seems to have is that by its very words it refers to conditions upon which we are to enter Canada, whereas he desires to make it refer to conditions upon which Canada enters the United States. There is just that difference between the two things. As I said before, the House bill is defective, because it does not contain any restriction with regard to conditions under which we shall have free trade with Canada, and the amendment proposed by the committee is defective or wrong, because it attaches another condition to the free admission of paper into the United States.

Mr. SMOOT. My position is, Mr. President, that the second proviso does specifically refer to the remainder of the paragraph, and that both provisions must be included in the bill to make it perfect.

Mr. CUMMINS. I agree to that entirely, Mr. President; and if the committee or anyone who is in favor of this bill—I would not venture, of course, to correct it in that respect—will change it so that it recites precisely what the original arrangement recites and in the same way, the objection I am now making would entirely disappear. The amendment, however, does not restore the bill to the form in which it was originally agreed upon, but introduces an entirely new condition upon which wood pulp and paper shall enter the United States, whereas under the arrangement as originally made just as soon as Canada passes her bill and we pass our bill—if we ever do—there will at once begin the inflow of free paper from certain parts of Canada.

Under the bill as it is proposed to be amended by the Senator from New York we shall never receive any free paper or free wood pulp from Canada until every restriction in every Province in Canada is removed from the export of these articles. That is the difference between the original arrangement and the one which is now proposed.

Mr. SMOOT. Mr. President——

Mr. CUMMINS. Now, mark you—if the Senator from Utah will permit me—I do not care to discuss it any further unless I can answer some question. I have said what I have largely from an academic standpoint. It would make no difference with my vote whether it was in exact accordance with the arrangement or whether it was out of harmony with it. I oppose it because I believe it is wrong and because I want to hasten the day that will witness the free admission of print paper from Canada to the United States. I close by saying I would vastly prefer the admission of free wood pulp, instead of free print paper; but that seems to be unattainable at this time, and therefore it is useless to waste our strength in discussing it.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from New Hampshire?

Mr. CUMMINS. I do.

Mr. GALLINGER. I thank the Senator for his courtesy to me already extended, and I will promise him that this will be probably the only question I shall ask.

Mr. CUMMINS. I yield to the Senator very gladly.

Mr. GALLINGER. I have been somewhat troubled as to whether under section 2 of the bill we are going to get free paper from Canada or from any part of Canada. This agree-

ment was made between the two Governments—not between the Provinces of Canada and the Government of the United States, but between two sovereign Governments. The provision in section 2 is—I shall not read the first part of it, but naming pulp, wood, paper, and so forth—

when imported therefrom—

That is, from Canada—

directly into the United States, shall be admitted free of duty, on the condition precedent that no export duty, export license fee, or other export charge of any kind whatsoever (whether in the form of additional charge or license fee or otherwise), or any prohibition or restriction in any way of the exportation (whether by law, order, regulation, contractual relation, or otherwise, directly or indirectly), shall have been imposed upon such paper, board, or wood pulp, or the wood used in the manufacture of such paper, board, or wood pulp, or the wood pulp used in the manufacture of such paper or board.

That is the arrangement between the two Governments, and not between certain Provinces of Canada and the United States. It seems to me that that language is so broad that it is a pretty difficult matter to differentiate, and say that we can get free paper from the Provinces that do not have an export duty, but that we can not get it from the Provinces that have such a duty. It looks to me as though that provision were broad enough to absolutely exclude the getting of paper from Canada at all, if we pass this bill.

Mr. CUMMINS. I understand, Mr. President, all the difficulties that would be discovered in attempting to enforce these custom regulations. Without admitting that the criticism of the Senator from New Hampshire is entirely well founded, I concede that we might be compelled to station an inspector in the woods and follow the log from that point until it reappears in some mill as paper.

Mr. CLAPP. Would not the inspector have to go into the tank and see how much of the product of the log that came from the provincial Crown lands went into the roll of paper and how much of the log that came from the private owned lands went into the same roll of paper?

Mr. CUMMINS. He might be compelled to make some inquiries that physically are impossible. I am not to be understood as defending the extraordinary phraseology that is used in this matter. I am simply insisting that we must not cut off all hope of getting free paper or free pulp by adding the amendment proposed by the committee.

Mr. CLAPP. Then, Mr. President, if the Senator will pardon me, I quite agree with him that it is a travesty to speak of this matter as a treaty; but assuming that there is some kind of an understanding, would it infringe at all upon that understanding as to the benefit Canada is to get from this bill to strike out all of the conditions precedent?

Mr. CUMMINS. I can not answer that question, because I do not know how highly Canada values the opportunity to enter our market from a very restricted territory.

Mr. CLAPP. But if we enlarge that opportunity, there certainly could be no infringement in spirit of the agreement.

Mr. CUMMINS. I think, Mr. President, that Canada would hail with great delight the enlargement of this provision so as to remove all question whatsoever.

Mr. CLAPP. Then, if we have reached the point in our economic development where we are ready to put paper on the free list, why would it not be better to avoid all these complications by simply providing that paper from Canada should be on the free list, instead of sending a man into the tank to ascertain what proportion of the roll of paper came from the different sources?

Mr. CUMMINS. I do not know that I would quite agree with that, because there is an obvious injustice in putting a premium upon the practice of Canada in levying export duties. I should like to join in some effort that would present an inducement to Canada, or to the Provinces, to remove their export duties and their restrictions, rather than present an inducement to maintain them.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from New Hampshire?

Mr. GALLINGER. Just for a word.

Mr. CUMMINS. I yield to the Senator from New Hampshire.

Mr. GALLINGER. I want to direct the attention of the honorable Senator to the fact that my question was somewhat broader than any answer that has been made. I want to ask the Senator from Iowa, who analyzes matters so closely and accurately—at his leisure, not now—that he will carefully read and consider the terms of section 2 of this bill, and see whether or not, unless we are dealing with the Provinces, it does not appear in the text of the bill that we are putting ourselves in an attitude where we will not get any paper from Canada free? I wish the Senator would examine that very carefully.

Mr. CUMMINS. I shall be very glad to review again the phraseology of the section.

Mr. BROWN. Mr. President, will the Senator from Iowa permit me?

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Nebraska?

Mr. CUMMINS. I yield.

Mr. BROWN. I suggest to the Senator from New Hampshire that if it be the correct interpretation of this provision that under it we could receive no free print paper from Canada, then I suppose the Senator from New Hampshire would favor it.

Mr. GALLINGER. I would be delighted if that should be the result, because I want to protect the paper industry of the United States.

Mr. BURTON. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Ohio?

Mr. CUMMINS. I yield to the Senator from Ohio.

Mr. BURTON. Mr. President, there is another question relating to this section about which I should like to interrogate the Senator from Iowa. I understand the interpretation placed upon this section is that paper, pulp wood, and so forth, may be admitted on the condition that from that Province or locality no export duty is levied. Is that restricted to the specific article admitted?

Mr. CUMMINS. In my opinion, the first condition, namely, the condition which prescribes the terms under which these articles shall come into the United States, involves the absolute identity of the log, the wood pulp, and the paper made out of that wood pulp and out of that log. I do not think, however, that the second proviso, which fixes the condition under which our articles go into Canada, whenever they do go there free, is so limited or restricted.

Mr. BURTON. I do not believe the Senator from Iowa quite understood my question. Perhaps I did not make it clear. Does this free admission apply to anything more than the paper or pulp which is admitted free; that is, supposing a consignment of pulp or paper is presented at our customhouse? That is admitted free, provided there is no export duty or other charge. Does that apply to other admissions? Is it governed by a general rule relating to that Province or one relating to that particular consignment?

Mr. CUMMINS. In my judgment the latter.

Mr. BURTON. And it is confined to that alone?

Mr. CUMMINS. That is my interpretation of the proviso.

Mr. BURTON. So that it can not be enlarged beyond the specific importation?

Mr. CUMMINS. That is my interpretation.

Now, Mr. President, I have occupied vastly more time than I intended, but, as is nearly always the case, we drift into the discussion of a great many things that seem to be somewhat irrelevant to the issue to be decided. I can only repeat again, that I oppose this amendment because it is an obstruction to the relief which we ask, and which I think the American publishers ought to have against the conspiracy of the paper manufacturers.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

Mr. NELSON. Mr. President, some confusion seems to have arisen in this discussion from time to time as to the nature of section 2. In the first place, I shall aim to point out and demonstrate that section 2 of the bill is entirely beyond the purview and scope of the reciprocity treaty so called. For the purpose of demonstrating this, I call attention to Senate Document 787, third session Sixty-first Congress, being the message of the President sent to Congress on the 26th of January last. In that document next to the message of the President appears the letter from the Canadian commissioners to the Secretary of State, with schedules annexed. That is the basis of the agreement. That is the proposition from the Canadians to our Government. On page 2 of the document, in paragraph 5, is the following:

5. As respects a considerable list of articles produced in both countries, we have been able to agree that they shall be reciprocally free. A list of the articles to be admitted free of duty into the United States when imported from Canada, and into Canada when imported from the United States, is set forth in Schedule A.

In Schedule A, accompanying this communication, we find a paragraph in respect to pulp wood, wood pulp, and news-print paper. I will read the whole paragraph. It contains two provisos:

Pulp of wood mechanically ground; pulp of wood, chemical, bleached or unbleached; news-print paper, and other paper, and paper board, manufactured from mechanical wood pulp or from chemical wood pulp, or of which such pulp is the component material of chief value, colored in the pulp, or not colored, and valued at not more than 4 cents per pound, not including printed or decorated wall paper.

That is in Schedule A accompanying this letter. Here is the first proviso accompanying that:

Provided, That such paper and board, valued at 4 cents per pound or less, and wood pulp, being the products of Canada, when imported

therefrom directly into the United States, shall be admitted free of duty, on the condition precedent that no export duty, export license fee, or other export charge of any kind whatsoever (whether in the form of additional charge or license fee or otherwise) or any prohibition or restriction in any way of the exportation (whether by law, order, regulation, contractual relation, or otherwise, directly or indirectly) shall have been imposed upon such paper, board, or wood pulp, or the wood used in the manufacture of such paper, board, or wood pulp, or the wood pulp used in the manufacture of such paper or board.

Here is the next proviso:

Provided also, That such wood pulp, paper, or board, being the products of the United States, shall only be admitted free of duty into Canada from the United States when such wood pulp, paper, or board, being the products of Canada, are admitted from all parts of Canada free of duty into the United States.

Here are two restrictions. Under this reciprocity arrangement, proposed by the Canadian commissioners, in order to admit Canadian paper, Canadian pulp, and Canadian pulp wood into the United States there must be no restriction on the manufacture or importation of it in any part of Canada; and it is only when those restrictions are removed that our pulp, our wood, and our paper can be admitted into Canada. That is the reciprocal agreement that was proposed. In respect to this part of the agreement the Canadian commissioners, on page 2 of the same document, in paragraph 10, state:

10. With respect to the discussions that have taken place concerning the duties upon the several grades of pulp, printing paper, etc.—mechanically ground wood pulp, chemical wood pulp, bleached and unbleached, news-printing paper and other printing paper and board made from wood pulp, of the value not exceeding 4 cents per pound at the place of shipment—we note that you desire to provide that such articles from Canada shall be made free of duty in the United States only upon certain conditions respecting the shipment of pulp wood from Canada. It is necessary that we should point out that this is a matter in which we are not in a position to make any agreement. The restrictions at present existing in Canada are of a provincial character. They have been adopted by several of the Provinces with regard to what are believed to be provincial interests. We have neither the right nor the desire to interfere with the provincial authorities in the free exercise of their constitutional powers in the administration of their public lands. The provisions you are proposing to make respecting the conditions upon which these classes of pulp and paper may be imported into the United States free of duty must necessarily be for the present inoperative. Whether the provincial governments will desire to in any way modify their regulations with a view to securing the free admission of pulp and paper from their Provinces into the market of the United States, must be a question for the provincial authorities to decide. In the meantime the present duties on pulp and paper imported from the United States into Canada will remain. Whenever pulp and paper of the classes already mentioned are admitted into the United States free of duty from all parts of Canada, then similar articles, when imported from the United States, shall be admitted into Canada free of duty.

In reply to this proposal and suggestion on the part of the Canadian commissioners, the Secretary of State, Mr. Knox, in his communication of the 21st of January, as found on page 10 of this document, states, among other things, as follows:

It is a matter of some regret on our part that we have been unable to adjust our differences on the subject of wood pulp, pulp wood, and print paper. We recognize the difficulties to which you refer growing out of the nature of the relations between the Dominion and provincial governments, and for the present we must be content with the conditional arrangement which has been proposed in Schedule A attached to your letter.

That makes it perfectly clear that so far as this feature of the reciprocity arrangement is concerned, it hinged on the two conditions or provisos to which I have called the attention of the Senate in my quotation from the communication of Messrs. Fielding and Paterson.

Mr. President, I may say that I have examined this question. There are restrictions in all the Provinces, except Nova Scotia, in respect to the manufacture of pulp wood, wood pulp, and news-print paper. Most of the public forest lands of the Dominion of Canada are the property of the several Provinces. A Province in the Dominion of Canada occupies a similar relation to that Government that one of the States of this Union does to the Federal Government. Each of those Provinces, except Newfoundland, which is not a part of the Dominion, but which is a government by itself, has a local legislature, in most instances composed of one house. They have, in addition to that, what they call a "responsible ministry," patterned after the Dominion Government, which is patterned after the British Government, and they have a lieutenant governor appointed by the Crown, but the executive department in those Provinces is practically, as you know, akin to that of the British Government, being in the hands of a responsible ministry.

I might say further that for years it has been the custom in all these Provinces not to sell their timber lands as we sell ours, but simply to issue licenses or grant what they call timber rights or timber limits. A provincial government will issue a license to A or B to cut timber within given timber limits for a given period of years, but the title to the land remains in the Province. In all these Provinces, with the exception of New Brunswick——

Mr. BROWN. Mr. President, will the Senator permit me?

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Nebraska?

Mr. NELSON. Certainly.

Mr. BROWN. In the lease contracts that the Dominion Government executes with A and B, as recited by the Senator, there is contained usually, in fact always now in most of the Provinces, certain stipulations and conditions with reference to the product of the timber. In many of the leases the contract is made that it shall be manufactured in the Dominion of Canada.

Mr. NELSON. That is the rule now in all the Provinces, except in the Province of Nova Scotia, where there is practically no timber.

Mr. BROWN. That is my understanding. That amounts to a prohibition of the export of pulp wood.

Mr. NELSON. Yes; and of paper.

Mr. BROWN. Certainly; the product of the wood pulp.

Mr. NELSON. The product of the wood pulp and pulp wood in all cases. To show the temper of these Provinces on this subject the Province of New Brunswick, which had no restriction at the time this message was sent in from the President on the 11th of April this last spring, passed an act similar to that contained in the laws and regulations of Ontario, Quebec, and British Columbia. They all have restrictions.

Now, the principal amount of pulp wood in British Columbia is east of the Cascade Mountains, and the restriction in respect to that matter is that it must be manufactured there. The pulp wood must be manufactured into wood pulp and into news-print paper right then and there. That is the only condition under which they can obtain from the provincial government the right to cut timber. The same rule prevails in the Province of Ontario, and the same rule applies in the Province of Quebec.

In the three Provinces of Alberta, Saskatchewan, and Manitoba, the prairie Provinces, as they are called, between Lake Superior and the Rocky Mountains, the timberlands that are left—and they are quite limited—are retained by the Dominion Government. They are lands that lie to the north of the great area of prairie in that country. The timber is rather stunted and inferior, mostly spruce, some poplar, and a little bit of pine. But the Canadian Government, for the purpose of promoting the settlement of those prairie Provinces, has created, in the first instance, 16 forest reserves, and then, in respect to the other lands that are not included in the forest reserves, it does not sell any lands or grant any timber rights but to the homestead settlers who go up there and locate on the lands. They give them a permit to cut timber for a limited time in order to give them a start.

Now, those are the conditions up in that country. I do not believe that any of those Provinces will change their timber regulations. In all the Provinces, counting from the east, New Brunswick, Quebec, Ontario, and British Columbia, and including the three prairie Provinces that I have named, the restrictions are somewhat similar and in substance this, Mr. President: That the timber from which pulp wood or wood pulp is made must be manufactured into wood pulp and into print paper in the Province of Canada. They are so careful about it that they even specify that the mere cutting of the timber into what we call cordwood lengths, limited sticks 2 or 3 feet long, shall not be deemed manufacturing under those provisions. So that absolutely all public lands in all those Provinces, aside from Nova Scotia, which has next to nothing of timber, are subject to these restrictions.

Now, what is section 2 of the bill? It is utterly outside of the purview of the so-called reciprocity agreement. What does it cover and what can it affect? In view of the conditions which I have stated and specified to the Senate, all that that provision of the bill can affect and reach to-day is lands in private ownership. If any of the Senators own a section of land in Ontario or in Quebec or in British Columbia to which they have secured a fee title, and they themselves impose no restrictions, the wood pulp and pulp wood and the news-print paper made of timber on that private land can come in free.

I call attention to the phraseology of the bill, if Senators will turn to a copy of it. On page 23:

Shall be admitted free of duty—

That is pulp wood, wood pulp, and news-print paper—

shall be admitted free of duty, on the condition precedent that no export duty, export license fee, or other export charge of any kind whatsoever (whether in the form of additional charge or license fee or otherwise), or any prohibition or restriction in any way of the exportation (whether by law, order, regulation, contractual relation, or otherwise, directly or indirectly), shall have been imposed upon such paper—

Mark the words—

shall have been imposed upon such paper, board, or wood pulp, or the wood used in the manufacture of such paper, board, or wood pulp, or the wood pulp used in the manufacture of such paper or board.

So, Mr. President, in the light of the facts, in the light of the law and regulations prevailing in those Provinces and existing to-day, and in the light of the whole reciprocity agreement, construing this bill as it must necessarily be construed by its own terms, it can only apply to-day to wood pulp and pulp wood and news-print paper manufactured from timber on lands in private ownership and can not extend to anything else.

Mr. President, there is one feature to which I wish to call the attention of Senators. We might as well be candid about this matter. There are a good many of our people—people in Michigan and some of the great newspapers in New York—who own privately lands in Canada, and by enacting this we give those Americans, who have gone up there and have bought those lands and hold them in private ownership a privilege and an advantage over Americans on this side of the line who own our own timber lands. The great newspapers in New York that hold some of these lands in private ownership can get the paper in here free, while you or I, who may happen to own a tract of timber on this side of the line, can not get any of the paper from our timber into Canada free. Now, that is the condition of it.

I know it is popular to favor helping the newspapers of this country, but there is something more in this. You are helping Americans who own stumpage in Canada to get a privilege that our own people in this country do not have. That is the real question.

I am sorry to see the Senator from Iowa, pandering to the clamor in some of the newspapers of this country, carried away by his zeal and overlooking the fact that this provision is simply to raise the stumpage of those Americans who are fortunate enough to have bought timberlands in Canada. This is the plain English of the whole situation, and we may fool the newspapers, we may fool the American people a little while, but the best plan, Senators, is to be candid with the American people and just tell them what there is in this legislative gold brick.

Mr. CLARK of Wyoming obtained the floor.

Mr. MARTIN of Virginia. I suggest the absence of a quorum.

The VICE PRESIDENT. The Senator from Virginia suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Crawford	Martine, N. J.	Smith, S. C.
Bailey	Culberson	Nelson	Smoot
Borah	Cullom	Overman	Sutherland
Bourne	Cummins	Owen	Swanson
Bradley	Curtis	Penrose	Thornton
Bristow	Dixon	Perkins	Townsend
Brown	Foster	Poindexter	Warren
Bryan	Gallinger	Pomerene	Wetmore
Burnham	Gore	Reed	Williams
Burton	Gronna	Root	Works
Chamberlain	Heyburn	Shively	
Clapp	McCumber	Simmons	
Clark, Wyo.	Martin, Va.	Smith, Md.	

Mr. POINDEXTER. I desire to state that the senior Senator from Washington [Mr. JONES] is unavoidably detained in the Lorimer investigation.

Mr. BRYAN. I wish to announce that my colleague [Mr. FLETCHER] is engaged in committee work.

The VICE PRESIDENT. Forty-nine Senators have answered to the roll call. A quorum of the Senate is present.

Mr. HEYBURN. I desire to ask a question or two, and I will direct them to the Senator from Minnesota. I understood the Senator from Minnesota to suggest that there were certain restrictions in the Provinces with reference to the output of timber which constituted an obstacle against the operation of this bill. Am I correct in that?

Mr. NELSON. On public lands.

Mr. HEYBURN. Yes. I would call the attention of the Senator to the constitution of Canada, or the act usually denominated the constitution of Canada, which gives the Dominion the absolute right at its pleasure to control or repeal any provision of a Province.

If that is true, then that could not legitimately be urged as an obstacle.

Mr. NELSON. I want to call attention to what the commissioners say in their letter.

Mr. HEYBURN. I have read what they say. I have it before me.

Mr. NELSON. Mr. Fielding and Mr. Paterson, in their communication, say:

> 10. With respect to the discussions that have taken place concerning the duties upon the several grades of pulp, printing paper, etc.—mechanically ground wood pulp, chemical wood pulp, bleached and unbleached, news-printing paper, and other printing paper and board made from wood pulp, of the value not exceeding 4 cents per pound at the place of shipment—we note that you desire to provide that such articles from Canada shall be made free of duty in the United States only upon certain conditions respecting the shipment of pulp wood from Canada. It is necessary—

They say—

> that we should point out that this is a matter in which we are not in a position to make any agreement. The restrictions at present existing in Canada are of a provincial character. They have been adopted by several of the Provinces with regard to what are believed to be provincial interests. We have neither the right nor the desire to interfere with the provincial authorities in the free exercise of their constitutional powers in the administration of their public lands.

Mr. HEYBURN. It is clear that they do not use the term "right" there as equivalent to the word "power," because in the constitution, section 122, the power to change those laws is expressly reserved to the Dominion. I read it:

> The customs and excise laws of each Province shall, subject to the provisions of this act, continue in force until altered by the Parliament of Canada.

That question has arisen several times, and the Provinces have strongly contended and contested against the right of the Dominion to change those laws.

Mr. NELSON. Read that again and you will see it relates to customs and excises. It does not cover the matter of duty. It covers other restrictions outside of that.

Mr. HEYBURN. I think that is intended to refer to the excises and customs laws of the Provinces.

Mr. NELSON. Oh, no. It refers to the other restrictions.

Mr. HEYBURN. Let us see.

Mr. CLARK of Wyoming. Just one moment, if the Senator will allow me.

Mr. HEYBURN. Yes.

Mr. CLARK of Wyoming. Mr. Fielding, in speaking of it, speaks of it as a constitutional right of the Provinces. So evidently his belief is that they have a constitutional right, unfettered by the Dominion.

Mr. HEYBURN. That is the local constitutional right, but that is subject always to the Dominion Parliament, and that right was preserved to the Dominion in the original act creating the Provinces. That contest has been fought out over and over, and the Dominion has always prevailed. The Provinces have contested for that, but upon a test of the right of the respective governments the right of the Dominion has been held to be superior and reserved to it in the original act.

I think the commissioners there simply mean that under the existing law it is true that the Dominion probably has granted these rights to several Provinces, but it has in the constitution the right to take them back in the interest of the public, and I could refer the Senator, only from recollection, to an article upon this question—I think it was in the International Encyclopedia that I first saw it—in which a review of this question will be found, and also an article upon Canada in a topical reference, the technical name of which I do not recollect. But it is a question that is open to the interpretation that I have placed upon it.

Then again, I should like to call the attention of the Senate to the provision in article 91, where the Dominion reserved the right——

Mr. NELSON. I want to call the attention of the Senator to the fact that in respect to this reciprocity agreement this is purely academic, because in the reciprocity agreement it is expressly provided that it must be in harmony with the regulations of the several Provinces.

Mr. HEYBURN. I will come to that in a moment.

Mr. NELSON. And they have said that they have no disposition to interfere.

Mr. HEYBURN. That is another question. The question of power and the question of disposition are very different.

Mr. NELSON. They deny the power in this letter—two of the ministers.

Mr. HEYBURN. They use the word "right." That may be the moral right or ethical right, but they do not say they have not the power.

Mr. NELSON. They do.

Mr. HEYBURN. Now turn to section 11.

Mr. NELSON. Let me read this to the Senator:

> We have neither the right nor the desire to interfere with the provincial authorities in the free exercise of their constitutional powers.

Mr. HEYBURN. That is the constitution granted by the Dominion of Canada, subject to the control of the Dominion Government. Each of the Provinces has such an instrument, which they call their constitution. It is not a constitution in the ordinary sense in which we use that term. It is an act creating the Provinces by the Dominion, with certain reserved powers in the Dominion. Now, I will read one of the reserved powers. I read from article 91, paragraph 2:

> The powers reserved to the Dominion Government against the Provinces. Second. The regulation of trade and commerce.

Now, you give that the scope that is given in this country when that term is used and it covers this question.

Mr. NELSON. Not at all. A regulation of trade and commerce would never relate to a question of timber rights. If the State of Minnesota owns a certain quantity of timber in that State and it leases that timber to me upon the condition that I shall cut that timber and manufacture it into pulp and paper in the State of Minnesota, and only cut it on that condition, what right has the Federal Government under the law to interfere?

Mr. HEYBURN. That is a contractual right between the Government and the party holding under it. But the Dominion of Canada, subject to the power of the Crown, has always held that it had the same relative right to regulate commerce that the United States has, and that is the language we use—to regulate commerce—that is, commerce with foreign countries.

Mr. NELSON. Commerce.

Mr. HEYBURN. They speak of it in different language when they refer to commerce between the different Provinces.

Mr. NELSON. Does commerce have any relation to conditions surrounding the cutting of timber?

Mr. HEYBURN. Not to cutting timber, but the right, in opposition to the claim of these Provinces, to establish terms upon which timber may be exported from the Provinces.

Now, the Dominion of Canada can relieve any Province of the embarrassment of any regulation or any law that they may have in regard to the exportation of timber.

Mr. NELSON. That does not seem to be the opinion of the commissioners.

Mr. HEYBURN. It depends upon the application——

Mr. NELSON. And the Senator seems to be better advised as to the rules and constitutional rights of the Provinces of Canada than the members of the Dominion ministry.

Mr. HEYBURN. No; I am reading from the constitution.

Mr. NELSON. Yes.

Mr. HEYBURN. And the use of that word "right," as I say, is not the equivalent of the word "power."

Mr. NELSON. They use the word "power" in the quotation I made.

Mr. HEYBURN. No. Now, here, for instance, in the language of this bill under consideration, after leading up to it, referring to pulp wood, and so forth—

when imported therefrom directly into the United States, shall be admitted free of duty, on the condition precedent that no export duty, export license fee, or other export charge of any kind whatsoever (whether in the form of additional charge or license fee or otherwise), or any prohibition or restriction in any way of the exportation (whether by law, order, regulation, contractual relation, or otherwise, directly or indirectly), shall have been imposed upon such paper, board, or wood pulp, or the wood used in the manufacture of such paper, board, or wood pulp, or the wood pulp used in the manufacture of such paper or board.

Now, the language there is, "when those burdens shall have been imposed upon such paper." But the construction that is sought to be placed upon this, as I understand the Senator from Minnesota and other Senators here, is that the act, for instance, that was recently passed by the New Brunswick parliament would be effective against the exercise of this right of exportation. That language does not bear it out. The language is, "shall have been imposed upon such article." It does not say by whom. I have a right to infer, and it is a fair inference, that that means imposed by the Dominion Government of Canada.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from New Hampshire?

Mr. HEYBURN. Yes.

Mr. GALLINGER. The Senator from Idaho was not present this afternoon when I raised that very question.

Mr. HEYBURN. I was not present.

Mr. GALLINGER. My point was that we were not dealing with any Province of Canada in that provision, but two great Governments were making an arrangement of some kind or other.

Mr. HEYBURN. And it refers to restrictions by the Government and not by Provinces.

Mr. GALLINGER. That was my contention. I may not be right.

Mr. HEYBURN. That would be the construction I would place upon it. Otherwise it would have said restrictions placed upon it by any Province. But Canada is dealing here as an imperial government subject only to the control of the English Government. She is dealing under her constitutional rights, and her constitutional rights give her the right to abrogate the law of a Province if it is contrary to that which she desires to do.

I desire at this late hour only to point this out because it is not without merit. If the Dominion of Canada has imposed an export duty, then there is no restriction against the exportation of this wood, in whatever form it may be. On the products of the wood I find in an examination of the law—and I have spent some time; I may not have exhausted the subject entirely—that there is at present no export duty nor restriction in the laws of the Dominion of Canada.

I desire before taking my seat to call attention to another proposition here, that was referred to in connection with this question:

Tariff resolutions pending in the Canadian Parliament January 26, 1911.

Mr. Fielding, in committee of ways and means, offers the resolution:

Resolved, That it is expedient to amend the customs tariff, 1907, and to provide as follows.

I have not heard reference, although it may have been made in my absence, to this proposition:

1. That the articles, the growth, product, or manufacture of the United States, specified in Schedule A, shall be admitted into Canada free of duty when imported from the United States.

2. That the articles, the growth, product, or manufacture of the United States, specified in Schedules B and D, shall be admitted into Canada upon payment of the rates of duty specified in the said schedules when imported from the United States.

But here is the point to which I desire to call your attention:

That the advantages hereby granted to the United States shall extend to any and every other foreign power which may be entitled thereto under the provisions of any treaty or convention with His Majesty.

That the advantages hereby granted to the United States shall extend to the United Kingdom and the several British colonies and possessions with respect to their commerce with Canada: *Provided, however*, That nothing herein contained shall be held to increase any rate of duty now provided for in the British preferential tariff.

Mr. President, the effect of that is that we do not go into Canada as a preferred commercial agency. We go in there in competition with the same conditions that are granted to any other country. Any other country may obtain the same conditions that are given under this proposed bill. So the advantages of the Canadian market are not exclusive to this country. Any other country comes in there on the same terms as we go into the country as competitors with every other country in the world. Where is the great advantage that we derive?

Mr. GALLINGER. They come in here without competition.

Mr. HEYBURN. Yes; they come into the American market without competition with any other country, because we give such terms to no other country, unless we shall be compelled under the favored-nation clause, and we go into their country in competition with every other country in the world on the same terms that country receives. And that is called reciprocity!

I merely call attention to these facts. I will not attempt to enlarge on them at this hour, but I had them in mind from the discussion that has been going on. I think it is safe to say that the reference in the bill is to the restrictions of the Canadian Government and not the restrictions of the Provinces.

Mr. NELSON. Mr. President, I suggest to members of the Finance Committee to let the bill go over for to-day and it can be taken up in the morning. We had better take an adjournment now.

Mr. CULLOM. I think we ought to have a brief executive session.

Mr. NELSON. Very well.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 5 minutes spent in executive session the doors were reopened, and (at 5 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Friday, June 23, 1911, at 12 o'clock m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 22, 1911.

COLLECTOR OF CUSTOMS.

Morton Tower to be collector of customs for the district of Coos Bay, Oreg.

PROMOTIONS IN THE NAVY.

Capt. Charles B. T. Moore to be a rear admiral.

POSTMASTERS.

INDIANA.

Hood P. Loveland, Peru.
Elmer W. Rust, Winslow.

IOWA.

Eugene C. Haynes, Centerville.
William F. Muse, Mason City.

KANSAS.

George A. Benkelman, St. Francis.

NEW YORK.

Seth S. Ackley, Piermont.
Charles W. Penny, Patterson.

NORTH DAKOTA.

Donald G. McIntosh, St. Thomas.

SENATE.

FRIDAY, *June 23, 1911.*

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

Mr. KERN presented resolutions adopted by Group 5, Indiana Bankers' Association, indorsing the plan for monetary legislation as suggested by the National Monetary Commission, which were referred to the Committee on Finance.

Mr. GALLINGER presented a memorial of Local Grange No. 123, Patrons of Husbandry, of New Hampton, N. H., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

Mr. CLARK of Wyoming presented a memorial of the Green River Valley Cattle and Horse Growers' Association, of Wyoming, remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

He also presented a memorial of the congregation of the Seventh-day Adventist Church of Lander, Wyo., remonstrating against the enforced observance of Sunday as a day of rest in the District of Columbia, which was ordered to lie on the table.

Mr. TOWNSEND presented an affidavit in support of the bill (S. 1167) granting an increase of pension to Elias Shaffer, which was referred to the Committee on Pensions.

Mr. CULLOM presented a memorial of the Central Labor Union of Miami, Fla., remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

Mr. BURNHAM presented a memorial of West Thornton Grange, No. 253, Patrons of Husbandry, of New Hampshire, and a memorial of New Hampton Grange, No. 123, Patrons of Husbandry, of New Hampshire, remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which were ordered to lie on the table.

Mr. BROWN presented a petition of the Real Estate Exchange of Omaha, Nebr., praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

He also presented a memorial of sundry citizens of Bridgeport, Nebr., remonstrating against the passage of the so-called Johnston Sunday-rest bill, which was ordered to lie on the table.

He also presented affidavits in support of the bill (S. 2177) granting an increase of pension to Henry S. Bell, which were referred to the Committee on Pensions.

COLORADO AVENUE AND KENNEDY STREET NW.

Mr. CURTIS. I report back favorably, without amendment, from the Committee on the District of Columbia, the bill (H. R. 8649) to authorize the extension and the widening of Colorado Avenue NW., from Longfellow Street to Sixteenth Street, and of Kennedy Street NW., through lot No. 800, square No. 2718, and I submit a report (No. 86) thereon. I ask unanimous consent for the immediate consideration of the bill.

The VICE PRESIDENT. The bill will be read for the information of the Senate.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. CURTIS. I am directed by the Committee on the District of Columbia, to which was referred the bill (S. 1334) to authorize the extension and widening of Colorado Avenue NW., from Longfellow Street to Sixteenth Street, and of Kennedy Street NW., through lot No. 800, square No. 2718, to submit an adverse report (No. 87) thereon, and I ask that the bill be postponed indefinitely.

The VICE PRESIDENT. Without objection, the bill will be postponed indefinitely.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KERN:

A bill (S. 2865) granting an increase of pension to Francis M. Ward (with accompanying papers); to the Committee on Pensions.

By Mr. TOWNSEND:

A bill (S. 2866) for adjudication and determination of the rights and equities of the widow and family of Marcus P. Norton and the heirs at law, assigns, legatees, or legal representatives of others; to the Committee on Post Offices and Post Roads.

By Mr. BROWN:

A bill (S. 2867) granting an increase of pension to Nancy Jane Tracy; to the Committee on Pensions.

By Mr. BURNHAM:

A bill (S. 2868) granting a pension to Annie S. Diamond (with accompanying papers); and

A bill (S. 2869) granting an increase of pension to Daniel D. Whitney (with accompanying papers); to the Committee on Pensions.

A bill (S. 2870) to regulate the importation and interstate transportation of nursery stock, to enable the Secretary of Agriculture to establish and maintain quarantine districts for plant diseases and insect pests, to permit and regulate the movement of fruits, plants, and vegetables therefrom, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. FLETCHER:

A bill (S. 2871) for the relief of the heirs of William Weeks; to the Committee on Public Lands.

A bill (S. 2872) to require dealers in meats, fruits, and vegetables in the District of Columbia to protect the same from flies, insects, and dust; to the Committee on the District of Columbia.

RATES OF POSTAGE (S. DOC. NO. 54).

Mr. BOURNE. Mr. President, I introduce a bill, which I send to the desk. It is very brief, and I ask to have the Secretary read it for the information of the Senate.

The bill (S. 2873) fixing the rate of postage to be charged for the transmission of mail within the United States or its possessions was read the first time by its title, and the second time at length, as follows:

Be it enacted, etc., That from and after the passage of this act no higher postage rate shall be charged for the transmission of mail entirely within the United States or its possessions than is charged for transmission of mail partly within and partly without the United States or its possessions. The Postmaster General is hereby authorized and required to establish and enforce rules and regulations which will give the people of the United States rights and privileges in the use of the United States mails as liberal as the rights and privileges the United States accords to the people of the most favored nation.

Mr. BOURNE. Mr. President, it may seem strange to Members of the Senate that there should be a possibility of legislation giving American citizens privileges in the United States mails between themselves equal with those enjoyed by residents of this country in transaction of business with residents of foreign countries. The facts are these: Within the United States the rate of postage on fourth-class matter is 16 cents a pound, with a limit of 4 pounds. The United States is party to a treaty under which residents of 29 foreign countries may send fourth-class matter through the United States mails at 12 cents a pound, with a limit of 11 pounds. In other words, a man may send an 11-pound package from San Francisco to Rome, Italy, at 12 cents a pound, but if he wishes to send the same articles to New York he must divide them into packages of not to exceed 4 pounds each and pay 16 cents a pound. A Japanese residing in New York can send an 11-pound package to his friends in Tokyo at 12 cents, but an American in New York can send only a 4-pound package from New York to Washington and must pay 16 cents a pound.

Mr. President, the Committee on Post Offices and Post Roads of both Senate and House have under consideration bills for the establishment of parcels post. In my opinion the specific provisions of such a bill should be fixed only after the most careful investigation. I believe Congress will establish a parcels-post rate at less than 12 cents a pound and a rate very much less than that for short hauls. But whatever the ultimate action on the question of parcels post, I see no reason for delay in the enactment of this law giving American citizens as favorable postal facilities as this Government extends to residents of foreign countries. Especially is this true when investigation by the Post Office Department shows that the cost of transporting fourth-class matter is approximately 12 cents a pound. The passage of this bill will in no way conflict with any subsequent legislation on the subject of parcels post.

Mr. President, I ask that the bill be referred to the Committee on Post Offices and Post Roads.

The VICE PRESIDENT. The bill will be referred to the Committee on Post Offices and Post Roads.

Mr. CLAPP. Mr. President, the motion of the Senator from Oregon [Mr. BOURNE], coupled with the statement he has made,

is going to call for a great deal of correspondence upon this subject, and it occurred to me that it would facilitate our correspondence if the remarks of the Senator from Oregon could be printed as a Senate document, so that we could have them to inclose in response to inquiries for this kind of data. I therefore make the request.

The VICE PRESIDENT. The Senator from Minnesota asks unanimous consent that the remarks of the Senator from Oregon [Mr. BOURNE], just made, be printed as a Senate document. Is there objection? The Chair hears none, and it is so ordered. Does the Senator from Minnesota desire to have the bill printed likewise?

Mr. CLAPP. I am not so particular about that. A very brief statement of the bill would be carried, of course, by the press, and the carrying of the statement of the bill by the press would make calls for the correspondence.

LAND IN FULTON COUNTY, GA.

The VICE PRESIDENT. The morning business is closed.

Mr. BACON. I ask permission of the Senate for the consideration, by unanimous consent, of the bill (S. 2462) to cede jurisdiction to the State of Georgia over certain land in Fulton County. It will take but a moment. It is a matter of some importance to my State.

The Secretary read the bill, and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

IMPROVEMENT OF RURAL DELIVERY ROADS.

Mr. SIMMONS. Mr. President——

The VICE PRESIDENT. The Chair will lay before the Senate Senate bill 2846, upon which the Senator from North Carolina has given notice he will address the Senate this morning.

The SECRETARY. A bill (S. 2846) for experimental improvement of rural delivery roads by the Secretary of Agriculture, in cooperation with the Postmaster General, for investigating the subject of Federal registration and license of automobiles used in interstate travel, and for other purposes.

Mr. SIMMONS. Mr. President, the industries of the country may be classified into agricultural, manufacturing, and transportation.

All of these industries are of great importance, but as agriculture provides food for the people, markets for manufactures, and business to transportation, it is entitled to preeminence as being our basic industry.

During the colonial period of our existence and for many years after the revolution, agriculture was the chief, almost the sole, occupation of our people. We had no manufacturing, and our only means of transportation was by water and the ordinary wagon road.

In these conditions the necessity of diversifying the pursuits of the people, of supplying their needs for manufactures, and providing more efficient transportation for the distribution of their products became a subject of grave consideration.

How were these desirable and necessary results to be brought about? On account of the general poverty of the people it was manifest that individual resource and effort were wholly inadequate to meet the demand. The situation suggested inquiry into the duty and powers of the Government in the premises and led to an exhaustive discussion by leaders of thought in those early days of every phase of the question, resulting in the adoption by the Government of a policy which has continued to the present day.

From that time to this the Government has sought by legislation and otherwise to encourage and foster the industries of the people by supplementing individual effort with pecuniary aid.

Before the era of railroads ambitious projects for public highways were devised and entered upon, and millions were contributed from the Public Treasury and domain for their construction, while great schemes were projected and worked out for the improvement of rivers and harbors and for connecting the waterways of the country by artificial canals.

However, it was not until after the Civil War that the Government entered upon that broad, comprehensive, and liberal system of Government cooperation and aid which has led to such marvelous results in the development of manufacturing and transportation. While every tariff act since the formation of the Government in 1789 has given assistance to the upbuilding of manufactures, the legislation of the last 50 years has been of surpassing liberality, and the aggregate contributions of the people during that period to this end have been stupendous.

As a result, this industry has in an incredibly short time, starting from practically nothing, developed into a system unequaled in magnitude and in efficiency of operation by that of any other nation upon the earth.

The same policy has been pursued with reference to rail-and-water transportation. The contributions of the National Government to railroads in land grants and otherwise, and of the States, counties, townships, cities, and towns, through stock and bond subscriptions, reach into billions. The land grants alone contributed by the Government aggregate nearly 200,000,000 acres.

So, likewise, with reference to our waterway transportation. Wherever it has been shown that commerce would be benefited by the improvement of our rivers and harbors, the Government has not withheld such amounts as seemed reasonably necessary to provide for the transportation needs of the community affected. Millions upon millions are being expended for this purpose year by year, with ever-increasing liberality, and the time is not far distant when by reason of these contributions of the people every harbor and every navigable stream will have such facilities and depth as may be needed to accommodate its present and prospective commerce. Not only this, but the great water systems of the country will be linked together by artificial channels, and, at an expense to the Government which would a few years ago have appalled the world, the two great oceans which bound our continent on the east and west will be connected by a channel dug through mountains and of sufficient depth to accommodate the deepest draft vessels of the world.

I do not mean, of course, to underestimate the important part played by private capital and energy in advancing our transportation and manufacturing to their present state of efficiency and completeness, nor do I doubt that this result would have been accomplished through individual effort in the course of time, but without this pecuniary aid of the people, acting through their Governments, National and State, the progress to this end would have been comparatively slow and the consummation long delayed.

What has the Government done to foster and promote agriculture—that industry on which our very existence depends, which has done its part in building up the country, which has indeed made possible the growth of manufactures, the construction of our transportation lines, the rapid development of our banking and stock interests, and without which our cities and towns would at once fall into decay and ruin; an industry that creates wealth not only for itself but for all other industries, which occupies nearly 40 per cent of our population, whose exertions convert the elements of nature into commodities that have an annual value of $9,000,000,000?

It is true there are some branches of agriculture that have heretofore participated in the bounties of the tariff, but it is now sought and proposed to take from the farmer all direct participation in these supposed benefactions.

It is true that something has been done in recent years to aid in teaching scientific agriculture and better cultural methods, but the amount contributed for this purpose, though something, is small when compared with other Government contributions to national objects of far less importance.

It is also true that the farmer's demand for improved mail facilities has to some extent been granted, but the amount expended to this end is no greater than that expended for city delivery, and is only a tardy recognition of a constitutional right, and is far below what the farmer needs and should have. Not only this, but the installation and expansion of the rural delivery has been impeded by many hindrances and obstacles, and in its administration there are and have been manifest discriminations. The officials employed to serve him are discriminated against, in salary, in the hours of labor, and in the matter of equipment needed to discharge their duty.

After years of struggle the service has been extended until now it reaches something like two-thirds of our rural population, but the service rendered is meager compared with what it should be and what is needed and demanded, and could be given with but slight increase in cost.

The service is so admirably adapted to accommodating cheap and quick parcels delivery that it actually suggests the installation of this additional service, not only as a revenue measure but as a matter of local convenience and saving, on the one hand, and as extending to the dwellers in the country, through the mails, at least the same advantages enjoyed in the city through the medium of the express companies.

Five or six years ago I introduced in committee an amendment to the Post Office appropriation bill providing for a rural parcels post. It was adopted by the committee and the Senate, but was stricken out in conference.

That the farmer has received so little aid and encouragement from the Government is probably ascribable to the fact that he has not been assertive. He is becoming more assertive now, and wisely so. He is organizing, and, while these organizations are holding aloof from partisan politics, the farmers of the country, irrespective of party affiliations, are disposed to demand that their interests and needs shall receive fair and impartial consideration from Congress and the Government.

It is a rare thing that the farmer goes to his State legislature or comes to the National Congress to present to the lawmakers his grievances or his demands, because, being fair dealing, honest, and patriotic himself, he accords those virtues to others and trusts his representatives to deal fairly with him and his interest.

Only once during the 10 years since I have been in the Senate have the farmers come in large numbers before a great committee of this body either protesting or demanding.

Recently, when there was pending before the great Committee on Finance a measure vitally affecting their interests, by which it was proposed to apply one rule to the things they sell and a different rule to the things they buy, they came, not as suppliants and beggars, not lobbying around the hotels of the Capital and the Chamber and corridors of the Senate, but before the committee in open session. They came in numbers from many States, some of them far distant from the Capital. A more intelligent and determined set of men I have never seen.

Yet how were they treated? Kindly and with every consideration by the committee, but there it ended. Rebuffed and defied by the administration to which they had appealed for fair treatment and alternately ignored and jeered at by the metropolitan press of the country, they departed discouraged and disheartened.

Yet, Mr. President, I have an idea that these farmers are coming back here again, and that more are coming with them; and that when they come there will be here occupying a majority of these seats those who will listen and hear and heed what they have to say.

But, Mr. President, I have digressed and strayed far afield.

I was discussing the duty of the Government to show the same fostering care to that great primary and basic industry in which 40 per cent of our population is engaged as it has been its wont to show to other important industries of the country.

While I do not wish or mean to minimize what has been done, it can not be denied that what the Government has contributed for agriculture is but a bagatelle compared with what it has done for transportation and manufacturing, and that measurably, as a result of this discriminatory treatment, these industries have grown and expanded far in excess of agriculture. The effect of this discrimination is strikingly illustrated by the fact that while in manufacturing and transportation we have caught up with and passed, in agriculture we have lagged behind, and far behind, the more progressive nations, both in cultural methods and in productiveness per unit.

Mr. President, every consideration of justice and sound public policy would seem to condemn this neglect of this great and important industry. Upon the basis of his own merit and the public weal the farmer is entitled to the highest consideration at the hands of the Government. Indeed, there is no class of people to whom the country owes more than to the farmers.

It is they who through the hardships and trials of pioneer life subdued and made habitable the vast wilderness stretching from the Atlantic to the Pacific; it is they who have borne the burdens of those tariff laws that have contributed so largely to the development of our manufacturing; it is they who have chiefly furnished the traffic that has made railroading profitable and the gratuities which have so largely stimulated their construction; it is they who have sustained the balance of world trade in our favor and brought to our shores a constant stream of foreign gold; it is they who have contributed most largely to the production of the national wealth; and it is they who have been our main dependence in peace and our bulwark of safety in war.

The crop of the farmer fixes the standard of the Nation's prosperity. Indeed, so potential is the farmer's crop in its influence upon the business and the prosperity of the country that the bare prospect of a good crop quickens the energies and activities of the people, stimulates and vitalizes every department of trade, while the rumor of a poor crop demoralizes prices, checks trade, and breeds commercial stagnation, and when these fears and hopes materialize in a good or bad crop, as the case may be, the bad or good effect is felt in every branch of industry and in every line of endeavor.

The present condition of this great industry, whether considered in connection with the profits which it yields as compared with the profits of other industries, or in connection with our foreign trade or our domestic needs, challenges and admonishes a more liberal consideration and treatment on the part of the Government than it has received in the past or is at present receiving.

If we are to maintain the equilibrium between our city and country population, if we are to maintain the equilibrium between those engaged in trade, in transportation, in commerce, and manufacturing with those engaged in agricultural pursuits, farm life must be made more attractive and the pursuit of agriculture more profitable.

A brief summary will suffice to show that unless the present trend from the farm to the town is checked at no distant day we will cease to be an exporter of agricultural products, and the main source of our balance in world trade will vanish, leaving us a world debtor instead of a world creditor.

Of course, I do not mean to say that there will not be a continuing expansion in agriculture and a continuous increase in its production, but it is apparent that that expansion and increase will not keep pace with the increase in our consumptive capacity and economic requirements. Indeed, the statistics of the last few years show that our consumption has already nearly overtaken our production.

During the five years beginning with 1890 our people consumed annually an average of 300,000,000 bushels of wheat.

During the next five years the annual consumption averaged 350,000,000 bushels.

During the next five years the consumption was 460,000,000 bushels.

Now the consumption is about 600,000,000 bushels annually.

Our large crop still leaves some surplus for export, but of the great crop of 1909, when the production was 725,000,000 bushels, we exported only 63,000,000 bushels of unground wheat.

In 1910 the export was 42,000,000 bushels, and for the 10 months ending in April, 1911, virtually the year, the export was less than 22,000,000 bushels; and more than one-half of that was from Oregon and Washington.

Of all breadstuffs we exported in 1908, $205,000,000 worth; the following year, $150,000,000 worth; the next year, $121,000,000 worth; and for the year ending June, 1911, there will be a falling off of some $15,000,000 from that figure.

From this it is apparent that our exports of breadstuffs are diminishing.

Similarly our exports of cattle are falling off. In 1904 we exported 593,000 cattle; five years later only 208,000; in 1910 about 125,000, and for the 10 months of 1911, virtually the year, only 94,000. Our imports of cattle from Mexico were, in 1908, only 63,000; in 1910 they were 188,000; and for the year ending June, 1911, they will be more than 200,000. Thus it appears that we import more cattle than we export, and, although we still export fresh beef, that item is also falling off.

It is evident that the period is not far distant when we will have need here at home for all the provisions we raise.

Up to the present, agriculture has been the main reliance for the sound financial condition of the country. It has maintained the balance of trade in our favor.

In 1908 we exported:

Foodstuffs (crude)	$189,000,000
Foodstuffs (manufactured)	331,000,000
Cotton	437,000,000

The value of our agricultural products exported in 1907 reached $1,050,000,000. That was the high-water mark. Since then there has been a considerable decline in all except cotton. A heavy loss in these products would leave the balance of trade against us, resulting in unsettling our currency, disturbing conditions, reducing values, and arresting prosperity.

From this résumé it is apparent that agriculture is the foundation stone of our financial fabric, and every effort should be made to foster and promote it.

There is a market abroad for all the surplus our fields can produce. There is no difficulty in selling the products of this industry. Europe needs all we can spare.

With manufactures it is different. Our manufactures may not be wanted by the world, the products of our factories may become a drug; they may be piled upon the shelves unconsumed, congested, entailing loss, and inviting panics; but our wheat, foods, provisions, and cotton are needed for Europe, and will always find a ready sale abroad. There will be no surfeit of these productions; on the contrary, the outlook is that there may be a serious deficit in them.

Already the relative proportion of population engaged in agriculture is too low, and during the past decade the proportion has continued to diminish.

In the 10 years between 1890 and 1900 the increase in those engaged in agriculture was only 21 per cent, while among those in other occupations it was 32 per cent, and since then this difference has still further increased. The urban population is increasing faster than the rural or agricultural class. Manufacturing, mining, transportation, day laborers, those employed in trade and in mechanical pursuits have unduly increased. The relative increase in agricultural occupations is less than in other lines.

The census bulletin relating to the population of counties in the several States shows that in the tier of great agricultural States from Ohio west, while 600 counties increased in population, 422 decreased. Doubtless the increase in urban population alone kept the other counties from similarly showing a decrease.

In the States of Ohio, Indiana, Illinois, Missouri, Iowa, and Michigan there were 313 counties to decrease, while only 266 increased. Such has been the trend of agriculture in that region.

In the South Atlantic States and Cotton States, also including Kentucky, 260 counties fell off, while 1,041 showed an increase.

In North Carolina but 7 counties show a decrease, but if only the rural population be considered, 20 show no increase. Were the same minute examination made as to the counties of the agricultural States of the Northwest, probably it would appear that there has been a falling off of rural population in each of those States.

The towns everywhere have grown at the expense of the country; but the country at the South has not suffered relatively as much as the Northwest has. Our agriculture may be more prosperous, or perhaps there may not be the same demand for labor in the southern towns as elsewhere.

Does not this situation warn us to resort to every method to promote agriculture, not merely for the advantage of the farmer, but for the benefit of all, so that the food supply shall always be adequate, that provisions may be plentiful, that the exports may not be curtailed, that the balance of trade may not be reversed, that the financial condition may not be unsettled, and that the general welfare may be conserved?

The practical question is, How can the Government help the farmer; in what way can it, in present conditions, most promote the interest of agriculture?

By far the most pressing need of the farmer and the most pressing need of the country is good roads and improved highways. We have the finest railways in the world and the poorest highways. The Government has helped to build these railroads and develop this splendid system of long-distance transportation. Why should it not help to build the equally important system of short-distance transportation—the country highways over which the produce of the farm must be hauled before it reaches these national highways?

No one will deny the importance of cheap and quick transportation from ocean to ocean, from port to port, and from city to city. Is not quick and cheap transportation just as essential from the farm to the railway station or to the river landing? Does not the fact that transportation from the farm to the station is 30 times higher than from the station to the point of ultimate distribution appeal for remedy?

If sound public policy requires that so much be done as we have done by legislation and otherwise to cheapen railroad rates, does not the same policy require that something be done to lessen the rate of transportation from the farm to the railroad?

Not only is the subject of good roads the most important which now confronts the farmer and one of the most important now before the people of the country at large, but it is the one in which the people are most deeply interested.

There can be no doubt about the constitutional power of the Government to appropriate money to aid in the construction and improvement of our public roads. That question was fought out in the early days of the Republic.

There can be no escape from the conclusion that the constitutional power to establish post roads is as broad as that to establish post offices, and that the power to establish post roads includes the power to construct, improve, and maintain them.

Aside from considerations of public policy in this matter, I submit that the Government has incurred a moral, if not a legal, liability to contribute at least to the maintenance of public highways of the country by reason of the use which it is making of them in the performance of its constitutional duty to supply the people with mail facilities.

Of the 2,150,000 miles of dirt roads in this country the Government is to-day using over 1,000,000 miles for star routes and Rural Delivery Service. It has established them into post roads, and it is actually using them every day in the year, except Sundays and holidays, to carry the mails.

These roads have been constructed chiefly by the farmers and are maintained by taxes in a large measure paid by them. The Government has contributed nothing to their construction and contributes nothing to their maintenance.

The Government uses the railroads to carry the mails, but it pays for this service, and usually pays a high price for it. On the other hand, it not only uses the farmers' road for the identical purpose without paying a cent for its use or maintenance, but requires the farmer, besides furnishing the road, also to keep it in good condition; and if he fails or refuses to do so, it discontinues his mails.

In conveying the mails to the farmer the Government is not doing a charity, but is performing a duty it can not rightfully escape, and I submit that the Government has no more right to appropriate the farmers' road to its use without compensation than it has to appropriate the railroads to the same use without compensation.

There would therefore seem to be a legal as well as a moral obligation on the part of the Government arising out of the use of these roads to at least contribute to their maintenance.

But, Mr. President, in addition to this there is a strong economic reason in connection with the use of these public highways as post roads why the Government should contribute not only to their maintenance, but to their improvement—it is the saving which will accrue to the Government in the expense of the star route and Rural Delivery Service from good roads.

On account of the establishment of rural delivery 23,000 post offices have been discontinued, aggregating a saving in salaries of $8,000,000; likewise, there has been a discontinuance of star route service to the amount of $18,000,000, cutting off a total of $26,409,000 of expense.

The total mileage of the rural routes in operation on June 30, 1910, was 993,068, the average mileage per route being 24, and the average number of miles of daily travel by rural carriers was 986,993.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER (Mr. CURTIS in the chair). Does the Senator from North Carolina yield to the Senator from New Hampshire?

Mr. SIMMONS. Yes.

Mr. GALLINGER. Will the Senator kindly restate the amount of saving by the abolition of post offices, post routes, and star routes.

Mr. SIMMONS. I estimate it at $26,000,000.

Mr. GALLINGER. Has the Senator the figures, approximately, of the expenditures for the Rural Delivery Service?

Mr. SIMMONS. No; I have not. I think it is about $40,000,000.

Mr. GALLINGER. $40,000,000. So that the abolition of the rural post offices and the curtailment of the star route service pays a large portion of the expenses of the Rural Delivery Service.

Mr. SIMMONS. All of it, except about $14,000,000.

Mr. GALLINGER. That is very interesting. I am glad to know the fact.

Mr. SIMMONS. Yes; and, as the Senator from Virginia [Mr. SWANSON] suggests to me, the sale of stamps would probably pay that.

The average cost per mile traveled is not quite 12 cents, exclusive of substitutes and of toll and ferriage service. On nearly one-half of the entire roads of the country the Government is now delivering the mails at a cost, say, of 12 cents a mile, and it is plain that any improvement of these roads would reduce the cost of this service.

If through road improvement the time required in covering the route could be lessened one-third or one-fourth, it is obvious that there would be a saving in the cost of the service from $10,000,000 to $15,000,000. On the basis of the present mileage, and without adding a single dollar to the present appropriation, the service could be extended from 200,000 to 300,000 miles, carrying the daily mails to hundreds of thousands of farmers who are now denied them.

In addition to these reasons growing out of the direct pecuniary interest of the Government in better roads for mail purposes, I submit that the Government has an indirect and general interest, arising from its duty to promote the public welfare, which invites and justifies its cooperation in the maintenance and improvement of the postal highways.

The prices of products depend not only upon the cost of production, but also upon the cost of distribution. Whatever, therefore, adds to the cost of the transportation necessarily adds to the ultimate cost of the product.

In recognition of this economic principle there has been much congressional legislation in recent years looking toward Government control of railroads, with a view to establishing reasonable transportation rates.

While railroad rates may still be somewhat too high, speaking generally, it may be said that adequate and cheap facilities exist for the carriage of products from the railroad station to the markets. But while this is true, on account of the bad condition of the roads, the initial charge—the cost of hauling from the farm—is excessively high.

The difference in the cost of transportation by rail and by dirt road is as 1 to 30. Of course, this difference is not all due to bad roads, but it is fully twice as great as it would be if the standard of our public roads were put upon a parity with that of our railroads.

This excessive cost is not only a burden upon agriculture, but it is a tax upon the consumer of its product. The value of farm products is computed at $9,000,000,000, and as only two-thirds of this amount is consumed at home, the balance has to be marketed, and the average haul for this purpose from the farm to the railroad is estimated at 9 miles. Of the 2,150,000 miles of road over which this haul must be made, about 175,000 miles have been improved; the balance, or nearly 2,000,000 miles, is still unimproved dirt road.

These roads are at best indifferent, frequently positively bad, and sometimes almost impassable. Annually 300,000,000 tons of farm products are hauled over these roads at a cost estimated by the Secretary of Agriculture at 23 cents per ton-mile. If these roads were improved, he estimates that the cost would be reduced to less than half that amount.

According to consular reports the cost of hauling in Germany, France, and England, where the roads are maintained in the best possible condition—indeed, on my trip to Europe a few years ago I did not see a road that was not macadamized—is frequently as low as 7 or 8 cents per ton-mile.

So, if it costs the farmer, as calculated by the department, $600,000,000 to market his product over our present roads, $300,000,000 could be saved annually if they were put in reasonably good condition, and, if in as good condition as those abroad, a much larger sum—probably $400,000,000.

When I first read this estimate of the Secretary of the probable saving to the farmer from good roads I thought it was too large, but an analytical study of the cost of hauling the cotton crop of the South—a subject with which I am, in a measure, familiar—caused me to revise my conclusion.

Cotton has to be hauled when picked to the gin, and then carried to the market, and the seed are likewise to be hauled. This is only a part of the hauling in connection with the cotton crop. It does not include fertilizer and other items.

A crop of 12,000,000 bales will make 3,000,000 loads. The weight of the seed is about twice that of the lint, and there will be about 6,000,000 loads of seed. Thus there will be about 9,000,000 full loads.

Putting the cost of hauling at $2 per load, it would amount to $18,000,000.

If by good roads that expense could be reduced, say, one-half the department's estimate, the saving would be about $9,000,000.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from New Hampshire?

Mr. SIMMONS. With pleasure.

Mr. GALLINGER. I ask the Senator, and I ask it entirely for information, whether the States of the South have, to any considerable extent, made appropriations for the betterment of the roads in that section of the country?

Mr. SIMMONS. The States, as such?

Mr. GALLINGER. Yes.

Mr. SIMMONS. The States, as such, have not to any considerable extent, but the counties and municipalities have largely. For instance, just a few days ago one county—Iredell—in my State voted a bond issue of $400,000 for good roads, and within the last few years quite a number of other counties have voted almost as large amounts for this purpose. The State of North Carolina, however, has appropriated a small sum to be expended under the State geologist for advice and engineering assistance to counties constructing roads.

Mr. GALLINGER. That amounts to the same thing practically.

Mr. SIMMONS. It amounts to the same thing.

Mr. GALLINGER. I will say to the Senator that I have long believed——

Mr. SIMMONS. I wish to say to the Senator that all over the South this is the question of paramount interest to the people——

Mr. GALLINGER. Yes.

Mr. SIMMONS. And they are responding to it by bond issues that a few years ago would have appalled them. They now vote them readily.

Mr. GALLINGER. I will say to the Senator that I have long been of opinion that the Federal Government might well cooperate in the betterment of our roads, and I think at one time I introduced a bill in the Senate touching that matter.

Mr. SIMMONS. Yes.

Mr. GALLINGER. In our section of the country, somewhat despairing of Federal assistance, we have been making very large appropriations from the State treasury for that purpose. Massachusetts has spent a great many millions. New Hampshire, which is a small State, voted two years ago a million dollars, and I think we have spent probably a million and a half dollars for that purpose, and I was merely wondering whether that spirit of advancement had taken possession of the South, as I thought likely it had. To my mind it makes no difference whether the counties or the municipalities vote this money, or the State appropriates it directly from the State treasury.

Mr. SIMMONS. It does not make one particle of difference.

Mr. GALLINGER. It amounts to the same thing.

Mr. SIMMONS. I want to say to the Senator from New Hampshire that the statistics show that the amount expended in my State for good roads has increased in the past five years 100 per cent. In 1910 over two millions of bonds and about one million of taxes were expended for this purpose. The amount this year will be much larger.

Mr. GALLINGER. I am pleased to know that.

Mr. SWANSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Virginia?

Mr. SIMMONS. Yes.

Mr. SWANSON. I should like to say to the Senators from North Carolina and from New Hampshire that the State of Virginia has inaugurated a system of State aid to roads. In Virginia the convicts work on the roads, the State paying the entire expense—feeding, guarding, and clothing the convicts—the materials and the machinery being furnished by the county. In addition, where the counties can not get convicts from the State the State treasury appropriates $250,000 a year on condition that the counties or localities furnish an equal amount.

Mr. GALLINGER. I will ask the Senator from Virginia and the Senator from North Carolina whether in their States there is good road material available or whether they have to send——

Mr. SIMMONS. I am going to discuss that a little later.

Mr. SWANSON. As far as Virginia is concerned, we have experimented. In sections of Virginia we have been able to construct very fine roads equal to macadam roads, at an expense of $1,000 or $1,200 a mile.

Mr. GALLINGER. It is costing us, I will say to the Senator, for what we think is a better type of road, about $5,000 a mile.

Mr. SWANSON. That is, a macadam road?

Mr. GALLINGER. Yes; very thoroughly constructed.

Mr. SIMMONS. In the level section of my State, where I live, roads can be constructed at a cost of about $300 to $500 a mile.

Mr. SWANSON. May I state to the Senator from New Hampshire, if the Senator from North Carolina will permit me, that by the adoption in Virginia of this system of State aid to roads we have had one of the most wonderful developments of State roads there that any State possesses. We have built in the last four years about 600 miles of macadam road. In addition to that, the counties have issued in the last few years bonds in order to get State aid. The county had to furnish an equal amount, had to furnish material in order to get convicts, had to furnish money in order to get the aid the State gave; and I will state, if the Senator will permit me——

Mr. SIMMONS. I should like to have the Senator from Virginia elaborate it.

Mr. SWANSON. That has produced such a movement in Virginia, from one end of the State to the other, that I am satisfied that if the Federal Government will make an appropriation of money for road improvements conditioned on an equal amount being furnished by the State or local authorities, with joint supervision, joint action, joint building, joint agreement on where the road shall be placed, like they do in all the States where they have State aid, it would produce a great and wonderful improvement, and we would have the same experience in the United States; the local authorities, in order to get State aid, would furnish five or six times as much as is furnished by the State.

Mr. WARREN. May I ask the Senator from Virginia how long since the system of using convicts to construct roads was initiated in his State?

Mr. SWANSON. We commenced about five years ago.

Mr. WARREN. It is entirely satisfactory?

Mr. SWANSON. It is satisfactory. Theretofore our convicts had been worked in the penitentiary under contract, making shoes. About five years ago we passed a law providing that all convicts whose terms do not exceed five years in the penitentiary and all jail prisoners shall be compelled to work on the public roads.

I wish to say in this connection it has not only been satisfactory as a paying investment—road improvement—but it has been extremely beneficial to the health and morals of the convicts themselves.

Mr. WARREN. I should like, as the subject is very interesting to me, because as I understand it the legislature of the State which I have the honor to represent in part in this Chamber has just authorized the employment of convicts for road making, to have it still further elaborated. As I understand the Senator, the State works these convicts on the State roads, laying out various State roads, to which the counties add their aid in the way of cash, or are State roads distinguished from county roads?

Mr. SWANSON. No. Here is the system in Virginia, and which has been adopted in a great many other States recently. Other States have passed similar laws. Louisiana passed a law shortly after the Virginia law, I think. We started it.

In my inaugural message as governor I recommended it. It passed the first legislature. The system we have there is that convicts are furnished on the application of each county in camps, I believe, of about 50.

Mr. WARREN. Supported and managed by the county?

Mr. SWANSON. No; the State furnishes money enough to guard them, feed them, clothe them.

Mr. WARREN. And keeps control of them?

Mr. SWANSON. And medicine for them. It keeps absolute control of them. So there can be no sickness, no maltreatment, or excessive work. They are inspected by State authorities. The State has a department of health, which sees that these men are kept in a good, healthy condition. The county furnishes the material, the county furnishes the machinery, and it is estimated that in the construction of roads through convicts, the State furnishing the labor, the State pays about 40 per cent of the cost of constructon, and the material and the machinery and other expenses, furnished or provided by the local authorities, amount to about 60 per cent.

Mr. WARREN. Does the State contract in cash through the county's hands or does it contribute sufficient only for the support of the convict force which it throws into use on the road?

Mr. SWANSON. The Virginia law is that counties which get convicts can not participate in the appropriation of cash for road purposes. There are not enough camps to go into every county and treat every section of the county equally fair. The Virginia law provides that counties which do not have convicts get the State aid of $250,000, divided equally among the counties that do not have the convict camps, according to the taxes that they put into the treasury.

Mr. WARREN. Do I understand that there are county convicts who are also thus employed?

Mr. SWANSON. The county convicts belong to the State. For instance, the circuit judge or corporation judge is authorized——

Mr. WARREN. To take convicts from the county jail?

Mr. SWANSON. To take convicts from the county jail and put them on the State convict road force.

Mr. SIMMONS. If the Senator from Virginia will permit me, I will state to the Senator from Wyoming that in North Carolina we have a system which has proved very satisfactory to us, but which is somewhat different from that in Virginia.

Mr. WARREN. I want to hear all that the Senator from North Carolina may say, but the main thing I want from both Senators, if they will be kind enough to give it, is, first, is it of advantage to the State itself; second, to the counties; and, third, and more important, is it to the advantage and the betterment, moral and physical, of the convicts themselves? I assume it must be, from what the Senators have said. I have intense interest in all the Senator from North Carolina has said and may say upon this most interesting subject—good roads; how to build and finance and keep in repair, and so forth, as well as treatment of the convict question.

Mr. SIMMONS. I will state that the North Carolina system is different from the Virginia system, in that the convicts who work on the public roads in North Carolina are worked by the counties instead of by the State. We have a general law by which any county can organize a convict force. The courts of that county are authorized, upon the conviction of certain offenses, to sentence the convicts to the roads in that county. Surrounding counties that have no convict force are authorized also to send their convicts to the counties which have complied with the law and organized a force. In a large number of counties this system has been adopted, and ample provision has been made for carrying it out, and a large part of the road work in those counties is being done by convicts. The results have been satisfactory. It has greatly advanced the cause of good roads, while the outdoor employment has improved the moral and physical condition of the convicts.

Mr. WARREN. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield further to the Senator from Wyoming?

Mr. SIMMONS. Certainly.

Mr. WARREN. I want to say before the Senator takes his seat, so that he may reply if he wishes, that his subject is a most interesting one, and I have believed that in the sparsely settled new States, where there are very large areas of public lands and where they have never participated in the grant or distribution of the swamp lands, certain of those public lands might properly be placed at the disposal of the State government, to be used in connection with this mode of road building which the Senator has so well described. I say this so that any observation he may wish to make in regard to that feature of it may be included in his remarks.

Mr. SIMMONS. The subject mentioned by the Senator from Wyoming is a new one to me, but it is very interesting, and he makes a valuable suggestion.

I know of no better disposition that can be made of those lands. I thank him for the suggestion and would like very much to confer with him on the subject hereafter. But, Mr. President, my remarks have already extended to a much longer time than I had expected. I will resume and finish them.

Mr. President, $300,000,000 may be an overestimate of the actual annual loss to the farmer from bad roads, but the loss on the single crop of cotton shows that the aggregate is sufficiently large to furnish an irresistible argument for action to put a stop to this great national waste.

Admit that it is not practicable to save the total amount estimated, yet it is apparent that a great saving can be made through better roads. As this saving would doubtless be shared by the farmer with the consumer in lessening the price of foodstuffs, both the farmer and consumer would be benefited; they would be enabled to buy more; they would make larger purchases; that would be to the advantage of the tradesman, to the advantage of the manufacturer, and of the transportation companies. There would result a general diffusion of benefits. The saving would not be at the expense of others; it would cheapen the cost of marketing, without entailing any loss to anyone. The saving would inure to the benefit of the farmer, in the first instance; and as it would enable him to sell at a lower cost, in the end the benefit would be shared by the consumer.

The cost of making good roads, while considerable, is small compared with the benefits to be derived. Especially is this true of road construction in the South. In that section, where we have sand and clay convenient, the cost of the sand-clay road is not great; and where these ingredients are mixed in proper proportions, they make a road inferior to none in cheapness and durability. The cost ranges from $350 to $550 per mile. Recently I have contributed largely to the building of a mile of this character of road over a heavy sandy surface at a cost of a little above $300, and it is one of the best roads I have ever seen all the year round.

In many parts of the country sand-clay roads are not practicable; there the gravel or macadam roads will have to be built at a cost ranging, according to climate, altitude, and surface conditions, from $1,500 to $5,000 per mile.

The cost of road construction in these sections will be large, but not prohibitive; besides, as 90 per cent of the travel is over less than 50 per cent of the highways, it will not be necessary to use this expensive material except on the main avenues of travel.

Europe has built macadam roads everywhere. So can we where necessary. It is true distances in proportion to population are greater here than in Europe; but, on the other hand, we are wealthier and our population is rapidly concentrating and thickening.

To subserve the needs of commerce and travel, we have built railroads over hills and mountains and under great rivers, with an outlay always great, sometimes stupendous. Why should we then balk in building these auxiliary arteries? We have reached the stage in our national development where we can not afford to leave anything undone the doing of which will promote the national welfare, and where the object to be promoted is national as well as local the Government should join in the doing of it.

Heretofore the demand on our energies and the local condition of our country life were distinctly against any great effort to improve our highways. The railroads constituting the arteries of commerce had first to be substantially completed.

We have built about 240,000 miles of railroad at a cost of about $14,000,000,000, and our needs in that respect have measurably been satisfied. Population has thickened in the older settled sections, products have multiplied, the use of the local highways have largely increased, and the country has at length reached that stage of development which calls for a like development of our system of public highways.

There has, therefore, come into existence a purpose to have better roads, a purpose responsive to a demand arising from national conditions, and this desire for improvement has led to agitation which has resulted in the formation of associations to promote this desirable object. In perhaps every State there is a State association to press forward this work, and there is a national association with the same object. The purpose of all these associations is to promote legislation for the improvement of highways, to organize local associations, and to stimulate the construction of good roads.

Wherever, as the result of this movement, good roads have been constructed the practical benefits have been immediate and far-reaching.

In 25 selected counties of 12 States in which 40 per cent of the roads had been improved the increase in population in the decade ending 1900 was on an average of 30,000 to the county. In 25 counties in the same States where only 1 per cent of the roads had been improved the population during that period, instead of showing an increase, actually decreased 3,000 to the county. Equally marked has been the effect of road improvement upon land values.

Wherever better highways have been introduced these values have increased in a greater or less degree. This increase is seldom less than 20 per cent, and sometimes as high as 100 per cent. The large increase in the value of the abandoned farms of Massachusetts in recent years has been notable. This increased value has been coincident with the improvement of the roads there, and is, I am advised, largely attributable to that.

Good roads have also brought about better conditions of country life. Not only do they lessen the expense of marketing the crop, but they make country life less irksome. They bring the farm and the town nearer together. Measured by travel the town may be two hours distant on a bad road and only one hour distant on a good road, and in carrying a load to market the farmer may make one or two trips, according to the road.

Last, but by no means least, good roads exert a material influence in promoting or retarding education. In many States provisions are now being made to carry the children to school because of the distance of the schoolhouse, resulting from the consolidation of school districts.

In 5 States which rank highest in good roads the average school attendance was found to be 78 out of every 100, and in 5 States that rank lowest in improved highways the average school attendance was 59 out of every 100.

In short, bad roads tend to isolate rural conditions. They render it more difficult to pass about, impede travel, restrict intercourse, interfere with school attendance and churchgoing, promote illiteracy, and are in many other ways a hindrance to progress.

The value of good roads is fully appreciated.

The need is felt.

Conditions now make their betterment imperative.

The people have at last fully awakened to their advantage.

They are ready to participate in the work.

The situation of the country is favorable to the undertaking.

The rural delivery invests the subject with a peculiar interest to the Government, while the progress and welfare of the country is involved.

Economically, industrially, socially, and in every respect the subject invites action.

The Government should do its part to promote the work.

It is too late to contend that the Government should not lend its aid.

It has already spent millions of dollars on waterways.

It has contributed hundreds of millions to railroads.

It has legislated billions in aid of manufacturing.

As a result, manufacturing and transportation have developed faster than agriculture. They have reached a much higher standard of efficiency and excellence. It is now necessary to foster farm life. Rural development has not kept pace with that of the cities and towns. The conveniences and the advantages of urban life are in great contrast to the disadvantages of life on the farm.

While the advantages of our cities are equal to those found elsewhere the conveniences of country life in Europe are far greater than those found here. The country now needs our attention and our best endeavors to promote its development.

The bill I have introduced appropriates $1,000,000 to be expended by the Secretary of Agriculture in cooperation with the Postmaster General in the improvement of roads over which rural delivery is or may be established, provided the local authorities shall contribute an equal amount for the improvement of the routes selected.

It provides for an investigation and report to Congress of the best and most economical method of improving roads, the cost of such improvement, what amount thereof the Government should contribute and upon what conditions, including the feasibility of raising money for this purpose through a Federal license tax on automobiles engaged in interstate travel, together with a recommendation of a comprehensive plan of Government cooperation to this end.

It will be seen that, while the appropriation now proposed provides for an initiation of Government aid, the proposition is essentially tentative and experimental and is directed largely to eliciting information to enable Congress to work out a scheme of general application.

It is a mere beginning, cautious indeed, but in line with the policy pursued by the Government in the inauguration of rural and city delivery, irrigation, postal savings banks, parcel post for rural routes, and so forth.

In addition to a direct appropriation for this purpose, when the report and recommendation called for in the bill is made Congress will doubtless give consideration to auxiliary methods of providing funds for promoting the object in view.

I have provided in the bill for a report by the Secretary of Agriculture upon the feasibility of imposing a license tax upon automobiles engaged in interstate traffic for raising funds with which to carry on this work on the part of the Government.

Mr. BACON. I should like to make an inquiry of the Senator from North Carolina.

Mr. SIMMONS. I have simply proposed that as a subject for investigation.

Mr. BACON. I wish to make another suggestion in that connection, if the Senator will permit me. I do not know whether his suggestion goes to that extent or not, but I think the license should be graduated according to the speed used by the automobiles in traveling over the roads.

Mr. SIMMONS. I entirely agree with the Senator about that.

Mr. BACON. I am not jesting about it; I am in serious earnest. I think that an automobile which will go through the country in a decent, respectable, quiet style ought to be permitted to do so at a reasonable rate, but one that goes at a speed which makes it dangerous for anybody to be in the neighborhood of the road, to travel on it or to cross it, in my opinion ought to be made to pay a tax which will be sufficient to deter them from any such indulgence.

Mr. GALLINGER. Mr. President——

Mr. SIMMONS. I will suggest to the Senator from Georgia in this connection that the danger is not only increased by the speed, but the injury to the road is greatly increased.

Mr. BACON. Certainly; and not only the injury to the road but the dust raised by them makes it unbearable to be anywhere near the road for half an hour afterwards.

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from New Hampshire?

Mr. SIMMONS. With pleasure.

Mr. GALLINGER. I rose to emphasize precisely what the Senator from North Carolina has himself stated, as to the danger from an automobile running at great speed—and they utterly violate the laws of every State when they get on our highways—and also the destruction of the roads which results from the great speed on the part of the automobile. As an illustration I will take our beautiful macadam roads in New England, costing from $5,000 to $6,000 a mile. The surface of them is destroyed in a very short time, and we have got to repair them every year. We have a tar preparation which we are now using that protects them very well. But it is a consideration of vast moment that while the people have been taxed to construct these roads we are permitting a certain class of people, usually in violation of law, to run this great juggernaut over the roads at a rate of speed which destroys them in a very short time. I think they ought to be taxed, and taxed very heavily, and I am glad to say that in our section of the country that matter is receiving very serious attention.

Mr. SIMMONS. I will say to the Senator that with a view of getting information upon all these phases of the matter I have provided expressly in the bill I have introduced for an

investigation and a report to Congress upon all the phases of the question, and especially upon the feasibility of a national registration and license tax on automobiles engaged in interstate traffic.

The scheme of raising money for this purpose by a Government license tax upon automobiles engaged in interstate travel is an interesting one, and will doubtless receive thorough consideration. A number of States are now raising large sums for this purpose through the medium of a State license tax on these machines.

There are half a million automobiles in the country now, and they will rapidly multiply as road improvement progresses until here, as in Europe, they will in part take the place of the railroads for a certain class of travel.

Estimating that one in every five of these machines will be used in interstate travel—that, I will say, is not quite one-third of the estimate which is made by the department officials with whom I have conferred about this matter—a fee of $10 on machines so used would yield an annual revenue of $1,000,000, without interfering with the license charge imposed by the State. Undoubtedly there are possibilities in the suggestion of a license tax, and its feasibility doubtless will receive consideration from Congress on the coming in of the report, should this present proposition become a law.

If the practical results of this measure, if adopted, are satisfactory, as I am sure they will be, there is no reason to doubt the early adoption by Congress of a comprehensive and well-devised plan of national cooperation which will eventuate in advancing the postal highways of the country to a condition commensurate with the public needs and in keeping with the national standard of progress.

The immediate effects of the adoption of this bill can not fail to be advantageous. It will stimulate interest throughout the country and give shape and direction to the influences now at work for road improvement.

Of course the work will be carried on through the Office of Good Roads of the Department of Agriculture, which has already done so much in arousing public interest and in wisely aiding and directing local efforts.

Up to this time the work of this department has been confined largely to elementary instruction to local road builders, lectures, object lessons in supervision, and advisory work. Under this act the power of the department officials in these respects will be greatly enlarged, while the means will be supplied for experimental work of building short stretches of good roads in the various States of the Union.

The result in actual betterment of roads, while great, will be small compared to the results which will flow from the impetus which will be given to the movement for good roads throughout the country.

Mr. WORKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from California?

Mr. SIMMONS. I shall conclude in a moment.

Mr. WORKS. Before the Senator concludes, I should like to ask him whether in his own State there is any general system of improving highways?

Mr. SIMMONS. If the Senator will wait until I have finished my sentence, I shall be glad to answer, as I am closing.

Mr. WORKS. Very well.

Mr. SIMMONS. Manifestly the time is ripe for the Government to enter upon this cooperative work. The conditions are similar to those conditions in agriculture which led the department to engage in experimental farm work—a step forward which has proved a great advantage to the farming interests. It would be difficult to overestimate the beneficial results of this experimental farm work. Some of them have been surprising. The leaven of improved methods is working, and its effects are manifested in increased production, in greater diversification of crops, and in enlarged profits. The whole country and all the people are the beneficiaries.

Shall the Government, having so auspiciously started upon the work of reclaiming the great and honorable calling of agriculture from the drudgery to which conditions had condemned it, now halt and hesitate to do the one thing needful to restore it to its rightful position of primacy among the great industries of the Nation? I hope not, I think not, and I had almost said I know it will not.

Now, I shall be glad to yield to the Senator from California.

Mr. WORKS. Mr. President, I should like to ask the Senator from North Carolina whether in his own State there is any general system of constructing and improving the highways as State highways?

Mr. SIMMONS. I will state to the Senator that there is no general system in my State of State highways, but there is now on foot, recently inaugurated and over which the people have become very much worked up, a great scheme to build a central highway from the sea to the mountains. That road will pass through about 25 counties, and its length will be between 450 and 500 miles. The present plan is for that road to be built by the counties through which it passes. While there has been no State appropriation for the improvement of State highways, we have legislation which provides for a county system which any county can adopt. Many of the counties have taken up this subject with great vigor, and, as I have stated, probably in the absence of the Senator from California, are imposing taxes and issuing bonds for that purpose. There are a number of counties in my State that have issued bonds in amounts from three to four hundred thousand dollars at one time for the improvement of the roads in those counties.

I mentioned a little while ago one county which only a few days ago, within the last month, I think—not one of the largest or richest counties, but a progressive county—voted $400,000 in bonds at one time for road improvement. That is going on all over the State. I should say that one-third in number of the counties, comprising about one-half of the State, have issued bonds, or are now preparing to issue bonds, for that purpose, while many of the other counties are doing the same work by current taxation.

Mr. WORKS. Mr. President, I ask these questions because, under the provisions contained in this bill, the cooperation which is provided for would necessarily have to be with the local authorities in each county where there is no general system under the control of the State.

This is a question in which the people of my State are very deeply interested. We have very lately voted bonds to the amount of $18,000,000 for the purpose of constructing State highways throughout the State. In my own county we have voted $3,500,000 in bonds for the purpose of bettering the roads in our county. That feeling is spreading all over the State of California, and naturally I am interested in any movement of that sort which is likely to bring results. I was only undertaking to find out as nearly as I could what would be the probable effect of the provision by which the officers of the National Government are authorized to cooperate with the State authorities in undertaking to improve the condition of the highways in the different States.

Mr. SIMMONS. I am very happy to have the information the Senator gives in reference to the work of constructing and improving roads in his State. The bill I have introduced appropriating a million dollars for experimental work on rural routes to be selected by the Secretary of Agriculture in cooperation with the Postmaster General, specifically provides:

That the State or the local subdivision thereof in which such improvement is made under this provision shall furnish an equal amount of money for the improvement of the road or roads so selected.

So that it would be a matter of adjustment by the Secretary of Agriculture with the local authorities or the State, as the case might be.

I ask unanimous consent that the bill upon which I have submitted these remarks be printed in the CONGRESSIONAL RECORD.

There being no objection, the bill (S. 2846) for experimental improvement of rural delivery roads by the Secretary of Agriculture in cooperation with the Postmaster General, for investigating the subject of Federal registration and license of automobiles used in interstate travel, and for other purposes, introduced by the Senator from North Carolina [Mr. SIMMONS], was ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That there is hereby appropriated the sum of $1,000,000, out of any money in the Treasury not otherwise appropriated, to be expended by the Secretary of Agriculture in cooperation with the Postmaster General in improving the conditions of roads to be selected by them over which rural delivery is or may hereafter be established, such improvement to be for the purpose of ascertaining the increase in the territory which could be served by each carrier as a result of such improvement, the possible increase of the number of delivery days in each year, the amount required in excess of local expenditures for the proper maintenance of such roads, and the relative saving to the Government in the operation of the rural delivery service, and to the local inhabitants in the transportation of their products by reason of such improvement: *Provided*, That the State or the local subdivision thereof in which such improvement is made under this provision shall furnish an equal amount of money for the improvement of the road or roads so selected. Such improvement shall be made under the supervision of the Secretary of Agriculture.

SEC. 2. That the Secretary of Agriculture and the Postmaster General are hereby directed to report to Congress within one year after the ratification of this act the result of their operations under this act, the number of miles of road improved, the cost of same, and the feasibility and desirability of a Federal license tax on automobiles engaged in interstate travel, and such other information as they may have acquired in connection with the operation of this act, together with such recommendations as shall seem wise for providing a general plan of national aid for the improvement of postal roads in cooperation with the States and counties, and to bring about as near as possible

such cooperation among the various States as will insure uniform and equitable interstate highway regulations, and for providing necessary funds for carrying out such plans of national aid, if it shall be deemed feasible to provide the same or any part thereof otherwise than by appropriation from the Treasury for that purpose.

ADJOURNMENT TO MONDAY.

Mr. GALLINGER. I move that when the Senate adjourns to-day it adjourn to meet on Monday next.

The motion was agreed to.

RECIPROCITY WITH CANADA.

Mr. PENROSE. I move that the Senate proceed to the consideration of the bill (H. R. 4412) to promote reciprocal trade relations with Canada, and for other purposes.

The motion was agreed to, and the Senate, as in Committee of the Whole, resumed the consideration of the bill.

Mr. PENROSE. I ask unanimous consent that the Senate shall vote on what is known as the Root amendment to the pending bill before adjournment on Monday next. I do that because the Senator from New York wants to leave town, and I do not think there will be any objection to the request.

The VICE PRESIDENT. The Senator from Pennsylvania asks unanimous consent that a vote be taken upon the so-called Root amendment to the pending bill before adjournment on Monday next. Is there objection? The Chair hears none.

CORRECTION OF ERRORS IN APPROPRIATION ACTS.

Mr. WARREN. I ask unanimous consent for the present consideration of the joint resolution (H. J. Res. 1) to correct errors in the enrollment of certain appropriation acts, approved March 4, 1911.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, resumed consideration of the joint resolution.

Mr. PENROSE. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 3, it is proposed to strike out from line 7 to line 24, both inclusive, and in lieu thereof to insert:

So much of the naval appropriation act, approved March 4, 1911, as authorizes the Secretary of the Navy to make partial payments under public contracts, is amended by omitting the words "ninety per centum of," so that the proviso will read as follows: *"And provided further,* That the Secretary of the Navy be, and he hereby is, authorized, in his discretion, to make partial payments from time to time during the progress of the work under existing contracts and all contracts hereafter made under the Navy Department for public purposes, but not in excess of the value of the work already done; and the contracts hereafter made shall provide for such insurance as the Secretary of the Navy may deem sufficient, and for a lien in favor of the Government, which lien is hereby made paramount to all other liens, upon the articles or thing contracted for on account of all payments so made; provided that partial payments shall not be made under such contracts except where stipulated for, and then only in accordance with contract provisions."

The VICE PRESIDENT. The question is on agreeing to the amendment.

Mr. CULBERSON. Mr. President——

Mr. OVERMAN. Let the amendment be explained.

Mr. WARREN. I am going to explain it.

Mr. CULBERSON. I want to understand if the purpose of the amendment of the Senator from Pennsylvania is not to reenact a provision with reference to the last naval appropriation bill.

Mr. WARREN. Mr. President, I was about to say that since the committee reported this joint resolution a bill has passed the Senate which provides for the purpose the amendment has in view, and another bill carrying, among other things, a similar provision has been favorably reported by the House Committee on Naval Affairs. I think it is admitted on both sides that the provision is a proper one. Certainly it is urgently requested on the part of the Navy Department that it ought to be a part of this measure, which seeks to amend the last naval appropriation act.

Mr. CULBERSON. Mr. President, I would not be frank if I did not state to the Senator in charge of the bill that an amendment as important as that can not pass with only a few Senators present.

Mr. PENROSE. Will the Senator yield to me for a moment?

Mr. CULBERSON. Certainly.

Mr. PENROSE. This amendment is precisely the same as the bill introduced by the senior Senator from California [Mr. PERKINS], chairman of the Committee on Naval Affairs, which passed the Senate and which has been, as I understand, favorably reported from the Committee on Naval Affairs in the House of Representatives; but for some reason or other it has not made progress in the House. It is recommended by the Secretary of the Navy in a communication addressed to the Senator from California, the chairman of the Committee on Naval Affairs, which is embodied in the report on the bill which the Senate passed and is to be found in report No. 28, Sixty-second Congress, first session.

The matter is somewhat complicated, but it has been carefully examined by the chairman of the Committee on Appropriations and by other members of the committee. It has already passed the Senate and is to-day on the calendar of the House. It is intended to cure some legal complications which have arisen inadvertently. If the Senator desires me to go on and explain the matter, I will do so; but I assure him it is all right.

Mr. CULBERSON. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Senator from Texas suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Culberson	Overman	Smoot
Bailey	Cullom	Owen	Stone
Borah	Cummins	Page	Sutherland
Bourne	Foster	Penrose	Swanson
Bradley	Gallinger	Perkins	Taylor
Bristow	Heyburn	Poindexter	Thornton
Brown	Hitchcock	Pomerene	Townsend
Bryan	Johnson, Me.	Reed	Warren
Burnham	Kern	Root	Watson
Burton	La Follette	Shively	Wetmore
Chamberlain	McCumber	Simmons	Williams
Clapp	Martin, Va.	Smith, Md.	Works
Clark, Wyo.	Martine, N. J.	Smith, Mich.	
Crawford	Newlands	Smith, S. C.	

Mr. THORNTON. Mr. President, I was requested this morning by the Senator from Alabama [Mr. JOHNSTON] to say, in the event of a roll call, that he was engaged in his duties as a member of the committee now having under investigation the Lorimer case.

Mr. BRYAN. I desire to announce that my colleague [Mr. FLETCHER] is in attendance upon the hearings being conducted by the committee having under consideration the Lorimer case.

Mr. POINDEXTER. The senior Senator from Washington [Mr. JONES] is unavoidably detained from the Senate as a member of the committee investigating the Lorimer case.

The VICE PRESIDENT. Fifty-four Senators have answered to the roll call. A quorum of the Senate is present.

Mr. PENROSE. I am informed, and I believe correctly, that the provision of the naval appropriation act, which this amendment is intended to correct, was dropped out in conference at the closing hours of the last session, and inadvertently retained in transcribing the bill by the enrolling clerks.

It also maintains simply the law as administered heretofore until certain old statutes had attention called to them, and some question was raised as to the right of the Navy Department to contract as heretofore.

I ask the clerk to read the letter to the chairman of the Naval Committee, the Senator from California [Mr. PERKINS], which is embodied in the communication addressed to the Senate.

The VICE PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

NAVY DEPARTMENT,
Washington, May 1, 1911.

MY DEAR SENATOR: I have the honor to invite your attention to my letter of the 3d of February last requesting that a provision be inserted in the naval bill authorizing the Secretary of the Navy to make partial payments not in excess of the value of the work already done under public contracts, and stating the reasons on which such request was based.

The provision relating to such partial payments contained in the bill as passed, which is said to have been included by clerical error and which it is proposed to repeal by joint resolution No. 1, now before the Senate, authorizes, as you are aware, payments up to only 90 per cent of the value of the work already done.

If said provision should remain unrepealed and unamended, the stipulations in certain existing contracts would be violated and this department would probably be exposed to suits for damages, whether the claims were valid or not, on account of the withholding of 10 per cent of the amounts promised to be paid. If it should be repealed and nothing substituted in its place, the department might, it is assumed, in accordance with what is understood to be the construction the accounting officers place upon the existing law, be forbidden to make any payments under said existing contracts, and the contractors, being thereby subjected to more extensive losses than in the other event, would have greater reason for claiming damages from the Government.

Should the department not be authorized to make partial payments under future contracts in any amount, or if payments were restricted to 90 per cent of the value of the work done, the Government would, obviously, be obliged to pay as part of the contract price in each case the whole cost or a part of the cost of financing the work. For the vessels last authorized the cost of withholding 10 per cent of the contract price, made up of sums ranging from $3,000 for each $500,000 submarine boat to $50,000 for a $6,000,000 battleship, would amount to approximately $100,000 in excess of their cost under the previous plan of making partial payments. For these burdens no compensating advantage would be derived by the Government.

The precautions and safeguards provided by the department's contracts for the protection of the public interests are comprehensive, and would seem to make unnecessary and disadvantageous to the Govern-

ment the withholding of the entire contract price or of a percentage of partial payments until the completion of the work. Indeed, it is probable that none of the shipbuilding companies could finance the building of $6,000,000 vessels, such as have recently been undertaken and are likely to be authorized in the future.

In view of the foregoing it is urgently recommended that enactment be secured authorizing the department to make partial payments under its public contracts not in excess of the value of the work already done.

Inclosed herewith is a draft of a provision that would, it is believed, in case of the passage of the joint resolution mentioned above, be adequate for the purpose, wherein, as will be observed, the Government's interests are to be protected by insurance and by a lien that is made paramount. If the provision in the naval act of March 4 be not repealed, an amendment thereof to give the department the discretion as to payments granted by the inclosed draft is earnestly desired.

The provisions of the accompanying draft are the same as those of the draft transmitted with the department's letter of the 3d of February mentioned above.

Faithfully, yours, GEO. VON L. MEYER.

Hon. GEORGE C. PERKINS,
Chairman Committee on Naval Affairs, United States Senate.

Mr. WARREN obtained the floor.

Mr. CULBERSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Wyoming yield to the Senator from Texas?

Mr. WARREN. Will the Senator pardon me for a moment?

Mr. CULBERSON. Certainly.

Mr. WARREN. I think, under the circumstances, some explanation should be made of the present condition of this joint resolution.

It came over from the House in its original form and went to the Committee on Appropriations. There was a contention about this naval matter, and the proposition then made to the committee was different from the one now made. The committee rejected that and reported the joint resolution exactly as it came from the House, except as to recommendations regarding preamble and title.

The Navy Department has made contracts for large battleships, which were duly signed, and carried the promise of the Government to pay, as fast as the work proceeds, the value of the work in place. This has been the custom for years. But this 90 per cent clause that was included—and, as it seems, erroneously included in the naval appropriation act—called attention to the fact of partial payments and caused the matter to go before the Department of Justice, and its report is that it requires some legislation to enable the work to be done and the Government to make the advance payments as per contracts.

Now, in the manner in which it is presented here, this amendment puts it back exactly where it was before any legislation was attempted. It puts it where the Secretary of the Navy, in his discretion, may pay as contracted for on these vessels, not exceeding the actual cost of the work in place.

If that proves to be wrong, of course we should remedy it hereafter. The question comes whether we want to abrogate the contracts already made, and whether we are taking any undue risk in permitting those contracts to be carried out according to their terms.

Now, the condition of legislation with respect to this shipbuilding left things in such shape that the Senate—and I regret to say I was away at the time—took the matter up, and passed substantially this legislation that is now proposed here as an independent measure, and, as I understand after inquiry, without opposition. It went to the House, and the House committee has reported a similar House measure favorably, and it is now on the House calendar.

Of course we can not talk here much about the action of the House, but my information is that it is for the best interests of the Government to allow this amendment to go in, and send the measure to conference. Of course in conference the House will have its conferees and the matter can be adjusted satisfactorily to both bodies.

While I was opposed originally to amending this joint resolution in committee, and while I think I would be opposed now to the same proposition that came then, yet as it comes now—and there has been no opportunity and, perhaps, no reason why it should be taken to the Appropriations Committee—I have been willing to accept the amendment and to let it go to conference.

Mr. CULBERSON. Mr. President, this joint resolution, as it came from the House of Representatives, was properly sent to the Committee on Appropriations. I happen to be a member of that committee, and was present at the meeting which considered the joint resolution, and at which it was decided not to adopt the suggestion which is now before the Senate, but to report favorably the joint resolution as it passed the House of Representatives without amendment, which was merely to correct—that is the substance of it, although the effect would be that of a law—an erroneous enrollment of the bill.

Now, the proposed amendment has never been referred to the Committee on Appropriations, which has this matter in charge, so far as I have any information, and it never has been considered by the Committee on Appropriations.

Mr. PENROSE. Mr. President——

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from Pennsylvania?

Mr. CULBERSON. Certainly.

Mr. PENROSE. On that point, the joint resolution was referred to the Committee on Naval Affairs, which has in charge the appropriation for the Naval Department.

Mr. CULBERSON. I understand that.

Mr. PENROSE. And it has been favorably reported. And also, Mr. President, the joint resolution is to correct an error in enrollment, because I think the records will prove conclusively that the enrolling clerks failed to copy the bill correctly as agreed on by the conferees, and this provision was dropped out. I do not think there is any dispute about it.

Mr. CULBERSON. If the Committee on Naval Affairs had anything at all to do with this amendment, it ought to have been considered by it and then referred to the Committee on Appropriations, which has charge of the joint resolution. But nothing of that kind has been done, so far as I have any information, and the amendment which is proposed has been offered on the floor and has never been printed, and I for one have not had an opportunity to examine it.

I suggest, Mr. President, that the proposed amendment be again reported, to see what it really is, before the Senate attempts to act on it.

The VICE PRESIDENT. Without objection, the Secretary will read as requested.

The SECRETARY. On page 3 strike out lines 7 to 24, both inclusive, and insert:

So much of the naval appropriation act approved March 4, 1911, as authorizes the Secretary of the Navy to make partial payment under public contracts, is amended by omitting the words "90 per cent of," so that the proviso will read as follows: "*And provided further*, That the Secretary of the Navy be, and he hereby is, authorized, in his discretion, to make partial payments from time to time during the progress of the work under existing contracts and all contracts hereafter made under the Navy Department for public purposes, but not in excess of the value of work already done; and the contracts hereafter made shall provide for such insurance as the Secretary of the Navy may deem sufficient, and for a lien in favor of the Government, which lien is hereby made paramount to all other liens, upon the articles or thing contracted for on account of all payments so made; provided that partial payments shall not be made under such contracts except where stipulated for, and then only in accordance with contract provisions."

Mr. GALLINGER. Mr. President, I was a member of the Committee on Naval Affairs when the provision which is in controversy was inserted in the naval appropriation act. It was thought at that time desirable to make that change, but it was afterwards ascertained that it probably would not work to the advantage of the Government, and it undoubtedly was dropped out in conference. I do not think there is any serious question as to that.

Mr. President, this is distinctively and clearly a matter for the Naval Committee to determine, rather than the Committee on Appropriations. It relates to an appropriation for the Navy or a provision relating to the Navy, and it has been submitted to the Committee on Naval Affairs and reported back favorably; and I do not think it would either expedite the matter or lead to any better legislation if we held it up and referred it to the Committee on Appropriations.

I feel very sure that the provision is a wise one. No harm has come to the Government from a system that prevailed before this attempted amendment was engaged in, and if we agree to the amendment, which has been submitted by the Senator from Pennsylvania [Mr. PENROSE], we simply restore the matter to the condition it has been in for a great many years and concerning which there has been, so far as I know, no serious complaint.

I trust, Mr. President, the Senator from Texas [Mr. CULBERSON] will not insist upon sending this to the Committee on Appropriations, but will permit the amendment to be agreed to, so that we may get this troublesome question off our hands.

Mr. CULBERSON. Mr. President, my only purpose was to call attention to the irregularity, as I conceive it to be, in presenting this amendment, and also to invite attention to the fact that the effect of it will be to override the policy suggested in the House of Representatives.

Mr. GALLINGER. The measure will go to conference at any rate, and then it can be determined whether the House will insist. If the House insists upon this joint resolution as it came to this body, then, of course, the Senate will not have power to make the change.

Mr. MARTIN of Virginia. Mr. President, it is made to appear very clearly by the communication from the Secretary of the Navy that under the existing law if this amendment is not

adopted or some amendment made to existing law the Navy Department will be very much embarrassed, not only in reference to making contracts, but in carrying out contracts already made. It is found that the auditing officers of the Treasury Department are unwilling to approve vouchers for partial payments on contracts which the Navy Department has made for construction work for the Navy, such as battleships and other vessels.

Mr. PENROSE. For 50 years——

Mr. MARTIN of Virginia. For 50 years, as the Senator from Pennsylvania says; for a long time, I know, the department has been in the habit of making these advances, but some confusion is found in the legislation enacted in the closing hours of the last session, and as the law now stands the Navy Department finds itself unable to protect the public interest as it should be protected. Indeed, the Secretary of the Navy says that unless some legislation is passed he contemplates suits against the United States Government for not complying with the contracts it has already entered into.

The VICE PRESIDENT. The Senator from Virginia will suspend for a moment. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes.

Mr. PENROSE. I ask that the unfinished business be temporarily laid aside in order that the pending joint resolution may be disposed of.

The VICE PRESIDENT. Is there objection? The Chair hears none. The Senator from Virginia will proceed.

Mr. MARTIN of Virginia. Under those conditions an amendment to this joint resolution, which passed the House and came over here, has been offered on the floor of the Senate, which the Senator from Texas [Mr. CULBERSON] thinks is somewhat irregular. It is not the best practice, of course, for important amendments to be acted upon by the Senate before they have been considered by a committee, but it is an everyday practice. Any Senator has a right to offer an amendment to a pending bill. When a bill has been reported from a committee, it is before the Senate and is open to amendment.

The Senator from Pennsylvania offered an amendment, and it is a plain and simple one. It simply provides for advances to be made by the Navy Department on account of work being done under a contract with the Navy Department. It is work that is being done for the Government, and this authority to make advances is protected and hedged about in the safest possible manner. In the first instance, the contractors are required to give bond or security. In the next place, before the advances are made, he is required to insure the ship that is in progress of construction for the protection of the Government. In addition to that insurance, the amendment gives to the Government a lease paramount to all other leases on the vessel being constructed. There is no possibility, in other words, that the Government can lose anything if the amendment is passed. It is absolutely certain that the Government will lose something if the amendment is not passed, because the Secretary of the Navy says that he contemplates that in the present uncertain state of the law the Government will be sued for damages if some relief is not given.

So far as my investigation of the subject goes, and it has been carefully and thoroughly made, I have not a particle of doubt on the subject. I feel that this legislation is safe and necessary and urgent, that it ought to be passed, and passed at once.

REDUCTION OF MILITARY EXPENSES.

Mr. NEWLANDS. Mr. President, I am not a member of the Committee on Appropriations, and I have little familiarity with the subject, but my attention was attracted by a joint resolution in which it is proposed to reduce the appropriations for the next fiscal year various sums aggregating nearly $400,000. As I have been greatly interested in urging that at this extra session we should take action regarding the reduction of the military appropriations of the Government for the Army and the Navy for the ensuing fiscal year from about $230,000,000 to $200,000,000, I have been greatly gratified to observe that by the joint action of both Houses it is now proposed to reduce those expenditures at least $400,000 through the items inserted in this joint resolution.

In pursuit of the general inquiry as to this movement to reduce the expenditures of the Government during the next fiscal year, a movement which I regard as essential, in view of a possible reduction of the revenue through tariff revision, I would like to ask the Senator from Wyoming, the chairman of the Committee on Appropriations, whether any other bills or resolutions are pending which have passed the House of Representatives looking to a reduction of appropriations already made for the expenditures of the Government during the next fiscal year?

Mr. WARREN. The joint resolution carries a reduction of between $300,000 and $400,000 because of errors in enrollment in the appropriation bills of the last Congress. It is not really a reduction of what Congress intended to appropriate.

Now, as to reductions sought other than these to be made from standing appropriations, I have no knowledge of an official nature that any act has ever been proposed. We have nothing before the Committee on Appropriations of that nature, excepting one, and that is a joint resolution which came from the Committee on Accounts of the other House and which proposes to cut off some 35 or 45 per cent of the police force of the Capitol Building. That is the only other measure of the kind that I know of.

Mr. NEWLANDS. Mr. President, I greatly regret to hear the statement of the Senator from Wyoming. I entertained the hope as I read this resolution that it meant a real effort on the part of Congress, initiated in the House of Representatives, to reduce the appropriations for the next fiscal year. We all know that, outside of the appropriations for the Post Office Department, the annual appropriations reach pretty nearly $800,000,000, and of that sum one-half is expended either in taking care of those who have fought in the wars that have passed and their dependents or in providing for the wars of the future.

NEED OF CONSTRUCTIVE WORK.

I think there is a growing impatience in the country regarding these vast military expenditures. It is the belief of the people of the country that a very large portion of this vast sum could be better expended in great constructive works, such as public buildings throughout the country, upon which at least $30,000,000 annually should be spent, and the development of our rivers through cooperation with the States, upon which at least $50,000,000 more should be annually expended.

We must provide for these great constructive works demanded by the country, either by a reduction of military expenditures or by increased taxes. So far as increased taxes are concerned, in the absence of constitutional authority for an income tax, we will have to rely upon an increase of the corporation tax, which, through a graduated system of increase, can be made productive of increased revenue through taxation imposed upon great industrial organizations known as trusts, organizations which, under our protective system, are privileged to levy heavy taxes upon the people and which therefore should all the more readily contribute to the burdens of government.

But we ought to make an effort, it seems to me, at this session to cut down the appropriations for the next year already authorized by Congress. I believe that if we would organize a board in each one of these departments, acting under the direction of the President, which would bring the chiefs of the various services into cooperation and authorize and direct them to reduce these appropriations from $230,000,000 down to $200,000,000, giving them a comparatively free hand as to the items which should be reduced, we would have at the end just as efficient a service with a lessened expenditure.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from New Hampshire?

Mr. NEWLANDS. I do.

Mr. GALLINGER. The present fiscal year will terminate in about eight days. The appropriations that were made were for the next fiscal year, and doubtless the departments have made arrangements and contracts. The Senator would hardly break into those contracts made for the next year and reduce them arbitrarily? Would not the Senator's efforts be more wisely directed if they should be made to operate as to the appropriations which will be made in the future, and not undertake to interrupt those that have been made after due consideration and recommendation from the departments, and upon which the departments have doubtless made their plans for the next fiscal year?

Mr. NEWLANDS. Mr. President, I am anxious to act in both ways. I would not, of course, act in such a way as to violate any contracts which had been made by the Government. I would not, of course, act in such a way as would seriously disturb the administration of the War Department or of the Navy Department, but I do believe that authority can wisely be given to the President, with the aid of such a board, to largely reduce the military expenditure, and that if the chiefs of the various services are called into cooperation with a view to making reductions in administration, reductions in construction, large savings will be made.

A FREER HAND SHOULD BE GIVEN THE DEPARTMENTS.

I believe, Mr. President, we have not been accustomed to give the departments a sufficiently free hand in the administration of the funds intrusted to them. Congress has been so jealous of its powers that it has sought to the last detail to prescribe the items of every proposed expenditure. It has been the custom of Congress practically to put the departments in a strait-jacket, so that the organizing power, the administrative capacity, and the constructive capacity of the intelligent officials connected with those services have not been brought into play in their full scope.

We all know how in the great corporations this system of cooperation between the various services, of comparative accounts, of frequent consultations, is accomplished, and how it results in the present perfected system of economic administration which has given the great corporations such high industrial and business efficiency.

My observation is that we have in the military and naval service of the country and in the civil service of the country men of the highest capacity, men capable of dealing with the most important of problems and of works, men animated by high standards of integrity, men who are proud of the fact that they are in the Government service, and who give that service their best effort, even though their service in other directions might result in large personal fortunes. I do not underrate at all the capacity of the civil service of the United States or the capacity of our Army or Navy officers. I think their capacity is of the highest standard. But we have not made it as efficient as we could by giving them a freer hand in the administration within the limits of the appropriation made by Congress.

IMPORTANCE OF BUDGET COMMITTEE.

I believe it is a much wiser view of this whole question for Congress to take, in the first instance, through a committee such as the Committee on Public Expenditures, which was authorized by the last Congress and abandoned in this, a full survey of all the operations of the Government, to ascertain the requirements of the various departments and services, and then to adjust the proposed appropriations to the requirements in such a way as to bring all within the limits of the revenue to be obtained, and to see to it that this vast income is not entirely spent in administration, which is a thing of the hour, but that a large portion of it is spent in great constructive work that will have enduring value to the Nation.

We need such a committee, a committee that will bring in cooperation the chairmen of the various appropriating committees of the Senate, and which will take a broad and general view of the situation that would result in a limitation of appropriations to each department and service, but not a limitation in such elaborate detail as to tie the hands of those who administer the fund and prevent them from expending that fund in such a way as to secure the highest results both in administration and construction.

Mr. President, we have a long time before us at this session, and I take advantage of this opportunity to urge upon the chairman of the Committee on Appropriations that something be done at the present session to revive the Committee on Public Expenditures or to call into being a committee of similar duties, so that it can enter scientifically and comprehensively upon this question, adjusting the expenditures of the country to the revenues of the country in such a way as to take care of both administration and construction, and not let the great constructive work of the country be neglected as it has been for years past.

I regret to see that the pending joint resolution is not upon the lines which I first thought it was built upon, namely, an effort to practically reduce by joint resolution of Congress appropriations already made. Whilst it has that effect, whilst it practically reduces the appropriations $400,000, yet the chairman of the Committee on Appropriations assures me that it only corrects errors in the enrollment of the bills at the last session and is not passed in pursuance of an earnest intention to reduce the expenditures of the Government and to restore a needed economy.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Pennsylvania [Mr. PENROSE].

The amendment was agreed to.

Mr. HEYBURN. I move to amend the joint resolution on page 2 by striking out lines 12, 13, 14, 15, and 16.

The VICE PRESIDENT. The Secretary will state the amendment.

The SECRETARY. On page 2 strike out lines 12 to 16, inclusive, in the following words:

So much of the general deficiency appropriation act approved March 4, 1911, as appropriates the sum of $500 to reimburse the State board of regents of the University of Idaho for the premium paid on an indemnity bond is repealed.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

The VICE PRESIDENT. The Committee on Appropriations have reported an amendment to strike out the preamble. Without objection, the preamble is stricken out.

The title was amended so as to read: "A joint resolution to amend certain appropriation acts approved March 4, 1911."

RECIPROCITY WITH CANADA.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4412) to promote reciprocal trade relations with Canada, and for other purposes.

Mr. OWEN. Mr. President, for many years various efforts have been made to establish a department of health of the United States, and during the last year both Houses of Congress have been considering this question, and the most overwhelming evidence has been submitted in the Senate and House hearings justifying the establishment of such department. There has arisen in opposition to the department of health an organized movement resisting the establishment of the department, under a so-called League of Medical Freedom, on the alleged ground that it would promote one school of medicine over another school of medicine and invade the rights of the States and of individual citizens.

I introduced at the beginning of the present session Senate bill No. 1, providing for the establishment of a department of health, which did not place the head of that department in the Cabinet, but which expressly provided against any possible invasion of State or of individual rights and against any discrimination for or against any so-called system or school of medicine.

Mr. President, I am entirely opposed to promoting one school of medicine over another school of medicine. My purpose in urging a department of public health has been to establish a department of human conservation—educational rather than regulative—which should deal with the matter from an educational standpoint, so as to make effective and efficient the knowledge which we are slowly acquiring with regard to the preservation of human life.

And the preservation of human life does not deal primarily with the curing of a man after he is desperately sick. It should not be regarded as a science devoted to the cure of bubonic plague after bubonic plague has been established in the human organism. It should not deal with the question of tuberculosis after it has been contracted, but it should deal with this terrible disease by preventive means. The important point is to prevent it—not to merely cure it. These diseases are easy to prevent, but almost impossible to cure.

A department of human conservation—called, for convenience, a department of health—would naturally deal with instructing the people of the United States in well-ascertained facts with regard to sanitary engineering, sanitary construction of streets, alleys, houses, sewerage, water supply, milk supply, and food supplies generally; proper care of the markets, the control of insect life, which is so frequently the cause of disease, as in the cases of the malaria and yellow-fever mosquito; the extermination of the house fly, with its typhoid-fever germ; and the education of the people, through circulars, authoritative publications, through the schools, and through special instructors on the rules of right living.

The instruction of the people as to the value of fresh air, clean air, clean bodies, the proper use of the bath and hot and cold water, and the proper precautions to guard against infectious diseases. It would disseminate full and complete knowledge relative to diseases of sex now prevalent throughout the United States and throughout the world by reason of the gross ignorance of young people arriving at the age of puberty with no knowledge whatever upon this vital topic and thus exposed by gross ignorance to the most dangerous maladies.

These things, and much other interesting information, which, under proper guidance, could be made the common knowledge and the common property of the people of the United States, operating through the municipal, State, and Federal agencies, within their strict constitutional limitations, are of vital importance to the people of the United States, to their health and

longevity and to their happiness; to their physical, mental, and moral well-being. Our insane asylums are full of syphilitics. Our blind institutions are filled in like manner through venereal diseases. Our cities are filled with tuberculosis victims carrying disease of the most malignant character into the houses of the rich and the poor, especially the poor.

I desire the country to understand that the purpose of the department of health is in reality that of race conservation, the preservation of human life and of human energy, and that there is great need for the cooperation of all classes of men, including the Christian Scientists, who have undoubtedly been of genuine public service in teaching people better methods of self-control. This is also true with regard to the school of osteopathy, as well as other so-called schools of medicine, chief of which are the so-called regular physicians, sometimes called allopaths and homeopaths.

We need prevention more than cure, however. We have not so much the need for the regular physician, as his function is generally understood—that is, as a man who will give medicine to cure a sick patient, as we have need for his services, and for the services of all schools of medicine, in their far more important aspect of preventing diseases by instructing patients, whether sick or well, in the rules of right living.

This, indeed, is the great work which has been done by the regular physician, and which has been done likewise by other schools of medicine not known as regulars and by men who were not physicians at all. The great Pasteur was a chemist, not a physician. Dr. Wylie is a food expert, not a medical practitioner. It seems to me that all good men who desire the welfare of the human race should be favorable to the establishment of a department of public health, which shall not give special preferment to any school of medicine or system of medicine, but which shall devote itself to the conservation of the human race, and which shall study with care and with patience all claims of all schools of men engaged in the art of healing, in the more important art of preventing disease and ill health. This will include osteopaths, Christian Scientists, physical culturists, and a great variety of students of human health.

I have drawn Senate bill No. 1 in such a way that the proposed department is not permitted to discriminate in favor of any school or system of medicine; so that it shall not invade any function of any State; so that it shall not enter the house of any individual without his free consent and invitation.

The real function of a department of public health is to prevent disease. The cure of diseases should not comprise one-twentieth part of the activities of such a department. What we want is to prevent people being made sick, not merely to attempt to cure them when they are ready for the grave.

In this connection I call attention to a very important department established by the Equitable Life Assurance Society of New York, a description of which appears in the New York Commercial. William A. Day, president of the Equitable Life Assurance Society, has just announced the organization of a "conservation department," with Elmer E. Rittenhouse, former president of the Provident Savings Life Assurance Society, at its head. It proposes to circularize the millions of men who hold policies in that assurance society on the gentle art of self-care as a means of the preservation of their own health, the care of the health of their families, their households, and they expect to use this system as a practical money-making proposition, because, having assured the life of their policy holders, they want to prolong their lives as much as possible.

The New York Commercial, of June 17, 1911, makes the following announcement:

[New York Commercial, June 17, 1911.]

"EQUITABLE ESTABLISHES CONSERVATION DEPARTMENT—ELMER E. RITTENHOUSE TO BE COMMISSIONER IN CHARGE—PURPOSE OF NEW BUREAU WILL BE TO CONSERVE HEALTH AND LIVES OF POLICY HOLDERS AND PREVENT LAPSES—EDUCATIONAL AND SANITARY CAMPAIGN PLANNED.

"William A. Day, president of the Equitable Life Assurance Society, yesterday announced the inauguration of a 'conservation department,' with Elmer E. Rittenhouse, former president of the Provident Savings Life Assurance Society, at its head. Mr. Rittenhouse will be known as the 'conservation commissioner.'

"The purpose of the new department is to carry into effect one of the new ideas in life insurance, that of conserving the health and lives of present policy holders and preventing lapses. Mr. Rittenhouse attracted wide attention in his former connection by instituting a campaign of medical assistance for policy holders, and recently the Association of Life Insurance Presidents started a health conservation bureau.

"At a meeting this week of the association one of the members reported the results of an inspection he had made of the sanitary conditions of 32 cities of the country, and he suggested the organization of local sanitary clubs.

"The Equitable, however has gone into the matter more extensively. The announcement setting forth the news of the new appointment says:

"All life insurance companies suffer from two sources of waste or loss, which have been given much study and which continue to cost the policy holders large sums annually. One is the annual loss of life from preventable or postponable cause. The other is the loss due to the costly American habit of lapsing policies.

"The life companies of the country lost from this source last year over $700,000,000 of insurance already on their books, which cost the policy holders of the United States over $20,000,000 to put on the books. Over 26,000,000 policy holders are therefore personally and financially interested in the reduction of the loss from both these causes.

"The society will assist its members by educational and perhaps other methods to reduce life waste. It will also extend such help as it legally may to the public-health authorities of the country in their efforts to improve sanitary and general health conditions. It will give its moral support to the general life-conservation movement which has reached nation-wide proportions and already accomplished much in favorably affecting the mortality rate of the country.

"This phase of the 'efficiency problem' will be given especial attention and the measures adopted to favorably affect it will be made known as the work develops.

"It is believed that before the end of another five years every life insurance company of consequence will have a department designed not only to conserve business, but to lower mortality. The Metropolitan Life Insurance Co., of this city, has had great success in its industrial field with its nursing service and the wide distribution of literature setting forth measures to prevent tuberculosis.

"The Equitable, however, will go further than this, according to present plans. It will use its agents and medical men all over the country to cooperate with the local health boards for the purpose of improving sanitary conditions, and it will use the 'conservation department' for the purpose of getting into close touch with individual policy holders."

I respectfully submit an answer to President Huntington, of the Connecticut General Insurance Co., by Prof. Irving Fisher, of Yale University, president of the Committee of One Hundred on National Health, on the more obvious benefits a department of health would have over the present Marine-Hospital Bureau:

460 PROSPECT STREET, *April 21, 1911.*

President ROBERT W. HUNTINGTON, Jr.,
Connecticut General Life Insurance Co., Hartford, Conn.

DEAR SIR: Senator OWEN has written me that you have inquired of him as to the functions which a new national department of health could profitably assume which are not already sufficiently covered by the Public Health and Marine-Hospital Service and the other bureaus of the United States Government.

I think one of the best arguments in favor of such a department is contained in the speech of Senator OWEN himself, which I am therefore sending you under a separate cover. You will notice that his argument shows the utter inadequacy in times of stress of a bureau like the Public Health and Marine-Hospital Service under a department the head of which usually does not know and does not care in regard to public health and whose interests, even, are sometimes directly opposed. Except in the life insurance business and some others there is, at least as my studies have led me to believe, a very common conflict between commercial interests and public-health interests. It was for this reason that the yellow fever was systematically concealed in Southern States for fear that its presence would interfere with trade, and it was only as the States there finally appealed to the United States Government to take over the quarantine stations that the intolerable situation by which each locality denied the existence of yellow fever, while accusing the neighboring States of having it, was done away with.

The San Francisco episode is one which Senator OWEN emphasizes. He does not overdraw the situation in the least, as I known by information direct from Dr. John S. Fulton and Dr. J. J. Kinyoun, who were directly concerned, and the former of whom made a special investigation. A number of representatives of San Francisco commercial interests were sent to Washington to prevent the knowledge of the bubonic plague's existence in San Francisco from being spread by the United States Public Health and Marine-Hospital Service, and they would have succeeded had it not been for the fact that Dr. Fulton, then secretary of the board of health of Maryland, had a suit case of documents containing facts on the subject, with which he was able to confront the lies which the delegation from California were trying to spread, simply for the benefit of a few merchants in San Francisco and to the prejudice and danger of the health of the entire country.

I believe that the theme of commercial versus hygienic interests has not been exhausted in Senator OWEN's speech, and that many other instances, equally important, could be given, some of which I am not free to mention, as they have come to me in a more or less confidential manner. Some of these concern the administration of the Bureau of Chemistry in the De-

partment of Agriculture and the Bureau of Animal Industry in regard to meat inspection. With a Department of Agriculture, the main object of which is to improve the prosperity of farmers, including cattle raisers, it is not surprising that the inspection of meats and foods should often be aborted in the interests of the producers, for whom a Department of Agriculture largely exists, but against the much more important interests of the consumers who suffer from the ingestion of deleterious products. I do not believe that those who have not looked into this subject have the faintest conception of the extent to which the public is injured in this matter.

Dr. Wiley, who, in spite of accusations of going to extremes, is certainly a friend of the public interests, is very enthusiastic over the project of having a department of health, and one of his chief arguments is that such a department would afford the only good soil in which bureaus concerned with public health can really grow and flourish. Such bureaus, as long as they are subject to ministers of finance, agriculture, labor, commerce, etc., can never work untrammeled for the public good whenever a conflict of interests exists between the public good and that of the special interests of finance, agriculture, commerce, labor, etc. But the instant we have a department of health, with a secretary whose sworn duty it is to improve the health of the people, that instant we shall have the conditions for the untrammeled exercise of health protection by existing as well as newly created bureaus concerned in public health.

Another great advantage comes from the assembling together of the bureaus now existing and which sometimes work at cross purposes. There would be cooperation instead of duplication, mutual helpfulness and encouragement, and the growth which comes out of these conditions; in other words, economy and efficiency.

There would, I believe, be no need and no probability of duplication of work, as between the national and the State departments of health, any more than there is now a duplication as between the State departments and the municipal departments. The spheres of work of the two would be very different, not only as required by law but also because of the cooperation which would necessarily result. As proof of this we have a precedent in the Department of Agriculture, which has, I believe, never been accused of duplicating the work of the State agricultural experiment stations and colleges, but of helping them. In fact, there are other analogies, as between the United States Army organization and the State militia, which is a relation of mutual helpfulness. This aspect has been formerly considered by Dr. William C. Woodward, health officer of the city of Washington, who could give you more and better instances than occur to me offhand. Suffice it to say that the project for a department of health has been indorsed by the conference of State and Territorial boards of health and by a large number of individual municipal health officers. In fact, I do not know of any local health officers who have opposed a national department of health as duplicating their work. These people are, in general, the most enthusiastic of all for a national department of health, realizing that such a department would give an impetus to the interest in public health which would increase their own power and influence at one bound.

The Public Health and Marine-Hospital Service, in its laboratory, has done great work in investigations, and I believe this is self-evidence of how much more could be accomplished if a larger sphere could be given to such investigations. Hookworm and pellagra, though important, are very trifling examples as compared with the results which we might hope for with a larger sphere. The greatest hygienic advances which the world has seen have come out of such department laboratories abroad, particularly the French work of Pasteur, which is the foundation of modern bacteriology, and the German work of Koch, which has done so much for tuberculosis. Proof of what can be done comes from the example of the Department of Agriculture, which has solved the many problems of animal and plant disease by putting experts to work to direct their energies to these specific objects. Some of the best work for public health has been an incidental result, as, for instance, the work of the Bureau of Entomology, under Dr. Howard, which has shown the influence of the typhoid fly, as he calls the common house fly, and as a consequence of which there is a country-wide antifly as well as antimosquito crusade.

After a number of years of study of the possibilities of investigation, I am satisfied that there is no subject with which I am at all familiar in which there are so many unexploited possibilities as in public health. For instance, in spite of all the work for improved ventilation and the crusade for outdoor living in connection with the fight against tuberculosis, we do not yet know what are the specific qualities of good as distinct from bad air. The old theory of carbon dioxide has been almost completely exploded, and we have now simply a great mass of conflicting working hypotheses; as, for instance, that it is the coolness, dryness, humidity, motion, electrification, ionization, ozone condition, freedom from organic impurities, freedom from bacteria, etc., which explains good air as distinct from bad. The instant this problem is solved, the question can be solved with it, and we shall know whether the proper means is to use an ozone machine, humidifier, an electric fan, or some other device.

I do not for a moment doubt that the establishment of a national department of health would lengthen human life very materially, also rapidly, for, besides the above-mentioned advantages, would come a general education of the public. This would take place through bulletins and the use of the public press and in other ways, such as visual exhibits, etc., in a manner similar to the way in which the Department of Agriculture has educated the farmer. A department can do this where a bureau can not, not only because the head would be more sympathetic with such work, but also because a department would have so much more prestige and would attract more attention. The great problem of education of the public consists, I believe, as newspaper men affirm, in getting the ear of the public. It is the large headlines which do the work of molding public opinion, and on the same principle it is a large department rather than a small bureau which will get the public ear. The Department of Agriculture when it was an independent bureau did not have a tithe of the influence which it now possesses.

It is a fact that life has been prolonged or death rates decreased fastest and best where there have been good departments of health. Statistics show that the country of most rapid advance in recent years is Germany, the only country which really has a true department of health. In this country the cities which have good departments of health show the result by a lower death rate, as witness New York, Chicago, and Washington, all of which places have remarkably good health officers. In New York the death rate responded at once to the cleaner streets of Col. Waring, to the improved milk crusade, to the tuberculosis notification law, etc., just as so many cities have responded at once to the introduction of water plants. By the way, Mr. Calvin W. Hendrick, who is putting in a several million dollar new sewerage system in Baltimore, is an enthusiastic advocate of a national department of health in order that it may supply models for municipal sanitation in respect to sewerage systems, etc., believing that in this manner such improvements as he is making in Baltimore could be communicated with great rapidity to other municipalities, which will probably not get these improvements otherwise within a generation. The average "city father" is conservative and will not run to Baltimore or any other city for information when he would take it as a matter of course from a department of health.

As I see it, the situation, in brief, is: First, that there is a great field for hygienic investigation unexploited; second, that the present scientific knowledge is a full generation in advance of its practical application; third, that in order both that knowledge shall increase and that present knowledge shall be applied we need a mechanism like a department of health which, like the Department of Agriculture, will perform the needed investigations and spread the existing knowledge.

I fear I am worrying you. There are many other things I would like to say. I take the liberty of sending with this a copy of my address before the Association of Life Insurance Presidents on the subject of the prolongation of human life, and a copy of a more recent address before the International Association of Accident Underwriters on the same subject. Various insurance associations and companies, including the International Association of Accident Underwriters, have passed resolutions favoring a department of health.

If you have not seen my report to President Roosevelt on National Vitality, and would care to look it over, I should be much pleased to have the opportunity of sending you a copy. Life insurance men are showing a great interest in the subject at present, as you doubtless know. Mr. Messenger, actuary of the Travelers' Life Insurance Co., is one of the Hartford men most interested. President Holcombe, President Dunham, Vice President Lunger, and others are also interested.

If I can be of any service to you at any time, I should be very much pleased.

Yours, very sincerely, ——— ———.

Great and organized opposition to the establishment of a department of health has been carried on by a so-called League for Medical Freedom. This league has many good people in it who are misled—Christian Scientists who deny disease, and some good citizens who have been falsely led to believe their liberty

will be invaded—some people who do not think, and some people who have an evil purpose, a sinister commercial purpose, who are engaged in promoting patent medicine. There is a description in Collier's on May 6 and June 3 of this League of Medical Freedom, which is of sufficient interest to justify its being read to the Senate, but without objection I will, Mr. President, insert it in the RECORD without reading.

The VICE PRESIDENT. Is there objection?

Mr. GALLINGER. Mr. President, I shall have to object to the request.

The VICE PRESIDENT. Objection is made.

Mr. OWEN. I will then proceed to read into the RECORD this extract. It is as follows:

[From Collier's, May 6, 1911.]

"A BAD BUNCH.

"An octopus which we don't like is the League for Medical Freedom. It is doing a tremendous amount of damage by its opposition to needed medical legislation along all lines relating to the public health throughout the United States. In the excellent California Legislature, for instance, this year, efforts for better sanitary laws were largely blocked by this organization, thoroughly equipped with ready money, and extensive in its hold upon the imaginative minds of many citizens. These gophers have worked underground, since the league came into existence, to counteract the pure food and drugs act of 1906. The membership is composed for the most part of those who were hit hard by the act. Expensive lobbies are maintained at Washington, and in many State capitals, for the purpose of defeating health legislation. In 1909–1911 important bills relating to the health of the Nation were held up in Congress at the instigation of the league. It is alleged that $25,000 per week was spent by the league lobby. There is probably no accurate way of computing the amounts that have been spent in Washington or at the various State capitals. One method of attack consists in sending showers of telegrams of protest to the Senators and Representatives from all parts of the Union, and especially from the home districts of the lawmakers. These protests are invariably misrepresentations of the real purpose of the proposed legislation. Organizations have been formed in every State of the Union, and attorneys employed to represent the league before conventions, legislative committees, and municipal meetings of all kinds. Another plan of procedure is to send circular letters to delegates of conventions requesting them, in the name of "liberty and fraternity," to vote against any medical resolution that might be introduced. It has always been difficult to get appropriations for health purposes, and if this league continues to fight the health authorities we must expect an increase in the death rate in all States in the next year or two. In Chicago, where the league is strongest, in 1908 the death rate was 14.08 per 1,000 per annum; in 1910 it was 15.21 per 1,000."

I remind the Senate that the chairman of the Committee on Public Health had a thousand telegrams put in his hands on one day, coming through the agents of this so-called League of Medical Freedom, opposing the department of health, although the department of health proposed nothing in the world except the coordination of Federal activities that we already have and putting them together under one intelligent management.

Many citizens telegraphed who thought they would be subjected to compulsory vaccination, who thought their domiciles would be invaded. Many engaged in the art of healing and preventing disease protested under the false assurance that a department of race conservation and of human health meant that they would be denied a license to practice osteopathy, and so forth.

Many protested under the erroneous advice that a department of human conservation of the United States would invade State rights and interfere with local authority. These manufactured telegrams and protests had no genuine foundation of fear. They were manufactured wholesale by sinister commercial forces, that had an unlimited treasury of money, able to organize at once these patent-medicine leagues of medical freedom in many States and flood the press with half-page advertisements in box-car letters.

Collier's answers some of the victimized members of this league who protested against the first editorial, as follows:

[From Collier's, June 3, 1911.]

"LIBERTY.

"Protests from readers have greeted our criticism of the League for Medical Freedom. Also a protest is telegraphed from the California branch of the league. In the minds of most of those who protest the principal objections are to the following positions taken by us: 1. That the league contains the kind of men who opposed the pure-food act. 2. That the activities of the league are against public welfare and frequently surreptitious. Our answer follows:

"1. B. O. Flower, one of the nine founders of the league, and now in his second term as president of it, was president of 'The R. C. Flower Medicine Co.' from 1885 to 1899. R. C. Flower is the notorious quack and general humbug whose latest arrest was as late as 1908. B. O. Flower wrote the league's pamphlets on Bubonic Plague and The Compulsory Medical Inspection of School Children. His views on patent medicine are often expressed. For instance:

"I believe that a great majority of the proprietary medicines are infinitely less dangerous to the public than the majority of regular doctors' prescriptions.

"2. C. W. Miller, second vice president of the league, was also one of the founders. In his newspaper, which publishes patent medicine advertising, he has constantly fought the medical profession. Last year one of his addresses against what he calls a 'doctors' trust' was delivered to the Dairy Association in Baltimore. We may say in passing that Collier's does not believe in freedom to sell tuberculous milk any more than it does in freedom to sell tuberculous meat.

"3. Mrs. Diana Belais, a director and also a founder, has appeared before in this paper as president of an antiexperiment society, a well-meaning, ignorant, reckless, and muddle-headed agitator. We are officially informed by the chairman of the 'committee on publicity and education' of the league that Mrs. Belais was made a director 'because of her courageous efforts to secure a higher law in New York State than the doctors' cruel theories and professional arrogance.' Here's to antiexperiment, meningitis, diphtheria, and freedom!

"4. Dr. C. S. Carr, who is on the advisory boards, edits a pseudo-medical sheet. Collier's long ago printed a letter signed 'The Peruna Drug Co., per Carr.' As editor of Medical Talk for the Home he carried advertisements of many of the medicines exposed in Collier's in our series on 'The great American fraud.' He is now editor of the Columbus Medical Journal, which he at once turned from an ethical sheet into a sheer fraud. Look at the issue of May, 1909. On the front cover is a picture of Carr himself writing, 'All drugs are poison. All druggists are poisoners.' On the reverse side is an advertisement beginning, 'Prescribe Antikamnia and Codein tablets in la grippe, headaches, etc.' Hurrah for freedom and Peruna!

"5. George P. Englehard, who is on the advisory board, has for a long time in his journal defended the patent-medicine interests.

"6. Charles Huhn, also a member of the board, is a prominent officer in a cooperative patent-medicine concern.

"7. Another founder was a member of the advertising agency which is now spending for the league the money which it puts into its advertising campaigns.

"The league says it did not oppose any 'sanitary or quarantine laws.' This statement requires some hardihood, as the hearings of the Senate Committee on Health, and more especially of the House Committee on Foreign and Interstate Commerce, show. It would interest us to know whether the league can point out a single health bill introduced in Congress which it has not opposed. When the leaders wish to oppose a sanitary or quarantine law they do it on the ground that such a law would indirectly 'lead to compulsory and discriminatory legislation.'

"The league was nominally born recently, but those who make it up had already as individuals, and even as organizations (such as the Colorado League for Medical Liberty), opposed State and national legislation. A pamphlet published by the Colorado branch singles out Collier's for attack, and was written by a notorious quack doctor. In California, which was the special theme of our former editorial, if the league should prevail, the next threat of bubonic plague would be carried out, instead of being suppressed like the last; smallpox might again become a serious epidemic; school children would bear their ills as best they might. A bill was introduced ordering that the board of health be composed of 2 'allopaths' (a school which does not exist, but is a hostile term for regular physicians), 2 homeopaths, 2 'eclectics,' 2 osteopaths. It did not pass."

"Some leading homeopathists and osteopathists, be it said, are in favor of a national health bureau and strongly against the agitations of the league. Dr. Francis B. Kellogg, president of the California State Homeopathic Society, in an address recently said:

"* * * In my opinion there is an effort being made to exploit the homeopathic profession by influences and interests which are indirectly but radically opposed to the welfare not only of practitioners of medicine in general, but to that of humanity itself. I refer to the effort to enlist homeopathic support for the so-called National League for Medical Freedom.

"Plato complained that in his day doctors made too sharp a distinction between the body and the mind. In our day the best

class of physicians frequently recommend faith cure and Christian Science, and the Emmanuel movement is an indication that it is possible for science and religion to work together in healing. Few mere observers rate the benefits that Christian Science has brought to the community more highly than we do. A belief which so frequently brings about an actual improvement in character, disposition, bodily health, and mental atmosphere deserves the most serious recognition, even by those who regret its hostility to the progressive science of medicine. It is possible at times for clever designers to use members of any faith for disastrous purposes. When R. C. Flower was at the height of his career, in 1907, as manufacturer of diamonds, vender of fake mining stock, wearer of most ingenious disguises, traveler under assumed names, and general artist in gold bricks, he conceived the idea of playing for profit upon the earnest beliefs of the followers of Mrs. Eddy. One of his accomplices, a woman, who also used an assumed name, worked the game with him, and when Dr. Flower, alias Mr. Cortland, took up the cudgels in defense of Christian Science, without being requested to do so, he said:

"Not that I am one of its disciples, but I like to see everyone free to practice medicine as he wishes.

"Here we have the very words themselves from old Doc Flower. Up with freedom!

"Everybody who believes in 'freedom' in medicine is within his natural and political rights in supporting this league. Collier's, not believing in this species of 'freedom,' is also within its rights in treating the league as a menace, the make-up, bias, and purpose of which ought to be fully understood."

I have a few more editorials from the American Medical Association Journal, which I shall read into the RECORD for the benefit of the Senate.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from New Hampshire?

Mr. OWEN. I do.

Mr. GALLINGER. I desired that the Senator from Oklahoma should read the criticisms which he has, because I think it is but fair that the Senate should hear them rather than have them placed in the RECORD without reading, where we probably never would acquaint ourselves with them.

Mr. OWEN. I think that is probably true.

Mr. GALLINGER. If this so-called League of Medical Freedom is as Collier's pictures it to be, of course it is not worthy of the confidence of anybody. I do not want the Senator or the Senate to think that my objection to having the matter placed in the RECORD without reading was because I have indorsed that organization, for I know nothing about it, except what the Senator from Oklahoma has now acquainted us with. I would not ask the Senator to read the other articles he has, but would be glad to have him place those in the RECORD if he so desires.

Mr. OWEN. I thank the Senator from New Hampshire, but I prefer to read them.

Mr. WORKS. Mr. President——

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from California?

Mr. OWEN. I yield to the Senator from California.

Mr. WORKS. Mr. President, I want to say that I am not myself a member of the League for Medical Freedom and have no connection with it in any way whatever; but, so far as the members of that league in the State of California are concerned, many of them I know personally, and they are of the very best citizenship of our State; and so far as this article refers to that league in California it is utterly unjust.

Mr. OWEN. Mr. President, I opened my remarks by saying that there were many most excellent people who were members of the League for Medical Freedom, so called, many of who are Christian Scientists, who are osteopaths, who are homeopaths, people for whom I have the highest respect, but this description of this league and its officers by Collier's deals directly with the individuals at the head of this organization and points out who those directors are.

Mr. WORKS. Mr. President——

The VICE PRESIDENT. Does the Senator from Oklahoma further yield?

Mr. OWEN I yield with pleasure.

Mr. WORKS. But the comments of the Senator from Oklahoma, as well as the comments of the article itself, are not confined to individuals, but are general in their scope.

Mr. OWEN. Mr. President, the membership of this so-called league, in my judgment, have been deliberately misled by sinister interests, and the membership which has been thus added to these alleged rolls of membership has no means of expressing itself. The expression comes through its officers. Those officers are described by Collier's, and I think it would be well for the membership of that organization to look to the directors and see who they are and understand what is at the bottom of this movement. That is the purpose of my reading into the RECORD the history of this so-called organization. I shall now read some editorials from the Journal of the American Medical Association:

SOME EDITORIALS FROM THE JOURNAL OF THE AMERICAN MEDICAL ASSOCIATION—THE AMERICAN MEDICAL ASSOCIATION CALLED A TRUST.

"'Trust' is a good word to juggle with nowadays, for to most people it conjures up visions of extortion, robbery, and general oppression. When, therefore, any organization is to be attacked and there are no tangible charges to be preferred against it, it is dubbed a 'trust,' and by that very token is damned in the premises."

I want to say right here that in my State half-page advertisements in huge letters were spread all over that State by this so-called League for Medical Freedom, practically denouncing the medical profession of this country as being a "medical trust," desirous of depriving citizens of their rights to employ any physician they pleased, to use any medicine they pleased, and giving it to be understood that the purpose of a department of health was the invasion of the private home of the citizen and the invasion of the constitutional rights of the State. The members of the so-called League for Medical Freedom have been grossly imposed upon and have been grossly misrepresented as to what they truly stand for. I know what many of their members stand for perfectly well, and I am in accord with them cordially and sincerely. I know what the Christian Scientists stand for, and I sympathize with them; I understand what the osteopaths stand for, too, and I think they serve a good and useful purpose. They have been misled by the agents of the patent medicine association in this country, that are actively engaged in promoting the drug habit in our citizens, and this declaration on the part of the so-called League for Medical Freedom against the American Medical Association is not only unjust and unfair, but it is disgraceful and utterly untrustworthy.

The article continues:

"In this manner the American Medical Association becomes the 'doctors' trust,' according to the 'National League for Medical Freedom' and other organizations with equally high-sounding and misleading names, fathered by the 'patent-medicine' interests. Not that the term originated with this widely advertised 'league,' although some 15 or 16 years ago the president of this 'league' attacked the medical profession in a magazine article on 'Medical monopoly.' The representatives and mouthpieces of the proprietary interests have long employed it; notably Strong, through his two journals, the National Druggist and the Medical Brief, and Engelhard, through his journals, the Western Druggist and the Medical Standard. As the proprietors of these publications are found among the personnel of the 'league' it is natural that this latest 'patent-medicine' organization should have appropriated a figure of speech possessing such magnificent potentialities.

"To the proprietary men the American Medical Association is a trust because, they allege, it has attempted to dictate to physicians what medicinal preparations they shall and shall not use; or, to put it more baldly, because the fraudulency and worthlessness of various proprietary products have been made clear in the Journal. Others have accused the association of being a trust because it has attempted to raise the standard of medical education and thereby to 'control the output of medical students.' But the reason advanced by the 'league' is a brand-new one, invented, no doubt, in the hope that it will reach the public's heart through its most direct route—the purse. The American Medical Association is a trust, we are told, because it has established a schedule of prices by which all its members are bound. The president of the 'league' is reported as saying:

"The [American Medical] Association now fixes the prices charged by physicians in America.

"More specifically the 'league's' vice president puts it:

"The American Medical Association has secured the adoption of its scale of prices throughout the country. * * *

"To such a charge there is but one answer, and that an all-sufficient one, viz, that it is a falsehood, and a stupid one at that. Every physician and every layman who has ever investigated the matter knows that as a matter of fact the American Medical Association has never even suggested that the 'price' of medical service be 'fixed,' but on the contrary has positively discouraged such a proposition. The recommendation in the Principles of Medical Ethics that individual physicians in any locality should adopt some general rules 'relative to the minimum pecuniary acknowledgment from their patients,' has been taken and an attempt made to read into it a meaning never intended and certainly never accepted. What the attitude of

the association is on this point is well set forth in the standard Constitution and By-laws for County Societies, prepared by a committee of the American Medical Association and recommended and very generally adopted by various county societies:

"SEC. 3. Agreements and schedules of fees shall not be made by this society. * * *

"And yet the falsehood is blazoned forth, with a prodigal disregard for the expense entailed, by means of display advertisements and 'interviews,' that the American Medical Association 'fixes the price' of medical service. Of course, the 'league' had to have some shibboleth, and the accusation that the American Medical Association is a 'trust' is an untruth that may be counted on to arouse the interest of the unthinking and to give a more or less plausible excuse for the 'league's' existence. How absurdly mendacious the accusation is the medical profession already knows and the public will not be long in learning.

"Again we say: The publicity which the 'patent-medicine' interests are giving to the American Medical Association through this 'league' is welcomed. The more the people know about the association and the work it is doing, the keener the investigation made of its methods and aims, the better it will be not only for the American Medical Association and the medical profession of the country, but also, more important than all, for the public itself." (Editorial, Journal American Medical Association.)

Mr. President, the American Medical Association has published at great length scientific and careful analyses of most of the nostrums and patent-medicine frauds of this country. They have given wide publicity to it, and in that way they have excited the violent animosity and hostility of the patent-medicine people, so that the declaration is made by them that the medical profession comprises a trust. In point of fact, if the American Medical Society form a trust and if they are concerned in establishing a department of health with a view to preventing sickness, which would be the purpose of a department of health, they would be engaged in tearing down their own business; they would be engaged in depriving themselves of their patients from whom they make their living. It would be the only trust in existence which is concerned in diminishing its own revenues and destroying its own financial foundation. Such a trust as that is a very novel trust and one that deserves encouragement.

Now, Mr. President, without further objection, I will submit for printing in the RECORD the concluding editorials.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Without objection, permission is granted.

The matter referred to is as follows:

A NEW COMBINATION AGAINST THE AMERICAN MEDICAL ASSOCIATION.

"Within the past few days the newspapers of the chief cities of the country have carried large advertisements headed, 'Do you want the "Doctors' Trust" to be able to force its opinions on you?' These advertisements paint in vivid colors—'yellow' predominating—the disaster and general destruction that will follow the formation of a Federal department of health. They emanate from, or, to be more correct, are signed by, an organization calling itself the 'National League for Medical Freedom.' In addition to the regular display advertisements the press agent is supplying matter for the reading pages, and there is every evidence that the propaganda is not lacking financial support. Of course, the American Medical Association is the bête noire the 'league' seeks to kill; it is the 'Medical Trust' referred to. Members of the association will be surprised to learn that if a national department of health is created it will result in 'denying to the people the right to determine for themselves the kind of medical treatment they shall employ.' For this reason, and so far as the advertisements state, for this reason only, the National League for Medical Freedom has been brought into being. As a slogan, under which the real reasons for organizing may be carefully concealed, it may serve its purpose. Most people prefer to have their thinking done for them, and this alone will prevent the absurdity of such a proposition as that on which the 'league' is ostensibly founded becoming apparent. Yet every person with the most elemental knowledge of our Government knows that the regulation of the practice of medicine and the licensing of physicians is a function of the State, and that any law attempting to confer such power on a department of the Federal Government would be unconstitutional. The proposed department of health would have just as much authority to determine what 'kind of medical treatment' the people should employ as the Department of Agriculture has to dictate to the farmer regarding the implement company he shall buy his plows of. Yet we are asked to believe, apparently, that a national department of health would mean that the free-born American citizen who wanted to have a purulent appendix cured by the 'spinal adjustment' route would have to patronize a surgeon, even though he were a 'conscientious objector' to surgery. It would mean, it seems, that the individual suffering from malaria who wished to be freed from this 'moral error' by 'absent treatment' would be ignominiously dragged to the internist and dosed with quinine. It would mean that the optimist who would cure his rheumatism by wearing a 'guaranteed magnetic ring' would have to endure the administration of the salicylates. It would mean—but why pursue these harrowing predictions further?

"Seriously, though, there must be something wrong with the mental make-up of the individuals composing this 'league' who expect—even by such potent means as the lavish distribution of printer's ink—to persuade a reasonably sane people that any law might, could, or would be enacted that would curtail the rights of the public as they have suggested. Of course, the fact is that the moving spirits behind the organization of the 'league' have neither an overwhelming solicitude for the public welfare nor any strenuous objection to the formation of a national department of health. The 'league's' actual, and fairly evident, raison d'être is opposition to and antagonism against the American Medical Association. To disclose the source of this opposition it is only necessary to call attention to some of the members of the 'advisory board'—high-sounding title—as reported in the newspapers, to make reasonably clear to the members of the American Medical Association the 'power behind' the 'league.' The publisher of the Medical Standard and Western Druggist, for instance, has long been known as a defender of, and mouthpiece for the 'patent medicine' and proprietary interests. His presence on the 'advisory board' is fitting, and the only surprising thing about it is that he should have been guilty of such a tactical blunder as getting into the fierce light of publicity.

"That the president of the American Druggists' Syndicate should be on the 'board' was to be looked for, and being looked for, is found. And there are others! Among the lesser satellites in this distinguished galaxy are those who very naturally might be expected to enter enthusiastically into such a campaign—the president of an antivivisection society, some 'mental healers' and one or two journalists of varying degrees of obscurity. Of the latter, one has for years been strongly opposed to medical organization and more recently has taken up that mental vagary known as 'new thought.' Taking into consideration both the objects of the 'league' and the personnel of its 'board' one feels that the New York Journal expressed only a half truth when it said:

"The druggists and the proprietary medicine interests throughout the country are said to be chiefly concerned in defeating the Owen bill.

"It would have been nearer the facts if for 'defeating the Owen bill' were substituted the clause 'attempting to disrupt the American Medical Association.' A dozen years ago the public might not have been able to see the animus prompting this attack; to-day it is wiser.

"As to the publicity which this sensational and costly campaign will give to the American Medical Association, the medical profession may welcome it. One thing that has long been needed is that of directing the attention of the laity to the aims and accomplishments of the American Medical Association. It welcomes investigation; the more the public learns about the work the association is doing the better for the association. It has nothing to be ashamed of, but it has a great deal to be proud of; its work in the interests of both public welfare and scientific medicine is and always has been open and aboveboard. The association needs no defense; it is not only well able to stand on its record, but is proud of that record." (Editorial, Journal American Medical Association.)

"NATIONAL CONSERVATION CONGRESS AND A DEPARTMENT OF HEALTH.

"The National Conservation Congress, recently in session in St. Paul adopted a platform setting forth the views of the delegates as to the duty of the Federal and State Governments in conserving the natural and vital resources of the Nation. One of the planks, unanimously adopted by the committee on resolutions and later by the convention itself, indorsed in no uncertain terms the establishment of a department of health. This plank read: 'We also recommend that in order to make better provision for preserving the health of the Nation a department of public health be established by the National Government.' This declaration was adopted in spite of a large amount of carefully stimulated (and simulated) opposition. The plank was introduced before the committee on resolutions by a delegate from Pennsylvania. As soon as it was known that there was likelihood of its adoption telegrams from all over the country began to pour in on the members of the committee on resolutions, requesting, urging, and demanding that no action be taken on this subject. On Thursday morning, when the delegates assembled in the auditorium, there was found on each seat a marked

copy of the Pioneer Press containing a full-length, two-column 'appeal' (otherwise known as advertising matter) from the National League for Medical Freedom, reiterating previously made statements regarding 'political doctors,' 'medical trust,' 'interference with liberty,' and other stock bugbears. But, as a reporter for the Pioneer Press said, 'the delegates smiled.' The men composing the convention, who had been sent to St. Paul to represent the interests of the people and not the people of the interests, who had been able to detect the cloven hoof of monopoly under the specious plea for 'State rights' which had been made in the opening days of the convention, were not slow to understand who and what were the influences back of the objections to governmental action for the saving of life. 'The delegates smiled' when they received the telegrams, when they adopted the resolution of the committee and when the unanimous vote of the convention approved the platform. It was the sound judgment and common sense of the average American citizen which led the delegates to realize that health and life are important and that the only men who oppose any means by which life can be saved are those who have a selfish and mercenary interest in perpetuating present conditions." (Editorial, Journal American Medical Association.)

"WHO PAYS THE BILLS?

"Newspaper men are not easily misled as to motives, neither are they slow to recognize the real forces behind an effort to influence public sentiment. An editorial in a recent number of the Baltimore Evening Sun shows how the better class of newspaper editors regard the strenuous and well-nigh hysterical efforts now being made to simulate a popular uprising against the awful iniquity of national health legislation.

"As the Sun well says, the mere statement of the arguments of the National League for Medical Freedom is all the answer that is necessary. But the attack on the Owen bill is only a pretext. The American Medical Association is the real target. The forces behind this movement are endeavoring to take advantage of the popular feeling against trusts and monopolies by branding the American Medical Association as a 'doctors' trust,' a designation, by the way, which originated with certain so-called medical journals which derived their support from nostrum vendors.

"Evidently, the manufacturers of 'baby killers,' sophisticated and adulterated foodstuffs, cheap and bad whiskies under the guise of 'family remedies,' and fakirs and swindlers doing business under the guise of physicians, hope that the American public and press will accept this designation without asking for proof or evidence, and that by such methods the American Medical Association and its work can be discredited in the public estimation. 'The delegates smiled' when the members of the committee on resolutions, at the Conservation Congress at St. Paul, were overwhelmed with a flood of telegrams carefully arranged for beforehand, protesting against the indorsement of a national department of health. Truly, newspaper editors and managers must smile with equal persistency when 'copy' is received for half-page advertisements at a daily cost of $25,000, denouncing the national organization of the medical profession as a 'doctors' trust.' Newspaper men know the cost of a general advertising campaign. They also know that only those who are financially and mercenarily interested in blocking the work which the American Medical Association is doing, and who fear to have any further light thrown on their nefarious doings, would furnish the money for such an extensive and expensive advertising campaign. The National League for Medical Freedom asks no dues of its 'members,' yet it has used large quantities of the most expensive newspaper advertising space. Who pays the bills, and whence comes all the money?

"Certainly it does not come from the few homeopaths who have joined the league, nor from the few eclectics, nor from the small number of osteopaths; and surely the Christian Scientists are not shouldering this enormous burden. The obvious conclusion is that the money comes from those exploiters of human weakness and credulity whose fraudulent practices have been exposed by the American Medical Association, and whose pocketbooks have been injured in consequence." (Editorial, Journal American Medical Association.)

Mr. CLAPP. Mr. President, out of order, I ask leave to offer a proposed amendment to the so-called free-list bill.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Does the Senator ask to have it printed and lie upon the table?

Mr. CLAPP. I ask that it be printed and lie upon the table.

The PRESIDING OFFICER. That order will be made.

Mr. CLARK of Wyoming. Mr. President, I had hoped to submit a few views upon the question pending before the Senate—the amendment to the paper section of the reciprocity bill—but I do not care to do so this afternoon, inasmuch as the Senators to whom I wish to particularly address my remarks seem to have very little interest in the matter.

I favor the amendment and believe that I have more confidence in its adoption than apparently the author of the amendment has. If I can do anything to secure favorable action by the Senate, I desire to have the opportunity to do so; but, as I have said, I do not care to take up the time of the Senate when there are those absent to whom I wish particularly to address myself.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from North Carolina?

Mr. CLARK of Wyoming. Certainly.

Mr. SIMMONS. I did not understand to what amendment the Senator referred when he said he was in favor of it.

Mr. CLARK of Wyoming. The so-called Root amendment to the Canadian reciprocity bill.

Mr. SIMMONS. I thought the Senator was talking about the free-list bill in connection with the amendment just submitted by the Senator from Minnesota [Mr. CLAPP], and the statement was interesting to me in that way.

Mr. CLARK of Wyoming. I do not know what amendment the Senator refers to.

Mr. SIMMONS. I said I thought the Senator referred to the free-list bill in connection with the amendment just offered by the Senator from Minnesota to that bill.

Mr. CLARK of Wyoming. I do not understand that the amendment sent to the desk by the Senator from Minnesota is now pending. I understand the pending question to be on the amendment of which the Senator from New York [Mr. ROOT] is the author and which has been reported by the Committee on Finance.

Mr. SIMMONS. I entirely misunderstood the Senator.

Mr. CLARK of Wyoming. In accordance with the suggestion I have made, Mr. President, I shall withhold what I have to say; but if at any time I do take up the matter, I will attempt to do so on Monday next before the amendment is voted on.

Mr. SMOOT. I move that the Senate adjourn.

Mr. BAILEY and Mr. CLAPP addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Utah withhold his motion?

Mr. SMOOT. I withhold the motion.

Mr. BAILEY. Mr. President, I desire to present an amendment which at the proper time I intend to offer to the pending reciprocity bill as a separate and independent section. I ask that the amendment be printed.

The PRESIDING OFFICER. That order will be made. The amendment will be printed and lie on the table.

Mr. SMOOT. I move that the Senate adjourn.

The motion was agreed to; and (at 3 o'clock and 3 minutes p. m.) the Senate adjourned until Monday, June 26, 1911, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

SATURDAY, *June 24, 1911.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal God, our heavenly Father, above all, through all, and in all, to quicken, to inspire, to guide, amid the conflicting elements, the profound problems, the strenuous duties which appeal to every serious, strong-minded, noble-hearted man, we thank Thee for the special order of the day in memory of such a man who met life and its problems with the courage and fortitude of a great soul and distinguished himself wherever he was called to serve—on the field of battle, at the bar of justice, in the legislative halls of State and Nation. Quick to perceive, clear of judgment, wise in counsel, strong in action, eloquent of speech, a leader of men; patient, gentle, easy of approach, a friend of the friendless, a follower of the King of men; respected, honored, loved by all who knew him; called from a life of usefulness with a character full, rounded out, a passport to the realms of eternal life; we thank Thee for what he was and for what he did, and we pray that his example may inspire us and those who shall come after us to earnest endeavor and purity of purpose. Be graciously near to all who mourn him, especially the bereaved wife and children, to uphold, sustain, and comfort them in the blessed promises of

the gospel. And glory and honor and praise be Thine forever, through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Wednesday, June 21, 1911, was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed without amendment bill of the following title:

H. R. 8649. An act to authorize the extension and widening of Colorado Avenue NW. from Longfellow Street to Sixteenth Street, and of Kennedy Street NW. through lot No. 800, square No. 2718.

The message also announced that the Senate had passed with amendments joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

H. J. Res. 1. Joint resolution to correct errors in the enrollment of certain appropriation acts approved March 4, 1911.

The message also announced that the Senate had passed bills and resolution of the following titles, in which the concurrence of the House of Representatives was requested:

S. 2462. An act to cede jurisdiction to the State of Georgia over certain land in Fulton County;

S. 2732. An act to authorize the Providence, Warren & Bristol Railroad Co. and its lessee, the New York, New Haven & Hartford Railroad Co., or either of them, to construct a bridge across the Palmers or Warren River, in the State of Rhode Island;

S. 2766. An act to authorize the St. Louis, Iron Mountain & Southern Railway Co. to construct and operate a bridge across the St. Francis River, in the State of Arkansas, and for other purposes;

S. 2053. An act providing for the disposition of moneys recovered on account of injury or damage to lighthouse property; and

Senate concurrent resolution 3.

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound 3,000 copies of the Federal antitrust decisions, 1890 to 1911, to be compiled by the direction of the Department of Justice, 1,000 copies for the use of the Senate and 2,000 copies for the use of the House of Representatives.

ENROLLED BILL SIGNED.

Mr. CRAVENS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 8649. An act to authorize the extension and widening of Colorado Avenue NW. from Longfellow Street to Sixteenth Street, and of Kennedy Street NW. through lot No. 800, square No. 2718.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills and a concurrent resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 2053. An act providing for the disposition of moneys recovered on account of injury or damage to lighthouse property;

S. 2766. An act to authorize the St. Louis, Iron Mountain & Southern Railway Co. to construct and operate a bridge across the St. Francis River, in the State of Arkansas, and for other purposes; and

S. 2732. An act to authorize the Providence, Warren & Bristol Railroad Co. and its lessee, the New York, New Haven & Hartford Railroad Co., or either of them, to construct a bridge across the Palmers or Warren River, in the State of Rhode Island; to the Committee on Interstate and Foreign Commerce.

Senate concurrent resolution 3.

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound 3,000 copies of the Federal antitrust decisions, 1890 to 1911, to be compiled by the direction of the Department of Justice, 1,000 copies for the use of the Senate and 2,000 copies for the use of the House of Representatives; to the Committee on Printing.

URGENT DEFICIENCY BILL.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent for a moment to displace the special order for to-day and wish to state the purpose of so doing. The Committee on Appropriations have directed me to report a bill supplying deficiencies in certain appropriations for the service of the House and one additional emergency item for the District of Columbia, and if there be no objection I would wish to present the bill and ask to have it considered at once.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD], chairman of the Committee on Appropriations, asks unanimous consent to postpone temporarily the special order and that the matter which he mentions may be considered.

Mr. MACON. Mr. Speaker, reserving the right to object, I will ask the gentleman to give us some idea of the emergency for this deficiency appropriation.

Mr. FITZGERALD. The only items in this bill are two appropriations, one to supply deficiencies in the contingent fund of the House of Representatives. The fund is exhausted, witnesses are being brought here by various committees and there is no money to pay their fees, and in addition to that there are one or two other items connected with the House and one item with regard to the District of Columbia.

Mr. MACON. Can the gentleman give some idea as to how much we had in the contingent fund when Congress convened on the 4th of April?

Mr. FITZGERALD. I did not catch the gentleman's question.

Mr. MACON. Can the gentleman give some idea about how much of the contingent fund has been expended since the 4th of April?

Mr. FITZGERALD. They require now about $31,000 additional.

Mr. MACON. How much has been expended up to this time?

Mr. FITZGERALD. Everything has been expended.

Mr. MACON. The gentleman does not know the amount of it?

Mr. FITZGERALD. Yes; I can state the amount. The contingent fund amounted to $75,000. That amount was appropriated for the contingent fund for the current fiscal year.

Mr. MACON. And that has been expended up to this time?

Mr. FITZGERALD. That is practically exhausted. It is considerably less than has been appropriated in recent years.

Mr. MACON. In the language of the street, does not the gentleman think "that is going some" when it comes to expending the money of the people?

Mr. FITZGERALD. This deficiency is created from the fact that the House has imposed certain duties upon certain committees and from the fact that the House, being in extraordinary session, certain matters were necessarily done which would require additional money. In the last fiscal year, 1910, if the gentleman will permit me, the appropriation was $75,000, with a deficiency of $35,000. In 1909 it was $75,000, with a deficiency of $40,000; in 1908 it was $50,000, and a deficiency appropriation of $120,000, so that this deficiency is not at all extraordinary or unusual. It is impossible accurately to estimate what amount will be required for this fund. For instance, the House in the last Congress authorized an investigation of the friar lands, and some $8,000 were expended for the fees of witnesses brought here from the Philippine Islands, something entirely unanticipated when the appropriation was made, and yet it depletes the fund which is available for the necessities of the House.

Mr. MACON. Can not the gentleman's committee devise some plan by which these appropriations for investigation expenditures can be held down to the amount appropriated?

Mr. GARNER. Yes; the Committee on Accounts——

Mr. FITZGERALD. If the gentleman will permit, he will understand the gentleman's committee has not made any appropriation for any fiscal year thus far; but the House finds itself with certain outstanding accounts and the money from which those accounts must be paid is exhausted.

Mr. MACON. How much is proposed to be appropriated now?

Mr. FITZGERALD. Thirty-one thousand dollars.

Mr. CULLOP. Mr. Speaker——

The SPEAKER. Does the gentleman from New York yield to the gentleman from Indiana?

Mr. FITZGERALD. I do.

Mr. CULLOP. I would like to ask the gentleman from New York if this deficit is not in the appropriation for the year ending June 30, 1911?

Mr. FITZGERALD. It is. The year will end next Friday.

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to suggest to the gentleman from New York that it is quite evident there is not a quorum of the House in the Chamber, or possibly in town. While it is not likely that the point of no quorum would be made, yet no one can predict what might be done in the consideration of an appropriation bill; but if the point of no quorum should be made in the consideration of this appropriation bill, the gentleman can see it would be very embarrassing in the order of the day.

Mr. FITZGERALD. I will say to the gentleman from Illinois that if anyone suggests that a point of no quorum will be made I should ask to withdraw the bill. The House Members desire to adjourn to-day for three days. If we can dispose of this matter to-day, it will not be necessary for the House to meet on Monday. Otherwise, in order that the committees which are doing important work may not be seriously embarrassed, the money must be appropriated to enable them to do their work. So if there be objection on the part of anybody,

I shall ask to withdraw the bill, so as not to interfere with the special order of to-day.

Mr. MANN. I would suggest to the gentleman it would be in better taste to proceed with the special order, which is in memory of one of the very distinguished men of the country, rather than to take this up to-day, and then meet on Monday.

Mr. FITZGERALD. If the gentleman will permit me, I conferred with the gentlemen who are in charge of the exercises for the day——

Mr. LLOYD. Mr. Speaker——

The SPEAKER. Does the gentleman from New York [Mr. FITZGERALD] yield to the gentleman from Missouri [Mr. LLOYD]?

Mr. FITZGERALD. Permit me a moment. Ordinarily some Members are delayed a little in arriving in the House who desire to participate in the exercises, and the gentleman who has charge of the exercises believed that if this bill was considered it would not take very much time and it would afford an opportunity for those who desired to be here to reach the House in time to participate in the exercises in honor of the distinguished gentleman who represented Virginia so long in the Senate.

Mr. MANN. That reason does not appeal to me. I think this is a matter that would be likely to take a little time in debate, in all probability, and I think we can afford to meet on Monday. I am just as anxious to get out of town as the gentleman from New York is.

Mr. FITZGERALD. It will not inconvenience me any, Mr. Speaker, because I must stay in the city, I regret to say; but there are a number of gentlemen who desire to take advantage of the situation in order to be away for a few days. However, if any gentleman desires to object, it will necessitate the matter going over.

Mr. MANN. I hope the gentleman will not insist upon his request.

Mr. FITZGERALD. I prefer to have the objection made. That will relieve me from responsibility in the matter.

Mr. MANN. If the gentleman desires, I will accommodate him. I object.

Mr. LLOYD. Mr. Speaker, I hope the gentleman from Illinois will withdraw that objection. It is an embarrassing thing to have accounts presented against the contingent fund of the House and no money in that fund to pay them, and that is the condition to-day. Nearly all the claims for which this $30,000 deficiency is proposed to be appropriated are claims now in the hands of the disbursing clerk or before the Committee on Accounts.

We would be very glad indeed if we were placed in a position where these accounts that have already been allowed, for expenditures already made, can be paid. Witnesses have been called before these special committees and fees have been allowed, so far as the committee is concerned, and passed upon by the proper authorities and directed by the House to be paid, and still there is no money in this fund to pay them, and this is working a great inconvenience in some instances to the witnesses who have appeared before the committees.

Mr. MANN. Mr. Speaker, I accept the responsibility of objecting, but I decline to accept the responsibility of standing in the light of an appropriation. Every one in the House has known ever since the House has met that the contingent fund of the House was practically exhausted and would be exhausted before the end of the fiscal year. It is not my fault if the Committee on Appropriations or some other committee has not proposed before this to reimburse this fund, or to provide for the contingencies which have arisen and which we knew would arise, and which arose before.

Mr. LLOYD. We could not tell until within the last few days anything like what would be necessary to meet this deficiency, and we feel sure that we have come within a very few dollars of the amount needed to meet these expenditures between now and the last day of June.

Mr. MANN. Mr. Speaker, I recognized several months ago that it would take $25,000 to cover two of the items.

Mr. GARNER. Mr. Speaker, do I understand the gentleman from Illinois to say that he is going to insist that a quorum shall be present in the House when this bill is considered?

Mr. MANN. Oh, I have not made any such statement as that.

Mr. GARNER. What is the ground of the gentleman's objection, then? The proposition seems to be agreeable to every one except himself.

Mr. MANN. Mr. Speaker, the day has been set apart for a special purpose. I notice that there are some persons in the galleries who are evidently specially interested in the special order of the day. I do not propose to be put in an embarrassing position in the House. If anyone wants to discuss an appropriation bill, they should know they are doing it in the time that is set apart for eulogies.

Mr. GARNER. Do I understand the gentleman, then, objects, Mr. Speaker, for the reason that he wants to accommodate people in the galleries in the purpose for which they have assembled?

The SPEAKER. The Chair will state to the gentleman that all this colloquy is out of order.

Mr. MANN. The gentleman can say what he pleases; but I object.

The SPEAKER. The gentleman from Illinois objects.

LEAVE OF ABSENCE.

Mr. MARTIN of Colorado, by unanimous consent, was granted leave of absence for three weeks from next Tuesday, on account of important business, he not having been home since November last.

SILVER-WEDDING PRESENT TO THE PRESIDENT.

The SPEAKER. The Chair asks unanimous consent to lay before the House a letter addressed to him, which is of interest to all the Members, and have it printed in the RECORD. Is there objection? [After a pause.] The Chair hears none. The Clerk will read.

The Clerk read as follows:

THE WHITE HOUSE,
Washington, June 20, 1911.

MY DEAR MR. SPEAKER: I write, at the request of Mrs. Taft, to convey to you and, through you, to the Members of the House of Representatives an expression of our very high appreciation of the sentiments of friendship on the part of yourself and your colleagues which prompted the gift to us on the occasion of our silver-wedding anniversary of the magnificent set of silver plates. We will ever cherish the gift, and even more the good will of our friends who constitute the popular branch of the Sixty-second Congress.

With an assurance of our warm thanks, believe me, my dear Mr. Speaker,

Gratefully and sincerely, yours, WM. H. TAFT.

Hon. CHAMP CLARK,
Speaker of the House of Representatives.

EULOGIES ON JOHN WARWICK DANIEL.

The SPEAKER. The Clerk will report the special order of the day.

The Clerk read as follows:

On motion by Mr. FLOOD of Virginia, by unanimous consent,

Ordered, That Saturday, the 24th day of June, 1911, at 12 o'clock noon, be set apart for addresses on the life, character, and public services of Hon. JOHN WARWICK DANIEL, late a Senator from the State of Virginia.

The SPEAKER. The gentleman from Virginia [Mr. FLOOD] will please take the chair.

Mr. FLOOD of Virginia assumed the chair as Speaker pro tempore.

Mr. JONES. Mr. Speaker, I ask for the adoption of the resolution which I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

House resolution 223.

Resolved, That the business of the House be now suspended that opportunity may be given for the tribute to the memory of Hon. JOHN W. DANIEL, late a Senator from the State of Virginia.

Resolved, That as a further mark of respect to the memory of the deceased, and in recognition of his eminent ability and illustrious public services, the House, at the conclusion of these memorial services, shall adjourn.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk be instructed to send a copy of these resolutions to the family of the deceased.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The question was taken, and the resolution was agreed to.

Mr. JONES. Mr. Speaker, in the death of JOHN WARWICK DANIEL the Commonwealth of Virginia has lost her most beloved as well as her most eminent citizen, the Senate of the United States one of its most honored and distinguished Members, the South a loyal and devoted son, and the country at large a statesman whose patriotic endeavors were neither circumscribed by party lines nor confined to any section of the American Republic.

We are met to-day for the purpose of paying sincere tribute to the memory and fame of this great Virginian.

Although I enjoyed for many years the high privilege of his personal acquaintance and friendship and was associated with him more or less intimately in the discharge of those political and public functions in which we had a like interest and, although in common with every other Virginian I feel the keenest pride in his brilliant career and stainless life, I am not unmindful of my inability to do justice to a subject so well worthy the loftiest expressions of praise and eulogy. For this reason I shall only attempt a brief sketch, a bare outline, of a life which is destined to fill many of the brighest pages of the history of a State which has given to the world so many pre-eminently great and noble men. To those who shall follow me I shall leave the pleasing task of portraying his character and recounting his achievements.

For more than 40 years, many of them the most eventful in its history, Senator DANIEL was a conspicuous figure in the life of Virginia. For more than half of this period he occupied a seat in the Senate of the United States, where he served his State and country with singular ability and won for himself great distinction and enduring fame.

He was born in Lynchburg, Va., on the 5th day of September, 1842, and there, after an illness which covered many sad and weary months, he entered into the Great Beyond on the evening of the 29th of June, 1910. His biographers tell us he came of a family greatly distinguished in the annals of Virginia, and this is easy of belief for those of us who were so fortunate as to be brought into personal contact with him, and who were thus afforded the opportunity to observe his innate refinement, his charming manners, and his courtly and dignified bearing. His father, William Daniel, jr., sat for many years upon the bench of the Supreme Court of Appeals of Virginia, and enjoys the reputation of having been a just, learned, and incorruptible judge. His grandfather, William Daniel, sr., was also a jurist of high character and enviable repute, so that Senator DANIEL may be said to have been born to the profession of which, in after life, he was so eminent a member and which he so conspicuously adorned.

His education was received at the private schools of Lynchburg, at Lynchburg College, and at the famous university school so long conducted by that distinguished educator, Prof. Gessner Harrison.

He was but 18 and yet at school when the tocsin of war between the States was sounded. Instantly he laid down his studies, and promptly—yea, even joyously—he enlisted as a private soldier in a cavalry company raised and organized in Lynchburg. This command had seen no service in the field when young DANIEL received a second lieutenant's commission from the governor of Virginia and was assigned to the Twenty-seventh Virginia Infantry Regiment, of which he subsequently became the adjutant, and with which he served with distinction in the first battle of Manassas. In this, the first of the many bloody conflicts in which he participated, he received three wounds, one of which came dangerously near to permanently disabling him, although such was his intrepid spirit that only a short period elapsed before he was again with his command and at the front.

Having been elected adjutant of the Eleventh Virginia Regiment of Infantry, he served with this command until March, 1863, participating in all the bloody conflicts in which up to that time it was engaged. At Boonesboro, in September, 1862, he was again wounded and temporarily disabled, but so wonderful were his recuperative powers and youthful vigor that within 90 days he again reported for duty on the firing line.

At the conclusion of his service with this command he was commissioned adjutant general and assigned to duty upon the staff of Gen. Jubal A. Early, where he served with conspicuous gallantry and marked efficiency until, on May 5, 1864, at the Battle of the Wilderness, he received the cruel wound which left him a cripple for life, and on account of which, in after years, in love and admiration, his people conferred upon him the proud title of the "Lame Lion of Lynchburg."

The war over, this maimed and battle-scarred young hero, with unshaken courage and undaunted spirit, began his preparation for the battle of life—that stern conflict in which he was destined to win great civic victories—by entering the law school of the University of Virginia. Having completed his law course at this famous institution of learning, he at once began the practice of the profession in which he rose rapidly to distinction.

Others have spoken elsewhere, and others still will speak here, of his brilliant career as a lawyer. I may only say that his forensic triumphs were many and great, that he was not only distinguished as a practitioner of the law, but that he contributed abundantly to the jurisprudence of his country. His book, "Daniel on Negotiable Instruments," is justly regarded by the legal profession as a work of great merit and recognized authority, and had he bequeathed to posterity no other evidence of his high legal attainments, his reputation as a lawyer would rest secure upon this single production of his great brain.

But great lawyer as Senator DANIEL unquestionably was, he will be remembered chiefly by the people of his State as an orator who was without a rival in his day and generation. He loved his profession and never wholly withdrew from its practice, although early in his career he seems to have realized that it was too narrow a field for the display of his great and varied mental powers.

Moreover, he had scarcely begun the practice of the law when it became apparent to him that the State for which he had so often risked his life upon the battle field again stood in need of his services. As a result of the war many of her civil institutions had been swept away, and now her very civilization was seriously threatened. To rescue that civilization from the perils with which it was beset, the corrupt and deadly influences by which it was surrounded, and to restore to the real people of Virginia the instrumentalities of civil government and the guaranties of peace and social order was the herculean task to which young DANIEL, and the noble band of devoted men with whom he was associated, resolutely and courageously addressed themselves. In the memorable struggle which followed, a contest between virtue and intelligence upon the one side and vice and ignorance upon the other, the soul-stirring eloquence of JOHN W. DANIEL was heard from the mountains to the sea. And thus early he entered upon that splendid political career which continued for more than 40 years, and which was only terminated when he was smitten by the hand of death.

Commencing in 1869, he faithfully served the people of the city of Lynchburg and of Campbell County in the State legislature, at first in the house of delegates and afterwards in the senate, for a period of 10 years.

In the year of 1881 he became the candidate of the Democratic Party for the governorship of Virginia. His opponent was the erudite and accomplished William E. Cameron, who, like himself, had behind his candidacy a brilliant record as a Confederate soldier. The overshadowing issue was one that related to the settlement of the State's public indebtedness. Cameron was the nominee of what was then known as the readjuster party. The campaign which followed was a memorable one, perhaps the most memorable in the political annals of the State, but from the outset the result was a foregone conclusion.

This was the only defeat, if defeat it may really be said to have been, which JOHN W. DANIEL ever sustained at the hands of the people of Virginia. He came out of the contest the idol of his party. Henceforth he was without a rival in its affections.

Three years later he was elected to membership in this body from the Lynchburg district, but before he had completed his term of service he was chosen for the seat in the United States Senate, which he continued uninterruptedly to occupy up to his death.

The actual senatorial service of this great patriot and statesman covered a period of more than 23 years, but he had been reelected to succeed himself for still another term, and so firmly enthroned was he in the hearts of the people of Virginia that it was quite universally conceded that the exalted position which he had so long adorned was to be his until his life's end.

The length of the service in the Senate of the United States of no other Virginian ever approached that of JOHN W. DANIEL. In the earlier days of the Republic Richard Henry Lee, James Monroe, and John Randolph of Roanoke, had represented the "Mother of States and of statesmen" in that great body, and later on their places had been taken and long occupied by James M. Mason and R. M. T. Hunter, but no one of these greatly honored and justly distinguished Virginians served for half so long a period as the six terms for which JOHN W. DANIEL was successively chosen. This fact strongly attests the extent to which the confidence of the people of Virginia was reposed in him. That by no word or deed of his was that confidence ever for one moment shaken is a tribute as great as it is rare to the high efficiency of the public services, the purity of the patriotism, and the sublimity of the character of this splendid specimen of superb manhood.

His achievements in the world of politics were phenomenal. A mere recital of the many honors which a grateful people have heaped upon him show that not since the early days of the Republic has any other Virginian been so distinguished by public and political preferment. His brilliant career has been absolutely unique in the recent political history of Virginia. And yet, to his everlasting honor be it said, these distinctions and honors came to him as the well-earned rewards of splendid services rendered his State and country both in war and in peace, and in no single instance as the result of astute political manipulation and management. His steady and continuous advancement into public favor was due to no factitious circumstances. The love and esteem of a great and noble people can only be won and permanently retained by those whose lives and deeds have been such as to merit popular favor and to deserve a people's trust and confidence.

From the first hour of his public service to the last moment of his life the great powers of Senator DANIEL's superb intellect were consecrated to his country. He died as he had lived, in the full and perfect enjoyment of the love and confidence of the whole people of a great State, to the preservation of whose civil and political institutions and the advancement of whose highest

and best interests he had dedicated the noblest endeavors of mind and of body. His precious memory will live long in the hearts of the people of Virginia, and his great and good deeds will ever remain a rich heritage to his descendants and his country.

Mr. RANSDELL of Louisiana. Mr. Speaker, I had the pleasure of only a slight acquaintance with Senator DANIEL. We lived at the same hotel, and while I saw him frequently I rarely had an opportunity to converse with him. He was one of the most courtly, accomplished gentlemen I ever had the pleasure of meeting. He had a wonderful charm in conversation, and drew men to him in ordinary social intercourse by the same spell of magnetism with which he swayed the largest audiences. The characteristic that appealed most to me in this gentleman was the simplicity and naturalness of his manners, his earnestness, and the apparent goodness of his heart. It seemed to me, Mr. Speaker, that his good heart shone out of his eyes as strongly as I ever knew it to shine in any human countenance.

An incident was related to me not long ago by one of his friends, a man who loved him, that shows I was not wrong in this estimate of his goodness. Senator DANIEL once had a negro servant named Peter White, who was taken very sick some time after leaving his service. The Senator found it out accidentally, called on Peter, and saw that every attention and comfort was given to him. He called not once but several times on this poor colored man, and in doing so had to climb a steep flight of stairs. When you bear in mind that he was a cripple and always went on crutches it is apparent how much it meant to him to visit a poor, sick man under those circumstances.

Mr. Speaker, we love and honor this great man for his splendid qualities as soldier, orator, law writer, statesman, but to my mind he never did a nobler thing nor one which reflects greater credit upon his memory than the attention shown by him in his quiet, unobtrusive way to that poor servant. That was the act of a true man; that act showed the heart; and I repeat, sir, it was better than all his other great deeds.

I had the pleasure of hearing only one of Senator DANIEL'S orations. It was delivered in this Hall about eight years ago on the occasion of the celebration of the one hundredth anniversary of the removal of this Capital to this city. The President and his Cabinet were here, the members of the Supreme Court, all the foreign legations, the Senate and the House of Representatives, and the galleries were packed to their very limit. I never saw a more distinguished audience. There were a number of speakers and the program was very long. When Senator DANIEL arose it was about 5 o'clock, and he held that great audience spellbound for nearly an hour. His address was carefully prepared and read from manuscript, but he delivered it so gracefully, with such a pleasing elocution, that I doubt if the average person knew that he was referring to notes. To me, sir, that was the most marvelous oration to which I ever listened, and when he finished the greatest tribute of praise that I ever heard given by one man to another was paid to Senator DANIEL by the late Senator Hoar, of Massachusetts. It was about 6 o'clock when Senator DANIEL'S address concluded. Many in that vast audience had engagements, and fully one-half of them arose and left the room. Senator Hoar advanced to the front of the platform, folded his arms, and stood looking on them as they filed out of the room. When the last one had gone, leaving about one-half of the audience present, he said, in his sweet, mellow tones, "Unhappy is he who cometh after a king."

Mr. Speaker, that was a beautiful tribute, and a truthful one, for he was to follow a great king of oratory. A wonderful oration had been delivered by Senator DANIEL, and no one appreciated it better than Senator Hoar, himself a fine speaker.

The last votes cast by Senator DANIEL in the Hall of the Senate were during the discussions on the Payne-Aldrich tariff bill two years ago. There was no stancher Democrat in the Union than JOHN W. DANIEL. He voted against that bill as a whole, because he believed it unjust in many respects; but when the question of a duty upon lumber was presented, in preparing the different schedules, he, along with the majority of his colleagues on the Democratic side, voted in favor of it. He believed such a vote necessary to place that great product of the South on a par with many other articles which were then being legislated upon, and he thought that free lumber in such a bill as that would be a most unfair discrimination against the South.

Mr. Speaker, I, in common with a number of other good Democrats in this Chamber, had cast a similar vote when that question was before us. And I assure you, sir, that I was a happy man when I saw the great DANIEL and many others of our honored leaders in the Senate take the same position there which many of us had taken here.

Senator DANIEL was a success in every walk of life. He gained renown as a soldier before he was 20 years of age. Starting as a private, he became a major before he was 20, and doubtless would have risen much higher had not an unfortunate bullet at the Battle of the Wilderness given him an awful wound, that caused him to go on crutches the remainder of his life. He was one of the best lawyers the State of Virginia ever produced. He was a great law writer. His book on "Negotiable Instruments" made DANIEL known and honored by thousands of young lawyers all over the country before they ever heard of JOHN W. DANIEL the orator, the Senator, and the statesman. And this great work will extend his fame for ages.

His record as a statesman is one that his country will ever recall with pride. As an orator he occupies the very front rank of American public speakers. I doubt if any man in our history since the days of the immortal triumvirate—Calhoun, Clay, and Webster—was his superior as an orator.

Mr. Speaker, this great man was loved and honored throughout the Republic. His memory is a precious heritage not only to Virginia but to the entire country. I think, sir, that we may well say of him, paraphrasing somewhat the famous aphorism about Washington, that JOHN W. DANIEL was brave in battle, great in every art of peace, and loved by all his countrymen.

Mr. CLARK of Missouri. Mr. Speaker, from the beginning Virginia has been rich in great men—great statesmen, great orators, great jurists, great soldiers. So long as the world exists the names of her illustrious sons will be among the noblest on fame's eternal beadroll.

Patrick Henry precipitated the Revolution; Thomas Jefferson penned the Declaration; George Washington made that Declaration good on Yorktown's blood-stained heights; James Madison was "father of the Constitution"; and John Marshall its chief expounder. Her bill of rights, written by George Mason, has been considered a model for more than a century and a quarter. These were followed by a long line of men, distinguished in peace and in war, whose records are among the precious treasures of the Republic.

JOHN WARWICK DANIEL ranks high among Virginia's worthies. So far as the public is concerned, he appeared in a fourfold character—soldier, lawyer, author, orator. The universal testimony of his companions in arms is that he was a fine soldier. His brethren of the Virginia bar bear witness that he was a successful practitioner of the noblest of professions. Lawyers and courts everywhere cite his law books as standard authorities. All the world knows that he was one of the foremost orators of his time, and it is his oratory more than anything else or all things else which will perpetuate his fame to coming generations. He was richly blessed with the divine gift of moving men's minds and hearts by the power of spoken words. He was lavishly endowed by nature with the elements and qualities which constitute an orator. Some men are so ugly and ungainly that it is a positive advantage to them as public speakers by reason of the pleasurable surprise which their eloquence creates. Others are so handsome and prepossessing that they win the hearts of their audience before they have opened their lips. To the latter category JOHN WARWICK DANIEL undoubtedly belonged. Of commanding presence, with a handsome and leonine countenance, courtly manners, a musical voice of great compass and far-reaching quality, a strong and well-trained mind, a warm and generous heart, a vivid imagination, he presented a superb picture to the eye and appealed with compelling force to the passions and emotions of all who heard him. He possessed the advantages of high family connections and of a collegiate education, to which was added the glamour of martial fame, achieved in his early manhood on many a bloody field. An Englishman dearly loves a lord and the average American dearly loves a soldier, and it can not be doubted that Senator DANIEL'S military record aided him materially in his political battles. This is attested by the fact that Virginians fondly called him "the Lame Lion of Lynchburg"—most assuredly a helpful and fortunate sobriquet. For a generation he was the idol of his native State, and it was agreed by common consent that he should remain in the Senate so long as he lived, which he did. His reelection every six years was a mere formality to comply with the Constitution and the statutes of the land.

Virginia's great lyric orator, Patrick Henry, was dubbed "The forest-born Demosthenes." JOHN WARWICK DANIEL may be not inaptly denominated Virginia's Cicero. Henry's fame rests almost entirely on tradition; but DANIEL'S is bottomed on the

words which he actually spoke. The greatest of his orations is that on Gen. Robert E. Lee, which would have aroused envy in the bosom of Tully himself. DANIEL'S masterful oration recalls and illustrates what Daniel Webster said of eloquence in his oration on John Adams and Thomas Jefferson:

It must exist in the man, in the subject, and in the occasion. Affected passion, intense expression, the pomp of declamation, all may aspire to it; they can not reach it. It comes, if it come at all, like the outbreaking of a fountain from the earth or the bursting forth of volcanic fires, with spontaneous, original, native force.

Webster was a great orator; he had a great subject on a great occasion, and he delivered a great oration. DANIEL was a great orator; he had a great subject on a great occasion, and he delivered a great oration—one which will be read with delight so long as our language is spoken by the children of men.

There was once a man named Hamilton, in the British Parliament, who delivered one splendid speech and could never be induced to make another speech. Hence he was nicknamed "Single-speech" Hamilton. Such was not the case with Senator DANIEL. He delivered many excellent speeches, several fine orations, but I give it as my literary opinion, for what it is worth, that his oration over Lee is the one by which he will be remembered, and by which he would chose to be remembered.

His theme was his old commander, one of the greatest of English-speaking captains; the occasion was the unveiling of the recumbent statue of that famous soldier, one of the most beautiful statues ever fashioned by sculptor's chisel; the scene, Lexington, Va., gem of the mountains, one of the loveliest spots betwixt the two seas, where Stonewall Jackson taught and prayed, and whence he went forth to win world-wide and imperishable renown. DANIEL'S heart was in that oration. In it he will live; through it he will speak to his countrymen forever.

Mr. RICHARDSON. Mr. Speaker, it is with instinctive hesitancy that I approach the presentation of the life and character of such a man as Senator JOHN W. DANIEL. I realize, Mr. Speaker, that I am in the presence of the life record of a great and noble man. Born to a proud name, reared under splendid influences, of superb presence, of brilliant mind and extensive education, the record of preferment of JOHN W. DANIEL by the people of Virginia marks a popularity that we find rarely equaled and never surpassed in this country. It is a difficult task, Mr. Speaker, to take up the record of such a life on an occasion like this and select its choicest flowers and present them to his admiring countrymen. In such a brilliant, useful life as that of Senator DANIEL we find along its pathway the blooming flowers of the sweetest charities of life, the gentlest graces of a chivalrous manhood, and a friendship and love for his fellow man that made for him a constantly increasing circle of friends. In his life, as I knew him, there shone in his character and permeated his life, as the soft rays of the setting sun rest upon a beautiful landscape, the inspiration of poesy that gives charm to intellect and beauty to life.

He stood nearer to that true type of the southern man that linked the heroic age of the South prior to the Civil War with the changed conditions and ruling spirit of the people that prevailed after the conflict than any man I knew.

On the outbreak of the Civil War, Senator DANIEL left his studies and took his place in the Confederate Army. A courteous, brave young man, with his bosom swelling with pride and love for Virginia, reared midst the grandest and most heroic traditions that made the Old Dominion famous, honored, and respected throughout the civilized world, it was but natural for such a youth to step promptly into the ranks of the sons of Virginia, when the soil of the mother State was invaded by her northern foes.

His record as a soldier during that fierce conflict between the States of the South and the North is well testified to by the wounds he received. No hardship, no suffering from wounds could deter him, as a southern youth, from discharging his duties to the South. When ruin and desolation settled like a pall on the States of the South and reconstruction, the result of unrestrained sectional hatred, was reveling in its carnival of crime over a prostrate, brave, and helpless people, it was but natural that Virginia, in her hour of need, turned to such a brave son as DANIEL and bade him to come to her legislative councils. He was elected to the house and the senate of the State legislature. It was there in the ancient halls of Virginia, where the architects of our Federal Constitution had pointed out the oppressions of King George, that he demonstrated an oratory that gave him the just tribute of being Virginia's most courtly and charming orator since the close of the Civil War. But his star of destiny led him to a broader field. Virginia sent him to the National Capital, there to nobly preserve the glorious record of his great State. Free from sectional feeling, yielding to the inexorable arbitrament of arms, out of the ashes of defeat and the cruel blemishes of war, as a Senator from Virginia in the United States Senate he wrought sublimely for home, State, and country. What a splendid career was his, and victory was his greatest crown. It requires conditions, Mr. Speaker, to produce such men, as it required war to bring Gen. Lee and Gen. Grant to be known and honored throughout the world.

A distinguished man of our country, in speaking of conditions in the South before the war, said that the South, before the war, "stood for an impossible institution and a belated order of society." "Belated order of society." Could a society peculiar to the South—from the formation of the Government to 1860, impossible elsewhere by reason of the absence of conditions—could such a society, that gave Washington, Jefferson, Patrick Henry, John Marshall, and a long line of great names—a "society" that produced Robert E. Lee, Stonewall Jackson, and thousands of others, which same "society" gave impulse and tone to the life of such a man as Senator DANIEL—could such a "society" be denominated "belated"? It is the output of a narrow mind, where too much learning has made him mad.

Senator DANIEL loved the survivors of his brave comrades, and a true, cordial grasp of his hand was always extended to a Confederate soldier. He was with Gen. Lee, and the fires of his soul were kindled into a flame that burnt on the altar of his great heart, until death claimed him, by his contact with the world's greatest commander. It has been said that Senator DANIEL'S speech, in telling the story of Gen. Lee's life, will live as a true specimen of sublime oratory as long as Appomattox will be mentioned in history. The prone statue of Gen. Lee above his last resting place has given the genius of Valentine an honored niche in the world's temple of art, but DANIEL'S oration at the shrine will live after marble and brass has crumbled to dust.

Senator DANIEL was wise, prudent, and far-seeing, and he advocated and recommended that we should embody in our Democratic national platform Democratic standards in a straight, forward, common-sense manner. I quote from a leading Virginia paper what Senator DANIEL said about the platform to be drawn at the last Democratic national convention:

What we need, as I think, is a common-sense, plain, straightforward Democratic platform, which will stop at that. If the convention dissipates into persiflage the voters will likely act accordingly and go in all directions. No great reform can be made in a day. Wise statesmanship must deal with transportation and with questions of the tariff and how to deal with the trusts sedately and prudently. The conserving spirit should never give way before the hot and destructive spirit that wants everything now and refused to emulate nature in her perfecting patient processes. Napoleon was great; but he lost by impatience. How poor are they who have not patience. What wound did ever heal but by degrees?

The extreme question of State's rights that came to the issue of battle has long been settled, but as long as the United States is a federation of States, questions of Federal and State jurisdiction will continue to arise and will be passed to the peaceful arbitration of the courts. Democracy has its fixed principle on the subject, and none has ever better stated them than Thomas Jefferson in his first inauguration address, when he stood for "the support of the State's governments in all their rights as the most competent administrations for their domestic concerns and surest bulwarks against anti-Republican tendencies. The preservation of the General Government in its whole Constitution vigor as the sheet anchor of our peace at home and safety abroad."

These were brave words addressed to our party. The Democratic party sadly misses the wise counsel of such a man. I read the following tribute at the death of Senator DANIEL from the Richmond Times-Dispatch—the leading paper of the State of Virginia—and it so impressed me that I desire to help perpetuate it by giving it further publication on this occasion:

JOHN W. DANIEL breathed the true spirit of southern chivalry with all the grace of the perfect gentleman. He was urbane and gracious to all, humble in the flower and glory of his manhood, gallant and forbearing, gentle and considerate. He never stooped, as a man, to the baser deeds of politics, and he never forgot, as a gentleman, the duties of his station and his birth. How much richer heritage that is than if he had been otherwise and died possessed of $100,000,000.

Could greater praise be given a man? It comes from the leading newspaper of his State. His name and record is more "valuable than money." The encomium was truthful and deserved.

Mr. Speaker, I have said more than I intended to say. I was a great admirer of Senator DANIEL, and I was frequently in his company.

He has passed, Mr. Speaker, to his eternal rest, but his hold upon the hearts and affections of the people of the "Old Dominion" is undiminished, because he was a son "after the heart" of his native State. He will live long in the hearts of the men and women who love the South, its noble record and traditions, because we believe that Senator DANIEL typified what was truest and best in southern character—he was candid, courteous, and courageous, not on particular occasions and in certain things, but at all times and in all things.

Virginia, I dare say, has mourned the loss of sons with more illustrious careers, but never, Mr. Speaker, was there one, nor will there be in the future, a son of Virginia truer and prouder of the name, fame, and grandeur of Old Virginia than JOHN W. DANIEL, who sank into his grave, in the soil of his native State, without a stain or suspicion on his life.

Mr. KAHN. Mr. Speaker—

The wine of life keeps oozing drop by drop;
The leaves of life keep falling one by one.

It is given to but few men to shine with such resplendent luster in so many varied walks of life as shone our lamented friend, Senator JOHN WARWICK DANIEL, of Virginia.

While but a youth, 18 years of age, he joined the military forces of the Old Dominion, and as a soldier, fighting for the cause which he believed to be right, won his spurs upon the field of battle. Brave, fearless, dauntless, he gradually rose from the ranks to a major's station in the Southern Army. So badly wounded on May 6, 1864, during the Battle of the Wilderness, that he never was able thereafter to rejoin his regiment—for a minie ball had shattered his left leg and rendered it practically useless during the remainder of his life—he never allowed any hatred of those who fought on the opposite side to rankle in his breast. With the surrender of Appomattox he cheerfully turned from thoughts of war to the arts of peace. And in those arts of peace he won additional renown and glory, not alone for himself and his kindred, but for his State and his country.

For as a young lawyer he soon attained great distinction as a member of the bar of the State of Virginia, and early in his career, by reason of his masterful knowledge of the law and his brilliant forensic ability, he became one of its brightest ornaments.

As an author his fame soon became international. His work on "Negotiable Instruments" will continue a standard authority in that branch of jurisprudence long after we of the present generation shall have moldered into dust.

As a statesman his life and character will prove an inspiration to thousands who will come after us. His unquestioned honesty, his steadfastness of purpose, his devout patriotism, his unswerving devotion to duty, will encourage them to keep alive the fires of the noblest traditions of the Republic and to uphold inviolate the honor and the glory of this great American Commonwealth.

His classic features and his noble mien at once challenged the admiration of the beholder and stamped him as a man of mark in any assemblage.

For nearly a quarter of a century he graced the floor of the Senate. During all the years of that long and eventful period he participated in the discussion of practically all of the great questions that demanded in their solution the highest qualities of mind and statesmanship.

He was a strict party man, but he never descended to the low level of blind, bitter, and vindictive partisanship in dealing with political opponents.

His own naturally broad intellect made him tolerant of the narrowness of men less liberally endowed than himself. Being of pure mind himself, he was willing to concede purity of motive to those whose views differed from his own.

Himself a man of strong and pronounced opinions on problems of great public import, he nevertheless permitted men to differ from him without impugning their integrity or questioning their fidelity to the people's welfare.

He scorned the obsequious cant of the political hypocrite, and he never sought to win the plaudits of the multitude by resorting to the dubious devices of the charlatan and the demagogue.

He was one of that noble type which has been the embodiment of true greatness since the dawn of recorded time—that noble type of men who would preferably and gladly welcome defeat rather than stoop to conquer.

Small wonder, therefore, that he became a popular idol among the people of his own State. Small wonder, therefore, that when the solemn church bells tolled his funeral knell the grief of his bereaved fellow citizens was no less poignant than that of those who were nearest and dearest to him.

Mr. Speaker, I had been a Member of this House but a brief period when I first learned to know and to esteem Senator DANIEL. He visited my home city of San Francisco during the summer of 1900, and I had the pleasure of showing him some slight courtesies on that occasion. Some of our volunteer regiments were returning from the Philippines at that time, and he repeatedly expressed his great gratification upon the fact that we were indeed a reunited country, and that the War with Spain had helped to wipe out what little sectional feeling that still might have slumbered in either the North or the South.

The climate, the scenery, and the matchless fertility of California were a revelation to him, and to the very end of his days he spoke of his trip to the Pacific coast as one of the most delightful experiences of his life. He often told me that he hoped on some future occasion to make a much more extended visit to that section of our common country. But it was not to be. The Great Master of the Universe, who rules the destinies of men even as of nations, called him to the sleep everlasting on June 29, 1910. His brilliant career was ended. His work on earth was accomplished. He passed on, full of honors, beloved by his colleagues in the Senate as well as by the Members of this House who had been privileged to know him. He lies at rest among his friends, his neighbors, and his kinsmen, in beautiful Spring Hill Cemetery, near his well-beloved city of Lynchburg. Peace be to his ashes!

Mr. GLASS. Mr. Speaker, unaccustomed to participation in commemorative exercises, and unapprised until within the last few days of the purpose to set apart this day for memorial services in honor of the late Senator DANIEL, I nevertheless feel that I can not let the occasion pass without joining with my colleagues in paying tribute to one who was my friend and townsman, and with whom for many years I was associated in public affairs.

Born in Lynchburg, Va., September 5, 1842, JOHN WARWICK DANIEL came from a patrician family and of a lineage noted for attainments in the field of law. His father was a distinguished member of the Supreme Court of Appeals of Virginia, and his grandfather was a jurist scarcely less renowned. Of a parentage accustomed to the atmosphere of culture and occupying a position of prominence in a society whose gentleness and refinement have been unsurpassed in any age of the Republic, young DANIEL received the home training as well as the formal education that only a well-born young Virginian of that day could receive. He was educated in the private schools of his native town, and later attended the Lynchburg College and Dr. Gessner Harrison's University School. From his schoolmates who still survive it is learned that JOHN DANIEL, even when a youth, exhibited a natural dignity of character and of outward bearing, although he was loved for his true comradeship, his kindly impulses, and his pleasant sociability. It was at the Harrison school that the call of duty summoned him to the defense of his native State at the outbreak of the Civil War. Although but 18 years of age, he immediately went to the front, and was soon made a second lieutenant. It is not my purpose here to-day to recount JOHN DANIEL'S long, faithful, and brave service in the war between the States.

Only a little more than a year has passed since his maimed figure was familiar to most of us who are gathered here to-day, and it bore mute witness to his courage on the field of battle, for it was during the fierce days in the Wilderness that DANIEL, then a major, while leading a charge of the Fifty-eighth Virginia Infantry, a part of Pegram's gallant division, received the shot that made him a cripple for life. That was in 1864. Previous to that he had been frequently promoted for gallantry and for valuable services, acting during a large part of the war as the chief of staff to Gen. Jubal A. Early, and being three times wounded on the open field. It was Gen. John B. Gordon, who afterwards referred to him as "the brave and brilliant DANIEL," and his courage and acuteness caused him to be selected for military duties of a responsible and difficult nature. The war ended while he was recovering from what was feared would be his death bed; only his splendid constitution and his unconquerable will caused him to survive his dangerous wound, and a guiding Providence gave him a life to live in eminent service of his State and his united country.

The political career of Maj. DANIEL—for so we have always called him in his home city—began almost immediately after the days of reconstruction. When the war was over he attended the law school of the University of Virginia, and there won prominence as a legal student and as a public speaker. The times in Virginia were politically chaotic; there was danger from political parasites who had come in to feast upon the wreck of a Commonwealth, and there was menace from the feverish radicalism within. Men of stern wills, with an unconquered love for Virginia, an abundant faith, and an unimpeachable integrity were needed in those days. There were many who, discouraged by the gloomy outlook, had left for newer States, there to begin life over; but it is characteristic of the man that DANIEL stayed.

To attempt to give, within the compass of these remarks, even a brief account of the part he played in the rebuilding of Virginia and placing her upon a firmer foundation is, of course, impossible. I may be permitted to recall what all Virginians and students of Virginia history know, that the name of DANIEL was linked with the leaders for conservative reform and for honorable disposition of the burdens of the State. He at once became a commanding figure among the men of his type and belief, and later was the central figure. Chosen in 1875 to represent his legislative district in the State senate, for seven years he there fought the battle for political honor and righteousness. During that time he twice was frustrated in his ambition to enter Congress; in 1877 he barely missed being nominated for governor of Virginia, and in 1881 he was selected to lead a brilliant, though unsuccessful, fight against the so-called Readjuster Party of that day.

In 1884 he was elected to the House of Representatives of the Forty-ninth Congress. From that day until the day he died Maj. DANIEL was a prominent figure in the national councils. Upon the death of Senator William Mahone, one year after, DANIEL became United States Senator from Virginia, and continued to serve his State and Nation in that capacity for 23 years. His part in the guiding of the Nation, both as an individual and as a Member of the Upper House of Congress, is too well known to demand repetition here. He was independent in opinion and fearless in action, and while his views could not always meet the unanimous approbation of his constituents, he was, nevertheless, reelected to the Senate four times without opposition. He was seven times a delegate at large from Virginia to the national conventions of his party, and gained recognition as a potent figure in framing the policies of the great political organization.

But to his neighbors and to the thousands that for a generation felt that no honor could be given him undeservedly Senator DANIEL was more than a successful figure in the uncertain battle ground of political strife. Regarded as the representative "Virginian of Virginians" for more than two decades, looked up to as the natural leader of important social and political movements within his State, he presented a figure whose unique presence and persistence need other explanations than those ordinarily assigned in seeking the causes of what is commonly termed success before the public. Senator DANIEL, in common with many of his contemporaries, was a man of unusual ability. He possessed a mind naturally molded and carefully trained in legal methods of thought and yet broadened into a capacity for wide comprehension as well as deepened by painstaking study of a multitude of diverse questions and subjects. He was more than ordinarily eloquent; he had the power of inspiring speech and the force of overwhelming denunciation or stinging sarcasm no less than he possessed the gift of persuasive words and tones. He was animated by real enthusiasm and drew men by the impelling force of his personal magnetism. He possessed a courage and a fire which won for him the sobriquet of "The Lame Lion of Lynchburg."

He occupied a position whose authority increased with his tenure. Experience taught him as it does all men of discernment. But these, Mr. Speaker, are things common to a multitude. Men possessing even such qualities have failed in maintaining their success because of some inherent weakness. The possession of ability and of courage accounts no more for the unique position of JOHN DANIEL in the esteem of his constituents than it explains the fact that his faults and errors of judgment did not diminish the greatness of his own career as similar errors had impaired the fortunes of others. I think we who knew the man will agree that there entered into the composition of his character qualities that far outweighed mistakes and magnified his abilities.

From the viewpoint of one who knew him intimately and loved to do him honor, I may define as one of the distinguishing characteristics of Maj. DANIEL his thoroughgoing democracy. His democracy of action and of belief was not the false democracy of the demagogue. Of patrician blood, reared in an aristocratic home, he was nevertheless the companion of the poor and uncultured as well as of the rich and the refined. Dignified of manner and of mien, he possessed a natural poise, not a practiced or an assumed pose. He loved to converse with the untutored man of the field or of the shop as well as with the savant at the gathering places. The Confederate veteran who had never worn a star or bar or chevron found him as good a comrade as did his own common messmate on the camping grounds of years before. Inheriting the social distinctions of antebellum society in Virginia, these distinctions did not confine his outlook in narrow conceptions of caste. His democracy was as well known as his dignity. It was the natural outgrowth of a deep-rooted belief which was seen not only in his personal conduct, but also in his political tenets, and which his culture and social inheritances made rare. Another distinguishing mark of his long career was the unquestioned integrity of the man. To few public men is it permitted that their absolute good faith shall not be doubted in the heat of political campaigns. The honesty of Senator DANIEL was his chief asset, if I may so speak of such a quality. His long public life, extending, as it did, over many political periods within his State and in the Nation, afforded opportunities for enemies to assail him at every point. Times changed and policies changed in the two score years of his public service, and yet through all of these vicissitudes he stood as a type of the honest man in politics and private life.

To his genuine Democracy of belief and of action and to his "Spartan integrity" should be added a third distinguishing characteristic. This was his unselfish conception of service. It is by no means a remarkable thing in these days for a man of ability, who is long in the employ of the people, to become rich. It is almost a sign of the age that a man who has ability shall sell it and thereby become more or less wealthy in material goods, or that a man who has the opportunity to profit better than the other man in the market places shall gain by that opportunity. It has almost become an evidence of incapacity in the estimation of many when a man does not devote his chief efforts to the assembling of worldly possessions and does not choose as the directions of his public service the paths to the greatest monetary profits. In my opinion, the life of Senator DANIEL is one of the most pertinent comments possible on the conceptions of the times. A brilliant lawyer, he chose to consider his constituents his chief clients; widely learned in legal subjects and the author of two textbooks in law that are recognized as authorities, he did not further exploit a field that was justly open to him lest it might interfere with the work which he had been chosen to do by those who trusted him; coming in contact with hundreds of opportunities whereby the very use of his name would mean handsome remuneration, he preferred that his name should be linked with the service that he rendered the people. Burdened as he was by the debts that he assumed, he chose rather to live on small means and give the entire force of his unusual energies and abilities in a life that was supremely unselfish—a life of real service unmixed with thought of private financial gain and unsullied by ambition for wealth alone.

With these elements of genuine democracy in belief and in practice, of unswerving personal integrity, and of unselfish devotion to his ideal of public service, which constituted traits so predominant in his character, added to his splendid abilities, inherited and achieved, the most remarkable fact of Senator DANIEL'S political position and career ceases to be a thing to be marveled at and becomes an object lesson. I refer to the fact that his persistent and wonderful popularity among his constituents was not in any degree or way based upon or aided by political organization. It seems almost a curious thing, in these days of literary bureaus, political agencies, secret understandings, exchanging of favors, and the hundred and one theatrical accessories thought to be necessary to the obtaining of applause and the reaping of benefits upon the political stage, that any man, however capable and however honest and unselfish, could not only play an important part before the seemingly fickle public for a lifetime, but could be the recipient of continued honor and reverence and affection from two generations of a people. And yet such was the part that Senator DANIEL played without studied effort. What honors he received were awarded willingly. What trusts were given him to hold were bestowed because of an unfailing and unviolated faith in the man. What services were assigned him to perform were so designated because his devotion to service was undoubted. He needed no political organization with which to bolster up the foundations of his popularity. He gave no offices to induce adherence. He scorned to temporize with political enemies in order to attain personal ambitions. There was no trading of party principles upon grounds of "expediency" when expediency meant private gain. None of the methods of the ordinary self-seeker was the secret with which he led his charmed life upon so many political battlefields. He stood alone in the invulnerable armor of his own honesty; he fought with the resistless weapons of a deep sympathy and an intelligent statesmanship; he conquered in the genuine affection of his countrymen.

I realize, Mr. Speaker, that I have succeeded in paying but a poor tribute to the memory of one so close to the hearts of his colleagues and of his fellow Virginians and his neighbors. Even to those who have been wont to participate in his daily life, to those who knew his faults and recognized his abilities

and felt the influence of his character and example, a true estimate, or even an adequate portrayal of the man as he was is difficult, if, indeed, it is possible. I do not pretend to have accomplished either. I regard it more important, more in keeping with the passion of his own life, that the self-sacrificing honesty and service of JOHN W. DANIEL shall remain in the minds of his fellow servants as an inspiring example and in the hearts of his fellow citizens as a precious heritage. No eloquence of tongue, no multitude of pleasant-sounding words, no heaping up of tributes can add to its beauty; no criticism of his errors or cavilling at his faults can detract from its worth.

And so the personality of the man, with its differentiating characteristics, remains, though the eloquent voice is hushed and the sympathetic heart is still. JOHN W. DANIEL stands out as a true and unusual type of the great men who have become a part of the history of this Nation. His was the part of being not only honored and trusted, but also loved. His was the dignity that naturally clothes a lofty character; his was the courtliness that is the unassumed mark of a real gentleman; his was the democracy of belief and action that arises from the unpretended humility of soul; his was the deep sympathy that comes with a mind that understands and a heart that feels; and his was the unbetrayed trust, held sacred in a life sternly conforming to an unchanged ideal and kept with a passionate realization of its worth as that most precious thing, the faith of one man in the honor of another.

Mr. LAMB. Mr. Speaker, once more, and for the sixth time in twice as many years, the Virginia delegation in Congress is called upon to pay tribute to the character and public services of a deceased colleague.

The death of one-half of our number in 12 years suggests the thought that "in the midst of life we are in death," and brings the solemn reminder that the young as well as the old may be called at any hour, and that we would do well to make the necessary preparation for our departure.

Since we so frequently contemplate death and know that we shall before long explore the "uncharted seas" ourselves, we may well view it as a state less mysterious and even more natural than life.

The brave man learns, as the soldier does, to put the fear of death behind him, and if he thinks of it at all it will be at such times when the scythe has cut down some loved one or some honored friend and colleague, as is the case with us this hour.

In the death of JOHN W. DANIEL Virginia lost a matchless orator, soldier, and statesman. In the councils of the State and at the firesides of her citizens of every class and political faith there was sincere grief when DANIEL died.

There was among us a sentiment for him that grew with each succeeding year and spread from fireside to fireside, until the home that loved him not nor grieved for him was hard to find in Virginia. Nor was his death a loss to his State alone. Long since he had proved his worth and won his reputation in a broader field. He had demonstrated by ability and service his right to rank and be remembered among the great statesmen, orators, authors, and lawyers of his country.

JOHN WARWICK DANIEL was the only son of Judge William Daniel, jr., and Sarah Ann Warwick, his wife. He was born in Lynchburg, Va., on September 5, 1842, and died in Lynchburg on June 29, 1910.

His early education was in the private schools of his native city and at the university school of Prof. Gessner Harrison in Albemarle County, Va. He was at this school in 1861 when the Civil War commenced. He at once enlisted as a private in a Lynchburg cavalry troop, serving only a few weeks before he was assigned to duty as drillmaster and lieutenant in Company A, Eleventh Virginia Infantry, forming later a part of the famous "Stonewall Brigade."

Later he was made adjutant of his regiment and then chief of staff of Lieut. Gen. Jubal A. Early, with the rank of major.

His gallant and brilliant record as a Confederate soldier closed at the Battle of the Wilderness, May 6, 1864, where he was wounded and crippled for life while rallying and leading his brigade.

The close of the war found DANIEL poor and maimed for life, but undaunted and undiscouraged. He entered the law class of the University of Virginia in the fall of 1865 and prepared himself for the profession which he so adorned as lawyer and author.

He commenced the practice of law in Lynchburg with his father, and early won confidence and success. Notwithstanding his ardent and exacting public duties, he continued to practice his profession so long as he lived, conducting with marked ability in our highest courts, both State and Federal, many cases involving questions of greatest importance and intricacy, yet finding time from a life overcrowded with labor to prepare and publish Daniel on Negotiable Instruments and Daniel on Attachments, valued textbooks, universally used in our schools and courts.

In 1869 his political career was launched, and it is as statesman and Representative that DANIEL rendered his greatest service and won his greatest fame.

He was elected to the Virginia House of Representatives in 1869 and served until 1872. In 1875 he was sent to the Virginia Senate and served until 1881.

In the Virginia House and Senate DANIEL was recognized as an able and fearless leader and statesman, and there laid the foundation for his future political career deep and strong in the confidence and affection of the people of his State.

In 1876 DANIEL was the Democratic elector at large for Virginia in the presidential election. He was delegate at large for his State in the national Democratic conventions of 1880, 1888, 1892, 1896, 1900, 1904, and 1908, and temporary chairman of the convention of 1896 and chairman of the resolution (platform) committees of 1900 and 1904.

He was Democratic nominee for governor of Virginia in 1881, but was defeated by William E. Cameron, the readjuster candidate. In 1884 he was elected to the House of Representatives of the Forty-ninth Congress. In 1885 he was elected to the United States Senate to succeed Gen. William Mahone for the term beginning March 4, 1887, and reelected as the unanimous choice of his party for this high position in 1891, 1897, 1904, and 1910.

In 1901 he was elected as a delegate to the Constitutional Convention of Virginia, and rendered his State valuable service in framing her new constitution.

He was prominently mentioned by his party for the presidency, and in 1896 and 1904 it is believed that the nomination for Vice President would have been his had he not discouraged the idea.

DANIEL combined those qualities of sterling character, rare fidelity, and faithfulness in the discharge of every duty which justly entitled him to live in the hearts and memories of his countrymen.

His sincerity and uncompromising integrity were never questioned. To devoted patriotism he added sturdy independence, disdaining to calculate consequences. Sustained by conscious rectitude and purity of motive he feared no man, and boldly and openly followed his convictions, seeking to mold and lead public thought, rather than wait to follow it in inglorious safety and popularity.

A worshiper of republican institutions, and an ardent student of its principles, he labored incessantly for means and measures to preserve and perpetuate them. Though an active and conspicuous leader in party strife and excitement, all concur in ascribing to him none but the most patriotic, conscientious, and disinterested motives.

He was singularly charming in manner, amiable, magnetic, and fascinating in public and in private life, and quickly and firmly bound to him for all time in lasting friendship and affection those with whom he came in contact.

DANIEL'S brilliant record as a Confederate soldier, his classic features, his silver tones, and gracious gift of oratory would not alone account for his endearment to his State and people. To these were added the highest ideals, warped by no consideration of selfish interest; truth unquestioned; honor untarnished; courage incomparable; and a civic conscience which he followed unwaveringly. These with his integrity, energy, oratory, and genius are the qualities that for 50 years endeared JOHN DANIEL to his State and his people. He was, indeed, an example of civic virtue as rare as beautiful.

It was well said of him in the Charlotte (N. C.) Observer—

As legislator, Representative, and Senator his service has been conspicuous and brilliant. Senator DANIEL'S fame will rest primarily upon his oratorical gifts. With a culture based upon the widest reading, and a scarcely less wide knowledge of men and affairs, his eloquence was at once simple and irresistibly appealing. No one who ever sat spellbound under the sway of that magnificent voice, rolling forth one noble period after another, is likely to lose the impression received. The topic which elicited his happiest efforts was the "Lost Cause," to which his devotion was most sincere and of which his crutch served as an ever-present reminder. More than one of his memorial addresses have long since taken rank as American classics. For the reason that Senator DANIEL'S voice was so often and so effectively raised in honor of the heroes of the Confederacy, not Virginia alone, but every Commonwealth in Dixie, owes him a debt of gratitude, and throughout the bounds of each his memory will long be fragrant.

And from the Winchester (Va.) Star comes this tribute—

The exact position held by Senator DANIEL in Virginia was unique. The exalted and, indeed, the preeminent place he held in the hearts of Virginians was due to the fact that in him all those qualities which

appeal to a chivalrous people were personified. His position and influence is a tribute to the tremendous power of sentiment and the proneness of a generous people to an idealism embodied in the person of a popular hero. His life, his physical presence, his winged words, lent him a glamor which caught and permanently held the imagination of Virginians. His wounded leg, his classic face and beautiful eyes, his voice musical as a flute and eloquent beyond the experience of men, the stainlessness of his life, the gallant front he held against misfortune, gave him a place which no man in the future can hope to fill.

As was very natural, the thoughts of Senator DANIEL turned much to the past. The mighty struggle in which he took so brave a part left an indelible impress upon his memory. The eye of his mind saw through the mist of years the great squadrons set in the field, the ear of his mind heard the thunder of artillery, and in his heart abided the memory of his comrades, living and dead.

The soldier sleeps; the incorruptible statesman has become a memory and example; the good and loving man, whose shoulders were burdened with many honors, has gone to his rest. Virginia mourns, yet in her sorrow there is the proud consciousness that he who was the best loved of all her sons has fought a good fight, and that his life and qualities justified to the full her pride and her affection.

Richly endowed as DANIEL was, and showered with honors and praise, his modesty and freedom from conceit were remarkable. His manners were simple, courtly, charming, giving and commanding deference and respect of mighty and humble alike. Sincere, frank, independent with all; overbearing or flattering to none, no matter what his rank in life might be. The rare charm of putting his listener at ease was his. Whether as host or guest, with rich or poor, mighty or lowly, his manners marked the high-bred, modest gentleman, in whose society it was delightful to be.

One of the crowning virtues in Maj. DANIEL'S character was his loyalty to his friends and his confidence and trust in the people. In his masterful speech on the force bill he emphasized this to a degree. That speech might well have been read and fully digested when two important questions were being discussed in this House a few days ago.

The people of the South, and particularly of Virginia, were greatly impressed and deeply grateful to Senator DANIEL for the noble stand he then took and the ability with which he argued that question, involving, as it did, their welfare and happiness.

I never saw his faith in his people in the least shaken, save on one occasion.

At a Virginia convention I missed him from his usual prominent position on the platform. Fearing he was sick, I visited his room and found him depressed. After talking a short time he turned on me that kindly inquiring expression of his noble countenance that no one will ever forget who enjoyed his confidence and said, "These people expect to defeat me." I replied, "Never; we have 50,000 soldiers left in Virginia. They and 100,000 sons, who have sprung from their loins, love and admire you. You are safe in their hands."

A little son of a Virginia father was about to be punished for some trivial offense. The little fellow looked up pitifully and said: "Father, trust me; I will do so no more." A faithful Confederate officer, who commanded one of the best companies I knew in the army, was asked by the colonel of his regiment how he kept so many men for duty and why they were always so cheerful and ready for the fight. He made this simple reply: "I trust them, and they love me."

The people of Virginia loved JOHN W. DANIEL, and he trusted them. The whole story of his success is told in this sentence.

His death left a vacancy difficult to fill. Other Virginians great and good will occupy the position that he adorned for 30 years. They will measure up to his standard along many lines, no doubt; but the school from which came his equipment, with its ideals, its sacrifices, and tragedies, is closed.

Take him for all in all,
We shall not look upon his like again.

Mr. HOLLAND. Mr. Speaker, I have listened with very great interest to the eloquent addresses of my colleagues on the life and character of the late Senator DANIEL, one of the foremost Virginians of his time. They have spoken of him as a soldier with an enviable record, as a lawyer of conspicuous ability, as an author of great distinction, as an orator of almost matchless grace and brilliancy, as a politician of stainless honor, as a statesman of incorruptible virtue, and as a patriot loyal and devoted to the interests of his State and of his country, and have drawn beautiful pictures of his achievements. It would be exceedingly difficult, therefore, for one who did not know him intimately to add anything to what has already been said of him, and it is not my purpose to attempt it.

But, Mr. Speaker, I do desire to read, and thereby help to perpetuate, a most fitting tribute in his memory which appeared in the Virginian-Pilot, a newspaper published in Norfolk, Va., on the morning after his death. This tribute is from the pen of ex-Gov. William E. Cameron, who was his opponent for governor of Virginia, and defeated him, knew him long and intimately, and is, perhaps, as well fitted as any man in the State to make a true estimate of his life and of his character:

JOHN DANIEL.

No public man of his own day and generation has so attracted and held the trusting affection of the Virginia people as JOHN WARWICK DANIEL. Throughout an active career of nearly half a century he has stood conspicuously forward as the exponent of the best sentiment of the Commonwealth, voicing always a spirit of patriotism too deeply founded to be shaken by considerations of selfish interest, and accupying a moral pedestal so high that those who felt constrained at times to take issue with his opinions on political questions were always ready to pay tribute to his sincerity of conviction and purity of motive. His brilliant record as a soldier, his commanding figure and classic face, his mellowness of tongue and grace of gesture, and a gift of oratory which lacked no essential quality of natural grace or cultured finish—all these bespoke for him initial popularity; but neither one nor all of these pleasing attributes would have sufficed to establish and protract his primacy in the public heart through the trying political vicissitudes of so many eventful years, had he been wanting in those elements of character that owe nothing to chance and yield nothing to change—courage unfaltering, truth unquestioning, honor beyond taint or temptation, and a civic conscience as sentitive as that which guided and guarded the conduct of the private gentleman. It was his fortune more than once to run counter to the candidates and policies favored by a majority of his constituents. A lesser man, or one less firmly anchored in the confidence of his fellows, might have abstained from open difference with friends and colleagues; or, having pleaded his views in vain, might have suffered loss of prestige and of following as a consequence. Not so with JOHN DANIEL. He occupied a plane above that of the mere officeholder and politician, and his next reelection to the Senate was marked by the same enthusiastic unanimity which had attended the previous occasion. His people and his party had faith in him. He was not an organizer or a manager of men. What is known as the "machine" side of politics did not appeal to him. But the lack of that which made the strength of other leaders did not constitute a weakness in him. More was expected of him in certain ways than of others similarly placed, and less in other ways. Perhaps that this was true illustrates most perfectly the pedestal on which the esteem and affection of Virginians had elevated JOHN DANIEL. His death leaves a vacancy never to be exactly filled. Other Virginians, some great and some good, will inherit the toga to which he lent dignity for nearly three decades, but the school from which his equipment and his standards were derived is closed, and—

"Take him for all in all, we ne'er shall look upon his like again."

Mr. SLEMP. Mr. Speaker, I desire to avail myself of the privilege of placing in the RECORD a few remarks on the life of Senator JOHN W. DANIEL, of Virginia.

I am glad, Mr. Speaker, to add my humble words of tribute to the life of the distinguished Senator of our State in whose memory these services are held to-day.

I knew Senator DANIEL well, if not intimately, and his death was to me a personal loss as well as a source of grief to an entire Commonwealth. For a period of over 30 years he had been the most conspicuous figure in the life and politics of our State, though in later years his great powers belonged rather to the Nation than to the State, and I can say that no one occupied a warmer place in the hearts of the Virginia people than did this great orator and statesman.

His death is not only to me a personal loss, but it is a State loss as well, since he left no one to take his place. He was the last, and certainly the best, of that type of statesman and orator that made Virginia famous in the early days of the Republic. The spirit of the early fathers lived and breathed anew in him, and all Virginia felt that in his courtliness of manner, his knightly bearing, and fervid eloquence were reproduced the manners and the life of those who contributed most to the establishment of our national life. It was for this in part that Virginia loved him, and the more reason why Virginians, proud of their illustrious traditions, mourned his death. His legal learning, his genteel manners, his power of speech, and his love of country would have made him a fit compatriot and coworker with Jefferson, with Madison, with Monroe, and with others of that period who have written their names "where time should not efface them and where all men should behold them."

I was drawn to him by his indescribable charm of manner and the goodness of heart and soul that radiated from him in every action he took. I believe all his people felt this way about him. They saw in him a representative of their glorious past, of their own imperishable history, and they loved him, they followed him, and honored him as they have done no other in recent years.

Richly endowed with personal charms, of magnetic, even majestic, presence, classic features, distinguished bearing, he had in his very appearance the power to please. Gifted far beyond the ordinary, both physically and mentally, his restless nature forced him into every conflict, whether of war or peace, in which either his State or his fellow citizens participated.

From the time he shouldered a musket in the defense of his State to the day he breathed his last, a recipient of the highest honor a grateful State could bestow on him, he was a part of every movement in which Virginia was interested.

His life was as varied as were his accomplishments. His versatile mind turned with rapidity from problems of law and

jurisprudence to battles in the political field for party supremacy, and thence to a consideration of the great questions affecting the Nation.

His personal career was mainly triumphant. He fought with distinction, was seriously wounded on the field of battle, and his body ever afterwards bore mute testimony of the sacrifice he made for the sake of the lost cause.

Believing with all his heart and soul and mind in the principles of Jeffersonian democracy, he was the unquestioned leader of his party in his State for over a generation. His successes were at times tempered by defeats, but these did not embitter him nor dissuade him from his course. They seemed to inspire him to greater effort, until at last they were crowned with the full measure of success.

As an orator he will be remembered so long as sentiment is a moving cause to human action and the human heart responds to the appeals of pure eloquence. His style was that of a Cicero, copious and grateful, rather than of a Demosthenes, condensed and powerful. In incomparable beauty of language and purity of diction he interpreted the sentiments of his people. He drew from the history of all ages and from every nation and from the lives of great men of every tongue and clime the facts, the examples, the contrasts, the lessons, and the inspiration as from an inexhaustible mental reservoir with which to adorn a subject or point a moral.

Just before Maj. DANIEL entered upon his congressional career and before he became a national figure he represented Virginia as one of the orators on the occasion of the dedication of the Washington Monument. I have been told that as one sentence followed close upon another in this great oration, DANIEL seemed to grow in stature, until he loomed high above things terrestrial, and drew down, from the vaults of the celestial, language comprehensive of his great theme. In one of his eloquent paragraphs he said of the Father of his Country:

> Brilliant I will not call him, if the brightness of the rippling river exceed the solemn glory of Old Ocean. Brilliant I will not call him, if darkness must be visible in order to display the light; for he had none of that rocket-like brilliance which flames in instant coruscation across the black brow of night, and then is not. But if a steady, unflickering flame, slow rising to its lofty sphere, high hung in the heavens of contemplation, dispensing far and wide its rays, revealing all things on which it shines in the proportions and large relations, making right, duty, and destiny so plain that in the vision we are scarce conscious of the light—if this be brilliancy—then the genius of Washington was as full orbed and luminous as the god of day in his zenith.

And his peroration! It breathed the very soul of patriotism and rose to the highest pinnacle of true eloquence. I will only quote a part of it:

> Long live the United States of America, filled with the free, magnanimous spirit, crowned by the wisdom, blessed by the moderation, hovered over by the guardian angel of Washington's example; may they ever be worthy in all things to be defended by the blood of the brave, who know the rights of man and shrink not from their assertion; may they each be a column, and altogether, under the Constitution, a perpetual temple of peace, unshadowed by a Cæsar's palace, at whose altar may freely commune all who seek the union of liberty and brotherhood.

Thenceforth DANIEL took his rightful place, not alone as Virginia's greatest orator, but as belonging to the whole Nation.

He was not only a gifted orator, but a profound lawyer, a leader of the bar, and an author of great distinction. The whole realm of law was explored by him, and in this vast theater his abilities had full play. Whether as advocate or defender in the common-law causes or as expounder or interpreter of the Federal Constitution, he was a distinguished authority. Practitioners at every bar, as well as students of the common law, in the years to come know and will know JOHN WARWICK DANIEL for the legacies he left to the profession when he contributed to the bibliography of law the volumes entitled "Daniel on Negotiable Instruments" and "Daniel on Attachments." And the pages of congressional history will more than once be consulted, and interpretations by DANIEL of constitutional questions be quoted as furnishing high authority.

As a statesman it was given to few men as it was to DANIEL the influence and power to exercise the mastery over and to control the destinies of the people of a great Commonwealth as he exercised and controlled affairs in the State of Virginia. The people of that State were his willing followers. They loved and trusted him. They saw in him the reincarnation of illustrious sons who had made Virginia famous in the Nation's history. No honor within their gift was too great to bestow upon him. They chose him to represent them in high and exalted places—in both houses of the legislature, in constitutional conventions, in the National House, and in the United States Senate, in Democratic State and National conventions, and but for political exigencies and conditions would probably have been nominated by his party for Chief Executive of the Nation.

The constitution of Virginia, many of its laws, much of the common-law practice of its courts, and the government of its municipalities reflect the judgment, the learning, and the wisdom of JOHN W. DANIEL. Under his leadership, by his wise counsel and advice, his party in Virginia stood for the last quarter of a century true to the traditions and tenets of democracy as interpreted by national platforms, in the construction of whose planks DANIEL was a potential factor. In the nature of things he left the impress of his magnetic personality and his rare genius upon the warp and woof of Virginia's social, political, and industrial life. That this can not also be said of him in its fullness as a national figure is due alone to the vicissitudes of the Democratic Party and to the limitations of the opportunities offered him in the wider field of national politics and not to the lack of anything in him that would have made for success if political conditions had been favorable for the crystallization of party principles into public policy. Yet, notwithstanding his political environment, hostile and uncongenial as it was throughout the greater part of his service in Congress, DANIEL wielded a tremendous influence in the shaping of legislation during two decades of service in the Senate.

He was a State rights Democrat and for a strict construction of the Constitution, not in the narrow, circumscribed sense that the terms might imply, but broadly, reasonably, in the light of that deep study to which he had given the subject. The line of demarcation between the powers of the several States and the powers of the National Government was plain to him, and he defined and elucidated those powers with a distinctness and clearness of diction that carried conviction. He was as zealous in preserving the one as the other, and in this showed a degree of statesmanship that lifted him far above the plane of partisanship and provincialism and stamped him as a safe, sound, and wise publicist, who would insist upon the sovereignty of the Nation as well as of the States. This was best exemplified in the great Chicago strike, when President Cleveland, without response to an invitation from the governor of the State of Illinois, sent troops to quell the riots so that the United States mails could pass.

Maj. DANIEL sustained the action of the President and, in support of a resolution indorsing his action, said, in part, as follows:

> Mr. President, I had hoped that such a resolution as this in a time of public peril like that which now confronts us would pass the Senate without objection, without delay, without debate.
>
> There are some things which go without saying, and it should go without saying that this is not a matter on which parties may fairly divide. He who brings in the name of party in a partisan sense, whether it be Republican, Democratic, or Populist, forgets due recognition of his duty as a patriot.
>
> In this resolution I have simply summarized the provisions of the Constitution which bear directly on the existing situation, and which point the pathway of duty to the President; and I have given expression to that sense of approbation of his course which pervades all classes of thinking and patriotic citizens.
>
> I am a State rights Democrat, who would not like to see the muniments of local self-government overridden. But I am also a national Democrat, who would not like to see the muniments of national authority and national safety destroyed.
>
> Anarchy is no remedy for anything. It intensifies every evil that exists. It impedes every remedial process. It should be stamped out wherever it shows itself.
>
> The President is Commander in Chief of the Army and Navy. He has the plain right, and it is his plain duty, to employ them whenever and wherever the Constitution and laws of the Federal Government are forcibly resisted by combinations of men.
>
> The establishment of post offices and post roads and the transportation of the mails through and by them is a Federal matter. Commerce among the States—interstate commerce, as distinguished from local intrastate commerce—is a Federal matter.
>
> The due process of law in the Federal courts is a Federal matter. And in all three of these matters the President, having imposed upon him the constitutional obligation to "take care that the laws be faithfully executed," has the right to use the Army and Navy to that end, and to oppose force by force.
>
> I am the friend, and have often been the champion, of those who work for their daily bread. My sympathy is with them. But they can have no lot or share with anarchists, the destroyers of property, the destroyers of life, the breakers of law, the enemies of peace, order, and civilized existence. They have no place in the ranks of incendiaries, and they have no enemy who can be so fatal to their every interest as those who seek to fire them into defiance of law.
>
> The President is right in dealing promptly with lawbreakers. He ought to be upheld and cordially, and unstintedly supported here, as he will be throughout this land, by upright and law-abiding citizens.
>
> Sections and parties disappear in the face of society imperiled. We should know only the country, the Constitution, and the laws; and, as the President says, in such an emergency discussion may be well postponed. Peace, order, and obedience to law are the conditions precedent to discussion; with them assured, grievances will be heard, rights protected, and wrongs redressed.

These are words of a statesman and patriot. Rising above the political conditions of that hour, unmindful of the effect upon his own or his party's future, Senator DANIEL was for upholding the arm of the Federal Government for the protection of life and property against a condition of anarchy which supine and indifferent, if not to say sympathetic, State authorities made no serious attempt to suppress.

While he was distinguished in so many lines of useful endeavor, as orator, statesman, soldier, scholar, and lawyer, he was preeminent as a Christian gentleman. His was the at-

mosphere of benignity, self-effacement, and Christian charity. It has been said by one of his admirers that his Christian nature and his fighting spirit were combined compatibly.

While I did not belong to his political party nor look upon national problems from the same point of view as he did, yet I always regarded him as a valiant and an honorable foe. Our differences were never mentioned, and I entertained for him the warmest personal regard. I have seen him on the hustings proclaiming the principles of his party; I have listened to his matchless eloquence in paying tribute to a departed comrade; I have gone with him in presenting matters to the President of the United States; and I have observed him in the great intellectual forum where he spent so many years of his useful life. Under all the circumstances he was the same calm, dignified man, considerate of the wishes of others, powerful in argument, and persuasive in speech. I feel the better for having known him. I feel the better for what he was and for what he is. What is mortal of him has returned to the dust from which he was formed, but his immortal soul, the life of the man himself—that which moved and lived and had its being here—still lives, and will live through eternity. In this he believed, in this I believe, without which belief we are of all men miserable.

For his character and example and greatness among men; for the hand of cordial friendship and good will held out to me when first I came a stranger to these Halls; for the sake of my revered father, who served in the Confederacy at the same time as Maj. DANIEL; for his gallantry in the vanquished cause of the Southland; and for his lofty, patriotic love for our common and reunited country I honor and revere his memory.

May he rest from his labors, and may his works follow him.

Mr. LAMB assumed the chair as Speaker pro tempore.

Mr. FLOOD of Virginia. Mr. Speaker, the flower which I would lay upon the tomb of Senator DANIEL is the forget-me-not, the emblem of enduring affection. I knew him well; I esteemed him most highly; I cherished for him a sentiment that was closer than esteem and partook of the attributes of sacred confidence and warm personal affection.

When I entered the Virginia Legislature a youth of 22 years he was a United States Senator from Virginia and was my friend, my counselor, and adviser. From that day to the hour when his enfranchised spirit entered that undiscovered country from whose bourn no traveler returns my relations with him were close. I was his devoted follower and admirer, and I have grieved deeply at the loss which I sustained in his death.

It is, Mr. Speaker, indeed a tribute to our better nature to be grieved when our friends depart from among the living. Our humanity would not be worth the having without this attribute; but as we stand by the graves of our friends we are comforted by the counsel of the Holy Writ, "Not to sorrow for them that are asleep even as those who have no hope."

We all, sir, have our natural ambitions to act well our parts among our fellows; we are emulous to do our State some service, but there are few of us whose best and supremest aspiration is not to leave the world a little darkened at our departure. Senator DANIEL'S death caused widespread sorrow in his State and in this Nation. When the wires flashed the sad tidings a pall of gloom was cast over the entire State of Virginia and that pall has not yet been lifted. No son of Virginia among all the splendid galaxy of her great men was more universally loved in life or more deeply mourned in death. The people of Virginia loved him because he loved them. They were true to him because he was true to them. They honored him because in so doing they honored themselves.

JOHN WARWICK DANIEL was born in the city of Lynchburg, Va., on September 5, 1842. His home was in that city and on his farm on its outskirts during his entire life. He came of a long line of distinguished people. His grandfather, William Daniel, sr., was a lawyer of great ability and one of the most magnetic and brilliant debaters and orators Virginia has produced. His father, William Daniel, jr., was a distinguished lawyer, and for years was a member of the Supreme Court of Appeals of Virginia. His mother was of the noted Warwick family.

He was educated in the private schools of Lynchburg, at the Lynchburg College, and the Gessner Harrison School, of Nelson, and after the war studied law at the University of Virginia, where he distinguished himself in the classroom and in the debating society. A commencement oration—"The People"—delivered while a student at this institution sent him forth into the world a marked and distinguished man.

While he was at the school of Prof. Harrison the Virginia ordinance of secession was passed. There was no hesitation on the part of the young student of 18 to go with his State in her ultimate decision. As soon as the call of Virginia rang out through the hills and valleys of the old Commonwealth, summoning her sons to her defense, the first among the foremost to rally to her side was this ardent schoolboy. As a soldier he was distinguished for reckless courage, an accurate knowledge of military affairs, and for untiring and loyal devotion to every duty imposed upon him. He was a private, a second lieutenant, a first lieutenant, and a major and chief of staff of Gen. Jubal A. Early. He was wounded five times, three times at the first battle of Manassas, again at Boonsboro, Md.; and at the Wilderness, on May 6, 1864, while gallantly leading the charge of the Thirty-third Regiment of the old Stonewall Brigade, he received the cruel wound which sent him limping through life and darkened all of his days with suffering and pain. There on the blood-stained field, when full high rolled the crimson tide of battle, he fell, a hero, while his comrades swept on to victory. This wound ended his military service, and but for this fact it is believed that he would have been made a brigadier general soon after the Battle of the Wilderness, and that his military career would have been as brilliant as in subsequent years his career in civil life was.

But, Mr. Speaker, it was not alone in the times which tried men's souls that the patriotism and devotion of Senator DANIEL to Virginia was conspicuous. When the war was over and unprincipled adventurers from without and renegades from within came like a pestilence to blight the small remnants we had left from the sword and torch, he was the leader in the defense of the heritage and institutions of his people.

Amid the anarchy of the reconstruction period, down through all the great struggles for the supremacy of virtue and intelligence in the control of our Government, and for the preservation of society and Anglo-Saxon civilization to 1902, when this danger to these was swept away by a constitution germinating in the hearts of the Virginia people and fashioned by a convention of their own choosing, it was he who stood forth as Virginia's greatest champion.

Though left by the storms of war with body broken and fortunes spent, yet in every struggle between Virginia and her foes, foreign or domestic, he was always on the firing line, and with voice and mind and means aggressively maintained her cause.

For 30 years he was the undisputed leader of the Virginia Democracy, and the most prominent figure in our party conventions; and in addition to this, he was the most beloved citizen of the State. This love for Senator DANIEL was confined to no particular sections, but from where the billowy Atlantic washes our eastern front, to the lofty ridge which receives its name from the bending heavens that bathes its summits in their own soft blue, and beyond to where the Cumberland Range marks our remotest western border; everywhere the citizens of Virginia vied with one another in unbounded admiration and love for the noble gentleman, the maimed Confederate soldier, the brilliant orator, the profound constitutional lawyer, the sound statesman, whom they delighted to acknowledge as their unchallenged leader.

STATESMANSHIP.

Senator DANIEL early entered public life. He served in the Virginia House of Delegates from 1869 to 1871, in the State Senate from 1875 to 1881, and in the constitutional convention of Virginia of 1901–2. His service in these bodies was brilliant and was productive of much good legislation. He was the author of the franchise provision of the present constitution of the State, and its adoption was secured by reason of his great influence with the convention. Through his service in these bodies his constructive statesmanship was woven into the very warp and woof of the laws of his native State. He served two years in this body and 23 years at the other end of the Capitol as a Senator from Virginia, and at the time of his death, though he had not served out his fourth term, he had been reelected for a fifth term. For years he was one of the great members of the Committees on Foreign Relations, Appropriations and Finance of the Senate, and was potential in the settlement of all matters affecting our relations with foreign countries and the appropriations and revenues of this Government. His ability as a debater and his complete knowledge of public questions made him a leading figure on the floor of the Senate, and gained him a national reputation which gave him in the minds of the public the place he so well deserved, as one of the greatest of American statesmen. He was for years prominent in the Democratic national conventions, and was influential in shaping the policies of that party.

LAWYER.

Senator DANIEL was a great and learned lawyer. When 25 years of age he published a work on "Attachments," which is to-day found in every well-equipped law library in Virginia,

and later on he published a work on "Negotiable Instruments," in two large volumes, which is constantly quoted by the courts of last resort, both in this country and in England. For years he had a large practice in the State and Federal courts of Virginia and in the Supreme Court of the United States. Whether in the trial or appellate court, he was always ready. He was thorough in the preparation and magnificent in the presentation of a case. Some of his most powerful and impassioned speeches were at the bar when a question of law or evidence was unexpectedly sprung and when there was no opportunity for premeditation or special preparation. In these passages he often reached an altitude of oratory and fierce invective that has not been surpassed since the great Roman orator drove Cataline in consternation from the Senate, or when Pericles brought the display of Athenian eloquence to its highest pinnacle of splendor.

ORATOR.

He was one of Virginia's great orators. That beautiful creation of his mind and heart, the oration on Lee delivered at Lexington in 1883, had he no other monument to his genius, would mark him as one of the foremost orators of his generation. It is one of the masterpieces of our language, which will live for ages, yielding an inspiration to higher and nobler aspirations. Scores of triumphs nearly as great as this mark his career. His orations covered a wide field and are read with delight to-day by thousands. His oratory was of the richer style of the old school and always delighted and enchanted his hearers.

It is not easy, Mr. Speaker, to decide in the display of his magnificent powers whether in the forensic field or in the arena of oratory our admiration is the more excited; for by a rare combination he may be said to have united in his splendid personality the encomiums which Cicero divided between the two most distinguished citizens of Rome when he declared the one to be the orator most learned in the law and the other the lawyer most renowned for oratory.

Senator DANIEL was warm in his friendships, and not only had very devoted admirers, but there were many who, in the words employed by Ben Johnson toward the Bard of Avon, "loved him to idolatry," and this was largely because they believed so implicitly in his integrity and his loyalty to his convictions. In a day when the commercial spirit threatened to dominate our land, it was pleasant to turn to this thoughtful figure, this idealist, whose dreams and aspirations were not controlled by the pulsations of the stock market nor measured by the stunted standard of present successes. His voice never delivered an uncertain sound.

Such, Mr. Speaker, in meager outline was the career of Senator DANIEL. It was indeed a high and a fine career of service to mankind, than which there is nothing higher beneath the circuit of the sun. Such aims and ends constitute the only real royalty, for—

> Herein stands the office of a king,
> His honor, virtue, merit, and chief praise,
> That for the public all this weight he bears;
> Yet he who reigns within himself and rules
> Passions, desires, and fears is more than king.

No questionable act ever marked the fair pages of his private or public life. He stood in the fierce light which beats against the throne, but no flaw was ever found in his armor through which the shafts of envy and slander could enter and wound his fame. He was gentle yet strong, courteous yet brave, ready to extend the soft hand of charity and grasp with comprehensive thought the great questions of government and law. It is of such a man that the greatest of ancient philosophers affirmed—

> The man of great soul is one who accounts himself worthy of great things, being worthy.

How far removed from this noble aphorism is the wretched plaint of Solomon:

> Surely man at his best estate is vanity.

Mr. Speaker, man at his best estate is thrilled with intimations of immortality. Death to a man like Senator DANIEL is but a shadow cast by his transition to loftier activities—

> He is not dead but sleepeth; well we know
> The form that now lies mute beneath the sod
> Shall rise when time the golden bugles blow
> And pour their music through the courts of God.

In his essay upon death Lord Bacon has pictured that of Senator DANIEL:

> He that dies in an earnest pursuit is like one that is wounded in hot blood; who for the time scarce feels the hurt, and therefore a mind fixed and bent upon somewhat that is good doth divert the troubles of death. Death hath this also, that it openeth the gate to good fame and extinguisheth envy.

Mr. Speaker, during the dreadful Sepoy mutiny in India, when the English garrison in Lucknow, with the women and children, was beleaguered by its ferocious and merciless foes, and the fate of the Cawnpore seemed staring them in the face, a cry was heard from the little Scotch lassie, Jeannie Brown: "Dinna ye hear the pibroch; dinna ye hear the slogan!" Her eager and alert ear had caught from afar the sound of the bagpipes in the approaching army of Sir Colin Campbell.

And so, while our hearts are attuned to sorrow that a life fraught with so much good should be cut off from among us, our chastened reflections can discern echoes of counsel and encouragement from his life which should animate us all to a renewed and higher consecration to worthy and unselfish devotion to our country and our kind. And whilst among the perplexities of this world we "can not always see the way," we can all become better and stronger from the example of such a life; and with pride and gratitude for such a career, we can cry to our Father and his Father:

> Lord, I believe; help Thou mine unbelief,
> And grant Thy servant such a life and death.

Mr. HAY. Mr. Speaker, I ask unanimous consent that all gentlemen who desire to do so may have leave to print remarks on Senator DANIEL.

The SPEAKER pro tempore. The gentleman from Virginia [Mr. HAY] asks unanimous consent that all gentlemen who desire to do so may have leave to print remarks on Senator DANIEL. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Thereupon (at 2 o'clock and 25 minutes p. m.), in accordance with the resolution previously agreed to, the House adjourned until Monday, June 26, 1911, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Acting Secretary of War, transmitting with a letter from the Chief of Engineers report of examination and survey of Sacramento River, Cal., from Sacramento to Red Bluff (H. Doc. No. 76), was taken fom the Speaker's table, referred to the Committee on Rivers and Harbors, and ordered to be printed with accompanying illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. WILSON of Pennsylvania, from the Committee on Labor, to which was referred the resolution of the House (H. Res. 90) asking for investigation of "Taylor system" of shop management, reported the same with amendments, accompanied by a report (No. 52), which said resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. TALBOTT of Maryland, from the Joint Select Committee on Disposition of Useless Executive Papers, submitted a report on useless papers and files in the Treasury Department (No. 54), which said report was referred to the House Calendar.

He also, from the same committee, submitted a report on useless papers and files in the Interior Department (No. 53), which said report was referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 11458) granting a pension to Mary Baker; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 11981) granting a pension to Annie E. Timmons; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7470) granting a pension to Ella Neff; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. J. M. C. SMITH: A bill (H. R. 12011) to remedy in the line of the Army an inequality in rank due to the past system of regimental promotion; to the Committee on Military Affairs.

By Mr. LITTLEPAGE: A bill (H. R. 12012) to amend an act providing for the enlargement and remodeling of the United

States post office and courthouse at Charleston, W. Va.; to the Committee on Public Buildings and Grounds.

By Mr. HARDY: A bill (H. R. 12013) to authorize the Secretary of the Treasury to convey to the city of Corsicana, Tex., certain land for alley purposes; to the Committee on Public Buildings and Grounds.

By Mr. FRANCIS: A bill (H. R. 12014) to provide for a sitting of the United States District Court in the Eastern Division of the Southern District of Ohio in the city of Steubenville, in said district; to the Committee on the Judiciary.

By Mr. SISSON: A bill (H. R. 12015) to repeal so much of "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1911, and for other purposes," as relates to enlarging the Capitol grounds; to the Committee on Appropriations.

By Mr. LOBECK: A bill (H. R. 12016) repealing that portion of the appropriation act of 1911 which provides for the enlargement of a stable between N and O Streets NW., in the District of Columbia, and providing for the purchase of a site for such stable; to the Committee on Appropriations.

By Mr. RICHARDSON: A bill (H. R. 12017) to amend sections 6 and 8 of the food and drugs act, approved June 30, 1906; to the Committee on Interstate and Foreign Commerce.

By Mr. REILLY: A bill (H. R. 12099) to provide for the purchase of a site and the erection of a public building thereon at Derby, in the State of Connecticut; to the Committee on Public Buildings and Grounds.

By Mr. HENRY of Texas: Resolution (H. Res. 221) requesting the Secretary of State to furnish certain information; to the Committee on Foreign Affairs.

By Mr. LLOYD: Resolution (H. Res. 222) appropriating money for the payment of Nathaniel T. Crutchfield and Mrs. H. McKenna Kolkmeyer for services in connection with the preparation of the rules of the Sixty-second Congress; to the Committee on Accounts.

By Mr. CARY: Memorial from the Legislature of Wisconsin, memorializing Congress to cause all dams owned by the United States and maintained in and across the Fox River to be equipped with fishways; to the Committee on the Merchant Marine and Fisheries.

Also, memorial from the Legislature of Wisconsin, relating to the sending into any State of money or campaign literature in violation of the corrupt-practice law of that State; to the Committee on Election of President, Vice President, and Representatives in Congress.

Also, memorial from the Legislature of Wisconsin relating to the Sherman antitrust law; to the Committee on the Judiciary.

Also, memorial from the Legislature of Wisconsin in regard to passports issued by the United States Government; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 12018) granting an increase of pension to John W. Hunt; to the Committee on Invalid Pensions.

By Mr. ALEXANDER: A bill (H. R. 12019) granting an increase of pension to Thomas C. Snider; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12020) granting an increase of pension to Aaron C. Day; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12021) granting an increase of pension to Clifton Brockman; to the Committee on Invalid Pensions.

By Mr. BRADLEY: A bill (H. R. 12022) granting a pension to William D. Hulse; to the Committee on Pensions.

By Mr. CALDER: A bill (H. R. 12023) granting an increase of pension to Michael Conners; to the Committee on Invalid Pensions.

By Mr. CAMERON: A bill (H. R. 12024) granting a pension to Samuel T. Ferrier; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12025) granting an increase of pension to Bert O. Brown; to the Committee on Invalid Pensions.

By Mr. CARY: A bill (H. R. 12026) granting a pension to Stephen A. Turner; to the Committee on Invalid Pensions.

By Mr. CATLIN: A bill (H. R. 12027) granting a pension to Paul Heineman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12028) granting a pension to Herman J. Wacker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12029) granting a pension to Mary Julka; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12030) to correct the military record of Horace McMellon; to the Committee on Military Affairs.

Also, a bill (H. R. 12031) to remove the charge of desertion standing against Servello J. Dematos; to the Committee on Military Affairs.

Also, a bill (H. R. 12032) to correct the military record of John Quinn; to the Committee on Military Affairs.

By Mr. DANFORTH: A bill (H. R. 12033) granting an increase of pension to Jerome J. Garrett; to the Committee on Invalid Pensions.

By Mr. DODDS: A bill (H. R. 12034) granting an increase of pension to Ambrose Harris; to the Committee on Invalid Pensions.

By Mr. MICHAEL E. DRISCOLL: A bill (H. R. 12035) granting a pension to Edwin F. Zufelt; to the Committee on Pensions.

By Mr. DYER: A bill (H. R. 12036) granting a pension to August Gruenwald; to the Committee on Pensions.

Also, a bill (H. R. 12037) granting a pension to Joseph Donnelly; to the Committee on Pensions.

By Mr. FLOYD of Arkansas: A bill (H. R. 12038) granting an increase of pension to Boston B. Baxter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12039) granting an increase of pension to Joseph Renfroe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12040) granting an increase of pension to Daniel Bagley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12041) granting an increase of pension to William C. Bradley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12042) granting an increase of pension to Monta Z. Burt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12043) granting an increase of pension to Charles J. Ballard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12044) granting an increase of pension to George W. Crawford; to the Committee on Invalid Pensions.

By Mr. FRANCIS: A bill (H. R. 12045) granting an increase of pension to John R. Keyes; to the Committee on Invalid Pensions.

By Mr. FULLER: A bill (H. R. 12046) granting an increase of pension to James Trevillian; to the Committee on Invalid Pensions.

By Mr. HAMILTON of West Virginia: A bill (H. R. 12047) for the relief of Stephen A. West; to the Committee on Military Affairs.

Also, a bill (H. R. 12048) to correct the military record of William M. Cheuvrout; to the Committee on Military Affairs.

By Mr. HENSLEY: A bill (H. R. 12049) granting an increase of pension to Edward Church; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12050) granting an increase of pension to William A. Collins; to the Committee on Invalid Pensions.

By Mr. KINKAID of Nebraska: A bill (H. R. 12051) for the relief of the city of Crawford, in the State of Nebraska; to the Committee on Military Affairs.

By Mr. KIPP: A bill (H. R. 12052) granting a pension to W. A. Gruslin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12053) granting a pension to Gilbert D. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12054) granting a pension to Langdon H. Doane; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12055) granting an increase of pension to Watson Boyden; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12056) granting an increase of pension to Augustus E. Case; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12057) granting an increase of pension to James M. Mitchell; to the Committee on Invalid Pensions.

By Mr. LANGHAM: A bill (H. R. 12058) granting a pension to Elizabeth E. Atkinson; to the Committee on Invalid Pensions.

By Mr. LINDSAY: A bill (H. R. 12059) to remove the charge of desertion from the military record of John Wassily; to the Committee on Military Affairs.

By Mr. MARTIN of Colorado: A bill (H. R. 12060) granting an increase of pension to Mary H. Doherty; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 12061) granting an increase of pension to Mary A. Welsh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12062) granting an increase of pension to Ellen M. Stanyan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12063) granting an increase of pension to Nancy C. Webb; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12064) to grant an honorable discharge to S. D. Maxwell; to the Committee on Military Affairs.

By Mr. PEPPER: A bill (H. R. 12065) granting an increase of pension to J. D. Butler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12066) granting an increase of pension to Robert P. Butler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12067) granting an increase of pension to D. J. Chinn; to the Committee on Invalid Pensions.

By Mr. PICKETT: A bill (H. R. 12068) granting a pension to Caroline Holman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12069) granting an increase of pension to Emily C. Bruner; to the Committee on Invalid Pensions.

By Mr. PROUTY: A bill (H. R. 12070) granting an increase of pension to Isaac Williams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12071) granting an increase of pension to Simon N. Smith; to the Committee on Invalid Pensions.

By Mr. RAUCH: A bill (H. R. 12072) granting an increase of pension to John W. Wareham; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 12073) granting an increase of pension to Calvin Underwood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12074) granting an increase of pension to William Silvey; to the Committee on Invalid Pensions.

By Mr. SHERWOOD: A bill (H. R. 12075) granting a pension to John Yates; to the Committee on Pensions.

Also, a bill (H. R. 12076) granting an increase of pension to Andrew J. Ledman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12077) granting an increase of pension to Joseph Biggs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12078) granting an increase of pension to Albin Farley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12079) granting an increase of pension to Napoleon Gignac; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12080) granting an increase of pension to James Hodges; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12081) granting an increase of pension to Hosea B. Brooks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12082) granting an increase of pension to Sylvester Holiday; to the Committee on Pensions.

Also, a bill (H. R. 12083) granting an increase of pension to James Russell; to the Committee on Invalid Pensions.

By Mr. SIMMONS: A bill (H. R. 12084) for the relief of William H. James; to the Committee on Military Affairs.

Also, a bill (H. R. 12085) for the relief of Mrs. Willard W. Clark; to the Committee on Claims.

By Mr. SIMS: A bill (H. R. 12086) for the relief of heirs or estate of T. E. Robinson, deceased; to the Committee on War Claims.

Also, a bill (H. R. 12087) for the relief of heirs of Edwin Moore, deceased; to the Committee on War Claims.

By Mr. J. M. C. SMITH: A bill (H. R. 12088) granting an increase of pension to Charles N. Bacon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12089) granting an increase of pension to Frank Hartwell; to the Committee on Invalid Pensions.

By Mr. THISTLEWOOD: A bill (H. R. 12090) granting an increase of pension to Hugh H. Long; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12091) granting an increase of pension to William H. Burgett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12092) granting an increase of pension to Jesse Ireland; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12093) granting an increase of pension to Sylvanus A. Crowell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12094) granting an increase of pension to Allen H. Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12095) granting an increase of pension to Robert Marshall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12096) granting an increase of pension to Richard Savage; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12097) granting an increase of pension to Thomas Eckols; to the Committee on Invalid Pensions.

By Mr. WOODS of Iowa: A bill (H. R. 12098) granting an increase of pension to William M. Crow; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Resolutions of German-American Alliance of Brooklyn and other branches, approving House resolution No. 166, providing for an investigation of the administration of the immigration office at Ellis Island, and for an amendment of the present immigration law; to the Committee on Immigration and Naturalization.

Also, petitions of A. G. Smidt, of Bluffton, Mo., and others of other sections of the country, asking for a reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

Also, resolutions of the Mothers' Meeting of Mount Pleasant Woman's Christian Temperance Union, of the District of Columbia, insisting that Congress enact legislation affecting polygamy; to the Committee on the Judiciary.

Also, resolutions of numerous churches and Sunday schools, relating to the opium evil; to the Committee on Foreign Affairs.

Also, petition of Michael Hart and numerous others, of St. Louis, Mo., protesting against the proposed arbitration treaty with Great Britain; to the Committee on Foreign Affairs.

Also, resolution of the Washington Chamber of Commerce, relating to the appropriation bill of the District of Columbia; to the Committee on Rules.

Also, memorial of the Bar Association of Bernalillo County, N. Mex., urging the immediate admission of New Mexico as a State; to the Committee on the Territories.

Also, petitions of numerous persons of Columbia, Maryville, and Unionville, Mo., urging the passage of the National Guard pay bill; to the Committee on Military Affairs.

Also, resolutions of National Association for the Study and Prevention of Tuberculosis, urging that an investigation be made into the subject of sanitary conditions surrounding metal mining underground; to the Committee on Mines and Mining.

Also, petition of members of the American Woman's League, urging action on the Bartholdt indemnity bill; to the Committee on the Post Office and Post Roads.

Also, resolutions of Chamber of Commerce and Manufacturers' Club of Buffalo, N. Y., indorsing the reciprocity agreement with Canada; to the Committee on Ways and Means.

Also, resolutions of Elder Men's Immediate Relief Association and citizens of Washington, favoring action on House bills 4644 and 4705; to the Committee on Rules.

Also, resolution of the Society of the Daughters of the American Revolution, appealing to Congress to pass a measure now before Congress providing for the erection in the National Capital of a memorial to the signers of the Declaration of Independence; to the Committee on Public Buildings and Grounds.

Also, resolution of the Brightwood Citizens' Association, of the District of Columbia, indorsing House resolution No. 154, authorizing the Committee on the District of Columbia to investigate the government of the District of Columbia; to the Committee on the District of Columbia.

By Mr. ALEXANDER: Evidence supporting increase of pensions in the cases of Aaron C. Day and Thomas C. Snider; to the Committee on Invalid Pensions.

Also, petition of A. L. Spore, John H. Gregor, W. R. Youngman, Phillip Ulrich, and 60 other veterans of the Civil War, praying for the passage of the Anderson pension bill; to the Committee on Invalid Pensions.

Also, papers in support of claim of Clifton Brockman; to the Committee on Invalid Pensions.

By Mr. AYRES: A petition of citizens of the Bronx, in favor of parcels post; to the Committee on the Post Office and Post Roads.

By Mr. BRADLEY: Resolutions relative to the further restriction of immigration adopted by citizens of Goshen, N. Y.; to the Committee on Immigration and Naturalization.

By Mr. CALDER: Resolution of New York State Bankers' Association, approving the Aldrich proposal for currency reform; to the Committee on Banking and Currency.

Also, petition of H. Planten & Son, of Brooklyn, N. Y., protesting against House bill 8887; to the Committee on Ways and Means.

Also, petitions of Walter Jeffreys Carlin and others, of New York, urging the passage of the militia pay bill (H. R. 8141); to the Committee on Military Affairs.

By Mr. CARY: Resolutions adopted by the Milwaukee Clearing House Association, relating to proposed legislation affecting the cold-storage industry; to the Committee on Interstate and Foreign Commerce.

By Mr. CRAVENS: Petition of numerous citizens of Caulksville, Ark., asking that the duty on sugar be reduced; to the Committee on Ways and Means.

By Mr. DYER: Petition of George C. Lenaltz and others, of St. Louis and Kirkwood, Mo., asking that the duty on sugar be reduced: to the Committee on Ways and Means.

By Mr. ESCH: Resolution of National Association of Automobile Manufacturers, urging an amendment to the corporation-tax law, so as to permit corporations and companies to make their returns as of the close of their fiscal years; to the Committee on the Judiciary.

Also, resolutions adopted by the Milwaukee Clearing House Association, relating to proposed legislation affecting the cold-storage industry; to the Committee on Interstate and Foreign Commerce.

By Mr. FITZGERALD: Resolutions of Group 6, of New York State Bankers' Association, approving the general scope of the Aldrich proposal for currency reform, and that it favors the creation of a proper discount market in the United States; to the Committee on Banking and Currency.

By Mr. FORNES: Petition for the preservation of Niagara Falls; to the Committee on Rivers and Harbors.

By Mr. FULLER: Petition of Sandwich Manufacturing Co., of Sandwich, Ill., for amendment of corporation-tax law; to the Committee on the Judiciary.

Also, papers to accompany House bill 9097 for the relief of Charles J. Beach; to the Committee on Invalid Pensions.

Also, papers to accompany bill for the relief of James Trevillian; to the Committee on Invalid Pensions.

By Mr. GARRETT: Papers to accompany bill for the relief of the heirs of Edwin Moore; to the Committee on War Claims.

By Mr. HAMILL: Resolution adopted by the board of street and water commissioners, city of Newark, N. J., favoring granting of the right of way and the water supply for fortifications to the United States Government; to the Committee on Military Affairs.

Also, resolutions by the Board of Trade of the city of Elizabeth, N. J., favoring reciprocity with Canada; to the Committee on Ways and Means.

By Mr. HAUGEN: Petitions of numerous citizens of Mason City, Iowa, protesting against the passage of Senate bill 237; to the Committee on the District of Columbia.

By Mr. KAHN: Resolutions urging amendment to the corporation-tax law which will permit concerns to make returns at close of their individual fiscal years, adopted by the following members of the Dried Fruit Association of California and other bodies: Pacific Fruit Product Co., Henry P. Dimond, Phoenix Packing Co., Griffin Skelley & Co., Kings County Raisin & Fruit Co., Fresno Home Packing Co., Winters Dried Fruit Co., Hunt Bros. Co., Griffin & Skelley Co., Golden Gate Packing Co., Monterey Packing Co., F. F. Stetson & Co., Winters Canning Co., California Fruit Canners' Association, the J. H. Flickinger Co., the J. K. Armsby Co., Central California Canneries, Sunlit Fruit Co., Taft & Suydam (Inc.), Castle Bros., John H. Spohn Co., the C. E. Cumberson Co., Ennis Brown Co., Newmark Grain Co., B. Holst Co., W. W. Ellis, H. Ainsley Packing Co., California Fruit Canners' Association, the Merritt Fruit Co., Carquinez Packing Co., and Hyde-Shaw Co.; to the Committee on Ways and Means.

Also, resolutions adopted by Chamber of Commerce, San Francisco, Cal., favoring an amendment to corporation-tax law which will permit concerns affected to make returns as of the close of their individual fiscal years; to the Committee on Ways and Means.

By Mr. REILLY: Resolutions by National Association of Automobile Manufacturers (Inc.), of Hartford Conn., calling attention to need for an amendment to the corporation-tax law; to the Committee on Ways and Means.

Also, resolutions by National Association of Automobile Manufacturers (Inc.), Hartford, Conn., urging upon Congress the imperative need of an amendment of the corporation-tax law making it permissible for corporations and companies to make returns at close of their fiscal years; to the Committee on Ways and Means.

By Mr. SCULLY: Petition of sundry citizens of South Amboy, N. J., in favor of reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

Also, resolutions adopted by the Milwaukee Clearing House Association, relating to proposed cold-storage industry; to the Committee on Interstate and Foreign Commerce.

Also, resolutions by Elizabeth Board of Trade, of Elizabeth, N. J., favoring reciprocity with Canada; to the Committee on Ways and Means.

Also, resolutions by Washington K. U. V., of South River, N. J.; Division No. 2, Ancient Order of Hibernians, Sayreville, N. J.; and St. Patrick's Alliance, Independent Branch No. 1, Perth Amboy, N. J., protesting against passage of proposed new arbitration treaty with Great Britain; to the Committee on Foreign Affairs.

Also, resolution adopted by the Board of Street and Water Commissioners of the city of Newark, N. J., favoring granting of the right of way and the water supply for fortifications to the United States Government; to the Committee on Military Affairs.

By Mr. O'SHAUNESSY: Resolution by Rhode Island Business Men's Association, urging that the channel to Providence be deepened; to the Committee on Rivers and Harbors.

By Mr. J. M. C. SMITH: Memoranda in re Frank Hartwell, Company F, Sixth Michigan Volunteer Heavy Artillery; to the Committee on Invalid Pensions.

Also, memoranda in re Charles N. Bacon, Company C, Tenth Michigan Volunteer Cavalry; to the Committee on Invalid Pensions.

By Mr. WEBB: Petitions of sundry citizens of Morganton, N. C., asking for a reduction in the the duty on raw and refined sugars; to the Committee on Ways and Means.

Also, petitions of sundry citizens of Crouse, N. C., asking for a reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. WILSON of New York: Resolution of Workmen's Sick and Death Benefit Fund of the United States, asking for investigation of the McNamara matter; to the Committee on the Judiciary.

SENATE.

MONDAY, *June 26, 1911.*

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Journal of the proceedings of Friday last was read and approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had disagreed to the amendments of the Senate to the joint resolution (H. J. Res. 1) to correct errors in the enrollment of certain appropriation acts approved March 4, 1911; asks a conference with the Senate on the disagreeing votes of the two Houses thereon; and had appointed Mr. FITZGERALD, Mr. BURLESON, and Mr. CANNON managers at the conference on the part of the House.

The message also announced that the House had passed resolutions commemorative of the life and public services of Hon. JOHN W. DANIEL, late a Senator from the State of Virginia.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 8649) to authorize the extension and widening of Colorado Avenue NW., from Longfellow Street to Sixteenth Street, and of Kennedy Street NW. through lot No. 800, square No. 2718, and it was thereupon signed by the Vice President.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented resolutions adopted at a mass meeting of citizens of the West Side of the city of Chicago, Ill., remonstrating against the action of the Senate in ordering at public expense another so-called investigation into the question of the validity of WILLIAM LORIMER as a Senator from the State of Illinois, which were referred to the Committee on Privileges and Elections.

He also presented a memorial of sundry citizens of Wayne County, Pa., remonstrating against the passage of the so-called Johnston Sunday-rest bill, which was ordered to lie on the table.

He also presented resolutions adopted by the council of the Protestant Episcopal Church, diocese of Kentucky, favoring the adoption of international arbitration and universal peace, which were referred to the Committee on Foreign Relations.

Mr. CULLOM presented a petition of the National Association of Automobile Manufacturers (Inc.), praying for the adoption of an amendment to the so-called corporation tax law permitting corporations to make returns at the end of their fiscal years, which was referred to the Committee on Finance.

He also presented a petition of the congregation of the First Methodist Episcopal Church of Norwood, Ohio, and a petition of the executive committee of the California State Sunday School Association, praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

He also presented memorials of the Trades and Labor Assembly of Grand Forks, N. Dak.; of the Central Federation of Labor of Troy, N. Y.; of the Quartet Club Arion of Sayreville, and of sundry citizens of Sayreville, all in the State of New Jersey, remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

Mr. GALLINGER presented resolutions adopted at the annual session of the Yearly Meeting of Friends for New England, held at Providence, R. I., praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

He also presented a memorial of Local Grange No. 278, Patrons of Husbandry, of Greenville, N. H., and a memorial of

Harmony Grange, No. 99, Patrons of Husbandry, of Sanbornton, N. H., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which were ordered to lie on the table.

Mr. BRISTOW presented a memorial of Soldier Valley Grange, No. 1471, Patrons of Husbandry, of Silverlake, Kans., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

He also presented a memorial of sundry citizens of Bird City and Benkleman, in the State of Nebraska, remonstrating against the passage of the so-called Johnston Sunday rest bill, which was ordered to lie on the table.

Mr. McLEAN presented memorials of Local Division No. 2, of Meriden; William A. Harty Branch, of New Britain; First Division, of Norwich; and of Local Division No. 1, of South Manchester, all of the Ancient Order of Hibernians, in the State of Connecticut, remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

He also presented a petition of the Business Men's Association (Inc.) of New London, Conn., praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

He also presented memorials of Higganum Grange; Farmington Grange; Harmony Grange, No. 92; Plymouth Grange, No. 72; Webutuck Grange, No. 86; Tunxis Grange, No. 13; and Danbury Grange, No. 156, all of the Patrons of Husbandry, in the State of Connecticut, remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which were ordered to lie on the table.

He also presented a memorial of the Business Men's Association of Hartford, Conn., remonstrating against the establishment of a parcels-post system, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of the Business Men's Associations of Ansonia, Derby, Shelton, and Seymour; of the Pope Manufacturing Co., of Hartford; of the Columbia Motor Car Co., of Hartford; of the Locomobile Co. of America, of Bridgeport, all in the State of Connecticut, praying for the adoption of an amendment to the so-called corporation-tax law permitting corporations to make returns at the end of their fiscal years, which were referred to the Committee on Finance.

Mr. BURNHAM presented a memorial of Local Grange No. 278, Patrons of Husbandry, of Greenville, N. H., and a memorial of Harmony Grange, No. 99, Patrons of Husbandry, of Sanbornton, N. H., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which were ordered to lie on the table.

He also presented resolutions adopted at the Yearly Meeting of the Society of Friends for New England, held at Providence, R. I., favoring the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

Mr. SHIVELY presented resolutions adopted by Group 5, Indiana Bankers' Association, indorsing the currency plan as proposed by the National Monetary Commission, which were referred to the Committee on Finance.

Mr. O'GORMAN presented a petition of the National Automobile Association (Inc.), praying for the adoption of an amendment to the so-called corporation-tax law permitting corporations to make returns at the end of their fiscal years, which was referred to the Committee on Finance.

He also presented a petition of the Chamber of Commerce of Poughkeepsie, N. Y., praying for the ratification of a treaty of arbitration between the United States, Great Britain, and France, which was referred to the Committee on Foreign Relations.

He also presented a petition of the North Side Board of Trade of New York City, N. Y., praying for the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

He also presented a memorial of Pittstown Grange, No. 1211, Patrons of Husbandry, of New York, remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

He also presented a petition of the New Orleans Progressive Union, praying for the adoption of the recommendations of the Department of State in regard to financial transactions with the Republics of Central America, which was referred to the Committee on Foreign Relations.

He also presented memorials of sundry citizens of New York, Brooklyn, and Kirkville, all in the State of New York, remonstrating against the passage of the so-called Johnston Sunday-rest bill, which were ordered to lie on the table.

Mr. OLIVER presented a memorial of sundry citizens of Northumberland County, Pa., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

He also presented a petition of the Board of Trade of Scranton, Pa., praying for the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

He also presented a memorial of sundry druggists of Allentown, Pa., remonstrating against the imposition of a stamp tax on proprietary medicines, which was referred to the Committee on Finance.

He also presented a petition of the Board of Trade of Erie, Pa., and a petition of the Business Men's Exchange, of Erie, Pa., praying for the appointment of a commission by the United States and Canada for the adoption of a definite plan for the preservation and control of the waters of the Great Lakes, which were referred to the Committee on Foreign Relations.

He also presented a petition of Washington Camp, No. 55, Patriotic Order Sons of America, of Philadelphia, Pa., and a petition of Washington Camp, No. 355, Patriotic Order Sons of America, of Kulpsville, Pa., praying for the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration.

Mr. GRONNA presented a memorial of the congregation of the Seventh-day Adventist Church, of Roseveld, N. Dak., remonstrating against the enforced observance of Sunday as a day of rest in the District of Columbia, which was ordered to lie on the table.

Mr. NELSON presented a memorial of the E. A. Knowlton Co., of Rochester, Minn., remonstrating against the establishment of a parcels-post system, which was referred to the Committee on Post Offices and Post Roads.

Mr. WETMORE presented a memorial of 123 citizens of Providence, R. I., remonstrating against the imposition of a stamp tax on proprietary medicines, which was referred to the Committee on Finance.

He also presented resolutions adopted at the annual session of the Yearly Meeting of Friends for New England, held at Providence, R. I., favoring the ratification of a treaty of arbitration between the United States, Great Britain and France, which were referred to the Committee on Foreign Relations.

He also presented a petition of the Rhode Island Business Men's Association, praying that an appropriation be made for the improvement of Providence River and Harbor to a depth of 30 feet, which was referred to the Committee on Commerce.

Mr. BRANDEGEE presented a petition of the congregation of the Second Baptist Church of Bridgeport, Conn., praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

He also presented a petition of the board of directors of the Business Men's Association of Hartford, Conn., praying for the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

He also presented a memorial of Local Division No. 1, Ancient Order of Hibernians, of Norwich, Conn., remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

He also presented a petition of the National Association of Automobile Manufacturers, praying for the adoption of an amendment to the so-called corporation-tax law permitting corporations to make returns at the end of their fiscal years, which was referred to the Committee on Finance.

He also presented a memorial of sundry citizens of Farmington, Conn., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

Mr. PERKINS presented a petition of the Floriston Pulp & Paper Co., of California, praying for the passage of the so-called Root amendment to the reciprocity bill, which was ordered to lie on the table.

He also presented a memorial of Progressive Grange, No. 308, Patrons of Husbandry, of Healdsburg, Cal., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

He also presented memorials of sundry citizens of Sacramento and Oakland, in the State of California, remonstrating against the passage of the so-called Johnston Sunday-rest bill, which were ordered to lie on the table.

Mr. MARTIN of Virginia presented affidavits in support of the bill (S. 2635) for the relief of the trustees of Carmel Baptist Church, Caroline County, Va., which were referred to the Committee on Claims.

Mr. BRIGGS presented a memorial of the Pharmaceutical Association of New Jersey, remonstrating against the imposition of a stamp tax on proprietary medicines, which was referred to the Committee on Finance.

He also presented a petition of the Board of Trade of Newark, N. J., praying for the adoption of an amendment to the so-called corporation-tax law permitting corporations to make returns at the end of their fiscal years, which was referred to the Committee on Finance.

He also presented the memorial of George W. Spies, of Pleasantville, N. J., remonstrating against the passage of the so-called Johnston Sunday-rest bill, which was ordered to lie on the table.

He also presented a petition of the congregation of Unity Church of Montclair, N. J., and a petition of the Stanley Congregational Church and Society of Chatham, N. J., praying for the ratification of the proposed arbitration treaty between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

He also presented memorials of Local Division No. 16, Ancient Order of Hibernians, of Jersey City; of the Quartet Club of Arion, of Sayreville; and of sundry citizens of Jersey City and Sayreville, all in the State of New Jersey, remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

He also presented petitions of the Board of Trade of Elizabeth, of the Board of Trade of Newark, and of the Chamber of Commerce of Plainfield, all in the State of New Jersey, praying for the proposed reciprocal trade agreement between the United States and Canada, which were ordered to lie on the table.

He also presented memorials of Local Granges, Patrons of Husbandry, of Pemberton, Kingwood, and Cold Springs, all in the State of New Jersey, remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which were ordered to lie on the table.

He also presented a memorial of Typographical Union No. 103, of Newark, N. J., and a memorial of Local Branch, National Brotherhood of Operative Potters, and the Metal Polishers, Buffers, Platers, Brass Molders, Brass and Silver Workers' Union of North America, of Trenton, N. J., remonstrating against the alleged abduction of John J. McNamara from Indianapolis, Ind., which were referred to the Committee on the Judiciary.

Mr. ROOT presented a memorial of the Retail Merchants' Association of Buffalo, N. Y., remonstrating against the imposition of a stamp tax on proprietary medicines, which was referred to the Committee on Finance.

Mr. BOURNE presented a memorial of Blue Mountain Grange, No. 345, Patrons of Husbandry, of Union County, Oreg., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

REPORTS OF COMMITTEE ON THE DISTRICT OF COLUMBIA.

Mr. CURTIS, from the Committee on the District of Columbia, to which was referred the bill (S. 1069) to authorize the widening and extension of Minnesota Avenue from Pennsylvania Avenue SE. to its present terminus near Eastern Avenue, and for other purposes, reported it with amendments and submitted a report (No. 88) thereon.

Mr. GALLINGER, from the Committee on the District of Columbia, to which was referred the bill (S. 1898) providing for the protection of the interests of the United States in lands and waters comprising any part of the Anacostia River, or Eastern Branch, and lands adjacent thereto, and for other purposes, reported it without amendment and submitted a report (No. 89) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSON of Maine:

A bill (S. 2874) for the relief of Lincoln W. Tibbetts (with accompanying paper); to the Committee on Claims.

A bill (S. 2875) granting an increase of pension to Hiram N. Brann (with accompanying papers); and

A bill (S. 2876) granting an increase of pension to Eugene Sullivan (with accompanying papers); to the Committee on Pensions.

By Mr. BACON:

A bill (S. 2877) amending section 67 of the act approved March 3, 1911, to codify, revise, and amend the laws relating to the judiciary; to the Committee on the Judiciary.

By Mr. SHIVELY:

A bill (S. 2878) to authorize the Chicago, Lake Shore & Eastern Railway Co. to construct a bridge across the Calumet River, in the State of Indiana (with accompanying paper); to the Committee on Commerce.

A bill (S. 2879) granting an increase of pension to Francis M. Dean (with accompanying paper); and

A bill (S. 2880) granting an increase of pension to David Applas; to the Committee on Pensions.

By Mr. GALLINGER:

A bill (S. 2881) to authorize the widening of Wisconsin Avenue NW. (with accompanying papers); to the Committee on the District of Columbia.

By Mr. BRISTOW:

A bill (S. 2882) granting an increase of pension to Tillman H. Elrod; to the Committee on Pensions.

By Mr. OLIVER:

A bill (S. 2883) to correct the military record of David C. Stewart; to the Committee on Military Affairs.

A bill (S. 2884) granting an increase of pension to D. D. Barclay (with accompanying papers); to the Committee on Pensions.

By Mr. MARTIN of Virginia:

A bill (S. 2885) for the relief of the trustees of Lebanon Evangelical Lutheran Church, of Shenandoah County, Va.; to the Committee on Claims.

By Mr. JONES:

A bill (S. 2886) granting a pension to Sarah E. Muzy; to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 2887) granting an increase of pension to John S. Rhoads; to the Committee on Pensions.

By Mr. NELSON:

A bill (S. 2888) for the relief of Mary E. Lovell (with accompanying papers); to the Committee on Claims.

By Mr. BOURNE:

A bill (S. 2889) to authorize the use of money orders as temporary postal-savings certificates; to the Committee on Post Offices and Post Roads.

By Mr. OWEN:

A bill (S. 2890) for the establishment of a probation system in the United States courts, except in the District of Columbia; to the Committee on the Judiciary.

A bill (S. 2891) providing for the erection of a public building at Muskogee, Okla.; and

A bill (S. 2892) providing for the erection of a public building at Tulsa, Okla.; to the Committee on Public Buildings and Grounds.

RECIPROCITY WITH CANADA.

Mr. BRISTOW submitted an amendment intended to be proposed by him to the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes, which was ordered to lie on the table and be printed.

AMENDMENT TO DEFICIENCY APPROPRIATION BILL.

Mr. OWEN submitted an amendment intended to be proposed by him to the urgent deficiency appropriation bill (H. R. 12109), which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Claims.

ASSISTANT MESSENGER TO COMMITTEE ON TERRITORIES.

Mr. SMITH of Michigan submitted the following resolution (S. Res. 80), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Territories is hereby authorized to employ an assistant messenger at a salary of $1,000 per annum to be paid from the contingent fund of the Senate until otherwise provided for by law.

ASSISTANT CLERK TO COMMITTEE ON EXPENDITURES IN THE POST OFFICE DEPARTMENT.

Mr. BRISTOW submitted the following resolution (S. Res. 81), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Expenditures in the Post Office Department be, and it is hereby, authorized to employ an assistant clerk, to be paid from the contingent fund of the Senate, at a salary of $1,440 per annum.

ASSISTANT CLERK TO COMMITTEE ON EXPENDITURES IN THE WAR DEPARTMENT.

Mr. WORKS submitted the following resolution (S. Res. 82), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Expenditures in the War Department be, and it is hereby, authorized to employ an assistant clerk at a salary of $1,440 per annum.

RECIPROCITY WITH CANADA.

The VICE PRESIDENT. The morning business is closed.

Mr. PENROSE. I move that the Senate proceed to the consideration of the reciprocity bill, House bill 4412.

The motion was agreed to, and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes.

The VICE PRESIDENT. The pending question is on the amendment of the committee.

Mr. CUMMINS. Mr. President, I give notice that on Wednesday, June 28, immediately following the routine morning business, I will address the Senate upon the pending bill, with special reference to the amendments I have proposed to it.

Mr. THORNTON. Mr. President, I understand that the subject for discussion before the Senate to-day is what is known as the Root amendment to the Canadian agreement. I think it is generally known by this body that I am opposed to the Canadian treaty or agreement in its present form. On the very day after the agreement was sent to the Senate by the President of the United States I wrote to Louisiana, stating that in my opinion some provisions of the agreement operated as an unjust discrimination against the agricultural interests of some sections of this country, and for that reason, if for no other, I could not support it in the shape in which it was presented. Before I went home after the adjournment of the Congress my position on that subject was well known to several of my brother Democratic Senators and possibly to one or two Republican Senators.

As soon as I reached New Orleans in March after the adjournment of Congress I was interviewed on the subject by a reporter of one of the leading New Orleans daily papers, and I then stated my opposition to the agreement and gave the reasons why I could not support it, adding, however, that if it was amended so as to do away with the injustice that I thought would be done by its provisions to the agriculturists of the country, I should very willingly support it. A few days after that I was interviewed in north Louisiana by a reporter of one of the leading papers in that section of the State, and I then reiterated the views I had already expressed, and added that as these were my convictions no amount of criticism could swerve me from carrying them out. So my position on the subject has been for several months thoroughly understood by the people of Louisiana.

Now, as to the pending Root amendment, I must confess that I do not very clearly understand that proposition, except that neither its adoption nor its rejection will have any effect on the reciprocity bill so far as relates to its being accepted by the Dominion of Canada. There seems to be a very serious disagreement among lawyers in this body as to what its effect might be, but out of the somewhat foggy atmosphere that pervades the subject to me at least I do seem to see that the measure is calculated on one point, not a very important point either, in my opinion, to correct an inequality in the bill whereby the citizens of the United States would be put on a fairer plane with the citizens of the Dominion of Canada than they are without it; and believing as I do that through the provisions of this treaty the Dominion of Canada is receiving far more advantage than the United States will be receiving from it, and as I do not wish to give the Dominion of Canada any assistance in the way of getting any greater advantages from the treaty over the United States than it is already receiving, I shall vote in favor of the Root amendment, unless my views are changed by the further discussion that will happen to-day. In voting that way I do it with a perfect knowledge that the amendment is doomed to defeat, but the knowledge of the success or defeat of a pending measure before this body can not of course have the slightest influence on me in the matter of my vote upon it.

Mr. CLARK of Wyoming. Mr. President, I for one shall vote for the Root amendment, not for the reason urged by some of the Members of the Senate that they desire to make the bill as bad as possible, but because I am opposed to the bill, and if it has to become a law I desire to make it as good as possible.

I have yet to hear one reason urged upon this floor why the Root amendment should not be adopted. The only statement I have heard either in public or private, the only reason urged, is that the bill must be passed without amendment as it came from the House. That is not a conclusive argument to my mind as a Republican. That a Republican Senate must take a bill prepared and passed by a Democratic House in the face of the opposition of a majority of the Republicans in the House, and must pass it without amendment, I say is not a conclusive or even a persuasive argument to my mind.

When the Senate shall so far forget its duty to the public, when the Senate shall so far lose its respect for itself as to say that it will not amend a bill for good when it comes before this body, then the Senate is simply to become an echo and to lack power in the affairs of the Government. That, for one, I am unwilling to do. There are Senators upon this floor who believe that the Root amendment is a proper amendment and yet hesitate to place it upon this bill. Their reason I can not imagine.

I am for the Root amendment, because, to my mind, it affords the only loophole of excuse for the passage of this bill. It at least assumes some degree of reciprocity. I am for the Root amendment because it gives some relief from section 2 of the bill, which, as presented, flies directly in the face of every Republican utterance that has been made by the Republican Party in reference to the tariff. Section 2 provides for the free admission of paper and wood pulp. We are urged that we must not meddle with the wool schedule, that we must not meddle with the steel schedule, that we must not touch the sugar schedule, because the Republicans, by solemn act, have provided for a Tariff Board that will look into the wisdom of these various schedules as they now are, and shall set forth the facts that they find in connection with the industry, and that no legislation on these subjects should be had until such board has investigated and reported; and the last utterance of the Republican Party, written into the platform at the suggestion, or at least with the active and earnest cooperation of the Senator from Massachusetts in the subcommittee which prepared that platform in Chicago, was that the Republican Party believed in the protective tariff; that they believed the measure of protection should be the difference between the cost of production at home and abroad, with a reasonable profit to the manufacturer. The only schedule in the tariff upon which that Tariff Board has made a report, the only light that they have given us upon this whole tariff question, has been in reference to the schedule that is mentioned in section 2 of this bill.

What is it that is proposed by some of the so-called regular Republicans in this Chamber? To fly in the face of the report of that board. That board reports the difference between the cost of production in Canada and the cost of production in the United States of print paper to be something over $5 a ton. Section 2—I do not wonder it is in the bill, because it comes from a body that does not believe in a protective tariff, that does not believe that it is for the best interests of the country so to adjust ourselves as to have any protection in our tariff bills—section 2 flies in the face of that well-considered report; flies in the face of the action of the Republican Congress in giving credit to that board, and absolutely flies in the face of the last definite utterance on the tariff by the Republican platform of two years ago.

I am in favor of the Root amendment as a Republican, because it takes a little of the sting out of section 2. The Root amendment does provide that when Canadian print paper shall come into this country free, reciprocally our paper shall go into Canada free.

Mr. McCUMBER. Mr. President, would the Senator mind a little inquiry right there?

The VICE PRESIDENT. Does the Senator from Wyoming yield to the Senator from North Dakota?

Mr. CLARK of Wyoming. I yield.

Mr. McCUMBER. Does the Senator know of anything produced in the United States which, after this bill shall become a law, will, under the rules of trade, go into Canada free?

Mr. CLARK of Wyoming. I know of nothing.

Mr. McCUMBER. Well, then, if the Senator——

Mr. CLARK of Wyoming. Of course, the opportunity is there if the product is there.

Mr. McCUMBER. The opportunity is there, but the conditions of trade are such that none of our products would go into Canada free.

Mr. CLARK of Wyoming. No.

Mr. McCUMBER. Well, can not the Senator see, then, that by adopting this amendment he would spoil the present beautiful symmetry of the compact?

Mr. CLARK of Wyoming. I do not want to spoil it, but I want to mar it a bit.

Mr. CLAPP. Mr. President——

The VICE PRESIDENT. Does the Senator from Wyoming yield to the Senator from Minnesota?

Mr. CLARK of Wyoming. I do.

Mr. CLAPP. Would it mar it?

Mr. CLARK of Wyoming. Oh, I think so. It is now distinctly Democratic. I want to put a little Republicanism into it.

Mr. CLAPP. Has the Senator from Wyoming investigated so as to ascertain how much paper, pulp, and wood combined were shipped into Canada from this country last year?

Mr. CLARK of Wyoming. No; I have not investigated that. I have not been interested in it very much, because I do not believe it would be enough to found an argument on.

Mr. CLAPP. That is just the point with reference to this amendment. While it proposes to give reciprocity, it is dealing with a subject that the veriest novice knows, because of economic conditions, we never can get reciprocity in.

Mr. CLARK of Wyoming. I am not a novice, then, because I do not know it.

Mr. CLAPP. But the Senator just admitted practically that he had not sufficient interest as to our capacity to ship these products into Canada to even have investigated it. Speaking now from memory, we got $300,000 worth of those articles into their market, against $4,000,000 they got into ours.

Mr. CLARK of Wyoming. The Senator is substantially correct. I should not be surprised if the discrepancy were greater, but I am not making this argument, as I stated before, on the ground that we are going to benefit very much by the Root amendment. I am making it on the ground that I do not want to entirely throw overboard every Republican doctrine contained in the tariff proposition, and this does give a loophole, so that if our industry should increase, if the market should be afforded, and if Canada should become a depot for the entrance of our paper, so that we will have the opportunity, we can take advantage of it and get in. Without the Root amendment we can not.

Mr. OVERMAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Wyoming yield to the Senator from North Carolina?

Mr. CLARK of Wyoming. Certainly.

Mr. OVERMAN. If I understood the Senator correctly, he said the bill is now Democratic?

Mr. CLARK of Wyoming. Absolutely.

Mr. OVERMAN. Does the Senator think, if we put the Root amendment on, it will be un-Democratic?

Mr. CLARK of Wyoming. I think it will have a little Republican leaven in it. Does the Senator from North Carolina believe that to put the Root amendment on would keep it Democratic?

Mr. OVERMAN. Well, we will discuss that.

Mr. CLARK of Wyoming. The Senator evades that question.

Mr. President, so far as section 2 is concerned, I think everyone agrees that it is not a part of the reciprocal arrangement, so called, between Canada and this country; it is not a part of the agreement that was entered into by the ministers of Canada and the representatives of the United States.

I had formed an idea of exactly what this section meant with the Root amendment, but I was somewhat shaken in my individual conclusions by the remarks of the Senator from Iowa [Mr. CUMMINS] in this Chamber two or three days ago. Whatever we may think of it, however, we must conclude, and it is acknowledged, that section 2 of this bill does not carry out the agreement between the two countries; it is not the compact that was sent to the House of Representatives.

Mr. BROWN. Mr. President——

The VICE PRESIDENT. Does the Senator from Wyoming yield to the Senator from Nebraska?

Mr. CLARK of Wyoming. Yes.

Mr. BROWN. The Senator observes that he was somewhat shaken in his convictions by the argument of the Senator from Iowa [Mr. CUMMINS]. He immediately follows that with the statement that everybody concedes that the Root amendment is in conformity with the agreement.

Mr. CLARK of Wyoming. Oh, no; I did not say that.

Mr. BROWN. I am glad if I misunderstood the Senator.

Mr. CLARK of Wyoming. I did not say that. I said that I was somewhat shaken in regard to it.

Mr. BROWN. The Senator from Wyoming argued emphatically that it violated the agreement.

Mr. CLARK of Wyoming. Oh, no. I did the Senator from Iowa the credit to say that he had shaken me somewhat in my former belief; but I went on to say that section 2, as it comes from the House, is not in any event the agreement that was entered into between this country and Canada.

Mr. BROWN. Mr. President——

The VICE PRESIDENT. Does the Senator from Wyoming yield further to the Senator from Nebraska?

Mr. CLARK of Wyoming. Yes.

Mr. BROWN. If it was in conformity with the agreement, then the Senator would be heartily in favor of the bill?

Mr. CLARK of Wyoming. Not at all. I am against it from soda to hoc, right straight through the whole bill. I do not want my position misunderstood. But if we have got to have this bill enacted into law, I want to make it as good as I can.

Mr. BROWN. If it is in harmony with the original agreement, the Senator is for it; and he is against it if it is contrary to the agreement. Is that the position the Senator takes?

Mr. CLARK of Wyoming. Does not the Senator yet understand my position?

Mr. BROWN. I am trying to understand the Senator.

Mr. CLARK of Wyoming. I am against the reciprocity agreement——

Mr. BROWN. The Root amendment is in conflict with the reciprocity agreement——

Mr. CLARK of Wyoming. Will the Senator wait? I am against the reciprocity agreement; but if the Republicans in this Chamber are going to make it so that I have got to take it, I want to make it as good as I can; and I believe the Root amendment betters it. That is my position.

Mr. BROWN. Will the Senator yield again?

The VICE PRESIDENT. Does the Senator from Wyoming yield further to the Senator from Nebraska?

Mr. CLARK of Wyoming. Oh, yes.

Mr. BROWN. I do not care to interrupt the Senator, but I should like to get his viewpoint, if I can. The Senator now, as I understand, is in favor of the Root amendment because it puts Republicanism into the pact?

Mr. CLARK of Wyoming. Because it helps the bill.

Mr. BROWN. Now, the Senator is aware of the fact, is he not, that the author of the amendment himself stated on the floor here that, with his amendment adopted, there would be no change in the practical effect and result of existing law so far as free print paper is concerned?

Mr. CLARK of Wyoming. I am aware of the fact that the Senator from New York looks on his child with not quite so much love as I look at it.

Mr. BROWN. I am not speaking of love; I am speaking of the effect of his own amendment, which the Senator from New York says will leave the law as it is so far as the real result is concerned.

Mr. CLARK of Wyoming. Is the Senator speaking accurately? Does he mean the law or the bill?

Mr. BROWN. The law—that it will leave the law as it is; that the result will be the same as under existing law—that is, we should still have the present duties on print paper and spruce wood with the Root amendment adopted, and there would be no reduction either on this side of the boundary line or the other, because the condition the Root amendment puts into the law leaves the practical result just as it is to-day.

Mr. CLARK of Wyoming. I do not agree with that at all.

Mr. BROWN. Well, the author of the amendment does.

Mr. CLARK of Wyoming. The author of the amendment, perhaps, does not view his child with the same eyes that I do. But, Mr. President, I have seen no real demand, or any demand well-seated in reason, for the enactment of any part of this bill. I see still less demand for the enactment of section 2, because, as I have said before, nobody contends for a moment that section 2 is a reciprocal provision.

There is just one interest that asks for section 2, and that is the interest that has assaulted in favor of free paper every Republican tariff that has been formulated in the Chambers of Congress for the last 15 years. That is the interest that appeared before the Republican national convention in Chicago and the Democratic national convention in Denver; that is the interest that in season and out of season, contrary to all Republican doctrine, contrary to every spirit of fairness in our industrial affairs, has demanded free print paper.

It was urged in the hearings, it has even been spoken in public utterances by those high in authority, that the crusade amongst the farmers against this pact had its birthplace amongst a band of promoters in New York; that, in fact, the farmers are not conscious as to whether or not they are interested vitally in this matter; that they do not know what they are talking about; and that all their opposition has been caused, as I have said, by a band of promoters in New York. That is the medicine that has been sedulously sent out by those in favor of free print paper; but the same hearings developed the fact that substantially all the crusade in favor of the reciprocity agreement has been conducted by the great users of print paper in metropolitan centers, which have been groomed and prepared for the race by the American Publishers' Association. I say that without fear of contradiction.

The American Publishers' Association, the membership of which is to be saved $6,000,000, according to their own figures, if this bill goes through, do not care what becomes of this reciprocity agreement so long as section 2 remains in it inviolate. When you talk of a hothouse propaganda, here we have one. By their own admission before the committee, a man is paid $15,000 a year for this very purpose, and a telegram was sent out to the newspapers by the president of that association, which virtually controls the daily news of this country, "Please see to it that your correspondents in Washington are instructed to treat favorably the reciprocity measure, because it provides for free print paper." That same bureau has been sending out articles addressed to the farmers, articles addressed to each State, playing upon their selfish interests. These things are all published in the hearings. So that if I am opposed to the bill as a whole, I am still more opposed to section 2, unless it be amended in the reciprocal method for which the Root amendment provides.

I am not going to discuss the peciprocity bill; but I want to make a few inquiries of my political colleagues upon this side of the Chamber. It is no surprise to me that the Democratic Party as a whole are in favor of this measure; it is no surprise that, with two of three notable exceptions, the vote will be practically unanimous upon the other side of the Chamber, as it was upon the Democratic side of the House of Representatives, and why? Because it is a thing that they have been hoping for; it is a thing that they believe in; it is a thing that they want to write upon the statute books of this Nation in conformity with their tariff policy for 50 years.

The Democratic Party in the Senate are absolutely consistent in their opposition, and they are the only ones that can claim any credit if good shall follow the enactment of this bill. The Republican Party is openly divided in this Chamber upon this proposition; and to my unutterable surprise I find those who through sunshine and in storm have advocated the Republican doctrine of protection, Senators from New England whose prosperity is built upon a protective tariff, are the first ones to desert the doctrine of protection in this bill. They were the first ones who taught the country that the tariff was not a local issue; they were the ones who appealed to the farmers of your State, sir [the Vice President in the chair], and to the farmers in other States to uphold the doctrine, because it was a great national blessing, the benefits of which directly or indirectly found their way into every household in the land; and year after year the farmers of the Northwest, of North Dakota and South Dakota and Minnesota and Iowa and other States have marched up with their Republican majorities—majorities founded and claimed almost substantially entirely upon the idea of a protective tariff and upon the idea that it was not a local issue.

When our Democratic friends upon the stump and elsewhere have gone before the people of the country and have said to the people of those States, "Republican protection is a fraud; it fattens the manufacturer; it fattens New England; but you are paying for it," men who in this Chamber and elsewhere have heretofore been the strongest supporters of protection are the first ones to strike a blow at the idea that a Republican protective tariff is uniform in its operation, and they say in this bill, "We will make the tariff a local issue." They take up the discarded theory, even, of the Democratic Party in Hancock's time, that the tariff is a local issue, and they come into this Chamber and say, "We will make it a local issue; we will strip from the farmers of the Central and Northwestern States all benefit they can possibly derive in their vocation from the operation of the tariff. We will confine it to the manufacturer."

I want to ask the Senator from Massachusetts—I want to ask other New England Senators in this body who are going to vote for this pact—whether they vote for it because they believe that Republican doctrine as it has been taught by the Republican Party all these years has been a delusion and a snare? What answer are you going to make to your constituents when the time shall come and they look back upon the vote in this Chamber on this bill and say to you, "By that vote you laid the ax to the root of the tree of our tariff prosperity?" Because, just as sure as the sun shines, this free-trade doctrine in the Republican Party will not stop now. I view this with the utmost alarm. I do not believe in reprisals; I do not believe in revenge; and it will take even more than this legislation to make me waver in my political faith in Republican protection. But, just as sure as the sun shines, the manufacturers of New England can not hope to escape the results of thus making the tariff a local issue.

It was said by the Senator from New York [Mr. ROOT] in this Chamber the other day that while in his belief the farmers of this country had not as yet received much benefit from the protective tariff, in his opinion, as the point of our national consumption approached the point of production the farmer would receive some benefit.

We know from what we have heard in this Chamber, from what we have heard on this floor, that that point is now reached; and you, my Republican friends of New England, you whom we of the West have stood for through thick and thin during these 30 or 40 years, you say to us, you say to the millions of farmers, "Just as soon as we see that protection is protecting you, that instant we will wipe it from the statute books, but we will leave untouched the protection which we have enjoyed through your assistance and favor for lo these many years."

Mr. DILLINGHAM. Mr. President——

The VICE PRESIDENT. Does the Senator from Wyoming yield to the Senator from Vermont?

Mr. CLARK of Wyoming. Yes.

Mr. DILLINGHAM. I hope the Senator from Wyoming does not include all the New England Senators.

Mr. CLARK of Wyoming. I was especially careful not to. I said, or intended to say, those of the New England Senators who were going to vote for this pact.

I am not unconscious of the fact that the West owes largely to the manufacturing States; I am not unconscious of the fact that the manufacturing States of New England have stood through evil report and good report for the Republican protective tariff; and that is what amazes me all the more that in this time when by the mutations of human politics the opposing party has already acquired control of the other portion of Congress, when the assaults are thickest and the hardest upon this doctrine of protection, when the enemy is in force, when they are equipped, when they are ready and eager for the fray, when they have already captured the outworks and are now training their guns against the citadel itself, that the first men to desert the cause are the men who for years and years have stood like adamant against the heresy of free trade; and free trade is no longer something that can be laughed at.

In times past when we have made our campaigns we have been met by the opposition saying, "the tariff is no longer an issue. No one is in favor of free trade." And yet upon this floor, within this debate, we have three distinguished Senators on the Democratic side rising and saying "we are against protection in any form or in any phase. We do not want even the incidental protection, and we want the tariff laid so that not only will it not be a protective tariff, but we want it laid without even incidental protection entering into it." If that is not free trade, then free trade has never had utterance in the political history of this Nation.

Mr. CLAPP. Mr. President——

The VICE PRESIDENT. Does the Senator from Wyoming yield to the Senator from Minnesota?

Mr. CLARK of Wyoming. Certainly.

Mr. CLAPP. The Senator from Wyoming has stated that this Canadian tariff bill was in harmony with the dreams and hopes of the Democratic Party for years. I believe in being fair. There are Democrats who are in favor, perhaps, of this kind of a tariff bill. But in my reading of Democratic utterances upon the tariff—and I know it is negatived by the positive declarations of some members of that party in the Senate——

Mr. CLARK of Wyoming. They are the ones to whom I referred in my exceptions.

Mr. CLAPP. So it is hardly fair to say that a measure that had its origin in the interest of great combinations, that ignores the producer and consumer and simply strengthens the hands of recognized trusts—I hardly think it is fair to say—is in harmony with Democratic purposes.

Mr. CLARK of Wyoming. I want to be perfectly fair to the Democratic Party, but I want to put it so that they will understand that I am not flirting with them. Mr. President, the only utterance I have heard in favor of this pact—I have heard none upon the Republican side—is from the Democratic side, that they are for this pact because it is "a step in the right direction."

Do not, my Republican friends, think for a moment that this crusade against our protective tariff is going to stop here. It is not going to stop until one of two things happens; either that the assailants of the policy are repulsed as field after field is fought—and this bill is the first skirmish—or until the very corner stone of the protective system is in ruins; and it is for the Republican Party in this Senate to say which shall be the result.

You, my Republican friends, the stalwarts, the standpatters, who believe in party discipline, who believe that the greatest good can only come by united action, you who believe that the

progressives have been wrong in their statements that they did not care to be bound by a conference or a caucus, you who believe that they have strayed far from the way—are you willing to go into a conference with the Republican Members of this Senate to-day and abide by the outspoken views of the majority of that conference upon this reciprocity pact? Are you? If you are, I for one am willing to abide by the result of such a conference. I for one am willing to abide by the regulars and insurgents together in this body as to what they shall say and as to what shall be the expression of the party in this Chamber upon this policy.

Aye, I will go further, my Republican friends, you with whom I have been associated for many years in this Chamber, we who have fought the battles together as best we could. I am willing that the regular Republicans in this Chamber shall settle by their unbiased and uninfluenced vote what shall be the policy of the party in this Chamber in regard to this pact. I ask any Republican Senator who is going to vote for it, I ask any Republican Senator, either insurgent or progressive or regular, wherein in any part of the history of our party, wherein in any utterance of those who blazed the way in the doctrines of our party, you will find any justification of any sort for the vote you propose to cast in favor of this bill?

It is one of the most singular political positions. Senators are going to vote—so I am told; I hope they will not—for this measure because they believe it will do no harm. I have yet to hear one Republican upon the floor of the Senate say that he believes it a good thing. I have yet to hear one Republican member of the Finance Committee, that reported it without recommendation, say that it is a good thing. Are you going to vote for it because it is for the general benefit of the country, thus putting behind some of your treasured political notions as to the tariff, sacrificing the politics of the present for the good of the future? I have yet to hear one Republican say so.

Mr. CLAPP. Mr. President——

The VICE PRESIDENT. Does the Senator from Wyoming yield to the Senator from Minnesota?

Mr. CLARK of Wyoming. Yes.

Mr. CLAPP. Did I understand the Senator from Wyoming to say that there were Republicans who were going to vote for it because they believed it was a good thing?

Mr. CLARK of Wyoming. Oh, no.

Mr. CLAPP. How?

Mr. CLARK of Wyoming. No; I did not say so. I assumed there are some.

Mr. CLAPP. I should like his photograph.

Mr. CLARK of Wyoming. I said I assumed there were some. And I asked, if they did vote for it, was it because they believed that it was a good thing for the general good of the country irrespective of our teachings upon the tariff?

Then, I ask any protective Republican in this Chamber, are you going to vote for it because you believe it is in consonance or sympathy or accord with the position of your party for 50 years upon the question of protection? No one of the regular Republicans will rise in his place and answer yes. Then, for God's sake, why are you going to vote for it? I have heard one reason, and one only. The reason is that it will not do any great harm. The only reason why a Republican who claims to have the fire on the altars of his patriotism and his party always burning can find for voting for this Democratic measure is that it will not do any particular harm.

I will tell you what harm it will do, my friends. You are turning the grindstone to sharpen the knife that will put the hide of protection on the fence all over this country. That is exactly the harm you are doing. You are opening the tent, and the camel's head will be in, and it will not be very long before the camel will be in and you will be out, my Republican friends.

I do not wonder that our Democratic friends are enthusiastically and almost unanimously in favor of this pact. What they have not been able to do for 50 years we Republicans are going to do for them here in 30 days. We are doing their work for them. We are wiping protection from the statute books. We are using the club that shall kill our protected interests. We are doing it ourselves, and it is no wonder they feel pleasant and are agreeable to joining in the operation.

But the political situation is extremely strange. Here we have a pact or an agreement, a trade agreement made between the United States and Canada, or between the representatives of those Governments. The trade agreement is sent to the House with the pretty distinct notion that the instructions that accompany it are that the agreement shall be passed without the crossing of a "t" or the dotting of an "i." It is called a reciprocal agreement.

Mr. NELSON. If that is true, section 2 ought to be eliminated from the bill entirely.

Mr. CLARK of Wyoming. I was just going to say that if those instructions had been followed or if that view had been followed, the bill would not be in its present form here. But instead of dotting the "i" over in the House, they blackened the eye by inserting this section 2. They amended the agreement; and now we are told by Republicans upon this floor, by regular Republicans upon this floor, that we must pass this bill without the crossing of a "t" or the dotting of an "i."

The bill as it came from the conference between the two countries—the bill agreed to by Secretary Knox and Minister Fielding? not at all, but the bill prepared and passed by an overwhelming majority of the Democratic House and against the majority of the Republicans voting thereon—we are told we must pass, not the Canadian agreement, but the House bill without an amendment. And why without amendment? Under what code of ethics? Under what code of political responsibility are we as Senators of the United States acting? We might as well abolish ourselves. We might as well go home. We do not even need to send a postal card to represent us if we are not to act upon our individual and party judgment.

Mr. President, I had no idea of taking any of the time of the Senate. I apologize to the Senate. But I wanted my position plainly understood, and I want the regular Republicans in this Senate to understand exactly the bridge which they have constructed to pass over from Republican protective tariff to the Democratic tariff plan. I want them to understand that they are laying open the whole system of a protective tariff.

Mr. WORKS. Mr. President——

The PRESIDING OFFICER (Mr. HEYBURN in the chair). Does the Senator from Wyoming yield to the Senator from California?

Mr. CLARK of Wyoming. With the greatest pleasure.

Mr. WORKS. In view of what the Senator has said, I should like to ask him whether he believes that the action of any Member of this body should be governed or controlled by the action of the caucus of his party or any part of it?

Mr. CLARK of Wyoming. I surely believe in party action and the rule of majorities.

Mr. WORKS. You believe in the caucus, and that a Member of this body should be bound——

Mr. CLARK of Wyoming. I do not believe in a caucus of the Senate, because we have never had a caucus of the Senate. The caucus is unknown in the Senate procedure. That is, on the Republican side. I am not speaking of the Democratic side.

Mr. WORKS. Then you believe we should resort to the caucus in order to bind Members to vote for a measure that is viewed with favor by a majority.

Mr. CLARK of Wyoming. The Senator puts a conclusion in my mouth which I have studiously denied. There has never been such a thing as a caucus upon the Republican side of this Chamber, within my recollection, in 16 years. There are those here who have been here longer. The so-called Republican caucus is a Republican conference, and the purpose of that conference is to talk over, to confer about, to consider matters that may be of party importance; and in a majority of cases—in nearly every case within my recollection—the majority of the conference has determined the action of the party, although the most eminent Senators who were ever on this side of the Chamber—notably the Senator from Massachusetts, Mr. Hoar, and the Senator from Connecticut, Mr. Platt—reiterated the doctrine I reiterate now, that while in union there is strength, and while it is desirable to get, if possible, the unanimous agreement of the party, yet no man's individual conscience can be bound by the action of any number of men.

Mr. WORKS. I am glad to hear the Senator say that.

Mr. CLARK of Wyoming. But——

Mr. WORKS. I should like to ask the Senator, if he will allow me——

Mr. CLARK of Wyoming. Yes.

Mr. WORKS. Whether he believes that the action of any Member of this body should be governed or controlled by the wishes or desires of another department of the Government?

Mr. CLARK of Wyoming. I should like to know before I answer that question whether the Senator is going to ask me any more or not.

Mr. CLAPP. I am willing to take the burden off the shoulders of the Senator from Wyoming.

The PRESIDING OFFICER. Does the Senator from Wyoming yield?

Mr. CLARK of Wyoming. In answer to the inquiry of the Senator from California, I will state that my idea is this: I can see no reason on earth why the various departments of the Government may not act with the utmost harmony upon public questions if they are of the same political party; but I believe

upon any measure that shall be pending before Congress, it is the plain duty of either House to act irrespective of what may be urged, except in the way of legitimate argument, by any other department of the Government.

Mr. WORKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wyoming yield further to the Senator from California?

Mr. CLARK of Wyoming. Yes.

Mr. WORKS. Does the Senator from Wyoming regard this as a political measure?

Mr. CLARK of Wyoming. I do. It is a Democratic measure.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from New Hampshire?

Mr. CLARK of Wyoming. With pleasure.

Mr. GALLINGER. I was interested in what the Senator from Wyoming said in regard to party caucuses, or conferences, in the Senate. The Senator said that during his 16 years of service he had not understood that any meeting of Republican Senators could properly be called a caucus, but, rather, a conference. That is true. I have had longer service than the Senator here, and that has been the view that always has been taken. Yet it has ordinarily been understood that, unless there were some overwhelming reasons to the contrary, the will of the majority of Republicans in conference would be accepted as the will of the party.

Mr. CLARK of Wyoming. There is not any question about that.

Mr. GALLINGER. The Senator from California——

Mr. STONE. Mr. President, this is a matter we are very much interested in on this side. We would like to have the Senator speak louder.

The PRESIDING OFFICER. The Senator from Wyoming has not yielded, except to the Senator from New Hampshire.

Mr. STONE. It is a matter of order I ask.

The PRESIDING OFFICER. The Senator must first receive the consent of the Chair to interrupt the Senator.

Mr. STONE. I have asked consent. I have addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming has yielded to the Senator from New Hampshire. Until that Senator indicates his willingness to yield no other Senator will be recognized.

Mr. STONE. The Chair is right. I make no complaint. I simply wanted the Senator to talk loud enough to be heard.

Mr. BACON. Mr. President, I rise to a question of order.

The PRESIDING OFFICER. The Senator from Georgia will state his question of order.

Mr. BACON. I am not willing to concede what the Senator from Missouri says. When a Senator is unable to hear it is not a question of the consent of the occupant of the floor, but a question going to a point of order, which is a matter to be addressed to the Chair. When a Senator says he can not hear it is a point of order, and it does not depend upon the consent of the Senator who is holding the floor.

The PRESIDING OFFICER. The Chair did not understand the Senator from Missouri to address the Chair when he rose, but he addressed his remarks to either the Senator from Wyoming or the Senator from New Hampshire. The Chair indicated that he must first receive the consent of the Chair before interrupting the Senator.

Mr. BACON. That is exactly the point of order I made, that when that is the purpose a Senator does not have to get consent of the Senator on the floor, but it is a matter for the Chair.

The PRESIDING OFFICER. The Chair has disposed of it.

Mr. GALLINGER. I had supposed that my fault ordinarily has been that I talk too loud rather than too low. I will endeavor so to speak that the Senator from Missouri will understand what I say, whether it is important or unimportant.

I was about to suggest, Mr. President, that the Senator from California raises the point that Republicans are not bound by the will of the majority, and we concede that regarding important questions as to our conferences in the Senate. That is true also in a broader sense, if Republicans feel at liberty to disregard the will of the majority. However, the Senator from California will recall the fact that, while I believe he was a minority candidate in the State of California, when it came to electing a Senator the Senator and his friends insisted that the legislature should vote for him and not some other man.

Mr. WORKS. On the contrary——

The PRESIDING OFFICER. The Senator must first address the Chair and obtain recognition.

Mr. WORKS. I did.

The PRESIDING OFFICER. The Senator will please wait for recognition. Does the Senator from New Hampshire yield to the Senator from California?

Mr. GALLINGER. I will yield to the Senator if I am permitted to do so.

Mr. WORKS. The Senator from New Hampshire is mistaken. I was not a minority candidate in California. On the contrary, I carried the Republican vote of the State by a plurality, and also the Democratic vote.

Mr. GALLINGER. Well, Mr. President, some of the papers of California have not stated the matter accurately if that be true. Certainly the Senator was not a majority candidate in the legislative districts of his State, and he insisted upon the legislature electing him because he received more votes than any other candidate. I have no disposition to argue the matter beyond the mere suggestion, if the Senator from Wyoming will permit me a moment further, that if we are to have a Republican Party in this country we can only have it by permitting the majority to control. Going from the State of California to the State of Oregon, we know that the Senator who was elected was a minority candidate, and yet he insisted that because he received more votes in the primaries than any other one candidate he was entitled to the support of the legislature, and he received it. In other words, a plurality candidate invoked the support of the legislature because he was a plurality candidate.

Mr. President, I think it would be better that we should come to a fairly clear understanding about this matter and conclude that if we are to exist as a party we can only do so by recognizing the will of the majority of the party as being something that at least is worthy of our consideration, and not assert, as has been asserted over and over again recently in this body, that we can do as we please; that we can recognize the majority will or not; that we can vote with one party or with another party as best suits our convenience and our purpose, and yet we are Republicans. I repudiate, Mr. President, any such position upon the part of any member of the Republican Party, if we are to have a Republican Party.

Mr. DIXON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from Montana?

Mr. CLARK of Wyoming. Certainly.

Mr. DIXON. I have been deeply interested in the remarks of the Senator from Wyoming, and I have agreed with almost everything he has said.

Mr. BACON. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The Senator from Georgia will state his point of order.

Mr. BACON. We can not hear the Senator from Montana on this side.

Mr. DIXON. I will try and speak loud enough so that the Senator from Georgia may hear what I have to say, for I think it may be of interest to him.

The Senator from Wyoming has just said that this Canadian reciprocity treaty, so called, was not a Republican measure.

Mr. CLARK of Wyoming. I said it was a Democratic measure.

Mr. DIXON. That is the way I understood it. The Senator from Wyoming also says that the majority of the Republicans in the House of Representatives voted against this so-called Canadian reciprocity bill.

Mr. CLARK of Wyoming. I so read the RECORD.

Mr. DIXON. I should like to inquire of the Senator from Wyoming whether it is not a matter of fact that a majority of the Republican Senators on this side of the Chamber are lined against the bill?

Mr. CLARK of Wyoming. I understand that is the truth.

Mr. DIXON. Then, in speaking of regular Republican Senators, would the Senator classify this minority of the Republican Senators who are in favor of the bill as regular Republicans when a majority of the Republican Senators are voting in opposition to it?

Mr. CLARK of Wyoming. All Republican Senators look alike to me, but they look better when they are voting Republican principles.

Mr. DIXON. I wholly agree with the Senator in that; but, applying this rule to this Democratic measure that this minority of Republicans are supporting, they certainly can not arrogate to themselves the title of regular Republicans.

Mr. CLARK of Wyoming. I do not think they are. I think they are trying to avoid all mention of regular Republicanism in connection with the bill.

Mr. DIXON. How would the Senator classify the Republican Finance Committee, a majority of whom, I understand, is for the bill? Are they regulars or insurgents?

Mr. CLARK of Wyoming. Being a member of the committee, my modesty makes me decline to classify them. Of course the Senator very well knows, because it has been stated on this floor over and over again, that a majority of the Republicans on the Finance Committee are against this bill.

Mr. DIXON. How would the Senator classify the chairman of the Finance Committee who reported the bill?

Mr. CLARK of Wyoming. He is beyond classification in all things.

Mr. DIXON. Is he a regular or an insurgent?

Mr. CLARK of Wyoming. He stands by himself.

Mr. DIXON. He is in a class by himself. I just wanted to add that the shoe seems to pinch the other side of the foot.

Mr. CLARK of Wyoming. Mr. President, having gone through the political catechism as to my individual views, I wish to sum up in substance, before the debate is over upon this bill, the reasons why I am opposed to the bill.

I am opposed to it because I believe from all the evidence I can gather that it works a distinct and a dreadful injury to a large class of the producers in the United States. I believe this from the evidence presented by the farmers of the Northwest, who came here in their own behalf, unbiased and unmoved by any appeal from the firm in New York, unbiased and unmoved by any appeal from the National Grange, because they do not belong to the National Grange, I understand; unbiased and unmoved by anything except a deep and strong conviction, made by years of study of their own condition, made by their knowledge as readers of the public prints of the conditions across the line, their knowledge of the possibilities of the unknown Canadian northwest, and their absolute knowledge of the limitations of their own country and with an intelligence that I do not believe has been equaled before any committee of the Senate in many years. They presented their reasons for being against this pact—that it would injuriously affect them in stock and store and happiness. I am against it because I believe that class of our citizens should and must receive consideration if the protective tariff system is to survive the assaults which will be made upon it in the next four years. I am against this pact because even its most strenuous adherents do not urge one single valid reason in its behalf.

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from Nebraska?

Mr. CLARK of Wyoming. With pleasure.

Mr. HITCHCOCK. I should like to inquire of the Senator from Wyoming whether he agrees with the admission made by the distinguished Senator from New York [Mr. ROOT] last Thursday that heretofore the duties imposed under a protective tariff on farming products had not benefited the farming class?

Mr. CLARK of Wyoming. As I understood the Senator from New York, he made no such statement.

Mr. HITCHCOCK. Will the Senator permit me to read what the Senator from New York said?

Mr. CLARK of Wyoming. Will the Senator permit me to state my understanding?

Mr. HITCHCOCK. Let me read from the RECORD. I have it here.

Mr. CLARK of Wyoming. Will the Senator permit me in my own time to state my understanding of what the Senator from New York said or, at least, as it made an impression upon my mind; not in these words, of course. He doubted very much whether the farmers had received very much benefit from the protective tariff, but probably—and I have stated this before—when the point of consumption and the point of production were brought nearer together the farmer might receive a protection. I think that is substantially what the Senator from New York said.

Mr. HITCHCOCK. The sentence——

The PRESIDING OFFICER. Does the Senator from Wyoming yield further to the Senator from Nebraska?

Mr. CLARK of Wyoming. Oh, yes; I will yield to the reading of the RECORD, although sometimes I do not like it.

Mr. HITCHCOCK. The distinguished Senator from New York used this language:

> I never have thought that the duties which were imposed upon farm products were of any real general benefit to the farmer.

That is the admission one of the great leaders of the Republican Party made on this floor last week.

Mr. CLARK of Wyoming. My memory is a little hazy about that. Will the Senator read a little further?

Mr. HITCHCOCK. That is a complete sentence by itself.

Mr. CLARK of Wyoming. Will the Senator read a little further?

Mr. HITCHCOCK. I have no objection to reading the whole paragraph if the Senator desires.

Mr. CLARK of Wyoming. I just wanted to see whether my recollection is correct or not.

Mr. HITCHCOCK. I am quoting here the admission made by the distinguished Senator from New York.

Mr. CLARK of Wyoming. I got an impression somewhere that the Senator had running through his mind the possibility of the point of production and the point of consumption meeting; and if he did not say it, I do not know where I got it.

Mr. HITCHCOCK. I am not disputing that statement, but I am asking whether the Senator from Wyoming agrees with the Senator from New York that in the past the farmer has been hoodwinked by the claim that he was receiving or has received any benefit from the protective tariff. That is a statement of fact and belief of the Senator from New York that in the past the farmer has received no benefit from this tariff upon the products of his farm.

Mr. CLARK of Wyoming. The Senator still has not read the part to which I referred.

Mr. HITCHCOCK. I have read sufficient to incorporate into the RECORD the admission by the Senator from New York.

Mr. CLARK of Wyoming. The Senator has read sufficient to incorporate into the RECORD a sentence and then declines to incorporate into the RECORD a following sentence that might, perhaps, explain it.

Mr. HITCHCOCK. I will leave it to the Senator from Wyoming and the Senator from New York to incorporate a qualifying sentence.

Mr. SMITH of South Carolina. Will the Senator from Wyoming yield to me?

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from South Carolina?

Mr. CLARK of Wyoming. The statement of the Senator from New York was substantially as I said, and I am surprised that the Senator from Nebraska should seek here to record a part of that thought and then decline to read into it the balance although he has it before him.

I yield to the Senator from South Carolina.

Mr. SMITH of South Carolina. I should like to ask a question of the Senator from Wyoming. I will preface my question by making a statement.

I do not think that I ever heard a clearer or a more convincing presentation of the question of protection than that presented by the Senator from New York in his speech the other day. He almost persuaded me that there was a real genuine, patriotic, economic ground for the doctrine of protection as enunciated by him. His idea was, as I caught it, that protection was for the purpose of encouraging American enterprise and industry to such a point that it could equal in quality and in quantity such American production as would be to the benefit of all the American people as it grew and progressed and met their needs.

The Senator from Wyoming, as I understand him, is claiming that the converse of that is your protection doctrine; that as our production decreases and the American people are to suffer by lack of foodstuffs, protection must afford its benefits; that not in increasing and meeting the needs of the American people but in decreasing it shall enrich them at the expense of the American people.

Mr. CLARK of Wyoming. The Senator can not get me into any argument about the merits or demerits of protection or the various kinds of protection. If the Senator had been listening to my speech he would know it has been a speech made to the Republicans of the Senate, all of whom believe in the protective tariff policy, and it has not been directed to the Democrats.

I have congratulated the Democratic Party in this Chamber because of the opportunity of which they so skillfully availed themselves in the presentation of this bill. I congratulate the Democratic Party that that old dame is still able to flirt with the whole neighborhood, to make eyes at the insurgents on sugar and the wool schedule, to make eyes at some of the regulars on this reciprocity and get away with the whole business, as I am told you are going to do. But still I am not here to argue the protective tariff, but only to try and convince some of my Republican friends, at whose feet I have studied for years the theory of a protective tariff, that now, in the extremity of that doctrine, when every cannon of the adversaries is turned against the battlements, they should not desert and go with you. That is what I have been trying to get at.

Mr. SMITH of South Carolina. May I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from South Carolina?

Mr. SMITH of South Carolina. Just for a question.

Mr. CLARK of Wyoming. Yes.

Mr. SMITH of South Carolina. If the production of wheat in the Northwest—I will take that as an illustration—was so great that the surplus had to be disposed of and consumption and production had not reached almost the place where there was a sufficient amount for the American people, would the Senator believe that the passage or nonpassage of this reciprocity bill, in so far as it affects wheat, would have no effect upon the farmer? Suppose we were to make twice as much as the American people needed and the western farmer was making twice as much as the market would justify, or as would protect him in the market, does the Senator think it would be any benefit whatever to the farmer in the price he is to receive?

Mr. CLARK of Wyoming. Oh, it is of little concern what I think or may not think. I am not discussing the policy of protection. I am not discussing the question whether or not that policy protects the farmer. I am discussing nothing except the action of the Republican Party in regard to this fundamental policy and this fundamental political belief.

I am not going to be drawn into any argument on the protective tariff, because if I should talk, and the Senator from South Carolina should talk across this aisle from now until Congress adjourns, his idea would still be the same. My idea is, and has been for 50 years, that the Republican doctrine of protection is the saving grace of our industrial system. The Senator's thought probably is, as often expressed in the Democratic platform, that that policy is a delusion and a snare, if not worse. So we would not get together, and we would not get any nearer together. I am not addressing any argument to Democrats in favor of protection, and I am talking to no one on this occasion who favor the opposite doctrine, but I am trying to convince some of my Republican friends that they are here and now throwing overboard this doctrine, which has been the sheet anchor of our party, and the doctrine which we have always believed is the sheet anchor of prosperity in this country.

Mr. SMITH of South Carolina. It was not a question as to that, Mr. President, with all deference to the Senator, and with an acknowledgment of the courtesy he has shown me in allowing me to put this question to him; but I understood him to say that now, just as we had reached a point in our production where the farmer was likely to get a benefit from this protection, we were doing him an incalculable harm, throwing the door wide open, and denying him that which he was just now coming into.

Mr. CLARK of Wyoming. The Senator is partly right and partly wrong. I was stating the fact——

Mr. MARTINE of New Jersey. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from New Jersey?

Mr. CLARK of Wyoming. I dread the eloquence of the Senator from New Jersey, and I fear his questions, those questions fearfully and wonderfully made.

Mr. MARTINE of New Jersey. I ask, will the Senator yield?

Mr. CLARK of Wyoming. Oh, yes; I yield for a question.

Mr. MARTINE of New Jersey. I want to ask if I understand the Senator correctly, that this is not a question of reciprocity, but that it is a question of politics, Democratic or Republican? I have heard the distinguished Senator make remarks regarding the political phase of the question, and then interjected in his remarks were remarks of the Senator from New Hampshire [Mr. GALLINGER] asking if the Republican Party had ceased to exist. I want to answer that by a quotation from one of the distinguished and great Republican papers of the great city of New York——

Mr. CLARK of Wyoming. I will not yield for that.

Mr. MARTINE of New Jersey. I ask that——

The PRESIDING OFFICER. The Senator from Wyoming declines to yield further.

Mr. CLARK of Wyoming. I beg the Senator will not introduce into the reciprocity discussion anything that any newspaper in the great city of New York has stated.

Mr. MARTINE of New Jersey. It has no particular reference to the——

The PRESIDING OFFICER. The Senator from Wyoming declines to yield.

Mr. CLARK of Wyoming. The Senator can introduce it in his own time. I do not care to have my remarks defaced by the interjection of matter of that kind.

Mr. MARTINE of New Jersey. I want to enlighten the Senator as to what the Republican Party——

The PRESIDING OFFICER. The Senator from Wyoming declines to yield for that purpose.

Mr. MARTINE of New Jersey. Well, I suppose, if it is perfectly in order, that I may enlighten a distinguished member of the Republican Party as to whether or not the Republican Party exists or is in control of this Senate; and with that view I most respectfully ask the privilege of quoting from the great Mail and Express of the city of New York——

The PRESIDING OFFICER. Does the Senator from Wyoming yield for that purpose?

Mr. CLARK of Wyoming. The Senator from New Jersey always enlightens us when he speaks, but I object, Mr. President, to newspaper controversies or views being printed in my remarks, or as a part of them. The Senator, of course, will find no objection if he presents them in his own time as a part of his views.

I am not, Mr. President, in this discussion arguing for one moment that I agree with all the members of my party. I am conscious of the fact, Mr. President—sadly conscious of the fact—that my action on this bill is at total variance with many great leaders of the Republican Party, but I believe as firmly as I believe anything else which is strong-rooted down deep in my heart that these leaders of the Republican Party are wrong on this proposition, and I have taken this opportunity, which I seldom do, to differ with my Republican associates, because I feel deeply the effect the proposed action may have on the future of our party, and if on the future of our party, then upon the future of our Nation.

I said, Mr. President, when I was interrupted, that I was against this measure because I believed it was not for the best interests of the country. I said I was against it because no man has risen in his place and shown where any great section of our country would be benefited by it. What great Republican leader is there, what protectionist is there to be found who either here or elsewhere has said that the country will be greatly benefited by this legislation?

It is assumed in many great centers that Canadian reciprocity is the solution for the high cost of living—a hope as baseless as the idle wind—and the very man who is most interested in seeing this pact carried through does not seek to hold out to the consumer the hope that he will be benefited by the reduction of high prices by virtue of this legislation. The best that anyone has said is that it will not do any great harm.

I am opposed to this bill because, in my judgment, it violates every principle of protection to which we have given adherence. It violates our last national utterance on protection in the Chicago platform. There is nothing in it from A to Z in accordance with Republican doctrine; but there is in it, my Republican friends, that which you and I in the Republican Party have steadfastly set our face against since our party had its birth, and that is the Democratic doctrine of free trade. That is in this bill and of it and through it; it is the foundation stone of the bill, as protection is the foundation stone of our party policy.

Mr. SMITH of South Carolina. Mr. President, I should like to ask the Senator from Wyoming just one question with reference to one of the last remarks he made, because I am sure he wants to keep the RECORD straight.

Mr. CLARK of Wyoming. Yes.

Mr. SMITH of South Carolina. If I understood the Senator correctly, he said that there has not been a single great party leader on the Republican side who advocated the doctrine embodied in the proposed reciprocity agreement.

Mr. CLARK of Wyoming. Oh, no; I did not say that. There are lots of them.

Mr. SMITH of South Carolina. Then I misunderstood the Senator; but that is the manner in which I understood him; and in view of that understanding I desired to ask him in what category he did put the real author of this proposal?

Mr. CLARK of Wyoming. To whom does the Senator refer?

Mr. SMITH of South Carolina. I refer to the President, of course. As I understand, this is largely the great issue upon which, in fact, he called the extra session; and I am quite sure that the Senator from Wyoming is not standing here in this day of protection and attempting to read the Chief Executive, the head and front of his party, out of his party. He called this extra session for the purpose of passing this very measure, and now the Senator denominates it a Democratic measure and claims that no real good, regular, stalwart Republican can support it without threatening the very foundation of Republicanism, when the man who carried your standard to victory and who to-day is the head and front of the Republican Party is sponsor for this measure; and this extraordinary session was called to pass it as a good Republican measure.

Mr. CLARK of Wyoming. The Senator asks a question, in which he assumes that I said something that I never did say, and then he assumes a division between the President and the Republican Party that does not exist.

Mr. SMITH of South Carolina. With the permission of the Senator, I should very much like to hear the explanation of his strictures on reciprocity.

Mr. CLARK of Wyoming. If the Senator had paid attention, he would remember that I said I opposed it because among all its advocates no one seemed to rise and give a good reason for its passage or attempt to show that any large portion of our citizens are favorably affected by it. That is what I said.

Mr. SMITH of South Carolina. Does the Senator not consider the President's message that accompanied the proposed agreement as a good reason, from a Republican standpoint, for the passage of this measure?

Mr. CLARK of Wyoming. I do not consider the President's message to Congress as the reason why I should vote for the measure.

Mr. SMITH of South Carolina. That is not the question, Mr. President. The question I asked was, did the Senator consider it a good reason?

Mr. CLARK of Wyoming. That is the answer, Mr. President, whether it is to the question or not.

Mr. SMITH of South Carolina. Then the Senator puts the President, in so far as he is related to reciprocity, in the category of a good Democrat?

Mr. CLARK of Wyoming. I think the Senator will find, when the time comes, that the President will be amply able to take care of himself. I said this was a Democratic measure. If it is not, what is it and where did it have its origin? It had its origin in the Ways and Means Committee of the House of Representatives, which is Democratic. Where did it have its vote? On the Democratic side of the House of Representatives. Where has it its vote in this Chamber? Upon the Democratic side of the Senate.

Mr. O'GORMAN. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from New York?

Mr. CLARK of Wyoming. With great pleasure.

Mr. O'GORMAN. Is it not a fact that the bill was introduced in the House of Representatives by the leader of the Republican minority; that the bill itself was prepared by him; and, that being so, can the Senator doubt that it entered the House under very excellent Republican auspices?

Mr. CLARK of Wyoming. I understand, whether my understanding is correct or not—and I may be pardoned for mentioning names in order to make my answer clear—that the bill was prepared by Representative McCALL, of Massachusetts, one of those protection Republicans that I grieve from my heart to see taking his present position and laying, as I have said, the ax at the very root of the tree of protection.

Mr. SIMMONS. Mr. President, I should like, with the permission of the Senator from Wyoming, to ask him a question, but before asking the question I want to make a statement. The Senator said that this bill is a free-trade bill.

Mr. CLARK of Wyoming. No. The Senator must be accurate. I have spoken absolutely without notes, but when I get through I have a tolerably clear idea of what I have said. What I did say on that point is that I opposed it because there was in it the Democratic doctrine of free trade.

Mr. SIMMONS. The Senator says that it is a Democratic bill. Does the Senator mean he thinks it is Democratic because of the free trade in it? Is that what the Senator means to say?

Mr. CLARK of Wyoming. Substantially, I believe it is a Democratic bill, because it carries out the Democratic doctrine with regard to the tariff, and is opposed, in my opinion, to the Republican doctrine with regard to the tariff.

Mr. SIMMONS. Mr. President, I agree with the Senator that this bill is chock full of free trade. It puts all the products of the farm and forest upon the free list, and to that extent it is a free-trade measure. I concede that. But the Democratic Party is not a free-trade party; it is not in favor of free trade.

Mr. CLARK of Wyoming. I am glad to hear the Senator say that, because three eminent Democrats have risen within the last three days and said they were free traders.

Mr. SIMMONS. Can the Senator point me out a single item in this bill which applies the Democratic doctrine of a tariff for revenue?

Mr. CLARK of Wyoming. Mr. President——

Mr. SIMMONS. Just a moment. This bill is chock full of free trade—and that is one of the reasons I am against it, because I am not a free trader. It is full of free trade and protection, but there is not a line in it that gives application to the Democratic doctrine of tariff for revenue, and therefore I insist that it is not a Democratic measure. It is a free-trade and protection measure, but not a tariff-for-revenue measure.

Mr. CLARK of Wyoming. The Senator and myself, in fact, are upon a common ground. He is not a free trader, and I am not a free trader. He is for a tariff for revenue, and I agree that this is a bad bill. We have free trade at the start; we have free trade at the end. We have a little tariff scattered along through the middle, but in his portion of the country and in mine we both look out for the man who "plays both ends against the middle."

Mr. SIMMONS. That is what I desire the Senator to give me information upon. I have been carefully studying this bill; I have been trying to analyze it with a view to finding out whether there is in it anywhere a single item that applies the Democratic doctrine of a tariff for revenue.

Mr. CLARK of Wyoming. No. Assuming for the sake of the answer that the Democratic doctrine is a tariff for revenue, the Senator and I both know that this bill will not produce revenue, but that, on the other hand, it will throw it overboard in bucketfuls.

Mr. SIMMONS. I desire to say to the Senator that while there are reductions in the duties levied upon manufactured products in this bill, there is not a single reduction, so far as I have been able to find, that will bring the duty that is retained upon any manufactured product in this bill down to the revenue basis. On the contrary, I think the Senator is mistaken in saying that there is not a great deal of protection in this bill—not as much as he wants, of course, and not as much as the Republican Party wants, of course—but there is not a single manufactured product, of which a farm product is the raw material, upon which the duty in this bill in practical effect is not actually increased; and in some instances the increase amounts to as much as a hundred per cent.

I have here before me a table prepared by an expert of the Treasury Department, who has been assigned to the minority members of the Finance Committee by the Treasury Department, and who, I think, is one of the actuaries in that department, the same expert, as I understand, that the chairman of the Committee on Ways and Means of the other House used. According to the table furnished me by this expert, while there is a nominal reduction of the duty on cattle on the hoof, the duty retained on meat, the manufactured product, in view of the fact that the duty is taken off of the raw product, affords a greater amount of protection to the packer than exists under the present law.

Mr. CLARK of Wyoming. Oh, very much greater.

Mr. SIMMONS. Very much greater. I want to give the Senator the figures for the purpose of showing him that he is mistaken if he thinks that this bill is not full of protection as well as free trade. The truth is, Mr. President, the bill is nothing but free trade at one end and protection at the other; that is all there is of it.

Mr. CLARK of Wyoming. Which end has the protection in it—the first or the last?

Mr. SIMMONS. The free trade comes first and the protection afterwards—free trade upon the raw products; free trade upon the products of the forest and the farm; protection upon the products of the mills and the factories. That is the kind of bill it is.

Mr. CLARK of Wyoming. About as bad as they could make it.

Mr. SIMMONS. Now, upon swine, according to the figures furnished me——

Mr. REED. Mr. President——

Mr. SIMMONS. Just let me finish this.

The VICE PRESIDENT. Will the Senator from North Carolina permit the Chair to make an inquiry? The present occupant of the chair has been absent from the Chamber for a moment and he does not know who is entitled to the floor. Does the Senator from Wyoming still have the floor?

Mr. SIMMONS. The Senator from Wyoming is still entitled to the floor.

Mr. CLARK of Wyoming. I had taken my seat, but the Senator from North Carolina rose to make an inquiry, to which I am listening.

The VICE PRESIDENT. The Senator from North Carolina, then, is entitled to the floor.

Mr. SIMMONS. The inquiry I rose to make was whether the Senator from Wyoming was able to point me out a single item in this whole bill that applies the Democratic doctrine of a tariff for revenue. He has said he is unable to do that. Yet he insists upon saying it is a Democratic measure, because it has a lot of free trade in it. I have never understood the

Democratic Party to be a free-trade party. I myself surely am not a free trader.

Mr. CLARK of Wyoming. I think the Senator from North Carolina, in relation to the party on the other side of the aisle, has substantially the same difficulty I have on this side. I am unable to convince some of my colleagues as to the Republican doctrine. He is unable to convince a majority of his colleagues as to the Democratic doctrine, because we have had three distinct expressions from that side against the proposition the Senator has announced.

Mr. SIMMONS. I have not found anybody on this side in favor of free trade.

Mr. CLARK of Wyoming. In relation to this present bill and the inquiry of the Senator, I do not want the Senator to understand that because I have completed what I started to say I have in any wise exhausted the iniquities of this bill, and I am delighted to have the Senator go on and speak of those matters in the bill which are matters of common knowledge as being unfair in the application of the doctrine of protection, to be added to what I have already said.

Mr. SIMMONS. I was afraid from the Senator's remarks that the protection in this bill had escaped his attention, and I wanted to call his attention to it.

Mr. CLARK of Wyoming. No; not all. I was ashamed to speak of it; that is all.

Mr. REED. Mr. President, I wanted to ask the Senator from North Carolina a question. Does he denominate this as a bad bill because it gives free trade in lumber?

Mr. SIMMONS. I did not desire to use the word "bad." If I have used that word, I withdraw it. It is a bill I can not support in this form. I do not regard it as a good bill.

I will content myself by putting into the RECORD the table to which I have referred as showing a large net increase in the protection which the pending bill affords over the present law upon meat products and upon flour. In the aggregate it amounts sometimes to over 100 per cent. I do not desire to elaborate that. I simply referred to it for the purpose of showing that there is a great deal of protection in this measure as well as free trade.

The table referred to is as follows:

Effect of proposed reciprocity upon the protection to certain industries.

	Duty.	
	Present.	Reciprocity.
Beef cattle:		
Alive, valued at $50	$13.75	
Dressed, 700 pounds	10.50	$8.75
Protection to packer	[1] 3.25	8.75
Swine:		
Alive	1.50	
Dressed, 200 pounds	3.00	2.50
Protection to packer	1.50	2.50
Sheep:		
Alive	1.50	
Dressed, 150 pounds	2.25	1.87½
Protection to packer	.75	1.87½
Wheat:		
4.53 bushels (amount needed to make 1 barrel flour)	1.13	
Flour, 1 barrel	$1.18	$0.50
Mill stuff, 55 pounds	.10	.07
	1.28	.57
Protection to miller	.15	.57

[1] Against the packer.

Mr. REED, Mr. WILLIAMS, and Mr. HITCHCOCK addressed the Chair.

The VICE PRESIDENT. Does the Senator from North Carolina yield, and to whom?

Mr. SIMMONS. I yield to the Senator from Missouri, if I have the floor. I do not know whether I have the floor or not.

The VICE PRESIDENT. The Senator from Missouri is yielded to.

Mr. SIMMONS. I wish to say, before yielding, that of course I regret to have to disagree with my colleagues on this side of the Chamber about this measure.

It has been understood all the time that I did disagree with them, and I am expressing here to-day the views I expressed just before the close of the last session of Congress, when I made an elaborate speech upon this subject—my individual views. Then and now I spoke for myself alone.

Mr. REED and Mr. WILLIAMS addressed the Chair.

The VICE PRESIDENT. To whom does the Senator from North Carolina yield?

Mr. SIMMONS. I yield to the Senator from Missouri.

Mr. WILLIAMS. Will the Senator from Missouri permit me to ask a question of the Senator from North Carolina before he takes his seat?

Mr. REED. I surely will.

The VICE PRESIDENT. Does the Senator from Missouri in turn yield to the Senator from Mississippi?

Mr. REED. Certainly.

Mr. WILLIAMS. I desire to ask the Senator from North Carolina about this table he has had inserted in the RECORD.

Mr. SIMMONS. I only want to insert——

Mr. WILLIAMS. I want to ask the Senator by whom it was prepared and at whose request.

Mr. SIMMONS. It was prepared at my request.

Mr. WILLIAMS. It was prepared at your request? That is what I want.

Mr. SIMMONS. By a Treasury expert who has been assigned by the action of the Finance Committee to assist the minority members of that committee in getting up statistics.

Mr. WILLIAMS. It was prepared by him at your request?

Mr. SIMMONS. At my request, just as he will prepare and, I have no doubt, has prepared some for you——

Mr. WILLIAMS. I understand.

Mr. SIMMONS. And I am sure he is preparing every day like tables for other minority members of the Finance Committee.

I want to say, further, at the suggestion of the Senator from Texas that his instruction is that when he prepares a table for one minority member of the Finance Committee he is to furnish every other minority member of the committee with a copy of the same table.

Mr. CLARK of Wyoming. Will the Senator yield for just a moment?

Mr. SIMMONS. I had yielded to the Senator from Missouri.

Mr. CLARK of Wyoming. It is for just a moment.

Mr. REED. I yield, if I may, with the permission of the Senator from North Carolina.

Mr. SIMMONS. Surely.

The VICE PRESIDENT. The Senator from Wyoming is yielded to.

Mr. CLARK of Wyoming. I wanted to read into the RECORD the balance of the paragraph to which the Senator from Nebraska called my attention. The Senator from New York [Mr. ROOT], in answer to an inquiry of the Senator from New Jersey [Mr. MARTINE], said, as reported in the RECORD of June 21, at page 2374:

> I must be permitted to answer the question of the Senator, because a question put by him is always entitled to respectful consideration. I think that here and there, at certain localities along the border, farmers have been benefited by protection on their food products. I do not think that as a class in general up to this time or until perhaps within a very short period, the protection upon food products has been of any real advantage to the farmer. I do not think that the Senator from New Jersey is justified in inferring from that that the farmers have been hoodwinked. I think that the farmers have, upon their own good judgment, believed that it was beneficial to them to have this duty, probably more because they were looking forward to the time when it would be useful for them than that they thought it had already been useful for them as a class.

That is what the Senator from New York said.

Mr. HITCHCOCK. Mr. President, I should like to ask from what page the Senator is reading?

Mr. CLARK of Wyoming. From page 2374.

Mr. HITCHCOCK. At the top of the first column?

Mr. CLARK of Wyoming. What is that?

Mr. HITCHCOCK. I am unable to find it. The Senator from Wyoming did not read the last of the paragraph of which I read a part.

Mr. CLARK of Wyoming. I was reading the complement of what the Senator read.

Mr. HITCHCOCK. The Senator, however, has read from a different colloquy altogether. What I read was a colloquy between the Senator from New York [Mr. ROOT] and the Senator from Texas [Mr. BAILEY].

Mr. CLARK of Wyoming. I will——

Mr. HITCHCOCK. If the Senator will permit me, I have no objections to reading the balance of that paragraph.

Mr. CLARK of Wyoming. The reason I wanted this read was that the position taken by the Senator from New York might fully appear, and I will read the balance of the first colloquy:

> Mr. President, I have stated my view regarding the inevitable result of the process which is now going on upon the system of food duties. I never have thought that the duties which were imposed upon farm products were of any real general benefit to the farmer. They have been quite indifferent, affecting only several localities here and there, so long as our production ran far ahead of our consumption. But, with the increase of our cities as compared with our farming population

and the using up of our waste lands and the fencing in of old cattle ranges and the reduction of the productive power of our land, we have about come to the point where the continuance of those duties, instead of being a matter of indifference to the people of the country, would result in putting up the cost of food.

I am not arguing the question. I am simply stating a reason why the farmers should not consider that this reciprocity arrangement is doing them any particular harm, because it is something that is sure to come to them anyway.

When I was quoting the Senator from New York it was not because I agreed with his views, but simply to state the position which he assumed, and I desired, in my answer to the Senator's interrogatory some time ago, to have the position of the Senator from New York appear as announced, both in his answer I have read and his answer to the Senator from New Jersey [Mr. MARTINE].

Mr. HITCHCOCK. Before we get too far from the question which I originally addressed to the Senator from Wyoming I should like to revert to it in order to ask him what he will do now that he is upon the other horn of the dilemma. My first question was whether he agreed with the distinguished Senator from New York [Mr. ROOT] when he used this language:

I never have thought that the duties which were imposed upon farm products were of any real general benefit to the farmer.

Now, instead of replying to that question the Senator from Wyoming has insisted on having read the balance of the same paragraph of the speech of the Senator from New York [Mr. ROOT]. I should like to ask the Senator from Wyoming whether he agrees with the further statement of the Senator from New York when he states that to continue those present duties would result in putting up the cost of food?

That is the language the Senator from Wyoming has insisted in reading, quoting from the Senator from New York, and now that he is upon that other horn of the dilemma I should like to inquire whether he agrees with the Senator from New York in that proposition.

Mr. CLARK of Wyoming. Of course I do not. I do not believe——

Mr. HITCHCOCK. So that the Senator from Wyoming——

Mr. CLARK of Wyoming. I do not believe that the price of food in this country depends for one moment to-day upon the price that the farmer receives for his product. I do not believe that reducing the price of wheat 10 cents a bushel would reduce the price of flour a cent a barrel.

Mr. HITCHCOCK. So that the Senator from Wyoming disagrees with the Senator from New York when he declares that the tariffs maintained in the past on farm products have not benefited the farmer, and he also disagrees with him when he declares that to maintain those tariffs would result in increasing the cost of food to the people.

Mr. CLARK of Wyoming. The Senator absolutely states incorrectly my position upon both propositions.

Mr. HITCHCOCK. Then I should like to ask the Senator from Wyoming what he has gained by reading the balance of the paragraph of the Senator from New York when he disagrees with the qualification as much as with the original statement?

Mr. CLARK of Wyoming. I did not have the statement of the Senator from New York [Mr. ROOT] read because I believed or disbelieved what he said. I had that section of it read because I wanted his position made clear.

Mr. ROOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from New York?

Mr. REED. I will continue to yield.

Mr. ROOT. I merely wish to make my acknowledgment to the Senator from Wyoming for preventing the RECORD of to-day standing with the garbled and unfair version of what I said the other day.

Mr. REED. Mr. President, I started to ask the Senator from North Carolina a question, and was interrupted and did not conclude that question. I do not desire now, since the Senator from North Carolina [Mr. SIMMONS] has yielded the floor, to ask the question. But the spectacle of a stand-pat Republican and of a Democrat standing together on the same platform and illustrating the idea of how beautiful a thing it is for brethren to dwell together in unity is so remarkable an exhibition that I shall take great pleasure in offering some observations upon it before this debate closes.

Mr. TOWNSEND. Mr. President, I realize that it may seem somewhat ungracious at this hour, when Senators appear to be ready to vote upon the Root amendment, to make any remarks upon it. I am especially embarrassed also by the fact that I have given notice that I would address the Senate to-morrow on the merits of the reciprocal agreement itself as they appear to me. But that notice was given before I knew we were to vote on the amendment before Tuesday.

I am convinced, Mr. President, after looking over all of the facts and circumstances connected with the case, that the Root amendment, so called, does make the House bill as it is presented here conform practically to the agreement as made. I realize that it will make very little difference to those Senators who are opposed to the agreement itself or who are willing that any amendment should be made to it whether this bill conforms to the original agreement or not. But it is of considerable importance to me to know what that agreement was and what the Root amendment seeks to do.

Until recently I had not supposed that there was any doubt in the mind of any Senator as to just exactly what the Canadian representatives and the United States representatives intended by that original agreement, and it was to the effect that wood pulp and paper and board not exceeding in value 4 cents a pound were to pass freely without duty between the two countries when, and only when, no restrictions whatever were imposed upon exports of these products from Canada.

I submit, Mr. President, that no one can read the correspondence that passed between the Canadian representative and Secretary Knox on January 21 last, unembarrassed by any suggestions that have been made since, and not come to the conclusion that the agreement was such as I have stated.

This is also confirmed by the statements of Mr. Fielding, one of the contracting parties, before the Canadian Parliament on the 23d day of January last. There has been some dispute as to just exactly what he said, and in order that this matter may be made clear I have obtained a report of his speech contained in the Canadian House of Commons Debates; and I am going to insert that, or the portions of it which apply to this, in the RECORD.

I am going to read a portion of it, so as to make it clear what was the understanding of Mr. Fielding.

He said in the course of his speech:

Before I proceed to take up the schedules in detail, there are one or two interesting features which I am sure the house would wish me to explain at the earliest moment.

He is discussing the Canadian pact.

We have had very interesting discussions from time to time over the question of the duty on paper and pulp of various kinds. Our American friends were anxious for some tariff change in relation to these articles. We ourselves were anxious for some tariff changes. As respects certain grades of pulp and paper, mechanically ground pulp, chemical pulp, common printing paper known as news print, and the common pasteboard and the cheaper articles of paper other than news print, or common paper, up to a limited value of 4 cents per pound, we believed that we could compete with our American friends on these particular articles and that it was desirable we should have free trade in them. As to the paper of a more advanced quality, I doubt if we would be able to compete with them, and we did not take that class of paper into our negotiations. But as respects pulp of its various kinds and common news-print paper and common pasteboard and common paper of all kinds running to the value of 4 cents per pound, we would have been quite willing to have reciprocity with them. They said, "We are"—

That is, referring to our representatives—

They said: "We are quite willing to do that if you provide that the regulations which exist in some of your Provinces with regard to the shipment of pulp wood shall be removed." Of course, there could be but one answer to that. We have nothing to do with the provincial regulations. These regulations have been made by the provincial governments in accordance with what they believed to be the best interests of their respective Provinces, and whether they are good or bad regulations was not for us to debate with our friends of the United States. And so we had to say to them: "If you propose to put any such limitations upon the arrangement, we can not object to your doing for yourselves what you think best respecting the terms and conditions upon which you will admit our paper into your country; you have the right to impose these conditions, and if they do not suit Canada no harm is done; but we on our side will not agree to make paper and pulp and these articles free in Canada until you have made them free in your country from every Province and part of the Dominion of Canada." So the matter stands in this way: That they will put in their tariff, as set forth in their correspondence with us, an item that these various grades of pulp and paper shall be made free if there be no regulations, either in the form of an export duty or in the form of the provincial regulations interfering with the shipments of pulp wood. Whenever that condition arises they will make paper free. We said: "All right, but that is no good for us, and we will not make your paper free in Canada until you remove the restriction."

The President of the United States was instrumental in making this arrangement, and he has admitted, in public, and does not deny it now, that this agreement was to take effect when Canada removed all restrictions. I think no one will read section 10 in the letter of Fielding and Paterson without understanding that they believed that all provisions as to the free entry of paper, wood, and pulp of the character named should be inoperative until the Canadian restrictions should be removed. They were speaking of Canada as a whole. If this provision is to be of any use at all, it must be construed by the courts eventually. This paper provision is a part of this agreement, and it should be so harmonious that it will conduce to better relations between the two nations. If this provision can be construed to mean what the opponents of the pending amend-

ment claim for it, then it will cause confusion rather than harmony. With the House bill unamended, I still think the court must construe it to mean what the contracting parties intended it to mean, but the expressions of gentlemen in both Houses of Congress would complicate that construction if the court takes notice of such expressions.

Mr. BROWN. Mr. President——

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Nebraska?

Mr. TOWNSEND. Certainly.

Mr. BROWN. The court, in construing the provision of section 2 of this law, would construe it with reference to its language alone, would it not; that is, entirely independent and aside from the correspondence between the two Governments?

Mr. TOWNSEND. I think it is very liable to do that. I think it ought to do it.

Mr. BROWN. The Senator thinks it would do that?

Mr. TOWNSEND. I am inclined to think it would.

Mr. BROWN. Then, in the opinion of the court, there could be no doubt about what this provision meant, unless the doubt arises from the provision itself?

Mr. TOWNSEND. Yes; unless it takes cognizance of what some Congressmen say.

Mr. BROWN. The Senator does not contend that there is any doubt about what section 2 means as it passed the House and as it is reported to the Senate?

Mr. TOWNSEND. Let me ask the Senator a question. Does the Senator from Nebraska understand the provision to mean that pulp or paper or wood from any part of Canada can come into the United States free if any other part of Canada imposes restrictions on exports?

Mr. BROWN. It does not mean anything of the kind. The provision means just what it says, that paper, pulp, and spruce—I use spruce as a substitute for pulp wood—shall come into this country free of duty when that print paper, pulp, and spruce is free from any restriction imposed by a Province of Canada.

Mr. TOWNSEND. That particular shipment?

Mr. BROWN. Yes. In other words, the provision attaches to the wood, it attaches to the print paper, it attaches to the pulp, and it has nothing at all to do with that pulp and print paper and spruce which is restricted in any way by any Province of Canada.

Mr. TOWNSEND. The very statement of the Senator from Nebraska indicates what doubts may arise, because he clearly differs from every one of the men who had anything to do with making this agreement. No one of them believed that a pound of paper or wood pulp could come into this country when there was any restriction by any Province of Canada.

Mr. BROWN. Let me show the trouble under which the Senator is laboring. He confuses the agreement as he understands it with section 2 in the law. There is nobody disagreeing to-day about what section 2 means. It means just what I said it means. But there is a difference of opinion about what the agreement originally was. The agreement is wholly immaterial, so far as Congress is concerned. We are not called upon to vote up or down the agreement. We are called upon to vote section 2 into the law or out of the law. The agreement is not offered here. If there is any difference, it is between the agreement and the provision of the statute. If the Senator will confine his argument to section 2, he will find that there will be no doubt in his mind as to what it means.

Mr. CLAPP. Will the Senator yield to me?

Mr. TOWNSEND. Certainly.

Mr. CLAPP. While the Senator from Nebraska is correct in saying that the court will construe the law, is there not a possibility that the court, in construing the law, will take the same view of the law which the men who framed the law took? If the men who framed the law believed they were providing that no paper could come into this country as long as any paper would be burdened by a restriction, is it not quite likely the court would take the same view?

Mr. BROWN. The court could not take the same view, because the court could not take into consideration matters relating to the negotiation of the agreement. The agreement was made by one set of people and the law is passed by another set.

Mr. CLAPP. I am not saying that the court would not take into account the views of the men who framed the law, but if the men who framed this bill sought to convey an idea, and believed they were conveying that idea, is it not strongly presumptive that others, in construing the law, not because of the expression of the opinion of the men who framed it but by the analogy of mental operation, would take the same view of the law?

Mr. SMITH of South Carolina. Mr. President——

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from South Carolina?

Mr. TOWNSEND. Yes, sir.

Mr. SMITH of South Carolina. Will the Senator from Nebraska allow me to ask him a question right here in order to get my mind perfectly clear on one point? In looking up the statistics in reference to the available supply in Canada I find that the Dominion has control, in round numbers, of about 700,000 square miles, and the Provinces of about 500,000 square miles. Under the terms of section 2, could not the Dominion of Canada, exercising its prerogative, allow all the products enumerated in the bill under section 2 to come in without regard to what the Provinces might do in the premises?

Mr. BROWN. Mr. President, the Senator is mistaken in his statement of fact. In the first place, the Dominion Government, as I understand it, has not control of the public lands; they are exclusively under the control of the different Provinces.

Mr. SMITH of South Carolina. I understand, but I have the differentiation from the Canadian Yearbook. It states explicitly that the Dominion has control of public lands in the Northwest Provinces and territories of about 700,000 square miles, in all of which there is merchantable timber.

Mr. BROWN. If the Senator will permit me, the Provinces control at least 85 per cent of all the available spruce or pulp wood of the Dominion, and the rest is in private ownership; it is controlled by individuals, and comes in free under section 2 of the pending measure.

Mr. SMITH of South Carolina. This is the point I am making. Held by the Dominion and in private ownership there are about 1,000,000 square miles, while when the Provinces entered the Confederation they retained their land, and it amounts to about a half million square miles. So, if section 2 of the bill were to go into effect, the quantity in private ownership and the Dominion would be a preponderance of this available material.

Mr. TOWNSEND. Mr. President, I hope I may proceed now. When interrogated I was saying the proposition that the agreement which was entered into by the representatives of the Canadian Government and the United States Government was clearly understood before technical objections were raised. I have shown that Mr. Fielding in his speech in Parliament explained it and stated that no paper or pulp wood could come into the United States until we had removed the restrictions from the Canadian paper, and that it meant absolutely free trade between the two countries on these articles when the paper provision became finally operative. At first it would be simply a conditional agreement, and would remain so until Canada removed all her restrictions as to export of paper, board, pulp, and pulp wood.

I have stated that I believe the original agreement contemplated free entry to both countries when it was granted to one, and I believe that section 2 of the bill will be construed by the courts to mean that no paper or pulp of the kind described can come into the United States until there had been a removal of all Canadian restrictions. Something was attempted after the original agreement was presented to the House, and before the House bill was presented. It is an open secret that a Canadian representative was consulted, and after consultation it was agreed that the House bill might be so framed that the United States might become a party with Canada to coerce those Provinces which had imposed export restrictions into removing the same. Is this the part for two nations to take at the beginning of relations which we hope will make for amity and good will?

Mr. Fielding inserted in his letter to Secretary Knox that these provincial regulations were made for what was believed to be right and good for the Provinces, and he said Canada had no desire to change them. Did he mean that it had no desire which it would publicly announce, but that it was willing by trick of wording in a bill to destroy those provisions?

Personally, I do not want to be a party to this clandestine arrangement. I think as well of it as I would think of a plan whereby Canada and this Government should unite to coerce one of our States into relinquishing a right which belonged to it. This action will not facilitate favorable action by Canada. It will retard favorable consideration in the Dominion and plant seeds of distrust rather than those of confidence.

Why was the House amendment brought about? For it is believed that the House did change the original agreement. There were two reasons. One of them was the International Paper Trust and the other was the representative of the American Newspaper Publishers' Association, who is receiving from that association $15,000 a year for the purpose of obtaining

free print paper. He admitted that that was what he was engaged in doing.

I do not know whether there is a papermakers' trust or not; I do know, however, that there is a statute in such cases made and provided which has proved very efficient in disposing of such matters; I do know that this is not the proper way to deal with a trust. Why, even the great leader of Democracy for the last fifth of a century never advocated this doctrine. He said that where a trust was manufacturing goods he would destroy it by putting articles made abroad in competition with it on the free list.

But this measure does more than that. It does more than put the goods which compete with the products of the trust here on the free list. It puts the competitors of news-print papermakers in this country at a disadvantage with their competitors abroad. It purposely and with malice aforethought gives the Canadian manufacturer an advantage by allowing a free market in which he can purchase his raw material, which market it denies to the American manufacturer. And the worst of this is that the United States is a party to the scheme which so unfairly treats our own industries. It is not the newspaper makers' trust alone which you are punishing. There are only a few of our concerns in this alleged combination, and yet every independent factory is hit with the same bludgeon.

I will submit to the proposition of making our print-paper manufacturers and our wood-pulp manufacturers compete on equal terms with their competitors. I do not want to put them to any disadvantage. But it was urged by some that if we let in a little bit of paper from Canada, because only a small portion can come in under any view of the bill, that that will induce the Provinces to remove their restrictions. It will do nothing of the kind. If a portion of the Canadian products can have a free entry into the United States and keep out all competition from the United States, what reason can Canada have for trying to remove the restriction from the balance of the Provinces and have competition with the United States? Mr. Fielding, in his speech to the Canadian Parliament, from which I have quoted, seems to think that only in lower grades of paper can Canada compete, so that the difference in cost, or selling price at least, can not be great.

Mr. BROWN. Mr. President——

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Nebraska?

Mr. TOWNSEND. For a question. I do not want to take too much time.

Mr. BROWN. I thank the Senator. Does not the Senator believe that the owner of private lands, spruce lands, up there, having free access into the United States, being in competition with the man who is leasing the provincial or Crown lands, that are not given free entry into the United States, the competition between these two classes in Canada will present a situation that the Government will take recognition of and put them all, as soon as it can, on an equal basis, being citizens of the same country?

Mr. TOWNSEND. I think that is very fanciful. I do not think there is any foundation of reason—at least not to me—in that proposition. It is admitted that the Dominion has no authority over Crown lands in the Provinces; and, besides, there is practically no competition there.

Mr. BROWN. The man who owns timberlands is in competition with the man who leases the Crown lands, is he not, in Canada?

Mr. TOWNSEND. Yes.

Mr. BROWN. They are in competition. One has free access to the American market and the other does not have it. Is it not natural to suppose that the Government of both those classes will undertake to fix the law so that they may be on an equality and have the same freedom of our market?

Mr. TOWNSEND. Some of the Provinces have imposed this restriction right in the face of the prospect of having free trade with the United States. I think, if they believe they are good, they are going to hold to them. But can the Senator from Nebraska give me any reason why we are to let paper and wood pulp come from certain Provinces of Canada free into the United States and not demand that those particular Provinces shall admit our products free?

Mr. BROWN. The Senator asks me the question. I think we ought to make the demand, and for one I should welcome the result, but our demands on the Dominion of Canada are at the mercy of Canada. She can answer them or ignore them.

Mr. TOWNSEND. She entered into this arrangement, and our representatives agreed to it, but now Senators desire to complicate it by reading something into it which was never contemplated, never understood. The Root amendment provides just exactly what the Canadian bill provides, namely, that when Canada admits this stuff free into that country, then the products from Canada shall come free into the United States. There is not any doubt but what this was the understanding of the makers of the agreement, and this amendment makes the meaning clear.

But I wish to discuss the second reason, and that was the influence of a representative of the American Newspaper Publishers' Association. For myself, sir, believing as I do in Canadian reciprocity, and I hope to give some reasons for that belief to-morrow, I am exceedingly sorry that the newspapers, or certain of them, have not purged themselves of the charge that this is a measure for the benefit of their special interest. We live in an age when the war cry is death to special interests, and the great newspapers, which have been the medium through which this warfare has been carried on, should be the very first to come forward and say, "We want no special benefits." And how small the benefit will be at the most. It would have been better for the influence of the press if it had not asked for an exception in its behalf. I know that all of the newspapers of the country are not parties to this special-favor clause. The lobbyist only represented a few as compared with the whole of the papers, and I personally know that many papers are for this agreement because of principle. They believe in it and support it, because it is right.

If the House amendment is allowed to pass, what are you going to say about other amendments which may be proposed? They will be as much in order as the one incorporated in the House bill.

Mr. President, I had not expected to say anything upon this subject at this time, but I felt it was due to myself that I should give my reasons for supporting this amendment.

We should extend to Canada the same rights and privileges as to print-paper pulp and wood as she grants us—that much and no more. She will respect us more, and we will think better of ourselves if, while granting favors to her, we do justice by our own.

Mr. NELSON. Will the Senator allow me——

Mr. TOWNSEND. Certainly.

Mr. NELSON. I understood the Senator to say—I am not quoting his exact language—it would be a mistake to grant the newspapers of this country free trade with Canada without Canada giving anything in return. Is that the Senator's position?

Mr. TOWNSEND. Practically that is it.

Mr. NELSON. Then, if he is opposed to free trade in news-print paper, why is he in favor of free trade in farmers' products? Can he explain the difference?

Mr. TOWNSEND. I have not opposed free trade in news-print paper. I want free trade in news-print paper. That is what I am contending for. I am contending that the agreement as it is interpreted by gentlemen who want to get some advantage out of it is not free trade, but it is free trade in the United States for Canada and it is a prohibition to the United States in Canada.

Mr. NELSON. Will the Senator allow me? Is it not exactly the same in effect? In other words, section 2 lets in Canadian paper free into this country, as it is worded to-day.

Mr. TOWNSEND. A little of it.

Mr. NELSON. Yes; the product of private lands.

Mr. TOWNSEND. That is what they claim for it. I think the courts will hold it does not, but I would remove all doubt——

Mr. NELSON. If it admits paper free, why should those who are in favor of that policy insist on having the farm products of Canada come in free?

Mr. TOWNSEND. Mr. President——

Mr. NELSON. Does the Senator expect that Canada will furnish our farmers any market for our agricultural products—our wheat, oats, barley, and flax?

Mr. TOWNSEND. I am going to discuss the question of reciprocity to-morrow. I hope I shall be able to give some reason for the faith I have in me that the Canadian reciprocity bill is in accordance with the principles of a protective policy as I have always understood it and as I have always advocated it. I do not care to-day to enter into that discussion. I am now simply discussing, or have tried to discuss, the question as it relates to print paper. I believe the intent of the makers of this agreement was right. I believe the notions which have been read into it by certain gentlemen who are opposed to the Root amendment are wrong. The original agreement was one between the two countries and for the whole of those countries. It was intended to be reciprocal. Why not make it so beyond all doubt?

Mr. CLAPP. Mr. President, I only want to say a few words in regard to the so-called Root amendment. I have been in the Senate for some years and have differed with almost everybody in the Senate and outside of the Senate; but I have always insisted upon one thing, and that was that we should put in legislation just what we intended—good, bad, or indifferent as it might result.

I have listened to arguments upon the Root amendment, and I can see no relation between the Root amendment and the obscurity that is in the pending bill. The pending bill provides, in section 2, that paper and its attendant commodities of a certain character and value shall be admitted into the United States on conditions precedent. Those conditions precedent, which I need not enumerate, are conditions over which the Canadian Parliament has no more authority than has the Congress of the United States, being subject entirely and exclusively to the control of the parliaments or governing bodies of the Provinces.

I contend that under that provision, with those conditions precedent, the fair conclusion is that no paper—because it is referred to as "such paper," and what does "such paper" mean except the paper described in the bill?—that no paper or its attendant commodities can be received into this country without duty so long as such paper, print paper, and other paper, not to exceed 4 cents a pound in value, finds any restriction anywhere in Canada. If I could have my way, Mr. President, if we have reached an economic development where we can put Canadian paper on the free list, I would strike out those conditions precedent, just as I urged two years ago, that so far as we reduced the duty on paper, we should strike out those conditions precedent, because to maintain those conditions precedent amounts to levying two taxes on the paper when we have reached the point where we concede that paper should come into this country free.

I have offered an amendment, with that object, which is pending. However, I recognize the conditon—that the newspapers in this country have been led to believe that under this language as it is now framed, as the bill passed the other House, they are going to get free print paper; and I understand, as well as we understand anything in this world, that the effort to strike out those restrictions, those conditions precedent, will be misinterpreted and purposely misconstrued, and knowing also the futility of the attempt, I shall not press the proposition in connection with this bill; but when we reach the free-list bill I am going to renew the effort where it will be beyond the power of any representative of any interest, through misguided followers of his, to misinterpret and misrepresent the position in which I am placed. So, to avoid any confusion as to that, I shall not press the amendment to this bill at this time.

Believing that this bill in its present form, where it purports to give America free paper, is a deception, a delusion, and a snare, I am not going to join in another deception, delusion, and snare, which I believe the Root amendment to be, and it is needless to say I do not impute the purpose to its author, but I do insist that it is delusive. The Root amendment, as has been repeated here time and time again, does not relate to the restrictive provisions in this bill. The Root amendment simply relates to a certain thing over which the Parliament of Canada has absolute jurisdiction, namely, the importation of American paper into Canada, which, for economic reasons, can not successfully be done. The Root amendment provides, in addition to those conditions precedent, that when they occur and "when the President makes proclamation, that moment paper is admitted into Canada free, then Canadian paper shall be admitted into this country." What has that to do with the question of these conditions precedent now in the bill, upon which depends the exportation of paper from Canada to this country? Absolutely nothing. They deal with a matter that is absolutely in the power of the Canadian Parliament, because the Canadian Parliament alone can impose import duties upon paper coming from this or any other country into the Canadian market.

It is said, however, that unless we get access to the Canadian market in consideration of Canada getting access to our market it is not reciprocity. Well, Mr. President, that does not embarrass me in the slightest, for I undertake to say that there is no element of reciprocity in this bill. It is the same old plan of Canada—and I admire Canada for adhering to the maxim that "charity begins at home"—maintaining her duties, as her great minister stated in the speech quoted by the Senator from Michigan [Mr. SMITH], where we might compete with her, but asking us to take our duties down where she can compete with us.

Last year I roughly estimated this, and I find that we exported $300,000 worth of paper, pulp, and wood into Canada, while Canada exported $4,000,000 worth into this country. I will not be a party to the travesty of calling it a reciprocal obligation or a reciprocal condition where experience has demonstrated our utter inability to compete with that market, on condition that they have our market. There is but one justification for taking this duty off of paper, and that is in the economic development of this country we have reached a point where we owe it to the consumers of paper to remove the duty. If that consideration does not exist, it is a travesty on statesmanship to talk of trading a market that only takes $300,000 worth of our products against our market taking $4,000,000 of theirs and calling it reciprocity.

As I believe section 2 of the bill as it now stands is a fraud and a deception upon the paper users of this country, so I believe the Root amendment is a fraud and deception—of course not intentionally on the part of the Senator from New York—but a fraud and deception upon the paper makers of this country, because it assumes to give reciprocal rights, when, from an economic standpoint, it is so self-evident we can not compete. As I do not propose to vote for this bill, thinking as I do, that it is a fraud and deception upon the consumers of this country, so I do not propose to vote for an amendment that is a fraud and deception upon the American manufacturer. Therefore, for one, I shall vote against this so-called Root amendment.

Mr. HEYBURN. Mr. President, I should like to feel entirely sure that I really was not at cross-purposes on the legal question with the Senator from Minnesota [Mr. CLAPP]. I have great confidence in his legal acumen. I understood him—I may be wrong—to base his argument upon the supposed fact that the Provinces of Canada could impose an export duty.

Mr. CLAPP. No; on the contrary, I stated—and that has confused this whole argument, the idea that the Root amendment went to what the Provinces of Canada could do—that the Provinces could not impose either an export or an import duty.

Mr. HEYBURN. I think the Senator will find, when he reads the CONGRESSIONAL RECORD to-morrow morning, that he did not use the term "export." He said the Provinces could not impose an import duty; that the Dominion only could do it. But I think the Senator, of course, intended to——

Mr. CLAPP. In that connection, I only used the word "import" because I was dealing merely with the Root amendment, which relates to the importation into Canada of American paper. The Senator is right in my use of the word.

Mr. HEYBURN. Yes; because it would make a vast difference in arriving at a conclusion in regard to this matter, as to whether or not we were at the mercy of the Provinces in any regard. We are not at the mercy of the Provinces in any respect whatever, because the constitution of Canada authorizes the Dominion Parliament to remove any such embarrassment.

Mr. NELSON. Will the Senator allow me a question at this point?

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. HEYBURN. I yield to the Senator from Minnesota.

Mr. NELSON. Mr. President, I want to correct what I think was a misapprehension of the Senator from Idaho the other day. The Dominion Government has control over duties and customs. It has no control of the timber lands of the Provinces. I have here before me, if the Senator will allow me to quote it, the act of March 29, 1867, the British act of Thirtieth Victoria, chapter 3, establishing the Dominion Government of Canada. This act may be cited as the British North American act. I repeat, it is the act establishing the Dominion Government, and, as it were, the constitution under which that Government exists. I read from that act as follows:

EXCLUSIVE POWERS OF PROVINCIAL LEGISLATURES.

92. In each Province the legislature may exclusively make laws in relation to matters coming within the classes of subjects next hereinafter enumerated; that is to say. * * *

Paragraph 5 reads as follows:

5. The management and sale of the public lands belonging to the Province and of the timber and wood thereon.

That gives the provincial legislatures exclusive jurisdiction over the timber lands or the lands owned by the Provinces. There can not be any doubt about it. That is the construction put in paragraph 10 of the letter of Messrs. Fielding and Paterson addressed to Secretary Knox.

Mr. HEYBURN. Mr. President, I had before me, and I have now, the same section to which the Senator has called the attention of the Senate. I imagine it is punctuated the same. It reads:

The management and sale of the public lands belonging to the Province and of the timber and wood thereon.

That is all one sentence. That is to say, they may legislate relative to the management and sale of it. The Provinces do not own it. The Dominion of Canada pays to each Province a bonus in lieu of the timber surrendered. But we do not need to go out into that field, because it is a wide one and it is coupled with a vast amount of legislation and regulation. We only need to go to the question of power.

When I referred to this matter it was in connection with a statement that was being read, in which it was stated, not that Canada did not have the power, but that she did not have the right. When we came to analyze the subject then under consideration, we found that they were not using the word "right" as synonymous with "power." They were referring to it in an ethical sense as to what Canada should do, rather than what she might do with her Provinces; and it was in that connection that I read the section referred to by the Senator.

I think it must be admitted that Canada has absolute control, and in fact that Canada can alone make laws and regulations for carrying laws into effect with reference to either exports or imports. The provision is in the fifth paragraph of the section read by the Senator—section 91—and it is in language that our Constitution uses, and would be subject to the same construction. The main difference between the constitution of Canada and that of the United States is that in Canada no powers run to the Provinces except by express provision, while in our country no powers run to the Government except by express provision. It is just reversing the proposition. So that the presumption is always the other way as between the two countries. We must construe their constitutional provisions as ours are construed, because their constitution was drawn with the Constitution of the United States in the mind of the party who was drawing it. It became operative just after the war, when this Government was in the saddle, and probably for that reason our Constitution was taken as a criterion in drawing that of Canada. They were four years putting it in force after it was first drawn, and during those four years the British Government professed to entertain some doubt as to just what the result of the war then pending would be, and it was dallied with.

Mr. President, I do not imagine that any Senator is contending at all that the reservation expressed in lines 19 and 20, on page 23, refers to any act that may be done or may not be done by a Province. It refers only to the acts and the power of the Dominion of Canada, and must be read in connection with the fifth article of section 91 of the constitution of Canada, because it is dealing with that subject. We have got to read them together. Had this intended to have any reference whatever to the Provinces it would have said at the end of it "made by any Province thereof." It does not do so. It starts out by referring to what Canada as a Dominion can do, and it does not change that relation to the end. It would have been proper and convenient, had it intended to refer to any provincial power or right, to have said "any restriction which any Province may impose"; but it retained the reference to the Dominion from beginning to end.

Mr. CLAPP. Will the Senator pardon an interruption?

Mr. HEYBURN. Yes; certainly.

Mr. CLAPP. It seems to me that any court or tribunal dealing with this question and interpreting it could not be blind to the fact that under the laws of Canada the charges imposed under license contracts are not charges regulated by the Parliament, but by the local provincial governments.

Mr. HEYBURN. That terminates at the line of Canada. There is a provision in the Canadian constitution regulating commerce between the Provinces of Canada; and when it is dealing with that subject it leaves no doubt of the fact that it is referring to and confining the reference to the Provinces, but when it deals with the Dominion, then those rights run to the line.

Mr. CLAPP. I do not want to anticipate the Senator, but do I understand that he is contending that this alone applies to the conditions attached by the Parliament?

Mr. HEYBURN. Yes. There is not a mention or a reference, directly or indirectly, in section 2 to the Provinces. It deals only with the Dominion. How you get a Province into section 2 I do not know.

Mr. CLAPP. Because it refers to the contractual limitations that are well known in both countries—it does not make any difference whether they are known there, but they are known here to exist in Canada with reference to the authority of the provincial governments.

Mr. HEYBURN. To do what?

Mr. CLAPP. To impose these restrictions?

Mr. HEYBURN. Oh, no.

Mr. CLAPP. And license fees.

Mr. HEYBURN. No; we have the language here, "the management and sale of the public lands belonging to the Province and of the timber and wood thereon." It acts as the agency of the Dominion in that respect.

Mr. CLAPP. But, Mr. President, we all know from our examination of contracts covering those lands and we know from the declaration of the minister of Canada that the construction which they place upon their law is that the Provinces can impose those restrictions, and surely our courts would be bound by that.

Mr. HEYBURN. I assume that the Senator has come into close contact with those contracts. I can say that in the course of my professional career as a lawyer I have handled a great many of them, because I live very close to the line and it is a very ordinary business transaction in our country; so that I have some personal knowledge of the matter. But those are contractual relations and have nothing to do with the basic right or the limitations upon the Dominion Government. The Dominion Government of Canada deals with its Provinces in an irregular or uneven manner. It will grant a right to one and withhold it from another.

Mr. CLAPP. Mr. President, this expressly says—

or any prohibition or restriction in any way of the exportation (whether by law, order, regulation, contractual relation, or otherwise, directly or indirectly).

It does seem to me, with all deference to the Senator——

Mr. HEYBURN. The Senator is reading from——

Mr. CLAPP. From the bill.

Mr. HEYBURN. But you must find a corresponding power in the Constitution. The bill does not fix—it is not even argumentative as to the status of the law.

Mr. CLAPP. Then I understand the Senator that in construing the bill we are wasting our time in considering the terms of it.

Mr. HEYBURN. You must certainly go to the organic law under which the bill must operate, if it operates at all, because in this legislative proceeding, while it is really an ordinary piece of legislation upon the tariff question——

Mr. CLAPP. I agree to that.

Mr. HEYBURN. There is an attempt being made all the time to construe it as a treaty. It is not a treaty because it has not been submitted to the treaty-making power of the Government for consideration. So I am discussing it entirely from the standpoint of a legislative measure, and not from the standpoint of a treaty at all. The Dominion of Canada by treaty may do many things, as we may, that can not be done by legislation.

Mr. CLAPP. That my silence may not be construed hereafter, I will say that I most heartily agree with the Senator that this is in no sense a treaty. It is just an ordinary, or rather an extraordinary, tariff bill——

Mr. HEYBURN. Yes; it is a pact.

Mr. CLAPP. An attempt to bolster up certain trusts by taking the duty off the raw material and leaving it on the trust products and leaving the people to pay the expense.

Mr. HEYBURN. Before adjournment a few days ago I called attention to this question, it being late in the day, in order that if it should catch the notice of some Senators here they might be thinking about it until the meeting of the Senate to-day. I called attention to the nature of this proposed arrangement by reading from the resolution before the Canadian Parliament a matter that I have not heard referred to, but doubtless every Senator has seen it and has had it in mind. It proposes that Canada shall be our almoner hereafter in regard to our markets. She may give them away at her pleasure.

Now, I will ask close attention to the provision, because it is in the resolution that is before the Canadian Parliament, which was introduced by Mr. Fielding in the Committee of Ways and Means. That is their medium in such matters as is the similar committee in our House of Representatives. In the second paragraph of article 2 it is provided:

That the advantages hereby granted to the United States shall extend to any and every other foreign power which may be entitled thereto under the provisions of any treaty or convention with His Majesty.

That leaves it open for the King of England, acting either on behalf of the English Government proper or acting through the Canadian agency, to make our competition in Canada so broad that we must meet the people from Italy or Abyssinia or Patagonia or anywhere else in the Canadian market on equal terms, because it reserves the right to extend the same terms to France or Germany or England or any other country.

That the advantages hereby granted to the United States—

This is another, a separate and distinct provision—

That the advantages hereby granted to the United States shall extend to the United Kingdom and the several British colonies—

That lets meat from Australia in all right—

and possessions with respect to their commerce with Canada—

We have got to meet them, and we have nothing to say about it. We do not say whether they shall come into Canada. Canada says that or the English Government says it—

with respect to their commerce with Canada: *Provided, however,* That nothing herein contained shall be held to increase any rate of duty now provided for in the British preferential tariff.

They preserve everything that they have and gather something new to them, and they take away from us all that they could possibly take away from us; that is, a protected market. They sell to us in our protected market and derive the benefits of our protective duties, but we go into their market and we sell in competition with anybody whom they may choose to admit to it on exactly the same terms. That is the favored-nation clause by legislation.

Mr. SMITH of Michigan. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Michigan?

Mr. HEYBURN. Yes; I yield.

Mr. SMITH of Michigan. Mr. President, in order that we may have a little more light upon the suggestion of the Senator from Idaho, which is most pertinent at this time, I desire to read a quotation from the premier of Canada published in the Washington Star:

LONDON, *June 17.*

At a luncheon of the Constitutional Club, presided over by A. J. Balfour, to-day, Sir Wilfrid Laurier, premier of Canada, told the big gathering of British statesmen and over-seas premiers that the reciprocity agreement between the United States and Canada need cause no alarm to anyone.

"Canada," he said, "wished to trade with the mother country in preference to any other land, but that did not mean that it should treat with her alone. Whatever privileges were granted to other countries would be given equally to England."

"In England," he added, "the policy of British preference has been hoisted to the top of the mast, and there it will stay, whatever Great Britain does or does not do."

There has never been in the history of the British Empire a stronger feeling of kinship among her subjects or a greater desire to work in harmony with and coordinate with the constituent parts of that Empire than exists to-day among the dependencies of Great Britain, and in no part of their vast domain, stretching from ocean to ocean, are there subjects who are encouraging with a greater degree of enthusiasm or more intelligent purpose the investment of British funds for the development of colonial industries than in the Dominion of Canada.

Mr. HEYBURN. Mr. President, I have no doubt that that extract from a newspaper correctly expresses the question from the Canadian standpoint.

Mr. BORAH. Mr. President, we might take in connection with that statement of the premier, the announcement that the farmers in western Canada declared on Saturday night that, if they did not get reciprocity, they were in favor of annexation.

Mr. HEYBURN. I have been at so many of those little joy occasions over in western Canada and in the Northwest Territory that I know just exactly how that sentiment of annexation will grow. They will talk enthusiastically and they sing "For he is a jolly good fellow," and they are for annexation there, but there is nothing serious about that kind of Canadian annexation.

Mr. BORAH. I have no doubt the spirit of joy was more prevalent this summer at the meeting of the western farmers.

Mr. HEYBURN. This question of the meeting of farmers and mechanics and these people generally resolves itself down to some small gathering of people where they do not meet perhaps for the purpose of considering this particular question. I eliminate entirely the question of annexation. I think it is just a waste of time to talk about annexation with Canada, except it is occasioned through war, which is not likely at all.

Mr. CUMMINS. Will the Senator yield to me?

Mr. HEYBURN. I yield to the Senator from Iowa.

Mr. CUMMINS. One view taken by the Senator from Idaho has interested me very much. It is not the view taken by most of those who have spoken upon the question; but if it is well founded, it is highly necessary that we understand it and know it before we act, even upon this amendment.

I may misunderstand the Senator from Idaho, but if I correctly apprehend him, it is that there is no restriction or limitation upon the export of wood or wood pulp or paper from Canada into the United States that the Dominion Parliament can not remove.

Mr. HEYBURN. There is not. There is no export duty from any Province or the Dominion of Canada affecting these questions. There is no export duty. Now, duty is one thing; license is another.

Mr. CUMMINS. Without speaking now about paper especially, the Senator from Idaho is mistaken. There is an export duty on logs from Canada into the United States.

Mr. HEYBURN. That is a license.

Mr. CUMMINS. It has all the meaning, I think, of an export duty. But I should really like to believe, as the Senator from Idaho does, that if the Parliament of Canada passes a law to that effect, then there may be the export of wood, pulp, and paper into the United States free from any of the limitations or restrictions——

Mr. HEYBURN. Of the Dominion Parliament?

Mr. CUMMINS (continuing). Put upon the management of the Crown lands by the Provinces.

Mr. HEYBURN. Yes.

Mr. CUMMINS. Is that the view of the Senator from Idaho?

Mr. HEYBURN. The Dominion Parliament has the last say.

There is a most suggestive provision in the constitution here, I will, in passing, read section 132:

The Parliament and Government of Canada shall have all powers necessary or proper for performing the obligations of Canada or of any Province thereof—

Bear this in mind, because it is important—

or of any Province thereof, as part of the British Empire—

If Canada deals with foreign countries, she does it as a part of the British Empire, and she may brush aside any provincial agreement or regulation which would be valid enough if everybody acquiesced in it. But whenever the question comes whether the Government interests are to be affected by it, then this provision comes in. You see, by going back to the seat of the power, you are enabled to unravel that question.

Mr. CUMMINS. Mr. President——

Mr. HEYBURN. If the Senator will pardon me for a moment, I want to connect that up with another section. I will first read section 132 of the constitution from the beginning in order to make it clear.

The Parliament and Government of Canada shall have all powers necessary or proper for performing the obligations of Canada or of any Province thereof, as part of the British Empire, toward foreign countries, arising under treaties between the empire and such foreign countries.

Now, suppose this were a treaty; would there be any question that such a power behind these Provinces could absolutely control them?

Now, another provision here in connection with that:

The customs and excise laws—

Now, that log law would come under that excise probably.

Mr. CUMMINS. The export duty.

Mr. HEYBURN. It is not an export duty. They use those terms, of course, without regard to the strength of them. They call an excise duty an export duty perhaps, or anything without regard to its technical meaning.

Now, here is section 122:

The customs and excise laws of each Province shall, subject to the provisions of this act—

That is the other provision I have just read—

continue in force until altered by the Parliament of Canada.

No one can contend that under the constitution of Canada the Dominion Government can not grant power to a Province to make an excise law. She can grant power to the Province what may be called the equivalent to an excise law. But the power that grants it can take it back.

Until altered by the Parliament of Canada.

These things exist——

Mr. CUMMINS. Mr. President, may I call the Senator's attention to Schedule A, which is attached to the correspondence between the departments of the two Governments?

I will not even read the entire paragraph I have in mind, but I simply bring it to the attention of the Senate. It is the one which says that—

Provided, That such paper and board, valued at 4 cents per pound or less, and wood pulp, being the products of Canada, when imported therefrom directly into the United States, shall be admitted free of duty, on the condition precedent that no export duty, export license fee, or other export charge of any kind whatsoever (whether in the form of additional charge or license fee or otherwise) or any prohibition or restriction in any way of the exportation (whether by law, order, regulation, contractual relation, or otherwise, directly or indirectly) shall have been imposed upon such paper, board, or wood pulp, or the wood used in the manufacture of such paper, board, or wood pulp, or the wood pulp used in the manufacture of such paper or board.

Now, those are the conditions which stand in the way, if this bill were to go into effect, of the full and free admission of wood, pulp, and paper into the United States from Canada. I want to be sure that I understand the Senator with respect to it. I do understand he says that if the Parliament of Canada desired to do it it could at any moment pass such a law as would

remove all such limitations, restrictions, or regulations referred to in the paragraph which I have just read.

Mr. HEYBURN. There is no government, that I know of, which has the power to make a law which has not the power to repeal it.

Mr. CUMMINS. So that the Senator from Idaho understands that it is the Dominion Parliament which stands in the way——

Mr. HEYBURN. Yes; because it does not want to——

Mr. CUMMINS. Of complete free trade between the United States and Canada in wood, wood pulp, and paper?

Mr. HEYBURN. Yes; because she expresses a desire not to disturb the contractual relations which she has made with her Provinces. But that does not mean she has not the power to do it. She prefers not to do it.

Mr. CUMMINS. How does the Senator from Idaho reconcile that with this sentence in the letter of Messrs. Fielding and Paterson?

They—

referring to these restrictions—

They have been adopted by several of the Provinces with regard to what are believed to be Provincial interests. We have neither the right nor the desire to interfere with the Provincial authorities.

Mr. HEYBURN. It does not say they have not the "power." They differentiate there and use the word "right," a very cautious one, because they have already enumerated the method by which these arrangements were made. They were made with the consent of the Dominion Government, which, of course, could be taken back, because it is not in the shape of a constitution, and if it was they could repeal the constitution granted to the Province.

Mr. CUMMINS. Will the Senator allow me to finish the sentence?

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Iowa?

Mr. HEYBURN. Yes. I beg pardon if I have interrupted.

Mr. CUMMINS (reading)—

We have neither the right nor the desire to interfere with the Provincial authorities in the free exercise of their constitutional powers in the administration of their public lands.

Mr. HEYBURN. That is, of course, a general statement. It is not directed to any point. It is a general statement when it refers to that. They have not a moral right, perhaps, to abrogate a contract. But they have the power. They can, of course, repeal a constitutional provision of the Province because they make the constitutions for the Provinces.

Mr. CUMMINS. The Dominion Parliament can not repeal the act of 1867.

Mr. HEYBURN. That came from the English Parliament.

Mr. CUMMINS. Precisely. Permit me to read and emphasize the section which was called to the Senator's attention by the Senator from Minnesota, and I say frankly——

Mr. HEYBURN. I have it before me.

Mr. CUMMINS. I say frankly, if the Senator from Idaho could convince the Senate that it lies within the power of the Dominion Parliament to remove all these restrictions, the inference would be inevitable that whoever made this agreement has not been dealing fairly and frankly with the American people.

But now allow me to read. Section 92 says:

In each Province the legislature may exclusively make laws in relation to matters coming within the classes of subjects next hereinafter enumerated; that is, to say—

Now, if I understand that correctly, it is that the Dominion Parliament is excluded entirely from the powers that are herein enumerated.

Mr. HEYBURN. Yes.

Mr. CUMMINS. Coming, then, to the fifth paragraph——

Mr. HEYBURN. The original Provinces.

Mr. CUMMINS. Coming to the fifth paragraph, we read:

The management and sale of the public lands belonging to the Province, and of the timber and wood thereon.

I have always thought——

Mr. HEYBURN. What Provinces?

Mr. CUMMINS. The Province; whatever Province is exercising the power here referred to—

The management and sale of the public lands belonging to the Province, and of the timber and wood thereon.

Now, I do not believe that the Parliament of Canada can repeal or regulate or control the action of the Province in dealing with the sale and the management of the public lands or the timber or the wood upon those lands.

Mr. HEYBURN. It does not say anything about "action."

Mr. CUMMINS. Mr. President——

Mr. HEYBURN. The Senator has interpolated the word "action" there. This simply says that they may make laws with reference to—

The management and sale of the public lands belonging to the Province, and of the timber and wood thereon.

That is to say, they may make laws as to the terms and conditions upon which they may be sold. But that has nothing to do with exports or imports.

Mr. CUMMINS. I am just coming to that. The management and sale of timber upon the lands belonging to the Provinces.

Mr. HEYBURN. Now——

Mr. CUMMINS. Now, suppose that the Province of Ontario should make an agreement or pass a law under which an agreement should be made with the Senator from Idaho, providing that no part of the timber cut from the land so granted to him should be exported to the United States or any other country and that no part of the wood pulp which might be manufactured out of the wood should be exported and that no paper which might be the product of the wood should be exported. Does the Senator from Idaho believe that the Parliament of Canada could repeal or override the agreement or the contract so made?

Mr. HEYBURN. If the English Parliament or the English Government had made that limitation——

Mr. CUMMINS. I am speaking now of the limitation made by the Province.

Mr. HEYBURN. That was not made by the Province. That was made in favor of the Provinces named—four:

The following provisions of this act respecting the Parliament of Canada, namely, the provisions relating to appropriation and tax bills, the recommendations of money votes, the assent to bills, the disallowance of acts, and the signification of pleasure on bills reserved, shall extend and apply to the legislatures of the several Provinces as if those provisions were here reenacted and made applicable in terms to the respective Provinces and the legislatures thereof, with the substitution of the lieutenant governor of the Province for the governor general, of the governor general for the Queen, and for a secretary of state, of one year for two years, and of the Province for Canada.

That is as to the four Provinces; that is, Nova Scotia, Quebec, Ontario, and New Brunswick; and those are Provinces which are expressly named to which these provisions apply.

Then there was the unorganized Northwest Territory, which came in; they were authorized to admit it very much as our Government is authorized to create new States..

Mr. CUMMINS. They have been admitted since 1867.

Mr. HEYBURN. That is what the constitution was framed for—for the purpose of bringing them in under the course commenced in 1864 and consummated in 1867.

Now, that was the only territory subject to these laws until new Provinces were organized out of the unorganized territory, subject to just such limitations as our Territories were. And then Canada, not England, admitted these new Provinces, not acting through the English Parliament, but acting through her own Dominion Parliament, and she placed the restrictions upon them, and they are entirely different from those placed upon the original four Provinces.

Mr. CUMMINS. I am speaking, of course, of the act of 1867——

Mr. HEYBURN. You have to divide the territory to apply that.

Mr. CUMMINS. Which is the constitution, as the Senator from Idaho very well states——

Mr. HEYBURN. Yes.

Mr. CUMMINS. And in it it is declared that in each the legislature—that is, in all the Provinces which make up the Dominion of Canada——

Mr. HEYBURN. Yes; those four.

Mr. CUMMINS. The legislature may exclusively make laws in relation thereto.

Now, I come along to section 5, in relation to the management and sale of public lands belonging to the Provinces and of the timber and wood thereon. If the Province has the exclusive right so to legislate, so to manage, so to sell, it seems hard for me to believe that the Dominion Parliament can repeal the laws the Province has so made and abrogate the contract which has been entered into under existing laws.

Mr. HEYBURN. That was a power of legislation within the Province. The preceding pages indicate that clearly.

Now, I ask the Senator's close attention to this: To indicate clearly that they were not dealing with the question of the regulation of trade and commerce outside of the Province, we find in the preceding section they had first dealt with the power of the Government to regulate commerce and trade as we do in the Constitution.

Having disposed of that, now we come to the regulation of internal affairs, and in the next section, 92, they take up that

question—as to the regulation of internal affairs—and provide, properly, that it shall be done through the internal machinery of the Government. Here they were dealing with Dominion power and Dominion machinery of the Government; and they disposed of them completely. Then they come to the next—the heading of it being "Exclusive Powers of Provincial Legislatures." They had already parted with or located the power to regulate commerce and trade—trade and commerce; they just reverse the language of our Constitution.

Mr. CUMMINS. I will not interrupt the Senator——

Mr. HEYBURN. I thought this ought to appeal to the Senator.

In making laws for a great country they first deal with the country itself. Our Constitution does. It deals with the country as a single organic proposition. When it has disposed of that it takes up the subdivisions of it and deals with the Provinces. Now, following that, it deals with the Territories; following that, with the unorganized territories. That is the ordinary procedure.

Mr. NELSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. HEYBURN. Yes.

Mr. NELSON. Will the Senator allow me to correct, I think, a misstatement or misapprehension?

It has been stated that this North American act, really the constitution of the Dominion of Canada, included only the four Provinces which were created at the time.

Mr. HEYBURN. Yes; and it names them.

Mr. NELSON. And then it provides that the others can be admitted only by Canada.

Now, let me read the next to the last paragraph of this act:

146. It shall be lawful for the Queen, by and with the advice of Her Majesty's most honorable privy council——

That is the privy council of England—

on addresses from the Houses of the Parliament of Canada and from the houses of the respective legislatures of the Colonies or Provinces of Newfoundland, Prince Edward Island, and British Columbia, to admit those Colonies or Provinces, or any of them, into the union, and on addresses from the Houses of the Parliament of Canada to admit Ruperts Land and the Northwestern Territory.

Ruperts Land and the Northwestern Territory are now what constitute the three Provinces of Alberta, Saskatchewan, and Nova Scotia.

Mr. HEYBURN. Is the section the Senator is reading 147?

Mr. NELSON. No; 146.

Mr. HEYBURN. Well, there is another section——

Mr. NELSON. Will you allow me to finish the statement?

At the time of the admission there were Canada—known as Upper and Lower Canada—and Nova Scotia, and New Brunswick. Canada was by this act divided into the Provinces of Ontario and Quebec. Upper Canada was called Ontario and Lower Canada Quebec. And, then, there were New Brunswick and Nova Scotia. They were in the union originally, and the others have been put into it on a par exactly with the other Provinces. They are all in it, except the Province of Newfoundland, which is outside, which never entered into the Dominion.

Mr. HEYBURN. There is the difference between our Constitution and Canada's. They are not required to be all on the same footing.

Mr. CUMMINS. This history is very interesting and important, too, but——

Mr. HEYBURN. It is essential absolutely to be considered.

Mr. CUMMINS. But I do not wish to drift away from the question I rose to propound. We find here a constitution which the Senator from Idaho well says is a constitution of grants. That is, the powers of the Provinces bear close relation to the powers granted to the United States. You must find in the constitution the powers exercised in order to warrant the Province in exercising them.

Now, we find here a power, and it is an exclusive power, granted to the Provinces, to legislate with respect to the management and sale of the lands of the Provinces and the wood timber thereon. It seems to me that under such a grant it would be legally or constitutionally impossible for the Parliament of Canada by her own act to withdraw the powers that had been granted to the Provinces or to overrule or repeal any legislation which the Provinces had made within those powers.

Mr. HEYBURN. I do not contend that she can. But let us get back on to the track.

Mr. CUMMINS. I will get you back or I will get myself back by asking this question finally: The Senator from Idaho, upon a review of the whole matter, believes, and he asserts, that if the Dominion Parliament were to-morrow to pass a law removing all limitations and restrictions which prevent the free export of wood, pulp, or paper into the United States the act would be valid?

Mr. HEYBURN. Yes.

Mr. CUMMINS. And would accomplish its object?

Mr. HEYBURN. Yes; it can do it either by act or by treaty.

Mr. CUMMINS. And therefore the proposition of the Dominion of Canada to defer our entrance into Canada until all the Provinces act or until, at some future distant day, wood and pulp and paper are put on an equality with our wood and pulp and paper is a mere pretense.

Mr. HEYBURN. Well, just call it a subterfuge, because that is what it amounts to.

Mr. CUMMINS. Subterfuge?

Mr. HEYBURN. Or whatever it may be called.

Mr. CUMMINS. I see now the Senator's position. I did not——

Mr. HEYBURN. The Senator sees it pretty near. I think I can open the door entirely.

We have in this country a case somewhat in point. Texas reserved in the treaty the power to dispose of her lands. Texas came to us by treaty, and she is given the power to regulate the sale of lands and of the timber thereon. Could she put an export duty on the timber or anything connected with it?

Mr. CUMMINS. I am not prepared——

Mr. HEYBURN. It points the idea.

Mr. CUMMINS. I should say, instantly, no; because the Constitution of the United States forbids any State from doing any such thing.

Mr. HEYBURN. No; the Constitution does not forbid it, but it retains to itself the power to do that thing; and the thing which the Constitution retains the right or the power to do can not be exercised by anybody else.

Mr. CUMMINS. That is the exact equivalent of what I said. The exclusive power to do those things, as levying duties on imports, is conferred upon the Federal Government.

Mr. HEYBURN. I will ask the Senator——

Mr. CUMMINS. Before the Senator from Idaho further speaks—I am going to sit down after I read this—I want him to have in mind section 109 of the act of 1867, which provides that:

All lands, mines, minerals, and royalties belonging to the several Provinces of Canada, Nova Scotia, and New Brunswick at the union, and all sums then due or payable for such lands, mines, minerals, or royalties——

Mr. HEYBURN. That merely goes to the title to the land.

Mr. CUMMINS (reading)—

shall belong to the several Provinces of Ontario, Quebec, Nova Scotia, and New Brunswick, in which the same are situate or arise, subject to any trust existing in respect thereof, and to any interest other than that of the Province in the same.

Mr. HEYBURN. That does not get within a mile of the question we are discussing.

Mr. CUMMINS. I think the Senator ought to have the full title of these lands before him——

Mr. HEYBURN. I have it right here.

Mr. CUMMINS. When he speaks of the powers of the Provinces.

Mr. HEYBURN. It can not be successfully contended that the power to manage a piece of real property—and that is all this amounts to—carries with it the power to levy an export or import duty or to exercise any other kind of a governmental function. That certainly does not need to be supported by any argument. We have those cases in point in our own country, and no one has ever contended they would have the right to control those duties.

Mr. CUMMINS. The Senator is rapidly convincing me; but the whole legislation of the last session respecting paper and of this session respecting paper seems to have been bottomed on the idea that there were valid limitations and restrictions over there that the General Government of Canada could not remove.

Mr. HEYBURN. I always object to bringing in the question of personal equation, but I have been talking with Canadians and Americans since last winter in regard to the matter, and I have listened to what we on this side call "bluffs," and their statements that "the Dominion Government will always protect the Province in its own rules and regulations and will not undertake to control us," and all that kind of talk.

I have here a letter in this morning's mail, by the way—one of them—from a man who objects to the expression I used the other day which was as true as the Gospel, that whatever political rights we ever got from England we received on the point of a bayonet. That stirred him up to write to me about this. I am fortunate in having a considerable acquaintance on that side of the line and considerable clientele there, and I know

something of how they feel. They use those laws as a bludgeon to defend themselves, not against the imposition of others but to afford them an excuse for not doing something. They say, "It can not be done because the legislature last winter passed a certain act," and if they have not passed the act they will see that it does in order to bear them out.

The management of property does not carry with it that right. I do not care whether it is in the hands of a Province, or an individual, or the Government itself; it is the lordship, the lord of the fee, so to speak, applying our relative terms, who does these things. Some of them it can delegate; some it can not. Canada can only delegate power within the license given it by the act of 1867. England can delegate power to whom it pleases, because it has no constitutions to limit it. Our Government can not delegate power except within the limit of the permission contained in the contract of the Constitution. The right to exercise power is an affirmative right. When it comes to a government the right of a State is not the government of the highest character. It can be a definite power conferred upon a State that authorizes it to act upon matters in which the General Government is concerned.

Mr. CUMMINS. May I ask one more question?

Mr. HEYBURN. Certainly.

Mr. CUMMINS. Suppose the Senator from Idaho owned 160 acres of timberland, and I were trying to secure from him the right to cut it and remove it, and the Senator from Idaho would attach as a condition to the sale of the timber that I must convert it into lumber upon the land from which it is cut.

Mr. HEYBURN. That is purely contractual.

Mr. CUMMINS. That, however, is a valid contract. The Senator from Idaho admits that?

Mr. HEYBURN. Yes; I have seen those contracts.

Mr. CUMMINS. If the Provinces have entered into such contracts, in substance, with persons who are taking timber from these lands, I take it the Dominion Parliament could not abrogate those contracts. But the Senator's idea is that the Parliament could prevent the Provinces from entering into any more of them.

Mr. HEYBURN. Yes; or you declare that after a certain date no such contract should be made. We have instances of that in our own legislation, where after a certain date no contract within certain prohibitions should be made. That is the position, I take it, in regard to this matter. But I am not going to vote for the Root amendment because I am opposed to reciprocity. Section 2 is not a reciprocal measure, and no one has contended that it had anything in it of the character of reciprocity. However, if you are to say the Root amendment uses reciprocity, I am not in favor of it. Of course, if I wanted to use it as a bludgeon that would be another proposition, but I am not in a belligerent mood and I am not going to vote for an amendment like that because it might hurt somebody.

It has been held up to us here for weeks and months that you could not do it because, forsooth, some Province would bar your way. Since I read the constitution of Canada I have not been at all influenced by that statement.

By the way, I find here a memorandum I made with reference to the question we have had under consideration here. Speaking of these exclusive rights that the Dominion Government gave to the Provinces it says:

> The legislatures of the Provinces and of the Dominion possess concurrent jurisdiction on many subjects, because the Dominion has given them jurisdiction concurrent with itself; and it is provided that in the contingency of a conflict of legislation between the Dominion and the Provinces, the laws of the Dominion shall prevail. Although the powers of government have in this manner been definitely portioned out, there has been no lack of intrusion on the part of either party into the sphere of the other. On such occasions, where compromise has been found impossible, the principle of the superior authority inherent in the central government has been adhered to.

In the management of litigation in that country it is not at all infrequent that we find a conflict between the Dominion authority and the territory. I always speak of the provincial authority. They were not Provinces when I knew them; they were mere territories; but the local authority was frequently in conflict with the Dominion authority, each contending for that which was favorable to them, but always the Dominion authority prevailed, and properly so.

Mr. SUTHERLAND. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Utah?

Mr. HEYBURN. Yes.

Mr. SUTHERLAND. When the Senator made the statement the other day I was very much inclined to agree with his construction of the Canadian act, but I am not entirely certain that I now understand the Senator's position. Does the Senator from Idaho think that, notwithstanding the provision of the constituent act, which gives to the Provinces named exclusive power to sell and manage their land and the wood grown thereon, if the Provinces under that power should undertake to say that wood grown upon the land could not be exported to the United States, the Dominion Parliament could set that provision aside under the power which the Dominion Parliament has to alter the customs and excise law?

Mr. HEYBURN. Yes; I say not only under that authority, but under the regulations, a purely local one within the Provinces.

Mr. SUTHERLAND. Let me suggest to the Senator from Idaho that the customs and excise laws are taxing laws. We have the same expression in our own Constitution. Those words are used with reference to the taxing power.

Mr. HEYBURN. Certainly; as distinguished from duties.

Mr. SUTHERLAND. But we also have in our Constitution a provision which gives Congress the power to make rules and regulations respecting the territory of the United States and to dispose of the public lands.

Mr. HEYBURN. That is not an excise law. That is an act of sovereignty.

Mr. SUTHERLAND. That is exactly in line with what I was going to say. It is not a customs or excise law when we pass a law under that power. When the Provincial Parliament passes a law for the purpose of regulating the sale or management of its lands or the wood arising therefrom, that is an act of sovereignty on the part of that Provincial Government.

Mr. HEYBURN. No.

Mr. SUTHERLAND. If the Senator will hear me through, that is not a taxing law at all. The question I wanted to submit to the Senator was, Can the Dominion Parliament control the sovereign power of the provincial government to sell and manage its lands under a taxing power?

Mr. HEYBURN. The same as we do it under the Carey Act. There is the point. You see, the Government having the sovereign power, delegates it to the State to sell and make the deeds under the Carey Act. There is no difficulty about the legal proposition, because this limits it to the things that the State may do, and the States here have no rights except those expressly given.

Mr. SUTHERLAND. The provincial government under that power could decline to sell any of the wood grown upon the public lands at all if they desired to do it, could they not?

Mr. HEYBURN. No; the right to regulate a thing does not at all mean that you may abolish it.

Mr. SUTHERLAND. The exclusive power to sell or to manage is vested in the provincial government. Under that exclusive power it may withhold from sale.

Mr. HEYBURN. No; it may not. This says the management and sale. When the power is given to sell a thing it does not carry with it the power to sell it.

Mr. SUTHERLAND. Let me grant that. The power to sell certainly includes the power to sell to whomsoever the person having the power chooses to sell.

Mr. HEYBURN. Oh, yes; so as not to defeat the purpose of the lord of the fee.

Mr. SUTHERLAND. Could not the provincial parliament decline to sell to another government if it desired to do so?

Mr. HEYBURN. They do not sell to the Government.

Mr. SUTHERLAND. To sell to the people?

Mr. HEYBURN. It is not the Government that sells to the people. It comes from the person who buys the claim under the Government. Canada does not cut off the wood. They grant a license to cut it or sell the land to a purchaser. It is purely an individual and contractual relation.

Mr. SUTHERLAND. I quite understand that, but the Provincial Government by its laws has the power exclusively to control the sale.

Mr. HEYBURN. The Government does not buy it.

Mr. SUTHERLAND. The Senator has not heard me through. I have not intimated that.

Mr. HEYBURN. I beg the Senator's pardon.

Mr. SUTHERLAND. I say a provincial government having exclusive power to manage and sell the wood grown upon these lands would have the power to sell to whomsoever it pleases.

Mr. HEYBURN. Yes.

Mr. SUTHERLAND. Would it not have the power to decline to sell to the people of some particular Government if it desired to do so?

Mr. HEYBURN. That is possible; but I do not see how it enters into this question.

Mr. SUTHERLAND. I think it enters exactly into it.

Mr. HEYBURN. In the first place, the Government does not sell the land at all. The Government gives the man the right to earn this land.

Mr. SUTHERLAND. If it has the power to decline to sell to the people of this Government, then has it not the lesser power to decline to sell upon conditions or to say that a certain license shall be paid before it shall be cut for sale?

Mr. HEYBURN. A license is a hire; it is not a sale. When the word "sale" is used, it can not be construed to include that kind of a departure by title. A license is a right to use a thing. A sale parts with the title; it severs the title from the lord of the fee in whatever shape it may be. The Government had in the previous section disposed of the thing Senators are arguing for. There are just one of two conclusions, either section 91 does not apply to foreign trade and commerce or else article 5 of section 92 has no application one way or the other. When the constitution, proceeding in an orderly manner, has disposed of one question and passes to the next, you can not ingraft the second question upon the power that is dealt with in the first.

I do not care whether any export duty is charged or not, and I care not whether an import duty is charged, it is foreign trade and commerce that regulates the passing of commodities between the countries. Whether upon the payment of dues or not, it is commerce, because the value of the article itself is being transferred. That is of more importance than the price that you pay for transferring it from one to the other. That is the commerce that is referred to in section 91, and the question is there disposed of and closed. Then it passes to the consideration of domestic affairs. It is only in connection with domestic affairs, so far as section 92 deals and provides, that the Provinces may regulate them. Those Provinces charge each other for certain privileges, but whenever it comes to giving the rule under which the commodity crosses the border, then the Dominion of Canada, subject even now to the Crown of England, regulates that so far as they are concerned, and our Government so far as we are concerned. It would be a very grave mistake to conclude that the provisions for domestic commerce in any manner influenced or governed the subject matter under consideration through this bill. You could not make a graver mistake, and I trust that Senators will give it the closest attention. If we are governed by a wrong rule, we will reach a wrong conclusion in this case.

Now, I want to resume on the point I was discussing just for a moment before I close, and I have spoken longer than I had any intention of doing. I want the attention of Senators to this provision. While I have read it once, yet I do not at all times feel that I have the attention of all Senators. I say that this provision sends us into the markets of the world to compete with anyone without charge or price on their part, because it says that whatever privileges are given to the United States under this bill or treaty, or whatever you call it, the same shall be extended to any other country. That is the most-favored-nation clause by legislation instead of by treaty. The language of it is unequivocal. Canada wanted to keep her net out for the whole sea and confine us to some little bay of the St. Lawrence River, and she says that the advantages hereby granted to the United States, after referring to them by schedule, shall extend to any and every other foreign power which may be entitled thereto under the provisions of any treaty or convention of His Majesty. That gives England the power to open wider the doors of free trade in Canada. That is the market we are to sell in, and the market they are to sell in is one that is guarded by protective tariff duties against all the world. We give them a protected market to sell in and they give us a world-wide competitive market. We will sell our meats in Canada, if we sell them, in competition with the colonial Provinces of England, Australia, or any other Province that she has to-day, or may have; and she is not confined to existing conditions that she may make.

What kind of a business proposition is that? Is there a business man in the world who would enter into such a proposition as that? His neighbor says: "You may graze your cows in my pasture for a consideration," and he thinks he is going to have pasture for his cows. He goes and finds cows from Germany, France, Holland, and every other nation there grazing. He says, "Where are my cows going to graze?" They will take their chance, he is told, in this field. You make a contract, and in lieu of this privilege which you supposed you had, you say they may graze here, and they come over and find no German, or French, or European, or Asiatic cattle sharing the pasture with them.

That is this much lauded and boasted reciprocity which is disguised here under the name of a bill, or the bill is disguised under reciprocity, it matters not which. You are proposing to attach the Root amendment, which simply makes it more of a reciprocal trade agreement, takes it out of the tariff schedule and makes it an ordinary reciprocal arrangement. You let my paper in and I will let yours in.

I shall have to vote against the amendment. As I said, if I were to be actuated by the spirit of destruction I would vote for it in order to make it more obnoxious, but I think probably that the responsibility for this legislation will find a resting place. It will be in the plain open view of the American people, and they will know just where to go out with their scalping knife and tomahawk.

Mr. SMITH of Michigan. Mr. President, I simply want to put into the RECORD a few thoughts that have come to me from a source so authoritative that I have no hesitation whatever in quoting them. I desire the Senate to know that we have about $22,000,000 invested in paper making in the State I have the honor in part to represent, and the thriving city of Kalamazoo alone has nearly $10,000,000 invested in paper making.

Michigan has a growing and ample supply of suitable wood from which to continue the successful operation of its present equipment of modern and extensive paper mills, as well as many others which may be added. Any of the hardwoods as well as all of the varieties of the soft woods grown in our State are well suited for the manufacture of book papers and the other grades of paper made in the Michigan mills.

I think I am clearly justified in stating that the production of paper might be increased fivefold, and if the mixed woods of our forests were used to manufacture the soda pulp with which to exclusively provide for the needs of all our paper mills ample wood for the purpose could be secured at a cost of not above $5 per cord delivered at the mill. This, too, without any limitation as to time. In this estimate I am not including the virgin forests of the northwestern portions of the upper peninsula. As much more could be said of that portion of our State.

While at present Michigan is not a large producer of paper made from mechanical pulp, chiefly because of lack of developed water power with which to grind the wood, the increase in the manufacture of this lower grade—news print—might be readily justified, so far as the local supply of pulp wood is involved.

We have the possible water power with which to develop that special line of paper making.

The Newspaper Publishers' Association sets forth as the chief reason for its demand for the free entry of Canadian paper the scarcity of pulp wood in the United States. Let me cite briefly some facts as to the pulp-wood supply at present standing in our Nation and the present consumption for paper manufacture. Maine has 40,000,000,000 feet, or 80,000,000 cords, of standing spruce. The annual growth of this is from 3,000,000 to 4,000,000 cords.

The total United States consumption of spruce for newsprint paper is about 1,500,000 cords annually—less than half of the growth in Maine alone.

The total stand of spruce stumpage in the United States of America is not less than 150,000,000,000 feet. The growth annually in our spruce is about 5,000,000,000 to 6,000,000,000 feet, or 10,000,000 to 12,000,000 cords. The entire consumption for all grades of paper made from wood in our Nation is less than one-half of this growth.

This puts paper making exclusively on a spruce-wood basis, while the truth is two-thirds of all of the paper we make can be and ought to be made from other more easily accessible, very much cheaper, and quite as desirable woods.

New York, New Hampshire, Vermont, Montana, Colorado, and notably Washington and Oregon have large spruce forests, and, accessible to tidewater, in that treasury of natural wealth, Alaska, there is such a growing supply of choice spruce as to deter me from submitting an estimate of its extent.

If any one of six States of the South, awakened from the dreams of free tradeism, should take up the manufacture of paper, their growth of timber would be ample to supply all the wood paper used in the United States.

Added to the forest wealth of the States of the South they have the chemicals and clays and coal to complete the formula for paper making.

The paper-mill industry in the State of Michigan is yet in its infancy; forests and men and money are ready to contribute abundantly as the demand for paper increases, but this Canadian agreement is a menace, a serious menace, to even the successful continuation of the mills now established.

Mr. President, I am not going to supplement that statement, which I regard as very important. It comes from a man very familiar with this industry. It shows the possibilities upon our own soil. It renders our crossing over into a foreign State absolutely unnecessary. There is not a single man who will be engaged in making paper in Canada who will employ the

American carpenter or bricklayer or mechanic or the farmer of our own country. It is perfectly idle for us to contribute in any way toward the transfer across the boundary of an industry so important to our people.

But, Mr. President, if the product of Canada is to come in here free, then I at least desire to have the product of our own mills go into Canada free. It may be that the time will come when the utilization of the tremendous water power of the St. Marys River and other water power on the Canadian border may put us in a position where we may contest, upon equal terms, with the manufacturers of paper in Canada. For that reason, not because I believe in the merits of this bill, which I condemn from the first word to the last as harmful to the people of this country and calculated to imperil our now friendly relations with the world. But if the products of Canadian labor in the paper mills of that empire are to come here free, I should like to have American labor in our own mills given the opportunity to contest with them upon equal terms upon their own soil.

Over $20,000,000 is now invested in paper making in the State of Michigan alone, and are you to catch this American industry by the throat and hold it until Canadians shall take possession of this market and weaken or destroy this important domestic industry employing thousands of our own citizens? I protest against it——

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER (Mr. TOWNSEND in the chair). Does the Senator from Michigan yield to the Senator from New Hampshire?

Mr. SMITH of Michigan. Certainly.

Mr. GALLINGER. Not only do some of us believe, Mr. President, that this bill, if it becomes a law, will practically transfer the manufacture of paper from this country to Canada, but it is well for us not to lose sight of the fact that there are about 70 concerns in the United States manufacturing paper-making machinery. They have a capital variously estimated at from ten to twenty million dollars invested in that enterprise. If the manufacture of paper goes to Canada, that great invested capital will necessarily be greatly injured if not entirely destroyed. So we alone have a loss that we can not compute by the transfer of the manufacture of paper across the border.

Mr. SMITH of Michigan. I agree with the Senator from New Hampshire entirely. He supplements what I have said with reference to the unwisdom of permitting manufactured paper to come into this country free.

Mr. President, I desire to put into the RECORD the names of various paper manufacturing institutions in the State of Michigan, with the capital invested by each. I ask unanimous consent that this statement may be printed in the RECORD as a part of my remarks, with a letter from Mr. N. H. Stewart, of Kalamazoo, Mich., who prepared this report and has summarized most apt strong objections to the passage of this pact.

The PRESIDING OFFICER. Without objection, consent will be granted.

The matter referred to is as follows:

KALAMAZOO, MICH., *May 1, 1911.*

Hon. WILLIAM ALDEN SMITH,
United States Senate, Washington, D. C.

MY DEAR SENATOR: For your information and the information of other Senators, I hand you herewith information embracing the number of paper mills in the State of Michigan, the amount of capital, the number of men employed, and location of same; and, in the names of all the workingmen—the stockholders—which includes men, women, and orphan children, I protest against the ratification of the agreement between the United States and Canada, which has for its purpose unrestricted competition in this line of manufacture. In Kalamazoo alone we are considered the largest manufacturers of paper in the world, and the existence of our industry is seriously threatened by the passage of the legislation now pending before the Senate. We hope and pray that those in charge of this measure may come to view the disastrous results which are sure to follow in the same light as we see it. We sincerely hope that we may continue to enjoy the same uniform treatment from the Government of the United States as is extended to other lines of American enterprise and employment.

Yours, very truly, N. H. STEWART.

Allegan County:		
Dayton Folding Box Co., Allegan	$300,000	
Babcock Tissue Paper Co., Otsego	200,000	
Bardeen Paper Co., Otsego	600,000	
MacSimbar Paper Co., Otsego	400,000	
Michigan Paper Co., Plainwell	600,000	
		$2,100,000
Alpena County:		
Fletcher Paper Co., Alpena	300,000	
		300,000
Clair County:		
Capac Paper Co., Capac	300,000	
		300,000
Cheboygan County:		
Cheboygan Paper Co., Cheboygan	400,000	
		400,000
Kent County:		
Childsdale Paper Mills, Childsdale	$300,000	
American Box Board Co., Grand Rapids	400,000	
		$700,000
St. Joseph County:		
Constantine Board & Paper Co., Constantine	300,000	
Eddy Paper Co., Three Rivers	300,000	
Michigan Box Board Co., White Pigeon	450,000	
		1,050,000
Wayne County:		
Detroit Sulphite Pulp & Paper Co., Detroit	500,000	
		500,000
Genesee County:		
Flint Paper Mills, Flint	300,000	
		300,000
Jackson County:		
Michigan Bag & Paper Co., Jackson	300,000	
		300,000
Kalamazoo County:		
Bryant Paper Co., Kalamazoo	3,500,000	
Kalamazoo Paper Co., Kalamazoo	1,500,000	
King Paper Co., Kalamazoo	1,200,000	
Monarch Paper Co., Kalamazoo	800,000	
Standard Paper Co., Kalamazoo	600,000	
Western Board & Paper Co., Kalamazoo	350,000	
Riverview Coating Mill	200,000	
Lee Paper Co., Vicksburg	1,200,000	
Kalamazoo Parchment Co., Kalamazoo	100,000	
		9,450,000
Menominee County:		
Marinette & Menominee Paper Co	300,000	
		300,000
Monroe County:		
The Boehme & Rauch Co., Monroe	500,000	
Monroe Binder Board Co., Monroe	300,000	
Monroe Paper Co., Monroe	300,000	
River Raisin Paper Co	500,000	
		1,600,000
Alger County:		
Munising Paper Co., Munising	600,000	
		600,000
Muskegon County:		
Muskegon Paper Co., Muskegon	300,000	
		300,000
Berrien County:		
Mullen Bros. Paper Co., St. Joseph	200,000	
French Paper Co., Niles	600,000	
Niles Board & Paper Co., Niles	600,000	
Watervliet Paper Co., Watervliet	400,000	
		1,800,000
Oakland County:		
Barnes Paper Co., Rochester	200,000	
		200,000
Washtenaw County:		
Peninsular Paper Co., Ypsilanti	300,000	
		300,000
Emmet County:		
Pear River Paper & Bag Co., Petoskey	300,000	
		300,000
Total (in Michigan)		20,800,000
All Michigan paper plants	20,800,000	
In Kalamazoo alone	9,450,000	
Michigan outside of Kalamazoo		11,350,000

Mr. GALLINGER. Mr. President, the Senator from Michigan has stated the magnitude of this interest in his State. I want to call attention to what this means to the little State I in part represent.

Two years ago, on the 19th day of June, 1909, I discussed this question at considerable length, which I am not going to do on this bill. I then called attention to the fact that New Hampshire had 28 paper mills, the estimated capital being $16,000,000; the number of wage earners, not including operations in the woods, 4,000; that the wages paid annually were $2,000,000; the value of products about $10,000,000; that the yearly capacity of the mills was—of paper, 200,000 tons; of ground wood, 200,000 tons; of sulphite, 150,000 tons, having 40,000 horsepower; and that the timberlands owned by the paper makers in the State aggregated 700,000 acres. And I observed, Mr. President, which is a fact, that the timberlands could not be conserved unless the industry is on a profitable basis. New Hampshire ranks seventh in capital and output among the States manufacturing paper.

Mr. President, I wanted to reproduce these figures in this debate to show that some of us, at least, stand for the industries of our own States, being unwilling that under what we conceive to be a foolish notion that we have got to do something for Canada, so as to be on good relations with Canada, that will be destructive to interests that we, as representatives of those States, are bound to preserve if we can.

It is said, Mr. President, that this amendment, about which there is a great difference of opinion, is not to prevail, and I do not know whether it is or not. I regretted that the author of the amendment, the advocate of it, should have conceded that at the start. It is not a very good way to pass an amendment or a bill. For myself, I believe that the amendment is a proper one, and I hope it will be incorporated in the bill; but whether it is or not, whether it wins or loses, I look upon it as my duty, as a believer in the doctrine of protection, which the Repub-

lican Party has held to so tenaciously all through its history, believing firmly that this legislation is all wrong, one sided, and unjust to our own people, to vote against the bill; and I shall take great pleasure in voting against it when it comes to its final passage. Just here, Mr. President, I will say that I do not care how soon that is to be. If it is, as I said the other day, ordained that the protective policy is to go down under a sentiment that has grown up in this country of late years, if it is ordained that this pact with our neighbor on the north shall become an accomplished fact, then I see no reason why we should very long delay the evil day.

I hope, Mr. President, that as the debate progresses we may gain converts, but I have very little expectation, from what I know, that we are going to gain votes enough to defeat this measure. As I have before said, that being the fact, I do not see any special gain in remaining here during the coming months of the summer discussing this question, which already has been so abundantly discussed. Let us in the near future vote on this bill, and on all the other bills that are before the Senate, and, for good or for bad accept the will of the majority, adjourn this Congress, and go to our homes.

Mr. CRAWFORD. Mr. President, just a word in reference to the pending amendment. Two years ago, when we were considering the paper schedule in the Payne-Aldrich tariff bill, I voted against an amendment which proposed to reduce the tariff on print paper, as I remember, to $2 per ton, because the evidence seemed to indicate that that amount did not cover the difference in the cost of production in the two countries. It might seem that, in order to be consistent here now, my vote should be in favor of the Root amendment; but as I intend to vote against that amendment I feel that a word of explanation is proper.

I shall vote against the amendment because it is put upon the ground that it is necessary in order to restore this bill to a fair compliance with the agreement entered into between the representatives of Canada and the United States, and on the ground that we ought not to change that agreement in the slighest particular by crossing a "t" or dotting an "i." I do not believe that. I think we ought to amend it in a great many particulars, and I am not in favor of standing by the proposition that this amendment should be adopted because we are opposed to changing the original agreement.

It seems that in the bill as it passed the other House and as it is before the Senate the original agreement has been changed by section 2, and materially changed—changed because those interested in free newspaper print paper wanted it changed and did not hesitate to entirely set the agreement aside in order to change it; but when we propose some change that will in a small way compensate the farmer, whose products are being placed on the free list, we are told "No; this agreement must not be changed, not by the crossing of a 't,' nor the dotting of an 'i.'" Because I am not willing to support any such position as that, and because this proposed amendment is offered on the theory that it is going back to the agreement to preserve it sacredly as it was made, and by voting for it I am in a measure committing myself to the proposition that we shall not change it, I am going to vote against the amendment.

Mr. SMOOT. Mr. President, I merely wish a minute before the vote is taken upon the pending amendment. I am in receipt of a telegram from New York, signed by the American Paper & Pulp Association, which I shall read to the Senate. It is as follows:

NEW YORK, *June 26, 1911.*

Hon. REED SMOOT,
United States Senate, Washington, D. C.:

Record of Senate debates shows opposition to Root amendment based on entirely wrong assumptions. First, International Paper Co. does not control paper prices or production. Produce less than 10 per cent of all paper and only about 30 per cent of news print. Could not control situation if it tried to. Great injustice to destroy whole industry, for purpose of injuring International Co. Second, Tariff Board report shows over $5 excess cost producing print paper United States over Canada, due to cost of wood. Access to Canadian wood in no measure offsets this disadvantage, because transportation charges on Canadian wood to our mills amount to $5 per ton of paper, while transportation charges to our markets on finished products practically equal from United States and Canada mills. Third, House amendment of original agreement gives incentive to provincial governments to remove pulp-wood restrictions only for benefit of Canadian mills and to continue against exporting pulp wood. There are many ways of accomplishing this result, rendering House provision absolutely ineffective. Root amendment, giving all paper or none free entry, will be much greater inducement to remove all pulp-wood restrictions. Fourth, we again affirm absolutely free competition exists, prices are reasonable, and denounce publishers' statements of combination and extortion as absolutely false.

AMERICAN PAPER & PULP ASSOCIATION.

Mr. President, as I stated, I have just received the telegram. The amendment is about to be voted upon, and I simply wished to read it to the Senate.

Mr. STONE. May I ask the Senator from whom the telegram which he has just read came?

Mr. SMOOT. In my opening statement I stated that the telegram was signed by the American Paper & Pulp Association.

Mr. STONE. It would appear to have come from the International Paper Co.

Mr. SMOOT. I beg pardon of the Senator. I did not hear him.

Mr. STONE. I say it would appear to have been formulated by the International Paper Co.

Mr. SMOOT. No, Mr. President; I think the American Paper & Pulp Association would know about what the International Paper Co. manufactures. That is a matter of record. The Senator will also remember that in the hearings the amount of paper made by that company is stated.

Mr. STONE. I remember that the Finance Committee called on Mr. Lyman, of the International Paper Co., to furnish the committee with information as to the number of mills it had acquired, the number it owned, the number it was operating, the number it had dismantled or discontinued, the amount of its output, and other things of like kind. A similar request for the same information was made by the Ways and Means Committee of the House of Representatives at the last session of Congress, and the information was promised by Mr. Lyman. I am advised by the clerk of the Committee on Finance that Mr. Lyman has sent a communication to the Finance Committee declining to furnish that information. I was wondering whether, instead of furnishing the information to the committee which was investigating the subject matter, he had concluded to send it to the Senate in the form in which the Senator from Utah has presented it.

Mr. SMOOT. Mr. President, as I remember the circumstance referred to by the Senator from Missouri, it was this: The chairman of the committee wrote a letter to Mr. Lyman, the secretary of the International Paper Co., for certain information as to the cost of production, the number of mills which the company owns, where located, what the power costs, and so forth, including details of the minutest kind. Mr. Lyman answered that telegraphic request by a long letter, and I believe that letter has been published.

Mr. STONE. It has been.

Mr. SMOOT. And it is before the Senate. It is dated June 6, 1911.

Mr. STONE. Mr. Lyman declined to furnish the information.

Mr. SMOOT. Mr. Lyman also gives the reason why he declines to furnish the information. I suppose the Senator has read that letter.

Mr. STONE. I have read it.

Mr. SMOOT. Among other things, he says the mills of the International Paper Co. constitute one property, and we are averse to giving Mr. Norris full opportunity to distort facts, magnify trivialities, and so forth, which, of course, Mr. Lyman thinks has been done in the past. Whether it has been or not is for every Senator to judge after reading the testimony. I received the telegram a few moments ago, and I thought it proper to read it to the Senate, and therefore did so.

CORRECTION OF ERRORS IN APPROPRIATION ACTS.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the joint resolution (H. J. Res. 1) to correct errors in the enrollment of certain appropriation acts, approved March 4, 1911, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WARREN. I move that the Senate insist upon its amendments, disagreed to by the House of Representatives, and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. WARREN, Mr. PERKINS, and Mr. FOSTER the conferees on the part of the Senate.

RECIPROCITY WITH CANADA.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4412) to promote reciprocal trade relations with Canada, and for other purposes.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the Committee on Finance. [Putting the question.] By the sound the "noes" appear to have it.

Mr. NELSON. I ask for the yeas and nays.

Mr. LA FOLLETTE. Mr. President, upon what amendment is the call made for the yeas and nays?

The VICE PRESIDENT. The committee amendment to the so-called reciprocity bill. Thirteen Senators have seconded the request for the yeas and nays——

Mr. LA FOLLETTE. Mr. President, I desire to be heard upon that amendment.

The VICE PRESIDENT. The Senator shall be heard.

Mr. GALLINGER. Would it not be proper, Mr. President, to announce whether the demand for the yeas and nays was seconded?

Mr. CLAPP. Mr. President, I rise to a parliamentary inquiry. I certainly understood, and I think others did, that we were voting on the question whether the request of the House for a conference on a certain measure should be complied with.

The VICE PRESIDENT. The Chair will put the question again, then.

Mr. CLAPP. I did not understand the question.

The VICE PRESIDENT. The question had been put on the measure coming over from the House, and the Chair announced the appointment of the conferees; but the Senator from Wisconsin [Mr. LA FOLLETTE] desires to be heard now, and the Chair will wait until after the Senator has been heard before again putting the question on the amendment.

Mr. LA FOLLETTE. Mr. President, before the vote is taken upon the amendment to the President's so-called reciprocity pact, proposed by the Senator from New York [Mr. ROOT], I wish to submit some observations for the consideration of the Senate.

First, as to the question of policy: What principle should govern in legislation concerning the supply of pulp wood? What principle should govern in legislation concerning the general subject of timber supply?

I aver that, second only to our need for food, comes our need for timber. Without a sustained supply of timber adequate for its needs this Nation can not maintain its prosperity. With its forests stripped bare and no longer productive this country must face a condition which, in the last analysis, would endanger its very existence.

The question of national timber supply is not one for the people of this country alone. It is really a world question. No one nation can solve it. It would be quite as futile for the United States alone to attempt the solution of this great world problem of maintaining a permanent supply of timber as for any one State of the Union to attempt such a solution on its own part, without regard to the country as a whole. As in the United States it is a national, not a State, problem, so in the case of the great powers it is a world, not a national, problem.

A review of the essential facts regarding the consumption and production of timber in other countries, therefore, is important to a consideration of the general subject of forest conservation, and hence to a consideration of this amendment now before the Senate relating to the supply of pulp wood. I will present to the Senate a very brief, but, I think, valuable, survey of the world's supply of timber.

EUROPE.

Europe both imports and exports more than 1,000,000,000 cubic feet of wood yearly. The imports, however, exceed the exports by about 10 per cent. Since this excess of imports is made up chiefly by supplies from Canada and the United States, it has a very pronounced bearing upon the question now before the Senate.

A brief summary of European conditions is as follows:

First. The leading import countries—that is, Great Britain, Germany, France, Belgium, Switzerland, and so forth—are rapidly increasing the amount of their imports, and this increase is certain to continue.

Second. Russia, Finland, and Sweden only of the export countries have increased their exports to great extent without encroaching on their timber capital.

Third. Norway and Austria-Hungary are already overcutting their forests and will in all probability have to reduce their exports in the future.

In view of these facts and considering the rising prices of wood throughout the world, it is certain that any increase of wood exports from Russia, Finland, and Sweden will be eagerly competed for by Great Britain, France, and Germany, and also that there will be no surplus of any consequence for the United States, which is handicapped by its greater distance from the principal source of supply.

Now, Mr. President, without taking the time of the Senate to go into the details of the world's supply, I request permission to have this summary printed in the RECORD without reading.

The PRESIDING OFFICER (Mr. PAGE in the chair). Without objection, the request is granted.

The matter referred to is as follows:

AFRICA.

Both North and South Africa are importers of timber, and these imports will increase with the increased development of the country. The forests of central Africa are little known, but it is certain that their area is not so great as was once commonly supposed. The chief species of commercial value in that section are hardwoods, which are expensive, and which have little bearing on the question of the supply of common timber for use in the United States.

ASIA.

India, the chief forest country of Asia, exports teak and some other valuable woods, but it is necessary for it to import structural timber. China is a wood-importing country, and its requirements will undoubtedly take the most of any surplus that may come from eastern Siberia and Manchuria. If only structural timber is considered, Japan is a wood-importing country; but if all woods are considered, it is a wood-exporting country. Japan can supply its own needs when all the forests become accessible, but will probably not be able to export any saw-log timber.

AUSTRALIA.

Australia is a wood-importing country at present, and it is not likely that there will ever be much surplus timber for export. With the exception of comparatively small quantities of hardwoods, the forests of Hawaii can never become important in the timber trade of the world. The Philippines at present import much more timber than is exported. Eventually the native forests should supply the principal demands of the home market with a considerable excess for exportation to near-by countries, such as China. The total stand of commercial timber in the Philippines, however, is about enough to supply the total demand of the United States for two years; hence the islands will never become an important factor in supplying our needs for wood.

TROPICAL AND SOUTH AMERICA.

Mexico, the West Indies, and Central America now import timber, not so much because they have none, but for the reason that their stands are at present inaccessible. It is probable that they will for some time continue to import the common structural timbers and will export valuable woods, such as mahogany and cedar.

For many years South America will continue to export hardwood, dyewood, etc., and to import lumber and construction material. When the great forests of the Andes and the interior are opened up, then they will supply the home market. Wood consumption will have so increased in South America by that time, however, and logging and transportation will be so expensive because of the comparative inaccessibility of the forests that it is not reasonable to expect any considerable exportation of timber suitable for common uses in the United States.

NORTH AMERICA.

The total stand of timber in Alaska is probably no greater than twice the amount of lumber annually cut in the United States. The Alaskan industries require a considerable proportion of the output of the home forests, so little will remain for export to the United States.

Canada is the only country from which the United States is importing any considerable amount of timber. The total amount of standing timber in Canada, however, is estimated at no more than one-quarter of that in the United States. The Canadian forests are already being cut and burned at least as fast as they are growing.

Mr. LA FOLLETTE. The above facts show a steady increase in the wood consumption and imports of nearly all the leading countries. The tendency is strongly toward a greater cutting of timber by the wood-exporting countries to make up the increasing deficit of the wood-importing countries. This policy, if continued, would lead to a universal shortage, with no surplus to draw upon. This condition will probably be prevented by better methods of forest management and a correspondingly increased timber production. But it is entirely clear from the statements of authorities on the subject, of which the most important is the National Conservation Commission, that the world as a whole has no vast untapped source of timber supply to draw upon. It is equally true, and that is the conclusion of the National Conservation Commission, that eventually the United States must grow the timber sufficient for her needs, or she must go without.

I know, Mr. President, the disposition in this practical age to brush aside all these forecasts and to consider only the needs of the hour. But I make my appeal to the Senate this afternoon from considerations of broader statesmanship than that. We must not deceive ourselves by the belief that once the products of Canadian forests come free into the United States the problem of a sustained timber supply in this country will be solved. At present we get about 900,000,000 feet of lumber and 900,000 cords of pulp wood from Canada each year, or 2 per cent of the lumber and 23 per cent of the pulp wood which we use. Canada has more spruce pulp wood than we have, but her standing saw timber is only about one-third of ours, or enough to supply our total demand at the present rate for about 10 years, and that is all. Whether we have timber to meet our needs continuously will depend upon how we handle our own forests, and not upon the temporary supplies obtainable from other countries. Sooner or later, Senators, we must meet this responsibility. It is before us now. It can not be ignored. And with the problem of the wise handling of our forests comes also the problem of their ownership and control.

But although Canada's supply of standing timber is far more limited than many persons suppose, among whom is the President of the United States, it is still sufficient to supplement importantly for up to half a century the yield of the rapidly dwindling forests on this side of the line.

The question immediately before us, is whether it is in the best permanent interest of the American people to utilize Canadian timber and pulp wood until their own forests have had time to grow again, or whether it is not. This question calls, first of all, for consideration of the extent of our forest resources, of their ownership, of the extent of their use, and of the extent of their misuse.

Our prodigality in the use of the forests can scarcely be told in words. We have exploited them as if we believed them to be inexhaustible. We have stimulated our national appetite for wood until it is far the largest in the world. Our consumption of wood per capita is 260 cubic feet; that of Germany is 37 cubic feet, and that of France, 25 cubic feet. Canada, which has 60 acres of forest per capita to our 6 acres, uses less than 200 cubic feet per capita. Our lavish use of the forest has made possible swift and huge development in home building, in industry, and in commerce, which otherwise could not have taken place. Not only our own country, but foreign countries as well have profited by our prodigality in the exploitation of our originally vast forest resources.

We all understand that, Mr. President. I was born in a timber State. From my childhood I have watched the development of that State. I myself know how generally it was felt, a quarter of a century ago, that the people owed a great deal to the lumbermen. They seemed to be the State builders. The truth is they were destroying one of the great natural sources of the State's wealth. They were gathering immediate harvests, great fortunes, for themselves. They were conducting their lumbering operations without the slightest regard to the future well-being of the Commonwealth. But prodigal as has been our use of the standing timber in the past, the chief reason for the present timber scarcity and for the far greater scarcity to come lies in our excessive waste of wood itself and of the forests which produce it.

For many years you could not ride through northern Wisconsin—and that State is typical of every pine-timber State—without traversing great blackened and charred areas, which were burned over again and again, season after season. Annually these fires swept through our forests, leaving in their wake enormous loss and ruin.

Since 1870 forest fires have each year destroyed an average of $50,000,000 worth of timber. Not less than 50,000,000 acres of forest are burned over yearly.

I come from a State that has reason to take account of this devastation that comes to us like a blight, year after year, from the forest fires. I live on a little farm 3 miles from the capital of Wisconsin. Almost every summer—particularly in seasons of drouth—the clouds of smoke from fires in northern Wisconsin, carried southward on the winds, are dense enough, even after traversing the entire length of that great State, to obscure my view of the capitol.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from New Hampshire?

Mr. LA FOLLETTE. Yes, sir.

Mr. GALLINGER. I am much interested in the Senator's discussion of this important question. I want to say to the Senator that a few years ago New Hampshire was obscured one beautiful summer day. We were in comparative darkness, and upon investigation it was determined that it was caused by the smoke from burning forests in the State of Wisconsin.

Mr. LA FOLLETTE. I have no doubt of that, Mr. President, for the great smoke cloud that sweeps down from the northern portion of Wisconsin when the forests are burning spreads its black pall not only over my own State, but drifts across the lakes to the east, and to the west and away to the south beyond the borders of Illinois.

The young growth destroyed by fire is actually worth far more than even the merchantable timber burned. One-fourth of the standing timber is left in the woods or otherwise lost in logging. The loss in the mill is about one-third of the timber sawed. The loss in the mill product through careless seasoning and wasteful fitting for use is from one-seventh to one-fourth. An average of 320 feet of lumber is used for each thousand feet which stood in the forest.

We take from our forest each year, not counting the loss by fire, nearly three and one-half times their yearly growth. We take 40 cubic feet per acre for each 12 cubic feet grown.

We invite by overtaxation the continued misuse of our forests. We should plant, to protect farms from wind and to make denuded or treeless lands productive, an area larger than that of Pennsylvania, Ohio, and West Virginia combined. But so far lands successfully planted with trees make a total area smaller than Rhode Island. And year by year, through careless cutting and fires, we lower the capacity of existing forests to produce their like again or totally destroy them. These statements are vouched for by the National Conservation Commission, and are based upon the best information available regarding the production, use, and misuse of our forests.

I see Senators about me who smile at this phase of my discussion. This is not unexpected. I presume that 40 years ago any voice that was lifted in protest against the great land grants made to railroads at that time provoked here and there over the Senate Chamber or in the House of Representatives smiles of wearied tolerance. And yet to-day there is no man on this floor, or on the floor of the House, who does not regret that we were so lavish with the public land in our eagerness to have railroad lines builded across this western country. Mr. President, when we have passed away, Senators who will then have the places we now occupy will wonder why we did not interpose with legislation to prevent the waste and the devastation of our natural resources—particularly of our forests.

The statements which I am presenting to the Senate this afternoon are supported by the highest authority based on expert investigation that is wholly disinterested. Of course, it is likely to be called by practical men—men who want to convert our natural resources into fortunes for themselves—chimerical and visionary, just, as I presume, the protests of some Senators and some Representatives of 40 years ago against the extravagant grants made to railroads out of the public domain were ridiculed as carpings of reform.

What I am offering to the consideration of the Senate will some day be regarded as worth while. These statements are conservative statements, compiled from adequate data by trained, conservative men, who have no bias, no partisan feelings, no selfish reasons to pervert the facts. They must be accepted as authoritative and as a basis for legislative action. They will be in some other generation, if not in this.

The inevitable conclusion from all available facts is that we are using our forests up very rapidly. We have about 40 years' supply of mature timber left. After it is gone we will inevitably suffer for timber to meet our needs until our forests have had time to grow again. Whether we escape actual timber famine depends directly upon how promptly and efficiently we apply to the management of our remaining forests the principles of practical forestry.

I do not think we are dependent on any reciprocal agreement—above all, not upon the unjust, one-sided, misnamed pact that we are now called upon to sanction with supine surrender of our prerogatives as legislators—to secure the necessary reenforcements to our timber reserves. Believing this, I purpose to offer, as a part of the tariff revision which will be submitted to the Senate before the fate of this bill is decided, amendments that will deal with this same question. I purpose to place before the Senate this very question of free print paper and pulp wood as a part of a plan of tariff revision. Then, if the Canadian Parliament shall reject—and no man knows whether it will accept or reject—this proposed agreement, we should still secure through the tariff provisions of the bill some measure of relief independent of the action of the Canadian Parliament on the so-called reciprocity provision.

Mr. President, the vital question, and one which must be answered in considering our relations with Canada in the interchange of forest products, is whether we may reasonably expect so prompt and thorough an application of forestry to the bulk of our forest lands in the United States that they will produce in time a supply sufficient for reasonable needs. The men upon whom we should depend for the care of our forests are the lumbermen, in whose hands are three-fourths of our forest area and four-fifths of all standing timber in the United States.

Can we depend upon the lumbermen to log their holdings conservatively, to plant up denuded lands, to protect their forests from fire, and to put these measures into effect promptly, skillfully, and successfully? We can not. We need look only to the experience of Wisconsin to convince ourselves that we can not hope for any such foresightedness and patriotism.

The lumbermen of Wisconsin went out to gather their fortunes quickly. They thought not of the future. What value would attach to the land after it was stripped of the trees was a matter they did not even consider. I know great lumbering companies in Wisconsin that were ready at any time to give to the State at a nominal price their cut-over lands. What they wanted was the magnificent white pine that covered each quarter section, bought often at the low figure of $1.25 per acre. From each of these they gathered in sometimes as much as $10,000. What cared they for the future of that quarter section?

Mr. President, it is the experience of my own State that we can not depend upon the lumbermen for the future supply of timber. After they had swept the State clean they left behind them the débris and the refuse and slashings of the timber, which make forest fires an annual visitation. They prepared the way for the destruction of any further growth of timber.

I say, and I say it with keen regret, from our experience in Wisconsin, we can not safely count upon the American lumbermen in general for any service in the direction of the conserva-

tion of our forest supply for the future. For more than a decade the United States Forest Service has pursued a vigorous campaign of education in forestry. It has offered the help of its trained men in the practical solution of forest problems confronting the lumbermen. It has set to all private forest owners a splendid and a most instructive example in its efficient management and protection of the great national forests.

To-day these forests stand as proof to the whole world of the enormous public benefits to be had from the conservation by use of forest lands which are the property of the Nation. But have American lumbermen in general profited by the Nation's example and by the opportunities for help and advice afforded them by the Government? I say, with deep regret, that they have not. To-day not more than 1 per cent of private forest lands in the United States are conservatively logged or adequately protected from fire or handled in any important respect with a view to the production of a second crop. I realize that the general lack of State cooperation in fire control and the generally excessive rates of taxation of forest lands have in some measure retarded the practice of forestry by individual timber-land owners. But these unfavorable influences fall far short of justifying the nearly complete failure of American lumbermen to reduce their present profits far enough to provide for a second crop of timber for the American people.

Had American lumbermen done their duty, it would have been unnecessary and it would have been inadvisable to open America to free rough lumber and wood pulp from Canada. It would have been unnecessary, since had our forests been rightly managed they would already be producing a sufficient supply for all our needs. It would have been inadvisable, because the influx of the Canadian supply will tend to still less care of our own forests through the assumption that now Canada's sources of supply are open to us we may safely disregard the conservation of our own. We are forced, therefore, to a step which would never have been necessary and which has been made necessary directly through the failure of American lumbermen to practice forestry.

Free trade with Canada in forest products would replenish our own timber supply for a period sufficient to enable our own forests to produce again. For that reason I believe that free trade in these products is in the best permanent interest of the American people. But the advantage gained through these reciprocal relations can be totally destroyed if they are permitted to further retard the practice of forestry in America. Many American lumbermen, if given their own way, will find in reciprocity an excuse for continued wasteful exploitation of forests in their hands. That danger, which has already been vigorously pointed out by American foresters, is one which we can not safely disregard. I believe its solution lies not merely in the education of American lumbermen to the business advantages of practical forestry, but in legislation by the States and, if necessary, by the Nation, which will provide that American lumbermen conserve the great resource which they hold in trust, whether it fits in with their individual plans to do so or whether it does not.

The spectacle of a great nation supinely awaiting the complete destruction of her forests through the greed of a small group of corporations and individuals into whose hands they have fallen is little less than a national disgrace. I take the position that the private ownership of a great public resource is a public trust. I hold that American lumbermen should be given whatever help they are entitled to in applying conservative methods through the reduction of excessive rates of taxation and of excessive railroad rates for the transportation of timber. But I hold further that there must also come, and come soon, an honest and a united effort on the part of American lumbermen in general to conserve the forests, upon whose productivity the industrial prosperity of this Nation in large part depends. That which lumbermen should do and will not do in the public interest they should be made to do through legislation. It is in the best interest of the lumbermen themselves that they should give heed to the growing volume of public sentiment for forest conservation, aroused by the public-spirited efforts and the teachings of men like Gifford Pinchot, before this sentiment finds expression in legislation which will be none the less severe because the need for it is created by the selfishness and the shortsightedness of the lumbermen themselves.

In the life of this Nation free lumber and pulp wood from Canada, so far as a sustained supply of timber is concerned, is but a crust to a hungry man. It will stay the pangs of hunger for a brief period, but it leaves the larger problem of square meals in the more distant future entirely unsolved.

In the last analysis, the permanence of our wood supply will depend upon the methods employed by American lumbermen, who own nearly all the timber in the United States. So far these lumbermen, with a few notable exceptions, have lent a deaf ear to public sentiment for forest conservation, and their most vigorous efforts seem to have been given not to the formation of policies and plans by which they might conserve the forests upon their holdings, but to the concentration of a dominant control of standing timber, steadily tending toward a central control of the lumber industry.

We would do well to remember that before we are assured a sustained supply of timber we will have this central control to deal with along these two main lines: It must not be permitted to succeed in that artificial inflation of the prices of lumber, which is its paramount object; and it must be led, and if necessary it must be forced, so to handle forest lands in private hands that their production of timber will be continuous. If reciprocity in forest products is permitted to interfere or to retard these measures, it will have done more harm than good.

Mr. President, when the question of the duties upon print paper and pulp wood was before the Senate two years ago, when the Payne-Aldrich tariff bill was under consideration, the disinterested testimony then available upon the cost of production of print paper in this country and Canada appeared to establish a production cost of $1.80 per ton lower in the Canadian mills than in our mills. This testimony was obtained by the Mann committee of the House of Representatives and by the investigations conducted under the direction of the Commissioner of Labor. The facts reported by the Mann committee and by the Bureau of Labor were in substantial agreement, although, as I now remember, the table of figures presented by the Mann committee did not work out the ultimate averages which would show a difference in the labor cost in the production of paper in this country and Canada.

I found it necessary at the time not only to supplement the work of the Mann committee and the work of the Bureau of Labor, but to take both the work of the Mann committee and Bureau of Labor and, upon those figures, to complete and harmonize the work of the two. I remember very distinctly that as a result of that calculation, worked out with the aid of experts, a difference in the cost of each ton of print paper was found to be $1.80 per ton.

It was also established upon facts presented two years ago that many of the print-paper mills in the United States had exhausted the supply of pulp wood in territory contiguous to such mills, and an investigation which I caused to be made disclosed that the average transportation charge for the raw material to produce a ton of paper would require a duty of $5 per ton in addition to the difference in the labor cost. I mean that a number of mills in my own State, for instance, had exhausted the supply of raw material in their immediate neighborhood, so that while the difference in producing a ton of paper in those mills and in the Canadian mills, outside of the transportation cost of the raw material, was $1.80, and fully covered by $2 a ton, still the transportation cost on the raw material necessary to make a ton of print paper amounted substantially to $5, because the local fields of supply of the raw material had been exhausted and the nearest supply was so far away that the transportation charge amounted to the large sum of $5.

Based upon the figures of the Mann committee and the Bureau of Labor the difference in the manufacturing cost per ton of print paper as between this country and Canada it appeared at that time would be covered by a duty of $2 per ton. The great bulk of the print-paper mills in the United States, like those of Canada, are located in close proximity to the supply of raw material required in its manufacture. But there are print-paper mills in the United States, such, for example, as those located in Wisconsin, so remote from the timber required for the manufacture of such paper, that the freight upon the pulp wood places such mills at an enormous disadvantage. Adding the average transportation charge on raw material to the cost of manufacture would require as to such mills a duty of at least $7 per ton to measure the difference in the cost of production in competition with Canadian mills. It would be monstrous to contend for the application of the protective principle to offset transportation charges on raw material, amounting to at least two and one-half times the difference in the actual cost of manufacture. It would, of course, be possible but grotesquely absurd to place protective duties on tropical fruits high enough to insure hothouse production in North Dakota. No sound business principle would warrant establishment of an industry so far from the source of supply that the transportation rate on the raw material would constitute from one-fifth to one-sixth of the total cost of the finished product. No justification can be found for taxing the consumers of such finished product to pay for the artificial maintenance of industries so located.

Believing that $2 was necessary to measure the legitimate difference in the cost of production between this country and Canada I voted for such duty two years ago. Believing, furthermore, that it would be fair to the capital invested in print-paper mills which had exhausted the supply of raw material in contiguous territory, and were therefore compelled to pay transportation charges for hauling their raw material over longer and longer distances, to be still further protected temporarily while changing from the manufacture of print paper to such other forms of paper manufacture as would not be subjected to the excessive transportation charges on raw material, I offered an amendment providing that the proposed rate of $4 per ton on print paper be continued for the limited period of two years. The amendment which I offered provided that the rate be reduced to $2 per ton on and after the two-year period. This amendment was not adopted, but in conference the duty was fixed at $3.75 as a permanent duty. Against this as a permanent rate I cast my vote on the final passage of the bill.

Although the rate of $2 per ton seemed to me two years ago, upon such facts as were then before the Senate, to be destructive of the industries in Wisconsin, I could not bring myself to vote for a higher rate than that as a permanent rate. I was willing to vote for a $4 rate, provided it were limited to one year or two years, in which time the machinery used in print paper might be changed to manufacture other forms of paper made from raw material nearer at hand; but I could not vote, Mr. President, for a permanent duty of $3.75 or $4 per ton on print paper at that time.

One month ago the report of the Tariff Board relative to pulp and news-print paper was submitted to Congress. It is an interesting document; interesting because of the new disclosures which it makes concerning the manufacture of print paper in the United States and Canada; interesting because it both illuminates and obscures, upon a first reading, important facts regarding this industry. It contains tables that one could almost believe were constructed to confuse, except for the fact that a close study of the text enables the investigator, with much labor, ultimately to find the truth.

It is, however, an important document, and is not only the latest, but altogether the best contribution which has been made to the subject of production cost of print paper in the United States and Canada.

Mr. President, I am going to tax the patience of the Senate for a few minutes to present some facts which any Senator who will take the time can uncover for himself, but I know how busy Senators are, and I am going to assume that not every Senator here has worked out in detail this report upon print paper. It is most illuminating, and, Mr. President, it occurs to me to say that the revelations which this report makes as to the cost of manufacturing paper may throw a light into many obscure places regarding all manufacturing industries, and may greatly aid us in seeking to do justice at this session between the manufacturers, on the one hand, and the consumers, the great public, on the other hand.

The tables given by the report of the Tariff Board on the paper industries of the United States and Canada show on their face a difference in favor of Canada amounting to nearly $5 per ton on print paper. Taking those tables as the guide—and I submit that that is where almost any man will turn to get his deductions of the investigations of any bureau or any board—taking those tables as his guide, he would be driven to the conclusion that we ought to have at least a five-dollar duty to offset the difference in the cost of production from the stump to the finished product of print paper between this country and Canada. The representatives of the paper industry who appeared before the Committee on Finance made the most of the averages as shown by these tables.

I ask Senators to follow me while I analyze this report. I want to say at the outset that it shows we can manufacture print paper on a common level with the people on the other side of the Canadian border. I will demonstrate that fact by the report of the Tariff Board, upon which the administration relies to sustain this so-called reciprocity pact; and while I am arguing, for the time being, for free print paper and pulp wood, and purpose later to offer that as a tariff amendment, I do not want to be understood as being willing to secure that for the consumers of print paper at the expense of the great agricultural industry of this country. That is not just; it is not right. I do not care whether or not it is popular; I do not care whether or not it gives a man the support of all the newspaper press of the country; it will not have my support. It is not right; it is not just; and I will stand for no legislation that is not just to each and every class, whether it be the producer, the manufacturer, or the consumer. For myself, I will not sanction duties which go below that level which will be fairly protective, measured by the difference in the cost of labor and the cost of production between this and competing countries. I do not care how alluring the offer of such rates of duty may be to the people of this country. I will do all in my power to secure justice to the newspaper publishers, precisely as I will strive to secure justice for all the people who are the victims of overprotected industries. But whatever may be the consequences, I will not give my approval to this or any other scheme of legislation which sacrifices one class for the benefit of another.

While it is true, on the face of the figures, that the average cost of production of a ton of paper in the United States is more than $5 in excess of the average cost in Canada, I am not prepared to subscribe to the doctrine that the people of the United States are to be taxed in order to furnish protection—to what? To the real, honest, legitimate difference in the cost of production? No; to the rankest kind of inefficiency. You can have protection so high in any country, and under any protective-tariff system, as to deaden and destroy all incentive for efficient work. That is what we have had in this particular industry. We have been taught in the past that protection was justified as a measure for maintaining a higher standard of life, so important to the American workman and to society, and to that theory I still subscribe. If it can be shown that protection on news-print paper is needed in order to maintain the higher cost of labor in up-to-date mills, as I believed two years ago and as was demonstrated from the figures submitted by the Mann committee and by the Bureau of Labor, I would be the last man to vote for the removal of such duties.

The figures submitted two years ago, Mr. President, were the best available. The Mann committee had made its investigation, had visited two or three mills in Canada and several mills in this country. The Bureau of Labor had made its investigation, and those figures were the best figures available at that time. They showed a difference in labor cost of a little less than $2 per ton on print paper. They are not comparable to the investigation which has been made by the Tariff Board. They are outclassed in every respect. I am not citing a figure here on the statement of any prejudiced witness appearing before the Finance Committee; I am taking the figures sent us by the Tariff Board. It is an unbiased report, based upon expert investigation.

Now, what does it show? On page 39 of the report of the board there is a table which gives the average cost of production in the United States as $32.88 and in Canada as $27.53. That looks as if there were $5 difference in favor of Canada. It is misleading—I do not want to use any harsher term—and I want to suggest that back of that fact are many things that should put the Senate on its inquiry. That is the most I want to say now.

In that table are also given the lowest and the highest costs in the two countries. The lowest cost for the United States is shown to be $24.50, as against the lowest cost in Canada of $24.97; in other words, up-to-date mills in the United States, according to the report of the Tariff Board, based upon figures obtained direct from the books of the paper companies in the United States and Canada, show a lower cost of production in the United States as compared with Canada. What is more significant is the fact that the best American mills show a lower cost than the best Canadian mills, in spite of the higher cost of the ground wood pulp and the sulphite fiber, the two materials which go to make up news-print paper.

As will be seen from the table which I am quoting, the cost of ground wood pulp per ton of paper in the best mills in the United States is $8.26 as against $6.16 in Canada, a difference of $2.10 in favor of Canada. The cost of sulphite fiber per ton of paper in the best mills of the United States is $6.45 as compared with $5.28 in Canada, a difference of $1.17 per ton in favor of Canada. Thus, in spite of a difference of $3.27 in favor of the Canadian mills, the American mills come off with an advantage of 47 cents on the total cost of paper, making up for the high cost of materials by the lower cost of labor and other expenses. For, as will be seen from the sum total, the cost of manufacturing labor, per ton of paper in the best mills of the United States is $2.19 as against $2.72 in Canada, or a difference of 53 cents in favor of the United States; and the other costs, which include miscellaneous supplies, cost of machinery, and sundry expenses, are $4.63 in the United States as against $6.31 in Canada, a difference of $1.68 in favor of the United States.

The higher cost of ground and sulphite pulp is clearly due to the high cost of wood in this country. However, while it can not be disputed that the market price of wood in this country is higher than in Canada, it is well to clear our minds as to the cause of it. If it were due to the higher cost of labor engaged

in cutting down the trees and hauling the logs, there would be no question as to the justification of a protective duty on wood. But this is not the case and can not be maintained by anyone. The difference is due solely to the higher stumpage value placed upon timber by American owners of woodlands. They are able to maintain that higher price partly because of the rapid extermination of our forests and still more because of the tremendous concentration of ownership in a few hands.

That is why I tax the patience of the Senate this afternoon to deal with this great question of timber supply. It might have seemed an abstract and unrelated subject, but I think Senators will now see its pertinence. The findings of the Bureau of Corporations, recently made public, show to what an appalling extent the ownership of our forests is becoming monopolized in this country.

Mr. BROWN. Mr. President——

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Nebraska?

Mr. LA FOLLETTE. I do; certainly.

Mr. BROWN. Will the Senator permit me to call his attention to the fact that the International Paper Co. itself in its telegram to the chairman of the Committee on Finance stated that it could compete with Canada in the production of paper, except for the difference in the cost of wood, as stated by the Senator?

Mr. LA FOLLETTE. I am aware of that fact, and I thank the Senator for citing it right at this point. Are we justified, Mr. President—and I am coming now to a brief discussion of the subject raised by the interrogatory of the Senator from Nebraska—are we justified in imposing duties to protect the monopoly value placed upon stumpage by the Lumber Trust?

But even the higher cost of wood in this country is only fictitious in a large number of cases. Let me quote from the report of the Tariff Board. On page 43, discussing wood profit and stumpage in ground wood pulp, the report says:

Most of the manufacturers of pulp and paper—

Mind you, not some, but "most"—

have protected their supply of raw material by more or less extensive investments in woodlands. As a rule the woodland account is credited with a "stumpage," or price per cord for the standing trees, in the price charged to the pulp mills.

I want to tell you, Senators, that it is pretty difficult to find out from these gentlemen what it costs them to make print paper. An investigation which those conducting it may feel to be thoroughgoing might lead to the conclusion that the paper manufacturers of the United States were actually losing money. I am not saying, Mr. President, that it did in this particular case.

And then, after beating back and forth over the ground, thoroughgoing investigators might find concealed here and there, between the print-paper factory and the timber on the stump, various holding companies—all of them subsidiaries of the paper company—selling their timber to the paper company and taking out immense profits, really the profits of the paper company, but on the books appearing to be the profits of somebody else, leaving the paper company in a manufacturing business that was showing on its face a loss.

Mr. President, a careful study of this report of the Tariff Board will repay any Senator. And I am inclined to believe it will be helpful to us in dealing with every single schedule of the tariff.

The Tariff Board has really very little power. It has to proceed on favor. But if a thoroughgoing investigation of the other tariff schedules is as illuminating as this, I believe we will be able to do a mighty service for the consumers of this country when we come to a thoroughgoing revision of the tariff.

I think the legislation which created the Tariff Board requires revision. The Tariff Board should be given real powers. It should have the power to go into a factory, summon witnesses, and to make them show their books, produce papers, and require them to testify on oath. It has to go in now appealingly and get by favor whatever is given to it. And in some industries, I think, it has already experienced great difficulty in getting the facts; it has found the doors barred and the books locked up. In this particular industry I think it had access to most of the facts. Possibly the device of these holding companies led these paper manufacturers to believe that they could invite the examination of the Tariff Board without serious risk. But they erred in their calculation.

Listen to this. I repeat what the Tariff Board reports:

Most of the manufacturers of pulp and papers have protected their supply of raw material by more or less extensive investments in woodlands. As a rule, the woodland account is credited with a "stumpage" or price per cord for the standing trees in the price charged to the pulp mills.

In other words, the paper company which owns the wood charges itself with a higher price for its own wood than it really costs. It is taking the money out of its right pocket and putting it in its left.

Stumpage—

Continues the report—

was charged into the cost of the wood that produced 572,561 out of the 725,254 tons of ground wood pulp covered by the report. In other words, 78.9 per cent of the ground wood pulp carried a stumpage profit. The lowest stumpage cost per ton of ground wood pulp was 51 cents on 6,003 tons of pulp; the highest stumpage cost was $2.48 on 38,499 tons; the average stumpage on the 572,561 tons which carried stumpage cost was $1.16 per ton.

In other words, here we have $1.16 included in the average cost of pulp and ultimately of paper into which pulp enters as raw material, in the United States, which has no business to be there. While the board clearly points it out in its comments, which I have just quoted, it does not attempt to eliminate it from the cost figure as it appears in the table, so that the latter taken by itself is misleading.

Why were the tables made up in that way? It is unfortunate, since most people are apt to take the figures as they appear in the final tables, having neither time nor patience to read the 130 pages of text. But this is not the only source which goes to swell the apparently higher cost of wood, therefore, of pulp and paper in this country. For not only do most of the paper companies charge themselves with a stumpage on the wood owned by themselves, but a great many of them also add a profit on the woodland operations as such.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Missouri?

Mr. LA FOLLETTE. I do.

Mr. REED. In connection with the remarks the Senator has just made regarding the misleading character of the tables to which he is giving special reference, I desire to call his attention to the fact that certain tables regarding the cost of farm labor in the Dominion of Canada were so made up that when the Senator from Missouri [Mr. STONE] spoke of them, and showed that they did not contain a proper comparison with American wages, the figures were so misleading on their face that when the tables were examined by two other Senators they arrived at the same conclusion that the Senator from Missouri had, although an explanation was afterwards furnished. I simply cite it because it is cumulative along the line the Senator is discussing.

Mr. LA FOLLETTE. Mr. President, I do not mean to be understood as imputing to the Tariff Board as a whole any construction of tables or any reports made to this body calculated to mislead. That is as far as I am going with my qualification.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from New Hampshire?

Mr. LA FOLLETTE. I do.

Mr. GALLINGER. Through the courtesy of the Senator, I desire to put into the RECORD a correction of the statement made by the Senator from Missouri.

It will be remembered that there was a question as to the wages paid in Canada and in the United States, and two Senators did agree with the senior Senator from Missouri [Mr. STONE] that there was a mistake in the tables. But afterwards it was ascertained that there was not a mistake, and it was so stated to the Senate.

Mr. REED. I so stated. The tables as they were made up were so involved and so confusing as to deceive not only the Senator from Missouri, but two other Senators who examined them. After some days of labor they arrived at a solution.

Mr. LA FOLLETTE. Not only do most of the paper companies charge themselves with a stumpage on the wood owned by themselves, but a great many of them also add a profit on the woodland operations as such.

That is—

Says the report—

a profit on the cost of getting the wood from the forests to the mill. Of the 725,254 tons of ground wood pulp covered by the schedules secured, 494,689 tons, or 68.2 per cent, carried a profit cost on woodlands operation over and above stumpage. The highest profit so charged was $1.96 per ton of pulp. * * * The lowest was 12 cents. * * * The average profit cost carried by the entire 494,689 tons affected was $1.10 per ton.

Here, then, according to the statement of the Tariff Board, which went carefully into the subject, we have two fictitious charges included in the cost of paper, namely, $1.16 per ton of pulp for stumpage and $1.10 per ton of pulp for profit, or a total of $2.26 for each ton of pulp on the wood owned by the companies.

The mills resort to the same procedure in connection with their sulphite or chemical pulp. The board, in its report, says that—

> The average stumpage was $2.13 per ton of sulphite pulp, the range being from 99 cents as the lowest to $4.93 for the highest.

In addition to that there was the—

> profit on woodland operations * * * the average of such profit * * * being $2.14 per ton.

Profit here—

Says the board, on page 44 of its report—

> must be understood to mean not only profit above stumpage on lands owned by the paper company or a subsidiary, but also the profits on a large amount of wood bought in the open market, either by the firm direct or more often by a subsidiary company, and resold to the parent company or to the pulp mill at a profit on the original purchase price.

And it is upon these fictitiously high costs that the paper companies have the hardihood to demand a protective duty.

As I have just shown, the figures of the board for the best mills in the United States and Canada show a lower labor cost per ton of product in the United States. This is not due to the fact that wages are lower in the United States than in Canada, although that is likewise true in individual instances, as shown in the report of the board, but is principally due to the greater efficiency of American management in the best mills and the fact that Canadians must obtain their machinery and a great part of their supplies from the United States and pay a duty when importing these into Canada.

Says the Tariff Board, on page 55 of its report, on the subject of efficiency of labor in Canada, and I invite the close attention of Senators to this:

> Canadian paper and pulp mills are equipped, as a rule, with the latest and most improved machines made by American manufacturers in the United States.
>
> The general managers and superintendents are for the most part Americans of wide experience. Those who are Canadians by birth are men who, like the Americans, have had long years of training in American paper and pulp mills. The skilled men, the machine tenders, and other hands who operate the paper machines are as a rule Americans brought from the United States for the purpose.
>
> And it is acknowledged on all sides that these men must be offered inducements in the shape of higher wages before they are willing to leave their country for Canada.

Why, then, it may be asked, does the average cost appear to be higher in the United States? The reason for that is that the industry being older in this country than in Canada, we are blessed with a large number of old, backward concerns, with antiquated machinery, resulting in higher costs.

Again let me quote the Tariff Board in support of my assertion: Table 18, on page 53 of the report of the Tariff Board, brings out this point very clearly by means of figures. The last line in the table shows that every mill in Canada was equipped with machines of American manufacture. That means not only that Canadian manufacturers must necessarily pay more for their machines on account of the freight and the Canadian duties on American machinery, but it also means that if a large proportion of American mills show a lower efficiency it is not due to any superior advantage possessed by the Canadians, but the failure of American manufacturers to equip themselves with American-made machines.

It would be an error to assume that the owners of these antiquated mills belong to a class of small but independent manufacturers in straitened financial circumstances.

The great International Paper Co., popularly known as the Paper Trust, controlling about a third of the total output of news-print paper in the country, has failed, according to statements that have never been denied by it, to equip most of the mills it took over at the time of consolidation with modern machinery, preferring to invest its capital in woodlands in this country and Canada which it will not be in a position to utilize for generations to come, and which it proceeded to acquire for purely speculative purposes. The Finance Committee gave that company an opportunity to disprove these statements, but, for reasons best known to itself, it declined to take into its confidence the very committee of which it demands a continuance of these favors. A tariff imposed under such conditions is a bounty to land speculators, and not a measure of protection to manufacturers.

Just what this up-to-date machinery means can be gleaned from Table 18, on page 53, to which I have just referred. Under the head "Capacity of machines" it shows that the average capacity of a machine in Canada is 31 tons of paper in 24 hours, while in the United States it is only 27.8 tons. How is that to be accounted for, in view of the fact that Canadian mills are dependent on the United States for their machinery as well as for the skilled labor required to operate them? The answer is found in the figures printed in the same line of the table from which I am quoting. Group A, comprising 56 per cent of the machines used by the American mills investigated by the board, shows an average output of 32.4 tons per machine, or higher than the Canadian average, while Group B, comprising 44 per cent of the American machines under investigation, shows an average of only 22.2 tons—almost 30 per cent poorer than the Canadian average and nearly 45 per cent below the average output of the five best mills in the United States, which was 40 tons per machine per day.

In other words, it is Group B, comprising the old junk outfit among which the Paper Trust holds the place of honor, that pulls down the figure of average efficiency of American mills and makes the average cost of production of paper in this country appear so much higher than in Canada. But the mills which prefer to invest their capital in up-to-date equipment rather than in greedily buying up all the visible forest supplies for speculative purposes and keeping competitors out of the business—these mills make a showing which leaves Canada far behind.

The same is true of all the other features which go to make for higher or lower efficiency. Thus in the matter of speed of machines, which determines the length of the roll of paper turned out by a machine per minute, we find the average for all mills in Canada investigated to be 480, while for the United States it is only 465.6 feet. But this lower American average is again caused by the low figure of 422.7 feet of Group B, which group shows an average of 499.3, and Group C as high as 537 feet. While 68.7 per cent of all the Canadian machines showed a speed of over 500 feet per minute, the per cent of American machines of an equal speed was only 38.1, and yet we make the machines for both countries. The explanation of this is very simple. Only the latest machines are made to work at a speed exceeding 500 feet. Those with a lower speed belong to an earlier period and should be discarded by every news-print paper mill which expects to do business without a subvention from Uncle Sam at the expense of consumers. The five best mills in the United States, comprising Group C, show that 90.9 per cent of their machines are of modern construction—that is to say, with a speed exceeding 500 feet per minute.

The same comments are suggested by the figures relating to width of rolls. The width of the roll, in conjunction with the speed of the machine, determines its output, for the wider the roll of paper which the machine can hold and the faster the revolution of the machine the greater its output of paper.

Mr. President, if Senators who believe in protection as I believe in protection, based upon principle, have followed me, they should see in this report on one of the great industries of this country a grave menace to the whole protective system. You can not maintain, sir, in this free country for any length of time any system that does injustice to the great majority of the people. I believe in a measure of protection that equalizes the difference between the labor cost in this and foreign competing countries, but when you make that protection such that you deaden all incentive for improvement, when you raise that tariff wall and exclude foreign competition so that men may rest on their oars because they control the market and can charge what they please, when, in this era of combination, competition between different manufacturers of the same product has been annulled and wiped out and destroyed, then, sir, you have defeated the purpose of protection, and you are undermining and destroying our industrial structure.

Mr. President, I will be for free trade the moment the conditions surrounding labor in this country and the competing countries of the world are in perfect equilibrium. I would rather see the revenues necessary for the maintenance of government derived by direct tax—the tax upon incomes and the internal-revenue taxes that lay the burden where it can most easily and most equitably be borne.

I stand, sir, and have always stood, for a tariff that will measure the difference, where there is a difference, between the cost of production in this and the competing countries.

My reason for that I can state in a word. The lives of the toilers are as completely built into the structure of this Government as are the lives of the men of great wealth. And, Mr. President, I am for a system that will make it possible for them and their children to have equality of opportunity with the man of greatest wealth in this country.

Labor, sir, lives at the level. Its condition is determined practically by the cost of that which it produces. I believe there is a difference in the conditions surrounding labor in this country and in the competing country. I believe the standard of living of labor here is higher and better than in competing countries. I believe that this difference should be measured by the tariff. If the products of the labor of the foreign competing countries come into this country at a lower level because their standards of living are at a lower level than in ours, then unless it is met by a tariff that measures the difference it will

inevitably bring the labor of this country to that level or it will displace and take away the market from our labor.

There is no escape from that. It is recognized by a statute, to which Democrats and Republicans alike subscribed, providing that no manufacturer and no employer of labor shall be permitted to go abroad and employ labor at the price that labor earns abroad. If you will not permit the labor to be performed in this country at the foreign wage level—at the low price paid in other lands for the flesh and blood and bone and muscle that enter into production—then you have, let me say to Democrats here, no warrant or justification for bringing in freely the product of that labor.

So I am in favor of a duty that will recognize the difference between the conditions of foreign and American labor. It is in the homes of the laborers that we find the men who are to determine the destiny and the future of this country. I would not see their opportunities lessened or diminished or restricted so that they can not equip their children for the higher duties of citizenship which must be exercised by the people of a republic.

I am going to appeal later to Senators upon both sides of this Chamber to join with me and with other Senators upon both sides in adopting amendments as a part of this so-called reciprocity bill, this bill which immolates agriculture as a sacrifice for the benefit of packers and millers and the great publishing interests. There is no justification for legislation that confers its benefits on a small class, not entitled to such benefits, at the sacrifice of 33,000,000 of people of this country. And we can not justify our failure to improve the opportunity now afforded us to send up to the President of the United States a measure which, if he wants this reciprocity proposition, shall carry with it tariff reductions that will lift from the bended backs of the people of this country a large part of the burden they are now forced to carry in the form of flagrantly excessive duties which I shall show, before the debate is ended upon this bill, have increased enormously under the Aldrich tariff bill, in some instances more than 100 per cent.

Let me suggest to Senators to be in no haste. This matter is going to be discussed until the people know what a great burden they are carrying. They are going to understand that there is now an opportunity to get rid of at least a portion of it. You can not play politics here unknown to the people. They will understand if, for the sake of projecting the tariff question into the next presidential campaign, Senators are willing to let them struggle on under this excessive burden for one year or two, or—who knows, it may be ten years.

Mr. President, I would save the protective principle. I believe in it. I was a member of the committee that made the McKinley bill. At that time the duties were placed very high. It did not make so much difference then. Why? Because, while there was still competition between manufactures, the tariff was maintained on the theory I have already suggested—the original theory of the men who believed in protection from Alexander Hamilton down to McKinley. It was their belief that no matter what the difference, no matter how high the duties, if they measured more than the difference in the cost of production between this and competing countries, the free competition between domestic manufacturers would keep down prices and save the American people from the extortion of monopolies.

That is what Hamilton said. Nobody has shed any further light on that question since he reasoned it out. I do not believe a new argument has ever been made on the protective theory since Hamilton's time.

But, Mr. President, when the McKinley bill was enacted there was scarcely a trust or combination in this country. Only three or four can date back of that period—the Standard Oil, the Anthracite Coal Combine, and the Sugar Trust.

But, Mr. President, following the enactment of the Wilson bill and the period of depression that succeeded, there came the enactment of the Dingley law in 1897, raising the duties to give to our producers the American market. It is not necessary for me to pause this afternoon to analyze the reasons back of it, but within three years following the enactment of the Dingley law more than $3,000,000,000 of capital was consolidated into combinations and trusts. Following that, from 1900 down to 1909, when we enacted the Payne-Aldrich law, we had increased until more than $30,000,000,000 of all the wealth of this country invested in manufacturing had been gathered into trusts and combinations, eliminating competition and enabling the organized combinations to fix prices as they pleased. So that feature of the protective tariff system, upon which Hamilton and Blaine and McKinley and the others had builded their argument—competition among domestic industries—had disappeared. The men who were given the American market behind the duties of the Dingley law joined together in great combinations and destroyed competition. They could at their own free will put prices to the very top of the tariff wall. There was nothing to prevent it. That marks the beginning of the era of high prices which to-day bear so heavily upon the people of this country.

Mr. President, when we came to the making of the tariff of 1909, as I said to the Senate at that time, we were revising tariff duties under conditions such as had never before existed in this country. That corollary of protection, which Hamilton and Clay and Blaine and McKinley had said would save the American people from monopoly—competition between the protected industries—had been wiped out by consolidation, agreement, and combination. All competition had been destroyed. We faced a new problem. It was vital that we should make the tariff cover just the difference in the cost of production at home and abroad, because there was no competition here to save the consumer from excessive prices if the rate was made higher than this difference. That was the basis of the struggle upon this floor, led by the progressives.

Mr. President, the criticism that is being directed toward some progressives because they do not approve of this so-called reciprocity agreement, constructed along free-trade lines, I think, arises from a misunderstanding of the true position of the progressives at that time. They did not abandon the protective principle. They did not stand for free trade. They voted against reduction of duties again and again whenever the proposed reduction was, as they believed, below the difference in the cost of production at home and abroad.

So, Mr. President, I say that we stand to-day just where we stood at that time. I have made this digression for the purpose of emphasizing that now. Upon this paper proposition we are appealing for the application of exactly that principle. Although it appeared two years ago that a $2 rate measured the difference in the cost of production, it is nevertheless shown to-day by the most thorough investigation ever made that we can manufacture paper more cheaply than Canada whenever our mills are properly equipped.

So, Mr. President, for my own part, I shall support an amendment to give to the users of print paper the free importation of that product. But I contend, Mr. President, that they are not fairly entitled to that relief at the expense of any other great industry or any other great class in this country. I have been sorely disappointed that the great newspapers of America, controlled by a blind desire to escape the oppression of an unjust combination, have seized upon this opportunity to join with the packers, the railroads, the millers, and other interests to sacrifice agriculture in order that they may have a cheaper product.

It is in testimony, Mr. President, that they are losing to the Paper Trust that controls prices something like $6,000,000 per year; that if they were given the benefit of free print paper they would be able to make a saving in their purchase of print-paper supplies that in the aggregate would amount substantially to that large sum. That is a great temptation, I concede; but, Mr. President, the responsibility of the American newspaper is so great, its mission so important to popular government, that it should ever resist a desire to publish misleading statements. It should at all times lift itself above the sordid temptation of using its columns to increase its own financial gain.

It is in testimony before the Committee on Finance that the newspapers have suppressed the news; that they were instructed by the president of the Publishers' Association to report fully the proreciprocity side of all news matter. I think, Mr. President, that is the blackest page in the newspaper history of the United States. I deeply regret that it has become a part of the history of this legislation; but, Mr. President, it is a stubborn fact.

There is no man who followed the hearings before the Committee on Finance who does not know that those who made their statements in favor of the President's Canadian pact were given very liberal space, were given very prominent position, were exploited under striking headlines in the newspapers of the country. But when the agricultural interests of the country came before the Committee on Finance, demonstrating the gross injustice, the great wrong, and the tremendous injury to agriculture that must result from this pact, notwithstanding the fact that from an economic viewpoint it was the most important testimony taken by the Committee on Finance, it found but meager space in the reports of our great newspapers.

Mr. President, I can not express the great regret and mortification I feel that such a record of betrayal of public trust on the part of the newspapers of America must go down in history.

Mr. STONE. Mr. President——

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Missouri?

Mr. LA FOLLETTE. I do.

Mr. STONE. I have no commission to represent the newspapers, and I suppose I would be among the last men in public life who would be selected by the newspapers to represent them. I have not been a favorite among them, and I interrupt the Senator not to defend the newspapers, but because I think his statement is not quite justified by the facts. It was charged that the Associated Press, for example, had given great space to proreciprocity literature and to the proreciprocity contention, which the newspapers had greedily accepted and widely exploited. The facts as developed show, as I understand, that far more space was given to the antireciprocity propaganda by the Associated Press, and by the newspapers generally, than was given by either one or the other in favor of reciprocity. I wish simply to put that statement, as representing my judgment of the facts, against the statement made by the Senator from Wisconsin, as representing his opinion of the facts, so that his statement may not go unchallenged to the country.

Mr. LA FOLLETTE. Well, Mr. President, there is better evidence than the statement either of the Senator from Missouri or myself upon this subject, and I think it will be furnished before the debate on this bill is concluded. I will not take the time of the Senate to go into it more fully than to say that I think probably every member of the Committee on Finance who followed the reports of the newspapers at the time of the hearings would not agree with the Senator from Missouri.

I return, Mr. President, after a very wide digression, for which I apologize to the Senate, to conclude what I have to say in reference to the report of the Tariff Board upon the paper industry.

Finally, the figures showing the number of years machines have been installed confirm the conclusions I have just stated. While only 6.2 per cent of all the machines in the Canadian mills reporting have been installed for a period of 15 to 30 years, the percentage of the ancient outfit in the United States was 34.7 per cent. When I used the word "junk" earlier in my remarks, I did so advisedly. A machine which is kept in a mill for 30 years in this age of rapid improvements is fit only for the scrap pile. It is unfortunate that the Tariff Board failed to give Congress the full benefit of the information it has obtained, by separating the 30-year-old machines from those only 15 years of age, instead of lumping them together.

I undertake to say that it would be clear to any Senator upon a study of this report that the Tariff Board has that information. They should have given it to Congress and the country. It is important to any body of men who are to take the responsibility of fixing tariff duties. I say this, Mr. President, because I hope that it will serve a good purpose. I believe in a tariff commission. I regret that the present board is so limited in its powers, but whatever its scope, its usefulness to Congress and to the country still depends upon the character of its work. For one I will never permit an opportunity to pass which calls for any suggestion or criticism tending to make more useful for the future the work of such a board or commission, because I believe that the protective system depends for its continued existence upon a scientific adjustment of tariff duties, based upon the accurately ascertained difference in the labor cost between this and competing countries. If that investigation shows that there is no difference in the labor cost, then there should be a leveling of schedules to meet that condition. If, on the other hand, there is a difference, and it is determined scientifically, there should be an adjustment of the duties, up or down, in exact accordance with that difference. I repeat, it is to be regretted that the Tariff Board failed in its tables to separate the 30-year-old machines from those only 15 years of age, thus confusing and obscuring the real facts and impairing in some measure at least the value of its work.

The schedules reproduced in its report indicate that the investigators obtained the age of every machine in the mills investigated. Without violating the secrets of individual mills the board could have complied the ages of the machines by groups of 10 years, say, so that we could tell more accurately the age and distribution of machinery in the paper industry of the United States. But even the meager light thrown on the subject by the board is sufficient to show that something is rotten in this industry.

Says the Tariff Board on page 52 of its report:

> Labor efficiency and labor cost per ton of product are almost entirely dependent upon equipment.

Analyzing the cost of paper turned out by 14 machines in three typical plants in this country the report shows that the labor cost in these three plants is as low as 82 cents per ton on one machine and as high as $1.84 on another, or over 124 per cent in excess of the lowest cost.

> It is the difference between this new equipment and higher labor efficiency and lower cost—

Says the Tariff Board report—

> or, on the contrary, old and slow machines and high costs, that spell profit or loss in the paper business.

Without wearying the Senate with further details, I trust I am justified in believing that I have cited enough figures, taken from the books of the companies by a Government board, to prove that an assertion that it costs more to produce print paper in this country than in Canada is a myth. The report of the Tariff Board conclusively establishes that such is not the general is not due to the higher cost of labor in this country, but exclusively to the failure on the part of paper manufacturers to equip their mills with up-to-date machinery. To advocate a protective duty under such conditions is equivalent to asking for encouragement from the Government of inefficiency and sloth at the expense of the people. When it is borne in mind that the inefficiency has been due, for the most part, not to lack of capital but to greed, which has caused the capital to be taken from its proper field of application and put to speculative uses of a most objectionable if not criminal character, the hardihood of the speculators clamoring for protection is truly remarkable. To that kind of protection I for one will not subscribe.

Mr. President, the friends of the Canadian pact seem to be very much in conflict as to the meaning of the Root amendment.

The Senator from New York, an ardent supporter of the bill, declares that his amendment harmonizes the bill with the agreement and ought for every reason to pass. He is for this bill as a whole.

The President opposes the Root amendment as hostile to the provisions of the bill to which it relates.

The Senator from Massachusetts [Mr. LODGE], whose zealous advocacy of this so-called reciprocity measure is well understood, advocates the adoption of the Root amendment as vitally important.

Representative MANN, former chairman of the committee which investigated the manufacture of print paper in Canada and the United States, asserts that he drew the provisions which appear in the Canadian pact on this subject, and that the Root amendment is in conflict with the agreement, and will, if adopted, destroy all opportunity to secure the admission of free print paper from Canada into the United States.

Mr. President, I am opposed to this bill as a whole. If it is passed, as I hope it will not be, I would prefer it to be made as nearly perfect as possible. I shall cast my vote against the amendment proposed by the Senator from New York, although for tactical reasons I voted otherwise in committee. I would have voted for any proposition in committee which I believed would lead to an adverse report from the committee upon this bill. But if this bill is to become a law, I believe there is no justification or warrant to be found in the facts reported by the Tariff Board for any duty upon this industry, and for that reason an amendment should be adopted making print paper and pulp wood free. The State of Wisconsin is one of the large print-paper manufacturing States of this Union. But I will stand for no duty on any industry unless I believe that that duty represents approximately the difference in the cost of production between this and competing countries, unless it be shown that there is some reason for a departure from that rule in a particular case.

I believe that the facts which I have presented to the Senate show most conclusively that there is no justification upon any sound, economic principle, as applied to protective duties, for continuing the duties upon the manufacturing of print paper in this country. For that reason, Mr. President, and because I believe that the amendment offered by the Senator from New York, in the event of the adoption of this Canadian bill, will defeat the very purpose of the paragraph relative to print paper, I shall vote against that amendment.

Mr. NEWLANDS. Mr. President, before the vote is taken, I wish to say a few words regarding my individual position as to this bill, and a few additional words regarding the parliamentary situation.

I have always been opposed to reciprocity treaties. I believe that these favored arrangements between countries do more to create international jealousy and hostility than they do to create international friendship. I also believe that no nation should embarrass its fiscal system by contractual relations with other countries. I believe that every nation should keep its fiscal system absolutely within its own control; that otherwise, if it enters into contractual relations with one, the principle

carried out would mean that it would enter into contractual relations with all, and thus its entire fiscal system becomes a matter of contract instead of a matter of law, a matter of contract embarrassed by the necessity of negotiations with the different countries when relief from the treaty is sought, and when imperative action is required upon the part of a nation with reference to its own finances.

Therefore I have always stood against reciprocity treaties. But I propose to make an exception as to this reciprocity treaty, first, because of our peculiar relation to Canada and the desirability of freer trade with that neighboring country; and, second, because during 18 years of public life, in a vain effort, in connection with others, to secure a scientific system of gradually reducing the tariff through a Tariff Board acting under rules fixed by Congress, I have come to the conclusion that the only way to accomplish anything in the way of hostility to the high protective system is to make a breach in the wall wherever an opportunity offers; and I think a most effectual breach in the protection wall will be made when we divorce the farmer from the manufacturer in the support of a high protective tariff.

We are beginning to realize now what was for a long time denied by the Republican Party, that the duty represents the *exact additional* cost imposed by American producers upon products which are favored by the tariff, and that whilst the Government of the United States receives as revenue annually about $300,000,000, the beneficiaries of the tariff are able to impose upon the people of the United States in increased prices for their products a tax of $3,000,000,000. Whilst the Government receives about one-tenth of this annual tax imposed upon the people, the manufacturers receive nine-tenths.

It is true that the farmer as yet has not received benefit from the tariff. His participation has been postponed to the time when consumption, in this country, of his products shall equal production. Then, with no exportable surplus, the tariff duty would be added to the domestic price. I wish to prevent the farmer from adding that duty to his price and thus exacting from domestic consumers 30 per cent more than the world's price for food products, and I believe that this is the time to do it and that this is the way to do it. I wish to prevent the possibility of a farmer's graft and to take away the actuality of the manufacturer's graft, and the best way to accomplish this is to prevent any community of interest in the tariff graft.

Mr. President, regarding the parliamentary situation, it was demonstrated the other day by a vote of instruction to the Finance Committee that the progressives of the Senate were in the control of the Senate; that the so-called dominant party had lost control; and that the control was transferred to the progressives of this body, consisting of about 40 Democrats and about 16 or 18 progressive Republicans.

I took advantage of the opportunity then to congratulate the Senate upon the restoration of self-government here. For since the coming of the progressive Republicans into this body, a coming which was welcomed by the Democrats, we have seen a gradual advance in self-government by the Senate. The control of leaders, so-called, has been done away with. The domination of committees has been done away with. Committees are now regarded as the servants of the Senate, subject to its command. We no longer have the old domination of committees, strong in their membership and strong in the traditions of the Senate.

The question now arises as to what these allied forces, allied not in secret meeting, but openly in the Senate and before the entire country, having secured the control of the Senate, with the attaching responsibility, propose to do regarding tariff reform and regarding other progressive and constructive legislation concerning which public opinion is now made up.

Mr. President, representative government has been thrown into discredit in this country by reason of the fact that the representatives of the people have failed to respond to public opinion. The Senate itself has become largely discredited in public opinion by reason of the fact that it has not responded to public opinion. The House was similarly discredited at one time, but it is now reestablished in the good opinion of the people of the country by the action of the dominant party there, acting in party conference, adopting a specific legislative program looking to definite results, and advancing with dignity and precision toward accomplishment.

Can we not undertake the work of reestablishing the Senate in the esteem of the great American people? And can not these allied forces that gained so signal a victory a few days ago, in the open, not in secret caucus or conference, but before the entire American people, determine here and now upon a legislative program that will involve not only these questions of tariff reform, but other questions of reform, of progressive and constructive action concerning which public opinion is made up? Why should we not act just as decisively as the House of Representatives has, mapping out what matters we propose to undertake in legislation and what matters we propose to undertake in committee consideration, with a view to action at the next session?

Four months and more of time are now before us—time which may be frittered away by such sessions as we have been having, but four months of effective and triumphant work if the progressives of this body determine upon a definite line of action.

The best way of securing an early adjournment is to determine upon a definite line of action, first, with reference to the matters which are to be acted upon at this session; second, regarding the matters which are to be considered by our idle committees with a view to action early in the next regular session. I have offered a resolution upon this line presenting nine questions for immediate action, of which six have already been acted upon in the House, and seven other questions for consideration by our idle committees with a view to action at the next session. These questions relate to reduction in military expenditure; the creation of a board or commission of interstate trade, with powers of investigation, correction, and recommendation to Congress; monetary legislation; and other matters as to the necessity of which public opinion is formed.

Mr. President, we are met by the embarrassment that the Democrats in disposing of these matters are confronted by the possibility of shifting changes as to their allies. The Democrats for the most part believe that it will imperil this reciprocity bill if they allow it to be amended. In taking that position, if they do take it, they must necessarily ally themselves with the reactionary portion of the Republican Party, with whom they have no sympathy, and abandon for the time being those allies with whom they are in sympathy, and with whom they have acted in the progressive program that has been before the Senate for some years.

So far as I am concerned, Mr. President, I am unwilling to imperil this bill. It is my inclination to vote against any amendment which will involve any chance of imperiling it. I can only be shaken in that view by a definite program presented with the absolute assurance of accomplishment.

Certainly the progressives of this body can take up and pass not only the reciprocity treaty, but bills reducing high protective duties and involving other measures of reform and constructive legislation which are imperatively demanded. I am aware that in this great work the Democrats can not expect to accomplish all that they hope to accomplish. I am aware that they may not be able to pass the bills in the precise form in which they passed the House. The difference, however, between the Democrats and the progressive Republicans is that whilst the progressive Republicans can not, consistently with their principles, go as far as the Democrats would in the matter of tariff reform, the Democrats acting upon their principles can go as far in the line of reduction as the progressive Republicans are willing to go, and can justify themselves before their party and before the country upon that issue.

I hope, therefore, Mr. President, that this alliance which has put the Senate practically in the control of the progressives of this body, which has given them not only control, but responsibility, will be fruitful of results. Such beneficial results can not be accomplished without patient effort, without a firm determination to come together, and without a firm resolve to definitely act upon a legislative program. I shall bring up for consideration the resolutions regarding a definite legislative program, to which I have referred, at some day in the near future.

Mr. GRONNA. Mr. President, I shall not occupy more than a moment of the time of the Senate. I do not attach much importance to the vote that is to be taken, but there is, however, enough of importance in it to demand attention. I wish to give as much consideration to the industries of my own country as to those of a foreign nation. If I thought, Mr. President, that it would be an injury to the newspapers of this country to incorporate the amendment, I should not vote for it; but I have made some calculations from figures based on the weekly newspapers of the country. The paper that sends out 52 issues, an eight-page paper, containing six columns, weighs on an average 2 ounces. The duty on print paper is $3.75 per ton.

Now, we will admit that the paper manufacturers in this country get all that duty. I understand that Mr. Norris, testifying before the Finance Committee, said that there was a difference of $4.20 per ton in the cost of print paper in this country and Canada. I take it that he included the freight, but I do not suppose that the newspaper men in this country expect by the passage of the bill that freight will be eliminated. Two ounces to a paper means eight papers to the pound. Fifty-

two issues means 6½ pounds per year for one paper or one subscriber. That, Mr. President, means 1.21 cents per year for each subscriber. I do not believe that the papers in this country will sustain any loss if this amendment is adopted. I am speaking now of the weekly papers of the country.

I shall vote for the so-called Root amendment. I know, Mr. President, that we can not amend the bill so as to make a good bill of it. In my judgment, the only thing that should be done with the bill is to make a motion to have it indefinitely postponed.

Mr. President, I intend some day in the near future to make a few observations upon the reciprocity measure. I simply wanted to say these few words justifying my position in voting for the Root amendment.

The VICE PRESIDENT. The question is on agreeing to the committee amendment.

The amendment was rejected.

The VICE PRESIDENT. Are there other amendments to be offered as in Committee of the Whole?

Mr. CURTIS. I move that the Senate adjourn.

The motion was agreed to; and (at 7 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, June 27, 1911, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *June 26, 1911.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Father in heaven, source of all wisdom, power, and goodness, look with compassion upon us, pardon our sins, illumine our minds, impart unto us strength sufficient for our needs, fill our hearts with love for Thee and our fellow men that we may measure up to the highest ideals of manhood in whatsoever we undertake this day, that we may prove ourselves worthy as children of the living God. In the spirit of the Master, amen.

The Journal of the proceedings of Saturday was read and approved.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. JOHNSON of South Carolina, for three weeks, on account of sickness in family.

To Mr. TALCOTT of New York, one week, on account of important business.

To Mr. HOWELL, indefinitely, on account of important business.

CORRECTING ENROLLMENT OF CERTAIN APPROPRIATION ACTS.

The SPEAKER laid before the House House joint resolution 1, with Senate amendments.

The Clerk read as follows:

House joint resolution 1, to correct errors in enrollment of certain appropriation acts approved March 4, 1911.

The amendments were read.

Mr. FITZGERALD. Mr. Speaker, I move that the House disagree to the amendments and ask for a conference.

The motion was agreed to.

The SPEAKER. The Chair announces the following conferees.

The Clerk read as follows:

Mr. FITZGERALD of New York, Mr. BURLESON of Texas, and Mr. CANNON of Illinois.

URGENT DEFICIENCY BILL.

Mr. FITZGERALD. Mr. Speaker, by direction of the Committee on Appropriations I report a bill to supply deficiencies in certain appropriations. (H. Rept. 55.)

The SPEAKER. The Clerk will report the title.

The Clerk read as follows:

A bill (H. R. 12109) to supply a deficiency in the appropriations for contingent expenses of the House of Representatives for the fiscal year 1911, and for other purposes.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent that the bill may be considered now in the House as in Committee of the Whole.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] asks unanimous consent for the present consideration of the bill in the House as in Committee of the Whole. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, I suggest to the gentleman that he move to go into the Committee of the Whole.

Mr. FITZGERALD. I would have to do that by unanimous consent.

Mr. MANN. I know that. It will probably be subject to a point of order, but probably nobody will make the point about that.

Mr. FITZGERALD. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union to consider a bill to supply deficiencies in certain appropriations.

The SPEAKER. The gentleman from New York moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill which the Clerk has just reported. The question is on agreeing to that motion.

Mr. FITZGERALD. Pending that motion, Mr. Speaker, I will ask the gentleman from Illinois [Mr. MANN] if we can agree upon the time for debate, so that there will be a definite understanding about it.

Mr. MANN. Oh, that is not necessary.

Mr. FITZGERALD. Perhaps we shall not need it.

The SPEAKER. The question is on agreeing to the motion.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 12109) to supply a deficiency in the appropriations for contingent expenses of the House for the fiscal year 1911, and for other purposes, with Mr. RUCKER of Missouri in the chair.

On assuming the chair Mr. RUCKER of Missouri was greeted with applause.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill reported from the Committee on Appropriations to supply deficiencies, which the Clerk will now report.

The Clerk read as follows:

A bill (H. R. 12109) to supply a deficiency in the appropriations for contingent expenses of the House of Representatives for the fiscal year 1911, and for other purposes.

Mr. FITZGERALD. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. The gentleman from New York [Mr. FITZGERALD] asks unanimous consent to dispense with the first reading of the bill. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

The text of the bill is as follows:

Be it enacted, etc., That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the following sums, to supply urgent deficiencies in appropriations for the fiscal year 1911, and for other purposes, namely:

HOUSE OF REPRESENTATIVES.

For miscellaneous items and expenses of special and select committees, exclusive of salaries and labor, unless specifically ordered by the House of Representatives, $12,850.

For stationery for Members of the House of Representatives, Delegates from Territories, and Resident Commissioners, and for the use of the committees and officers of the House, $1,000.

For furniture, and materials for repairs of the same, $16,800.

For compensation of the clerk to the Speaker's table for preparing the Digest of the Rules for the first session of the Sixty-second Congress, $1,000.

DISTRICT OF COLUMBIA.

The amount authorized to be expended for the employment of personal services under the appropriation in the District of Columbia appropriation act for the fiscal year 1911, for the enforcement of certain acts of Congress to prevent the spread of contagious and communicable diseases in the District of Columbia, is hereby increased from $10,000 to $10,200.

Mr. FITZGERALD. Mr. Chairman, this bill carries several items to supply deficiencies in the appropriations to enable the House properly to conduct its business.

The first item is for $12,850 for miscellaneous items of the House. The appropriation for the current fiscal year was $75,000, but there had been expended out of this appropriation up to the 1st of April $57,000, leaving a balance to the credit of the appropriation at that date of $18,000. Since that time certain outstanding obligations which had been incurred have been presented, which amounted in all to about $6,627, and since that time there have been authorized by resolutions of the House certain employees whose compensation aggregates $2,600 a month, and under the resolutions authorizing investigations of various organizations employees aggregating an expenditure of $1,700 a month have been employed.

In addition to this, the witnesses who have been brought here by these various committees have incurred obligations which require these expenditures. So that a careful computation shows that it will require for the balance of the fiscal year the amount specified in the bill.

For furniture for the House of Representatives there was appropriated $20,000.

Mr. NORRIS. Mr. Chairman, I would like to ask the gentleman a question before he leaves the first item.

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Nebraska?

Mr. FITZGERALD. Yes; I yield to the gentleman.

Mr. NORRIS. These items included in this $12,850 are all items for which resolutions have been passed authorizing their payment out of the contingent fund, are they not?

Mr. FITZGERALD. Not entirely out of the contingent fund. Five new places were created, the compensation of which is $10,000 annually, and the compensation attached to these places was payable out of the contingent fund. Other places in the House, the compensation of which aggregated $82,000, were abolished. The money for the compensation of those places is carried in the legislative act for next year, and it will not be expended. In addition to the five places created, the compensation of which is to be paid out of the contingent fund until provision is otherwise made, positions to be filled by 12 clerks and 1 assistant clerk to committees at $125 per month, payable out of the contingent fund until otherwise provided, have been created.

Mr. NORRIS. I would like to say to the gentleman that the information I wanted to get in regard to this item was whether or not it would not have been better to make a specific appropriation here to the effect that it was for the purpose of replenishing this fund. Otherwise, if a subsequent resolution is passed providing for the payment of anything out of the contingent fund, it could not be paid out of the money appropriated in this item here, could it?

Mr. FITZGERALD. On the 1st of July the appropriation for the fiscal year 1912 becomes available.

Mr. NORRIS. I understand this is for the present fiscal year.

Mr. FITZGERALD. And it is not anticipated that any new authorizations will be made out of the contingent fund during the current year.

Mr. NORRIS. It is not customary, is it—I will ask the gentleman—in making appropriations for the contingent fund, to specify the items for which the money must be paid or for which it is appropriated?

Mr. FITZGERALD. Only in the manner here specified. There are certain miscellaneous items, expenses of special and select committees, exclusive of salaries and labor, specifically authorized by the House, for which the appropriation was $75,000; and the charges properly made against that appropriation will be $12,850 in excess of that sum.

Mr. NORRIS. Ordinarily, when an appropriation is made for the contingent fund, there is no attempt to specify the particular uses to which it can be applied, is there?

Mr. FITZGERALD. No; not any more than this, that the contingent fund is divided into a miscellaneous account—furniture, fuel, and oil, and several other items that are grouped—but there are a number of items under the miscellaneous fund. This is one of the items, and out of this particular item these charges are payable. In addition to what I have stated already, there are packing boxes, stationery for Members, postage stamps for the Postmaster.

Mr. NORRIS. There is a specific item in this bill for stationery on page 2.

Mr. FITZGERALD. I will explain that.

Mr. NORRIS. So that would not be included here.

Mr. FITZGERALD. No. The manner in which the items are divided is as I have indicated. In supplying deficiencies, the language of the act in which the original appropriation is made is always used.

Mr. MANN. Will the gentleman yield for a question?

Mr. FITZGERALD. I yield to the gentleman.

Mr. MANN. The first item, $12,850, seems to have been figured down quite closely, so there must have been before the committee, or before some one, at least, a statement showing particularly what this is for.

Mr. FITZGERALD. I have that statement here.

Mr. MANN. Will the gentleman give it to us?

Mr. FITZGERALD. The Chief Clerk of the House, under whom the disbursing officer is, made an estimate of the money required, which is as follows:

Due on telegraph and telephone bills, $4,850.
Ice bill, $700.
Expenses of special committees, $3,500.
Salaries of employees, $2,600.

And a number of small items grouped as sundries, $1,200.

The expenses of the select committees were estimated by requesting the chairmen of those committees to state the amounts of money that would be required to compensate witnesses who were expected to be subpœnaed prior to the end of this month, and, as accurately as could be estimated, these are the items that will be required.

Mr. MANN. The gentleman has read an item of $4,000 for telephone and telegraph messages.

Mr. FITZGERALD. Yes; $4,850.

Mr. MANN. How much of that is for telegraphing and how much for telephoning?

Mr. FITZGERALD. I did not obtain the figures in that way. The items have been approved by the proper committee. The telephone bills were estimated upon the amount fixed under the contracts. The telegraph bills, of course, are indefinite. They depend upon the number of telegrams sent. This is the amount that is now due on these bills, as I understand it.

Mr. MANN. I think it is interesting, perhaps, to know whether this amount is partly produced by the special investigating committees; and if so, to what extent?

Mr. FITZGERALD. Some of the telegraphing is due to the special committees, but a very small percentage. These telegraph bills, as the gentleman is aware, arise from the messages sent by Members, at Government rates, chargeable to the House of Representatives.

Mr. MANN. I understand.

Mr. FITZGERALD. The great bulk of the charges come in that way.

Mr. MANN. It seems to me that is rather an unusual amount, yet it may not be.

Mr. FITZGERALD. No; the information is that it was not an unusual amount while Congress is in session. The number of telegrams sent and charged while Congress is in session is much in excess of the number sent when Congress is not in session. Members are here and people are telegraphing from all over the country to them on account of various official matters, and they are sending messages to all parts of the country.

Mr. MANN. I thought possibly that the system might be changed, with the change in policy as to economy, so that the expense would be much less, and that no one on that side of the House would feel at liberty to use the telephone and the telegraph at public expense.

Mr. FITZGERALD. I am not aware that Members are permitted to use the long-distance telephone at public expense. I have seen no such bills. There are installed in the Capitol and in the Office Building telephones, and Members have the privilege of telephoning to any part of the city under the contract made with the telephone companies for such service.

Mr. MANN. Is not a part of this expense for long-distance telephoning?

Mr. FITZGERALD. I have no information to that effect.

Mr. GARNER. None of it.

Mr. BARTLETT. No.

Mr. FITZGERALD. I have no knowledge of any charge here for long-distance telephoning.

Mr. MANN. Is the gentleman able to segregate the expense of the special committees among the committees?

Mr. FITZGERALD. No; I have not that information. These committees were authorized to expend up to $25,000 each—two of them—which expenditures are to be paid upon the certificates of the chairmen of the different committees, after having been passed on by the Committee on Accounts, and when these accounts are passed in that manner the Committee on Appropriations has not attempted to further audit the accounts.

Mr. MANN. That may be, but I think the House is entitled to know when it makes an appropriation, or at some time, what expense the different committees are incurring. While that information might come from the Committee on Accounts, still that committee is not coming before the House.

Mr. FITZGERALD. I am not able to give at this time any statement of the exact amount expended by these committees to investigate the sugar concerns and the steel concerns, except to say that the various committees that are investigating different matters have employees that are costing $1,700 a month.

Mr. MANN. Is the gentleman able to say out of what fund is being paid the clerk hire?

Mr. FITZGERALD. Seventeen hundred dollars' worth of special employees in these various committees. The employees of these committees draw in compensation in the aggregate $1,700 a month.

Mr. GARNER. They are being paid out of the contingent fund.

Mr. MANN. I know, but there are a number of contingent funds.

Mr. FITZGERALD. They are being paid out of this fund which specifically provides for miscellaneous items and expenses of the special and select committees.

Mr. MANN. The gentleman did not give any estimate for the clerk hire, did he, in giving the amount of this deficiency?

Mr. FITZGERALD. I can state what it is. The expenses of special committees, $3,500. That includes mileage, employees, and whatever other expenses there are.

Mr. MANN. But the regular expenditure committees—out of what fund is their clerk hire paid?

Mr. FITZGERALD. Out of this particular item.

Mr. MANN. They are not special committees.

Mr. FITZGERALD. I stated they were being paid out of this fund.

Mr. MANN. But they are not special committees. Are the clerks for these committees being paid out of this fund?

Mr. FITZGERALD. They are, at $125 a month, and they aggregate about $833 a month.

Mr. MANN. Well, we were told the other day that a large number of witnesses had fees being held up on these special committees and could not get the money. I do not see where that comes in, if you are paying the clerk hire at the rate of $1,700 a month out of this item and the total of the item is only $3,000, knowing the amount is expended for witness fees. I think it would be interesting if some one were able to tell us.

Mr. FITZGERALD. I am unable to tell how much has been expended by these particular committees up to this time. It might be interesting to the gentleman to know that there was paid by the present officials of the House out of this fund some $6,627 for witness fees for the witnesses in the investigation of the friar lands.

Mr. MANN. That is interesting to know, but no more interesting than it would be to know how much of the money you now propose to appropriate is being paid for witness fees which have already been incurred by other committees.

Mr. FITZGERALD. There is only one specific statement as to witness fees thus far, and that is fees for the witnesses for the Committee on Expenditures in the Interior Department. They have expended $1,200 for witness fees.

Mr. AUSTIN. If the gentleman will permit me, I desire to say I am a member of the Committee on Expenditures in the Post Office Department, and since the 17th day of April we have had 31 meetings and have examined 30 witnesses and recalled 13. That committee has not expended a dollar for witnesses. The only expense incurred has been on account of printing the hearings of said committee. There is no item in this deficiency bill for said committee.

Mr. FITZGERALD. The gentleman has examined witnesses who are here in Washington.

Mr. AUSTIN. And some from a distance, a number not connected with the department.

Mr. GARNER. If the gentleman will permit, does the gentleman from Tennessee have an idea that witnesses are to get an expense account later on? Does he undertake to state the Committee on Expenditures in the Post Office Department will not incur any expenses?

Mr. AUSTIN. We have proceeded with the investigation thus far and not a single witness has cost the Government a dollar.

Mr. GARNER. The gentleman, the House, and the country are to be congratulated.

Mr. AUSTIN. And we are of the opinion that we ought not to pay a Government officeholder a per diem.

Mr. FITZGERALD. Under the law these witnesses need not come unless they be subpœnaed, and if they be subpœnaed they are entitled to a certain mileage and $2 a day for attendance on the meetings of the committee.

Mr. NORRIS. Does that apply to an official of the Government who is already drawing a salary?

Mr. FITZGERALD. That is my recollection of the statute.

Mr. NORRIS. I do not think that it is.

Mr. FITZGERALD. I am quite certain it is. The gentleman from Pennsylvania [Mr. OLMSTED], I am quite sure, is very familiar with it, because certain Government officials were brought here, and they presented claims for per diem, and I think the gentleman was compelled to allow the claim which they presented.

Mr. McGUIRE of Oklahoma. I think that a Government official only gets his expenses.

Mr. OLMSTED. Mr. Speaker, as the gentleman from New York referred to me, I think there is a rule of the House fixing the per diem and mileage to be paid witnesses before committees, making no distinction between those who are and those who are not in the Government service, but it has not been customary for Government officials to charge a per diem.

Mr. AUSTIN. Mr. Speaker, I wish to say, in reply to the statement made by the gentleman from Pennsylvania, that we called this matter in relation to a per diem due to Government officials testifying before our committee to the attention of the Comptroller of the Treasury, and he stated to us verbally that they were not entitled to per diem pay.

Mr. HAMLIN. Mr. Speaker, I can perhaps give some particular information in respect to the expenses of one of the expenditures committees, and that is that Committee on Expenditures in the State Department. That committee has been about as busy as any of these committees, and we have incurred the expense of one witness in the amount of about $30. That was the per diem and traveling expenses of this one witness. We subpœnaed a number of parties here in the city—Government officials—but I have been and am yet under the impression that they ought not to be allowed fees, for they are drawing a salary from the Government, and the Government is entitled to their time.

Mr. GARNER. That impression is correct.

Mr. HAMLIN. And they have not been allowed any witness fees by me, and I would have to be thoroughly convinced that they were entitled to it under the law before I would approve an account of that kind; but we subpœnaed one witness, not an employee of the Government, from outside of the city, and of course he was allowed a per diem and mileage amounting to somewhere in the neighborhood of $30, the same being $2 per day and mileage at the rate of 5 cents per mile. This is the only expense our committee has incurred for witnesses.

Mr. FITZGERALD. I will read to the gentleman Rule XXXVII:

> The rule for paying witnesses subpœnaed to appear before the House or its committees shall be as follows: For each day a witness shall attend, the sum of $2; for each mile he shall travel in coming to or going from the place of examination, the sum of 5 cents each way; but nothing shall be paid for traveling when the witness has been summoned at the place of trial.

There is no exception.

Mr. HAMLIN. The rule may make no exception, but I do not believe that the intention of the law is that where a department is under investigation and the committee feels the necessity if bringing the officials of that department before them to explain their management or other matters of the department, that those officials shall have a right to charge the Government for the time they are before that committee making explanations. I do not believe it is the intention of the law to pay them, and I will not O. K. a fee bill in their favor unless compelled to do so.

Mr. NORRIS. Will the gentleman yield?

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Nebraska?

Mr. FITZGERALD. I yield.

Mr. NORRIS. I want to ask the gentleman if there is not a statute which covers this particular point? I understand there is such a statute. But even if there were not, I would like to say to the gentleman from New York that it seems perfectly plain that that rule of the House would not apply to a Government official, and is not intended to apply to a man who is already paid a salary which is going on at the time he is testifying. If it did, you might have Government officials going around from one of these committees to the other and testifying before five or six different committees in the same day and getting per diem from each. I think it is a general rule that no official, even if there were no statute bearing on the subject, can draw two salaries at the same time from the Government.

Mr. FITZGERALD. The gentleman is inaccurate. The only law upon that subject is one providing that no official of the Federal Government can draw two salaries if one of them shall be in excess of $2,500. The per diem for witnesses is not considered at all as a salary. It is to compensate the witness for the additional expense to which he has been put.

Mr. NORRIS. I understand it is to compensate him for his time. His mileage is to compensate him to that extent. Take a Government official, any official who is here in office in Washington, and it is that kind of witnesses that appear before these investigating committees, drawing salaries, and subject to no extra expense. It costs them no more to come here than to go to their ordinary place of business, and, their salaries going on at the same time, it seems to me there would be no reason for any of these officials, employees or clerks of the Government here in Washington, to get either per diem or mileage.

Mr. FITZGERALD. There is no intimation, let me say to the gentleman, that any official in Washington will receive or has received any amount as per diem when he has been brought before any of these committees.

Mr. GARNER. Will the gentleman yield?

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Texas?

Mr. FITZGERALD. Yes.

Mr. GARNER. I want to say to the gentleman from Nebraska that so far as I know, as a member of the Committee on Accounts, no account has been allowed to any Government official for attendance upon a committee, either in the way of mileage or per diem.

I wanted to make some inquiry of the gentleman from New York as to his construction of the law. Let us suppose a case. Let us suppose a committee should refuse a Government employee an account for mileage or per diem. Would he have any standing in court to recover on that account?

Mr. FITZGERALD. I do not know that my opinion would be of much value at this time.

Mr. GARNER. It is of considerable interest to determine this question, because no committee desires to turn down an account which the law demands it shall pay.

Mr. FITZGERALD. I believe that under the rule the Government officials are entitled to per diem when they are subpœnaed at the place of trial. I think there is no doubt about it.

Mr. ALEXANDER. Will the gentleman yield?

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Missouri?

Mr. FITZGERALD. Certainly.

Mr. ALEXANDER. I will state to the gentleman from New York that there is an express Federal statute that no Government official shall receive more than his actual expenses. I can give the gentleman that section of the statutes if he desires.

Mr. AUSTIN. He is not even entitled to his mileage? It *must be actual* expenses?

Mr. ALEXANDER. Yes; it must be actual expenses.

Mr. GARNER. I wanted to know, if each one of these accounts was determined either by a regular or special committee, whether the Committee on Accounts would be authorized to refuse or to allow the account?

Mr. FITZGERALD. Mr. Chairman, I have not made an examination of the statutes recently so as to be qualified to pass on this question. It does not come before the Committee on Appropriations. These accounts are first approved by the chairman of the committee who subpœnas the witnesses, and then they must be certified by the Committee on Accounts. When both of these bodies have certified the accounts, I have assumed, as the Committee on Appropriations have no power to interfere with their certification, that they have examined the law and have certified the accounts in accordance with the law.

Mr. AUSTIN. I will state to the gentleman from New York that the gentleman from Missouri [Mr. ALEXANDER], in the presence of the Committee on Expenditures in the Post Office Department on Saturday, examined the statute, and he correctly quoted it in his statement a few minutes ago. Now, I should like to ask the gentleman from New York to accept the following amendment:

At the end of line 11:

"*Provided*, That no part of said sum shall be paid to witnesses as per diem who are on the pay rolls of the United States Government."

Mr. FITZGERALD. Oh, no; I can not accept that amendment. If they are not entitled to it under the law, it is not necessary. If they are entitled to it under the law, it ought to be known definitely. This is simply to appropriate money to pay witnesses who have been called or are to be called before the end of this month.

Mr. AUSTIN. The gentleman quoted a rule which gives such witnesses $2 a day.

Mr. FITZGERALD. That is not a matter that we should attempt to regulate at this time. The Committee on Appropriations, through the proper official of the House, received the estimates from the various committees as to the amounts that would be required. They did not send in estimates for any Government officials who were to be brought here to testify. For instance, the Committee on Expenditures in the Interior Department brought certain Indians from the Territory of Arizona, and some $1,200 was required to pay their expenses. The gentleman from Georgia [Mr. HARDWICK] submitted a list of the names of the witnesses whom he proposed to call before his committee, the places from which they were to come, the number of miles they were to travel, and the mileage to which they would be entitled. It was upon such information as I have detailed that the estimate of the amount required was made up.

Mr. AUSTIN. Will the gentleman from New York please tell us whether in the list of witnesses certified by the gentleman from Georgia there are any Government officials, and whether per diem and mileage is proposed to be allowed them?

Mr. FITZGERALD. My information is to the effect that there were none.

Mr. AUSTIN. The gentleman from New York a few minutes ago read from the rules of the House that all witnesses are entitled to a per diem of $2 a day. As I understand it, in the payment of these witness fees the law and the opinion of the Comptroller of the Treasury govern, and not the rule of the House.

Mr. FITZGERALD. I think that is true.

Mr. SHEPPARD. I want to submit this question to the gentleman from New York: Suppose that a committee not authorized by a specific resolution at this session of Congress desires the presence of a witness from a distance and sends for that witness. Will that witness be entitled to mileage and per diem?

Mr. FITZGERALD. Unless the committee are empowered to send for witnesses, they can not subpœna them. If somebody should comply with a request of the committee when the committee had no power to subpœna, I suppose there would be no legal obligation to pay his mileage or per diem. And when a committee has the power to subpœna witnesses it is a question whether a witness responding voluntarily to a call without a subpœna is entitled to mileage. But I do not believe I should be asked to attempt to settle at this time all of the questions that may arise in the minds of Members, first as to the power of any committee to bring witnesses here and then as to whether those witnesses would be entitled to compensation if they come.

Mr. ALEXANDER. I have the statute now. Section 849 of the Revised Statutes of 1848 provides:

No officer of the United States courts in any State or Territory, or in the District of Columbia, shall be entitled to witness fees for attending before any court or commissioner where he is officiating.

Section 850 provides:

When any clerk or other officer of the United States is sent away from his place of business as a witness for the Government his necessary expenses, stated in items and sworn to, in going, returning, and attendance on the court, shall be audited and paid; but no mileage or other compensation in addition to his salary shall in any case be allowed.

Now, I do not find any other Federal statute relating to the fees of Federal officers.

Mr. OLMSTED. The statute just read applies only to testimony before Federal courts or commissioners thereof, and to cases where employees are summoned as witnesses for the Government in court. It has no relation whatever to the testimony of witnesses before a committee of this House. That provision is found in the rule of this House which the gentleman from New York [Mr. FITZGERALD] has already read.

Mr. BARTLETT. Mr. Chairman, having investigated this matter on previous occasions, by reason of certain claims for witness fees having been referred to the Committee on Accounts during the last session, in which claims for mileage were preferred against the Government for witnesses who had attended investigations authorized by the last Congress, known as the friar lands investigation, I became satisfied that although the parties who appeared before the committee and testified were in the service of the Government, there was no law which would prevent them from receiving mileage.

I myself thought witnesses occupying that relation to the Government ought not to be paid mileage, and it was investigated by the Committee on Accounts. While I did not agree to pay, the committee agreed to pay, and I found myself in the position where I was compelled, by reason of no law to sustain my position, to acquiesce in that demand. The statute read by the gentleman from Missouri [Mr. ALEXANDER] applies, as the gentleman from Pennsylvania [Mr. OLMSTED] well said, to witnesses in courts or before commissioners authorized to take depositions, and the language is that no witness in the service of the Government who is summoned as a witness for the Government shall be allowed anything except his expenses. Now, the only law upon the subject that I can find or am familiar with is the rule of the House which provides for the summoning of witnesses and for the payment of the fees. Up to 1876 the law was that witnesses were paid $4 a day, and the act of 1876 did contain a provision limiting the amount to $2 a day and had this provision in it:

Provided, That witnesses residing in the District of Columbia, and not in the service of the Government of said District or of said United States, who shall be summoned to give testimony before any committee of the House of Representatives, shall not be allowed exceeding $2 for each day's service.

Prior to that time the allowance for witnesses everywhere was $4 a day, and this act fixed it at $2 a day, and the rule of the House fixed the attendance of witnesses at $2 a day. So that there is no law, or the law is deficient in that respect so far as I am informed, that says that a person in the employ of the United States Government shall not receive anything but his actual expenses when he attends as a witness summoned before a committee of Congress. I can see very readily why it ought to be the rule, and I can see very readily why Congress should enact such a law or why the House should amend its rules providing that; but here are witnesses who reside in the District of Columbia who when summoned are undoubtedly entited to $2 a day, and here are witnesses who reside out of the District

of Columbia who are summoned and who under the law, if you apply the law of witnesses in the United States courts, have to have their fees tendered to them to attend out of the State of their residence and are entitled to $2 a day and their mileage.

Mr. GARNER. In the last analysis, Mr. Chairman, it resolves itself into this: That if a witness in the employ of the Government, say, in the State of Georgia, is summoned before a committee of the House, having authority to demand his presence, and that committee refuses to allow him anything other than his actual expenses, and the Committee on Accounts in turn refuses to O. K. a voucher for anything other than his actual expenses, would he have any standing in court to recover his claim?

Mr. BARTLETT. Mr. Chairman, I think that he would. He certainly would have a claim before the Committee on Claims.

Mr. GARNER. He would certainly have a claim against the Government, but whether Congress would allow that claim is discretionary with Congress.

Mr. BARTLETT. I think it is not discretionary with Congress. I think a man who receives a subpœna from Congress under the knowledge of the fact that the rules of both Houses provide that he shall be paid so much per diem and so much mileage would have a claim against the United States Government which could be asserted in the courts. You can not compel him to come unless you tender him his fees, and a witness may decline to come when you tender him his fees. That is my impression.

Mr. HAMLIN. Mr. Chairman, I have great respect for the gentleman's knowledge of the law and I do not know that I quite understand him. Do I understand the gentleman to contend that if the officials of these departments should be summoned before a committee of the House to be interrogated as to matters in their department they would be entitled to $2 per diem as witness fees?

Mr. BARTLETT. Living in the District?

Mr. HAMLIN. Yes.

Mr. BARTLETT. There is no law that says he is not entitled to it.

Mr. GARNER. The same rule would have to apply to him as to any other witness.

Mr. FITZGERALD. The rule provides that he shall not be entitled to a per diem.

Mr. BARTLETT. Nothing shall be paid for traveling expenses.

Mr. HAMLIN. He has no traveling expenses. He lives here, but would he be entitled to his per diem?

Mr. BARTLETT. I think he would. The passage which I read of 1876 provided that—well, I will read it again; and here is the only thing that I know of upon the subject. I read from the deficiency appropriation bill of 1876:

Provided, That witnesses residing in the District of Columbia and not in the service of the government of said District or of said United States who shall be summoned to give testimony before any committee of the House of Representatives shall not be allowed exceeding $2 for each day's service.

Mr. HAMLIN. Not in the service of the Government?

Mr. BARTLETT. I read the gentleman the language of the statute.

Mr. HAMLIN. Then the opposite of that expression would mean that those in the employ of the government of the District or of the United States would not be entitled to a per diem. This is exactly what I thought to be the law, or at least the spirit of the law.

Mr. BARTLETT. Applying the familiar rule of law that the inclusion of one proposition would exclude the other, I think it would tend to exclude it, although the statute has never been construed, as I understand it, by a committee or the House where it reached a record shape.

Mr. HAMLIN. That is the construction I would put upon it, and I believe it is right, and shall continue to so hold as chairman of one of these committees.

Mr. FITZGERALD. Mr. Chairman, the next is an item of $1,000 for stationery. That is to supply stationery for the officers and the House. The item for furniture and materials for the repair to the same; the amount recommended is $16,800.

Mr. GARNER. Will the gentleman from New York yield in reference to that item?

Mr. FITZGERALD. Which item?

Mr. GARNER. The item for furniture and materials for repairs for same, $16,800. Has the gentleman the estimate in reference to the items covering that item from the Committee on Accounts?

Mr. FITZGERALD. The appropriation for the current year was $20,000. There had been expended and obligated prior to the beginning of this session of Congress $13,850, which left a balance available of $6,150. The Clerk of the House submitted an estimate of the various amounts which are due and which must be met. In the first place, there were portraits of the Speakers of the House being painted in oil, which cost $500 a piece.

Mr. GARNER. How many of those?

Mr. FITZGERALD. In all, I think, there were 19 of them, but 10 will be presented. Five thousand dollars is needed to pay for 10 of those portraits. There is due for 300 typewriters, at an average of $45 each, $13,500. There is due Moses & Co., for desks and chairs, $1,000; Dulin & Martin, for coolers and stands, $1,000; Harvey & Co., for bookcases, $1,200; electric fans, $600; and the General Fire Proofing Co., $650; which makes a total of $22,950; to pay which there was on hand $6,150; thus requiring an additional appropriation of $16,800.

Mr. SHEPPARD. Mr. Chairman, I would like to ask the gentleman who audits these accounts to see the Government is not overcharged.

Mr. FITZGERALD. The Committee on Accounts audits all payments from the contingent fund, and their audit is conclusive under the law.

Mr. SHEPPARD. Has the Committee on Accounts audited these particular items?

Mr. FITZGERALD. The request for these specific items was submitted by the Clerk of the House to the Committee on Appropriations, and when that request was made the chairman of the Committee on Accounts was requested to make an inquiry and to state to the Committee on Appropriations whether the particular amounts were due and whether the obligations incurred were proper, and the chairman of the Committee on Accounts made such a statement to the Committee on Appropriations.

Mr. LLOYD. If the gentleman will permit, these claims have all been audited by the Committee on Accounts, or they have been presented and not audited, but they were claims pending and thoroughly valid claims against the Government.

Mr. BARTLETT. And they will be audited before they are paid.

Mr. FITZGERALD. Mr. Chairman, the next item is $1,000 for the preparation of the Manual and Digest. Annually there is appropriated in the legislative bill for the clerk at the Speaker's desk $3,600 and $1,000 additional for the preparation of the Manual and Digest. The appropriation for the current fiscal year was paid to the prior occupant of the place for the preparing of the Manual and Digest at the last session of the Sixty-first Congress, and this item is to compensate the present occupant charged with this work.

Mr. GARNER. Is that to be an annual or a session or a Congress appropriation?

Mr. FITZGERALD. It is appropriated annually, Mr. Chairman, and has been paid, so far as my investigation goes, for the preparation of the Digest at the regular sessions of Congress. No such condition has arisen as in the present Congress during the past 16 years, if I recall correctly. One gentleman occupied the position during those years, and he was paid the compensation since the work has been delegated to him. Two things occurred to the Committee on Appropriations: One was that the intention was to fix annually the compensation of this employee at $4,600 a year; the other, in the language of the act, that it was intended as an additional compensation for this particular work. This latter view seemed to be the proper one, since prior to the Fifty-seventh Congress the Manual and Digest was prepared by the Journal clerk, and a similar appropriation had been made for the purpose to him since about 1876.

Judge Crisp came to Washington upon the adjournment of the Sixty-first Congress and was engaged prior to the convening of the present Congress in aiding in the arrangement of the rules, and he since has prepared the Manual and Digest, in accordance with a resolution of the House. After viewing the matter from all sides, the committee believed that he was entitled to be paid the money at this time.

Mr. NORRIS. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Nebraska?

Mr. FITZGERALD. Yes.

Mr. NORRIS. Has it been customary to pay this amount, or any amount, for each session, or has it been customary to make an appropriation of $1,000 for the entire fiscal year?

Mr. FITZGERALD. The appropriation is contained in the legislative appropriation bill—the annual appropriation bill. The language of the act is, according to my recollection, "For the preparation of the Manual and Digest, $1,000." That sum was appropriated for the current fiscal year.

Mr. NORRIS. This appropriation here is for this special session only?

Mr. FITZGERALD. I am informed that this $1,000 is paid, upon the presentation to the Public Printer of the manual completed, to the person who compiled it.

Mr. NORRIS. There will be another session of Congress, or at least a part of one in the same year. What is the reason the committee in this bill has designated this as compensation for a particular session? Why not designate it as compensation for the year? Then there would be no doubt as to what it would be for.

Mr. FITZGERALD. It is not, I will say to the gentleman, compensation for the year. It is compensation for the preparation of the Manual and Digest for this session of Congress. That is the work for which the compensation is paid. Previously——

Mr. NORRIS. This session of Congress will end before the next fiscal year is ended, and another session will take its place, and if you did this at every session of Congress the salary would be increased for each session of Congress.

Mr. FITZGERALD. That is not the intention.

Mr. NORRIS. I understand that is not the intention, but it strikes me that is what you are really doing here under the language of the appropriation.

Mr. GARNER. Mr. Chairman, if the gentleman will permit me, I would like to say that it occurs to me that this is a special appropriation for special work done at this session, and that the clerk to the Speaker, under the statute, receives $3,500 a year, and the appropriation bill each year carries $1,000 extra for him, making his salary $4,500 each year.

Mr. NORRIS. I understand that.

Mr. GARNER. Now, this is an extra $1,000 for special work done at this session.

Mr. BURLESON. It is $1,000 for this particular work—the preparation of the Manual and Digest.

Mr. GARNER. Yes; for this particular session of Congress.

Mr. NORRIS. That means that for the coming fiscal year there will be $2,000 extra paid for this work instead of $1,000.

Mr. GARNER. No. This is part of a fiscal year. The appropriation for the next fiscal year has already been made—$3,500 for his salary and $1,000 extra, making a total of $4,500.

Mr. MANN. Why does not the gentleman tell the amount correctly? It is $3,600, plus $1,000.

Mr. GARNER. Oh, I thought it was $3,500. It is $3,600. But this compensation, as I understand it, is for special work performed by Judge Crisp for this special session of Congress.

Mr. BARTLETT. And also, may I say, done under a resolution from the Committee on Rules, directing him to do it?

Mr. GARNER. Yes; and authorized by the House. Now, Mr. Chairman, I want to suggest to the gentleman that——

Mr. NORRIS. Permit me to say right there that that will be from the 4th of March up to the 30th day of June, will it not?

Mr. GARNER. Yes.

Mr. NORRIS. Then he will get for that particular time $1,000 extra, and for the next 12 months he will get another $1,000 extra.

Mr. GARNER. Then he will get the regular appropriation made by Congress for him for that session.

Mr. NORRIS. Then this increases the annual pay.

Mr. BURLESON. No. He gets $1,000 for the preparation of this Manual and Digest. At the beginning of the next session, of course, he makes another, and gets $1,000 for that.

Mr. GARNER. Now, I want to make a suggestion to the gentleman from New York. Would it not be better to make this salary $4,600 at a statutory salary, instead of making these different appropriations? It looks in the separate bills as a donation, this extra $1,000, whereas, as a matter of custom, it is a part of his duty, and it ought to be statutory.

Mr. FITZGERALD. Mr. Chairman, that perhaps is true, but that is not the situation that confronts us now. There were some changes made in the rules of the House, and a new edition of the Digest and Manual had to be prepared, and the work was done by Judge Crisp under the direction of the House. It has been the practice to pay $1,000 to the individual who performed the work. I am inclined to believe that it has become permanently fixed, and one of the reasons for it was the belief that the clerk at the Speaker's table earned more than the compensation fixed in the law, and there was a desire properly to compensate him for the important work he does in the House.

It seemed to the committee that went over these various phases of the matter that it was proper to recommend the payment of $1,000 at this time for this work.

Mr. GARNER. Would it not be better in the future to carry his total salary in one bulk sum, rather than to appear to donate $1,000 in connection with this work?

Mr. FITZGERALD. That may be.

Mr. BARTLETT. Mr. Chairman, if the gentleman from New York will yield to me, this is in no sense a donation.

Mr. GARNER. I did not mean to be understood as saying that it is.

Mr. BARTLETT. It ought not to be designated as such. It is an absolute payment for work and services done by the clerk at the Speaker's table, under authority from the House—most arduous, painstaking, and particular work which the House was in need of and required.

Mr. GARNER. Will the gentleman from Georgia yield for just a moment?

Mr. BARTLETT. Certainly.

Mr. GARNER. I want to say to the gentleman from Georgia that by saying to the gentleman from New York that this ought to be placed in one item of annual salary I did not mean to be understood that this was a donation. I simply say that instead of appropriating $3,600 as a salary and then $1,000 for certain work, which has been the custom for a number of years, it seems to me it would be better to say that the clerk at the Speaker's table is entitled to $4,600 a year, and make a bulk appropriation.

Mr. FITZGERALD. Permit me to make this suggestion to the gentleman from Texas: Until about eight years ago this money was paid to the Clerk of the House or to the Journal clerk for the preparation of the Manual and Digest. At that time the work devolved upon the then clerk at the Speaker's table. Now, it is just possible that a situation will arise in the House where neither the Journal clerk, who may be appointed, nor the clerk at the Speaker's table will be sufficiently qualified to prepare the Manual and Digest, and whoever has charge of it may desire to devolve the work of preparing the first Manual and Digest upon some one who is not an officer of the House. I believe that is the reason the item has been carried separately.

Mr. BARTLETT. Mr. Chairman, if I may be permitted just a word, to finish what I was saying. I understand the language of the law is that the clerk at the Speaker's table shall receive $3,600 a year, and in addition thereto $1,000 for preparing the Manual and Digest. It is as much a part of the compensation of the clerk at the Speaker's table as the mileage of the Members is a part of their compensation. The law provides that a Member shall receive so much salary and in addition thereto—that is the language of the statute—so much for mileage. Now, we came here to attend this session. The mileage was not available, and we passed a bill making it available, and have received it. The former clerk at the Speaker's table, Mr. HINDS, drew this $1,000. He was entitled to it. There is no criticism upon that at all. He was entitled to it under the proper construction of the law. Then it devolved upon the present clerk at the Speaker's table, authorized to do so by the resolution adopted by the House, to prepare this Manual, which he has done. It was not contemplated that there would be an extra session. When the legislative, executive, and judicial appropriation bill was passed nobody knew that we were going to have an extra session. Nobody anticipated that. No one could look into the mind of the President to determine what he was going to do; but the extra session has been called, and we are here, and this gentleman has performed the work. He is entitled to this compensation, and the only way to provide for it is to put it in a deficiency bill. I will say to the gentleman from Texas that I myself am perfectly willing to incorporate into the law a salary of $4,600, and make it incumbent upon the clerk at the Speaker's table, for this compensation, to prepare this Digest; but that is not now the law, and we must face the conditions as they present themselves. It occurs to me that this item is not subject to criticism, is a meritorious one, and ought to be passed.

Mr. FITZGERALD. The last item in this bill is one making available $200 additional for personal services for the contagious-disease service in the District of Columbia. The appropriation for contagious-disease service in the District of Columbia was $24,500. When the appropriation bill for the current fiscal year was being prepared, it was ascertained that a very large proportion of this money—$18,000 or $19,000—was expended for personal services.

On the recommendation of the committee a limitation of $10,000 was placed on the amount available for personal services. For the next ensuing fiscal year the limitation is $15,000. The health department has been required, in an effort to maintain its service, to dismiss a number of employees and temporarily to detail employees from other services to this work.

Upon inquiry it developed that $200 additional should be provided to take care of employees who would be essential for the remaining days of the fiscal year.

Mr. NORRIS. For the remaining days of this fiscal year ending June 30?

Mr. FITZGERALD. Ending June 30. On the 20th day of June the fund was entirely exhausted, and an investigation disclosed the fact that there would be a little over $100 required, and the committee recommended $200 to provide for every contingency. I reserve the balance of my time and ask the Clerk to read.

Mr. MANN. Oh, just one moment.

Mr. FITZGERALD. I might add one thing: I have made some inquiries since the gentleman from Illinois interrogated me, and I am informed that up to the present time about $300 has been expended to pay the mileage of witnesses subpœnaed by the so-called sugar and steel investigation committees. I reserve the balance of my time.

Mr. MANN. Mr. Chairman, I had hoped to hear the gentleman from New York discuss the last item in the bill. I do not know whether he did or not, but I did not hear it.

Mr. FITZGERALD. Which item is that—the one respecting the District of Columbia?

Mr. MANN. Yes.

Mr. FITZGERALD. I had just completed the explanation of that item and I supposed the gentleman was satisfied.

Mr. MANN. Well, the gentleman has taken his seat away over on the other side of nowhere. No one on this side of the House usually can hear him unless he talks very loud, and he has not been talking very loud to-day.

Mr. FITZGERALD. That was not the reason the gentleman did not hear me, Mr. Chairman, or that part of my explanation. He was so busily engaged in looking up something on his desk that it escaped his attention that I was explaining that particular feature of the bill. I am willing to give any information the gentleman desires.

Mr. MANN. The gentleman is mistaken. I have not been busy looking up anything except looking up to the gentleman.

Mr. FITZGERALD. Well, I watched some gentlemen sitting further from me on that side of the House than does the gentleman from Illinois, gentlemen who have been solicitous about some of these items, and they seemed to be satisfied with the explanation I was making, and I assumed that the gentleman from Illinois also was satisfied.

Mr. MANN. I am satisfied; if the gentleman made an explanation at all it satisfied me.

Mr. Chairman, the item that has just been discussed for compensation to the clerk at the Speaker's table for preparing a Digest of the Rules for the first session of the Sixty-second Congress, $1,000, is somewhat embarrassing to discuss. I have the very highest regard and respect for the gentleman who occupies that position. I believe he is both honest and capable, but this is an unusual appropriation.

Mr. BARTLETT. It is an unusual session.

Mr. MANN. Oh, we have had a number of extra sessions since the gentleman from Georgia and myself have been Members of Congress, but we never have before duplicated this. When the last Speaker, Mr. CANNON, was first elected Speaker of this House I had had something to do with his campaign for that office, and when it was settled that he would be Speaker I went to him and asked him whether he desired to retain as a clerk at the Speaker's table Mr. HINDS, now the gentleman from Maine. Mr. CANNON said to me that he did not see how he could run the office of Speaker properly without the assistance of Mr. HINDS. I said to him that I thought then it would be inevitable that we must increase his salary. When I first came into Congress, I think, if I am not mistaken, the clerk at the Speaker's table, the parliamentary clerk, received a salary of $2,500 a year for being clerk, parliamentary clerk, and also for being clerk to the Committee on Rules. Subsequently it was desired to increase the salary of the Speaker's secretary, and they transferred the clerkship of the Committee on Rules to the Speaker's secretary, and gave him extra compensation for acting as clerk of the Committee on Rules and reduced the salary of the parliamentary clerk to $2,250, and in order to give him the compensation it was thought was necessary provided an extra $1,000 for preparing the Digest.

Mr. GARNER. When was that?

Mr. BARTLETT. May I ask the gentleman a question?

The CHAIRMAN. To whom does the gentleman yield?

Mr. MANN. I yield to anybody.

Mr. BARTLETT. Is not it a fact that up to about eight years ago the Digest was prepared by the Journal clerk? Mr. HINDS has prepared it only for about four Congresses, or eight years, I think. The Journal clerk prepared the Digest until about eight years ago. Is that not a fact?

Mr. MANN. I think not.

Mr. BARTLETT. That the Journal clerk did not prepare the Digest?

Mr. MANN. Oh, I will not say it was not prepared by the Journal clerk, but further back than the gentleman refers it was turned over to the parliamentary clerk, and in the manner in which I have indicated.

Mr. BARTLETT. I am not disputing that, but I only ask if it was not a fact that the preparation of the Digest has only devolved upon the parliamentary clerk in the past 10 years?

Mr. MANN. Well, I will not say the exact length of time, because I am not sure about that. I am informed that commenced in the Fifty-sixth Congress, which was considerably more than 10 years ago.

Mr. BARTLETT. Mr. Chairman, I would like to ask the gentleman another question, and then I will not interfere any more. Is it not a fact in these extraordinary sessions, which you and I and the other Members have attended in the Fifty-fifth Congress and since then, we had no preparation of the Digest and Rules until the end of the session or the beginning of the next? In other words, there were no committees appointed and nothing was done with reference to the preparation of this Manual and Digest.

Mr. MANN. There is nothing in there about committees I have ever discovered; that is, about the personnel of the committees.

Mr. BARTLETT. That is, the Manual and Digest was not prepared during the extraordinary session until toward the end of the session. Is not that a fact?

Mr. MANN. Well, I am not prepared to say when it was prepared, but I think it has always been prepared at once. That is my recollection of it.

Mr. GARNER. Is it not a fact that in the Sixty-first Congress Mr. HINDS was then acting as clerk to the Speaker and Committee on Rules and received between $5,000 and $6,000 compensation for that year's work?

Mr. MANN. Well, I am not sure about that, but at one time we paid him $20,000.

Mr. GARNER. I understand we paid him $20,000 for a very valuable work, in my estimation, and we got it cheaply; but I want to ask the gentleman if his recollection is not that we paid him compensation at the rate of $3,600 and then $1,000 for making the Digest, and then an additional $1,000, I believe it was, for compensation as clerk to the Committee on Rules?

Mr. MANN. Well, if gentlemen will just control their passions for a moment and let me make a statement I will be greatly obliged to them. Of course I do not mean passions in any invidious sense. As I said originally, the salary was $2,500 to the parliamentary clerk for being the parliamentary clerk and clerk to the Committee on Rules.

A transfer was made, and when Mr. CANNON came in as Speaker I went to the Committee on Appropriations, entirely without any consultation with Mr. HINDS; but knowing that his salary at that time was inadequate and being informed by others that he was contemplating leaving the service, and urged that his salary be increased, which it was to, as I remember, $3,600, where it is now and has been since. The $1,000 extra was to the Speaker's secretary as clerk to the Committee on Rules and not to the parliamentary clerk, as suggested by the gentleman from Texas. The Speaker's secretary remained clerk to the Committee on Rules, receiving an extra $1,000 for the service until the Committee on Rules was divested from the Speaker's office and a new chairman was appointed and a new clerk was provided. But this $1,000 is not for the purpose of making up the Digest. It is for the purpose of giving an excuse for increasing the salary. We do not like to pay large salaries to employees of the House. It was proper that the parliamentary clerk should be paid a considerable salary, but when this was first increased to $3,600, the salary plus $1,000 for the Digest, the reading clerks receiving $3,600 a year, the chief clerk of the Clerk's office receiving $3,600 a year, their salaries being subsequently increased to $4,000 a year, but the $1,000 was a method of increasing the salary. That is all there was to it, a proper method, one that did not make an invidious distinction at the Clerk's desk between the parliamentary clerk and the chief clerk to the Clerk and the reading clerks and the Journal clerk, they having all been about the same salary originally. Now, I have no objection to paying Mr. Crisp $1,000 or $1,500, but let it be plainly understood that it is making him a present of the money, because we are entitled to his services for the salary he receives.

Mr. RANDELL of Texas. If the gentleman will permit, I would like to ask the gentleman from Illinois if the situation is not this: That the appropriation was made for the fiscal year 1911 and included this $1,000 for the parliamentary clerk, and that $1,000 was drawn by the former occupant of that place, now the gentleman from Maine. Is not that correct?

Mr. MANN. That is correct.

Mr. RANDELL of Texas. Now, then, there was a new Congress. The gentleman is now a Member of this House. We have a new parliamentary clerk. He has been called upon, as I understand it, and ordered by resolution of the House to prepare this Digest, and it has been done. The compensation for that is understood to be $1,000. Now, the compensation will either be paid or not paid. If not paid, then is it not a fact that this work will be done for nothing, excepting his salary?

Mr. MANN. Well, it is not as I understand it at all. Do not let us have any misconception about——

Mr. RANDELL of Texas. I want to ask further, in order to be understood about it, Is it not a fact that the appropriation is made for the year 1912 and that no matter whether this clerk or some other parliamentary clerk should be there, he would draw that salary? Suppose this parliamentary clerk holds his position only until the 30th of July and another parliamentary clerk takes his place. On account of the position assumed by the gentleman from Illinois would not that mean that this present parliamentary clerk, who did what the House wanted him to do for $1,000, would receive nothing; that Mr. HINDS would have got the $1,000 for 1911 and some one else would get the $1,000 for 1912, but that the one who did the actual work would get nothing?

Mr. MANN. He would get $300 a month.

Mr. RANDELL of Texas. That is his salary. He would not get the $1,000 additional.

Mr. HINDS. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Maine?

Mr. MANN. Certainly.

Mr. HINDS. Mr. Chairman, the $1,000 drawn by the occupant of that position at the last session of Congress was drawn in payment for a definite duty imposed upon him by the House, which was the preparation of a Manual and Digest, and during the 16 years that the occupant of that position was in that office he drew during each Congress $2,000, and for that compensation produced two editions of the Manual and Digest for each Congress.

Mr. RANDELL of Texas. Mr. Chairman, if the gentleman will yield further, I was making no strictures on the gentleman from Maine, who was the parliamentarian clerk at the last session.

Mr. MANN. I think the gentleman from Maine was probably a little unduly sensitive. No one in this House would intend to reflect upon him [applause], and everyone else would know it except the gentleman from Maine, who may be, as I said, unduly sensitive.

Mr. RANDELL of Texas. As a matter of fact, an appropriation was made for that fiscal year. He was in the position, and, drawing that appropriation, he did a definite work. A new Congress comes in. The former parliamentary clerk becomes a Member of Congress. Here the clerk does the actual work—and it is worth it—under the order of Congress, for this $1,000. Now, in order to test the question whether he is entitled to that, if he should cease his employment on the 30th of this month, his successor would draw $1,000 for that particular work for next year. His predecessor drew the $1,000 for this present fiscal year, and the present incumbent would get nothing, notwithstanding the fact that he would have done more work at this session than the other two would have done, because the situation at this session is peculiar and different. I say he ought to get the $1,000 as additional compensation; not as a gift, but as proper compensation for work done at the order of the House.

Mr. GARNER. Mr. Chairman, will the gentleman from Illinois yield?

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Texas?

Mr. MANN. Yes. I have something more to say, but I will yield to the gentleman first.

Mr. GARNER. The statement of the gentleman from Illinois is a little inconsistent with the statement of the gentleman from Maine, which is correct. The contention of the gentleman from Illinois is that the $1,000 is purely a matter of additional salary, and not for any work done by the clerk to the Speaker.

Now, the gentleman from Maine has just said that that $1,000 was paid for a specific work. I submit to the gentleman from Illinois [Mr. MANN] that if the gentleman from Maine [Mr. HINDS] is correct in his statement that that $1,000 was paid for a specific work, and if Mr. Crisp has performed that specific work, he is entitled to the $1,000, and is not subject to the criticism that the gentleman from Illinois has placed upon him.

Mr. MANN. I have not made any criticism. I would be perfectly willing to pay Mr. Crisp $5,000 a year. I think it would have been the height of wisdom if this House had provided a salary of $10,000 a year to Mr. HINDS to remain as parliamentary clerk without regard to politics. I have no objection to that; but I object to the pretense——

Mr. GARNER. The gentleman says this is a pretense of doing a special work, and yet that particular special work was created under that side of the House, according to the gentleman from Maine [Mr. HINDS], and the $1,000 was paid for that specific work.

Mr. MANN. The preparation of the Digest——

Mr. HINDS. If the gentleman will allow me for a moment, I think, perhaps, I can enlighten this subject a little.

Originally, up to the Fifty-fourth Congress, the Manual and Digest was prepared by the Journal clerk of the House, who was the parliamentarian of the House. In the Fifty-fourth Congress there was a change of party, and as sometimes happens in those cases there was an extensive change in the personnel of those about that desk. I myself was appointed clerk to the Speaker's table the very day, I believe, that the new Speaker was elected, and inside of three weeks, I think, I was the senior employee at that desk. The responsibility of the parliamentary work came upon me, but during the Fifty-fourth and the Fifty-fifth Congresses the Manual and Digest still continued to be prepared by the Journal clerk. In the Fifty-sixth Congress, the clerk at the Speaker's table having become in fact the one responsible for the parliamentary procedure at the desk, the Manual and Digest was taken from the Journal clerk and its preparation given to the clerk at the Speaker's table, where from that time it remained.

In the 16 years that I held that position I issued the Manual and Digest a portion of the time, and received compensation for special work for two editions of the Precedents. With the regular salary, which at first was $2,250, with the compensation for the Manual and Digest, and with the extra compensation that was given for preparing the Precedents, and which in one case was a very large compensation, the entire compensation of the clerk at the Speaker's table averaged slightly more than $5,000 per annum during the years in which I held the position.

Mr. GARNER. Will the gentleman from Maine allow me to ask him a question?

Mr. HINDS. Certainly.

Mr. GARNER. During the short session of the last Congress the gentleman acted as clerk at the Speaker's table?

Mr. HINDS. Yes.

Mr. GARNER. The gentleman received $3,600 salary?

Mr. HINDS. Yes.

Mr. GARNER. He received the extra compensation of $1,000 for preparing the Manual and Digest?

Mr. HINDS. Yes.

Mr. GARNER. Now, if his work was worth that amount, and if Mr. Crisp is giving good service, is not Mr. Crisp entitled to $3,600, and to $1,000 also, for his services in this special session from April 4 to July 31?

Mr. HINDS. I dislike to pass upon the compensation of any other man. I would say from my own experience that he would be entitled to the sums which the gentleman mentioned for the first year of the time this Congress lasts. In other words, there never have been more than two Manuals and Digests for a Congress, no matter how many sessions.

Mr. GARNER. Then what becomes of the lapse between March 4 and June 30? Are you going to object to giving him $1,000 for the preparation of this Manual and Digest, when you received an equal amount in addition to the annual salary for the three months of the short session?

Mr. MANN. The same occasion arose at the special session when we passed the Dingley law, and the same occasion arose——

Mr. GARNER. But——

Mr. MANN. Let me make my statement. The gentleman has used most of my time so far. I would like to have a little of it. The same case arose at the special session when we passed the Payne law. We might have dispensed with the service of that parliamentary clerk and got another parliamentary clerk, but having some modicum of common sense, we did not. Do you expect to do that?

Mr. GARNER. Yes; but the gentleman must remember one thing, that at the special session he refers to nothing was considered except the tariff bill.

Mr. MANN. Oh, the gentleman is mistaken. We considered as much as we have considered this time—well, considered a great deal more.

Mr. GARNER. Not only that, but the same individual who drew the salary for the fiscal year continued to serve as clerk to the Speaker's table.

Mr. MANN. Is not the same individual who draws the salary expected to continue during the next fiscal year as the clerk at the Speaker's table?

Mr. FOWLER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Illinois yield to his colleague?

Mr. MANN. For a short question. I would like to have a little of my time for myself before I get through.

Mr. FOWLER. I understood the gentleman said that the tariff question was well considered at that extra session. I would like to know how well it was considered. [Laughter.]

Mr. MANN. Mr. Chairman, my distinguished colleague from Illinois who has given great consideration to the question of tariff reform gave such careful consideration to it that he recently made a speech on the subject in the House. He gave to the reporters the original notes of his speech from which he read and he was giving careful consideration to the subject of tariff reform. In the course of his speech he read:

Jesus was born in a manger, and John the Baptist fed on locusts and wild honey.

That was followed by "Applause" in the same handwriting that wrote the original paper [laughter], and at the end of his speech, liberally interspersed as it was by the word "Applause" in the same handwriting that wrote the paper from which he read, he provided:

Long and continued applause, followed by handshaking.

Underneath that read the language:

Here insert table of statistics.

Now, it may be that I am mistaken in saying that he gave careful consideration to the tariff question in this speech, because, if I remember rightly, he was giving careful consideration to the admission of two new States to the Union. In that speech he illuminated the subject so thoroughly that he knew in advance just where his side of the House would "applause" and so wrote it in to save the reporters of the House the trouble of doing it.

Mr. RANDELL of Texas. Mr. Chairman, I wish to ask the gentleman from Illinois to be fair with his colleague, as I suppose he wishes to be. Is it not a fact on reading that RECORD that the RECORD does show what actually happened here in the House, and is it not usual that gentlemen of the House here should revise their speeches, and is not that speech revised in the ordinary way? Is it not a fact that the statements were made, that the speech was made, and that the applause was given, and that the handshaking took place just as stated in the RECORD? Does it not show the truth? I ask the gentleman as a witness who was present.

Mr. MANN. No one knows whether it shows the truth or not.

Mr. RANDELL of Texas. Does it not show it, and does not the gentleman know it does?

Mr. MANN. I do not believe that this House——

Mr. RANDELL of Texas. Does the gentleman charge that it does not show the fact?

Mr. MANN. I am not making any charges at all.

Mr. RANDELL of Texas. Why should the gentleman asperse his colleague simply because he is on this side of the House?

Mr. MANN. I am not trying to throw aspersions upon my colleague.

Mr. RANDELL of Texas. Is not the gentleman trying to make it appear in his colleague's district that his colleague fixed the RECORD, and does not the gentleman know the RECORD shows just what took place?

Mr. MANN. On the contrary, I am trying to show just exactly what did take place.

Mr. RANDELL of Texas. Does not the RECORD show what took place?

Mr. MANN. It does not show what took place.

Mr. RANDELL of Texas. Wherein does it not show it?

Mr. MANN. I am not on cross-examination.

Mr. RANDELL of Texas. Oh, I thought the gentleman was testifying. He ought to be fair with the gentleman.

Mr. MANN. I am fair. It is the gentleman from Texas who lacks that quality.

Mr. RANDELL of Texas. I will certainly never get it by absorption from you.

Mr. MANN. No; I do not think the gentleman could absorb it from anybody. The gentleman, my colleague, read his speech, and, like other speeches that are read from manuscript, it was not taken down by the reporters. The original manuscript was furnished to the reporters and sent to the Printing Office, and we having the right of access to the proof I have examined the proof in the case—the original manuscript—because I questioned whether the House was so far gone that it would greet with applause the statement that Jesus was born in a manger. I did not believe the House would be so sacrilegious, and I investigated and found that all this was written and applause was put in in the original manuscript prepared before the gentleman came into the House, but I did not——

Mr. FOWLER. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Illinois yield to his colleague?

Mr. MANN. I yield to the gentleman; certainly.

Mr. FOWLER. Mr. Chairman, I want to deny that statement and brand it as false. [Applause on the Democratic side.] And the gentleman is just in the same keeping here to-day as he was on the first day when this Congress met, when he charged gentlemen on this side of the House with being ignorant and impudent because they were new Members. I want to say to him that I have learned since I have been here that there are a few old gentlemen who have served for long years on the floor of this House who are sly, and some who have served longer are devilish sly.

Mr. MANN. Mr. Chairman, I have the original manuscript. It is there. Some day, if I can get permission, I will photograph it and put it in the RECORD. It will not do to say that the statement I made is false because it is not so. It is true. There is the paper. Probably the gentleman was not familiar with the fact, but that was an error on the gentleman's part, which doubtless in the course of time——

Mr. FOWLER. Mr. Chairman——

Mr. MANN (continuing). He will appreciate, and, I trust, the next time will avoid.

The CHAIRMAN. Does the gentleman from Illinois yield to his colleague?

Mr. MANN. Certainly.

Mr. FOWLER. Mr. Chairman, I desire to ask the gentleman if he wants to escape the great responsibility which was thrown upon him as an old Member of the session of Congress which passed the Payne-Aldrich bill by referring to what he calls the weaknesses of new Members who never were here before. I want to ask him if he wants to say to the people of the United States that because a new Member who has come to this House may have made a mistake, that that is the reason for the blunder that that side of the House made in imposing upon the people of this country the infamous tariff bill that was repudiated at the last election and filled your seats here with Democrats pledged to vote in the interests of the people of this country. I want to say to the gentleman that if he continues that conduct here in such high-handedness against the masses of the people that after the next election there will be fewer seats filled by such men as he on the other side of this Chamber. [Applause on the Democratic side.]

Mr. MANN. Mr. Chairman, there my colleague gets genuine applause; it may go into the RECORD there.

Mr. FOWLER. Yes; but the gentleman did not answer my question.

Mr. MANN. I never when I was a new Member—and I do not think a new Member need to have defense on the floor of the House—I never before discovered a new Member so anxious, or an old Member, in reference to his standing, that he wrote his speech in advance and as he wrote it wrote in the applause where he wanted the applause to be put in it. [Laughter on the Republican side.] And yet, perhaps, that is a wise thing to do, because I have often noticed in the House applause was sometimes indiscriminate. It came in at places where it ought not to appear, and was omitted at places it might properly go in. My colleague was more careful. Having written his speech himself and knowing its merits, he knew where the applause ought to be; and if he had not made the fatal mistake of writing in "applause" after the expression "Jesus was born in a manger" probably no one would have been wiser, and his constituency would have been ready to believe when they read his noble utterances in the speech that he sends out to them how it was received with tremendous applause, that, surrounded by the whole House, he finished this great speech and demolished one bill and milled up another bill.

Mr. FOWLER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield to his colleague from Illinois?

Mr. MANN. I yield.

Mr. FOWLER. I want to say, Mr. Chairman, as to the speech to which the gentleman refers, that it is not true that that speech was written as a whole in longhand. I desire to say that that speech was delivered in part, not from the manuscript, but from notes, without any manuscript. And I want to say in reply to the gentleman that that manuscript was taken by the stenographer, that portion of it, after the speech had been delivered, and he himself inserted the marks of applause.

I want to say, Mr. Chairman, in further reply, that the gentleman has said himself on the floor of this House, repeatedly, that it has been the custom on the floor of this House to revise the speeches that may have been made, and I want to say to him that I have seen in the RECORD, not referring to partisanship at all, speeches that were not delivered on this side or on that side of the House, being speeches which were permitted under the rules to be printed.

And I want to say to the gentleman, in further reply, that the speech which was quoted here as being delivered by me during the debate on the admission of Arizona and New Mexico into the Union was delivered here by me, and the course that was taken was taken because of such gentlemen as he, standing here on the floor of the House and denouncing the common people as being dangerous to civilized government, and saying that power should not be left in their hands to correct the abuses which he and such men as he have imposed upon the people of the United States. That was the cause of a portion of that speech being delivered in the way in which it was delivered. It was to denounce that idea of one-man rule in this country or any other country.

Mr. MANN. Now, Mr. Chairman, the regret that I have about the matter, and the only real regret that I have—and that is a deep regret—is that the gentleman does not seem to appreciate at all the enormity of his offense.

Mr. PAGE. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. PAGE. Is this discussion in order? Even under the large liberties of general debate in this House, is it in order?

The CHAIRMAN. The House is discussing a bill making a specific appropriation, but a great deal of latitude is allowed. I presume the point of the gentleman from North Carolina is doubtless well taken. I suggest that the gentlemen confine themselves to the bill.

Mr. MANN. Mr. Chairman, I hope the Chair will not sustain the point of order. This bill is under debate in the Committee of the Whole House on the state of the Union.

The CHAIRMAN. The gentleman from Illinois has the floor.

Mr. MANN. Now, Mr. Chairman, other gentlemen may obtain and avail themselves of the same privilege that I have had of examining the copy of the speech of the distinguished gentleman from Illinois [Mr. FOWLER]——

Mr. STONE. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield to his colleague [Mr. STONE]?

Mr. MANN. What is it about? I had about finished my discussion of that phase of the subject.

Mr. STONE. Mr. Chairman, it is not my intention to take part in a controversy that seems to be personal rather than political, but I desire to say that it was my privilege to be in the House when that speech was delivered by the gentleman from Illinois [Mr. FOWLER], and when the first intimation was made that "applause" was inserted in places where it was not actually given, I examined the speech, and I can give testimony that "applause" was indicated only in the places where it was given.

Peculiar as it may seem to my colleague from Illinois [Mr. MANN], the sentiment conveyed by the expressions "Jesus was born in a manger" and "John the Baptist lived on locusts and wild honey" was applauded. The applause was not because of the particular quotations, but because the remarks of the gentleman from Illinois [Mr. FOWLER] reached a climax at that place and because of the context. Humble as my testimony may be, I respectfully submit it to the House. [Applause on the Democratic side.]

Mr. MANN. Mr. Chairman, the gentleman's memory must be very good if he is able, after some weeks, to read a speech that is printed in the RECORD and remember in just what places it was applauded in the House.

Mr. FOSTER of Illinois. He says he examined it soon after.

Mr. MANN. Oh, he did not examine it until the question was raised, and the question was not raised until I referred to the matter in the House some weeks after. But the original manuscript, written in some one's handwriting, along in the same sentence, without missing a space, has in these words "applause" and various other things of that kind as the manuscript was originally prepared. It is nonsense to say that applause happened to come in just at those places. Now, Mr. Chairman, so much for that.

Mr. FLOOD of Virginia. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Virginia?

Mr. MANN. I do.

Mr. FLOOD of Virginia. Mr. Chairman, I should like to state that I was in the House when that speech was delivered. I can not say where there was applause or after what utterances, but I do know the speech was applauded a great deal, and there was a considerable amount of applause when it ended. I think this ought to be said in justice to the gentleman from Illinois [Mr. FOWLER]. [Applause on the Democratic side.]

Mr. MANN. I do not see what that has got to do with the matter at all.

Mr. FLOOD of Virginia. I thought you were criticising the gentleman for the "applause" in his speech, when the gentleman certainly got a great deal of applause during the delivery of that speech.

Mr. MANN. The gentleman is entirely mistaken in the matter. I was not criticising the gentleman from Illinois at all. I was calling attention to the fact that as originally written, on a brilliant-hued yellow paper, when the gentleman got to a point that he thought was particularly strong he inserted after it the word "applause," or some other word of that kind, long before it had been delivered in the House.

Mr. FLOOD of Virginia. How does the gentleman know he wrote "applause" on the yellow paper before or after the speech was delivered?

Mr. MANN. I saw the paper and saw him read from it in the House, and the official reporters got the paper from him after he had finished reading it.

Mr. HARDWICK. Will the gentleman yield to me just a moment?

Mr. MANN. Well, I believe not. I will yield on the bill.

Mr. HARDWICK. I want to suggest to the gentleman that this has gone far enough. [Applause on the Democratic side.]

Mr. MANN. I have been trying to close it for some time.

Mr. FOWLER. Mr. Chairman——

Mr. MANN. I yield to the gentleman.

Mr. FOWLER. I desire to ask the gentleman if it is not a fact that he was absent from this room at the time when that speech was delivered?

Mr. MANN. It is a fact that I was here part of the time and away part of the time while the gentleman was speaking.

Mr. FOWLER. And I will ask him if it is not a fact that he left this Hall before I began my discourse?

Mr. MANN. Very likely, but I was back here before the gentleman finished talking.

Mr. FOWLER. Was the gentleman here at the close of that speech?

Mr. MANN. Well, Mr. Chairman, I remember distinctly seeing the gentleman and his bunch of yellow paper. I will not undertake to say that I remember the gentleman's speech, because I do not. It made no impression on me then, and it has made no impression upon me since.

Mr. FOWLER. Then all the gentleman says he knows about it is that there was a manuscript in yellow? [Applause on the Democratic side.]

Mr. MANN. No; that is not all that I know about it. After all, the principal part of the speech was the yellow paper.

Now, Mr. Chairman, this deficiency bill is for the purpose of providing money to take care of certain contingent expenses of the House. We have heard a great deal about Democratic economy—about how much money the Democrats were going to save in operating this House.

I had supposed that that might be done, at least for a short time. I notice that one of the items in this bill is to purchase 300 new typewriting machines. From my point of view, a proper thing to do, though I wonder how many gentlemen on the Democratic side of the House would vote for it, if it provided for the purchase of 300 typewriting machines, and named them.

Mr. FOSTER of Illinois. Mr. Chairman, I want to say to my colleague, that they came around and wanted to give me a new typewriting machine, and I said no; that the old one was good enough for me. I did not want to exchange any typewriter.

Mr. MANN. I remember when we first provided for typewriting machines at all. I was the chairman of a special committee in reference to the distribution of room in the Office Building.

Mr. RANDELL of Texas. May I ask the gentleman a question, Mr. Chairman?

Mr. MANN. Mr. Chairman, I would like somebody to let me get a sentence out before I am interrupted.

Mr. RANDELL of Texas. I want to understand what the gentleman said. I did not understand him.

Mr. MANN. If the gentleman will listen, he will understand.

Mr. RANDELL of Texas. I was listening. What I want to ask the gentleman is this:

Mr. MANN. Certainly.

Mr. RANDELL of Texas. The gentleman asks the question, What one of us would vote for these if the typewriters were named? I do not know whether he meant the name of the kind of a typewriter or the name of the person who got them.

Mr. MANN. Oh, I mean typewriting machines, set out in the bill.

Mr. RANDELL of Texas. What kind of a typewriter?

Mr. PAYNE. Why, to make an appropriation for typewriters.

Mr. RANDELL of Texas. Oh, I understand.

Mr. MANN. The item in the bill is for furniture and materials for repairs of the same, $16,800, and $13,000 is for typewriting machines. I remember when we first provided typewriting machines, and I think we ought to do it. I spoke to some gentlemen on the Democratic side and some on the Republican side, and, as far as I could see, most of them wanted a machine, but nobody wanted to vote for it.

Mr. GARNER. Mr. Chairman, will the gentleman yield? I think the gentleman's statement might be construed in a light——

Mr. MANN. Oh, if the gentleman wants to ask me a question, very well. I have occupied only about one-third of my time so far. I prefer to make statements myself.

Mr. GARNER. How many different typewriting machines have been bought since this Congress commenced? I will ask the gentleman that question.

Mr. MANN. I do not know anything about it. There is provision in this item here for 300 typewriting machines.

Mr. LLOYD. Mr. Chairman——

Mr. MANN. Oh, I prefer to make my statement.

Mr. LLOYD. Let me make this statement.

Mr. MANN. Mr. Chairman, gentlemen on that side of the House do not seem to apprehend at all that sometimes a gentleman wants to make a statement without being interrupted. I yield to the gentleman from Missouri always; I can not help it.

Mr. LLOYD. Mr. Chairman, I just want to state that as far as the Committee on Accounts is concerned and has knowledge, and so far as the present Chief Clerk of the House has knowledge, there has not been a single new typewriter purchased. Every typewriter that has been furnished new has been furnished at the instance of some Member of the House in exchange for an old machine. We have the same number of typewriters now that we had on the 4th day of April last.

Mr. MANN. Well, there is no news in that. If the gentleman had just remained quiet for a moment I would have told him that much myself. That is the trouble. Gentlemen are so touchy over there that they think somebody is assaulting them when you are merely stating a fact. We provided every office over there with a typewriting machine, a very good machine. Some of the gentlemen who have come in here have asked for three changes of typewriting machines since Congress was convened in April or March, whenever it was. They have changed secretaries, and the secretaries wanted different machines. I had wondered whether the gentlemen when they came in, being so economically minded, would dispense with typewriting machines at the expense of the Government. I see that they are not any more disposed to dispense with those things that are convenient for their use than we. You can economize easily enough if you want to. You talk about dispensing with clerks and with other things, but I notice when the time comes you want to get pay for the same things that we wanted to get paid for. You come in with an appropriation bill to provide for the necessary money as a deficiency. Telephones and telegraphs, and so forth—$4,000 is appropriated for Members of Congress sending telegrams at Government expense throughout the country. Maybe we led you into it, I do not know, but after I came here for years I never sent a telegram at Government expense. I think I do occasionally now. How many gentlemen send personal messages at Government expense I do not know.

There is a good chance for some one to investigate. We have got a lot of investigating committees going on at great expense. They might investigate some of those things. The gentleman from New York [Mr. FITZGERALD] was not able to say how much of this expense was for the special committees, segregating the committees. One committee down here, the Committee on Expenditures in the Interior Department, sent for witnesses a long distance. For what? About expenses in the Interior Department? Not at all; about the policy of our country toward the Indians, a matter that is within the jurisdiction of the Committee on Indian Affairs so ably presided over by the gentleman from Texas, but this other committee, without any warrant under the rules, without any jurisdiction to report a bill on the subject of Indian affairs, is discussing what policy the Government should pursue toward the Indians of the country, and we are appropriating money here to pay those witnesses, which, it seems to me, looks extravagant, though I do not wish to criticize my colleague from Illinois [Mr. GRAHAM] who is chairman of that committee, for whom I have the highest regard and in whom I have great faith. This bill, Mr. Chairman, simply shows that the talk about economy was mainly in the index. I hope that with the assistance or under the leadership of the gentleman from New York [Mr. FITZGERALD] when we come to real expenditures in the Government that we will be able to economize. I hope that gentlemen on the Democratic side, who so far have shown no disposition to effect real economy, but only to talk about it, will accept the aid of us on this side even if it be belated and effect real economy in the Government.

The CHAIRMAN. If there be no further general debate, the Clerk will read the bill.

The Clerk read as follows:

DISTRICT OF COLUMBIA.

The amount authorized to be expended for the employment of personal services under the appropriation in the District of Columbia appropriation act for the fiscal year 1911, for the enforcement of certain acts of Congress to prevent the spread of contagious and communicable diseases in the District of Columbia, is hereby increased from $10,000 to $10,200.

Mr. MANN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend by inserting as a new paragraph the following:

"State Department: For subscription of the United States as an adhering member of the International Prison Commission and the expenses of a commissioner, including preparation of report, $2,000, or so much thereof as may be necessary, which sum shall remain available during the fiscal year of 1912."

Mr. FITZGERALD. Mr. Chairman, I reserve a point of order against the amendment.

Mr. MANN. Mr. Chairman, the United States has been an adhering member of the International Prison Commission for a number of years. The year 1910, last year, we had the president of the commission, Dr. Henderson. We made an appropriation of $20,000 to entertain the commission or congress, which, by invitation of the Congress, met in Washington last year. A considerably larger amount was expended, the balance being raised by private contribution. This item was estimated for this year to go in the diplomatic appropriation bill, with a number of other items which were not governed by national treaties, as I understand this is not. The gentleman from New York [Mr. HARRISON] made a point of order during the consideration of the diplomatic bill against these items, and they all went out. The remainder of them were reinserted in the Senate and were agreed to in conference and went into the law. I understand that this one was left out by inadvertence.

Mr. HAMLIN. Will the gentleman permit a question?

Mr. MANN. Certainly.

Mr. HAMLIN. I believe that the appropriation for this purpose heretofore has not yet been exhausted in any one year. How does it happen this is exhausted in this particular year and a deficit——

Mr. MANN. This is not a deficiency, I will say to the gentleman.

Mr. HAMLIN. Well, what occasioned the necessity for this extra appropriation?

Mr. MANN. That is certainly a very proper question, and I will explain it in just a moment. As I say, we had the congress here last year by invitation of Congress. We had the president of the association, Dr. Henderson. We have been appropriating for a number of years $2,000, which we put up as our contribution to the association, or congress, or commission, and for some of the expenses incurred by the commissioner. There is no appropriation in the diplomatic bill for the next fiscal year, as I was explaining, for the reason I stated. Our contribution as an adhering member comes due in November, and it would seem that where we have just invited this congress to come to this country and we had the president of the association, we ought not the very next year withdraw from the association, or practically withdraw, by failing to make our contribution.

Mr. FLOOD of Virginia. What is it?

Mr. MANN. The exact amount of the contribution I do not remember. The total appropriation is $2,000.

Mr. MACON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Arkansas?

Mr. MANN. Yes.

Mr. MACON. I would like for the gentleman to tell the committee something of the benefits that accrue to the United States by reason of its membership in this organization.

Mr. MANN. This organization is engaged in the study of prisons and the prevention of crime. It has done a great deal of good work in that direction. I am informed by men in my own city in charge of jails and penitentiaries there and elsewhere in Illinois that there has not been a single agency for the acquisition of knowledge concerning the control of jails and prisons that has done more than this association. When the International Prison Congress was here its delegates visited a number of jails throughout the country and investigated conditions and made suggestions. They have made suggestions also as to the prevention of crime, so as to avoid the necessity of jails and prisons to that extent.

Mr. MACON. From what the gentleman says, I judge that when the association meets the representatives of the different countries give their expert experiences about jails and about how to prevent escapes and how to care for prisoners.

Mr. MANN. Yes. They cover the whole subject of jails and the prevention and cure of crime.

Mr. MACON. How do they go about telling us how to prevent crime. It strikes me that we know better how to prevent crime in this country than they do in many of the countries from whence these delegates come.

Mr. MANN. Well, that may be true; and yet the gentleman from Arkansas, I believe, will agree with me that no one nation knows all about the subject, and by obtaining information from others and passing on to others the information we have, the sum total of information is greatly increased in all nations.

Mr. MACON. I have no doubt but what their suggestions may sometimes be of value.

Mr. MANN. I have not read the report of this last congress, I admit, but a few years ago I did read the reports and furnished a number of copies of the reports to people in my territory who were interested in the subject.

Mr. MACON. We have so many different kinds of international associations that are absolutely worthless, so far as results are concerned, that I am a little skeptical about many of the international associations that Congress is called upon to appropriate for.

Mr. MANN. I am inclined to agree with the gentleman from Arkansas about a number of these international organizations.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FOSTER of Illinois. Mr. Chairman, I yield five minutes more to the gentleman from Illinois.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] is recognized for five minutes more.

Mr. MANN. The main expense incident to this work is not borne by the Governments, or at least by our Government, but is borne by contributions from private individuals who subscribe to the fund. But unless we take part in the organization, particularly in the year after we have entertained the Congress in this country, it seems to me it would be a reflection upon our Government, and I have never looked into a thing that seemed to be more praiseworthy, so far as getting results is concerned, than the expenditure of this sum of money.

Mr. HAMLIN. Mr. Chairman, I would like to ask the gentleman to explain why this was not provided for at the last session of Congress.

Mr. MANN. Oh, the gentleman did not hear my explanation?

Mr. HAMLIN. No; I did not.

Mr. MANN. This matter was estimated for in the last diplomatic and consular bill. There were a number of items in that bill for international conferences, or conventions, that were not provided for by formal treaties confirmed by the Senate. The distinguished gentleman from New York [Mr. HARRISON] made a point of order on the items, and they all went out in the House. The other items were restored in the Senate, but this one was left out.

Now, I have not talked with Mr. HARRISON personally about this, but a gentleman wrote to me from New York that he had talked with Mr. HARRISON and that Mr. HARRISON had no objection to making the appropriation. I do not say that that is correct. His objection at that time was against having the State Department entering independently into agreements.

Mr. HAMLIN. Was this amount appropriated at any time heretofore?

Mr. MANN. It has been appropriated for every year.

Mr. HAMLIN. Can the gentleman tell how much we expended on this particular item last year?

Mr. MANN. I could not say, but I think all has been expended, up to the 1st of July.

Mr. HAMLIN. Has there never been a deficiency?

Mr. MANN. I think not. Most of the money that has been expended by Dr. Henderson is subscribed through some association over in New York.

Mr. AUSTIN. Was not this item recommended by the Attorney General?

Mr. MANN. It was recommended by the Department of State.

Mr. GARNER. And it was reported unanimously by the Committee on Foreign Affairs?

Mr. MANN. Yes; it was reported unanimously by the Committee on Foreign Affairs.

Mr. HAMLIN. I am under the impression that it is a worthy object.

Mr. FITZGERALD. Mr. Chairman, I have a good deal of sympathy with the object, and I think perhaps the appropriation should be made. This bill, however, carries but one item for matters outside of the House of Representatives, and that was considered a matter of the utmost urgency. Other requests for appropriations were made, but the committee believed that under existing conditions they should not be granted. This amendment proposes to appropriate money for a purpose not authorized by law. However meritorious it may be, I should dislike to put myself in a position where the gentleman from Illinois would be continually calling my attention to the fact that in the first bill reported from the Committee on Appropriations to provide deficiencies I acquiesced in an amendment to provide for an appropriation, not for a deficiency but for services in the next fiscal year, not authorized by law.

Mr. MANN. Does not the gentleman think that if he did it for somebody else, he might do it for me?

Mr. FITZGERALD. It seems to me that under all the conditions, and to prevent the gentleman from Illinois calling my attention to that fact hereafter, and in justice to the Committee on Appropriations, having discussed in advance the items that would be considered, and a number of Members having been compelled to leave the city before the bill could be considered, I shall be compelled to insist on the point of order.

Mr. MANN. If the gentleman will permit me, I went before the Committee on Appropriations and made a statement. It is true that it was called to my attention that this is not a deficiency, and I said it was not a deficiency. I think myself the Committee on Appropriations would have been at fault if they had reported this item in the bill; but I do not see that this Committee of the Whole, or the House, will be at fault in adopting an item which everybody concedes to be meritorious, which was inadvertently left out, and which, so far as I can see, there is no other way of providing for.

It is true the Government will continue to exist whether this appropriation is made or not, but in my judgment it will do more good than all the investigations that are now going on, although I hope they will do a great deal of good.

Mr. HAMLIN. Will the gentleman permit a question?

Mr. MANN. The gentleman from New York [Mr. FITZGERALD] has control of the time.

Mr. HAMLIN. If this amendment does not prevail, does the gentleman not think that, following the practice set by the State Department, this might be paid out of the emergency fund for the Diplomatic and Consular Service?

Mr. MANN. The gentleman has investigated that subject and his judgment would be worth a great deal more than mine. I do not know. I understand that this committee have already undertaken to say that a considerable amount shall be paid out of that fund in another direction. Is not that correct?

Mr. FITZGERALD. This committee has not undertaken to say anything of the kind.

Mr. HAMLIN. It ought not to say it.

Mr. MANN. Oh, let us be on brass tacks about this thing. Is it not a fact that the gentleman from New York contemplates that a certain expenditure shall be paid out of that fund, which at one time the gentleman's committee contemplated bringing before the House?

Mr. HAMLIN. I should like to know what it is.

Mr. FITZGERALD. I have no hesitation in making a statement about it.

Mr. MANN. I think there is nothing to hide about it.

Mr. FITZGERALD. At the request of the President of the United States, through the Secretary of the Navy, the Committee on Appropriations considered the subject of making an appropriation for the purpose of entertaining a distinguished foreign representative who is to come to the United States. At that time it was thought that there was no appropriation available from which such an expenditure could be made. Not

wishing to assume authority to answer the question one way or the other, I conferred with some Members on this side of the House, and I conferred with the gentleman from Illinois [Mr. MANN], and then the Committee on Appropriations informally discussed the matter, and it was believed that if it were necessary to make such an appropriation the committee would recommend it to the House, because of the importance of the matter from the standpoint of our relations with other nations.

Mr. HAMLIN. But the gentleman——

Mr. FITZGERALD. If the gentleman will permit me, before the matter was taken up formally, however, I conferred with the Secretary of State to inquire whether there was not an appropriation which was available for the purpose; and after a very frank conference with the Secretary of State, it was apparent that there was a fund which properly could be devoted to this purpose and that there was ample money in that fund for the purpose. Under the circumstances, the Committee on Appropriations refrained from going further.

It has been the practice for years to entertain foreign dignitaries who visit this country and to pay for that entertainment from the emergency fund, and in my opinion there is no question that such proper expenditures are proper from that fund. There were but two instances that could be found where there has been a specific appropriation made for such a purpose.

Mr. MACON. Mr. Chairman, will the gentleman yield?

Mr. FITZGERALD. Certainly.

Mr. MACON. For the purpose of allowing me to suggest that in case he attempts to bring in an appropriation of that character he would have an objection to go up against. I hope he will find a way out of it without bringing it before the House, because I certainly would have to object to frittering away the people's money in entertaining people of the character the gentleman has in mind.

Mr. FITZGERALD. Of course I do not know what the gentleman has in mind. If, in my opinion, the relations of the United States with some other power were such that some representative of that Government were coming here, and it was the duty of the United States to extend the ordinary courtesies that should be extended to the representatives of foreign powers when visiting this country, I would not hesitate not only to recommend but to vote and advocate an appropriation that would enable the United States to do the decent thing in its relations with the nations of the world. [Applause.]. Whether the Members consider that frittering away money or not would not affect me. There are certain relations which exist in the households of every Member and which require the expenditure of money in the entertainment of visitors. There are also certain relations of the same character which would require on the part of nations expenditures of a similar character.

Mr. MACON. Mr. Chairman, I suppose the gentleman would select his company. We usually do.

Mr. FITZGERALD. Mr. Chairman, there might be a difference of opinion among Members of the House or among gentlemen as to one person or another, but I hope that nobody will say anything that might be construed or might give rise to the belief that somebody entertains a belief that the representative of any foreign nation which had diplomatic relations with the United States would not receive proper hospitality from the Government of the United States when coming here as representative of another great nation of the world.

Mr. MACON. Will the gentleman allow me to proceed further? Would the gentleman be willing to appropriate the money of the people to entertain any kind of a subject who might come here from any kind of a foreign nation just because he came as the representative of that particular nation?

Mr. FITZGERALD. If any nation which has diplomatic relations with the United States should select some individual as its representative, and he were to visit this country in an official capacity as the representative of that nation, I do not believe that I would be justified in inquiring as to whether that Government had selected some one who would be particularly pleasing to me. We can not, any more than other nations could with us, pass upon the personality of the individual selected.

Mr. MACON. But we have the right, when we come to deal socially with other nations, to treat them just as we would our neighbors in matters of social equality.

Mr. FITZGERALD. That is true.

Mr. MACON. We could not afford to allow our neighbors to associate with us indiscriminately on terms of equality, could we?

Mr. FITZGERALD. Mr. Chairman, there are obligations resting upon us as a Nation that makes it impossible to exercise the same choice that we would as individuals.

Mr. HAMLIN. Mr. Chairman, will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. HAMLIN. Mr. Chairman, I agree in part with the gentleman and would vote with him to appropriate any reasonable amount of money to entertain any distinguished visitor from a foreign country to our country, but I do not agree with him by any manner of means if he concludes that any part of the so-called emergency fund shall be used for that purpose without an express direction by Congress.

I have gone into this matter far enough to know that fund which is expressly appropriated for foreign intercourse and the promulgation of treaties with foreign nations has been shamefully abused—thousands and thousands of dollars of the people's money expended for which no accounting has been made to Congress and none can be made under the law. Now, I can see that a special case may be found where it could be construed to be in the interest of foreign intercourse to entertain a certain distinguished visitor to this country, but if that be true, that expense ought to be specifically appropriated for by this House, so that Congress could know how much was expended for that purpose, and not give to any man, I care not who he is, the right to pay out of this fund such sum as he may choose, because if we once begin these things we know by experience there will nothing stop it but a complete exhaustion of the fund.

Mr. FITZGERALD. The fund is not a very large one.

Mr. HAMLIN. Ninety thousand dollars per year.

Mr. FITZGERALD. It is not all expended every year.

Mr. HAMLIN. Practically.

Mr. FITZGERALD. Oh, no; the gentleman is mistaken.

Mr. HAMLIN. Practically.

Mr. FITZGERALD. Oh, no; there usually are ten or fifteen thousand dollars unexpended.

Mr. HAMLIN. Well, that is very little as compared with the total amount appropriated.

I do not believe these dinners and other forms of entertainment can legally be paid out of the so-called emergency fund, and I want to enter my protest against that idea now.

Mr. FITZGERALD. If Congress were to make specific appropriations in each instance when some representatives from other nations came here, and if Congress would determine to appropriate a certain sum for the entertainment of a distinguished personage from one power, and some time afterwards a representative of another nation came and for many reasons a different program were arranged and a different sum was appropriated, it would result in an invidious comparison, which would be more embarrassing than to permit some official in his discretion to expend what would be a reasonable sum in each instance.

Mr. HAMLIN. It has already developed, however, that there have been——

Mr. FITZGERALD. I hope the gentleman will not interject here other matters relative to the emergency fund.

Mr. BARTLETT. Mr. Chairman, I make a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BARTLETT. I desire to make a point of order that, proceeding under the five-minute rule, this discussion is not germane to this amendment.

The CHAIRMAN. The Chair will announce to the gentleman from New York that the Chair understood the gentleman from New York [Mr. FITZGERALD] rose to discuss the point of order made by him.

Mr. FITZGERALD. Mr. Chairman, I concede this discussion is not in order at this time, but I was simply answering the inquiry of the gentleman from Illinois. I shall be compelled to insist upon the point of order.

Mr. MANN. I hope the gentleman will withdraw the point of order.

Mr. FITZGERALD. I can not withdraw it.

Mr. MANN. Mr. Chairman, I admit that it is subject to the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. FITZGERALD. Mr. Chairman, I move that the committee rise and report the bill with a favorable recommendation.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. RUCKER of Missouri, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 12109) to supply a deficiency in the appropriation for the contingent expenses of the House of Representatives for the year 1911, and for other purposes, and had directed him to report the same with the recommendation that the bill do pass.

Mr. FITZGERALD. Mr. Speaker, I move the previous question.

The previous question was ordered.

The bill was ordered to be engrossed and read a third time; was read the third time and passed.

On motion of Mr. FITZGERALD, a motion to reconsider the vote by which the bill was passed was laid on the table.

GERTRUDE M. HUBBARD.

Mr. SLAYDEN. Mr. Speaker, I ask unanimous consent that the bill (H. R. 6733) to accept and fund the bequest of Gertrude M. Hubbard, on the Calendar of the Committee of the Whole House on the state of the Union, be recommitted to the Committee on the Library, and I will state that the reason for it is that another bill of the same nature, in consonance with the recommendations from the Treasury Department and covering the same subject, was later introduced.

The SPEAKER. The gentleman from Texas moves that the bill H. R. 6733 be recommitted to the Committee on the Library.

Mr. MANN. That is the bill on the Unanimous Consent Calendar?

Mr. SLAYDEN. It is on the Union Calendar. It was on the Unanimous Consent Calendar, but was objected to on the 19th.

The question was taken, and the motion was agreed to.

INFORMATION FROM SECRETARY OF WAR.

Mr. FLOOD of Virginia. Mr. Speaker, I desire to submit a privileged report (No. 56) from the Committee on Territories on a resolution calling on the Secretary of War for information.

The SPEAKER. For consideration now?

Mr. FLOOD of Virginia. Yes.

The SPEAKER. The gentleman from Virginia, chairman of the Committee on the Territories, submits the following privileged resolution and report, which the Clerk will read.

The Clerk read as follows:

Resolution (H. Res. 218).

Resolved, That the Secretary of War be, and he is hereby, directed to furnish to the House of Representatives the following:

A copy of all bids, affidavits, documents, letters, contracts, receipts, and all and every kind of information in his possession or under his control, whether in the office of the Quartemaster General or other bureau, and of whatsoever kind or whence derived, relating to those certain matters and things charged and contained in that certain affidavit signed by H. J. Douglas and sworn to on the 23d day of May, 1910, before Benjamin Vail, notary public in and for the District of Columbia, a copy of which was forwarded to the Secretary of War on the 24th day of May, 1910, by the Delegate from Alaska, the receipt of which was not acknowledged by the Secretary of War.

Mr. MANN. Mr. Speaker, I reserve a point of order on the resolution being privileged.

The SPEAKER. Does the gentleman desire to be heard on it?

Mr. MANN. I may not desire to make the point of order, although I think it is subject to the point of order.

Mr. FLOOD of Virginia. Mr. Speaker, it is simply a resolution calling on the Secretary of War for certain papers which were sent to him with the affidavit of H. J. Douglas in reference to the purchase of coal for the military posts in Alaska. This information was put in the shape of affidavits more than a year ago and sent to the Secretary of War, charging that there was a collusion between the coal dealers there, in violation of law, and this resolution simply calls upon the Secretary of War for these papers and these affidavits.

Mr. MANN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Virginia yield to the gentleman from Illinois?

Mr. FLOOD of Virginia. Yes.

Mr. MANN. Has the gentleman given this matter some attention, so that he knows what the situation is?

Mr. FLOOD of Virginia. I think so.

Mr. MANN. I do not know. I just noticed the resolution. Of course somebody might be calling for papers for the purpose of making them public when it was desirable not to make them public, in the interest of prosecutions or something of that kind.

Mr. FLOOD of Virginia. No. It is nothing of that kind. The information was lodged with the Secretary of War and also with the Attorney General. No action was taken, and the statute of limitations bars prosecutions now. The purpose is to get information as to why the matter was allowed to die.

Mr. MANN. The gentleman from Alaska introduced two resolutions?

Mr. FLOOD of Virginia. Yes.

Mr. MANN. One in reference to the Secretary of War and one in reference to the Attorney General. Does the gentleman report both?

Mr. FLOOD of Virginia. No. The resolution in reference to the Attorney General went to the Committee on the Judiciary, and this one in reference to the Secretary of War went to the Committee on Territories.

Mr. MANN. Both resolutions desired to get the same information?

Mr. FLOOD of Virginia. No; not exactly the same information.

Mr. MANN. There would be no object in passing both resolutions, would there be?

Mr. FLOOD of Virginia. Yes; there will be. The one calling on the Attorney General for information is in reference to other matters. It is not exactly like this one.

Mr. MANN. I withdraw the point of order, Mr. Speaker, although I think the resolution is subject to a point of order. The statement of fact at the end of the resolutions may or may not be true——

Mr. FLOOD of Virginia. What is the statement of fact at the end of the resolution?

Mr. MANN. The statement of fact is that the receipt of the document was not acknowledged. Whether it was or not does not make any difference.

Mr. FLOOD of Virginia. I will say to the gentleman that this resolution was amended by the committee so as to strike out that statement of fact.

Mr. MANN. The amendment was not reported, was it?

Mr. FLOOD of Virginia. Yes.

Mr. MANN. I withdraw the point of order.

The SPEAKER. The Clerk will read the report.

The Clerk read as follows:

Mr. FLOOD of Virginia, from the Committee on the Territories, submitted the following report:

"The Committee on the Territories, to which was referred the resolution (H. Res. 218) calling on the Secretary of War for information, having had the same under consideration, report it back to the House with an amendment, in line 15, after the word 'Alaska,' to strike out the comma and all words following thereafter and insert in lieu thereof a period, and recommend that the resolution as amended be adopted."

The SPEAKER. The question is on agreeing to the amendment.

Mr. MANN. The amendment has not been reported yet.

Mr. FLOOD of Virginia. The amendment is the striking out of the words that the gentleman alluded to. Let the Clerk read the amendment, and then the gentleman will see from the report what the amendment is.

The Clerk read as follows:

In line 15, after the word "Alaska," strike out the comma and all words following thereafter and insert in lieu thereof a period.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER. The question is on agreeing to the resolution as amended.

The question was taken, and the resolution as amended was agreed to.

ADJOURNMENT OVER.

Mr. RANDELL of Texas. Mr. Speaker, I move that when the House adjourns to-day it adjourn over until next Thursday, June 29.

Mr. MANN. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Texas yield to the gentleman from Illinois?

Mr. RANDELL of Texas. Certainly.

Mr. MANN. Will we have some understanding that there will be no business transacted on Thursday in the House?

Mr. RANDELL of Texas. I understand that there is nothing on the program for Thursday—nothing that we expected to do.

Mr. MANN. I wondered if we could reach some understanding with the gentlemen on the other side?

Mr. RANDELL of Texas. The situation is such that I doubt if we could undertake anything on next Thursday without having an understanding. There will be no attempt to take up any business on Thursday, so far as I know.

Mr. HAY. Mr. Speaker, I suggest to the gentleman from Texas that he state to the gentleman from Illinois that there will not be any business transacted on Thursday.

Mr. HUMPHREYS of Mississippi. Mr. Speaker——

The SPEAKER. The gentleman from Mississippi.

Mr. RANDELL of Texas. I will say, Mr. Speaker, to the gentleman from Illinois that there will be no business on Thursday.

Mr. HUMPHREYS of Mississippi. I hope the gentleman will not make any such promise as that, because I think he might be overstating the situation. There is a probability that there will be some matters brought up next Thursday that might require the attention of the House.

Mr. MANN. What are they? I will say to the gentleman from Mississippi that I think the general understanding has been that there would not be much business transacted until after the Fourth of July. It is perfectly patent that any gentleman who is here can stop the transaction of reading the Journal by making the point of no quorum.

Mr. FITZGERALD. I hope the gentleman will except this little bill, which may come back here with some slight amendments that ought to be considered.

Mr. MANN. It can wait. It has waited a long time now. It will not hurt it to wait a few days longer. I will say to the gentleman that if I am here there will be no business transacted, and if I am not here I am going to ask some other gentleman, if I can find him, who will be here to see that no business is transacted.

Mr. FITZGERALD. That is a matter which does not concern me.

Mr. MANN. It seems to me it would be better to have an understanding that we may adjourn over until Thursday, and then, without any business being transacted, adjourn over from Thursday until Monday, which will be committee-discharge day, and without any business being transacted adjourn on that day until after the Fourth of July. What day is Fourth of July?

SEVERAL MEMBERS. Tuesday.

Mr. MANN. That we adjourn at least until after the Fourth.

Mr. RANDELL of Texas. There will be no trouble about that. I say that to the gentleman advisedly.

The SPEAKER. The gentleman from Texas asks unanimous consent that when the House adjourn to-day it adjourn to meet on Thursday. Is there objection?

There was no objection.

LAWS RELATING TO THE JUDICIARY.

Mr. FINLEY. Mr. Speaker, I ask present consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from South Carolina calls up a privileged resolution (H. Res. 191), which the Clerk will report.

The Clerk read as follows:

Resolved, That 5,000 copies of Public Law No. 475, Sixty-first Congress, third session, entitled "An act to codify, revise, and amend the laws relating to the judiciary," be printed for the use of the House document room.

The SPEAKER. The Clerk will read the report (H. Rept. 57).

The Clerk read as follows:

The Committee on Printing, having had under consideration the House resolution (H. Res. 191) providing for the printing of 5,000 copies of Public Law No. 475, reports the same back to the House with the recommendation that the resolution be agreed to. There have been printed for the House document room 20,000 copies of this law and the supply is now exhausted. It is a very important document, for which there is constant demand, and the committee recommends that these additional copies be printed.

Mr. HUMPHREYS of Mississippi. Mr. Speaker, I notice the gentleman proposes to distribute these documents through the document room. Why not have them distributed through the folding room?

Mr. FINLEY. I really have no objection; but this is the usual procedure.

Mr. GARNER. Is it the usual procedure to send these things to the document room?

Mr. FINLEY. That is where they have been going.

Mr. FITZGERALD. It is my understanding that there are demands coming in from all over the country for this document.

Mr. HUMPHREYS of Mississippi. Mr. Speaker——

Mr. GARNER. Why do not you provide——

The SPEAKER. To whom does the gentleman from South Carolina yield?

Mr. FINLEY. Either to the gentleman from Texas or the gentleman from Mississippi.

The SPEAKER. The gentleman should yield to one or the other.

Mr. FINLEY. I yield to the gentleman from Texas.

Mr. GARNER. Why does not the gentleman provide that 500 or 1,000 copies go to the document room and the balance to the folding room, to the credit of Members?

Mr. FINLEY. Mr. Speaker, I will say that if the House has any preference at all to have them go to the folding room, I have no objection.

Mr. GARNER. If you send them to the document room, one Congressman can go and get a couple of thousand and send them all out.

The SPEAKER. Does the gentleman from Texas offer any amendment?

Mr. MANN. Well, you can not amend it to-day. Will the gentleman from South Carolina yield?

Mr. FINLEY. Certainly.

Mr. MANN. As I understand it, formerly when these laws run out in the document room, the document room ordered an additional quota, but under a recent ruling of the Committee on Printing that can not be done.

Mr. FINLEY. I will say to the gentleman, Mr. Speaker, that the law is, and that has not been interfered with by the Joint Committee on Printing, that when a document or a public law in the Senate document room or the House document room is exhausted, the Clerk of the House, in case of a House document, or the Secretary of the Senate, if it is a Senate document, may order 1,000 copies, provided the document does not exceed 50 pages, but neither the Secretary of the Senate nor the Clerk of the House can order exceeding 1,000 copies under the statute. That is the law. There is no ruling by the joint committee at all.

Mr. MANN. If the gentleman will pardon me, the ruling is, as I understand it, that heretofore 1,000 copies could be ordered at a time. Now, the committee ruled that only 1,000 copies can be ordered in toto, which, by the way, is in complete contradiction of the statement made on the floor of the House when that law was passed.

Mr. FINLEY. Mr. Speaker, I will say that the gentleman is entirely mistaken, because the joint committee has made no such ruling. On the contrary, they have ruled the other way, that whenever the Clerk of the House certifies that a particular document which he has the right under the statute to have reprinted is exhausted, then he may order 1,000 additional copies, and when that thousand is exhausted he may order an additional thousand. I will say to the gentleman that he is entirely mistaken.

Mr. MANN. I hope that I am.

Mr. FINLEY. I know that the gentleman is.

Mr. MANN. I get my information from the Clerk of the Joint Committee on Printing and from the document room.

Mr. FINLEY. I will say to the gentleman that I am a member of the Joint Committee on Printing, and that the matter was thrashed out there, and I know whereof I speak.

Mr. MANN. I am very glad to hear the gentleman's statement.

Mr. FINLEY. I will say further to the gentleman that all that the Joint Committee on Printing is doing is to do the very best we can to carry out the law. That is what we are doing, and what we are doing to-day, so that the ruling the gentleman speaks of has never been made by the committee in my time.

Mr. MANN. And the reason for this resolution is because of the size of the document?

Mr. FINLEY. Yes and no; the document costs $153.86, but the other end of the Capitol——

Mr. MANN. And what is the reason for passing the resolution?

Mr. FINLEY. I will say to the gentleman very frankly that the Senate membership of the Joint Committee on Printing did not care to O. K. the order——

Mr. MANN. If the document room can order 1,000 copies to-day and, if they run out, order another thousand to-morrow, what is the object of passing the resolution for 5,000 copies?

Mr. FINLEY. The information we have leads us to believe that 5,000 copies are necessary to fill the demand from Members of the House. The resolution was introduced by myself, and we think this is the proper way to comply with the demand in the House, that the Clerk can not give the order for the reason that the document exceeds 50 pages.

Mr. MANN. I am not going to raise any question about it, but I want to call the attention of the gentleman to one thing, and also the attention of the Members of the House. Everywhere this refers to public law number so-and-so. That means nothing.

Mr. FINLEY. This resolution gives the title.

Mr. MANN. In the report it says public law so-and-so. There is no such public law at this session of Congress. There may have been a dozen public laws with that number in previous Congresses.

Mr. FINLEY. I will say to the gentleman that the resolution itself gives the title of the public law.

Mr. MANN. Well, it ought to be referred to by title and not by number, because the numbers change with every Congress.

Mr. FINLEY. I think the gentleman is mistaken about that.

Mr. MANN. Oh, the gentleman does not think that I am mistaken about that, because he knows that public laws commence with No. 1 with every Congress and run through to the end of the Congress, public and private laws together.

Mr. FINLEY. Well, it is well known what this refers to. This is a public law of the last Congress.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken, and the resolution was agreed to.

ADJOURNMENT.

Mr. RANDELL of Texas. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 50 minutes p. m.) the House adjourned until Thursday, June 29, 1911, at 12 o'clock m.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 11865) for the relief of William M. Dougal; Committee on Claims discharged, and referred to the Committee on the District of Columbia.

A bill (H. R. 11866) for the relief of William M. Dougal; Committee on Claims discharged, and referred to the Committee on the District of Columbia.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. JOHNSON of Kentucky (by request of the Commissioners of the District of Columbia): A bill (H. R. 12100) to authorize the widening of Wisconsin Avenue NW.; to the Committee on the District of Columbia.

By Mr. SMITH of Texas: A bill (H. R. 12101) to provide for a public building at Ballinger, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. NEEDHAM: A bill (H. R. 12102) to remedy in the line of the Army an inequality in rank due to the past system of regimental promotion; to the Committee on Military Affairs.

By Mr. DUPRE: A bill (H. R. 12103) for the establishment of a drainage fund and the construction of works for the reclamation of swamp and overflowed lands; to the Committee on the Public Lands.

By Mr. OLDFIELD: A bill (H. R. 12104) to amend river and harbor act of March 3, 1899, making appropriations for improvement of upper White River; to the Committee on Rivers and Harbors.

By Mr. RICHARDSON: A bill (H. R. 12105) to provide for a public building at Tuscumbia, in the county of Colbert and State of Alabama; to the Committee on Public Buildings and Grounds.

By Mr. RUCKER of Colorado: A bill (H. R. 12106) to provide for grazing of sheep free of charge on the public lands of the United States; to the Committee on the Public Lands.

By Mr. ROTHERMEL: A bill (H. R. 12107) to provide a hospital for the treatment of inebriates, and for other purposes; to the Committee on the District of Columbia.

By Mr. OLDFIELD: Resolution (H. Res. 224) authorizing the House Committee on Patents, or any subcommittee thereof that may be appointed for that purpose, to investigate the methods of selling, leasing, and controlling patented articles or inventions; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. LAFFERTY: A bill (H. R. 12108) for the relief of George Owens, John J. Bradley, William M. Godfrey, Rudolph G. Ebert, Herschel Tupes, William H. Sage, Charles L. Tostevin, Alta B. Spaulding, Grace E. Lewis, and Dollie Neeley; to the Committee on the Public Lands.

By Mr. ANDERSON of Ohio: A bill (H. R. 12110) granting an increase of pension to William Pancoast; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12111) granting an increase of pension to Ephraim H. De Wolf; to the Committee on Invalid Pensions.

By Mr. COOPER: A bill (H. R. 12112) granting an increase of pension to James Dunbar; to the Committee on Invalid Pensions.

By Mr. CONNELL: A bill (H. R. 12113) for the relief of Martha E. Conklin; to the Committee on Claims.

By Mr. FRENCH: A bill (H. R. 12114) for the relief of Mary J. Webster; to the Committee on the Public Lands.

By Mr. FOSTER of Illinois: A bill (H. R. 12115) granting a pension to John Beard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12116) granting a pension to J. K. Rainey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12117) granting a pension to Prudence Simmons; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12118) granting a pension to Harriet Kitchell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12119) granting a pension to Richard M. Gaddy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12120) granting an increase of pension to John Goodbrake; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12121) granting an increase of pension to David Roney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12122) granting an increase of pension to Emanuel Hines; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12123) granting an increase of pension to Henry V. Stewart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12124) granting an increase of pension to Christopher Shafer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12125) granting an increase of pension to T. M. Stevens; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12126) granting an increase of pension to Henry Riley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12127) granting an increase of pension to B. F. Rodgers; to the Committee on Invalid Pensions.

By Mr. FAIRCHILD: A bill (H. R. 12128) granting an increase of pension to Tanner Evans; to the Committee on Invalid Pensions.

By Mr. GUERNSEY: A bill (H. R. 12129) granting an increase of pension to Samuel C. Howe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12130) for the relief of James L. Pierce; to the Committee on Military Affairs.

By Mr. HAYES: A bill (H. R. 12131) for the reimbursement of Ralph E. Hess for two horses lost while hired by the United States Geological Survey; to the Committee on Claims.

By Mr. HEFLIN: A bill (H. R. 12132) to authorize and require the Solicitor of the Treasury to convey by quitclaim deed all the right, title, and interest that the United States have in cerain lands in Clay County, Ala., to Osceola Evans; to the Committee on the Judiciary.

By Mr. KALANIANAOLE: A bill (H. R. 12133) providing compensation to Sam Mana for the destruction of the schooner *Moi Wahine* by a Government vessel; to the Committee on Claims.

By Mr. LITTLEPAGE: A bill (H. R. 12134) granting a pension to Mrs. Neville S. Mitchell; to the Committee on Invalid Pensions.

By Mr. McGUIRE of Oklahoma: A bill (H. R. 12135) granting a pension to John F. Jones; to the Committee on Pensions.

By Mr. McCALL: A bill (H. R. 12136) granting an increase of pension to Adeline Ireland; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 12137) granting a pension to Conrad Stehr; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12138) granting a pension to Susan Karr; to the Committee on Invalid Pensions.

By Mr. RUBEY: A bill (H. R. 12139) granting a pension to James Woolsey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12140) granting a pension to J. F. Ellis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12141) granting a pension to William C. Simpson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12142) granting a pension to William F. Lacy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12143) granting an increase of pension to Francis M. Herring; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12144) granting an increase of pension to W. H. H. Stout; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12145) granting an increase of pension to Avery H. Baucom; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12146) granting an increase of pension to Lumon Murray; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12147) to remove the charge of desertion from the military record of Henry J. McBroom; to the Committee on Military Affairs.

Also, a bill (H. R. 12148) to remove the charge of desertion from the military record of Noah M. Harmon; to the Committee on Military Affairs.

By Mr. ROTHERMEL: A bill (H. R. 12149) granting an increase of pension to Charles E. Clader; to the Committee on Invalid Pensions.

By Mr. STEPHENS of California: A bill (H. R. 12150) granting an increase of pension to Margaret L. McGrath; to the Committee on Invalid Pensions.

By Mr. VREELAND: A bill (H. R. 12151) granting an increase of pension to Alfred B. Bradley; to the Committee on Invalid Pensions.

By Mr. YOUNG of Kansas: A bill (H. R. 12152) granting a pension to Joseph Coslett; to the Committee on Invalid Pensions.

By Mr. MICHAEL E. DRISCOLL: A bill (H. R. 12153) granting an increase of pension to Thomas H. Shoens; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of Sunnyside Store Co., of Sunnyside, Mont., asking that the duty on raw and refined sugar be reduced; to the Committee on Ways and Means.

Also, resolutions of the Third National Peace Congress, favoring an arbitration treaty with other nations; to the Committee on Foreign Affairs.

By Mr. AYRES: Resolution of the North Side Board of Trade of the City of New York, urging the ratification of treaty providing for reciprocal trade relations with Canada; to the Committee on Ways and Means.

Also, petition of citizens of the Bronx in favor of parcels post; to the Committee on the Post Office and Post Roads.

By Mr. BULKLEY: Resolution adopted by the National Association of Automobile Manufacturers, urging the amendment of the corporation-tax law to allow corporations to make their returns as of the end of their fiscal years; to the Committee on Ways and Means.

By Mr. COOPER: Resolutions adopted by the National Association of Automobile Manufacturers, praying that Congress so amend the corporation-tax law as to permit corporations and companies to make reports under its provisions at the end of their individual fiscal years; to the Committee on Ways and Means.

By Mr. MICHAEL E. DRISCOLL: Petition of citizens of Syracuse, N. Y., in favor of reduction in tariff on sugar; to the Committee on Ways and Means.

By Mr. DYER: Papers accompanying claims of Joseph Donnelly and August Grunewald; to the Committee on Pensions.

By Mr. HAYES: Papers to accompany a bill for the reimbursement of Ralph E. Hess for two horses lost while hired by the United States Geological Survey; to the Committee on Claims.

Also, copy of the report of the special committee appointed by the Coalinga Chamber of Commerce to investigate the leasing bill for Government oil lands as prepared by Senator GRONNA; to the Committee on the Public Lands.

Also, resolutions of the board of trustees of the San Francisco Chamber of Commerce, urging upon Congress the imperative need for an amendment to the corporation-tax law; to the Committee on Ways and Means.

Also, petitions of the W. L. Pearce Co. and 41 citizens of Los Gatos, Cal., urging a material reduction in the present duty on sugar; to the Committee on Ways and Means.

By Mr. HEFLIN: Papers to accompany bill to authorize and require the Solicitor of the Treasury to convey by quitclaim deed all the right, title, and interest that the United States has in certain lands in Clay County, Ala., to Osceola Evans; to the Committee on the Judiciary.

By Mr. HUMPHREY of Washington: Petition of numerous citizens of Bellingham, Wash., protesting against Senate bill 237; to the Committee on the District of Columbia.

By Mr. LEVY: Petition of Oakley & Co., of New York City, in opposition to Sherley bill (H. R. 8887); to the Committee on Ways and Means.

Also, resolutions of the Milwaukee Clearing House Association, favoring legislation affecting the cold-storage industry; to the Committee on Agriculture.

Also, resolutions of Manufacturers' Association of New York, favoring revision of the tariff, schedule by schedule, and opportunity for all affected to be heard before enacted into law; to the Committee on Ways and Means.

Also, resolutions adopted at the annual convention of the Workmen's Sick and Death Benefit Fund of the United States of America, indorsing the Berger resolution for an investigation of the McNamara affair; to the Committee on the Judiciary.

Also, resolutions of Group 6, New York State Bankers' Association, in favor of the general scope of the Aldrich proposal for currency reform and the creation of a proper discount market in the United States; to the Committee on Banking and Currency.

Also, petition of New York Pharmaceutical Association, in opposition to the Sherley bill (H. R. 8887); to the Committee on Ways and Means.

Also, petition of H. Planten & Son, of Brooklyn, N. Y., in opposition to Sherley bill (H. R. 8887); to the Committee on Ways and Means.

Also, petition of A. Jaeckel & Co., favoring the amendment of the Federal corporation-tax law; to the Committee on Ways and Means.

By Mr. MAGUIRE of Nebraska: Petition of citizens of Plattsmouth, Nebr., requesting a reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. NEEDHAM: Memorial of Los Angeles (Cal.) Chamber of Commerce relative to coal lands in Alaska; to the Committee on the Public Lands.

Also, resolutions of the Chamber of Commerce of Los Angeles, Cal., urging the fortification of that harbor; to the Committee on Military Affairs.

Also, memorial of board of supervisors of Calaveras County, Cal., urging that the United States should acquire control of the Calaveras, or Mammoth, Big Tree Grove situated in that county; to the Committee on Public Buildings and Grounds.

Also, resolutions of the Chambers of Commerce of Fresno County and San Francisco, Cal., urging that the corporation-tax law be amended so as to permit corporations to make their returns as of the close of their fiscal years; to the Committee on Ways and Means.

By Mr. REILLY: Petition of 981 citizens of Derby, Conn., asking that Congress appropriate $100,000 for the purchase of a post-office site and the erection thereon of a building; to the Committee on the Post Office and Post Roads.

By Mr. SCULLY: Petitions of numerous citizens of New Jersey, protesting against the proposed arbitration treaty with Great Britain; to the Committee on Foreign Affairs.

By Mr. SLAYDEN: Petition of numerous citizens of Texas, asking that the duty on sugar be reduced; to the Committee on Ways and Means.

By Mr. STEPHENS of California: Memorial of the Federated Improvement Association of Los Angeles, Cal., for relief from the restriction of American water shipping and resolution indorsing House bill 4660; to the Committee on the Merchant Marine and Fisheries.

By Mr. WOOD of New Jersey: Resolutions adopted by the Board of Trade of Elizabeth, N. J., urging the passage of the reciprocity trade agreement between the United States and Canada; to the Committee on Ways and Means.

Also, resolutions adopted by Sagger Makers Local No. 63, N. B. of O. P., of Trenton, N. J., urging immediate action by the House of Representatives on the resolution of investigation of the lawfulness of the arrest of John J. McNamara, introduced by Representative BERGER, of Wisconsin; to the Committee on the Judiciary.

Also, petition of New Jersey Pharmaceutical Association, against the enactment of House bill 8887; to the Committee on Ways and Means.

SENATE.

TUESDAY, *June 27, 1911.*

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Journal of yesterday's proceedings was read and approved.

RECIPROCITY WITH CANADA.

Mr. GAMBLE. Mr. President, I desire to give notice at this time that on Thursday morning, immediately after the routine morning business, if convenient to the Senate, I will submit some observations on House bill 4412, known as the Canadian reciprocity bill.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a bill (H. R. 12109) to supply a deficiency in the appropriations for contingent expenses of the House of Representatives for the fiscal year 1911, and for other purposes, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. CULLOM presented a petition of sundry citizens of Iowa, praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

He also presented a memorial of sundry citizens of Minnesota, remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

Mr. KERN presented resolutions adopted by the Carmel Quarterly Meeting of Friends' Church, held at Noblesville, Ind., favoring the adoption of international arbitration and universal peace, which were referred to the Committee on Foreign Relations.

Mr. WATSON presented memorials of Flora Grange, No. 164, of French Creek; Mount Zion Grange, No. 39, of Lightburn; Unity Grange, No. 358, of Charleston; Union Grange, No. 90, of Cottageville; and Phoenix Grange, of Union, all of the Patrons of Husbandry, in the State of West Virginia, remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which were ordered to lie on the table.

Mr. SHIVELY presented resolutions adopted by the Carmel Quarterly Meeting of Friends' Church, held at Noblesville, Ind., favoring the adoption of international arbitration and universal peace, which were referred to the Committee on Foreign Relations.

Mr. BAILEY presented a memorial of sundry citizens of Valley View, Tex., remonstrating against the passage of the so-called Johnston Sunday-rest bill, which was ordered to lie on the table.

BUSINESS OF THE SESSION.

Mr. PENROSE. Mr. President, I desire to present the following order for the consideration of the Senate.

The VICE PRESIDENT. The Senator from Pennsylvania asks unanimous consent to submit the following order.

The Secretary read as follows:

It is agreed by unanimous consent that on Monday, July 24, 1911, immediately upon the conclusion of the routine morning business, the Senate will proceed to the consideration of the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes, and that at 4 o'clock p. m. on that day, without further debate, a vote shall be taken in the Senate upon all amendments then pending or to be offered, and that the amendments agreed to shall be considered engrossed, the bill read the third time, and the vote shall then be upon the final passage of the bill.

The VICE PRESIDENT. Is there objection——

Mr. LA FOLLETTE, Mr. HEYBURN, and Mr. BRISTOW addressed the Chair.

Mr. PENROSE. I should like to have the whole order read first.

The VICE PRESIDENT. The Secretary will read the rest of the order.

The Secretary read as follows:

It is agreed, by unanimous consent, that on Wednesday, July 26, 1911, following the routine morning business, the Senate proceed to the consideration of the bill (H. R. 4413) to place on the free list agricultural implements, cotton bagging, cotton ties, leather, boots and shoes, fence wire, meats, cereals, flour, bread, timber, sewing machines, salt, and other articles, and that at 4 o'clock p. m. on that day, without further debate, a vote shall be taken in the Senate upon all amendments then pending or to be offered, and that the amendments agreed to shall be considered engrossed, the bill read a third time, and the vote shall then be upon the final passage of the bill.

It is agreed, by unanimous consent, that on Thursday, July 27, 1911, immediately upon the conclusion of the routine morning business, the Senate will proceed to the consideration of the bill (H. R. 11019) to reduce the duties on wool and manufactures of wool, and that at 4 o'clock p. m. on that day, without further debate, a vote shall be taken in the Senate upon all amendments then pending or to be offered, and that the amendments agreed to shall be considered engrossed, the bill read the third time, and the vote shall then be upon the final passage of the bill.

Mr. LA FOLLETTE. Mr. President, I think that debate had better proceed on the so-called reciprocity bill. It is possible that by July 24 Senators will have been fully heard, and that a vote may be taken at that time upon the bill. Possibly a vote may be reached sooner than July 24; I do not know about that. I am unwilling, so far as I am concerned, that a time shall be fixed for a vote until that bill has been fully debated, until it shall have been shown to the country just what its true character is, and until all the amendments which are offered or to be offered shall have been fully discussed.

For that reason, Mr. President, I must interpose an objection.

The VICE PRESIDENT. The Senator's objection goes to all three orders? They are presented as separate orders. The Chair simply wishes to know; that is all.

Mr. LA FOLLETTE. I directed my remarks especially to the reciprocity bill.

The VICE PRESIDENT. The Chair understood that the Senator's observation was directed to one special bill.

Mr. LA FOLLETTE. I object to fixing a time on which a vote shall be taken on that bill; at least, I object to the fixing of the time now, until debate shall have proceeded further.

The VICE PRESIDENT. The Senator from Wisconsin objects to the entry of the first order. Is there objection——

Mr. LA FOLLETTE. I should like to hear some——

Mr. HEYBURN. Mr. President, an explanation. I rose—and the RECORD will, perhaps, show that I did—after the reading of the first order. I do not want to have it inferred from what the RECORD may show that I rose to object. I rose to ask for the reading of the other two orders.

The VICE PRESIDENT. Is there objection to the entry of the second or third order?

Mr. NELSON, Mr. BAILEY, and Mr. BRISTOW addressed the Chair.

The VICE PRESIDENT. The Senator from Minnesota first rose. The Chair will then recognize the Senator from Texas.

Mr. NELSON. I feel like objecting, but I will suggest to the chairman of the committee that we take the vote first on the farmers' free-list bill, then on the wool bill, and then, about two weeks after that time, that we take the vote on the reciprocity bill.

Mr. PENROSE. Mr. President——

The VICE PRESIDENT. The Senator from Texas is recognized.

Mr. BAILEY. Mr. President, before any agreement can be made about this matter I think the Senate is entitled to know as much about it as the Senator from Pennsylvania knows; and if it is parliamentary for me to do so, I should like for him to advise the Senate whether or not, in his opinion, the President intends to veto the free-list bill and the woolen bill. As the spokesman of the administration, or one of them, he ought to be able to inform the Senate on that subject.

Mr. PENROSE. Mr. President, I would have no right to state if I knew, but as a matter of fact I have no knowledge as to what the action of the President would be upon these measures. Last week the Senate took the unprecedented course of instructing the Finance Committee to report the wool bill within 20 days. Being deeply impressed with the vigor of the majority and desiring to get in harmony with the wishes of the majority, I am endeavoring to cooperate to have speedy action on all these measures. The committee concluded that it was impossible to grant this indecent treatment to the hundreds of persons who had filed formal applications for a hearing before the committee, and therefore resolved that it would be idle to attempt hearings, and the bills were reported out the following morning for the consideration of the Senate.

Now, I want to expedite the public business. I believe that the country is looking to the Senate for performance of some kind. If it is the will of the majority of the Senate that the so-called free-list bill and the wool bill should be enacted into law, I will again abide by the decision of the majority. If the President in his wisdom shall see fit to sign them, I will endeavor to pursue the even tenor of my way under them as laws. But I do not see any use during midsummer in an indefinite delay.

Mr. BAILEY. Mr. President, the readiness with which the Senator from Pennsylvania acquiesces in the decision of the Senate excites my suspicion. I am very free to say that I have learned to regard him as a pretty stubborn sort of a fighter, and I am compelled to think that the Senator from Pennsylvania now calculates that if these bills are passed separately, because evidently it is the program to vote on one and then on the other and then on the third, the President will approve the reciprocity bill, about which he seems to be so deeply concerned, and will veto the other two bills which have come to us from the House.

In his message to the House only a few days ago the President declared that there ought not to be any tariff legislation until the Tariff Board reports, and the newspapers indicate that the President has communicated to his friends in the Senate a statement that he will veto the reciprocity bill if any amendment is attached to it.

It is inconceivable to me that the President of the United States would veto a bill which he desires simply because there was attached to it another bill unless he intended to veto that other bill if presented to him as a separate proposition. It looks to me like we are invited to a feast and we are to be made to entertain ourselves at the second table.

Mr. PENROSE. Mr. President——

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from Pennsylvania?

Mr. BAILEY. I do.

Mr. PENROSE. I should like to call the attention of the Senator from Texas to the fact that there is nothing in the suggested order which will prevent any number of tariff amendments being inserted on the reciprocity bill, should the majority of the Senate so determine. As to the President's approval or disapproval of the bill, I can not see that it makes any difference to the Senator from Texas or any other Senator whether that fatal act occurs in midsummer or later in the fall.

Mr. BAILEY. But if it is bad, the longer it is postponed the better, I suppose; but the time does not interest me. It is the fact I want.

Here, Mr. President, is my situation—and we might as well be frank with each other about it: I know that we have no chance to pass either the free-list bill or the woolen bill except with the aid of certain Republicans. It happens that nearly all

of the Republicans who are ready to assist us in passing those bills are all opposed to this reciprocity bill.

For one time in my life I find myself in accord from top to bottom with the Republican insurgents on this reciprocity bill and upon practically every aspect of it. The truth of it is, I am rather inclined to think that they would feel at liberty to invite me to their caucus if they held one on that, and I am inclined to think I would feel more at home with them on that question than with anybody else in the Senate; and I intend to act in good faith with them because I know we have no hope of passing either the free-list bill or the woolen bill without their assistance.

Mr. WORKS. Mr. President——

Mr. BAILEY. In one moment. So far as I am personally concerned—and on this question I speak and act only for myself, of course—I do not intend to assent to any arrangement that will enable the Democrats who are in favor of reciprocity to join with the stalwarts and get this reciprocity bill through the Senate, which the President will approve, and then leave us to rely on the Republican insurgents to help us pass the other bills to encounter a presidential veto. We have the power now to send all three of those bills to the President and compel him to take all of them or none of them, sir, and it will be a strange attitude for the Democratic Party if it allows itself to be so placed that it is more anxious to pass a Republican President's reciprocity bill than it is the Democratic House free-list and wool bill. Now I yield to the Senator from California.

Mr. WORKS. I should like to ask the Senator from Texas by what authority he makes the statement that the insurgents who will support the free-list bill and the woolen-schedule bill are all opposed to the reciprocity bill?

Mr. BAILEY. I hardly stated it in that form. If I did, I did not accurately state what was in my mind. I said our only hope of passing these bills is through the votes of certain Republicans who are opposed to the reciprocity bill. I do not understand that all the insurgents, actual and near insurgents, are opposed to the reciprocity bill, but my understanding is that substantially all of them are.

Mr. WORKS. I just wanted to say that I suppose I am classed as an insurgent, and——

Mr. BAILEY. The Senator's name stands pretty high on that list, I think.

Mr. WORKS. I merely wish to say that the Senator from Texas has no authority to make that statement so far as I am personally concerned.

Mr. BAILEY. Mr. President, while I am in agreement, I am glad to say, with the insurgents now, I am not assuming any authority to speak for any of them. They have a habit of speaking for themselves, and speaking plainly and speaking well. I am in such an attitude about the reciprocity bill that I am not even permitted to speak for a fraction of the Democrats. I am rather inclined to think that I am almost alone over here, but I want to say there will be many Democrats who will regret they did not join me if it transpires that the President gets the corn and the Democratic Party gets the husk, which it will get even if it does not get the free-list bill and the woolen schedule enacted into law.

Mr. President, I want to go one step further and say, if we were to send the Canadian reciprocity bill amended by the free-list bill and a woolen bill—because, frankly, sir, I do not expect we shall pass the woolen bill as it came from the other House, though I would like to see that done—I perfectly understand that those Republicans, sometimes called insurgents and sometimes called progressives, do not agree with us; they do not favor as low a revision as we do, and yet they desire very much lower than the existing duties, and they probably will not vote for the bill as it comes from the other House even with the amendments which, on my own behalf and on my own responsibility, I shall offer. I expect to be compelled, finally, to vote for their bill, and I shall do that cheerfully if they offer a better bill than the existing law, and it could hardly be possible that they would offer a worse one; but, sir, if the President of the United States, presented with these three measures combined in one, should veto the entire bill, he would be at such a disadvantage in the presidential contest as would almost relieve that struggle from its anxiety and its doubt.

Mr. POINDEXTER. Mr. President——

Mr. BAILEY. One moment. The President himself has declared that the woolen schedule is not defensible. He has declared repeatedly that Canadian reciprocity is a triumph of diplomacy and of statesmanship. He has deemed it of such magnitude and of such importance that he has not only traversed the country campaigning in its behalf, but he convened the Congress of the United States in extraordinary session to pass it; and yet with a woolen bill that meets his criticism against the existing woolen schedule, with a reciprocity bill that he proclaims as his very own, there would be nothing left but the small, insignificant free list to justify the interposition of a veto. I do not believe he would veto all of them; and yet as certain as we send in this reciprocity bill alone and afterwards send him the other bills, just so certain, in my opinion, the other two will incur the presidential veto.

Now, I yield to the Senator from Washington.

Mr. POINDEXTER. Mr. President, the Senator from Texas says that the President would be in a bad situation politically if he should veto the reciprocity bill amended by the wool-schedule bill.

Mr. BAILEY. I ought to have said I thought he would be in a worse situation. I think he is in a bad situation now.

Mr. POINDEXTER. I will not dispute that proposition with the Senator—but what I wanted to ask the Senator was this—since the Senator is considering the political effect of the President's veto—if, after having made a campaign for the Presidency upon the platform of tariff revision, this reciprocity bill should pass Congress and then we should pass reasonable reductions of other schedules of the tariff, and they should be submitted to the President, if he is to be actuated by the political effect, would he veto, could he afford to veto, a revision of the wool schedule and a reasonable reduction of other schedules of the tariff separate and apart from the reciprocity bill?

Mr. BAILEY. Mr. President, I hope unanimous consent will be given to vote on these two bills according to the request of the Senator from Pennsylvania [Mr. PENROSE].

Mr. DIXON. On which two bills?

Mr. HEYBURN. On the free list and the wool bills.

Mr. BAILEY. I can satisfy the Senator from Montana, I believe, if he will go into executive session with me, that this is the wisest thing for us to do. I will assume that responsibility, if the Senator will not object.

Mr. DIXON. Mr. President, I will have to have some further light upon this subject at this time.

Mr. BAILEY. I will try to give it to the Senator.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Utah?

Mr. DIXON. I do.

Mr. SMOOT. I will clear this situation, then, as I do not know what information the Senator from Texas [Mr. BAILEY] has. I object.

The VICE PRESIDENT. Objection is made to the entry of the second order.

Mr. BAILEY. That will give me time to hold a session with the Senator from Montana.

Mr. DIXON. I think I have the floor.

The VICE PRESIDENT. The Senator from Utah [Mr. SMOOT] has objected. That ends that proposition. The Senator from Montana has the floor.

Mr. DIXON. Mr. President, I wanted to state why I could not consent to the proposed order, at this time at least. It is perfectly evident, as the Senator from Texas [Mr. BAILEY] has just said, that the program which has apparently been adopted by the Democratic Senators certainly will result, if carried to a final conclusion, in the passage of the reciprocity bill and the veto of any bills looking to general tariff revision. That is the inevitable result of the present situation, and the Senators on the other side of the Chamber might as well accept it.

I personally have no reason to attempt to hold the Senate in protracted session, but the chairman of the Finance Committee, with his wide experience in legislation and his wisdom, certainly must know that no popgun bill for the revision of the tariff can become a law; and that the debate and the amendments of the wool schedule, whether any more schedules come over from the other House or not, will have to embrace every phase of tariff legislation before this session adjourns. There is no secret about that matter. The Republican Senators, especially those from the Northwest, I think have made it plain that if this new propaganda of free trade in agricultural products, under the guise of Canadian reciprocity, avowedly for the benefit of the great manufacturing centers of the East and for the millers and the border railroads, is to become the policy of the Republican Party, then we have got to reedit our old textbooks on political economy.

The Senator from Texas was a little bit loose in his language this morning in referring to Republican Senators on this side of the Chamber who are opposed to reciprocity as insurgents. A majority of Republican Senators here——

Mr. BAILEY. Allow me to correct the Senator.

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Texas?

Mr. DIXON. I do.

Mr. BAILEY. I may have been loose in my language, because I came into the Senate while this matter was in progress, and I was trying to reason out in my mind the situation while I was talking, and, when I finally reasoned it out, the Senator from Montana was not amenable to my suggestion; but I want to say that I do not mean that all the Republicans who are opposed to reciprocity are insurgents, nor do I mean that all the Republicans who are insurgents are opposed to reciprocity, but still my statement stands that the Democrats have no earthly hope of passing any of these tariff-revision bills except with the aid of Republicans who are opposed to reciprocity.

Mr. DIXON. But what I mean, Mr. President, in adverting to the looseness of expression of the Senator from Texas in referring to the Republican Senators who are opposed to reciprocity as being insurgents is this: The term "insurgent," as I understand its meaning, applies to a minority of a certain political party. I think there are about 30 Republican Senators on this side of the Chamber opposed to reciprocity; certainly more than a majority of the Republican Senators in this Chamber are opposed to it, unless it carries with it as a coordinate scheme the general lowering of tariff duties in this country. The Republican Senators who are supporting reciprocity, with the aid of practically the solid Democratic vote, are now the insurgents of the Republican Party. It is the minority section of Republican Senators, led by intrepid and gallant warriors from certain States in New England and from New York and Pennsylvania, who have absorbed the term that was formerly applied to a minority of Republican Senators in this body.

If the Democratic membership of the Senate really want tariff revision and are not simply posing and attempting to play politics for the next presidential campaign, I want to say to them that so soon as Republican Senators are convinced that reciprocity is going to become a law there are plenty of votes, and to spare, on this side of the Chamber added to the Democratic vote to pass as an amendment to the reciprocity bill, as a correlated subject, a general tariff-revision scheme, and there will be no doubt about the brand it will carry when it comes to a final vote in the Senate.

Mr. GORE. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Oklahoma?

Mr. DIXON. I do.

Mr. GORE. Mr. President, I want to say to the Senator from Montana—and I speak for myself alone, but I believe that my views will be concurred in by every Senator on this side—that if the Senator from Montana, or any other Senator on the other side who is cooperating with him, will say to this side, speaking ex cathedra, that the President of the United States will approve the reciprocity measure if amended and as amended, I believe that every Senator on this side is willing to go farther than those who go farthest on the other side in favor of attaching a general tariff revision to the reciprocity bill.

Mr. DIXON. I will say to the Senator from Oklahoma that I can not guarantee what the President of the United States may or may not do, but the policy that is now being pursued by a majority of the Democratic Senators inevitably leads to free trade in farm products and the maintenance of high protective tariff duties on manufactured articles. There is no escaping that conclusion, as the Senator from Texas has well demonstrated this morning. You are accentuating by your own act the differences heretofore complained of in protective tariff duties. It may be good politics, but it does not lead to the result that the Senator from Oklahoma has contended for ever since he has been in the Senate.

If we are to have reciprocity, if we are to have free trade in all farm products, there is an abundance of votes on this side of the Chamber to unite with you in a general tariff revision as an amendment to the reciprocity bill, so that reciprocity and general tariff revision may carry through as one comprehensive scheme.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Mississippi?

Mr. DIXON. Gladly.

Mr. WILLIAMS. I want to ask the Senator from Montana, simply as one honest man speaking to another, this question——

Mr. DIXON. I will meet the Senator half way on that.

Mr. WILLIAMS. Whether he does not know that the result of that maneuver would be to kill both propositions, and whether that is not his intent?

Mr. DIXON. I answer the Senator from Mississippi frankly, that is not my intent; but I do not believe——

Mr. WILLIAMS. Would it not, in the Senator's opinion, be the plain, palpable, and obvious result?

Mr. DIXON. I do not believe it would.

Mr. WILLIAMS. The Senator believes that the President of the United States, then, in spite of his public utterances——

Mr. NELSON. Mr. President——

The VICE PRESIDENT. The Senator from Montana has yielded to the Senator from Mississippi.

Mr. NELSON. I should like to ask the Senator from Mississippi a question.

The VICE PRESIDENT. But the Senator from Montana has yielded to the Senator from Mississippi for a question.

Mr. WILLIAMS. The Senator from Montana believes, then, that the President of the United States, in spite of his public utterances, would sign a bill which was a general revision of the tariff?

Mr. DIXON. I do not see how he could refuse to sign it.

Mr. WILLIAMS. The Senator does not see how a protectionist President could refuse to sign a bill that Democrats and tariff revisionists, meaning by that revisionists downward, would send to him, a bill expressing their views, and the Senator is willing to say to the Senate and to the country that he believes a protectionist President would sign such a bill?

Mr. DIXON. I am not authorized to speak for the President in any way, shape, or form.

Mr. WILLIAMS. I am not saying that. I am asking you about your own belief, not about any question of authority.

Mr. DIXON. I believe he would sign it; yes.

Mr. WILLIAMS. The Senator believes he would sign it?

Mr. DIXON. Yes.

Mr. WILLIAMS. If I thought that, I would be happy.

Mr. BAILEY. If we vote for his bill, he might sign our bills.

Mr. NELSON. Mr. President——

Mr. DIXON. I now yield to the Senator from Minnesota.

Mr. NELSON. I desire to ask the Senator from Mississippi, with the permission of the Senator from Montana, by what authority he intimates that the President will not sign the other bills referred to while he will sign the reciprocity bill?

Mr. WILLIAMS. By the authority of common sense, by the authority of ordinary observation, by the authority of historical information, by the authority that leads me to believe that if I get on a street car out there going in a certain direction and keep on it I will land at the terminus.

Mr. NELSON. What is the object, then, in attempting to pass these other bills when you expect that they will inevitably receive the presidential veto? Is it for politics you are moving?

Mr. WILLIAMS. We are not expecting to attempt to pass a general tariff bill. It would be madness. The Democratic House has not undertaken that. Upon the contrary, they have undertaken to revise the tariff downward as well as they may by special schedules, hoping that some of those schedules would meet the support of the Senate of the United States, although nominally Republican, and might meet with the approval of the President of the United States. For example, I believe that a reasonable revision of the woolen schedule, as an original measure, ought to pass this House after reciprocity is out of the way; and I believe that, if Senators on the other side are consistent with their past records, enough of them will vote for it to pass it; and I believe that, in view of his past utterances concerning Schedule K, the President himself, who said that that schedule was indefensible, would be forced either to stultify himself grossly or to sign it. I believe there are several schedules which we might be able to put through in that way.

Mr. DIXON. Mr. President——

Mr. WILLIAMS. One moment.

The VICE PRESIDENT. The Senator from Montana has the floor.

Mr. WILLIAMS. I do not believe, and I started to say I did not believe that anybody believed, but I will not say that, because I have had the assurance from one Senator that he does believe, that the President of the United States would sign a general tariff bill. Nor do I believe that enough votes for a general tariff bill could be obtained upon the other side of the Chamber to send it to the President except as an amendment to the Canadian reciprocity bill with the purpose and with the intent of killing the bill.

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana surrender the floor?

Mr. DIXON. Yes.

Mr. CUMMINS. Mr. President, after this very interesting episode I should like, if possible, to propose an agreement to the Senator from Pennsylvania, the chairman of the Finance Committee. I take it for granted that he did not expect these orders, or either of them, would receive the assent of the Senate.

I noticed in this morning's paper—I observe in passing that I am sorry to see that my friend, the Senator from Pennsylvania, is falling into the habit of being interviewed—that these orders were to be proposed this morning in order to fasten the responsbility for a continuance of this session upon certain Senators.

I for one am perfectly willing to bear my share of the responsibility of continuing this session until we have debated every material and pertinent phase that arises out of the propositions now before the Senate. I assume that we all understand that no time can be fixed for voting upon the proposed reciprocal measure until there has been such a discussion of it as will enable us to predict with reasonable certainty what further time may be required for its consideration.

Now, I want to ask the Senator from Pennsylvania if he will not agree to present these orders once each day, at a specified time, so that we may be prepared for them, and not anticipate that they may come in at any hour of the session. Will he not agree that in every morning hour they shall be presented, in order to fasten the responsibility upon certain recalcitrant Senators?

Mr. PENROSE. I had not intended to offer these orders every day, but if the Senator from Iowa desires me to do so, I shall be glad to offer them as nearly as I can every day before the close of the morning business.

Mr. CUMMINS. I understood from the interview that I read that they were to be presented day after day. I do not know that that was a correct or veracious interview.

Mr. PENROSE. I did not give any interview, Mr. President. It is impossible to prevent the quoting in an incorrect way of casual conversations in these transactions. I talked to a number of Senators yesterday afternoon on this subject, the Senator from Iowa being among them, and I supposed what 10 or 15 Senators know about is difficult of suppression or concealment.

Mr. CUMMINS. Oh, absolutely no suggestion of suppression or concealment. Otherwise the Senator from Pennsylvania would not have advertised it in the newspapers.

Mr. PENROSE. My talk was not of a confidential nature, and I did not care whether it was published in the newspapers or not. My intention has been to do all I can to expedite voting on these measures. I have endeavored to treat them with absolute impartiality. These orders take the bills in the order of their reception by the Senate. I have requested the Senate to give unanimous consent to their adoption regardless of the fact whether I personally favor these measures or am opposed to them. I have endeavored to carry out the will of the Senate as expressed last week when it declared by a decisive majority that the Finance Committee should have 20 days to consider these two tariff bills, and I have asked 30 days to consider them, to wind them up, to dispose of them, to allow the business interests of the country to be at rest and know where they are, and let us adjourn.

Mr. CUMMINS. May I ask another question of the Senator from Pennsylvania? The great matter of doubt in the Senate seems to be with respect to the attitude of the President of the United States toward bills that may be passed revising a few of the prominent and especially burdensome schedules of the tariff. If it were known positively what the President would do respecting those matters I think there would be an instant clarification of the atmosphere in the Senate, and we could proceed with a great deal more certainty than we seem now to be able to proceed with.

Now, will the Senator from Pennsylvania persuade the Senator from Utah to withdraw his objection to the unanimous agreement which fixes the day for voting on the free-list schedule and the wool schedule, because if we could consider and pass the revisions of these schedules and one or two others of equal prominence and importance and send them to the President and ascertain in that way—and I suppose that is the only way in which it can be ascertained with absolute certainty—just what he will do with respect to them, then the problem concerning the reciprocal measure will be very much simplified?

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Idaho?

Mr. CUMMINS. Yes.

Mr. BORAH. It does not seem to me that it would be proper to pass the free-list bill before we pass the reciprocity bill. The free-list bill is supposed to be a balm for the injuries which we will do to the farmers, and we ought not to administer the balm until we have been sure that we have injured them.

Mr. CUMMINS. It seems to me reasonably sure that the injury is to be done. Everybody concedes that the free-list agricultural bill is to pass, and I do not see any particular objection to having the balm at least in readiness to be applied the moment the wound is inflicted.

Mr. BACON. I simply want to suggest, with the permission of the Senator, that while I do not agree as to the purpose of the passage of the free-list bill, there is such a thing as an antidote as well as compensation; some antidote is given in advance.

Mr. CUMMINS. I thank the Senator from Georgia for the very wise suggestion, and I renew my inquiry of the Senator from Pennsylvania.

Mr. PENROSE. Mr. President, I fear that the Senator from Iowa is not willing to treat this legislation as impartially as I am. I have asked the Senate to agree to a date for voting on all three bills. Is he prepared to join in such an agreement regardless of the order?

Mr. CUMMINS. I am not, for the very obvious reason that there is no uncertainty with regard to the President's attitude toward the reciprocal measure. No one doubts his willingness and desire to give that measure, if it shall pass, his approval. The doubt arises with regard to the other measure, and there is but one way in which to remove that doubt, namely, give the Chief Executive the opportunity which the law and Constitution give him to indicate his approval or disapproval of these measures.

Mr. PENROSE. I can not see, in all fairness, what difference it makes on this situation as to what the President is going to do; neither can I see, in my own mind, at least, what difference the action of the Senate is going to make.

I do not know, I have no information, no belief, as to whether there is a majority in the Senate to pass the free-list bill and the wool bill or not, or whether there is a majority to pass these two bills in an amended and modified form. But I am ready, as I have tried to be all my life, to bow to the inevitable, and if the Senate passes these bills I shall bow to the verdict of the only ultimate tribunal in the United States, and that is the will of a majority. If the President sees fit to approve or sign them, I shall feel as most of my colleagues will feel, that we have at least discharged our duty and not wasted our time in idle delay from day to day without accomplishing any result.

This reciprocity bill has been before the Senate now on its third week, and with the exception of the Senator from North Dakota [Mr. McCUMBER] and the Senator from Minnesota [Mr. NELSON] I do not just now recall any Senator who has made the promised speeches on the measure which it was generally understood were in course of preparation. We have had running debate and idle talk without accomplishing anything, as far as I know or can see.

Now, if we could show the country that we are going to meet the issues, regardless of our personal preference or wish, it can only have a good effect, and nothing but a good effect. The country is entitled to it.

Mr. BAILEY. Mr. President——

Mr. CUMMINS. May I reply to the Senator from Pennsylvania before I yield to the Senator from Texas? I am exceedingly sorry to hear the Senator from Pennsylvania so characterize the very interesting and instructive address made by the Senator from New York [Mr. ROOT] as well as the several addresses that were delivered yesterday, and some before, upon the amendment reported by the committee. I am sure that upon reflection the Senator will withdraw what must have been an unreflective statement, that nothing but idle talk has occurred with respect to this matter during the last week.

Mr. PENROSE. In my statement I referred more to the discussion of the general bill. Of course, the committee amendment which was defeated yesterday was not in my mind when I made the statement.

But it is well understood that some dozen Senators have signified to their associates their intention to speak at considerable length on this measure. The Senator from Iowa is one of them. And the third week of the consideration of this bill has elapsed, and not until to-morrow will the Senate have the privilege of being enlightened by his remarks.

Mr. CUMMINS. I have availed myself of every convenient opportunity in the past, just as I intend to do in the future.

I trust the Senator from Pennsylvania will not comfort himself by the thought that the Senator from Iowa will make but one speech upon this matter. It is quite likely that as we draw along the length of these amendments there will be more

than one occasion upon which I shall feel it necessary for me to impose myself upon the patience of the Senate.

Mr. PENROSE. It is with a full conviction that there will be more than one speech that I would like to see the first one unloaded.

Mr. CUMMINS. I have no doubt the Senator from Pennsylvania is awaiting with exceeding impatience the deliverance of the Senator from Iowa. I can only say that while speeches have not been very frequent, I have yet to hear anything from the Senator from Pennsylvania in behalf of the proposed measure.

But I want to assure him that he is entirely mistaken with regard to my motive. If the farmers of this country could be given the right to buy what they must buy in a free market, or a comparatively free market, I for one will vote for the reciprocity measure. It will be my only concern during the course of the entire discussion that when we take the farmer and introduce him into free competition with his only competitor, practically, we shall give him at the same time the right to buy some of the things he must buy in a market freer than we now have. It is therefore that I want to know, and I believe a great many Senators share my desire in that respect, whether we are to have at this session some amelioration of the burdens which the farmer must bear—not only bear whether this free agricultural bill is passed or not, but especially bear if it is passed. I think it is only fair, it is only honest with the American people, to determine in advance whether the relief that I have suggested is to be given to them.

I inquired, therefore, in absolute good faith of the Senator from Pennsylvania whether he would be willing to renew his request that a time be fixed for voting upon the wool bill and the free-list bill and such other bills as may be attached to it which seek to remove the burdensome duties with which we are now afflicted before we reach a conclusion upon the reciprocity measure.

Mr. BACON. I want, if the Senator will pardon me, to say a word on the matter of those orders. I was called out of the Chamber. I understand they have been disposed of. Am I correct, Mr. President?

The VICE PRESIDENT. They have been.

Mr. BACON. I simply want to call attention to a matter that may be of importance in view of the fact that the request will probably be repeated.

Mr. STONE. A parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. STONE. I came in rather late. I understood the Senator from Pennsylvania presented a request that a vote be taken on the pending bill, the unfinished business.

The VICE PRESIDENT. Such a request was put, and objection was made thereto.

Mr. STONE. I understood—I am asking the Chair about it—that the request of the Senator from Pennsylvania was that the three bills should be voted on—one the 24th, another on the 25th, and the third on the 26th of July.

The VICE PRESIDENT. It was made in three different requests for entry of three different orders.

Mr. STONE. Did the Senator from Utah object to the entire request?

The VICE PRESIDENT. The Senator from Wisconsin [Mr. LA FOLLETTE] objected to the request for a vote upon the reciprocity bill. The Senator from Utah [Mr. SMOOT] objected to the entry of the other two orders.

Mr. STONE. I did not understand.

Mr. BACON. Mr. President, as these requests are doubtless to be again proposed to the Senate, there is a matter of form to which I think it is important to call attention. I did not call attention to it while on the floor before, because I did not wish that anything I should say might be construed into any objection to voting upon the days designated, but I think the form of request is one which, if adopted, contravenes two rules of the Senate; and it is with a view of having the request, if hereafter presented, conform to those rules that I now call attention to them.

The request was that on a certain day and a certain hour the bills should be considered as engrossed and read the third time. Am I correct?

The VICE PRESIDENT. The Senator is correct.

Mr. BACON. I say that that can not be done by unanimous consent, because the rules of the Senate, which can only be modified or changed in the way indicated by the rules, expressly provide that, in the first place, bills shall be considered in Committee of the Whole, and that indicates, of course, that they shall pass from Committee of the Whole. But what is more directly to the point is Rule XV. I will read that rule:

RULE XV. 1. All bills and joint resolutions which shall have received two readings shall first be considered by the Senate as in Committee of the Whole, after which they shall be reported to the Senate.

That is one rule. Mr. President, I say that that can not be obviated or dispensed with by unanimous consent. A rule can only be changed by the method prescribed in the rules themselves, which it is not necessary I should recite. What is perhaps more important is Rule XIV:

RULE XIV. 2. Every bill and joint resolution shall receive three readings previous to its passage, which readings shall be on three different days, unless the Senate unanimously direct otherwise.

The Senate can, by unanimous consent, dispense with the provision which requires the reading to be on three separate days, but the Senate can not by unanimous consent dispense with the three readings. We do dispense every day with the three several readings by having the two readings announced as having been made upon the first day.

Therefore, Mr. President, it is important, if the Senator from Pennsylvania desires to repeat the request or again present it to the Senate, that that point shall be guarded against. I think the only thing which is practicable is that the Senate shall do as we did, the Chair will remember, upon the former occasion—provide that we will take the matter up for disposition at the stage in which it is found at that time. It is perfectly competent for the Senate, before it reaches that day, to take it up and pass it from the Committee of the Whole into the Senate, and to pass the stage of the engrossment and third reading, and then bring it within the operation of the proposed consent. But I respectfully submit that with that positive provision in the rule we can not, in advance, say that a bill shall be considered as read the third time. Of course, I know that in the House of Representatives, where the rules are different, that is a constant practice, and a proper practice; and I am not prepared to say but that it might be a desirable practice here; but it is certainly, in my opinion, absolutely in conflict with the rules of the Senate.

ELECTION OF SENATORS BY DIRECT VOTE.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the joint resolution (H. J. Res. 39) proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States.

Mr. CLARK of Wyoming. I move that the Senate insist on its amendment and ask for a conference on the disagreeing votes of the two Houses, and that the Chair appoint the conferees on the part of the Senate.

The VICE PRESIDENT. The question is on the motion of the Senator from Wyoming.

Mr. HEYBURN. Mr. President, I do not believe it is the will of the Senate to ask for conferees.

The VICE PRESIDENT. That is the motion.

Mr. HEYBURN. The motion is debatable?

The VICE PRESIDENT. Oh, yes; of course.

Mr. HEYBURN. Let the House action be read again.

The VICE PRESIDENT. The Secretary will, without objection, again read the resolution of the House.

The Secretary read as follows:

IN THE HOUSE OF REPRESENTATIVES,
June 21, 1911.

Resolved, That the House of Representatives disagrees to the amendment of the Senate to the joint resolution (H. J. Res. 39) proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States.

Mr. HEYBURN. I ask that the motion go over for the day. The Senate does not necessarily have to ask for conferees.

The VICE PRESIDENT. Not necessarily; but the motion has been made, and it is in order. It does not have to go over. It is one of the motions which, under the rule, should be proceeded with until disposed of.

Mr. BORAH. I understand the joint resolution does not go over by a mere objection.

The VICE PRESIDENT. No.

Mr. HEYBURN. It seems to me that the proper action is that the Senate do not concur in the action of the House. This is not upon an amendment; it is upon a joint resolution. The amendment has been absorbed in the joint resolution. I had not expected that a motion to appoint conferees would be made at this time. Of course the question next would come up on the adoption of the conference report. But it is a question whether the Senate should ask for a conference, the House not having asked for one.

The joint resolution came from the House. The Senate amended it and it went back to the House, and they declined to

agree to the amendment and did not ask for conferees. It is not the usual manner of proceeding. The question will arise now as to the vote required to send it to conference, because it is an entirety and it will affect the enactment of the joint resolution.

Mr. BACON. The Senator will remember that the amendment in the Senate was passed by a majority vote.

Mr. HEYBURN. But after it is passed the amendment can never again be considered by a majority vote, because the amendment became a part of the joint resolution. It is no longer an amendment.

Mr. BACON. What went to the House is an amendment solely.

Mr. HEYBURN. It is not an amendment now.

Mr. BACON. Yes; it is, so far as they are concerned. That is what they resolved they will not accept.

Mr. CLARK of Wyoming. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Wyoming?

Mr. HEYBURN. I will yield the floor. I merely wanted that we should not just glide along and then afterwards discover that we had been on slippery ground.

Mr. CLARK of Wyoming. Let the question be put.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Wyoming.

The motion was agreed to, and the Vice President appointed Mr. CLARK of Wyoming, Mr. NELSON, and Mr. BACON the conferees on the part of the Senate.

ALFRED D. BULLOCK AND OTHERS.

Mr. CRAWFORD, from the Committee on Claims, to which were referred certain bills, reported the following resolution (S. Res. 83), which were considered by unanimous consent and agreed to:

Resolved, That in compliance with a communication from the chief justice of the Court of Claims, the Secretary of the Senate be, and he is hereby, directed to return to the Court of Claims the congressional cases of Alfred D. Bullock and others, No. 13106—272, certified to the President of the Senate under date of February 20, 1908 (S. Doc. No. 314, 60th Cong., 1st sess.); Dorette H. Busching and others, No. 15003—17, certified to the President of the Senate under date of January 21, 1911 (S. Doc. No. 773, 61st Cong., 3d sess.); Jacob M. Davis and others, No. 13833—461, certified to the President of the Senate under date of June 18, 1909 (S. Doc. No. 107, 61st Cong., 1st sess.); Ada E. Much, widow, and others, No. 13727—98, certified to the President of the Senate under date of January 31, 1911 (S. Doc. No. 801, 61st Cong., 3d sess.); Mary E. Alcorn, widow, and others, No. 14188—75, certified to the President of the Senate under date of April 25, 1910 (S. Doc. No. 512, 61st Cong., 2d sess.); Nathan F. Amee and others, No. 13833—1, certified to the President of the Senate under date of December 6, 1909 (S. Doc. No. 190, 61st Cong., 2d sess.); George W. Bailey and others, No. 14124—140, certified to the President of the Senate under date of December 15, 1910 (S. Doc. No. 718, 61st Cong., 3d sess.); John E. Buckingham and others, No. 13786—51, certified to the President of the Senate under date of January 31, 1911 (S. Doc. No. 802, 61st Cong., 3d sess.); John W. Knight and others, No. 13786—1, certified to the President of the Senate under date of February 9, 1910 (S. Doc. No. 360, 61st Cong., 2d sess.); William A. Ashe and others, No. 14860—141, certified to the President of the Senate under date of January 30, 1911 (S. Doc. No. 796, 61st Cong., 3d sess.); Mary A. F. Barry, widow, and others, No. 14124—20, certified to the President of the Senate under date of March 23, 1910 (S. Doc. No. 451, 61st Cong., 2d sess.); and Richard Emmons and others, No. 10375, certified to the President of the Senate under date of December 28, 1906 (S. Doc. No. 172, 59th Cong., 2d sess.), and the said court is hereby authorized to proceed in said cases as if no return therein had been made to the Senate.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KERN:

A bill (S. 2893) granting an increase of pension to Francis M. Howard (with accompanying papers); to the Committee on Pensions.

By Mr. O'GORMAN (by request):

A bill (S. 2894) to provide for and regulate the issue of circulating notes by banks and banking associations of deposit and discount organized and doing business under general incorporation acts of any State or Territory in the United States; to the Committee on Finance.

By Mr. TAYLOR:

A bill (S. 2895) requiring railroads and other common carriers engaged in interstate commerce to make prompt acknowledgment and adjustment of claims for overcharge on freight, and for loss and injury to same; to the Committee on Interstate Commerce.

A bill (S. 2896) to restore Jacob Linebough to the rolls of the Army and grant him an honorable discharge; to the Committee on Military Affairs.

A bill (S. 2897) granting a pension to Lewis White; to the Committee on Pensions.

By Mr. CHILTON:

A bill (S. 2898) granting an increase of pension to Samuel Mooney; and

A bill (S. 2899) granting an increase of pension to Levi Toney; to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 2900) to amend paragraph 500 of the act approved August 5, 1909, entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," relating to the free entry of returned American animals (with accompanying papers); to the Committee on Finance.

By Mr. CURTIS:

A bill (S. 2901) giving pensionable status to certain widows of soldiers and sailors of the Civil War; to the Committee on Pensions.

A bill (S. 2902) to authorize the Commissioner of Internal Revenue to remit the specific penalty under subsection 8 of section 38 of the act approved August 5, 1909, in certain cases, and for other purposes; to the Committee on Finance.

By Mr. SUTHERLAND:

A bill (S. 2903) providing for the military status of John Gray; to the Committee on Military Affairs.

By Mr. SMITH of Michigan:

A bill (S. 2904) to confer upon the Commissioners of the District of Columbia authority to regulate the operation and equipment of the vehicles of the Metropolitan Coach Co.; to the Committee on the District of Columbia.

By Mr. STONE (for Mr. REED):

A bill (S. 2905) for the relief of Sanger & Moody (with accompanying paper); and

A bill (S. 2906) for the relief of John H. Cole; to the Committee on Claims.

(By request.) A bill (S. 2907) to correct the military record of and issue to James Capehart an honorable discharge; to the Committee on Military Affairs.

(By request.) A bill (S. 2908) granting an increase of pension to Marion Cunningham; and

(By request.) A bill (S. 2909) for the relief of John K. Wren; to the Committee on Pensions.

By Mr. BURNHAM:

A bill (S. 2910) granting an increase of pension to Aaron T. Currier; to the Committee on Pensions.

RECIPROCITY WITH CANADA.

Mr. OLIVER submitted an amendment intended to be proposed by him to the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes, which was ordered to lie on the table and be printed.

AMENDMENTS TO DEFICIENCY APPROPRIATION BILL.

Mr. SMOOT submitted an amendment intended to be proposed by him to the bill (H. R. 12109) to supply a deficiency in the appropriations for contingent expenses of the House of Representatives for the fiscal year 1911, and for other purposes, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. PERKINS submitted an amendment intended to be proposed by him to the bill (H. R. 12109) to supply a deficiency in the appropriations for contingent expenses of the House of Representatives for the fiscal year 1911, and for other purposes, which was referred to the Committee on Appropriations and ordered to be printed.

MESSENGER TO COMMITTEE ON INTEROCEANIC CANALS.

Mr. BRANDEGEE submitted the following resolution (S. Res. 85), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Interoceanic Canals is hereby authorized to employ a messenger at a salary of $1,200 per annum, to be paid from the contingent fund of the Senate until otherwise provided for by law.

ASSISTANT CLERK TO COMMITTEE ON CANADIAN RELATIONS.

Mr. OLIVER submitted the following resolution (S. Res. 87), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Canadian Relations is hereby authorized to employ an assistant clerk at a salary of $1,800 per annum, to be paid from the contingent fund of the Senate until otherwise provided for by law.

TELEGRAPH SERVICE IN SENATE OFFICE BUILDING.

Mr. GALLINGER submitted the following resolution (S. Res. 86), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Vice President is hereby authorized to direct the institution of the departmental telegraph instruments in the Senate

Office Building, and provide competent service therein, at a compensation of not to exceed $1,800 per annum, to be paid from the contingent fund of the Senate.

CHUGACH NATIONAL FOREST LANDS IN ALASKA.

Mr. POINDEXTER. I submit a resolution and ask unanimous consent for its present consideration.

The resolution (S. Res. 84) was read, as follows:

Resolved, That the President of the United States be, and he is hereby, requested to transmit to the Senate of the United States copies of all letters, maps, executive or departmental orders or instructions, surveys, also applications to enter land, or for rights of way of railroads or otherwise, and all other official reports, recommendations, documents, or records in the Departments of War, Interior, and Agriculture, or by any of the officials or bureaus of these departments, not included in the report of the Secretary of the Interior of April 26, 1911, printed as Senate Document No. 12, Sixty-second Congress, first session, relating in any way to the elimination from the Chugach National Forest in Alaska of land fronting upon Controller Bay, approximating 12,800 acres; especially referring to such papers, documents, etc., as relate to applications of the Controller Railroad & Navigation Co. for rights of way or confirmation of its maps of rights of way or harbor rights or privileges in or near to the said Controller Bay, or upon the Chugach National Forest, or upon lands eliminated therefrom, or upon tide lands or shore lands of the said Controller Bay, with such information, if any, as is in the possession of the War Department, relating to the character of Controller Bay as a harbor, its soundings, and a designation of those portions of the harbor which are available for the use of deep-water vessels.

Also, to include in the report hereby requested the names of the soldiers whose claims are to be used as bases for the applications for the land referred to, the mesne and subsequent assignments, and other data relating thereto, with a statement of the present status of all said applications to enter said lands or for rights of way thereon.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. POINDEXTER. Mr. President, after a long contest, extending over more than two years, the attempt to monopolize the vast coal deposits of the Bering River coal fields has been defeated, so far as the acquisition of title to the said coal lands is concerned, by the decision of the Secretary of the Interior in the so-called Cunningham coal claims case June 26, 1911.

It now seems evident that the interests which were seeking to monopolize the natural resources of Alaska were not dependent entirely upon one method. Control of transportation and access to these coal fields is equivalent to control of the coal itself. The harbor of Controller Bay, which is protected by a double natural breakwater, is the only available protected deep-water harbor within reasonable access to these coal fields. Realizing this fact, the national administration, February 26, 1909, withdrew from public entry that portion of the shore lines of Controller Bay which was essential in the use of its harbor and navigable channel. This left the situation so that the use of this harbor could be preserved for the public or granted upon such conditions as would insure it against monopoly. However, on October 28, 1910, without notice, this shore line, by Executive order, was restored to public entry, and immediately thereafter, before the public were advised of this fact, one James J. Ryan and others who are connected with the Controller Railroad & Navigation Co. made application to enter certain portions of the shore of Controller Bay which, with the incidental rights incident thereto and harbor privileges for which they had made application to the Government, will give them a complete monopoly of the use of Controller Bay as a harbor and of the sole practicable and available deep-water access to the Bering River coal fields. The rights so applied for have not yet matured or been confirmed, and in order that the fraudulent monopoly which was defeated by the decision of the Secretary of the Interior in the Cunningham coal cases should not be acquired by these other means of the monopoly of Controller Bay, and in order that the benefit of this very excellent act of the present administration should not be entirely lost, the status of these appliactions and all of the transactions leading up to the same should be thoroughly investigated and made public.

Mr. GALLINGER. I will move to insert at the proper place in the resolution the words "if not incompatible with the public interest." I presume the Senator from Washington will agree to that amendment.

Mr. POINDEXTER. I will.

The VICE PRESIDENT. The Senator from Washington accepts the amendment. The modification will be stated.

The SECRETARY. After the word "requested" insert "if not incompatible with the public interest."

The VICE PRESIDENT. The resolution will be so modified. The question is on agreeing to the resolution as modified.

The resolution as modified was agreed to.

Mr. SMOOT. Mr. President, just a minute. I came in after the resolution had been partly read. I should like to ask the Senator from Washington whether it provides for the publication of the report as a public document?

Mr. POINDEXTER. No; it does not.

The VICE PRESIDENT. It simply asks for the information.

Mr. POINDEXTER. When the report is made, I shall ask that it be printed as a public document.

Mr. SMOOT. Then will be time enough, after the report comes in.

PRICES OF SUGAR IN PRINCIPAL MARKETS.

Mr. GRONNA. I have received from the Department of Commerce and Labor 15 tables, prepared in the Bureau of Statistics, showing the movement of sugar prices in the principal European and American markets during the more recent period, together with prices for standard grades of both raw and refined sugar. I ask that the matter be printed as a public document. (S. Doc. No. 55.)

The VICE PRESIDENT. Is there objection to the request of the Senator from North Dakota?

Mr. SMOOT. I will state that I have examined the paper, and it brings the sugar prices down to date. I have no objection at all to the printing.

The VICE PRESIDENT. The Chair hears no objection, and the order is entered.

HOUSE BILL REFERRED.

H. R. 12109. An act to supply a deficiency in the appropriations for contingent expenses of the House of Representatives for the fiscal year 1911, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

RECIPROCITY WITH CANADA.

Mr. PENROSE. I move that the Senate proceed to the consideration of the reciprocity measure, House bill 4412.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes.

Mr. TOWNSEND. Mr. President, our predecessors have proceeded primarily upon the principle that "he who does not first care for his own household is worse than an infidel," but they did not ignore its corollary, viz, in a republic that household is related to every other in a measure, and he who will not recognize those relations and accept whatever enlarges the real benefits of his household by extending rights and benefits to others is something less than highly christianized. Tariffs are, in a measure, restraints upon trade; but in order to maintain a country at its highest efficiency in trade, industry, and for international peace and amity, it must develop its own resources and encourage diversity of enterprise by offering proper inducement to the investment of capital in those things which can and ought to be done here through the employment of American genius and American labor, at the highest possible wage and standard of living. To attain this highest condition it is necessary that a tariff approximately equal to the difference in cost of production here and abroad be imposed upon competing articles seeking entrance into the United States from countries having a lower standard of wages and living than ours. With this as a rule, and omitting for the time the question of revenue, it would seem that it was the clear duty of the United States, and for its best good, to enter into the freest relations possible with those nations where the conditions of living and industry are similar to those of our own country.

Does the Dominion of Canada come within the class of nations to which such description applies? After the most careful and unbiased study of which I am capable, I believe that it does. We have now reached the time when the individual Senator must decide this matter for himself, and I feel that I must vote for the agreement entered into by the representatives of the two countries. Personally, I would not have brought it forward at this time and in this form if I had been in control of the matter. I would have striven hard and long for a treaty which would have included all of the products of Canadian and United States industries in the free list, for I am convinced that reciprocity with Canada can never be the greatest success until manufactured, as well as natural products, meet no customs wall in passing between the two countries. Under the pending measure there will be too many opportunities for national changes and discriminations in tariffs for its unquestioned permanence and safety. Furthermore, the country is being disturbed in its every industrial part by pending and threatening tariff revisions; and if depression comes, as I fear it may, reciprocity will be credited with being the entering wedge of business disaster, and repudiation may be the result. I am sorry that some Senators feel that it is the part of good statesmanship to indulge so extensively in extravagant and inflammatory statements and in such peculiar methods intended

to complicate the passage of the measure, but which may result in embarrassment to its administration when enacted into law.

But the matter is here in this form. It has been presented by a Republican President, whom nobody has openly charged with mercenary or improper motives, and it is not out of harmony with the time-honored principle of a Republican protective tariff. That principle is, in effect, that duties should be levied only upon imports from nations where the cost of production is substantially less than the cost in this country. The cost of production in Canada of the products included in the pending measure is not materially, if it is any, less than the cost of production of such articles in the United States. The people of the two countries are the same in blood, in civilization, in methods of living, in ideals, and in destiny. Indeed, people from the States are almost as numerous in many parts of Canada as those born under the British Jack, and the percentage of Canadian-born citizens in the United States is very large. We are closer neighbors to Canada in every sense of the word than we are to any other nation on earth. If the fortune and circumstance of post-Revolutionary treaties had not arbitrarily fixed the St. Lawrence, the Great Lakes, and the forty-ninth parallel, instead of 54° 40′, as the boundary line between Canada and the United States, no voice would now be raised against a bigger America. It would have seemed in the eternal fitness of things that there should be one great economic unit in habitable America north of the Gulf of Mexico. It is one country by nature, but in the economy of man it has been made into two, accompanied by all the economic waste of separate organizations. There is little hope or prospect that one flag will float over Washington and Ottawa, but surely two nations bound so closely together by nature should not be separated by commercial and industrial barriers. Several times in our history we have been close to commercial freedom with Canada, and at one fatal hour we were close to national unity. I say fatal, not that the union would have been disastrous, but because the hour was untimely struck. The occasion was not right. Had no unusual or unforeseen difficulties arisen during the continuance of the Marcy-Elgin treaty of 1854–1866, I believe by this time there would have been no trade controversy over Canada, for there would have been but one commercial flag on the Western Continent north of Mexico. Feeling in the United States during the Civil War was embittered by British sympathy with the southern cause, and Canada became the asylum for southern sympathizers. The *Alabama* was fitted out in British ports and waters to prey upon and harass the interests of the United States. The treaty period, unfortunately, ended about the time of the close of the war. The sentiment of the North was hostile to everything pro-British. The *Alabama* claims came up for settlement, and in the later sixties there was a general feeling throughout this country that the proper compensation for England to make to the United States was to cede Canada to it. Senator Sumner, chairman of the Senate Finance Committee, openly advocated annexation, and in the early part of 1870 Secretary of State Hamilton Fish urged upon England's ambassador, Sir Edward Thornton, the advisability of England's withdrawal from Canada. The ambassador was instructed to consent to this proposition if Canada would take the initiative, but this Canada refused to do, owing to the intense feeling which had grown up as the result of the events of the Civil War and of the revocation by the United States of the treaty of 1854.

Before and at the time of the Elgin treaty there was much talk of union between Canada and the United States. But at that time the dissensions over slavery between the two sections of our country impeded, if they did not prevent, annexation. The North was for annexation—the South was against it and advocated reciprocity in trade as a preventive of union. The addition of Canada to the United States would be increasing free territory, for slavery could not exist in the North. Indeed, the pages of the history of our relations with Canada seem full of untimely and unsuccessful efforts at union and reciprocity, and it has been impossible to strike the time and occasion right. The people of both countries have not, however, given up hope, and still express a longing for those mutual advantages which are possible in unrestricted commercial intercourse.

The bill before us is not a realization of our hopes and desires. It is, however, a distinct recognition of international comity. It is an agreement to begin taking down the useless wall between parts of the same industrial field. It is the best that can be obtained now. Shall we refuse to begin a universally acknowledged good work when we have the chance simply because it does not begin or end at the place we would have selected? Or because we are piqued at the architect who laid out the plans? Or because the scheme does not and can not contain all of our notions as to what should be in it? If we wait for such objections to disappear we will never begin. Let us accept it with the hope that none of the extraneous difficulties encountered in the past shall intervene, and that once engaged in the work of friendship we shall become better friends and together shall understand that the removal of the ugly and useless barriers to trade will extend Canada's horizon to the south and that of the United States to the north, so that the eye of industry may sweep with unbroken vision from Hudsons Bay to the Gulf of Mexico.

But, Mr. President, we are told that this measure will inure to the benefit of Canada and work to the detriment of the United States; and as proof of this the proponents of that theory bring forward those arguments, and only those, which could with equal force be urged against reciprocity among the States. The United States lies between the two oceans; so does Canada. The United States is in the North Temperate Zone; so is habitable Canada. The United States lies south and Canada north of an imaginary line which can not be located except by a surveyor. The only difference is that Canada, being north, shades into the Frigid Zone, and for every degree it extends north from our northern boundary the season for agriculture is shortened and the risks from frosts and droughts increase. It is probable that in time much of the agricultural land of Canada will be utilized for wheat. This will occur as fast as the world's demand encourages it. This development will take place in full measure only when and because such demand shall warrant the higher price which the additional risks will make necessary. I know that many men have sold their developed high-priced lands in the States and have gone into Canada to take up the lower-priced lands there in the hope that the rise in value of these virgin lands will bring them a fortune in a few years. It is the same idea which actuates men to buy even intrinsically worthless land near a growing city. They expect that the city in its growth will some day reach them, when their property will warrant draining, filling, and platting for city property. Some of these immigrants to Canada will have the endurance and strength and financial ability to abide the time, which is sure to come, when from the increase in land values they will reap their reward; but for me, I would prefer to clear a farm from among the forests and stump barrens of Michigan than to encounter the frosts and privations of northern Canada. Already hundreds of disappointed Americans are wending their way back to the United States—"God's country," as they call it.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER (Mr. BRANDEGEE in the chair). Does the Senator from Michigan yield to the Senator from Idaho?

Mr. TOWNSEND. Gladly.

Mr. BORAH. Notwithstanding that fact, 100,000 Americans last year left the United States and went to Canada, and have become permanent citizens there.

Mr. TOWNSEND. Last year 124,000 people went from the United States into Canada. I am not prepared to say what proportion of them were native-born Americans. I know that 94,000 people left Canada and came into the United States during that time, and I do know that of that number 23,000 were men who had lived in the United States and had gone into Canada and come back.

Mr. BORAH. Those who left Canada and came back were not of the same element of the producing classes as those who left the United States and went into Canada. They were following other vocations. I know that there are now a million and a half Canadians in this country, but they are not engaged in farming.

Mr. TOWNSEND. I am not prepared to dispute that statement, because I have not investigated as to the particular vocations which those people entered. I simply know that the report shows that 124,000 people from the United States went into Canada last year and 94,000 from Canada came here. This means that the percentage of immigration from Canada into the United States is larger than the percentage of emigration from the United States into Canada.

But Canada will, in the course of time, be developed, and hundreds of millions of bushels of hardy short-seasoned wheat will be produced; but I repeat, that will be when there is a market for it and that market will be caused by the increased consumption of wheat and by the decreased production in other at present wheat-growing sections. To-day the production of wheat in the United States is the greatest in the history of our country, and it will never be less; but only about one farmer in five grows wheat. I ought to say also that while it is charged that Canada is rapidly increasing her wheat production, last year she produced 17,000,000 bushels less than she did the year before, and that her agricultural products in 1910 amounted to something like $26,000,000 less than they did in 1909.

Gradually the longer-settled portions of this country are abandoning the culture of wheat for more profitable products, and when the natural wheat-producing soil is exhausted it is turned over to other uses, and as wheat growing decreases, in proportion to consumption, the price will tend to rise, and those who are wedded to wheat culture, and can not be divorced from it, will be consoled by the fact that it will pay them to so fertilize the soil and cultivate the crop as to obtain a proper return for their toil and outlay.

To-day if all the surplus wheat of Canada found an outlet through American markets, it would not, in my opinion, materially affect the price. If we used Canada's export we could and would export more of our own crop. But we will not use it. The surplus from both countries will continue to find its market abroad except in case of a crop failure in either country. Then the other country will supply, as it ought to supply, the deficiency.

I do not believe there is any prospect of the supply of wheat outrunning the demand. It is true that for years the trend of population has been away from the farm and to the city, but that simply increased the demand for wheat. Producers have become consumers.

But, Mr. President, the opponents of this measure base their prophecies of disaster to the farmers upon the proposition that Canadian prices are lower than United States prices, and wheat is the overworked item of illustration. Now, I can see no good reason for arguing that because prices are higher in one country than they are in another therefore the country of higher prices will be injured by a removal of duties. Some have also contended as though it was the business of the Government to insure selling prices. When before did the advocates of protection ever publicly announce that a tariff was inaugurated to increase prices? When infant industries which ought to have been established in this country were seeking to establish themselves it was the policy of the Republican Party to afford protection against the stronger and better organized institutions abroad, and under those circumstances the Government was properly generous, but when such industries here have become established, then no one has intelligently urged that a duty should be retained for protection except in cases where, by reason of higher wages paid and other greater legitimate expenses incurred, the cost of production to our producers was materially greater than the cost to our competitors, and I at least have always had in mind that this system would induce competition among our producers which would eventually cheapen products to the consumer. And it has done so.

In other words, I have believed, and I still believe, that we should protect those, and only those, of our home industries which should exist here in which the legitimate cost of production is materially greater than it is with their competitors, and then only to the extent of the difference in such cost, and this means that cost and not selling price is the basis for fixing tariffs.

But let us take, for argument's sake, the position assumed by the opponents of this measure, removal or reduction of duties means a loss to the country of higher prices. Measured by their standard, will the bill, if enacted into law, be a financial detriment to our farmer?

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Idaho?

Mr. TOWNSEND. I do.

Mr. BORAH. I should like to ask the Senator there upon what theory, then, has it been that the Republican Party has universally, since the repeal of the treaty in 1865, opposed this kind of an arrangement with Canada? Upon what basis has it made its objection if it were not for the purpose of protecting the price of the farmer in the sale of his products?

Mr. TOWNSEND. I do not believe that the Republican Party or that Republicans generally have universally opposed such a treaty with Canada. I am convinced, after having read the history of all the relations between this country and Canada, that there has been a disposition on the part of the people of this country and of Canada to establish just such mutual relations as are now proposed and that disposition existed even before the treaty of 1854.

Mr. BORAH. Mr. President, I do not desire to interrupt the Senator now to take the time to do so, but I will before very long show the Senator that the Republican Party in every campaign where the issue has been up, including the campaign which brought the present administration into power, specifically denounced the lowering of the duties between this country and Canada for fear of reducing the price of the products of the farmer.

Mr. TOWNSEND. But, Mr. President, if it shall be demonstrated that that fear is not well founded; if at the same time we are preserving the real fundamental principle of the Republican protective tariff or Republican protection, namely, a duty which measures the difference in the cost of production, are we not still proceeding according to Republican notions and doctrines?

Mr. BORAH. Yes; if it should be demonstrated; but there would be another interesting question arise then, and that is when the demonstration took place and what was the cause of the change which produced the change of position in the party on that subject?

Mr. TOWNSEND. I shall have to differ from the Senator from Idaho in his assertion that the party has changed its position on that subject. I may have been peculiar in my environment and my relations politically, but I have never understood any other doctrine as the one adopted by the Republican Party than the one I have announced to-day.

I am insisting, Mr. President, that the basis for fixing a tariff has never been the selling price, but rather the cost of production. But if for argument sake we shall agree that it is the business of Government to see to it that prices are higher in the United States than they are in Canada, and that by reducing the tariff between this and that country on articles that would come in to compete, we would thereby reduce the selling price here and injure the producer. I say, assuming that all this is true for argument sake—and it is the only way I will assume it to be true—let us see what we will get from this particular bill; let us see exactly what must result if we are to apply that doctrine as I propose to apply it now.

Let us refer to wheat again. During the last 19 years wheat has fluctuated in price in Canada and in the United States. In 1890, 1891, 1897, 1899, 1902, 1903, 1904, 1905, 1906, 1907, and 1900 wheat was higher in the United States than it was in Winnipeg. In some of those years the difference was negligible. During the years 1892, 1893, 1894, 1895, 1896, 1900, 1901, and 1908 wheat was higher in Winnipeg than it was in Chicago. This shows that during 11 of the last 19 years wheat averaged higher in the United States than it did in Canada, and during 8 of those 19 years it averaged lower in the United States than in Canada. Now, if we apply the standard heretofore mentioned and say that the United States farmer would have lost on his wheat during the designated 11 years when wheat was higher in the United States than it was in Canada, if the United States tariff had been removed, shall we not be obliged to apply the same doctrine, per contra, and assert with equal certainty that he would have gained during the 8 years when wheat was higher in Canada than it was in the United States if the Canadian tariff had been removed?

If such would be the logical result of this theory, will it not be necessary to figure up and strike a balance by arithmetical calculation before we know whether the farmer would have been injured by free trade in wheat with Canada? What is true of wheat is even more marked in reference to other farm products. During practically all of the last 19 years corn, oats, milk, hogs and hog products, and sheep have been higher in Canada than in the United States, and every farm product has, during some of the last 19 years, been higher in Canada than it has been in the United States.

How will gentlemen escape from the conclusion which their own logic produces? If a removal of all duties on agricultural products reduces values in some cases, it must, by the same token, increase them in others.

I have heard much about the failure of the bill to reduce the duty on articles which the farmer uses. Have gentlemen read the bill so carelessly as to have overlooked the fact that lumber is on the free list; and if the duty imposes extra cost to the consumer, then certainly it is the lumberman and not the farmer who will be injured by a remission of this duty, for the latter will not have his lumber charged with a tariff duty of $1.25 per thousand. Shall he not be credited with this item?

The bill provides that the duty of 45 per cent on hay loaders, potato diggers, feed cutters, grain crushers, fanning mills, rollers, and hay tedders shall be reduced to 25 per cent, or a reduction of 45 per cent.

Mr. McCUMBER. Does the Senator from Michigan object to interruptions?

Mr. TOWNSEND. No.

Mr. McCUMBER. If the Senator wishes to make a continuous speech I will not interrupt him.

Mr. TOWNSEND. I should not like to be interrupted for a speech, but for a question I shall be very willing to yield.

Mr. McCUMBER. Has the Senator made any estimate of what the average farmer would gain in a period of 10 or 15

years if he got the full benefit of the reduction of a dollar and a quarter a thousand upon his lumber?

Mr. TOWNSEND. No; I have not. It would be very small.

Mr. McCUMBER. It is a matter of fact that an ordinary frame house will last about 45 years, is it not?

Mr. TOWNSEND. Well, I should think so.

Mr. McCUMBER. There are about 10,000 feet of lumber in the ordinary farmhouse. And if that was the case, saving a dollar and a half on a thousand feet would be a saving of $15 on his lumber bill once in 45 years, or 33 cents a year; something like that. Would you consider that an important element to balance against a loss of 25 cents on barley for every bushel he would raise?

Mr. TOWNSEND. I have shown, unless I have failed, that these articles vary in prices, sometimes higher and sometimes lower in Canada than they are in the United States. I have just begun an enumeration of some of the items. Now, I am going to admit to the Senator from North Dakota that I do not take very much stock in this notion that the removal of the duty on lumber or on wheat is going to make any appreciable difference in the price of either one of them—and I am referring to lumber and other products in order to apply the rule laid down by Senators who insist that the selling price shall be the standard for fixing the tariff.

Mr. McCUMBER. May I ask the Senator why he goes back 19 or 20 years and gives us a general conclusion of a period of 20 years or 19 years, the most of which years were in a period in which, on account of our enormous surplus, we were compelled to sell upon the basis of foreign values, while, when we had reduced our surplus so that it was almost nothing, in 1909 and in 1910, or reduced it so very low, the home demand rather than the foreign demand applies? Why does he not take up those years for a comparison, and if he will take the last three or four years he will find there has never been a time, unless through a cornering of the market at some particular period, in which the Canadian price under like conditions would come within from 10, and sometimes within as high as 20, cents a bushel as our wheat, and when our flax crop was short and when our barley crop was short, as within the last year, there was a difference of fully 30 cents a bushel on each of them.

It seems to me the Senator ought to take those years, because those years meet our present condition, and they foreshadow what we may expect in the future from Canada.

Mr. TOWNSEND. Mr. President, in answer to the Senator from North Dakota I will state that the reason I went back to 1890 was because that was the first year about which I can obtain statistics in Canada as to the price of products. I asked for a compilation to be made from 1850 to date. I submit that the method I have pursued is the only fair one to pursue in this matter.

The Senator seems to think that there were some unusual conditions which existed a few years ago which created a large surplus, and that the latter few years are the only ones to be governed by. Peculiar conditions are found in all periods. I have felt that we should take the country with all of the conditions which can be found only through a period of years. And I have taken every year that we have any reports on from Canada and the United States, in order that there might be no charge that there has been a juggling of figures or dates for the purpose of meeting the emergency.

Mr. McCUMBER. The Senator will pardon me. There is no question about the accuracy of his figures. But while the figures will always speak accurately, they speak accurately only of a condition at the time. The same figures applied to certain conditions now will produce entirely different results. For instance, the Senator will admit that a very little surplus has a big influence in driving prices down, and a very little shortage has a great influence in pushing prices up. Therefore, figures and conditions that applied to years when we were producing an enormous surplus and Canada was producing little surplus, we will say per capita, because that is the fairer estimate, are entirely different when applied to conditions in which we are practically consuming all that we produce, and Canada, on the other hand, has an enormous surplus which is still growing.

Mr. TOWNSEND. But which is still growing less. As I stated a moment ago, Canada's production last year was 17,000,000 bushels less than it was in 1909, and her exportations were $26,000,000 worth of agricultural products less than it was——

Mr. McCUMBER. Certainly. But the Senator undoubtedly informed the Senate at the time that there was almost no crop in all that northwestern country, and that year has nothing to do with the possibilities of that country, because all the statistics, Canadian and American, agree that Canada has land there on which she can produce from one to five billion bushels of wheat.

Mr. TOWNSEND. I did not mention that suggestion. I ought to have done it for another reason, and that was to emphasize the fact, as I stated a moment ago, that because of Canada's peculiar geographical location, she has to meet the exigencies of drought and frost, which would make her not a dangerous competitor of the United States one year with another.

The bill further provides that manure spreaders and windmills—and I call the particular attention of those politicians and lobbyists who are so solicitous of the farmers' interests to these items, manure spreaders and windmills—it provides, I say, that the duty on these articles shall be reduced from 45 per cent to 20 per cent, or a reduction in duty of 55 per cent.

I am not presenting this information, I will say to the Senator, because I believe the American farmer is going to get his tools any cheaper by this reduction. I am simply presenting it, however, because if you are going to apply this doctrine, that a reduction of duty means a reduction in price, you must apply it to all of the articles in order to have it fair, because I think it works as clearly in one case as it does in another.

If this rule, which opponents of the bill have invoked, is applied to some items, I must insist that it be applied to all items, and then the account balanced through profit and loss.

But if Canada is really getting the best of the bargain, what a misguided, misinformed lot of farmers and statesmen and newspaper men there are in the Dominion. From the St. Thomas (Ontario) Daily Times of Saturday, June 10, 1911, I clipped the following:

ONLY 2 STOOD UP IN FAVOR OF PACT OUT OF 143 FARMERS AT RECIPROCITY MEETING AT STRAFFORDVILLE ON FRIDAY NIGHT—STRONG RESOLUTION.

STRAFFORDVILLE, *June 10.*

The largest mass meeting held here in the last 25 years was the gathering addressed in the town hall on Friday night by splendid speakers on the question of reciprocity. The speakers were the same as were at Aylmer the previous night, except that T. W. Crothers, M. P., of St. Thomas, was not present, namely, David Marshall, M. P.; Richard Blain, M. P. for Peel; Joseph E. Armstrong, M. P. for East Lambton; C. A. Brower, M. P.; W. A. Jones, president Bayham Liberal-Conservative Association, chairman; and Dr. Johnston, of Port Burwell, secretary Bayham Liberal-Conservative Association. By actual count there were 143 farmers present, and all listened with attention and frequent applause to the excellent speeches.

A STIRRING RESOLUTION.

A stirring resolution disapproving of the proposed reciprocity agreement was submitted to the audience, and with but two exceptions every man rose to his feet in unqualified approval of the resolution, which was as follows:

"*Resolved,* That, in the opinion of this meeting, reciprocity between Canada and the United States would be against the best interests of the Canadian people, and we heartily indorse the stand taken by Mr. R. L. Borden and David Marshall, our esteemed representatives, on this question and hope that they will compel the Government to submit the question to the electors of Canada for their decision."

Those 141 farmers evidently do not understand this bill as its opponents here understand it. I confess I believe there is more reason for fear of the measure on the part of Canada than there is on the part of our people, and yet I do not think that anything but real good can eventually come to either country on account of its enactment. It would, however, be easier for me to conjure up fear of injury from the treaty if I were a Canadian than it is for me, an American, to imagine injury from it.

One must be particularly impressed with the arguments against this proposition by the Hon. George E. Foster, M. P., in the May number of the North American Review of this year. Mr. Foster is a member of the privy council, was educated in New Brunswick, at Edinburgh, and at Heidelberg, and has been minister of marine and minister of finance for Canada. He surely seems to be qualified to speak, and his experience in and knowledge of Canadian affairs and conditions entitles his opinions to great consideration. I submit an abstract of some parts of his article in the North American Review:

It (the Canadian reciprocity bill) has been condemned by the Boards of Trade of Toronto, Winnipeg, and Montreal, and by the Associate Boards of Trade of Ontario; by the Food Growers' Association of Ontario and British Columbia; by the market gardeners, by the business, banking, industrial, and transport interests, and by the Legislatures of New Brunswick, British Columbia, Manitoba, and Ontario. The Elgin-Marcy treaty was terminated against the wish of Canada. Canada's answer was the confederation of the disconnected Provinces, the evolution of a strong Canadian ideal, and the birth of a new nation. From that moment a new alignment of forces and a new trend of development superseded the ideals and plans of the past. The agreement narrows and restricts our (Canada's) fiscal freedom. It might temporarily suit our prairie Provinces, which raise no fruit, if fruit came in free from the United States; but if this deprived Ontario and British Columbia, which are large producers of fruit, of their market in these Provinces, and, in addition, exposed them to a ruinous competition in their own home market, the result would be otherwise than beneficial to Canadian development as a whole. It would shift the best of a profitable production from Canada to the United States, diminish the volumes of interprovincial traffic, and retard the home development of the food industry.

The pact is urged upon Canada on the ground that it opens to our farmers a market of 90,000,000 people. How much of that 90,000,000 market is accessible to our eggs, butter, cheese, fruits, vegetables, live stock, grain, and meat productions? Distance and cost of transport cut out nine-tenths and more. The remaining fraction is scattered along 4,000 miles of frontier, and its demands are modified by contingencies of seasons and localities. Even then our products, where they go, must compete with similar products raised near by and with cheaper access and better organized distribution.

But we can not forget that the same pact opens up the markets of Canada to the competition of 12 times as many producers whose seasonal and sectional surplus can be poured into the present home markets of our producers; the vast organized collecting and distributing trusts in meats, provisions, and agricultural products could easily flood our more accessible markets and become formidable competitors of our less highly organized producers and distributors. They have also to contend with climatic disadvantages in many lines of production, such as added feeding and fuel expenses, in more rigorous weather conditions, and in later and shorter seasons, which handicap them in comparison with more southern competitors.

Both your parties—

He refers to the two parties in the United States—

are protectionist, and apparently intend to remain so. Yet you offer to Canada free trade in all products, though you refuse it to the rest of the world. Why? You want extended markets for your manufactures, and you see to the north 8,000,000 consumers likely to be increased to 100,000,000 by the end of the century. You are becoming less and less exporters of food and raw materials and more and more exporters of finished products. Your natural resources are gradually diminishing, while Canada has immense virgin supplies. Access to this country will give you exactly what you desire in this respect. You will be able to replenish your depleted stores of raw material, carry on your manufacturing processes more profitably, and sell the finished products in the northern markets. In a word, you desire to make Canada for trade purposes like unto a State of the Union, except that you do not propose to employ your capital within her borders. You will draw her raw resources to your very own country and work them up by your very own people, and, of course, reap the profits.

The reciprocity pact cuts straight across this development and this ideal, disconnects our Provinces, attacks our industries, taps our east and west connections by north and south lines, and menaces our national solidarity.

Is it not strange that the Canadian boards of trade, food growers' associations, market gardeners, and farmers should oppose a measure which will bring them all the benefits which the opponents of this measure in the United States find in it for the Canadians?

This bill can not harm the farmers. It is the beginning of a policy which I have long favored, viz, a change of tariff conditions in conformity with the well-understood theory of protection. The items in this measure are clearly understood. We know what the cost of production is here and in Canada. As fast as the facts can be obtained in reference to other items and other countries the tariff schedules should be revised and a scientific system of duties established.

I want the wool, cotton, steel, and other schedules revised if a determination of facts disclose that revision is needed. I will not, however, close my eyes and blindly proceed in the matter. I do not believe that the people have repudiated the principle of protection. They have protested against old, unscientific methods. They want to know from competent authority what the difference in cost of production is in order that a duty equalizing that difference can be imposed.

Gentlemen have constructed a scarecrow from the bill of such hideous mien that they have become greatly frightened at their own creation. But, Mr. President, if the good which comes from this measure shall be confined to the benefits which flow directly and immediately from it, and they shall be all that can be expected, it will hardly be worth the political strife and bitterness which it has engendered, but to me it is only an incident to greater things which must grow out of it.

He who looks at the map of North America, after he has rubbed out all artificial political lines, sees a country of fields and forests, of mountains and plains, of rivers and lakes, of mineral and agricultural resources, distributed with lavish hand by the Great Creator of all, and yet not recklessly, but with almost apparent design.

The natural needs of one section can be readily supplied from another and one thus becomes the complement of the other. It is man's business to develop these natural resources and distribute where needed. If you look at that map you will see that nature's commercial highways are the lakes and rivers and seas, and they are not private but they are public highways. The Mississippi with its great tributaries connect the southern and middle western portions of this domain with the Gulf of Mexico. The Great Lakes and the St. Lawrence reach from the very heart of the continent to the Atlantic Ocean, and with these waterways fully developed, utilized, and controlled the transportation problems would be practically solved.

We have now settled the question of boundary between the United States and Canada. No fishery disputes disturb the amity of the two countries. An international high commission has been provided, to which all disputes will be submitted for settlement—the perplexing questions of international rates of common carriers have been cared for. This bill will be, we hope, a step in the direction of commercial peace and harmony. Thus the way will be open for the beginning of the final and greatest achievement of all, viz, the opening up to the mighty commerce of Canada and the United States a deep waterway from the Lakes to the ocean through that international stream, the St. Lawrence River.

And now, Mr. President, I desire in as brief a time as possible to discuss the amendment which I have offered to the so-called Canadian reciprocity measure and give to Senators the reasons which induced me to offer and support it.

May I ask the Secretary to read the amendment?

The PRESIDING OFFICER. The Secretary will read the amendment.

The SECRETARY. It is proposed to add a new section to the bill, as follows:

SEC. 4. That for the purpose of improving the St. Lawrence River from the Great Lakes to the Atlantic Ocean and waterways connecting the Great Lakes, the President of the United States is authorized and directed to enter into an agreement with the Dominion of Canada which shall provide, upon such terms as may be agreed upon, for a waterway of sufficient depth and width to accommodate deep-water or seagoing vessels for the common use and benefit of both countries and in furtherance of reciprocal trade relations between them: *Provided, however,* That said agreement before becoming operative shall be submitted to the Congress of the United States for ratification or rejection.

Mr. TOWNSEND. It is probable that the provision is not as well worded as it might be, but it is sufficiently clear to enable the Congress to understand it and the President to comprehend its intent, if it shall be presented to him for his action. It clearly does not affect the provisions of the bill, or any of them. It simply instructs the President to continue his efforts for the further reciprocal good of Canada and the United States.

I will, as best I can, present some of the benefits which would come to the people of the United States and of Canada from a deep or ocean waterway from the Great Lakes to the ocean, via the St. Lawrence River, and then I will discuss the feasibility of the project.

I think I realize some of the objections which will be urged against this amendment, and I confess that I have no hope of accomplishing its object until the utmost trust and confidence, the most complete faith and good will, exist between the people of the United States and Canada.

Being convinced that the project which I propose will confer greater benefits on both countries than those which flow from any tariff—that it would be, in fact, the consummation of the greatest contemplated benefits in trade—I seek to project it upon the attention of the Senate and of the country.

It is commonly accepted as true that the industrial and commercial progress of the world has depended in direct ratio upon the progress and development of the means of transportation.

In their primitive state mankind have been content to produce only what they have desired, and their desires were limited to the simple needs for satisfying hunger and for protection against the elements. But when their desires were increased and they wanted other than what they individually produced, the carrier or transporter became a necessity. At first the means of transportation were crude vehicles, hauled by men or animals on land, and equally crude boats and canoes, propelled by oars or wind on the water. The latter was the most efficient, and settlements followed the course of streams and waterways. But these streams and waterways were limited and only penetrated a small portion of the country. Watercourses were nature's highways, and to the people who could use them they furnished cheap means of transportation.

The interior portions of the country were in many cases more fertile and productive than land *adjacent to navigable* waters. Minerals of great value existed in places remote from water, and as these lands and minerals came into demand land transportation received attention. In due course the railroad was born and the country was settled up. Railroad building at first was slow, but as the possibilities of railroading, both speculative and practical, became more apparent, as inventive genius became more active, railroad companies were formed and lines constructed. There was a real contest for railroad business. That was before the age of consolidation. In time roads sufficient for the ordinary needs of industry were constructed; then began the struggle of railroad operators for monopoly; then began the age of consolidation. It was, however, a consolidation of railroads. The boat lines were independent, and wherever they existed they furnished real competition.

This Government has recognized the value of water transportation. It has spent $650,000,000 in improving its rivers and harbors, and has entered upon a most extensive and comprehensive policy of waterway improvement. It is seeking vigorously and intelligently, though not yet altogether effectively, to regulate land carriers; but about the only thing which

has effectively resulted in securing low and reasonable rail rates has been the establishment of water competition.

No one complains of rail rates between the Atlantic and the Pacific coasts, for these coasts are connected by the two oceans, and the land rate must meet the ocean rate. The charges by rail from Duluth to Buffalo are reasonable, because the lake boats make them so. The freight tariffs from the East or West to the Mississippi River are much lower than those over the same lines to nearer points from place of shipment but which have not the actual or possible advantages of Mississippi navigation. Indeed, the Salt Lake City merchant who buys goods in Boston or New York bills them through his home to the Pacific coast and then back to Salt Lake City, for the reason it is cheaper to do so. The Arizona wool buyer first ships his wool to Los Angeles and then across the continent to Boston, because the latter rate is fixed to meet ocean competition. The railroads haul coal from the Pennsylvania mines to Chicago at a lower rate than they do to Jackson, Mich., 200 miles nearer the mine, and for the reason that Chicago is on Lake Michigan, which is connected by water with Lake Erie, upon which the city of Erie is situated, and the coal might be shipped by rail to Erie and thence by boat to Chicago. Water competition is the one sure power which compels low freight rates.

This principle is generally recognized by States and by the Nation. He who investigates with care will discover that the freight rate enters into the cost of practically everything of human use, and its effect upon articles of consumption is to increase the cost far in excess of any increase caused by tariff duties.

Centuries ago European Governments recognized the necessity of common carriers and treated them as public servants. The old common law of England, adopted by the United States, provides that the rates and regulations of common carriers shall be just and reasonable. To the end that they shall be such, statutes have been enacted, and in recent years railroad-rate legislation has been the most important of Federal and State enactments.

The problem of cheap transportation is still unsolved; but already water transportation is recognized as the prime factor in the solution.

The Great Lakes extend into the very heart of the United States. Tributary to them is the most fertile territory of our country. On them and within an hour's ride from them are found our largest and most prosperous industries.

The iron, copper, coal, tin, salt, and other minerals of Michigan, Minnesota, Wisconsin, Illinois, Ohio, and western Pennsylvania would naturally find their way to markets over the Lakes if a deep waterway for ocean-going craft connected those Lakes with the Atlantic; the forest products of the great Middle Northwest could be floated to the ultimate consumer; railroads would have their termini on the inland seas, and to their waters could be carried the grain and other agricultural products for shipment to both shores of the Atlantic. Indeed, the Atlantic would be extended to Chicago and Duluth and a benefit to producers and shippers in the great Middle West, in excess of any other that has been suggested, would be extended. I can not easily overstate this benefit. Think of it, transportation for seagoing craft would be brought to within an hour of the center of population. At the docks of Duluth, Chicago, Port Arthur, Milwaukee, Detroit, Cleveland, Erie, Buffalo, and Toronto could be seen ships flying the flags of England, Germany, Russia, and of every other maritime power of Europe. Cargoes could be loaded in bottoms at Lake ports bound directly for their foreign destination. The Interstate Commerce Commission would have no occasion to pass upon railroad rates from the Middle West to the Atlantic. Water competition would keep these rates reasonable.

But shipments from the Middle West and Northwest would not be the only ones benefited. Goods going into those regions from the East would not be charged with the present high freight rates. They would get the benefit of water competition.

There are other great benefits which would come from the establishment of this waterway. On the Lakes are some of the largest shipbuilding yards in the country. In them are constructed some of the largest ships afloat, and these yards could compete in construction with the seaboard yards, and such competition might be of great value to the Government and to the shipping interests on lakes and seas.

Session after session of Congress the country is notified of its dangerous lack of colliers for use with its gunboats in time of war, and yet our Great Lakes are covered with leviathans that could be used in case of need, and that without expense of building and maintaining by the Government in time of peace. How much better to spend $150,000,000 in a waterway intrinsically worth the money, for commerce, and at the same time furnish a way to get collier freighters to the sea in case of necessity, than to spend $150,000,000 for boats which will probably never be needed. This is no idle fancy. The lake boats may not be constructed as a modern naval architect would build a collier, but they would answer the purpose, and are such as are now used in time of war. Many of the lake boats at the close of the lake season could go down to the sea and engage in the coastwise traffic in the winter season, and thus work the year round. On the other hand, a larger field will be opened to our coast-serving boats, and if it be true that a lake-boat monopoly exists, or is being formed, competition will tend to destroy it.

To me this scheme opens a possibility for a merchant marine without subsidy or other similar device. This waterway would induce the building, manning, and operation of seagoing boats on the Great Lakes.

The St. Lawrence River, with its sources in the very industrial and commercial heart of the continent, leads in a most direct line to the great marts of Europe. It invites the business of both countries to embark upon its waters. Nature never appealed more eloquent with advantages and opportunities than she does to these two countries through this waterway to-day.

I can already hear the objections which will be urged by representatives from the Atlantic seaboard of the United States. Already they think they see Montreal enlarged into the metropolis of the western continent, while New York, Philadelphia, Boston, and Baltimore contemplate their idle wharves and empty warehouses; but, Mr. President, they are victims of hallucinations; they are but seeing nightmares in their dreams.

A sufficiently developed Welland Canal and St. Lawrence River would but stimulate railroad facilities and railroad advantages, and a practical waterway sufficient for the needs of ocean traffic, extending from Duluth to the mouth of the St. Lawrence River, would be worth the cost to the people of the two countries, if but few additional boats sailed over the course. in the reduction of railroad rates and the additional railroad accommodations which would be furnished. This is one of the unquestioned lessons which such enterprises have taught the world.

But, Mr. President, believing, as I do, that this project would be for the good of the United States and Canada as a whole, I would still advocate it even if it should stop the phenomenal, nay, the somewhat dangerous, growth of our seaboard cities. But if great growth is the thing altogether lovely and most to be desired, what should we say of the possibilities in this regard which shall come to Buffalo, Cleveland, Detroit, Milwaukee, Duluth, Chicago, and other cities as a result of this project?

As for me, sir, I would for the good of my country hasten the movement of the center of population westward into the neighborhood of our greatest natural resources, into the region where exist those somewhat latent forces which must shape and control the great destinies of ultimate America. But no disaster can come from this to any legitimate interest. It will stimulate growth and prosperity everywhere. In all prosperous times, in some seasons of all years, there is great complaint that traffic is retarded and great loss to business incurred by reason of insufficient shipping facilities. This plan would tend to relieve congestion by furnishing additional facilities and by inducing collateral railroad development.

I have suggested some of the benefits which would flow from a waterway such as I have proposed. I now desire, as briefly as may be, to discuss the feasibility of the plan, and in doing so I deeply sense the fact that I am not an engineer and that my utterances may be properly characterized as those of a novice. There are, however, some demonstrated facts, certain things in being, to which reference can be properly had and upon which I can draw for information, and thus, in a measure, and to that extent, relieve myself from the charge of speculation so long as the analogy is unquestioned.

One of these demonstrated facts is that a waterway for boats drawing not over 14 feet is already established and in operation on this proposed route now. Last year the total canal traffic of Canada was 42,990,608 tons, of which the Sault Ste. Marie Canal is credited with 36,395,687 tons, the Welland Canal with 2,326,290 tons, and the St. Lawrence canals with 2,760,752 tons, and the growth of this tonnage in late years has been most phenomenal. For instance, the total Canadian tonnage in 1901 was 5,665,259 tons; in 1905 it was 9,371,744; and in 1910 it was, as I have stated, 42,990,608 tons. Now, if boats of 14 feet draft can sail from Lake Erie to the Atlantic Ocean by means of canal and river improvement, is it fanciful to say that the largest boats after greater improvement can do the same?

In the first place, such a waterway as I propose must be practicable for the needs of navigation if it is to be undertaken. To be practicable, it must be so constructed and operated that boats may sail in reasonable safety, with proper dispatch, and under such international arrangements as will facilitate mutually the free and unnecessarily restricted commerce of both Canada and the United States.

The St. Lawrence River route has been selected, because it has sufficient water and takes, as I have stated, the most direct course to the great markets of Europe. Open-water sailing is greatly preferable to canal navigation. Greater speed is possible. Accidents are less imminent. The cost is materially less. Some canals with locks will be necessary to complete the project, but the fewer of these there are the more desirable and practicable the route.

I have stated that there already exists a waterway on this line for some boats. Canada alone has spent upon her locks and canals in the St. Lawrence, including the Cornwall Canal, and between Lakes Erie and Ontario about $97,000,000. Owing to the small dimensions of the Welland Canal and locks and of those in the St. Lawrence and to certain Canadian regulations as to lockages on Sunday, and so forth, comparatively few American boats use the St. Lawrence route, although the number is increasing. Last year 692 American vessels passed through the St. Lawrence Canal, or, rather, 692 trips were made by American vessels.

If the locks and canals in the St. Lawrence and between Lakes Erie and Ontario are enlarged sufficiently, it will be possible for the largest boats to pass through them. Fortunately, the fall of water from Lake Erie to Montreal, which makes canals and locks necessary, also engenders the greatest dynamic force to be found on the continent. These moving waters contain a power which, properly harnessed and controlled, could drive a majority of all the machines of our mighty industries. And power is coming more and more into demand. To utilize that power dams below the rapids will have to be constructed. These dams will check the flow and create pools of deeper water over what before were rocks dangerous to navigation. Is it chimerical to believe that much of the waters in the St. Lawrence, now impassable for ships, may be made navigable by dams constructed for the purpose of generating power?

There was pending before the Senate last session a proposition for a private corporation to build and operate such a dam at the Long Sault Rapids in the St. Lawrence, and the provisions in the proposed grant all had in view construction and operation in such a manner as to facilitate open water as well as lock navigation. And so valuable did the concessionaires regard this latent power in the waters that they are willing, not only to build their locks and dams so as to facilitate navigation, but they were willing to pay something per horsepower generated for this concession.

This suggests the probable fact that the power possibilities of the St. Lawrence can be made to pay for improving much of the rivers. I am informed that by proper dam construction practically all of the rapids in the river save one can be overcome in this way, and with little expense to either country.

How much of the improvement of the St. Lawrence can be secured through the development of its water power? Is it not of sufficient importance to empower and instruct the President to investigate and report upon?

The Welland Canal would need to be enlarged, or a new canal dug, and larger locks constructed. But no mechanical prohibitions intervene. Whatever improvements are made in furtherance of this project must and should be made through a joint understanding, if not through the joint operation, of Canada and the United States. The waters lie in both countries. The benefits would inure to both. The binational control of these waters may make it desirable that improvements made in waters lying wholly in United States territory should be made by the United States, and improvements similarly made in Canadian waters should be made by Canada. And if improvements are made by impounding waters, as they should be wherever possible, the benefits from power should inure to the country in whose territory the power site is located.

Improvements in boundary territory should be made by both countries and mutual power benefits should go to both.

The fees from lockages should be apportioned according to location and benefit, but they should be reasonable and uniform. If, however, it shall develop that private power companies will not be found to construct dams, which will contribute materially to the accomplishment of the plan, or, if the total cost to Canada should seem to her prohibitive, I believe an international agreement can be entered into whereby the United States can perform the work without embarrassment to Canada.

I am aware that there are canal projects now pending before the Ottawa Parliament, but none of them is as feasible as the international waterway which is here proposed. If this route lay all in Canada, no one in that country would consider the Georgian Bay-Ottawa River route, or any other, in preference to this one. This is a gigantic enterprise which is proposed, but it is in keeping with the spirit of modern enterprise, and with harmonious action on the part of these two great modern Nations it can be accomplished to the glory and immeasurable benefit of both.

It will cost much money, but its accomplishment will warrant the expenditure. How much it will cost I can hardly approximate, and yet we can find some information on the subject. In 1906, when President Taft was Secretary of War, a survey was made for the purpose of determining the cost of a 25-foot channel of sufficient width from Duluth and Chicago to Buffalo, and the total amount was $26,000,000, besides several millions to be expended in dredging some of the lake harbors to the 25-foot depth. This survey and estimate included improvement in the St. Marys River and locks costing $11,000,237; in the passage from Lake Huron to Detroit River, $2,334,180; in the Detroit River, $11,571,450; in Grays Reef passage from Lake Michigan into Lake Huron, $426,500; or, in all, $25,938,367.

Canada has, as I have stated, expended $97,000,000 on portions of this waterway. It may cost both United States and Canada, on the distance between Lake Erie and Montreal, $150,000,000 for a waterway of sufficient depth to accommodate seagoing vessels. This amount may be materially reduced by assistance from power-developing companies. It may cost more than this sum. But Canada is seriously considering a water route from the Lakes to Montreal through Georgian Bay and the Ottawa River; and another by canal from the southern part of Lake Huron across to Lake Erie, and from Lake Erie either through the enlarged Welland Canal or a new one across to Lake Ontario, thence down the St. Lawrence to near Ogdensburg, and from there by canal to the Ottawa River, and then down to the St. Lawrence.

There are too many canals in these schemes; too many obstacles to be overcome, it seems to me, and, besides, the course laid out by nature seems the reasonable one, and I believe it is possible for the two Nations to agree upon some system of improvement which will be mutually satisfactory and beneficial. Anyway, Mr. President, the project is so big with possibilities that it should be given the most serious thought and investigation by the two Nations which are, we hope, entering upon an era of good will and amity.

To me this is a greater proposition than the Panama Canal. It has within it potentialities of great proportions. Had time permitted I could have shown something of the mighty commerce which would be benefited by this deep waterway. Last year more than $700,000,000 worth of tonnage sailed down the Detroit River. More than 50,000,000 tons of freight passed through the Soo Locks. Much of this immense value and tonnage was destined for foreign trade. Suppose it could have been loaded into ships which would carry it without reloading to its European destination? Can you comprehend the saving to industry, the gain to producers? With such a waterway established, our grain and other agricultural products raised for foreign consumption would not have to pay the tolls of reshipment and excessive railroad rates, and the farmer would get the benefits. The copper and iron manufactured for the foreign trade would be turned out at the furnaces, smelters, and factories erected upon the Great Lakes—an arm of the sea.

Mr. President, this may be a dream, but some day the dream will come true. It may come in the distant future. But it will come. Impatient as its advocates may be for the hour of its consummation, they will not be discouraged. That it looks to the future for the realization of its hopes is no valid objection to any worthy cause.

Canadian reciprocity, with its attendant possibilities, must not be judged entirely by its present achievements, neither by those of the immediate to-morrow. It should be judged by its continent-wide outlook into the future. It is an earnest of that good day when these two nations of the same ancestry, possessed of the same hopes, and striving for the same high ideals, will have recognized the great truth that it is wasteful to industry and detrimental to social and moral progress to wage trade wars and a mistake to refuse or neglect to use those natural advantages which are pregnant with mutual benefits waiting to be delivered by international cooperation.

Mr. PAGE. Mr. President, before the Senator from Michigan takes his seat, I should like to ask him if he has in his studies investigated in any way the route from New York via Lake Champlain and the St. Lawrence River to the West?

Mr. TOWNSEND. In 1896 the Government authorized the Secretary of War to investigate the proposition of a waterway all within the United States, or waters bounding the United States from the Great Lakes to the Hudson River. The route to which the Senator from Vermont refers was one of three routes investigated, and a voluminous report was made in July, 1897. The Army engineers reported adversely on all of the three propositions. It was thought that the expense, $200,000,000, would be too great, and besides, the particular route to which the Senator refers would include too much canal navigation. I am not quoting literally from that report, but that is the impression I have of it.

Mr. PAGE. But, Mr. President, if the canal to which the Senator has been referring, if the waterway down the St. Lawrence River is ever deepened so as to accommodate seagoing vessels, is it not true that the expense of connecting the St. Lawrence River with Lake Champlain will probably be very slight, and that Lake Champlain and the Hudson River together almost fill the gap between the St. Lawrence and New York City?

Mr. TOWNSEND. I quite agree with the Senator from Vermont that, if this scheme of developing the St. Lawrence River is carried out, the additional plan of connecting the St. Lawrence with Lake Champlain will be easy of accomplishment; and I have no doubt that, in the interest of the great State of New York and of the great East in fact, such a scheme would be completed.

Mr. PAGE. I have been very much interested in what the Senator from Michigan has said with reference to this waterway, but I could not allow the opportunity to pass without suggesting that the project having been completed as he would complete it, so far as expense is concerned, from Lake Champlain to the St. Lawrence River—and he will bear in mind that the Richelieu River is the outlet of Lake Champlain, and passes into the St. Lawrence River—is a very feasible project. It only remains to build from the lower end of Lake Champlain to the Hudson River at Troy or Albany, and that, I suppose, is less than a hundred miles——

Mr. TOWNSEND. And some work has been done on it. The Champlain Canal covers part of the distance.

Mr. PAGE. And there is already a canal there. It seems to me that the tonnage from New York to the West by way of this waterway would approach very nearly that of the foreign traffic to which the Senator has called attention.

The VICE PRESIDENT. Are there further amendments to the bill to be offered as in Committee of the Whole?

EXECUTIVE SESSION.

Mr. NELSON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 15 minutes spent in executive session the doors were reopened.

RECIPROCITY WITH CANADA.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4412) to promote reciprocal trade relations with Canada, and for other purposes.

The VICE PRESIDENT. Are there further amendments to be offered to the bill as in Committee of the Whole? If not, the bill will be reported to the Senate.

The Secretary proceeded to read the title of the bill, and was interrupted by,

Mr. CLAPP. Mr. President——

The VICE PRESIDENT. The Senator from Minnesota.

Mr. CLAPP. Out of order, I ask leave to offer an amendment which I intend to propose to the bill (H. R. 4413) to place on the free list agricultural implements, cotton bagging, cotton ties, leather, boots and shoes, fence wire, meats, cereals, flour, bread, timber, lumber, sewing machines, salt, and other articles.

The VICE PRESIDENT. The amendment will be printed and lie upon the table.

If there are no further amendments to be offered to the pending bill as in Committee of the Whole, the bill will be reported to the Senate.

The Secretary read the title of the bill.

The VICE PRESIDENT. The bill is in the Senate.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. The Senator from Idaho.

Mr. BORAH. Mr. President, I do not desire to occupy unnecessarily the time of the Senate in regard to this measure, but before it shall finally be voted upon I desire to submit a few remarks.

Mr. HEYBURN. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to his colleague?

Mr. HEYBURN. I merely ask for information: Is the bill in the Senate?

The VICE PRESIDENT. The bill has been reported to the Senate, and it is now in the Senate.

Mr. NELSON. When was it reported to the Senate, Mr. President?

The VICE PRESIDENT. A very few moments ago. It was the last business that was done.

Mr. NELSON. I was not aware of that. The bill was called up and the action was rather sudden. I do not think that is right.

Mr. BRISTOW. Mr. President, I am certain that there was not one Senator in five who had the slightest idea that such action had been taken with this bill.

The VICE PRESIDENT. The Chair stated the question distinctly; and after the Chair had made the statement, he waited. The Senator from Minnesota [Mr. CLAPP] asked recognition from the Chair. It was then granted. After the Senator from Minnesota had offered his amendment, the Chair again stated the question, and no Senator then spoke. The Secretary reported the bill to the Senate, and the Chair then announced that the bill was in the Senate, whereupon the Chair recognized the Senator from Idaho [Mr. BORAH].

Mr. BAILEY. Mr. President, I think there is no criticism of the Chair, but I think it was not the desire of the Senate that the bill should leave the Committee of the Whole; and, if it is in order, I ask that the bill be recommitted to the Senate as in Committee of the Whole.

The VICE PRESIDENT. Is there objection to the request that the bill be returned to the Senate as in Committee of the Whole?

Mr. PENROSE. I object.

Mr. BAILEY. Then I move that the bill be returned to the Senate as in Committee of the Whole.

The VICE PRESIDENT. The Senator from Texas moves that the bill be returned to the Senate as in Committee of the Whole.

Mr. STONE. Mr. President, I ask the Senator from Pennsylvania, in charge of the bill, to consent to that. I am quite sure Senators did not understand the matter. They were inattentive. It was not the fault of the Chair, but the fault of the Senate. I am sure very few understood what was going on at the moment, and I hardly think, as a friend of the bill, that substantial progress can be made by that course, although I leave it to the Senator from Pennsylvania, who has had great experience.

Mr. BACON. Mr. President, I want to echo the utterance of the Senator from Missouri. I do not think it is consistent with the usages of the Senate to insist upon anything which has been done through inadvertence. I quite agree to the fact that there is no possible criticism upon the Chair. The facts are exactly, and the announcements were made exactly, as stated by the Chair, and I so understood them at the time they were made; but I was none the less conscious of the fact that the Senate at large did not know that the announcement was being made. There is a universal practice in the Senate, whenever anything has been done by inadvertence, that it should not be insisted upon; and, as a friend of the bill, I also join in the request of the Senator from Missouri to the Senator from Pennsylvania to consent that the request be acceded to upon the ground that it was not the deliberate act of the Senate and not the intention of the Senate.

Mr. PENROSE. Mr. President, I do not want to take any unfair advantage of the Senate or of any individual Senator in the consideration of this bill, but it seems to me that a little fair treatment toward this measure is justly to be expected. The Senate this morning refused to fix a date for a vote, and now, apparently, no one is willing to proceed with a discussion of the measure. This will not be the only time that Senators will be caught napping if they are not prepared to go on with the consideration of the bill.

Mr. BAILEY. We do not want to catch anybody napping in the Senate.

The VICE PRESIDENT. The Chair does not think anybody was caught napping.

Mr. PENROSE. I do not mean to say, from my point of view, that anybody was caught napping, but the allegation of Senators who wish this action reconsidered is that they were caught in a condition when they were not giving careful attention to legislation.

Mr. BAILEY. The Senator is mistaken. I did not say that.

Mr. PENROSE. Then I misapprehended the position of the Senator.

Mr. BAILEY. I said, evidently the Senate did not desire that the bill should be reported from the Committee of the Whole to the Senate; and I think that will be made manifest if a roll call on my motion is rendered necessary.

Mr. PENROSE. The question was put deliberately by the Chair, and it was very evident that none of the Senators interested in opposing this measure were giving sufficient attention to the proceedings of the Senate to know what was going on or what would be done. I am perfectly willing to withdraw my objection and let the bill go back to the Committee of the Whole, but I hope that the Senate will show some appreciation of the course and proceed with the consideration of the bill.

The VICE PRESIDENT. The Senator from Pennsylvania withdraws his objection. If there be no further objection, the bill will be considered as again in Committee of the Whole. No other objection is heard. The Senator from Idaho [Mr. BORAH] is recognized.

Mr. BORAH. Mr. President, as the basis of some remarks I expect to make later upon this bill, I desire to put into the RECORD something in the nature of historic facts with reference to reciprocity and the position of the party of which I am a humble member upon this important subject.

My early training and environment lead me to desire to talk to a text, and I read as a text to-day the following:

The western farmer's instinct is wiser than Mr. Gladstone's philosophy. The farmer knows that the larger the home market the better his prices, and that as his home market is narrowed his prices fall.

Everyone will recognize that this is a statement made by Mr. Blaine in his famous controversy with Mr. Gladstone upon the question of protection or free trade. No one in his day ever doubted the ability of Mr. Blaine to deal with this subject. He was a profound student, a brave and fearless defender of his faith at all times and against all comers. Along the same line, I call attention to a statement made by the late Speaker Reed:

If we propose to abandon any industries, we had better not let it be the agricultural industries. Between the Atlantic and Pacific stretch vast regions still untilled. The next victory of protection should be there.

Our system of protection is not for manufacturers alone. It is for farmers also. Whoever deprives our farmers of all the American market they can occupy is false to his principles and must meet with defeat, or the system must be surrendered which proclaims that American markets are first of all for American citizens, who are engaged in developing the country we already have.

No one will question an authority so high upon the subject under discussion. Mr. Reed, had he been permitted to speak upon this occasion, could not have spoken more trenchantly and effectively than he did in almost the last utterance which he made upon the subject of protection. The leader of his party in his day, an intellectual giant, need I go further in justification of my position as a Republican in the unpleasant duty of opposing this measure? I call attention particularly to this sentence:

Between the Atlantic and Pacific stretch vast regions still untilled.

There is to-day, according to the statistics furnished us by the Bureau of Statistics, one-half of the agricultural lands of the United States in private ownership that are not under cultivation. There are outside of the lands which are in private ownership easily 75,000,000 acres of public lands that are as well fitted for agricultural purposes as those which are now under cultivation. In other words, there are millions of acres of land well fitted to produce and with proper encouragement would be reduced to cultivation and which it would seem it would be the part of wisdom upon the part of the American people to encourage to be placed under cultivation. Why deal with the foreigner with millions of untilled acres at home, which, if tilled, would not only bring more products to the market, but more taxes to the Treasury and thus lessen the burdens of all?

I read also a statement from another source—politically speaking:

In the year 1832, when the question was under consideration in the Senate, Mr. Benton, speaking on Mr. Clay's tariff resolution, called attention to the fact that our domestic manufacturers, having a high tariff on their fabrics, were producing many from raw material from foreign countries, and showed that our flax fabrics were from foreign flax, and he cited wool, hemp, indigo, hides, and furs, of which five articles we had imported in six years $25,000,000. Commenting on the fact, he observed:

"This immense sum has been paid to foreigners instead of to American citizens."

Among other things he said:

"The farmers and planters of the United States should be admitted into the benefits of the American system and secured in the domestic supply of the raw material to our manufacturers. I hope for this much for the farmers and for the honor of the system, for nothing can be more absurd than to erect domestic manufactures upon foreign (raw) material; nothing more contradictory than to predicate independence for goods upon dependence for materials to make them of; nothing more iniquitous than to give to the manufacturers the home market of goods and not to give the farmers the home market of raw materials."

Mr. Jackson, in one of his messages to Congress, used this language:

The agricultural interest is so essentially connected with every other and so superior in importance to them all that it is scarcely necessary to invite to it your particular attention. It is principally as manufactures and commerce tend to increase the value of agricultural products and to extend their application to the wants and comforts of society that they deserve the fostering care of government.

These quotations from the opposition party will serve also to remind how far both parties are wandering from the wholesome political principles of other days, days when men realized that the first care and duty of the statesman and the patriot was to look well to the producing classes—the laborer, the miner, the farmer.

These excerpts from distinguished leaders of those times are quoted with a view of making them applicable later in the discussion.

We had a treaty with Canada in 1854. It remained in force until about 1865. It was very similar to the treaty now under consideration. In some respects it was better. But it was similar in that it dealt alone with natural products of the farm, similar in that it opened our markets to the agriculturist of the Dominion.

This treaty was unsatisfactory from the day it was signed until it was repealed. It proved to be greatly to the detriment of the American farmer and American interests, and very greatly to the advantage of the Canadian interests and the Canadian farmers. In this connection, I call attention to an editorial from the New York Tribune, under date of December 15, 1864, and about the time that this treaty was being abrogated, written by Mr. Greeley, wherein he says, among other things:

The treaty was a swindle from top to bottom, such as would be a reciprocal contract to exchange coals between Newcastle and Paris—it gave Canada the free use of our markets in which to sell her enormous agricultural products. * * * It gave Canada the use of our markets and short highways to the Atlantic for literally nothing. * * * The treaty was a contrivance to build up an enormous empire on our flank by the untaxed use of our high-priced markets.

The editorial is an extensive one, and well worth study and consideration.

I also call attention to a leading editorial from the Chicago Tribune, under date of December 21, 1864, at the time that this treaty was under discussion for abrogation. After calling attention to some matters which had been advanced as an argument in favor of continuing the treaty, the editorial continues:

On the other hand, the treaty enables Canada to compete with our own people in the lumber trade to the great disadvantage of our northwestern lumber districts, and in the coarse grains—oats, barley, etc.—it enables Canada to compete with our western farmers and dealers in the eastern markets. Thus much for our export trade. Our import trade, under the treaty, is inconsiderable. The whole amount of merchandise received at the port of Chicago under the treaty in 1862 was but $45,763, of which $16,640 was brought in foreign vessels. In 1863 the trade was $58,238, of which $27,877 was brought in foreign vessels.

When we enlarge our inquiry into the effects of this treaty to the whole country, it is undeniable that in some respects it is very far from being reciprocal, and that it has vastly benefited Canada at the expense of the United States. The Canadian statesman and the Canadian press freely admit that it has so built up the Canadian people as to put an end to the former disposition of many of them for annexation, and as one of the members of Parliament, Hon. Isaac Buchanan, expresses it, "Has left the Canadian farmer nothing to envy in the condition of the American farmer." He further says, "And but for the most obvious providences, among which is the obtaining our reciprocity treaty with the United States, the disruption of the empire would have been endangered before now." The inference is that a repeal of the treaty would induce a return to their former feeling of dependence upon us and desire for annexation. We might cite the whole Canadian press in proof of the fact that the treaty has built up Canada, but we prefer the dryer, more incontrovertible statistics which prove that the profits which result from the treaty are all on the Canadian side, like the tracks before the lion's den, all *going in, none coming out.*

I call attention here to the fact that this is from a paper which was then friendly to reciprocity, and which, I understand, is still friendly to reciprocity, but it has more company now than it had then.

In the four years from 1850 to 1853, inclusive, the importations free of duty from Canada to the United States were $4,107,392, while the importations paying duty were $15,200,634, or nearly four times greater. But the importations free of duty after the treaty took effect in four years from 1856 to 1859, inclusive, were $59,419,925, and those subject to duty had fallen off in the same time to $2,150,394, or only 1 in 28.

Now, while the distinguished Senator from New York [Mr. ROOT] was greatly exhilerated over the proposition of the friendlier relations which would arise between Canada and the United States and the augmenting of the trade between those two countries, if we are to judge the future in the light of past experience we shall find that Canada, as every other nation, will seek at all times to build up itself and will take advantage of the reciprocity agreement to aggrandize and accentuate its differences rather than to curtail them in accordance with the spirit of reciprocity.

This is not reciprocity, but a clear gain to the Canadas. In 1858, when the United States collected duties only on $313,953 in value of Canadian productions, those of American labor upon which duties were paid in Canada amounted to $4,524,503. During 1856–1857–1858 the amount of American industry taxed in Canada was $18,294,293, more than that of Canadian production taxed in this country. Their trade has almost ceased to be a source of revenue to us, while from our trade they draw their custom contributions.

In 1856 we imported from Canada free $17,810,684 in merchandise. Had it been subject to the usual revenue it would have paid us some four millions. In the first four years after the treaty came into operation we received of the list of articles named in the treaty $28,771,691 in value more than Canada received from us, paying for them, of course, in gold, exchange, or duty-paying products. These figures all go to show that the treaty makes Canada the seller and we the buyer, while what we have to sell she does not buy. This causes a drain of coin, of which we paid them in 1862 $2,530,000, and in 1863 $3,502,180. Indeed, it is estimated that in gold or its equivalent we export, as the effects of the treaty, $10,000,000 annually to pay for agricultural production, all of which the Northwest can far more profitably supply.

It will be remembered that the treaty refers to raw material and natural products alone, the very articles for which Canada and the Western States need a market, while manufactured goods, which might restore the balance if allowed to be exported from the Eastern States, are not covered by the treaty. On the contrary, since the treaty was passed, the Canadians have shut these out by levying ad valorem duties on all imports which, so long as English manufacturers can produce an article at less cost than the American, excludes the latter. These and similar arguments are having their effect in the mind of the majority of the people of this country. It is argued that while there is a possible gain to one or two agricultural interests, yet on the whole the farmers of Canada are being enriched at the expense of our own. We feel that as in and by this treaty we have given Canada her recent prosperity, so, by the right of rescinding it, we hold that prosperity still in our hands. When in return for the advantage we have thus conferred we find that substantial benefits are not even repaid with common good will, but to the very independence to which we have contributed is displayed in siding with our national enemies, it is not at all remarkable that even among the friends of the reciprocity treaty many are inquiring closely into the relative profits of the bargain we have made, or are disinterested, and on purely national grounds demanding that, whether profitable to some of us or not, it must be terminated.

This is an editorial, written, it seems to me, dispassionately, at a time when the actual experience was with us and based upon facts and figures which are elsewhere sustained and verified.

We have throughout the great western country and the great Northwest the capacity to do what Canada is now invited to do, and that is to supply the home market with the natural products. The simple question is, Shall we be turned aside after building up the eastern market for a foreigner? Mr. President, if there is one cardinal principle in the protective system more permanent and distinctive than all others it is that the American market place belongs to the American producer so long as he is able to supply that market. With one-half of the agricultural lands in the United States untilled, with millions of acres of public lands yet to be cultivated, what reason is there for American statesmanship to turn from the encouragement of the American farmer to produce and fill the American market place, to barter and trade with the foreign producer? Why turn the settler's face toward Canada instead of the unsettled lands of our own?

It is an acknowledged fact that within the last 8 or 10 years the prices upon the American farm have been augmented to such an extent as to bring about, if not a return of those who have left, a retardation of the movement from the farm to the city, and hundreds and thousands of acres of lands which had been abandoned from 1870 to 1890 have been reclaimed in these different States and are to-day entering upon an era of cultivation and production.

There is one of the great States in this Union, which I might mention if necessary, that in 1900 had 20,000 farms advertised for sale, and farms in one of the great rich valleys of the State which had sold for $150 an acre were selling for $20 and $30 and $40 an acre.

It is a fact, evidenced by statistics which no one, I apprehend, will controvert, that within the last five years hundreds and thousands of acres of those abandoned farms have gone back under cultivation, and the price which was reduced from $30 to $40 has been increased from $75 to $80 and $100 an acre.

Mr. MARTINE of New Jersey. Will the Senator yield to me for a question?

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from New Jersey?

Mr. BORAH. Yes.

Mr. MARTINE of New Jersey. I want to ask if the Senator from Idaho insists that the occupation of those farms came through the process of the tariff? Were not those farms occupied in spite of the tariff? The fact is, sir, that the multiplied immigration has occupied those farms, and the zenith has not yet been reached. Thousands of farms are still vacant to-day throughout the State of Connecticut and many other portions of our Union.

Mr. SMITH of Michigan. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Michigan?

Mr. BORAH. I yield, but I should like to answer the Senator from New Jersey, because he asked me a question.

Mr. SMITH of Michigan. I think you ought to answer him.

Mr. BORAH. I think that of course the farm would be occupied regardless of the tariff. But there can be no doubt, I presume, that the extent of the occupancy and the extent of agriculture will be somewhat controlled by the price which the farmer realizes for his products.

It is quite true, as was said so well by the Senator from Texas [Mr. BAILEY] the other day, that a tariff will not close up a farm in the sense that it will close up a manufacturing establishment, because the farm is a home. The farmer must fight not only for material success, but he must fight for his home. But it makes the condition severer and harder for men to stay there, and gradually they work themselves away from the farm into the city, where they can secure a competency.

Mr. MARTINE of New Jersey. What——

Mr. BORAH. I know that my friend, the Senator from New Jersey, is a farmer, but he is not our kind of a farmer. He has been speaking here in the interest of the American farmer and as a farmer for some days. I could not believe that the distinguished-looking gentleman, with his gold spectacles and his Hyperion curl, was indeed a farmer, so I began to investigate. I found that my friend about 18 or 20 years ago had a farm of 160 acres down in his State of New Jersey, and that he farmed it for awhile and played politics some. About 10 or 15 years afterwards a great manufacturing town, built up by manufacturing, grew to his farm, and he cut up his farm into little lots and built 75 or 100 houses upon them, and sold or rented the houses and lots and came to the Senate of the United States.

Mr. MARTINE of New Jersey. I should like to say to the Senate that the diagnosis of the Senator from Idaho is fairly correct. I want to say further that I have lived on a farm all my life, and until the past three years I have been an active farmer and could cradle a field of rye equal to any other gentleman in this body. Further, in answer to the charge of the distinguished Senator that I built houses, I say yes; and I built them with unprotected American labor. My laborers were in competition with the open markets of the world, competing with the pauper labor that you protectionists have been telling us so much of. And let me say that while I built about 75 houses, when I had built about 5 houses I found had it not been for the iniquitous and accursed system of this intolerable tariff I could have built 3 more houses with the same money. Take the tariff off of the hardware and the glass and the other things that enter into house construction and I could have built 5 where I built 3.

I will say to you that my carpenters were paid under the nonprotective system, open to the pauper markets of the world, $3.50 per day; my masons were paid $4.50 per day; my hod carriers, $2.50; and my painters, $3.50.

Now let me ask, since the distinguished Senator has opened up this question——

Mr. BORAH. Mr. President——

Mr. MARTINE of New Jersey. Let me ask the Senator——

The VICE PRESIDENT. Does the Senator from Idaho further yield to the Senator from New Jersey?

Mr. MARTINE of New Jersey. As the Senator has opened up this question——

The VICE PRESIDENT. One moment, until the Chair ascertains whether the Senator from Idaho will further yield. He has indicated that he did not desire to yield further. Does the Senator from Idaho further yield?

Mr. MARTINE of New Jersey. My friend——

Mr. BORAH. I dislike not to yield, but I should like for the Senator to confine himself to a question.

The VICE PRESIDENT. Does the Senator from Idaho yield?

Mr. BORAH. I do.

Mr. MARTINE of New Jersey. The distinguished Senator has opened the door. I want to show you, my distinguished friend from Idaho, the contrary side of the protected industry. My laborers receive $3.50, $4, and $5 per day in the open markets of the world. In mills 8 miles from my home—in factories, mills, and workshops protected to the zenith under the process of the hateful tariff—I find American white women and girls working in woolen mills and factories under the munificent tariff system for 85 cents and 90 cents a day.

Turn 12 miles in the other direction to Paterson and Passaic and see the miserable, measley pittance that white women under the protective system get, until women get scarcely money enough to hold body and soul together. Ah, God knows

you are welcome to the glories of the protective system that has made paupers on one side and millionaires beyond the dream of avarice on the other.

Mr. BORAH. Mr. President, suffice it to say that I am still here. I have great sympathy with the kind of farmers the Senator from New Jersey represents—a man seventy-five times a landlord and perhaps many times a millionaire——

Mr. MARTINE of New Jersey. No; I plead not guilty.

The VICE PRESIDENT. The Senator from New Jersey will address the Chair.

Mr. BORAH. I can understand precisely how it is that at least one farmer got into the American Senate. But, Mr. President, it is evident from the statement of the Senator from New Jersey that under this iniquitous tariff system he has prospered well. No one can certainly complain of the success which he has had. New Jersey, of all the States in the Union, has received most benefit from the protective tariff system. That is the reason, Mr. President, why a farmer in the well-protected State of New Jersey can come in here as a Senator, many times a landlord, while the farmers in other parts of the country not so well protected, farther from the market, must be content with what feeble representation they have.

Mr. MARTINE of New Jersey. Mr. President, will the Senator allow me to say——

The VICE PRESIDENT. One moment, until the Senator from Idaho indicates that he will yield. Does the Senator from Idaho yield?

Mr. BORAH. I yield for a question.

Mr. MARTINE of New Jersey. I want to answer. When the Senator says that I am a hundred times a millionaire, I tell you I plead not guilty; but I want——

Mr. BORAH. I was judging from his appearance only. [Laughter.]

Mr. MARTINE of New Jersey. My appearance deceived you. If you want to get the truth, you can turn my pockets inside out. I want to say, in anwser to the distinguished Senator, I am proud of the fact that I am the first Senator from the little Commonwealth of New Jersey who was elected by the vote of the people, and not a sou marqué was expended in my political campaign.

Mr. GALLINGER. It was rather a small vote.

Mr. MARTINE of New Jersey. Never mind; I got all the votes that were there for me.

Mr. GALLINGER. It was a very small proportion.

Mr. BORAH. Of course, I did not desire to call in question the election of the Senator. I am glad that he is here, the Senate would be a dull place without my friend from New Jersey.

Mr. President, I want to call attention now to some further facts with reference to the treaty of 1854 to 1865. I have said that the Canadian reciprocity agreement of 1854 to 1865 was unsatisfactory; that it proved to be beneficial to Canada and greatly to the detriment of the United States.

I want to read a few extracts from a report made to the Secretary of the Treasury in 1860, by Hon. Israel T. Hatch, after a pretty thorough investigation.

I know, Mr. President, that these things will seem dull and uninteresting, but they are the things which tell the effect of such a measure as we are now proposing to enact, and they represent the actual workings of that which in theory is supposed to be quite different.

Familiar as the public mind must have been made with the principles which finally produced this treaty by these and similar almost authoritative expressions of opinion, brought home at intervals as these ideas must have been to the legislation and diplomacy of the country, it is not surprising that this practical but limited experiment in substantial free trade was attempted. The leading idea of the treaty itself was to permit the introduction of the products of one country into the other free of duty, and consequent reciprocal benefits were expected to follow to both. The various colonies included in its provisions were left to regulate their own tariffs, and each colonial power can annul its honorary obligations without reference to its sister Provinces or the engagements of the Empire. No statesmanship could, however, fortell the workings of the treaty or had a right to anticipate legislation adverse to its spirit. Correct in principle as the treaty itself was, the perversion of its spirit and the disregard of its substance on the part of Canada have produced results it is the province of this report to exhibit.

The conduct of the Canadian Government is not brought forward for the purpose of criticizing, but for the purpose of explaining that which we may anticipate will happen again; that the Canadian Government, using the reciprocity agreement as a basis, will serve its individual and selfish purposes as best it may; and this delightful and inspiring doctrine of the brotherhood of man and sisterhood of woman will have very little to do when Canada comes to apply the proposition of building up her great industries. We will still be in severe competition with the great nation upon the north, and whatever advantage is given to that nation by reason of the reciprocity agreement will be taken and utilized to aggrandize its forces and its ability to grow rather than an incentive to return a reciprocal favor to the United States.

I call attention to a table found upon page 12 of this report, which explains itself:

INCREASE IN AMOUNT OF FREE GOODS IMPORTED FROM CANADA.

The market change in the amount of free goods imported from Canada into the United States since the treaty is shown in the following table, exhibiting also in contrast the importations from the same Province, and subject to duty, from June 30, 1850, to July 1, 1859:

Importations to the United States from Canada.

Years.	Free of duty.	Subject to duty.
1850	$636,454	$3,649,016
1851	1,529,085	3,426,786
1852	761,571	3,828,398
1853	1,179,682	4,098,434
1854	380,041	6,341,498
1855	6,876,496	5,305,818
1856	16,847,822	640,375
1857	17,600,737	691,097
1858	11,267,618	313,953
1859	13,703,748	504,969
Total	70,733,854	28,800,344

I quote further from the report:

The treaty was conceived in the theories of free trade and in harmony with the progress and civilization of the age. It was a step forward in political science. American legislation had been characterized by an extraordinary liberality to a foreign neighbor, placing her lines of transportation upon an equality with our own and her merchants upon an equality with our own in receiving foreign merchandise in bond. We conceded commercial freedom upon all their products of agriculture, the forest, and the mine, and they have either closed their markets against the chief products that we could sell to them or exacted a large duty on admission into their markets.

YEARLY CHANGES AND INCREASED DUTIES IN CANADIAN TARIFFS.

From time to time Canadian duties have been increased since the ratification of the treaty, and during the last five years the following duties have been exacted on the declared value of various chief articles of consumption:

Articles.	1855	1856	1857	1858	1859
	Per cent.	*Per cent.*	*Per cent.*	*Per cent.*	*Per cent.*
Molasses	16	11	11	18	30
Sugar, refined	32	28	25	26½	40
Sugar, other	27½	20	17½	21	30
Boots and shoes	12½	14½	20	21	25
Harness	12½	17	20	21	25
Cotton goods	12½	13½	15	15	20
Iron goods	12½	18½	15	16	20
Silk goods	12½	13½	15	17	20
Wool goods	12½	14	15	18	20

Every year a new tariff has been enacted, and each of them has inflicted higher duties upon the chief productions of American labor. These duties are so adjusted as to fall most heavily upon the products of our citizens.

TARIFF TO EXCLUDE THE MANUFACTURES AND COMMERCE OF THE UNITED STATES.

The tariff of 1859 was avowedly based upon an isolating and exclusive policy. It was supported on this ground alike by ministerial organs of the press, by petitions in its favor, and by members of the colonial Parliament. After securing our free market for all Canadian productions, its advocates argued that it was the interest of Canadians to become independent of all other countries, and to employ their own ships and their own people, thus "keeping in the country all that is now paid to the United States."

I also call attention to some of the language used in debate upon the abrogation of this treaty.

Mr. Pike, in the House, said:

I confess I am impatient of delay. I desire this treaty to draw its last breath as soon as possible. Had it much longer to live in order to die a natural death, if that be not paradoxical, I should be disposed to use violence and destroy a life which, in my judgment, has been productive of so much injury. It was a creature of mistaken views and of expectations which had no basis in fact. Its workings have been a continuous and protracted disappointment. It has achieved no considerable result which was predicted for it, and I ask the attention of the House for a short time while I exhibit its utter failure in all particulars which should render a commercial arrangement with a foreign country desirable to us.

* * * * * * *

I can tell him who did make the treaty. It was the Canadian Government, and Canadian money circulating freely here in Washington, lubricating the official channels through which the treaty and accompanying laws had to pass. It may be that the eastern manufacturers assisted them. If so, they got badly cheated, as the diminished exports of manufactures plainly prove.

I know the manufacturers had large expectations from the treaty. They reckoned upon getting raw material cheaper from the Provinces. They thought they could support their operatives at less expense with the potatoes, wood, and lumber of the Provinces than if they were obliged to obtain those articles from Maine; and while doing this they reckoned upon adding largely to their sales. But in this they were mistaken. They lost more in the falling off of customers than they gained by cheapening what they bought. The fact that after the treaty went into operation our exports to the Provinces fell off settled this

conclusively. Instead of an increase of export of manufactures which should correspond with the increase of imports and the large increase of population on both sides of the line, the export of manufactures fell off largely. I do not propose to go into detail of this. Two years since I had the honor to present to the House resolutions adopted by the legislature of my State condemnatory of this treaty, and I took occasion at that time to give the statistics connected with the whole trade with the Provinces, and particularly the export of manufactures since the date of the treaty.

* * * * * * *

In his letter sent in here a few days since I find a table giving the values of certain manufactures exported to Canada for five years, from 1858–59 to 1862–63. The results as given are instructive. The years end July 1 in each year:

1859	$4,185,516
1860	3,548,114
1861	3,501,642
1862	2,596,930
1863	1,510,802

I commend the table to manufacturers.

* * * * * * *

It was supposed that as this looked toward free trade, commerce would be largely benefited. Shipbuilders and shipowners were, for that reason, in favor of the treaty. But it was of no manner of benefit to the shipowners. The whole increase of provincial trade comes to us in provincial bottoms. I know that in my own State, in a profitable little eddy of provincial trade, there are those willing to foster the treaty at the expense of the whole country, and they talk of this treaty as benefiting commerce.

* * * * * * *

I now call the attention of the House to a serious loss of revenue which the Government sustains every day during the continuance of the treaty. It can not be estimated at less than $10,000,000 per annum.

When the treaty went into operation we were collecting about $1,300,000 of duties on imports from the Provinces. Since then we have not received enough to pay the salaries of officials along the lines. We should restore these duties, and, following the Canadian example, add to them largely.

The import from the Provinces is over twenty millions annually, and could well bear a taxation of $3,000,000 by means of a tariff which would have the effect to throw a portion of its own burdens upon the foreign producer.

John Sherman, in the Senate, used this language:

When the reciprocity treaty was adopted in 1855, there was then a state of things existing along the border which induced both parties to cultivate kindly relations and the exchange of commodities between them. I have no doubt that Great Britain got a great deal the best of the bargain, especially in the schedule of articles named which should be exchanged free of duty. The treaty has operated from the beginning against our interests; and it can be plainly demonstrated by the tables which are furnished by the Secretary of the Treasury that from the beginning our trade has fallen off and theirs increased, comparatively.

I think even a cursory examination of the workings of a similar treaty from 1854 to 1865 will justify every opposition which has been made to this measure. It built up the Canadian agricultural interests and the Canadian farmer to the detriment of the American farmer. On the other hand, it did not compensate the United States for this loss to the American farmer in any manner whatever. The American manufacturer soon learned that he lost more in his sales to the American farmer, who was injured and unable to buy, than he gained in his sales to the Canadian farmer.

Mr. President, since the abrogation of the Canadian treaty in 1865 we have many times been approached by that country for similar agreements, but always for a reciprocal trade in farm or natural products alone. So far as I am advised, there has never been any effort upon the part of the Canadian Government to secure any other kind of a reciprocal trade agreement.

Premier Laurier said, in the first interview made after this agreement was proposed:

The Dominion Government may find it possible to have some measure of reciprocal trade with her southern neighbor to the benefit of the farmer who asks for it without injuring the manufacturers who oppose it.

I did not suppose at the time I first read that interview he would be able to accomplish what he desired to accomplish. I have since changed my opinion. In a later interview, Mr. Laurier says:

Our negotiators would not consent to any reciprocity in manufactured products, but insisted on limiting this agreement simply to such manufactured products as agricultural implements. Although it was part of our policy to obtain reciprocity with the United States, we have acted carefully in so doing, and have not injured any industry.

In other words, it is the view of the premier, perhaps the ablest diplomat upon the American Continent, that without injuring any industry in Canada, without in any way materially injuring the growth of that country in its industrial development, they have, nevertheless, opened the market of 90,000,000 people to the great farming interests in Canada. They have accomplished precisely what they designed to accomplish. I wait now with some degree of interest to have any friend of this measure inform me what it was that we received from Canada in consideration of turning the American market place over to the Canadian producer. What benefit does this agreement give us? Wherein has Canada traded us any reciprocal thing for that which we have given to Canada in the nature of our farm products? Give me one definite, concrete proposition. Do not lead me away into sophomoric effusions about one language, one blood, and the brotherhood of man, but in this cold business deal, which Canada drove home with so much business selfishness, tell me what we got out of it. What we got, sir, was a deal between the Canadian farmer and our eastern manufacturer, to give the eastern manufacturer cheaper raw material—a clear, cold-blooded discrimination against the American farmer.

Although Canada, as I have said, has been knocking at our door from 1865 until now for the purpose of securing this kind of an agreement, never until this agreement was submitted has the party of which I am an humble member for a single moment entertained the proposition. On the other hand, it has repeatedly denounced it.

Not only that, Mr. President, but in every campaign which the Republican Party has made from 1864 until now we have pledged our honor to the American farmer that no such deal would be made. If there is anyone who can point me to a line, to a letter, to a declaration upon the part of any Republican leader, in any platform, in any declaration of anyone having authority to speak for the Republican Party, in support of this kind of an agreement in the party organization or by the organization, he will be able to find what industry upon my part has been unable to find.

Listen to what Mr. Blaine said to Mr. Harrison. In 1891 Mr. Blaine wrote to President Harrison as follows:

It is of the highest possible importance, in my view, that there be no treaty of reciprocity with Canada. They aim at natural products, to get all the products of the farm on us in exchange for heaven knows what. It would be considered a betrayal of the agricultural interests. The fact is, we do not want any intercourse with Canada except through the medium of a tariff.

It will be noticed, Mr. President, when those who speak of this measure as a betrayal of our agricultural interests that they are using language long ago justified by our greatest leaders, language which has been shouted from every Republican platform in the United States.

In 1891 the distinguished leader of the Republican organization, in his letter to Mr. Harrison, said they desire our market place in return for heaven knows what, and that any such arrangement would be considered as what? As a betrayal of the American farmer. We have never as a party in any platform repudiated his severe condemnation.

During the consideration of the Wilson bill the subject of freer trade relations with Canada was a matter of much discussion, and one of the attacks which the Republican leaders, including the distinguished gentleman who now presides over the Senate, made upon that bill was because it attempted to do what we are attempting to do to-day, to make a free list which should prevail and obtain between Canada and the United States. It was not only denounced by every single Republican leader having to do with the formation and discussion of that bill, but we went into the campaign following the enactment of that measure and went into the agricultural States and pledged the American farmer that upon its return to power the Republican Party would repeal that law, and upon that solemn pledge made to the farmers of this country the Republican Party was returned to power. Never was a clearer pledge made to voters and never were voters more loyal to party.

Mr. GALLINGER. I move that the Senate adjourn.

The motion was agreed to; and (at 3 o'clock and 48 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, June 28, 1911, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate June 27, 1911.

ASSISTANT AGENT OF SALMON FISHERIES.

Harry C. Fassett, of California, to be assistant agent, Alaska salmon fisheries, Division of Alaska Fisheries, in the Bureau of Fisheries, Department of Commerce and Labor.

WARDEN.

Harry J. Christoffers, of Wisconsin, to be warden, Alaska service, Division of Alaska Fisheries, in the Bureau of Fisheries, Department of Commerce and Labor.

DEPUTY WARDENS.

Claude J. Roach, of Michigan, to be deputy warden, Alaska service, Division of Alaska Fisheries, in the Bureau of Fisheries, Department of Commerce and Labor.

G. Dallas Hanna, of Kansas, to be deputy warden, Alaska service, Division of Alaska Fisheries, in the Bureau of Fisheries, Department of Commerce and Labor.

Lee R. Dice, of Washington, to be deputy warden, Alaska service, Division of Alaska Fisheries, in the Bureau of Fisheries, Department of Commerce and Labor.

PROMOTIONS IN THE REVENUE-CUTTER SERVICE.

First Lieut. John Giveen Berry to be a captain in the Revenue-Cutter Service of the United States (to rank as such from Aug. 3, 1910), to fill the vacancy created June 16, 1911, by the appointment of Capt. Ellsworth Price Bertholf to be captain commandant in the Revenue-Cutter Service.

MEMBERS OF BOARD OF CHARITIES.

George E. Hamilton, of the District of Columbia, to be a member of the Board of Charities of the District of Columbia for the term of three years from July 1, 1911. (Reappointment.)

Myer Cohen, of the District of Columbia, to be a member of the Board of Charities of the District of Columbia for the term of three years from July 1, 1911. (Reappointment.)

APPOINTMENTS IN THE ARMY.

The following-named cadets, graduates of the United States Military Academy, to be second lieutenants with rank from June 13, 1911:

CORPS OF ENGINEERS.

Cadet Philip Bracken Fleming.
Cadet John Wesley Stewart.
Cadet Joseph Cowles Mehaffey.
Cadet Paul Sorg Reinecke.
Cadet Raymond Albert Wheeler.

CAVALRY ARM.

Cadet William Benjamin Hardigg.
Cadet John Everard Hatch.
Cadet Alexander Day Surles.
Cadet Philip James Kieffer.
Cadet Karl Slaughter Bradford.
Cadet Frederick Gilbreath.
Cadet Harrison Henry Cocke Richards.
Cadet Arthur Bayard Conard.
Cadet Frank Hall Hicks.
Cadet John Porter Lucas.
Cadet Wilfrid Mason Blunt.
Cadet James Craig Riddle Schwenck.
Cadet William Patrick Joseph O'Neill.
Cadet Frank Lazelle Van Horn.
Cadet Howell Marion Estes.
Cadet John Furman Wall.
Cadet Leo Gerald Heffernan.
Cadet Edwin Noel Hardy.

FIELD ARTILLERY ARM.

Cadet Curtis Hoppin Nance.
Cadet Freeman Wate Bowley.
Cadet John C. Beatty.
Cadet Charles Anderson Walker, jr.
Cadet Bethel Wood Simpson.
Cadet Neil Graham Finch.

COAST ARTILLERY CORPS.

Cadet Charles Adam Schimelfenig.
Cadet Charles Reuben Baxter.
Cadet Gustav Henry Franke.
Cadet Hubert Gregory Stanton.
Cadet Harold Floyd Nichols.
Cadet Franklin Kemble.
Cadet Herbert Arthur Dargue.
Cadet John Griffeth Booton.
Cadet James Blanchard Crawford.
Cadet Robert W. Clark, jr.
Cadet Robert Lincoln Gray.
Cadet John Louis Homer.
Cadet Robert Clyde Gildart.
Cadet Thomas Jonathan Jackson Christian.
Cadet George Derby Holland.
Cadet Joseph William McNeal.
Cadet Max Stanley Murray.

INFANTRY ARM.

Cadet Harry Russell Kutz.
Cadet Thompson Lawrence.
Cadet Harry James Keeley.
Cadet Charles Philip Hall.
Cadet William Edmund Larned.
Cadet Alfred John Betcher.
Cadet Charles Laurence Byrne.
Cadet George Richmond Hicks.
Cadet Haig Shekerjian.
Cadet Charles Sea Floyd.
Cadet Benjamin Curtis Lockwood, jr.
Cadet Carroll Armstrong Bagby.
Cadet Oliver Stelling McCleary.
Cadet Frederick Gilbert Dillman.
Cadet Gregory Hoisington.
Cadet Ziba Lloyd Drollinger.
Cadet Frank Butner Clay.
Cadet Jesse Amos Ladd.
Cadet Paul William Baade.
Cadet Joseph Laura Wier.
Cadet James Roy Newman Weaver.
Cadet James Daniel Burt.
Cadet Emanuel Villard Heidt.
Cadet William Henry Harrison Morris, jr.
Cadet Sidney Herbert Foster.
Cadet Carl Fish McKinney.
Cadet Roscoe Conkling Batson.
Cadet Allen Russell Kimball.
Cadet Ira Adelbert Rader.
Cadet Alvan Crosby Sandeford.
Cadet William Jay Calvert.
Cadet William Burrus McLaurin.
Cadet Kenneth Ebbecke Kern.
Cadet David Hamilton Cowles.
Cadet Ira Thomas Wyche.
Cadet Arthur Clyde Evans.

PROMOTIONS IN THE NAVY.

Commander Marbury Johnston to be a captain in the Navy from the 14th day of June, 1911, to fill a vacancy.

Lieut. (Junior Grade) James S. Woods to be a lieutenant in the Navy from the 4th day of March, 1911, to fill a vacancy.

Asst. Paymaster Frank T. Foxwell to be a passed assistant paymaster in the Navy from the 26th day of February, 1911 to fill a vacancy.

PROMOTIONS IN THE ARMY.

MEDICAL CORPS.

Capt. Reuben B. Miller, Medical Corps, to be major from June 21, 1911, vice Maj. John H. Stone, retired from active service June 20, 1911.

FIELD ARTILLERY ARM.

First Lieut. Nelson E. Margetts, First Field Artillery, to be captain from May 26, 1911, vice Capt. Adrian S. Fleming, Fourth Field Artillery, promoted.

First Lieut. Robert Davis, Second Field Artillery, to be captain from June 7, 1911, vice Capt. William N. Michel, unassigned, detailed in the Signal Corps on that date.

Second Lieut. Joseph W. Rumbough, Sixth Field Artillery, to be first lieutenant from June 7, 1911, vice First Lieut. Robert Davis, Second Field Artillery, promoted.

Second Lieut. William McCleave, Fourth Field Artillery, to be first lieutenant from June 13, 1911, vice First Lieut. Dawson Olmstead, Fifth Field Artillery, detailed in the Signal Corps on that date.

Second Lieut. Allan C. McBride, Fourth Field Artillery, to be first lieutenant from June 20, 1911, vice First Lieut. Thomas J. Smith, jr., Fourth Field Artillery, detailed in the Ordnance Department on that date.

Second Lieut. Joe R. Brabson, Third Field Artillery, to be first lieutenant from June 20, 1911, vice First Lieut. Roger S. Parrott, Second Field Artillery, detailed in the Ordnance Department on that date.

INFANTRY ARM.

Lieut. Col. Frank B. Jones, infantry, unassigned, to be colonel from June 21, 1911, vice Col. Walter S. Scott, Fifteenth Infantry, retired from active service June 20, 1911.

Maj. James A. Goodin, Seventh Infantry, to be lieutenant colonel from June 21, 1911, vice Lieut. Col. Francis J. Kernan, First Infantry, detailed as adjutant general on that date.

Capt. Charles Miller, Third Infantry, to be major from June 21, 1911, vice Maj. James A. Goodin, Seventh Infantry, promoted.

Under the provisions of an act of Congress approved April 23, 1904, the officer herein named to be placed on the retired list of the Army.

First Lieut. John S. Marshall, United States Army, retired with the rank of captain from June 17, 1911.

POSTMASTERS.

ALASKA.

Philip J. Hickey, jr., to be postmaster at Seward, Alaska, in place of Lillie N. Gordon, resigned.

Richard McCormick to be postmaster at Douglas, Alaska, in place of Robert B. Hubbard. Incumbent's commission expired December 18, 1910.

KANSAS.

T. J. Robinson to be postmaster at Severy, Kans., in place of George E. Grimes, resigned.

MASSACHUSETTS.

Hans N. Smith to be postmaster at South Windham, Mass., in place of John C. Nichols, resigned.

MISSOURI.

C. W. Culley to be postmaster at Bunceton, Mo., in place of Clarence M. Zeigle, resigned.

NEW JERSEY.

George N. Wimer to be postmaster at Palmyra, N. J., in place of Arthur Winner. Incumbent's commission expired March 2, 1911.

NEW YORK.

George A. Duck to be postmaster at Great Neck Station, N. Y. Office becomes presidential July 1, 1911.

Arthur J. Wilson to be postmaster at Downsville, N. Y. Office becomes presidential July 1, 1911.

OREGON.

Jay P. Lucas to be postmaster at Hood River, Oreg., in place of William M. Yates, resigned.

SOUTH CAROLINA.

J. Frank Kneece to be postmaster at Batesburg, S. C., in place of J. Frank Kneece. Incumbent's commission expired December 19, 1910.

TENNESSEE.

Henry F. Ferguson to be postmaster at Centerville, Tenn., in place of James S. Beasley, resigned.

Robert P. Sulte to be postmaster at Rockwood, Tenn., in place of William F. Millican. Incumbent's commission expired January 18, 1911.

WEST VIRGINIA.

Richard A. Hall to be postmaster at Weston, W. Va., in place of Richard A. Hall. Incumbent's commission expired March 22, 1910.

WISCONSIN.

Frank H. Marshall to be postmaster at Kilbourn, Wis., in place of Frank H. Marshall. Incumbent's commission expired February 12, 1911.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 27, 1911.

DEPUTY COMMISSIONER OF FISHERIES.

Hugh M. Smith to be deputy commissioner in the Bureau of Fisheries.

PROMOTIONS IN THE ARMY.

CAVALRY ARM.

Capt. Francis H. Beach to be major.
First Lieut. Robert M. Nolan to be captain.
First Lieut. William O. Reed to be captain.
Second Lieut. Roy W. Holderness to be first lieutenant.

COAST ARTILLERY CORPS.

First Lieut. George W. Cocheu to be captain.

INFANTRY ARM.

Maj. John F. Morrison to be lieutenant colonel.
Capt. Vernon A. Caldwell to be major.
Capt. Edmund L. Butts to be major.
Maj. William H. Sage to be lieutenant colonel.
Capt. Henry J. Hunt to be major.
Second Lieut. Richard R. Pickering to be first lieutenant.
Second Lieut. Lowe A. McClure to be first lieutenant.
Second Lieut. Charles F. Conry to be first lieutenant.
Second Lieut. Clement H. Wright to be first lieutenant.
Second Lieut. William R. Scott to be first lieutenant.
Second Lieut. William W. Harris, jr., to be first lieutenant.

MEDICAL CORPS.

Lieut. Col. Henry P. Birmingham to be colonel.
Maj. Henry C. Fisher to be lieutenant colonel.
Capt. Cosam J. Bartlett to be major.

To be captains.

First Lieut. John R. Barber.
First Lieut. Joseph A. Worthington.
First Lieut. Mahlon Ashford.
First Lieut. Edward G. Huber.
First Lieut. John S. Lambie, jr.
First Lieut. Arthur N. Tasker.
First Lieut. Howard McC. Snyder.
First Lieut. Calvin D. Cowles, jr.
First Lieut. Garfield L. McKinney.
First Lieut. Hiram A. Phillips.

PAY DEPARTMENT.

Maj. Thomas C. Goodman, paymaster, to be Deputy Paymaster General, with the rank of lieutenant colonel.

APPOINTMENT, BY TRANSFER, IN THE ARMY.

Second Lieut. Horace T. Aplington, Infantry, to be second lieutenant.

APPOINTMENTS IN THE ARMY.

MEDICAL RESERVE CORPS.

To be first lieutenants.

Thomas Crooke McCleave.
Homer Clifton Moses.
George Louis Painter.
Louis Austin Bolling.
Arthur Alexander Finch.
William Henry Lloyd.
Chalmers Melancthon Van Poole.
Raymond Carl Andries.
Francis Theodore Buechli Fest.
Louis Alexander Greensfelder.
Neal Luther Hoskins.
James Wooffendale Inches.
Lawrence Lee.
Hiram Rittenhouse Loux.
Alexander Johnston MacKenzie.
William Jason Mixter.
Robert Albert Carl Wollenberg.
Richard Mills Pearce, jr.
Frederick Casimir Simon.
William Norwood Souter.

PROMOTIONS IN THE NAVY.

Commander Edward Simpson to be a captain.
Medical Inspector James E. Gardner to be a medical director.
Machinist Frederick H. Richwien to be a chief machinist.
Lieut. Henry E. Lackey to be a lieutenant commander.
Lieut. Frederick J. Horne to be a lieutenant commander.
Lieut. (Junior Grade) Edward S. Robinson to be a lieutenant.
Lieut. (Junior Grade) Benjamin H. Steele to be a lieutenant.
Machinist John R. Likens to be a chief machinist.

POSTMASTERS.

MASSACHUSETTS.

Austin E. Stearns, Conway.

NORTH DAKOTA.

J. A. Meyer, New England.
C. E. Styer, Crosby.

OHIO.

Frank M. Kain, Batavia.
William J. Lockheart, Bellville.

UTAH.

William W. Wilson, Sandy.

WEST VIRGINIA.

Harry H. Bodley, Elm Grove.

SENATE.

WEDNESDAY, *June 28, 1911.*

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a joint resolution adopted by the Legislature of the State of Wisconsin, which was referred to the Committee on Manufactures and ordered to be printed in the RECORD, as follows:

Joint resolution (J. Res. 117, A) memorializing Congress, in enacting cold-storage legislation, not to limit the time during which said dairy products can be stored to less than one year.

Whereas Wisconsin is the leading dairy State in the Union, and its farmers are vitally interested in everything pertaining to that industry, having over $5,000,000 invested in buildings and equipments, and $55,000,000 in cows and other equipment necessary to carry on the dairy industry; and

Whereas if such legislation is enacted the farmers of Wisconsin, who have large amounts of money invested in the dairy business, will have their market destroyed, owing to the fact that a large proportion of their products is made in a few months of the year, and if said legislation is enacted the market for butter will be destroyed, with a consequent lessening of production resulting in a shortage and too high a price in winter; and

Whereas it has been proven that butter held in cold storage is not detrimental to the health of the consumer: Therefore be it

Resolved by the assembly (the senate concurring), That we respectfully memorialize the Congress of the United States, in enacting cold-storage legislation, not to limit the time during which said dairy products can be stored to less than one year.

C. A. INGRAM,
Speaker of the Assembly.
THOMAS MORRIS,
President of the Senate.
C. E. SHAFFER,
Chief Clerk of the Assembly.
F. M. WYLIE,
Chief Clerk of the Senate.

The VICE PRESIDENT presented a telegram, in the nature of resolutions adopted by the house of delegates of the American Medical Association, in annual session at Los Angeles, Cal., favoring the adoption of an amendment to the pure food and drug law making it unlawful for any false statement to appear upon labels, circulars, etc., which was referred to the Committee on Manufactures.

Mr. BURNHAM presented a memorial of Local Grange No. 148, Patrons of Husbandry, of Hooksett, N. H., and a memorial of Bear Hill Grange, No. 39, Patrons of Husbandry, of Henniker, N. H. remonstrating against the proposed reciprocal agreement between the United States and Canada, which were ordered to lie on the table.

Mr. McLEAN presented a memorial of Local Division No. 2, Ancient Order of Hibernians, of Norwich, Conn., remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

He also presented a petition of the board of directors of the Business Men's Association of Hartford, Conn., praying for the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

He also presented a petition of the Business Men's Association of New Haven, Conn., praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

Mr. CUMMINS presented memorials of sundry citizens of Ellsworth and Renwick, in the State of Iowa, remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which were ordered to lie on the table.

Mr. O'GORMAN presented a memorial of Local Grange No. 1132, Patrons of Husbandry, of Susquehanna Valley, N. Y., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

He also presented a memorial of Local Division No. 2, Ancient Order of Hibernians, of Mechanicsville, N. Y., remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

Mr. KERN presented a memorial of the Indiana Grain Dealers' Association, remonstrating against a ruling of the Post Office Department relative to trade journals and magazines, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the National Association of Automobile Manufacturers, praying for the adoption of an amendment to the so-called corporation-tax law permitting corporations to make returns at the end of their fiscal years, which was referred to the Committee on Finance.

MISSOURI RIVER BRIDGE.

Mr. MARTIN of Virginia, from the Committee on Commerce, to which was referred the bill (S. 2768) to authorize the St. Louis-Kansas City Electric Railway Co. to construct a bridge across the Missouri River at or near the town of Weldon Springs Landing, Mo., reported it with an amendment and submitted a report (No. 90) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WATSON:

A bill (S. 2911) to increase the limit of cost for the erection of the United States post-office building at Morgantown, W. Va.; to the Committee on Public Buildings and Grounds.

By Mr. KERN:

A bill (S. 2912) granting an increase of pension to Robert Posey (with accompanying papers); to the Committee on Pensions.

By Mr. McLEAN:

A bill (S. 2913) granting a pension to Frances M. Swift (with accompanying papers); to the Committee on Pensions.

By Mr. GALLINGER (by request):

A bill (S. 2914) making an appropriation for the purchase of mural decorations for the new building for the Department of State; to the Committee on the Library.

PROTECTION OF MIGRATORY BIRDS.

Mr. McLEAN. I introduce a joint resolution, which I ask may be read at length and referred to the Committee on the Judiciary.

The joint resolution (S. J. Res. 39) proposing an amendment to the Constitution providing that Congress shall have the power to protect migratory birds, was read the first time by its title and the second time at length, and referred to the Committee on the Judiciary, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the States:

ARTICLE XVII.

SECTION 1. Congress shall have power to protect migratory birds and prohibit and regulate the killing thereof.

SEC. 2. Congress shall have the power to enforce this article by appropriate legislation.

AMENDMENT TO DEFICIENCY APPROPRIATION BILL.

Mr. BURNHAM submitted an amendment intended to be proposed by him to the bill (H. R. 12109) to supply a deficiency in the appropriations for contingent expenses of the House of Representatives for the fiscal year 1911, and for other purposes, which was referred to the Committee on Appropriations and ordered to be printed.

ASSISTANT CLERK TO COMMITTEE ON MANUFACTURES.

Mr. HEYBURN submitted the following resolution (S. Res. 88), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Manufactures be, and it is hereby, authorized to employ an assistant clerk, at a salary of $1,440 per annum, to be paid from the contingent fund of the Senate until otherwise provided for by law.

ASSISTANT CLERK TO COMMITTEE ON IRRIGATION.

Mr. CURTIS (for Mr. NIXON) submitted the following resolution (S. Res. 89), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Irrigation and Reclamation of Arid Lands is hereby authorized to employ an assistant clerk, at a salary of $1,440 per annum, to be paid from the contingent fund of the Senate, until otherwise provided for by law.

ASSISTANT CLERK TO COMMITTEE ON EXPENDITURES IN TREASURY DEPARTMENT.

Mr. BURTON submitted the following resolution (S. Res. 90), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Expenditures in the Treasury Department is hereby authorized to employ an assistant clerk, at a salary of $1,800 per annum, to be paid from the contingent fund of the Senate, until otherwise provided for by law.

RECIPROCITY WITH CANADA.

Mr. PENROSE. I move that the Senate proceed to the consideration of the reciprocity bill, House bill 4412.

Mr. NELSON. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Cummins	McCumber	Smith, Mich.
Bradley	Curtis	McLean	Smith, S. C.
Briggs	Dixon	Martin, Va.	Smoot
Bristow	du Pont	Nelson	Stone
Brown	Foster	Newlands	Sutherland
Bryan	Gore	O'Gorman	Swanson
Burnham	Gronna	Oliver	Taylor
Burton	Guggenheim	Overman	Thornton
Chilton	Heyburn	Page	Townsend
Clark, Wyo.	Hitchcock	Penrose	Watson
Crane	Johnson, Me.	Perkins	Works
Crawford	Kern	Pomerene	
Culberson	La Follette	Shively	
Cullom	Lippitt	Simmons	

Mr. THORNTON. I wish to state that the Senator from Alabama [Mr. JOHNSTON] is absent in attendance upon the Lorimer investigating committee.

Mr. CLARK of Wyoming. I wish to state that my colleague [Mr. WARREN] is unavoidably absent from the city.

Mr. PAGE. I wish to announce that my colleague [Mr. DILLINGHAM] is absent in connection with his duties upon the Lorimer investigating committee.

Mr. STONE. I desire to announce that my colleague [Mr. REED] has been unexpectedly and necessarily called from the city.

Mr. GORE. I wish to announce that my colleague [Mr. OWEN] is absent from the city. This announcement will stand for the day.

Mr. TAYLOR. I wish to announce that my colleague [Mr. LEA] is not present because he is ill.

Mr. BRYAN. I desire to announce that my colleague [Mr. FLETCHER] is in attendance upon the Lorimer investigating committee.

The VICE PRESIDENT. Fifty-three Senators have answered to the roll call. A quorum of the Senate is present. The question is on agreeing to the motion of the Senator from Pennsylvania.

The motion was agreed to, and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes.

Mr. CUMMINS. I offer certain amendments to the pending bill. I ask unanimous consent to dispense with their reading at the present time.

The VICE PRESIDENT. Are they offered as several amendments or as one amendment?

Mr. CUMMINS. I offer them together, reserving the right to ask for a division of the question.

The VICE PRESIDENT. Is there objection to the request of the Senator from Iowa to dispense with the reading? The Chair hears none.

The amendments submitted by Mr. CUMMINS are as follows:

On page 2 of the bill strike out lines 1 to 18, inclusive, as follows:

Fresh meats—Beef, veal, mutton, lamb, pork, and all other fresh or refrigerated meats excepting game, 1½ cents per pound.
Bacon and hams, not in tins or jars, 1½ cents per pound.
Meats of all kinds, dried, smoked, salted, in brine, or prepared or preserved in any manner, not otherwise herein provided for, 1½ cents per pound.
Canned meats and canned poultry, 20 per cent ad valorem.
Extract of meat, fluid or not, 20 per cent ad valorem.
Lard and compounds thereof, cottolene and cotton stearine, and animal stearine, 1½ cents per pound.
Tallow, 40 cents per 100 pounds.
Egg yolk, egg albumen, and blood albumen, 7½ per cent ad valorem.

Strike out from line 5, on page 3, to line 16, on page 4, the following words:

Tomatoes and other vegetables, including corn, in cans or other air-tight packages, and including the weight of the package, 1½ cents per pound.
Wheat flour and semolina and rye flour, 50 cents per barrel of 196 pounds.
Oatmeal and rolled oats, including the weight of paper covering, 50 cents per 100 pounds.
Corn meal, 12½ cents per 100 pounds.
Barley malt, 45 cents per 100 pounds.
Barley, pot, pearled, or patent, one-half cent per pound.
Buckwheat flour or meal, one-half cent per pound.
Split peas, dried, 7½ cents per bushel of 60 pounds.
Prepared cereal foods, not otherwise provided for herein, 17½ per cent ad valorem.
Bran, middlings, and other offals of grain used for animal food, 12½ cents per 100 pounds.
Macaroni and vermicelli, 1 cent per pound.
Biscuits, wafers, and cakes, when sweetened with sugar, honey, molasses, or other material, 25 per cent ad valorem.
Biscuits, wafers, cakes, and other baked articles, composed in whole or in part of eggs or any kind of flour or meal, when combined with chocolate, nuts, fruits, or confectionery; also candied peel, candied popcorn, candied nuts, candied fruits, sugar candy, and confectionery of all kinds, 32½ per cent ad valorem.
Maple sugar and maple sirup, 1 cent per pound.
Pickles, including pickled nuts, sauces of all kinds, and fish paste or sauce, 32½ per cent ad valorem.
Cherry juice and prune juice, or prune wine, and other fruit juices and fruit sirup, nonalcoholic, 17½ per cent ad valorem.

Strike out from line 24, page 4, to line 13, page 5, the following words:

Farm wagons and finished parts thereof, 22½ per cent ad valorem.
Plows, tooth and disk harrows, harvesters, reapers, agricultural drills and planters, mowers, horserakes, cultivators; threshing machines, including windstackers, baggers, weighers, and self-feeders therefor and finished parts thereof imported for repair of the foregoing, 15 per cent ad valorem.
Portable engines with boilers, in combination, horsepower and traction engines for farm purposes; hay loaders, potato diggers, fodder or feed cutters, grain crushers, fanning mills, hay tedders, farm or field rollers, manure spreaders, weeders, and windmills, and finished parts thereof imported for repair of the foregoing, except shafting, 20 per cent ad valorem.

Strike out from line 3, page 6, to line 4, page 7, the following words:

Asbestos, further manufactured than ground; manufactures of asbestos or articles of which asbestos is the component material of chief value, including woven fabrics, wholly or in chief value of asbestos, 22½ per cent ad valorem.
Printing ink, 17½ per cent ad valorem.
Cutlery, plated or not, pocketknives, penknives, scissors and shears, knives and forks for household purposes, and table steels, 27½ per cent ad valorem.
Bells and gongs, brass corners and rules for printers, 27½ per cent ad valorem.
Basins, urinals, and other plumbing fixtures for bathrooms and lavatories; bathtubs, sinks, and laundry tubs of earthenware, stone, cement, or clay, or of other material, 32½ per cent ad valorem.
Brass band instruments, 22½ per cent ad valorem.
Clocks, watches, time recorders, clock and watch keys, clock cases, and clock movements, 27½ per cent ad valorem.
Printers' wooden cases and cabinets for holding type, 27½ per cent ad valorem.
Wood flour, 22½ per cent ad valorem.

Strike out in lines 17, 18, and 19, page 7, the following words:

Motor vehicles, other than for railways and tramways, and automobiles and parts thereof, not including rubber tires, 30 per cent ad valorem.

Strike out from line 6, page 8, to line 2, page 9, inclusive, the following words:

Laths, 10 cents per 1,000 pieces.
Shingles, 30 cents per thousand.
Sawed boards, planks, deals, and other lumber, planed or finished on one side, 50 cents per 1,000 feet, board measure; planed or finished on one side and tongued and grooved, or planed or finished on two sides, 75 cents per 1,000 feet, board measure; planed or finished on three sides, or planed and finished on two sides and tongued and grooved, $1.12½ per 1,000 feet, board measure; planed and finished on four sides, $1.50 per 1,000 feet, board measure; and in estimating board measure under this schedule no deduction shall be made on board measure on account of planing, tonguing, and grooving.
Iron ore, including manganiferous iron ore, and the dross or residuum from burnt pyrites, 10 cents per ton: *Provided*, That in levying and collecting the duty on iron ore no deduction shall be made from the weight of the ore on account of moisture which may be chemically or physically combined therewith.
Coal slack of culm of all kinds, such as will pass through a half-inch screen, 15 cents per ton.

Strike out in lines 1, 2, and 3, page 16, the following words:

Coal, bituminous, round and run of mine, including bituminous coal such as will not pass through a three-quarter-inch screen, 45 cents per ton.

On page 17, after line 13, insert the following:

Fresh meats: Beef, veal, mutton, lamb, pork, and all other fresh or refrigerated meats, excepting game.
Bacon and hams not in tins or jars.
Meats of all kinds, dried, smoked, salted, in brine, or prepared or preserved in any manner.
Canned meats and canned poultry.
Extract of meat, fluid or not.
Lard and compounds thereof, cottolene and cotton stearine, and animal stearine.
Tallow.
Egg yolk, egg albumen, and blood albumen.
Tomatoes and other vegetables, including corn, in cans or other air-tight packages.
Wheat flour and semolina, and rye flour.
Oatmeal and rolled oats.
Corn meal.
Barley malt.
Barley, pot, pearled, or patent.
Buckwheat flour or meal.
Split peas, dried.
Prepared cereal foods of all kinds.
Bran middlings, and other offals of grain used for animal food.
Macaroni and vermicelli.
Biscuits, wafers, and cakes.
Biscuits, wafers, cakes, and other baked articles, composed in whole or in part of eggs or any kind of flour or meal, when combined with chocolate, nuts, fruits, or confectionery; also candied peel, candied popcorn, candied nuts, candied fruits, sugar candy, and confectionery of all kinds.
Maple sugar and maple sirup.
Pickles, including pickled nuts, sauces of all kinds, and fish paste or sauce.
Cherry juice and prune juice, or prune wine, and other fruit juices and fruit sirup, nonalcoholic.

On page 19 strike out in lines 16 to 19, inclusive, the following words:

Timber, hewn, sided or squared otherwise than by sawing, and round timber used for spars or in building wharves.
Sawed boards, planks, deals, and other lumber, not further manufactured than sawed.

And insert:

Logs; timber, however sided or squared; round timber, for whatever use; sawed boards; planks; deals, and other lumber, planed or unplaned, finished or unfinished; laths and shingles.

On page 20, line 1, after the word "kinds," strike out "not further manufactured than listed or jointed"; so as to make the paragraph read:

Wooden staves of all kinds, and stave bolts.

On page 20, after line 20, insert the following:

Aluminum in crude form; aluminum in plates, sheets, bars, and rods; iron ore, including manganiferous iron ore, and the dross or residuum from burnt pyrites; scrap iron and scrap steel; iron in pigs; iron kentledge; spiegeleisen and ferromanganese; all the articles, commodities, and forms of iron or steel described in paragraphs 119 to 173, inclusive, in the act of Congress entitled "An act to provide revenue, equalize and encourage the industries of the United States, and for other purposes," approved August 5, 1909.

Strike out on page 21, lines 7 to 13, inclusive, the following words:

Rolled iron or steel sheets, or plates, No. 14 gauge or thinner, galvanized or coated with zinc, tin, or other metal, or not.
Crucible cast steel wire, valued at not less than 6 cents per pound.
Galvanized iron or steel wire, curved or not, Nos. 9, 12, and 13 wire gauge.

On page 21, after line 20, insert:

Coal of all kinds, screened or unscreened; agricultural implements of all kinds, including portable engines with boilers in combination, and horsepower or traction engines for farm purposes.

Automobiles, and parts thereof, including rubber tires; motor vehicles of all kinds, and parts thereof, and rubber tires therefor; crude rubber; manufactured rubber, which shall include all articles of which rubber is the component part of chief value.

Asbestos, further manufactured than ground; manufactures of asbestos or articles of which asbestos is the component material of chief value, including woven fabrics, wholly or in chief value of asbestos.

Printing ink, 17½ per cent ad valorem.

Cutlery, plated or not—pocketknives, penknives, scissors and shears, knives and forks for household purposes, and table steels.

Bells and gongs, brass corners, and rules for printers.

Basins, urinals, and other plumbing fixtures for bathrooms and lavatories; bathtubs, sinks, and laundry tubs of earthenware, stone, cement, or clay, or of other material.

Brass band instruments.

Clocks, watches, time recorders, clock and watch keys, clock cases, and clock movements.

Printers' wooden cases and cabinets for holding type.

Wood flour.

Leather and all manufactures thereof, including all manufactures of which leather is a component part.

Woolen yarns, cloth, and fabrics of all kinds, and the manufactures thereof, including all manufactures of which wool is a component part.

Cotton cloth, threads and fabrics of all kinds, and the manufactures thereof, including all manufactures of which cotton is a component part.

Silk cloth, threads and fabrics of all kinds, and the manufactures thereof, including all manufactures of which silk is a component part.

On page 23 strike out the proviso, beginning in line 10, as follows:

Provided, That the articles above enumerated, the growth, product, or manufacture of the Dominion of Canada, shall be exempt from duty when the President of the United States shall have satisfactory evidence and shall make proclamation that the following articles, the growth, product, or manufacture of the United States or any of its possessions (except the Philippine Islands and the islands of Guam and Tutuila) are admitted into the Dominion of Canada free of duty, namely:

And insert:

Provided, That the articles above enumerated, the growth, product, or manufacture of the Dominion of Canada, shall be exempt from duty when the President of the United States shall have satisfactory evidence, and shall make proclamation:

First. That the following articles immediately hereinafter enumerated, the growth, product, or manufacture of the United States, or any of its possessions, except the Philippine Islands, and the islands of Guam and Tutuila, are and each thereof is admitted into the Dominion of Canada free of duty.

Second. That no export duty, export license fee, or other export charge of any kind whatsoever, whether in the form of additional charge or license fee, or otherwise, or any prohibition or restriction in any way of the exportation, whether by law, order, regulation, contractual relation, or otherwise, directly or indirectly, are being imposed upon the articles, or any of them, hereinbefore enumerated to be exempt from duty when imported into the United States; and

Provided further, That if at any time after said proclamation shall be issued the President of the United States shall have satisfactory evidence that the facts upon which the original proclamation was issued no longer exist, he shall then make proclamation to that effect, and the articles hereinbefore specified to be admitted to the United States exempt from duty shall be subject to such duties as the general tariff law of the United States shall then prescribe for such articles.

Provided further, That if at time after the articles hereinbefore mentioned are admitted free under the aforesaid proclamation the President becomes satisfied that the rates of transportation upon any such article from Canada into the United States are unreasonably low, as compared with fair and reasonable rates upon the like article for substantially the same distance in the United States, he may issue his proclamation to that effect, and thereafter the said article or articles, when imported from Canada into the United States, shall be subject to the general tariff law of the United States.

The articles to be admitted into the Dominion of Canada free of duty are as follows, to wit:

On page 27, after line 6, insert:

Logs; timber, however sided or squared; round timber, for whatever use; sawed boards; planks; deals, and other lumber, planed or unplaned, finished or unfinished; laths and shingles.

Strike out on page 27, lines 2 to 6, inclusive, the following words:

Timber, hewn, sided or squared otherwise than by sawing, and round timber used for spars or in building wharves.

Sawed boards, planks, deals, and other lumber, not further manufactured than sawed.

On page 27, line 13, after the word "kinds," strike out "not further manufactured than listed or jointed," so as to make the paragraph read:

Wooden staves of all kinds, and stave bolts.

On page 28, after line 20, insert:

Coal of all kinds, screened or unscreened; iron ore, including manganiferous iron ore, and the dross or residuum from burnt pyrites.

Mr. CUMMINS. Mr. President, I understand perfectly that this is not an inspiring atmosphere in which to speak. There are a certain number of Senators who seem to sit in silent, if not sullen, submission to a higher power, who are not interested in the discussion of this subject. There are a certain number of Senators who seem to me to be peering through the mists of the future in order to satisfy themselves with respect to the opinion which the people of the country will hold next year of the drama that is now in progress in the Senate of the United States, and they are not deeply interested in the discussion of the matters which arise upon this bill. To me, therefore, it has become rather a duty than a pleasure to debate the questions with which we are confronted.

In order, Mr. President, that I may establish a beginning, I send to the Secretary's desk and ask that there shall be read the extracts that are attached to the paper.

The VICE PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

[Washington Star, June 24, 1911.]

WILL VETO AMENDMENTS—PRESIDENT ANNOUNCES DETERMINATION TO PREVENT CHANGE IN RECIPROCITY TREATY.

In a long-distance telephone conversation with Senators to-day President Taft repeated his determination to veto the Canadian reciprocity bill in case any amendment is added.

Senators accept the President's ultimatum as applicable to modifications which might be made at the instance of Republicans as well as Democrats, and say that it would have the effect of preventing any agreement on amendments for tariff changes which might be acceptable to both insurgents and regular Republicans.

POINT RAISED BY FARMERS.

Many Senators have received telegrams and letters announcing a purpose on the part of the farmers to test the constitutionality of the proposed reciprocity law if it receives less than a two-thirds majority in the Senate. This position is taken on the ground that as the bill carries into effect the provisions of a treaty it should receive the vote in the Senate necessary to render a treaty effective.

The friends of the measure do not concede the point, but they are claiming the two-thirds.

[Washington Times, June 24, 1911.]

SENATE MINORITY LEADERS TO PLAN COURSE ON TARIFF—STONE SAYS HIS PARTY WILL FIGHT FOR UNAMENDED RECIPROCITY.

Senate Democratic leaders said to-day they expected an early conference of Democratic Senators to devise a program on reciprocity and tariff. They said the time had not been fixed, but that this would be the practicable way to arrive at an understanding. That the outcome will be decision to pass the reciprocity agreement without change is practically certain.

Senator STONE, of Missouri, who will lead the Democratic fight for reciprocity, was even more emphatic than ever to-day in declaring the agreement must not be amended.

MUST GO AS IT IS.

"It must be passed without the crossing of a 't' or the dotting of an 'i,'" said Senator STONE. "Most of our side feel that way about it. After that is done we can turn our attention to other tariff matters."

He added that what was done in way of revision depended on whether the insurgent Republicans would cooperate.

Asked about the length of the session, he said adjournment appeared about like an object looked at from the big end of a spyglass, extremely remote.

Mr. CUMMINS. Mr. President, I do not know whether the statements contained in these extracts from two reputable newspapers are true or false. I do know, however, that they find great corroboration in everything that is said and in everything that is printed concerning the work in which we are now engaged. It must be conceded that a minority of the Republican Senators, most of whom have hitherto advocated the high and, in many instances, the indefensible duties of the present and former tariff laws upon manufactures, and a large majority of the Democratic Senators who have hitherto professed the doctrine of a tariff for revenue only, have united and intend to pass this bill, the chief characteristics of which are: First, to admit free of duty from Canada into the United States all the products of the farm and of the farmer; and, second, to admit free a small quantity of pulp wood, wood pulp, and print paper.

It is said—and it is said so often that I, at least, feel compelled to accept the statement as expressive of the situation—that these Senators, constituting a majority of the Senate, have determined to submit to the demand, so frequently repeated, that, without regard to fairness or justice, no change whatsoever shall be made in the terms of the measure, and that it must be passed in the precise form prescribed by the President of the United States. I make no comment upon the spectacle thus presented to the American people; I make no comment upon what seems to me to be an abdication of the duties of the Senate and an abandonment of its responsibilities. I earnestly hope—hope from the bottom of my heart—that these statements or rumors will prove to be a libel upon the Senate and upon the Chief Executive as well. Time alone will tell.

It is also stated in the extracts read and in many others that I might have collected and laid before the Senate that after the so-called or alleged reciprocity measure has been safely passed, Democratic Senators will bring forward certain bills to remove and reduce duties. Their former allies will now, of course, desert them, for however willing they may be to send the farmer into free competition, they will be found valiant enough in the defense of high duties for the rich and powerful manufacturers.

Then, it is said that these Democratic Senators expect that another group of Republican Senators, who for two years now and more have stood consistently and faithfully and earnestly

for a reduction of the onerous and excessive duties in the present law and in the law which preceded it, will join them to adopt in some form or other a revision of certain schedules, believing and, as many of the newspapers of the country are insisting, hoping that the President will veto these bills, and that thus the issue for the campaign of 1912 will be prepared.

I am not commissioned to defend the Democratic Senators against this aspersion upon their fidelity to the public interest, but I shall not believe, until I am compelled to believe through the result of a roll call, that the program that is thus insisted upon elsewhere and throughout the country is to be the program of a majority of the Senators of this body. I shall cherish my confidence in the integrity of purpose of all the Senators in this body until it shall be destroyed, not by rumors, not by the speculations of newspaper writers, but by the record itself; and I earnestly hope that this session may draw to a close with that confidence full, complete, and unshaken.

I have, therefore, brought forward this morning a series of amendments to the pending measure for which I ask your calm and patriotic consideration. I am not presenting these amendments in order to defeat the measure as it came from the House of Representatives and as it is insisted upon by the President of the United States; I do not speak for any of my associates who are commonly called progressives; I make no pledge or promise for them; but as for myself, I say that if these amendments or the substance of them receive the approval of the Senate I shall vote for the reciprocal measure about which so much discussion has been had. I do not present these amendments to destroy the measure; I present them to correct the measure, to remove from it the obvious and evident injustice that there is in it. I present them in the hope that by and through their adoption by the Senate of the United States the people of this country can be made to believe that it is the purpose of Congress to deal fairly with all the people of the country and not to select one class for a discrimination so invidious and so harmful that their confidence in our Government must be shattered if the bill as it is receives the approval of Congress and the approval of the President.

I asked in the beginning, as you observed, that the reading of the amendments might be dispensed with, because I wanted to lay them before you from my own standpoint and in my own way. I intend to take them up somewhat in detail a little later, but just now I want to say of them and for them that they do not touch the general tariff of the country. They relate only to our tariff with Canada, and they are fairly and properly a part of any new relation that we desire to establish with that country.

Further than that they do not ask, save in two respects, any additional concession from Canada. As I said the other day, I believe that, in view of her policy, her future, the promise of her development and growth, Canada has in the arrangement which is now before us conceded everything to the United States that she can concede and maintain her industries and perpetuate her prosperity. I do not ask more from Canada. I ask simply that in graduating our concessions to her we shall be mindful of the market in which the farmer must buy as well as the market in which the farmer must sell.

Later I will make more detailed observations upon the amendments, but just now I want Senators to remember, as I proceed, that the only additional concessions which my amendments propose on the part of Canada are all kinds of logs and timber and all kinds of coal. If Canada will admit into her territory all our timber and lumber of whatever kind and all our coal of whatever kind, I for one am content with the concessions which she seems to be willing to grant to us. But these amendments, when they come to deal with the considerations which we grant to Canada, change the whole aspect of the bargain or trade. That you may be able to perceive the purport of the amendments as I proceed with my discussion, allow me to say that I take from the reciprocal dutiable list, so far as the United States is concerned, a list of articles which represent the manufactured products of agriculture as distinguished from the raw products of agriculture. Remember, now all the while, that I am not insisting that Canada shall grant us a like extension of her free list, because she can not do so in justice to herself, but in justice to the American people, in justice to the American consumer, in justice to the American farmer we can not grant the free admission of raw agricultural products from Canada into the United States without at the same time granting to her the free admission of manufactured agricultural products as well. Therefore, after striking from our reciprocal dutiable list these articles, I add them to our free list, namely:

Fresh meats—Beef, veal, mutton, lamb, pork, and all other fresh or refrigerated meats, excepting game.
Bacon and hams not in tins or jars.
Meats of all kinds, dried, smoked, salted, in brine, or prepared or preserved in any manner.
Canned meats and canned poultry.
Extract of meat, fluid or not.
Lard and compounds thereof, cottolene and cotton stearin, and animal stearin.
Tallow.
Egg yolk, egg albumen, and blood albumen.
Tomatoes and other vegetables, including corn, in cans or other airtight packages.
Wheat flour and seminola, and rye flour.
Oatmeal and rolled oats.
Corn meal.
Barley malt.
Barley, pot, pearled, or patent.
Buckwheat flour or meal.
Split peas, dried.
Prepared cereal foods of all kinds.
Bran middlings, and other offals of grain used for animal food.
Macaroni and vermicelli.
Biscuits, wafers, and cakes.
Biscuits, wafers, cakes, and other baked articles, composed in whole or in part of eggs or any kind of flour or meal, when combined with chocolate, nuts, fruits, or confectionery; also candied peel, candied popcorn, candied nuts, candied fruits, sugar candy, and confectionery of all kinds.
Maple sugar and maple sirup.
Pickles, including pickled nuts, sauces of all kinds, and fish paste or sauce.
Cherry juice and prune juice, or prune wine, and other fruit juices and fruit sirup, nonalcoholic.

Do you believe, may I ask in passing, that this will render the arrangement less satisfactory to Canada? Do you not know that Canada will look upon the proposal with vastly more favor, if you are desiring the arrangement, with these things added to our free list than she will if they bear reciprocal duties? But that is not all. I add also free lumber of all kinds, and I phrase it in this way:

Logs; timber, however sided or squared; round timber, for whatever use; sawed boards; planks; deals, and other lumber, planed or unplaned, finished or unfinished; laths and shingles.

And so on through the list of lumber, whether raw, partly manufactured, or wholly manufactured. All that I ask is, when you take away from the American farmer the benefits that he has heretofore enjoyed under the protective tariff and the larger benefits and advantages that he is about to enjoy, that you give him at least the opportunity of buying his lumber, whether planed or unplaned, from Canada without imposing upon it any duty whatsoever.

I add also all forms of iron and steel, beginning with iron ore. I am perfectly aware that Canada at this time can not be expected to be a serious competitor with the United States in the production of iron and steel, but we are doing something to build up Canada; we are doing something here to invigorate her industries and carry her forward at a still more rapid pace into the development which she fondly expects and may reasonably hope for. I want, when that time comes, if these industries can be planted, and I believe they will be planted, in Canada, and thus become competitors of our industries of like character, I want the benefit for the American consumer, and especially the American farmer, in the reduced prices which will result from competition of that kind. Do you think Canada will object to the introduction of these articles upon her free list? On the contrary, she will look upon the arrangement with just so much more satisfaction.

I have also included woolen goods and fabrics of all kinds, cotton goods and fabrics of all kinds, silk goods and fabrics of all kinds, leather goods in all their forms, so that in the time to come, if not now, we may reasonably hope for competition in Canada respecting these things that will be as active and as beneficial as it is now said that competition in agricultural products will be.

I can not understand that state of mind which can contemplate the subjection of the farmer to free competition on the hypothesis that the conditions in Canada are substantially the conditions here, that will shrink from free competition in manufactured products as well.

I appeal especially to my friends upon the other side of the Chamber, for I have no hope of my associates on this side of the Chamber; they will help you to remove the duties from agricultural products, but they will not help you to lower the duties by a farthing upon the great manufactured products of the country.

I will be met at once—and I did not intend to enter upon the discussion of the details of these amendments so fully at the present time, but I must be permitted to refer to this phase now—I will be met at once with the thought, if it is not expressed, that we ought not to give these things to Canada for nothing; that we ought to exact something, some concession, from Canada because we extend our free list to that country. That thought has no weight with me. Canada can not give us these things and preserve her own industrial system. But I want to remind Senators that the agitation which began 10

years ago in the ranks of the Republican Party and has continued unabated from that time until the present moment concerned the reduction of our duties for the benefit of our own people—the reduction of our own duties in order that those who consume the things we produce may buy them in the markets of the country at a fair and reasonable price, and the more we give away of unnecessary duties the richer we will be. We ought not to ask any direct equivalent for these concessions to Canada.

I have asked the Senate to adopt the amendments because the very basis of the whole measure that we have before us, as declared over and over again by the President of the United States and by all those who have advocated it, is that the conditions of life and of industry and of manufacture in Canada are substantially similar to our own.

If that is true, we do not need to reduce our duties in dealing with Canada. We need to remove our duties entirely when dealing with Canada, because it was to equalize such conditions as I have named that the advocates and defenders of the protective system—and I am as profoundly impressed and convinced as I ever was before of its justice and its beneficence—established the protective system, and when there are no conditions to equalize, when industry flows upon an even and a level surface we do not require these duties in order to protect our manufacturers.

I should like to hear some one in the Senate before this debate shall have closed give some reason why we should not extend free meat to Canada and free flour and free iron and steel and free boots and shoes—free everything that we think will benefit our own people—and we are proceeding upon the hypothesis, those of us who want to lower duties, that we are rendering a service to our own citizens when we reduce duties, and it would be the height of inconsistency to require that before we yield these duties we must receive from a foreign nation some equivalent for the concessions.

Ah, if you will but look at these amendments from the standpoint which I occupy, if you will but examine them in the spirit which animates me, you will see in the amendments not an obstacle to the establishment of these new relations with Canada, but a new force that will lead the movement to still completer victories. I can not understand why any Senator here who is in favor of the reduction of duties should hesitate for a single moment in approving the amendments I have offered.

Now, the difficulty as I have understood it, and I am speaking mainly to my Democratic friends, because it is upon them that we mainly rely in adopting any amendment to this measure, is one of Executive approval, but it can not be said, and nobody has ever said with any authority, that the President of the United States will veto this bill because we add to the free list with Canada.

All these statements, which are so rife and which seem to have taken possession of so many minds, have been made with regard to amendments which are either entirely dissociated from the arrangement and constitute a general revision of the tariff, or amendments which will make it less probable that the Canadian Government will accept the bill as it passes the Senate or as it passes Congress.

You can not say that with regard to these amendments. You are at one stroke making the measure just, and you are making it more satisfactory to the Canadian Government, and therefore, I assume, inasmuch as the President of the United States wants the enterprise to succeed, more satisfactory to those who have promoted this departure from our general tariff plan.

I would not have it understood, Senators, that if I had been arranging such a matter as this I would have taken up the subject in the way in which it has been taken up. I am a protectionist. I believe that there are some differences in agriculture between Canada and the United States which entitle our farmers to some duty on some things if we are to preserve with integrity our party belief. I do not want it to be understood that I would willingly depart from that doctrine, but I have no control over the existing situation.

Mr. BACON. Will the Senator from Iowa pardon me if I make an inquiry?

Mr. CUMMINS. With pleasure.

Mr. BACON. I desire to do so before the Senator gets too far away from something which he said a few moments ago in regard to the question whether or not the President of the United States would veto a measure. We have had a great deal of talk of that kind in the Senate. The question I desire to ask the Senator is whether he thinks it is a proper thing that legislation should be attempted to be influenced in the Senate by a statement that the President will or that the President will not veto a measure? Does not the Senator think that it is not only the province, but the duty of the legislative department of the Government to proceed in the enactment of measures according to the judgment of the several Houses and without reference to the question what the Executive may think or the Executive may do—at least so far as that reference may be used for the purpose of influencing the acts of the legislative branch of the Government?

Mr. CUMMINS. I answer that inquiry with more gratification than I ever replied to any question put to me upon the floor of the Senate. It is abhorrent to me to hear it suggested that any Senator will be influenced by the probable action of the Executive upon a measure under consideration.

I think it is the beginning of the end of the dignity and the power and the respectability of the House and of the Senate to hear it reiterated day after day that we must not amend a measure because it will meet with the disapproval of the Executive in its amended form. I wish that some one of more experience than I have had in this Chamber and whose words would therefore be weightier and more potential than mine can be would stand here and warn the country of the consequences that must ensue from the attempt to influence legislation through the suggestion that it will or will not meet the approval of the President. I have only referred to this phase of the subject because I have heard day after day Senators rise and say that we can not amend this measure because if we do the President will veto it, and thus we will lose whatever benefit or advantage there may be in it.

The Senator from Georgia has heard these declarations, and I am sure that they have been just as repugnant to him as they have been to me. I wish that the Senate of the United States could once more reassert its immunity from influences of the character that have been suggested.

Mr. BACON. With the permission of the Senator——

The PRESIDING OFFICER (Mr. POMERENE in the chair). Does the Senator from Iowa yield to the Senator from Georgia?

Mr. CUMMINS. I do.

Mr. BACON. I desire to say, in order that I may not be misunderstood, that of course I recognize the fact that within certain limitations it is contemplated by the Constitution that the President shall communicate to Congress what his views are. Therefore I do not wish to go to the extreme of saying that no consideration is to be paid to the views of the Executive, because I recognize that there is a contemplation in the Constitution in the provision which requires the President to give information to the legislative branch of the Government—a contemplation that there shall be some regard paid to the views thus expressed.

But the particular point that I had in mind and which the Senator from Iowa has more fully expressed is as to the propriety of attempting to influence the action of either branch of Congress by the threat on the floor that if such and such a thing is done, not that it will not meet with the approval—that might be subject to a different construction—but that it will meet with the veto of the President. That, I think, is an improper thing to state on the floor of the Senate, and I took advantage of the opportunity to express my view on it. It is not original with me by any means. I can recollect some very eminent Senators with whom I had the honor to serve when I first came to the Senate expressing themselves in very strong language condemnatory of such a suggestion. It is the high prerogative and function of the legislative branch of the Government to legislate without the suggestion of such arguments for the purpose of influencing their action.

Mr. CUMMINS. I so heartily agree with the Senator from Georgia that I would like to emphasize his view of it in every way I can. I think I recognize the field of propriety in that respect as well as the field of impropriety. The bill is before the Senate, and a Senator considering whether he should vote for it or seek to modify it has quite the right to look at the general views of the Executive and to form a judgment with respect to the fate that it may meet when it reaches him for approval. That is quite right and quite proper. But we have been assaulted here day after day by the newspapers—possibly some of them have not been guilty of it—iterating and reiterating, apparently with authority, that if this bill is amended in any fashion whatsoever, no matter how meritorious the amendment may be, it will be vetoed by the President, and that influence has been poured into this Chamber until it seems to fill the minds of many Senators, and they do not feel at liberty to exercise that judgment and that conscience which they otherwise would.

I am not saying that the President of the United States is responsible for these statements. I know that they are so uniform and so universal that they have at last found lodgment in the Senate, and I repeat I have only referred to this phase of it because I have heard day after day distinguished Senators,

especially on the other side of the Chamber, and some on this side of the Chamber, say that although we may make other bills the subject of consideration after this bill has passed, we must not add anything to it, because when it reaches the President it will be disapproved by him.

I repeat that the amendments which I have proposed are in harmony with the arrangement, will speed its progress to a final conclusion, and can not impair the chances of its finally receiving the Executive approval.

Mr. BACON. Mr. President, with the permission of the Senator——

The PRESIDING OFFICER. Does the Senator from Iowa yield further to the Senator from Georgia?

Mr. CUMMINS. I do.

Mr. BACON. I desire to say that at present the inclination of my mind is to the method of voting for the reciprocity measure without amendment, but it is not for the reason suggested by the Senator. I would not be influenced in any measure by the suggestions which have been made and which have been repeated by the Senator—that if amended it would meet with an Executive veto. I could not myself be influenced by a consideration of that kind.

But I want to suggest to the learned Senator that it is a poor rule which does not work both ways. I very much favor in the main—I will not say in detail—the reductions which are suggested by him. The only difference between the Senator and myself is as to the method to be pursued in order to effect those reductions. The present inclination of my mind is to pursue them in separate bills.

I understand the Senator to have himself said on the floor of the Senate—I am not sure that I quote him correctly; if I do not he will correct me—but my recollection is that the Senator has himself urged as a reason why the reduction measures should not be adopted separately from the reciprocity measure is that those measures when thus separately enacted would receive an Executive veto. I myself am proposing to proceed to the passage of the reciprocity measure by itself, without reference to the question whether or not the President would veto it; and then I think the consistent course is to pursue the enactment of the reduction measures separately without having the fear of an Executive veto to deter us from so doing.

Mr. CUMMINS. Mr. President, I believe I have repeated heretofore the suggestion, and the Senator from Georgia will remember that I did it in response to a statement from some Senator—I will not name him, nor am I sure that I could name him—that if these bills were presented independently, and if presented in that way they would not be approved by the President, then it was manifest we ought, in order to do justice, to attach them to the reciprocity bill.

But the Senator from Georgia and all Senators who are listening to me must remember that I am now presenting amendments which relate only to Canada. They are not made and could not be made the subject of general bills. Of course, there could be reductions to all countries in our general tariff in an independent bill, but these amendments relate simply to further reductions in duties to the Dominion of Canada. No Senator can deceive himself, I am sure, with the thought that if he does not attach them to the present measure he can make them the subject of an independent measure, because he can not.

There are a great many things in these amendments, I fancy, no Senator would be willing to put on the free list so far as the world at large is concerned, and they are put upon the free list so far as Canada is concerned simply because we are dealing with that nation as though it were substantially like our own, with conditions not very different from our own.

Mr. CLARK of Wyoming and Mr. GORE addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Iowa yield, and to whom?

Mr. CUMMINS. I yield to the Senator from Wyoming, who rose first.

Mr. CLARK of Wyoming. I wish to ask the Senator if, in his judgment, any of his amendments are obnoxious to the parliamentary rule and the rule of the Senate that all amendments must be germane to the subject matter of the bill. I think there may be a possible clearing in the minds of some who desire to vote for some of these amendments, but fear that they may be obnoxious to that parliamentary rule. For myself I do not ask for information, but only to get the views of the Senator in the RECORD.

Mr. CUMMINS. I am very glad to give the Senator from Wyoming my view on that subject. In the first place, there is no parliamentary rule and no rule of the Senate which requires an amendment to be germane to the subject of the bill to which it is offered as an amendment. Our rules provide that with reference to appropriation bills the amendments must be germane, and there are other provisions also with regard to amendments to appropriation bills, but there is no rule of the Senate and no general parliamentary rule which requires an amendment to be germane to a bill. If, however, we were under such a rule, every amendment which I have offered is germane to the subject matter of the bill. In my opinion, when the farmers' products are put on the free list, any amendment which relates to the market in which he must buy is germane to such a bill.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from New Hampshire?

Mr. CUMMINS. I do.

Mr. GALLINGER. The Senator from Iowa is, I think, absolutely correct in suggesting that there is no rule requiring that amendments shall be germane to ordinary legislative bills. I think the records of the Senate will show that on one occasion a land law of great consequence and of great length was offered as an amendment to a private pension bill and it became a part of that bill. Our custom, I think, has been never to raise a question except on appropriation bills as to whether or not an amendment is germane. I may be wrong about the rule, and I would be glad if the Senator from Wyoming would quote the rule, if there is such a rule, because I have forgotten it if it exists.

Mr. CLARK of Wyoming. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield further to the Senator from Wyoming?

Mr. CUMMINS. I do.

Mr. CLARK of Wyoming. I did not assume, as a matter of absolute fact, that there was such a rule. I could not assume that because it has frequently occurred that amendments were made which were not in harmony with the general purpose of the bill; but I know that objections of that sort have been raised in regard to the very amendments which are proposed by the Senator from Iowa, and I wanted the views of that Senator in the RECORD so as to show that that view is absolutely not tenable, not for the purpose of raising any discussion as to the parliamentary rule.

Mr. CUMMINS. There seems to be a general concurrence in regard to that.

Now, I yield to the Senator from Oklahoma [Mr. GORE], who rose a few moments ago, if some one will call his attention to the matter.

The PRESIDING OFFICER. The Senator from Iowa yields to the Senator from Oklahoma.

Mr. GORE. Mr. President, I desire to ask the Senator from Iowa to discuss the effect of his amendment under the favored-nation clause. I should like to hear a discussion of that phase of his amendment, as I understand he proposes to admit these articles free of duty from Canada. I have offered a similar amendment, limited in its scope. It has since occurred to me that under the favored-nation clause the same advantages will have to be extended to every country in the world. I think if we do that we are skating on thin ice. I should like to hear the Senator's views on that particular phase of his amendment.

Mr. CUMMINS. Before I have concluded what I have to say upon my amendments I intend to discuss, with some care, the history and the interpretation of the favored-nation clause. I hope the Senator from Oklahoma will permit me to defer an answer to his question until I reach it in the orderly course of my argument.

Mr. GORE. I, of course, would prefer that the Senator should do that.

Mr. CUMMINS. I will only say now, in order not to leave any false or misleading impression in the mind of any Senator, that in my opinion the bill as I propose to amend it is much less likely to collide with the favored-nation clause than the bill as it is presented to the Senate by the House of Representatives and by the President.

Mr. SMITH of South Carolina. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from South Carolina?

Mr. CUMMINS. I do.

Mr. SMITH of South Carolina. Canada being largely an agricultural country, the bill as now proposed would, in agricultural products, conclude a reciprocity agreement with the United States. If that agreement should work a hardship to the farmer because of the fact that Canada is so largely agricultural and is limited in her manufactured articles, the remedy proposed by the amendment of the Senator from Iowa would meet the contention that injury is done the farmer, that his wheat is put in competition with Canadian wheat and his rye and barley and his animal products. But when it comes to manufactured products, if a like reciprocal arrangement were made with Canada, would the farmer receive the same remedy

to compensate for the evil done? Would there not of necessity be a call for a larger free-trade arrangement with other countries to offset what he might suffer? I see that the so-called farmers' free-list bill has no relation whatever to Canada.

Just one question further. I am asking for information, and I hope the Senator from Iowa will devote a few moments to this point. Was it not, perhaps, for that reason that the President of the United States did not propose that Canada should give all these articles in the limited measure in which she manufactures free to the United States? Was it not for the very reason that when he opened that question he would lay himself liable largely to other countries which do manufacture extensively, but which do not produce extensively?

Mr. CUMMINS. Mr. President, one part of the question I exclude at once, for I would not venture upon an answer to it, namely, I do not know what actuated the President. I do not know what his views are upon the subject suggested. I can only answer for my own. It is quite true, as suggested by the Senator from South Carolina, that the amendments which I have proposed enlarging our free list, so far as Canada is concerned, will not constitute full and adequate compensation to the farmer for putting him in free competition with the Canadian farmer; and I do not want it to be understood for a moment that I think these amendments are the only ones that should be added or made to this bill.

I agree that in order to restore the equilibrium we must reduce duties with other countries, and I agree that we must put a great many things upon the free list with the world in order to give the farmer a fair market in which to buy. We are far, however, from accomplishing that purpose, and this step in the right direction in no wise interferes with the next one that ought to be taken.

Mr. SMITH of South Carolina. If the Senator from Iowa will allow me just one other suggestion——

The PRESIDING OFFICER. Does the Senator from Iowa yield further to the Senator from South Carolina?

Mr. CUMMINS. I do.

Mr. SMITH of South Carolina. In all fairness to this side, the Senator has come exactly to the position I have and that this side have maintained in regard to reciprocity, namely, that this step toward the admission of Canadian products in return for American products is a step in the right direction, and that it does not go far enough. Yet we are perfectly willing to take it as far as it goes, and I am glad to see that the Senator from Iowa, in reference to manufactured products, has taken exactly the same position.

Mr. CUMMINS. Mr. President, now, I can not wholly concur with the Senator from South Carolina. I do not believe that this is a step in the right direction. I believe that unless it is accompanied with whatever relief practically free trade with Canada can give the farmer it is a step in the wrong direction. I agree that if we can put the American farmer upon the same plane or basis with the Canadian farmers with respect to what he buys, as well as with regard to what he sells, we have taken a step in the right direction; but whenever you stop short and this year put the farmer in free competition with his chief rival and then delay to some far-distant, vague time the compensation that you would give him, when you at least could give him all the benefits that free trade with Canada in manufactured products will give him, you are doing him, as I think, a grave injustice, and you are not stepping in the right direction. I expect to join whoever shall be in favor of reducing duties generally. I expect to be in favor of putting upon the free list very many things that are not now there. I have voted so before; I shall vote so again.

But why will not the Senator from South Carolina join me in putting on the free list, so far as the United States is concerned, meat as well as cattle, and flour as well as wheat?

Mr. SMITH of South Carolina. I would answer, Mr. President, by saying that I am heartily in accord with the idea of incorporating into our law the proposition known as the free-list bill and allowing it to take such scope as will compensate the farmer in the largest possible sense for the injury done him. I think that answers that question.

I want to ask the Senator from Iowa another question, and I do it because of his frankness and his disposition to go to the bottom of every phase of this question. I am not saying this in any facetious mood; I am in earnest. I take great pleasure in listening to his arguments. But there was one point he made a moment ago, and it was made by a Senator yesterday, that now that the production of grain has about reached the point where consumption and production are about equal, when for the first time in the history of the American farmer he is coming to the point where the protective doctrine can be of benefit to him, it seems to me the irresistible logic of that position is that here is an industry of the United States exploited to its fullest extent in view of the area necessary for other American agricultural products; that now the American people, having to eat bread, must be forced by legislative enactment to depend upon the American farmer; and as the population exceeds production and the necessity for living becomes sharper, the American farmer comes into his own in that the circumstances of the case put him in a position where he can mulct every American bread eater and make him pay him a premium because of this law. I want to say, Mr. President, in this connection, that as a farmer I do not subscribe to that, and in so far as I produce grain, I am perfectly willing to take my chances with the Creator who opened up the fields for the benefit of those people for the necessities of life. I do not think it is good statesmanship or good politics to say that, because a geographical line divides us from Canada and the American wheat fields have reached their limit of supplying the American people, therefore the American wheat consumer, by virtue of a system which the Republican Party has inaugurated, must be made to pay a premium to the American farmer.

Mr. CUMMINS. Mr. President, I differentiate very sharply between what will probably happen and what ought to happen, but I think it is probably true that there is something that clusters around the foodstuffs of a country which precludes raising their price materially by means of a tariff. But I differ entirely with the Senator from South Carolina when he says we have reached the limit of production of foodstuffs.

Mr. President, if the profit in agriculture were sufficient, the United States has a soil which, because of its fertility as well as its extent, could raise foodstuffs not only for our 90,000,000, but for our 90,000,000 multiplied five times and more. It is only a question of profit in the business.

Mr. SMITH of South Carolina. Mr. President——

Mr. CUMMINS. Wait just a moment. Now, mark, if we are to preserve—and I am now speaking to my fellow Senators on this side—if we are to preserve the wages which are supposed to be lifted up through the medium of the protective tariff, if we are to preserve the profits in manufactures that are supposed to be made possible by the protective tariff, then the farmers' products are just as much entitled to be lifted up and held up through the protective tariff as are the wages of our workmen and the profits of our manufacturers.

Mr. SMITH of South Carolina. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield further?

Mr. CUMMINS. I do.

Mr. SMITH of South Carolina. The Senator's argument from the standpoint of equity, if we are to have a protective system, is all right, but I want to ask the Senator this question: If through the operation of protection for the grain growers or the agricultural producers, they are given such profit as is suggested by inference from the Senator's remarks as to encourage the back-to-the-farm movement, which has been a cry of late years, and this increase of the fields reaches the 9 times 90, you will then have such an export surplus that you will immediately reduce the farmer to conditions that have just antedated those that you are now congratulating him upon having arrived at. Therefore, under this argument, the inference seems irresistible that you must grant the farmer just such profit as will enable him merely to furnish the American people with just enough bread at just a profit, and then preclude him from making any more, because so surely as he makes a surplus through the profitableness of his occupation and that surplus is thrown upon the markets of the world in competition with other countries that have not our system of protection, the price in America will inevitably sink to the price of that surplus.

Mr. CUMMINS. Mr. President, I do not intend to enter upon any discussion of the protective system. I——

Mr. CRAWFORD. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from South Dakota?

Mr. CUMMINS. Allow me just a moment. I know that my friend from South Carolina finds no defense for it; I am a believer in it, but just at this time I see the farmer passing out of it. There is nothing that can be done in this Chamber or elsewhere to keep him in it.

Now, if it were imminent, if it were a question that were about to be debated or decided by impartial minds, I would be glad to enter upon a general review of that subject; but I know that the day has come in which the farmer is to be excluded from the benefits and advantages of the protective tariff. The decree has already been written. It only needs the formal approval—I will not say forever, but for the time being—to exclude him from the company of the manufacturers of the United States.

I shall not exhaust my strength in endeavoring to resist the movement which has received such an impetus here, not only upon your side of the Chamber but upon ours as well. The only thing that I am trying to do is to make sure that as the farmer passes out from the consideration of the American Congress, at the moment that he is denied the privileges which he has heretofore enjoyed, at the moment that he is subjected in his products to free competition with the world practically, he shall at least receive whatever advantage there is in buying freely from Canada all her manufactured products. That is my whole case, and there is no answer to it; there will be no answer attempted to it. I will venture to say that no man will rise in this Chamber and deny either its justice or its fairness. I shall make that record for and in behalf of the American farmer, and I will leave him in the future to determine who stood in the way of the slight benefit or compensation that might ensue to him if he had free trade with Canada in manufactured products as well.

I now yield to the Senator from South Dakota.

Mr. CRAWFORD. Mr. President, we hear so little from those who are supporting this pact that when Senators, as the Senator from South Carolina [Mr. SMITH] has done, come into the discussion, I feel as though we are justified in trying to find out, if it can be done, what their attitude is with reference to this particular bill. Now, if the Senator from Iowa will permit me, the Senator from South Carolina seemed to base his support of this bill upon the ground that food products under present conditions are being taxed and that this bill is removing that tax. I should like to know where the features are in this bill that remove any present tax upon a food product to the consumer. For instance, here is wheat put on the free list; will you get any cheaper bread? Here is barley put on the free list; will you get any cheaper beer? Here is rye put on the free list; will you get any cheaper whisky? Here is oats put on the free list; will you get any cheaper oatmeal or any cheaper breakfast food? No. Here is cattle put on the free list; will you get any cheaper meat? No. The tariff remains higher than before bread and upon flour, and, as the Senator from Texas showed clearly the other day, the tariff remains higher than before upon meat.

Mr. SMITH of South Carolina. Now, will the Senator from South Dakota allow me?

Mr. NELSON. Will the Senator yield to me?

The PRESIDING OFFICER. To whom does the Senator from South Dakota yield?

Mr. CRAWFORD. I am holding the floor simply until the Senator from Iowa [Mr. CUMMINS] gets a drink of water. I think he is about to return, but I will yield to the Senator from South Carolina if he will simply indicate where the other side finds any relief to the consumer.

Mr. NELSON. Mr. President, I rise to a point of order.

Mr. SMITH of South Carolina. Mr. President——

Mr. CUMMINS entered the Chamber.

Mr. CRAWFORD. I yield the floor to the Senator from Iowa.

Mr. CUMMINS. I yield to the Senator from Minnesota.

Mr. NELSON. This is a very important and interesting discussion, and I think we ought to have more Senators in attendance. I suggest the absence of a quorum, Mr. President.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Cummins	Kenyon	Pomerene
Borah	Curtis	Lippitt	Shively
Bourne	Dillingham	McCumber	Smith, S. C.
Brandegee	Dixon	McLean	Smoot
Briggs	du Pont	Martin, Va.	Stone
Brown	Gallinger	Myers	Swanson
Bryan	Gore	Nelson	Thornton
Burnham	Gronna	Oliver	Townsend
Burton	Heyburn	Overman	Watson
Chilton	Hitchcock	Page	Williams
Clark, Wyo.	Johnson, Me.	Penrose	Works
Crawford	Johnston, Ala.	Perkins	

Mr. THORNTON. My colleague, the senior Senator from Louisiana [Mr. FOSTER], has been called from the Chamber.

Mr. STONE. I announce that my colleague [Mr. REED] is unavoidably out of the city for a day or two. I ask that this announcement stand for the day.

The PRESIDING OFFICER. Forty-seven Senators have answered to their names. There is a quorum present.

Mr. NELSON. Will the Senator from Iowa yield to me?

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Minnesota?

Mr. CUMMINS. I yield to the Senator from Minnesota.

Mr. NELSON. I was in hopes that some member of the Finance Committee would be here. It is evident that there is no interest in this subject of reciprocity—not enough to keep a quorum here. Would it not be well to postpone this matter until next November or December? I would call the attention of the Senator from New Hampshire [Mr. GALLINGER], who I believe is the next ranking member of the Committee on Finance——

Mr. GALLINGER. I did not hear the Senator's suggestion.

Mr. NELSON. It is evident—and I make that suggestion to the Senator from New Hampshire and the Senator from Utah [Mr. SMOOT]—that it is difficult to keep a quorum in the Chamber to consider this matter, and in view of that fact would it not be a good plan to postpone the further consideration of this subject until next November or December?

Mr. GALLINGER. I have a hesitancy in even expressing an opinion in the absence of the chairman of the Committee on Finance, who is my mentor to a certain extent in matters of legislation which come before that committee. I will say for myself that if I could have my way I would have a concurrent resolution passed through both Houses of Congress taking a recess until the first Monday in December next. That is what I would do, but I apprehend that is impossible, and I suppose we have got to have this tedious—and I have no reference——

Mr. CUMMINS. I have no doubt what I am saying is tedious.

Mr. GALLINGER. I have no reference to the Senator from Iowa because he always talks entertainingly, but tedious for the reason that we find it difficult to get Senators to talk, and we amble along here discussing all sorts of things, and I do not see that we are making very much progress. If we are not to take a recess, which I would like to have taken, I personally am in favor of voting on these bills in the near future. I do not want to be kept here all summer engaged in mere conversation. I should like action of some kind or other.

Mr. NELSON. Will the Senator from Iowa yield to me?

Mr. CUMMINS. I yield to the Senator from Minnesota.

Mr. NELSON. I suggest to the Senator from New Hampshire that the difficulty in the case is this: There is scarcely anyone who is willing to say much of anything good on this reciprocity bill, and that is very embarrassing. They not only seem not disposed to say much in favor of it, but they are not disposed to listen to those who are saying something against it.

Mr. GALLINGER. If the Senator from Iowa will permit me, I think this is the first instance in my somewhat protracted experience in this body when a bill, important as this is claimed to be, has come before the Senate without the proponents of the bill advocating it and leading the way, blazing the way, for the opponents of the bill to take their position in regard to it.

It is extraordinary, but I do not see how we can change that. It has pained me; I have tried to remain in my seat and have done so when I possibly could; but it has pained me to see so many empty seats when distinguished Senators, like the Senator from Minnesota, were making illuminating arguments against this bill. It was painful.

Mr. STONE. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Missouri?

Mr. CUMMINS. In just a moment. It does not pain me at all to speak to empty seats. I know perfectly well that every Senator has made up his mind with respect to this matter. We are not considering it in the light of reason. That doctrine which has recently received such impetus and emphasis in another branch of this Government does not prevail here. There is no Senator who cares anything about the reason of it—and I am not disparaging Senators either—and therefore I do not want it to be understood that I complain in the least degree of the habit of Senators in leaving the Chamber. I know that it is impossible for the chairman of the Finance Committee to remain here. He is never here except at roll calls—I mean while this measure is under discussion—and for a very good reason. In his heart he is not for this bill. He feels compelled to vote for it for reasons which he has not yet given to the Senate and probably will not.

But I resume, leaving the Senators at entire liberty, so far as I am concerned, to go wheresoever their inclinations lead them.

Mr. STONE and Mr. SMITH of South Carolina addressed the Chair.

The VICE PRESIDENT. Does the Senator from Iowa yield, and to whom?

Mr. CUMMINS. I will yield to the Senator from South Carolina for a question, but I do not want his argument, which I concede is better phrased, but I can not agree is better bottomed than mine, interjected into the RECORD at just this place.

Mr. SMITH of South Carolina. It is not. But the Senator yielded to the Senator from South Dakota to ask me a question, and it is just for a moment to reply to that.

Mr. CUMMINS. But if the Senator from South Carolina will not take it ill, I hope he will reserve his reply to the Senator from South Dakota until some other time.

Mr. SMITH of South Carolina. The only reason——

The VICE PRESIDENT. The Senator from Iowa declines to yield.

Mr. CUMMINS. I will willingly yield to a question to me, but not for an argument on the subject.

Mr. SMITH of South Carolina. It is not for an argument. It almost amounts to a question of personal privilege. But if the Senator sees fit to allow him to incorporate what he says——

Mr. CUMMINS. Very well. I yield to the Senator from South Carolina. He can speak as long as he pleases.

Mr. SMITH of South Carolina. No; I beg the Senator's pardon.

The VICE PRESIDENT. The Senator from Iowa yields the floor.

Mr. SMITH of South Carolina. I am much obliged to the Senator from Iowa.

Mr. CUMMINS. I have, I think with sufficient detail, explained to the Senate the character of the amendments which I have proposed to the bill. There are some Senators here, however, who have not heard the explanation, and I know they will do me the honor to read these amendments.

I now desire to say a few words with respect to the general subject, in order to make it perfectly clear what attitude I assume with regard to reciprocity with Canada.

Mr. President, the import duties which for many years we have levied and which we are now levying against Canada are indefensible from any point of view, moral or economic; and it is not strange that millions of our people, without either critical or comprehensive knowledge of the proposal contained in the bill now under consideration, give it their approval, simply because it removes some of the unnecessary burdens laid upon commerce between Canada and the United States.

I was one of the pioneers in the movement for freer trade relations between the two countries, and I am still so thoroughly convinced that reciprocal relations can be established which will be of lasting and mutual advantage that I profoundly regret my inability to give this measure, in its present form, my instant and cordial support. I would gladly vote for absolute free trade between the two nations, but I know that Canada could not endure, and therefore will not accept, free competition. I would cheerfully vote for a horizontal reduction of 50 per cent in our duties against the Dominion without asking any reduction whatever in Canadian duties against us, not only because it would be just, but because it would benefit the United States.

Our average duties upon dutiable articles brought in from Canada, put upon an ad valorem basis, have been for many years and now are about 43 per cent. Canada's average duties levied upon our imports into that country, reduced to the same basis, have been and are a little less than 25 per cent. Under this striking disparity of tariffs the 7,000,000 of people in Canada bought from us last year commodities of the value of $239,000,000, whereas the 90,000,000 of people in the United States bought from Canada commodities of the value of $113,000,000. It is not possible to emphasize the significance of these plain facts, and I repeat here, as I have so often said elsewhere, that it is our immediate and imperative duty to correct so flagrant a wrong committed, not alone against our own people, but the people of a neighboring and friendly nation as well.

In view of the opinions I have so long held and so frequently expressed, it is hard to believe that I will be driven to the alternatives of expressing my sympathy with the movement for freer trade with Canada by voting for the bill or of expressing my deep conviction of its inadequacy and its unfairness by voting against it. Of one thing, however, I am sure, namely, that it is my bounden duty as a citizen and as a Member of this body to expend all the strength I have in the effort to so amend the proposal that it will not only create better relations between the two countries, but will be just to the people of our own country.

In view of the insistence from many quarters, high and low, that the proposed arrangement as found in the bill ought to be immune from the ordinary processes of legislation and that it is our duty to either accept or reject it without amendment, I intend to inquire somewhat into the source of the alleged immunity, for the purpose of ascertaining, if it be possible, why we should abdicate the powers and duties which the Constitution confers and imposes upon us. Whatever opinions we may hold upon the arrangement submitted to us by the President, every Senator who is conscious of the least respect for the body of which he is a Member must regret the circumstances which have surrounded the measure on its way to the Senate and which seem to have fixed its standing here.

The Constitution bestows authority to legislate upon Congress and the authority to veto upon the President, but with reference to this bill the powers of these departments of government seem to be transposed; for if we yield to the demand so intolerantly made, it is the President who has exercised the powers of legislation and Congress the powers of approval or rejection. Upon a former occasion I entered my protest against the modern tendency toward the Executive usurpation of legislative functions, and I enter it again. It may be granted that sometimes through the single will of an Executive more and better things may be accomplished for the people than through the diversified wills of a discordant body of legislators; but if the experience of the world has proved any one thing in government, it is that the safety and permanence of free institutions depend upon the rigid observance of the lines which mark the separate provinces of legislative, executive, and judicial authority.

I heartily commend the President for his careful investigation of this subject, and receive with respect his recommendations, but I dissent wholly from the opinion apparently held by some of his advisers that the executive department could, without legislative authority, lawfully make a proposal to Canada or lawfully receive a proposal from Canada touching changes in the tariff law.

There are many people who believe, honestly no doubt, that we ought to approve or disapprove the arrangement just as it was agreed upon by the State Department, and that any attempt to amend it is but an indirect effort to accomplish its defeat. This belief implies that the measure is not before us as an ordinary revenue bill, originating in the House of Representatives, and under the Constitution as open to amendment here as a bill of any other character, but that it has some peculiar characteristic which exempts it from the usual course of legislation. I do not know nor do I care what power the representatives of Canada had in the matter, but I propose to examine, in the friendliest spirit, the authority of the executive department of our Government to do what it has done. In the abstract, I can but regard the course pursued as a dangerous intrusion upon the rights and privileges of the Congress of the United States. I would not dwell a single moment upon this phase of the subject were it not that, as a consequence of it, we are met in the Senate by two propositions, both of which are asserted in order to destroy the liberty of amendment which ordinarily we exercise according to our individual consciences and judgments, but of which we are, in this instance, sought to be deprived. These propositions are:

First. That the executive department has carried its negotiations and its agreements to that point which enables it to say that Canada will not give more for the concessions which we grant, nor take less for the concessions which she grants, nor consider other proposals.

Second. That, as viewed by other nations, what has been done so far constitutes a completed arrangement, that if Congress, in order to equalize both the burdens and the benefits of the arrangement among our own people, adds to our concessions without insisting upon additional concessions from Canada, then we must make the additional concessions to all countries with which we have treaties embracing the favored-nation clause.

I dispute both of these propositions, and insist that Congress is the only power which can make a proposal to Canada respecting tariff changes; that Congress ought to make just such a proposal as justice and the interest of our own people require, and that when such proposal is made by Congress and accepted by Canada, other nations can not inquire into the unauthorized negotiations carried on and the immaterial conclusions reached by our State Department, nor into the adequacy of the consideration which we accept for our concessions.

I must be clearly understood. Of course, no one claims that the House had not a strict legal right to pass whatever bill it pleased relating to our tariff with Canada, and no one claims that the Senate has not the technical power to amend the bill passed by the House to any extent that it sees fit, but the effort is to make these constitutional rights and powers barren and worthless by terrorizing both Congress and the country with the picture of the dismal consequences that will ensue if we do not ratify and vitalize the precise meeting of minds between Mr. Knox, our Secretary of State, and Mr. Fielding and Mr. Paterson, who represented the ministry of the Dominion of Canada.

My view of it is that the delusion created by the diplomatic exchanges ought to disappear; that the Senate ought to look upon the President's message as indicating his opinion respecting the legislation which should be had, entitled to great weight because of its high authority; that we ought to accept the letter of Mr. Fielding and Mr. Paterson as expressive of the opinion of two eminent gentlemen interested in Canada's welfare; that we ought to inform ourselves from every source of knowledge,

and having thus equipped ourselves for the performance of the duty before us we should make to Canada just such legislative proposal relating to changes in tariff duties as will be fair to our neighbor and beneficial to ourselves.

In order to fortify the opinions which I have ventured to lay before the Senate a brief retrospect will not, I am sure, be regarded as inappropriate. The President has the sole power to make treaties with foreign nations. Congress has the sole power to lay taxes, including the levying of duties on imports, and the sole power to regulate commerce with foreign nations. Deferring for a moment the consideration of the question whether the treaty-making power can ever include the fixing of duties on imports without the authority of Congress, I submit:

First, that the arrangement before us, concluded upon the one side by the State Department of the United States and Mr. Fielding and Mr. Paterson upon the part of Canada, is not a treaty, and if the bill before us is passed and with the approval of the President becomes a law, it will not constitute a treaty between the two countries. It is to be observed that the President in his message, transmitted to Congress in the early part of the year, carefully refrains from describing it as a treaty. Referring to the two representatives of the Department of State who had been despatched by the department to Canada to confer upon the subject, he says:

They were authorized to take steps to formulate a reciprocal trade agreement.

And again, referring to the conclusion of their labors, he says:

The result of the negotiations was that on the 21st instant a reciprocal trade agreement was reached, the text of which I herewith transmit with accompanying correspondence and other data.

The two Canadian ministers, in their letter with attached schedules which, together with the acceptance on the part of the Secretary of State, constitutes whatever agreement was made, says:

2. We desire to set forth what we understand to be the contemplated arrangement, and to ask you to confirm it.

3. It is agreed that the desired tariff arrangement shall not take the formal shape of a treaty, but that the Governments of the two countries will use their utmost efforts to bring about such concurrent legislation at Washington and Ottawa.

It must be a little humiliating to the pride of Members of Congress to note that the Canadian ministers, in the passage I have quoted, as well as in the subsequent paragraph, refer to the Government of the United States as synonymous with the Executive Department of the United States, but in view of the occurrences of recent years it is not strange that foreigners should forget that Congress is a part of the Government of this country.

Recurring, however, to the subject in hand, it is quite clear that the persons who made the arrangement consciously refrained from denominating it as a treaty, and it must be assumed that they did it advisedly. A treaty is an international contract, and its very essence is the imposition of contractual obligations. A treaty without an obligation is as impossible as life without air. If the bill becomes a law there will be no promise, no obligation, on either side. Furthermore, if it be a treaty, which under the Constitution the Executive may make, the House of Representatives has no more authority to deal with it, or interfere with it, than it has with the nomination of a public officer, and before it could become effective the Senate must ratify it by a two-thirds vote. I must not, however, prolong the discussion by additional observations upon this phase of the matter, because it is not conceivable that the conclusions suggested will be disputed.

As I understand the scope of Executive activity, the only authority under which the President can enter into any agreement whatsoever with a foreign nation is the authority to make treaties. The Constitution does not repose in him the power to negotiate or make trade arrangements or agreements unless they are at the same time within the treaty-making authority, and I believe it to be true that for 57 years, at least, with possibly one exception, no President has ever attempted to change our tariff in a treaty without the previous authority of Congress.

Again I say that it must not be inferred from this analysis of the situation that I am assailing the motives of the executive department of the Government or seeking for the sake of criticism to question its authority. I am simply bringing to your attention what the President and the Secretary of State ought to be the first to concede, viz, that all that they have done has been solely for the information of Congress. If no Member of the House of Representatives had been willing to introduce a bill embodying the arrangement which has been agreed upon by the Secretary of State and the two Canadian ministers, it would have been legally impossible for the President to have invoked the action of the Senate upon it.

Mr. President, I am about to take up another phase of this matter, and, inasmuch as I have been speaking substantially for two hours and the day is rather oppressive, I will yield the floor, with the statement that I will endeavor to regain it at the close of the routine morning business to-morrow.

Mr. BORAH. Mr. President, when adjournment occurred last evening I was discussing the Wilson bill with reference to the trade relations between the United States and Canada and the position of the Republican Party upon that bill. I am trying to find out, if I can, what has been the true doctrine of the Republican Party with reference to the particular matter about which we are now concerned.

I am now going to read a document which has been circulated in every Republican campaign since it was issued, including the campaign which brought the present administration into power. It constitutes a solemn pledge between the Republican organization and the agricultural interests of this country. It is a document which has been circulated not only generally but specifically in those States where the great farming vote is found. I have not been able myself to discover that change in the condition of facts and affairs which has changed the principle as we have laid it down from time to time in every campaign from 1864 until and including the campaign of three years ago. This is a portion of the document:

Not content with the injury these proposed changes would work to the Pacific coast, it is proposed that the protective duties on many agricultural products provided for by the McKinley bill and previous legislation shall be removed, the barrier which we have erected against agricultural productions from Canada and other foreign countries broken down, and American farmers placed in free competition with Canadian producers. The provision of the Wilson bill in this regard may be briefly stated, as follows:

"Buckwheat, corn or maize, corn meal, oats, oatmeal, rye, rye flour, wheat, and wheat flour are to pay a duty of 20 per cent; but each of the above articles shall be admitted free of duty from any country which imposes no import duty on the like product when exported from the United States."

That is the provision which incurred the displeasure and the continued denouncement of the Republican organization from the time it was put in the Wilson bill until we took it out by the pledge which we made to the American farmer that we would take it out if we were given the power, and the American farmer gave us the power and we immediately proceeded to change it in the Dingley bill.

Of course, no country importing largely of our agricultural products will impose a duty upon them, and this provision of the Wilson bill means free trade with Canada and with all other countries in the articles mentioned. Barley, under the McKinley bill, is subject to a duty of 30 cents per bushel, which has had the effect of limiting the amount of barley imported from Canada and stimulating its production by our farmers. But by the Wilson bill barley, barley malt, and barley pearled, patent, or hulled is subjected to a duty of only 20 per cent ad valorem. Duties upon live animals are largely decreased by the Wilson bill and fixed at 20 per cent ad valorem. Duties upon dairy products and upon beans, peas, hay, potatoes, and other vegetables which are not placed upon the free list are largely reduced. The duty is reduced upon raisins and other dried grapes to 1½ cents per pound. Apples, green or ripe; apples, dried, desiccated, or evaporated; bacon and hams; beef, mutton, and pork, and meats of all kinds; prepared or preserved birds, and land and water fowls; cabbages; eggs and yolks of eggs; fish and insects; fresh fish; and many other products of agriculture are placed upon the free list.

Mr. DIXON. Mr. President——

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Does the Senator from Idaho yield to the Senator from Montana?

Mr. BORAH. I do.

Mr. DIXON. I should like to know what document the Senator from Idaho is now reading?

Mr. BORAH. I am reading from a speech delivered by Senator Dolph in 1894, and which was afterwards used as a campaign document by the Republican national organization.

Mr. DIXON. It was circulated as a Republican campaign document?

Mr. BORAH. Yes, sir; and I presume that almost every Republican campaign speaker used it as a reference from time to time. It was a document which was well known to the Republican organization, and, as I said, it has been in constant use. Mr. Dolph said further:

Putting iron ore, coal, lumber, and the principal agricultural products on the free list will be especially disastrous to the belt of agricultural, lumbering, and mining States along the Canadian border. Under the House bill, if it should become a law, we would have free trade in these articles with Canada. Extending from the Atlantic to the Pacific the United States and Canada lie side by side, divided only by an imaginary line, with similar forests and mines, with the same character of soil, but with cheaper lands, cheaper labor, and more undeveloped resources upon the Canadian side. It is proposed to throw down the barrier which had protected agriculture in the United States and compelled the Canadians to contribute largely to our Treasury and to admit the products of the cheaper soil and cheaper labor of Canada into the United States free. It is proposed that we shall make an exceedingly foolish bargain with Canada and give her the markets of 67,000,000 people for the privilege of sending free certain agricultural products into a country having 5,000,000 people.

This was, of course, a speech made in 1894, and there is a larger population at the present time.

But this disproportion between the population of the two countries is not the worst feature of the proposed reciprocity. The raw products of Canada and those of the United States are substantially the same. Reciprocity with Canada would mean a very different thing from the reciprocity with Mexico or South American countries, from which, with reciprocity, we might get in exchange for our products products of those countries which we do not produce; but with the duty removed or reduced upon the products of the forest, the mines, and the soil of Canada, the only result will be to make farming profitable in Canada, to increase the amount of Canadian products annually exported to the United States, to crowd out of our home markets a like amount of our own products. The amount of Canadian imports will not greatly affect prices in the United States, but will affect domestic production and relieve the Canadian producers from the burden of paying duties at our ports. It will result in benefiting the Canadian producer, in loss to our Treasury and to American farmers exposed to Canadian competition.

Our tariff upon agricultural products has made farming unprofitable in Canada, has protected farmers on our northern frontier from undue competition with Canadian products, has added greatly to our revenues, contributed, as everyone admits, by the Canadian producer, has caused such a difference in the prosperity of the two countries as to induce a very large immigration of the most industrious, enterprising citizens of the Dominion to the United States. All these advantages are to be absolutely thrown away without any compensating benefits, and only to carry out an unsound theory concerning free trade in raw materials Our people are to be further taxed; new schemes of taxation are to be devised to make them contribute to the revenues the amount which, under existing laws, is now contributed by Canadians.

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Nebraska?

Mr. BORAH. I do.

Mr. HITCHCOCK. May I ask the Senator from Idaho whether, in his opinion, the condition mentioned in the speech which he is reading now prevails, that the prosperity in the United States is so great that we are enjoying a great immigration from Canada at the present time of Canadians dissatisfied with their condition?

Mr. BORAH. It was stated on the floor yesterday that some 94,000 Canadians had come to this country.

Mr. HITCHCOCK. However, it was also stated yesterday that a much larger number of Americans were leaving the United States and going to Canada to enjoy their greater prosperity.

Mr. BORAH. That is due to the fact of cheaper lands in Canada. But the emigration from Canada to this country is due undoubtedly to the fact that the Canadians desired to secure work in our manufacturing centers. Those are the points to which they go. But our farmers are leaving their farms in this country and taking Canadian farms.

Mr. HITCHCOCK. Does the Senator think it is just to say that when the immigration is coming from Canada into the United States it indicates a greater prosperity in the United States, but when the tide of emigration is the other way and is going from the United States into Canada it does not indicate that they have a degree of prosperity which is attractive even to the people of the United States?

Mr. BORAH. If the people who come from Canada into the United States come here to engage in the same kind of occupation that the people who leave the United States go to Canada to engage in, the argument of the Senator from Nebraska would be conclusive; but we are engaged here in legislation which disparages the American farmer, which accentuates the movement of the American farmer to Canada, and which, on the other hand, accentuates the movement of the Canadian to the manufacturing centers of the United States. That is precisely the vice of the measure.

That is precisely the injustice, the inequity, and the unfairness of this legislation. It is designed to place an additional embarrassment, an additional hardship, upon the American farmer, and therefore will tend to drive the American farmer to the Canadian side or to the city and manufacturing centers. On the other hand, it will be a benefit, as is supposed, to the American manufacturer and would naturally call for a Canadian to come into the manufacturing centers to find employment.

Mr. HITCHCOCK. I realize that that is the argument made by the Senator from Idaho and others who agree with him; but I call his attention to the fact that he is reading now to the Senate an argument against reciprocity based upon the fact tha conditions in the United States at the time the speech was delivered which he is reading were so much more prosperous, as proved by the immigration from Canada into the United States, whereas at the present time, as we all know, that particular condition is exactly reversed; and I am asking him whether that argument has any application at all at the present time.

Mr. BORAH. I do not agree with the proposition so universally stated by the Senator from Nebraska, that the reverse of that proposition is now true. It is reversed as to a particular avocation, but not as a general proposition.

Mr. PAGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Vermont?

Mr. BORAH. Yes, sir.

Mr. PAGE. I should like to ask the Senator from Idaho if the immigration into Canada at present is not almost exclusively the result of the cheap lands that are being opened up in Saskatchewan and Alberta?

Mr. BORAH. There are several causes, in my judgment, contributing to the emigration to Canada. One of the principal reasons for the emigration is the tenacity with which the American Congress holds on to the antiquated land laws of the United States. Canada has made the acquisition of land in her dominion easy, comparatively speaking. A party may go into Canada and acquire a homestead by three years' residence, and he has permission to leave that homestead six months out of each year. The acquisition of public lands in Canada has been made comparatively easy, especially when a comparison is made with the United States. That has been one of the elements.

In addition to that there is another element. I am not stating it as a matter of criticism or of commendation; I let that take care of itself at some other time; but we have included in our reserves in the West some thirty-five or forty million acres of agricultural lands; and the western immigrant will not contend with the rules and regulations and conditions of acquiring a homestead in such a reserve when he can go across the Canadian border and acquire a homestead more easily and without the embarrassments which surround him here.

Then, thirdly, there is undoubtedly the proposition of cheaper lands. Lands are cheaper in Canada, whether you estimate the value from the standpoint of the manner of acquisition under the law or from the manner of purchase. Those things have contributed to the result.

Since 1900, 500,000 American farmers have left the American side and gone to the Canadian side to acquire farms. Five hundred thousand of the best brawn and blood of the western civilization have passed over to become citizens, at least landholders and farmers, upon the Canadian side. That not only represents the manhood but it represents the wealth which those men carried with them and the possibility of the great wealth which they are to create.

I do not understand, Mr. President, why it should be thought wise statesmanship to accentuate the immigration from the United States into Canada. I do not understand why it should be thought the part of wisdom to add an additional inducement for the American settler to go to Canada instead of remaining in the United States. I do not understand why it should be thought wise, not only in view of his advantage by reason of the cheaper land, but why it should be thought wise to give the additional advantage of having cheaper lands and the better advantages without sustaining the burdens of government which we have to sustain in this country.

Mr. PAGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield further to the Senator from Vermont?

Mr. BORAH. Certainly.

Mr. PAGE. What I wished particularly to emphasize was the fact that the Senator from Nebraska [Mr. HITCHCOCK] was wrong in this particular, to wit, that the prosperity of this country was not inducing immigration from Canada. Those of us who live near the border know that there is a constant tide from Canada coming into the United States for one reason and another. Were it not for the fact of the cheaper land proposition, which has just been explained by the Senator from Idaho, there would be no doubt that the immigration from Canada would be several times as large as the tide from the United States into the Canadian Provinces.

Mr. BORAH. I have no doubt that is true. Mr. Dolph continued:

The McKinley bill considerably increased the duties on many agricultural products, protected and stimulated agriculture in the United States, increased taxation upon importations of Canadian products into this country; but under the House bill this policy is to be reversed. This is but another example of the insincerity of the Democratic Party when it professes friendship for the farmer and laboring man.

And now the Republican Party must take its position alongside the Democratic Party in its insincerity to the American farmer.

Mr. HEYBURN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to his colleague?

Mr. BORAH. I do.

Mr. HEYBURN. Mr. President, I am in some doubt as to whether my colleague intends to say that the Republican Party will do it or is doing it. Some Republicans may be doing it.

Mr. BORAH. Mr. President, I am glad my colleague makes that distinction. There is some consolation, some balm, in that suggestion, but very little. I wish there were more.

Mr. President, I desire to read another paragraph or two from the speech of former Senator Dolph before I proceed, as I know the Senate is very anxious to hear it. He said further:

> The blow threatened against manufacturers is to fall and expend itself at last upon the producers of raw materials, upon the agricultural and laboring classes. But let no one be deceived. The blow at the farmer, the lumberman, the miner, and the laborer, while it will fall first upon them, will reach and be felt by every industry, by all classes and all sections. Why is it proposed to put wool on the free list and to destroy an industry which has heretofore afforded a living to 150,000 small farmers in this country and employment for as many additional laborers; an industry which has made farming profitable upon portions of the rugged soil of the Eastern States not adapted to agriculture, and enables the mountain regions of California, Oregon, Washington, Idaho, Montana, Wyoming, Colorado, New Mexico, Arizona, and Utah to be utilized? Why destroy an industry which with proper protection would eventually make this the most extensive wool-producing country in the world and enable us to furnish the raw materials for our own manufacturers?
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> As the result of the legislation proposed by the House bill, the flocks that graze upon the mountain sides of the great West, and the smaller flocks of the smaller farmers of the East, will be driven to the slaughter pen, the woolgrowing industry will be destroyed, thousands of laborers thrown out of employment, thousands of farmers ruined, and all to make a market for the wool of Australia and South American countries, raised upon cheap lands with cheap labor and with climatic advantages we do not possess.

But, Mr. President, there came a time in this country when it was a noticeable fact that the great voting strength of this country was in the cities, and also a noticeable fact that the great strength of the press was in the cities, and both the political parties began to play for that influence. Elections are now controlled by the cities and public opinion molded by the great dailies. The result of it is that the contest upon the tariff question to-day is between the centers of population and the producing or agricultural class. The geographical taint or division which once characterized the fight has practically disappeared, and for the purpose of securing that great strength in political marts it would appear that both parties have concluded that the proper thing to do is to put raw material of all kinds upon the free list and to leave undisturbed those articles which are controlled by corporations, combines, and trusts, which have been collecting toll upon everything that leaves the farm and goes to the consumers. We begin our revision with the man outside the trust. Instead of attacking the powerful monopolies which fix prices, regardless of State lines or national lines; instead of a brave effort to restore competition or to regulate prices, we adopt the temporizing, deceptive plan of putting cheaper raw material into the hoppers of the trust, hoping, apparently, that the unconscionable combines will become satiated to satiety and give the consumer some of the benefits. I feel so earnestly and so bitterly at this shirking of a great responsibility and of the restraining language of debate is utterly unfit for the occasion.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Kansas?

Mr. BORAH. I yield.

Mr. BRISTOW. I should like to inquire of the Senator from Idaho if, instead of saying "both of the political parties," he should not say "the Democratic Party and the administration"? I am not willing to concede that President Taft, in the crusade in which he is now engaged for free trade in agricultural products, represents the Republican Party of this Nation.

Mr. BORAH. Well, Mr. President, I do not get very much consolation out of that, either. In any event, I prefer not to deal with individuals.

Mr. GORE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Oklahoma?

Mr. BORAH. I do.

Mr. GORE. Mr. President, I want to join the Senator from Kansas [Mr. BRISTOW] in his protest, but I put it on a different basis than did the Senator in his observation. I am unwilling to admit that as to the Democratic Party, and to commit them to a policy of opposition to any reduction of duties on manufactured articles. We favor such reduction now, and have always favored it, and we expect before long to be cooperating with the Senator from Idaho in a very substantial reduction of duties.

Mr. BORAH. The amount of consolation which I am getting out of this debate is very exhilarating on this hot afternoon. But how subtly and dextrously the Democratic Party leaves to the last the great trust-controlled articles, and with what scientific malevolence it reaches, like a professional garroter, the jugular vein of the producer.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Kansas?

Mr. BORAH. I do.

Mr. BRISTOW. In response to the last suggestion of the Senator from Idaho, that the President possibly did represent the Republican Party, I desire to say, with the permission of the Senator, that the President does not represent the majority of the Republican Members of Congress of the other House, he does not represent a majority of the Republican membership of the United States Senate, and I believe that the Senator from Idaho will agree with me that he does not represent the sentiments of a majority of the Republicans in this Nation.

Mr. BORAH. I presume I am permitted to remain silent upon that subject. I did not suppose two months ago that the President represented a majority of the Republicans in this particular matter, but the kaleidoscopic change is such that I am unwilling to become a prophet at this time. I am not sure just exactly what strength the President represents. Neither am I sure of anything except that nearly all Senators are for this agreement, but none want it.

Mr. President, I want to read a single paragraph from the memoirs of John Sherman. I should like for all my Republican friends to listen, and especially the leader of the Republican administration, the Senator from Missouri [Mr. STONE]. [Laughter]. Mr. Sherman says in the first volume of his memoirs, page 191:

> The dogma of some manufacturers that raw materials should be admitted free of duty is far more dangerous to the protective policy than the opposition of free traders. The latter contend that no duties should be levied to protect domestic industry but for revenue only, while the former demand protection for their industries, but refuse to give to the farmer and miner the benefit of even revenue duties. A denial of protection on coal, iron, wool, and other so-called raw materials will lead to the denial of protection to machinery, to textiles, to pottery, and other industries. The labor of one class must not be sacrificed to secure higher protection for another class. The earth and all that is within it is the work of God. The labor of man that tends to develop the resources buried in the earth is entitled to the same favor and protection as skilled labor in the highest branch of industry, and if this is not granted impartially the doctrine of protection proclaimed by the founders of our Government, supported for more than a hundred years of wonderful progress, will be sacrificed by the hungry greed of selfish corporations, who ask protection for great establishments and refuse to grant it to the miner, the laborer, and the farmer.

I wish we might heed it. I know it is true; you all know it is true; yet, sir, we are without the courage to do the right, even when we know the right.

That is a very wholesome piece of Republican philosophy.

I have very great sympathy, Mr. President, with the attitude of the newspapers in this fight. I am aware that they have been struggling and contending with a great corporation or combine which in a large measure controls the product which they need in their business. I presume that every right-thinking man has looked upon that subject in sympathy with the press of the country. That must necessarily be true with the "Progressives," because a "Progressive" can not refuse to sympathize with the press any more than a Mohammedan can pray with his face turned from Mecca. "The press is a part of the uplift."

But, Mr. President, what benefit will it be if, after all, this trust or combine should move north as rapidly as the Republican Party in its beneficence gives over our markets to foreigners? What hindrance will there be upon the part of this organization or combination to control all the additional raw material which we are seeking now to put into the market? By what means do we hope to secure relief against this combine operating in Canada, if we can not secure relief against it operating in our own country within the jurisdiction of our own laws? Instead of pouring more raw material in the hopper of the trust and exchanging the farmer's opportunity and his chance in the trade, why not deal with the combination itself? If, as has been stated in public several times, the real opposition to this reciprocity agreement comes from the Paper Trust and the Timber Trust, would it not be wise, knowing that they do exist, to deal with them as trusts and combinations, instead of undertaking to extend the area of their operation, for they can operate across the governmental line as easily as they can across a State line?

It seems to me, Mr. President, that if we would devote our attention to a suit, both civil and criminal, against the combinations, if they exist, which control this product, it would be far more effective to the newspapers and those who want to deal with them, and it would not be nearly so expensive to the agricultural interests of the country. But the fact is that

Canada saw an opportunity to get into the American market, and she required that the American Government concede her entrance into this market before she would grant the favor which we seem to think will be of some benefit to us, and which, in my judgment, will not, in the long run, be any benefit at all. Instead, however, of dealing with the combination or the trust as a trust, we undertake to settle the trust question at the customhouse—a thing to my mind impossible. Instead of subjecting them to the criminal law and placing them where they ought to be, if they are exercising the power that it is claimed they exercise, we enter into an engagement with Canada by which, if they see fit, they can extend their operations and control the situation just as effectively after as they did before the agreement.

Mr. President, the only man who has never been in a trust and has never dealt with trust goods, except as he purchased them, who has never entered a combine, who has received the least benefit of all from the protective-tariff system, who has been removed farthest from its direct benefit, is the man who is to be visited with the discrimination in this instance in the hope of settling the trust question by tariff legislation, to wit, the American farmer. How can we justify in good conscience in beginning our attack upon the one who stands in the open field of competition, who is not in a combination to control prices—the farmer? We put him upon an absolute free-trade basis and then say that sometime in that far off and most illusive sometime we will deal with the real wrongdoer—the one who really fixes the price to the consumer.

Some 25 years ago both the Republican and the Democratic Parties began their campaign against trusts and combinations, seeking to devise laws and schemes by means of which they could control them or destroy them, and that campaign has continued from year to year until practically the present time. It was thought that if they could be destroyed or controlled competition would be restored to the American market place, and through competition prices would be brought back to a reasonable level. But, Mr. President, it seems that, after all, during all these years we have been mistaken; that trusts were not the cause of the high prices; that the combines were not the ones who were fixing toll upon the things which we eat; but the man who has been guilty of all these things which have led to the high cost of living has been the farmer out upon the ranch. Now, we have turned our attention from proceeding against the combines and trusts under the criminal law to putting the farmers' product upon the free list in the hope that by giving the trusts more raw material they will have compassion upon the consumer. This is one of the stupendous jokes of this era.

If it will not disturb some of my Republican friends, I think I shall read the view of a prominent Republican upon the matter of settling the trust question by the tariff. This is from ex-President Roosevelt. He was a good Republican at the time the present administration was elected:

> At the outset it is worth while to say a word as to the attempt to identify the question of tariff revision or tariff reduction with a solution of the trust question. This is always a sign of desire to avoid any real effort to deal adequately with the trust question. In speaking on this point at Minnesota on April 4, 1903, I said:
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> "The question of tariff revision, speaking broadly, stands wholly apart from the question of dealing with the trusts. No change in tariff duties can have any substantial effect in solving the so-called trust problem. Certain great trusts or great corporations are wholly unaffected by the tariff. Almost all the others that are of any importance have, as a matter of fact, numbers of smaller American competitors; and, of course, a change in the tariff which would work injury to the large corporation would work not merely injury but destruction to its smaller competitors, and equally, of course, such a change would mean disaster to all the wageworkers connected with either the large or the small corporations. From the standpoint of those interested in the solution of the trust problem, such a change would therefore merely mean that the trust was relieved of the competition of its weaker American competitors and thrown only into competition with foreign competitors, and that the first effort to meet this new competition would be made by cutting down wages, and would therefore be primarily at the cost of labor. In the case of some of our greatest trusts such a change might confer upon them a positive benefit. Speaking broadly, it is evident that the changes in the tariff will affect the trusts for weal or for woe simply as they affect the whole country. The tariff affects trusts only as it affects all other interests. It makes all these interests, large or small, profitable, and its benefits can be taken from the large only under penalty of taking them from the small also."
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> There is little for me to add to this. It is but 10 years since the last attempt was made, by means of lowering the tariff, to prevent some people from prospering too much. The attempt was entirely successful. The tariff law of that year was among the causes which in that year and for some time afterwards effectually prevented anybody from prospering too much and labor from prospering at all. Undoubtedly it would be possible at the present time to prevent any of the trusts from remaining prosperous by the simple expedient of making such a sweeping change in the tariff as to paralyze the industries of the country. The trusts would cease to prosper, but their smaller competitors would be ruined and the wageworkers would starve, while it would not pay the farmer to haul his produce to market. The evils connected with the trusts can be reached only by rational effort, step by step, along the lines taken by Congress and the Executive during the past three years. If a tariff law is passed under which the country prospers, as the country has prospered under the present tariff law, then all classes will share in the prosperity. If a tariff law is passed aimed at preventing the prosperity of some of our people, it is as certain as anything can be that this aim will be achieved only by cutting down the prosperity of all of our people.

Mr. President, I want to talk for a few moments about the father of reciprocity.

Mr. HEYBURN. Mr. President, may I interrupt my colleague before he leaves that phase of the matter?

The PRESIDING OFFICER. Does the junior Senator from Idaho yield to his colleague?

Mr. BORAH. Yes.

Mr. HEYBURN. My memory just went back in connection with the extract from the speech being read by the Senator to 1900, which is not very far, and I thought I remembered a plank in a platform of a great party which runs:

> Tariff laws should be amended by putting the products of trusts upon the free list to prevent monopoly under the plea of protection.

That is from the Democratic platform of 1900, and it is well enough to remember it.

Mr. BORAH. I was talking to the family to-day, and not to the opposition. I want to settle this question among ourselves. [Laughter.]

Mr. President, I want to talk for a few moments about the father of reciprocity. I would not detract from anybody's glory, and I am not intending to do so, but the real author of reciprocity in this country of late years is Mr. James J. Hill. I speak of Mr. Hill with the utmost respect because I think he is not only a great railroad man but a great man in other respects. He is a man of wonderful ability both as a railroad builder and, as has been said, an "empire builder"—a man whose capacity and intellect goes far beyond the question of the manipulation of stocks and the construction of railroads. I speak of him in this connection as a matter of history and not for the purpose of attacking him. He is entitled to his views. In my judgment, to him belongs the success, in a large measure, for the movement for reciprocity in this country within the last five years. He has been an advocate of it in season and out of season; he has furnished all the arguments I have ever, as yet, heard advanced in its behalf. However great a man Mr. Hill is, we ought to remember that the success of his great railroad system depends in a large measure upon the chance of hauling Canadian products to our markets. He was the man who invented the argument that by putting the farmer's product upon the free list you could reduce the cost of living without reducing the cost of the farmer's product. I am sure that no mind, except the ingenious mind of Mr. Hill, would ever have conceived of the proposition that you could reduce the cost of living by putting the farmer's product upon the free list without reducing the price of the product to the farmer.

This required a bold genius as well as some audacity. He has both. He is also the author of the argument that while the products which would be brought from Canada would be so small and of such a minimum amount that they would not affect the price to the farmer, yet they would be so large and so immeasureable that it would make it impossible for the speculator to control and corner the market. This class of arguments, which will fit in one locality or to one audience and then, stated differently, be usable in another locality, will be found in his many articles upon the question of reciprocity.

He published a book some two years ago. Among other subjects he treated the subject of reciprocity with Canada. I am not going to take the time of the Senate to read the entire book, but I should like to read some parts of it:

> Since the episode of Maximilian our interest in Mexico has been scarcely more than a friendly observation of growth along lines so different, in the main, from our own that the question of conflicting interests could scarcely arise. On the north has arisen a confederation so closely akin to us in all respects, so remarkable in recent expansion and promise, so well worth taking note of either as a helper or a competitor in American continental development, that the question of our trade relations with the Dominion of Canada is one of the most practical issues of the day.
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> The interests of these two peoples are as similar as the territories which they occupy. Place a pair of dividers, with one leg on Chicago and the other at Key West, swing the latter to the northwest, and it will not reach the limit of good agricultural land. Nature knows no artificial boundaries. "Classing the United States and Canada together," says Mr. Edward Atkinson, "occupying nearly the whole continent, it may be observed that the English-speaking people of this vast domain will constitute the only great nation producing a large excess of every kind of food that is essential for the support of life." Here are to be found, also, the largest known deposits of nearly all the useful metals, much precious ore, the greatest existing body of valuable and accessible timber, and other natural resources. No parallel of latitude marks where one form of wealth ends. The great central plain of North America is a physical unit. The characteristic and imposing feature of the interior of this continent is its material integrity. The two countries have identical languages, customs, usages of trade, and agencies for development. In all that relates to their progress there is a natural oneness and necessary harmony as obvious as the unbroken extent of land that stretches north to the limit of settlement.

How familiar those sentences sound to those who have been listening to or reading public speeches in favor of this question. Who ever supposed that this vision, which encompasses an English-speaking continent bound together in bonds of brotherly love, had its origin in the mind of a rugged railroad builder, whose railroads lead from Canadian fields to American markets. Perish the thought. That vision from the empyrean could never have originated in so materialistic a realm.

And what has this sturdy young neighbor of the North put into a partnership?

And then, without going into the long list of figures which he gives, I read again from page 94:

The agricultural interest in both countries would benefit by freedom of markets. Our cities afford a market for everything that the Canadian farmer can furnish. His breadstuffs, cattle and meat supplies, butter, cheese, eggs, and wool would reach new consumers.

That is, the Canadian farmer.

In 1906 Canada exported to the United States 3,831,988 bushels of wheat, valued at $2,981,608, according to her official statistics. This is an average price of 77 cents per bushel. In the same year the United States exported 34,973,291 bushels of wheat, valued at $28,757,517, or an average price of 82 cents per bushel, according to her official statistics. The average price of No. 2 red winter wheat that year in the New York market was 86½ cents per bushel. This difference is not always the same, nor does it exist at all times; but it is true that the price on the American side is usually from 3 to 5 cents greater than on the Canadian. Would this prospective gain to the Canadian farmer involve a corresponding loss to the farmer of the United States? Not at all. The time has now arrived when the home demand for many of the products of the soil is greater than he can supply.

And yet, Mr. President, those who are interested in this subject and will turn to another subject in this book will find that he gives the facts and figures to show that the American people can produce, if they are minded to use the land which is here at hand to be used, from twice to three times the amount of wheat we are producing now, and he shows that we can produce sufficient wheat to satisfy the home market when we shall have arrived at a population of 200,000,000 people.

Mr. President, that is one of the prime objections, to my mind, to this entire proposition. The untold millions of acres of agricultural land not now under cultivation which would be placed under cultivation if proper inducement were had in the way of prices is far more desirable than that we should trade with the foreigner who produces the same class of articles.

The American manufacturer has no better customer than the American farmer. He will sell more to an American farmer than he will to a Canadian farmer. The American farmer will not only purchase more, but he helps to sustain the burdens of American government. Can there be any possible doubt that any proposition which would tend to send the farmer across the line would be a detriment to the American manufacturer in the end? Would he not rather deal with a hundred farmers upon this side than a hundred farmers upon the other side?

The time has now arrived when the home demand for many of the products of the soil is greater than he can supply.

Mr. President, that is almost the exact language used by the distinguished Senator from New York [Mr. ROOT] the other day, when he said that he was of the opinion that heretofore the farmer had not received very much direct benefit from the protective tariff. Not, said the Senator, at least, until late years. With what wonderful accuracy of language and with what remorseless logic the Senator from New York states the real infamy of this legislation! The American farmer has not received any benefit except incidental benefit from the protective-tariff system until within the last few years and since the demand in the home market is becoming sufficient to raise the price of his products to that point where he can secure a competency and realize something from the system which he has loyally sustained—since that period has arrived the selfishness of the great manufacturing centers propose to take from him his long-deferred profits. And a more accurate and complete indictment against this agreement could not and has not been stated than that which was contained in the single sentence of the Senator from New York.

It seems to me that the Republican organization is now in a position where it must either recognize the falsity of the economic principles which it has been preaching and the economic principles which it has announced for 40 years, or admit that this is a cold and brutal betrayal of the most loyal constituency that a party organization ever had.

If it be true that the farmers have stood loyal as they have to this organization for 40 years, in the hope and in the belief that they would build up an American market place close to their homes from which and by which they could realize a competency, and if it further be true that just as that is being realized and conceded it is to be traded off and turned over to foreign producers, there is no page of political history from Sir Robert Peel to this hour that is equal in its betrayal by the Republican Party of this great rural, loyal constituency.

Mr. HEYBURN. Would it interrupt my colleague——

The PRESIDING OFFICER. Does the Senator from Idaho yield to his colleague?

Mr. BORAH. I do.

Mr. HEYBURN. To call attention to something within the family.

In the last national platform on which this administration went into power it is written under the head of "The Farmer":

Among those whose welfare is as vital to the welfare of the whole country as is that of the wageworkers is the American farmer. The prosperity of the country rests peculiarly upon the prosperity of agriculture. The Republican Party during the last 12 years has accomplished extraordinary work in bringing the resources of the National Government to the aid of the farmer, not only in advancing agriculture itself, but in increasing the conveniences of rural life.

That is within the family.

Mr. BORAH. I thank my colleague.

Mr. President, I agree with the bold figure of speech used by the gifted Senator from Oklahoma the other day when he said that the veil of the temple of protection has been rent in twain from top to bottom. But the rending of the temple was made possible not by outward enemies, though they gave aid and comfort; it was made possible by a base and venal betrayal for 30 shekels of silver—by a betrayal from one who had been a follower and a disciple. The eastern manufacturer, standing in the midst of the American market place, an advocate and a disciple of this system, its first and greatest beneficiary, in his selfishness and greed, covets his 30 additional shekels of silver and betrays the only system which offers him salvation. But I remember also following this figure further; that after the veil of the temple was rent asunder; after they parted the garments and cast lots; after there was darkness and desolation and despair upon the face of the earth from the sixth to the ninth hour; after Judas had brought his 30 shekels of silver and thrown them upon the temple floor and had gone and hanged himself; then came the resurrection morning; and the veil of the temple was restored and stands unshaken until this day. All this, sir, we may have to endure, and I believe we shall. But in the end the American laborer will not be placed upon the same basis with the foreign laborer; American citizenship will always mean more than the citizenship of other countries. In the end the home market will belong alone to the American producers. The inequities of the system will be adjusted, but its principles maintained.

Mr. President, one thing is just as certain as time marks progress—that the protective-tariff system will stand as a whole or it will fall as a whole. The Senator from New York said that those who represented the agricultural States would in time forget their revenges and vote for the general good of the country. The Senator will not be permitted to put it upon the ground of revenge. The basis of the condemnation will be its injustice, that when you take away from the American producer the American market place and trade it to a foreigner the cornerstone of this great system has been taken out and it will fall just so surely as that transpires. There is only one hope against that proposition, and that is the fact that this scheme, which would so barter away the home market, will have only a short life to live.

Mr. President, it can not be too often stated that the protective policy is a system. It is especially important to bear this in mind at a time when we have before us the distinct proposition of discriminating against a certain class of our people and still seemingly nursing the delusion that we can maintain the protective policy as such. If protection is to be confined to this or that particular article or schedule, if it is to be so applied as to reach to a certain class and to the disadvantage of other classes of our citizens, if the manufacturer is to have its benefits and the farmer denied, it then becomes nothing more than a privilege, and a privilege is always wrong.

If it be true that under protection as a system we build up and diversify our industries, diversify and specialize labor, and thereby increase the compensation of labor; if it be true that it establishes a home market for the surplus products of the soil and thereby serves both the producer and the consumer, it can well be justified and defended as a great national policy. But if it is to be used to build up one class at the expense of another; if the manufacturer is to be protected and the agriculturist not; if the home market is to be built up, not for the American farmer but for the foreign agriculturist, then it is an outrageous privilege and can not be defended and will not long be maintained. The latter proposition makes perfectly consistent those who are advocating reciprocity but who do not believe in protection. There is no bet-

ter way to destroy protection than by reciprocity as to competing products. It must either be a system and so applied as to benefit all classes and include the whole country or it is not justified upon any right theory of government whatever.

The real foes of the protective policy are those who would make an exception in favor of or against a particular industry. There is nothing either in constitutional law or in morals by which you can properly lay a tax to sustain an industry or to enable an industry to live when otherwise it could not live, and thereby, in a sense, tax one individual for the benefit of another, except upon the theory that as a policy or system it develops our natural resources, diversifies our industries, gives employment to the different dispositions and desires of men, and creates and maintains a home market for the products of the soil. Upon any other principle the protective system is a wrong, if not a fraud. Those who argue for free raw material or free products from the farm, and still seek to maintain protective duties upon manufactured goods, belong to that class of people who are perfectly willing to see the Government used to the aggrandizement of one class over another. But their selfishness is not their most striking peculiarity or quality, because their shortsightedness is a more distinguishing trait than that of their selfishness. While the temporary or immediate effects will press more severely upon one class of our people than others, in the end such a one-sided, narrow, selfish, and shortsighted policy will impoverish all lines of industry by destroying the entire system. If there is anything for which the original founders of the protective policy contended above all others it was that it should be treated as a system and that the home market should at all times belong to the American producer.

It was one of the cardinal principles of the protective theory from the beginning that the home market was extended and steadied by protection and that this home market was to serve the agricultural interests of the country, that manufacturers were necessary and essential for the agriculturalist, and that, upon the other hand, agriculture was indispensable for the success of the manufacturer. I call attention to some statements from some of the leading spirits upon this subject from the beginning. Alexander Hamilton said:

> This idea of an extensive domestic market for the surplus produce of the soil is of the first consequence. It is of all things that which most efficiently conduces to a flourishing state of agriculture. * * * To secure such a market there is no other expedient than to promote manufacturing establishments. Manufacturers, who constitute the most numerous class after the cultivators of land, are for that reason the principal consumers of the surplus of their labor. * * * It is a maxim well established by experience that the aggregate prosperity of manufactures and the aggregate prosperity of agriculture are intimately connected. Perhaps the superior steadiness of the demand of a domestic market for the surplus produce of the soil is alone a convincing argument of its truth.

No one has ever added anything to the argument of Alexander Hamilton in favor of the American protective tariff system. Indeed, it is not too much to say that all the great speeches which have ever been made upon the subject are in some measure an amplification of that famous report made by Mr. Hamilton when he was Secretary of the Treasury. It was the wont of his marvelous intellect to exhaust whatever subject it deigned to touch.

Benjamin Franklin said:

> Every manufacture encouraged in our own country makes a home markets and saves so much money to the country that must otherwise be exported. * * * It seems to the interest of all our farmers and owners of land to encourage home manufactures in preference to foreign ones imported from different countries.

Thomas Jefferson said:

> We must now place the manufacturer by the side of the agriculturist.

Jefferson was an agriculturist, not only theoretically, but in fact an agriculturist.

The above statement of Mr. Jefferson contains a vast amount of philosophy. If it were not for the healthy, wholesome life of our agricultural regions, if the politics of the country were throughout as corrupt as they are in the great centers of population, our Government would not survive half a century. The farm not only supplies the city with food, but it is a remarkable fact that the farm supplies the city with brains and character. If it were not for the constant accession from the farm to the city of young men, the effect would be felt not only in business and in politics, but in the stature of the citizenship in a decade. The finest eulogy ever written upon one class of people is the eulogy upon the agricultural class contained in Who's Who in America. If you will take up that volume you will find that 75 per cent of the men in this Chamber and in high official life were born and reared upon a farm. You will find 95 per cent of the editors of the great cosmopolitan dailies born either upon a farm or in country villages; and of the lawyers and great merchants and railroad operators you will find an average of over 75 per cent. So the declaration of Mr. Jefferson was not only one touching the economics, but it is one of great wisdom, covering every feature of national life.

Again, Mr. Jefferson says:

> My idea is that we should encourage home manufactures to the extent of our own consumption of everything of which we raise the raw material. * * * I trust the good sense of our country will see that its greatest prosperity depends upon a due balance between agriculture, manufacture, and commerce.

Henry Clay, in the great debate of 1824, said:

> The greatest want of civilized society is a market for the sale and exchange of the surplus of the produce of the labor of its members. * * * The home market is first in order and paramount in importance. * * *

Again he says:

> Agriculture is our greatest interest. It ought to be ever predominant. All others should bend to it. And in considering what is for its advantage we should contemplate it in all its varieties of planting, farming, and grazing. * * * Still cherishing the foreign market, let us create also a home market to give further scope to the consumption of the produce of American industries.

Mr. McKinley said:

> The home market, created by increased manufactures, encouraged by protective tariff, has changed the condition of the agriculturists of the country to their advantage and profit whether they grow cotton or corn, wheat or wool. This system has given to the farmers the best domestic market anywhere offered. * * * There is no portion of our people except labor which would be so seriously affected in income and profits from the policy of free trade as the farmer.

How much worse, then, is free trade to the farmer and protection to the manufacturer?

> * * * Nothing can be so disastrous to the American farmer as the surrender of the home market for the farm. * * * The value of every farm is increased by its nearness to a manufacturing center which is a home consumer. * * * The closer you can bring the field of production to the field of consumption the better it will be for the purchaser and the consumer.

Mr. Webster said:

> If by an importation of British manufactures we encourage the production of the articles manufactured in Europe rather than in America and bringing the goods here to the United States, is that not certain to diminish the number of consumers. So that after all it comes to this, whether it is better for our agriculturists to have the home market than to have a foreign market.

Now, I should like to ask my Republican brothers where is there to be found a page, a paragraph, a line in any Republican platform or any Republican document from the beginning of the party to the present time that is not in condemnation, not only not in support but in condemnation, of this policy or this measure which we are now discussing.

I wait, Mr. President, for some Republican to rise in his place and set before the Senate a single principle advocated at any time by any administration in support of this agreement which is now placed here to be passed without a single amendment.

The administration now in power came into power under a solemn pledge to protect the American market for the American farmer and to increase the market of the American farmer.

Senator ROOT, a leader in the last administration, Republican leader in this administration, declared in his great speech in the convention in 1904 that it was the pledge of the Republican Party, among other things—

> To increase the profit of the farmer's toil, to protect the farmer's product and extend his market, and to improve the condition of the farmer's life.

How does that harmonize with his effort to decrease the farmer's profit, to take away the farmer's protection, and to destroy the farmer's market, and to make harder the condition of the farmer's life? Every single proposition stated in that brief paragraph is now controverted by our present plans.

Mr. BAILEY. Will the Senator from Idaho yield?

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Texas?

Mr. BORAH. Yes.

Mr. BAILEY. No Republican seems disposed to accept the Senator's challenge to the effect that no Republican platform or speech or document ever sanctioned this treaty. I want, in the interest of accuracy, to call his attention to the fact that the President of the United States, whom the senior Senator from Idaho said came into power—I did not precisely understand why he wanted to distinguish between election and coming into power; it may be that he did not intend any distinction—but that President elected, as I say, coming into power, as he says, in two messages has advocated this, and in his first message understood it to mean just what the Senator from Idaho so well explained its meaning to be, for he said that necessarily the effect of this treaty upon the cost of living must be confined to food products and forest products, and he desired and intended that this treaty should reduce the price of agricultural products; and while he may not be exactly as stalwart a Republican as some from whom the Senator from Idaho has been reading, he is still a Republican and practically certain to be the

next Republican nominee, although I hardly think the next Republican President——

Mr. BORAH. The Senator from Texas does not want to go any further than the nomination. If the prophecy closes there then there is little consolation in it to a Republican.

Mr. BAILEY. No; I stop at the nomination.

The Senator is about to go on without commenting on the fact that here is a Republican in a State paper, which must be called a Republican document, who does not only advocate this treaty, but gives the very reason for its passage which the Senator from Idaho so severely, and, as I think, so properly, condemns.

Mr. BORAH. Mr. President, my citation only went to the coming in of the present administration?

Mr. BAILEY. You stop at that?

Mr. BORAH. I stop at that. There has since arisen one who knoweth not Joseph.

Mr. BAILEY. Then Joseph will not know him when the time comes.

Mr. BORAH. I read an editorial published in the last campaign. I read only a part of it. It is from the Inter-Ocean under date of October 16, 1908, while the battle was on:

The Hon. James Wilson, Secretary of Agriculture, after a speaking tour through Iowa, Kansas, and Nebraska, expresses the conviction that Mr. Taft is sure of those three States. That is a matter of opinion. However, few will seriously question the accuracy of Mr. Wilson's judgment, except, possibly, with respect to Nebraska. Mr. Wilson adds: "The one thing that will hold the farmers in line for Mr. Taft is the tariff policy of the Republican Party. The farmer does not want a revision of the tariff that ultimately means free trade."

The farmer certainly never understood that there was any possibility of having free trade as to him and protection to the American manufacturer.

Mr. McKinley said in another place, if I may be permitted to go back prior to the late dispensation:

The farmer finds among the employees of protected industries his best and most reliable customers.

* * * * * * *

Is not New England worth preserving?

How long have we heard that out West?

Is not the industrial system which makes such a community of consumers for agricultural products possibly worth maintaining?

We think so. We beg you not depart.

Does not she furnish you a market worth fostering? * * *

That is when we were talking to the American farmer.

The foreign market for agricultural products is one of the delusions of free trade. * * * Do the agriculturists want the duties removed and their products driven from this market.

Or would they prefer to have the home market sustained and supplied by the foreign producer?

I want to quote a few more declarations from the record of the Republican Party. I quote at random from different campaign books and campaign documents, although I have all of them here upon my desk in case any special information is desired.

If by reversal of our policy the home market is destroyed, where on the face of the earth will the farmer turn to dispose of his products?

Again, and this is found in the campaign book of 1904 and previous campaign books:

The new tariff gives Canada all she wants, without surrendering anything.

This has reference to the Wilson bill, for which we severely condemned it.

Again, I find in the campaign book of 1894:

What answer can be made to the intelligent farmers of Wisconsin, who find that their potatoes are protected from the vegetable growers of Canada by a duty of 20 per cent, while the toothsome peanut of the Old Dominion is sheltered by a protection of 73 per cent.

Upon page 157 of the campaign book of 1894 you will find an exhaustive discussion of the great detriment to the American farmer of free trade with Canada and a thorough denunciation of the Democratic Party for its position on the subject. The whole matter is dealt with in detail.

Upon another campaign document used in the last three campaigns I find the following:

Why should the market for farmers' products be turned over to people who live in other countries? When the Canadian farmers and millers have thus secured free access to our markets for all they can produce, our own farmers and millers must look for a market for their products that have been displaced by Canadian products.

We have gone before the people with such argument campaign after campaign.

Speaking of the Wilson bill, in a document issued by the national Republican organization, it says:

The present law is in the interest of the stock raiser of Canada. Under the McKinley Act there was a specific duty of $30 per head on horses valued at less than $150 and 30 per cent ad valorem on all that were valued at $150 or over. Now, what must be the inevitable effect of this on the American horse raiser?

And so I might proceed indefinitely.

In this connection I desire to call attention to what Mr. Laurier thinks as to what they will be able to do when they get possession of the American market. Says the premier:

We are above all an agricultural people; our chief wealth is the growth of those products of the Temperate Zone, fruits, cereals, and vegetables; and it is our boast—but a boast founded on actual experience—that in cereals, vegetables, and fruits we can, without exaggeration, beat the world. At the northern extremity of the Temperate Zone our cereals have more strength, our fruit has better flavor, our vegetables have more delicacy than similar productions from other parts of the world; and under free competition, not barred in any way by tariff legislation, they will displace all other products on the tables of the wealthy.

Where will the American farmer be when the tables of New England and the tables of the wealthy are supplied by the Canadian farmer, when the partnership is formed between the manufacturing centers of the East and the Canadian producer, and when the Canadian railroad magnate lowers his rate of freight from the point of production to the point of consumption in order to control the business of this country? Where will the western producer and the entire great Northwest be in that struggle for existence? You are not only making a partnership unknown to any principle which we have ever advocated, but by reason of the control of transportation by a government which we can not control to fix rates you may turn every dollar of the production of western Canada into the eastern market at a price which it will be impossible for the western producer to compete with.

Our object to-day is to open the door of the American market, to open the door of a nation of 90,000,000, which has been closed to us for the last 50 years.

If this tariff does not protect the American farmer, if it does not give him the home market, if it is a delusion, as has been stated, why has not the Canadian farmer come into the American market and occupied it? Could there be any more conclusive proof of its protection to the American producer than the fact that it has kept out the Canadian producer?

It would not be nearly so bad, Mr. President, if the American consumer was going to get the benefit of it. The American farmer might enter upon his ledger a debit to philanthropy if he knew the American consumer was going to get the benefit of it. But with the American markets placed in the absolute control of corporations, combines, and trusts, is anyone so deluded as to think that the price will be reduced to the consumer the value of a cent?

When we were passing the Payne-Aldrich tariff bill, the East came to us with one of those pathetic pleas so characteristic of it. They said, Take the tariff off hides. Give us free hides and we will give you cheaper shoes and cheaper leather goods. They plead with western men to consent to take the tariff off hides. We were at that time collecting two and a quarter million dollars revenue upon hides. We took the tariff off hides. We lost two and a quarter million dollars to the Treasury. What as to the price of shoes and leather goods? Instead of going down, the prices went up. The two and a quarter million dollars went into the hands of the importer or manufacturer or the foreign producer.

So it will be here. By the time the wheat gets beyond the flouring mill and the steer gets beyond the Meat Trust and the other raw material reaches the table or the wearing of the American consumer, do you not think he will ever know that the reciprocity agreement has gone into effect? Perhaps he will be consoled by that philosophy which has perfumed the atmosphere of this Chamber when every other argument was exhausted, that we want to live upon the basis of brotherly love and brotherly affection with our brethren of the North.

The Premier says further:

We have in the Province of Quebec natural meadows, which require no tillage, and upon which the best of timothy has been grown, not for 50 years, but for 100 years. All along the two shores of Lake St. Peter there are natural meadows, a few inches only above the level of the water, which are yearly flooded, and which, to the knowledge of everyone in the Province, have been for a hundred years or more growing hay and nothing else. The counties of Berthier, Montmorency, and St. Maurice, on the north shore, and the counties of Nicolet, Yamaska, and Richelieu on the south, are so situated that they have a very considerable population who are growers of hay and for whom this treaty, if it becomes law, will be a most positive boon.

How will it be a positive boon to the Canadian producer unless it is a positive injury to the American producer, when both are engaged in the same business, applying for the same market, and selling the same products? Again, we come back to the proposition of living in a rarified state of brotherly affection with the brethren on the north.

To-day they can not sell any hay in the United States because there is a duty of $4 a ton.

Yet we find men upon this side of the Republican line so exhilarated by that feeling of brotherly affection that they say protection does not protect the American farmer. What does

the Premier of Canada think about it? What does the Canadian farmer think about it? What does the actual practical experience of 50 years show in regard to it?

Let the duty be removed, and then immediately there will be an immense trade in that section of the community, as there was some 30 years ago. The same thing applies in the case of eggs, poultry, and mining products. For this reason it is to our advantage that we should have not only the British market but the American market also.

* * * * * * *

This agreement is concerned chiefly with natural products. There are no manufactured products dealt with in this agreement except agricultural implements. There is a vast difference between reciprocity in natural products and reciprocity in manufactured goods.

It would not appear necessary to say that, it would seem, on the part of the premier if he had not, perhaps, observed such intellectual obtuseness upon this side of the line in regard to that question:

This is the reason we have acted with this prudence. I do not know who was present at the conference which took place between our two representatives and Mr. Knox, but it is not a great effort of imagination to suppose that the Americans were far more concerned about obtaining reciprocity in manufactured products than they were in natural products.

In calling the proposed trade agreement reciprocity it is introduced favorably to thousands of people upon the assumption that the agreement involves the principle of reciprocity as advocated by Mr. Blaine and ex-President McKinley. Nothing could be further from the truth. It is the very reverse of the principle as announced by those distinguished advocates of this economic policy. They would exchange noncompetitive products, and those alone. This provides for the exchange of competitive products, and those alone. The farmer's strongest and most successful competitor is given free access to our market and the farm products of our own country must be brought into direct competition with the farm products of Canada. This principle Blaine condemned in no uncertain terms. He not only condemned the principle, but he condemned the specific proposition of reciprocity with Canada. It was his theory that all competitive products should carry a duty and that those things which we do not produce, and those only, should come in free under any reciprocity agreement. His policy was in direct aid of the protective theory—this policy is a direct attack upon the protective theory. It is not even tariff for revenue. We are so anxious to get at the American farmer that we will not give him the benefit of the incidental protection derived from a tariff for revenue only. In that respect it is just as much opposed to the Democratic principle as it is to the Republican principle.

So as to him there is applied the doctrine of absolute free trade, a doctrine which both Democrats and Republicans have either abandoned or denounced. No one in this day and age thinks free trade is a proper policy, but nevertheless we are placing the American farmer under the direct application of the doctrine of free trade. If we should apply the doctrine to all industries that we are now applying to the farming industry, this Government would not have revenue enough to pay expenses. If we should adopt the policy with reference to all industries that we are now applying to the agricultural industries, we would positively be without means of running the Government. It would not be so bad if we would hold on to the doctrine of tariff for revenue only. Then the farmer might get the benefit of incidental protection. But both parties with unseemly haste and with inconsiderate judgment have proceeded to apply a principle to the American farmer which everyone admits if applied to all would be destructive of the entire revenue system of government.

I call attention to some of the reciprocity announcements by former leaders of that policy. John Sherman said:

To grant to foreign nations the reciprocal right of free importation into our ports of articles which we can not produce in return for free introduction into foreign ports of articles of American production is reciprocity.

The platform of the Republican Party in 1900 read:

We favor the associated policy of reciprocity, so directed as to open our markets on favorable terms for what we do not ourselves produce in return for free foreign markets.

Mr. McKinley, in his inaugural address, said:

The end in view must always be the opening up of new markets for the products of our country by granting concessions to the products of other lands that we need and can not produce ourselves and which do not involve any loss of labor to our people, but tend to increase their employment.

In his Buffalo speech McKinley said:

By sensible trade arrangements which will not interrupt home production we shall extend the outlet of our increasing surplus.

* * * * * * *

We should take from our customers such of their products as we can use without harm to our industries and labor.

In the last campaign, in 1908, we circulated a campaign document containing this paragraph:

But so-called "reciprocity" in competing articles is a delusion and a snare. It necessarily and unavoidably means two things—either that we hand the other country a gold brick or that we abandon protection. The former would not be right, and the latter would not be wise. So we are unequivocally against it on both grounds.

That is the declaration upon which we were elected and upon which we came into power.

Again, I quote from the Republican Campaign Book:

Republican reciprocity is reciprocity in noncompeting articles, and nothing else.

President Arthur, in his annual message in 1884, said:

A series of reciprocal treaties with countries of America which shall foster between us and them an unhampered movement of trade. The conditions of these treaties should be the free admission of such merchandise as this country does not produce in return for the admission free or under a favored scheme of duties of our own products.

Again, I quote from the campaign book:

The American farmer objects to reciprocity restricted to natural products only. With good reason he objects to having all of the Canadian surplus of grain dumped on the American market. He knows that to remove the Canadian tariff from Canadian cereals would not only be disadvantageous to his interests now, but would in the near future help to build up a competition overwhelming in its magnitude.

There, Mr. President, is the broad, clear, distinct, emphatic proposition given to the constituency which placed the present administration in power. Who has been to the Isle of Patmos since that occurred, and where did this new revelation come from? If the Republican Party had the boldness and the courage to say that it has been in error, that protection does not protect the farmer, that it was an economic mistake, that would be one thing. But we are not meeting the proposition by undertaking to show that the policy which we have been advocating for 30 or 40 years is founded, as a matter of fact, upon a fallacy, but we are seeking by diaphanous argument to undertake to defend our position with the attitude of all the days that have gone by. We are undertaking to show that these things are capable of two constructions, when the language used is so plain and direct and so emphatic that it is impossible to misunderstand it.

The Senator from New York [Mr. ROOT] said the other day that the American farmer was unduly apprehensive of the injury which he might sustain. Who made the American farmer unduly apprehensive? How did he get his fear? How long has it taken us to convince him that he should be unduly apprehensive, and whose business is it to know whether his undue apprehensiveness is based upon fact or fallacy?

The time was in this Chamber, Mr. President, not very long ago, when the American farmer was not disputed with as to whether or not this kind of a policy would injure him. The very moment that he came into this Senate Chamber every Republican leader was quick to act as his advocate and defend his cause. But now, perchance because the farmer sees fit to call in the aid of a New York attorney to gather facts and present the statistics to the Republican Finance Committee, he is to be denounced from one end of the country to the other as acting in conjunction with trusts and combines and undesirable persons of all classes.

We have been the representative, the advocate, and the defender of the agricultural interests upon this floor for 40 years, and it never occurred to the American farmer before that until the whole fabric of the protective tariff system was torn down he would be taken out and placed outside of the system of protection. There has not been a note of warning sounded to him. No man would have dared to have gone into the last campaign and submitted to the voters of this country the proposition which is now before us. That proposition could not have been outlined or brought into this Chamber after any discussion before the American public. But it is here, without notice, without warning, without chance for amendment, on a simple hearing before a committee already bound to report the measure.

Finally, sir, let me say that one-half of the agricultural lands now in private ownership are not under cultivation. We can double our production. We have at least 75,000,000 acres of new lands well fitted for cultivation. We have at least 10,000,000 acres of swamp land, the richest in the world. We have yet several millions of arid lands. By proper farming, not to say scientific farming, we can double the acreage productiveness of our soil. We have the soil and the capacity to supply products for 250,000,000 people. Why quit this field and seek help from abroad? By attending to our agricultural interests at home we make new farms, new homes, more property to bear the burdens of taxation, and, moreover, we really shield

our political institutions. To facilitate and encourage the food supply at home, to augment and encourage the agricultural interests of a people, is the highest statesmanship of these days.

The first symptoms of an approaching aristocracy is an attempt to discriminate against or a contemptuous neglect of the agricultural interests. The line that divides the period of strength, virility, and power from the period of luxury, weakness, corruption, and decay in the history of every great country is that which marks the neglect of the agricultural interests. An abandoned farm ought to cause more distress and worry to the statesmen than bad laws or unwise policies. An abandoned farm is a menace to our national institutions and a standing indictment against the wisdom of our national policies. The home market without the presence of the farmer is a foreign market. Think of a home market with a foreigner in possession of it. And the premier says he will take possession of it under this agreement. Think of the family fireside with the eldest boy, who has worked longest and hardest and waited most patiently to share the comforts of industry and frugality, turned aside and some "Weary Willie," or brother tramp, who never expended a dollar for the old home, in his place. This may be economy, but it is both immoral and unpatriotic.

Mr. HEYBURN. I move that the Senate adjourn.

The motion was agreed to, and (at 3 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Thursday, June 29, 1911, at 12 o'clock meridian.

SENATE.

THURSDAY, *June 29, 1911.*

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

Mr. CULLOM presented petitions of the Christian Endeavor Union of Boston, Mass.; of the National Conference of Charities and Correction and of the Business Men's Association of New Haven, Conn., praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

He also presented a memorial of the congregation of the First Seventh-day Adventist Church of Springfield, Ill., and memorials of sundry citizens of Princeton, Ill., remonstrating against the enforced observance of Sunday as a day of rest in the District of Columbia, which were ordered to lie on the table.

Mr. GALLINGER presented memorials of Local Grange of Hooksett; of Bear Hill Grange, of Henniker; and of Montcalm Grange, No. 70, of Enfield, all of the Patrons of Husbandry, in the State of New Hampshire, remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which were ordered to lie on the table.

He also presented a petition of the Board of Trade of Claremont, N. H., praying for an extension of time within which the appropriation for the purchase of forest lands in the White Mountains is available, which was referred to the Committee on Appropriations.

Mr. FLETCHER presented resolutions adopted by the Cotton Crushers' Association, praying for the proposed reciprocal trade agreement between the United States and Canada, which were ordered to lie on the table.

He also presented resolutions adopted by the City Council of Key West, Fla., praying for the cooperation of the United States Government at the Oversea Railroad celebration, to be held at Key West, Fla., which were presented to the Committee on Railroads.

Mr. BURTON presented a petition of sundry citizens, of Typographical Union No. 63, and of the Central Labor Union, of Toledo, Ohio, praying for the adoption of the proposed constitution of the Territory of Arizona, which was referred to the Committee on Territories.

Mr. LIPPITT presented resolutions adopted by the Republican Club of Greystone, R. I., favoring a political union between the United States and Canada, which were referred to the Committee on Foreign Relations.

Mr. HITCHCOCK presented a petition of the Commercial Club of Lincoln, Nebr., praying for the adoption of an amendment to the so-called corporation-tax law permitting corporations to make returns at the end of their fiscal years, which was referred to the Committee on Finance.

Mr. BRANDEGEE presented a memorial of Local Division No. 2, Ancient Order of Hibernians, of Norwich, Conn., remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

He also presented a petition of the Business Men's Association of New Haven, Conn., praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

Mr. GUGGENHEIM presented a memorial of the County Board, Ancient Order of Hibernians, of Denver County, Colo., remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

GOVERNMENT OF PORTUGAL.

Mr. CULBERSON. Mr. President, in the early part of the session, two or three months ago, I presented a resolution on the subject of the recognition of the establishment of a republic in Portugal, and had the resolution referred to the Committee on Foreign Relations. No report has ever been made by that committee and, so far as I know or have been advised, no attention has been paid to the resolution. Nevertheless, I am glad to say that the executive department of the United States has finally recognized officially the Republic of Portugal, as shown by the cablegram which I ask may be inserted in the RECORD.

The VICE PRESIDENT. Without reading?

Mr. CULBERSON. Without reading.

The VICE PRESIDENT. Without objection, the matter will be inserted in the RECORD.

The matter referred to is as follows:

UNITED STATES RECOGNIZES PORTUGAL—REPUBLICAN GOVERNMENT OF LAND FORMERLY RULED BY MANUEL IS UPHELD.

LISBON, *June 19, 1911.*

The United States has officially recognized the Republic of Portugal.

This followed the opening of the new constituent assembly this morning, at which the president of the chamber read a decree proclaiming the abolition of the monarchy and the banishment from Portugal of the royal family of Braganza, which was unanimously approved. The decree was also read by the president to the great throngs which gathered outside the assembly building.

George J. Lorillard, American chargé d'affaires, in the afternoon waited upon Sr. MacAdoo, minister of foreign affairs, and delivered a note which stated the United States officially recognizes the new Portuguese Government.

The day was observed as a public holiday throughout the whole country. Popular demonstrations in honor of the occasion were held everywhere, but no disorders are reported.

TREATY OF 1832 WITH RUSSIA.

Mr. CULBERSON. Mr. President, the Committee on Foreign Relations has treated another resolution which I introduced and had referred to the committee with the same inaction and inattention, so far as I know. On the 10th of April I reintroduced a resolution on the subject of the treaty between this country and Russia of 1832 which I introduced at the last session. After that I addressed a communication to the chairman of the committee calling his attention to the resolution and asking him the privilege of being heard by the committee when the matter was taken up. I had a courteous reply, saying in effect that I would be offered this privilege, but up to this time nothing further has been done, so far as I am advised, with reference to the resolution.

I wish to take advantage of this occasion to say that that resolution was introduced in good faith, that it means what it says, and that I trust I will not be placed in the disagreeable attitude of being compelled to move to discharge the committee from the further consideration of the resolution and bringing it before the Senate.

Mr. MARTINE of New Jersey. Mr. President, in harmony with the remarks just made by the Senator from Texas, on a question that is of vital importance to the American Republic and of infinite importance as well to a great religious sect in our country, I ask permission to read the following editorial from the New York Evening Mail of Friday, June 23, 1911:

THE JEW AND THE FLAG.

It can not be that the cool minds in the Russian Government realize the danger in their attitude toward the American citizen who is a Jew. Can we express it, in all its splendid power that it has here, and not seem to Russia extravagant in language? The root idea of this Republic is absolute equality before the law. There is no other doctrine, in all our constitutional concept, that is comparable with this one doctrine. It is our life nerve. It is our very heartbeat.

Therefore the flag protects every law-abiding American the wide world over. The flag knows no Jew. It only knows the American citizen. The flag never reasons beyond that. Is he an American citizen? On every sea, as on every home village green, the flag means the same. Are we understood?

To understand us is a momentous thing. To understand us means taking account of our national spirit, of which it may not become us to boast. Yet the world pretty well understands it now—except possibly Russia. To understand us one needs to count our resources of

every kind which are pledged to the maintenance of our national doctrine to the last.

In other words, we indignantly, not to say angrily, protest against Russia's distinction as to religious belief between American citizens. Such distinction we do not ourselves make at the ballot box. Nor will we brook it made wherever our American citizen travels under the flag.

The flag was carried by Jews on many a bloody field. But we did not know them as Jews. These soldiers of our cause were more. They were our brothers. There was a wide and varied brotherhood. The consecration seemed to rise higher than church steeples, higher than incense from any altar. It was the American spirit, like the sky over us. And, like the eternal sky, it lives.

Quite likely our language will seem the utterance of excitement. On the contrary, it is the coldest possible. It may be necessary for that great nation, whose friendship we have always had, to look us anew in the face and read us. While the Republic lives it recoils, as from a snake, at the sight of anything contrary to absolute equality of rights and freedom of conscience among us or about us, before the law, under the flag.

I respectfully ask that this editorial may be printed in the RECORD.

The VICE PRESIDENT. Having been read, it will appear in the RECORD.

GOVERNMENT OF PORTUGAL.

Mr. BACON. Mr. President, as a member of the Committee on Foreign Relations I wish to say a few words in reply to the Senator from Texas [Mr. CULBERSON], but of course I yield to the chairman if he desires to be heard.

Mr. CULLOM. I wish to say only a word.

Mr. BACON. I will wait until the Senator has finished. He is entitled to precedence.

Mr. CULLOM. No; go ahead.

Mr. BACON. As a member of the Committee on Foreign Relations I desire, with all due deference, to say that I do not recognize that the Senator from Texas has any cause for the grievance which he presents to the Senate or that there is any foundation for it.

The Senator is in error when he says that his resolution received no attention on the part of the committee. It received very careful attention and very careful consideration. The committee proceeded in a way which it thought was the proper way, and which I as an humble member of that committee think was the proper way, and which I am certain the Senate will think was the proper way.

The situation was a somewhat unusual one. It was not the case of a question whether or not the independence of a country should be recognized. That is a very much more radical question than the question as to whether or not the constituted government, or rather one claiming to be a constituted government, shall be recognized as the legitimate and permanent government of a country.

The Republic of Portugal never, up to the time of the introduction of the resolution of the Senator from Texas, and never, so far as I know, up to this time, accredited any representative to this Government. At the time of the occurrence of the revolution in Portugal there was an accredited representative of the Government of Portugal, sent here by the government which was overthrown by the revolution.

He appeared here at this post as the representative of that country. He came here as the representative of the monarchical government which had been overthrown. He remained here after the government was overthrown and was only recognized by the temporary republican government which succeeded the monarchy so far as to send dispatches and official communications from Portugal to the Government of the United States. In other words, holding the credentials of the monarchical government he was recognized by the new government only to the extent of being used as the medium for such diplomatic interchanges as were required.

Now, Mr. President, the committee thought—and, I think, properly thought—that until the Republic of Portugal itself accredited a representative to this Government it was not incumbent upon this Government to take any action upon the question as to whether or not the new government should be recognized as a constituent government, permanent in its nature, and one with which, as such, diplomatic relations should be technically and formally established.

Diplomatic relations were continued with the Government in the way in which I have mentioned. We had a minister there, and since the overthrow of the monarchy, we had appointed, by the President, after he was confirmed by the Senate, a minister to Portugal. It so happens that in the appointment of a minister to that country it is not necessary nor is it the form to credit him to any particular government, monarchical or republican, but he is accredited to that Government, and Mr. Boutelle, who has since been transferred, was appointed. Am I correct in that?

Mr. CULLOM. He was transferred to Switzerland.

Mr. BACON. Mr. Boutelle was nominated by the President and confirmed by the Senate as the minister to Portugal, and he was commissioned and has since been transferred to Switzerland.

I simply mention this to show that there was no break whatever in the diplomatic relations of this country, and there was the informality growing out of the fact which I have mentioned, that the Government of Portugal itself recognized the government which the resolution of the Senator from Texas referred to as a temporary government. It had provided for the election of a constituent assembly, which was to determine upon the permanent form of the government and to elect permanent officers of that government.

At the time the Senator from Texas introduced his resolution there was no permanent government in Portugal claimed even by the Portuguese themselves. On the contrary, the Portuguese themselves announced to the world that they had a temporary government, and that they intended to form a permanent government when an election which had been ordered by them had been had and an assembly convened in accordance therewith. That election has been had since the resolution offered by the Senator from Texas, and that constituent assembly has assembled since the resolution offered by the Senator from Texas, and that constituent assembly has since that time elected permanent officers, and since that time the President of the United States has formally, so soon as the Government of Portugal itself claimed that it was permanent, so soon as it said to the world "We have established a permanent government and have elected permanent officers"—so soon as that was done the President of the United States formally recognized that permanent government and those permanent officers.

Now, Mr. President, while that was going on the committee had before it the resolution of the Senator from Texas. We were not indifferent to the resolution. We were not inattentive to the resolution. We were engaged in a proper, legitimate, and necessary investigation as to the facts. An investigation we properly made through the medium of the State Department. Pending that time a letter was had from the State Department setting forth substantially the facts which I have endeavored to recite, and that letter was shown to the Senator from Texas, and, if I remember rightly, it was not only so done, but, when the Senator from Texas again called attention to the fact, the Senator from New York [Mr. ROOT], who had been deputized by the committee to communicate with the State Department, offered that letter to the Senate and it was read from the desk. Am I correct in that?

Mr. CULLOM. That is right.

Mr. BACON. So, Mr. President, it seems to me to be a statement which can not really be defended that the Foreign Relations Committee failed to give attention to this matter. It not only gave attention to it, but I think gave it exactly the attention which should be given. It was not proper from the viewpoint of the committee, and I will say from the view that I took as an humble member of that committee, that in that condition of affairs the Senate should take a position that, before the Government of Portugal itself claimed that it had elected permanent officers, and before the Government of Portugal had itself sent us the accredited representative, we should insist that we should say to the people of Portugal, "You do not understand your business. You ought before this time to have organized a permanent government, and we, in view of the fact that you are going to be a republic, and you claim now to be a temporary republic, are impatient in this matter, and we insist that you permit us to recognize you as a permanent government when you do not yourselves claim to be such."

Now, I have but one other word to say in regard to the matter, Mr. President. If the Senator from Texas was dissatisfied with the act of the executive department the remedy was within his own reach. If the Senator from Texas was dissatisfied with the action of the Foreign Relations Committee the remedy was within his own reach as a Senator, not, as suggested to him, by a motion to discharge the committee, though, of course, that it was his province to do if he saw fit so to do, but the right to recognize a foreign Government is not exclusively with the executive department. That is a question which has been threshed out in the Senate a good many times; it has had Executive consideration. Away back from the time of Andrew Jackson, and in subsequent administrations, the right has been conceded by the executive department, and has always been claimed by the legislative department, if it saw fit, to recognize a government.

We have done so repeatedly, and could have done so again. Therefore, if the executive department was halting and failing to do its duty in recognition of this temporary government—a government itself only claiming to be temporary—if the

Senate thought that the President was at fault in the matter, it was competent for the Senate itself to adopt a resolution and send it to the House of Representatives recognizing the Republic of Portugal, and it was equally within the right and province of the Senator from Texas to introduce a resolution to that effect.

Mr. President, I want to submit to the Senate whether or not the orderly procedure had not been the one which has led to the orderly result which all of us would have desired? There was a representative of the Government of Portugal here, through whom we were having diplomatic relations with Portugal, not accredited, it is true, by the republican government of Portugal, but recognized by that Government as the representative of that country, as I have previously stated, to the extent of sending dispatches and communications through him. We were not, by reason of the failure to anticipate the action of the Portuguese temporary government, interfering in any manner with any of our business or political or diplomatic relations; and by simply waiting the own good time of Portugal the time has come when Portugal has itself done what the world expected it to do, what we all wanted it to do, and what we are all gratified has been done, to wit, out of the revolution from which sprung this temporary government there has now grown, through the orderly processes of an election by the people and the assembling of the constituent assembly, the creation of a permanent republican government, with permanent republican officers; and doubtless within a short time either the present representative of that country, who was formerly accredited by the monarchical government, will receive new credentials from the new government and present them to the President, or some other man will be charged with that commission by the republican Government of Portugal. In the meantime our own representative is there fully accredited to that Government, whether it be a monarchical government or a republican government.

So, I think, Mr. President, the Senator from Texas does injustice to the Committee on Foreign Relations in the suggestion that there has been any want of attention to the resolution referred by him to that committee; that there has been any disposition to fail to acquaint him personally with what was being done by that committee and the attitude which it occupied, and that it had disregarded the mandate of the Senate through a resolution introduced by the honorable Senator.

Mr. President, as to the other matter, I do not desire to have anything particular to say on that subject. I presume that other members of the committee probably will be heard upon it. I simply desire to say that the Senator from Texas [Mr. CULBERSON] and the Senator from New Jersey [Mr. MARTINE] are no more thoroughly in earnest in the desire that the injustice done to the Jews by Russia shall be corrected than I am; and I know the committee is giving the matter the most serious and careful attention. These are not matters to be done hastily and hurriedly, without due reference to all the consequences which may follow. We know the fact that the treaty to which the resolution refers is the only treaty we have with Russia, and we desire to correct the evil; but we desire to correct it in such a way as not, while we serve one interest, to sacrifice all others. In due time and in good time it is the purpose of the Foreign Relations Committee, and the purpose of the Senate, and the purpose of this Government to carry out the purposes which are had in view by the resolution offered by the Senator from Texas and by the article read by the Senator from New Jersey. I will not go into detail as to that matter further than to say that it is a matter of the utmost gravity. I can not better illustrate or indicate its gravity than by the suggestion that while we seek to serve one interest we must not destroy others. And there are vast interests involved. I am in favor of proceeding in as effective a way as possible and proceeding as speedily as possible. But these things can not be done in a day, or a week, or a month; they are matters which necessarily proceed slowly, and must proceed with caution and care and with the utmost regard for the general interest as well as for the particular interest which it is sought to serve.

Mr. CULLOM. Mr. President, I have not much to say further than to confirm what the Senator from Georgia [Mr. BACON] has said in reference to the affairs in Portugal. Those affairs have worked out satisfactorily, as we expected them to do, without any noise or fuss about them in the Senate or elsewhere.

As to the other question to which the Senator from Texas has referred, I want to say that we have not neglected that subject. It has been a source of very considerable interest on my part, as chairman of the Committee on Foreign Relations and of the committee as well. It has only been a question as to what we could safely do and what we have a right to do in the premises without doing, as the Senator from Georgia says, more harm than good.

I wish to say further to the Senator from Texas that I have conferred two or three times with the Secretary of State upon the question. For a time we thought we were going to get the matter settled without any trouble at all, but it seems to have broken out afresh. I do not know what we shall finally do, but I consulted with the Secretary of State only two or three days since in regard to the subject. He is using his best endeavors to do what he knows is to the interest of our own country and of the people who are affected. If the Senator from Texas will only be patient a little while longer, we hope we shall be able to make a report on the question which will be satisfactory to him and to everybody else. The truth is it is a question whether the people concerned in this treaty would not be affected injuriously if we are precipitate about what we do.

Mr. CULBERSON. Mr. President, the Senator from Georgia [Mr. BACON] evidently misapprehended what I said, or he fell into some mistake with reference to my attitude. I did not suggest that the Committee on Foreign Relations ought in the future to be discharged from the further consideration of the Portugal resolution; but I had reference in my statement in that respect to the resolution introduced on the subject of the treaty with Russia of 1832. The Senator is mistaken in supposing also——

Mr. BACON. I will say to the Senator from Texas, before he proceeds, that I did not misunderstand him as to the matter he has just mentioned.

Mr. CULBERSON. Very well; let it go then at that.

The Senator misapprehends also the purport, as I think, of the resolution which I introduced and which has been pending in committee since the 6th day of April of this year. I did not propose that the Senate should undertake, by a simple resolution or a concurrent resolution, to recognize the establishment of a Republic in Portugal; but it was a resolution asking for information from the President, if not incompatible with the public interest, with reference to the establishment of the new government in Portugal.

I yield, of course, to the more familiar knowledge of the Senator from Georgia [Mr. BACON] with reference to foreign affairs; but, Mr. President, this resolution was drawn with some care, if I do say so, and it sought to secure from the President information upon which subsequently the Senate and the House of Representatives conjointly, if need be, could act with reference to this matter. Notwithstanding the information, superior to mine, which is possessed by the Senator from Georgia with reference to foreign affairs, I undertake to state that the best precedents of this Government are to recognize provisional governments of republics established in foreign countries and not to wait for the establishment of permanent governments. Now, let me read the resolution as to Portugal:

Resolved, That the President be, and he is hereby, requested, if not incompatible with the public interests, to inform the Senate whether the Republic so established has in operation a civil government capable of performing the duties and fulfilling the obligations of an independent power; and if so, whether the Republic has been officially and fully recognized by the executive department of the United States.

Manifestly, Mr. President, the only object of the resolution was to secure definite, distinct, and reliable information for the use of the Senate in any action which it might be proper to take thereafter; but, instead of reporting one way or the other the resolution asking for information, the committee has had it in its possession since the 6th day of April, and, so far as I know, with the exception of the letter which the Senator from New York [Mr. ROOT] allowed me to read, nothing has been done with reference to the particular resolution which I introduced, which was not to declare a recognition on the part of the Senate or in connection with the House of Representatives of the existence of the Republic, but was to secure information upon which the Senate might, if it should see proper, act hereafter. I repeat that, in my opinion, the committee has taken entirely too long a time to answer a resolution of the Senate with reference to this information.

Mr. President, so much for the resolution on the subject of Portugal. With reference to the other resolution, the one as to the treaty of 1832 with Russia, I want to say that I introduced a similar resolution at the regular session—some time in March, I believe, but the date is not material; at all events it was at the last session—and I reintroduced it at this session, and accompanied the resolution, as I have heretofore said, with a letter to the honorable chairman of the committee, stating that when the committee saw proper to take up the resolution for consideration I should like to be heard in committee upon it.

Mr. CULLOM. Will the Senator allow me to say a word?

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from Illinois?

Mr. CULBERSON. Yes.

Mr. CULLOM. I desire to say that when the resolution is taken up for formal consideration by the committee I shall do what I said I would do—that is, inform the Senator so that he can be heard before the committee.

Mr. CULBERSON. Mr. President, the distinguished chairman of the committee answered me very civilly and courteously in reply to my letter, that when that resolution was taken up for consideration by the committee he would notify me, and that I would have the privilege of appearing before the committee. Not having heard further from it, and seeing from the newspapers the subterfuge by which Russia undertakes to postpone action by this Government on the subject, I had a right, in view of the assurance of the distinguished chairman of the committee, to suppose that the committee had not taken it up for consideration.

I repeat what I said a moment ago—that it is a bona fide resolution. It intends what it purports to do, and I should regret exceedingly to be placed in the disagreeable attitude of being compelled, whatever may be the result of my efforts, to see that this resolution has attention on the part of the committee, and, if necessary, on the part of the Senate.

Mr. BACON. Mr. President, I do not desire to repeat what I have already said—I think it is an answer practically to what the Senator has said in rejoinder—further than to call attention to the fact that the letter was not, as stated by the Senator from Texas, simply shown to him, but that the Senate had the full benefit of that letter, that it was read from the desk, and while I have, in probably a more diffuse way than would be justifiable, endeavored to state it, that letter did substantially set forth all the facts I have stated here, and particularly as to the facts that it was a temporary government; that it itself had never accredited any representative to this Government; that the people of Portugal were proceeding to form a permanent government; that that was expected soon to be accomplished; and, when accomplished, this Government would act as it has done.

Of course, Mr. President, nobody will for a moment suggest that the Senator from Texas had any other than serious motives in the introduction of the resolution. The Senator is recognized as a serious Senator; he introduces a great many resolutions; and we all recognize that all of them are with serious intent and entitled to the utmost consideration. The committee has never regarded the Senator's two resolutions in any other light than as extremely serious matters, and has given them the careful and deliberate attention and consideration which they merit on account of what they themselves express and on account of their very distinguished authorship.

HEARINGS ON RECIPROCITY BILL.

Mr. SMOOT. From the Committee on Finance I present hearings held before that committee on House bill 4412, known as the reciprocity bill, and also hearings on House bill 4413, known as the farmers' free-list bill. I ask that these hearings, arranged by subjects, be printed as separate Senate documents. (S. Docs. Nos. 56 and 58.)

The VICE PRESIDENT. Is there objection to the request? The Chair hears none.

Mr. HEYBURN. Mr. President, I want to inquire whether or not the index of the testimony taken at the hearings is complete. I have received a copy with an index showing only the names of those who appeared and the dates, but no such index as we have heretofore had is attached to it. Before those hearings are printed permanently they should be indexed.

Mr. SMOOT. Mr. President, in the hearings that I have presented here and asked to have printed as a public document everything is arranged by subjects matter. Every subject is arranged by itself, and everything said upon that subject is under that head; so that if you want to refer to any one particular subject it is there. The index, of course, shows who spoke upon that particular subject and the page of the hearings where it will be found.

Mr. HEYBURN. Yes; but reference to subjects matter seems to me lacking in the index.

Mr. SMOOT. We have arranged it differently in the hearings which I have presented. It is now arranged so that every subject matter is by itself.

Mr. HEYBURN. That is all right. I was speaking with reference to a copy that was sent to my room.

Mr. SMOOT. Those were daily hearings, and what the Senator has said is true of the daily hearings; but these have been rearranged.

Mr. HEYBURN. It is quite important that they should have a carefully prepared index. Heretofore they have been indexed in a very excellent manner.

Mr. PENROSE. Mr. President, I should like to state, for the information of the Senator from Idaho that copies of the hearings which have been in the possession of Senators are the first, second, and third prints of the document. Very great pains have been taken, however, to make the final print entirely accurate as regards the figures and statistics and the testimony of the more than 100 persons who were heard by the committee. In every case the testimony has been sent to the witness, with the request that he correct it. The index in this final print is not as thorough or as exhaustive as would ordinarily be made, but it is as much in detail as is practicable in view of the fact that it is so desirable to have these hearings out promptly for the use of Senators during the discussion of this question.

Mr. HEYBURN. I fully realize that, Mr. President. I have received one volume, so far as my attention has been called to it, of the corrected print. Now, I want to say in connection with that matter that, in my judgment, it is not profitable nor in the interest of accuracy that men should be given an opportunity to convert into an essay testimony that is obtained under the fire of examination, direct or cross. All lawyers have had experience with that matter, and it has been found utterly unwise to submit testimony to witnesses for their correction. The result is that you get an essay in lieu of the result of that class of examination that tests a man's veracity and his intelligence.

Mr. PENROSE. Very great care was taken by the editors of this publication that the testimony should not be altered into the essay character which the Senator apprehends. It is substantially the same. But on several days the confusion was so great, the number of witnesses so great, that very many errors crept in which it was very desirable and important to correct. These hearings are extremely valuable and cover a wide range of agricultural topics and will be found most useful to Members of the Senate in the discussion of this question.

ADDITIONAL DISTRICT JUDGE FOR COLORADO.

Mr. CUMMINS (for Mr. CLARK of Wyoming), from the Committee on the Judiciary, to which was referred the bill (S. 77) to provide for the appointment of one additional district judge in and for the district of Colorado, reported it without amendment and submitted a report (No. 91) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LIPPITT:

A bill (S. 2915) granting an increase of pension to Sarah B. Potter;

A bill (S. 2916) granting an increase of pension to Amelia A. Baab;

A bill (S. 2917) granting an increase of pension to Joseph Hill; and

A bill (S. 2918) granting an increase of pension to Horace P. Lester; to the Committee on Pensions.

By Mr. BRISTOW:

A bill (S. 2919) granting an increase of pension to William A. Limbocker (with accompanying papers);

A bill (S. 2920) granting an increase of pension to Thomas R. H. Simmons (with accompanying paper); and

A bill (S. 2921) granting an increase of pension to Thomas J. Cason (with accompanying paper); to the Committee on Pensions.

By Mr. CUMMINS:

A bill (S. 2922) to erect a memorial to Gen. Nathaniel Lyon; to the Committee on the Library.

By Mr. McCUMBER:

A bill (S. 2923) defining the procedure in case of protested or objected final proof on public lands; to the Committee on Public Lands.

By Mr. GALLINGER:

A bill (S. 2924) to amend section 646, chapter 18, Code of Laws for the District of Columbia, relating to insurance companies and associations (with accompanying papers); to the Committee on the District of Columbia.

By Mr. WILLIAMS:

A bill (S. 2925) providing for a Confederate naval monument in the Vicksburg National Military Park; to the Committee on Military Affairs.

By Mr. BRANDEGEE:

A bill (S. 2926) granting an increase of pension to Horace P. Tucker; and

A bill (S. 2927) granting an increase of pension to Amelia A. Tracy; to the Committee on Pensions.

By Mr. BRADLEY:

A bill (S. 2928) appropriating money for and directing the purchase of additional land in Cave Hill Cemetery at Louisville, Ky.; to the Committee on Military Affairs.

A bill (S. 2929) granting an increase of pension to John J. Evans (with accompanying paper); to the Committee on Pensions.

A bill (S. 2930) for the relief of Kentucky drafted men; to the Committee on Claims.

RECIPROCITY WITH CANADA.

Mr. NELSON submitted amendments intended to be proposed by him to the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes, which were ordered to lie on the table and be printed.

AMENDMENTS TO DEFICIENCY APPROPRIATION BILL.

Mr. SMOOT submitted an amendment intended to be proposed by him to the bill (H. R. 12109) to supply a deficiency in the appropriations for contingent expenses of the House of Representatives for the fiscal year 1911, and for other purposes, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. SUTHERLAND submitted an amendment intended to be proposed by him to the bill (H. R. 12109) to supply a deficiency in the appropriations for contingent expenses of the House of Representatives for the fiscal year ending June 30, 1911, and for other purposes, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. BACON submitted an amendment intended to be proposed by him to the bill (H. R. 12109) to supply a deficiency in the appropriations for contingent expenses of the House of Representatives for the fiscal year 1911, and for other purposes, which was referred to the Committee on Appropriations and ordered to be printed.

EMPLOYERS' LIABILITY AND WORKMEN'S COMPENSATION COMMISSION.

Mr. SUTHERLAND submitted the following concurrent resolution (S. Con. Res. 6), which was read and referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate and the House of Representatives 5,000 copies of the hearings before the Employers' Liability and Workmen's Compensation Commission, 2,000 copies for the use of the Senate and 3,000 copies for the use of the House of Representatives.

ASSISTANT CLERK TO COMMITTEE ON PATENTS.

Mr. BROWN submitted the following resolution (S. Res. 91), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Patents be, and it is hereby, authorized to employ an assistant clerk, at a salary of $1,440 per annum, to be paid from the contingent fund of the Senate until otherwise provided for by law.

ASSISTANT MESSENGER TO COMMITTEE ON CONTINGENT EXPENSES.

Mr. BRIGGS submitted the following resolution (S. Res. 92), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee to Audit and Control the Contingent Expenses of the Senate is hereby authorized to employ an assistant messenger, at a salary of $1,000 per annum, to be paid from the contingent fund of the Senate until otherwise provided for by law.

ASSISTANT CLERK TO COMMITTEE ON PUBLIC HEALTH.

Mr. CULBERSON. I offer a Senate resolution and ask that it be read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The resolution (S. Res. 93) was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved, That the salary of the assistant clerk of the Committee on Public Health and National Quarantine, to be paid out of the contingent fund of the Senate until otherwise provided by law, shall be $2,000 per annum.

POWER PRIVILEGES AT GOVERNMENT DAMS.

Mr. BURTON. I present a paper, being a memorandum, prepared by the War Department, of the acts of Congress concerning power privileges at Government dams. I move that the memorandum be printed as a Senate document. (S. Doc. No. 57.)

The motion was agreed to.

OPERATION OF THE PANAMA CANAL.

Mr. BRANDEGEE. I send to the desk a letter and memorandum from the secretary of the Philadelphia Maritime Exchange, which I ask may be read and referred to the Committee on Interoceanic Canals.

The VICE PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

THE PHILADELPHIA MARITIME EXCHANGE,
Philadelphia, June 26, 1911.

Hon. FRANK D. BRANDEGEE,
Chairman Committee on Interoceanic Canals,
United States Senate, Washington, D. C.

SIR: I have the honor to inclose herewith copy of action recently taken by the executive committee of this exchange in connection with pending legislation regarding the operation of the Panama Canal, and shall esteem it a favor if you will kindly have the same filed with your committee for its future consideration.

Yours, faithfully, E. R. SHARWOOD, *Secretary.*

PHILADELPHIA MARITIME EXCHANGE.

Concerning the enactment of legislation by the Congress of the United States to provide for the operation of the Panama Canal and to authorize the President to fix canal tolls the executive committee of the Philadelphia Maritime Exchange, at a meeting held the 12th day of June, 1911, unanimously adopted the following:

Whereas it is practically certain that by the autumn of 1913 the Panama Canal will be near enough to completion to permit it to be used by merchant shipping; and

Whereas steamship companies and others interested in the operation of vessels through the canal will require from 18 months to 2 years to prepare to use the canal, to terminate existing contracts, to provide new facilities, and to secure or build such additional ships as will be required to begin using the canal promptly; and

Whereas companies operating vessels either as common carriers or as large manufacturers and shippers can not definitely decide to prepare to use the canal until they know what tolls are to be charged for the passing through the canal, and thus know whether the canal route will be more economical than other routes: Be it

Resolved, That the Congress of the United States be urgently requested to pass a law at the present special session providing for the operation of the Panama Canal and authorizing the President to fix, within limits established by Congress, the tolls to be charged for the use of the canal by merchant shipping of the United States and of foreign countries.

A true copy.

[SEAL.] E. R. SHARWOOD, *Secretary.*

Mr. BRANDEGEE. Mr. President, referring to the matter touched upon in the memorial just read, Col. Goethals, the engineer in charge of the Panama Canal, appeared before the House Committee on Interstate and Foreign Commerce within a few weeks and stated at length the situation in the Canal Zone and the necessity for quick action upon the subjects mentioned in the memorial.

The situation in the House, if I may refer to it without being unparliamentary, as is well known and has been reported in the press, under the control of the dominant party there, is such, by reason of the caucus action of the dominant party, as I understand it, that there is no intention of taking up general legislation other than certain tariff matters, if I am correctly informed about that. I have made some inquiry of Members of the House, and am informed that there is no prospect of action being had upon this matter in the House at this special session.

I have also had several conferences with the President in relation to this matter, and he, of course, realizes the great importance of action at the earliest possible minute upon this matter. But in view of the present situation in the Senate, with the unfinished business privileged, after a conference with as many of the members of the Senate Committee on Interoceanic Canals as I have been able to see, we do not think anything would be gained by attempting legislation in respect to this matter at this special session.

It seems idle for this body, even if it could, in view of the unfinished business, to take up this subject and debate it simply, if debate it requires, as a moot question, if no action whatever can be had in the House. Therefore, in accordance with the consensus of opinion of the committee and upon the assurance of the President that he did not think at this time it was wise for him to ask the Congress to take up this matter, I thought it was due the parties interested in shipbuilding, and those who desire to prepare themselves for the use of the canal, to make the statement that it was not probable that anything could be done at this special session, but that at the very earliest minute, when we reconvene next December, the Committee on Interoceanic Canals will take up this matter and proceed with it with the greatest possible expedition.

The VICE PRESIDENT. The letter and memorandum will be referred to the Committee on Interoceanic Canals.

RECIPROCITY WITH CANADA.

Mr. GAMBLE. On Monday morning last I gave notice that I would submit a few observations on the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes. I have been engaged this morning, and will be throughout the day, in connection with a committee, and to-morrow morning after the routine morning business, with the indulgence of the Senate, I shall be glad to address it on the subject.

DEPARTMENT OF HEALTH.

Mr. WORKS. I desire to give notice that on next Thursday, a week from to-day, immediately following the morning business, I will submit some remarks upon the bill (S. 1) to establish a department of health, and for other purposes.

RECIPROCITY WITH CANADA.

Mr. PENROSE. I move that the Senate proceed to the consideration of the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill.

Mr. CUMMINS. Mr. President, may I say in beginning this morning that I hope that those Senators who favor this measure, and have believed it ought to pass without any amendment whatsoever, will do me the honor to hear a portion of what I shall have to say before I have finished; not that portion which relates to the merits of the amendments I have offered enlarging the free list so far as the United States is concerned, but to the portion which concerns the form of the proposed arrangement. I will show before I have concluded that no self-respecting nation can admit without qualification the agreement in the exact form in which it has been proposed to us, and that it must be modified if it is to accomplish the purposes which its authors had in view.

Mr. President, I believe that I feel the responsibilities of the position I occupy toward this measure more deeply than those upon the other side of the Chamber who are in favor of a complete reversal of our economic system, and more deeply than those upon this side of the Chamber who have favored the retention of the high duties which I have sought from time to time to reduce.

I believe that our tariff law should be revised. I believe that its duties should be reduced. I believe that many commodities upon which we now levy duties should be transferred to the free list. And believing those things, the injustice of the present arrangement impresses and affects me more deeply, as I think, than it can affect any Senator who desires to substitute some other system for the one we have heretofore adopted, or any Senator who believes that these duties of the protective tariff are what they ought to be.

Mr. President, the one thing that the people of a free country can not and will not endure is a sense of injustice at the hands of its government. We will pass through trials and hardships and poverty and misfortune with cheerful hearts and resolute courage. We do not expect and do not want equality of fortune. There always have been poor people and there always have been rich people, and there always will be poor people and rich people. We do not want to take from one that which he has justly earned in order to give it to another. The people of this country will not lose their abiding faith in free institutions, no matter what adversity may overcome them, until they reach the conclusion that the organized society of which they are members is not dealing fairly with them. Whenever any great part of our population comes to believe that the Government to which they owe their allegiance and the Government of which they are subjects is engaged in a scheme of injustice, then, indeed, will the day have come when we may look for a dissolution of our present relations to each other.

The fair and honest distribution of wealth is the great difficulty of the present time; it is the great problem of the present time. As every thinking, observing man knows, there is now in the minds of a great many of the people of this country a feeling that their Government is not doing what it ought to do to insure every man his opportunity, and is doing some things that it ought not to do, that unfairly affect the distribution of wealth, that we give to one man the profits of the labor of another; and I appeal to you with all the earnestness that can possess a loyal and patriotic heart that we must not intensify this feeling.

What are we to expect will follow the arrangement which is now proposed? I am not asking my Democratic friends to change their minds with regard to the proper kind of a tariff. They believe in a system which will levy duties for the revenues of the Government only. I am not quarreling with that at this time. I do not believe in that system. But it is so much better than the system or disorganized system that would ensue if this bill shall pass in its present form that I would instantly yield in submission to the revenue system rather than have such an one as will result if this bill passes without amelioration or modification.

Mark me, the people of this country, with their unerring judgment and with their high intelligence, will know who is responsible for subjecting the farmers of the country to the perils, whatever perils there are, of a free market in which to sell and holding them at the same time in the manacles of a protected market in which to buy.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER (Mr. SHIVELY in the chair). Does the Senator from Iowa yield to the Senator from Mississippi?

Mr. CUMMINS. I do.

Mr. WILLIAMS. I hold in my hand what purports to be an inaugural address of the Senator from Iowa, delivered when he was governor of the State of Iowa, on January 14, 1904, and there are a few words on page 9 of this pamphlet containing the alleged address which it strikes me are peculiarly pertinent to what the Senator from Iowa has just said. Would he yield long enough for me to read them?

Mr. CUMMINS. Gladly. I remember them very well, but I am very glad that other Senators here should know what they are.

Mr. WILLIAMS. I was afraid the Senator had forgotten the concluding sentence of what I shall read.

Mr. CUMMINS. I can assure the Senator from Mississippi upon that point. I remember it very distinctly.

Mr. WILLIAMS. Upon that occasion the Senator from Iowa, then governor of that great State, said:

> Let us not be content with mere abstractions. It has been possible to make, and in my judgment it is still possible to make, a treaty with Canada which would for years to come make us practically masters of the imports into that Dominion. In the last 10 years American manufacturers have expended $100,000,000 in the establishment of plants in Canada which would have been kept at home, with all the labor which that implies, if there had been a fair and permanent relation existing between the two countries. Not only so, but every student of affairs knows that the chance we now have across the border will be completely destroyed unless we treat with our neighbors upon a fair reciprocal basis. The farmers of Iowa have lost something in the foreclosure of the opportunity to feed the men who are operating the plants to which I have referred, and they will lose more when Canada raises the barrier so that England, France, and Germany will supply the material for the wonderful development upon which she is just entering and which we are so well prepared to supply. It has been said that in order to obtain these changes it will be necessary for us to let into our markets Canada's agricultural products or some of them. I believe this to be partially true; but let me ask the farmers of Iowa whether they think they would lose in the exchange? Which would you rather do, lose the market which would be created by our vast imports into Canada or meet Canada in competition in the things which you produce? I assert confidently that in the sharp struggle with Illinois, Wisconsin, Minnesota, the Dakotas, Nebraska, Kansas, and Missouri——

Mr. CUMMINS. Why does the Senator pause?

Mr. WILLIAMS. Wait a minute. I pause that the words may sink into or, rather, revive the Senator's memory. Now, I continue to read from the Senator's speech:

> I assert confidently that in the sharp struggle with Illinois, Wisconsin, Minnesota, and the Dakotas, Nebraska, Kansas, and Missouri you would never be able to discern the influence of Canada in corn, oats, barley, hay, cattle, horses, hogs, butter, and eggs.

Mr. CUMMINS. Has the Senator from Mississippi now concluded all that he desires to read from the address?

Mr. WILLIAMS. That is all.

Mr. CUMMINS. There is a great deal of good material following that.

Mr. WILLIAMS. I am perfectly willing to read further.

Mr. CUMMINS. I do not ask the Senator to read it, but I commend it to him.

Mr. WILLIAMS. The reason why I read that part of it was because it is peculiarly relevant to almost the last sentence uttered by the Senator from Iowa before I read it; because if he thought, as I understood him a moment ago to say, that the admission of Canadian agricultural products was so unfair to our farmers that he would be willing to do almost anything to prevent this bill passing——

Mr. CUMMINS. Does the Senator from Mississippi observe any inconsistency between the statement he has read and anything I have said here at this time?

Mr. WILLIAMS. The Senator from Mississippi would not be discourteous enough to charge any Senator with inconsistency, because that is peculiarly the virtue of people of our calling—politicians. But the last line of his speech when governor, in which the Senator from Iowa asserts—and does not assert hesitatingly, but "confidently"—that in the struggle—and not merely an ordinary struggle, but in the "sharp struggle" between the farmers in these various American States, including his own—"the Iowa farmer would never be able to discern the influence" of Canada, whence was to come the importation of all the designated Canadian agricultural products, struck me in such a way that had I made that speech and the speech which the Senator from Iowa now makes, I would have been disposed to suspect that perhaps I had been guilty of some inconsistency.

Mr. CUMMINS. Ah, Mr. President, the wit of the Senator from Mississippi is charming and delightful, as it always is, but I hope now that he has read the sentence, or the few

sentences, from an address of mine he will listen a moment further to the development of the subject and will not forsake the Chamber for the cool retreats of the smoking room.

Mr. WILLIAMS. I hope the Senator from Iowa has noticed that except when I am absolutely forced to do so I never desert the Chamber while he is speaking.

Mr. CUMMINS. The Senator from Mississippi does me altogether too much credit. I have not had the honor to speak in the presence of the Senator from Mississippi until yesterday, and then he was chiefly conspicuous by his absence.

Mr. WILLIAMS. I think the Senator is mistaken about that. I may have been in another seat than my own.

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Mississippi?

Mr. CUMMINS. I yield to the Senator from Mississippi if he desires to be further heard.

Mr. CUMMINS resumed.

In my opinion, Mr. President, 10 years ago or 7 years ago there was no fear to be apprehended from the free admission of agricultural products.

And mark you, I am not standing here contending now against the free admission of agricultural products from Canada. It is the Senator from Mississippi who is inconsistent, not the Senator from Iowa. I am simply asking that when you admit the products of Canada free in competition with the farmer you admit also some of the manufactures free from Canada; and the Senator from Mississippi insists that none of these manufactures shall enter the United States free from Canada unless they enter under a separate and independent measure, the passage of which is to be long deferred and very uncertain at any time.

I am not addressing the Senate at this time for the purpose of holding duties upon agricultural products. I am addressing it for the purpose of awakening, if I can, some little sense of justice in the souls of the people here, so that when this free competition comes it shall be accompanied by a free market in which to buy. Ten years ago or seven years ago there was no difference between the prices of the main agricultural products in Canada and the United States.

Seven years ago we were absolutely upon an export basis. Our surplus was so large in comparison with our consumption that we took the export price just as Canada does now. We have gradually, however, neared the point when the duties upon certain products do increase the price. Still I am not asking that they shall be retained. I am simply asking the plainest and the commonest justice, that when the farmer must enter into free and unlimited competition in respect to what he sells he shall have the same competition with regard to what he buys.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Mississippi?

Mr. CUMMINS. I do.

Mr. WILLIAMS. I hope the Senator from Iowa understands that in the last sentence he has expressed an opinion in which I heartily concur. The only difference between the Senator from Iowa and myself seems to me to be that while he thinks he can, in the Congress of the United States, ingraft upon an agreement with Canada a bargain which it requires two parties to make, something to which the other side has not agreed, I do not. But whenever the time shall come for the admission of manufactured products from Canada at a revenue rate, or free, a great many of them, I shall be found cooperating with the Senator from Iowa much more than people upon his own side of the Chamber.

Mr. CUMMINS. That is simply to—

> Keep the promise to the ear
> And break it to the hope.

We have made no agreement with Canada. There is no agreement with Canada, and the Senator from Mississippi does not know what Canada will accept or what Canada will reject. It is for the Senate of the United States just now to make such proposition to Canada as it believes is for the welfare of its own people and in justice to a friendly neighbor to the north. We can not cloak ourselves with the delusion that there has been any agreement made with Canada or any arrangement made with that country. It is our business to make an agreement with Canada, if we desire that one shall be made. Neither the President of the United States nor the State Department has the power to make any proposal to Canada or receive any proposal from Canada which touches a change in the tariff duties ordained and established by Congress. Congress alone has the power or the authority under the Constitution to determine what our duties shall be against any country, and the House of Representatives alone has the power to originate such a measure.

Suppose that no Member had been found willing to introduce a bill into the House of Representatives touching this subject, does the Senator from Mississippi think that it could have been brought to the attention of Congress at all? Could it have been sent here in the form of a treaty to be ratified by the Senate with two-thirds majority in order to become the supreme law of the land?

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Mississippi?

Mr. CUMMINS. I do.

Mr. WILLIAMS. In answer to that question I shall ask the Senator from Iowa another. Is he not aware of the fact that there have been negotiated half a dozen or more treaties between the United States and other countries which did affect import duties, beginning with the Jay treaty in George Washington's administration and the treaty with Prussia negotiated by Thomas Jefferson, and coming on down?

Mr. CUMMINS. I know, Mr. President, that there was a time when it was done, but since the far-famed and unfortunate enterprise with Canada in 1854 there has not been any treaty made with any country upon the face of the earth by which or through which it was attempted to change the tariff duties of the United States without the authority of Congress. I think there is one exception to the statement that I have made. It was a treaty entered into or projected between the United States and Mexico and possibly, as I remember it, negotiated by that distinguished leader, Ulysses S. Grant. But with that exception I know of no attempt on the part of the executive department of the United States to negotiate a treaty by which duties were changed without the previous authority of the Congress of the United States, including, of course, the House of Representatives.

I entirely deny the power of the President to negotiate a treaty touching a subject of which Congress has exclusive jurisdiction.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield further to the Senator from Mississippi?

Mr. CUMMINS. I do.

Mr. WILLIAMS. By way of prefatory remark, I will say that, of course, this is not an attempt on the part of the President of the United States to effect this purpose by a treaty, but is in fact a presidential recommendation that Congress put into legislative shape a tentative agreement of the two countries. But going back to what we were talking about, the Senator from Iowa has said that since 1854 there has been no treaty made involving duties on imports——

Mr. CUMMINS. Save one that I now remember.

Mr. WILLIAMS. Well, we will leave the Mexican incident out—no treaty made which affects import duties since the Canadian reciprocity treaty of 1854.

Mr. CUMMINS. Which changed them.

Mr. WILLIAMS. Which changed them. I mean which involved them by changing them, raising or lowering them. Accepting that statement as a fact, is not this true, first, and is not this true, second: First, since that time the reason why no treaty of that sort had been entered into was because this Government had been under the domination of the high protectionists of the country, who did not want any treaties of that sort entered into; whose Executives have been protectionists, and therefore have not attempted to lower the tariff in any way? That is the first question. The second question is, Does the Senator not think that George Washington and Jay and Madison, the men who formed the administration, and the two Houses of Congress under George Washington's administration, many of whom had been concerned in the construction and formation of the Constitution itself, knew just about as much about the Constitution and what was intended by it as do we?

Mr. CUMMINS. Probably more; but I can only read the Constitution, and I try to understand the English language.

Mr. WILLIAMS. Does the Senator not think that the fact that the Jay treaty, which was negotiated in the lifetime of the men who framed the Constitution and under the Presidency of the man who was president of the Constitutional Convention, did affect import duties is rather persuasive authority?

Mr. CUMMINS. The Senator from Mississippi would have to produce the treaties; I do not deny that they are in existence; but, in order that we might conduct this argument with intelligence, he must produce those treaties in order that we may consider their terms. There is not a single one of them, as I remember, which concerns itself solely with import

duties—not one. They all embrace matters which are and concededly were within the jurisdiction of the treaty-making authority.

Mr. WILLIAMS. That statement, to wit, that those treaties did not concern themselves solely with import duties, is correct; but if the President and the Senate have no right by treaty to enter into an agreement whereby import duties and nothing else are affected, where the sole effect of the treaty is to affect import duties, then, logically, certainly they have no right to enter into a treaty where a part of the treaty affects import duties. If they have authority to lower or raise by treaty a single duty they have equal constitutional warrant to raise or lower a thousand.

Mr. NELSON. Mr. President, will the Senator from Iowa yield to me for a moment?

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Minnesota?

Mr. CUMMINS. I do.

Mr. NELSON. I want to call the attention of the Senator from Iowa to the fact that this bill contains on this subject a plea of confession and avoidance. Section 3 expressly gives the President authority that he has never had before. If he had the authority, which is contended for, to negotiate such treaties, what is the necessity of putting it into this bill? If there is no objection, I will read section 3. That section provides:

That for the purpose of further readjusting the duties on importations into the United States of article or articles the growth, product, or manufacture of the Dominion of Canada, and of the exportation into the Dominion of Canada of article or articles the growth, product, or manufacture of the United States, the President of the United States is authorized and requested to negotiate trade agreements with the Dominion of Canada wherein mutual concessions are made looking toward freer trade relations and the further reciprocal expansion of trade and commerce.

If the President has this authority, then what is the necessity, I repeat, of putting it into this bill? Is it not, as I have said, a plea of confession and avoidance?

Mr. CUMMINS. I understand, Mr. President, that that is a question propounded to the Senator from Mississippi [Mr. WILLIAMS], who seems to be on the point of vanishing. I await with some impatience his return. [A pause.] Having now the attention of the Senator from Mississippi, I repeat that the inquiry of the Senator from Minnesota seemed to be propounded to the Senator from Mississippi.

Mr. WILLIAMS. Just at that point I received a note from the Marble Room, and was reading it, so I did not hear what the Senator from Minnesota said.

Mr. CUMMINS. I was quite sure the Senator from Mississippi would not last; that he would fail upon his inferential promise that he would remain until this discussion had been finished, at least upon the question of constitutional power.

Mr. WILLIAMS. Mr. President, I assure the Senator from Iowa that I was very much worried by receiving a note asking me to step out to see a gentleman in the lobby for a minute. I so much regretted to miss the eloquence of the Senator from Minnesota and any additional eloquence of the Senator from Iowa that I had wished that the gentleman who sent for me had come at any other time; but while busy reading the note, I did not hear what the Senator from Minnesota said. It is my loss that I did not.

Mr. CUMMINS. Mr. President, there are coinçidences that are providential, and I accept this as one of them. I was about, however, to recur to the matter of consistency and to the conditions of 1894 as compared with the conditions of 1911. In the extract which the Senator from Mississippi was good enough to read from an address of mine, he will remember that I stated in it that reciprocity with Canada involved such concessions on the part of Canada, such a disposition upon the part of Canada, as would give to the United States a mastery of her market for the sale of manufactured products. Why, Mr. President, I not only advocated reciprocity in the address to which the Senator has referred, but I advocated it all over the United States. I spoke for it from the Atlantic to the Pacific. I believed in it, and I still believe in it; but I never dreamed that the friends of reciprocity would advance such a measure as we are now considering as the fulfillment of my hope that we might draw nearer to this neighbor of ours upon the north. I thought by admitting Canada upon fair terms to our market with her natural products, that Canada would admit us—that seemed to be her disposition then—to her market upon as good or better terms than she admitted any other nation for our manufactured products; but these seven years have revolutionized conditions. Canada does not admit us to her market for our manufactures upon better terms than she admits other nations. On the contrary, with few exceptions she does not, she has not in the past, and does not propose in the future to admit us upon as good terms as she admits other nations of the world. If we are to conquer that market we must do it against the unfair competition of her mother country, as well as against the unfair competition of France and Germany, with which nations she has recently entered into reciprocal treaties or agreements.

Mr. President, the bargain that possibly we could have made with Canada in 1898, in 1900, in 1902, and 1904 is no longer possible. Canada has entirely changed her ambition and her industrial form in these years. The national spirit has been so developed, the national ambition has been so stimulated that she intends to be not a subordinate of the United States, but a rival of the United States, not only in agricultural products, but in manufactured products as well. I do not decry the new spirit so manifest in Canada. I applaud the loyalty and the patriotism of the people of that country in changing the course which seemed to be popular in the years that have gone.

I may say here that no friend of this treaty discovers a greater necessity for friendly relations with Canada than do I. I believe that it ought to be one of the high and persistent purposes of the United States to cultivate friendly feelings with its neighbor upon the north, that lives and will live under practically the same conditions that surround us; but we might as well accept the conclusion that Canada, with her tremendous possibilities, is to be a rival of the United States, and I hope that the rivalry will go forward with all the friendly and gracious feeling that ought to animate the people who are so joined together in tradition and proximity.

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Nebraska?

Mr. CUMMINS. I do.

Mr. HITCHCOCK. I understood the Senator from Iowa to say that Canada had been disposed to discriminate against the United States in trade relations in favor of the mother country?

Mr. CUMMINS. She has discriminated.

Mr. HITCHCOCK. As I recall the statistics of trade, Canada has during the recent past purchased from the United States more than twice the amount the United States has purchased from Canada. Does the Senator from Iowa think that is showing a disposition not to patronize the United States?

Mr. CUMMINS. The Senator from Nebraska, Mr. President, can not possibly confuse the volume of trade with the fact of discrimination. The Senator from Nebraska knows that at the present time upon everything, or substantially everything, Canada admits imports from Great Britain at a less rate of duty than she admits the same imports from the United States.

Mr. HITCHCOCK. Possibly, but the fact is——

Mr. CUMMINS. Not possibly, but in fact. Now, if the United States has been able, notwithstanding that discrimination, to sell to the people of Canada more than Great Britain can sell her, so much to the credit, honor, and enterprise of the producers of the United States, but it does not alter the fact of discrimination.

Mr. HITCHCOCK. It is true not only that Canada every year purchases from the United States twice as much as she purchases from Great Britain, but it is also true in a reciprocal sense that Canada purchases twice as much from the United States as the United States purchases from Canada. It seems to me that those two facts indicate that the Canadian policy at least is not such as to prohibit friendly trade relations with the United States, but she appears to us as one of our very best patrons.

Mr. CUMMINS. Unquestionably, Mr. President. I began this speech by saying that we had pursued a policy toward Canada for 50 or 60 years that is utterly indefensible. We have been levying against Canada duties which, on the average and reduced to ad valorems, are the equivalent of 43 or 44 per cent, while Canada during all that time has been levying against our imports into her Dominion duties which were on the average little more than 25 per cent. No man, in view of the circumstances which surround both countries, would be so bold as to defend that course toward Canada. Our duties upon her imports have been so high that she could not supply us with any great volume of commodities; but the fact remains that Canada is discriminating against the United States, and if she did not discriminate against the United States we would take practically all of her market.

Mr. NELSON. Will the Senator allow me?

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Minnesota?

Mr. CUMMINS. I do.

Mr. NELSON. Mr. President, with all due respect, I think both Senators are astray on this subject of Canadian exports and imports. For the fiscal year 1910 our exports to Canada

were nearly $215,000,000, and our imports from Canada were only $95,000,000, giving us a balance of trade in our favor of $120,000,000, and the balance of trade has been in that proportion for the last 8 or 10 years. Last year our total exports were $1,744,000,000. Of this great amount Great Britain absorbed $505,000,000; Germany, $249,000,000; and Canada, $215,000,000. The balance of trade in our favor on the trade with Great Britain was $234,000,000; with Canada, $120,000,000; and with Germany only $80,000,000, showing how immense our trade with Canada is and how our exports to Canada are more than double our imports.

Mr. CUMMINS. I think, Mr. President, that is exactly what was stated both by the Senator from Nebraska [Mr. HITCHCOCK] and myself. I have before me a consular report issued by the Bureau of Manufactures, and I find in it these statements:

The imports into Canada from the United Kingdom for 1910 were $107,679,719; from other British territory, $19,824,795; from the United States, $270,644,736; from France, $11,376,879; from Germany, $8,782,174; and from other countries $25,496,565, making an aggregate of $443,000,804.68, of which we exported into Canada $270,644,736, and in the same period imported from Canada into the United States $117,145,555.

These results have been accomplished notwithstanding the fact that Canada does give to Great Britain a lower duty upon substantially everything than she gives to the United States; and this bill does not change that, save that it disturbs the relation somewhat. We may get into Canada upon slightly better duties as compared with the duty upon British commodities than we have enjoyed heretofore.

But I care little about the chance of increasing our exports, and you care nothing about it. The Senator from Mississippi cares nothing about it. There is not a Senator here who has his mind fixed upon that phase of this arrangement—not one. It is a negligible quantity, and everybody knows it is a negligible quantity. Our minds are absorbed with just one thought, namely, the relinquishment of our duties upon our imports and the subjection of our farmers to the free competition of Canada. That is the phase of this question which engages our attention. I have not heard a word said heretofore, and do not expect to hear very much said, about the reduction of these duties accomplishing any very great enlargement of our exports into Canada. We are already in possession of her market in manufactured products to a high degree; and if we want to entertain that friendly relation which has been so vaunted here, if we want to draw close to Canada, if we want to add something more to her prosperity, we ought to hope that she will manufacture her own goods under the new departure instead of taking them from the United States.

Let us be consistent with regard to the matter. But referring again to the changed conditions, comparing 10 years ago with the present time, the man is blind who does not see that we can not deal with Canada upon the same terms that we could have dealt with her then. I want her friendship, and I may as well say here, because I understand I have been quoted in that Dominion as being in favor of annexing Canada to the United States, that I am not in favor of annexing Canada to the United States. I am not in favor of annexing Mexico to the United States, or Cuba to the United States, or Porto Rico or the Philippines. Our country is big enough to consume all the energies of the American people in its government. I do not want to add to the severity of our problems by the absorption of other countries, with their different interests and their different ambitions.

I want to put it now, once for all, so that everybody can understand my position at least with regard to it, that I am opposed to any enlargement of the territory of the United States, and I have no doubt the Senator from Mississippi [Mr. WILLIAMS] could find in some former address of mine, uttered in the spirit of national pride, a hope that the Stars and Stripes might some time float from the North Pole, with not a single sovereignty between its starry folds and the territory of the Republic. But I do not think so now. I am quite convinced that we have here and with us and among us and about us all the problems that are necessary to tax the best minds and the best hearts of the best people upon the face of the earth. And we will do well if we maintain the freedom and the glory and the dignity of the United States without inviting complicating situations in other directions.

Our concern here is, as it seems to me, the admission of a part of the products of Canada free without admitting at the same time another part of the products of Canada free. The Senators upon the other side can only say that we refuse to add these things to the proposition because they will endanger its passage and its approval. Let me remove, if I can, that cloud of fear and apprehension from their minds. Do you think it will render this agreement less satisfactory to Canada if we give her free admission to our country of her manufactured products, especially the manufactured products of agriculture? Do you think she will decline the agreement because her markets in the United States are widened without any additional burden being put upon her? No man will so assert. Do you believe—I hesitate to speak of this, but it has been mentioned so often that I feel impelled to do it—that the President of the United States would decline to approve this arrangement if we reduced the duties upon or removed the duties from other products coming from Canada into the United States without imposing any new burden upon Canada? Can you imagine any reason that could influence an intelligent mind to take that course?

If you can not, then you are barren of reasons for not admitting these additional articles to the free list. If the chief purpose of this arrangement is to enlarge our markets in Canada, then I can understand that somebody might say that we must not add these things to the free list, but must hold them for future bargain and sale. But that is not our purpose. It is not the purpose of a man in this Chamber. The purpose is to reduce our own duties so as to relieve our own people of some of the taxation which they have sustained, and I can not understand how those who believe in the reduction of duties can successfully go to the people of the United States and declare to them that they willingly missed the only opportunity that they will have at this session of Congress to render this tardy justice.

I put it upon another ground. While I do not believe that at the present time we can admit the agricultural products of Canada free into the United States without harm or injury to the American farmer, as was the case in 1904, yet if we are to do it—and I know we are going to do it—any hope of ameliorating or changing the bill in that respect has long since gone; if we are going to do it, give me some reason why we should not do something for the farmer at the same time that we are taking away the measure of protection which he now has.

As a broad and original proposition, in view of the changed conditions in this country, in view of the revolution in Canada, if I had my way about it I would not enter into any arrangement at all with Canada. I do not believe it is wise to enter into any arrangement with Canada. We can do her full justice without any agreement upon her part. If I could have my way about it, I would take this tariff from the beginning to the end, and I would put upon every competitive article just that duty which would measure the difference between the cost of producing it here and elsewhere. I understand perfectly that the application of that doctrine would affect a large part of the duties now imposed upon agricultural products. It would preserve some of the duties to some degree. And so long as we maintain the doctrine of protection, so long the farmers are entitled to the application of the rule without discrimination.

I have heard it said, too, that I was inconsistent, and I remember, as the Senator from Mississippi so beautifully said, consistency is thought to be a jewel. I do not think it is. It is not comparable with an honest faith, an honest conviction.

Allow me to suggest that one very distinguished authority—I will not name him, because the Senator from Mississippi will remember him and he will be able to correct this quotation, because I am conscious that I may not give it with accuracy. But he said something like this: That consistency is the hobgoblin of small men and mean minds.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Mississippi?

Mr. CUMMINS. I yield.

Mr. WILLIAMS. It is a small matter, but I should dislike to have it go to the country that I said "consistency is a jewel," although, I believe, Shakespeare did say it. I said "it was the virtue of men of our calling, politicians," and so far as I know no other sensible class of men anywhere else in the world regard consistency as above being right. My own opinion is that a man ought to change his utterance whenever he changes his opinion, and he ought to change his opinions whenever he finds good reason to change them.

Mr. CUMMINS. I believe so. I believe the Senator from Mississippi has stated the truth of the matter with his usual felicity. I wish I could change mine oftener than I do. There is a pride of opinion that sometimes holds a man fast, long after the basis of his belief has disappeared.

I am not conscious, however, of any change in my opinion concerning this subject. I do not perceive any difference between the justice I asked in 1904 and the justice I ask now. I would make the protective doctrine an easy master instead of a hard master, as it is now. I would take up the schedules one at a time, and I am perfectly willing to take up the agricultural schedule first, and I believe the farmers of the United States are willing that their schedule shall be taken up first. And if in applying the Republican doctrine there is found no difference

between the cost of production elsewhere and here, then I know they would cheerfully submit to the removal of the duties which affect their products.

Mr. WILLIAMS. I should like to ask the Senator from Iowa one question. He has a moment ago announced his adherence to the latest Republican doctrine of protection, to wit, that the rates ought to be "equal to the difference between the cost of production" here and abroad. I understand that that is not only the announcement of the Senator from Iowa, but was the announcement of the last Republican convention.

Now, I want to ask the Senator from Iowa if there is any difference between that sort of a tariff and a prohibitive tariff?

Mr. CUMMINS. I think there is.

Mr. WILLIAMS. If the Senator will pardon me a moment, not for a question, but for an interruption—it seems to me there is none, and I will explain why, and I will not take long. In the old days—or not very old days, either, but in the former days—the Republican orators and writers announced that it wanted a tariff equal to the difference between *wages* abroad and *wages* in America, wages being but one factor in the cost of production, their claim being that protectionism was advocated and maintained "for the protection of American labor."

In that I did not see a tariff which was prohibitive. But if in fixing your tariff rates you are to include all the factors in the cost of production, then you arrive at this result: If you fix a rate so high that it meets the entire difference in the cost of production, no matter what makes the cost of production, difference of latitude, or training, or in fertility of land, or whatnot, then you fix a rate at which the cost of the article as manufactured in the United States is at least equal to, or a little bit above—because you would give yourself the margin of course in fixing it—what the article can be turned out for in the foreign field or factory, and then if the foreigner, in order to sell in the American market and make a profit in competition with the American who is producing the same goods, whether in farm or factory—if he is to sell in our market at all, he must sell without a profit at a price equal to what he can produce at plus the tariff and plus the transportation in competition with our producer who can sell at cost of production plus a profit and still sell cheaper.

If that sort of doctrine were applied between two people who were working in the same village it would not be prohibitive. It would put them upon an equality. But if you make a difference in rate equal to the entire difference in the cost of production, then you leave the foreigner handicapped by the ocean freight and whatsoever else may constitute the cost of transportation; so that it is impossible for the foreign producer to sell in the American market at all, and thus you have created for him a prohibitive tariff. There is but one thing I can see which recommends it. If the American behind the tariff wall attempt to effect a combination or a trust and make a very unreasonable rate, away and above the cost of production plus the tariff, plus the cost of transportation, and plus a reasonable profit, then the foreigner could come in at a slight profit above the cost of production plus the cost of transportation, plus the tariff. Even then the trust might reduce for the time being, until it had discouraged him and other men like him, and then go on with the game which it is now playing under the aegis of legislation at the cost of the American consumer.

Mr. CUMMINS. Mr. President, to one holding the view that I do of the doctrine of protection, and to one interpreting our platform as I interpret it, the question or statement of the Senator from Mississippi is easy of answer. If the cost of production is to be considered at the point of production, the consequence suggested by him would follow. I do not so understand the doctrine of protection, and I have never attempted to so apply it. To paraphrase it a trifle, I understand the doctrine of protection to be that measure of duties——

Mr. WILLIAMS. Mr. President——

Mr. CUMMINS. Just a moment, now. I understand the doctrine of protection to be that measure of duties that will enable the home producer to enter the markets of his own country and sell his products there at a fair profit in competition with his foreign rival. I do not believe that the doctrine can be measured by estimating the cost of production at the point of production. What is our purpose? Our purpose is to enable the producers of this country to get into their own markets and to occupy them at a fair profit, and if they increase their prices above a fair profit then to admit at once the foreign competitor. That is the purpose of the protective doctrine, and that is the meaning, as I understand it, of the phrase "cost of production."

The PRESIDING OFFICER. Does the Senator from Iowa yield further to the Senator from Mississippi?

Mr. CUMMINS. Yes, sir.

Mr. WILLIAMS. If the meaning of the Republican platform were as explained by the Senator from Iowa, then the man who worded it used very awkward English, because the wording is "the cost of production," not "the cost of marketing." If the platform had meant that the rates were to equalize the difference between the cost of production in America and the cost of production plus transportation abroad, then a man ordinarily cunning in the use of English would have said "the cost of marketing the foreign product in America." But that was not said.

One more thing and then I shall not interrupt the continuity of the remarks of the Senator from Iowa any further.

Mr. CUMMINS. I am very glad to have the Senator from Mississippi interrupt me, because I am not delivering a prepared speech.

Mr. WILLIAMS. I forgot something when I asked the Senator the question. Not only does the Republican platform say that the rate must be high enough to be equal to "the difference between" the foreign "cost of production" and the home cost of production, but it says the home "cost of production plus a reasonable profit," which makes it somewhat more prohibitive still, if you can say that a thing which is already prohibitive could be more prohibitive.

Mr. CUMMINS. Mr. President, of course the Senator from Mississippi knows that there have been at times some differences of opinion between the speaker and certain interpreters of the Republican doctrine of protection. I do not want to bind them, I do not attempt to bind them, but I know what binds me. In every case what I want to do in attaching duties to the products of American enterprise is to put such duties upon them as will enable the American people to raise them, produce them, take them to the market, and sell them to the American people at a fair profit. My purpose is always to accomplish that end.

Any duty that rises higher than is necessary to protect the American producer is one which I condemn as utterly and as wholly as the Senator from Mississippi. Any duty which does less than that, assuming now that the enterprise is one which is entitled to any protection at all, is utterly inefficient and could not be in compliance with or fulfillment of any doctrine of that character.

Mr. WILLIAMS. Now, Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Mississippi?

Mr. CUMMINS. I do.

Mr. WILLIAMS. I will ask the Senator from Iowa one more question. I am afraid I am doing like a great many people who say "in conclusion" seven or eight times before they conclude.

Mr. CUMMINS. The Senator from Mississippi can not have too many appearances.

Mr. WILLIAMS. Does the Senator from Iowa think that if over 100 per cent were necessary as a rate of duty in order to equalize the cost of foreign and of domestic production that that duty ought to be levied?

Mr. CUMMINS. Mr. President, I answer that from two points of view. I can conceive of an article that could not be produced in this country in competition with some other country without a duty of 100 per cent, but if I found an article that required a duty of 100 per cent in order to perpetuate its production in this country, it would be conclusive evidence to me that we ought to abandon the production of that article.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield further to the Senator from Mississippi?

Mr. CUMMINS. I do.

Mr. WILLIAMS. If I had answered my own question, I could not have answered it more to my own satisfaction.

Mr. CUMMINS. "Praise from Sir Hubert is praise indeed."

Mr. WILLIAMS. On the woolen manufactures of this country the duties are over 100 per cent in very many cases——

Mr. CUMMINS. It is my opinion——

Mr. WILLIAMS. And on various other articles. For six years at every Congress, at the other end of this Capitol, the floor leader of the minority there introduced a bill to reduce all duties over 100 per cent down to 100 per cent except where there were countervailing internal-revenue duties, when, of course, the import duty must be equal to the internal-revenue duty, and he could never get consideration of it in a Republican Committee on Ways and Means and could never get a corporal's guard of Republicans in this entire country to express themselves as willing to see such a law passed.

Mr. CUMMINS. If the Senator from Mississippi would join with me——

Mr. WILLIAMS. I agree absolutely with the Senator from Iowa in the answer that he made.

Mr. CUMMINS. Does the Senator from Mississippi agree with me also that we ought to put upon all articles the measure of protection to which I have referred, and will he join with me in an effort to so adjust the tariff duties of the United States that they shall measure that difference in cost as I have interpreted it?

Mr. WILLIAMS. Mr. President, while the gentlemen of the school of thinking to which the Senator from Mississippi belongs are out of power, we would gladly, or he at any rate would gladly, vote for any bill which would put a reasonable tariff rate upon articles rather than the present extortionate rate; for almost any revision downward. But if the school of economical thought to which the Senator from Mississippi belongs ever gets in power, the Senator from Mississippi will try, to the best of his ability, to regulate taxation in accordance with the needs of the Government and not in accordance with the needs of private enterprise, and he will try his best to divorce big business from government and government from it. He will try his best to have the Government of the United States walk in a pathway which will convince the world that it is a government and not a silent partner in a firm of hothousers of private business. He will try to have taxation so levied that the Government may have abundant revenue to do everything which it ought to do constitutionally and yet at the same time not to prostitute the taxing power for the purpose of putting dollars by legislation into the pocket of any man, no matter how great and no matter how humble, whether he be a farmer or a manufacturer or a miner.

Mr. SMOOT rose.

Mr. CUMMINS. I yield to the Senator from Utah.

Mr. SMOOT. I wanted to ask the Senator from Iowa whether I understood him correctly as saying that if there is any business in the United States which requires a protective duty of more than 100 per cent he would be in favor of abolishing that business?

Mr. CUMMINS. I can not conceive, Mr. President, of any business in the United States that will honestly require a duty of more than 100 per cent. It is beyond the power of my imagination.

Mr. SMOOT. I could state a number of articles made in the United States where I think the Senator himself would concede that it would be impossible to manufacture them in this country at that rate. Let me take the lithographic view cards, the making of which has become a great business in this country; 100 per cent will not make the difference between cost of production in this country and Germany; 200 per cent will not make the difference; 300 per cent will not make the difference.

Mr. CUMMINS. Then I think we had better take them from abroad.

Mr. SMOOT. I am just asking the Senator the question as I should like to know the Senator's position in a case of this kind. It was proven before the Finance Committee not once but many times, by invoices, by the cost of production abroad, and by every means that it was in the power of the committee to obtain. I believe when the rate was increased two or three hundred per cent in the last tariff bill Senators did not object to it after it had been explained to them. It was a business proposition. I wanted to know whether the Senator really felt that a business of this kind ought to be abolished in this country and the articles purchased from abroad.

Mr. CUMMINS. I have no hesitation whatever in saying that I am as insistent in giving to the real industries of the United States the full measure of protection, which I have attempted to describe, as any man in this Chamber, but when it is proposed to take a business that requires 300 per cent duty, and, therefore, which will advance the price 300 per cent or more, and stimulate it either into existence or into growth through the medium of a tariff duty, I rebel.

Mr. SMOOT and Mr. WILLIAMS addressed the Chair.

The VICE PRESIDENT. Does the Senator from Iowa yield, and to whom?

Mr. WILLIAMS. I should like to ask——

The VICE PRESIDENT. To whom does the Senator from Iowa yield?

Mr. CUMMINS. I yield to the Senator from Mississippi.

Mr. WILLIAMS. I should like to ask the Senator from Iowa this question: If the theory of the Senator from Utah were followed out to its logical conclusion, would it not lead us necessarily to a duty, say, of 1,000 per cent in order that the United States might produce their own bananas—under glass, probably—but they could be produced. Like Tom Carlyle, "I thank God that mankind are not logical," and I hope I can thank God that the Senator from Utah is not logical. If, however, his theory were carried out to its logical result, would it not lead to an absurdity just like that?

Mr. CUMMINS. It is impossible to tell to what length that theory might lead us. I do not believe the Senator from Utah, who is a stanch protectionist, wants to subject the doctrine of protection, which is a wise policy for our country, to any such criticism as his instance or his example certainly will create.

Mr. SMOOT. Certainly not, Mr. President. I called attention to this one particular case to find out the position of the Senator from Iowa; but the comparison of the Senator from Mississippi between the growing of bananas and the manufacture of lithographic view cards in this country is so absurd that it is not worthy of consideration.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Mississippi?

Mr. CUMMINS. I yield.

Mr. WILLIAMS. Does the Senator mean to say that the manufacturing of postal cards is so superior in its nature, is a pursuit so much better for mankind that this little manufacturing process of making picture cards is so much worthier of consideration than the agricultural industry of raising bananas that to compare one with the other as an extension of the logic involved is absurd?

Mr. SMOOT. Mr. President——

Mr. WILLIAMS. If we are to pay 300 per cent in order that somebody may not have to go out of the business of manufacturing postal view cards, in the name of God why logically should we not pay a thousand per cent in order that children may eat "American bananas," patriotically waving the flag of the United States while they consume them, at a dollar apiece?

Mr. SMOOT and Mr. GALLINGER addressed the Chair.

The VICE PRESIDENT. Does the Senator from Iowa yield, and to whom?

Mr. CUMMINS. I yield first to the Senator from Utah and then to the Senator from New Hampshire.

Mr. SMOOT. The difference between the item mentioned by the Senator from Mississippi and the item mentioned by me is that in the case of the duty upon postal cards the retail purchasers here pay no more for them, but the Senator is speaking of the consumer paying a dollar apiece for bananas, which is an entirely different proposition and there can be no comparison.

I agree with the Senator from Iowa as to the beneficent results of protection, but I believe also that if the actual cost of producing goods in this country and the actual cost of producing goods in a foreign country was the duty levied upon them and no more, our markets would be taken away from the American manufacturer by foreign manufacturers. There is no bigger curse to our protective system than undervaluation of goods entering the ports of this country. We base our duty upon the foreign valuation of producing goods and they are admitted into this country sometimes at less than half the value, which cuts the duty in two.

Again, Mr. President, there are countries that have antidumping laws. Canada, for instance, has one. An American manufacturer, overloaded with goods, rather than stop his mill may look for a foreign country to sell them in, sometimes at cost. If he desires to sell in Canada, he is met with an antidumping law. No goods can be sent into Canada and sold cheaper than they are sold in the country where they are manufactured. I have seen in this country, time and again, business concerns absolutely ruined by the great Chemical Trust of Germany shipping goods into this country below cost, until the manufacturing concerns of this country were closed up. Then the prices were immediately advanced and the American people were made to pay for all that the great trust in Germany had lost in reduced prices sold at in order to close up the American institutions. If the difference was only measured between the actual cost of production in this country and a foreign land, I say that that same thing would happen to a great many industries of this country.

Mr. GALLINGER. Mr. President, I rose to call the attention of the Senator from Iowa to a statement he made which I think he had not fully considered. I am interested in the Senator's discussion, and I have tried to follow him as closely as possible when I could be in the Senate Chamber.

A moment ago the Senator from Iowa said that an article manufactured in this country which required 200 or 300 per cent protection was indefensible, and that he never would consent to a duty of that kind, which would raise the price of the article 200 or 300 per cent to the American consumer.

The Senator doubtless has given some attention to the fact that as long as Germany had a monopoly of the post card busi-

ness Germany could charge the United States just what she pleased, and she did that very thing, while since the duty was put on post cards at a point where the American manufacturer could compete the post cards are being made in this country and are selling, I understand, at just about the price the American purchaser paid before that duty was placed upon that particular manufacture.

It is the old story, that if you give an individual a monopoly, he can charge what he pleases. If you give a nation a monopoly, that nation can charge just what it pleases. We come back to the oft-repeated and very wholesome illustration furnished by the fact that at one time we paid Great Britain $170 a ton for steel rails when we were not making any in this country.

Mr. CUMMINS. Mr. President, I have heard the illustration with respect to steel rails many times before, but it never impressed me, because I am aware, and I know the Senator from New Hampshire is aware, that it has not been the duties levied by the United States upon steel rails that have reduced the price of steel rails from $170 a ton to $28 a ton. There have been so many other factors in the development of the business and the resulting decrease in the price of this commodity that, in my opinion, the duties levied by this country are negligible causes in that reduction.

Mr. GALLINGER. And yet, if the Senator will permit me, Mr. President, he must admit, because it is an historical fact, that as soon as we did impose a rate of duty which we thought was adequate and which proved to be adequate upon foreign steel rails, immediately the price in this country did decrease, and very largely decreased. Will not the Senator admit that if England to-day had a monopoly of the manufacture of steel rails, as Germany practically had of the post view cards, England would charge us a higher rate for steel rails than we are paying now, manufacturing them in our own country, or importing them, if you please, from foreign countries?

Mr. CUMMINS. I am perfectly willing to agree that any monopoly will charge all that the traffic will bear in this country or any other, and that is the reason why I have been so insistent against a rate of duty that will lead or could lead to a profitable monopoly.

I did not intend, Mr. President, to drift myself or allow this discussion to be drifted into the merits or demerits of the tariff generally. I bring it back again to the point from which I started. Entirely aside from the merits of protection, you are about to put the farmer of this country into free competition with his only competitor, with his only rival, and you at the same time refuse to give him a freer market with respect to the things that he must buy. I say, and it is a reiteration, that that is an offense against justice and against morals that the American people will neither forgive nor condone.

I have no doubt that there will be much discontent. I have no doubt there will be great injury wrought to the farmers of this country with respect to many of their products by the removal of these duties. Every man must know that, no matter what was true 10 years ago, it is true now that the American farmer is receiving some benefit, direct benefit, from his tariff duties, and if you take that benefit away from him he will recognize and resent the injustice. It is not the money that he loses or will lose that will be the chief cause of his resentment. Carlyle said years and years ago that it was not what a man had that makes the happiness or the misery of him; it is not the privations that he must endure, not the hardships that he must suffer, not the poverty through which he must pass; it is injustice that constitutes the insupportable burden, and against which free men always have fought and always will fight.

When this bill passes in its present form the loudest cry will not be because the farmers of North Dakota are unable to sell their wheat at as high a price as they might have otherwise sold it. It will not be because their fortunes may be impaired to some degree. It will be because the Government of their country solemnly, after long deliberation, determined that they were not entitled to the same consideration at its hands as are the manufacturers and other producers of the country. This will be the condemnation of this measure, against which no man can stand.

I wonder, as I have been wondering from the beginning, how it can be contemplated that this indignity shall be put upon the farmer when, at the same time, you add riches to the packer, riches to the miller, riches to the United States Steel Corporation, riches to every manufacturer of the products contained or mentioned in this arrangement.

There will come, Senators, a day of reckoning, not because you are merely despoiling the beneficiaries of the protective tariff—I mean the farmers now—of some of their advantages, but because you refuse to listen to their demand for justice. Do not for a moment think that those who, no matter how high their motives may be, no matter how sincerely they may think this is a step in the right direction, do not for a moment think that the people will fail to fasten the responsibility upon the men who inflict the wrong. It is no light or trivial issue that you are presenting to the people of the Nation.

Ah! I heard it said here just the other day from a very distinguished and eloquent Senator that although the farmer was about to be deprived of the direct benefit or advantage which he might in future years enjoy from the protective tariff, yet he would still be surrounded by the incidental advantages of the protective tariff given to manufacturers.

Do not be deceived by that illusion. When you put the farmer of this country into free competition with his rival in Canada it will make no difference to him whether this country or Canada grows in manufactures. The farmer of North Dakota will care little about the development of Minneapolis, because it will be just as beneficial to him if a bushel of Canadian wheat is consumed in Canada as it will if it were consumed in the United States. This measure means that we have undertaken to care for and dispose of the entire agricultural products of both Nations. It will matter little to the farmer of this country whether a new enterprise shall arise within our borders or whether it shall arise in Canada. We shall be just as much interested in having Canada grow so that it will consume its surplus of agricultural products as we shall be in having our own enterprises so grow that we will consume our surplus. Our problem will be to consume somehow or other the entire product of both the United States and Canada. When our Republican friends shall go in the future to the farmers of this country and say to them, "Although we have taken away from you the direct advantages which you might have hoped that you would enjoy under the tariff, nevertheless you are interested in the development of our industries, in enlarging our markets, in the growth of our cities, in the addition of new enterprises," the farmer will say, "I would just as soon have an additional enterprise in Canada that will help to consume the surplus there, which otherwise we must take, and therefore there is no compensation to me in the incidental growth or development of our own country."

From every point of view the measure proposed is repugnant to one's sense of right. I have yet to hear a single reply to that statement, save that it is a step in the right direction. I said yesterday, and I now repeat, it is a step in the wrong direction, because it will not accomplish, either from the standpoint of the Senators upon the other side of this Chamber or from the standpoint of Senators upon this side of the Chamber, the objects which they seek to accomplish.

Mr. President, I now intend to take up for a few moments some features of this bill which have not yet been the subject of discussion. I want your attention; and if I can not show you that it is immature and imperfect, even if you are looking at it in the hope of accomplishing that which the executive department or the State Department wants to accomplish, then I despair of the force of reason.

Mr. McCUMBER. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from North Dakota?

Mr. CUMMINS. I do.

Mr. McCUMBER. Mr. President, before the Senator from Iowa proceeds with the discussion of the other branch of the subject I should like to have his opinion expressed to the Senate upon another feature of what he has been discussing. If I understand the attitude of the Senator correctly, it is that there is nothing in the nature of true reciprocity in this bill; that there is no opportunity for us to expand our agricultural exportations into Canada; and, therefore, the only thing which is reciprocal or attempted to be reciprocal is an exchange of agricultural products for agricultural products, where, in fact, the exchange is all on one side—coming from Canada into the United States. If I understand the Senator correctly, his idea is that the bill ought to be so framed that we can at least receive in return for the agricultural importations some manufactured exportations into Canada, so as to make it reciprocal in noncompetitive articles. It is right at this point that I want the attention of the Senator.

Even with the tariff wall between the United States and Canada our manufacturers have been able to leap over that wall with their products, and out of $376,000,000 importations we have been able to send them $223,000,000. Reducing that to percentages, it is about 61 per cent of all of Canada's imports. Canada must continue to import a great quantity of articles which we do not and can not produce. That would probably make up 30 per cent of her imports. Therefore we could not hope to secure more, with the increase of her population and

the natural increase of our exportations, than about 70 per cent, if we secured all of the exportations into that country to which we would be entitled.

Mr. CUMMINS. Certainly.

Mr. McCUMBER. If that is the case, if we are, without the reduction of a cent of the import duties of Canada, able to import nearly all of the manufactured articles which Canada produces, then, if you will lower the duties, who is to get the benefit other than the difference that will be pocketed by the manufacturers themselves in the reduction of the duties that they have got to pay? In other words, their business will be made more profitable to the extent of the duty that will be remitted to them; and at the same time there is nothing in this bill, if I understand it rightly, that will reduce the price of their products to the American consumer as a compensation to the farmer who is to suffer.

The particular point that I wanted the Senator's always lucid explanation of is as to how we are to be benefited, how even the manufacturers are to be benefited, by an increase in their exportations by the little lowering of duty that is allowed in the Canadian tariff?

Mr. CUMMINS. Mr. President, I had it in mind to deal more fully with the phase of the subject just suggested by the Senator from North Dakota when I came to analyze what this agreement really is. It has not been analyzed as yet, and we do not know the meagerness of the concessions granted by Canada to the United States. They have not even been stated so that we could comprehend how little we are to receive. But I have no hesitation in answering in a general way the inquiry of the Senator from North Dakota.

Years ago the advocates of reciprocity understood that if they were to give to Canada a better market, a fuller market, for her agricultural products, her natural products—for it was not in the old days confined to agricultural products, but it was extended to all of her so-called natural products—if we would give Canada an admission to our markets for the things that Canada wanted then, and has always wanted, and which is the only thing that Canada wants of the United States, for Canada cares nothing about the slight reduction of our duties upon manufactured products, because she can not compete in our own country with our manufacturers. All that she cares for is the admission of her agricultural products, and in a day in which our surplus was large and in which with respect to the great staples of wheat, of oats, of barley, and the like, our prices were the export prices, because we had so large a surplus, I for one was willing to give Canada admission to our markets with her agricultural products if she would give us such admission to her markets for our manufactured products as would enable us to take possession of those markets and very greatly extend or widen our opportunities. But now we have gone on through these years gradually nearing the point where consumption and production of agricultural products in our country was to meet, and in the meantime, notwithstanding the discriminating duties of Canada against our manufactured products, we have taken practically all the markets that can possibly be yielded to us.

The reductions which, as I shall show later on, are given us in the reciprocal dutiable list as to manufactured products will not, so far as we can estimate, increase by a farthing our exports into Canada of those products. As the Senator from North Dakota suggests, the only result will be, if that result shall follow, to slightly reduce the prices at which the Canadian consumer can take those products from our producers. There is no reciprocity in this measure—none whatsoever—and the sooner we strip it of its mask the better it will be for us and for the people of the United States. It is a proposition for the reduction of duties; that is all. It is a proposal for the removal of duties; that is all; and, to a degree, I am in sympathy with that proposition. I would like to take the tariff and revise it, according to the Republican doctrine, from the beginning to the end; but if we can not do that, and we must remove our agricultural duties under the combination that seems to have been formed here to that end, then I insist that other duties shall be removed at the same time and in the same instrument.

But now I come back again to the statement I made a few moments ago, that I propose to show you that if you have any regard for the dignity of our country and the welfare of our people, if you have any respect for the American Nation in its dealings with foreign countries, you can not accept this arrangement in the form in which it was sent to Congress and in the form in which it passed the House of Representatives. I shall state the question as clearly and as concisely as possible, and I have committed this statement to writing so that there can be no misunderstanding of my meaning.

If the bill were to pass in its present form and if thereafter Canada should establish duties in exact conformity to the provisos beginning, respectively, on pages 8 and 19, and the President should make the proclamation that would put the prescribed duties and the free list in operation, and if then the next day, month, or year Canada should change her duties, as she would have a perfect right to do, the duties and the free list we have established for ourselves would continue in operation indefinitely—that is to say, until Congress, always slow and sometimes uncertain, should take up the matter and make such changes as might be thought wise.

What do Senators think of such a situation, and is there a Senator here who denies that construction of the bill before us? If this bill is passed and Canada passes her bill, and Canada the next day shall change her duties, no matter how, our law continues as it was and as it is proposed to be written until somehow, sometime, Congress shall change or amend that law.

If we are to accept the basis which is proposed to us by the executive department, if we are to assume that the concessions which we grant to Canada are the consideration for the concessions which Canada grants to us, if Canada withdraws those concessions ought not ours to cease, not by the slow and uncertain process of legislative enactment, but, ipso facto, because the consideration upon which it is based has been withdrawn? Is there a Senator here who is willing to become responsible for an enactment which, if it be not of the sort which I have described, is a mere pretense? If we intend to reduce the duties as to Canada, let us do it boldly and openly and fairly. I will join in the effort; but if we are trading with Canada, if we are giving her certain free admissions, and if we are reducing certain duties in consideration, and only because Canada is giving us certain free admissions and certain reductions in her duties, when Canada destroys the consideration, ought not our duties to resume their place in the general tariff law?

Mr. OVERMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from North Carolina?

Mr. CUMMINS. Yes; I do.

Mr. OVERMAN. Suppose Canada should do as the Senator has indicated, would we not then have free wood pulp, free print paper, and free lumber?

Mr. CUMMINS. No, sir; we would not. That is one of the objections I have to this bill. Under it we will not have free lumber or anything like free lumber; we will not have free wood pulp and free print paper, or anything like free wood pulp and free print paper.

Mr. OVERMAN. Would we not have lower duties than we have now?

Mr. CUMMINS. We would have slightly lower duties upon lumber and we would have a limited territory from which to get free wood pulp and free print paper; that is all. But I am now putting it upon another basis. The Senator from North Carolina is a man of great influence in his own party councils. Why does he not press, in connection with this, some proposition, a bill or an amendment, which will give us free lumber and will give us free paper and free pulp, no matter what conditions may be attached in Canada? I am simply trying to expose the dangers of the measure pressed upon us. We are asked to make a bargain, and yet we have not taken the common, ordinary precaution in the bill to say that if the other side takes away the consideration that our concessions shall also fail. Does not the Senator from North Carolina believe that that ought to be a part of the bill?

Mr. OVERMAN. If Canada refuses to carry out her compact I think we could repeal it, but I think Canada will carry out her part.

Mr. CUMMINS. I do not want to be understood as impeaching in any way the motive or even suggesting bad faith on the part of Canada. Nothing has occurred that leads me to suspect that she will not act in good faith, but, as reasonable and self-respecting persons, when we are making a contract, as this is apparently, ought we not to insert those provisions that are common in contracts? We are making, practically speaking, a legislative treaty; we are giving something to Canada in consideration of things that Canada gives to us; and yet we sit here apparently willing to leave to the uncertain future the consequences which will follow if Canada desires to withdraw; and Canada has expressly said, and our country has expressly said, that either is at perfect liberty to withdraw whenever it pleases. No notice is required; no preliminary negotiations are necessary.

I do not intend to pursue this suggestion longer. I have felt that when once it was fairly impressed upon the Senate there must be a disposition to correct it in that respect; and one of

my amendments is for the purpose of correcting it in that respect, and making it take not only the form but the substance of a bargain.

I desire to suggest another peculiarity of this arrangement——

Mr. BRISTOW. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Kansas?

Mr. CUMMINS. I do.

Mr. BRISTOW. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Cullom	McCumber	Smith, Md.
Bailey	Cummins	McLean	Smoot
Bourne	Curtis	Martin, Va.	Stone
Brandegee	Dixon	Martine, N. J.	Sutherland
Briggs	du Pont	Nelson	Swanson
Bristow	Foster	Overman	Thornton
Brown	Gallinger	Page	Townsend
Bryan	Gore	Penrose	Watson
Burnham	Gronna	Perkins	Williams
Burton	Guggenheim	Poindexter	Works
Clark, Wyo.	Heyburn	Pomerene	
Crane	Johnson, Me.	Rayner	
Culberson	Lippitt	Shively	

Mr. BRYAN. My colleague [Mr. FLETCHER] is detained by his duties in connection with the Lorimer investigation, and is therefore unavoidably absent from the Senate on this occasion.

Mr. THORNTON. The Senator from Alabama [Mr. JOHNSTON] is a member of the Committee on Privileges and Elections and is engaged in the hearing of the Lorimer case. He is therefore detained from the Senate at this time. I ask that this announcement stand for the day.

Mr. TOWNSEND. The senior Senator from Michigan [Mr. SMITH] was called from the city last evening, but he is paired with the junior Senator from Missouri [Mr. REED], who is also out of the city.

Mr. POINDEXTER. My colleague [Mr. JONES] is engaged in the Lorimer investigation, and is therefore unavoidably absent from the Senate.

Mr. PAGE. I wish to announce that my colleague [Mr. DILLINGHAM] is unavoidably detained because of his connection with the Lorimer investigating committee.

The VICE PRESIDENT. Forty-nine Senators have answered to the roll call. A quorum of the Senate is present.

Mr. CUMMINS. A further extraordinary defect in the bill—and now I ask the attention of lawyers especially—is that the dutiable list and the free list are so completely separated by the language used that Canada is given the option to accept the one and reject the other. I have already referred to the proviso in connection with the dutiable list, and beg the Senate to notice that if we were to pass the bill, that then Canada could change her duties so as to conform to the duties mentioned on pages 9, 10, 11, 12, 13, 14, and 15 without taking any action whatever with respect to the free list found on pages 16 to 23, inclusive, and nevertheless it would become the duty of the President to issue his proclamation upon the dutiable list, and thereafter our duties would be as the bill prescribes, and the free list could thus be wholly abandoned.

Do Senators get the full import of the statement I have just made? Under this bill we are extending to Canada the option to take either one or the other of these lists, or both, as she may desire. She can accept our reciprocal dutiable list and we will be bound. She can accept our free list without the dutiable list and we will be bound. I have never dreamed that when this weakness or defect in the measure was pointed out it would find a defender. I, of course, do not know whether it was the intention of our State Department to give to Canada an option of this character, but whatever may be or have been the intention upon either side, the proposition is so shockingly unfair that I take it for granted the Senate will not concur in any such jug-handled procedure, and that, therefore, it will be found necessary to amend the bill in this respect.

As the Senator from North Dakota said a few moments ago, the real thing that Canada wants of the United States is the free admission of agricultural products. She cares nothing about the other. If we have any advantage in the trade, it is in the other—in the reciprocal dutiable list. Now, suppose that Canada were to enact into law her part of the free list and not her part of the dutiable list. Do Senators think that the arrangement ought to go into effect unless it is assumed that the reciprocity here is article by article; that we have sufficient compensation for admitting free wheat into the United States in the admission of free wheat into Canada? Our compensation lies largely in the expansion of our trade in Canada in manufactured products, although I think there will be severe disappointment in that respect.

But do you not agree—and I am asking now and looking at the Senator from Missouri, because I know he is sincerely for this arrangement—would he be willing that Canada shall pass a law accepting the free list and rejecting the reciprocal dutiable list? If he would not, and I do not believe there is a Senator here, whether for or against the measure, who believes that it would be fair or just or right or in harmony with the spirit which led to these negotiations and which finally consummated them in the arrangement before us, who believes that Canada ought to have the option to take what is advantageous for her and deprive us of everything that is advantageous for us. Of course, we could then repeal our law. But surely Senators are not willing to remit the United States to that inadequate remedy.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from New Hampshire?

Mr. CUMMINS. I yield.

Mr. GALLINGER. It is merely for a question. The Senator's discussion of this phase of the bill is novel and rather startling to me. I will ask the Senator, and I presume the question is unnecessary after the exposition the Senator has made of it, whether it is his view that if we should to-morrow vote upon this bill and pass it as it came to us from the House of Representatives, and Canada should on the succeeding day vote in favor of either the reciprocal exchange so called of certain articles, leaving out the free list, or vote in favor of the free list leaving out the portion of the bill relating to the exchanges, the reduction of duties, it would then be a valid law, so far as we are concerned, and we would be bound by it?

Mr. CUMMINS. Unquestionably.

Mr. GALLINGER. That is a very important matter.

Mr. CUMMINS. Unquestionably. I do not believe there is a lawyer in the Senate who, after having examined the matter, will assert that the result which I have stated will not follow.

Mr. GALLINGER. Did I understand the Senator to say that he had an amendment pending that would cure that?

Mr. CUMMINS. I have. It is one of the amendments I have offered. Allow me to make it now perfectly clear, because in our hurried and busy life we do not always give our attention to every phase of a matter of this sort.

I take first the reciprocal dutiable list. It begins as follows:

> That there shall be levied, collected, and paid upon the articles hereinafter enumerated, the growth, product, or manufacture of the Dominion of Canada, when imported therefrom into the United States or any of its possessions (except the Philippine Islands and the islands of Guam and Tutuila), in lieu of the duties now levied, collected, and paid, the following duties, namely:

Now, if there was nothing more and we passed the law, these duties would at once become effective and no other duties could be levied at our customhouses. I turn, however, to the condition which limits the effect of the law:

> *Provided*, That the duties above enumerated shall take effect whenever the President of the United States shall have satisfactory evidence and shall make proclamation that on the articles hereinafter enumerated, the growth, product, or manufacture of the United States, or any of its possessions (except the Philippine Islands and the islands of Guam and Tutuila), when imported therefrom into the Dominion of Canada, duties not in excess of the following are imposed, namely—

There is no association between that and any other part of this bill, and therefore whenever Canada shall impose duties not in excess of those which are mentioned in our list upon this series of articles, which are the same except in a few instances as are in our own lists, then our duties go into effect, no matter what Canada may do with regard to any other part of this bill.

And I turn likewise to the free list. It begins:

> That the articles mentioned in the following paragraphs, the growth, product, or manufacture of the Dominion of Canada, when imported therefrom into the United States or any of its possessions (except the Philippine Islands and the islands of Guam and Tutuila), shall be exempt from duty, namely—

Likewise, the moment this law is passed this free list becomes effective were it not for what I am about to read, which is as follows. I now read from page 19:

> *Provided*, That the articles above enumerated, the growth, product, or manufacture of the Dominion of Canada, shall be exempt from duty when the President of the United States shall have satisfactory evidence and shall make proclamation that the following articles, the growth, product, or manufacture of the United States or any of its possessions (except the Philippine Islands and the islands of Guam and Tutuila), are admitted into the Dominion of Canada free of duty, namely—

And then follows the same free list.

Undoubtedly we are extending to Canada in this bill the option to take either the reciprocal dutiable list or the reciprocal free list. I repeat the assertion that no lawyer will be found here to differ with me in that construction.

Now, I do not know what the intention of our Secretary of State may have been. It may have been a mere inadvertence or it may have been purposely so arranged. But I ask the Senate whether it is willing to make a proposition of that sort to the Dominion of Canada in which Canada can, without the least breach of good faith, take that list which constitutes our concessions to her and reject that list which constitutes her concessions to us, if there are any concessions to us? I do not believe we can maintain this impervious attitude of refusal to amend this arrangement in any respect whatsoever. If we adhere to it we abdicate the highest duties which the laws of the United States impose upon American citizens.

Mr. HEYBURN. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Idaho?

Mr. CUMMINS. I do.

Mr. HEYBURN. The attention of the Senator has doubtless been directed to the different provisions in the Canadian bill. They group them there.

Mr. CUMMINS. I know they do.

Mr. HEYBURN. And put them all under one head.

Mr. CUMMINS. The Canadian bill does not give the United States any option whatsoever. We must take them all or none. I have a copy of it. I thank the Senator from Idaho for making the suggestion, because it emphasizes the point I am making and it emphasizes the consequences of this indifferent mood which prevails in the Congress respecting a matter of this sort. It emphasizes the danger of accepting whatsoever comes to us without any examination or inclination to amend it if it is seen to be defective or imperfect. I feel sure that Senators will not refuse to make the bill what it ought to be in the respects I have mentioned.

Mr. NELSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Minnesota?

Mr. CUMMINS. Yes.

Mr. NELSON. I will inquire of the Senator from Iowa if he feels that he will be able to conclude his speech to-day, or will he desire further time?

Mr. CUMMINS. The subject has grown upon me so while on my feet, and we have had so wide a discussion relating to matters that were not within my original view, but which have been brought forward, and very properly brought forward by interruptions, that I fear I can not finish to-day what I have to say.

Mr. GALLINGER. Is the Senator willing to yield now?

Mr. CUMMINS. I am glad to yield.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 13 minutes spent in executive session the doors were reopened, and (at 3 o'clock and 28 minutes p. m.) the Senate adjourned until to-morrow, Friday, June 30, 1911, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate June 29, 1911.

APPOINTMENT IN THE ARMY.

MEDICAL CORPS.

First Lieut. Edgar D. Craft, Medical Reserve Corps, to be first lieutenant in the Medical Corps, with rank from February 17, 1911, to fill an original vacancy.

PROMOTIONS IN THE NAVY.

Lieut. Samuel B. Thomas to be a lieutenant commander in the Navy from the 19th day of May, 1911, to fill a vacancy.

Medical Insp. James C. Byrnes to be a medical director in the Navy from the 11th day of June, 1911, to fill a vacancy.

Asst. Surg. Joseph A. Biello to be a passed assistant surgeon in the Navy from the 11th day of April, 1911, upon the completion of three years' service as an assistant surgeon.

Richard H. Laning, a citizen of Washington, to be an assistant surgeon in the Navy from the 21st day of June, 1911, to fill a vacancy.

The following-named ensigns to be assistant civil engineers in the Navy from the 24th day of June, 1911, to fill vacancies:

David G. Copeland and

Greer A. Duncan.

ENVOYS EXTRAORDINARY AND MINISTERS PLENIPOTENTIARY.

Lewis Einstein, of New York, now secretary of the legation at Peking, to be envoy extraordinary and minister plenipotentiary of the United States of America to Costa Rica, vice William L. Merry, resigned.

William W. Russell, of the District of Columbia, now minister resident and consul general to the Dominican Republic, to be envoy extraordinary and minister plenipotentiary of the United States of America to the Dominican Republic, to fill an original vacancy.

Evan E. Young, of South Dakota, now Chief of the Division of Near Eastern Affairs, Department of State, to be envoy extraordinary and minister plenipotentiary of the United States of America to Ecuador, vice Williams C. Fox, resigned.

Charles Dunning White, of New Jersey, now secretary of the legation at Habana, to be envoy extraordinary and minister plenipotentiary of the United States of America to Honduras, vice Fenton R. McCreery, resigned.

H. Percival Dodge, of Massachusetts, now resident diplomatic officer, Department of State, to be envoy extraordinary and minister plenipotentiary of the United States of America to Panama, vice Thomas C. Dawson, appointed resident diplomatic officer, Department of State.

Nicolay A. Grevstad, of Illinois, to be envoy extraordinary and minister plenipotentiary of the United States of America to Paraguay and Uruguay, vice Edwin V. Morgan, appointed envoy extraordinary and minister plenipotentiary to Portugal.

SECRETARIES OF LEGATION.

Norval Richardson, of Mississippi, now second secretary of the legation at Habana, to be secretary of the legation of the United States of America at Copenhagen, Denmark, vice William K. Wallace, nominated to be second secretary of the legation at Habana.

Jordan Herbert Stabler, of Maryland, now second secretary of the embassy at Berlin, to be secretary of the legation of the United States of America at Guatemala, Guatemala, vice Charles Campbell, jr., nominated to be second secretary of the embassy at Tokyo.

Hugh S. Gibson, of California, now private secretary to the Assistant Secretary of State, to be secretary of the legation of the United States of Ameriea at Habana, Cuba, vice Charles Dunning White, nominated to be envoy extraordinary and minister plenipotentiary to Honduras.

Edward T. Williams, of Ohio, now assistant chief of the Division of Far Eastern Affairs, Department of State, to be secretary of the legation of the United States of America at Peking, China, vice Lewis Einstein, nominated to be envoy extraordinary and minister plenipotentiary to Costa Rica.

SECOND SECRETARIES OF LEGATION.

Charles Campbell, jr., of Virginia, now secretary of the legation at Guatemala, to be second secretary of the embassy of the United States of America at Tokyo, Japan, vice George T. Summerlin, nominated to be second secretary of the legation at Peking.

George T. Summerlin, of Louisiana, now second secretary of the embassy at Tokyo, to be second secretary of the legation of the United States of America at Peking, China, vice Percival Heintzleman, appointed assistant chief of the Division of Far Eastern Affairs, Department of State.

William K. Wallace, of Colorado, now secretary of the legation at Copenhagen, to be second secretary of the legation of the United States of America at Habana, Cuba, vice Norval Richardson, nominated to be secretary of the legation at Copenhagen.

COMMISSIONER OF EDUCATION.

Philander P. Claxton, of Tennessee, to be Commissioner of Education, vice Elmer E. Brown, resigned.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 29, 1911.

SECRETARY OF LEGATION.

Norval Richardson to be secretary of the legation at Copenhagen, Denmark.

PROMOTION IN THE REVENUE-CUTTER SERVICE.

First Lieut. John Giveen Berry to be a captain.

BOARD OF CHARITIES OF THE DISTRICT OF COLUMBIA.

George E. Hamilton to be a member of the Board of Charities.

Myer Cohen to be a member of the Board of Charities.

POSTMASTER.

OREGON.

Jay P. Lucas, Hood River.

HOUSE OF REPRESENTATIVES.

THURSDAY, *June 29, 1911.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, ever ready to uphold, sustain, and guide those who seek to know and do Thy will, we wait upon Thee for light to guide, strength to sustain us, in every legitimate effort to right existing wrongs, remove unjust conditions, lift up the fallen, that we may fulfill the law of Christ, "All things whatsoever ye would that men should do to you, do ye even so to them." For thine is the kingdom and the power and the glory forever. Amen.

The Journal of the proceedings of Monday, June 26, 1911, was read and approved.

LEAVE OF ABSENCE.

Mr. BYRNES of South Carolina, by unanimous consent, was granted leave of absence for two weeks on account of important business.

WITHDRAWAL OF PAPERS.

Mr. HUGHES of New Jersey, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of Lillian J. Hartley, no adverse report having been made thereon.

ENROLLED BILL PRESENTED TO THE PRESIDENT OF THE UNITED STATES FOR HIS APPROVAL.

Mr. CRAVENS, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bill:

H. R. 8649. An act to authorize the extension and widening of Colorado Avenue NW. from Longfellow Street to Sixteenth Street, and of Kennedy Street NW. through lot No. 800, square No. 2718.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had insisted upon its amendments to the joint resolution (H. J. Res. 1) to correct errors in the enrollment of certain appropriation acts approved March 4, 1911, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. WARREN, Mr. PERKINS, and Mr. FOSTER as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendment to the joint resolution (H. J. Res. 39) proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States, disagreed to by the House of Representatives, asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. CLARK of Wyoming, Mr. NELSON, and Mr. BACON as the conferees on the part of the Senate.

ELECTION OF SENATORS.

Mr. RUCKER of Missouri. Mr. Speaker, in view of the agreement which I note in the RECORD was made here a few days ago, I suppose nothing can be done, and therefore would ask that House joint resolution 39 with a Senate amendment lie upon the table temporarily.

INFORMATION FROM SECRETARY OF STATE CONCERNING CERTAIN STATEMENTS BY JOHN L. GRIFFITHS, CONSUL GENERAL, LONDON.

Mr. SULZER. Mr. Speaker, I am directed by the Committee on Foreign Affairs to report the following privileged resolution (H. Res. 188, H. Rept. 58), introduced by Mr. HAMILL, of New Jersey, requesting the Secretary of State to furnish the House of Representatives with information concerning certain statements made by John L. Griffiths, consul general at London, with amendments, and I ask that the resolution as amended do now pass.

The SPEAKER. The gentleman from New York sends to the Clerk's desk a privileged resolution and a report thereon, which the Clerk will report.

Mr. DALZELL. Mr. Speaker, as I understand from reading the RECORD, there was a very clear agreement at the last meeting of the House that nothing was to be done to-day, and I suggest that the gentleman withhold the report until we have a House here that can consider it.

Mr. SULZER. Mr. Speaker, I think when the gentleman from Pennsylvania hears the resolution as amended read he will not object to it. It is a privileged resolution of inquiry calling on the Secretary of State for information, and there is no objection to it as amended.

Mr. BARTLETT. Mr. Speaker——

The SPEAKER. Does the gentleman from Pennsylvania yield to the gentleman from Georgia?

Mr. DALZELL. Certainly.

Mr. BARTLETT. Mr. Speaker, I want to say to the gentleman from Pennsylvania and the gentleman from New York that the gentleman from Illinois [Mr. MANN], I understand, is absent under the belief, and properly under the belief, that no business would be transacted to-day except to meet and adjourn, and then to meet again and adjourn over the 4th of July.

Mr. DALZELL. That is my understanding, and I shall object to any business being transacted.

Mr. BARTLETT. And, so far as I am concerned, I believe the agreement ought to be religiously kept.

Mr. SULZER. Under the circumstances, then, Mr. Speaker, I will report the resolution with amendments favorably, and it can be called up at some future time.

ADJOURNMENT UNTIL SATURDAY.

Mr. RANDELL of Texas. Mr. Speaker, I move that when the House adjourns to-day it adjourn to meet on Saturday next.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

ADJOURNMENT.

Mr. RANDELL of Texas. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 10 minutes p. m.) the House adjourned to meet on Saturday, July 1, 1911, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Sacramento and San Joaquin Rivers systems, Cal. (H. Doc. No. 81); to the Committee on Rivers and Harbors and ordered to be printed with accompanying illustrations.

2. A letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Salem and Beverly outer harbors, Mass. (H. Doc. No. 79); to the Committee on Rivers and Harbors and ordered to be printed.

3. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Sandusky Harbor, Ohio (H. Doc. No. 78); to the Committee on Rivers and Harbors and ordered to be printed.

4. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Malden River, Mass. (H. Doc. No. 77); to the Committee on Rivers and Harbors and ordered to be printed with accompanying illustrations.

5. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of C. R. McClarin, administrator of estate of John McClarin, deceased (H. Doc. No. 80); to the Committee on War Claims and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

The bill (H. R. 12028) granting a pension to Herman J. Wacker; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

The bill (H. R. 12029) granting a pension to Mary Julka; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

The bill (H. R. 8397) granting a pension to Charles Kline; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

The bill (H. R. 12027) granting a pension to Paul Heineman; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

The bill (H. R. 4586) granting a pension to Marie O. Burnett; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

The bill (H. R. 8503) granting a pension to Catherine E. Jacobs; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

The bill (H. R. 12116) granting a pension to J. K. Rainey; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CARTER: A bill (H. R. 12154) for the improvement of Platt National Park, of Sulphur, Murray County, Okla.; to the Committee on Appropriations.

By Mr. WILSON of Pennsylvania: A bill (H. R. 12155) to establish the legislative reference bureau of the Library of Congress and the congressional corps of legislative investigators, and to maintain them until July 1, 1912; to the Committee on the Library.

Also, a bill (H. R. 12156) to cooperate with the States in encouraging instruction in agriculture, the trades and industries, and home economics in secondary schools; in maintaining instruction in these vocational subjects in State normal schools; in maintaining extension departments in State colleges of agriculture and mechanic arts; and to appropriate money and regulate its expenditure; to the Committee on Agriculture.

By Mr. CALDER: A bill (H. R. 12157) to reorganize and increase the efficiency of the grades of commissioned chiefs and warrant officers of the Navy of the United States; to the Committee on Naval Affairs.

By Mr. HUMPHREY of Washington: A bill (H. R. 12158) to promote the American merchant marine in foreign trade and the national defense, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

By Mr. MARTIN of Colorado: A bill (H. R. 12159) providing for the discontinuance of the grade of post noncommissioned staff officer and creating the grade of warrant officer in lieu thereof; to the Committee on Military Affairs.

By Mr. JOHNSON of Kentucky (by request of the Commissioners of the District of Columbia): A bill (H. R. 12160) to amend an act entitled "An act authorizing the widening and extension of Minnesota Avenue SE. from its present terminus near Pennsylvania Avenue SE. to the Sheriff Road," approved February 26, 1909; to the Committee on the District of Columbia.

By Mr. POWERS: A bill (H. R. 12161) providing for the discontinuance of the grade of post noncommissioned staff officer and creating the grade of warrant officer in lieu thereof; to the Committee on Military Affairs.

By Mr. ASHBROOK: Resolution (H. Res. 225) authorizing the Committee on Expenditures in the Post Office Department to employ clerical and other assistance; to the Committee on Accounts.

By Mr. LOBECK: Resolution (H. Res. 226) to investigate violations of the antitrust act of 1890 and other acts; to the Committee on Rules.

By Mr. CLARK of Florida: Resolution (H. Res. 227) seeking information from the Secretary of the Interior; to the Committee on Expenditures in the Interior Department.

Also, joint resolution (H. J. Res. 127) relating to printing speeches in the CONGRESSIONAL RECORD; to the Committee on Rules.

Also, concurrent resolution (H. Con. Res. 11) requesting the President of the United States to invite foreign nations to participate in the celebration of the completion of the Over-sea Railroad connecting the mainland of Florida with Key West; to the Committee on Industrial Arts and Expositions.

By Mr. CLARK of Missouri (by request): Memorial from the Legislature of Wisconsin memorializing Congress in enacting cold-storage legislation, not to limit the time during which dairy products may be kept in cold storage to less than one year; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AUSTIN: A bill (H. R. 12162) granting an increase of pension to Rufus Conger; to the Committee on Pensions.

Also, a bill (H. R. 12163) granting an increase of pension to Jesse B. Moore; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12164) granting an increase of pension to William B. Seaton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12165) to remove the charge of desertion standing against Henry Gregg; to the Committee on Military Affairs.

By Mr. BORLAND: A bill (H. R. 12166) granting a pension to Mary E. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12167) granting a pension to James N. Snodrass; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12168) granting an increase of pension to James G. Haner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12169) granting an increase of pension to John Murphy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12170) granting an increase of pension to William R. Hardy; to the Committee on Invalid Pensions.

By Mr. CANDLER: A bill (H. R. 12171) for the relief of the heirs of John B. Jones, deceased; to the Committee on War Claims.

By Mr. CLARK of Florida: A bill (H. R. 12172) granting an increase of pension to Columbus Hill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12173) to donate to the city of St. Augustine, Fla., for park purposes, the tract of land known as the "Powder House Lot"; to the Committee on Military Affairs.

By Mr. CONNELL: A bill (H. R. 12174) granting an increase of pension to Robert R. Butts; to the Committee on Invalid Pensions.

By Mr. CULLOP: A bill (H. R. 12175) granting an increase of pension to Isaac H. Orndorff; to the Committee on Invalid Pensions.

By Mr. DWIGHT: A bill (H. R. 12176) granting an increase of pension to Anne Gertrude Robinson; to the Committee on Pensions.

By Mr. FOSTER of Illinois: A bill (H. R. 12177) granting an increase of pension to George R. McCelpin; to the Committee on Invalid Pensions.

By Mr. GOOD: A bill (H. R. 12178) granting an increase of pension to Robert H. Bellfield; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12179) granting an increase of pension to John R. Watt; to the Committee on Invalid Pensions.

By Mr. HANNA: A bill (H. R. 12180) granting an increase of pension to Henry W. A. Mergel; to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 12181) for the relief of Aaron L. Abbey; to the Committee on War Claims.

By Mr. JOHNSON of Kentucky (by request): A bill (H. R. 12182) for the relief of Sarah P. Jenkins; to the Committee on War Claims.

By Mr. LINDSAY: A bill (H. R. 12183) granting an increase of pension to Edward Bloom; to the Committee on Invalid Pensions.

By Mr. McKINLEY: A bill (H. R. 12184) granting a pension to Fred McCloud; to the Committee on Invalid Pensions.

By Mr. MARTIN of Colorado: A bill (H. R. 12185) for the relief of Joseph Clucas; to the Committee on Claims.

By Mr. MURDOCK: A bill (H. R. 12186) granting an increase of pension to James Dodwell; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 12187) granting an increase of pension to Mary Byron; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12188) granting a pension to Jennie L. Tate; to the Committee on Invalid Pensions.

By Mr. POWERS: A bill (H. R. 12189) granting a pension to Benjamin F. Tye; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12190) granting an increase of pension to John Smallwood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12191) granting an increase of pension to Felix T. Begley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12192) granting an increase of pension to Jefferson Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12193) granting an increase of pension to Joseph S. Prones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12194) to grant a muster to Jesse Mattingly; to the Committee on War Claims.

Also, a bill (H. R. 12195) to remove the charge of desertion from the military record of Peter Wilson; to the Committee on Military Affairs.

Also, a bill (H. R. 12196) to remove the charge of desertion from the military record of Jeremiah Cracroft; to the Committee on Military Affairs.

By Mr. SHERWOOD: A bill (H. R. 12197) granting a pension to Joseph Kuebbeler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12198) granting an increase of pension to Frederick W. Duden; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12199) granting a pension to Ruel Sherman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12200) granting an increase of pension to George A. Scott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12201) granting an increase of pension to Charles M. Siglar; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12202) granting an increase of pension to Michael Holland; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12203) granting an increase of pension to Edward Blanchard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12204) granting an increase of pension to George W. Davis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12205) granting a pension to Hattie C. Millis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12206) granting an increase of pension to James M. Matthews; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12207) granting an increase of pension to Levi Berst; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12208) granting an increase of pension to Noyes S. Lee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12209) granting an increase of pension to Emma A. Crowell; to the Committee on Invalid Pensions.

By Mr. WILLIS: A bill (H. R. 12210) granting an increase of pension to William H. Kellison; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Petition of Harry O. Gorm, Omar Layton, and William McKinley, all of Coshocton, Ohio, asking for the passage of the Berger resolution for an investigation of the kidnaping of the McNamara brothers; to the Committee on the Judiciary.

By Mr. AYRES: Petition of citizens of the Bronx, in favor of parcels post; to the Committee on the Post Office and Post Roads.

By Mr. FLOYD of Arkansas: Papers to accompany bill (H. R. 9589) for the relief of John B. Heffley; to the Committee on Military Affairs.

Also, papers to accompany bill (H. R. 11249) for the relief of Isaac R. Fain; to the Committee on Invalid Pensions.

By Mr. HANNA: Petition of Mrs. Viola Fouts and others, of Towner, N. Dak., urging support of the bill introduced by Mr. WEBB for the purpose of checking the shipment of liquor into prohibition States; to the Committee on Alcoholic Liquor Traffic.

Also, petition of numerous farmers and laborers of Ray, N. Dak., in reference to the kidnaping of the McNamara brothers; to the Committee on the Judiciary.

Also, petition of Oscar Samby, of Bugan, N. Dak., asking that the duty on raw and refined sugars be reduced; to the Committee on Ways and Means.

By Mr. HAUGEN: Petition of citizens of Little Cedar, Mitchell County, Iowa, protesting against parcels-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. JAMES: Petitions of various citizens of Paducah, Ky., asking for a reduction of the duty on raw sugar; to the Committee on Ways and Means.

By Mr. KINDRED: Petitions of numerous citizens of New York, urging the adoption of House resolution 166; to the Committee on Immigration and Naturalization.

By Mr. MANN: Petition of National Paper Trade Association of the United States, protesting against certain reductions contained in the reciprocity agreement with Canada; to the Committee on Ways and Means.

Also, petition of Grain Dealers' Association of Illinois, protesting against delay in forwarding trade journals, etc., by the Post Office Department; to the Committee on the Post Office and Post Roads.

By Mr. O'SHAUNESSY: Resolution by the Providence Real Estate Exchange, urging upon Congress the necessity of a 30-foot channel in the Providence River; to the Committee on Rivers and Harbors.

Also, petition of Mrs. Margarete Oesterlein, of Newport, R. I., in support of House resolution 166; to the Committee on Immigration and Naturalization.

By Mr. REILLY: Petition of German-American Alliance of Meriden, Conn., urging the adoption of House resolution 166, introduced by Mr. SULZER; to the Committee on Immigration and Naturalization.

By Mr. REYBURN: Petition of the Philadelphia Association of Retail Druggists, protesting against the enactment of House bill 8887; to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Hardware Merchants & Manufacturers' Association and others, of Philadelphia, protesting against the abandonment of the Philadelphia Navy Yard; to the Committee on Naval Affairs.

By Mr. J. M. C. SMITH: Petition of La Verne Fonda, of Marshall, Mich., in favor of parcels post; to the Committee on the Post Office and Post Roads.

Also, petition of Charles W. Ryan and 13 others, of Battle Creek, Mich., favoring a parcels post; to the Committee on the Post Office and Post Roads.

Also, petitions of C. E. Wise and 20 others, of Quincy, Mich.; F. L. Farnsworth and Henry Katzemeyer, of Hillsdale, Mich.; J. C. Walsh & Son and 19 others, of Grand Ledge, Mich.; L. E. Quincy, of Fulton, Mich.; Blakely & Son and 6 others, of Cambria, Mich.; B. T. Woodbury & Co. and 19 others, of Homer, Mich.; Vicksburg Lumber Co. and 7 others, of Vicksburg, Mich.; S. E. Cronin & Co. and 4 others, of Marshall, Mich.; V. C. Wattles & Son, of Battle Creek, Mich.; J. H. Halmer and 28 others, of Coldwater, Mich.; H. N. Potter Co. and 6 others, of Mulliken, Mich.; J. H. Palmer & Co. and 7 others, of Sunfield, Mich.; Mallery Bros. and 13 others, of Reading, Mich.; Rice & Co. and 10 others, of Mason, Mich.; W. D. Day and 10 others, of Galesburg, Mich.; Custer & Rogers and 7 others, of Eaton Rapids, Mich.; E. B. Hammond and 5 others, of Vermontville, Mich.; George T. Bullen and 21 others, of Albion, Mich.; the First National Bank and 21 others, of Marshall, Mich.; the Bellevue Bank and 12 others, of Bellevue, Mich.; E. C. Harmon and 14 others, of Charlotte, Mich., protesting against the parcels post; to the Committee on the Post Office and Post Roads.

By Mr. SULZER: Telegram in nature of resolution of the German-American Alliance, assembled in State convention at Rochester, N. Y., favoring House resolution 166, providing for an investigation of immigration affairs; to the Committee on Immigration and Naturalization.

Also, resolution of the German-American Alliance, of Jefferson County, Ohio, favoring House resolution 166, providing for an investigation of immigration affairs; to the Committee on Immigration and Naturalization.

Also, petitions of Boh Podmol, 269 East Tenth Street, and John Zwierzanski, 102 St. Marks Place, New York City, asking for the adoption of House resolution 166, providing for an investigation of immigration affairs; to the Committee on Immigration and Naturalization.

Also, resolutions of the Columbus (Ohio) Branch of the German-American Alliance, of the Albany (N. Y.) Branch of the German-American Alliance, and of the Cincinnati (Ohio) Branch of the German-American Alliance, supporting House resolution 166; to the Committee on Immigration and Naturalization.

Also, petition of Cleveland Chamber of Commerce, urging an amendment of the corporation-tax law; to the Committee on Ways and Means.

Also, resolution of the Bee Hive Grange, No. 385, for parcels post as provided for in House bills 9844 and 8386; to the Committee on the Post Office and Post Roads.

Also, resolution of the joint committee of the National German-American Alliance, the United German Societies of New York, the Brooklyn branch of the National German-American Alliance, of New York, and the German-American Alliance of the State of New Jersey, approving House resolution 166; to the Committee on Immigration and Naturalization.

Also, petition of sundry citizens of New York, in support of House resolution 166; to the Committee on Immigration and Naturalization.

Also, resolution in favor of House joint resolution 97; to the Committee on the Judiciary.

By Mr. UNDERHILL: Petition of numerous citizens of New York, protesting against the passage of House bill 8887; to the Committee on Ways and Means.

Also, resolution of New York State Bankers' Association, approving the Aldrich proposal for currency reform; to the Committee on Banking and Currency.

Also, petition of B. G. Smith, of Elmira, N. Y., asking that the duty on raw and refined sugars be reduced; to the Committee on Ways and Means.

By Mr. WILLIS: Papers to accompany a bill granting an increase of pension to William H. Kellison; to the Committee on Invalid Pensions.

Also, papers to accompany bill (H. R. 5947) granting a pension to Louie E. Read; to the Committee on Invalid Pensions.

SENATE.

FRIDAY, *June 30, 1911.*

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Journal of yesterday's proceedings was read and approved.

ADJOURNMENT FROM SATURDAY UNTIL WEDNESDAY.

Mr. PENROSE. I move that when the Senate adjourns to-morrow it be to meet on Wednesday next, July 5, at 12 o'clock.

The VICE PRESIDENT. The Senator from Pennsylvania moves that when the Senate adjourns on Saturday it be to meet on Wednesday next at noon.

The motion was agreed to.

BUSINESS AT SATURDAY'S SESSION.

Mr. PENROSE. I ask unanimous consent that at the session of the Senate to-morrow, Saturday, no vote be taken on any motion or bill or other matter except upon a motion to adjourn.

The VICE PRESIDENT. The request of the Senator from Pennsylvania has been heard. Is there objection? The Chair hears none, and that order is entered.

SENATOR FROM WISCONSIN.

The VICE PRESIDENT laid before the Senate a communication from the secretary of state of the State of Wisconsin, transmitting a certified copy of joint resolution 58 adopted by the legislature of that State, relating to the primary and general election of 1908 and the election of United States Senator in 1908 in that State, together with a copy of volumes 1 and 2 of the Wisconsin senatorial investigation, which, on motion of Mr. HEYBURN, was, with the accompanying documents, referred to the Committee on Privileges and Elections.

PETITIONS AND MEMORIALS.

Mr. CULLOM presented memorials of Team Drivers' Union No. 50, of Belleville, Ill.; of the Central Labor Union of Woonsocket, R. I.; of Local Division No. 2, Ancient Order of Hibernians, of Saratoga, N. Y.; and of the Trade and Labor Assembly of Kenton and Campbell Counties, Ky., remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

He also presented a petition of the Chamber of Commerce of Poughkeepsie, N. Y., praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

Mr. WATSON (for Mr. CHILTON) presented a petition of Local Union No. 404, United Mine Workers of America, of Mammoth, W. Va., praying for the enactment of legislation to further restrict immigration, which was referred to the Committee on Immigration.

Mr. MYERS. I present a numerously signed petition from farmers, stock growers, and business men of northern Montana in favor of Canadian reciprocity. The letter which brings to me the petition says:

> If we had the time to get them, we could get several hundred more names. Reciprocity is very popular here.

I ask that the body of the petition be read by the Secretary.

The VICE PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

> We, the undersigned farmers, stock growers, and business men of Chester and northern Montana, do pray that you will use your influence in the passage of the reciprocity bill—"Canadian pact"—believing it will be for the best interest of Montana and the country in general.

The VICE PRESIDENT. The petition will lie on the table.

Mr. MYERS presented memorials of sundry citizens of Kalispell and Creston, in the State of Montana, remonstrating against the passage of the so-called Johnston Sunday-rest bill, which were ordered to lie on the table.

Mr. PERKINS presented a memorial of sundry citizens of Oakland, Cal., remonstrating against the passage of the so-called Johnston Sunday-rest bill, which was ordered to lie on the table.

Mr. BROWN presented resolutions adopted by the Commercial Club of Lincoln, Nebr., praying for the adoption of an amendment to the so-called corporation-tax law permitting corporations to make returns at the end of their fiscal years, which were referred to the Committee on Finance.

REPORTS OF COMMITTEES.

Mr. MCCUMBER, from the Committee on Pensions, to which was referred the bill (S. 2909) for the relief of John K. Wren, asked to be discharged from its further consideration, and that it be referred to the Committee on Military Affairs, which was agreed to.

Mr. BURTON, from the Committee on Commerce, to which was referred the bill (S. 2789) to change the location and straighten the course of the channel of the Grand Calumet River through the lands of the Gary Land Co. and the Indiana Steel Co., and for other purposes, reported it without amendment and submitted a report (No. 92) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WATSON:

A bill (S. 2931) granting an increase of pension to Benjamin F. Mount; to the Committee on Pensions.

Mr. WATSON. I introduce a bill for my colleague [Mr. CHILTON], who is absent on account of illness in his family.

A bill (S. 2932) to authorize the Secretary of the Treasury, in his discretion, to sell the old post-office and courthouse building at Charleston, W. Va., and, in the event of such sale, to enter into a contract for the construction of a suitable post-office and courthouse building at Charleston, W. Va., without additional cost to the Government of the United States; to the Committee on Public Buildings and Grounds.

By Mr. JOHNSON of Maine:

A bill (S. 2933) granting a pension to Josiah J. Perkins (with accompanying paper); and

A bill (S. 2934) granting an increase of pension to Azel W. Drake (with accompanying paper); to the Committee on Pensions.

ASSISTANT CLERK TO COMMITTEE ON CIVIL SERVICE AND RETRENCHMENT.

Mr. CUMMINS submitted the following resolution (S. Res. 94), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

> *Resolved*, That the Committee on Civil Service and Retrenchment be, and it is hereby, authorized to employ an additional clerk at an annual salary at the rate of $1,500 per annum, to be paid from the contingent fund of the Senate until otherwise provided for by law.

ASSISTANT CLERK TO COMMITTEE ON EXPENDITURES IN THE DEPARTMENT OF THE INTERIOR.

Mr. POINDEXTER submitted the following resolution (S. Res. 95), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

> *Resolved*, That the Committee on Expenditures in the Department of the Interior is hereby authorized to employ an additional clerk at a salary of $1,000 per annum, to be paid from the contingent fund of the Senate until otherwise provided for by law.

MANEUVERING GROUNDS IN TENNESSEE.

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, maps, and illustrations, referred to the Committee on Military Affairs and ordered to be printed (S. Doc. No. 59):

To the Senate and House of Representatives:

I transmit herewith the report of the commission appointed to investigate and report on the advisability of the establishment of permanent maneuvering grounds, camp of inspection, rifle and artillery ranges for troops of the United States at or near the Chickamauga and Chattanooga Military Park, and as to certain lands in the State of Tennessee proposed to be donated to the United States for said purposes, in compliance with the joint resolution of Congress approved February 24, 1911.

WM. H. TAFT.

THE WHITE HOUSE, *June 30, 1911.*

LAWS OF PORTO RICO.

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and, with the accompanying document, referred to the Committee on Pacific Islands and Porto Rico and ordered to be printed (S. Doc. No. 60):

THE WHITE HOUSE,
Washington, June 26, 1911.

SIR: As required by section 19 of the act of Congress approved April 12, 1900, entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," I have the honor to transmit herewith a copy of the Journal of the Executive Council of Porto Rico for the session beginning January 9 and ending March 9, 1911.

Very respectfully,

WM. H. TAFT.

The PRESIDENT OF THE SENATE.

RECIPROCITY WITH CANADA.

Mr. PENROSE. I move that the Senate proceed to the consideration of the reciprocity bill—House bill 4412.

The motion was agreed to, and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes.

Mr. CUMMINS rose.

Mr. BORAH. Mr. President, I suggest the absence of a quorum.

SEVERAL SENATORS (to Mr. BORAH). Withdraw the suggestion.

Mr. HEYBURN. I do not think there is any option when the suggestion has been made.

Mr. PENROSE. It can be withdrawn.

Mr. BORAH. I withdraw it for the present.

The VICE PRESIDENT. The Senator from Idaho withdraws the suggestion, and the Senator from Iowa will proceed.

Mr. HEYBURN. Mr. President, in order that we may proceed properly and not establish a bad precedent—and I am not going to urge this, because it is immaterial with me whether it is acted on or not—I think the suggestion of the absence of a quorum can not be withdrawn.

The VICE PRESIDENT. The Chair sees no reason why it can not be withdrawn. It seems to the Chair that any Senator, possibly immediately after suggesting the absence of a quorum, might discover that he did not wish to make the suggestion and withdraw it. The Senator might by observation conclude a quorum was present. The Chair had not ordered the roll to be called.

Mr. PENROSE. It can be renewed by any Senator, of course.

The VICE PRESIDENT. Certainly.

Mr. HEYBURN. I merely wish that we do not go off and make a mistake and establish a precedent now. I think it will be found upon an examination of the precedents that it is held the suggestion can not be withdrawn.

Mr. CLARK of Wyoming. Possibly the junior Senator from Idaho [Mr. BORAH], immediately after he made the suggestion, discovered by observation that there is a quorum present.

Mr. HEYBURN. During a former session of the Senate I was in the position that my colleague occupied this morning, and I was very promptly informed that it was not my privilege to withdraw it; that the suggestion having been made it could only be determined by a roll call. I think we should have a uniform practice in the matter. I was at that time the victim, if I may so speak, of the situation.

Mr. CUMMINS. I desire to submit some proposed amendments to the pending bill, which I ask may be printed and lie on the table until I call them to the attention of the Senate.

The VICE PRESIDENT. The amendments will be printed and lie on the table, as requested by the Senator from Iowa.

Mr. CUMMINS. Mr. President, when we adjourned yesterday I was calling to the attention of Senators a grave objection, as I think, to the form of the bill under consideration. I shall not review what I said yesterday with regard to it, but the senior Senator from Idaho [Mr. HEYBURN] very kindly, and in order to emphasize, I think, the objection that I was making, referred to the form the author of the resolution in the Canadian Parliament seemed to think wise to express the idea; and I am so much impressed with the reference made by the senior Senator from Idaho that I intend this morning to read, so that it may appear in my remarks, precisely what is proposed in Canada in this regard. I hold in my hand a copy of the resolution offered in the Canadian Parliament, and its concluding paragraph is as follows:

That it is expedient to provide that the act proposed to be founded on the foregoing resolutions shall not come into operation until a date to be named by the governor in council in a proclamation to be published in the Canada Gazette, and that such proclamation may be issued whenever it appears to the satisfaction of the governor in council that the United States Congress has enacted or will forthwith enact such legislation as will grant to Canada the reciprocal advantages provided for in certain correspondence dated Washington, January 21, 1911, between the Hon. P. C. Knox, Secretary of State for the United States, and the Hon. W. S. Fielding, minister of finance of Canada, and the Hon. William Paterson, minister of customs of Canada.

It thus appears, Mr. President, that however much confidence Canada may have in the good faith of the United States the Dominion intends that her changed customs shall not go into effect until all the advantages which are promised by the arrangement with the United States shall become effective.

I now pass to another objection which, it seems to me, is well founded and which may be laid against the arrangement in the form in which it is now before us. In order that I may supply an omission in my own amendment respecting the point I am about to mention, I desire to perfect the amendment by inserting certain words that were inadvertently left out. I perfect the amendment by inserting in it the words that I have sent to the Chair.

The VICE PRESIDENT. That is the Senator's privilege. The amendment has not been acted upon.

Mr. CUMMINS. Senators, I have proposed the following amendment, as found in the series of amendments submitted to the Senate some days ago:

Provided further, That if at any time after the articles hereinbefore mentioned are admitted free under the aforesaid proclamation the President becomes satisfied that the rates of transportation upon any such article from Canada into the United States are unreasonably low or that the rates of transportation upon any such article from the United States into Canada are unreasonably high, as compared with fair and reasonable rates upon the like article for substantially the same distance in the United States, he may issue his proclamation to that effect, and thereafter the said article or articles, when imported from Canada into the United States, shall be subject to the general tariff law of the United States.

Mr. President, if we are not entirely lost to all reason, if we have a real desire to protect the people of our own country, then whatever may be the view of the majority of the Senate with respect to the wisdom of this arrangement, they certainly can not and will not subject the citizens of our country to the grave and imminent peril to which they will be subjected if the amendment that I have now proposed be not inserted in the bill.

I need not dwell upon the long struggle that has taken place in the United States to secure, through the action of the Interstate Commerce Commission, fair and reasonable relative rates, so that all our people can reach the markets of our country upon such charges as are relatively fair and reasonable. It has been one of the great problems which we have endeavored to solve. It has been one that has given both the legislative and administrative departments of the United States more perplexity and more concern than any other with which we have grappled. We have tried hard, both by legislation and by administration, to so adjust our rates of transportation that our producers in various parts of the country can reach their market upon just, relative rates.

Every Senator here knows that the development of the United States has been arbitrary, as decreed by the transportation companies. Every Senator knows that the railway companies and other transportation companies have determined what communities shall prosper and what communities shall languish, what cities shall grow and what cities shall decay, and we have done all we could, recognizing this evil in our transportation system, to give to every community in the United States a fair chance to reach our own markets. Every Senator knows that the prosperity of any community commercially depends upon fair rates as compared with its competitor or competitors. Every Senator knows that a discrimination of a very few cents per hundred pounds or per article will determine the channels of commerce in the United States and determine whether a particular community can profitably do business or not as against its rival or rivals.

We have no control over the rates of transportation from Canada into the United States. We have no control over rates of transportation from the United States into Canada; and if you pass this bill as it is now and the roads leading from Canada into the United States shall for purposes of their own, to accomplish objects which may be entirely reasonable to them, reduce the rates of transportation upon agricultural products into our market, and if it should happen that our transportation lines should refuse to reduce their rates accordingly, you will have given the producers of Canada a monopoly in the markets of the United States, and you will have driven your own people to the hard necessity of employing export rates alone in order to transfer or transport their products to distant shores. If there were nothing else objectionable in this bill, this omission to protect our people against a power over which we have no control ought to be sufficient to cause the rejection of the measure. What will you do if from the grain fields of Ontario, Manitoba, Saskatchewan, or Alberta the railroads and water lines of Canada reduce the rate on wheat 3 cents a bushel or 5 cents a bushel, which they might do in order to build up their own country? Tell me in what attitude you will then be before the American people. Tell me, or describe if you can, the incalculable injury that you will have done to your own people, even if you desire to put them into free competition with the people of Canada.

I repeat, as I have repeated many times, that I am not projecting this argument against the free admission of agricultural products, although I believe the proposition to be totally unsound and unfair; but, assuming that you have made up your minds—as I think you have—to allow all these products to come into the American market, am I to be told and are the American people to be told that you will not give them the safeguard of requiring that the rates of transportation from the

foreign country into our market shall be fair and reasonable as compared with our own rates?

You have no other power over these rates save the power of retaliation. If the Canadian transportation companies shall do the thing that I have suggested, and which I believe they will do, you have the power to say that then the general tariff laws of the United States shall attach to Canadian imports. It is the only power we can exercise, and if we fail to exercise it we shall be held faithless to the interests of our people.

I made this complaint to the authorities who prepared this agreement. I did not wait until the subject came for discussion before the Senate in order to express my concern with regard to this feature of the proposed legislation. I laid it before the men who have been instrumental in bringing before us this bill, and without, I think, betraying any confidence, I may be permitted to say that the answer was that at some time a treaty might be made with the Dominion of Canada that would organize a tribunal to review international rates, and that through that tribunal we might receive justice. Do you intend—I put it to you in all earnestness—to allow our people to encounter the peril I have mentioned? My amendment will not destroy the arrangement; it will not impair it. It is intended to do the scantest justice to our own country.

The transportation history of this country will show that the danger I have outlined is not an imaginary danger. These lines of transportation will pursue the course which, in their opinion, is most profitable to them and for the country that they are serving. If we are so blind as to refuse to amend the bill in this respect, I think the people who are denied this justice will demand it at the first opportunity that is given to them; and I hope they will demand it in every way and at every time possible under the laws of our country.

I now pass to a brief examination of the arrangement itself. It has never been analyzed in this Chamber, or, so far as I know, in any other. We are proceeding broadly and generally upon the hypothesis that in some way, in some fashion, it is to confer very great benefit upon the people of the United States, and also a benefit upon the people of Canada, and that between the two we shall be drawn into closer and better relations. I now propose to look briefly into it, for the purpose of discovering just exactly what we give and precisely what we receive. I use for this purpose not the bill before us, but the schedules attached to the correspondence between the two countries. The first schedule in the diplomatic exchange is Schedule A. It is a reciprocal free list. I shall not again recite the items found in the free list or in either list, but I ask, Mr. President, that the tabulation which I have here of these articles, and which I hold in my hand, may be printed as a part of my remarks.

The VICE PRESIDENT. Without objection, permission is granted.

Mr. CUMMINS. The tabulation referred to is as follows:

RECIPROCAL FREE LIST—ARTICLES ON WHICH FREE TRADE IS TO BE ESTABLISHED.

The schedules attached to the correspondence which passed between the representatives of the two countries are four in number:

The first, being Schedule A, is a reciprocal free list; that is to say, it specifies the articles which are to be admitted free of duty when imported into the United States from Canada and when imported into Canada from the United States. I will not attempt to recite all the items, but will content myself with a reference to the principal commodities.

1. All live animals; and there are mentioned specifically cattle, horses, mules, swine, sheep, and lambs.
2. Poultry, alive or dead.
3. Wheat, rye, oats, barley, buckwheat, edible dried peas and beans, corn, flaxseed, linseed, cotton seed, grass seed, and all seeds (except flower seeds), hay, and straw.
4. All vegetables in their natural state.
5. All fresh and dried fruits, except lemons, oranges, limes, grapefruit, shaddocks, and pineapples, coming from Canada into the United States.
6. All dairy products, and eggs in the shell.
7. Honey and cottonseed oil.
8. Fish of all kinds, except when preserved in oil.
9. Fish oil.
10. Salt.
11. Timber, when squared otherwise than by sawing, and lumber when not further manufactured than sawed; posts, poles, staves, pickets, and palings.
12. Crude gypsum, unmanufactured mica, crude or ground feldspar, sulphate of soda, or salt cake, and soda ash.
13. Cream separators.
14. Rough brass in bars and rods; thin rolled iron or steel sheets; cast-steel wire, valued at not less than 6 cents per pound; galvanized iron or steel wire of certain gauges; type-casting and typesetting machines; barbed fencing wire; rolled wire rods, not over three-eighths of an inch in diameter and not smaller than No. 6 wire gauge.
15. Pulp of wood, however manufactured, and paper valued at not more than 4 cents per pound.

With regard, however, to wood pulp and paper it is provided that the free admission applies only to such wood pulp and paper as come into the United States without any export duty, license fee, or charge of any kind, or any prohibition or restriction upon the exportation; and it is further provided that wood pulp and paper shall not be admitted free of duty from the United States into Canada until they come into the United States from all parts of Canada free of duty.

The schedule with regard to wood pulp and paper was amended in the House of Representatives before the bill passed the House at the last session, and I may have occasion to explain the amendment later on.

EQUAL-DUTY LIST—ARTICLES BEARING SAME TARIFF WHEN ENTERING EITHER COUNTRY.

The second schedule is Schedule B, a reciprocal dutiable list; that is to say, articles to be admitted into each country from the other at the same rates of duty; it comprises:

1. Meats of all kinds, including lard and tallow.
2. Fish packed in oil.
3. Vegetables in cans or other air-tight packages.
4. Wheat flour, rye flour, buckwheat flour, oatmeal, rolled oats, and all cereal foods; corn meal, bran, middlings, etc.
5. Barley malt, biscuits, wafers, and cakes.
6. Maple sugar and sirup.
7. Agricultural implements; cutlery; the small sizes of plate glass; automobiles and motor vehicles, but not including rubber tires.

I have not mentioned all the articles in this schedule, but have referred to the principal ones.

NONRECIPROCAL DUTIES—ARTICLES EXPORTED OR IMPORTED ON WHICH SCHEDULES ARE FIXED.

The third schedule, being Schedule C, is a list which prescribed the rates of duty on certain articles when exported from Canada into the United States, but upon which the duties are not reciprocal. It contains:

1. Laths; shingles; sawed boards, planed or finished on one or more sides; iron ore, and coal slack.
2. Aluminum, in plates, sheets, bars, and rods.

EXPORTS TO CANADA.

The fourth schedule, being Schedule D, is a list of articles to be admitted into Canada, when exported from the United States, at certain rates of duty which are not reciprocal. This list comprises:

1. Cement.
2. Trees.
3. Condensed milk; unsweetened biscuits; fruits in air-tight cans or other air-tight packages.
4. Peanuts.
5. Bituminous coal.

In considering the purely commercial advantages or disadvantages of the proposal of which I have now given you the substance, it is obvious that we must view it from at least two standpoints.

First. The expansion of our exports into Canada induced by the additions to her free list of certain articles, and the reduction of her duties on certain other articles.

Second. The effect upon our domestic producers and consumers of adding to our free list certain commodities, and of reducing our duties upon other commodities."

Now listen. I hope I shall receive the attention of Senators for a moment, especially upon this statement.

I take these viewpoints in the order in which I have stated. The aggregate of the imports into Canada from all countries in 1910 was, in round numbers, $443,000,000, of which there came from the United States, in round numbers, $270,000,000. Canada bought of us, therefore, under existing tariff conditions, practically three-fifths of all her foreign purchases, and, excluding the element of increased consumption, it is apparent that whatever inroads we make we must make upon the remaining two-fifths of her imports.

WOULD CUT REVENUES HEAVILY.

Upon the articles in the proposed reciprocal free list which we exported into Canada for the year ending March 31, 1910, there were paid in duties $1,476,129.13. These articles were of the total value of $21,957,605; that is to say—now mark you, Canada levied an average equivalent of a 6.7 per cent ad valorem duty upon our exports of the articles embraced in the proposed free list, so that the concession, as a whole, on these things can not exceed the percentage I have named.

That is to say, upon the free list, concerning which so much has been said here, Canada concedes to us an average ad valorem duty of 6.7 per cent. The reason of the meagerness of the concession arises from the fact that a very large proportion of the articles contained in the free list is already free in Canada, and she concedes us nothing whatsoever with regard to the articles already free, nor can she; but we are getting a reduction upon this entire free list in Canada of 6.7 per cent, and no ingenuity can increase the extent of that concession.

Agricultural products—and I am now speaking of all the products of the soil—bear in Canada now substantially a duty of 20 per cent ad valorem, and we are receiving with respect to

those products a reduction of 20 per cent upon the average, but not upon the entire list.

The lumber on the proposed free list, with one exception, is now free when exported from the United States into Canada. The one article of stave bolts is the only concession which Canada gives the United States with respect to lumber from her list as already established by law. We have a concession of 17½ per cent on crude glycerin, of which we exported last year $50,000 worth. We have salt made free, of which we exported last year $81,000 worth, in round numbers. Canada now has a duty of 5 per cent on tin plate and 20 per cent on type-casting and typesetting machines. We exported last year those articles to the value of $296,662.

I pass the paper schedule, because we get nothing whatsoever from Canada at the present time with regard to pulp wood or paper; and it is very doubtful, as we all agree, whether there ever will be or can be any concession from Canada to the United States with regard to pulp wood, paper, and the like.

The value of the imports into the United States from Canada of the articles covered by the proposed free list for the year ending June 30, 1910, was $39,811,560, and the average duty levied converted into ad valorem was 10⅜ per cent.

That is, our average duty now upon the articles which we propose to put upon the free list is 10⅜ per cent. Taking it in the aggregate, it is not more, and can not be construed to be more, than a fair revenue duty upon those articles.

The imports of agricultural products, including those of the orchard and garden, grouped as before, aggregated $7,981,336, upon which our duties were $1,662,310, or an average of a little less than 21 per cent.

We imported of timber and lumber of all kinds made free by the proposal of the value of $18,959,753, upon which our duties were $1,323,530, or a little in excess of 7 per cent.

We imported crude gypsum, unmanufactured and ground mica, feldspar, and crude asbestos of the value of $1,861,149, but asbestos is now free, and we imported of that commodity to the value of $1,087,098. The other articles are not of the first importance.

Turning to the reciprocal list I find that we imported articles from Canada during the year ending June 30, 1910, to the value of $5,901,923, upon which duties were levied of $968,309, or 16.4 per cent. We reduce these duties by the proposed arrangement upon an average of 6.4, leaving the equivalent of a duty upon them of 10 per cent ad valorem. This reduction may enlarge the imports of these things slightly, and it may reduce a little the price of laths, shingles, and planed boards and lumber.

SOME BENEFIT CONCEDED.

While it is not possible to estimate with any accuracy the effect of the change, it is sufficient to say that whatever effect is produced will be beneficial to the people of the United States who use these commodities.

Before leaving the subject, it may be well to say that laths are reduced from 20 cents per 1,000 pieces to 10 cents per 1,000 pieces; shingles from 50 cents per 1,000 to 30 cents per 1,000; lumber, planed or finished on one side, from $1 to $1.75 per 1,000 feet, to 50 cents per 1,000 feet.

And so on. I need not repeat the table that I have prepared.

Now, Mr. President, without taking the time of the Senate to read further from this, it is apparent that upon the free list the concession given by Canada to us is exceedingly slight. The concession given to us upon the reciprocal dutiable list is also very slight, and it is impossible that these reductions and these admissions to the free list shall have any serious or great effect upon our export trade. However, I am not objecting to the agreement upon that ground, for I believe, as I said yesterday, that Canada has given us in this arrangement practically all she can give us.

The only inference I desire you to draw is that if you want to relieve the people of the country from unjust burdens by way of high duties the logical, the reasonable, the just way in which to proceed would be to reduce all our duties, having reference upon the one side, if that party is in power, to its doctrine of a revenue tariff, or upon our side, if we are in power, to reduce them according to the acknowledged standard established by the last Republican convention.

But, coming now to another phase of it, what I propose to do is first to put lumber on the free list so far as Canada is concerned. What objection have the Senators upon the other side of this Chamber to putting lumber on the free list? I am not assuming that you are doing wisely in putting agricultural products upon the free list. You say that to put the farmer into free competition with Canada will not seriously injure him. Do you think it will seriously injure the lumberman, the owner of the great areas of pine lands, to put his product upon the free list? Will it injure him? If it is true that the conditions abroad are substantially the same as the conditions at home, why will you not add lumber to the free list, so far as Canada is concerned, not asking Canada to do anything for us in that respect, but for the sake of your own people, if you are trying to do justice to them and believe that free lumber will enable the farmer, or, indeed, any other citizen of the Republic who desires to use this commodity—if you believe it will do him or them some good, why are you not willing to put lumber on the free list?

You can not answer by saying that you fear that this will imperil the agreement. Canada surely will not object to the enlargement of our free list in that respect. Who will object? Only the lumberman; only the owner of great areas of pine lands. You can not allege that the authorities who are responsible for this arrangement will object because you put lumber on our free list. It is one of the things that we have been trying to accomplish. If you want to enable the farmer to deal as freely in the lumber market as you propose to compel him to deal with respect to wheat and oats and all the other agricultural products, why will you not attach lumber to the free list?

If you do not—I will not say what I was about to say, but I will say that your action in that respect will be as mysterious to me as has been the action of those who have proposed the arrangement now before us.

Again, my amendment seeks to put coal on the free list, so far as the United States is concerned. It is a natural product. Coal has hitherto borne a duty of 53 cents a ton when imported from the United States into Canada. It has borne since the Payne-Aldrich tariff law a duty of 45 cents a ton when imported from Canada into the United States. The effect of this arrangement is that Canada reduces her duty 8 cents a ton and permits our coal to enter Canada at 45 cents per ton.

I am not now to enter into a discussion whether coal ought to be made free or not. There are many on this side of the Chamber who believe it ought not to be free. I believe it ought to be free. Do you upon the other side believe it ought to be free? Do the Senators who fought here for some amelioration of the burdens of the protective system believe that coal ought to be free? If you do, why will you not attach it to the free list so that if the reduction of duties does have any effect upon the price of commodities the farmer when he takes his wheat into a free market can return with his wagon loaded with free coal?

Do you say it will imperil this agreement? Why? I do not ask that Canada shall admit our coal free. I am only asking some compensating advantage to our buyers of coal. And yet you stand firm and resolute against allowing the people of this country to enjoy whatever benefits may arise from free coal with Canada.

The authorities who are responsible for this arrangement can not object to introducing free coal, because Canada will hail with delight the opportunity to enter our markets with her coal without paying duty.

Again, I ask that iron ore shall be put upon the free list. Do you believe iron ore should bear a duty? I do not know just what your views are with respect to that, but I have long contended for free iron ore. I want to see iron ore free, not only with Canada but with every other country upon the face of the earth, and I intend to vote at every opportunity I have to make iron ore free. But the only chance we will have in the immediate future to allow iron ore to enter the United States free is the iron ore of Canada. You who complain of the monopoly of the United States Steel Corporation, you who complain of the gradual concentration of the source of supply in the hands of one corporation, can not, as it seems to me, refuse to add to this arrangement free iron ore from Canada.

Canada will not object; the President can not object; and therefore why do you stand resolute and determined that there shall be no change of the arrangement in this respect?

My amendment proposes to put meat on the free list. Tell me why you want to maintain a duty on meat as between Canada and the United States? Tell me why, after the cattle of our country are driven to a free market, the owner of those cattle should not return at least with free meat? Tell me why you desire to increase the advantages of the packer, of the monopoly, of the combination of men and capital that manufacture cattle into meat? Why do you want to give them free cattle, free raw material, and thus enlarge the profits they now enjoy? I can not understand the attitude of men who believe in the reduction of duties and who refuse to avail themselves of this opportunity to secure it. Canada will not protest against allowing her meat to come into the United States free. She will regard it as an additional reason why she ought to accept this arrangement. I do not know of anyone who is protesting against free meat except the packers, and are we here

for the purpose of making the business of the packers more profitable than it is now? You can not tell the country that you refused to put free meat into this agreement because it will endanger the final consummation of the arrangement. For Canada wants free meat into the United States; the people of this country want free meat from Canada; and therefore who is the objector? There is no objector from the ranks of those who sincerely desire some relief to the consumers of the United States.

It is idle for any man to stand before the country and say that he votes against free meat because he fears that the Executive of this country will decline to give his approval to the bill if it provides for free meat. No one is authorized to speak for the Chief Executive, I am sure, in making any such assertion. I will not believe that he could by any possibility object to this addition to the present arrangement. On the contrary, believing him to be a patriot, believing him to want the highest welfare of the people of his own land, he will hail, and must hail, with great gratification the proposal I have just made.

Again, I want free flour attached to this bill. Why do you want to tax flour? Why do you want the millers of Minneapolis and of other parts of the country, whom we may assume are already enjoying all the profits that are reasonable and fair to be reaped from any business, to still further accumulate fortunes at the expense of the producer of the raw material?

If you can give me any reason why flour of all kinds and cereal foods of all kinds and all the by-products of the miller, the coarse feed for animals, and all other things of that sort, shall not be permitted to come from Canada free into the United States I will listen with great attention and with great interest to that reason.

If you could say of this, as you have said already with regard to independent measures of reform, that if they were attached to this bill you have reason to believe that it would not become a law, I can understand that, although I do not agree to its soundness. I do not agree that there is reason to believe that the bill would be rejected if these things were added to it. But you have no reason to believe, nor has any man any reason to believe, that this bill would be less gratifying to the executive department of the Government or less satisfactory to the Canadian Parliament if we were to give her free meat or free flour and free manufactured products of all cereals.

I shall look forward with a great deal of interest to discover what reason will be given to the people of this country for closing the door to this opportunity. I want free agricultural implements. Do you want free agricultural implements? Apparently not, because I propose in this amendment to add to our free list agricultural implements of all kinds. I do not ask Canada to grant the same concession, because I am arguing this, or trying to argue it, upon the theory that it will pass and that we must not do anything which will make the agreement less satisfactory to Canada.

Of course, I think Canada ought to give us free agricultural implements, but fearing that she will not, and not desiring to be open to the reproach that I am urging these amendments for the purpose of defeating the bill, I have only asked that our door be opened and that we allow Canada to open hers whenever she may think the welfare of her country demands it.

I have put iron and steel upon the free list. Who will object to putting all kinds of manufactured iron and steel upon the free list so far as Canada is concerned? It may be that some one on our side may utter a protest, but those upon the other side are estopped from entering any protest against allowing free trade with Canada in the manufactured forms of iron and steel. I do not insist that Canada could do much at this time to correct the abuses of which we are gravely and seriously cognizant, because I think we produce most of these things as cheaply as they can be produced anywhere in the world, and certainly as cheaply as they can be produced in Canada. But here we are groaning under the tyranny of the United States Steel Corporation, and we want to do whatsoever we can to invite from some quarter or other a rival, a competitor, that will help to relieve the American people of the burden which they suffer. This would be an invitation to independent manufacturers in Canada to enter the business and to enter the markets of the United States, and some time or other we might secure a partial remedy for the evil that we now endure.

What is the objection to putting woolen goods upon the free list, so far as Canada is concerned? Do you think Canada will object? Do you think the President will object? No: if we have heard aright, the Chief Executive is insistent that we shall pass some bill that will put into effect the reciprocal arrangement which he has proposed and which he has consummated; but I hope he has not indicated, I do not believe he has indicated, his disinclination to approve any measure that will open still wider commercially the doors of the United States to Canada.

So with cotton, and so with silk, and so with leather.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER (Mr. DIXON in the chair). Does the Senator from Iowa yield to the Senator from Utah?

Mr. CUMMINS. I do.

Mr. SMOOT. I notice the Senator's amendment provides for free woolen goods. Would not that be a disadvantage to the American manufacturer on this account——

Mr. CUMMINS. I think it would. I want it to be.

Mr. SMOOT. Canada has free wool and we have protected wool. Therefore they would not be on the same basis, and it would be a great disadvantage to the American manufacturer.

Mr. CUMMINS. I think it would help to bring the American manufacturer down to the point of reasonable profit, anyhow.

Mr. SMOOT. I want to go further than that and have an understanding as to the effect of the Senator's amendment. The Senator certainly understands that his amendment provides that free woolen goods shall come into this country from Canada. If that is the case, would not the Canadian manufacturer have a great advantage over the American manufacturer in this way, that he is entitled to import wool free and the American manufacturer is not entitled to import wool free? Then the Canadian manufacturer would have his free raw material, or wool, as he calls it, without duty, and he would have just that advantage over the American manufacturer.

Mr. CUMMINS. I think he would, Mr. President; but that advantage is not commensurate, or more than commensurate, with the advantage that the American woolen manufacturer has in his established plant and in his established business. I for one, while we are putting articles upon the free list, am perfectly willing to see this country endure such competition as Canada can furnish in woolen goods, as well as in all other kinds of goods, for I began this argument by the statement that I am entirely willing to vote for free trade with Canada simply because I believe—and in that respect I am in concurrence with the President—that, taking all things together, Canada does not manufacture under more favorable conditions than we do.

I know that there is a hardship in free trade with respect to certain agricultural products. I know, and every Senator must know, that with respect to some of the agricultural products, Canada can produce and will produce more cheaply than it is possible for the American farmer to produce. But taking the subject as a whole I think the United States could compete with Canada; and my great complaint is that we select the one thing in which we have no advantage, and indeed are at a disadvantage as compared with Canada, to establish free trade, and leave the great body of the manufactured products, concerning which we have some advantage over Canada, still protected by high protective duties.

I regard it as the most illogical, the most indefensible proposition that has ever been put before the American people, and I am simply trying to make it better, to make it so that I can vote for it, for I do have a real desire to express my sympathy with the movement for freer and broader trade relations with the Dominion. But it now seems impossible for me to give it my assent so long as the invidious, the unjust discrimination found in the bill is perpetuated.

I now intend to take up for a little while the question of the favored-nation clause, and I hope that those who are interested in that will follow me.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Mississippi?

Mr. CUMMINS. I do.

Mr. WILLIAMS. Before the Senator from Iowa passes to the next point, I should like to ask him a question for information. If you amended the Canadian reciprocity bill by putting upon it free manufactured woolen goods and free agricultural implements and free manufactured steel and iron, how many stand-pat Republican votes on that side of the Chamber does the Senator suppose the bill as amended would receive?

Mr. CUMMINS. I do not know; but I know that there are enough Senators upon this side of the Chamber who, added to the Senators upon the other side, will pass the bill if so amended.

Mr. WILLIAMS. As amended?

Mr. CUMMINS. As amended.

Mr. WILLIAMS. And send it on to the White House involving Canadian reciprocity in the speculation as regards a veto.

But to go back to this arena, not to the other end of the Avenue, because I believe some of us were lectured the other day about mentioning the other end of the Avenue even when

as a practical matter it was very much an element in a rational consideration of what we should do here, does the Senator give it as his opinion that all the class of Senators who are called by their enemies insurgents and by themselves progressives would vote for the bill as amended?

Mr. CUMMINS. Mr. President, I do not know, because I have had no——

Mr. WILLIAMS. Does the Senator give it as his opinion?

Mr. CUMMINS. Just a moment; allow me to finish. I do not know because I have had no conference with them upon that particular question, but I do know that the Senator from Mississippi ought to be able to answer for the fate of the bill if it shall go back to the House of Representatives. His political associates are in the majority there, and if they are willing to accept this amendment——

Mr. WILLIAMS. I am not talking about that.

Mr. CUMMINS. It makes no difference what the Republican Members might do.

Mr. WILLIAMS. I am talking about the fate of the bill here. Does not the Senator from Iowa think that if all those amendments were placed upon this bill the result would be that the bill would lose the support of every single, solitary Republican Senator who without those amendments would vote for it?

Mr. CUMMINS. I am not prepared to say that, and I am not prepared to express any opinion about it. I am not, as the Senator knows, in the close confidence of most of the Republican Senators who intend to vote for this bill. Most of them have entertained views with regard to the tariff which I do not entertain. Most of them have spent the best part of their lives trying to maintain duties so high that it requires a modern telescope to see the dizzy altitude of the law.

I do not know what they would do, and I do not pledge any vote, but I do believe that if the bill were amended so that it would be fair and reasonable in the way I have pointed out and shall point out in the future, it would receive enough Republican votes added to those upon the other side of the Chamber to pass the Senate. I do believe that the high authorities which negotiated the arrangement would find no objection to this enlargement. What the Democratic majority in the House might do with regard to the bill in that form I must leave to the better knowledge and better judgment of the Senator from Mississippi.

Mr. WILLIAMS. The Senator from Mississippi has not raised that question and does not care to go into as broad a field of speculation as that, but I imagine it would be awfully difficult to frame reciprocal trade relations with Canada too free for a Democratic House of Representatives if it had any certainty of approval——

Mr. CUMMINS. If that be true the Senator from Mississippi——

Mr. WILLIAMS. One moment; if it had any certainty or feeling of assurance that as amended it would finally go upon the statute book.

Mr, CUMMINS. If the Senator from Mississippi needs no reassurance upon the latter question I am sure that he will speedily reach the conclusion to follow his own conscience and his judgment in trying to make this arrangement better than it is.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield further to the Senator from Mississippi?

Mr. CUMMINS. I do.

Mr. WILLIAMS. Continuing the interruption, the Senator from Mississippi is trying to follow his own conscience and his judgment, or would try to follow it, to make this agreement better, with this qualification, that he would not go so far, even in the direction that he himself would like to go in making it better, as to prevent the Canadian reciprocity agreement from being finally written upon the statute book.

Mr. CUMMINS. Mr. President, I have been trying, and evidently vainly trying, to convince the Senator from Mississippi that the better arrangement would meet no peril on its way to a completed law. If I have not succeeded I must either assume that my arguments are without that weight which I hoped they possessed or that the Senator from Mississippi is deaf to reason.

Mr. BACON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Georgia?

Mr. CUMMINS. I do.

Mr. BACON. With the permission of the Senator, before he passes to the subject which he has indicated as the one which he is now about to take up, I wish to make one suggestion to him. I do not know that I will put it in the shape of an interrogatory.

The Senator has been pressing with very great earnestness, and I may say at times with great eloquence, the feature which he alleges in this proposed reciprocity legislation is one of very great injustice in the fact that it proposes that a particular industry—the farming industry—shall be relieved from the protection the law now gives it against foreign competition, and at the same time the farmer be compelled to buy in a protected market.

I want to say to the Senator that that argument appeals with very great force to Senators from my section of the country, because in the political domination of the party to which the Senator belongs we have been accustomed to that in the most pronounced form for the past 40 or 50 years—that is, those of us who have lived long enough for that to be the case. It matters not, Mr. President, whether that condition is brought about by the enactment of law or whether it exists in the nature of things, so long as the result is the same.

The Senator spoke very eloquently yesterday of the great injustice of compelling the farmer to sell in a free market and manacling him, as he expressed it, and compelling him to buy in a protected market. I simply want to say to the Senator that this legislation, if it shall be enacted, will bring to the farmers in the northern part of this country a realization of the great injustice which has been done to their brethren in the southern part of this country during all the time of the enactment and enforcement of a protective-tariff law. While the law does not condemn the southern cotton producer to sell in a free market, conditions do, as absolutely as law possibly could, produce this effect. At the same time, those engaged in this immense industry, one of which, as I stated a few days ago, the product is worth one thousand million dollars a year, have been compelled to buy in a protected market everything which they have used. As to every article for the support of themselves and their families and every article of machinery or other appliance used in the production of their cotton, they have been, in the language of the Senator, manacled and compelled to buy in a protected market.

I am free to say to the Senator that I do not think that that is a good argument why we should inflict a similar injustice upon any other farmers, and for that reason I said I was not going to put it in the shape of an inquiry, but I thought at this time it was well that the argument the Senator has been urging with so much force and eloquence should go home to the people at large, that the great iniquity—I use a word probably that might be offensive; I will say the injustice—of the protective-tariff system is that it is absolutely impossible of equal application, and that it is impossible that you can so frame a protective-tariff law so that whatever benefits may come shall be equal in their application and in their effect. I thought I would take the liberty of suggesting that in connection with the very strong and earnest argument which the Senator has been making upon that line.

Mr. CUMMINS. Mr. President, I have long felt and I now feel the very great force of the suggestion made by the Senator. If there had been any way of controlling the natural laws of trade and commerce, every fair-minded man must have admitted in all these years that the cotton grower in the South was entitled to the same advantage that had been claimed for the grain grower of the North. If there were any way of reaching the injustice which has been so often pointed out, I would be very glad to join him in an effort to reach it; but the Senator from Georgia knows that with respect to at least a great mass of the productions of the South there is no way of reaching it except along the path that we are now trying to walk, namely, the reduction of the duties which enhance the price of the things the southern farmer must buy and the removal of the duty entirely whenever to so remove it will not destroy the business of the domestic producer.

Mr. BACON. Well, Mr. President, I think the Senator could go still further and say that in a case of such necessity as that, and such consequent gross injustice growing out of that necessity, there can be no possible excuse for putting upon any article that the southern planter has to use in producing his cotton any tariff other than a revenue tariff; in other words, there can be no possible defense for putting upon any article used by him in that production any tariff which is to inure to the benefit of an individual.

Mr. CUMMINS. Mr. President, it is very hard to gainsay what has just been stated by the Senator from Georgia; but I now address myself to the question that has arisen with regard to the favored-nation clause. It has been said many times, I think, that if we were to add to this arrangement any concession that did not find its equivalent in a Canadian concession, or, to put it more concretely still, if the Senate should

now exercise the power that it unquestionably has and do the thing which it should unquestionably do from my standpoint, and add to the concessions to Canada without receiving other concessions from Canada, we would be compelled, under the favored-nation clause of our various treaties, to extend those concessions to every country between which and our own such a treaty is in existence. In my opinion—and I do not profess great familiarity with the diplomatic or international law in this respect—the arrangement in its present form is in greater danger of meeting and being drawn within the favored-nation clause than it would be if amended as I have proposed and if additional concessions were granted to Canada without asking from Canada anything in return.

The difficulty with the bill in its present form is this: That it seems to contemplate compensation, article by article—that is to say, that we grant to Canada free wheat because Canada grants to us free wheat; that we grant to her free cattle because Canada grants to us free cattle; that we reduce the duty a quarter of a cent a pound on meat because Canada reduces her duty to the same point on meat. I fear—although I do not assert it with any positiveness or even with great confidence—that if this bill becomes a law and goes into effect, then any other country can take any article named in this arrangement, and, upon giving us the precise equivalent which seems to be given here, can claim the admission of that article into our markets upon the terms that we now grant to Canada.

There is another objection to the arrangement in its present form, so far as the favored-nation clause is concerned. We do not in and by the proposed law terminate our concessions to Canada at the time that Canada may terminate her concessions to us. As I remarked yesterday, Canada in a month or a day after these laws, hers and our own, shall go into effect, can repeal her law, can withdraw from us every concession that she has granted, and still our law remains in full force and effect, and the duties which we here prescribe will be the duties that will be levied against Canadian imports until Congress shall exercise its right of repealing or modifying the statute which we are about to pass. I fear that foreign nations, with which we have treaties of the character I have described, will say that this is not reciprocity, that it is not the extension to Canada of certain concessions in consideration of concessions granted by her to us, but that it is simply an adjustment of our tariff law in its relation to Canada, which may continue, and which, so far as its terms are concerned, will continue as to Canada without regard to the perpetuation of the status which may be established by any Canadian enactment.

These are questions which may well deserve and do well deserve the thoughtful attention of those who are interested in our foreign relations. I pass them, however, to announce these propositions: First, that it is now for Congress to make just such proposals to Canada as it may see fit to make, and that we are not embarrassed nor can what we do ever be weighed or determined or measured by anything that has occurred in the exchanges of diplomacy between the State Department of our Government and the ministers of the Dominion of Canada. This is a subject of which we have jurisdiction, and if we now propose to give to Canada certain things as a whole for certain things which Canada shall give to us as a whole, then foreign nations in construing or in passing upon the arrangement must consider the proposal as emanating from and originating in the Congress of the United States, for that body alone has the power to change or to determine what our tariff duties shall be.

I do not intend, Senators, to go elaborately into the history of the favored-nation clause, but it is interesting for us to know what has occurred between this and other nations in order to reach a conclusion upon the proposition that I have just made. Assuming now that this bill were so amended as to admit to its free list every article which I have proposed to put upon the free list, and that no additional concession were asked from Canada, I still maintain that under the favored-nation clause of our treaties, as uninterruptedly construed and interpreted from the beginning of the Government until the present moment, no other nation could claim the advantages which we would thus confer upon Canada.

So far as we are concerned, Mr. President, this subject was first put into the form of a provision in a treaty in 1778. May I be permitted to go back just a little into history before I read the provisions of our first treaty in that respect? This matter had been the subject of treaties amongst the countries of the civilized world for a hundred years before the American Nation came into existence. There had been employed during all that time among those nations a clause which was substantially without condition—that is to say, a clause which operated automatically to admit into the markets of the country a party to the treaty the imports of any other country with which it had a treaty upon the same duties and terms that had been conferred upon any particular or favored nation, without regard to whether the favor was conferred for a concession or otherwise; in other words, the nations of the world had before this time largely, not altogether, employed what is known in the world of diplomacy and international law as the unconditional favored-nation clause.

Mr. President, it has been suggested to me that possibly I ought to defer and might well defer the discussion of this question, which is very important, and I am sure it will be interesting—not in my presentation of it, but because of its own significance—until a later time. I felt a little guilty this morning in occupying the time that had been preempted, and properly preempted, by the senior Senator from South Dakota [Mr. GAMBLE]. I feel that he ought to be allowed to go forward with his observations. I shall take up this question, however, if I can secure the floor, on next Wednesday; and I now ask unanimous consent that on next Thursday the pending question shall be considered and voted upon during that legislative day.

Mr. SMOOT. Mr. President, does the Senator mean the pending question or the pending amendment?

The PRESIDING OFFICER (Mr. MCCUMBER in the chair). The Senator referred to the pending question, which is——

Mr. CUMMINS. The pending question—I think I have stated it with entire accuracy—is upon the adoption of the amendments which I have offered, which are before the Senate and which constitute the pending question.

Mr. SMOOT. I may be mistaken. I thought, of course, the pending question was the reciprocity bill itself.

Mr. CUMMINS. The pending question is the amendment.

Mr. PENROSE. I suggest to the Senator to ask for a vote prior to adjournment.

Mr. CUMMINS. I have not yet finished my request.

Mr. PENROSE. I beg pardon.

Mr. CUMMINS. I ask that the pending question—and I will state the request so that there shall be no doubt about it—being the series of amendments offered by myself, shall be voted upon before adjournment upon that legislative day, and that the question shall be, upon the motion of any Senator, divided according to the rules of the Senate and of parliamentary law.

Mr. BRISTOW. Mr. President, I want to inquire if that means if there should be a prolonged discussion in regard to the separate and individual amendments the Senate could take a recess until Friday or Saturday, or so long as the discussion might last on these amendments? I would not want to consent to a vote on the calendar day of Thursday.

Mr. CUMMINS. I am not asking for that. I am asking that a vote be taken on that legislative day, to be continued so long as may be required to reach a vote.

Mr. BRISTOW. A parliamentary inquiry. I should like to know if under the unanimous consent these proposed amendments of the Senator from Iowa can be voted upon separately? There are a number of them that I am very anxious to vote for, but I do not know whether I would want to vote for all of them or not. But for most of them I do. I should like to have an opportunity of voting on the amendments individually and separately.

The PRESIDING OFFICER. It is the opinion of the Chair that it is the right of any Senator to have a pending amendment divided where it consists of two independent propositions and an independent vote upon any independent proposition, irrespective of any agreement.

Mr. CUMMINS. I will now ask to finish my request, that the votes be taken by the yeas and nays.

Mr. SMOOT. I hardly see what advantage we would gain by granting the request if the measure is to be discussed day after day. If there was some time fixed to vote, I would be glad to consent.

Mr. CUMMINS. That fixes the legislative day. It is precisely the agreement that the chairman of the Finance Committee asked and secured with respect to the amendment proposed by the Senator from New York [Mr. ROOT].

Mr. PENROSE. Will the Senator permit me?

I do not consider it important to fix an hour for this vote, and I understand that is not the wish of the Senator from Iowa. But I certainly think there ought to be something in this understanding that no recess shall be taken to prolong the legislative day until the following calendar day. In other words, that this shall be the final disposition of these pending amendments.

Mr. CUMMINS. I would not, as the author of the request——

Mr. BRISTOW. Mr. President——

Mr. CUMMINS. Just a moment.

I would not, as the author of the request, want to preclude the right of the Senate to take a recess if it is desired to do it. I myself would hope there would be no recess, but I do not want to put that into the request for unanimous consent. I think I can assure the Senator from Pennsylvania that so far as I am concerned there will be no desire, no inclination, to postpone by a single moment beyond the time when Senators desire to speak upon the amendments the disposition of them.

I have made this request largely in order to advise Senators of the time when the amendments will probably be disposed of. I am not insisting upon the request at all.

Mr. SIMMONS. I should like to inquire—I was not here when the Senator made his request—what is the request?

Mr. CUMMINS. The request is that the pending question, which consists of the series of amendments I have offered to the bill, shall be voted upon next Thursday—the legislative day of next Thursday—and that the votes be taken by the yeas and nays, and that the right of division of the question, which undoubtedly exists, shall be preserved, so that votes can be taken upon the separate amendments in so far as they involve separate subjects.

Mr. SIMMONS. If the Senator will permit me, I have no disposition to interpose any objection to the earliest possible consideration and action upon these amendments and the bill. But I want to suggest to the Senator from Iowa that there are those who desire to speak upon some of the amendments which he has offered. I myself desire to address myself somewhat at length to several of the amendments which the Senator has offered, and I shall probably offer some amendments on the same line, somewhat different from those offered by the Senator. I do not think I can get ready to speak by that time. And assuring the Senator that I have no disposition to interfere with fixing the earliest practicable date, so as to allow those who wish to speak an opportunity to do so, I suggest that he name some later date to vote on the amendments, so as to give Senators on this side an opportunity to speak. The Senator from Tennessee [Mr. TAYLOR] at my left suggests to me that he also desires to speak.

Mr. CUMMINS. I think there must be some misapprehension about the effect of the unanimous agreement for which I ask. The effect of it, as I stated, is that on Thursday, at the close of the morning business, the question would be taken up and the debate would be continued until no further debate was desired, and that then we would begin to vote upon the amendments. My only purpose, as I say——

Mr. SIMMONS. I understand the Senator to mean we would just continue the legislative day by the process of taking a recess?

Mr. CUMMINS. If the debate be not concluded on the calendar day, it would be necessary to take a recess, of course.

Mr. SIMMONS. Yes. The difficulty about that, if the Senator will permit, is this: Senators who desire to speak on this question have to make some preparation for it, and they would not know, they could not possibly know, how long that legislative day was going to be extended. In case they did not feel they would be able to make their speech on Thursday or Friday, they would feel much safer if a later day were fixed before which the vote shall not be taken.

Mr. CUMMINS. Very well.

I have in addition to the purpose I mentioned a moment ago another, which is to indicate to the country and to Senators that those of us who feel that this bill ought not to be passed, at least in its present form, are not disposed to prolong unduly and unnecessarily the debate.

The Senator from North Carolina understands perfectly that some of us have been very severely arraigned for what is alleged to be an effort to prevent the adjournment of Congress within reasonable time. I am not conscious of any such purpose. I intend to stay here until these questions can be thoroughly and completely debated, and then I am ready to vote, and I ask for this consent in order to indicate my desire to speed the bill as well as my desire that all Senators could thus be notified of approximately the time at which a vote would be taken, and therefore all could be here.

Mr. SIMMONS. The Senator will understand that I am laboring under the same embarrassment that he is. I am, with him, opposed to the passage of this bill, but I do not desire to do anything that could possibly be construed into a purpose to delay action. I want speedy action. But at the same time I think the Senator is a little hasty, and his proposition does not allow reasonable time for the discussion of the very important amendments which he has offered. They are amendments which go to the most vital phases of this question, and they ought to be pretty thoroughly discussed before there is a vote upon them.

I know there are several Senators here who desire to discuss them. As we will probably adjourn over until Wednesday, if the present proposition were to prevail there would be very little time given for discussion on amendments.

I am just as anxious as is the Senator—that is, what I mean to say now—to preclude any suggestion that I am making opposition to his present suggestion in any way to obstruct quick action and early action.

Mr. CUMMINS. What would the Senator from North Carolina think about Friday?

Mr. SIMMONS. I would not myself object to fixing Monday of next week, or if the Senator prefers, Saturday. I think at least two days—Wednesday, Thursday, Friday; three days—would not be more than is needed to discuss the Senator's amendments.

Mr. SHIVELY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Indiana?

Mr. CUMMINS. I do.

Mr. SHIVELY. I thoroughly appreciate the disposition of the Senator from Iowa to expedite the consideration of this measure. Some days ago he introduced these amendments. There is a long series of them. They are all amendments of importance. Day before yesterday the Senator occupied the floor in a speech of considerable length. He spoke excellently well, as he always does. Yesterday he again occupied the floor through most of the session, and spoke well, of course. To-day he has again occupied the floor up to this time, to the entertainment and instruction of the Senate. Now he serves notice that on next Wednesday he expects again to take the time of the Senate in a discussion of these amendments, and follows this notice by proposing, in the interest of economy in the time of the Senate, that we now fix Thursday as a continuous legislative day as the time to vote on and finally dispose of these amendments. In all probability the Senate, on account of the Fourth of July, will not be in session Saturday, Monday, or Tuesday.

I submit to the Senator whether down at bottom he regards that as a generous, or even just, proposition?

Mr. CUMMINS. I answer the Senator from Indiana in this way; I have made such inquiries as I could, and I have not found anybody who wants to speak upon these amendments.

Mr. SHIVELY. Is that the reason the Senator has felt constrained to occupy so much time on them?

Mr. CUMMINS. The Senator from Indiana need not expend his wit upon me.

Mr. SHIVELY. I am not. It is not a question of wit.

Mr. CUMMINS. I have made my request in perfectly good faith. If the Senator from Indiana wants to object, it is entirely within his province.

Mr. SHIVELY. The Senator from Indiana has interposed no objection. But the Senator from Indiana must be permitted to address himself to the reason of the Senator from Iowa on the proposition which the Senator himself has submitted to the Senate, and to suggest whether, after having occupied the floor for three or four days, he regards it as quite the right thing to propose that immediately after he gets through we shall commence voting on the amendments.

Mr. CUMMINS. Certainly not, if I had any reason to believe that any other Senator desired to address the Senate with regard to these amendments. Everybody knows that when these amendments are disposed of then there will come forward certain other amendments touching the general tariff, and I am very anxious that we shall get along with the whole subject as rapidly as we can.

If the Senator from Indiana, or any other Senator either upon this side of the Chamber or the other, will suggest even that further debate is likely I will very gladly withdraw my request. I should like to see these amendments debated for a long time, if others will take up the debate.

Mr. SHIVELY. I hardly think the Senator can be in the dark on that question. The Senator from North Carolina just announced to him that he himself desires to discuss some of these amendments. He also took the privilege of announcing that the Senator from Tennessee wished to submit remarks. So the Senator from Iowa is not without information on the subject.

Mr. CUMMINS. I understood the Senator from North Carolina to say he proposed to offer amendments of his own on the same general subject.

Mr. SIMMONS. I said I desired to address myself to some of the amendments offered by the Senator from Iowa and to offer some myself on the same line.

Mr. CUMMINS. I am delighted to know that I have aroused some interest in these amendments, and debate can not continue too long to suit me, so long as the debate, I am sure, will pro-

mote chances of their adoption. And I therefore withdraw the request that I made for unanimous consent.

Mr. PENROSE. Mr. President, I regret that the Senate has not seen its way to grant the consent asked for by the Senator from Iowa. I desire to state that after the reassembling of the Senate on Wednesday, July 5, I shall ask the Senate to meet at an earlier hour in the morning, and to vote down motions for early adjournments, so that Senators who have exhibited this desire to speak on these matters may have full opportunity to do so.

Mr. SHIVELY. Why does not the Senator fix that now, so that every Senator will be on notice that we are going to meet at an earlier hour?

Mr. PENROSE. I will take my own——

Mr. SHIVELY. I will join the Senator from Pennsylvania in that.

Mr. PENROSE. I have no objection to doing it now; and I will move that——

Mr. SMOOT. We have an order to-day. We already have one order. Beginning Thursday is all right.

Mr. PENROSE. While I personally am perfectly willing to make the motion now, in view of the fact that one order has been made this morning, I will not press it. I assure the Senator from Indiana that Wednesday next I shall move that the Senate hold its meetings at an earlier hour until otherwise ordered.

Mr. SHIVELY. I assure the Senator from Pennsylvania I will join most heartily in support of that motion.

Mr. PENROSE. I am very glad, indeed, to hear that the motion will have the cooperation and help of the Senator from Indiana.

Mr. BRISTOW. Mr. President, I should like to state that I have no dispositon personally to delay a vote on the Canadian reciprocity bill and the amendments to it, but I am not disposed to agree to fixing a time at which the vote shall be taken, because frequently I think we can vote quicker by not fixing a time than by fixing a time.

Then I want to make another suggestion, and that is, after the reciprocity bill is disposed of, the unfinished business is off of the calendar, there are some other matters to which I think the Senate should give attention before Congress adjourns. I think the bill for the admission of Arizona and New Mexico should be disposed of at this extra session. I am in sympathy with any movement that hastens our proceedings and still gives full opportunity for discussion; but it seems to me that Senators should have in mind that when the Canadian bill is disposed of there are a number of other measures that will be before the Senate which are just as important, and, from my point of view, much more important than this Canadian bill.

I make this statement because I do not want the impression made throughout the country that Canadian reciprocity is the only legislative matter that is before Congress at this session.

Mr. GAMBLE. Mr. President, it is not my purpose to speak at undue length on the pending measure. The subject already has been very fully discussed by others. I, however, consider the provisions of the pending agreement a matter of tremendous import to such a large class of our population, and, in my judgment, it is striking such a severe and unwarranted blow at the agricultural interests of our country I feel it a duty to myself and to the people of the State which I have the honor, in part, to represent to give my views thereon.

I am a Republican and have full faith in my party, and for years have been guided by its policies and have sought to follow its traditions. Being a Republican, it necessarily follows I am and have been a protectionist. As a result of that policy the people of our country for the past 50 years in their manifold activities have steadily advanced in unparalleled prosperity and material achievements.

Under this policy the Republican Party since it became responsible for legislation has given the country an opportunity for its greatest progress and development. During all these years, with only one exception, the protective principle has been the fixed and permanent policy of the Government. During this time our progress and development have been unequaled in the history of the world. It has added to our wealth, developed our resources, extended our commerce, and multiplied our activities. Under its stimulating influence we have become the dominant force amongst the governments of the world.

Since the inauguration of the protective policy by the Republican Party we have accumulated and added to our material wealth upward of $110,000,000,000, which is practically one-fourth of the wealth of civilization. Under the same policy and the range of prices therefor from the wealth of the soil our agricultural production is the greatest in value each year of any people in the world. There has been built up under the same system our manufacturing establishments that produce each year practically one-third of the manufactured product of the world. As a result our export trade exceeds that of any of the governments of civilization.

We therefore should take care that the matter now in hand should not invade the protective principle of the party and imperil the prosperity of any class of our people or overthrow through this process the bulwark of protection that has made possible our marvelous development and accomplishments.

This policy, in my judgment, has given the fullest and most enlarged opportunities to our own people to do their own work, to employ their own capital, to maintain and preserve their own market, and not to suffer displacement in either in the world's competition. It has reserved to the American wage earner unequaled opportunities and has protected him against foreign competition and the lower level of wages and of living in other lands. Under our economic system it has always been the concern of the Republican Party to protect the home market, both as it relates to the producer, the manufacturer, as well as to labor.

The principle of protection was clearly defined in the last national Republican platform as follows:

> In all tariff legislation the true principle of protection is best maintained by the imposition of such duties as would equal the difference between the cost of production at home and abroad, together with a reasonable profit to American industries.

As to the clearness and meaning of the rule laid down there can be no controversy. The difference in the cost of production at home and abroad should be susceptible of demonstration, and with that determined the rates then should be fixed in relation therewith, and, in addition, a preference given to American capital for investment with a reasonable profit.

In conformity to the principle so declared the Payne bill of 1909 created a Tariff Board, and an appropriation was made to pursue such investigation, so that in any future revision of the tariff exact data and information would be available. Last year a much larger appropriation was made by Congress to insure the thoroughness and efficiency of such investigation and the result secured at the earliest practicable time. Legislation more extended and complete was sought in the last Congress looking to the creation of a tariff commission to more successfully prosecute the work in hand, that all essential data and exact information might be secured. Unfortunately the measure failed, even after it had passed both Houses with substantially the same provisions.

The highest obligation is imposed upon Congress to enact the legislation in question. It is in line and in sympathy, I believe, with the judgment of a large majority of the people of the country. Full and exact information thus secured would make more effectual and certain as well as just any future legislation that may be had upon the tariff. At any rate, an ample appropriation was made for the coming fiscal year for the carrying on of the work of the present Tariff Board, whose efficiency and competency will, I believe, be amply justified when its reports are made.

Reciprocity has been defined in our national platforms, and it has been the guiding principle governing the party when it has had to do with either negotiations or legislation thereon. It is well defined in the Republican platform of 1900, as follows:

> We favor the associated policy of reciprocity so directed as to open our markets on favorable terms for what we do not ourselves produce in return for free foreign markets.

In the Republican national platform of 1904 the party further declared:

> We have extended widely our foreign markets, and we believe in the adoption of all practicable methods for their further extension, including commercial reciprocity wherever reciprocal arrangements can be effected consistent with the principles of protection and without injury to American agriculture, American labor, or any American industry.

The principle of reciprocity was most clearly and succinctly stated by the late President McKinley in his first inaugural address, as follows:

> The end in view always to be the opening up of new markets for the products of our country by granting concessions to the products of other lands that we need and can not produce ourselves, and which do not involve any loss of labor of our own people, but tend to increase their prosperity.

The principle of reciprocity has been interpreted and followed by all of the great leaders of the party. It perhaps was never more clearly stated than by the late Charles Emory Smith:

> When readily understood the principle is axiomatic. Brazil grows coffee, but makes no machinery. We make machinery, but grow no coffee. She needs the fabrics of our factories and forges, and we need the fruits of her tropical soil. We agree to concessions for her coffee, and she agrees to concessions for our machinery. That is reciprocity.

To my mind reciprocity means reciprocal and fair exchanges between different countries as far as may be in noncompeting products. It seems to me a fair and just reciprocal arrangement between the United States and Canada that is just and fair to every interest is much to be desired. I do not wish to be understood as opposing such a reciprocal agreement. It occurs to me, however, the measure proposed is unjust, unfair, un-Republican, and is in violation of the declared and settled policy of the party for more than a generation. It means to me a serious and unwarranted blow to the American farmer which places him in an unequal and unfair competition with his Canadian rival without any fair or just compensation in return for the protection that is now accorded him under existing law.

This is not the first experience our country has had in reciprocity with Canada. The treaty of 1854 was injurious and inimical to the prosperity and welfare of the people of the United States. It retarded our industrial and commercial development, and was unjust to practically every interest. Although patiently borne until 1866, it was then renounced.

Mr. Blaine, in his Twenty Years in Congress, makes the following comments, among other severe criticisms of this treaty:

> The selection of the commodities, as shown by the schedule, was made almost wholly to favor Canadian interests. There was scarcely a product in the list which could be exported from the United States to Canada without loss, while the great market of the United States was thrown open to Canada without tax or charge for nearly everything which she could produce and export. All her raw materials were admitted free, while all our manufactures were charged with heavy duty, the market being reserved for English merchants.

Mr. Fielding, in speaking in the Canadian Parliament of the present agreement soon after it was promulgated, stated:

> It is the reciprocity treaty of 1854 over again, with comparatively little change. It promises prosperity to the people of Canada, and this House would make a grave mistake and do a grave wrong if it would refuse to take advantage of it.

The history of the operations of the treaty of 1854 discloses the fact that we remitted to the Canadian Government many millions of dollars in duties, and instead of there being a balance of trade in our favor as it had been under normal conditions, during the greater part of the time while it was in force it was largely against us. When the treaty was ratified the balance of trade in our favor annually was $8,000,000. At its close the balance against us was $30,000,000. Under such conditions, considering the unfortunate experience we have heretofore had and the loss we then suffered without material gain, is it wise or the part of good statesmanship to practically renew an agreement that in the first instance proved so disastrous to our producing and commercial interests?

Mr. President, I can not persuade myself that in any sense this agreement follows either the rule of our party faith in the policy of protection or in that of reciprocity. As far as I am concerned I can not vote for its enactment or its ratification. It is neither protective nor reciprocal, but diametrically at variance, in my judgment, with both. Had it been proposed by the opposition, I could readily appreciate it as in line somewhat with their sympathies and their policy. When first submitted to the last Congress it was promptly and unanimously adopted at a caucus of the Democratic Party of the House of Representatives on January 31 last. It was reported from the Ways and Means Committee in the House of the last Congress by a vote of 12 to 7—6 Republicans and 6 Democrats for and 6 Republicans and 1 Democrat against. It was thereafter passed through the other House by the full vote of the Democratic Party, with only five exceptions, and with a minority of the Republican membership. It was reported to the Senate from the Finance Committee of the last Congress without recommendation, and the Senate declined to consider it.

It was passed through the present House by a vote of 267 for to 89 against. The number of Democrats who voted in favor of it was 199; against it, 11. The number of Republicans who voted in favor of it was 67, and against it 78. It was reported by the Finance Committee to the Senate without recommendation.

Under such conditions it can hardly be claimed this is a Republican measure, as far as legislative action so far is concerned. I feel at liberty, therefore, and am disposed, to exercise my own convictions thereon, independent of Executive action.

I desire, however, Mr. President, to express my high opinion of and confidence in the wisdom, the character, the patriotism, and unselfish devotion to the public service of the President of the United States. He has the highest ideals of public service, is unselfishly and patriotically devoting himself and his administration to the solution of great problems that immediately concern the present and future well-being of the Republic. The record this administration has made in advanced, substantial, progressive, and constructive legislation, and in the vigor, energy, and effectiveness of its enforcement of law against concentrated and powerful monopolies is unequaled by any administration during the same length of time.

With the highest respect for the President and great confidence in his wisdom, I am, however, unwilling to follow him in the proposed legislation. This I very much regret, but to do so would do violence to my highest convictions and firm sense of right.

I have no criticism to make upon the President for the course he has pursued. I would have preferred, however, that the Senate, in the first instance, had been advised with and consulted therein, and we would not have here a proposition of Executive origin only to be arbitrarily disposed of. The treaty-making power is vested by the Constitution in the Senate as well as with the Executive, and in that connection it requires a two-thirds vote of the Senate to ratify. In this proposal the two-thirds majority is avoided, and to give vitality to the treaty, which it is, and a revenue measure at the same time, a majority vote of the two Houses only is required.

It, however, is but the ordinary and natural result from the course of the election last fall. The result was a criticism and, to a certain extent, a rebuke to the party in many localities on certain specific rates of the Payne law. Many of the farmers joined in this attack. "The high cost of living," as a result, was the slogan employed by the great consuming public, and with that as a pretext the principle of protection has been overwhelmed and engulfed.

The proposal to my mind, however, is at variance with the policy and traditions of the party. It is not reciprocal. It invites competition in like productions, and the advantages are all in favor of Canada.

The chief sufferers, if it is enacted into law, will be the agricultural producers. It proposes, as far as this country is concerned, to open to our people the market of a country of not over 7,500,000 people, much of whose area is new and undeveloped, and in exchange throw open to them the market places of upward of 92,000,000 people, with their multiplicity of activities and infinity of resources and with inexhaustible consuming power. To my mind it is unequal, and the exchange is all in favor of the Canadian people.

Mr. President, I had supposed it was the fixed policy of the party to take no further step in the revision of the tariff on any of the schedules without first having a report thereon, with exact information as to the difference in the cost of production at home and abroad on the schedule or schedules proposed to be revised made by the Tariff Board or tariff commission. It, however, is proposed, as far as the negotiations and the action of the House are concerned, without any such evidence having been submitted or evidence gained or sought to be gained on any of the articles enumerated in the bill from such a source, to revise, alter, change, and modify the rates of duty specified on the articles in question, without, in the first instance, any pretense of evidence or information submitted from the board or from practically any other source. This attack is almost alone made upon the agricultural schedule, and the farmers are to be stripped absolutely of the protection afforded them under the Payne law, without any opportunity for hearing or a suggestion even made as to the exact facts connected therewith, except as given by the Finance Committee of the Senate during the present session.

To all intents and purposes, as far as the American farmer is concerned, it is a revision of the tariff as it affects his interests, and the products of the farm are to be put upon practically a free-trade basis, without any equivalent in reduction of the things he is compelled to buy. In other words, as far as the products of the farm are concerned, they are to be placed upon the free list and the farmer still compelled to buy in a protected market the articles he needs.

As far as H. R. 4413—known as the "farmers' free-list" bill—is concerned, I will only stop to observe it was never intended by its authors to become a law. Its object was political merely. It is illogical, follows no known rule or precedent, is subversive of every principle of tariff legislation, and if enacted into law would be destructive of every interest it aimed to serve. Its further consideration, in my judgment, will not be seriously urged in its present form.

I am free to confess I had somewhat sympathized with the new rule promulgated from high quarters in the party that the true rule in the revision of the tariff was to revise it schedule by schedule. Upon this theory, however, it was clearly understood no revision would be had on any article of any schedule without exact information from the Tariff Board or tariff commission. Whatever delusions I may have had in respect to this have been abruptly dissipated by the program now in-

voked. The agricultural schedule alone is now opened to attack. Every other interest is ready for the onslaught upon the claim of "the high cost of living."

The farmer is to be sacrificed and his prosperity checked and his opportunity for extension and enlargement curtailed by a combination of every other independent interest. In this respect he is practically helpless to protect himself, by combination or otherwise, to save himself from the general onslaught. If the present program is to be a test of the new doctrine, as far as I am concerned, I feel I am ready to disavow it.

Mr. President, the policy of protection to the western farmer for many years was indirect and largely theoretical. Its chief aim was to give encouragement to and to develop our new and struggling manufacturing industries. It had application to and direct relation largely to the eastern manufacturing interests. The western farmer was far from market and rates of transportation were high. It developed a nearer market; gave employment to labor in the manufacturing establishments; increased the number of consumers and the price of all farm products.

Under the impetus and encouragement of this policy the manufacturing establishments developed and extended westward, seeking locations nearer the source of supply. It increased the consumers, shortened the distances of transportation, lessened the freight charges the farmer originally was compelled to pay, and in the highest sense demonstrated the beneficent effects of the policy of protection and brought in a practical way the agricultural producer and the consumer of his products in close proximity.

In every sense it has had a most salutary effect, both upon the agriculturist, the manufacturer, and labor. It increased farm values, raised the price of farm products; developed a local consumption not only for the products of the farm, but in return gave a market to the manufacturer in the prosperity of the agriculturist.

During the last few years the farmer has largely come into his own, and this result has demonstrated the beneficence and helpfulness of the protective policy. The great body of agriculturists have felt justified and repaid for their loyalty to the party that inaugurated the policy, and, as a rule, have largely sustained it. The producer and the consumer of late have met practically on equal terms, with fair exchange between both.

Is it fair, is it just, is it patriotic, and is it wise when the farmer recognizes his equality and is satisfied with existing conditions that a revision should be inaugurated on the agricultural schedule alone and the farmer stripped of the protection the law now gives him and engulf and overwhelm the home market through free-trade competition in all his products when the reduction upon the things he buys is so meager it in no sense is a just or fair equivalent? Can it be expected the agriculturist is to sustain a party under such a policy which as a result must necessarily depreciate the value of his holdings, make unremunerative his employment, lessen the price of the things he has to sell, and place him in competition with a foreign people where production is had upon cheaper lands with greater productive capacity, with less investment of capital, with rates of wages in many cases less, and he be content to support a policy or a party that is willing to do violence to every sense of right in the farmer's relation to the other members of the citizenship of our country and leave the latter protected in all other interests and place the farmer alone in such unequal competition?

Mr. President, the western farmer for years has been the bulwark of Republican strength and has sustained the party, as a rule, in all crises with rare exceptions. He is intelligent, patriotic, high minded, and believes in fair play. It can hardly be hoped, however, that his highest rights are to be invaded, his possessions depreciated, his products cheapened, and he be expected to cooperate and sustain a policy that proposes to do such violence to him.

Under the Payne law he is abundantly protected in all his products against foreign competition. Under it and the Dingley law great prosperity has come to him. If he is to be stricken down and his interests sacrificed on the combined demand of the selfish consuming public, and unable to defend himself, it can hardly be expected he will be loyal to a party that is chargeable, without right or justice, in bringing such results upon him.

To my mind, if this policy is to be pursued it is but the beginning of the end of the protective system. If one interest is to be sacrificed and stricken down, a disposition certainly will be invited and encouraged to undermine all other interests, which in the end can not be other than disastrous to our whole economic policy. Each should be treated on an equality and each is deserving of a fair and just measure of protection. This rule should be followed in any case, whether it be protective or on a tariff for revenue basis. Every industry should be treated with exact justice under any and all economic systems.

An unrelenting press has been most insistent in an unjust and largely an unwarranted attack upon the tariff act of 1909, for the reason chiefly that print paper was not placed on the free list. I am free to confess many of the farmers sympathized with this warfare and felt many of the rates were unduly high. In many cases in the last election they voted their rebuke to the Republican Party, and the result is clearly discernible in the Democratic majority in the House of Representatives, and it is plainly visible in the membership of this body since March 4 last.

Mr. President, I am free to admit many of the rates in the Payne law were placed higher than, in my judgment, the facts warranted. Notwithstanding this fact, however, the farmer alike with every other industry in the country since the passage of the law has met with unusual prosperity. Farm prices have largely maintained their level until recently, agricultural lands have appreciated in value, labor has found ready employment at higher rates of wages than ever before, the commercial and industrial activities of the country were not impeded, but on the contrary the fullest measure of prosperity has prevailed. The law converted a deficiency in the revenues in its first year to a handsome surplus.

If this agreement is to be ratified and enacted into law, I have confidence the agricultural population of our country will have a higher and juster appreciation of the law and of the protection afforded them under the act of 1909 than they have heretofore manifested.

"The high cost of living" is the battle cry of all the interests favoring the ratification and enactment of the proposed measure. If the claim be true, it must necessarily follow the removal of the duties upon the products of the farm and opening the door to Canadian competition must lower the price with the hope that the ultimate consumer will be the beneficiary. If he is to profit, it necessarily must be at the expense of the farmer. The prices of agricultural products and of live stock will be reduced as a result.

The profits of the farm under present conditions are not unduly remunerative. Land values are high, equipment is purchased in a protected market, farm labor is scarce and almost prohibitive in many localities as to rate of wages, and as a result the farmer's profits are much less than on an equal investment along other lines of industry.

The serious and admitted difficulty in the way of the ultimate consumer is the cost of distribution. The fault lies in there being too many consumers and not a sufficient number of producers. Too many, and far too many, are engaged in domestic or retail distribution to the consumer who in the end is obliged to pay the added cost. Even if there were as a result of this agreement a lessened cost of the products of the farm, little or no benefit would accrue to the ultimate consumer for the reason the depreciation in price originally would be appropriated by the middlemen before the product reached its final destination.

The census of 1910 tells its own story. The population of the agricultural area in many sections of our country, even in the most productive regions, shows a less population than 10 years ago. The segregation and the increase have centered in the larger cities, where rates of wages are higher and where it is felt greater opportunities lie in individual effort. This should not be so. Within the last decade rural life, with its opportunities, has been made much more attractive and agreeable. The improvements in agricultural machinery have made farm work much easier and less a drudgery. Rural free delivery extends throughout every rural community where the density of population at all justifies it. The rural telephone is accessible to practically every farm home. It brings the farmer into immediate touch with his own community and his business and commercial center. The automobile in modern rural life, with its rapidity of communication, is not an exception. Improved highways have added to the accessibility of rural districts and with their commercial and industrial centers. In every way farm life has been modernized, improved, made more attractive, and it is where the highest ideals of citizenship are nurtured and upon which the stability and security of our institutions largely rest.

Mr. President, to my mind these things have largely been made possible by modern development under the stimulus and encouragement of the Republican policy of protection. In my judgment there might be a modification under the existing tariff law when the exact facts are obtainable, but to enact the proposed measure is a revulsion of existing conditions which will retard, if not crush out, the prosperity and development of farm life and in every way defeat the upbuilding and advancement of our rural communities.

The arable lands of the Nation are practically occupied. Much can be done in rejuvenating a large part of the farm lands of the East. Greater care and better farming should be followed in the newer communities. We, however, can increase our acreage and productiveness somewhat through irrigation, which has taken such splendid form under the Federal Government. Much can be done by intensive and also by dry farming in the semiarid regions. Congress has recognized this fact by recent legislation in enlarging the area of this class of lands under the homestead law.

Under such conditions and the legitimate and ordinary and natural increase in the value of farm products, is it not fair and just the farmer should profit thereby and this condition should have relation under the existing economic policy of the Government to the area of lands within our own boundaries and the citizenship which occupies it and produces therefrom?

The proposition now is to throw open the vast area of the Canadian northwest, which is as yet largely undeveloped and with possibilities almost beyond computation in the production of the cereals, and to open our market to strangers and foreigners which can have no other result than to depreciate and lessen the price of all products and live stock raised on the American farm.

The area of northwestern Canada, as well as the productiveness, is almost limitless. The Provinces of Saskatchewan, Manitoba, and Alberta embrace practically 370,000,000 acres, with a tillable area of 214,000,000. The area of these Provinces is nearly equal to the great States of Minnesota, North Dakota, South Dakota, Nebraska, Idaho, Iowa, Illinois, Michigan, and Wisconsin, the imperial granary of our own great Northwest. I insert a table heretofore used in this discussion showing the respective areas in the different Provinces and States above named:

Area of Provinces and States.

Provinces and States.	Number of acres.	Number of acres of tillable land.	Number of square miles.
Saskatchewan	160,416,000	86,826,240	250,650
Manitoba	47,188,480	27,000,000	73,732
Alberta	162,000,000	100,000,000	253,125
Total	369,604,480	213,826,240	577,507
Minnesota	53,353,600	.....	83,365
North Dakota	45,307,800	.....	70,795
South Dakota	49,696,000	.....	77,650
Nebraska	49,606,000	.....	77,510
Idaho	54,272,000	.....	84,800
Iowa	35,856,000	.....	56,025
Illinois	36,256,000	.....	56,650
Michigan	37,705,600	.....	58,915
Wisconsin	35,865,600	.....	56,040
Total	397,919,000	.....	621,750

The possibilities of the development of these Provinces are enormous and can not well be comprehended. The lands are much less in value than on this side of the border. A much less investment is required in production, and even if the rate of wages does not greatly differ the American farmer would have an unequal task in competition against such tremendous odds.

Mr. President, I will not review in detail all of the articles affected by the proposed agreement. I take occasion to mention a few. Under the Dingley law the production of flax, protected by a duty of 25 cents per bushel, was greatly stimulated. The farmers, especially in the Northwest, largely increased the acreage, and the production rapidly developed. In the year 1898, succeeding the passage of the Dingley law, the production of flax in the United States aggregated 12,500,000 bushels, with an average price of 95 cents per bushel and a total valuation of $11,237,000. Ten years later, or during the year 1908, the production of flax had increased to 28,500,000 bushels, with an average price of $1.18 and a total farm value of $30,577,000. The crop for 1910 was very short and the production was 14,116,000 bushels, with a farm value per bushel of $2.30 and a total farm value of $32,554,000. I submit the following table, which clearly demonstrates that the American farmer, and especially in the Northwest, secures the advantage of the tariff thereon over his Canadian rival.

The places are immediately adjacent along the international boundary line, and the prices given are in themselves sufficiently eloquent in their demonstration of the fact without the necessity of elaboration or further comment. It makes clear the American farmer is protected by the rate of duty levied under the different laws in force.

Flax.

[Prices paid Jan. 9, 10, and 11, 1911.]

United States.	Jan. 9.	Jan. 10.	Jan. 11.	Canada.	Jan. 9.	Jan. 10.	Jan. 11.
Pembina	$2.32	.....	.....	Emerson	$1.93	$1.93	$1.93
Neche	2.32	$2.26	$2.26	Gretna	2.06	2.06	2.06
Walhalla	2.35	2.25	2.32	Haskett	2.03	2.03	2.08
Hannah	2.42	2.42	2.42	Crystal City	2.10	2.10	2.07
Sarles	2.34	2.31	2.31	Cartwright	2.00	2.00	2.00
Hansboro	2.31	2.24	2.31	Boissevain	2.14	2.12	2.17
Portal	2.33	2.33	2.33	North Portal	1.89	1.89	1.89

Mr. President, as further showing the yield per acre as well as the farm price per bushel of the flax crop for the year 1910 in the States and Provinces named, I submit the following which I have compiled from the recent report of the Tariff Board. It shows the average yield per acre in Canada more than 2½ bushels over that in the States named, but the price per bushel in these States is 30 cents over that in Canada.

United States.	Yield per acre.	Farm price per bushel.	Canada.	Yield per acre.	Farm price per bushel.
	Bushels.			*Bushels.*	
North Dakota	3.60	$2.35	Manitoba	11.79	$2.09
Minnesota	7.50	2.30	Saskatchewan	7.87	2.08
South Dakota	5.00	2.29	Alberta	4.48	1.87
Average	5.38	2.31	Average	8.04	2.01

The total production of flax during the year 1910, as shown by the Department of Agriculture, as hereinbefore stated, was 14,116,000 bushels, with a farm value of $32,554,000. The following States, in the year 1910, produced nearly 90 per cent of the flax crop of the United States:

States.	Bushels.	Farm value.
North Dakota	5,778,000	$13,578,000
Minnesota	3,540,000	8,142,000
South Dakota	3,300,000	7,557,000
Total	12,618,000	29,277,000

The foregoing very clearly demonstrates the great interest the people of the above-named States have in the pending measure in its effect on this single crop.

The production of barley in the United States in 1898, the year succeeding the enactment of the Dingley law, was 60,000,000 bushels, with a farm value of $37,000,000. The production for the year 1910 was 162,227,000 bushels, with a farm value of $93,785,000. The following Northwestern States, as shown by the report of the Agricultural Department, produced upward of 50 per cent of the barley crop of the United States:

States.	Bushels.	Farm value.
Minnesota	26,985,000	$16,191,000
Wisconsin	22,429,000	14,355,000
South Dakota	18,655,000	10,633,000
Iowa	15,045,000	8,425,000
North Dakota	5,428,000	2,935,000
Total	88,542,000	52,589,000

That the farmers of the Northwestern States were effectively protected from Canadian competition in the importation of this crop, I submit the following comparative table of current prices on the dates named in the United States and in Canada at adjacent points near the boundary line. The duty on this product saved the market to the Northwestern farmer, and the advantage this gave him was his security and protection.

Barley.

[Prices paid Jan. 9, 10, and 11, 1911.]

United States.	Jan. 9.	Jan. 10.	Jan. 11	Canada.	Jan. 9.	Jan. 10.	Jan. 11.
	Cents.	*Cents.*	*Cents.*		*Cents.*	*Cents.*	*Cents.*
Pembina	.....	.....	67	Emerson	.....	.....	42
Neche	68	66	67	Gretna	37	38	38
Hannah	.....	.....	64	Crystal	38	38	38
Sarles	64	64	64	Cartwright	36	36	36
Hansboro	67	65	66	Boissevain	40	40	40
St. John	68	66	67	Lyleton	40	40	40
Portal	63	63	63	North Portal	35	35	35

Difference, 24 to 29 cents.

Mr. President, in further demonstration of the fact that the existing rate of duty on barley does protect the northwestern farmer on this grain I submit additional data which I have compiled as to yield per acre of this crop for the year 1910 from the report of the Tariff Board and the farm prices therefor in the following-named States and Provinces. This discloses the fact that the average price per bushel on this side of the line is practically 20 cents over that on the other side of the international boundary line, but the Canadian farmer has an advantage of an average yield per acre of 13 bushels:

United States.	Average yield per acre.	Farm price per bushel.	Canada.	Average yield per acre.	Farm price per bushel.
	Bushels.			*Bushels.*	
Minnesota	21.00	$0.60	Manitoba	20.21	$0.390
Wisconsin	25.90	.64	Saskatchewan	26.18	.358
South Dakota	18.20	.51	Alberta	20.32	.383
Iowa	29.50	.56			
North Dakota	5.50	.55			
Average	20.00	.572	Average	33.20	.377

The total production of spring wheat for the year 1910, as shown by the Department of Agriculture, was 231,399,000 bushels, with a farm value of $207,868,000. The following States produced practically 75 per cent of the spring-wheat crop during the preceding year, as shown by the following table:

States.	Bushels.	Farm value.
Minnesota	94,080,000	$88,435,000
South Dakota	46,720,000	41,581,000
North Dakota	36,105,000	32,494,000
Total	176,905,000	163,510,000

The people of the foregoing States naturally and necessarily have a tremendous interest in the provisions of the pending measure. Its enactment is fraught, they believe, with great consequence to their present and future welfare. The present law saves them from competition with their Canadian rivals and protects them in their home market.

If the present rate of duty is removed, as is proposed, their present market will be overwhelmed and the price reduced to the Canadian level. Under existing conditions and the rate of duty now in force the American farmer has the advantage and receives a higher price for his products, as shown by the following table, giving current prices for wheat on either side of the border:

Wheat.

PRICES PAID FOR WEEK ENDING DEC. 31, 1910.

United States.	Cents.	Canada.	Cents.
Pembina	89-91	Emerson	79-81
Neche	91	Gretna	81
Hannah	90	Snowflake	77
Walhalla	89-91	Haskett	78-79
Sarles	89½	Crystal City	76
Hansboro	90	Cartwright	77-79
St. John	90	Boissevain	80
Antler	91	Lyleton	78
Portal	86	North Portal	75
Kermit	88	Estevan	74
Souris	93	Waskada	77

PRICES PAID JAN. 10, 1911.

Pembina	97	Emerson	82
Neche	96	Gretna	81
Walhalla	97	Haskett	82

As further showing the difference in the price of wheat and the advantage to the American farmer in the rate of duty over that of the Canadian producer, I submit the following table, submitted by the Tariff Board in its report to the President on February 28, 1911, showing the Minneapolis and Winnipeg prices, and advance of the Minneapolis prices over Winnipeg prices during each month of the year of 1910. It shows a difference in the price per bushel in favor of Minneapolis over Winnipeg from 6½ cents to 15⅝ cents throughout the year. It occurs to me the American farmer should not be called upon to surrender this advantage he now has to satisfy the selfish demand and what seems to be an unreasonable hope of the public, and from which no reduction in the end will be realized by the ultimate consumer.

	Minneapolis prices.	Winnipeg prices.	Difference.
1910.			*Cents.*
January	$1.15½	$1.04	11½
February	1.14	1.02¼	11¾
March	1.14	1.04	10
April	1.11½	1.03½	8
May	1.11	.97½	13⅜
June	1.05	.89⅜	15⅝
July	1.25½	1.17⅜	7⅛
August	1.15⅝	1.05½	9⅛
September	1.11½	1.05	6½
October	1.07¾	.98⅞	8⅞
November	1.04⅜	.91½	12⅞
December			

The farmers of the Northwest, under the fostering care of the Dingley and Payne laws, were induced to engage especially in the production of flax and barley, and great interests looking to the manufacture of products from them have located near the sources of production; and instead of the prices being fixed by the eastern or the European markets, they have been dictated largely at Chicago, Milwaukee, and at Minneapolis. That they have been protected in their industry and in these productions is clearly demonstrated by the prices this side of the border as compared with those on the other side of the line, as is shown by the foregoing quotations.

The advantage under protection as it relates to each product is with the American farmer.

Substantially the same conditions exist as to the oat crop as to that of wheat, barley, and flax. It is not my purpose to detain the Senate by a discussion thereon or to encumber the RECORD by elaboration. The argument that applies to one largely has equal force to the other. The oat crop for the year 1910 aggregated 1,096,396,000 bushels. It represented a value of upward of $380,000,000. The North Central States produced 80 per cent of this great crop. The producers of the great bulk of this crop in the United States, as a rule, are in immediate and close competition geographically with their Canadian rivals.

Mr. President, I have called attention to the production of spring wheat, especially in the northwestern area embraced within the States of Minnesota, North and South Dakota, where substantially 75 per cent of this crop is produced annually. Notwithstanding the fact that these three States, with an area of upward of 230,000 square miles, produce such an abundant supply of this cereal, it is insignificant in comparison with the larger and more extensive area of northwestern Canada. The area embraced in Saskatchewan, Manitoba, and Alberta alone comprises 577,600 square miles. This vast acreage, mostly of highly productive land, is two and one-half times the area of the States last named.

The average yield per acre of wheat in the States named during the year 1910 was as follows: Minnesota, 16 bushels; South Dakota, 14 bushels; and North Dakota, 13 bushels; while Saskatchewan was 22 bushels per acre. With such a tremendous area open to the cultivation of wheat and only 10 or 12 per cent of the lands now under cultivation, what will be the result in a few years with the possibility of the future development of this extended area?

There has been an enormous and marvelous increase in recent years in the production of spring wheat in the region immediately north of the States which produce the great bulk of the spring-wheat crop, and, as heretofore stated, with the advantage all in favor of the Canadian producer, with the cheaper lands and greater production per acre, the volume of its production will be wonderfully accelerated and in the end will overwhelm the producers of this great crop in the United States.

I need not amplify, as far as the argument is concerned, in relation to the production of wheat and to competition with the American producer, nor need I add further to the suggestions heretofore made in regard to the competition as to flax, oats, and barley. The argument as it applies to the wheat crop is equally true as to barley, oats, and flax.

Mr. President, it seems to me, should this proposal be consummated, the menace of competition and depreciation in the price of the products in question to the American farmer, and especially to those of the Northwest, is definite and certain. The area susceptible of the profitable cultivation of the cereals and of flax is so extensive and vast in northwestern Canada, it occurs to me, no other result can be reached. Its extent is disclosed by the table I have already used. The area in crops in the year 1909 was less than 12,000,000 acres. Yet with this limited acreage they produced 147,482,000 bushels of wheat, at

an average yield per acre of nearly 22 bushels, while the average yield in the United States was about 15½ bushels.

The Canadian Yearbook for 1909 further states that the total production of crops in northwestern Canada for that year was 240,000,000 bushels. The area capable of producing grain, from the same authority, is stated to be 220,000,000 acres and that the unoccupied land in the future will at least produce 5,000,000,000 bushels annually, and this without taking into consideration the Mackenzie Basin, which is also capable of producing grain. With such an annual production and with such a limited area now under cultivation, it is but a simple proposition in mathematics to determine what the result will be in a very limited number of years, when even only a small part of this vast area is made productive through cultivation. I have seen it stated that in recent years more than one and a half millions of acres annually of their arable lands are broken, and that during the present year it is estimated that at least that acreage of new lands will be opened and ready for crop the next year. This, in my judgment, is a very low estimate. This development would be accelerated under normal conditions.

In my judgment, should the proposal now made be enacted, it would immeasurably hasten the development, increase its production, and to that extent add to and intensify the competition with the American farmer and depress his market.

Mr. President, it is most vigorously contended, and from high sources, that the Liverpool market fixes the price of wheat as well as of all our grains; that this being so, the proposed modification and the removal of the existing duties would not affect the price of wheat to the American farmer. The wheat production in the United States in the year 1909 was 664,802,000 bushels. Of that amount we consumed practically 90 per cent, and only 10 per cent was for export. The great bulk of the crop that is now produced is paid for in the American market, and the amount for export each year will undoubtedly be a diminishing quantity.

I submit the following table, taken from the report of the Tariff Board, submitted to Congress on March 1 of the present year, showing quarterly prices of wheat in Liverpool, in Winnipeg, and other markets in the United States for 1909–10:

	1909				1910			
	Jan.	Apr.	July.	Oct.	Jan.	Apr.	July.	Oct.
Minneapolis, No. 1 northern	$1.07⅞	$1.26⅜	$1.31⅜	$1.03⅞	$1.15½	$1.11½	$1.25½	$1.07⅜
Duluth, No. 1 northern	1.06½	1.25½	1.30⅜	1.03⅜	1.14½	1.11⅜	1.28⅛	1.07¼
Chicago, No. 1 northern	1.08¼	1.26⅜	1.30	1.05	1.16½	1.16	1.25	1.12
Winnipeg, No. 1 northern	.99¾	1.23¾	1.30	.99⅜	1.04	1.03½	1.17⅜	.98¼
Liverpool, No. 2 northern (Manitoba)	1.16	1.37	1.43	1.31	1.22	1.18	1.18	1.16

It will be observed the range of prices varies somewhat, but with uniformity the price at Minneapolis and Duluth during the two years covered by the table is higher than at Winnipeg, in some cases the difference ranging as high as 10½ and 11½ cents per bushel, and in no case lower than 1⅝ cents. If the price of wheat at Minneapolis and Duluth is fixed by the price at Liverpool, why, I ask, is there a difference between the price of this cereal at these points and Winnipeg, as above demonstrated, sometimes ranging over 10 cents per bushel, when at the same time the freight rate on wheat from Winnipeg is less to Liverpool than from Minneapolis? It occurs to me from the evidence thus adduced by the Tariff Board it is incumbent from some authentic source to make explanation. The facts, however, clearly establish the truth of the statement, and in my opinion any other position is untenable.

The senior Senator from North Dakota [Mr. MCCUMBER], in his very able report to the Senate on this bill, shows that in order to export wheat from Minneapolis to Liverpool the price at the latter place would have to be at least 16 to 17 cents per bushel higher than at Minneapolis in order to pay the freight rates, insurance, commissions, handling, and so forth, and allowing a reasonable profit on capital and risk of business. It is further shown that the average prices of No. 1 northern in Minneapolis and Liverpool for the years 1908, 1909, and 1910, as reported by the Bureau of Statistics, were as follows:

Years.	Minneapolis.	Liverpool.	Difference.
1908	$1.11	$1.25	$0.14
1909	1.20	1.29	.09
1910	1.14	1.14	None.

If therefore the Liverpool market had fixed the price at Minneapolis, and computing the difference at 17 cents per bushel, the price at Minneapolis would have been 3 cents lower in 1908, 8 cents lower in 1909, and 17 cents lower in 1910. The loss on the wheat crop of Minnesota and North and South Dakota for the three years would have been as follows:

Years.	Total crop.	Loss per bushel.	Total loss.
	Bushels.	*Cents.*	
1908	174,847,000	3	$5,245,410
1909	232,430,000	8	18,594,400
1910	177,905,000	17	30,243,850
Total loss of 3 States for 3 years			54,083,660

Under present conditions the farmers of the Northwest, even with the existing rates of duty against Canadian importations, have no undue advantage over their Canadian competitors. Their lands in the United States are of greater value. The productive capacity of the soil is less in wheat, barley, flax, and oats. The quality of each is inferior to that produced by the Canadian farmer. By reason of the greater production per acre of these crops in Canada the average cost of the production of a bushel of grain is very much lessened, and this all to the advantage of those across the international boundary line.

If this is not true, why has there each year been such a large emigration from many of the Northwestern States to Canada? Few of these people return, and they appear satisfied with conditions and the opportunities there afforded them. It has been asserted by high officials of the Canadian Government that already 500,000 Americans have transferred their allegiance to Canada, and with their energy and industry and means are now contributing to the development and upbuilding of Canada.

This already has been a serious loss in wealth and to the industrial strength and producing capacity of many sections of our country. Shall we, by legislation of the character proposed, increase and encourage that movement, and by force of changed conditions, which must surely follow, drive our own people from the fields they now occupy to the more promising and hopeful opportunities under a foreign flag? The sole remedy, it occurs to me, is to maintain the present tariff rates, and under improved industrial and economic conditions an equitable balance will be secured and maintained.

Mr. President, the interests to be materially and substantially affected by the provisions of the pending measure are extensive and immense, and it should receive the most careful and painstaking consideration before the agriculturists with all their interests should be so materially affected. The data as to agriculture as it will be shown by the census of 1910 are largely not obtainable, and we are obliged to look to the information given us by the census of 1900. That year the value of farm lands, including buildings, farm implements, and machinery, and live stock, aggregated $20,439,000,000.

This aggregate must have tremendously increased during the past decade. It is estimated by Mr. North, the former Director of the Census, as given in the American Yearbook for 1910, that the value of all farm property, as will be shown by the agriculture census for 1910, will be approximately $50,000,000,000. This estimate seems excessive, but it is sufficiently accurate for my purpose.

The number of persons engaged in agricultural pursuits, according to the census of 1900, aggregated upward of 10,381,000. The number so engaged during the last decade has added very materially to the above great total. The value of the annual output, as shown by the report of the Secretary of Agriculture for the year 1909, for farm animals and crop products, aggregated practically $9,000,000,000. With such a large per cent of our population engaged in agricultural pursuits and with such a tremendous investment of capital and with such an aggregate in annual production, it certainly should be sufficient to arrest the attention and demand the earnest consideration of Congress in treating a subject of such vast consequence and affecting such a large percentage of our population, as well as the value of their investments and the price applying to such an enormous production. The capital invested in manufacture, as shown by the returns in 1905, was $12,686,000,000, and the number of persons engaged therein was 5,470,000. The gross value of the manufactured products for that year was $14,802,000,000. If, however, the cost of materials used, and of fuel, freight, and so forth, were deducted, it would leave a net value of the product of $9,821,000,000.

In the measure before us it occurs to me it has relations to and affects most materially the farmer and the value of his

products, which, in comparison, as far as the amount of the investment is considered and the number of individuals engaged therein, are far in excess of the capital invested in manufacture and the wage earners employed, while the net value of the annual product of the two industries is substantially the same. The measure retains protection to the latter and guards the manufacturer practically in all his rights, while at the same time it proposes to break down the protective policy to the larger interests of agriculture, placing it upon a free-trade basis and in open competition with strangers and foreigners, while the shield of protection is reserved to the manufacturer with only a limited lowering of certain of the rates. To my mind it is so inequitable and unjust that for my part I can not accede to it.

As a result it will discourage the agricultural producer, depreciate his holdings, lessen his possibilities for success, drive him to the necessity of disposing of his lands, crowd more and more the centers of population, increase the consuming public, and the American farmer will be forced to seek the cheaper lands in the Canadian Dominion, where his chances for success are greater and his opportunities enlarged, and instead of encouraging and protecting our home citizenship it will lead to discouragement and, I fear, to disaster.

To my mind the most serious and substantial objection to the pending measure, as far as it relates to agricultural production, is that it proposes to open our markets to the same class of production that will enter into immediate, direct, and ruinous competition with the identical products of our own people. It is not reciprocal, it is competitive, and will be ruinous to our own producers. The proposal is at variance with the declared principle of reciprocity whenever asserted as a party policy or announced or defined by the older or more recent leaders of the party.

Mr. President, in these observations I have confined myself somewhat to local or sectional conditions in the Northwest. They are apparent, immediate, and striking to the people of that locality. The situation, however, is just as apparent and as imminent in other respects immediately adjacent along the entire international boundary line as affecting the same and other like productions. I trust, however, I am not so narrow or that I am biased by such a selfish or sectional interest that I would not want to do full justice to the people of the whole country irrespective of local or sectional conditions. In the vote I shall cast upon this measure I mean it shall be in the interest of the whole people and for the highest well-being of the present and future of a common country.

Mr. President, in addition to the direct effect on the market price of all the products of the farm, in my judgment history will again repeat itself and it will result in seriously depressing the value of farm lands in the United States should this measure receive the approval of Congress. Before the settlement and development of the great Northwest assumed such stupendous proportions some years since the value of farm lands in the Eastern States, and even in the Ohio Valley, were not unduly high, and agricultural pursuits were profitably carried on.

Great depression, however, soon followed. The eastern farmer could not successfully compete with his western rival. The western lands were rich, wonderfully productive, and easy of tillage. Freight rates were reduced, and the western farmer could deliver his products in the eastern market at less cost and at greater profit than the eastern producer. The latter was obliged to meet adverse conditions. The soil had long been tilled and was exhausted in many cases. It required fertilizing and greater care and labor in production. The investment was higher and the cost of production much in excess of his western competitor.

Government statistics disclose the fact that in the States of New England and New York alone over 7,000,000 acres of agricultural lands were abandoned between the years 1880 and 1900. They also disclose the further fact that these States, including the States of Ohio and Pennsylvania, lost in the value of their farm lands and buildings between the years 1880 and 1900 the enormous aggregate of $427,000,000. Substantially like conditions manifested themselves during the same period in other Eastern and older States.

But, Mr. President, during the last decade a wonderful change has come. The Eastern States have more than regained what they had lost during the opening and development of the newer West. As shown by the returns of the last census, the New England States, with New York, Pennsylvania, and Ohio, gained in the value of farm lands and buildings from 1900 to 1910 the vast sum of $1,232,000,000. The country as a whole during the last 10 years makes a marvelous showing as to the increase in the value of farm lands and buildings. The increase has been upward of 100 per cent. The total value of farm lands, including buildings, as shown by the census of 1900, was $16,675,000,000, while the returns so far made for the census of 1910 would indicate the aggregate would reach the stupendous sum of $34,000,000,000. Although the eastern farmer during the time mentioned felt keenly the depreciation of his holdings and the great loss that came to him, he could at least console himself with the thought that the burdens he bore were incident to the development of the area within our own territorial limits, and the benefits that accrued were added to the wealth of our own citizenship under favored conditions.

With tariff restrictions removed, the area to be opened in the Canadian northwest is greater, and its productive capacity in the cereals far exceeds that of the lands opened in our own western domain a generation since, that so greatly lowered the value of the farms of the East and of the Middle West, made the industry unprofitable, and resulted in the abandonment of millions of acres of farm lands.

Should this measure be enacted, in my judgment no other result can follow and history will repeat itself. The loss, however, will not fall this time alone upon the agriculturist of the East and of the Middle West as heretofore, but its blighting and depressing effect will more concern the farmer adjacent to the international boundary line, and especially those of the Northwest. Are the agriculturists called upon to again meet such a condition, suffer such great loss, and struggle through such an experience, not as a result of conditions within our own borders or for our own citizenship, but for another Government and for aliens under a foreign flag?

Mr. President, the States which are more directly in competition with the Canadian northwest, in the productions to which I have referred, are Wisconsin, Minnesota, North Dakota, and South Dakota. The average value per acre of improved land in these States, as shown by the census of 1910, is almost double that of the average value of the lands in Manitoba, Saskatchewan, and Alberta. I submit the following table of the value per acre of improved land in the Canadian Provinces, as given in the report of the Tariff Board. The value in the States named is from the last census:

Average value per acre of improved land in 1910.

United States.	Price per acre.	Canada.	Price per acre.
Wisconsin	$57.00	Manitoba	$29.00
Minnesota	46.00	Saskatchewan	22.00
North Dakota	28.95	Alberta	20.00
South Dakota	38.67		

There has been marvelous development and prosperity in my own State during the last decade. Each year during the past fourteen there has been contributed in the production of new wealth the largest percentage per capita of any State in the Union.

As shown by the census of 1900, the total value of farm land and buildings in the State of South Dakota was $220,133,000. Last year the census returns disclosed the value to be $1,003,451,000, an increase of 356 per cent. The average value per acre of farm land and buildings in 1900 was $11.54; in 1910 it had grown to $38.67, an increase of 235 per cent.

Independent of the effect the proposed measure will have on the prices of all products of the farm or of farm values, the people of my State have also a great interest in the proposed elimination of duties on the importation of live stock, in which they feel they will be injuriously and seriously affected in case of the ratification of the measure in question. I quote from the Crop Reporter, published by the Department of Agriculture, for February, 1910, giving the estimated number, average price, and total value of farm animals in South Dakota on January 1, 1910:

	Number.	Value.
Horses	612,000	$64,260,000
Mules	10,000	1,210,000
Milch cows	656,000	21,648,000
Other cattle	1,341,000	28,832,000
Sheep	829,000	3,316,000
Swine	805,000	8,963,000
Total	4,253,000	128,229,000

It will be observed from the foregoing table that the farmers of South Dakota have a large and increasing interest in this measure, which, they feel, will injuriously affect the value of all farm animals.

I will not take the time of the Senate to discuss at length the separate classes and items independent of what I have heretofore presented. In my judgment, the bill is a grievous and unwarranted assault upon every interest of agriculture, and opens the vast field of the Canadian northwest to direct and immediate competition with all productions of the farm, including live stock. It is in no sense reciprocal, nor does it propose an exchange in noncompeting products, but on the contrary it puts the farmers of the United States in open competition with the Canadian producer with substantially the same character of productions.

As I have heretofore stated, it is giving an advantage to the manufacturing interests of the United States, and the agriculturists are to be sacrificed in order to secure that advantage. It will be a benefit especially to the manufacturers of agricultural implements, to the great packing interests, to the great railway companies, especially along our northern borders; but in order to serve these interests and that large profits should come to them, is it either just or equitable that all of the agricultural interests should be imperiled, their profits reduced, and the value of their holdings lessened? The foundation of all prosperity lies in agriculture, and if its interests are to be jeopardized and the profits of the farm and the farmer are to be sacrificed, their loss and their discouragement will enter every avenue of industry, of commerce, of manufacture, as well as of transportation, and general depression, which will affect every commercial and industrial interest, must be the ultimate result.

Mr. President, the wheat produced by the farmer is placed upon the free list, but the great milling interest is protected by a duty on flour, bran, mill feed, and middlings, and in which the agriculturist has no advantage.

The producers of barley are shorn of their protection, but the malsters and the brewers are to suffer no loss, while barley malt retains a duty of 45 cents per 100 pounds.

While the farmer on this side of the line may raise flax, which has been protected by a duty of 25 cents per bushel, this measure removes that duty, but retains a duty of 15 cents per gallon on linseed oil produced therefrom for the benefit of the great oil mills of the country.

It is proposed that the American farmer shall meet free competition in the raising of his horses, cattle, sheep, and hogs, while the packers are still protected in a duty on dressed meats.

The farmer is to meet free competition in all his products, but in the things he has to buy they are to be purchased in a protected market. The farmer is to be sacrificed, and he is to bear the burden for the advantages that are to come to the millers, the maltsters, the packers, the publishers, the manufacturers, and the railway lines adjacent to the international boundary; and all this, Mr. President, to be accomplished under what seems to me the assumed and false assertion of the reduction of "the high cost of living," which in the end will not be realized by the ultimate consumer.

Mr. President, for my part I shall assume no such responsibility. I believe in giving equal opportunities to all classes of our population, and each should bear equally the burdens which necessarily flow from any economic system in our governmental life. The measure proposed is inequitable, unfair, unjust, is in the clearest sense class legislation, which should not be tolerated. It follows no known or recognized rule in our legislative history as far as tariff legislation is concerned, and, in my judgment, will not promote the end sought, but, on the contrary, will bring depression, discouragement, and great loss to a large class of our population, which, instead of being sacrificed by the enactment of this proposal, should receive the sympathy, the encouragement, and by legislation maintain them in their well-earned and strong position which, under adverse conditions, their energy, their industry, and their patriotism have wrought out.

Mr. President, as it has relation to what I have heretofore stated in connection with the prosperity and development of South Dakota under existing conditions, I ask to submit without reading as a part of my remarks the following extract from a report of the Director of the Census, a summary covering the agricultural productions of South Dakota, compiled from the Thirteenth Decennial Census:

WASHINGTON, *June 19.*

Statistics relative to the leading crops for the State of South Dakota collected at the Thirteenth Decennial Census, are contained in an official statement issued to-day by Acting Census Director Falkner. It is based on tabular summaries prepared under the direction of Dr. Le Grand Powers, chief statistician for agriculture in the Bureau of the Census. The figures are preliminary and subject to slight revision later, when a few other farms, whose returns, now incomplete, will be included in the final tables. It is not expected that these additions will materially modify the amounts or rates given in the present statement.

The leading crops in 1909, ranked in the order of valuation, were: Wheat, $42,881,000; corn, $26,385,000; oats, $16,038,000; hay and forage, $15,240,000; barley, $10,870,000; flaxseed, $6,993,000; emmer and spelt, $2,626,000; potatoes, $1,967,000.

DECREASE IN WHEAT.

From 3,984,659 acres in 1899 the wheat acreage fell off in 1909 to 3,104,622 acres, a decrease of 22.1 per cent. The preceding census showed an increase; the acreage being, in 1889, 2,259,846 acres. Although wheat decreased in acreage during the past decade, the aggregate yield increased for the same period from 41,889,380 bushels in 1899 to 45,289,818 bushels in 1909. The yield of wheat per acre was reported as 15 bushels; the value per acre, $13.80.

CORN MAKES BIG INCREASE.

From 1899 to 1900 the acreage of corn increased from 1,196,381 acres to 1,975,558, or 65.1 per cent. Notwithstanding the enormous gain by oats during the last decade, corn has retained its position among the cereals, ranking second in acreage and first in production. The acreage in 1889 was 753,309. The total yield for 1909 was 53,612,093 bushels, a lead over its nearest competitor in production—wheat—of more than 8,000,000 bushels. The average yield per acre was 27 bushels; the average value per acre, $13.35.

IMMENSE INCREASE IN OATS.

From 1899 to 1909 the acreage in oats increased from 691,167 acres to 1,480,075, or 114.1 per cent. During the past 10 years oats have more than doubled their acreage and are now pressing close upon corn for second place among the cereals. The acreage in 1889 was 580,289 acres. The aggregate yield in 1909 was 41,255,569 bushels; the average yield per acre, 28 bushels; the average value per acre, $10.80.

GREAT GAIN IN HAY AND FORAGE.

The acreage devoted to hay and forage in 1909 was 3,429,527 acres. It has been constantly increasing. With 1,554,913 acres in 1889, it rose to 2,287.875 in 1899, and again to 3,429,527 in 1909. The increase since 1899 has been 49.9 per cent. The acreage in 1889 was 1,554,913 acres. The total yield in 1909 was 3,649,577 tons; the average yield per acre 1.06 tons; and the average value per acre, $4.40.

BARLEY TRIPLES ITS ACREAGE.

From 1899 to 1909 the acreage in barley increased from 299,510 acres to 1,057,533, or 253.1 per cent. Since 1889, when 97,370 acres were harvested, this crop has multiplied more than tenfold. The increase in the decade, from 1889 to 1899, was notable, but that for the past 10 years has been even more remarkable. The total yield in 1909 was 20,325,498 bushels; the average yield per acre, 19 bushels; the average value per acre, $10.25.

FLAXSEED SHOWS INCREASE.

The area devoted to flaxseed in 1909 was 507,286 acres, as compared to 302,010 acres in 1899, an increase of 68 per cent. The acreage in 1889 was 354,951. The total yield in 1909 was 4,649,237 bushels, a gain of over 2,000,000 bushels. The average yield per acre was 9 bushels, and the average value per acre, $13.80.

POTATOES INCREASE.

From 1899 to 1909 potatoes increased in acreage from 33,567 acres to 50,203, or 49.6 per cent. The total yield in 1909 was 3,439,686 bushels; the average yield per acre, 68 bushels; the average value per acre, $39.20.

CROP COMPARISONS.

The cereals had an aggregate acreage of 7,892,482 acres in 1909, as against 6,211,202 acres in 1899, an increase of 1,681,280 acres, or 27 per cent, as compared to an increase for the preceding decade of 67.8 per cent. The average value of cereals per acre in 1909 was $12.50, over twice that of hay and forage. Wheat shows the highest average value per acre of the cereals; buckwheat the lowest. Of the hay and forage crops, alfalfa is well above the rest in average value per acre. There are but a small number of miscellaneous crops, though the average values per acre of several of them are well above those of the more usual crops.

Mr. GRONNA. I desire to give notice that on Thursday next, after the Senator from California [Mr. WORKS] shall have concluded his address, I intend to make some observations on the Canadian agreement.

EXECUTIVE SESSION.

Mr. CULLOM. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 3 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Saturday, July 1, 1911, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate June 30, 1911.

ASSISTANT SOLICITOR OF DEPARTMENT OF COMMERCE AND LABOR.

Edward T. Quigley, of New York, to be Assistant Solicitor of the Department of Commerce and Labor. An original vacancy created by the act approved March 4, 1911, entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1912, and for other purposes."

PROMOTIONS IN THE ARMY.

COAST ARTILLERY CORPS.

Cadet William Benjamin Hardigg, graduate of the United States Military Academy, for appointment as second lieutenant in the Coast Artillery Corps, with rank from June 13, 1911. His appointment as second lieutenant of Cavalry, submitted June 27, 1911, withdrawn.

CAVALRY.

Cadet Thomas Jonathan Jackson Christian, graduate of the United States Military Academy, for appointment as second lieutenant of Cavalry, with rank from June 13, 1911. His appointment as second lieutenant of Coast Artillery, submitted June 27, 1911, withdrawn.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 30, 1911.

MINISTER.

Nicolay A. Grevstad to be minister to Paraguay and Uruguay.

COMMISSIONER OF EDUCATION.

Philander P. Claxton to be Commissioner of Education.

DEPUTY WARDEN OF FISHERIES.

G. Dallas Hanna to be deputy warden, Alaska service, Division of Alaska Fisheries.

PROMOTIONS IN THE NAVY.

Commander Marbury Johnston to be a captain.

Lieut. (Junior Grade) James S. Woods to be a lieutenant in the Navy from the 4th day of March, 1911, to fill a vacancy.

Asst. Paymaster Frank T. Foxwell to be a passed assistant paymaster in the Navy from the 26th day of February, 1911, to fill a vacancy.

POSTMASTERS.

CONNECTICUT.

Alfred W. Converse, Windsor Locks.

KANSAS.

T. J. Robinson, Severy.

MASSACHUSETTS.

Hans N. Smith, South Windham.

MISSOURI.

Charles H. Grissom, Dexter.

SENATE.

SATURDAY, *July 1, 1911.*

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The SECRETARY. The Senate will receive a message from the President of the United States.

A message in writing from the President of the United States was delivered to the Senate, by Mr. Latta, one of his secretaries.

Mr. SMOOT. I move that the Senate do now adjourn.

Mr. NEWLANDS. Will the Senator from Utah yield to me, that I may give a notice?

Mr. SMOOT. I will yield for a notice.

Mr. NEWLANDS. Mr. Secretary, I give notice that on the 5th of July, during the morning hour, I will address the Senate upon a bill which I propose to introduce upon that day organizing a commission of interstate trade for the regulation of industrial corporations.

Mr. SMOOT. Did the Senator say the 5th or the 6th?

Mr. NEWLANDS. The 5th. We are not to adjourn until the 6th?

Mr. SMOOT. No; we are to adjourn until the 5th; but already there has been a notice given that on July 5 the Senator from Iowa [Mr. CUMMINS] will address the Senate. I suppose the Senator from Nevada means to follow the Senator from Iowa.

Mr. NEWLANDS. Yes.

Mr. SMOOT. That will be all right. I move that the Senate adjourn.

Mr. THORNTON. I request that the motion be temporarily withdrawn until I can give a notice.

Mr. SMOOT. I will withhold the motion until the Senator from Louisiana gives a notice.

Mr. THORNTON. I give notice that at the close of the morning business on Friday, the 7th, I shall desire to address the Senate upon the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes.

Mr. SMOOT. I move that the Senate adjourn.

The motion was agreed to, and (at 12 o'clock and 3 minutes p. m.) the Senate adjourned, the adjournment being under the previous order of the Senate, until Wednesday, July 5, 1911, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

SATURDAY, *July 1, 1911.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, whose changeless goodness pours itself out upon us in a thousand blessings day by day, receive our sincere thanks, pardon our sins, quicken our conscience, and strengthen us in every good resolution, that we may do the work Thou hast given us to do cheerfully, patiently, faithfully, and efficiently. In the spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of Thursday was read and approved.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. Latta, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bill of the following title:

On June 30, 1911:

H. R. 8649. An act to authorize the extension and widening of Colorado Avenue NW. from Longfellow Street to Sixteenth Street, and of Kennedy Street NW. through lot No. 800, square No. 2718.

ADJOURNMENT OVER.

Mr. UNDERWOOD. Mr. Speaker, I move that when the House adjourns to-day it adjourn to meet on Wednesday next.

The SPEAKER. The gentleman from Alabama moves that when the House adjourns to-day it adjourn to meet on Wednesday next.

The question was taken, and the motion was agreed to.

ADMINISTRATION OF PUBLIC-LAND LAWS.

Mr. RAKER. Mr. Speaker, I have presented a resolution relating to the administration of public-land laws, and upon that resolution I ask unanimous consent that I may print in the RECORD the reasons for that resolution, so they may go with it in the RECORD.

The SPEAKER. The gentleman from California asks unanimous consent to print a statement in the RECORD.

Mr. DALZELL. Mr. Speaker, reserving the right to object, what is it about? I would like to have some information as to what the gentleman desires.

Mr. RAKER. Mr. Speaker, the resolution is intended to have the Public Lands Committee investigate the administration of the public-land laws relating to mining claims, homesteads, and the rights over public lands, so that the people may know the present condition of those laws. Under that resolution I have prepared a statement consisting of but little over three pages, showing the reason and necessity for such an investigation, and which simply is intended to bring out the subject of the administration of those laws.

Mr. DALZELL. Mr. Speaker, there was a very distinct understanding, not at the last meeting of the House, but at the meeting before the last, that no business of any kind should be transacted, but that we should simply meet to adjourn until after the Fourth of July. Therefore, I object.

PRINTING OF SPEECHES IN RECORD.

Mr. CLARK of Florida. Mr. Speaker, I want to get the attention of the gentleman from Pennsylvania [Mr. DALZELL]. I desire to make a request for unanimous consent. Of course, if the gentleman thinks it comes within the agreement, I will not insist upon it. I introduced a few days ago a joint resolution touching the printing of speeches and matter connected with them in the RECORD. The resolution was referred to the Committee on Rules, but it occurs to me that under the rules it ought to have gone to the Joint Committee on Printing. So I simply wanted to ask unanimous consent that the reference might be changed. But, as I say, if it comes within the purview of the agreement, of course I shall withdraw the request.

Mr. DALZELL. Mr. Speaker, it seems to me the resolution is properly referred to the Committee on Rules.

Mr. CLARK of Florida. Of course, if there is going to be any contest about it, I shall not insist on it, because I do not want to take up the time of the House now.

Mr. DALZELL. I think the matter might very well go over.

The SPEAKER. The gentleman from Pennsylvania objects.

PERMANENT MANEUVERING GROUNDS, ETC.

The SPEAKER laid before the House the following message from the President of the United States, which was read, and,

with the accompanying papers, referred to the Committee on Military Affairs and ordered printed (S. Doc. No. 59):

To the Senate and House of Representatives:

I transmit herewith the report of the commission appointed to investigate and report on the advisability of the establishment of permanent maneuvering grounds, camp of inspection, rifle and artillery ranges for troops of the United States at or near the Chickamauga and Chattanooga Military Park, and as to certain lands in the State of Tennessee proposed to be donated to the United States for said purposes, in compliance with the joint resolution of Congress approved February 24, 1911.

WM. H. TAFT.

THE WHITE HOUSE, *June 30, 1911.*

CIVIL GOVERNMENT FOR PORTO RICO.

The SPEAKER laid before the House the following communication from the President of the United States, which, with the accompanying document, was referred to the Committee on Insular Affairs (S. Doc. No. 60):

THE WHITE HOUSE,
Washington, June 26, 1911.

SIR: As required by section 19 of the act of Congress approved April 12, 1900, entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," I have the honor to transmit herewith a copy of the Journal of the Executive Council of Porto Rico for the session beginning January 9 and ending March 9, 1911.

Very respectfully,

WM. H. TAFT.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

LEAVE OF ABSENCE.

Mr. CLARK of Florida, by unanimous consent, was granted leave of absence for two weeks, on account of important business.

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 10 minutes p. m.) the House adjourned until Wednesday, July 5, 1911, at 12 o'clock m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Boothbay Harbor, Me. (H. Doc. No. 82); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Yellowstone River, Mont., from its mouth to Billings (H. Doc. No. 83); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

3. A letter from the Secretary of the Interior, submitting copy of telegram from the secretary of the Territory of Arizona in regard to school bonds of Maricopa County, Ariz., requesting official notification that Arizona has not been admitted as a State (H. Doc. No. 84); to the Committee on the Territories and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting copy of a letter from the Secretary of War submitting deficiency estimate of an appropriation to complete Army supply depot, Fort Mason, Cal. (H. Doc. No. 86); to the Committee on Appropriations and ordered to be printed.

5. A report from the commission to investigate the title of the United States to lands in the District of Columbia and recommending that the act of March 3, 1899, be repealed (H. Doc. No. 85); to the Committee on Public Buildings and Grounds and ordered to be printed.

6. A message from the President, transmitting the report of the commission appointed to investigate and report on the advisability of the establishment of permanent maneuvering grounds, camp of inspection, rifle and artillery ranges at or near Chickamauga and Chattanooga Military Park, and to lands in the State of Tennessee proposed to be donated to the United States for said purposes (S. Doc. No. 59); to the Committee on Military Affairs and ordered to be printed.

7. A message from the President, transmitting a copy of the Journal of the Executive Council of Porto Rico for the session beginning January 9 and ending March 9, 1911 (S. Doc. No. 60); to the Committee on Insular Affairs and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 12162) granting an increase of pension to Rufus Conger; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 9616) for the relief of Orville T. Perkins; Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 10606) granting an increase of pension to Joseph D. Donellen; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 9360) granting an increase of pension to Cephas William Parr; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 12199) granting a pension to Ruel Sherman; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 11224) granting an increase of pension to Christopher M. Shaw; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 11537) granting a pension to Cathrine Kelly; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 11076) granting a pension to Isaac R. Turckheim; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7422) for the relief of Orville T. Perkins; Committee on Claims discharged, and referred to the Committee on War Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. RAKER: A bill (H. R. 12211) to amend the act of February 18, 1909 (35 Stat. L., 626), entitled "An act to create the Calaveras Big Tree National Forest, and for other purposes"; to the Committee on the Public Lands.

Also, a bill (H. R. 12212) to amend an act entitled "An act to regulate the immigration of aliens into the United States," approved February 20, 1907; to the Committee on Immigration and Naturalization.

By Mr. CLARK of Florida: A bill (H. R. 12213) authorizing the President to appoint an additional district judge for the State of Florida; to the Committee on the Judiciary.

Also, a bill (H. R. 12214) providing for the preservation of the old fort at Matanzas Inlet, Fla., and making appropriation therefor; to the Committee on Military Affairs.

Also, a bill (H. R. 12215) to establish a fish-hatching and fish-cultural station on the St. Johns River in the State of Florida; to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 12216) providing for the repair and preservation of the sea wall at St. Augustine, Fla., and making appropriation therefor; to the Committee on Appropriations.

By Mr. LAFFERTY: A bill (H. R. 12217) to establish an assay office at Portland, Oreg.; to the Committee on Coinage, Weights, and Measures.

Also, a bill (H. R. 12218) providing for the appropriation of $100,000 for the completion of the surveys of public lands in the State of Oregon; to the Committee on Appropriations.

By Mr. CLARK of Florida: A bill (H. R. 12219) to give the Court of Claims jurisdiction to hear and adjudge the claims for accrued and unpaid interest on those judgments heretofore rendered by the courts of the United States for claims arising under and provided for under the treaty of 1819 between the United States and Spain, and for other purposes; to the Committee on the Judiciary.

By Mr. RODDENBERY: A bill (H. R. 12220) to prohibit gambling in cotton and interference with commerce among the States and Territories and with foreign countries, and for other purposes; to the Committee on Agriculture.

By Mr. CLARK of Florida: A bill (H. R. 12221) granting a pension to widows of deceased soldiers; to the Committee on Invalid Pensions.

By Mr. ESTOPINAL: A bill (H. R. 12222) for the approval of certain swamp-land selections in the State of Louisiana under the swamp-land grants of March 2, 1849, and September 28, 1850; to the Committee on the Public Lands.

By Mr. WICKERSHAM: A bill (H. R. 12223) to establish a national coal reserve in Alaska, and for other purposes; to the Committee on the Public Lands.

By Mr. RAKER: Resolution (H. Res. 228) for an investigation by the Committee on the Public Lands of the administration of the public-land laws; to the Committee on Rules.

By Mr. CLARK of Florida: Resolution (H. Res. 229) seeking information from the Secretary of the Interior; to the Committee on Expenditures in the Interior Department.

Also, resolution (H. Res. 230) seeking certain information from the Secretary of the Interior; to the Committee on Expenditures in the Interior Department.

By Mr. FAISON: Resolution (H. Res. 231) to investigate delayed schedules and improper refrigeration of fruit and vegetable trains; to the Committee on Interstate and Foreign Commerce.

By Mr. LAFFERTY: Resolution (H. Res. 232) directing the Secretary of War to prepare and furnish an estimate of the cost of opening the Columbia River to navigation from the international boundary line between the United States and the Dominion of Canada to the Pacific Ocean; to the Committee on Rivers and Harbors.

By Mr. SISSON: Resolution (H. Res. 233) to investigate the owners of the property proposed to be purchased to enlarge the Capitol Grounds; to the Committee on Rules.

By Mr. CLARK of Missouri (by request): Memorial from the Legislature of Wisconsin, memorializing the Congress of the United States to take such action as may be necessary to compel all interstate railroads to engage directly in the business of carrying and delivering express; to the Committee on Interstate and Foreign Commerce.

Also (by request), memorial from the Legislature of Wisconsin, memorializing Congress to enact a law imposing a suitable license or other fee upon crafts navigating the Great Lakes and contiguous waters; to the Committee on the Merchant Marine and Fisheries.

By Mr. COOPER: Memorial from the Legislature of Wisconsin, relating to the ownership and operation of railroads, dock, and steamship lines necessary for the opening up of the Alaskan Territory and the coastwise trade; to the Committee on the Territories.

Also, memorial from the Legislature of Wisconsin, memorializing the Congress of the United States to take such action as may be necessary to compel all interstate railroads to engage directly in the business of carrying and delivering express; to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH: Memorial from the Legislature of Wisconsin, memorializing the Congress of the United States to take such action as may be necessary to compel all interstate railroads to engage directly in the business of carrying and delivering express; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANSBERRY: A bill (H. R. 12224) granting an increase of pension to Henry E. Barto; to the Committee on Invalid Pensions.

By Mr. BOOHER: A bill (H. R. 12225) granting an increase of pension to Nathaniel E. Murphy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12226) for the relief of John T. Stewart, administrator of William Brant, deceased; to the Committee on War Claims.

By Mr. BORLAND: A bill (H. R. 12227) granting a pension to Julia C. McCue; to the Committee on Invalid Pensions.

By Mr. BRADLEY: A bill (H. R. 12228) granting an increase of pension to Eliza A. Miller; to the Committee on Invalid Pensions.

By Mr. BYRNS of Tennessee: A bill (H. R. 12229) for the relief of the estate of Charles R. Greene; to the Committee on War Claims.

By Mr. CAMPBELL: A bill (H. R. 12230) granting an increase of pension to William L. Kessler; to the Committee on Invalid Pensions.

By Mr. CANTRILL: A bill (H. R. 12231) granting a pension to George Froh; to the Committee on Invalid Pensions.

By Mr. CLARK of Florida: A bill (H. R. 12232) for the relief of John B. Dell; to the Committee on Claims.

Also, a bill (H. R. 12233) for the relief of E. A. Bryant; to the Committee on Claims.

Also, a bill (H. R. 12234) for the relief of James M. Alden; to the Committee on Naval Affairs.

Also, a bill (H. R. 12235) for the relief of George H. Wright; to the Committee on Claims.

Also, a bill (H. R. 12236) granting an increase of pension to William W. Barber; to the Committee on Pensions.

Also, a bill (H. R. 12237) granting an increase of pension to Cornelius Johns; to the Committee on Pensions.

Also, a bill (H. R. 12238) granting an increase of pension to Louis Lamb; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12239) granting an increase of pension to Theodore R. Kuntz; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12240) granting an increase of pension to Wright W. Patrick; to the Committee on Pensions.

Also, a bill (H. R. 12241) granting a pension to Adolphus N. Pacetty; to the Committee on Pensions.

Also, a bill (H. R. 12242) granting a pension to George H. Wasson; to the Committee on Pensions.

Also, a bill (H. R. 12243) to remove the charge of desertion from the military record of James E. Dickerson and grant him an honorable discharge; to the Committee on Military Affairs.

By Mr. COOPER: A bill (H. R. 12244) granting a pension to James J. Held; to the Committee on Pensions.

By Mr. FIELDS: A bill (H. R. 12245) for the relief of William Woodmansee; to the Committee on Military Affairs.

By Mr. GUDGER: A bill (H. R. 12246) granting a pension to James H. Posey; to the Committee on Invalid Pensions.

By Mr. HAMILTON of West Virginia: A bill (H. R. 12247) granting an increase of pension to William H. Morris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12248) granting an increase of pension to William McPherson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12249) granting an increase of pension to William W. Waters; to the Committee on Pensions.

By Mr. HAWLEY: A bill (H. R. 12250) granting an increase of pension to Larkin Richardson; to the Committee on Pensions.

By Mr. HAYES: A bill (H. R. 12251) granting pensions to certain enlisted men, soldiers, sailors, and officers, who served in the Civil War and the War with Mexico, and to their widows; to the Committee on Invalid Pensions.

By Mr. HINDS: A bill (H. R. 12252) granting a pension to Ernest L. Conant; to the Committee on Pensions.

By Mr. LANGLEY: A bill (H. R. 12253) for the relief of A. M. George; to the Committee on War Claims.

Also, a bill (H. R. 12254) for the relief of Peter Cline; to the Committee on War Claims.

Also, a bill (H. R. 12255) for the relief of John Robbins; to the Committee on War Claims.

Also, a bill (H. R. 12256) for the relief of Beverley Perry; to the Committee on Military Affairs.

Also, a bill (H. R. 12257) granting an increase of pension to Wilson H. Glass; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12258) granting an increase of pension to Jesse Mitchell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12259) granting an increase of pension to Irvin Patrick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12260) granting an increase of pension to Edward M. Keating; to the Committee on Pensions.

Also, a bill (H. R. 12261) granting an increase of pension to James M. Waldeck; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12262) granting a pension to Martha Tincher; to the Committee on Invalid Pensions.

By Mr. McKINNEY: A bill (H. R. 12263) granting an increase of pension to Ira N. Morrill; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 12264) granting an increase of pension to Sussannah A. Burt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12265) granting an increase of pension to Louisa L. Davis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12266) granting an increase of pension to Danford Wyllys; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12267) granting an increase of pension to Rhodes J. Colvin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12268) granting an increase of pension to Rowena A. Bullock; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12269) granting an increase of pension to Mary E. Farrell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12270) granting an increase of pension to Mary S. Bowen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12271) granting an increase of pension to John S. Roberts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12272) granting an increase of pension to Margaret Sayles; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12273) granting an increase of pension to Rosella R. Winslow; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12274) granting an increase of pension to John Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12275) granting an increase of pension to Bridget J. Emerson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12276) granting an increase of pension to Amelia C. Tucker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12277) granting an increase of pension to Annie M. Hathaway; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12278) granting an increase of pension to Ruth Sherman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12279) granting an increase of pension to Ellen O'Hanan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12280) granting an increase of pension to Joseph I. Haswell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12281) granting an increase of pension to James V. Dawley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12282) granting an increase of pension to Vesta G. Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12283) granting an increase of pension to Ann Moffitt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12284) granting an increase of pension to Benjamin P. Branch; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12285) granting an increase of pension to John H. Roberts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12286) granting an increase of pension to Ann Dove; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12287) granting an increase of pension to Mary E. Willis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12288) granting an increase of pension to Harriet L. Budlong; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12289) granting an increase of pension to Susie L. Closson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12290) granting an increase of pension to Harriet A. Capron; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12291) granting an increase of pension to Margaret Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12292) granting an increase of pension to Sophie M. Kinnicutt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12293) granting an increase of pension to Flora Annis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12294) granting an increase of pension to Catharine Feeley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12295) granting an increase of pension to Patrick Connors; to the Committee on Invalid Pensions.

By Mr. RUCKER of Colorado: A bill (H. R. 12296) granting a pension to Lucinda Weaver; to the Committee on Invalid Pensions.

By Mr. SHERWOOD: A bill (H. R. 12297) granting an increase of pension to William Hovey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12298) granting a pension to Anna Currigan Chamberlin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12299) granting a pension to Sarah E. Gillespie; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12300) granting an increase of pension to Michael Holland; to the Committee on Invalid Pensions.

By Mr. SMITH of New York: A bill (H. R. 12301) for the relief of William F. Wheeler; to the Committee on Military Affairs.

By Mr. STEPHENS of California: A bill (H. R. 12302) granting an increase of pension to Richard D. Russell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12303) granting an increase of pension to Charles H. Anderson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12304) granting an increase of pension to James Jackson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12305) granting a pension to Hiram A. Williams; to the Committee on Pensions.

Also, a bill (H. R. 12306) for the relief of Daniel R. Rozzell; to the Committee on War Claims.

By Mr. STONE: A bill (H. R. 12307) granting an increase of pension to Elijah Mason; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12308) granting an increase of pension to Perry Harris, alias James Sampson; to the Committee on Invalid Pensions.

By Mr. WEEKS: A bill (H. R. 12309) granting a pension to Margaret B. Sheridan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12310) granting an increase of pension to Mercie A. Brown; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ANSBERRY: Petition of Charles A. Barber and others, of Payne, Ohio, against the passage of House bill No. 8887; to the Committee on Interstate and Foreign Commerce.

By Mr. AYRES: Petition of citizens of the Bronx, New York City, in favor of a parcels post; to the Committee on the Post Office and Post Roads.

By Mr. BYRNS of Tennessee: Papers to accompany bill for the relief of Charles R. Greene; to the Committee on War Claims.

Also, petition of citizens of Tennessee asking for reduction of tariff duty on sugar; to the Committee on Ways and Means.

By Mr. COOPER: Petition of Rock County (Wis.) Association of Retail Druggists against House bill 8887, proposing to place a revenue tax on all patent and proprietary medicines; to the Committee on Ways and Means.

By Mr. ESTOPINAL: Resolution of New Orleans Progressive Union, favoring fiscal policy of the Government in matter of handling loans and revenues of certain Central American Governments; to the Committee on Foreign Affairs.

By Mr. GOLDFOGLE: Petition of New York State Pharmaceutical Association, in opposition to House bill 8887; to the Committee on Ways and Means.

Also, resolution of Manufacturers' Association of New York, favoring revision of the tariff schedule by schedule, and an opportunity for all affected to be heard before enacted into law; to the Committee on Ways and Means.

Also, resolutions of Group 6, New York State Bankers' Association, in favor of the general scope of the Aldrich proposal for currency reform and the creation of a proper discount market in the United States; to the Committee on Banking and Currency.

By Mr. HAMILTON of West Virginia: Petition of numerous citizens of West Virginia, asking that the duty on raw and refined sugars be reduced; to the Committee on Ways and Means.

By Mr. HINDS: Memorials of William T. Morrill and 72 others, of Mount Vernon; A. W. Leonard and 78 others, of Oakland; H. G. Webber & Co. and 33 others, of Richmond; and Arthur E. Craig and 51 others, of Portland, all of Maine, asking for a reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

Also, memorials of Gorham Grange, of Gorham; Mericoneag Grange, of Harpswell; Baurreg Big Grange, of Sanford; Beaver Dam Grange, No. 472, of Berwick; Monsam Grange, of Shapleigh; Stroudwater Grange, of Portland; and Harraseeket Grange, of Freeport, all of Maine, praying for legislation establishing a parcels post; to the Committee on the Post Office and Post Roads.

By Mr. KINDRED: A petition protesting against the conduct of Russia toward Jews; to the Committee on Immigration and Naturalization.

By Mr. O'SHAUNESSY: Resolution of Pawtucket Business Men's Association, urging upon Congress the necessity of a 30-foot channel in the Providence River; to the Committee on Rivers and Harbors.

By Mr. RAKER: Resolution of the Chamber of Commerce of San Francisco, urging an amendment to the corporation-tax law; to the Committee on Ways and Means.

SENATE.

WEDNESDAY, *July 5, 1911.*

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Journal of the proceedings of Friday last was read and approved.

The Journal of the proceedings of Saturday last was read and approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House insists upon its disagreement to the amendment of the Senate to the joint resolution (H. J. Res. 39) proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States; agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. RUCKER of Missouri, Mr. CONRY, and Mr. OLMSTED managers at the conference on the part of the House.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a joint resolution adopted by the Legislature of the State of Wisconsin, which was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

Joint resolution (J. Res. No. 65, S.) memorializing Congress to enact a law imposing a suitable license or other fee upon crafts navigating the Great Lakes and contiguous waters.

Whereas it is impracticable for the several States bordering upon the Great Lakes and contiguous waters to levy and collect taxes upon the vessels and crafts navigating thereon because of the inability of the several States to enact uniform laws respecting the taxation of such crafts and vessels; and

Whereas the great majority of such vessels and crafts practically escape taxation by any jurisdiction; and

Whereas it has thus far been the policy of the Federal Government to leave the inner harbor improvements to the several States or local political units: Therefore be it

Resolved by the senate (the assembly concurring), That the Congress of the United States be memorialized to enact a law or laws regulating commerce on the Great Lakes and contiguous waters, and imposing a suitable license, registration, or other fee on vessels and other crafts engaged in commerce on said waters, the same being commonly designated by the Federal Government as the northwestern waters, together with all contiguous lakes, rivers, sounds, and bayous, and that the Federal Government improve the inner harbors of the several ports of entry on said waters with the proceeds of said fees: Be it further

Resolved, That the governor be, and he hereby is, requested to transmit a copy of this resolution to the President of the Senate and to the Speaker of the House of Representatives at Washington, and to each of the Senators and Representatives in Congress for this State.

H. C. MARTIN,
President of the Senate.
C. A. INGRAM,
Speaker of the Assembly.
F. M. WYLIE,
Chief Clerk of the Senate.
C. E. SHAFFER,
Chief Clerk of the Assembly.

The VICE PRESIDENT presented resolutions adopted by the American Medical Association at Los Angeles, Cal., favoring the adoption of an amendment to the pure food and drug law prohibiting false statements from being placed on food and drug labels, which were referred to the Committee on Manufactures.

He also presented resolutions adopted by the Order of Railroad Telegraphers in convention at St. Louis, Mo., favoring the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration.

Mr. CULLOM presented memorials of sundry citizens of Noble, Olney, Leland, and Streator, all in the State of Illinois, remonstrating against the passage of the so-called Johnston Sunday rest bill, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Salem, Iowa, of the North Side Board of Trade of New York City, New York, and of sundry citizens of Puyallup, Wash., praying for the proposed reciprocal trade agreement between the United States and Canada, which were ordered to lie on the table.

Mr. BRISTOW presented a memorial of sundry citizens of Garden City, Kans., remonstrating against the passage of the so-called Johnston Sunday rest bill, which was ordered to lie on the table.

Mr. NELSON presented resolutions adopted by the International Association of Machinists at St. Paul, Minn., remonstrating against the adoption by the Government of the so-called Taylor and Emerson system of shop management, which were referred to the Committee on Naval Affairs.

Mr. WETMORE presented a petition of the Business Men's Association of Pawtucket, R. I., and a petition of the Real Estate Exchange of Providence, R. I., praying that an appropriation be made to increase the depth of Providence River to 30 feet, which were referred to the Committee on Commerce.

Mr. SHIVELY presented resolutions adopted by Group Eight of the Indiana Bankers' Association, at Vincennes, Ind., favoring the adoption of the currency system as proposed by the National Monetary Commission, with certain amendments suggested by the American Bankers' Association, which were referred to the Committee on Finance.

PAPER ON NORTH AMERICAN TRADE, BY STEPHEN A. DOUGLAS (S. DOC. NO. 61).

Mr. SHIVELY. Mr. President, I invite the attention of the Senate to a pamphlet publication of several pages, entitled "An American Continental Commercial Union or Alliance." The author is Stephen A. Douglas, many years a distinguished Member of the Senate and long a commanding figure in the politics and public life of the country. Mr. Douglas prepared this article in 1861, shortly before his death. It was left among his unpublished writings. The first publication of the article was made by J. Madison Cutts, brother-in-law and literary executor of Mr. Douglas, in 1889. On inquiry I find that no copies of this publication are available, save the two in the Library of Congress. At the time of its preparation the Elgin-Marcy treaty of reciprocity with Canada had been in operation over six years. A portion of the article is devoted to comment on and criticism of that treaty, and all of it to an illuminating discussion of the subject of annexation of trade on the North American Continent without annexation of territory or extension of political connections. The subject is presented in the usual comprehensive, concise, and masterful style of Mr. Douglas. The subject and the author's treatment of it are quite pertinent to the subject matter of the unfinished business now before the Senate. In my judgment, the article would prove an interesting and instructive contribution to the literature of this debate. I ask unanimous consent that this article, together with a few brief explanatory headlines, taken from the preface, by J. Madison Cutts, may be printed as a Senate document.

The VICE PRESIDENT. Is there objection to the request of the Senator from Indiana? The Chair hears none, and the order is entered.

PUBLIC-LAND SURVEYS.

Mr. CLARK of Wyoming, from the Committee on Public Lands, to which was referred the joint resolution (S. J. Res. 32) authorizing chief clerks in offices of surveyors general to approve and sign plats and field notes of public-land surveys, reported it without amendment.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CULLOM:

A bill (S. 2936) granting an increase of pension to William Harley (with an accompanying paper); to the Committee on Pensions.

By Mr. JOHNSON of Maine:

A bill (S. 2937) granting an increase of pension to Daniel Libbey (with accompanying papers); to the Committee on Pensions.

By Mr. WATSON:

A bill (S. 2938) granting a pension to Thomas M. Boylan;

A bill (S. 2939) granting an increase of pension to John M. Buckley; and

A bill (S. 2940) granting an increase of pension to William M. Dearing; to the Committee on Pensions.

By Mr. CUMMINS:

A bill (S. 2942) to remedy in the line of the Army an inequality in rank due to the past system of regimental promotion; to the Committee on Military Affairs.

By Mr. WETMORE:

A bill (S. 2943) granting an increase of pension to Samuel H. Luther (with accompanying paper); to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 2944) granting an increase of pension to Mary J. Irwin; to the Committee on Pensions.

By Mr. POINDEXTER:

A bill (S. 2945) for the relief of Napoleon Le Clerc; to the Committee on Public Lands.

A bill (S. 2946) to prohibit interference with commerce among the States and Territories and with foreign nations, and to remove obstructions thereto, and to prohibit the transmission of certain messages by telegraph, telephone, cable, or other means of communication between States and Territories and foreign nations; to the Committee on Interstate Commerce.

By Mr. BOURNE:

A bill (S. 2947) granting an increase of pension to Morris Johnson (with accompanying paper); to the Committee on Pensions.

By Mr. GAMBLE:

A bill (S. 2948) granting an increase of pension to Jeremiah Lushbough; to the Committee on Pensions.

By Mr. RAYNER:

A joint resolution (S. J. Res. 40) providing for the appointment of three engineers to make plans for a national park at the site known as Fort McHenry, and for other purposes; to the Committee on Military Affairs.

IMPROVEMENT OF RURAL DELIVERY ROADS.

Mr. SWANSON introduced a bill (S. 2935) to provide for the construction, maintenance, and improvement of post roads and rural delivery routes through the cooperation and joint action of the National Government and the several States in which such post roads or rural delivery routes may be established, which was read twice by its title.

Mr. SWANSON. I ask that the bill may lie on the table, and I give notice that at the conclusion of the speech of the junior Senator from Louisiana [Mr. THORNTON] on Friday, the 7th instant, I shall desire to address myself to the bill, if it will suit the convenience of the Senate.

The VICE PRESIDENT. The bill will lie on the table.

PROPOSED INTERSTATE TRADE COMMISSION.

Mr. NEWLANDS. I introduce a bill to create an interstate trade commission, to define its powers and duties, and for other purposes. I ask that the bill be read.

The bill (S. 2941) to create an interstate trade commission, to define its powers and duties, and for other purposes, was read

the first time by its title and the second time at length, as follows:

Be it enacted, etc., That this act shall be referred to and cited as the interstate trade commission act. Corporations, a majority of whose voting securities is held by any corporation subject to the terms of section 4 of this act, are referred to herein as subsidiaries of such holding or owning corporation.

SEC. 2. That on and after the day of , 1912, the Bureau of Corporations shall be separated from the Department of Commerce and Labor, and shall be thereafter known as the interstate trade commission; and all the officials, powers, duties, and funds belonging or pertaining to the Bureau of Corporations shall thereafter belong and pertain to the interstate trade commission.

SEC. 3. That the interstate trade commission shall consist of five members, of whom no more than three shall belong to the same political party. The Commissioner of Corporations shall be ex officio a member of the commission for the first two years of its existence, and shall also be chairman of the commission for the first year of its existence, and thereafter the chairman shall be selected annually by the commission from its membership; and the Deputy Commissioner of Corporations shall be the secretary of the commission for the first year of its existence, and thereafter the secretary shall be selected by the commission; and after the organization of the commission the titles of commissioner and deputy commissioner, respectively, shall cease. The remaining four members of the commission shall be appointed by the President, by and with the advice and consent of the Senate, and the terms of such commissioners so first appointed shall be 4, 6, 8, and 10 years, respectively, and shall be so designated by the President in making such appointments; and thereafter all the commissioners shall hold office for the term of 10 years, and shall be appointed by the President, by and with the advice and consent of the Senate. Each member of said commission shall receive a salary of $10,000 a year. The secretary shall receive a salary of a year.

SEC. 4. That every corporation heretofore or hereafter organized within the United States whose gross annual receipts, or the total annual gross receipts of whose subsidiaries exceed $5,000,000, and engaged in commerce among the several States or with foreign nations, excepting corporations subject to the act to regulate commerce, approved February 4, 1887, as amended, but including pipe-line companies, shall within four months after this act takes effect, or, if organized or otherwise becoming subject to this act subsequent to such taking effect hereof, then within two months after so becoming subject to this act, furnish to the commission in writing statements showing such facts as to its organization, financial condition, and operations as may be prescribed by regulations to be made in pursuance of this act, together with similar statements as to all of its subsidiaries. Such statements shall be made as of such date as may be prescribed by such regulations and shall be verified upon oath by such officers of such corporation as may be directed by the said regulations.

SEC. 5. That the said commission, upon finding that said statements comply with such regulations so far as applicable to such statements, shall enter such corporation for United States registration upon books to be kept by it for that purpose, and shall also record the statements so filed, together with the application.

SEC. 6. That all corporations so admitted to registration shall be known as "United States registered" companies, and shall have the sole and exclusive right to use, in connection with their corporate title, their securities, their operations, and by way of advertisement of their business, the title "United States registered," or any convenient abbreviation thereof, so long as such registration shall remain in force.

SEC. 7. That any person, corporation, or company willfully using or publishing such title of "United States registered," or any title or form of words or letters reasonably indicative thereof, in connection with the business or securities or name of any corporation, with intent to represent thereby that such corporation is at that time registered as provided in this act, shall, unless such corporation be at that time duly registered under the terms of this act, be subject to a fine of not more than $1,000, and each day of such publication shall constitute a separate offense.

SEC. 8. That all corporations subject to this act and their respective subsidiaries shall from time to time furnish to the commission such information, statements, and records of their organization, business, financial condition, and management, at such times, to such degree and extent, and in such form as may be prescribed by the said regulations to be made under this act, and shall at all reasonable times grant to the commission or its duly authorized agent or agents, complete access to all their records, accounts, minutes, books, and papers, including the records of any of their executive or other committees.

SEC. 9. That the commission shall from time to time make public the information received under this act, in such form and to such extent as shall be prescribed by the said regulations: *Provided, however*, That said regulations shall, so far as possible, distinguish between information which is purely private, and the publication of which can serve no public interest, and such information as is not so private and is of importance to the public.

SEC. 10. The said commission may at any time, upon complaint of any person, corporation, or body, or upon its own initiative, revoke and cancel the registration of any corporation registered under this act, upon the ground of either violation of any operative judicial decree rendered under an act to protect trade and commerce against unlawful restraints and monopolies, approved July 2, 1890, or under sections 73 to 77, inclusive, of an act to reduce taxation, to provide revenue for the Government, and for other purposes, which became a law August 27, 1894, or upon ground of materially improper financial organization and security issue, occurring either before or after registration, affecting the interests of the public or of any large class thereof, or of the use of materially unfair or oppressive methods of competition, or of the violation of the laws of the United States prohibiting the acceptance of discriminations, rebates, and concessions from the lawful tariff rates of common carriers, or of such other material improper business transactions as may from time to time be prohibited by regulations made in pursuance of this act by said commission, or on the ground of refusal or neglect to allow the commission access to its records or papers as provided in section 8 hereof. Whenever it shall appear that any corporation subject to the provisions of this act is materially overcapitalized, the commission may, as a condition of continued registration, require such corporation so to readjust its securities or assets as to correct such overcapitalization. The said commission in considering revocation of registration under this section shall give such notice and have power to take such evidence and hold such hearings as may be prescribed by the regulations issued under this act.

SEC. 11. That in case of revocation of the registration of any corporation the commission may also order that such corporation thereafter shall not engage in interstate commerce. For every day's continuance in such commerce contrary to such order such corporation shall be subject to a fine of not more than $1,000, and the said commission shall have power to apply to any circuit court of the United States for an injunction enforcing the provisions of this section and any order issued thereunder.

SEC. 12. That the said commission may at any time, upon application by a corporation whose registration has been previously canceled, reinstate said corporation for registration and grant it registration anew: *Provided*, That the said commission is satisfied that the cause or causes for which registration was revoked no longer exist and that the commission shall find that all the requirements for registration as set forth in section 4 shall have been complied with anew as of the date of the new application for registration.

SEC. 13. The said commission may at any time, if in the opinion of the commission public necessity requires such action, order and require any corporation engaged in commerce among the several States or with foreign nations, except corporations subject to the act to regulate commerce, approved February 4, 1887, as amended, but including pipe-line companies, to make such statements and give such information as is prescribed in sections 4 and 8 of this act, which information shall be published in accordance with the provisions of section 9 hereof. The commission may also obtain from any such corporation, through the powers granted in section 14 hereof, such information as shall enable said commission to determine whether such corporation is subject to the terms of this act.

SEC. 14. In order to accomplish the purposes declared in sections 8 and 13 of this act, the said commission shall have and exercise the same power and authority in respect to corporations subject to this act as is conferred on the Interstate Commerce Commission in said act to regulate commerce and the amendment thereto in respect to common carriers, so far as the same may be applicable, including the right to subpœna and compel the attendance and testimony of witnesses and the production of documentary evidence and to administer oaths. All the requirements, obligations, liabilities, and immunities imposed or conferred by said act to regulate commerce and by an act in relation to testimony before the Interstate Commerce Commission, etc., approved February 11, 1893, supplementary to said act to regulate commerce, and the act defining immunity, approved June 30, 1906, shall also apply to all persons who may be subpœnaed to testify as witnesses or to produce documentary evidence in pursuance of the authority conferred by sections 8 and 13 hereof.

SEC. 15. That the said commission shall, on or before the day of in each year, make a report, which shall be transmitted to Congress. This report shall contain such information and data collected by the commission as it may deem of value in the determination of questions connected with the regulation of commerce, together with such recommendations as to additional legislation relating thereto as the commission may deem necessary.

SEC. 16. That any corporation engaged in commerce among the several States or with foreign nations, without regard to the amount of its gross annual receipts, may also, by complying and continuing to comply with the terms of sections 4, 8, and 9 hereof, acquire and maintain United States registration as provided in sections 5 and 6, subject to the provision for cancellation thereof prescribed in section 10; and the information furnished by such corporation shall be subject to the provisions of section 9.

SEC. 17. That the said commission shall have power to make any and all regulations necessary and proper to carry out the purposes of this act, and at any time to alter, amend, or repeal the same or any part thereof.

Mr. NEWLANDS. Mr. President, the Standard Oil and Tobacco Trust decisions, with the recent report on the steel industry, demonstrate what I have contended for many years—that there is need of an independent, quasi judicial, and administrative tribunal of great character and dignity, as far removed from partisan control as are the courts, for the continuous control of the big industrial corporations engaged in interstate trade. Had such legislation been secured in place or in aid of the Sherman Act over 20 years ago, we would have advanced as far in the regulation of industrial corporations as we have in that of railroads. The recent expressions of Mr. Gary and others indicate that even the great corporate managers recognize that public regulation is now inevitable.

The bill which I have introduced provides for an interstate trade commission of five members, which shall control industrial corporations as the Interstate Commerce Commission does the railroads. The Bureau of Corporations, which has for a number of years been investigating industrial corporations and which has a most competent force of over 100 men, is by this bill separated from the Department of Commerce and Labor and merged in the commission of interstate trade. The Commissioner of Corporations is made a member of the new commission.

The bill requires that all industrial corporations engaged in interstate trade whose annual receipts exceed $5,000,000 shall make satisfactory statements as to capitalization, finances, and operations as may be required by the commission. Such corporations are to be known as United States registered companies. The distinction of being thus registered will be sought by all such companies, and to lack it will be regarded as an indication that there is something wrong. Frequent reports will be required from all such corporations, and the information of public interest will be published from time to time.

The commission may at any time cancel the registration of any registered corporation for improper financial organization, oppressive or unfair methods of competition, acceptance of railway rebates, refusal to allow access to records, or noncompliance with any judicial decree rendered under the Sherman Act. It may also, in extreme cases, for such offenses, debar such corporation from engaging in interstate commerce. The

commission may also, as a condition of continued registration, require material overcapitalization to be corrected.

I was at first inclined, following the views which I have frequently expressed, to include a provision transferring the enforcement of the Sherman Antitrust Act from the Attorney General's office to this commission, for the reason that prior to the administration of the present incumbent the enforcement of the Sherman Act was fitful, subject to political influences, and likely to be affected by any political or financial exigency. But as the Attorney General's office is now proceeding, to the satisfaction of the country, to break up the existing trusts, I thought it best not to complicate the work of the new commission with the administration of the Sherman Act.

The commission will be nonpartisan, with not more than three members of one party. The term of office will be 10 years. The commission should be free from Executive control and political exigencies.

I have not thought it best at the start to give the commission too many powers of correction or of punishment, nor does the bill give the power of fixing prices. The purpose of the bill is to maintain and preserve the opportunity for fair competition and not to recognize monopolies in trade or regulate their prices. The powers of the commission may be later enlarged as experience shall indicate.

The Interstate Commerce Commission has large powers and now employs about 600 men. It has won the entire confidence of the country. It has become strong and efficient through a process of evolution. It is fortunate that in creating the new commission we can avail ourselves of the Bureau of Corporations as the nucleus of the organization, that bureau having also passed through an evolutionary process which will be a source of strength and efficiency.

I request that the bill be referred to the Committee on Interstate Commerce.

The VICE PRESIDENT. The bill will be referred to the Committee on Interstate Commerce.

BLACK WARRIOR RIVER (ALA.) IMPROVEMENT.

Mr. JOHNSTON of Alabama. I submit an amendment in the nature of a substitute intended to be proposed by me to the bill (S. 943) to improve navigation on Black Warrior River, in the State of Alabama.

Mr. President, in offering this amendment and requesting that it be printed and laid on the table, I desire to state very briefly what it is, so that Senators may be fully advised of the purposes of the amendment and the proposed changes.

The amendment eliminates from the bill every feature which met objection when the bill was under consideration a few days ago. Instead of the payment of a royalty for the use of the surplus water, this amendment provides that the power company shall erect a storage dam, under plans approved by the Secretary of War, and acquire title to and convey the same to the United States to all lands that will be submerged by the higher dam provided for at Lock 17.

The cost of the storage dam and acquiring title to the submerged lands is estimated at over $1,500,000, and I am satisfied that the proposed amendment will save the Government money over the present project. I do not propose to ask present consideration, as I desire the Senate to have an opportunity to fully understand it before the bill is taken up.

The Birmingham Water, Light & Power Co. was formed for the purpose of developing water power and aiding navigation on the Warrior River. It has a charter from the State of Alabama, and is a riparian power company on the Warrior River under the law of Alabama, and no other power company can condemn or interfere with its rights upon the stretch of river set out in its charter to be improved—that is, from Lock and Dam 16, 30 or 40 miles up the river, above Mulberry and Sipsey Fork, making in all a stretch of river being improved and controlled for water-power purposes of at least 75 to 80 miles.

To show that they intend to meet the Government halfway the company have agreed to furnish and buy up the lands that would be flooded by building Dam 17 63 feet high and donate the same to the United States Government, which, if it had to be provided by the Government, would cost a considerable sum of money.

This company has also in this bill agreed to build a dam at the head of navigation, or, in other words, at the head of the stretch of river to be improved by this higher dam, at a cost of $1,500,000, for the purpose of storing water to operate successfully through the dry seasons of the year and thereby controlling the flood stages of the river during high-water seasons, thus aiding the navigation of the river by controlling these floods that usually come in the spring of the year, which will make navigation a much more feasible proposition.

The rise and fall of the Warrior River is over 43 feet, and at low water navigation in the dry season by existing locks is not entirely satisfactory. The impounding dam, 100 feet high, will correct this and furnish easy navigation.

This company has the indorsement of the commercial bodies of the Birmingham district and also of Mobile. If this improvement was carried on under the existing system in vogue on the Warrior River, of building one lock in order to get the material up to build another, it would take 10 or 12 years to complete navigation on the Warrior River, but by concentrating all the forces of development at Lock 17, with the railroad and equipment nearly completed on the ground for building same, the navigation project can be hastened or completed in a year and a half, or at the outside two years. This mode of development also extends navigation up Valley Creek, or Valley River, in the direction of Birmingham and the city of Bessemer 11 miles, a river the Government has had surveys made of for the purpose of improving same for navigation, bringing it in easy reach of Birmingham and Bessemer with the assistance of three more dams. It also eliminates five or six locks of the old style, from 5 to 10 feet high, on this river.

The object of the bill is to entirely complete navigation of the Warrior River in the State of Alabama by increasing the height of Dam 17 from 21 feet to 63 feet, thereby eliminating four locks and dams that were included in the original plan of improving the said river, with a saving on the cost of the improvement to the Government as proposed by the bill, and saving to the citizens and coal producers of Alabama about one-half of the present cost of transportation, and an added improvement which follows a developed river.

The Board of Engineers say in their report:

> The board considers this plan for power development to be the most favorable one that has been proposed and to be very desirable of accomplishment if it is found to be practicable to carry it out in such a manner as to reduce the ultimate cost to the United States of the improvement in the interests of navigation.

And the Acting Chief Engineer says:

> It is deemed proper to add that early consideration of the bill by Congress is important, as in the absence of congressional sanction of the proposition the department would not be justified in suspending or delaying for any considerable period the prosecution of the work already contracted for at Dam No. 17, and unless the necessary legislation is enacted within a reasonably short time the work must proceed in accordance with the plans heretofore adopted.

This plan also saves the cost of maintaining and operating four additional locks and dams which will be eliminated by it, which amounts to approximately $20,000 per annum.

This plan of improvement completes a stretch of river 56 miles in length on the Warrior and Mulberry prong, about 20 miles up the Locust Fork, another prong of the Black Warrior River. This reaches the largest coal companies and coal properties in the State of Alabama. It should be a great factor in the transportation of coal to cities and towns bordering the Gulf of Mexico and for Government coaling stations near Mobile, Dauphin Island, New Orleans, and the Panama Canal, besides aiding in the creating of electrical power, which will be distributed among private individuals and manufacturing plants of the Birmingham district, conserving a vast amount of coal.

Engineers recommend the passage of this bill at this extra session, as they do not want to incur any delay in the improvement of the Warrior River or any financial inconvenience that might incur to the contractor through an unreasonable delay.

The VICE PRESIDENT. The proposed amendment will be printed and lie on the table.

AMENDMENT TO DEFICIENCY APPROPRIATION BILL.

Mr. JONES submitted an amendment intended to be proposed by him to the bill (H. R. 12100) to supply a deficiency for contingent expenses of the House of Representatives for the fiscal year 1911, and for other purposes, which was ordered to be printed and, with the accompanying papers, referred to the Committee on Appropriations.

RECIPROCITY WITH CANADA.

Mr. SIMMONS submitted two amendments intended to be proposed by him to the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes, which were ordered to lie on the table and be printed.

FORT WALLA WALLA MILITARY RESERVATION.

Mr. POINDEXTER submitted an amendment intended to be proposed by him to the bill (S. 2193) to provide for the sale of the United States military reservation at Fort Walla Walla, Wash., which was referred to the Committee on Military Affairs and ordered to be printed.

ASSISTANT CLERK TO COMMITTEE ON APPROPRIATIONS.

Mr. WARREN submitted the following resolution (S. Res. 96), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Appropriations be, and is hereby, authorized to employ an assistant clerk at a salary of $1,440 per annum during the Sixty-second Congress.

EMPLOYMENT OF LABORER.

Mr. WARREN submitted the following resolution (S. Res. 97), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Appropriations be, and is hereby, authorized to employ a laborer at a salary of $720 per annum during the Sixty-second Congress.

ELECTION OF SENATORS BY THE PEOPLE.

Mr. BRISTOW. I present an article written by ex-Congressman Fleming, of Georgia, on the election of Senators by the people. I ask that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ELECTION OF SENATORS BY PEOPLE—SHALL A SECTIONAL BUGBEAR DEFEAT A NATIONAL DEMAND?

[By former Congressman William H. Fleming, Augusta, Ga.]

Under the United States Constitution, as drafted in 1787, the election of Senators was vested in the State legislatures, with the accompanying power in the Federal Congress to alter these State regulations as to the time and manner of holding the elections, excepting only as to the place of choosing the Senators—the locality being left for each State alone to fix.

In 1866 the Federal Congress exercised this power and prescribed the times and manner of elections of Senators by State legislatures and that law has been in force to the present day.

In recent years the Senate fell so much under the control of special interests, and became so unresponsive to public opinion, especially in framing tariff legislation, that an urgent demand arose for this body to be brought closer to the people and freed from the domination of machine politics.

The method fixed upon for accomplishing this object (whether wise or unwise, need not be discussed now), was to take the election of Senators away from the State legislators and give it to the State voters at the polls.

After years of persistent battling, this reform movement gradually won its way under the special championship of the Democratic Party.

As was perfectly natural in this process of evolution, the Senators themselves held out longest against the popular demand. But finally these gentlemen unstiffened their necks, and on June 12, 1911, agreed by formal vote of 64 to 24 to submit their claims hereafter directly to the voters of their respective States.

The triumph of the cause of the people was complete—almost.

But at the critical juncture of framing the proposed constitutional amendment a new issue was injected, one that had not been discussed before the people and one that formed no part of the popular demand for the direct election of Senators.

This new issue was the surrendering by the Federal Congress of its control, unquestioned since the foundation of the Government, over senatorial elections as to the time and manner of holding them.

The House joint resolution, passed early in the present session, was so drawn as to couple the popular election of Senators with the surrender of all preexisting Federal control over such elections.

When this house resolution came before the Senate on June 12, 1911, that body, by what is known as the Bristow amendment, changed the resolution so as to retain in the Federal Congress the power it had always possessed over the times and manner of holding elections for Senators, but voted in favor of direct election by the people.

The Bristow amendment conferred no new power on the Federal Congress; it simply reasserted an old power.

The House refused to concur in the Senate amendment, and the resolution went to conference, where it now rests.

Some able speeches have been delivered on this subject, notable among them being that of Senator BACON on February 10 and 27, 1911, when the Sutherland amendment, similar in effect to the Bristow amendment, was pending in the Senate.

It clearly appears from the discussions that the real ground of objection to the retention of its former power by Congress over the times and manner of holding elections for Senators is the fear of some of our Southern Congressmen that at some future day this power may be used to jeopardize white supremacy in the South.

Let us calmly consider the situation in a broad spirit of American citizenship.

What right in morals or in politics have we southern people to expect that Senators from Northern and Western States will yield up a Federal power over senatorial elections more than a century old in order to get enough southern votes to pass the constitutional amendment for direct election of Senators?

When did they ever make so one-sided a trade?

With what show of reason can we southern Democrats make our obedience to this popular demand and our loyalty to our specific platform pledge dependent upon the trading off by the North and West of a national power existing since 1787? No such condition was forecasted in the campaign before the people.

Should not our southern Democratic Congressmen have some consideration for their northern and western Democratic brethren who will be compelled in the next election to attempt a defense before the people of a position which we must admit is indefensible from the standpoint of those sections? These northern and western Democratic candidates will be, on this particular issue, at the mercy of their opponents. The more the people study the subject the more they will be convinced that the northern and western Senators were right in not accepting the terms offered. The people will not forget that in the last campaign the sole issue upon this subject was the popular election of Senators and not the surrender of Federal power.

This question of the Federal control or State control of senatorial elections is not entirely new—in fact, it is quite old. It was voted upon directly in the Constitutional Convention of 1787.

In the draft of the Constitution, as reported by the general committee on August 6, 1787, the provision relating to congressional elections read as follows:

"The times, places, and manner of holding the elections of the Members of each House shall be prescribed by the legislature of each State, but their provisions concerning them may at any time be altered by the Legislature of the United States."

A motion was made on August 9, 1787, to amend by striking out the words "each House" and inserting the words "the House of Representatives," thus apparently eliminating Federal control over senatorial elections. In the quaint but pointed language of the chronicler this motion "passed in the negative."

The tally sheet of the convention shows that only 1 State, namely, New Jersey, voted in favor of that amendment, while 10 States voted against it, namely, New Hampshire, Massachusetts, Connecticut, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia; not voting, Rhode Island and New York.

It thus appears that all the Southern States, as represented by the men of that day, saw no wisdom in making any distinction between Representatives and Senators as to Federal control of elections.

It is also significant that the single reservation of power to the States to fix the places of choosing Senators, as it now exists, was never separately discussed or voted upon in the open convention, but got into the Constitution only through the report of the committee on "revision of style and arrangement," made on September 8, 1787, when the session was drawing to a close.

So it appears historically that the present position of southern Democrats in demanding this surrender of Federal power as a condition to permitting popular elections of Senators is a most embarrassing one—and the embarrassment will continue to increase as the next congressional campaign proceeds.

But again, as a question of political philosophy, our position would be equally assailable. It is rudimentary that every permanent national government should have final power of self-perpetuation, and not be dependent for its existence on independent agencies.

A majority of the States could, under the House resolution, without the Bristow amendment, "destroy the Government and dissolve the Union by simply declining to appoint Senators"—to employ an illustration used by John C. Calhoun in his Discourse on the Constitution and Government of the United States.

It is true, one side may ask, Why guard against such an improbability? But the ready answer of the other side is, Why surrender an existing power that prevents even the possibility of such a contingency?

Again, look at the discordant complications that might arise. Of course Congress, in either event, is to retain its power over elections for Representatives. Now, if the State is to be given sole power over elections for Senators, we will have the unseemly spectacle of two elections proceeding before the same body of voters, perhaps, on the same day for Members of the same Congress, one for Members of the House, subject to Federal control, and the other for Members of the Senate, subject to State control. Where is the logic or philosophy for that difference?

If this proposed amendment to the Constitution, bringing the Senate in direct touch with the people, shall be finally rejected in the House on the plea now set up, there will be no escape for southern Representatives from the responsibility of defeating this great reform movement of which the Democratic Party has been the avowed champion. Think of how poor an excuse we will have to offer for such a complete change of front.

Some may doubt the wisdom of changing the election of Senators from the legislators to the voters at the polls, but this much can be safely said: That of all the new political remedies for existing evils this one carries with it the greatest possibility of good and the least probability of harm. It in no wise affects the political status of a State under the Constitution. It merely eliminates the legislature as a sort of middle body or machine between the people and the Senate. State entity remains absolutely unimpaired so far as constitutional provisions can keep it so.

When three Republican Presidents—McKinley, Roosevelt, and Taft—have braved party prejudice and exhibited a statesmanship Nation-wide in its scope, how can we southern Democrats afford to display a narrow sectionalism that would sacrifice the national welfare to vague and vanishing fears of negro domination? We are the weaker section numerically and financially. Therefore, our safety must lie in breaking down sectionalism and appealing to the broad patriotism of the whole people.

For us to make the State control of senatorial elections a condition of permitting popular election of Senators would be bad in law and worse in politics. As a practical means of protection to the whites of the South, in the event we should ever need such protection, it would scarcely be worth a continental.

We have had white supremacy since we emerged from reconstruction, and we intend to hold on to it. Our people are united on that. The only real difference is that some of us believe that in the long reach of events the best way to preserve our racial supremacy is to treat the negro honestly as an American citizen under the Constitution, while some others appear to prefer a less commendable method of procedure.

Let us not act as if we were outside the Union. We are back in our "father's house" to stay. Let us show that the South is an integral, living, energizing part of our common country, ready in a generous spirit of patriotism to think and act for the common good.

Why should we permit this sectional bugbear of imperiled white supremacy to defeat this almost triumphant movement in behalf of the great masses of the people?

It is more like stating a truism than venturing a prophecy to say that the American people, either now or in the near future, are going to force popular elections of Senators by the individual States. The only open question is, Whether they are going to elect enough Democrats to surrender Federal control according to the House plan or elect enough Republicans to retain Federal control according to the Senate plan? Who doubts which plan will succeed?

For a Nation with our history behind it to knowingly at this stage increase State power at the expense of long-established Federal power would surely be a political anachronism. The controlling forces are pulling in the opposite direction.

"The stars in their courses fought against Sisera." So will it be with southern Democracy when it undertakes to force the Nation to surrender to the States a power given it by the fathers in 1787.

Apparently, the wisest course for House Democrats to pursue would be to recede from their position and vote for the resolution as it came from the Senate. A great many of their constituents would indorse such a course.

RECIPROCITY WITH CANADA.

The VICE PRESIDENT. The morning business is closed.

Mr. PENROSE. I move that the Senate proceed to the consideration of House bill 4412, the reciprocity bill.

The motion was agreed to, and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes.

Mr. CUMMINS rose.

Mr. STONE. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Missouri?

Mr. CUMMINS. With pleasure.

Mr. STONE. Before the Senator from Iowa proceeds, I thought I might suggest to the Senator from Pennsylvania, in charge of the bill, that if he would ask unanimous consent to fix a day for a vote on the bill—the Senate seems to be in good humor this morning—it is possible his request might be granted.

Mr. PENROSE. Mr. President——

The VICE PRESIDENT. The Senator from Pennsylvania, the Senator from Iowa yielding.

Mr. CUMMINS. I yield to the Senator from Pennsylvania.

Mr. PENROSE. I had intended bringing up that matter this morning, but in view of the fact that the Senator from Iowa desires to address the Senate, and the Senator from Ohio [Mr. BURTON] desires to follow him, I thought I would delay it until to-morrow or later in the day in order to suit the convenience of the Senators who announced their intention to speak.

Mr. CUMMINS. Mr. President, I assure the Senate that I feel very grateful for the consideration already extended to me, and I beg you all to believe that I will not ask your indulgence to any great extent this morning if I am permitted to go forward with my argument in an orderly way. I do not by this suggestion mean to say that I ought not to be and must not be interrupted; on the contrary, I will yield to any interruption; but I say it rather by way of apology and excuse for the great length of time that I have already consumed.

I propose to prove this morning that the amendments which I have presented to the pending bill and which enlarge the free list very greatly, so far as our own country is concerned, could be adopted and the articles named in the amendments would still be dutiable under our general tariff law as to all countries except Canada.

I will say in passing that with respect to many of the items I have named in these amendments I will be perfectly willing to see them made free to the whole world, and if I have an opportunity to so vote I will so vote; but there are some of the articles which I have named in my amendments, and which under them will be put upon the free list so far as Canada is concerned, that I would not be willing to make free to the entire commercial world. Therefore I feel that it is a part of my duty to establish the proposition that they can all be attached to the free list in this bill without interfering with our tariff relations with any other country.

When I suspended this address a few days ago I was calling the attention of the Senate to the first treaty in which the American doctrine appears. It is indeed the first treaty entered into by what is now the United States. The treaty was made during the progress of the Revolutionary War. It is the well-known and the well-understood treaty with France of 1778. It is in the following terms, so far as the subject under consideration is concerned:

> The Most Christian King and the United States engage mutually not to grant any particular favor to other nations with respect of commerce and navigation which shall not immediately become common to the other party, who shall enjoy the same favor freely, if the concession was freely made, or on allowing the same compensation if the concession was conditional.

I remarked the other day that the continental or European policy had been prior to this time, and it has continued practically without exception until now to employ unconditional language in stipulations like this, so that automatically any reduction in duties made by one of the parties to the treaty is extended to every other country with which the first country has treaty relations. It is not so with the United States. From the very beginning we have insisted that concessions granted to one country are only granted to another with which we have treaty relations provided the other country renders to us the same compensation that was exacted from the country to which we had granted favors.

There followed treaties with Sweden in 1793, and Prussia in 1785, with similar provisions. Throughout the whole period intervening between our earliest treaty and the present time the United States has, with a rare exception now and then—there are just three of them, I think, in our whole diplomatic history—employed either literally or substantially the language I have quoted. Other countries in treaties between themselves have used sometimes the conditional and sometimes the unconditional clause, England alone having adhered with matured consistency to the unconditional theory. The variation of the form quite frequently used by the United States is as follows—and I quote now the exact phraseology which will be found in nearly all our modern treaties:

> The high contracting parties agree that in all that concerns navigation and commerce favors which either has granted or may hereafter grant to another state, shall become common to the other party, who shall enjoy the same freely, if the concession is freely made, or upon allowing the same compensation if the concession was conditional.

There is no substantial difference between the form I first read, which was employed in our first treaty with France in 1778, and the one which I have just read, which occurs in the most recent treaty we have made upon the subject.

The diplomatic history of the United States has volumes of correspondence touching the interpretation of this clause in our treaties, and the United States has never departed from what is called the American doctrine; that is to say, that a favor or a reduction of duties extended by our country to another for a consideration which we believed to be an equivalent, is not under the clause extended to another nation, unless such other nation grants to us a concession—now mark this—which we find to be the equivalent of the concession granted by the first-named country.

I want Senators to remember that it is not always true that a third nation by granting to us the exact concession which purchased from us a reduction in duties is entitled to the same reduction of duties, for there are very many other considerations which enter into such reciprocal arrangements. This is an important matter and I realize many Senators would not be willing to vote for these amendments if by their adoption we extended free trade in the articles named to all the countries of the world, and I want to put myself upon very safe ground in that respect. I quote from one of the acknowledged textbooks upon this particular subject, "Favored Nation Treatment," by Herod, and I read from his summing up on page 112:

> The general clause of the most favored nation does not comprehend special engagements of reciprocity. It sometimes happens that States, owing to propinquity or to some exceptional condition—

Mark you now—

> in their international commercial relations enter into special arrangements founded upon mutual concession. The essence of these special treaties of reciprocity, and the reason that the favors extended by them can not be enjoyed under the most-favored-nation clause, is that the equivalents given for the privileges secured are exceptional—the like of which no other State can offer.

Taking now the President's view of the subject before us—and I think it is a very fair and a very sane and a very patriotic view—our relations toward Canada are peculiar. Her proximity to us, the similarity between the habits, character, and ambitions of the people, the fact that 3,000 miles of undefended territorial line separate that country from our own, all these things segregate Canada from the remainder of the world and warrant us in making arrangements with her which are peculiar in themselves; and even if any other nation were desirous of making to us precisely the same concessions that Canada grants to us, it does not follow that under the favored-nation clause our concessions granted to Canada would also be granted to such other nation or nations. I resume the reading:

> If the equivalent or its like can be and is offered by another State then the engagement loses its character as special, and the favor for which the equivalent was given must be extended upon equal terms to other nations entitled to favored-nation treatment. It is not sufficient that one State says to another, "If you grant me an advantage over all other nations in your market I will give you a corresponding advantage in mine," for this is just what the favored-nation clause is intended to prevent, namely, unfair discrimination. On the other hand, where these treaties incorporate a number of mutual concessions, it is not fair to say that a concession on one particular point was in consideration of an advantage in one particular subject granted by the other party. The sum of the concessions granted on one side must be taken as the consideration for the total of the favors obtained from the other. It will be difficult to prove the special character of a treaty of reciprocity involving only mutual concessions in matters of commerce and navigation, unless the contracting States are closely allied either geographically or politically. Where a State has by special treaty of reciprocity granted favors in matters in commerce and navigation, it should in justice grant to every other power with which it has treaty relations an opportunity—

Here is the real operation of the favored-nation clause. It is an agreement against hostile conduct; it is an agreement that the nations entering into it will approach any negotiations to reach like results in a fair spirit. I read again:

> Where a state has by special treaty of reciprocity granted favors in matters in commerce and navigation, it should in justice grant to every other power with which it has treaty relations an opportunity by negotiation to arrive at what would be a fair equivalent for the favors extended by the special treaty.

Senators, this is the best statement of the American doctrine which I have been able to discover, and I think it is complete and conclusive. But I desire to read a word from a bulletin issued by the University of Wisconsin which contains as luminous a history of the favored-nation clause as can be found anywhere. Speaking of the favored-nation clause, the author says:

It is not usually considered as comprehending special arrangements and reciprocity between nations, where, on account of proximity or special circumstances, reason exists for relations which can not be shared by the world at large. Special relations between a colony and the mother country are generally understood to be exempt from the operation of the clause. The term "most-favored nation" is sometimes replaced by "most-favored foreign nation," though even where not so specified that meaning is understood, as the contracting parties do not mean, for the purposes of the clause, that reciprocal relations between themselves and their colonies shall be considered as standards for most-favored-nation treatment.

With these exceptions, the scope of the clause appears to be limited only by its wording and the interpretation put upon that wording. The clause sometimes stipulates that whatever advantages are accorded by either contracting party to a third state shall extend to the other; sometimes, that this shall be so without equivalent; sometimes it forbids putting obstacles to the commerce of one which are not extended to the commerce of other nations.

I also read a word from the first decision of the Supreme Court of the United States in which the question came under review. It is the case of Bertram against Robertson, reported in One hundred and twenty-second United States, at page 116. This was a suit brought against the collector of the port of New York, arising out of the claim of one who imported goods from Denmark, or from a colony of Denmark, to be admitted to all the rights and privileges which the United States had granted to Hawaii at an early time by a treaty by which certain Hawaiian sugar was admitted free into the United States. I shall read very little of it. It is sufficient to say that the claim was denied by the Supreme Court of the United States. The court says:

Those stipulations, even if conceded to be self-executing by the way of a proviso or exception to the general law imposing the duties, do not cover concessions like those made to the Hawaiian Islands for a valuable consideration. They were pledges of the two contracting parties, the United States and the King of Denmark, to each other, that in the imposition of duties on goods imported into one of the countries which were the produce or manufacture of the other, there should be no discrimination against them in favor of goods of like character imported from any other country. They imposed an obligation upon both countries to avoid hostile legislation in that respect. But they were not intended to interfere with special arrangements with other countries founded upon a concession of special privileges. The stipulations were mutual, for reciprocal advantages. "No higher or other duties" were to be imposed by either upon the goods specified; but if any particular favor should be granted by either to other countries in respect to commerce or navigation, the concession was to become common to the other party upon like consideration—that is, it was to be enjoyed freely if the concession were freely made, or on allowing the same compensation if the concession were conditional.

This doctrine was amplified and emphasized in the case of Whitney against Robertson, arising under the same treaty upon an importation from San Domingo. The case of Whitney against Robertson is reported in One hundred and twenty-fourth United States, at page 190. I have, Mr. President, before me a series of citations relating to the construction of this clause of our treaty, but will not enlarge the record by reading from all of them.

I desire, however, to read a moment in closing from Moore's Digest of International Law, at page 277 and following.

Mr. HEYBURN. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Idaho?

Mr. CUMMINS. I do.

Mr. HEYBURN. Will the Senator object if I ask at this point a question for the consideration of that phase in connection with the favored nation clause?

Mr. CUMMINS. I will be glad to yield to the Senator.

Mr. HEYBURN. The authorities to which the Senator has directed the attention of the Senate are based upon a stated condition of facts. It has occurred to me that, inasmuch as there is no treaty in this case, the rule stated—especially in the Whitney case—does not apply. In that case there was a treaty. It was not a commercial contract by legislation. Now, in our case, the case before us, Canada has stated not a treaty, but a legislative agreement and has expressed in terms the relations which shall exist because of it.

The VICE PRESIDENT. The Reporter complains that he is not able to hear the Senator's inquiry.

Mr. HEYBURN. There appears to be no mutuality between Canada and our Government in regard to the results that shall flow from this legislative contract. Canada in express terms provides exactly the relation that shall arise out of it as between Canada and other countries, and our Government is silent on the subject. It seems to me that it has much to do with the application of the decisions in regard to that matter because they were based upon existing treaties, and we have no treaties.

Mr. CUMMINS. I believe the Senator from Idaho is right with respect to one inference to be drawn from his statement and wrong with respect to another. There is no difference between legislative reciprocity and reciprocity by treaty, so far as the application of the favored-nation clause is concerned. The ultimate test is, What has the country done? and it may do it either through treaty where it is within the scope of the treaty-making power or it may do it through legislation entirely. But the Senator from Idaho is quite right in saying that the character of the bill introduced into the Canadian Parliament does rob the whole subject of its essential reciprocal features.

I have not ventured upon that phase of it because I am speaking in ignorance of the Canadian proposition. We have no official knowledge of what is taking place in Canada. It is proposed here that a certain tender shall be made to the Dominion of Canada, and what Canada has done or shall do with respect to the tender is, in my opinion, immaterial. We are determining whether we ought to make the tender; but I wholly agree with the Senator from Idaho that if the acceptance of the tender—if we make one—is in the terms proposed in the resolution offered by Mr. Fielding, he will have put in jeopardy the entire arrangement, in my opinion, because it is not reciprocal, and he destroys the exclusive character of the arrangement by the provisions he has inserted in it.

Mr. HEYBURN. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa further yield to the Senator from Idaho?

Mr. CUMMINS. Yes.

Mr. HEYBURN. I should like to ask if there is any possible doubt as to the accuracy of Mr. Fielding's statement as to the letter and the effect of their legislation on that question? It came to this Government officially.

Mr. CUMMINS. I think there is no doubt about it. But I take this view of that part of it: If this bill shall pass, and if Canada accepts it, in order to avail herself of it she must accept it in a way that will carry out its provisions. I take it that the President of the United States would not be so indifferent to the performance of his duty as to accept an arrangement or a bill passed by the Canadian Parliament that would instantly destroy the reciprocal features of the adjustment of these duties that we are attempting to make. That responsibility is upon the President of the United States. I do not know whether Canada will adhere to that form of treating with us or not. In my opinion she can not, if she desires to avail herself of the reciprocity that is proposed in this bill.

Mr. HEYBURN. When the message came in, I think the President had as accurate information and as full information as he now has as to the language and scope of that bill. I think Senators had. There is no reason to believe there has been any new feature introduced into it.

Mr. CUMMINS. I think the Senator from Idaho is quite right. The resolution he has in mind is the one originally introduced into the Canadian Parliament, but it has not yet passed, and I take it that when it is passed, if it ever does pass, it must be an acceptance of our proposition or it would not be binding upon us, and the President of the United States will not issue the proclamation that is there provided for.

Mr. HEYBURN. I have been giving as close attention to the proceedings over there as it is convenient for any of us to give to them, and I have seen nothing that indicated any suggestion of change from the terms of that resolution. No amendment has been offered, so far as I have been able to advise myself, that that resolution shall be changed in any particular.

Mr. NELSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Minnesota?

Mr. CUMMINS. Certainly.

Mr. NELSON. In view of the statement made by the Senator from Idaho just now, and in view of the fact that we have incorporated in the present bill section 2, which is utterly outside of the scope of the reciprocity agreement, with which the Canadian bill is supposed to correspond, what is the effect of that legislation? Will section 2 of the bill come within the scope of any reciprocity?

Mr. CUMMINS. My opinion is it will not; that it is an independent proposition for that particular subject.

Mr. NELSON. Will the Senator from Iowa allow me one word more? Would not that bring in force as to that subject the favored-nation clause?

Mr. CUMMINS. I have been in doubt with regard to that. It would depend upon whether in diplomacy it were held that the concession which we grant to Canada is a gratuitous concession. The concession which Canada grants to us is so insignificant and trifling, in regard to wood pulp and paper, that I doubt whether it would sustain the agreement. If, however,

wood pulp and paper could be brought within the scope of the entire arrangement, then I think it would be entirely possible for us to grant to Canada free paper and free wood pulp without asking from Canada any concession with regard to wood pulp or paper. In other words, true reciprocity does not necessarily involve the reduction of duties upon the same articles or admitting the same articles to the free list. We could very well grant to Canada certain concessions that might have no relation whatsoever commercially to the concessions that Canada might grant to us.

Now, the difficulty about the present arrangement is as the Senator from Minnesota has said. For some reason or other the House has segregated section 2 from the remainder of the bill, and it is doubtful whether it will be controlled by the provisos and the conditions of the previous part of the bill. If it is not so controlled then it is not reciprocal, and we would be in danger of the favored-nation clause.

But I desire to read from the instructions of the State Department given upon some treaties—and I will not go into their history—negotiated under the McKinley law of 1890; treaties that were negotiated as all know by a very eminent statesman of my own State, Mr. Kasson. They were complained of. They never went into effect. They were never ratified by the Senate or by Congress. But nevertheless certain nations complained about the negotiations in progress between our State Department and other countries; and this is the statement made in response:

It is clearly evident that the object sought in all the varying forms of expression is equality of international treatment, protection against the willful preference of the commercial interests of one nation over another. But the allowance of the same privileges and the same sacrifice of revenue duties to a nation which makes no compensation, that had been conceded to another nation for an adequate compensation, instead of maintaining, destroys that equality of market privileges which the "most-favored-nation" clause was intended to secure. It concedes for nothing to one friendly nation what the other gets only for a price. It would thus become the source of international inequality and provoke international hostility.

The neighborhood of nations, their border interests, their differences of climate, soil, and production, their respective capacity for manufacture, their widely different demands for consumption, the magnitude of the reciprocal markets, are so many conditions which require special treatment. No general tariff can satisfy such demands. It would require a certainty of language which excludes the possibility of doubt to justify the opinion that the government of any commercial nation had annulled its natural right to meet these special conditions by compensatory concessions, or held the right only on condition of extending the same to a nation which had no compensation to offer. The fact that such concessions, if made, would inevitably inure to the equal benefit of a third competitor would often destroy the motive for, as well as the value of, such reciprocal concessions.

All that tends to one certain conclusion, namely, that this country can offer Canada whatsoever it pleases. It matters not how wide may be the range of its reductions; it matters not how emphatic may be our concessions as compared with hers; if we want for the good of our people to give to Canada free trade in every product that enters the markets of the United States for what we believe to be a fair and equivalent concession on the part of Canada, no matter how meager that concession may be, no other nation upon the face of the earth can complain of our conclusion or our determination in that respect.

We have a right to take into account her proximity to us, the character of her people, the habits of her people, the conditions of her production—all these things we may well consider in order to determine what we may give to her for her concessions to us.

I read just one more sentence and I shall have finished this history. I read a sentence or two from the interpretation of the most-favored-nation clause by Chester Lloyd Jones, instructor in political science in the University of Pennsylvania, found in the Annals of the American Academy of Political and Social Science, following page 383. I read from page 385:

In spite of the apparent simplicity of this principle conflict has repeatedly arisen as to the proper interpretation of the "most-favored-nation" guarantees. The point which is the subject of contention usually narrows down to this: When nation A grants special terms to nation B as to the importation of certain articles in return for concessions by nation B on certain points, does that give all other nations with the "most-favored-nation" clause in their treaties the right to demand the same concessions—

Now, mark you—

upon their declaring their willingness to yield the same points yielded to nation B. Is it permissible, on the other hand, to maintain that the grant to nation B for the return of special concessions gives the other nations only the right to demand a similar grant when they have themselves made concessions which the treaty-making power of nation A shall consider the equivalent of those made by nation B?

And this is the whole crux of the somewhat intricate and difficult problem:

Suppose, for example, that the United States should grant specially low duties on French dry goods in return for low duties on American agricultural machinery. Is it open to Germany to demand the same terms for her dry goods under her "most-favored-nation" treaty upon the tender of the same terms on imports of American agricultural machinery, or may the United States contend that the grant of low duties to German dry goods would be more than an equivalent return, and would therefore place Germany not on the general basis of the most-favored nation (presumable in this case, France), but would make her an especially favored nation, thus, in fact, violating the very principle which the "most-favored-nation" clause was intended to guarantee? In other words, are reciprocity agreements to be considered as automatically extending to all nations with "most-favored-nation" clauses in their treaties, or must each be the subject of a special negotiation, a special bargain between the countries involved, except where the favors are freely granted?

I will not read further, but I commend this article to the consideration of those who desire to pursue the subject further. The answer given by the author is that when any third nation demands from us the same concessions upon our duties we may make to a given country it is for us to determine whether the same concessions would be equivalent or not, and it is for us to say what will be the equivalents that will secure to the third country the same concessions we have theretofore granted to another.

I assume that all this is elementary. It was somewhat new to me, however, and I pursued the investigation with a great deal of interest.

I conclude by saying that whatever agreement, whatever proposal we desire to make to Canada we may make, and it matters not whether our concessions are large and hers small or hers large and ours small. It is for the Congress of the United States to say whether they be or be not proper equivalents of each other.

Therefore my amendments to the bill before us will not subject us to any danger from the favored-nation clause unless there is some force or some conclusiveness in the arrangement that was made between Mr. Fielding and Mr. Paterson on the one side and our Secretary of State upon the other.

Now, if we are bound by that arrangement, then of course any concession that we would make which would enlarge the concession on our part without asking any additional concessions upon the part of Canada would be a concession freely made, and we would then have free trade in that article or commodity with the whole world.

But I want to remind Senators that Mr. Fielding and Mr. Paterson came here unauthoritatively so far as the Parliament of Canada is concerned. We do not know what Canada will accept or will not accept. We know that Mr. Fielding and Mr. Paterson have agreed with Mr. Knox that they mutually will do what they can, the latter to secure the passage of this bill by Congress and the former to secure the passage of some corresponding legislation by the Parliament of Canada.

That is all that they have done; all that they could do. That was too much. That was beyond the authority at least of our State Department or of our Executive, whatever may be the authority of Mr. Fielding and Mr. Paterson, and I say nothing about that. I do not know what their ministerial authority may have been.

But my proposition is this: When this bill was introduced in the House of Representatives, where alone it could take form, where alone it could be given lawful force, it was in the province of the House of Representatives to make whatsoever proposition to Canada the Members of that body desired to make. The House of Representatives did make a certain proposition to Canada and we have it before us for consideration. It is a proposition contained in a bill as amendable as any other bill which comes from the House of Representatives to the Senate, and therefore it is within our power—it is more than within our power, it is our imperative duty—to make just such proposition to Canada as we think the welfare of our people demand, whatever that is. And it makes no difference whether our concessions are broadened or whether they be narrowed, the origin of the proposal is here; it is not with Mr. Fielding or Mr. Paterson, and it is not with the Secretary of State. If in order to do justice to our own people, having lifted them up to a high plane of protective duties, having created artificial prices for all we sell and all that we buy, we believe that when we take one great class of producers down from this high plane we must also take others down a part way at least, if we believe that anything short of this will be unjust to our people, then we have a right to add to the concession mentioned by the Secretary of State and approved by the House of Representatives such other concessions as are absolutely necessary to render justice to our own country.

Mr. BACON. Mr. President——

The PRESIDING OFFICER (Mr. JOHNSON of Maine in the chair). Does the Senator from Iowa yield to the Senator from Georgia?

Mr. CUMMINS. I yield to the Senator.

Mr. BACON. I have listened with much interest to what the Senator has said about the favored-nation clause. He gave a somewhat comprehensive review of authorities. I want to

direct his attention to the fact that our newest judicial tribunal, the Court of Customs Appeals, recently passed judgment upon that subject, and I am sure the Senator will not wish to omit a reference to it. I have not seen the text of the decision; I saw the newspaper report of it. I can not give the name of the case nor can I state accurately the extent of the decision, but it was upon the question which the Senator has discussed, and I thought it was but just to that tribunal to call attention to the fact that that is probably the most recent utterance on the subject.

Mr. CUMMINS. I am obliged to the Senator from Georgia. I remember seeing a newspaper notice of the decision of the Customs Court, but in some way or other it escaped my mind. I have not the decision before me, and I am not familiar with it, but before this debate is finished I will find the opinion, and whether it be for or against the position I have assumed I will lay it before the Senate. I think, however, in a general way it is in harmony with the opinions I have already read.

Mr. BACON. I gathered from the newspaper reports I saw of it that it is in harmony with the Senator's position, but I am not sure about that.

Mr. BROWN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Nebraska?

Mr. CUMMINS. I yield to the Senator.

Mr. BROWN. The authorities cited by the Senator from Iowa are very distinguished and very learned publicists and courts, but, as a matter of fact, all the authorities are decisions of some of our people on what the favored-nation clause is. I wish to inquire of the Senator if he, in his research, has found any instances where the question has arisen between different nations and has had any interpretation from an international standpoint?

Mr. CUMMINS. Most of the authorities that I have read have been connected with international correspondence.

Mr. BROWN. That is very true.

Mr. CUMMINS. The United States has adhered steadily, without any departure whatsoever, to the rule that I have announced. But Europe for a hundred years now has been protesting against our construction of the rule of the favored-nation clause. The correspondence between the United States and nearly every country in the world is full of protestations against our interpretation of the clause. But the United States has unwaveringly adhered to her interpretation, and she intends to adhere to her interpretation, because, at least since 1886, it has had the authority of the Supreme Court of the United States.

Mr. BROWN. That is just the point I should like to understand. All these precedents and authorities are our own. They have never been accepted by any other country.

Mr. CUMMINS. No, sir.

Mr. BROWN. Which might raise the question as to this bill.

Mr. CUMMINS. The only country I believe in the world that has accepted our interpretation is Japan, and she has construed the favored-nation clause just as the United States does. Fortunately, however, it is our interpretation that will stand. There is no tribunal upon the face of the earth that has the jurisdiction or the power to overrule the interpretation which has been put upon this clause by the State Department as well as the judicial department of the United States.

Mr. BROWN. I think the Senator is entirely right about that. The point I was making is simply the fact that all the authorities are American authorities, and wherever the question has been raised with another country the other country has taken the other side of the controversy, unless, as the Senator suggests, Japan agrees with us, and Japan had not been cited by the Senator as in agreement with America.

Mr. CUMMINS. I do not quite understand the point of the interruption or inquiry. I should like to answer if the Senator from Nebraska will make it just a little clearer. Does he think that because all these authorities which have put constructions upon the clause are of our own country, therefore they are not entitled to respect or obedience?

Mr. BROWN. Oh, no, Mr. President.

Mr. CUMMINS. I would like to get the exact idea in the Senator's mind.

Mr. BROWN. The Senator, on reflection, will understand that that was not my point at all. I am not discussing the merits of the controversy one way or the other. But the Senator was citing authorities of professors and courts and letters from our executive department to sustain his interpretation, and he left the case resting on those authorities. I had supposed that there were international precedents which were either in agreement with us and in agreement with him or in dispute with him, and I wanted to find out about those.

Mr. CUMMINS. All these precedents are international precedents, because it would be impossible for the cases to arise in any other way than through an international controversy.

Mr. BROWN. Of course, the authority which the Senator read from the learned professor from Pennsylvania was not a question arising out of a controversy with any other nation. He was simply discussing the ethics of the science of the question.

Mr. CUMMINS. Therein the Senator from Nebraska is mistaken. The author mentioned was discussing the correspondence and rules of our diplomatic authorities. Of course, the question could not arise in any other way than by a question made by some other nation. But fortunately our country determines the terms upon which imports shall enter our customhouses, and when the United States rules that a certain country is not entitled to reductions in duties under the favored-nation clause it is a final determination, and there is no court to which it can be referred except the court of war. Therefore, I think my authorities are entirely conclusive. I stated originally that the countries of Europe in all negotiations and treaties with each other do not employ our clause. Nearly all the countries of Europe employ an unconditional clause, which gives by its very terms the same reductions to every other country that is given to a particular country.

Mr. NELSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Minnesota?

Mr. CUMMINS. I do.

Mr. NELSON. If the Senator will allow me to supplement what he has so ably said, it is not only a fact that our diplomatic department, the State Department, has given it that interpretation, but there are two instances the Senator from Iowa cited, that of Denmark and San Domingo, where they questioned the action of the State Department and brought it into our courts, and it resulted in the same view; so we have here in our country not only the opinion of the diplomatic department in the case, which has been consistent from the beginning, but we also have the decision of our Supreme Court. As the Senator from Iowa has well said, nothing can settle those things except war.

Mr. CUMMINS. Mr. President, I have finished my argument in regard to this case. I hope that when the apprehension which seems to have been in the minds of some Senators is removed we may proceed to the examination of not this treaty, but this bill, with the same freedom that we approach every other matter of legislation, and that amendments will be either accepted or rejected according to the consciences of the Senators who vote for or against them.

I sincerely trust that the cloud which has seemed to envelop the Senate of the United States and to stifle thought and stifle judgment and stifle freedom will disappear and that we will consider and dispose of this measure just as we believe it ought to be disposed of, for the public good, blind to every extrinsic figure and deaf to every extrinsic influence.

If we do otherwise we will abdicate our duties and we will desert our responsibilities, and if the people shall eventually conclude that having refused to perform our duty, and having refused to bear our responsibilities, there is no longer need of the Senate of the United States in the economy of government they will not have wandered far afield.

Mr. NELSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield further to the Senator from Minnesota?

Mr. CUMMINS. Certainly.

Mr. NELSON. This reciprocity scheme coming before us not in the form of a treaty but in the form of a bill, have we not as much right to amend this limited tariff bill as any other tariff bill, and what right has the executive department to say to us that we must not amend the bill?

Mr. CUMMINS. The question of the Senator from Minnesota is a very apt one, and ought to arouse every patriotic and liberty-loving instinct in the Members of this body. It is to me repugnant to think that any influence beyond these walls, any influence save our own sense of right and justice, shall determine whether these amendments or any of them shall become parts of the bill or no.

I beg the indulgence of the Senate while I briefly review the situation from the standpoint of the great majority of the progressive Republicans here and elsewhere. I do not want any Senator to feel that I use this term invidiously or in a critical spirit. By progressive Republicans I mean every believer in the protective doctrine, who, at the same time, has pledged himself to do what he can to reduce our tariff duties to the point at which they will fairly measure the difference between the cost of production here and elsewhere.

The agitation for the revision of the tariff from this point of view began 10 years ago, and it began because a great body of the people felt that the high duties of the Dingley law, duties that may have been possibly defensible in 1897 but which were not defensible in 1901, should be reduced; that the duties should be taken down from their high elevation to the level of American life; just so low that they would enable American producers to live and prosper and profitably enter American markets, but not so high as to enable American producers to exact unfair and unjust profits from the consuming public.

This agitation was emphasized because it was known that in the large fields of industry competition had been exterminated and because prices were fixed by the arbitrary will of men who had no other guide except to take and to keep all that the traffic would bear.

The struggle continued for years. At first there were but few who were willing to incur the odium of an attack upon the system of protection as applied in the law of 1897, but the number grew and their force and strength multiplied until the battle culminated in the Republican convention of 1908, which did two things.

It prescribed a rule for the application of the protective doctrine which had never before been prescribed in all the history of our party. In all the campaigns between our doctrine and the doctrine espoused by my friends upon the other side the protective policy had never been definitely and accurately defined. It was accurately stated in 1908, and I thought that a bow of promise illuminated the political heavens. I thought, too, that very soon the burdens which extraordinary and indefensible taxation had put upon the people of this country would be lightened, for in this same platform we declared that the work of revision should be immediately undertaken in a special session to be called for that purpose. So our party, holding this principle and advocating this policy, triumphed in the election of 1908.

It triumphed because a majority of the people of this country believed in the doctrine of protection; a majority of them believed that our greatest prosperity is to be found in reasonable and fair duties levied upon foreign products in order to equalize unequal conditions between our country and countries across the sea.

It was in this spirit that we entered the fight of 1909. I will not dwell upon that controversy. It is sufficient to say that in my opinion the tariff act of 1909 did not fairly comply with or fulfill the promise of the platform of 1908. It did not so reduce duties that they measured the difference between the cost of production at home and abroad. After the tariff law of 1909 was passed the same Republicans who had struggled for the announcement in the platform of 1908 went out into the country and declared that the Republican Party had been unfaithful to its promise, had not fulfilled the obligation which it had assumed, and we asked that Congress again turn its attention to this important work and relieve the people of some of the injustice of this taxation.

At the same time there had arisen the demand for a tariff commission. It arose, indeed, contemporaneously with the demand for lower duties in 1901 and 1902 and 1903 and 1904, but it took on new form and it became a living question after the session of 1909, when all of us became convinced, as we never had been before, that it was impossible to revise the tariff of the country according to the Republican doctrine without full, complete, and comprehensive knowledge with regard to conditions of production and the cost of doing things here as compared with the cost of doing the same things elsewhere. As we passed out of the session of 1909 those of us who had fought for lower duties declared that it was not our purpose to again ask for a revision of the tariff until we could have the information that would be furnished by an impartial and independent tariff commission; so that when once we established the level of duties in accordance with our promise, business might have some stability, men might know what to do, men might look forward into the future and determine what undertakings they might safely enter upon. So, we fought along the pathway of business stability and at the same time of reasonable, fair, and adequate tariff readjustment; and we passed into the last session knowing that it was our most imperative duty to equip the Government of this country with a commission that could adequately examine all these questions and whose information might be some guide to those of us who thereafter undertook to reduce duties to the point of the difference between the cost of production here and elsewhere. All session long we begged the Senate of the United States to adopt a law which would create a Tariff Commission and clothe it with adequate, full, and complete power—a commission that would be independent of the executive department and independent of every other department, save the department which alone can make laws and which alone can change tariff duties.

We succeeded, at the expenditure of all our strength and under severe criticism from some very good people who were compelled to sit here all night in the closing days of the session, in passing the bill which proposed to create a Tariff Commission with full powers and independent of every other department of the Government. We passed it, however, so late that the ingenuity of our friends upon the other side, manifested in the House of Representatives, was able to defeat the bill. Therefore we closed the session with the same inadequate administration of tariff matters that we had before, but we intended, as all the world knows, to continue the fight for a Tariff Commission, and in the meanwhile we intended, as all the world knows, to rely upon the board of experts which had been authorized in the law of 1909—not sufficient, not equipped with proper power, but I think intent upon the performance of its duty and able to furnish some information, some knowledge, about these intricate subjects to Congress as it came to amend and revise the tariff schedule by schedule, for in the meantime these same Republicans declared that they desired to amend our tariff schedule by schedule and not to await the slow development of all the knowledge upon the whole range of the tariff. As the commission came to a completion of its work schedule by schedule they insisted that Congress should take these matters up and dispose of them according to their very right and justice.

I for one would not have objected; on the contrary I would have hailed the opportunity to have taken the agricultural schedule first. I am not opposing the proposition before us simply because it seeks to change the agricultural schedule; I am not opposing the proposition before us simply because it has singled out the interests of the western country and has still further fortified the interests of the eastern country; I would have been willing to have taken up the agricultural schedule first and to have put just such duties on every agricultural product as would measure the difference between the cost of producing them here and in Canada or elsewhere; but in the midst of a program which seemed to me to have the assent of all men who believe in the protective tariff, in the midst of an effort to introduce into the business world that steadiness which it so much needs and which it so highly demands, we are met with the proposition to revise the tariff so far as Canada is concerned without any information whatsoever other than that which belongs to all intelligent people with regard to the difference between the cost of production in the United States and in Canada.

I believe that it was most unwise, most unfortunate, for the cause of tariff reform, most unfortunate not only for those whose capital is invested in business and for those whose labor must be employed in business, but unfortunate for those of us who for years have struggled to attain the one result, namely, reasonable duties upon those things that are now burdened with excessive impositions. It was unfortunate, as we were in reasonable association with respect to the way in which to work out the best interests of all the people, that just at that moment the executive department saw fit to precipitate into a caldron that is rarely quiet, and that was never so much disturbed as at the present moment, the proposal for reciprocity with Canada. I believe the effect of it will be to set back the hand upon the dial of progress; I believe the effect of it will be to postpone the day when the American people will see fair and reasonable duties upon all things that come from the hands of the American workmen. This is my complaint against the proposal for the revision of our tariff with Canada.

It, of course, would be idle to make this complaint if it were true that the outcome would be a lessening of the burdens of the people. If we could accomplish in this way a real reduction in excessive and grievous duties, then the mere road that we may travel in order to reach that result is immaterial; but here we are in midsummer, tortured with heat, impatient of delay, making a titanic effort to remove duties from the only things the price of which the proposers of the measure declare will not be affected in the least. A more profitless campaign I have never known in American political life.

No longer ago than yesterday the President of the United States declared again that no one need fear the present arrangement, because nobody would be hurt. Putting aside the question of free paper—I take it for granted, of course, that the mighty newspaper world is not influenced by the print-paper clause in this arrangement; I take it that the unanimity with which the newspapers of this country are now singing the praises of reciprocity does not come from any unanimity in benefits to be enjoyed; I put that phase of it aside—the only thing that you are trying to do to help the American people is to reduce or remove duties upon agricultural products; and in

the very breath in which you declare that those duties must be removed you declare that the duties do not affect in anywise whatsoever the price or prices of agricultural products.

I have no great desire to enter into a joint debate with the President of the United States. Ordinarily I would hold his high office immune from any comment upon my part of the views held by the Chief Executive; but when he abandons his office—I am not saying that in any disparaging sense, but he is abandoning his office; he is attempting to lead public opinion in favor of the reciprocity agreement; I do not criticize him for doing it; I do not complain of it; it is vastly better for him to go through the country endeavoring to form and mold and create or destroy impressions and opinions than it is for him to use the power of his great office to carry through the bill which we are now considering—when he does leave the duties of his office and enters a campaign of enlightenment and of education with respect to a question of this sort, then he is on the same level with every man of America, and he can not be exempt from the ordinary comments and criticisms respecting the weight to be attached to arguments that he uses. He said at Indianapolis yesterday:

> It is said that this Canadian reciprocity agreement is made wholly at the expense of the farmers and only in the interest of those who would have farm products at a less price, to wit, the wage earners of the large cities. It is my own judgment that the reciprocity agreement will not greatly reduce the cost of living, if at all.

I ask my friend the Senator from Ohio [Mr. BURTON] why we are sweltering here in the midsummer heat if to remove the duties upon agricultural products will not reduce their price at all? If these duties have not enhanced the price in the past and their removal will not reduce their price in the future, why are we here engaged in the Herculean task of taking the duties off agricultural products that have never afflicted the people of the United States and either leaving or advancing the duties upon manufactured products against which a universal complaint has been made, a complaint that has been ringing from one border of this country to the other for now more than a decade? Do you not think that we had better expend a little of our time and a little of our strength in removing some of the duties which will affect the cost of living rather than expend it all in removing the duties which affect, according to the views of my distinguished leader, the President of the United States, no prices whatsoever? However, I must do him justice, because a little later in the same speech which was intended to bring a club in Indianapolis with progressive tendencies into harmony with his views, he says:

Now, mark you, he has just said that, in his opinion, the removal of these duties would not greatly reduce the cost of living, if at all. Now, he says:

> Indiana is fairly representative of the States of the Middle West in its relation to Canadian reciprocity. Its consumers will benefit by the remission of duties on food products and by the remission of the duties on fish—

Will some friend of this arrangement inform the Senate before the debate shall have finished how the remission of these duties upon agricultural products will benefit the consumers of food products in Indiana if the remission does not affect the cost of living at all?

The day was hot and was not conducive to logical reasoning. I confess, of course, to the same influence. I can understand how a man speaking as he did and as I do under the blaze of a midsummer sun might wander into inconsistencies. I have pointed his out. Will some Senator here point mine out before the debate shall have finished?

The President says also that we will undoubtedly export to Canada a greater volume of agricultural products than we have hitherto. I believe we may increase our exports slightly. But what benefit is it for the American agricultural producer to export his commodities to Canada rather than to any other country? I hope somebody will engage himself with that phase of this subject.

The President says that we do not get any benefit from the agricultural duties, and until recently I think that was true. But he says the prices of all these things which we export are fixed by the export demand—fixed by the world's demand. What difference does it make if we do have the duties removed from agricultural products? We will get no more for them in Canada than we would if exported to any other country in the world. If these are world products—and until recently I think most of them have been—it is idle to suggest any benefit or advantage to the American farmer by reason of free trade with Canada in order that he may enlarge or increase his exports to that country.

Ah, Senators, this arrangement can not be supported upon any course of reasoning, whether from the viewpoint that my friends upon the other side of the Chamber take, namely, a tariff for revenue only, or from the standpoint of my associates here, that a protective system shall levy duties measured by the difference between cost of production here and elsewhere. It fails no matter by what standard it is tested.

May I refer to another view that the President takes, and in this again he is right. He says that he thinks we will increase the volume of our exports of manufactures to Canada. In a degree he is right. Canada is reducing duties upon our manufactures, well, from 2½ to 6 per cent on the average, taking the different classes. I think it is true that with respect to some manufactures, providing Canada does not immediately alter her preferential arrangement with Great Britain or France or Germany, our manufacturing producers can sell over there at a little more profit than they are selling now.

I can not, however, become very enthusiastic about enlarging the profits of the manufacturers. Tell me why their profits should be enlarged? I have heard no serious complaint among the people of the United States that the profits of our manufacturers are too low. Do my friends upon the other side of this Chamber want to increase the profits of the manufacturers at the same time that they are taking away from the farmers whatever chance there may be in the future for profits in agriculture?

I think it is true that the United States Steel Corporation will be benefited by this arrangement. I think it is true that the packers of Chicago will be benefited by this arrangement. I think it is true that the millers of Minneapolis, in the State of my stalwart friend, the Senator from Minnesota [Mr. NELSON], will be benefited by this arrangement. I think they will not only be able to buy their raw material a trifle cheaper than they can now buy it, but in shipping the added exports to Canada they may be able to sell them at a little greater profit than they are now selling them. And we will be judged in the future by just this test. It will be said of us that we spent the special session of 1911 in the effort not to reduce the duties upon a single article that weighed heavily upon the people, but that we expended all our time and consumed all our strength to add to the already overgrown profits of the manufacturers, the combinations, and the monopolies.

I do not pretend to be a prophet, but if I can understand the language in which this arrangement is proposed, and if I can understand its application to human affairs, I can foresee the judgment of an indignant people. It will be that the special session of 1911 outran all its predecessors in the effort to add strength to those already overstrong and to deny to the weak the equal protection of the law.

Mr. BACON. Mr. President, before the Senator from Iowa takes his seat I simply desire to call his attention to a case which I have in my hand. The Senator might desire to have it noted in connection with his argument.

I find an abstract from it in Senate Document No. 29, Sixty-second Congress, first session, presented by the Senator from Pennsylvania [Mr. PENROSE] entitled "Reciprocity Treaties—Favored Nation Clauses." It is in the last paragraph of that document.

The Senator from Iowa will see, if he has it in his hand, that it does not fully cover the point he was discussing, but it does illustrate it in a degree.

Mr. CUMMINS. I am greatly obliged to the Senator.

Mr. BACON. I will state the case to the Senator.

Mr. CUMMINS. I already have it, and will inquire about it a little later on.

Mr. BACON. The case is that of Shaw & Co. et al. versus the United States.

Mr. BURTON. Mr. President, before proceeding with my remarks I wish to state that I am not assuming to defend the administration or to hold any commission to advocate the pending reciprocity agreement. The administration needs no defense. Whatever I may say is entirely upon my own responsibility. I yield to no one in my earnest desire for closer trade relations with the British Provinces to the north of us. I am confident that the removal of trade barriers between the United States and Canada is the ultimate destiny of the two countries. Along this border is the one place of all others where commercial wars are unprofitable. Is it not absurd and wasteful that coal should be hauled by rail or boat from Nova Scotia to localities in Ontario, while there are abundant supplies available in the United States at only a fraction of the distance, or that on our part we should exclude Canadian coal only a short distance north of Montana and Idaho for the sake of giving a market to the coal of Wyoming, which must be hauled four or five hundred miles at a freight cost of $3 to $4 per ton? This involves a waste of transportation energy which is not beneficial to either of the countries which foster such a policy.

Again, while the quantity of lumber in Canada has no doubt been greatly exaggerated, there are very large quantities avail-

able to supply part of the constantly increasing demand in the United States. The maintenance of a duty on lumber means a destructive tariff rather than a protective one. The same is true of a tariff on any commodity, the quantity of which is limited and where, as in the case of our forests, there is already a deficiency and danger that the supply in a score of years will be altogether inadequate.

REAL BASIS FOR RECIPROCITY.

The real basis for reciprocity with Canada is the proximity of two peoples of the same language, customs, habits, and needs, and what is more vital to the question under consideration, among whom the same general economic conditions exist. In their normal development, the resources as well as the activities of the two countries would supplement each other in much the same manner as those of the different States of this Union. There are States in the Union which can more readily obtain what they need from Canada; and on the other hand there are portions of Canada which can more readily obtain supplies from the United States.

Any agreement or tariff policy which we may adopt should take into account the consumer as well as the producer. It should seek to impose the least possible hardship upon each. The Senate should have no partiality either for manufacturer or farmer. In changing the existing tariff laws there should be the utmost care to avoid sudden or drastic action such as will tend to dislocate existing industries whether in the farm or in the shop. As a general policy it is best to recognize the existing regulations, and even if they seem erroneous to displace them gradually so as to avoid any undue interference with present conditions. As Republicans many of us insist upon the continuance of the protective system, though not worshiping it as a fetish and willing to remove duties when they are useless or reduce them when unnecessarily high.

BENEFITS TO BE EXPECTED.

Guided by these principles I do not see any danger lurking in the proposed reciprocity agreement with Canada. On the contrary, I anticipate very substantial benefits to both countries. Presumably trade between countries as between individuals is not characterized by transactions which give all the advantage to one party, but is for the mutual benefit of both. Trade, whether private or international, has its foundation in the ability of the one to do that which the other can not do at all, or, at least, not so well. International trade, no doubt, involves considerations of national sufficiency and defense which distinguish it from private trade; but certain general principles are common to both. In addition to the general advantages to both countries, due to their contiguity and similarity of conditions, there are special benefits which accrue to the United States by reason of the enormous growth of population and the increased demand for food and raw materials. We should by no means regard the interest of the producers of food or raw materials as subordinate to those of any other class, but in view of our phenomenal growth, not merely in population but even more in consumption, and the gradual impairment of supplies which at one time were superabundant, it is well for us, though no present danger may threaten, to wisely forecast the future and to secure as far as we may an abundance of those treasures which have furnished the basis for so much of our wonderful prosperity. The vital fact of world-wide application is the pressure of increasing population and consumption upon the products of the farm and upon certain materials essential for the support of life and the continued development of our present-day civilization.

Mr. President, this tendency is not confined to our own borders, it is world-wide. It may be easy to enlarge manufacturing plants and increase their output if there be a sufficient supply of raw material, but when the food supply is diminished because population shifts from country to the city, and the average citizen consumes more, a condition is created which must awaken our most earnest attention.

I am far from advocating the cause of the manufacturer as against the farmer. I represent in part a constituency which has a larger number of farmers, with possibly one exception, than live in any State whose Senators have expressed themselves for or against this agreement. But it should be our endeavor, everyone of us, to recognize great essential facts which govern and shape the economic situation. Most important of these is the necessity for so forecasting the future that the food supply of the people may never become scanty.

EFFECT OF TARIFF DUTIES UPON FARM PRODUCTS.

In this discussion the one question which in importance transcends all others is the future food supply of the United States. It has been practically conceded in tariff discussions in the past that the duties imposed upon wheat, corn—in fact, those upon nearly all agricultural products except wool and sugar, which are not affected by this proposed agreement—do not increase the price of these commodities. True, in localities of limited area near to the border of Canada or of Mexico, or in regions where the distances from the sources of domestic supply are such that transportation from foreign countries is easier than from the United States, prices have been sustained by tariff rates. Again, in years of inferior crops the tariff exerts an influence upon the price of any product; in brief, at all times, duties have a slight steadying influence. Still further, the tariff on agricultural products may be said to give a certain degree of confidence to farmers, a factor which is by no means unimportant when we consider that men in every form of enterprise desire a tariff, whether needed or not, for the more or less imaginary reason that protection gives life and prosperity to the business in which they are engaged.

The absence of any material effect of tariffs upon agricultural prices has been repeatedly recognized. No longer ago than in the tariff discussion of 1909 the Senator from Minnesota [Mr. NELSON], on May 31 of that year, stated:

> The protective duty on wheat up to this time has been of no earthly value to the wheat farmers. * * * We have been an exporter of wheat, and are yet; and as long as we export wheat the price is fixed by the Liverpool price. * * * I expect to get 30 cents a bushel more for my wheat than I have ever gotten before.

The Senator from Minnesota also said on the same day:

> The farmers sell their hogs and pigs to the Beef Trust at Chicago and Kansas City, and it is a protection to them—that is, the Beef Trust—rather than the farmers.

The Senator from Wisconsin [Mr. LA FOLLETTE] also stated in the debate on the Payne-Aldrich bill that "the only benefit which the agriculturist received from the tariff was the duty on wool and that on barley, except an indirect, roundabout benefit which he takes from feeding the people employed in protected manufactories."

In the early discussion of the proposed pact with Canada there was a protest, amounting to an outcry in some quarters, based on the idea that the adoption of the agreement would reduce the profits obtained by the farmers. While this claim is still made on behalf of specific localities and of certain products, like flaxseed and barley, the general ground of opposition has shifted, and it is now maintained not that the agreement will confer a present injury upon the farmers, but that in the future it will lower the prices which they will receive.

The Senator from North Dakota [Mr. MCCUMBER] points out that at the present rate of increase in population and consumption of wheat the domestic supply will be consumed at home after the year 1918, and he argues that for this reason duties should be retained on farm products so that at that time the price may be raised and the farmers especially benefited.

The Senator from Iowa [Mr. CUMMINS], as I understood him—I have not yet seen the printed report of his remarks—stated, a few days ago, that when he, as governor, transmitted his message to the legislature in 1904 favoring reciprocal relations with Canada, the conditions were different from those now existing. I judge he means that the proportion of agricultural products exported is less and that the domestic demand is for a larger share of the supply.

Let us for a minute analyze this contention, namely, that in the case of the majority of agricultural products the tariff does not now increase the price received by the farmer, but that within a decade the demand at home will increase so much more rapidly than the home supply that prices will be materially increased. What is this but a demand for increased protection on food products? It is practically conceded that under the conditions which now prevail, and have prevailed for years, duties have not been necessary for the farmer's prosperity, and have not raised the prices of his products, but under the changed conditions which will occur in the future these same duties will increase the price and afford a degree of protection not now enjoyed.

That is, these duties were imposed when their sole effect was at most a steadying influence or a benefit to a few localities or to a very limited number of producers. They were adopted as a part of our protective system. But now it is argued that although these duties on farm products have not caused any material rise in price, yet when conditions change and the domestic demand overtakes the domestic supply they will raise prices, and for this reason should be retained.

As against this contention, Mr. President, I have listened for years to the argument that a tariff does not ultimately raise prices. Numerous examples are given where a domestic industry has been established because of the assistance of tariff duties. As a result two sources of supply come to compete for the market which before was occupied by one. Thus the ingenuity of the American inventor and the effect of competition with establishments abroad have materially lowered prices in many cases.

You can examine all tariff schedules and hardly select an article—save where the tariff is one of a revenue nature, or in

which the domestic supply is but a part of the domestic consumption—where the consumer pays the foreign price increased by the duty. The reason is that we have built up within this magnificent empire of ours competing supplies of these articles.

But in this special session of 1911 we hear the argument that certain tariffs on agricultural products are of vital importance in order to secure the future price when the supply falls below the domestic demand. If the local supply is unequal to the demand the inevitable result would be a very large increase in price beyond that which would otherwise exist.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER (Mr. JOHNSON of Maine in the chair). Will the Senator from Ohio yield to the Senator from Idaho?

Mr. BURTON. Certainly.

Mr. BORAH. Why would not the same principle which applies to the increasing of manufacturing establishments, and therefore the increasing of competition, apply to the increasing of the number of farms, and thereby competition in the production of farm products, so long as only about half of our agricultural lands are under cultivation?

Mr. BURTON. In some slight measure it does, but the Senator from Idaho will recognize the very vital difference between the two. The opening up of new lands and the recruiting of farmers to occupy them must necessarily be gradual. The same method of invention and of multiplication of products does not apply to the products of the farm as to those of the factory.

Mr. BORAH. Then, again, I quote to the Senator from Ohio a statement showing that about one-half of all the lands in private ownership are not under cultivation.

Mr. BURTON. But I am sure that my friend will recognize that it is the best half that is already utilized and under cultivation.

Mr. BORAH. It is the best half at the present time, because of the fact that as soon as the farm lands have become exhausted—as the saying is, "skinned"—the parties have moved to other agricultural lands which were richer and more profitable. But it is nevertheless true that within the last seven or eight years there has been immigration back to the abandoned farms, to the replenishment of farms.

Mr. BURTON. However, the increase from the occupation of abandoned farms does not at all keep pace with the increase in consumption. I shall have something to say upon that later. But how can the advocate of lower duties support the proposition that tariffs should be retained in order to raise prices in the future?

NATIONAL GREATNESS DEPENDS UPON ABUNDANT FOOD SUPPLY.

I take the broad ground, Mr. President, that this Nation can not maintain its present proud position without an abundant supply of the primary necessities of life, especially of the essential articles of food which we eat. The halcyon days of the past have been characterized by enormous supplies of agricultural produce. We were, first of all, an agricultural people. In the history of nations there has been no more distinctive mark of prosperity and of greatness than the possession of or ready access to the necessities of life, especially in the form of food. These promote not merely their economic development, but their power and prosperity. An insufficiency or expensive supply of food hinders development in industrial and other lines, and also, in addition to these results, it affects the physical type, diminishes efficiency for military service or for the more important conquest of nature. Again, it creates discontent. Starvation and riot go hand in hand. There are numerous illustrations of the policy of nations in this regard. Athens or Attica in the last half of the fourth century before the Christian era imported 12,000,000 or 15,000,000 bushels of wheat per annum. A public regulation provided that any ship owned in Athens or subsidized by the Government of Attica on its return voyage must bring a certain amount of grain. Demosthenes in one of his orations mentions the fact that a ship taking a voyage from the Crimean Peninsula, where wheat was abundant, to Athens was forbidden to discharge even the least portion of its cargo at any way port on the route, and a violation of this regulation might be punished with death.

In Rome, after the second Punic War, there followed a scarcity of grain, and at times the sale of wheat was under governmental control, as was the uniform policy in Athens. At other times large supplies were obtained and either sold at low prices or positively given away to the populace.

Passing by many other instances of the insistence of a people upon maintaining its grain supply, we may come to England, where in 1846 Sir Robert Peel turned his back on the policies of a lifetime and brought into Parliament a measure for the repeal of the corn laws, which opened the markets of England to the food supply of the world. This law became fully effective in the year 1849.

There are certain articles of food which may be classed as luxuries which are not of such vital importance, but if the time is coming in the United States when, instead of cheaper food, the cost will exceed that in other countries, we must count on a revolutionary change which will not merely affect our industrial situation, but will affect our political situation as well. Therefore I desire now to enter my protest against any policy which looks to the maintenance of duties on the most essential foods—the bread and the meat which the people eat—when the home supply shall prove insufficient. Such a policy, to my mind, is little short of suicidal. Progress and prosperity alike are impossible without an abundant food supply.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Idaho?

Mr. BURTON. Certainly.

Mr. BORAH. I should like to ask the Senator if he thinks this measure will lower the price of meat and bread, in view of the duty that is left upon those articles and the manner in which they reach the people—that is, through trusts and combines?

Mr. BURTON. Does the Senator from Idaho refer to the Canadian reciprocity agreement?

Mr. BORAH. Yes.

Mr. BURTON. I think it may to some extent. I have some material here that will possibly answer the Senator's question more fully. The benefit of higher prices has not inured exclusively to the good of the farmer in the past few years, but I think the settlement of that question lies in a different direction.

Mr. BORAH. If this was designed for the purpose of lowering the price of meat and lowering the price of bread, why were not those articles put on the free list?

Mr. BURTON. Because the Canadian commissioners did not desire to have it done.

Mr. BORAH. And we did not get it.

Mr. BURTON. We did not get it. We took the agreement which would be accepted by the other side, recognizing the fact that it requires two to make a bargain. The butchers and packers of Canada did not think that they could compete with the highly organized packing concerns of this country. I am not in their confidence, but I fancy that was their reason.

Mr. BORAH. And the butchers and packers of the United States did not think that they wanted to compete?

Mr. BURTON. Whatever their thought might have been on the subject, I am satisfied this agreement would have come to us with meat reciprocally free between the two countries if it had not been for the attitude of Canada on that point.

Mr. BORAH. All we know for sure is that it did not.

Mr. BURTON. It did not come to us with provision for free meats, but there were very material reductions on bacon and other varieties of animal food, as the Senator knows.

It is not the intention of this proposal for reciprocity to reduce the price of articles sold by the farmer. It would require resort to vague conjecture to prove that the farmer will suffer from this agreement, save in exceptional instances. The price of flax and barley may be slightly diminished. In some localities near the Canadian border hay and possibly wheat and other products may show some decrease in price, but in all our deliberations it is the whole country and the general good of all the people to which we must look for our mandate in legislation. The slight loss, and it can only be slight, of producers of particular articles and in specific localities is overbalanced by the substantial benefits which will be conferred upon the whole people.

PRICE OF WHEAT WILL NOT BE LOWERED.

One fallacy which has received strong support in the debates upon this proposition is the claim that when prices are lower in a contiguous country free interchange will result in a fall to the same level of prices in the larger country across the boundary line. But quite to the contrary, in such cases there is an inevitable tendency toward an average of prices determined by the relative supply in the two countries. Take, for example, the case of wheat. The production in Canada for the year 1910 was 150,000,000 bushels; the United States produced 737,000,000 bushels, or very nearly five times as much. The aggregate production of the two countries is an essential part of the world's supply, nearly one-third of the world's entire production. The removal of the barriers between the two countries must mean a like scale of prices in the two countries. If the Canadian price is lower, it will rise very nearly in the inverse proportion which it bears to the total product of the two countries—five-sixths in the United States and one-sixth in Canada. That is, if wheat is 12 cents higher in the United States than in Canada, her price will be increased five-sixths of the difference, or 10 cents, while ours will be lowered only one-sixth, or 2 cents.

However, there is another fact to be considered. Both are exporting countries; and while all may not be willing to accept the dictum that the price of wheat is determined by the market quotations of Liverpool, it is determined by the relative demand and supply, as modified by the available means for transportation. We overlook the fact that in every year the United States has been a large exporter of wheat, and we can reach no conclusion except that this condition will continue for a considerable time. The smallest export was in the year beginning July 1, 1904, when the quantity fell to 44,000,000 bushels. In only two other years—those beginning July 1, 1905 and 1909—has the export fallen below 100,000,000 bushels, and in 1901 it reached the enormous quantity of 234,000,000 bushels. In only 1 year for more than 30 years have the imports in grain less the reexports exceeded 1,000,000 bushels.

One very important fact which has been overlooked in this discussion is that exports of agricultural produce from Canada go now almost exclusively to Great Britain, whereas, with few exceptions, until the year 1892 the exports of agricultural produce from Canada to the United States were greater than to Great Britain. But since that date the percentage of exports to Great Britain has increased at a rapid rate, until for the four years ending in 1909 the average value per year was twelve and one-fourth times the exports to the United States.

I give this and certain other tables, and I ask consent to have them printed as a part of my remarks.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. BURTON. The following table shows the average annual movement by quinquennial periods to the United States and Great Britain:

Exports of agricultural products from Canada.

Dates.	To Great Britain.	To United States.	Total to all countries.
1871–1875	$6,671,196	$7,447,890	$15,015,331
1876–1880	9,348,915	8,687,568	19,352,117
1881–1885	7,940,534	11,341,045	24,407,739
1886–1890	5,759,239	8,734,096	15,447,503
1891–1895	11,734,535	4,498,334	18,245,282
1896–1900	18,185,661	1,955,339	23,119,763
1901–1905	25,133,710	3,650,626	34,738,304
1906–1909 [1]	46,658,062	3,811,959	56,996,525

[1] Includes only four years and nine months for 1907.

I will read a few of the figures. In the five years from 1871 to 1875 the average annual exports of agricultural products from Canada to Great Britain were $6,671,000; to the United States, $7,447,000. From 1881 to 1885 the annual exports to the United States averaged considerably more than to Great Britain. The same is true of the period from 1886 to 1890, but in the last four years, from 1906 to 1909, the exports to Great Britain averaged more than $46,600,000 annually, while to our own country the average was only about $3,800,000.

Now, what does this table show? Because the lines of communication between Canada and Great Britain are now quite abundant and the prices abroad are higher, the trend in the exports of agricultural products is more and more from Canada to the mother country. We are also large exporters of agricultural products to Great Britain in competition with Canada. So any imagination, I was about to say, any foreboding, that in this year or for years to come, indeed, at any time, there will be such a dumping of Canadian agricultural products into the United States as to injure the American farmer is entirely without foundation. To be sure, her wheat production is increasing rapidly, while ours is gradually approaching the maximum. But in spite of this fact the Canadian production will not equal ours for many years to come. In the past nine years the average wheat crop of Canada has increased 35 per cent, or about 4 per cent per annum.

That is in line with what I have already stated in response to the Senator from Idaho [Mr. BORAH]. Agricultural production does not increase in such a manner as to derange markets in one year. It is only when a demand which has the semblance at least of permanency arises or when there is a decreased supply from sources from which supplies have been previously derived that great increases in agricultural products have come. The rate of increase in the future will be largely determined by the world's demand. What is the trend of these demands? Nothing has more clearly proven the improved conditions of all classes of society in the more progressive countries than the increased per capita consumption of cereals in the last 25 years.

I wish to call attention to the world-wide demand for wheat. I regret that I have not had time to make a comparison of the growth of food products other than wheat. At some later time I may present some considerations upon this subject to the Senate.

A comparison of the consumption of wheat and other cereals by quinquennial periods for 20 years, from 1886 to 1905, shows a steady increase in the consumption of wheat in all the more advanced European nations, with more irregular and less significant increases in the consumption of other cereals. A comparison of the period from 1886 to 1890 with that from 1901 to 1905 shows an increase in all European countries in the consumption of wheat except France, Greece, Portugal, Servia, and Turkey, while in most countries the increase is very considerable, as, for example, 58 per cent in Russia and 31.2 in Germany. The decrease in France is comparatively slight, and is explained in part by the fact that that country shows the maximum per capita consumption, which fell from 8.98 in the first period to 8.61 in the last period named. In Greece the decrease was from 5.49 to 5.35.

The consumption of rye, the yield of which is greater than that of wheat in Denmark, Finland, Germany, the Netherlands, Russia, and Sweden, also shows an increase in most countries, though where the consumption is largest there is a notable decrease along with an increase in the consumption of wheat. All the countries which manifest an increase in the consumption of wheat also display an increase in the combined consumption of wheat and rye, with the single exception of Bulgaria. It is to be noted that in Russia, Sweden, Finland, and some other European countries rye is the staple for bread rather than wheat.

The following table shows the per capita consumption of wheat and other cereals in different European countries from 1886 to 1905:

Per capita consumption of grain in European countries, 1886–1905, including seed, quantities consumed as human and animal food, and used for industrial purposes.
[From Bulletin 68, Bureau of Statistics, Department of Agriculture.]

Countries.	Wheat.				Rye.			
	1886–1890	1891–1895	1896–1900	1901–1905	1886–1890	1891–1895	1896–1900	1901–1905
Austria-Hungary:	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*
Austria	3.06	3.42	3.37	3.68	3.64	3.39	3.28	3.60
Hungary	5.09	6.39	5.14	5.58	2.40	2.39	1.96	2.02
Bosnia-Herzegovina	1.62	2.15	1.90	2.58	.26	.32	.22	.18
Total Austria-Hungary	3.84	4.58	4.04	4.42	3.02	2.87	2.63	2.83
Belgium	6.04	7.32	7.05	8.40	3.17	3.24	3.09	3.38
Bulgaria	5.85	5.86	5.86	5.89	1.51	1.50	1.42	1.34
Denmark	1.91	2.47	2.44	3.29	9.48	9.79	9.46	9.53
Finland	.49	.72	.99	1.18	7.20	7.61	8.53	9.03
France	8.98	9.04	8.99	8.61	1.73	1.74	1.63	1.40
Germany	2.59	3.07	3.25	3.40	6.15	6.37	6.63	6.61
Greece	5.49	4.85	5.21	5.35	.06	.05	.08	.06
Italy	5.02	4.85	4.74	6.03	.16	.15	.15	.13
Netherlands	3.85	4.02	4.01	4.21	4.39	4.39	4.34	4.64
Norway	.73	1.11	1.16	1.26	4.49	4.33	5.16	5.26
Portugal	2.22	2.23	2.14	1.95	1.51	1.40	1.29	1.20
Roumania	4.44	5.34	4.50	6.56	.30	.25	.38	.30
Russia	2.05	2.42	2.46	3.24	5.99	5.72	5.85	5.80
Servia	3.70	2.71	3.36	3.13	.46	.46	.55	.34
Spain	5.71	5.76	5.77	6.83	1.19	.95	1.08	1.29
Sweden	1.43	1.97	2.02	2.47	5.78	5.43	5.24	5.18
Switzerland	5.51	5.81	5.93	6.30	.73	.71	.71	.78
Turkey	3.69	3.63	3.59	3.43	.72	.68	.67	.65
United Kingdom	5.93	6.14	5.94	6.10	.09	.09	.10	.10

Per capita consumption of grain in European countries, 1886-1905, including seed, quantities consumed as human and animal food, and used for industrial purposes—Continued.

Countries.	Barley.				Oats.			
	1886-1890	1891-1895	1896-1900	1901-1905	1886-1890	1891-1895	1896-1900	1901-1905
Austria-Hungary:	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*
Austria	2.03	2.08	2.13	2.23	5.03	5.16	5.30	5.13
Hungary	1.96	2.57	2.08	2.24	3.03	3.74	3.39	3.42
Bosnia-Herzegovina	2.25	2.32	2.06	2.00	1.13	1.20	1.37	1.35
Total Austria-Hungary	2.01	2.29	2.11	2.23	4.08	4.44	4.38	4.29
Belgium	1.93	2.06	2.37	2.62	5.47	5.40	5.88	6.37
Bulgaria	2.23	2.30	2.44	2.27	2.11	1.98	2.18	1.98
Denmark	9.35	10.85	8.93	9.89	16.71	16.95	16.83	15.94
Finland	2.81	2.39	2.27	1.92	5.18	5.53	6.27	6.18
France	1.37	1.49	1.31	1.20	7.70	7.75	7.91	8.12
Germany	3.07	3.36	3.35	3.56	8.16	8.18	8.70	8.89
Greece	1.31	1.26	1.37	1.30	.28	.31	.39	.39
Italy	.32	.30	.30	.31	.64	.61	.62	.61
Netherlands	1.86	2.44	1.78	2.52	2.69	3.36	3.87	3.98
Norway	3.43	3.98	3.63	3.67	4.93	5.20	4.83	4.02
Portugal	.78	.74	.72	.70	.71	.69	.66	.65
Roumania	1.64	1.84	1.47	1.51	1.51	1.41	1.43	1.54
Russia	1.26	1.53	1.50	1.68	5.11	5.36	5.83	5.73
Servia	1.20	.97	1.29	1.04	1.95	1.13	2.07	1.18
Spain	2.82	2.82	2.86	3.53	.43	.56	.85	1.16
Sweden	2.75	2.86	2.78	2.55	9.31	10.47	11.18	11.50
Switzerland	.89	.99	1.07	1.06	3.21	3.32	3.85	4.05
Turkey	1.68	1.50	1.41	1.39	1.39	1.32	1.30	1.26
United Kingdom	3.14	3.32	3.01	2.95	6.25	6.34	6.04	5.90

Countries.	Corn.			
	1886-1890	1891-1895	1896-1900	1901-1905
Austria-Hungary:	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*
Austria	1.07	1.15	1.32	1.18
Hungary	5.66	7.39	6.98	5.86
Bosnia-Herzegovina	4.86	6.53	6.17	5.07
Total Austria-Hungary	3.07	3.88	3.81	3.23
Belgium	.98	.93	1.80	1.83
Bulgaria	4.74	4.65	5.85	3.54
Denmark	1.01	1.23	6.52	4.20
Finland	.02	.07	.10	.08
France	1.17	.89	1.12	.89
Germany	.21	.43	.97	.64
Greece	1.83	1.83	1.84	1.83
Italy	2.77	2.37	2.75	3.01
Netherlands	.67	1.40	3.25	2.34
Norway	.01	.03	.33	.28
Portugal	3.34	3.22	3.30	3.07
Roumania	7.72	6.97	7.87	6.90
Russia	.08	.11	.16	.16
Servia	9.06	7.63	10.82	6.60
Spain	1.44	1.04	1.37	1.41
Sweden	.07	.08	.15	.07
Switzerland	.40	.47	.74	.73
Turkey	1.91	1.83	1.80	1.73
United Kingdom	1.80	1.71	2.80	2.20

Mr. BURTON. What, then, is true of the outlook for the American farmer? That the demand is increasing so much more rapidly than the supply that his prices are sure to rise. There is no more favorable prospect in any occupation than in that of the farmer. The movement from the country to the city is manifest all over the civilized world. In Germany recent figures show there has been an increase of from 3 per cent to 20 per cent living in cities of over 100,000 population in the last 50 years. France, England, and Russia show the same tendency.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Idaho?

Mr. BURTON. Certainly.

Mr. BORAH. When Germany found that the emigration was from the farm to the city and that agriculture was languishing, she put a tariff upon her farm products and turned the emigration back from the city to the farm, and agriculture revived.

Mr. BURTON. The tariff was not the substantial cause.

Mr. BORAH. It had a great part to do with it, and the tariffs are still maintained.

Mr. BURTON. That question has been very much discussed in Germany. Down to about 1878 and 1879 the tendency was toward low duties, at which time there prevailed a school of public men, headed by Bismarck, and supported by some political economists. They maintained that national sufficiency was essential, and that at some time Germany might be cut off from foreign sources of supply by military blockades. All their calculations have possible wars in view. They consider it essential that a supply of food shall always be available within their own country.

Then, again, they argued that although Germany was making great progress in manufacturing, nevertheless other countries by unfriendly tariffs might prevent the admission of their products.

They rejected the proposition of the theoretical free traders that every country is best fitted to pursue certain branches of production and should devote its efforts in that direction, while depending upon other countries for a supply of articles for the production of which it has less favorable opportunities. They concluded, accordingly, to adopt a policy which would aid in securing a food supply within their own borders.

There is no denying that an agrarian party in Germany, as in France, had a great deal to do with these higher duties. Further, the increase in agricultural products in Germany, I think I am safe in saying, is not due to a movement back to the farm, but rather to the great improvements they have made in agriculture. Their yield per acre of wheat and oats and other farm products is very considerably more than it was 10 or 20 years ago.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Idaho?

Mr. BURTON. Certainly.

Mr. BORAH. Is it not a fact, however, that this increase in production and the increase of immigration from the city to the farm was contemporaneous or progressed along with the rise of duties upon farm products by the German Government?

Mr. BURTON. In some degree it was due to that. There is a further point, the Germans are in an entirely different situation from what we are. They have a limited area of farm property compared with ours. They have not the magnificent opportunity in farming that we have.

Mr. BORAH. If we had a limited area I could see much reason for supporting this reciprocity agreement, but so long as we have an unlimited area, or, at least, millions of acres uncultivated, it seems to me there is the more reason why we should foster agriculture within our own borders and should encourage and protect the agriculturist.

Mr. BURTON. I must differ with my friend from Idaho on this point. We have an unlimited variety of climate and of fertile soil, and if we can not succeed in agriculture we can succeed in nothing. What is the object of a duty? What is the object of so-called protection? It is not to put a duty on every article so that A, B, C, D, and E, and so on to the end of the list, can come to Congress and demand protection. It is, rather, to build up a harmonious civilization, imposing no duties on commodities which need no protection or where they would result in monopoly prices. I want to say, and I shall show a little later, that I do not mean by this that any hasty action should be taken in regard to agricultural duties. The farmer is just as much entitled to consideration as is anyone else, and in some cases protective duties might with justice be retained on agricultural products.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Missouri?

Mr. BURTON. I yield to the Senator from Missouri.

Mr. REED. I understand that the Senator from Ohio now takes the position that protection of farm products is undesirable and unnecessary?

Mr. BURTON. I have not said that. I have just said that I would not say that. What I do say is that the necessity for protection to the farmer is less, and that that necessity is fast disappearing because of the pressure of population and consumption on production, a factor in evidence the world over.

Mr. REED. May I ask if the Senator believes that the present protective duty on farm products does raise their price above what it naturally would be?

Mr. BURTON. I have already answered that question, but I have no objection to answering it again. On certain products, yes, as in the case of wool, sugar, of course, and, probably, flaxseed and barley. It also raises the price at certain seasons when there is a scarcity and in specific localities where a competing supply is available across the border, which could readily be brought in, as in the case perhaps of hay in New Hampshire or in Vermont.

Mr. REED. I understand—and I do not want to press this further than to get the point—I understand the Senator now maintains that a further continuance of that tariff is not justifiable?

Mr. BURTON. No; I have not said that, either. I will repeat what I said, namely—that the reason for it is diminishing because of the increase in the demand for the farmer's products out of proportion to the supply. It is partly a social problem, due to the shifting of population from the country to the city.

Mr. REED. I wanted simply to get the Senator's view, that is, whether if reciprocity does affect these prices the bill should nevertheless be passed?

Mr. BURTON. Certainly, I take that ground. I should say yes, but I point out at the same time the fact that I do not believe the passage of the bill would materially change prices.

Mr. REED. So that if the tariff ever did materially increase prices of agricultural products and if it does now materially increase such prices, it should nevertheless be wiped out?

Mr. BURTON. I would say that as a general proposition, but I am stating only my personal opinion, of course, and that includes exceptions.

Mr. REED. And the reason for wiping it out now, after having maintained it all these years, lies in the fact that there is a greater home demand for farm products to-day?

Mr. BURTON. That is the main reason. I should state also that conditions are changing.

Mr. REED. Does that not bring us, then, to this proposition, that as soon as conditions have reached the point where the farmer is really to realize a substantial benefit he is to have that withdrawn from him?

Mr. BURTON. It takes from him that which he never had.

Mr. REED. That which he never had. That was my position, that he never did have any protection.

Mr. BURTON. Except to the extent that I have indicated. Of course, I think I have made it clear already that the duty on agricultural products has, under certain circumstances in certain categories and localities, influenced the price.

Mr. REED. But it has been temporary.

Mr. BURTON. No; not temporary, for instance, take wool. Certainly the influence on the price has not been temporary as regards sugar either. One of the points I am seeking to make is the change in the relation between agricultural products, food, primary necessities of life, and other commodities.

Mr. REED. To follow this matter one moment further—and I beg the Senator's pardon——

Mr. BURTON. I am glad to yield to the Senator.

Mr. REED. Is not clothing a necessity of life?

Mr. BURTON. I anticipated that question. Yes, it is a necessity of life, but not to the same degree as food. There is an almost unlimited variety in the texture and cost of clothing. It can be made serviceable for a longer or shorter time by repair and is largely a matter of taste. There are some who unfortunately must be satisfied with inferior garments as well as inferior food. There is a very wide distinction.

Mr. REED. That is to say we can patch our clothing and get along with a high tariff on clothing.

Mr. BURTON. I would not say that. I would say, that it is not an elementary necessity to the same degree that bread and meat are.

Mr. REED. Not just at this season of the year, I agree, but at other seasons. I want, with the Senator's permission, to make this statement which I started to make, lest I should be misunderstood by the form of my question——

Mr. BURTON. I want to say one thing further about clothing, if the Senator will pardon me. Of course I would be far from advocating the idea that we should foster or allow any policy that would cause people to be poorly clad.

Mr. REED. I understand that.

Mr. BURTON. The fact is, however, that by the use of substitutes and in very essential varieties of woolens themselves the difference between the cost here and abroad by no means equals the rate of duties imposed, but I presume I can join the Senator from Missouri in saying that I regard the duties on certain fabrics as now very high.

Mr. REED. Will the Senator permit me now to make the statement I started to make?

Mr. BURTON. Certainly.

Mr. REED. I do not want to be misunderstood by the form of my questions as advocating tariff duties on farm products. The Democratic Party has always maintained that those duties were mere frauds and subterfuges, and I think our policy is very fully vindicated by the speech of the Senator from Ohio.

Mr. BURTON. No; I would not go so far as to say that they are a fraud. I will come later to some features of the tariff which are beneficial to the farmer.

Mr. WARREN. Mr. President——

The PRESIDING OFFICER (Mr. PAGE in the chair). Does the Senator from Ohio yield to the Senator from Wyoming?

Mr. BURTON. I yield.

Mr. WARREN. In this colloquy the matter of clothing has come up with relation to the farmer's product of wool. I should like to ask the Senator whether he considers the duty on clothing a matter of protection to the grower of wool so much as it is to those who manufacture the clothing? I should like to get his idea of the proportion of money that goes into the wool of the farmer and into the suit of clothes when finally completed and ready for wearing.

Mr. BURTON. I would not be able offhand to state any proportion between the two. Of course the Senator from Wyoming knows of the adoption of the ratio in 1866 or 1867 by which 4 pounds of wool in the grease were regarded as the equivalent of 1 pound of cloth. That has become a sort of sacred ratio, but whether it is correct or not I do not know.

Mr. WARREN. We might get at it in another way. I assert—and I think without fear of contradiction—that there is not a suit of clothes in this room the cloth of which cost $6 at wholesale from the manufacturer. We all know what we pay to the tailors for clothes, so that the price of the finished cloth sold at the factory at wholesale covers all that the manufacturer and the woolgrower get, and the difference between three, four, five, or six dollars, the price of the cloth, and the thirty-five to fifty dollars, the price of the suit of clothes, is not chargeable to the farmer and the woolen manufacturer.

Mr. BURTON. There are a number of tollgates, Mr. President, all along the line between the producer and the consumer, and by no means are all of them at the customhouse. I wish to say one thing in regard to the matter of clothing. I think it is but fair to say, in regard to our present system of

duties on clothing, that there are no people in the world so well clad as those of the United States, no people so comfortably clad as those who live within our own borders, so that this system certainly can not be guilty of the enormities which many ascribe to it.

I was speaking, when interrupted, of the disproportionate growth of urban populations in European countries. It is unnecessary to dwell upon conditions in the United States, because they are too well known to all. Added to this fact is another important feature in the situation, that while invention has exerted its helpful effect in the production of grain, as in improved thrashers, reapers, seeders, improved mechanism has accomplished much more in multiplying articles of manufacture.

Prominent writers on political economy have accepted the generalization that the price of manufactured products will diminish, while those of agricultural products will increase. Mr. John Stuart Mill, in his work written years ago, accepts this generalization with some qualifications.

Mr. REED. Mr. President, will the Senator yield to me once more?

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Missouri?

Mr. BURTON. Yes.

Mr. REED. If it be true that the machinery used by the manufacturer is increasing its power so much more rapidly than the machinery of the farmer, does that not argue that we are really protecting the machinery of the manufacturers to-day, and that that is one of the places at least where the cut in the tariff ought to be severest?

Mr. BURTON. Not necessarily, because the foreign competitor has the same advantage of that machinery, modified somewhat in the case where our own ingenuity gives us the advantage. The foreign competitor has also the advantage of very much cheaper labor.

Mr. REED. But the greater the capacity of the machinery the less the proportion of manual labor. Therefore, does it not appear that the tariff ought to be reduced?

Mr. BURTON. The vital difference between the two is that competition is sharper in the case of the manufactures than it is in the case of agriculture. Competition barely exists in the case of agriculture, but it is acute and growing in the case of most manufactures.

Mr. REED. But there can be none when there is a 90 or 125 or 150 per cent tariff duty.

Mr. BURTON. There is no such tariff as that unless there is a tariff also on the raw material.

The substantial advantage to the farmers of the United States from the tariff has not been derived from duties imposed directly upon their products, but rather from the growth of an enormous industrial population and the multitude of professional and other classes dependent upon that industrial population for most of their food.

By the census for the year 1905 the number of persons employed in the manufacturing industries was 7,085,000, and the total wages paid in that year—1905—were $2,611,000,000. A large share of these wages go to purchase the products of the farmer. As a result the share of the farmers' products which has been exported has been constantly diminishing. The percentage of the total food export to all exports fell from 55.77 in 1880 to 21.59 in 1910, a fall in 30 years from 55 per cent to 21 per cent. There was also a fall in the value of foodstuffs exported from $459,000,000 in 1880 to $369,000,000 in 1910.

Mr. President, I have here tables showing the proportion of exports of agricultural products to the total exports; the exports of wheat; the exports of fresh beef; and exports of live cattle, which I ask unanimous consent may be printed in the RECORD. I shall not now detain the Senate to read them.

The VICE PRESIDENT. Without objection, permission to insert the tables referred to by the Senator is granted.

The tables referred to are as follows:

Exports of foodstuffs.

Dates.	Value.	Per cent of foodstuff exports to total exports.
1880	$459,000,000	55.77
1890	357,000,000	42.21
1900	545,000,000	39.80
1910	369,000,000	21.59

Mr. BURTON. The principal loss in the export of food products has occurred in breadstuffs and meats, as the following tables show:

Exports of wheat.

Dates.	Total bushels.	Bushels to United Kingdom.
1908	100,000,000	44,000,000
1909	67,000,000	24,500,000
1910	46,500,000	22,333,000

Exports of fresh beef mostly to United Kingdom.

1908	$201,000,000
1909	123,000,000
1910	75,750,000

Exports of live cattle.

Dates.	Value.	Number.
1908	$20,333,000	349,210
1909	18,000,000	207,542
1910	12,200,000	139,430

Mr. President, what was the reason for the depression in agriculture between 1890 and 1900? No one cause occasioned the diminished prices which the farmer received, but to one reason more than to any other may be ascribed the condition of that day, and that was the depression in manufactures.

Mr. WARREN. I beg the Senator's pardon, but what caused the depression in manufactures?

Mr. BURTON. The depression in manufacturing was, in turn, intensified by the lack of demand from the farmer. The sale of the farmer's products was very greatly diminished by the fact that the manufacturing population were able to buy from him only in diminished quantities.

Mr. WARREN. As a matter of fact, were not our manufacturers crippled by the manufactures of other countries being allowed to come in, causing our workmen to be idle and unable to buy the products of the farmer, and, consequently, the products of the farm lay on the market without purchasers?

Mr. BURTON. One great reason of the depression beginning in 1893 was the lack of confidence as to the future. Our business calculations and our business activity depend very largely on preparation for the future. There are two classes of expenditures of capital and of activity in any year—one for the maintenance of existing operations, which may be increased or diminished, and the other in providing for future growth. The first is illustrated by a factory which continues to be operated in the ordinary way, while the second is illustrated by the construction of a new factory to provide for increased output. After the election in 1892 this second form of enterprise, provision for enlargement in the future, came to an absolute standstill.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Mississippi?

Mr. BURTON. I do.

Mr. WILLIAMS. I want to see if I understood the Senator from Ohio, of whose intellectual integrity I have the highest opinion. Does the Senator from Ohio say that the industrial and agricultural depression began in 1893?

Mr. BURTON. It did; certainly.

Mr. WILLIAMS. A moment ago I understood the Senator from Ohio to say, what I think is the historical fact, that that depression began in 1890.

Mr. BURTON. Let me quote to the Senator from Mississippi something from Dun's Mercantile Register, which is a paper of acknowledged authority.

Mr. WILLIAMS. Is it not a fact that this depression did begin in 1890? Did it not begin on the failure of the Baring Bros.? Did it not abound around the world, and was that depression confined to the United States?

Mr. BURTON. I could almost say that the failure of Baring Bros. did not exert the influence of a flyspeck in the United States.

Mr. WILLIAMS. Was the depression which existed in the United States confined to the United States?

Mr. BURTON. There was more or less disarrangement in some foreign countries.

Mr. WILLIAMS. Did it not exist in very extreme form in Australia?

Mr. BURTON. Yes; but we were immune from that.

Mr. WILLIAMS. And did it not exist earlier there than it existed here?

Mr. BURTON. If the Senator from Mississippi will give me a chance to answer——

Mr. WILLIAMS. One more question, and I will then ask the Senator from Ohio to answer them all at once, for they are all parts of the same question. Is it not, in his opinion, a fact that at that time we were in a stage of agricultural progress when production was temporarily outrunning consumption, whereas now we are in a stage where consumption seems threatening to outrun production?

Mr. BURTON. I do not think so. We had an enormous export of wheat early in the nineties. It is true there was something of a disturbance by reason of the Baring failure, but, as stated by one writer of high authority, "even in London the effect of the failure did not reach beyond Capel Court." Regarding the question of when the depression began, I wish to quote to the Senator from Dun's Mercantile Register, which will be taken by all as an authority. I think I can give the exact words. In the publication on the final day of the year 1892 these words are used:

> The most prosperous year in the history of business in the United States is now drawing to a close, with strongly favorable indications for the future.

There was no sign of depression in the United States, whatever there may have been in Australia or other countries of the world, until the threat of overturning the whole business system of the country performed its fatal work along in 1893. I have even heard the argument made that as the Wilson law did not pass until 1894 it was a mistake to attribute the business depression in 1893 to that cause. People who are suffering from a fatal disease are in a mood other than cheerful for a long time before they come to their death beds. When the people of this country knew, as they did in 1893, that there might be a radical change in our whole industrial system, no man was willing to invest his money in the enlargement of any enterprise. The wheels of industry stopped then and there. I do not say that was the sole cause, but it was a cause of the utmost importance.

Mr. WILLIAMS. Mr. President, I want to ask the Senator from Ohio if it is not a fact that 1890 was the year when Gen. Weaver, of Iowa, was going all over the Union calamity howling, and when he boasted that he no longer counted his audiences by the thousand, but that he counted them by the acre, and when the greatest appeal ever made to these people was made on account of the hard times amongst the cotton and the wheat planters and corn planters especially? I want to ask the Senator, also, if he does not object, to go back and get the price of corn in 1890 as quoted by the writers of statistics, and if he can do so before he publishes his speech to put the figures in his speech.

Mr. BURTON. As regards the speakers who go about with the so-called calamity howl, to which the Senator from Mississippi has referred, I do not attach any very great seriousness to them. Sometimes they are noisiest and most blatant at the very time the people are best off, and when they themselves are best off, too.

Mr. WILLIAMS. That is true; in that I agree with the Senator from Ohio; but when that is the case the calamity howl is not responded to. That, however, was the year of the birth and the remarkable increase of the vote of the Populist Party throughout the West, from 1890 to 1891, following it up in 1892 and 1893.

Mr. BURTON. That was in a very large measure due to what was called the warehouse-receipts proposition.

Mr. WILLIAMS. The subtreasury scheme.

Mr. BURTON. The subtreasury scheme and that sort of thing. I think it was very little, if any, indication of depression, though the calamity howl of which the Senator speaks has always been the stock in trade of the Populist Party and not infrequently of the Democratic Party.

Mr. SHIVELY. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Indiana?

Mr. BURTON. Certainly.

Mr. SHIVELY. Was it not in the autumn of the year 1890 that Secretary Rusk, of the Agricultural Department, issued his bulletin in which he pointed out that corn had become an excellent article of fuel in Nebraska?

Mr. BURTON. It may be; but I do not recall any bulletin of the kind. I fancy the object of the Senator from Indiana is to show that at one time a bulletin was issued in which a Republican official made the suggestion that corn was an excellent article of fuel. I do not want to indulge in any partisan recrimination, but it is not merely in one bulletin or at one time that corn has been regarded as an excellent article of fuel, there have been whole years of Democratic domination when corn was very much used for fuel.

Mr. SHIVELY. No. But even at that, likewise of Republican domination, I presume the Senator admits.

Mr. BURTON. I do not think so.

Mr. SHIVELY. Now, Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield further to the Senator from Indiana?

Mr. BURTON. Certainly.

Mr. SHIVELY. The McKinley Act, of course, went on the statute book in 1890. Does not the Senator from Ohio now distinctly remember that the universal announcement across the counters of our merchants throughout the United States was an increase of prices on the manufactured goods on their shelves? Did not that act result in an unbalancing of the proportions between production and consumption?

Mr. BURTON. I presume prices in some instances were increased; but I do not think it was serious enough to in any appreciable manner injure the course of production. It is not an unusual thing for dealers to raise prices after the passage of a tariff bill. It is possible the Senator himself may have had the experience that I have had of having a dealer say to me that the price of shoes was raised because of the Payne-Aldrich tariff law, and that, too, in the face of the fact that the recent tariff act provided for a reduction from the rates of 25 per cent carried in the Dingley bill to 15 or 10 per cent. In most of those duties the reduction was to 10 per cent, was it not?

Mr. SMOOT. That was true as to most of them.

Mr. SHIVELY. The Senator is measurably right in that respect; that is to say, that merchants frequently do avail themselves of a new tariff law to write up the prices of articles that are not in themselves affected by the tariff; but is not that a vice that always follows from the projection of the taxing power into the private enterprises of the country?

Mr. BURTON. I do not think so. In a measure, or to some persons, the taxing power, whether internal-revenue taxation or tariff taxation, brings prosperity because of the increased price of articles in the hands of the retail and the wholesale merchant.

Mr. WARREN. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Wyoming?

Mr. BURTON. Yes.

Mr. WARREN. It is a notable fact, as the Senator from Indiana has stated, that merchants have taken advantage and undertaken to push up prices after the passage of a tariff bill on items that were not in any manner affected by the bill. For instance, after the Payne-Aldrich bill it was circulated broadcast all over this country by the ready-made clothing men that clothing would cost from $100,000,000 to $200,000,000 a year more because of the Payne-Aldrich bill, which, as a matter of fact, did not raise a single item connected with wool or with clothing, but, on the contrary, made two reductions. But I will ask the Senator whether we are not liable, if we should to-day drop the customs-tariff law off our books and make it free trade, to have the same merchants, who are always looking out for the dollar, raise the prices because they would say this article or that would no longer be manufactured?

Mr. BURTON. I think there is that possibility. If I had time, I would go at length into the question of the possible reduction of prices by reason of the removal of tariff duties. I am not optimistic that any marked reductions would result. For instance, in some products our consumption is more than half of that of the whole world. Suppose one-half of the quantity consumed in this country is made here. Suppose, again, you tear down the tariff barriers and destroy or greatly impair the manufacture of the share of such a product made in this country. What would be the inevitable result? The foreign producers would very likely raise their prices above the level which existed in the United States before the duty was removed. In brief, you can not accomplish any considerable dislocation of trade arrangements of this kind without some sort of penalty resulting from it.

Mr. REED. Will that not be true of this bill the same as of others?

Mr. BURTON. I do not think so. The supply is so much greater in our own country than in Canada that there would be little disturbance of trade.

I have already quoted the figures for wheat——

Mr. REED. I am speaking generally of the entire bill. If every time you interfere you must pay the penalty, we will have to pay it in this instance; will we not?

Mr. BURTON. I do not think so; because the dislocation, as I call it, will be so slight. A year from now I do not believe anyone will care to refer to his arguments against this reciprocity bill.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Utah?

Mr. BURTON. Yes.

Mr. SMOOT. I have the Statistical Abstract of the United States showing the price of corn in 1890. In 1890 the price was 50.6 cents per bushel; in 1891, 40.6; in 1892, 39.4; in 1893, 36.5; in 1895, 25.3; in 1896, 21.5; and in 1897, 26.3.

Mr. WILLIAMS. Wait. Do not close up that book for a minute.

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Mississippi?

Mr. BURTON. Yes.

Mr. WILLIAMS. That contradicts nothing that I thought. I knew that the prices kept decreasing more and more after that. Now, what was the price in 1889, 1888, and 1887? Read that.

Mr. SMOOT. Eighteen hundred and eighty-seven is 44.4, and 1888 is 34.1.

Mr. WARREN. From 1890 to 1892 it was very high.

Mr. SMOOT. That is the estimated average of the corn crop of the United States.

Mr. BURTON. Had I anticipated a discussion of the corn prices around about 1893, I should have given attention to them and endeavored to form some generalizations from those statistics.

Mr. WARREN. Mr. President, may I say just at this point that my memory is that, so far as farm products are concerned, from 1890 to 1892 was a very prosperous term, and the prices were good.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Idaho?

Mr. BURTON. Yes.

Mr. BORAH. I only want to suggest, in connection with this discussion of low prices of farm products, that at the time they were so low most of the Republican leaders were going about the country insisting that the tariff protected the farmer.

Mr. BURTON. There was not a large importation of farm products from abroad at that time; hardly any, in fact.

I do not wish to disagree with any Republican leader anywhere, but I should hardly feel that I could accept his statements regarding the importation of the products of the farm for that period. Of course the decrease of home demand was an important factor.

Mr. BORAH. It is true that in the Wilson bill they put upon the free list many of the articles which are covered by the agreement between this country and Canada, and it is true that the Republican Party as an organization denounced that act.

Mr. BURTON. Oh, no doubt, and very properly.

Mr. BORAH. And claimed that the tariff benefited and protected the farmer, although at that time he was not in a position to be benefited as much as now.

But now, just when we are approaching the time when it is conceded by the Senator from Ohio and the Senator from New York, and all others who have discussed this question, that the farmer is to realize for the first time in a direct and substantial way, we get ready to take the tariff from his products.

Mr. BURTON. I think I can show the Senator from Idaho that the farmer has already realized, and I have before me some figures on that subject right now.

Just a word about the Wilson bill. The farmer was injured by that measure because there was a kind of paralysis in the whole country, the industrial portion as well as the farming portion. I am not at this minute arguing so much against the Wilson bill as a tariff measure as I am against sudden drastic changes which never ought to be attempted in any country. You can not go along for years with a certain fiscal policy, as to tariffs and kindred subjects, and then change it overnight, change it radically, without not only some persons, but everybody being hurt by it.

Mr. BORAH. It must be conceded that this is a most radical movement so far as the farmer is concerned. Without hearing from any commission, without taking any evidence as to the cost of production in other countries, without any notice whatever to the farmer, without any discussion in the campaign, without any suggestion anywhere, in the open or before the voters, there comes to us an agreement to put him not upon a tariff-for-revenue basis, where he might receive incidental protection, but on a free-trade basis, something that neither party has advocated within this country for the last 50 years.

Mr. BURTON. The Senator from Idaho piles alleged grievance on grievance one upon another about the sending in of this agreement here as if it came without warning and without notice. This reciprocity measure does not have so much to do with schedules, as it rests upon great fundamental facts. What is the great fundamental fact? That we have here a mere paper border line most of the way for 3,800 miles between people of the same blood, of the same aspirations, the same habits, the same average of consumption, and the same wages. To these conditions all schedules and prices are subordinate.

Mr. BORAH. That is equally true across the water. The Englishman in England does not speak any worse English than the Englishman in Canada. And it does not make any difference to the American farmer, when he finds another man in his market place, whether he speaks English or speaks Choctaw. The question is, Is he in possession of his market place, and does it materially injure him, not whether we are of the same blood or of the same race or the same language? We have never built a schedule or a tariff upon any such proposition. We have always been legislating against our mother country more than any one else on the tariff question.

Mr. BURTON. I must differ from the Senator from Idaho in regard to conditions across the water. They are radically different, not merely from what they are in the United States but from what they are in Canada. One is an old, settled country, an industrial country, distinctively commercial, with its enormous shipping, with its well-established industries, with its unsurpassed means of communication to all parts of the world. The most vital distinction of all between England and Canada is in wages, a distinction which is absolutely conclusive as regards reciprocal trade relations.

Mr. NELSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Minnesota?

Mr. BURTON. Certainly.

Mr. NELSON. If, as the Senator puts it, England is so mature that it is proper to legislate against England——

Mr. BURTON. I am not saying it is proper to legislate against her.

Mr. NELSON. Should it be our aim to help to place Canada as rapidly as possible in the condition of England, to put it on as big a footing as England is, to build that country up because its people are of the same blood? Is that the Senator's contention?

Mr. BURTON. I have no partiality for Canada or any country except my own. But I most radically demur to the idea that in building up Canada we are conferring a special benefit upon her. We are building up ourselves as well. We are recognizing the progress of the times, breaking over imaginary barriers, and promoting that good feeling and larger trade relations which should prevail between ourselves and our neighbor on the north.

I said some time ago that trade is not a game of cheat, where one gets the advantage of the other; certainly it is not if properly conducted. What benefits Canada must benefit ourselves.

Mr. REED. Why would that not be true——

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield, and to whom?

Mr. BURTON. I yield first to the Senator from Missouri, because I know what question he is going to ask me.

Mr. REED. Why would that not be true, if trade is carried on because it is mutually beneficial, with England as well as with Canada?

Mr. BURTON. Because the conditions are as different from those in Canada as the morning sun is from the evening star.

Mr. REED. With the exception of wages, how are they different?

Mr. BURTON. In the more highly organized industries, in the means of communication all over the globe, in the enormous abundance of capital.

Mr. REED. Does the Senator claim that at this time American capital is not as potential and powerful as the capital of England?

Mr. BURTON. Not as abundant, nor are rates of interest so low here.

Mr. REED. Or that American machinery is not better and more skillfully managed than the machinery of England, and the products of the American mills produced cheaper than the products of the English mills, with the single exception of the difference in the cost of labor?

Mr. BURTON. That question can not be answered by yes or no. In some industries we have far greater assistance from machinery, from ingenuity and invention. In others we have not, because their machinery and equipment are superior to ours. It is not necessary to go beyond the difference in cost of labor; that is an entirely sufficient difference.

Mr. REED. I should like the Senator to be specific, to tell us in what line of industry, in what single great manufacturing

enterprise, England has superior machinery and superior equipment to the American?

Mr. BURTON. Well, their machinery for cotton manufacture is certainly equal to ours, and for woolen as well.

Mr. BORAH. I think diplomacy is one.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Mississippi?

Mr. BURTON. Yes.

Mr. WILLIAMS. Mr. President, I did not think I could be very far wrong. Will the Senator bear with me a minute, just to get those figures right.

The crop which gave the farmer in 1890 his purchasing power was the crop of 1889, of course. I find that the price of corn——

Mr. BURTON. From what page are you quoting? I have the same book here.

Mr. WILLIAMS. I find that the price of corn for that year——

Mr. BURTON. May I ask what page you are reading from?

Mr. WILLIAMS. Page 125.

December 1 is the time at which it is taken, and, of course, the crop of 1889 is the crop which gave to the farmer whatever was his purchasing power in 1890, in so far as any crop did or could. In 1889 the price of corn was 28.3 cents. The farm value of the yield per acre was almost as low as it has ever been in the history of this country—perhaps as low—to wit, $7.63.

I find that the price of wheat that year was 69.8 cents, and that the money value of the yield per acre was only $8.98. And as a cotton planter, I will speak from memory and say that it was one of the years when raising cotton was almost below the cost of production.

Mr. BURTON. The Senator from Mississippi will concede, however, that it must be a good party policy—an excellent party to intrust with control—which in view of the low prices that he has named nevertheless gave prosperity to the country.

Mr. WILLIAMS. Mr. President, I had not intended——

Mr. BURTON. I want to say in that connection I have not examined those prices.

Mr. WILLIAMS. I do not want to go off into that, nor will I, because I do not want to interrupt the continuity of the address being made by the Senator from Ohio, who is always enlightening, even when he is partially wrong. But I deny, of course, that the Republican Party gave prosperity, and it is a fact that Cleveland went in principally for the reason that the Democrats at any rate persuaded the people—and the people were not fools I hope—that they were having hard times.

Mr. WARREN. Did they better it under President Cleveland?

Mr. WILLIAMS. Now, whether that was true or whether it was not, there is not a man within the sound of my voice who does not know that the chief slogan of the Democracy during that campaign was hard times and high prices under the Republican régime.

Mr. BURTON. Was there ever a presidential campaign when that was not charged by the Democratic Party?

Mr. WILLIAMS. I do not think I heard it in the last campaign. I at least, as a Democratic speaker, said the country was in a high state of prosperity.

Will the Senator pardon me for telling a story? Has he time to let me tell a story, just a little story, that I have told before?

Mr. BURTON. Certainly.

Mr. WILLIAMS. It is said to have been told by Abraham Lincoln a long time ago. I do not know whether it was or not. There are a great many things laid on Abraham Lincoln. It is said that a woodpecker was on the rotten limb of a tree one day pecking and pecking and pecking, and after a while a wind came, and the wind blew down the tree, and the woodpecker died, believing he had pecked off the limb and destroyed the tree. I never think of that story without thinking of how the Republican Party, pecking and pecking at the pocketbooks of the people and living in a country with the most magnificent arena of free trade the world ever saw, 3,000 miles one way and nearly as large the other, have attributed to their injurious pecking the prosperity that came in spite of them and in the teeth of them, and that was not prevented by trammeling simply because the Constitution prevented you from trammeling it within the broad home area.

Mr. BURTON. The Senator from Mississippi is somewhat severe in his animadversions upon the Republican Party. I will perhaps at some other time examine these prices of corn.

What I wish to assert, and it is written in the industrial history of this country with a pen of iron, is that not only were there threats to our industry and to our prosperity with the election of Cleveland, but there was widespread ruin. You can not go before the people and win on a platform that the existing tariff is a robbery and a fraud, a spoliation of the many for the benefit of the few, thus threatening to upset our whole industrial fabric, without causing widespread disaster. And you did not have to wait until 1894, when your legislative machinery commenced its work upon the tariff. It began the very day after election, when people awoke to what it meant. Everyone who had in mind a project for enlarging old or beginning new industries began to stop and think. He concluded to keep his money in the bank rather than to risk it under such uncertain conditions.

Mr. BORAH. That is only true as to manufactures, not as to the production by the farmers, I presume.

Mr. BURTON. The farmer was also affected by the same situation, because his market was curtailed. You can not turn these hundreds of thousands of people out into the street without causing the farmer to suffer along with the rest.

As a retort courteous to the story of the Senator from Mississippi I will repeat an utterance—I am not sure I can remember it—of the late Senator Hoar, whom everybody respected. He said of that time—May, 1894: "The laborer has left the mill for the highway, the farmer and the merchant and the manufacturer are alike out of work. The statesmanship that lighted the furnaces has been succeeded by the statesmanship that builds soup houses. The fire of the furnace has gone out, and the fire of the incendiary has taken its place. The hum of the factory has given place to the humbug of the Democratic platform."

Mr. NELSON. Would it not be more appropriate to say that it has given rise to the humbug of reciprocity?

Mr. BURTON. I do not think so. I part company with the Senator on that.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Idaho?

Mr. BURTON. Yes.

Mr. BORAH. I want to ask a serious question.

Mr. BURTON. I take it for granted that all the questions of the Senator from Idaho have been serious.

Mr. BORAH. What is the difference between closing down the manufacturing establishments, and thereby destroying the farmers' market place, and turning the manufacturer over to be supplied by another producer?

Mr. BURTON. I really do not get the application of that.

Mr. BORAH. The Senator has just stated that owing to the fact that the manufacturing establishments were injured by the threats of tariff changes the farmer was not in a position to sell his products.

Now, the effect of this, either great or small, is to turn the manufacturing establishments over to another producer. What effect will that have upon the American farmer as distinguished from closing it down, so far as he is concerned?

Mr. BURTON. The Senator knows the present condition of trade between the United States and Canada. We send them $215,000,000 worth. They send us $95,000,000. We have well-equipped, highly organized industries. Some of them, it is true, are not yet under such organization as either the Senator from Idaho or I myself would regard as ideal. But nevertheless they do business; the products go out into foreign markets. Does he have any intimation or fear that any considerable share of our manufacturing is likely to be transferred to Canada?

Mr. BORAH. Well, that is not the point I was——

Mr. BURTON. Why not take the other phase of it? We have this enormous agricultural production, producing so very much more than Canada does. At present I do not know the actual balance in the aggregate of agricultural products imported into or exported from the United States, but I fancy there is not any glaring difference between them. Take into account that the increase in the demand for food products is marked every year; that the prices they pay to their wage earners are the same—it is true the price of land out in the northwest is somewhat less—but does the Senator anticipate that there is going to be any serious injury to the American farmer from the annexing of that market?

Mr. BORAH. Permit me to answer that question by asking one before answering. If it is not going to affect the price of the product of the farm, then how is it possibly going to lower the cost of living in this country?

Mr. BURTON. As far as concerns any substantial lowering of the cost of living this year or in the very near future, probably it will not. Whenever there is a year of scarcity in this country and abundance over in the other, there will be a certain amount of Canadian products that will come in. There are certain localities from which shipment will be made into the

United States, where to-day there are tariff barriers preventing any transmission. It will exercise a certain steadying influence upon the market. Whenever you enlarge the area of trade you confer a great benefit upon all parties, provided the conditions among them are the same.

There is another thing it will do. The Senator from Idaho has heard of corners in the wheat market in Chicago. Ready communication between the two sides and shipments of products from one to the other will tend to defeat these and to diminish the profits of the middlemen and the exactions of those different brokers who are now getting so much of the profits which belong to the farmer.

Mr. BORAH. Assuming that the cornering of the products would be possible after this should happen, it would increase the gains of the man who could control it and corner it rather than decrease it—if he could control it.

Mr. BURTON. He would have to be a man of far greater capital than the usual speculator; he would have to take in a greater area, and overcome greater difficulties than confront him now.

Mr. BORAH. Our friends say to us in one breath that the importation from Canada will be so small that it will not affect American farmers and in the next breath it is so large that the cornerer can not corner it.

Mr. BURTON. If prices go up 10, 20, 30 cents, as they would in a corner, beyond a normal and natural price, I fancy Canadian products would come over in very considerable quantities.

Mr. CLAPP. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Minnesota?

Mr. BURTON. Yes.

Mr. CLAPP. I suggest that the two propositions come pretty near making a corner for the author of the two propositions.

Mr. BURTON. I do not quite understand to what the Senator from Minnesota refers.

There is one question suggested by the interrogatories of the Senator from Idaho. I understand he has most cordially favored the development of the arid lands in the West. We have brought into cultivation very fertile areas; have increased the aggregate volume of numerous agricultural products. How does the possible increase of importations from Canada carry with it any greater danger than the increased production that comes from the development of those so-called arid lands?

Mr. BORAH. I have been interested in the arid lands of the West in the hope that those who were cultivating them would supply the large manufacturing centers of the East.

I do not know whether I can turn to it or not, but the premier of England stated the other day that if we would take the tariff wall down he would supply from the Canadian fields, where they neither irrigate nor cultivate their hay, sufficient hay to satisfy the large cities along the border. Now, that is our market.

Mr. BURTON. He may have exaggerated the possibility of that.

Mr. BORAH. I do not know whether the premier has exaggerated or not. He stated when he started out to make this agreement that he would make an agreement which would be beneficial to the Canadian farmer without injuring the Canadian manufacturer. I thought that was an exaggeration. I have since changed my mind.

So I am not prepared to say that he exaggerated, but I do know that the Idaho farmer has to pay a dollar and a half an acre for the water with which to irrigate his land, and I know that all this will keep him out of the market as against the Canadian farmer when, as the premier says, the Canadian neither irrigates nor cultivates the hay land along the border in Canada.

Mr. BURTON. Is it not true that the land for which the price of a dollar and a half an acre is paid for water each year is far and away more productive than any land not irrigated across the border?

Mr. BORAH. It is more productive, but if the Canadian producer can supply sufficient, the fact that the land is more productive only leaves more hay to rot. If we have not the market, that does not help us any.

Mr. BURTON. Is hay raised on that land?

Mr. BORAH. Very largely.

Mr. BURTON. It seems to me that more valuable crops than that should be raised upon it.

Mr. BORAH. It is very easy to say to the farmer, "Change your crop," but there is a power above which sometimes interferes with that, and he can not change his crop without consulting the elements. He must raise that which he can raise, and it is the same as that which the Canadian raises.

Mr. BURTON. It seems to me that this is one of the groundless fears expressed so many times in this discussion. Here on this splendid land, for which, it is true, that a dollar and a half an acre is paid for irrigation, does anyone think that hay or anything else is going to be driven out of profitable cultivation by land across the border? I have enough confidence in the Idaho farmer to believe that he will make his way and that his profits will compare favorably with those of any other farmer under the sun.

Some figures, which I intend to give in a few minutes, show that there has been more increase in the value of farm property in Idaho than in any other State. That looks as if the Idaho farmers were prosperous.

Mr. BORAH. That is quite true by reason of the fact that we have been living under different conditions from those under which we are to live in the future. Now, candidly, if Canadian farmers can supply our market, when we have only one, what are we going to do with our rich fields?

Mr. BURTON. Everything will continue as it is now. With an increase in population and an increase in consumption, there will be profitable markets for every acre that you cultivate. I do not think it makes very much difference whether it is hay or something else that is produced, this country is to use it and will furnish such an excellent market that any fertile acre in any State or Territory of the United States will be profitable for cultivation. There is no richer possession that any man can have than broad acres or even a single acre of fertile soil. The whole world demands the product of that acre, and somewhere there will be found, and probably right near at hand, a market at most satisfactory prices.

Mr. REED. I should like——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Missouri?

Mr. BURTON. I yield to the Senator from Missouri.

Mr. REED. I should like to suggest that this might be an answer to the Senator from Idaho, that we who have to buy hay might get it for less than $20 a ton, and that would not carry any great curse with it.

But I wanted to ask the Senator from Ohio a question. It is taking him back some distance, but I tried to get the floor. I want to get one matter clear. The Senator from Idaho asked the Senator who has the floor if the alarm that he spoke of, which existed when the Democratic cloud was rising in the horizon, had affected farm production, and I understood the Senator from Ohio to say it had affected farm production.

Mr. BURTON. I do not think I said that it affected the amount of products, though probably it did. All that I was talking about was the general prosperity of the farmer. Then certain questions were asked as to the prices of corn, and so forth, which I am frank to say I have not carefully considered.

Mr. REED. I understood the Senator to say that the alarm had decreased production.

Mr. BURTON. I do not think I said that.

Mr. REED. The Senator from Idaho said that would not apply to farm products, and I understood the Senator from Ohio to say that it did by taking away the market of the farmer. I simply wanted to have an understanding about it. Does the Senator claim that it did decrease the acreage or the production of the farm, or does he simply claim that it reduced the price of farm products?

Mr. BURTON. The Senator from Missouri, I think, as is suggested to me by the Senator from Mississippi [Mr. WILLIAMS], is speaking of the yield, and I am speaking of the price. I am very sure I did not state that there was any diminished yield per acre.

Mr. REED. Is it not true that, while the price of farm products did go down in those years in the United States, they went down correspondingly in Canada, not only in the local market, but in every foreign market; that they went down in Liverpool, England, and went down the world around in those very years, just as they went down in this country?

Mr. BURTON. Suppose you concede for a minute that the difference was in shutting off the domestic market. It is not wheat that our farmers sell exclusively, nor oats, nor corn, nor potatoes. Farmers who are located near cities and towns obtain an especial benefit from the prosperity of inhabitants in the towns, but when those in the towns are not prosperous they, too, suffer.

Mr. REED. Did not the people eat as they had done before?

Mr. BURTON. Unfortunately, they did not.

Mr. REED. And did not horses and cattle eat the grain, as they had done before, and was there any great diminution either in the consumption or in the production of farm products?

Mr. BURTON. There was decidedly a very great decrease in the consumption.

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Iowa?

Mr. BURTON. I yield to the Senator from Iowa.

Mr. CUMMINS. The Senator from Ohio thinks that one of the benefits of this arrangement will be to prevent cornering of the market in the future. I assume that he had especial reference to cornering the wheat market, which has happened at various times in our history. Has the Senator examined the effect of a corner in the wheat market at any particular time upon the price of bread?

Mr. BURTON. I suppose the effect of a corner is to enable the farmer to sell his product at a higher price, temporarily, and that the price of bread is not materially raised during that time. In fact, the price of bread seems to ignore temporary fluctuations in the price of wheat.

Mr. CUMMINS. It is not always true that a corner in the market affects the price of wheat in the hands of the farmer, but I agree that it might be true. But, of course, the corner is objectionable, if objectionable at all, from the standpoint we are now looking at this matter, because it would increase the cost of living, and if it does not increase the cost of living it is no harm at all except to the few who may be engaged in it. Therefore, if it does not affect the price of bread, why should we be so solicitous about getting the Canadian agricultural products in in order to prevent cornering?

Mr. BURTON. The Senator from Iowa stops only a brief distance short of eulogizing the man who corners the wheat market. In the long run any such disturbance in prices must affect the price of bread, because it increases the cost to the consumer.

Mr. President, I do not think we can look with complacency upon any such disturbances as is created by a corner in the cotton market or the wheat market or any other market. Somebody is going to pay eventually for the loss incurred. The farmer may pay for it at one time and somebody else at another. When speculators derive great profits in that way they usually get it at the cost of the people. It may not be the immediate consumer of bread, but some one somewhere must pay for what I was going to call a cataclysm in the market. There were railway wars years ago, in which freight was carried for almost nothing. Did the people benefit from them?

Mr. CUMMINS. I do not want the Senator from Ohio to assume that I eulogize corners in any sort of production. I am quite as much opposed to them in the grain market as in the stock market. But I have always understood the Senator from Ohio to be of the opinion that we could not regulate trusts and monopolies, and things of that sort, through a system of tariff. I suggest to him that by parity of reasoning we can not regulate a corner in the market by reason of our tariff. I think there are other things by which those harmful incidents can be regulated and prevented. But the real thing that is being held out now to the people is that by preventing corners in the wheat market we will reduce the cost of bread. The slightest knowledge of the history of the price of grain and the price of bread will lead to no other conclusion than that the two have nothing whatsoever to do with each other.

Mr. BURTON. Let me say, in answer to the Senator from Iowa, I do not see the similarity between a trust and monopoly as affected by tariff regulations and the organization of a movement to corner the wheat market.

Mr. CUMMINS. Is not that temporarily a monopoly?

Mr. BURTON. It is temporarily a monopoly. A trust or monopoly creates a settled course of business from year to year by a form of organization obnoxious to the law. The advantage in preventing a wheat corner would lie not merely in the absence of a tariff but in the far wider area available for the supply of grain.

Mr. NELSON. Mr. President, will the Senator from Ohio allow me?

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Minnesota?

Mr. BURTON. Certainly.

Mr. NELSON. I want to set the Senator from Iowa right before the Senator from Ohio proceeds. He overlooks the fact that it has been seriously argued that the farmers constitute a big trust in this country and that this reciprocity agreement is to break up that trust.

Mr. BURTON. I have not heard of that argument.

Mr. CUMMINS. I did not know the Senator from Ohio based his argument upon that hypothesis. If he is, everything I have said is irrelevant and immaterial.

Mr. BURTON. I have not heard of that argument, Mr. President. I think if they formed a trust it would be unwieldy and would fall of its own weight. I can see no disposition on their part to do anything of the kind. Nevertheless, I am sure that there are many in our population who, if they had a chance to form a profitable trust, would do so, although their opposition prior thereto had been so great that it seemed to be prompted by moral scruples and an upright conscience. But I do not expect the farmers to be counted among them.

Mr. CUMMINS. There is one other question I want to ask the Senator from Ohio, to get it clear in my own mind. I seem to agree with him as to one part of his answer and disagree with him as to another. Referring to certain years of adversity, which I will call the lean years, he indicated the farmer was a great sufferer because he lost a part of his demand, no matter how the loss was brought about. I do not want to get into any controversy with my friend from Mississippi [Mr. WILLIAMS] on that question. Here was a certain product to be marketed, and suddenly the demand became greatly less and therefore prices——

Mr. BURTON. I would not use the adverb "suddenly"; I would say "gradually."

Mr. CUMMINS. Very well; it will serve my purpose just as well to use the word "gradually." The farmer suffered because his product, in comparison with the demand, was out of the ordinary and customary proportion. Now, in economics or in commerce what would have been the difference between the case I have just put and doubling the supply, leaving the demand precisely as it was? Would not that condition have had the same effect upon agricultural prices as to the diminution of the demand?

Mr. BURTON. In the first place, the Senator from Iowa presents a hypothesis that is altogether impossible. If the production that would look toward a certain market is doubled, what occurs? It does not seek its sale exclusively in one or even two countries. It is a factor in the supply of the whole world. Of course, it is true that there might be some perishable articles where the market would be near by and doubling the supply would mean either a great decrease in price or that they must rot, as is the case of strawberries when the market is glutted. But I do not regard that as at all applicable to this situation. Here is Canada, with but a comparatively small surplus of certain products to send over to us. As I have already shown by the figures, Canada sends twelve and one-fourth times as much of her agricultural products to England as she sends to the United States. Side by side with it the United States sends those same products to England. There is no possibility of doubling all the supply that is available to our market.

Mr. CUMMINS. But the Senator from Ohio must realize that we have maintained against Canada practically a prohibitive tariff upon most agricultural products. Now, what has happened in the past under those tariffs can not be accepted as any guide to what will happen in the future when those tariffs are removed.

Mr. BURTON. But, if the Senator from Iowa will allow me, I stated two facts: First, that twelve and one-fourth times as much of Canadian products went to England, and that we in the United States were also exporters of those same products to England, sending the products along parallel lines.

Mr. CUMMINS. I will agree with the Senator from Ohio entirely if it be established that internal prices in the United States for the last few years have been export prices, but if they have not been export prices, then it seems to me the argument of the Senator from Ohio fails.

Mr. BURTON. Even if not export prices, nevertheless they are very much affected by the prices abroad.

The Senator from Mississippi [Mr. WILLIAMS] reminds me that in the purchase of the material for bread it is a comparatively small share of the population which buys baker's bread. Most of them buy flour and make their own bread or have it made in some form of cooperation, so the corner must affect the price to the consumer.

Mr. CUMMINS. If the Senator from Ohio will examine the history of commerce in that respect he will find that flour does not follow the price of wheat with accuracy. It must continue over a long period of time, or a moderately long period of time, in order to find its result in the price of flour.

Mr. BURTON. Mr. President, there are three things that I have always regarded as not responding immediately in a change of prices. One is the prices of the retail dealer as compared with those of the wholesale dealer; another is the rate of wages as compared with the cost of living; another is the finished product as compared with the raw material; and I take

it that applies in the case of flour. I think, however, if the price of wheat had gone up 50 cents or so a bushel in Chicago the flour dealer would be alert to increase his price somewhat.

Mr. CUMMINS. I venture the assertion that in a corner in which the price of wheat is raised 50 cents a bushel and it continues for only a month or two months, possibly, such a rise would find no result in the price of flour.

Mr. BURTON. It seems to me hardly possible.

Mr. CUMMINS. If it would continue so that the general price of wheat was affected over a period of six months or a year, I agree that then you would find a corresponding increase in the price of flour.

Mr. CLARK of Wyoming. Mr. President——

Mr. BURTON. I yield to the Senator from Wyoming.

Mr. CLARK of Wyoming. I wish to ask the Senator a question. I understood him to say a moment ago in answer to some inquiry or in a colloquy that Canada exported a great proportion of her wheat; that she sent abroad much more than she sent to the United States.

Mr. BURTON. I gave the figures merely of the general exportation.

Mr. CLARK of Wyoming. That is not material to my inquiry. The Senator said at the same time we were sending along parallel lines, that we were exporting large quantities of wheat. That undoubtedly is true. But does the Senator know whether the wheat which we are exporting or have been recently exporting is of the same grade or character as the wheat which the Canadians have been exporting?

Mr. BURTON. The Canadians are exporting mostly spring wheat, I take it, because that is almost their exclusive product out in the northwest region. Is it not, I ask the Senator from North Dakota [Mr. MCCUMBER]?

Mr. McCUMBER. Yes.

Mr. BURTON. I presume there would also be a difference in this particular, that we export a very much larger proportion of flour.

Mr. CLARK of Wyoming. I think the inquiry is pertinent and quite important if what we have heard in the speeches of various Senators from those States cuts any figure; that is, that we have not been exporting the sort of wheat which the Canadians raise and which would come into this market.

Mr. BURTON. It seems to me that point assumes minor importance, and the great question is, What is the balance between the domestic wheat supply and the domestic demand? It does not matter whether it is winter wheat or spring wheat.

Mr. CLARK of Wyoming. I think it is a decided factor in the situation, because, if it is a fact that we are not exporting the sort of wheat which the Canadians are raising, the Senator's argument, it seems to me, falls.

Mr. BURTON. I do not think so. It is a question whether we are raising as much wheat as we consume, whether we have a surplus to send to a foreign country, and whether wheat will come across the line from Canada into the United States instead of going to England, and if it comes from Canada will it be ground into flour and exported?

Mr. CLARK of Wyoming. That is my position. The Senator took the position that it would not have any great effect, because we are also exporting large quantities of wheat. Now, my inquiry was whether the Senator is informed if we are exporting the sort of wheat that comes across the line?

Mr. BURTON. Now, let us see for just a minute how that proposition would work out.

Mr. NELSON. Mr. President, will the Senator allow me to make a brief explanation in reference to the wheat matter?

Mr. BURTON. Yes.

Mr. NELSON. The wheat raised in Canada in the three western Provinces, where about all their surplus is grown, is what we call No. 1 hard spring wheat. It is a most superior quality of that kind of wheat. We export from this country from the Pacific Coast soft wheat flour, which is mainly shipped to the Orient. Then we export the softer varieties of winter wheat. That forms the chief amount of our export wheat. The wheat raised in the Northwestern States is hard spring wheat.

Mr. BURTON. That is in the Northwestern States of the Union?

Mr. NELSON. Yes; but it is not of a variety quite as hard. It ranks quite as high as the wheat raised in the three Provinces north of Minnesota and North Dakota.

Mr. BURTON. I am obliged to the Senator from Minnesota for his explanation. Now let us for a minute see how that problem would work out. Suppose a hundred million——

Mr. McCUMBER. Before the Senator works that out, and in connection with it, will he explain what he means by our exporting along parallel lines?

Mr. BURTON. I mean that both Canada and the United States export to England.

Mr. McCUMBER. That would hardly be along parallel lines, I think.

Mr. BURTON. Grain leaves Canada by the St. Lawrence for Glasgow and Liverpool. Wheat and flour are exported from Boston, New York, Philadelphia, and Baltimore to the same ports.

Mr. McCUMBER. The Senator's argument, I think, fails to recognize the enormous territory that produces the spring wheat, and the hard spring wheat is not exported at all in any quantities. In fact, about half of the grain that is raised in the United States is of the spring variety. It takes in the great wheat-raising sections of Minnesota, a portion of Wisconsin, the two Dakotas, Montana, and Idaho, and that is the better grade of the spring wheat.

Mr. BURTON. It goes which way?

Mr. McCUMBER. It is consumed in the United States; it does not go out of the country at all. That grain is worth right along, and has been for three years, from 10 to 15 cents a bushel more than the Canadian grain, because the Canadian grain is sold upon an export basis. They were selling to Liverpool and they had to sell their grain for Liverpool prices less the cost of transportation and a reasonable profit, while ours ranged so high above the Liverpool prices that we could not export a single bushel of it, and our farmers got the benefit of that higher price. Now, what would be the result of this agreement, with the enormous amount of grain that can be raised right north of the Dakotas in the Canadian line, with 220,000,000 acres capable of producing 20 bushels to the acre, if all that was converted into wheat land? And remember that they can not raise beets and a thousand other little vegetables that are raised by farmers around generally. That country will be used almost exclusively for the raising of barley and wheat and flax in competition with our lands along the northern line.

The point I wanted to make clear to the Senator is that you do injure all the farmers in those States. It is a most important industry, and they will be affected by it, although we might still export grain from New Orleans or San Francisco.

Mr. BURTON. That is, your grain goes out into the States of the Union and is consumed there.

Mr. McCUMBER. It is consumed there, and is not affected by the Liverpool prices.

Mr. BURTON. The Senator states that the grain across the border is 10 or 15 cents a bushel lower because it is based upon Liverpool price.

Mr. McCUMBER. Because it has to go to Liverpool.

Mr. BURTON. What is sure to happen in that case? If the grain on the other side is as good as yours, the demand for it in the States of the Union will cause it to rise over night to the same price as your wheat in North Dakota. It can not have any other result. Possibly there may be some slight approximation in price between them, as I have already pointed out.

Mr. McCUMBER. They have enough to supply the market and make a surplus of what we would need in the United States and still it would not affect the price of what they would have to export.

Mr. BURTON. That, I think, is an exaggeration.

Mr. McCUMBER. Does not the Senator believe if they raise 250,000,000 bushels of No. 1 hard necessarily most of it will have to be exported?

Mr. BURTON. If there is any such increased production of wheat there it will be gradual; it will be adjusted to the markets of the whole world, not to those of North Dakota or of other border States. The Canadians will not grow it unless there is a demand for it.

There is one question I should like to ask the Senator from North Dakota: You have flouring mills that grind wheat in your State?

Mr. McCUMBER. Very little; most of it is sent to Duluth.

Mr. BURTON. In other words, you send your wheat away to Minneapolis and Duluth?

Mr. McCUMBER. To Duluth, and it comes back.

Mr. BURTON. That is another factor in the situation. The price of flour there is very considerably affected by the shipment out of that locality to a milling locality and then bringing it back.

Mr. McCUMBER. Mr. President——

Mr. BURTON. I yield to the Senator from North Dakota.

Mr. McCUMBER. The Senator spoke about the gradual increase in production in the Northwest. Has the Senator investigated to ascertain what has been the gradual change in Saskatchewan and in Alberta in the last 10 years?

Mr. BURTON. I have the figures, showing the increase year by year, and they show about 4 per cent a year on the average.

Mr. McCUMBER. Where?

Mr. BURTON. In Canada as a whole.

Mr. McCUMBER. In Saskatchewan alone the increase in 10 years, or from 1898 to 1909, was from about 4,500,000 bushels to more than 90,000,000 bushels.

Mr. BURTON. The fallacy of the argument of the Senator from North Dakota is in picking out a limited area upon the earth's surface and pointing to enlarged production, and at the same time ignoring the hundreds of millions of mouths that must be fed the world over. Any particular increase in any one locality, phenomenal though it may be, is absorbed by the markets of the whole world. No other condition would justify increased production anywhere. It is not different from the manufacture of a new article. It does not differ in any degree from any increase of production. When production reaches the point where it is unprofitable, it slackens all along the line.

Now, what will happen to the wheat of Canada? It will come down and probably be mingled with the wheat in North Dakota and go to those States in the East and Central West that have been consuming it in the past.

Mr. McCUMBER. And will not that place us upon an export basis; in other words, make our wheat no more valuable than the Canadian wheat, or practically the same?

Mr. BURTON. Unless it is a better quality of wheat—and I take it it is not—it will rise to the same price.

Mr. McCUMBER. Yes; certainly; and that will be the export price.

Mr. BURTON. Oh, no; not the export price, but as the Senator admits, influenced by the export price. The price the world over is a very decided factor in what you receive for your wheat now—not a conclusive one, but the most important one.

Mr. McCUMBER. It is a factor in the general value.

FARMERS NOW RECEIVE RELATIVELY HIGH PRICES.

Mr. BURTON. The change in conditions has been very manifest in the comparative prices of agricultural and other products. A table issued by the Statistical Bureau of the Agricultural Department last winter shows this very clearly. This bulletin shows that the average rate of increase from 1899 to 1909 in the price of commodities purchased by the farmer was 12.1 per cent, while the average rate of increase in the value per acre of articles which he sells was 72.7 per cent, or six times as much.

Following is the table:

Purchasing power of an acre of farm crops in 1909 as compared with 1899, the table showing the per cent of 1909 values to those of 1899.

Articles.	Corn.	Wheat.	Cotton.	Average, all crops.
	Per ct.	*Per ct.*	*Per ct.*	*Per ct.*
Coal oil	190	228	176	183
Coffee	162	195	151	157
Flour	133	167	125	130
Lard	117	140	109	113
Matches	179	214	166	173
Salt	156	185	144	151
Soap	170	204	158	164
Starch	174	208	161	168
Sugar	164	197	152	159
Tobacco	166	198	154	160
Brooms	116	139	108	112
Dish pans	164	197	152	159
Dinner plates	169	202	158	164
Fruit jars	166	199	154	160
Kitchen chairs	158	189	147	152
Lamps	170	204	158	165
Tin pails	168	202	156	163
Wooden buckets	148	178	138	143
Wooden washtubs	152	182	141	147
Gloves	151	181	140	147
Hats	159	189	146	153
Jumpers	147	177	137	143
Overalls	145	175	135	141
Raincoats	146	177	140	141
Rubber boots	138	161	129	134
Shirts, flannel	151	180	139	144
Shoes	134	165	127	133
Calico	141	169	130	136
Muslin	143	171	132	138
Sheeting	140	168	130	136
Axes	164	198	153	159
Barb wire	167	200	155	162
Dungforks	161	192	149	156
Hatchets	163	195	151	129
Lanterns	167	201	155	163
Nails	169	202	157	163
Pitchforks	160	191	148	155
Pincers	168	202	156	162
Saws	165	197	153	160
Screw hooks	170	203	157	164
Screw eyes	171	205	158	165
Steel traps	159	191	148	154
Shovels	162	195	151	157
Staples	165	197	153	159
Steel wire	170	203	157	164
Wire, fence	169	203	157	163
Axle grease	172	206	159	166
Buggy whips	169	203	156	163
Corncutters	164	196	152	158
Churns	159	190	146	153
Halters	159	191	148	154
Horse blankets	159	191	149	155
Hoes	155	186	143	150
Picks	167	199	154	161
Sprayers	171	206	159	165
Scythes	154	184	143	149
Carbolic acid	153	184	142	147
Copperas	179	214	166	173
Lime	155	186	144	149
Paris green	158	190	147	153
Sulphur	179	214	166	173
Witch-hazel	179	214	165	173
Baskets	136	163	126	132
Milk cans	173	200	158	165
Milk pails	163	195	151	158
Paints	142	168	132	136
Paint brushes	159	190	147	154
Rope	163	195	151	157
Sacks	139	167	129	134
Scales	164	197	153	160
Twine	166	199	154	161
Stoves	161	193	150	156
Shotguns	194	233	180	188
Buggies	164	196	152	158
Cream separators	196	235	182	190
Grindstones	163	195	151	157
Harness	149	179	138	144
Harrows	158	189	146	153
Manure spreaders	174	208	161	168
Mowers	174	208	161	168
Plows	168	201	156	162
Saddles	157	188	145	151
Tedders	167	200	155	161
Wagons, single	167	201	155	162
Wagons, double	157	189	146	152
Average, all articles	160	191	148	154

Purchasing power of an acre of farm crops in 1909 as compared with 1899, etc.—Continued.

Now, no one wishes in any way to disparage the farmer. After long years of rather unprofitable farming he has come into his own and is getting very much higher prices than he used to receive. He is not going to be injured by a little reciprocity with Canada, because the demand for food products the world over is ever increasing. He is going to continue to hold his own. I repeat, causes that are world-wide have created this situation.

The Senator from Utah [Mr. SMOOT], in some remarks made at a prior session, very accurately and skillfully set forth the difference in the equivalent values of farm products and other articles as shown by comparison with 10 years ago.

The following figures give a comparison of prices per unit and farm value per acre of products of the farm, with a list showing the comparative prices of articles purchased by farmers both in 1909 and 1899. In the list of articles purchased is included sugar, flour, and lard, directly or indirectly the products of the farm, but for the increase in the price of the last two articles the disproportion in favor of the farmer would be greater:

Crops.	Farm price per unit Dec. 1—		Farm value per acre Dec. 1—		Percentage, 1909 to 1899.
	1899	1909	1899	1909	
	Cents.	*Cents.*	*Dollars.*	*Dollars.*	
Corn.....bushels..	30.3	59.6	8.51	15.20	178.6
Wheat[1].....do....	58.4	99.0	7.30	15.64	214.0
Oats.....do....	24.9	40.5	7.94	12.27	154.5
Barley.....do....	40.3	55.2	10.80	13.41	124.2
Rye.....do....	51.0	73.9	6.32	11.90	188.3
Buckwheat.....do....	55.7	69.9	7.74	14.61	188.8
Potatoes.....do....	39.0	54.9	36.27	58.63	161.7
Hay.....tons..	$7.27	$10.62	10.18	15.08	148.1
Tobacco.....pounds..	6.6	10.1	52.02	81.23	156.2
Cotton.....do....	[2] 7.24	13.9	[2] 13.32	[2] 22.06	165.6
Average.....			9.51	16.42	172.7

[1] Spring and winter wheat combined.

[2] Average value for season.

Comparative prices of articles purchased by farmers in 1909 and 1899.

Articles.	1909	1899	Per-centage, 1909 to 1899.
Coal oil, gallon....cents..	14.2	15.1	93.9
Coffee, pound....do....	18.9	17.2	109.8
Flour, barrel....dollars..	6.3	4.76	132.4
Lard, pound....cents..	15.7	10.3	151.5
Matches, box....do....	5.0	5.0	100.0
Salt, barrel....dollars..	1.6	1.39	114.9
Soap, cake....cents..	4.19	3.99	105.0
Starch, pound....do....	7.4	7.2	102.8
Sugar, pound....do....	5.73	5.27	108.7
Tobacco, plug, pound....do....	45.0	41.7	108.0
Brooms, each....do....	44.0	28.6	153.8
Dishpans, each....do....	31.2	28.7	108.7
Dinner plates, set....do....	71.5	67.8	105.4
Fruit jars, dozen....do....	78.4	72.8	107.7
Kitchen chairs, each....do....	81.6	72.3	112.9
Lamps, each....do....	48.2	46.0	104.8
Stoves, each....dollars..	21.8	19.7	110.7
Tin pails, each....cents..	24.4	23.0	106.1
Wooden buckets, each....do....	27.2	22.6	120.4
Wooden washtubs, each....do....	82.6	70.4	117.3
Gloves, pair....do....	84.4	71.6	117.9
Hats, each....dollars..	1.88	1.67	112.6
Jumpers, each....cents..	74.0	61.4	120.5
Overalls, each....do....	80.6	65.6	122.9
Raincoats, each....dollars..	3.97	3.32	119.6
Rubber boots, pair....do....	4.18	3.24	129.0
Shirts, flannel, each....do....	1.44	1.21	119.0
Shoes, brogan, pair....do....	1.94	1.48	131.1
Calico, yard....cents..	6.6	5.2	126.9
Muslin, yard....do....	9.0	7.2	125.0
Sheeting, yard....do....	18.2	14.3	127.3
Axes, each....do....	89.8	82.6	108.7
Barb wire, 100 pounds....dollars..	3.16	2.96	106.8
Dungforks, each....cents..	69.0	62.0	111.3
Hatchets, each....do....	59.0	53.8	109.7
Lanterns, each....do....	77.0	72.4	106.4
Nails, 100 pounds....dollars..	3.15	2.98	105.7
Pitchforks, each....cents..	56.8	50.8	111.8
Pincers, each....do....	44.2	41.6	106.2
Saws, buck, each....do....	76.8	71.0	108.2
Screw hooks, box....do....	33.2	31.6	105.1
Screw eyes, box....do....	32.4	31.0	104.5
Shotguns, each....dollars..	11.3	12.3	91.9
Steel traps, each....cents..	27.6	24.6	112.2
Shovels, each....do....	76.8	70.0	109.7
Staples, 100 pounds....dollars..	3.81	3.51	108.5

Comparative prices of articles purchased by farmers, etc.—Continued.

Articles.	1909	1899	Per-centage, 1909 to 1899.
Steel wire, 100 pounds....dollars..	3.76	3.57	105.3
Wire fence, rod....cents..	36.0	34.1	105.6
Axle grease, box....do....	10.0	9.6	104.2
Buggies, each....dollars..	76.8	70.3	109.2
Buggy whips, each....cents..	42.1	39.8	105.8
Corn cutters, each....do....	27.3	25.0	109.2
Churns, each....dollars..	1.04	.92	112.6
Cream separators, each....do....	59.19	64.95	91.1
Grindstones, each....do....	3.78	3.44	109.9
Halters, each....cents..	70.6	63.0	112.1
Harness, single, set....dollars..	18.21	15.21	119.7
Horse blankets, each....do....	1.77	1.58	112.0
Hoes, each....cents..	44.8	38.8	115.5
Harrows, ordinary, each....dollars..	10.49	9.27	113.2
Manure spreaders, each....do....	103.33	100.55	102.7
Mowers, each....do....	47.23	46.01	102.7
Picks, each....cents..	70.7	66.0	107.1
Plows, turning, each....dollars..	11.45	10.76	106.4
Scythes, each....cents..	86.0	74.1	116.1
Saddles, each....dollars..	16.56	14.52	114.0
Tedders, each....do....	29.4	27.4	107.0
Wagons, single, each....do....	47.45	44.47	106.7
Wagons, double, each....do....	68.83	60.72	113.4
Carbolic acid, crude, pound....cents..	35.0	30.0	116.7
Copperas, pound....do....	10.0	10.0	100.0
Lime, barrel....dollars..	1.29	1.12	115.2
Paris green, pound....cents..	30.5	27.0	113.0
Sulphur, pound....do....	8.5	8.5	100.0
Witch-hazel, pint bottle....do....	25.0	25.0	100.0
Baskets, one-half bushel, each....do....	51.2	39.0	131.3
Milk cans, 10-gallon, each....dollars..	2.68	2.56	104.7
Milk pails, each....cents..	37.7	34.4	109.6
Paints, ready-mixed, gallon....dollars..	1.62	1.29	125.6
Paint brushes, each....cents..	76.3	67.9	112.4
Rope, hemp, pound....do....	13.6	12.4	109.7
Sacks, grain, each....do....	18.0	14.0	128.6
Scales, small, each....dollars..	1.04	.96	108.3
Twine, binder, 100 pounds....do....	9.74	9.06	107.5
Average, all articles			112.1

The following is a statement just prepared by the Census Bureau showing the increase in the number, acreage, and value of farms by States during the last decade:

Number, acreage, and value of farms, by States, 1910 and 1900.

(Blanks indicate that 1910 compilation is not complete.)

States.	Number of farms.			Land in farms.					
				Total (acres).			Improved (acres).		
	1910	1900	Per cent of increase 1900–1910.	1910	1900	Per cent of increase 1900–1910.	1910	1900	Per cent of increase 1900–1910.
Alabama									
Alaska									
Arizona	8,078	5,809	39	1,242,000	1,935,000	− 36	349,000	255,000	37
Arkansas	214,275	178,694	20	17,377,000	16,637,000	4	8,062,000	6,954,000	16
California	87,670	72,542	21	27,883,000	28,829,000	− 3	11,380,000	11,959,000	− 5
Colorado	45,839	24,700	86	13,448,000	9,475,000	42	4,291,000	2,274,000	89
Connecticut	26,431	26,948	− 2	2,176,000	2,312,000	− 6	984,000	1,065,000	− 8
Delaware	10,800	9,687	11	1,037,000	1,066,000	− 3	712,000	754,000	− 6
District of Columbia	214	269	− 20	6,000	8,000	− 25	5,000	6,000	− 17
Florida	49,834	40,814	22	5,231,000	4,364,000	20	1,803,000	1,512,000	19
Georgia									
Idaho	30,741	17,471	76	5,269,000	3,205,000	64	2,773,000	1,413,000	96
Illinois	250,853	264,151	− 5	32,471,000	32,795,000	− 1	28,005,000	27,699,000	1
Indiana	214,741	221,897	− 3	21,264,000	21,620,000	− 2	16,903,000	16,689,000	1
Iowa	216,807	228,622	− 5	33,905,000	34,574,000	− 2	29,467,000	29,898,000	− 1
Kansas	177,299	173,098	2	43,261,000	41,663,000	4	29,858,000	25,041,000	19
Kentucky	258,742	234,667	10	22,159,000	21,979,000	1	14,334,000	13,742,000	4
Louisiana	120,270	115,969	4	10,519,000	11,059,000	− 5	5,268,000	4,667,000	13
Maine	59,773	59,299	1	6,231,000	6,300,000	− 0.1	2,358,000	2,387,000	− 1
Maryland	48,769	46,012	6	5,051,000	5,170,000	− 2	3,353,000	3,516,000	− 5
Massachusetts	36,512	37,715	− 3	2,870,000	3,147,000	− 9	1,162,000	1,292,000	− 10
Michigan	206,376	203,261	2	18,913,000	17,562,000	8	12,819,000	11,799,000	9
Minnesota	155,759	154,659	1	27,623,000	26,248,000	5	19,609,000	18,443,000	6
Mississippi									
Missouri	276,081	284,886	− 3	34,516,000	33,998,000	2	24,528,000	22,900,000	7
Montana	25,946	13,370	94	13,499,000	[1] 8,344,000	62	3,631,000	[1] 1,726,000	110
Nebraska	129,419	121,525	6	38,553,000	29,912,000	29	24,356,000	18,433,000	32
Nevada	2,660	2,184	22	2,585,000	2,566,000	1	745,000	573,000	30
New Hampshire	26,913	29,324	− 8	3,242,000	3,610,000	− 10	927,000	1,077,000	− 14
New Jersey	33,161	34,650	− 4	2,562,000	2,841,000	− 10	1,800,000	1,977,000	− 9
New Mexico	35,032	12,311	185	11,225,000	5,131,000	119	1,464,000	327,000	348
New York	214,650	226,720	− 5	21,998,000	22,648,000	− 3	14,825,000	15,600,000	− 5
North Carolina									
North Dakota	74,165	45,332	64	28,392,000	15,543,000	83	20,439,000	9,645,000	112
Ohio	271,383	276,719	− 2	24,074,000	24,502,000	− 2	19,210,000	19,244,000	− 0.2
Oklahoma	189,438	[2] 108,000	75	28,717,000	[2] 22,988,000	25	17,496,000	[2] 8,574,000	104
Oregon	45,128	35,837	26	11,628,000	10,071,000	15	4,253,000	3,328,000	28
Pennsylvania	218,394	224,248	− 3	18,556,000	19,371,000	− 4	12,600,000	13,209,000	− 4
Porto Rico	58,371	[3] 39,021	50	2,085,000	[3] 1,758,000	19	1,570,000	[3] 478,000	229
Rhode Island	5,191	5,498	− 6	442,000	456,000	− 3	178,000	187,000	− 5
South Carolina									

[1] Exclusive of data for Indian reservations as follows: Land in farms, 3,500,000 acres; improved land in farms, 11,000 acres; value of land, $6,975,000; value of buildings, $25,000.

[2] Includes figures for Oklahoma and Indian Territory.

[3] Special census of 1899, taken under direction of War Department.

A minus sign (−) denotes decrease.

Number, acreage, and value of farms, by States, 1910 and 1900—Continued.

States.	Number of farms.			Land in farms.					
				Total (acres).			Improved (acres).		
	1910	1900	Per cent of increase 1900–1910.	1910	1900	Per cent of increase 1900–1910.	1910	1900	Per cent of increase 1900–1910.
South Dakota	77,314	52,622	47	25,952,000	19,071,000	36	15,802,000	11,286,000	40
Tennessee									
Texas									
Utah	21,426	19,387	11	3,354,000	4,117,000	— 19	1,357,000	1,032,000	31
Vermont	32,598	33,104	— 2	4,653,000	4,724,000	— 2	1,633,000	2,127,000	— 23
Virginia									
Washington	55,744	33,202	68	11,663,000	8,499,000	37	6,354,000	3,466,000	83
West Virginia	95,876	92,874	3	9,961,000	10,655,000	— 7	5,482,000	5,499,000	— 0.3
Wisconsin	176,546	169,795	4	21,012,000	19,863,000	6	11,882,000	11,247,000	6
Wyoming	10,980	6,095	80	8,543,000	8,125,000	5	1,256,000	792,000	59
The United States									

States.	Value of farms.								
	Land.			Buildings.			Implements and machinery.		
	1910	1900	Per cent of increase 1900–1910.	1910	1900	Per cent of increase 1900–1910.	1910	1900	Per cent of increase 1900–1910.
Alabama									
Alaska									
Arizona	$12,116,000	$11,416,000	269	$4,918,000	$2,267,000	117	$1,779,000	$765,000	133
Arkansas	245,137,000	105,107,000	133	62,992,000	30,075,000	109	16,806,000	8,750,000	92
California	1,315,718,000	630,445,000	109	132,842,000	77,468,000	71	36,393,000	21,312,000	71
Colorado	361,680,000	90,342,000	300	45,335,000	16,002,000	183	12,761,000	4,747,000	169
Connecticut	71,527,000	52,441,000	36	65,094,000	44,984,000	45	6,865,000	4,948,000	39
Delaware	34,810,000	23,769,000	46	18,117,000	10,667,000	70	3,202,000	2,151,000	49
District of Columbia	5,466,000	9,700,000	— 44	835,000	1,574,000	— 47	62,000	136,000	— 54
Florida	93,288,000	30,823,000	203	24,335,000	9,977,000	144	4,429,000	1,963,000	126
Georgia									
Idaho	219,346,000	35,486,000	518	25,074,000	6,832,000	267	10,459,000	3,295,000	217
Illinois	3,081,564,000	1,514,114,000	104	429,630,000	251,468,000	71	73,533,000	44,977,000	64
Indiana	1,325,475,000	687,633,000	93	264,750,000	154,102,000	72	40,880,000	27,330,000	50
Iowa	2,799,025,000	1,256,752,000	123	454,694,000	240,803,000	89	95,273,000	57,961,000	64
Kansas	1,534,552,000	532,188,000	188	199,101,000	111,465,000	79	48,244,000	29,491,000	64
Kentucky	483,127,000	291,117,000	66	150,655,000	90,887,000	66	20,793,000	15,302,000	36
Louisiana	189,071,000	107,730,000	76	49,611,000	33,400,000	49	18,951,000	28,537,000	— 34
Maine	85,923,000	49,359,000	74	72,753,000	47,143,000	54	14,476,000	8,803,000	64
Maryland	163,023,000	120,367,000	35	77,751,000	54,811,000	42	11,845,000	8,611,000	38
Massachusetts	104,273,000	86,925,000	20	87,025,000	71,094,000	22	11,512,000	8,829,000	30
Michigan	612,143,000	423,570,000	45	284,914,000	158,948,000	79	49,771,000	28,795,000	73
Minnesota	1,016,889,000	559,302,000	82	242,621,000	110,220,000	120	52,243,000	30,099,000	74
Mississippi									
Missouri	1,441,529,000	695,471,000	107	268,976,000	148,508,000	81	50,769,000	28,603,000	78
Montana	225,819,000	[1] 45,686,000	394	24,666,000	[1] 9,340,000	164	10,522,000	3,672,000	187
Nebraska	1,613,077,000	486,606,000	231	198,480,000	91,054,000	118	44,215,000	24,940,000	77
Nevada	34,876,000	13,276,000	163	4,277,000	2,340,000	83	1,558,000	889,000	75
New Hampshire	44,327,000	35,499,000	25	41,215,000	34,625,000	19	5,870,000	5,163,000	14
New Jersey	122,357,000	93,361,000	31	90,784,000	69,230,000	31	12,955,000	9,330,000	39
New Mexico	98,496,000	17,324,000	469	12,934,000	3,565,000	263	4,101,000	1,152,000	256
New York	703,214,000	551,174,000	28	473,008,000	336,960,000	40	83,330,000	56,006,000	49
North Carolina									
North Dakota	729,896,000	173,352,000	321	92,139,000	25,428,000	262	43,887,000	14,056,000	212
Ohio	1,283,827,000	817,164,000	57	366,919,000	219,451,000	67	51,115,000	36,354,000	41
Oklahoma	647,178,000	[2] 149,398,000	333	89,295,000	[2] 21,407,000	317	27,003,000	[2] 10,512,000	157
Oregon	409,949,000	113,138,000	262	43,622,000	19,200,000	127	13,135,000	6,507,000	102
Pennsylvania	627,185,000	575,393,000	9	408,115,000	322,880,000	26	70,547,000	50,917,000	39
Porto Rico	73,968,000			8,752,000			8,711,000		
Rhode Island	14,837,000	13,422,000	11	12,619,000	9,703,000	30	1,753,000	1,270,000	38
South Carolina									
South Dakota	901,134,000	189,207,000	376	102,317,000	30,926,000	231	33,762,000	12,219,000	176
Tennessee									
Texas									
Utah	98,891,000	40,126,000	146	17,987,000	10,652,000	69	4,451,000	2,923,000	52
Vermont	58,255,000	45,814,000	27	54,072,000	37,258,000	45	10,162,000	7,538,000	35
Virginia									
Washington	515,918,000	99,311,000	419	54,224,000	16,299,000	233	16,653,000	6,272,000	166
West Virginia	205,610,000	134,269,000	53	56,848,000	34,027,000	67	6,962,000	5,040,000	38
Wisconsin	909,462,000	530,543,000	71	288,096,000	155,605,000	85	52,783,000	29,237,000	81
Wyoming	88,877,000	23,434,000	279	8,983,000	3,532,000	154	3,765,000	1,366,000	176
The United States									

[1] Exclusive of data for Indian reservations as follows: Land in farms, 3,500,000 acres; improved land in farms, 11,000 acres; value of land, $6,975,000; value of buildings, $25,000.

[2] Includes figures for Oklahoma and Indian Territory.
A minus sign (—) denotes decrease.

Some figures recently prepared by the Census Bureau regarding the values of farm property in the United States are especially emphatic in their proof of the prosperity of the farming population. It is to be regretted that in a dozen States the number of farms has not increased and in others that the acreage, as well as the quantity of improved land, is less than 10 years ago. But with the single exception of the District of Columbia, where the manifest reason is the occupation of considerable areas for residence, the values of farm lands have shown a most remarkable increase between 1900 and 1910; an increase rarely equaled in any previous decade in any species of property, real or personal. This increase has occurred not only in States of exceptional growth where there is an increase in the number of farms and their total acreage, like Florida, with an increase in farm values of 203 per cent; Oregon, 262 per cent; North Dakota, 321 per cent; South Dakota, 376 per cent; Washington, 419 per cent; Idaho, last of all, where they are afraid, it seems, that their crop of hay will not bring so good a price, 518 per cent, but everywhere there appears a uniform increase. What does this show except a prosperous condition?

Alike in the uniformity of increase, though with less percentage, are the increases in the value of farm buildings and of implements and machinery. Only one State shows a decrease in either of these particulars, while a considerable number show that the value has more than trebled.

Mr. NELSON. Will the Senator yield to me a moment?

Mr. BURTON. Certainly.

Mr. NELSON. Does the Senator recite those figures for the purpose of showing that the farmers have been too prosperous and that they ought to be knocked out by reciprocity?

Mr. BURTON. "Knocked out by reciprocity"—let us adopt that phrase. Why, Mr. President, I confidently predict that the Senator from Minnesota in the course of a year will forget even his own arguments against this bill. It can not create any such disaster as is being talked about. You are not going to destroy the farmers' prosperity by anything of this kind.

Mr. GRONNA. Mr. President——

Mr. BURTON. I yield to the Senator from North Dakota.

Mr. GRONNA. I want to ask if I understand the Senator correctly. Does he maintain that allowing Canadian wheat to come into this country free will have no effect upon the price of wheat in the United States? Is that his position?

Mr. BURTON. It will probably have a slight effect. The proper calculation to make would be based on the comparative production in the two countries of 5 to 1, and the natural reduction in the price in the United States would be one-sixth of the difference in price between the two countries. I do not deny that in certain localities the effect will be more than that.

Mr. GRONNA. Will the Senator allow me to ask him another question?

Mr. BURTON. Certainly.

Mr. GRONNA. How does the Senator account for the fact that the bonded warehouses on this side of the boundary line pay, on an average, 13 cents a bushel less for Canadian wheat in bond than the American elevators in the same towns are paying for American wheat of the same grade?

Mr. BURTON. I should doubt very much whether that was a permanent condition; but, if so, it simply shows that, along the line explained by the colleague of the Senator from North Dakota [Mr. MCCUMBER], their wheat goes into the Eastern States or the Central Western States for milling purposes.

Mr. MCCUMBER. One is for export and the other is consumed at home. That is the whole explanation.

Mr. GRONNA. I do not wish to take up the Senator's time, but to-morrow, when I intend to make a few remarks on the pending measure, I shall insert not only tables but certificates, and I shall prove to the Senator from Ohio that it is a fact that the American farmer is getting from 10 to 15 cents more for his wheat than is the Canadian farmer.

Mr. BURTON. Is that condition permanent?

Mr. GRONNA. Yes; permanent.

Mr. BURTON. The colleague of the Senator from North Dakota, I repeat, stated that the reason was that the wheat across the border was available for export, and brought the price of Liverpool minus the freight to Liverpool, warehousing and charges of that kind, while that on the south side of the line was sent into the——

Mr. WILLIAMS. The Minneapolis mills.

Mr. BURTON. Does it go to the Minneapolis mills?

Mr. MCCUMBER. It is consumed at home.

Mr. BURTON. I must say, Mr. President, that while I am a protectionist, and a strong one, it seems to me that it is a very unnatural situation that wheat in one warehouse right within a few miles of wheat in another warehouse, the grain being alike valuable for bread, should differ in price 13 or 15 cents on one side because of any such artificial or arbitrary arrangement as that. It is confined to one locality, evidently. There is no such general difference throughout the United States. I must say also that I do not yet see how, when so considerable a quantity of wheat is exported from the United States, the price of surplus wheat of North Dakota can fail to be governed by the export price.

Mr. GRONNA. I wish to correct the Senator. The warehouses are both in the same city or town in the United States.

Mr. BURTON. Yes; but Canadian wheat, of course, is in bond. It must be carried through in bond.

Mr. GRONNA. I almost feel that I am imposing on the good nature of the Senator from Ohio——

Mr. BURTON. Not by any means. I am glad to hear from my friend from North Dakota at any time.

Mr. GRONNA. I wish to ask the Senator another question. Is it not true that Canada to-day ships into this country, or imports into this country, about ten times as much dairy products as we export to Canada?

Mr. BURTON. Oh, no.

Mr. GRONNA. Well, if the Senator will allow me to make the statement, the statistical——

Mr. BURTON. In many things we ship more in there than they ship in here.

Mr. GRONNA. Of butter, cheese, and eggs Canada last year exported to this country more than $800,000 worth.

Mr. BURTON. Of what?

Mr. GRONNA. Of butter, cheese, eggs, milk, and cream.

Mr. BURTON. That is not an enormous quantity. I know a single county that produces more than that.

Mr. GRONNA. We exported to Canada some $80,000 worth—less than $90,000.

Mr. BURTON. If the Senator has the figures on that subject, I should be very glad if he would present them to the Senate. In a little time I could find some showing that the total amount of eggs that they ship to the whole world is less than $100,000 worth, proving that they are consumed at home. They have a home market, just as we do. It is a growing country, with a constantly increasing demand for farm products from industrial and professional classes. A stranger thing might happen than that the time would come in 50 or 75 years when they would be importing certain agricultural products on a large scale.

Mr. GRONNA. Mr. President, I only wish to say that I do not care to insert any tables of mine now or to take the time of the Senator from Ohio while he is making a speech; but I shall to-morrow submit a table in relation to this matter.

Mr. BURTON. Very good. I have the Canadian Yearbook right here by me and if there were time I could refer to it. Let us look at the increase in the values of farm lands in a few other States in addition to those very large amounts that I have given. Arkansas's increase is 133 per cent; California's, 109 per cent; Colorado's, which I did not mention, 100 per cent; and even Pennsylvania, with its great industrial growth and abandonment of lands for mining and industrial purposes, shows an increase of 9 per cent. Ohio shows an increase of 57 per cent and New York of 28 per cent in the value of lands.

I should certainly hesitate a very long time to advocate any policy which would in the slightest degree inure to the disadvantage of the farmer, whatever my opinion might be of the best tariff policy to be adopted. The simple fact is, however, a tiller of the soil supplies articles the prices of which have increased altogether out of proportion to the average of other commodities. It is probable that by reason of the complicated machinery of distribution and the increase in the profits of the middleman he has not realized the benefits which he should. This subject requires the careful attention of Congress and such legislation as may give the farmer the full benefit of increased prices for farm produce. The remedy lies not in tariff legislation but in other directions.

ATTRACTIONS OF FARM LIFE.

Much has been said in this discussion of the hardships and arduous labors of the farmer. From an experience of some years on the farm I can express my acquiescence in much of what has been said. The farmer labors early and late, in all kinds of weather, in the midst of numerous discouragements from drought, from insects, from a multitude of causes which endanger his crops and make his returns unequal and uncertain from year to year. But, after all, his happiness and prosperity are more thoroughly assured than that of any other element of our population. It is true there is not before him any dazzling prospect of social prominence or political preferment. He has no quickening prospect to be numbered among the millionaires and great capitalists of the country. His life is apart from the busy centers of population, with their whirl of amusements and opportunities for recreation. But, withal, his life is in that most wholesome of all theaters, the open air, in full sight of the heavens and with a clear sky overhead. The trees and brooks which many travel miles to see are daily before his eyes. The enervating influences of bad air and of cramped quarters are not his lot. However much the cities may thrive he may have the consciousness that the cities must depend upon him. If he has not the same opportunity for the pleasure and dissipation of this modern day, he has a less exciting and a happier domestic life, and confidently expects that, while his horizon may be limited, his children may be the heirs to the richest prizes of fortune. For true it is that in all great branches of industry, in the State, finance, and in the professions, the sons of farmers have enjoyed and will enjoy a proud preeminence. In the whole range of human employment there is no one who has less occasion for envy. In the acquisition of qualities which give strength and long life the farmer is easily in the lead. Compare with his position that of the miner who goes to the pit's mouth and descends into the bowels of the earth not entirely certain that he will ever see the light

again; the machinist or workman in the factory, who must always labor within quarters more or less cramped and in an unwholesome atmosphere, and in the winter months can not see his family during all the hours of daylight. Indeed, compare with the farmer the busy man of affairs, racked by anxiety, sometimes not knowing whether the morrow may bring success or ruin! No wonder the sons and daughters of the farmer attain so prominent a place in our American life. They are free from the distractions and excitement, the unwholesome surroundings and influence which often make life a travesty on what it should be.

Mr. President, I do not believe in any undue laudation or disparagement of any of our population. It is our duty to legislate as best we may for all the occupations which go to make up our complex civilization, and in such legislation there is nothing which should appeal to us more than to give to all an abundance of the necessaries of life. I can hardly accept without demur the pessimistic forecast of those who think that our agricultural production will fall below our consumption in so short a time. As pointed out by the Senator from Idaho a few days ago, a very large share (he said one-half, I believe) of the lands of private ownership are yet to be cultivated. Regions which were regarded as desert wastes, by irrigation have come to be numbered among the most productive lands in the world, and in this connection I may say why should those who oppose reciprocity with Canada because it will increase the supply of needful articles, favor the development of lands by irrigation? If increase in one direction is harmful, increase in the other is also harmful.

PREVIOUS RECIPROCITY AGREEMENTS.

I wish now, Mr. President, to take up a question to which I should like to give longer time, though I think I can dispose of it in a few minutes; that is, previous reciprocity agreements. I take it it is the desire to adjourn at about 5 o'clock, is it not?

Mr. PENROSE. At 5 o'clock, or 6, perhaps, if the Senator would prefer 6.

Mr. BURTON. I think I can finish my remarks to-night.

Frequent references have been made in the Senate and in popular discussion to the reciprocity treaty between the United States and Canada, or Great Britain for Canada, which was in force from 1855 to 1866. It has been alleged that this agreement resulted in great disadvantages to the United States, and attention has been called to the abrogation of the treaty by a decisive vote of both the Senate and the House in the latter part of 1864. It is confidently asserted that the proposed agreement now pending is similar to the prior one, and that, like the former, it will result in disadvantage. True, that was in many respects similar to the one now under consideration, though it gave free access to the wool of Canada and retained duties on hay and hops. But the most superficial examination of circumstances relating to this former pact, in the light of circumstances existing at the time of the Civil War, shows the reason for its revocation. In the first place, let it be noted—I want to call special attention to this—that there was absolutely no protest against it from the farmers of the United States; no remonstrance was filed with Congress, either by them or in fact by anyone. The preponderant sentiment, as manifested in the country, was for radical changes in the terms of the agreement, but not for revocation.

There was some slight reference to the fact that the wool of Vermont might be injured; but the facts stated in this regard were easily refuted and no one stood sponsor for them. Senator Chandler, of Michigan, said that in 1855 he had opposed the treaty and that he opposed it then; that it did no good to the miner or to the agriculturist; but he made no specifications. There is no evidence in all the discussion that the prices of farm produce were diminished one iota anywhere in the United States.

The agricultural interests west of the Alleghenies opposed the abrogation of the treaty for two reasons. One was that they had facilities in their region for the transportation of their products down the St. Lawrence River, and as navigation on this route was secured by the reciprocity treaty they feared they would lose that opportunity in case of its revocation. The sequel was that they were still allowed the privilege and that the treaty of Washington in 1871 established the permanent rights of the United States to use it. Another reason was the fear that internal-revenue duties would be imposed upon some of their products. At that time internal-revenue duties were imposed on almost everything.

There was substantial opposition from the transportation interests of the country, who desired a monopoly in carrying the grain and products of the interior to the Atlantic seaboard. The most important objection to it arose from the imposition of heavy internal-revenue taxes on numerous categories of products in the United States, which were thereby placed at a disadvantage in competition with the Canadian producer, who could send his articles into the United States without payment either of internal-revenue taxes or duties.

In this connection, Mr. President, it may be said that the internal-revenue system established at that time was a most remarkable one. Taken all in all, we shall probably not look upon its like again in any plan of taxation. It was especially characterized by the multiplicity of the objects taxed. In speaking of the effect of our system of internal taxation, an Austrian writer has said:

> The citizen of the Union paid a tax every hour of the day, either directly or indirectly, for each act of his life, for his movable and immovable property, for his income as well as his expenditure, for his business as well as his pleasure.

Repairs on buildings were taxed. The householder could not improve his dwelling without paying a fine for doing so. Every successive process of manufacture was taxed, as well as almost every operation of business or commerce.

It is interesting to review this system, Mr. President, and it has some bearing on the discussion of this question, that two opposing theories as to internal-revenue taxation were advanced at this time. One was by Senator Sherman, of Ohio, to the effect that the number of objects of taxation should be limited, while the other was advanced by Senator Morrill, of Vermont, that the largest possible number of articles should be subject to internal taxation, with the thought of making the whole country and all classes bear the burden equally. The latter theory was adopted, though it must be said that the most expert opinion in regard to internal-revenue taxation now favors limiting the number to a few well-ascertained objects. This was a sufficient reason for the abrogation of that treaty. It is plainly evident that in the face of such a disadvantage as this it was not fair to the American producer to allow the free importation of Canadian produce.

There was another reason, almost as important, for the abrogation of this treaty. In those days there was no united Canada and each of the Provinces had its separate system of import duties. Up to about the year 1863 there was a substantial balance in our favor in the trade with Canada. Then divers higher protective duties came to be enforced in the several Provinces, the rates being increased in some instances 100 per cent and in others 60 per cent. This placed our trade at a very great disadvantage. On the other hand, very few dutiable articles were sent across the line to the United States. The statement was made, and not contradicted, that the duties collected on the Canadian border were not sufficient to pay the cost of collection. Here, Mr. President, were ample reasons for the revocation of this treaty.

In addition there were others which may be termed sentimental in their nature. Canada was a resort for those who wished to avoid the draft, and a starting point for forays across our border. This caused strained relations between the Northern States and Canada.

The *Alabama* incident also strained our relations with England. It is important to recognize that in all the discussion which preceded the abrogation numerous memorials were received from various portions of the country, as well as resolutions of State legislatures, asking that the existing treaty be modified and continued. The Legislature of the State of New York passed a lengthy resolution to that intent.

No one can correctly state that the reason for the abrogation of that treaty was due to a feeling of the agricultural producer that he was subjected to any discrimination; nor was it due to anything else essential or permanent in its nature.

Since then there have been varying trade conditions between the United States and Canada. In some years the imports into the United States have been greater, but more frequently the exports have exceeded the imports. Of late, however, the balance has been overwhelmingly in our favor. Canada has become by all odds our best per capita customer. The reason for this it is not difficult to see. The habits, customs, language, and necessities of her people are very much the same as ours. Between the United States and Canada there are the very readiest means of communication. Many things are common to both countries. The navigator on the Great Lakes and connecting waters passes without a moment's hesitancy from the waters of the United States to those of Canada, and vice versa.

What is the present condition of our trade with Canada? Our imports in 1910 were $95,000,000, $52,000,000 of which were dutiable, and exports were $215,000,000, a balance in our favor of over $120,000,000. Let us note these surprising statistics. Our exports to Canada were nearly $50,000,000 more than to all of South America, Asia, and Africa combined, nearly twice as much as to France, and only $30,000,000 less than to Germany. For 19 years the balance of trade with Canada has been

in our favor each year, increasing from $8,000,000 in 1892 to the maximum figure of $120,000,000 in 1910. Under these circumstances it is but fair that we should be liberal in any bargain made with our northern neighbor.

That does not mean any partiality to Canada, but it does mean that a country that gives us a balance of trade of $120,000,000 in a year is entitled to fair consideration.

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Iowa?

Mr. BURTON. Certainly.

Mr. CUMMINS. Before passing to the new subject I desire to ask, and I do it for information, or, rather, to confirm my recollection, whether it is not true that the treaty of 1854 was amended in the Senate?

Mr. BURTON. I really am not informed on that point. It was a treaty submitted to the Senate. Afterwards both Houses approved it. My attention has never been called to that question before.

Mr. CUMMINS. I know it was a treaty negotiated or made under the treaty-making power, but my recollection is that the Senate changed it very materially before it ratified it. I am not sure about that, and I thought possibly the Senator from Ohio might know.

Mr. BURTON. I am not sure. I have examined papers relating to that treaty which, it seems to me, would have contained a reference to changes if any had been made, and yet I am unable to state positively.

RECIPROCITY IN COMPETITIVE PRODUCTS IS A REPUBLICAN DOCTRINE.

Much has been said of the principle of reciprocity, and it has been confidently asserted here that reciprocity in competitive products is not a Republican doctrine—indeed, others on the Democratic side have gone so far as to say that it is not a Democratic doctrine—leaving this method of enlarging trade as a rejected principle, approved or fathered by no political organization. I am willing to concede that many prominent men in the Republican Party have expressed their opposition to reciprocity. But just as prominent Republicans have been in favor of such a policy, and whatever some of them may have said on the hustings, in their official acts they favored reciprocity in competitive products.

Let us cite a few facts, beginning with the close of the Civil War. Mr. James A. Garfield, elected as a Republican to the Presidency of the United States in 1880, in 1865 voted against the revocation of the treaty with Canada, and with him voted such a stalwart protectionist as Mr. Samuel J. Randall. President Grant and his Secretary, Hamilton Fish, advised the renewal of this treaty in 1874. And I want to refer to that a little later. In the year 1875 a treaty was concluded with the Hawaiian Islands which provided for the free admission of vegetables, undressed hides and skins, unrefined sugar, and other articles then subject to duty.

To-day more sugar is brought into this country from Hawaii than all of the beet sugar raised in the country, and more than all of the cane sugar. It is true there is a duty on sugar, which changes the situation somewhat, and primarily I am making these quotations only to show what the Republican doctrine of reciprocity has been. Although Mr. Blaine voted in favor of the abrogation of the Canadian treaty in 1865, in 1890 he sent to Senator Hale, during the pendency of the McKinley bill in the Senate, an interesting amendment, as follows:

> And the President of the United States is hereby authorized, without further legislation, to declare the ports of the United States free and open to all products of any nation of the American hemisphere upon which no export duties are imposed, whenever and so long as such nation shall admit to its ports, free of all national, provincial (State), municipal, and other taxes, flour, corn meal, and other breadstuffs; preserved meats, fish, vegetables, and fruits; cottonseed oil, rice, and other provisions, including all articles of food; lumber, furniture, and other articles of wood; agricultural implements and machinery, mining and mechanical machinery; and structural iron, steel rails, locomotives, railway cars and supplies, street cars, refined petroleum, or such other products of the United States as may be agreed upon.

Here was provision for the very broadest reciprocity with all America, including Canada, of course.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Utah?

Mr. BURTON. Yes.

Mr. SMOOT. Does the Senator understand that if such a proposition was to-day made to Canada she would accept it?

Mr. BURTON. I am not sure that she would. There was a time when probably she would have accepted it.

Mr. SMOOT. My information is otherwise, that Canada to-day, if such a proposition as that was offered her, would reject it.

Mr. BURTON. In the last 14 or 15 years a great manufacturing interest has grown up in Canada. There is a manufacturers' association there which is one of the strongest business or commercial associations, I think I may say without exaggeration, in the world, and they have the same idea of fostering home industry and manufactures which has prevailed in this country.

Referring again to the amendment proposed by Mr. Blaine, persons who interviewed Mr. McKinley at that time state that this amendment met his approval and that he advocated and voted for it in the committee.

What I want to call attention to is that this was sweeping and included countries where conditions were widely different.

I remember a discussion years ago in the House in which a woolgrower of Iowa—Iowa was then a large wool-producing State—said that they could raise wool in Brazil as cheap as they could raise hay. Nevertheless this resolution drawn by Mr. Blaine proposed to throw down all barriers in the Northern and Southern Hemispheres.

Later during McKinley's administration he authorized and instructed Mr. Kasson to negotiate certain trade agreements with foreign countries. These trade agreements, rejected by the Senate, included certain competitive articles. In the year 1899 he transmitted a convention with Barbados providing for a reduction of 12½ per cent from the rates of duty on cane sugar and molasses, fresh fruits, and fresh vegetables imported into the United States; in the same year a convention with British Guiana providing for a reduction of 12½ per cent on practically the same articles; also conventions with Jamaica and Bermuda providing for a reduction of 12½ per cent on cane sugar and molasses, and 20 per cent on fresh vegetables, oranges, lemons, and potatoes from Jamaica and upon other articles from Bermuda, omitting sugar; a more important convention with Argentina in 1899, by which it was proposed to admit sugar, hides, and wool at a reduction of 20 per cent; also, in the same year, one with Ecuador, which admitted cane sugar and hides and skins of neat cattle at a reduction of 20 per cent. A convention was also concluded with Nicaragua, admitting sugar, hides, and skins at 20 per cent reduction; and, in 1900, with Denmark, governing trade with the island of St. Croix, by which sugar was to be admitted at a reduction of 12½ per cent. A very elaborate and important agreement was made under the direction of President McKinley with France, which included a very large schedule of articles, on which reductions varying from 5 to 20 per cent were to be granted.

This was an important one because it is a nation on the same footing as ourselves. It included silk and cotton goods, and also various chemicals, preserved fruits, medicinal preparations and perfumery, earthen and glass ware, cutlery, paper, all of them competitive articles.

It seems to me this enumerated list is sufficient to show that President McKinley favored not only the principle but the practice of reciprocity, and reciprocity in competitive articles.

In significant words, he said in his second inaugural:

> Our diversified productions, however, are increasing in such unprecedented volume as to admonish us of the necessity of still further enlarging our foreign markets by broader commercial relations. For this purpose reciprocal trade arrangements should in liberal spirit be carefully cultivated and promoted.

One of the most important achievements of Mr. McKinley's administration was the adjustment of our relations with Cuba, under which we were to admit at a reduction of 20 per cent sugar imported from that island. That arrangement was not ratified during the life of President McKinley, but was earnestly advocated by President Roosevelt, and was adopted during his administration in the month of November, 1903.

The *project* for the treaty of reciprocity with Canada submitted by President Grant in 1874 proposed three schedules for eventual free admission into both countries. Schedule A consisted of the same list of articles included in the treaty of 1854. Schedule B contained a list of 39 agricultural implements. Schedule C enumerated a long list of manufactures, including boots and shoes and machinery for making the same; cotton denims, drillings, and tickings; carts and wagons; iron nails, bolts, and castings; steel rails and plates; print paper and machines for making the same; and tweeds of wool. This is a very broad, comprehensive list, amounting, practically, to free trade between the contracting countries.

The agreement contemplated that each of the above schedules were to be reduced by a sliding scale. From July 1, 1875, to June 30, 1876, two-thirds of the regular duties were to be imposed; for the year ending June 30, 1877, one-third the regular duties; while after July 1, 1877, and for a period of 21 years, all articles enumerated in the three schedules were to be admitted duty free into each country when coming from the other.

I now come to certain reciprocity treaties negotiated in the administration of President Arthur, who also gave his approval to the principle of reciprocity. In 1883 he submitted a treaty with Mexico, providing for the free admission into this country

of eggs—the Senator from North Dakota was fearful of the admission of eggs—beef, hides, unrefined sugar, and vegetables. In the following year he also negotiated similar treaties with the Dominican Republic, and with Spain for Cuba and Porto Rico.

The treaty with Mexico was ratified by the Senate and proclaimed by the President, but failed because Congress neglected to enact stipulated confirmatory legislation. It is an interesting fact regarding the treaties with the Dominican Republic and with Spain that they were both withdrawn from the Senate the following year by President Cleveland.

It is also interesting to note that as early as 1859 President Buchanan submitted a very comprehensive reciprocity agreement with Mexico, proposing to admit into each country when coming from the other, at reduced rates or free as the Congress of the United States might determine—it gave an option—a wide range of articles, including practically all farm products, all cotton fabrics except brown sheeting, and farming and mining implements.

RECIPROCITY TREATIES ALWAYS AROUSE OPPOSITION.

In this connection I want to say that no reciprocal arrangement has ever been entered into by any nation that has not aroused violent opposition, which opposition, I think I am safe in saying, has been proven by experience to be groundless. This was true when the various countries of Germany formed a zollverein, or customs union, in the early thirties.

This included the States of north Germany, nearly all of them, and a few of the States of south Germany. It afterwards became practically universal. For part of the time there was a reciprocity agreement with Austria on one side and those forming the zollverein on the other. Though those who joined in this agreement were of the same language, there were diversities in religion, in the form of government, and in trade conditions; the conflicting interests of the agricultural and manufacturing population and of those engaged in different forms of manufacture—as, for example, makers of yarn and makers of cloth—were plainly in evidence. In addition to all these, there were traditional grounds of repulsion.

There was one other important objection to the agreement. The customs collected at the different customhouses of all these various States were divided pro rata according to population. Apparently there was a grievous injustice in that, such countries as Prussia received a much smaller portion of the aggregate amount than they would have received from the duties collected at their customhouses. Nevertheless this agreement was so helpful to the German States as a whole, and in fact to each of them, that it continued down to the formation of the German Empire in 1870–71. When, for political as much as for economic reasons, Napoleon III in 1860 entered into a treaty with England which involved very considerable reduction in duties collected there was the same opposition, but both countries were aided by the readjustment of trade relations between them.

The free admission of sugar from Porto Rico, as well as the importation of a limited amount from the Philippines, awakened violent opposition. The same is true of the reciprocity agreement with Cuba in 1903; it can be vividly remembered by some in this Chamber. But both countries have gained by the arrangement.

OBJECTIONS TO AMENDING THE PACT.

Numerous suggestions have been made with reference to amending this proposition and some degree of censure has been visited upon the administration for sending in this agreement at all. But, Mr. President, under the Constitution it is the clear right of the President to make communications and recommendations to the Congress. It is his right also to express in public addresses in whatever terms he may choose his advocacy of any line of policy. Not only President Taft but his predecessor and other Presidents have made free to advocate national policies recommended by them in messages with no uncertain voice. Otherwise the President is neither the leader of his party nor does he occupy that place in the public attention which the public demands of him.

Of course, it is for the Senate and the House to accept or reject or amend any proposition that he may send here. I think, however, we overlook numerous instances in which bills in completed form have been sent in by the President or members of his Cabinet. Secretary Chase, in a special session called July 4, 1861, sent in a complete tariff bill which was accepted almost verbatim by the Congress, an act which I think was passed in the Congress about the 18th of July, and went into effect August 5, 1861.

Let us concede for the minute that the agreement is not a completed pact until it is favorably acted upon by the Congress of the United States and the Canadian Parliament; what is the best thing for us to do? This is a great international question, an international agreement framed after long consultation between the commissioners of Canada and the commissioners of the United States, and approved by the respective executive departments of the two separate countries. No tariff bill pleases everybody. This agreement probably did not altogether satisfy President Taft and his administration nor did it entirely please the Canadians. But it is here before us and, Mr. President, I strongly urge that it be adopted in its entirety as it appears here to-day, without any effort at amendment.

It is different from other legislation. It is different from those laws which are passed where the Senate and the House can agree by conference committees. Consultation must necessarily be at long range, and every modification that is proposed renders more threatening a situation already delicate and I may say intricate.

Mr. HEYBURN. I desire to ask a question of the Senator.

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Idaho?

Mr. BURTON. Certainly.

Mr. HEYBURN. Aside from the treaty with Hawaii, did we ever make a treaty, a reciprocal arrangement, that admitted the products of any other country into this country free? The French treaties of course were merely adjustments of tariffs.

Mr. BURTON. Of course, with Cuba——

Mr. HEYBURN. Cuba, of course, was under peculiar circumstances. I am speaking now of the independent stronger nations of the earth. Did we ever do more than to agree upon rates of duty?

A reciprocity treaty might be based upon very high rates of duty as well as upon low. But I merely inquire whether or not the Senator in his investigation has found any treaties which we made, termed a treaty of reciprocity, in which there was more than an adjustment of duties, and the duties we imposed were considered equivalent to the difference in the cost of production between the two countries?

Mr. BURTON. I think there has been more or less of concession in each case. That is, I do not think there has been any exact balance arrived at between the two sides.

Mr. HEYBURN. The treaty with France maintained duties which were protective in their character.

Mr. BURTON. In the proposed treaty with France each country was to reduce certain duties on imports from the other.

Mr. CUMMINS. Is not the Senator from Ohio mistaken in assuming that our treaty or arrangement with Cuba admitted anything free?

Mr. BURTON. It did not admit anything free. It provided for a 20 per cent reduction on sugar and the preferential admission of certain of our products.

Mr. CUMMINS. It was simply a reduction in our duties.

Mr. BURTON. The principle is the same.

Mr. HEYBURN. You could hardly consider any arrangement with Cuba the same as an arrangement with other countries, because the conditions are peculiar.

Mr. BURTON. What I have read from these different reciprocity treaties may assume in the minds of Senators greater importance than was intended. What I selected them for was to refute the idea that reciprocity in competitive products was an idea that had not been favored by Republican leaders. It clearly has been advocated by McKinley and by Blaine and by Grant and by numerous others.

Mr. CUMMINS. Lest I should be misunderstood about that, I want to say I agree entirely with the Senator from Ohio upon that proposition. I believe that reciprocity does embrace arrangements with regard to competitive commodities.

Mr. BURTON. Indeed, it would be practically impossible to make any treaty of any considerable scope that did not embrace them. You might say we will let coffee in from Brazil, but even that would be a competitive product with our outlying possessions.

Mr. WILLIAMS. You could not under those circumstances make any reciprocity treaty at all with Canada.

Mr. BURTON. It would be practically impossible.

Because of the effect which any change in this agreement would have upon the favored-nation clause of many of our treaties, I do not feel we would be safe in modifying this agreement by amendments here. Let us take it for granted that the agreement adopted by the legislative bodies of the United States and Canada is the final document, yet the whole transaction, from the beginning of the negotiations to the end, including the original agreement, including communications, including that which is transmitted to Congress, is known to all these countries which have the favored-nation clause in their treaties.

Now, two facts are to be considered: First, according to the wording of every favored-nation clause, you would conclude

that anything granted to any country would mean the granting of the same privilege to any nation having a treaty with the favored-nation clause. Against that we interpose the opinion of some of our public men, beginning with John Quincy Adams, to the effect that if an agreement with any nation contains equivalent concessions the favored-nation clause does not apply to other countries. We interpose a decision of the Supreme Court of the United States to the same effect. But there is no universally accepted principle of international law to give adequate and altogether reliable support to our contention.

But there is more than that. It is desirable that we should avoid friction and irritation with other countries. I fear that there would be complaint and embarrassing assertions of claims by them if, after certain concessions had been agreed upon by the ministers or the administrations of the two countries, the Senate should put into the body of the agreement further concessions that were not agreed upon by the executive officers of either country or by the House of Representatives, nor asked by the other contracting party.

It is not sufficient that we have an agreement that is legal and binding, though about that there may be some doubt. It is altogether necessary that we should have, as well, something that is as far as possible in line with our diplomatic policy of avoiding cause of offense or dispute with other countries.

Mr. CUMMINS. May I ask the Senator from Ohio a question before he passes to another subject?

Mr. BURTON. Certainly.

Mr. CUMMINS. I will make the illustration as simple as I can. Suppose Canada wanted to come into the United States free with steel rails, and we were willing that Canada should come in with her steel rails free, and the ministers or the executive departments of the two Governments had agreed upon that, but when it comes here we look it over more carefully and we find that it would be very unjust to our manufacturers to allow steel rails to come in free unless we also allowed iron ore, the basic element of steel rails, to come in free. Does the Senator believe that under those circumstances the addition of iron ore to the free list would create——

Mr. BURTON. The Senator means iron ore brought into this country and steel rails into this country, both?

Mr. CUMMINS. Yes. Does the Senator believe it would create any friction between two intelligent Governments or would be in anywise a violation of the favored-nation clause if we should not permit iron ore to come in free from other countries?

Mr. BURTON. I should presume not, because there is an equivalency; that is, the raw material comes in free and the other article comes in free. A matter of equivalency does not depend upon an agreement by which a free importation goes into one country and some other free importation into the other.

Mr. CUMMINS. Then the Senator from Ohio, I believe, sees a difference between the case I have just put and the case at hand, namely, Canada wants to come in with her agricultural products free? We say we are willing that they should come in free, but we can not allow you to come in free with your agricultural products unless we allow you to come in free with some other things the farmer must buy, in order to do justice to him. Does the Senator see any difference?

Mr. BURTON. If there is a case where the connection is so close as it is between iron ore, the raw material, and steel rails, I do not know that there would be. Even with that, however, I will say that it is best not to interfere with this agreement.

Mr. CUMMINS. May I ask the Senator another question? Who will decline? Canada will not decline.

Mr. BURTON. Other countries, claiming that under the favored-nation clause they are entitled to bring their products in because we granted the right to Canada, and did it without any equivalent.

Mr. CUMMINS. Under the authorities I read this morning it would seem that the matter of equivalency was for our determination alone.

Mr. BURTON. It is a very rare controversy that can be settled by one person alone. We might assert our opinion about it, but the other side would have its right to a different opinion. In any event, it is likely to create a ground of variance between our own country and others. When this agreement was first published here there were rumors in the Capitol that some of the foreign nations were about to claim that if we made any such agreement they were entitled to the same concession.

Mr. CUMMINS. I agree with the Senator from Ohio. They are already complaining. They are complaining of the arrangement as it is now, and in my opinion much more justly than they could complain of it if we amended it as I propose.

Mr. BURTON. I do not quite agree with the Senator from Iowa in regard to that.

INJURIOUS RESULTS NEED NOT BE FEARED.

The essential fact to be remembered in a discussion relating to this agreement is the similarity of conditions between the United States and Canada. The cost of labor is very nearly the same in both countries. This is true notwithstanding in some portions both of Canada and the United States wages are higher than in contiguous or nearly contiguous localities across the border. But the fact remains that the general average is practically the same, and differences in wages in the two countries are not greater than in different localities in each. Indeed, in the newly developed portions in the northwestern part of Canada it must be conceded that wages are higher. The cost of implements both for use in agriculture and in manufacture is approximately the same. If the scale of living is different it is sure to become more and more nearly identical by reason of the close communication between the two countries and their similarity in habits and aspirations.

I am far from saying that tariffs should not be imposed where there are essential differences in the scale of wages and cost of living, but such differences afford no barrier to this agreement. Thus far I have conceded for the sake of argument that there may be some variance in the price of agricultural products. But it would be unwise to hold out the prospect that any material change in the cost of living will be accomplished by this agreement. Prices will be somewhat lower whenever there is scarcity by reason of deficient crops on the one side or the other. The multiplication of the sources of supply will aid in distribution and prevent those dangerous opportunities for monopoly or excessive profits to middlemen. Also in the case of specific articles of agricultural production the price may be lowered and the American farmer subjected to some slight degree of hardship. This hardship, however, will be confined to a limited number and to a small area. It is inevitable that the general result must be an approximation of prices in the two countries. In both countries some prices will be raised or lowered, though only in a slight degree.

I have already, in answer to questions, dwelt upon those facts. I will, however, refer to one illustration only. The argument has sometimes been advanced that eggs are 5 cents a dozen less at Windsor than at Detroit. While this difference in price has been denied, the absurd inference has been derived from it that a removal of the duty on eggs would cause the price at Detroit to fall 5 cents a dozen to the price at Windsor. A very superficial consideration of this situation shows that such can not be the case. In view of the very much more limited quantity of eggs available for export from Canada, it is perfectly plain that the Canadian price, if it is lower, would rise to the price in the United States. The same is true all along the line where the country has a small surplus for export. The new situation created by this agreement will cause that surplus to be sold at the price prevailing where the larger demand exists, and when the quantities are more nearly equal there will be an adjustment of prices influenced for the most part by the price of the larger quantity. It should further be considered that this question of prices can not be settled by trade relations between Canada and the United States alone. Both countries are large exporters of agricultural produce and the foreign demand which is sure to provide bidders for the exportable quantities in both countries will be the most potent factor in determining the price.

A leading article of export between the United States and Canada is coal. The last Statistical Abstract places the estimate of the value of coal taken into Canada at $26,000,000. It is probably about half or a little more anthracite, on which there is no duty. The duty now prevailing in Canada is 53 cents on bituminous coal per ton of 2,000 pounds. That is lowered from 53 cents to 45 cents. That is but an entering wedge to the removal of the duty on coal on both sides of the line. In view of the fact that so much of the cost of coal at the place of consumption consists of freight charges where distances are so considerable as in Canada, it seems to me that this duty can not permanently remain.

ADVANTAGES TO BE DERIVED FROM TREATY.

What are some of the advantages to be derived from this treaty? The obvious benefits are those which will result from more friendly relations and the general promotion of trade with Canada, both of which would be stimulated by the more amicable disposition manifested by an agreement of this kind. Also there are immediate advantages which can be figured from trade statistics. It is true that under the operation of this agreement it has been computed that duties remitted by the United States would amount to $4,849,933, while those remitted by Canada would amount to only $2,560,579.04, but we must

take into account two facts: First, the exports from Canada into the United States are only $95,000,000, while those from the United States into Canada are $220,000,000, a balance of trade so great that it could only be expected that the one which is the larger buyer of the products of the other has a strong claim for greater concessions. Second, in nearly all cases our own duties are higher than those imposed by Canada. The agreement provides for three classes of commodities, arranged in four schedules. Schedule A includes those which are to be admitted free by both countries; Schedule B those admitted by each country at uniform rates of duties; Schedules C and D include articles admitted into one or the other country at specified rates of duty. As an example of the second class of duties, it is provided that flour shall be admitted into both countries at 50 cents a barrel; the present Canadian duty is 60 cents per barrel, while that of the United States is 25 per cent. In this case it is apparent that the duty in our country is much larger than in Canada. In a few cases the Canadian duties are higher.

The duty on fresh mutton and lamb and other fresh meats is now 3 cents per pound in Canada and 1½ cents per pound in the United States. Under the proposed reciprocal rates a reduction is made in both countries to 1¼ cents. The rate on bacon and hams shows a larger duty in the United States, 4 cents a pound, while the Canadian rate is only 2 cents; both alike are reduced to 1¼ cents per pound. The imports affected, according to the computation made, are somewhat in excess of $47,000,000 in both countries. Live animals, cattle, horses, hogs, and sheep are made free. The value of the exports of these animals shows a balance in favor of exports from Canada, though exports were made from the United States. What does this show? It is that the balance depends upon the question of supply in specific localities along the border. The exports are trivial when compared to the total number in either country. For instance, Canada last year sent into the United States horses to the number of 2,615; the total number in the United States in 1910 was 21,000,000. So small an exportation can hardly be expected to influence the price or profits of the American farmer. On the other hand the United States sent into Canada 6,518, as against a total of 2,132,489 in the latter country. It thus appears that the proportion of imports to the total number is much greater in Canada than in the United States. Among other articles admitted free, of which there is considerable exportation to Canada, we find cottonseed oil, on which the duty to be remitted by the agreement is $179,000 on a value of $895,000; clover and timothy seed of a value of $148,000 sent into Canada, on which a duty is to be remitted of $74,000. Among dutiable articles, meat products of the value of over two millions were sent to Canada, on which duties of $150,000 are to be remitted; lard, of a value of $1,347,000, on which duties of $218,000 are to be remitted. The exports of wagons and agricultural implements to Canada are very large, though the proposed remission of duties is not considerable, amounting to reductions from 20 and 17½ per cent to 15 per cent.

The proposed agreement will undoubtedly increase the trade between the two countries, especially in view of the growing demand in Canada. In the last year for which statistics are available coal of a value of $11,400,000 was sent into Canada, on which the duty to be remitted is $455,000. As the British possessions to the north of us have longer winters and presumably colder weather than in the United States, it is certain that the demand for coal will increase. In addition to bituminous coal a very large quantity of anthracite is exported to that country upon which no duty is levied. As already stated, the duty on bituminous coal by the agreement is reduced from 53 cents per ton to 45 cents, a substantial concession when we take into account the very considerable freight cost in the carriage of coal to Canada and the competition with coal fields on the Atlantic border.

Just as the acquisition of territory by the United States, as in the case of Louisiana, Florida, Texas, and California, has widened our commercial horizon and increased the prosperity of the older and newer portions alike, so reciprocal trade with Canada, where conditions are so similar, must confer a like benefit.

I am not unaware that powerful factors are at work which are likely to reduce somewhat the prices of agricultural produce. No organized movement back to the farm has commenced, but the very fact that there has been of recent years a disproportionate increase in the prices of farm products will cause greater attention to be given to agricultural production. This will be accomplished by improved methods, by obtaining larger crops per acre, and in some degree by an increase in the number of those engaged in farming. These tendencies, if they shall manifest their influence, will result from the operation of the law that capital and effort are directed toward those lines of enterprise which are most profitable. If such is the case, this agreement, when adopted, as I feel sure it will be, will receive the blame for lower prices from many of the farming population. However, if there should be a fall in prices, the true cause will be overlooked; and, further, the reduction will only last for a part of one of the cycles of increase or decrease in prices which have their course and then give place to a contrary tendency.

So long as the production of gold increases and the demands of the average citizen are maintained at the present standard, it is not probable that there will be any permanent decrease in the prices of grain or meats.

In addition to these causes there is another much more influential cause, to which I have already referred, namely, the disturbance of the balance between agriculture and other branches of industry. Whether the remedy for this will appear or not, no one can foresee with any certainty.

HOUR OF DAILY MEETING.

On motion of Mr. PENROSE, it was

Ordered, That the hour of daily meeting of the Senate be 11 o'clock a. m. until otherwise ordered.

GRAND CALUMET RIVER, ILL.

Mr. SHIVELY. I ask unanimous consent to take up the bill (S. 2789) to change the location and straighten the course of the channel of the Grand Calumet River through the lands of the Gary Land Co. and the Indiana Steel Co., and for other purposes.

The Secretary read the bill, and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MUNICIPAL GOVERNMENT.

Mr. OWEN. I give notice that to-morrow, after the speeches which have been set, I should like to be heard by the Senate.

The VICE PRESIDENT. Following the Senators who have already given notice?

Mr. OWEN. Following the Senators who have already given notice.

The VICE PRESIDENT. Did the Senator from Oklahoma indicate on what subject he intends to speak?

Mr. OWEN. On the subject of municipal government.

Mr. PENROSE. I move that the Senate adjourn.

The motion was agreed to, and (at 5 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Thursday, July 6, 1911, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *July 5, 1911.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Almighty God, our heavenly Father, we bless Thee that in all the long march from savagery to civilization Thou hast never forsaken Thy children, but hast been with them to uphold, support, and guide to larger conceptions of Thee, duty, and destiny; that Thou didst pour Thyself out in light and love through Thy son Jesus Christ in the Sermon on the Mount and on the cross of Calvary, teaching the great truths fatherhood, brotherhood. We thank Thee for the strong, the noble, the true who caught that light and felt the warmth of that love and gave to us, a hundred and thirty-five years ago, the Declaration of Independence, which startled the world no less for its daring than for the principles it enunciated. Bold in its denunciation of wrong, clear in its declarations of right, it stands a masterpiece of civil, political, and religious liberty. God grant that, as American citizens, we may strive earnestly to fulfill in State and Nation the principles it proclaims. In the spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of Saturday, July 1, 1911, was read and approved.

ELECTION OF SENATORS BY DIRECT VOTE.

The SPEAKER. The Chair lays before the House House joint resolution No. 39 and announces that the Senate asks for a conference. The Clerk will report the title.

The Clerk read as follows:

House joint resolution No. 39, proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States.

Mr. RUCKER of Missouri. Mr. Speaker, I move that the House consent to the conference asked for. I move that the House further insist on its disagreement and agree to the conference.

The SPEAKER. The gentleman from Missouri [Mr. RUCKER] moves that the House further insist on its disagreement and agree to the conference asked by the Senate. The question is on agreeing to that motion.

The question was taken, and the motion was agreed to.

The SPEAKER. The Clerk will announce the conferees.

The Clerk announced the names of Mr. RUCKER of Missouri, Mr. CONRY, and Mr. OLMSTED as conferees on the part of the House.

DIPLOMATIC AND CONSULAR ESTABLISHMENTS.

Mr. HENRY of Texas. Mr. Speaker, I desire to call up the privileged House resolution No. 221. I believe the Clerk has it.

The SPEAKER. The gentleman from Texas [Mr. HENRY] calls up House resolution No. 221, which the Clerk will report.

The Clerk read as follows:

House resolution 221.

Resolved, That the Secretary of State be, and he is hereby, directed to inform the House what action he has taken toward carrying out the provisions of the act approved February 17, 1911, providing for the acquisition in foreign countries of sites and buildings for the use of the diplomatic and consular establishments of the United States.

Mr. HENRY of Texas. Mr. Speaker, I desire to move to discharge the Committee on Foreign Affairs from the further consideration of the resolution. I will say that if the House will indulge me for 15 or 20 minutes, I will not care for a formal vote on the motion to-day.

Mr. DALZELL. Mr. Speaker, I would like to ask the gentleman this question: Has this resolution been before the committee the proper length of time to make it a matter of privilege?

Mr. HENRY of Texas. It has been before the committee almost two weeks.

The SPEAKER. The gentleman from Texas [Mr. HENRY] asks unanimous consent to address the House for 15 or 20 minutes. Is there objection?

There was no objection.

Mr. HENRY of Texas. Mr. Speaker, discussing the circumstances under which our country was settled, Green, the great English historian, wrote:

Between the sailing of Winthrop's expedition and the assembling of the Long Parliament, in the space, that is, of 10 or 11 years, 200 emigrant ships had crossed the Atlantic, and 20,000 Englishmen had found a refuge in the west.

Driven by a brutal abuse of royal power invading their individual rights as citizens, these sturdy men thus crossed the Atlantic to find homes in the wilderness amongst us. Therefore it is no wonder that as soon as we realized that we were Americans and not merely English colonists we were taught that the law surrounds each citizen with a circle of individual rights over which no government, State or Federal, or person, can pass without peril. The sturdy individualism emerging from such a system became the inspiration of a national character, receiving its initial impress from the simple conditions of life from which it sprang. The founders of our Nation were plain, heroic, and sincere men and women, preferring the dangers of the wilderness rather than groveling at the feet of despots.

Before the American Revolution had closed the Continental Congress, dealing with marine captures, acknowledged the law of nations by express adherence to the international doctrine that "according to the general usages of Europe" we should deal with such seizures. In thus declaring, we formally linked our national affairs to the diplomacy of the world. However, at an earlier date our diplomatists began to seek entrance at the doors of foreign nations. We note that on September 17, 1776, Congress proposed a plan of commercial treaty to be submitted to the King of France, Franklin, Jefferson, and Deane being appointed as commissioners for the purpose of laying it before the French Government. In December of the same year they addressed Count Vergennes, minister of foreign affairs of France, the first formal diplomatic document on behalf of the United States to a foreign power.

And it is historical that the French alliance resulting therefrom was the most important event of diplomacy occurring during the American Revolution. There was another treaty secured by the United States before peace with Great Britain, the one negotiated by John Adams at The Hague in October, 1792, with their "high mightiness, the States-General of the United Netherlands." Near that time the Continental Congress accredited other agents to other European courts. We sent William Lee to make explorations of diplomacy at Vienna, John Jay and William Carmichael were dispatched upon a similar quest to the Spanish Court, Ralph Izard to Tuscany, Henry Laurens to the Netherlands, and Arthur Lee was instructed to feel his way in various courts, along with that of Prussia. We sent Francis Dana to knock at the door of Russia.

At this juncture of our diplomatic history we may profitably dwell upon the trials and dangers besetting our diplomats in the days of the Revolution, when simplicity and hardship marked their careers, with an absence of opulence and oriental splendor. During those times our forefathers were mere "rebels" in the eyes of the British, and the voyage of an American diplomat across the seas was hazardous by reason of the British cruisers traversing the waters. The *Reprisal*, upon which Franklin sailed to France, captured two prizes on the way, and several times was menaced by suspicious sails. An eminent authority has said that in the event of the *Reprisal's* capture Franklin might have tested the truth of his famous remark in Congress to his colleagues, that they must "either hang together or hang separately." Adams made his first voyage on an American vessel and the second on the French frigate *Sensible*, landing in Ferrol, Spain. Before independence was achieved, Deane proceeded abroad in secret, and when his presence in France was discovered Great Britain demanded his seizure and delivery into her custody. Jay made a safe journey in the American man-of-war *Confederacy;* but Henry Laurens, sailing in 1780 to the Netherlands, was not so fortunate. Embarking in a small packet boat, *Mercury*, convoyed by the sloop of war *Saratoga*, when off the banks of Newfoundland the *Mercury*, abandoned by her convoy, was seized by the *Vestal*, a British cruiser. Laurens's papers during the pursuit were put in a bag and thrown overboard. However, of too light weight to sink, they were recovered and delivered to the British Government, and Laurens himself was promptly imprisoned in the Tower of London.

In this way I have endeavored to recall some of the almost forgotten incidents of the history of American diplomacy in order to "point a moral and adorn a tale." Let us not forget that these envoys had been a part of our early political life, contributed to our thought, our learning, our eloquence, our philosophy, and rise of the world's greatest Republic. They were not merely fortunate adventurers stumbling upon a pot of gold; they were not mere accidents thrown up by the plowshare of fate. They were leaders in opinion, in action, in genuine patriotism, who had won the right to speak for the infant Republic in foreign courts. Again, let us remember they braved perils in the discharge of their arduous duties with the sturdy simplicity and spirit of genuine Americanism. They were unheralded by royal pomp at the gates of Paris and London. There was no royal entry preceding their reception at gorgeous courts.

Having referred to the solemn entry of an ambassador into London, a survival of diplomacy now almost obsolete, we may congratulate ourselves that very recently as two proud and overopulent ambassadors entered that ancient capital amid a veritable riot of vulgar display and extravagance of wealth, rushing headlong to the feet of royalty, no serious casualties actually occurred. We should felicitate ourselves, because in other days in the terrific struggle for precedence between ambassadors on great occasions of public splendor armed conflicts frequently occurred. At least, as Americans we should be content that no fatalities resulted to our representatives in their wild scramble for kingly favors. [Laughter.]

In Ward's History of the Law of Nations we read a graphic account of the armed conflict at London, on Tower Hill, in 1661, between the retinues of the French and Spanish ambassadors by reason of each attempting to follow next to the King in the procession for the solemn entry of the representative of Sweden. Permit me to congratulate our ambassadors at the recent historic occasion in London that no serious bodily harm resulted to either in their ambitious desire to touch the throne, and to lament the fact that perhaps some permanent wound was left by reason of some other representative outvieing them in gorgeous and overlavish display in vulgar wealth, jewels, peacock feathers, and personal raiment so essential to such occasions. [Laughter and applause.]

And here we must admit that such overzealous glamor and show indicate a dangerous aspect of the new dollar diplomacy. Can any patriotic American who contemplates the rising tide of lavish and almost obscene extravagance, with its source springing from the coffers of the overrich, fail in the perception that it is rapidly undermining the foundations of every cottage in the Republic? As surely as death, with its impartial footsteps, approaches the doors of palatial abodes and cottages of the poor, so will the corrupting spirit of lavish display drag its withering trail over every home in the land. The penalty must be paid, and that penalty is the one due from folly to a diseased false pride. As a man must die when his arteries

have lived out their day, so a nation can not flourish in a healthful state longer than the ideals that made it great. History does not record anything surpassing the sudden and intensely bacchanalian revel of extravagance and show into which our simple and serious people have been swept by the abnormal growth of tremendous fortunes and estates to the detriment of our purest and best ideals. These grotesque performances invite our pity rather more than a feeling of contempt. The most serious and corrupting aspect of the times is the tendency of our great millionaires, still professing admiration for our republican institutions, to shine in splendor as great noblemen in foreign courts. In their endeavor to pave the way for such royal status the world has been profoundly amused at the expense of this Nation by the so-called system of "international marriages," ofttimes secured by purchase in return for high-sounding titles accidentally held by thin-blooded nobleman. [Applause.] As an illustration of their progress up to date in that direction, the following extract is taken from the daily newspaper reports of June 22, as they published the honor roll in London:

MANY AMERICAN WOMEN AWARDED PLACES OF HONOR—UNITED STATES WELL REPRESENTED AMONG PEERESSES AT THE CORONATION.

LONDON, *June 22.*

America was well represented among the peeresses present at the coronation of King George and Queen Mary. Those entitled to seats in Westminster Abbey were Consuelo, Duchess of Marlborough, daughter of W. K. Vanderbilt, of New York; Maye, Duchess of Roxburghe, daughter of Ogden Goelet, of New York; Helena, Duchess of Manchester, daughter of Eugene Zimmerman, of Cincinnati, and wife of an Anglo-American, the Duke of Manchester being the son of the former Consuelo Yznaga, of Ravenswood, La.; Florence, Marchioness of Dufferin and Ava, daughter of John H. Davies, of New York; Elena, Countess of Donoughmore, daughter of M. P. Grace, of New York; Margaret, Countess of Suffolk and Berkshire, daughter of Levi Z. Leiter, of Chicago—

These names are hard to pronounce by one who has not been a special envoy to a coronation trade carnival [laughter and applause]—

Adela, Countess of Essex, daughter of Beach Grant, of New York; Cornelia, Countess of Craven, daughter of Bradley Martin, of New York; Beatrice, Countess of Granard, daughter of D. Ogden Mills, of San Francisco; Grace, Lady Newborough, daughter of Col. M. H. Carr, of Kentucky; Elizabeth, Lady Cheylesmore, daughter of F. O. French, of New York; Vivian, Lady Decies, daughter of George Gould, of New York; Lady Barrymore, former wife of the late Arthur Post, of New York; Romaine, Lady Monson, daughter of the late Gen. Roystone, of Medham, N. J.; Mary Louise Leith, of Fyvie, daughter of Derrick A. January, of St. Louis; Frances, Lady Ashburn, daughter of J. C. Donnelly, of New York; Leonora, Countess of Tankerville, daughter of the late J. G. Van Marter, of New York.

Permit me here to indulge the hope that the good day is coming when the position of the plain American citizen will be so lofty that puny princes of other countries will fade into deserved insignificance by just comparison. [Applause.] Then may we see this reign of international nuptial alliance, based upon a mongrel mixture of wealth and titles of nobility, run its course before an enlightened, world-wide sentiment. My duty would be unperformed if I did not pause to here shed a tear of sympathy with our scorned and discredited duchesses, countesses, and princesses. Behold this item of news from the public press, which meets our gaze:

Representative SABATH learns that despite the millions which we send along with our maidens and which enrich the thin-blooded nobility of Europe the compensation is not adequate. About the time they are crowning a king we discover that some of our heiresses who have bought little coronets can not wear them in the procession. Some obsolete rule or regulation is revived, and with gravity and solemnity they are relegated to the stands erected for the common people. A resolution introduced by Mr. SABATH directs the Secretary of State to inquire into the "humiliation" that title-bearing American women are forced to undergo; how many of these international alliances are being negotiated, and at what figures; whether any of the coronets are made of pewter or tin; and whether there is danger of "titleitis" becoming chronic.

[Laughter.]

Our hearts and tears should go out to these heiresses in their hour of trial, as their last hopes fade into the realm of cruel mockeries. But the designs of our overambitious plutocrats do not end there. They now demand the great diplomatic posts in the chief European capitals. There they have placed the scale of living so high that in some instances our envoys have installed themselves in viceregal magnificence. Sumptuous palaces and country estates have been taken, the rentals of which are so vast as to make the salaries paid by this Government appear utterly contemptible and exceeding 20 times the amount received from our Treasury as their official emoluments. Should not the blush of shame and anger come to the face of every true American when he realizes the dignity of this great Republic thus compromised and abased in foreign courts by envoys who maintain from their private purses a style of living characterizing the Government sending them as a mere mendicant? The time has come when this humiliating spectacle should be brought to a close by a decree coming from the hearts and minds of the true American citizens. Perhaps the trouble began by the failure of this Government to make proper provision for its representatives abroad.

All other governments have pursued such course by thus establishing homes for their envoys in foreign courts. That is the universal rule of all the more important governments. Europeans regard not so much the splendor of a diplomatic residence as the fact that it is the official home of the government maintaining it. An adequate home in any European capital provided by this Government for our envoy becomes, by reason of that fact alone, a place of the highest importance and dignity. After such house has been provided and equipped by our Government, the envoy, whether rich or poor, must reside in the style thus approved by his country. In this manner the new envoy immediately enters, upon his arrival, into a well-equipped home, the interior and exterior of which appear about the same, no matter whether its occupant is an historian or writer, like Bancroft, Motley, or Taylor, or a multimillionaire, able and eager to establish himself with his own accidental riches in Waterloo Palace or Devonshire House.

The Sixty-first Congress passed an act providing for the purchase or erection of official residences for our envoys in every European capital. And thus established in official homes by their Government, they can conduct and maintain themselves in simple and becoming dignity upon the salaries now fixed by our laws. In that fact is embodied the true essence of the whole problem. If the American democracy is not to become ashamed of its character as a great Republic, then we must maintain before the enlightened world the simplicity characterizing the beginning of our national life. In such cause we need not venture into extremes. There is no necessity for disregarding the larger duties which our position as a world power places upon us.

Establishments of viceregal splendor should be sternly discountenanced and every American envoy should be furnished, at governmental expense, an adequate official residence in which he can maintain the rank and dignity of his office out of his salary. To that end the last Congress passed an act, approved February 17, 1911, authorizing the Secretary of State to proceed at once to purchase or erect suitable buildings, "the cost of no one of which is to exceed, with the furniture, the sum of $150,000." As not more than $500,000 can be expended in any fiscal year, the act contemplates that three embassy or legation buildings shall be provided in each year.

The necessity is pressing that the Secretary of State should proceed at once to erect or purchase, especially at London, the recent scene of ambassadorial riot and glamor of wealth, a suitable building befitting our traditions as a Republic. He should hasten to comply with the law at Paris and Berlin, where the viceregal mania is pronounced and rapidly taking on a malignant form. The American public is entitled to know at this hour what steps the Secretary of State has taken to execute this recent act of Congress and thus arrest this nauseating display of splendiferous riches. As a representative of the people in the Congress of a democratic government I now formally invite him to give the appropriate information and proceed to the performance of his sworn duty. *If there is any member of our diplomatic corps who is so sumptuous in his style and tastes that he can not reside in a house the value of which, including the furniture, shall not exceed $150,000, then let him promptly resign in order that we may fill the place by some real American citizen.*

Only a short while ago, when one of our viceregal envoys who had lived in unsurpassed splendor at Berlin resigned, there was a rumor, oft published, that it was difficult to supply his place because no successor would be acceptable to the German Empire who could not maintain the same splendiferous status established by the departing ambassador of lavish wealth. Since the world's diplomacy began has such a requirement ever before been decreed from an imperial seat or kingly throne, fixing a test of vulgar wealth as the sine qua non of acceptability? As a social millionaire diplomat of the highest order is a necessity at Berlin, a worthy successor to the viceregal Charlemagne Tower may easily be found in the person of a new aspirant for diplomatic honors who, without any training or probation whatever, has lately crowned himself with glory at London. From his publicity bureau, whose organization seems to be perfect, we learn that at every turn even royalty itself actually fawned upon him. The following are only little fragments from the press with which the cable has favored us:

The Duke of Argyll, Princess Henry of Battenberg, Princess Louise of Battenberg, and Miss Campbell, a niece of the Duke of Argyll, were conspicuous to-day in a distinguished company of 125 persons who witnessed the royal progress from Stratton House, the residence of John Hays Hammond. A large American flag floated over the house. The royal party, with Mr. and Mrs. Hammond, occupied a window in the ballroom, and as King George and Queen Mary passed the monarchs recognized them and exchanged salutations—

The King and Queen are to be congratulated upon the ecstasy aroused in them by the sight of our important personages—

* * * Sir Edward Grey, the secretary of state for foreign affairs, as the host of the evening, escorted Queen Mary in to dinner, and King George acted as the escort of the German Crown Princess. John Hays Hammond escorted the Kaiser's sister. The dinner was served at nine tables. Mr. Hammond sat at the second table, at which sat also Queen Mary. Mrs. Hammond was at the third table, at which sat the Duke of Connaught. Mrs. Hammond was between King George of Greece and the Grand Duke Michael of Russia.

Perhaps we have found the envoy who is persona grata at the German court. Is it to be the multimillionaire of South African fame, whose face is now featured in every blaze of glory lighting up the London capital? Following a series of such circumstances an eminent scholar, with long training in our State Department, and one of the foremost diplomats of this country, was sent to Berlin. Alas, his career has been cut short! He resigned, and his resignation is shrouded in mystery. *Is the solution found in the fact that he is not the required multimillionaire as his predecessor and probable successor?* Mr. Speaker, what is the truth of this mysterious recall? The American people are entitled to know. In the above observations have I not touched the real explanation of this international secret? Has the time come when this mighty Republic must permit any foreign sovereign of the earth to impose such servile and mercenary conditions upon us? The Review of Reviews refers in its current number with anxiety to the rumor that Dr. David J. Hill had resigned in order to make it possible for "President Taft to appoint as his successor some millionaire social leader." God forbid that such a discount should ever be placed upon patriotism, scholarship, and accomplishments of diplomacy in recognition of riches and vulgar splendor.

Mr. Speaker, let us rather announce to the world that when the next elections have passed the American people will not put up these great posts of diplomatic honors to be plucked by the highest bidders amongst aspiring millionaires, but that the plain American gentleman of genuine accomplishments shall outrank them all. It is thoroughly understood that the eminent scholar, Dr. Eliot, who for many years guided the destinies of Harvard University, was offered the post of ambassador at London. He saw proper to decline. Perhaps the real reason for his declination is the fact that financial poverty made it necessary, although the world knows him to be rich in years, public esteem, and scholarship, admirably equipping him for the honor. *If we are to continue as a Republic, and republican ideals are to be perpetuated as a part of our institutions, existing conditions in our Diplomatic Service must be changed at once and forever.*

Let the Secretary of State promptly proceed at London, Berlin, and Paris to execute the provisions of the congressional enactment of this year. Let him there re-create conditions of republican dignity and thus revive memories of the days when our diplomacy was adorned by such names and simple characters as Franklin, John Adams, Jefferson, Jay, the Pinckneys, Monroe, Livingston, Dana, Washington Irving, Bancroft, Motley, Buchanan, Phelps, Robert Lincoln, and Thomas Francis Bayard. Throughout our entire history of diplomacy no more perfect type can be found of what the life of an American diplomatist should be than that exhibited in the person of the dignified Thomas Francis Bayard. His life there was simple and attractive, and his London house, furnished, cost scarcely £1,000 per annum. In that home the great of the world gathered—philosophers, historians, poets, statesmen, jurists, warriors, wits, and men of affairs. Amongst them all towered our stately and accomplished envoy, wearing upon his breast the noblest of all decorations—the dignified simplicity of an American gentleman, typifying the great democracy in which he was born. Invoking a return to that glorious day, let us direct the Secretary of State to proceed with the duty in hand. [Applause.]

Mr. Speaker, if there is any objection, I shall not ask that my motion to discharge the committee from further consideration of this resolution be put to-day, but if there is no objection I shall ask that the motion be put.

The SPEAKER. The question is on the motion to discharge the Committee on Foreign Affairs from further consideration of House resolution 221.

Mr. KENDALL. Mr. Speaker, the chairman of the Committee on Foreign Affairs is not present to-day, and I do not know what his attitude might be toward this motion if he were here. I think it ought to be said, however, that the statute to which the gentleman from Texas refers was only enacted last February, about four months ago, and if the House now desires to require the Secretary of State to inform it as to what his action has been under it, I think it ought to be generally understood that he has had only four months in which to do anything about it.

The SPEAKER. Is the gentleman objecting?

Mr. HENRY of Texas. I have no objection to that information being given.

Mr. KENDALL. Since I am on my feet, I think I ought to object to the consideration of the resolution.

The SPEAKER. It is not a matter that the gentleman can object to.

Mr. KENDALL. I think, before it is adopted, there ought to be a quorum of the House present.

The SPEAKER. That is a very pertinent suggestion.

Mr. KENDALL. While that is an indirect way of objecting to the consideration of the resolution, I think it might be made very effective.

Mr. HENRY of Texas. I have no objection to the resolution going over, and I will ask that it go over.

The SPEAKER. The gentleman from Texas withdraws his resolution temporarily.

DRINKING WATER IN THE HOUSE WING OF THE CAPITOL.

Mr. RUSSELL. Mr. Speaker, I offer a resolution and ask unanimous consent for its immediate consideration.

The SPEAKER. The gentleman from Missouri offers a resolution, which the Clerk will report, and asks unanimous consent for the present consideration of the same.

The Clerk read as follows:

Resolved, That the Superintendent of the Capitol Building and Grounds, Hon. Elliott Woods, be requested to arrange with the proper authorities to furnish cool water in the public drinking fountains in the corridors in the House wing of the Capitol for the use of visitors to the Capitol.

The SPEAKER. Is there objection?

Mr. FITZGERALD. Mr. Speaker, reserving the right to object, I doubt whether this is the proper way to accomplish the desired result.

The SPEAKER. The gentleman from New York reserves the right to object.

Mr. RUSSELL. Mr. Speaker, if there ever was a time when the people ought to have cool water, this is certainly the time. My attention was called to this matter by stopping at the fountain immediately outside of the door of the House of Representatives one day last week. Over this fountain were the words "ice water." I took a drink of that water, and it was sickening warm. It was near the telegraph operator, and I asked him about it and whether this was the usual condition. He said, "It has been so all this summer." He said he had frequently seen ladies who were almost famished from thirst and heat stop at that fountain to get a drink of supposed ice water, and after drinking, it was so sickening warm that they were unable to retain it.

So it seems to me that this is a condition which ought to be relieved. The American people love to visit the capital of their country and every citizen ought to have the privilege and right to do so, and when he comes this Government ought to be big enough and generous enough and have pride enough to at least furnish him with cool water to drink when a visitor inside of this Capitol building. This is not intended as a criticism of anybody. I have talked to Superintendent Woods, and he says this condition ought to be relieved. This resolution has been drawn with his consent and approval. He says he has no objection to it, and if it is passed he will take it up with the proper authorities and see that cool water is furnished. I hope that the resolution will be passed.

The SPEAKER. Is there objection?

Mr. FITZGERALD. Mr. Speaker, it seems to me it is not necessary in order to accomplish this very desirable reform that the House of Representatives should adopt this resolution. There must be some official whose duty it is to look after such matters. I shall ask the gentleman from Missouri to let the resolution go over until we can see whether this can not be accomplished without the House of Representatives solemnly resolving that some official be requested to confer with persons unknown to provide suitable drinking water in the Capitol. I ask the gentleman to withdraw his resolution for the present, or I shall object to it.

Mr. DALZELL. I would like to inquire also whether the Superintendent of the Capitol has any funds out of which he can supply ice water?

Mr. RUSSELL. Mr. Speaker, he says that he can supply it, if we would pass the resolution.

Mr. LOBECK. Mr. Speaker, I would like to ask the gentleman from New York a question.

The SPEAKER. Does the gentleman yield?

Mr. FITZGERALD. I have no objection.

Mr. LOBECK. Will the gentleman from New York see to it that we get ice water in the meantime?

Mr. FITZGERALD. Mr. Speaker, I will make no promises as to what I shall do. I have a decided objection to the House

requesting an official to do his duty, or asking him to help to have some other official perform his duty. It must be the duty of some person to provide proper drinking water about the Capitol, and it should be done without the House being compelled to ask it as a favor.

Mr. RUSSELL. Will the gentleman from New York advise us who is the proper party?

Mr. FITZGERALD. I am inclined to believe that the matter is either under the control of the Speaker, the Clerk of the House, or Superintendent of the Capitol. I object to the House requesting the Superintendent of the Capitol to hunt up the Speaker, if it should be his duty, or the Clerk of the House, if it should be under his jurisdiction. I believe that this little discussion will put all upon notice and proper inquiry will be made, and that probably the proper official will provide ice for the water furnished through that fountain.

Mr. RUSSELL. My impression is that it is the duty of the superintendent, if it is the duty of anyone.

Mr. FITZGERALD. Then, he should not be requested in a resolution of the House to confer with somebody else.

Mr. RUSSELL. I have conferred with him. I did not want to criticize him. I did not believe he deserved criticism, as his attention had not been called to it before. He suggested that he would like to have this resolution in this form, and said he had no objection to the resolution being passed, and he would be glad to take it up with the proper authorities if he was not the proper one to attend to it, and that it would be given prompt attention.

The SPEAKER. Is there objection?

Mr. FITZGERALD. Mr. Speaker, I object.

The SPEAKER. The gentleman from New York objects.

EXPENDITURES IN THE STATE DEPARTMENT.

Mr. DENT. Mr. Speaker, I am directed by the Committee on Expenditures in the State Department to make the following privileged but only partial report (H. Rept. 59), which I present for printing. I do not desire, Mr. Speaker, to discuss it at this time, but to call it up at some later day.

Mr. DALZELL. Mr. Speaker, is this a privileged report?

The SPEAKER. The gentleman from Alabama says that it is. The Chair is not informed as to the contents of the paper.

Mr. DENT. Mr. Speaker, the report is made under a resolution of the House, H. Res. 103, instructing these various committees to make investigations and reports.

Mr. DALZELL. I submit that the report is not privileged.

The SPEAKER. If the resolution directs the committee to make the report, it seems to the Chair that it would be a privileged matter.

Mr. UNDERWOOD. Mr. Speaker, as I understand, the gentleman from Alabama does not desire to call up the report at this time. He makes it now as a privileged report. That reserves all rights in the matter when the question is called up for consideration in the House.

Mr. DALZELL. The report will go to the calendar then?

Mr. UNDERWOOD. Yes.

Mr. WEDEMEYER. Mr. Speaker, I do not know that I am in order but I desire to make this statement, if I may be permitted. When the committee met, the day the majority adopted this report, I was present as one of the minority, another minority member being absent. It was during the time when by common consent no business was coming up here, and I gave notice to the committee then that two members of the minority might desire to make a report, and I think it was understood that no objection would be made. I desire to make that statement because I think that two members of the minority, or at least one, will want to make a minority report.

The SPEAKER. Does the gentleman from Michigan desire to make any request of the House?

Mr. WEDEMEYER. I simply desire to give notice or ask leave that the minority may be permitted later on to file their views.

Mr. DENT. Mr. Speaker, I think that some time limit ought to be put on the request; otherwise I have no objection to it.

The SPEAKER. How much time?

Mr. WEDEMEYER. Mr. Speaker, on that point I might say that I communicated with Mr. TILSON, who is the other member of the minority on the committee with me to whom I have reference. He has not been well, as I learn, and he did not know just when he would get back. There are some circumstances, too, that have unexpectedly come up that may forcibly call me away for a few days, and therefore I would ask that we be given 10 days.

Mr. DENT. I have no objection.

The SPEAKER. The gentleman from Michigan [Mr. WEDEMEYER] asks unanimous consent that the minority members on the Committee on Expenditures in the State Department may have 10 days within which to file the minority views if they so desire. Is there objection? [After a pause.] The Chair hears none. This resolution will be printed and lie on the Speaker's table.

ADJOURNMENT OVER UNTIL SATURDAY.

Mr. UNDERWOOD. Mr. Speaker, I move that when the House adjourns to-day it adjourn to meet on Saturday next.

The question was taken, and the motion was agreed to.

REGULATION OF INTERSTATE COMMERCE.

Mr. STEENERSON. Mr. Speaker, I ask unanimous consent to address the House on the subject of the regulation of interstate commerce.

The SPEAKER. The gentleman from Minnesota [Mr. STEENERSON] asks unanimous consent to address the House for 10 minutes on the subject of interstate and foreign commerce. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. STEENERSON. Mr. Speaker, I have just introduced a bill, H. R. 12318, to amend section 4 of the act to regulate commerce, approved June 18, 1910, and in explanation of that bill I desire to say the following:

It has long been the rule of our railways to charge a less rate—sometimes less than half—on imported and exported goods than is charged where the goods are of domestic origin and destination. This principle, which was finally sanctioned as legal by the Supreme Court of the United States and held not to constitute an unjust discrimination, has lately been applied by the Interstate Commerce Commission in construing the new long and short haul clause. They hold that in judging of their reasonableness import and export rates will be compared not with domestic rates but with other import and export rates. This leaves the carriers to do practically as they please as to these rates. This policy of charging less for the same service where the article carried either originates or is destined for a foreign port is a violation of the rule of equality, but may be wise and economically justified in order to find markets abroad for our products and to give the different rival ports and sections of our country an opportunity to compete for their natural share of the transoceanic business.

The reason for this exception from the rule of equality does not, however, apply to railway traffic local to this continent. Such railway traffic should be treated, at least so far as imports are concerned, the same as domestic traffic. This is the object of my bill, the essential part of which is an amendment of section 4 of the interstate-commerce act, and reads as follows:

It shall be unlawful for any carrier subject to the provisions of this act to charge a higher rate for the transportation of property imported into the United States from any point on the continent of North America than for a like service where the whole distance is within the United States, and in determining the reasonableness or discriminatory character of such an import rate it shall be compared with domestic rates.

Mr. NORRIS. Will the gentleman yield?

Mr. STEENERSON. I yield.

Mr. NORRIS. I notice from the quotation the gentleman has just read from his bill that the amendment applies only to traffic on the Western Continent and would not apply to shipments to Europe, for instance. What is the reason for confining it?

Mr. STEENERSON. I think I will explain the reason. I did not want to make any greater change than the circumstances under which we are now to act require. I think the reason will be apparent, if the gentleman will allow me to proceed.

Unless such a rule is adopted railway management, influenced by the economic law of increasing returns, will result in unjust discrimination against our own citizens and industries. Discriminatory railroad rates on lead and zinc ores has heretofore put the mines of Missouri and Colorado out of business in spite of a considerable customs tariff and necessitated the raising these duties in the Payne law. What would become of these industries if we had free trade with Mexico, as is proposed on the north?

With free trade in farm products between here and Canada there would be an irresistible inducement for our railroads to divert the traffic, especially the grain trade, from the Canadian roads to ours, and in order to do so they would grant such lower rates of transportation as might be necessary to secure the increased tonnage.

Under the influence of this policy Canadian hard wheat would tend to supply the whole American demand for the best flour, and our domestic wheat would have to find a market abroad. The railroads would thus get the increased tonnage and the longest haul, both on the imported wheat and on our

domestic crop, the exportation of which would be largely increased.

The American farmer might be, and in many cases would be, charged more, even twice as much, in proportion to the haul as the Canadian, but he could not complain. Railways, privately owned and managed solely for the purpose of earning large dividends for the investors, can not be expected to consider the larger questions of public interest and economic waste involved in such unjust discrimination and useless transportation, but this is the very reason why the legislative power should be put forth to curb this tendency and modify this policy, which necessarily results in foreigners being treated better and more favorably than our own citizens. It goes without saying that our Government should see to it that our own people get at least an equal show with foreigners in our markets, and an equal opportunity to earn a living here with those beyond our borders, but unless such a law as I have proposed shall soon be enacted it will inevitably result in unjust and unreasonable discrimination against our own country and its citizens and its industries and the enrichment and upbuilding of a country foreign to us and over which we exercise no dominion.

Imports of articles we ourselves produce, except in the form of raw materials intended for re-export as finished articles, are not to be favored. They compete with and displace our own labor and lessen the opportunity of domestic industry and thrift. Exports, on the other hand, are, under a wise policy, to be favored, because they increase our opportunities for industry and thrift by finding a market for our products. This undoubtedly is the reason why our Constitution authorizes customs taxes to be levied upon imports while it expressly forbids their imposition upon exports.

I think that answers the question the gentleman from Nebraska put awhile ago that, as a general rule, the policy of granting lower rates for imports and exports to foreign countries, especially countries beyond the sea, may be necessary and may be justifiable, but especially justifiable in regard to exports, because that is an effort to find a market for the labor of our citizens and cheap rates of transportation to foreign countries help the development of our country. That is the reason I believe why the Constitution makes this distinction in the theory of taxation between exports and imports. It authorizes the imposition of taxes upon imports, but does not do so on exports.

I want to limit this rule of lower rates for exports and imports to that class of traffic which goes beyond the seas. I say that so far as imports of goods which we ourselves can produce and do produce are concerned coming onto the North American Continent, subject to railway carriage principally, the rate ought to be the same as the domestic railway rate.

This wise policy, intended to benefit our own people, embedded in the fundamental law of the land should not be permitted to be set at naught and nullified by our common carriers, governed alone by the narrow, selfish policy that looks to augmentation of tonnage and increased dividend alone as the ultimate end. Selfishness must give way to the general welfare.

I am not radical enough to say that the rate should be the same upon export and import business as upon domestic business. My bill only goes to this extent, that upon imports originating on this continent, the whole North American Continent shall be considered as one country, and that the rates on imports originating outside of the United States, upon this continent should be considered for the purpose of transportation rates, the same as if they originated within the United States, so that where complaint is made of unjust discrimination, as we might imagine the case of complaint against a railroad transporting zinc and lead ores from Mexico, where the labor is cheap, to compete with the miners of Missouri or Colorado, transportation in that case should be the same and the rates should be the same; otherwise we would allow our railroads to discriminate against our own citizens and destroy their opportunity of earning a living.

Mr. NORRIS. Now, will the gentleman yield right there?

Mr. STEENERSON. Certainly.

Mr. NORRIS. Assuming that the last statement made by the gentleman is true—and I think it is—why does not it apply to rates that originate in Europe as well as rates that originate in Mexico or in Canada?

Mr. STEENERSON. Well, it does not apply to the same extent for the reason that it is necessary to have low rates to foreign ports beyond the seas in this transoceanic business in order to have a market for our own goods, and if we have low rates upon those exports then we have to consider also the return load.

The SPEAKER. The time of the gentleman from Minnesota has expired.

Mr. NORRIS. Mr. Speaker, I ask that the gentleman may be permitted to conclude his remarks.

The SPEAKER. The gentleman from Nebraska [Mr. NORRIS] asks unanimous consent that the gentleman from Minnesota be permitted to conclude his remarks. Is there objection?

Mr. UNDERWOOD. Mr. Speaker, I must object to that. If the gentleman desires five minutes additional time, I have no objection.

Mr. STEENERSON. Then, Mr. Speaker, I ask unanimous consent for five minutes.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. NORRIS. Mr. Speaker, I doubt whether it could be done in five minutes, but I think the gentleman has opened up an interesting question here; but first I would like to have him explain to the House just what particular decision of the Interstate Commerce Commission has been rendered since the passage of the last law on the subject which makes it necessary for the amendment which he has suggested?

Mr. STEENERSON. That is not a decision. It is printed in one of the reports of the commission that construed the act of June 18, 1910.

Mr. NORRIS. As I understand it——

Mr. STEENERSON. It is not a new rule at all. It simply applies the old rule of construction to the new short-and-long-haul clause. It has always been the rule that a different rate may be charged upon export and import business, and a lower rate upon that business than the domestic, and that has been sanctioned by the Supreme Court.

Mr. NORRIS. Yes, I know that; but I understood the gentleman to say that since the passage of the last law the Interstate Commerce Commission had, in effect, held that the long-and-short-haul clause should not apply to import and export rates, or, at least, that they should not be compared with domestic rates in applying that law which we passed.

Mr. STEENERSON. Exactly. They say that in construing the reasonableness of export and import rates they will be compared with other import and export rates and not with domestic rates. That is printed, and I will give the gentleman the book in which it is printed.

Mr. NORRIS. I would be glad to read it.

Mr. STEENERSON. It was handed to me by the secretary of the Interstate Commerce Commission.

Mr. NORRIS. I want to call the gentleman's attention, however, to the state of facts that was developed when we had that bill under consideration in the House and also before the committee. I think I can illustrate it by the rates that were charged on pottery by the Pennsylvania Railroad.

Mr. STEENERSON. Yes; that is a familiar case.

Mr. NORRIS. Yes. Now, does the gentleman think that ought to be permitted? We supposed that we had provided a remedy to that difficulty when we passed that law. They were making rates on pottery from Europe to Chicago, say, or to Denver, that were much cheaper than the Pennsylvania Railroad would make from Ohio on that road.

Mr. STEENERSON. I will answer that point by saying that that is a bigger change in the law than I was going to advocate, although I have no objection, when this bill is under consideration, to taking it up. But I was going to provide a remedy for a difficulty that is to become very imminent, because in the event of the bill for free trade in farm products with Canada becoming a law we will be in the midst of those discriminatory rates. We will be flooded with them.

Mr. NORRIS. I agree with the gentleman on that; but I do not understand why he will not apply the principle to all rates.

Mr. STEENERSON. I do not want to apply it to more than the evil with which we contend.

Mr. NORRIS. The evil will apply to rates across the sea just as well as rates between the United States and Canada and rates between the United States and Mexico.

Mr. STEENERSON. There is a greater reason for the rates fixed in trans-Atlantic business than for the rates with continental America.

Mr. NORRIS. That is true; but the same principle applies, and a great deal of evil will result if the law is going to be construed as the gentleman seems to think.

Mr. STEENERSON. I thank the gentleman from Nebraska and the House, because I wanted to call the attention of the House to this matter, which will affect us in an important and vital place.

I insert the following from page 96 of Conference Rulings of Interstate Commerce Commission, issued April 1, 1911:

DECEMBER 17, 1910.

299. Application of section 4, as amended June 18, 1910, to export and import rates: (*a*) Inland export and import rates are subject to the provisions of the act and within the jurisdiction of the commission.

(*b*) The fourth section of the amended act forbids carriers subject thereto, without authority from the commission in accordance with said section, to charge more for the transportation of a like kind of export or import traffic for a shorter than for a longer haul over the same line in the same direction; that is, as we understand the law, the validity of a rate under this section is determined by comparison of an export rate with an export rate, or an import rate with an import rate.

(*c*) So far as the fourth section is concerned, carriers are not required in the first instance to establish export and import rates which shall be measured and limited by domestic interstate rates between the same points of origin and destination in the United States; but as export and import rates, as well as domestic interstate rates, are subject to the provisions of the act and the jurisdiction of the commission, it is clear that the reasonableness of any of these rates under the provisions of section 1, and questions of discrimination under the third section, may all be considered and the commission may condemn any discrimination in export and import rates, upon comparison with those applicable on domestic interstate traffic, to the extent that the same may be found unjust or unreasonable in any particular case upon investigation and full hearing.

(Section 4 as amended is also interpreted in rules 293 and 304.)

ADMINISTRATION OF PUBLIC-LAND LAWS.

Mr. RAKER. Mr. Speaker, I would like to have the unanimous consent of the House to address the House for 12 minutes upon House resolution No. 228.

The SPEAKER. The gentleman from California [Mr. RAKER] asks unanimous consent to address the House for 12 minutes. Is there objection? [After a pause.] The Chair hears none, and the gentleman from California is recognized for 12 minutes.

Mr. RAKER. Mr. Speaker, on July 1, 1911, I introduced the following resolution:

Resolved, That the Committee on the Public Lands, or any subcommittee thereof which may be appointed by the chairman of that committee, is hereby authorized—

First. To make an investigation of the administration of the public-land laws with reference to the prospecting, locating, appropriating, listing, entering, relinquishing, certifying, and patenting of homestead, timber and stone, mineral, and desert-land claims, and to the occupancy, use, improvement, and development of such claims upon the public lands, reserved and unreserved.

Second. To make an investigation of the administration of the public-land laws with reference to the ownership and use by citizens, corporations, and municipalities of rights of way over the public lands, reserved and unreserved, for the diversion and beneficial use of water, and for canals, ditches, pipe lines, flumes, dams, reservoirs, highways, trails, and tramways, and telephone, telegraph, and transmission lines.

Third. To report at the second session of the Sixty-second Congress whether settlers, agriculturists, prospectors, miners, and mineral claimants have been denied, or unjustly interfered with in the enjoyment of, rights and privileges guaranteed to them under the public-land laws or have been caused unnecessary and unauthorized annoyance and expense in the use, occupancy, improvement, development, and patenting of their claims; also whether persons, corporations, and municipalities have been denied, or unjustly interfered with in the enjoyment of, rights and privileges guaranteed to them under the public-land laws in connection with the use of water and rights of way, or have been caused unnecessary and unauthorized annoyance and expense in connection therewith; also whether the settlement and development of the public-land States of the West is being unnecessarily retarded and their industries adversely affected by improper or inadequate laws or by present methods of administration of existing laws.

Fourth. That the chairman of said committee and the members thereof detailed to investigate any phase of said matters may compel the attendance of witnesses and the production of books and papers, administer oaths to and examine witnesses, and sit during sessions of and during recesses between sessions of the Sixty-second Congress. The said committee may authorize the chairman thereof to appoint a subcommittee of three members to sit and act at such times and places in the public-land States of the West as may be necessary for the purposes above enumerated.

On that, Mr. Speaker, I desire to say that the resolution contemplates a general investigation by the Public Lands Committee of the administration of the public-land laws and of the conditions in the Western States to which those laws are applied. There are no particular axes to be ground, and no fight against any office, officer, or person is contemplated. The resolution carries with it no appropriation, and no expenditure of public moneys is planned except in one contingency. It is desired that the Public Lands Committee be given authority to conduct an investigation and hold hearings here in Washington. If from such hearings the committee becomes convinced that there should be an investigation made upon the ground of certain particular cases and of conditions in different localities in the Western States, then, by virtue of the provisions of the resolution, the committee could authorize its chairman to appoint a subcommittee of three members to sit and act at suitable places in the public-land States of the West. In that event, however, it would be necessary for another resolution to be introduced and passed by the House providing for an appropriation sufficient to cover the expenses of the subcommittee.

The necessity for the appointment of such subcommittee can not be determined in advance, but it is evident already that the Public Lands Committee, as a whole, should be authorized to conduct an investigation for the purpose of familiarizing itself with the causes and conditions which are producing such general complaint in the West.

A great number of complaints have been coming from the citizens of all the public-land States, protesting against alleged hardship, injustice, and inequality in the operation of the public-land laws. The complaints received have not been restricted to any one class. They have come from homestead and desert land claimants, from prospectors and the locators of mining claims, from municipalities and companies supplying power and water to municipalities, from irrigators and from irrigation companies, from operators of mines, mills, and reduction works, and from those living East as well as West who have invested in mining, irrigation, and water-power development.

For example, there are, I believe, no less than eight or nine separate and distinct right-of-way statutes of general application now on the statute books, and yet there is absolutely no provision of law by which an easement may be secured across the public lands for a telephone line. Business investment and enterprise are discouraged and seriously retarded by the maze of doubt and uncertainty surrounding this whole general subject of rights of way across the public lands and by the constant menace and threat of litigation if any move is made. Complaint is made repeatedly also that there is a tendency on the part of some Government agents and officers to penalize and to question the motives and integrity of those who wish to take such questions into the courts for adjudication. This is a very serious complaint and should be sifted to the bottom, especially in view of the circumstances in which honest men must find themselves in considering the legal phases of the situation. The scope and effect of many of the statutes when considered singly and the effect of some of the later ones upon those passed previously remain unadjudicated. Not only the scope and effect of these laws in a general sense but even the significance of many of their most important words and phrases remain undetermined. They refer in terms to railroads, reservoirs, canals, ditches, pipe lines, flumes, dams, highways, trails, tramways, and transmission and telegraph lines, and yet the purport and logical effect of a recent ruling by the standing master in chancery of the United States Circuit Court at San Francisco would seem to be that rights of way across the public lands of the West can no longer be secured even by irrigation companies or for transcontinental railroads.

Congress some six years ago enacted a statute apparently granting rights of way for reservoirs, ditches, pipe lines, tunnels, and canals for municipal, mining, milling, and ore-reduction purposes. Now complaints, serious complaints, are heard that this statute has been so stripped and whittled away by construction and application that its beneficial objects and purposes are utterly defeated. I do not say that these complaints are true or well founded, but I do say that they are seriously important to the western people and that they are worthy of careful attention and thorough investigation at the hands of the Public Lands Committee.

There are many complaints lodged also by miners, homesteaders, and desert-land claimants to the effect that the practice and decisions have tended of late years to handicap needlessly and unnecessarily to annoy and harass those who have faithfully and honestly complied with the public-land laws. Perhaps the most violent of these protests have come from the miners. The National Mining Congress last year added also its official protest, I am informed. It is alleged that the prospecting and development of mineral districts is being seriously retarded, and that many of those who have for years been engaged in mineral exploration and development along thoroughly legitimate lines are being discouraged and driven to forsake that pursuit because of unnecessary or technical obstacles.

I do not know what the truth or falsity of any of these charges may be, but I do know that very many complaints have come to me from thoroughly reliable and trustworthy sources, and I consider that no subject is more important to the general public or more worthy of the attention of Congress than this subject of the settlement and improvement of our Western States and the reasonable and proper use and development of the resources of our public domain.

A full and fair investigation with opportunity for the hearing and sifting of these complaints by the Public Lands Committee will, I believe, tend to clear away the confusion and disputation and ill feeling which exists at present. I favor heartily the protection and conservation of our natural resources, but I believe that we should first take steps to inform ourselves as to what the present existing conditions actually are. Such a

course will also be productive of a better understanding and of better feeling that will make effective the conservation of our natural national resources and a progressive upbuilding policy, honestly and economicaly enforced, that we control our natural resources and use them now—in the present—but still control them so the future use of them will be saved for the people of this Nation. Keep them from the hands of the few. [Applause.]

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 11 minutes p. m.) the House adjourned until Saturday, July 8, 1911, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Slaughter Creek, Md. (H. Doc. No. 87); to the Committee on Rivers and Harbors and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Detroit Harbor, Wis. (H. Doc. No. 88); to the Committee on Rivers and Harbors and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SIMMONS: A bill (H. R. 12311) to regulate the importation and interstate transportation of nursery stock, to enable the Secretary of Agriculture to establish and maintain quarantine districts for plant diseases and insect pests, to permit and regulate the movement of fruits, plants, and vegetables therefrom, and for other purposes; to the Committee on Agriculture.

By Mr. UNDERWOOD: A bill (H. R. 12312) to amend paragraph 500 of the act approved August 5, 1909, entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes"; to the Committee on Ways and Means.

By Mr. ANDREWS: A bill (H. R. 12313) appropriating $10,000 for the construction of a bridge across the Rio Grande at San Marcial, N. Mex.; to the Committee on Appropriations.

By Mr. HAMILTON of West Virginia: A bill (H. R. 12314) to create in the War Department and the Navy Department, respectively, a roll designated as "the Civil War volunteer officers' retired list," to authorize placing thereon with retired pay certain surviving officers who served in the Army, Navy, or Marine Corps of the United States in the Civil War, and for other purposes; to the Committee on Military Affairs.

By Mr. RICHARDSON: A bill (H. R. 12315) to amend sections 6 and 8 of the food and drugs act, approved June 30, 1906; to the Committee on Interstate and Foreign Commerce.

By Mr. HOBSON: A bill (H. R. 12316) to provide for a preliminary survey and estimate for the cost of construction of a Clay-Jackson memorial highway from Niagara Falls, N. Y., to New Orleans, La.; to the Committee on Appropriations.

Also, a bill (H. R. 12317) to provide for the construction and maintenance of a highway, to be known as the Clay-Jackson memorial highway, from Niagara Falls, N. Y., to New Orleans, La., and for a centennial celebration of the Battle of New Orleans on January 8, 1915; to the Committee on Appropriations.

By Mr. STEENERSON: A bill (H. R. 12318) to amend section 4 of the act entitled "An act to regulate commerce, approved February 4, 1887, as heretofore amended, and for other purposes," approved June 18, 1910; to the Committee on Interstate and Foreign Commerce.

By Mr. WILLIS: A bill (H. R. 12319) to amend section 2 of an act approved April 19, 1908, entitled "An act to increase the pension of widows, minor children, etc., of deceased soldiers and sailors of the late Civil War, the War with Mexico, the various Indian wars, etc., and to grant a pension to certain widows of the deceased soldiers and sailors of the late Civil War"; to the Committee on Invalid Pensions.

By Mr. McGUIRE of Oklahoma: A bill (H. R. 12320) to provide for the filing of a petition for rehearing in the Supreme Court of the United States, and defining that court's jurisdiction in reference thereto; to the Committee on the Judiciary.

By Mr. POWERS: A bill (H. R. 12321) to punish frauds at elections for Representatives and Delegates in Congress; to the Committee on the Judiciary.

Also, a bill (H. R. 12322) to create a commission for the purpose of inquiring into the qualifications of Members of and Delegates in Congress, and for other purposes; to the Committee on the Judiciary.

By Mr. WILLIS: A bill (H. R. 12323) to amend an act approved February 6, 1907, entitled "An act granting pensions to certain enlisted men, soldiers and officers, who served in the Civil War and the War with Mexico"; to the Committee on Invalid Pensions.

By Mr. LOBECK: Resolution (H. Res. 234) requesting the Board of Commissioners of the District of Columbia to report immediately by what authority they erected stables on square No. 1043 in the District of Columbia, the cost of construction, and from what funds cost of said work has been paid; to the Committee on the District of Columbia.

By Mr. BURLESON: Resolution (H. Res. 235) calling for certain information from the Interstate Commerce Commission; to the Committee on Interstate and Foreign Commerce.

By Mr. RAKER: Joint resolution (H. J. Res. 128) authorizing the War Department of the United States to station and maintain Federal troops in national forests during certain months; to the Committee on Military Affairs.

By Mr. LAFFERTY: Joint resolution (H. J. Res. 129) directing the Attorney General to employ one resident attorney of State of Oregon as associate counsel in prosecution of litigation pending in United States court for district of Oregon relative to forfeiture of lands held by Oregon & California Railroad Co.; to the Committee on the Judiciary.

By Mr. RAKER: Memorial from the State senate of California, relative to national forests situated within the State of California, and requesting the United States War Department to station and maintain Federal troops there during certain months; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS: A bill (H. R. 12324) granting a pension to Jose Padilla; to the Committee on Pensions.

By Mr. ANDERSON of Ohio: A bill (H. R. 12325) granting an increase of pension to James Cass; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12326) granting an increase of pension to Jacob W. Shoemaker; to the Committee on Invalid Pensions.

By Mr. BRADLEY: A bill (H. R. 12327) granting an increase of pension to Henry E. Wright; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12328) granting an increase of pension to Charles H. Valentine; to the Committee on Invalid Pensions.

By Mr. CAMERON: A bill (H. R. 12329) granting an increase of pension to Helen L. Scott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12330) granting a pension to Timothy Hawkins; to the Committee on Invalid Pensions.

By Mr. CARLIN: A bill (H. R. 12331) for the relief of William H. Taliaferro, administrator of James G. Taliaferro, deceased; to the Committee on War Claims.

Also, a bill (H. R. 12332) to carry into effect the findings of the Court of Claims in the matter of the claim of the trustees of Cedar Run Baptist Church, of Culpeper County, Va.; to the Committee on War Claims.

Also, a bill (H. R. 12333) to carry into effect the findings of the Court of Claims in the matter of the claim of the trustees of the Presbyterian Church of Marshall, Va.; to the Committee on War Claims.

By Mr. CLARK of Florida: A bill (H. R. 12334) to remove the charge of desertion from the military record of Thomas W. Moore and grant him an honorable discharge; to the Committee on Military Affairs.

By Mr. COPLEY: A bill (H. R. 12335) granting an increase of pension to Thomas Burke; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12336) granting an increase of pension to Loyd T. Lathrop; to the Committee on Invalid Pensions.

By Mr. CULLOP: A bill (H. R. 12337) granting an increase of pension to Hamilton Bond; to the Committee on Invalid Pensions.

By Mr. DAUGHERTY: A bill (H. R. 12338) granting a pension to Thomas B. Neifus; to the Committee on Invalid Pensions.

By Mr. DUPRE: A bill (H. R. 12339) to refund certain taxes paid by the Southern Redistilling & Rectifying Co. (Ltd.), of New Orleans, La.; to the Committee on Claims.

By Mr. HAMILTON of West Virginia: A bill (H. R. 12340) granting an increase of pension to James E. Cothern; to the Committee on Invalid Pensions.

By Mr. HANNA: A bill (H. R. 12341) granting an increase of pension to William L. Pierce; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12342) granting an increase of pension to Eli Roberts; to the Committee on Invalid Pensions.

By Mr. LITTLEPAGE: A bill (H. R. 12343) granting a pension to Kate G. Morris; to the Committee on Pensions.

By Mr. McGUIRE of Oklahoma: A bill (H. R. 12344) granting an increase of pension to John L. Barr; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12345) granting an increase of pension to James C. Wood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12346) granting an increase of pension to Martin L. McNabb; to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: A bill (H. R. 12347) for the relief of the heirs of John D. Riley; to the Committee on War Claims.

By Mr. PEPPER: A bill (H. R. 12348) granting an increase of pension to Caleb Crotzer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12349) granting an increase of pension to Levi Runyan; to the Committee on Invalid Pensions.

By Mr. RICHARDSON: A bill (H. R. 12350) granting an increase of pension to William G. Miller; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 12351) granting an increase of pension to Isaac H. Crews; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12352) granting an increase of pension to Thomas R. Anderson; to the Committee on Invalid Pensions.

By Mr. SHERLEY: A bill (H. R. 12353) for the relief of Caroline O. Meglemry; to the Committee on War Claims.

By Mr. SPEER: A bill (H. R. 12354) granting an increase of pension to Alfred M. Shaw; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12355) granting an increase of pension to James Davison; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Resolution of American Medical Association, relating to the Food and Drugs act; to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Grand Division of the Order of Railway Telegraphers, urging the enactment of the illiteracy test into law; to the Committee on Immigration and Naturalization.

Also, resolutions by the Richmond Branch of the Alliance of German Societies of Indiana and by the German-American Alliance of Jefferson County, Ohio, approving resolution No. 166, providing for an investigation of the administration of the immigration office at Ellis Island, etc.; to the Committee on Immigration and Naturalization.

By Mr. ASHBROOK: Petition of William A. Conner, Thomas Dover, and John Cummings, of Coshocton, Ohio, favoring the passage of the Berger resolution asking for an investigation of the kidnaping of the McNamara brothers; to the Committee on the Judiciary.

By Mr. AYRES: Petition of citizens of the Bronx, favoring parcels post; to the Committee on the Post Office and Post Roads.

By Mr. BRADLEY: Petition of citizens of Blooming Grove, Orange County, N. Y., favoring the passage of legislation further restricting immigration; to the Committee on Immigration and Naturalization.

By Mr. DYER: Memorial of Louis T. Wehde and others, of the twelfth congressional district of Missouri, indorsing House bill 2906; to the Committee on Military Affairs.

By Mr. HANNA: Petition of R. E. Rognas, of Rolla, N. Dak., protesting against a parcels post; to the Committee on the Post Office and Post Roads.

Also, petition of numerous citizens of North Dakota, favoring increased pay for rural free-delivery carriers; to the Committee on the Post Office and Post Roads.

Also, resolution of Woburn Local Socialist Party, of Woburn, N. Dak., protesting against the methods pursued in the arrest of John J. McNamara; to the Committee on the Judiciary.

Also, petition of Mrs. Lottie Rosencrans and others, of Towner, N. Dak., relative to the shipment of liquor into prohibition States; to the Committee on Interstate and Foreign Commerce.

Also, petition of numerous citizens of North Dakota, urging that the duty on raw and refined sugars be reduced; to the Committee on Ways and Means.

Also, petition of numerous citizens of North Dakota, protesting against the passage of legislation regulating the observance of Sunday in the District of Columbia; to the Committee on the District of Columbia.

Also, resolution of a number of farmers of North Dakota, protesting against the passage of the reciprocity pact with Canada; to the Committee on Ways and Means.

By Mr. MAGUIRE of Nebraska: Resolutions passed by the Lincoln Commercial Club, of Lincoln, Nebr., requesting change in corporation-tax law permitting returns to be made as of end of the fiscal years of firms and corporations; to the Committee on Ways and Means.

Also, petition of citizens of Ravenna, Nebr., requesting investigation into the legality of arrest of John McNamara; to the Committee on the Judiciary.

By Mr. RAKER: Memorial of Chamber of Commerce of San Francisco, Cal., indorsing House joint resolution No. 65; to the Committee on the Merchant Marine and Fisheries.

Also, resolutions by the National Lumber Manufacturers' Association, indorsing reciprocity, etc.; to the Committee on Ways and Means.

Also, petitions of numerous citizens of Baird, Little Shasta, Montore, Montague, Risley, Roselawn, and Seid Valley, Cal., urging a reduction in the duty on raw and refined sugar; to the Committee on Ways and Means.

Also, petitions of numerous citizens of Hawkinsville, La Porte, Sisson, and Yreka, Cal., favoring a parcels post; to the Committee on the Post Office and Post Roads.

Also, petitions of numerous citizens of California, protesting against House bill 8887, relating to a tax on medicines; to the Committee on Ways and Means.

Also, petition for the establishment of a Federal building at Red Bluff, Cal., to accompany House bill 2599; to the Committee on Public Buildings and Grounds.

Also, petition of John Kokole and 217 other citizens of Red Bluff, Cal., for the establishment of a Federal building at Red Bluff, Cal., to accompany House bill 2599; to the Committee on Public Buildings and Grounds.

Also, letters to accompany House bill 2599, to establish a Federal building at Red Bluff, Cal.; to the Committee on Public Buildings and Grounds.

Also, map to accompany House bill 2599, to establish a Federal building at Red Bluff, Cal.; to the Committee on Public Buildings and Grounds.

Also, letter of date June 15, 1911, and copy of the report of the special committee appointed by the Coalinga Chamber of Commerce to investigate the leasing bill for Government oil lands as prepared by Senator GRONNA; to the Committee on the Public Lands.

Also, protest by the Chamber of Commerce of San Francisco, Cal., against the free admission of burlap bags; to the Committee on Ways and Means.

Also, petitions and protests of M. Ollason and 7 other citizens of Watsonville, Cal., against the enactment of House bill 4693, relating to cold storage; to the Committee on Interstate and Foreign Commerce.

Also, letter, statement, and papers to accompany House bill 6947, for Robert H. Peck; to the Committee on Military Affairs.

Also, resolutions and memorial of the board of supervisors of California County, Cal., urging that the United States should acquire control of the Calaveras big trees, situated in California County; to the Committee on the Public Lands.

Also, resolutions adopted by the Chamber of Commerce of Sacramento, Cal., on June 30, 1911, requesting that the United States sloop of war *Portsmouth* be sent to San Francisco, Cal.; to the Committee on Naval Affairs.

Also, request of the Chamber of Commerce of San Francisco, Cal., that the United States sloop of war *Portsmouth* be sent to San Francisco; to the Committee on Naval Affairs.

Also, resolutions of the Chamber of Commerce of San Francisco, Cal., favoring congressional legislation which will provide for an agreement between owners of American vessels and the United States Government whereby the Government will waive all tolls upon American vessels passing through the Panama Canal; to the Committee on Interstate and Foreign Commerce.

By Mr. RICHARDSON: Papers to accompany House bill granting an increase of pension to William G. Miller; to the Committee on Invalid Pensions.

By Mr. STEPHENS of California: Resolution adopted by the Chamber of Commerce of Sacramento, urging that Senate bill 817 be passed; to the Committee on Naval Affairs.

Also, resolutions of American Medical Association, relating to the food and drugs act; to the Committee on Interstate and Foreign Commerce.

SENATE.

THURSDAY, *July 6, 1911.*

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings.

Mr. SMOOT. I ask that the further reading of the Journal be dispensed with.

The VICE PRESIDENT. The Senator from Utah asks unanimous consent that the further reading of the Journal be dispensed with.

Mr. BORAH. I suggest the absence of a quorum.

The VICE PRESIDENT. Is there any objection to dispensing with the reading of the Journal? No objection is heard. The Journal, without objection, stands approved. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Cullom	McCumber	Shively
Borah	Cummins	Martin, Va.	Smith, S. C.
Brandegee	Curtis	Martine, N. J.	Smoot
Briggs	du Pont	Nelson	Stone
Bristow	Guggenheim	Overman	Sutherland
Brown	Heyburn	Owen	Swanson
Bryan	Hitchcock	Page	Warren
Burnham	Johnson, Me.	Penrose	Watson
Burton	Johnston, Ala.	Perkins	Williams
Chamberlain	Jones	Poindexter	Works
Clapp	La Follette	Pomerene	
Culberson	Lippitt	Root	

Mr. OVERMAN. The Senator from Louisiana [Mr. FOSTER] is necessarily absent from the Chamber this morning on important business before the departments.

Mr. BURNHAM. The senior Senator from New Hampshire [Mr. GALLINGER] is necessarily absent.

Mr. SHIVELY. Mr. colleague [Mr. KERN] is necessarily absent from the city on important business.

The VICE PRESIDENT. Forty-six Senators have answered to the roll call. A quorum of the Senate is present.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented resolutions adopted by the Central Conference of American Rabbis, at St. Paul, Minn., favoring the abrogation of the treaty between the United States and Russia, which were referred to the Committee on Foreign Relations.

He also presented a memorial of Local Chapter, American Woman's League, of Iola, Kans., remonstrating against the action of the Post Office Department in authorizing the distribution at public expense of copies of Senators' speeches attacking the American Woman's League, which was referred to the Committee on Post Offices and Post Roads.

Mr. BRISTOW presented a memorial of sundry citizens of Kansas, remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

Mr. WORKS presented memorials of sundry citizens of Eureka, Cal., remonstrating against the passage of the so-called Johnston Sunday rest bill, which were ordered to lie on the table.

Mr. BURNHAM presented a memorial of Local Grange, Patrons of Husbandry, of Bow, N. H., and a memorial of Loudon Center Grange, Patrons of Husbandry, of Pittsfield, N. H., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which were ordered to lie on the table.

Mr. PERKINS presented a memorial of the board of directors of the Merchants' Exchange of San Francisco, Cal., relative to the fixing at an early date of tolls to be charged for passage through the Panama Canal, which was referred to the Committee on Interoceanic Canals.

Mr. BRANDEGEE presented a memorial of the Ancient Order of Hibernians of Southington, Conn., remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

Mr. RAYNER presented a memorial of Elizabeth Grange, No. 135, Patrons of Husbandry, of Cortner, Md., and a memorial of Local Grange, Patrons of Husbandry, of Medford, Md., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which were ordered to lie on the table.

Mr. BOURNE presented a memorial of Cedar Grove Grange, No. 320, Patrons of Husbandry, of Columbia County, Oreg., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. WARREN. I am directed by the Committee on Appropriations, to which was referred the bill (H. R. 12109) to supply a deficiency in the appropriations for contingent expenses of the House of Representatives for the fiscal year 1911, and for other purposes, to report it with amendments, and I submit a report (No. 93) thereon. I give notice that I shall call up the bill for consideration later in the day or to-morrow.

The VICE PRESIDENT. The bill will be placed on the calendar.

Mr. WARREN, from the Committee on Appropriations, to which was referred the amendment submitted by Mr. LODGE on May 11, 1911, proposing to appropriate $46,491.95 in settlement of the accounts of Paymaster John W. Morse, United States Navy, etc., intended to be proposed to the general deficiency appropriation bill, asked that the committee be discharged from its further consideration and that it be referred to the Committee on Claims, which was agreed to.

Mr. SHIVELY, from the Committee on the Census, to which was referred the bill (H. R. 2983) for the apportionment of Representatives in Congress among the several States under the Thirteenth Census, reported it without amendment and submitted a report (No. 94) thereon.

Mr. LA FOLLETTE. I ask unanimous consent to file the views of the minority on the apportionment bill reported from the Committee on the Census. I am prepared to file the views at this time, but some members of the committee whom I hope to have join in the report are absent from the city, and therefore I ask leave to file that report later.

The VICE PRESIDENT. The Senator from Wisconsin asks permission to file at a later date the views of the minority upon the apportionment bill. Is there objection? The Chair hears none, and the order is entered.

Mr. DU PONT, from the Committee on Military Affairs, to which was referred the bill (S. 2518) to provide for raising the volunteer forces of the United States in time of actual or threatened war, reported it with an amendment and submitted a report (No. 95) thereon.

REPORT OF MONETARY COMMISSION.

Mr. CUMMINS. Mr. President, I think it is proper in this order of business to make an inquiry of the chairman of the Finance Committee. In the early days of the session I introduced a bill (S. 854) requiring the Monetary Commission to make a final report on or before the first day of the next session of Congress, and also providing for the discharge or dissolution of the commission the day after the meeting of Congress.

I think it is universally felt throughout the country that a commission which was organized more than three years ago for the purpose of presenting a measure to avert financial panics in the future should make a report, so that we may be provided with the material which will enable us to act speedily at the next session of Congress upon this very important subject.

I ask the chairman of the Finance Committee when, in his opinion, we may expect a report upon the bill I so introduced.

Mr. PENROSE. Mr. President, there is no disposition on the part of the Finance Committee not to give consideration to the bill introduced by the Senator from Iowa. It would only seem natural to confer with the chairman of the Monetary Commission. There is indirect information that he will be prepared to report in any event next December. My information has been that he is expected almost any day in Washington. I will make a further effort to communicate with Mr. Aldrich, and I assure the Senator from Iowa that I will call a meeting of the committee next week and then take the matter up for consideration. There is no disposition whatever to delay it.

Mr. CUMMINS. I am very glad to have this assurance from the chairman, because there is no reason for delay. It is a very plain matter, and it is highly necessary not only that we act upon the subject at the next session, but it is equally necessary that we relieve the Treasury of the United States from the burden of this commission.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WORKS:

A bill (S. 2949) to establish a hydrographic station at Los Angeles, Cal.; to the Committee on Naval Affairs.

A bill (S. 2950) granting an increase of pension to Charles L. Hubbs (with accompanying papers); to the Committee on Pensions.

By Mr. BURNHAM:

A bill (S. 2951) granting an increase of pension to Joshua Pinkham; and

A bill (S. 2952) granting an increase of pension to John H. Doeg; to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 2953) to grant an honorable discharge to George P. Chandler; to the Committee on Military Affairs.

A bill (S. 2954) granting an increase of pension to Sarah Belcher; to the Committee on Pensions.

By Mr. RAYNER:

A bill (S. 2955) granting an increase of pension to Barbara E. Brown (with accompanying paper); to the Committee on Pensions.

NEW STATES AND CONSTITUTIONS.

Mr. SUTHERLAND. I have an address delivered before the law school of Yale University on Monday, June 19, 1911, by Hon. George W. Wickersham, Attorney General of the United States, on the subject of new States and constitutions. I move that the address be printed as a Senate document. (S. Doc. No. 62.)

The motion was agreed to.

ELECTION OF SENATORS BY DIRECT VOTE.

Mr. BORAH. I ask for a print of House joint resolution (H. J. Res. 39) proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States as passed by the Senate showing the Senate amendment.

The VICE PRESIDENT. Without objection, the order for a print of House joint resolution 39 as passed by the Senate is entered.

AFFAIRS IN THE PHILIPPINE ISLANDS.

Mr. HEYBURN. I call attention to Order of Business 67, Senate bill 2761, reported from the Committee on the Philippines with amendments, Report No. 83. I ask that it be referred back to the committee.

The VICE PRESIDENT. The Senator from Idaho asks unanimous consent that the following bill be recommitted to the Committee on the Philippines.

The SECRETARY. A bill (S. 2761) to amend an act approved February 6, 1905, entitled "An act to amend an act approved July 1, 1902, entitled 'An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes,' and to amend an act approved March 8, 1902, entitled 'An act temporarily to provide revenue for the Philippine Islands, and for other purposes,' and to amend an act approved March 2, 1903, entitled 'An act to establish a standard of value and to provide for a coinage system in the Philippine Islands,' and to provide for the more efficient administration of civil government in the Philippine Islands, and for other purposes."

The VICE PRESIDENT. Is there objection?

Mr. SMOOT. I should like to ask the Senator from Idaho if there is any objection on the part of the Senator from Massachusetts [Mr. LODGE] to the reference of the bill again to the committee?

Mr. HEYBURN. The committee has considered this matter. There is no occasion for making special notice of the fact that the bill was reported by the Senator from Massachusetts. The committee have agreed that it should go back to the committee. I see some members present.

Mr. BRISTOW. May I inquire, being a member of that committee, as I had not heard anything about this reference, what is the purpose of it?

Mr. HEYBURN. The committee reported a measure for regulating the financing of the construction of railroads and public works in the Philippine Islands. After the report was made it was discovered that it was impossible to procure the consideration of the financial agencies at all. We will reconsider it, when they shall appear before the committee, as the committee may have time. But the request comes from the department in charge of the Philippine affairs. I think the Senator, being a member of the committee, understands the matter.

Mr. BRISTOW. I understand the amendments suggested, of course. I was very much in favor of those amendments, which I understand the financiers object to.

Mr. HEYBURN. They do. They will not even consider the proposition. The committee will have to hear them and reconsider the matter.

Mr. BRISTOW. I suppose the bill will have to go back to the committee, probably, and be fought out there, and, perhaps, afterwards on the floor of the Senate.

Mr. HEYBURN. We could make no headway here at all. We had just as well send the bill back to the committee.

The VICE PRESIDENT. Is there objection to the request of the Senator from Idaho?

Mr. SMOOT. The only reason I brought the question up was on account of the absence of the Senator from Massachusetts. I have no objection to the recommittal of the bill.

Mr. BACON. Mr. President, it is utterly impossible for us to gather what is going on. The Chair asked if there was objection, but we do not know what the request is.

The VICE PRESIDENT. The Senator from Idaho asked unanimous consent to recommit to the Committee on the Philippines Senate bill 2761, which has heretofore been reported and is now upon the calendar. Is there objection? The Chair hears none, and the bill is recommitted to the Committee on the Philippines.

CONSTITUTIONS OF ARIZONA AND NEW MEXICO.

Mr. SUTHERLAND. I desire to give notice that on Tuesday next, immediately after the conclusion of the routine morning business, with the permission of the Senate, I will submit some observations on the New Mexico and Arizona constitutions, with special reference to the initiative, referendum, and recall. (H. J. Res. 14.)

Mr. BRISTOW. Mr. President, the notice given by the Senator from Utah leads me to inquire of the senior Senator from Minnesota [Mr. NELSON] if he knows when the report of the Committee on Territories is likely to be filed. The chairman of the committee being absent and the senior Senator from Minnesota being the ranking member, I make the inquiry of him.

Mr. NELSON. Mr. President, I have no information on that point. As the Senator from Kansas knows, I dissented from the report of the majority of the committee. There were three of us who were opposed to the report of the majority of the committee, and I stated to the chairman that I would orally state my objections at the time he reported the bill; but I do not know when he is going to report the bill. In that matter I do not represent the majority of the committee; I represent simply a minority.

Mr. STONE. I desire to ask some Senator on the Committee on Territories, as the chairman of the committee does not seem to be present, whether the bill admitting New Mexico and Arizona has been acted on by the committee and when it is likely to be reported to the Senate?

Mr. SHIVELY. Mr. President, in answer to the Senator from Missouri I desire to say that the Committee on Territories two weeks ago last Saturday instructed the chairman to report favorably the bill admitting these Territories. As stated a moment ago by the Senator from Minnesota [Mr. NELSON], there were three members of the committee who expressed themselves against the views of the majority. Why the report has not yet been submitted I do not know.

The VICE PRESIDENT. The morning business is closed.

RECIPROCITY WITH CANADA.

Mr. PENROSE. I move that the Senate proceed to the consideration of the reciprocity bill.

The motion was agreed to, and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes.

Mr. WORKS. Mr. President, I desire to submit some remarks upon the bill (S. 1) to establish a department of health, and for other purposes. I am very sorry to interrupt the discussion upon the pending measure providing for reciprocity with Canada, to which Senators have given such great attention and in which they seem to be so deeply and profoundly interested. I am moved, however, to speak upon this subject at the present time by some remarks that were made by the distinguished Senator from Oklahoma [Mr. OWEN] a few days ago on the same subject. What the Senator himself said was very brief and called for no reply. He took that occasion, however, to read into the records of the Senate articles that had been published in Collier's Weekly and in the Journal of the Medical Association that do call for prompt answer. In order that the views of the Senator from Oklahoma may be understood, I desire to quote briefly from the speech that he made on that occasion. He said:

> Great and organized opposition to the establishment of a department of health has been carried on by a so-called League for Medical Freedom. This league has many good people in it who are misled—Christian Scientists who deny disease, and some good citizens who have been falsely led to believe their liberty will be invaded—some people who do not think, and some people who have an evil purpose, a sinister commercial purpose, who are engaged in promoting patent medicine.

Again, he said:

> Mr. President, I opened my remarks by saying that there were many most excellent people who were members of the League for Medical Freedom, so called, many of whom are Christian Scientists, who are osteopaths, who are homeopaths, people for whom I have the highest respect, but this description of this league and its officers by Collier's deals directly with the individuals at the head of this organization and points out who those directors are.

Still further he said:

> Mr. President, the membership of this so-called league, in my judgment, have been deliberately misled by sinister interests, and the mem-

bership which has been thus added to these alleged rolls of membership has no means of expressing itself. The expression comes through its officers. Those officers are described by Collier's, and I think it would be well for the membership of that organization to look to the directors and see who they are and understand what is at the bottom of this movement. That is the purpose of my reading into the RECORD the history of this so-called organization.

I desire also to read very briefly from the editorial read into the RECORD by the Senator from Oklahoma. This is not from Collier's, it will be understood, but from the Journal of the American Medical Association:

I want to say right here that in my State half-page advertisements in huge letters were spread all over that State by this so-called League for Medical Freedom, practically denouncing the medical profession of this country as being a "medical trust," desirous of depriving citizens of their rights to employ any physician they pleased, to use any medicine they pleased, and giving it to be understood that the purpose of a department of health was the invasion of the private home of the citizen and the invasion of the constitutional rights of the State. The members of the so-called League for Medical Freedom have been grossly imposed upon and have been grossly misrepresented as to what they truly stand for. I know what many of their members stand for perfectly well, and I am in accord with them cordially and sincerely. I know what the Christian Scientists stand for, and I sympathize with them; I understand what the osteopaths stand for, too, and I think they serve a good and useful purpose. They have been misled by the agents of the patent-medicine association in this country, that are actively engaged in promoting the drug habit in our citizens, and this declaration on the part of the so-called League for Medical Freedom against the American Medical Association is not only unjust and unfair, but it is disgraceful and utterly untrustworthy.

WHO ARE OPPOSING THE BILL.

Mr. President, it will be seen that complaint is made that the League for Medical Freedom is not acting in good faith, but that it is being used for sinister and mercenary purposes by manufacturers and dealers in patent medicines. I am quite sure from the well-known views of the Senator from Oklahoma that he would not for a moment justify any act of oppression such as is attempted in this case through the columns of Collier's, knowing as I do that he stands the champion of the rights of the people and civil liberty. Therefore in what I expect to say with respect to these publications and their utterances I am not treating them as the utterances of the Senator from Oklahoma.

Mr. President, this is an important subject. It is one that calls for the utmost frankness in dealing with it. I know how much the Senator from Oklahoma has at heart the measure that he is pressing for consideration before the Senate, and I desire to say that I respect his views in regard to that matter, but I differ from him wholly.

I am going to discuss this question from the standpoint of a Christian Scientist, and in order that the Senate may better understand and appreciate that point of view I am going to give you in just a few words my own personal experience with Christian Science healing.

Ten years ago I was a scoffer at Christian Science; I derided and ridiculed the claim of the Christian Scientists to heal disease; but the time was to come, and that very soon, when I was to put those pretensions and claims to the test. I had been an invalid and a great sufferer from a complication of diseases for many years. During the last year before I came to Christian Science for help those diseases took on an acute form and I suffered intensely night and day. In that space of time I lost 30 pounds in flesh and had become correspondingly weak. I was unable to do my day's work. I felt that the time had just about come when I should be compelled to give up my work and that death was near at hand. I had tried all schools of medical physicians; I had gone to what is known as the old school or the regular school of physicians; I had tried the homeopathic physicians. I finally went for relief to the osteopaths, who conceived the idea that my sufferings and the headaches which I had endured all that time were the result of the displacement of one of the vertebræ that pressed upon the spinal cord and caused all of my troubles. I obtained no relief from any of these sources. I am not here for the purpose of criticizing the work that was done by the physicians. They did the very best they could for me, and one and all of them worked conscientiously in the effort to relieve me from my troubles. They were competent men in their professions; I have not in anything that I may say here any word of condemnation or criticism to pass upon the physician who was doing his work conscientiously as such; but I found that my relief did not lie there.

I had said that, while I had no faith in it, while, as I said a few moments ago, I scoffed at the very idea that such diseases as mine could be cured by Christian Science, if everything failed, then I would try that remedy. I did so; and from the time that I commenced taking the treatment I began to improve, and that improvement was steady day by day for the space of about four months, when I could say to myself that I was completely healed. I had come up out of that condition of suffering and distress day by day just as I had gone down into that condition day by day in the years that had passed.

My wife, who had been an invalid for 15 years or more, at my earnest solicitation commenced to take the treatment at the same time that I did. She had been told—something that is nowadays almost inevitable in cases like that—she had been told that the only thing which could relieve her from her condition was the surgeon's knife. She was healed of that condition in three treatments by Christian Science, and from that time until now, almost nine years, she has been a comparatively healthy woman.

But the one thing that seemed to appeal to us more than anything else, in our experience, was the fact that our son was healed of the drink habit that had fastened upon him after he had arrived at manhood and had completely taken possession of him, so that we took him into our home and nursed him like a child. After our experience in Christian Science, naturally we undertook to induce him to resort to the same remedy, but, like thousands of others, he was not willing to accept it; he was not willing even to give it a trial until almost a year after we had had our experience. When he was just recovering from the effects of one of the prolonged spells of drinking to which he was addicted, he said one morning to his mother: "I know what Christian Science has done for you and father; I have always believed that I could overcome this habit of my own will, but now I give it up. If you desire, you may call a Christian Science practitioner."

We called a Christian Science practitioner that day, and he has not taken a drink of liquor from that time until now, almost seven years; and, best of all, while he had struggled against the habit, while he had at one time overcome it for the length of 11 months, yet the desire for it, the torture of the appetite, was with him every day. But when he had taken the treatment that desire for drink was completely and absolutely destroyed, and has never returned. Mr. President, that is the experience of one family in Christian Science. It is the experience in greater or less degree of hundreds of families in this country.

I fancy I hear Senators saying to themselves it is all a delusion; but I want to say to Senators that if it is, I hope that delusion will not be dispelled. It has brought health and happiness and contentment into hundreds of families in this country. It is doing that sort of work every day, day by day, healing the sick, saving men and women from suffering and sin, and in thousands of instances has saved them from the surgeon's knife, the resort to which is so common at the present time.

Mr. President, Christian Scientists do not claim to be perfect in their work of healing disease—not by any means. There has been but one perfect Healer on earth. Even His own disciples failed sometimes and met with the rebuke from Him, "Oh, ye of little faith."

I want to say to Senators that Christian Scientists are in no sense hostile to the medical profession, as is very generally believed. You have never found them in any single instance opposing any sort of legislation that tends to increase the efficiency of the medical profession, of whatever school it may be. We recognize the fact that there is work for all of us to do. We recognize the fact that the medical profession in their different schools are doing a great work in alleviating human suffering and healing disease. Therefore it is no part of the work of a Christian Scientist to interfere in any way whatever with the work of the medical profession.

I want to add that in whatever I may say in criticism of what has taken place on the part of the American Medical Association I am not criticising individuals. I reckon among my very best friends, and men for whom I have the highest possible respect, some of the men who are in the medical profession in this country, and I appreciate the work they are now doing in ameliorating human suffering.

Mr. President, the first thing to which I desire to address myself is the claim made in the articles that have been read in the RECORD by the Senator from Oklahoma [Mr. OWEN], that the League for Medical Freedom is, if not made up by, actually influenced and controlled by selfish interests, by the vendors and manufacturers of patent medicines.

I want right in the beginning to deny that assertion emphatically and without qualification. I know something about the composition of the League for Medical Freedom. I know that the people who are standing behind that league and undertaking to prevent the kind of legislation that is sought here in Congress and throughout the States are people who are simply standing for the principle that every sort of healing medium, whether it be the doctors of this profession or that profession, this school or that school, or whatever it may be, shall have the right and freedom to exercise their rights as American citizens in that direction as well as all others. It is for the very reason that the American Medical Association has for the past 20 years been seeking legislation in the various States of

this country that would shut out and prevent the exercise of the power of healing disease on the part of others that this opposition has arisen, and for no other reason.

Mr. President, as to the composition of the League for Medical Freedom, I desire first to call attention to an extract from the address of ex-Gov. Bates, of Massachusetts, a distinguished lawyer and statesman, who appeared in behalf of the league before the House committee having under consideration a bill similar to the one now before the Senate. In opening his remarks on that occasion he stated in general terms of whom the league was composed, as follows:

Mr. BATES. Mr. Chairman and gentlemen of the committee, I appreciate your courtesy and assure you that I will try to keep within the time, although it is possible I may so abbreviate my remarks as not to take the full amount allotted to me. I represent here to-night the organization known as the National League for Medican Freedom. This is a recently formed organization. Its president is B. O. Flower, editor and founder of the Arena and editor of the Twentieth Century Magazine, of Boston. Its vice president is Hon. Charles W. Miller, ex-chairman of the Iowa Democratic State committee. Its secretary is A. P. Harsch, president of the Clinton-Close Co., of Toledo, Ohio, and upon its advisory board are, among others, the following: William D. Baldwin, president Otis Elevator Co., New York; Orison Swett Marden, editor Success, New York; Lewis Pinkerton Crutcher, M. D., faculty Hahnemann Homeopathic Medical College, Kansas City, Mo.; A. T. Still, M. D., founder Osteopathy, Kirksville, Mo.; William Ordway Partridge, sculptor, New York City; Charles M. Carr, editor N. A. R. D. Notes, official organ of the National Association Retail Druggists, Chicago, Ill.; Hon. John D. Johnson, Johnson, Rule & Allen, attorneys, St. Louis, Mo.; Dr. Orion K. Thompson, faculty Hering Homeopathic College, Chicago, Ill.; A. E. Stillwell, president K. C., M. & O. R. R., New York City; George P. Engelhard, editor Medical Standard, Chicago, Ill.; John Alexander Cooper, certified public accountant, Chicago, Ill.; Mrs. Diana Belais, president New York Anti-Vivisection Society, New York; Edwin C. Pickler, D. O., president American Osteopathic Association; Claude E. Laws, M. D., president Arkansas State Eclectic Board of Medical Examiners; Simon Nusbaum, National Bank of Commerce, New York City; Arthur Heurtley, secretary Northern Trust Co., Chicago, Ill.; Chester A. Tousley, president Tousley Varnish Co., Chicago, Ill.; Frank A. Spink, traffic manager Chicago & Western Indiana Railroad, Chicago, Ill.; Charles Huhn, president National Association Retail Druggists, Minneapolis, Minn.; Mrs. John A. Logan, Washington, D. C.; Mrs. George T. Oliver, Pittsburg, Pa.; Hon. Hobart M. Cable, jr., Cable Piano Co., Chicago, Ill.; John E. Carson, capitalist, Oklahoma City, Okla.; J. T. Holleman, president Union Savings Bank, Atlanta, Ga.; Hon. A. S. Mann, Jacksonville, Fla.; Benage S. Joslyn, president Portland Railway, Light & Power Co., Portland, Oreg.; Hon. George Bingham, El Reno, Okla.; Sam T. Cochran, grand commander Knights Templar, Dallas, Tex.; Arthur N. McGeoch, capitalist, Milwaukee, Wis.; Hon. Charles Major, author, Shelbyville, Ind.; C. W. Snyder, president Topeka State Bank, Topeka, Kans.; Charles A. Bookwalter, ex-mayor, Indianapolis, Ind.; Judge Oliver C. McGelvra, Seattle, Wash.; Hon. W. B. Martin, executive, Des Moines, Iowa (secretary of state); Prof. E. L. Martin, Macon, Ga.; W. C. Lewis, banker, Tallahassee, Fla.; William S. Crowell, president, First National Bank, Medford, Oreg.; Hon. B. M. Parmenter, Lawton, Okla.; and others.

Mr. Chairman, I have stated that this league is a recent organization. It has a membership numbered by the tens of thousands, and applications for membership are coming in literally by the thousands every day. It partakes of the nature of a spontaneous movement more, I believe, than any which has appeared in connection with this matter. Let me read just a few telegrams and letters, or extracts from them, received to-day. I shall not attempt to read but three or four. Here is one from Los Angeles, Cal.:

[Telegram.]

LOS ANGELES, CAL., *May 17, 1910.*

WILLARD S. MATTOX,
406 Metropolitan Bank Building, Washington, D. C.:

Use following on advisory board: Hon. Thomas Early, mayor, Pasadena; Dr. A. P. Graves, D. D., 434 West Twentieth Street, Los Angeles. Estimated membership of league here to date, 500. Have enlisted papers in our behalf. Strong influence being used here in favor of bill. No literature received yet; will use immediately. No newspaper notice of league has appeared. Will do anything to aid you in this work.

Here is one from Des Moines:

[Telegram.]

DES MOINES, IOWA, *May 19, 1910.*

JOHN M. READ,
New Willard Hotel, Washington, D. C.:

More than 2,000 voters to date protest in name of Iowa Voters and Taxpayers' Association against passage of Senate bill. List is being rapidly swelled.

Here is one from Concord, N. H.:

[Telegram.]

CONCORD, N. H., *May 18, 1910.*

WILLARD S. MATTOX,
406 Metropolitan Bank Building, Washington, D. C.:

Following persons on record against class medical legislation and permit use of names on advisory board National League for Medical Freedom: Ex-Gov. Charles M. Floyd; Oliver E. Branch, attorney Boston & Maine Railroad; Col. Solon A. Carter, State treasurer; Hon. Ira E. Gray, member State legislature; Dr. John H. Worthen; Fremont E. Shurtleff, lawyer; others by mail to New York.

C. B. JAMIESON.

Here is one from the father of osteopathy:

[Telegram.]

KIRKSVILLE, MO., *May 18.*

B. O. FLOWER,
Care New Willard Hotel, Washington, D. C.:

I am not only not supporting Senator Owen bill, but opposed to it.

DR. A. T. STILL,
"Father" of Osteopathy, Founder of the School.

Here is one from the faculty of the Hering Medical College, Chicago:

[Telegram.]

CHICAGO, ILL., *May 19, 1910.*

B. O. FLOWER,
Willard Hotel, Washington, D. C.:

I am opposed to Owen bill, and know that the homeopathic profession of State are opposed to same.

ORION KEMPER THOMSON, M. D.,
Faculty Hering Medical College, Chicago.

Here is one from Missouri:

[Telegram.]

KANSAS CITY, MO., *May 19, 1910.*

B. O. FLOWER,
New Willard Hotel, Washington, D. C.:

Homeopaths Missouri and Kansas joint session here protest against passage Owen bill.

LEWIS P. CRUTCHER, M. D.

Here is one from New York:

[Telegram.]

NEW YORK, *May 19, 1910.*

B. O. FLOWER,
New Willard Hotel, Washington, D. C.:

Following telegram from Lansing, Mich.: "Am against any law or measure such as would result from the passage of Owen bill. (Signed) Richard Simmons, M. D."

NATIONAL LEAGUE FOR MEDICAL FREEDOM,
By J. R. KATHRENS.

Here is one from Watertown, S. Dak.:

[Telegram.]

NEW YORK, *May 19.*

B. O. FLOWER,
New Willard, Washington, D. C.:

Just received the following wire from Watertown, S. Dak.: "C. E. Schoolcraft, M. D. O., president State Society Osteopathy for South Dakota, will cheerfully act on advisory board. (Signed) John D. Carle."

NATIONAL LEAGUE FOR MEDICAL FREEDOM,
By J. R. KATHRENS.

Here is one from New York City, just received as I came in:

[Telegram.]

NEW YORK, *May 19, 1910.*

B. O. FLOWER,
New Willard Hotel, Washington, D. C.:

This office has received individual telegrams from the following cities giving the number of enrollments received and mailed to-day: Baltimore, 340; Chattanooga, Tenn., 105; Nashville, 75; Memphis, 357; Cleveland, 2,000; Knoxville, Tenn., 90; Louisville, Ky., 140.

NATIONAL LEAGUE FOR MEDICAL FREEDOM,
By J. R. KATHRENS.

Here is one from the office in New York:

[Telegram.]

NEW YORK, *May 19.*

B. O. FLOWER,
New Willard, Washington, D. C.:

The names of 126 eclectic practitioners have been enrolled by this league yesterday and to-day.

NATIONAL LEAGUE FOR MEDICAL FREEDOM,
By J. R. KATHRENS.

Another telegram from New York:

[Telegram.]

NEW YORK, *May 19, 1910.*

B. O. FLOWER,
New Willard, Washington, D. C.:

We have the names of 140 old-school doctors who have declared in favor of medical freedom and who lend their names and moral support to your movement.

NATIONAL LEAGUE FOR MEDICAL FREEDOM,
By J. R. KATHRENS.

Here is another one:

[Telegram.]

NEW YORK, *May 19, 1910.*

B. O. FLOWER,
New Willard Hotel, Washington, D. C.:

Three hundred and forty osteopath practitioners have already joined this league and many more coming in with each mail delivery. Total number of enrollments up to noon to-day, 22,800.

NATIONAL LEAGUE FOR MEDICAL FREEDOM,
By J. R. KATHRENS.

Here is another one:

[Telegram.]

INDIANAPOLIS, IND., *May 19, 1910.*

Hon. CHARLES A. BOOKWALTER,
Willard Hotel, Washington, D. C.:

A medical trust would be a national calamity. In fighting it you are doing humanity a noble service.

Dr. J. A. HOUSER.

Here is a letter from the president of the Ohio Optical Association (reading):

COLUMBUS, OHIO, *May 17, 1910.*

B. O. FLOWER, Esq.,
Metropolitan Building, New York City.

MY DEAR MR. FLOWER: I read of your work in the Cincinnati Enquirer, and am heart and soul in sympathy with you. The above organization, of which I am president, has just given the A. M. A. a good tussle, and they knew they were in a fight. Also we were victors in the general assembly, and now have a bill awaiting the governor's signature before it becomes a law. The opticians have a national organization composed of various State associations, and we will meet at Cedar Point, August 15 to 18, and I think that in view of the fact that we have been victorious in 24 States, and are still fighting the medical trust in all the others, we might be of mutual aid. I will lend you all the assistance within my power as an individual, for I do not believe any man who has had any experience in combating the selfish and intolerant element that composes the A. M. A. but what will do yeoman service for his fellow man. If I can be of any service to you, I will consider it a favor to be called on as a volunteer. With best wishes for your success, I am,

Your obedient servant,

C. M. MCDONNELL,
21 East State Street, Columbus, Ohio.

I have read these merely to give a general idea of the breadth of this movement and of the alacrity with which the people are sending in their names for the purpose of joining the league.

The purpose of this organization, as stated in its prospectus, is "the maintenance of the rights of the American people against unnecessary, unjust, oppressive, fraternal, and un-American laws, ostensibly related to the subject of health. * * * It seeks through publicity and education to unmask and oppose any legislation which endeavors to put into power any one system of healing and use the Government prestige, money, and machinery to enforce its theories and opinions upon citizens who believe in other forms of healing."

It is as essential to liberty of the individual to have medical freedom as it is to have political or religious freedom. In fact, medical freedom comes possibly closer to his interest, to his material welfare than either of the others. It affects life itself.

This organization, that in a few days has secured 50,000 members and that is confidently expected will have 100,000 members within two weeks, is made up largely of those who have been for years individually interested in defending that freedom for the maintenance of which they have now organized. It is a popular movement. Ten thousand applied for membership yesterday alone. It is the only popular movement here represented.

It has become almost as regular as the sessions of the legislatures themselves for attempts to be made in each State in the Union to pass legislation that will either restrict the practice of medicine to those who have pursued certain courses or that indirectly seek to gain the same object by prohibiting pay for services and similar devices. The people whom I represent believe that every man has a right to select his own physician and to seek remedy and relief wherever he can find it. They know that the attempts to restrict the practice of healing, or of medicine, to certain schools of medicine has been largely the result of the efforts and endeavors of the members of those schools of medicine who would be benefited by such legislation.

Among other States where such attempts have been made, and are being repeatedly made, I will mention New York, Washington, Oklahoma, Pennsylvania, New Hampshire, Nebraska, Colorado, Iowa, Kentucky, Tennessee, Maine, Alabama, Louisiana, Missouri, Michigan, California, Utah, Montana, North Carolina, New Jersey, Minnesota, Wisconsin, Arizona, and Connecticut, and my own State, Massachusetts.

In all these States such efforts have been defeated. In Maryland, Ohio, Virginia, Texas, and Delaware such efforts have been partially successful. It is not surprising that the people who have made the contests against this restrictive legislation for years in these various States look with suspicion upon the efforts of the American Medical Society, to pass the legislation now proposed, particularly in view of the fact that admittedly for 20 years this society has been endeavoring to obtain just such legislation, while during that period through its various members it has been endeavoring to obtain restrictive legislation in the States.

Mr. President, I have some personal knowledge of the efforts that have been made in my own State to bring about just such legislation as this. We have been compelled to meet it at every session of the legislature in our State for years past. It has not stopped at the effort to elevate and make more efficient the medical profession to which no one has ever objected. It has gone further than that and attempted by legislation to exclude everybody else from practicing at all. For a long time it was directed at the Homeopathic School of Medicine, until that school became so strong that it was useless to attempt longer anything of that sort. Then it followed in the case of others and finally came down to the Christian Scientists, and for the past 8 or 10 years the effort of the American Medical Association has been to secure some sort of legislation that would absolutely bar the Christian Scientists from all opportunity to exercise their right of healing disease.

Four years ago, in my own State, a bill having that object was introduced into the legislature. I happened to know the member who introduced it. I telegraphed him my desire to be heard with respect to it before the bill was passed. He examined the bill and let me know that he did not understand the full scope and effect of it, and that he himself would not support it until Christian Scientists were relieved and excepted from its effects.

We have had to keep vigilant watch constantly in my State. I know it is just as true with respect to other States; and back of all this effort to keep everybody else out of the practice of healing disease has been the American Medical Association, not always openly, sometimes they pushed somebody else to the front, but you will always find behind it the force and power of the American Medical Association.

That is just exactly the condition that exists with respect to the bill now before the Senate. You hear a great deal said about the committee of 100 having been before the committees that have investigated this matter, and one would suppose by reading the report of the investigation that it was the committee of 100 that was urging upon the Senate, upon Congress, the enactment of laws of this kind.

But I want to say to the Senators here that behind the committee of 100 is the American Medical Association. Not only so, but practically one-third of the members of the committee of 100 are doctors belonging to the regular school of medicine, and one of them is the man who has been most active in pushing this kind of legislation, Dr. McCormick, who, in a sense, is the walking delegate of the American Medical Association, and who absolutely controls and dominates not only that association, but the committee of 100.

I desire also to read very briefly from a letter of Mr. H. E. Lesan to myself, giving an account of the elements which compose the League for Medical Freedom:

There are now a little over 200,000 members of the National League for Medical Freedom, and I should say that from one-third to one-half of them are Christian Scientists.

I should say, however, that 25 per cent more were sympathizers with the right of the Christian Scientists to practice, even if they were not adherents, so that I should say that 60 to 75 per cent of the membership of the league was secured from the Christian Science influence.

There are 10,000 physicians of all schools, being probably more osteopaths than any others; next to that eclectics, then homeopaths, and then chiropractics, with a very good sprinkling of allopathic physicians, who belong to the league as a protest against the political methods of the American Medical Association.

The greater number of Christian Scientists in the League for Medical Freedom calls for explanation. The Christian Scientists as a body have taken no part whatever in this movement. They are not represented as a body in the League for Medical Freedom. Every Christian Scientist who becomes a member of the league becomes such individually and upon his own volition. No effort has ever been made to induce or coerce any Christian Scientist to take any part in a movement of this kind, and the reason why there are a greater number of them is simply this: The individuals are acting, so far as the Christian Scientists are concerned, but in the case of medical schools that are interested in this matter, they are represented not by individuals; thousands of those who believe in those schools of medicine are represented by the physicians who belong to certain organizations, and while the Christian Scientists appear for that reason to be stronger, they are not so in fact, because the physicians and the heads of these medical organizations are in fact representing thousands and thousands of people who are standing out against this sort of legislation, but whose names do not appear as members.

There is another thing that I should say in this connection, as I am speaking from the standpoint of the Christian Scientist, in justice to the members of the different medical organizations who are acting with us in this matter. It does not follow by any means because members, for example, of the homeopathic school of medicine are uniting with the Christian Scientists in opposing this bill that they are in sympathy with or believe in Christian Science—not by any means.

Just so with all of the other medical professions. It does not follow that because they are making common cause in a fight of this kind that each one of them believes in the method of healing that is resorted to by the other, and therefore I think it is only just for me to say that because members of the medical profession are joining with us in this effort to prevent this sort of legislation it is not because of any sympathies they have for the Christian Scientists as such, but because they themselves are interested in preventing the passage of the bill.

I want to say to Senators here that this movement in opposition to this bill is not confined to members of any profession or any school of medicine or healing. There are thousands of independent American citizens in this country who object to such legislation, without respect to the effect it is going to have upon their interests or upon their schools of medicine. They object to it because it is unjust and un-American.

I have here a letter from Mr. B. O. Flower, the president of the League for Medical Freedom. I am not going to take up the time of the Senate in reading it. It explains of what the league is composed. But I ask leave to print it as a part of my remarks.

The VICE PRESIDENT. Without objection, permission is granted.

The letter referred to is as follows:

BOSTON, MASS., *July 1, 1911.*

Hon. JOHN D. WORKS,
United States Senate Chamber, Washington, D. C.

MY DEAR SENATOR: I have just returned from two days spent at our New York office. Much of the time while there was spent in getting into shape the data to be sent to you. I requested our people to get a complete list of the executive officers of the league—a list that would include not only the officers and advisory board of the national league, but also the executive officers of the State branches. This amounts to about 500 names in all; and I requested them to indicate the strong men and their position. For example, the chairman of the Virginia League, Dr. Crutcher tells me, is probably the most prominent homeopathic physician in Virginia, a man of influence in Richmond, and of great ability.

The chairman of our league in Florida is probably the most prominent homeopathic physician in that State. As you know, the officers of the San Francisco league are men prominent in public life. In our Massachusetts league Dr. Maurice Worcester Turner was last year president of the International Hahnemann Society. He was for several years instructor in the Boston University School of Medicine, and is one of the prominent homeopathic physicians of the land. The secretary of our league is the proprietor of one of the large and beautiful family hotels of Cambridge, and a man who has been on the governor's council in the past, and is quite prominent in Republican politics of the State as well as a prominent business man. The treasurer and assistant treasurer are men of prominence, one a retired capitalist and the other a banker. Dr. William Leonard, who writes in the June number of the magazine against restrictive medical legislation, is a member of our advisory board, and has worked for us from the first. He was for 19 years professor of materia medica in the University of Minnesota, and is one of the prominent homeopathic physicians of the country. Dr. A. F. Stephens, of St. Louis, another member of our advisory board, is one of the most prominent medical authors, edu-

cators, and physicians in the eclectic school. I sent you a few days ago Dr. Munk's strong indorsement of the league's work as president of the National Eclectic Association. I mention these physicians for the reason that a persistent attempt has been made by Senator OWEN and the advocates of State medicine to convey the idea that the homeopathic and eclectic schools of medicine are not in sympathy with our fight, and a persistent attempt has been made to alienate the physicians of these schools from us, and inasmuch as Collier's and Senator OWEN, through reading Collier's article and thus indorsing it, have tried to convey the impression that the management of the league is discreditable, it seemed to me that if 25 or 35 very prominent business, professional, literary, and educational names should be mentioned as officials of the league and as representative of those constituting the executive branch of the league and its State branches, it would most effectively silence this attempt to discredit the league.

After one year's search Collier's have not been able to find 10 persons connected with the league against whom they dared to make charges, and even in these instances a large number of the statements made were deliberate misrepresentations, and other statements were made for the purpose of trying to convey a false impression to the public mind.

Cordially, yours,

B. O. FLOWER.

WHO IS SUPPORTING THE BILL.

Mr. WORKS. Now, after having discussed thus briefly and imperfectly the opposition to the bill, I desire to say something about who it is that is undertaking to bring about the enactment of this bill.

In the first place, I desire to read very briefly from a report of J. N. McCormack, M. D., chairman of the committee on organization of the American Medical Association.

Senators will bear in mind that the impression has gone forth that this legislation is being pressed by the committee of 100, composed of people who are entirely disinterested, and my desire is to show, as I said a while ago, that while that appears to be so, as a matter of fact it is being pressed by the American Medical Association practically and alone. Dr. McCormack says:

Accounts of my itineraries in New England and the Northwest were given such publicity in American Medical Association and State journals at the time that I shall confine this report to the subject of national health legislation, which was put so prominently before the profession by the action of this House two years ago and has been kept constantly before it by the indefatigable labors of your legislative committee since in an effort to secure a national department of health, the aspiration and hope of this association for half a century.

* * * * * * *

Sent on to Washington by your legislative committee, after the great speech of Senator OWEN had impressed this country, as Gladstone had done England a few decades before, "that care for the public health is the first and highest duty of the statesman," I found many leading men of both Houses outspoken in support of the principles of his bill, and a number of our most experienced friends believed that there was an excellent chance to perfect and pass it at the present session of the Congress. After looking over the ground and conferring with Drs. Sower, Wiley, Kober, Woodward, Owen, and others—and I have never seen men more devoted and earnest in a cause—the hearings were arranged, and it is believed that few measures of such a nature were ever more ably supported.

I am inclined to agree with that, Mr. President. I do not think there has ever been a measure before the Congress of the United States which has been more earnestly supported by any body of people than this legislation has been supported by the American Medical Association.

More important was an opposition due to a conflict of interest between the bureaus and divisions directly affected by the proposed transfer to the new health department, about which there might well be honest difference of opinion. This occasioned much anxiety to the friends of the legislation, and the ablest men in the profession came on to Washington and took part in the negotiations to meet the difficulty. These negotiations were continued here, and I am happy to inform you that, under the sagacious leadership of Drs. Welch and Gorgas, great enough to give proper consideration to every interest, an agreement has been reached.

Dr. Welch was at that time, as I remember it, president of the American Medical Association; if not, he was so later, and I believe he has just retired from that position at an election which has been held at the city of Los Angeles, my home.

It will be seen that there was a conflict between the authors of the American Medical Association and the constituted medical authorities of the Government then existing, including the Public Health and National Quarantine Service. It is perfectly evident that some sort of a bargain was made between the representatives of the Government in that bureau and the American Medical Association which was entirely satisfactory to the association.

We are to have a health department commensurate with the powers and resources of our Government, and in time our country is to be put in the front rank in the field of preventive medicine. In accordance with that agreement and by authority I now offer the following—

I think Senators would like very much to know what sort of an agreement that was. I know I would, and I think the people of this country have a right to know what sort of a bargain was made by the medical bureau of this Government and the American Medical Association which brought about this compromise. Here is the resolution that was offered by Dr. McCormack—

Resolved, That the president be, and is hereby, authorized to appoint a committee of seven members, which shall be charged with the duty of framing a bill for a national department of health, to be presented to the next session of Congress in December, and that this committee shall consider and determine all matters and policies relating to national health legislation, and may invite the cooperation and cooperate with other organizations having the same purpose in view.

So we see that at that particular time the American Medical Association was quite active in bringing about this legislation. Nothing was heard at that time about the committee of 100 that was supposed to be acting disinterestedly.

I desire also to read briefly from a letter of the president of the committee of 100 to show what sort of action was being taken by the committee, engineered, as I believe and as I assert here, by the American Medical Association, with Dr. McCormack at its head. They have been complaining of the League for Medical Freedom that it had been expending large sums of money in sending telegrams to Members of Congress and in various other ways. This letter shows that the committee of 100 has not been free from that same weakness.

Prof. Irving Fisher, a very distinguished and estimable gentleman, against whom I have nothing whatever to say, acting, I have not the slightest doubt, with perfect sincerity in this matter, in the belief that he was doing something of benefit to the American people, said in this letter:

Our legislative subcommittee and executive subcommittee have held frequent meetings. We believe that it is not possible to overcome the opposition unless a campaign fund of from $20,000 to $25,000 can be raised at once. This will be used for printing, stationery, telegrams, etc., the effect of which will be that Congressmen, especially pivotal Congressmen, will not dare to displease their constituents by opposing President Taft's program. It will also be used to reach our American Health League—which contains many thousand health enthusiasts—to start up our Authors' League of 1,000 health writers, to stimulate our press council of 100 leading editors, and to supply them and the members generally with ammunition in the way of literature; also to reach the labor organizations and the Grange and all our allies. * * *

I am writing to you among the first, knowing that you keenly appreciate the importance of overcoming the selfish opposition to a project which, once started, will surely expand within a decade so that millions upon millions of Government money will be put into this most needed form of national defense.

There is no selfishness about that, I presume. Nobody is to be benefited by the expenditure of these millions and millions of dollars that were to be expended by the department that is proposed to be organized.

Letters received from Congressmen in response to our effort to poll them on this question show that many of them, and especially those who control procedure, need something more than the President's message to urge them to action; in short, that they must have letters and telegrams from their constituents.

In order to show something about the estimation in which the American Medical Association is held in so far as it is attempting to control legislation of this kind, I want to read an extract from the testimony of Henry R. Strong, which was given before the House committee on this subject; and right in this connection I want to make a distinction in the criticism that I make against the American Medical Association between what I regard as its legitimate business, the building up of the efficiency of its own body, the effort that it is making to bring about better conditions in its own profession, and its attempt at legislation of this kind that shall give it an undue advantage over others who are undertaking to do the same kind of work. I have no criticism to make of the American Medical Association so long as it is following out the purposes and objects I have indicated.

Mr. OWEN. Mr. President——

The VICE PRESIDENT. Will the Senator from California yield to the Senator from Oklahoma?

Mr. WORKS. Certainly.

Mr. OWEN. If it would not interrupt the Senator from California, I should like to call his attention to section 3 of the proposed bill, which expressly forbids discrimination in favor of or against any school or system of medicine.

Mr. WORKS. I am coming to that, if the Senator will allow me, and when I reach that point I shall be glad to submit to any question which the Senator may desire to ask. At this time it would be inappropriate.

Mr. OWEN. Very well; I will wait.

Mr. WORKS. I will then be glad to submit to any suggestion which the Senator has to make in that connection. The statement of Mr. Strong is as follows:

The CHAIRMAN. Mr. Henry R. Strong. Ten minutes have been allotted to you, Mr. Strong.

Mr. STRONG. Mr. Chairman and gentlemen of the committee, with all due respect to those who have appeared before this committee, I desire to say that I am in sympathy with neither the homeopaths, the eclectics, the osteopaths, the Christian Scientists, nor any nor either of the so-called sects, if I may so call them, that I suppose are behind this league. My sympathies, as are my interests, are with and bound up with the so-called school of regular physicians, but I believe that if this bill is passed it will accomplish a state establishment of medicine in this country, and I believe such was the purpose of those with whom this movement originated some six or eight years ago.

I refer, Mr. Chairman, to a clique of political doctors who have captured the control of the organization of the American Medical Association, who are falsely pretending to represent the regular physicians of this country. The fact of the matter is that the American Medical

Association itself does not have 80,000 members, as the gentlemen who have addressed you stated it had. It has only 30,000 or 40,000, although by coercive methods the membership is rapidly growing. Therefore, as I say, the clique in control of the association does not fairly represent the association, nor does the association represent the profession as a whole.

HOW THE EFFORTS OF THE AMERICAN MEDICAL ASSOCIATION TO SECURE LEGISLATION IS VIEWED BY OTHERS.

Mr. President, in order to bring to the attention of Senators the position that is taken by others besides Christian Scientists with respect to this matter, I desire to call attention to resolutions which were adopted by the Eclectic Medical Society of the State of California, at Redlands, Cal., on June 2, 1911:

ECLECTIC MEDICAL SOCIETY
OF THE STATE OF CALIFORNIA,
Redlands, Cal., June 2, 1911.

DEAR SIR: The following resolution was unanimously passed at the meeting of the California State Eclectic Medical Society, held in San Francisco, May 23 to 25:

Whereas there has been introduced at the present extra session of Congress the so-called Owen bill, which is designed to eventually establish a State medicine; and

Whereas a State medicine is, equally with a State religion, contrary to a republican form of government and obnoxious to its people: Therefore be it

Resolved, That the Eclectic Medical Society of the State of California, in its thirty-eighth annual session, and representing 300 registered physicians, is unalterably opposed to Federal or State compulsory medical laws unless such acts preserve the absolute independence of the physician and citizen to use and employ the system of treatment most consistent with their choice or belief, in the same manner as the rights and privileges of all citizens are now guaranteed with respect to politics and religion.

Resolved, That the secretary be instructed to mail a copy of this resolution to President Taft and to each of the Senators and Representatives in Congress; also to Gov. Johnson and to each of the senators and assemblymen of the State of California.

O. C. WELBOURN.
ALBERT J. ATKINS.
GEO. G. GERE.
ORAN NEWTON.
L. A. PERCE.
E. R. HARVEY.

As indicating what the feeling of outside people, if I may so call them, is with respect to this sort of legislation which is going on in the States as well as in Congress, I desire now to read an editorial which appeared in the Los Angeles Express only a short time ago bearing upon legislation that was attempted to be passed in the Legislature of California at the session of the legislature just closed.

DOCTORS, TAKE WARNING.

Los Angeles is opposed to the system of medical tyranny over the public schools designed to be established by senate bill No. 733 and assembly bill No. 964. The fathers and mothers of this city will not deliver their children over to the Doctors' Trust those measures would create. If the price of education at the public schools is to be the surrender of all attending scholars to the arbitrary authority of State physicians who will prescribe in bigoted obedience to the requirements of a would-be medical monopoly, Los Angeles will not pay that price.

As the parents of southern California would resist to the uttermost the introduction into the schools of a group of sectarians who should exercise exclusive control over the religious teaching of their children, so will they resist the proposed surrender of their children to a Medical Trust. As the public schools, attended by children of all religious creeds, must be kept free from the dominating influence of any single creed, so must they be kept free from the dominating influence of any single school of medicine.

We are of the race that during these centuries has won liberty of conscience and freedom of belief. As no State would now dare direct how the children in its schools should worship God, so should no State dare attempt to compel such children to submission to the tenets of some particular school of medicine. If, in opposition to the beliefs and convictions of parents, their children are to be treated and prescribed for by State practitioners exercising arbitrary authority in aid of the establishment of a medical monopoly, it will not be long before State clergymen, representing some State creed, will be given exclusive control over their religious beliefs.

Let the legislature make no mistake in its judgment of public sentiment as to this proposal. All else that it has done, important as its work has been, sinks into insignificance beside this act that is proposed. If the legislature aids the Doctors' Trust to this attempted seizure of the public schools it will become infamous. If it attempts to compel the boys and girls of California to submit themselves to the arbitrary control of monopolistic medical arrogance it will become odious and hateful. No legislation of this character should receive an instant's consideration. It were suitable to the period in which men were burned at the stake because they chose to worship God in accordance with their consciences, but it has no place in this century of freedom and enlightenment.

The Express attacks no school of medicine, but no school of medicine shall attack the liberties of the people. California is free from medical tyranny. Let it remain so. It has no State religion. Let it not establish a State system of medicine. Should physicians of any school be given power to examine and prescribe for children because they are scholars, presently they would be given authority to examine and prescribe for men and women because they are citizens. The schools now are free and they must be kept free. Neither sectarianism nor medical slavery shall be allowed to overwhelm and destroy them.

I also desire to include in my remarks a short editorial from the Los Angeles Herald, entitled "Menaced by a Doctors' Trust." It is as follows:

MENACED BY A DOCTOR TRUST.

The attempt by the Mann bill to turn over the public health affairs of the Government to a Doctors' Trust is a most pernicious attempt to legislate in favor of one school of medicine and to lay every home open to offensive regulations by Government inspectors. The proposed bill would change the name of the existing Public Health and Marine-Hospital Service and delegate to the new body powers that are in violation of the rights of citizenship. All that an inspector would have to do in order to interfere in a case of illness in any home would be to decide in his own mind that the disease might interfere with interstate commerce. Then he is clothed with almost absolute power to take charge of the case, establish rules and regulations, and call in whatever physician he desired, despite family protests.

Back of this bill there is a school of physicians that thus expects to be recognized officially and thus be empowered to force upon the public its own theories for the causes of diseases and its own methods for cures to the exclusion of all other schools and their remedies and plans of treatment.

Under the action of the Mann bill a man's home would cease to be his castle, and he would be at the mercy of an inspector who would have a defense for any act he might commit on the ground that he feared the disease might become a public menace.

There was also at its annual meeting, May 16 and 17, 1911, a resolution on this subject passed by the Indiana Institute of Homeopathy. It is as follows:

Resolutions passed by the Indiana Institute of Homeopathy at its forty-fifth annual session held in Indianapolis, Ind., May 16–17, 1911.

Whereas the National League for Medical Freedom is an organization whose purpose is to serve and perpetuate the personal liberty of the people of the United States as pertains to the choice of medical attendants; and

Whereas this liberty has been and is still threatened by reason of an effort by the American Medical Association to have enacted a bill creating a national health board, with power and authority to interfere with the rights and powers of the individual States to control their internal affairs: Therefore be it

Resolved by the Indiana Institute of Homeopathy, That we hereby indorse the purpose of the National League for Medical Freedom, and we do hereby most earnestly protest against the creation of a national health board with power and authority superior to that invested in the health boards of the individual States; and be it further

Resolved, That we extend our mutual support to Dr. Louis Crutcher as the homeopathic representative on the directorate of the National League for Medical Freedom, and commend his work to all lovers of personal liberty.

I should say in this connection that at one time the National Grange was induced to indorse legislation of this kind, but it evidently found that it had made a mistake, and subsequent to that time the resolutions I am about to read were adopted by the grange:

PUBLIC HEALTH BUREAU.

That there be no ambiguity or misunderstanding to our action and meaning of our position on public health bureau, we add:

"Whereas the resolutions adopted at the forty-third annual session of the National Grange, favoring the consolidation of the various Federal health bureaus, have been used by the committee of 100 on national health as an indorsement of the proposal to create a new Federal department to be called the department of public health; and

"Whereas the attitude of the National Grange in this matter has been misrepresented by the advocates of a public health department; and

"Whereas the creation of such a department would involve the appointment of thousands of unnecessary officeholders and the expenditure of millions of dollars, which could be better devoted to establishing parcels post, aiding the States in their work of road improvement, and other reforms in which the Grange is interested: Therefore

"*Resolved*, That the National Grange has not and does not indorse a department of public health, and sees no good reason why the farmers of the country should favor the creation of such a department, or any legislation that might be construed as a step in that direction."

The above resolution was passed by the National Grange at its forty-fourth annual session at Atlantic City in 1910.

C. M. FREEMAN,
Secretary National Grange.

I desire also to read briefly from a letter of C. W. Miller, addressed to myself, in which he says:

WASHINGTON, D. C., *June 30, 1911.*

For the past 11 years Dr. McCormack has been the walking delegate of the Doctors' Trust, traveling from State to State for the purpose of gathering the physicians of every county visited into the organization. His afternoon stunt in each place he visits is to preach "medical economics" (how to get more money) to the physicians, and in the evening address a public gathering on the great need of a health department and the near-divine attributes of the profession that is seeking to lay upon the altar of the public weal the prospects of its own business.

The fee schedule promulgated by Dr. McCormack first appeared in the Journal of the Medical Association on November 28, 1908, afterwards being reprinted in various State medical journals, and it very accurately indicated what the character of his 11 years' work among physicians has been.

Further evidence in this regard and of the flattering results of his work may be found in the report of his stewardship, which he, as chairman of the committee on organization, made to the annual meeting of the American Medical Association in Chicago on June 2–5, 1908. Therein he says:

"For eight years I have been almost a stranger in my home and family that I might serve you. My constant regret has been that my capacity for service has not been greater.

"As a business proposition, on a very conservative estimate, I am convinced that my work has added indirectly hundreds of thousands of dollars to your revenues, but this is the smallest part of it, as will one day be known. At least two carefully selected men should be put in the field, and others should be added from year to year until the benefactions of this work are felt not only by every doctor but at every hearthstone in this great country—that is, until the profession is really organized."

Respectfully submitted.

C. W. MILLER.

Mr. President, I also submit the following address by Dr. Munk at the meeting of the National Eclectic Association in June, 1911:

We, as eclectics, are a separate and independent school of medicine, but we are not the only one. It is as necessary and beneficial to have a variety of schools of medicine as it is to have parties in politics or sects in religion. Each school, party, or sect permits the citizen to have a choice, to select what he wants, and gives him the opportunity to act with those of his own way of thinking. This is his constitutional right under our system of free government of which we are all so proud. Attempts have been made to invade and annul this inalienable right. The same spirit of monopoly which pervades the commercial world is also found in medicine. To establish one school of medicine to the exclusion of all others would create State medicine, which is just as obnoxious and dangerous as is State religion. A variety of schools, parties, or sects is an advantage, as it causes a friendly rivalry by each one striving to excel the other, and a healthy competition that benefits the majority, which is as it should be, especially in a Government like ours, where majorities rule. This coveted power has been sought after for many years by the political ring in the American Medical Association, which it hopes to obtain eventually through State and national legislation.

All of the minor schools of medicine, known as the Allies, are opposed to such action, on the ground that it is class legislation and unconstitutional; but neither one of the Allies is strong enough to engage the enemy single handed. It also does not seem to be convenient for them to unite their several interests in one counter organization. In this crisis a new and welcome friend has appeared upon the scene to lend a helping hand. The National League for Medical Freedom was organized one short year ago as a lay movement in opposition to the offensive activity of the American Medical Association to force the Owen bill through Congress and establish a public bureau of health. Owing to the league's timely and energetic protest the bill failed to pass, but it is up again in a modified, but no less objectionable form, to be acted on during the present extra session of Congress. That the bill will be again defeated goes without saying, now that the people have been warned of their danger. If such a bill ever becomes law it will be a serious menace to liberty and freedom in the United States and will be the entering wedge for other objectionable and harmful legislation of a like character.

The scope of the league is nation wide and has branch offices in nearly every large city of the Union. Its function is to expose and oppose the evil designs of the Medical Trust in its endeavors to fasten itself upon the States and Nation; to give publicity to every point of interest and teach the people the right and wrong of everything that pertains to the subject. It is pledged to oppose every attempt to legislate against the interests of the people or to rob the citizen of his liberty and right to choose his own medical advisor. The objects of the league meet exactly our wants, and it behooves us to "pool our issues" and "hitch our wagon to a star" that will carry us safely and surely on to victory.

J. A. MUNK.

Also, resolutions passed at the thirty-second meeting of the International Hahnemann Association, at Asbury Park, N. J., June 23, 1911, as follows:

Whereas there is a persistent effort upon the part of the American Medical Association to establish a national department of health and thereby to infringe upon the liberties of the people in the free choice of a medical adviser and of the school of medicine by which they shall be treated; and

Whereas there now exist several schools of medical practice, well patronized by the people of the United States, none of which is to be recognized by the projected department of health; and

Whereas several of the large insurance companies have taken upon themselves to give medical advice to their policy holders and thus to further the policy of state medicine and the selfish and unpatriotic aims of the dominant school of medicine: Therefore be it

Resolved, That the International Hahnemann Association in session assembled does hereby utterly condemn and protest against the passage of Senate bill No. 1, known as the Owen bill, and House bill No. 11035, known as the Dyer bill, and all bills of similar import; and be it further

Resolved, That the International Hahnemann Association resents the impudent meddling on the part of commercial insurance companies with the medical treatment of private individuals and the practice of the family physician.

J. B. S. KING, *Secretary*.

HOW THE POWER OF THE DOCTORS IS EXERCISED.

I come now to a very brief consideration of the manner in which the power that is obtained by the American Medical Association by means of legislation of this kind in the States is exercised and the way in which it is received by the people who are cognizant of its exercise by that authority. I call attention first to a very brief article appearing in the Chicago (Ill.) Journal, as follows:

VACCINATION IS ENFORCED—PITTSBURG CHILDREN MUST SHOW MARKS OR SUBMIT TO INOCULATION IN PITTSBURG CAMPAIGN.

PITTSBURG, *January 12*.

The bureau of health of Pittsburg has ordered the immediate vaccination of all school children who can not prove by ocular demonstration that they have been vaccinated. Health Supt. E. L. Walter has discovered that many of the vaccination certificates furnished by pupils have been "faked," and he has instructed his assistants to accept neither assertion nor certificates unless vaccination marks can be shown. At least 200 children are now being vaccinated daily, and the doctors, working in squads of six, are going through each school from cellar to garret.

I also read very briefly from an article in the New York Press of March 28:

NEWARK, *March 27*.

There were further protests to-day by physicians and citizens against the order of Dr. George J. Holmes, chief medical inspector of the board of health, directing his assistants in examining school pupils to make all the children undress to the waist. The first protests came from parents who refused to let their children be subjected to such examination. Particular objection was made to the method in which the examinations have been conducted. Girls from 10 to 14 years old have been taken in groups from classrooms and compelled to remove their clothing in one another's presence. This has met with opposition from many of the pupils.

I also submit a communication in the Milwaukee Free Press, as follows:

LETTERS TO THE FREE PRESS—PROTESTS AGAINST SCHOOL-INSPECTION BILL.

MILWAUKEE, *April 29*.

To the Editor:

On April 14 the assembly voted indefinitely to postpone action on the so-called school-inspection (doctor's) bill. This was the result of the vigorous protest set up by members of our league, who gave the joint committee of the senate and assembly facts that could end the matter in no other way.

This class of legislation (the most paternalistic) was supposed to be dead; but now I am informed that representatives of the American Medical Association and a local medical society branch have drawn another bill and sent it to the doctors who are members of the legislature.

This bill is also a compulsion measure, although it is written in a way intended to pull the wool over the eyes of the opponents of this kind of law.

When the bill is up for hearing or a vote every county in Wisconsin will be heard from against it.

Any bill, no matter what the wording, which adds to the authority of the so-called Medical Trust over the liberties of the people of Wisconsin will meet with vigorous opposition of this league, which is organized in every county of the State.

As long as doctors are in politics, just so long will this league exist. The doctors' organization has a membership of 82,000. The league's strength is 200,000, a large share of which is contributing funds to pay the campaign expenses. Thus you have the two forces—the first named old and seasoned and with professional interest involved, while the latter is but a year old, with personal and to some extent religious liberty behind it.

The political doctors sometimes argue that their intentions are purely philanthropic. Let us look at Chicago. In 1908 the Cook County Medical Society offered, and the city accepted, a plan for the inspection—almost free—of public-school children. The Chicago newspapers fell into the trap and boosted it along. A few days after the first inspection was only partly made, these newspapers spread the result all over their first pages, announcing that "60,000 school children require medical attendance." Nearly all of these boys and girls were sent home, often to distracted parents, with letters detailing the awful diseases that the youngsters had. You can guess how many of the 60,000 were hurried to a doctor's office! Some were operated upon for adenoids, at all the way from $10 to $75 per operation; others were fitted with spectacles, and others were given prescriptions.

Is there any doubt about the sordid high finance end of this thing? Or in sounding these frequent alarms about disease are the alarmists "zealously working," as Henry M. Hyde says in the Saturday Evening Post, "to the destruction of the prospects of their own business"?

In the Chicago case it looks as if the "political doctors" sounded an alarm that resulted in a shower of prescriptions, medical calls, operations—business.

Medical practice, generally speaking (excepting always a great many physicians who are in a high, proud class by themselves), is firmly established by the American Medical Association on a commercial basis with a department devoted to alarms with which the magazines and newspapers are being victimized because most of the editors are not giving the subject the thought it deserves, and are publishing the alarms and creating the business for the political doctors, who of all men have and express the greatest aversion for the press—this latter being a part of the ethics of so-called "regular" practice—except in times when an "alarm" is necessary, and then it must be sounded by the press "free gratis for nothing." To advertise is one of the wickedest and most unforgivable things a "regular" (allopath) can do, but there is no rule in any medical association that I know of which prevents a member from sending a "personal" to a city editor announcing that he—the doctor—is going out of town on a vacation, so his patients will understand that he hasn't quit business.

Every good citizen has the welfare of the school children at heart, and the interest shown by the political doctors is all right until we dig around and find out what is back of it.

NATIONAL LEAGUE FOR MEDICAL FREEDOM.
WILLIAM F. HOOKER,
Secretary Wisconsin Division.

WHAT THE DOCTORS SAY ABOUT IT.

Now, Mr. President, I desire to call attention to some of the things that have been said by doctors themselves with respect to this matter, not only in regard to the character of the efforts that are being made, but what they expect to accomplish by the efforts that they are making to secure the passage of this bill.

One of the prominent members of the American Medical Association, Prof. G. Frank Lydston, M. D., of the faculty of the medical department of the University of Illinois, in an address before the Ohio Valley Medical Association, November 10, 1909, said:

Under the present political régime the American Medical Association has developed into a medicopolitical and commercial trust, which is the direct antithesis of what the machine which runs it promised it should be.

Dr. Welch, president of the American Medical Association, said to Senator SMOOT:

I would simply like to throw out the suggestion that it may be that the Federal Government can exercise larger powers in this matter than is generally supposed to be the case.

Dr. Henry O. Marcy, former president of the American Medical Association, in an interview in the Boston Traveler on May 16, said of the opposition to the Owen bill:

It is the old cry of the incompetents who practice under various designations against legislation that will tend to bar them from practice

and keep the practice in the hands of those who will not be a menace to the public health.

There is the secret, Mr. President, of the effort that is being made in this direction. It is to bar those who are not supposed to have the necessary qualifications from the point of view of the American Medical Association from practicing the art of healing in any way whatever.

Dr. C. A. L. Reed, chairman of the legislative committee of the American Medical Association, says:

The principle that is involved is the same—that the man in possession of the technical knowledge which gives him a scientific comprehension of his subject and his problem * * * should have the executive authority to enforce that knowledge and not be overridden by a man who has no such technical knowledge, and consequently no such comprehension of the importance of the subject.

Now, see what it leads to, Mr. President. Who is going to determine who has the technical knowledge to deal with these questions if not the head of the department that is expected to be provided under this bill? Whatever his decree may be with respect to it, that will determine the qualifications of anybody connected with the administration of the public health. There is no way whatever provided for in this bill, or in any other way that I am aware of, that his judgment in that matter could be controlled in any way.

Prof. J. Pease Norton, of Yale University, in a speech before the American Association for the Advancement of Science, reprinted with approval in the Journal of the American Medical Association, said:

1. It seems desirable that a United States national department of health should be established, having as its head a secretary who shall be a member of the Executive Cabinet.
2. The purpose of the department should be to take all measures calculated, in the judgment of experts, to decrease deaths, to decrease sickness, and to increase physical and mental efficiency of citizens.
3. It should consist of the following bureaus:
National bureau of infant hygiene.
National bureau of education and schools.
National bureau of sanitation.
National bureau of pure food.
National bureau of registration of physicians and surgeons.
National bureau of registration of drugs, druggists, and drug manufacturers.
National bureau of registration of institutions of public and private relief, correction, detention, and residence.
National bureau of organic diseases.
National bureau of quarantine.
National bureau of health information.
National bureau of immigration.
National bureau of labor conditions.
National bureau of research, requiring statistics.
National bureau of research, requiring laboratories and equipment.

That simply shows the extent to which they propose to go if they succeed in establishing a department of health, and to my mind is quite significant.

THE FALSITY OF THE ARTICLES IN COLLIER'S WEEKLY.

Mr. President, I come now to the question of the truth or falsity of the articles contained in Collier's Weekly. I am not going to take up the time of the Senate in reviewing those articles. I have here certain very brief affidavits and also correspondence between the editor of Collier's Weekly and the officers of the League for Medical Freedom which will explain themselves and I think will clearly show that the articles contained in Collier's were not only false, but that they were knowingly so, and that they were malicious in their character.

They are as follows:

STATE OF NEW YORK, *County of New York, ss:*

Benjamin O. Flower, being first duly sworn, deposes and says that he is of lawful age and a resident of Boston, Suffolk County, Mass.; that he is the editor of the Twentieth Century Magazine, in said city of Boston, and is the president of the National League for Medical Freedom, the principal offices of which and headquarters are in New York City: that he is acquainted with the officers and directors of said league, and that their occupations are as follows:

That William R. Brown, the first vice president, of Indianapolis, Ind., is a director of the Brown-Ketcham Iron Works, of said city, and is also president of the Willett Press, of New York City.

Hon. Charles W. Miller, of Waverly, Iowa, who is the second vice president of said league, is the publisher of the Waverly Democrat, in said city of Waverly, and a member of the Legislature of the State of Iowa.

That Paul A. Harsch, of said league, is the president of the Clinton Close Co. and secretary of the E. H. Close Realty Co., both of Toledo, Ohio.

That the Astor Trust Co., treasurer of said league, is a well-known financial institution of New York City.

That Hon. John L. Bates, the general counsel for said league, was formerly governor of the Commonwealth of Massachusetts, and is now an attorney in active practice in Boston.

That Col. Frederick A. Bangs, the associate counsel of said league, is an attorney in active practice in the city of Chicago, Ill., with offices in the First National Bank Building.

That the directors of said league are nine in number, and are as follows: Benjamin O. Flower, Frederick A. Bangs, William R. Brown, Harry E. Lesan, Charles W. Miller, Diana Belais, Harry Linden Chiles, Howard P. Crutcher, and Paul A. Harsch.

That of said directors not hereinabove mentioned as officers, said Lesan is the head of the H. E. Lesan Advertising Agency, of the city of New York, which said agency, among other things, handles the advertising of the New York Central lines and the United States Motor Co.

That Mrs. Diana Belais is the President of the Antivivisection Society of New York.

That Harry L. Chiles, of Orange, N. J., is an osteopathic physician in good and regular standing and active practice in said city, and he is also the secretary of the American Osteopathic Association.

That Dr. Howard P. Crutcher, of Kansas City, Mo., is a homeopathic physician in good and regular standing and in active practice in the city of Kansas City, and is registrar of the Hahnemannian Medical Institute.

Affiant further states that the affairs and business of said National League for Medical Freedom are conducted and transacted by said officers and directors and their employees, and by none other.

Affiant further states that the membership of said league is upward of 135,000; that it is manifestly impossible for affiant to be cognizant of the business activities of so large a number, but that to the best of his knowledge and belief none of said members are manufacturers of fraudulent remedies, or of any remedies.

And affiant further declares no manufacturers of fraudulent remedies or other remedies have been solicited or requested to become members of said league or to contribute to its support by any of the officers thereof.

Affiant further states that but one contribution to the funds of said league has been received from a person known to be the manufacturer of a remedy, and that said contribution was declined with thanks and returned to the donor.

And further deponent saith not.

BENJAMIN O. FLOWER.

Subscribed and sworn to before me this — day of November, 1910.

——— ———.

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STATE OF NEW YORK, *County of New York, ss.*

Paul Arthur Harsch, being first duly sworn, deposes and says that he is the secretary of the National League for Medical Freedom: is in charge of its office and has the general conduct of its business: that he receives all remittances and contributions to the funds of said league, keeps proper books of account, and makes all deposits of receipts with the treasurer.

That, to the best of his knowledge and belief, none of the contributions to the funds of said league are from manufacturers of fraudulent remedies or of any remedies.

That no such manufacturers have ever been solicited to become members of said league or to contribute to its support by any of the officers thereof, and that the only contribution received from such a manufacturer was of the sum of $100, and was by this affiant returned to the donor with the thanks of the league.

Affiant further states that he has read the above and foregoing affidavit, signed by Benjamin O. Flower, that he is familiar with the facts therein set forth, and that the same are substantially true.

And further deponent saith not.

PAUL A. HARSCH.

Subscribed and sworn to before me this 12th day of November, 1910.

JAMES R. WRIGHT.
Notary Public, New York County.

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STATE OF NEW YORK, *County of New York, ss.*

Joseph R. Kathrens, being first duly sworn, upon oath deposes and says that he is acting secretary of the National League for Medical Freedom, of New York City. That, in conjunction with B. O. Flower and William D. Brown, he has been actively engaged in the formation of said league. That he knows the source of all subscriptions and incomes of this league, and declares upon his oath that no subscription or fund of any kind or character has been solicited or received by this league or by him from any individual, firm, or corporation in any manner engaged in the manufacture or sale of medicines or drugs, or from any association composed of individuals, firms, or corporations engaged in the making or selling of drugs or medicines.

In witness whereof he has hereunto set his hand and seal this 18th day of May, A. D. 1910.

JOS. R. KATHRENS.

Subscribed and sworn to before me this 18th day of May, A. D. 1910.

CHARLES ALVIN ROGERS,
Notary Public in and for the County of New York.

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CLEVELAND, OHIO, *June 28, 1911.*

Mr. ALBERT LEE,
Managing Editor of Collier's, New York City.

MY DEAR MR. LEE: Your office kindly sends me an Extracts Bulletin of June 3, for what reason I know not, unless you desire me to take some notice of the leading article. Because of the article's reference to previous squibs, I have also looked them up.

It seems to me that I have rarely read articles which more clearly ignored fundamentals and indulged in mere bickerings and small animosities than these. The animus of the writer is plain in his first sentence: "The League of Medical Freedom is a bunch we don't like." Then he proceeds to dislike them, and that is about all.

You attack B. O. Flower, but chiefly through R. C. Flower. B. O. Flower may have been president of a patent-medicine company, or he may not. I don't know. But B. O. Flower has a career as a public-spirited editor, fearless editor, and advanced publicist too long for Norman Hapgood to discredit or to require me to defend it. He is not one of the late comers in the fight against plutocracy, privilege, and all the corrupting influences which threaten our social and political system as Collier's is. I do not recall the date of your conversion to real democracy, but I know it has never been strong enough to keep you from supporting the tools of plutocracy, and I believe that B. O. Flower was an honored veteran in the fight against the very abuses which you now decry when Collier's was a mere book agent's journal.

Mrs. Belais you call a "well-meaning, ignorant, reckless, and muddle-headed agitator." Well, well, that sounds surprisingly like the descriptions which the "standpat" and pro-Ballinger journals were wont to make of Collier's. Not an argument in it; just a denunciation. You find fault because she is "president of an antiexperiment society" (without naming the society). Probably the lady is a member of some society which objected to the well-authenticated case (for example) of the eminent Philadelphia physicians who indulged in the pleasing experiments of inoculating the eyes of orphan children with tuberculosis, etc., just to see what would happen. Is Collier's a proexperimentalist in a case like that?

Collier's manages to work itself into a spasm of horror over anyone who hints that patent medicines may not be much worse than other medicines. Personally, I don't believe in patent medicines (as the term is generally understood), but is it very much worse to defend a patent medicine than to sneer at a woman who disbelieves in the wanton torture of animals and of defenseless children? Even is it very much worse to believe in a patent medicine which has its formula printed on the label, as some have, than to believe in a physician's prescription, being entirely ignorant of its contents, as most patients are? Is it?

I have no doubt that there are members of the league who are in it for ulterior purposes. That is true of any organization, but that is not the question. The question is, What is the league really trying to do, and doing?

You don't get down to the question at all, except in some ranting assertions. You sneer at Flower as the author of the pamphlet on bubonic plague, but why don't you answer the argument contained in the pamphlet? You talk about a "notorious Colorado quack," but who is the man and why is he a "quack"? You reach the limit of absurdity when you attribute an increase in the Chicago death rate in 1910 over that of 1908 to the "large membership of the league" in Chicago.

Really, Mr. Lee, you and Norm Hapgood and the rest of the bright bunch on Collier's ought not to allow such a fool statement to appear. It reflects so severely upon your known intelligence that one can not discuss it with patience. The league is strong in Cleveland, too, and just at present the death rate is less than 10 per 1,000. Is that due to the league? Not unless one argues as Collier's is arguing, which Heaven forbid!

You accuse the league of "gopher methods." Another sneer which means nothing. Your statements are prejudiced and intended to prejudice others. They are not fair, they are not honest. Collier's has published several editorials against the league and you say you have received many protests. Have you published any of the arguments of the protests? I haven't seen any. Suppose, then, some member of the league should refer to your methods as "pole-cat methods," because you stir up such a stench to becloud the issue. That wouldn't be polite, would it? And I wouldn't make such a reference to a magazine which I like (as a rule) as well as I do Collier's. Nor would I to any other. I am merely showing you how cheap your methods are, and how unpleasant they would be, were one to retaliate in kind. What are the "gopher methods" of the league? As far as I know, they have been singularly open. They have relied upon the "right of petition" and the weight of argument to defeat the establishment of a national board of health (?). When accused of being a "patent-medicine organization," they offered to disclose the list of contributors to their treasury to a properly authorized committee. Have you heard of any such offer by the league's opponents? Yet Collier's goes right on intimating that it is controlled by patent medicine interests.

But why not cease your bickering and get down to fundamentals? If you really think the league is a menace, why not state your real, and vital, objections to it and devote a certain space to the subject, pro and con? There would be something about an attitude like that which one could respect.

What is the fundamental item at issue? The league disbelieves in the establishment of State medicine, under the guise of a department of health, or a bureau of health.

Why does it so disbelieve? For reasons which ought certainly to appeal to Collier's. We have too much departmental rule in our Government now. Didn't you have enough of an experience of the corrupt strength of departmental government in the Ballinger case? You know it was only by a fortunate fluke that Ballinger was prevented from Morganheiming Alaska. Why? Because he was a departmental head and could interpret and execute laws both at the same time. The Post Office Department is another instance. Beneficent as it usually is, the Post Office Department abrogates the Constitution of the United States, and does it with impunity, and there is no appeal to any court which can prevent it. You know this, don't you? Departmental law and departmental justice are apt to be amenable to nothing except public opinion, and most of the time that isn't working, as you know.

Now, suppose you establish a department of medicine (no matter whether you call it a department or health or what), how long do you suppose it would be before the rights of all schools differing from it would be infringed? Just about long enough to get it into working order.

Would the American Medical Association be satisfied to have a department of medicine, or health, and allow a Christian Scientist, say, to be at the head of it? They would not. Neither would you; neither would I.

Would Collier's be satisfied to have a department of health and have B. O. Flower at the head of it? You would not. Neither would the American Medical Association. Why? Why, because you don't want a department of health. You want a department of medicine.

I am in favor of health legislation—when it is health legislation. I am in favor of pure-food laws, and I venture to say I would go further than Collier's in defining what "pure food" really is. For example, I do not consider cold-storage corpses, hog-fat shortened bakery goods, or insect-colored bottled fruits (all of which now exist, unlabeled) as pure foods.

I am in favor of sanitation—public and private—and I do not consider it sanitary to put diseased pus into healthy veins "to prevent disease." Collier's evidently does.

I believe in the preservation of the purity of our water supplies, and I decry the fatuousness of our present medicated sanitarians, who make no objections to the pollution of our water supplies by sewage, but want to purify it afterwards by filtering or chemicalizing.

I believe in health, in hygiene, and in humaneness, and in making medical laws I want all three to be considered.

I believe we should attain to pure-food conditions, sanitation, hygiene, health through separate enactments, so that our rights may be safeguarded in each case. (The initiative and referendum will help the safeguarding.) I do not believe we should deliver ourselves into the hands of a department of medicine as a salvation from our physical ills.

I have nothing against "regular physicians," except when they attempt to arrogate to themselves all medical wisdom and authority. Some of my best friends and my family physician are "regular" doctors. At the same time I reserve the right to consult an osteopath, homeopath, hydropath, or any other "path" or "nonpath." In other words, I believe in that freedom which Collier's decries, and I believe the great majority of the members of the National League for Medical Freedom are of like mind. I do not mean that they all believe as I do, except that they believe in letting the other fellow believe as he does, and they deny the right of a department to destroy that freedom.

Collier's may have better reasons than thus far given, but in this instance I can not but feel it has made a sorry spectacle of itself in its fight against freedom.

Sincerely, yours,

EDMUND VANCE COOKE,
30 Mayfield Road.

MAY 15.

Mr. NORMAN HAPGOOD,
Editor Collier's Weekly, New York City, N. Y.

DEAR MR. HAPGOOD: I received in Pittsburg your letter of May 11 asking for certain information concerning the National League for Medical Freedom, and promptly wired you that the information requested would be furnished as soon as the data could be gotten together, and that on my return to New York I would give you every facility for further investigation.

If you are going into the subject as thoroughly as you say you are—and as thoroughly as I hope you will—let as many as possible of your important questions and our answers be put in writing. Ask all the questions you want—verbally or otherwise—we will answer them frankly; but to avoid misunderstanding and the possibility of being misquoted, let us make written communications the foundation for anything you print.

About the "half dozen men who met at a New York hotel," the editor of the Digest says "they met one day." In reality they met on several different days and at several different times and places.

The persons who attended these conferences—the founders of the National League for Medical Freedom—were those who are its present directors, and are as follows:

Mr. W. R. Brown, of Indianapolis, Ind.; Mr. B. O. Flower, of Boston, Mass.; Mr. Charles W. Miller, of Waverly, Iowa; Dr. Lewis Pinkerton Crutcher, of Kansas City, Mo.; Dr. Harry Linden Chiles, of East Orange, N. J.; Mrs. Diana Belais, of New York; Mr. Frederick A. Bangs, of Chicago, Ill.; Mr. Paul A. Harsch, of Toledo, Ohio; and myself.

The affiliations of these people are as follows:

Mr. W. R. Brown is vice president of the Brown-Ketcham Iron Works, of Indianapolis, Ind., and Greensburg, Pa. He is a Christian Scientist.

Mr. B. O. Flower is the editor of the Twentieth Century Magazine, of Boston, Mass. He was the founder of the Arena and was its editor for years. When sick he employs the services of an allopathic physician, but for 20 years has been opposing the efforts of the allopathic profession to establish a medical monopoly. Because of his writings in favor of medical freedom and his excellent reputation for integrity and patriotism the position of temporary president of the league was offered to him by a representative of Mr. W. R. Brown and myself, and he accepted the offer, to be later unanimously elected permanent president. Last week he was unanimously reelected president for his second term.

Mr. Charles W. Miller was invited to attend the New York conferences by Mr. Brown, Mr. Flower, and myself because of his vigorous opposition to medical arrogance in the Iowa Legislature, a subject which will be treated fully by Mr. Miller.

Dr. Lewis Pinkerton Crutcher is one of the most prominent physicians in the homeopathic profession. He is a member of the faculty of the Hahnemann Medical Institute in Kansas City, Mo., and has been for years warning homeopaths in speeches and writings against the aggression of the allopathic monopoly and opposing the trust and political methods of the American Medical Association. He was offered a directorship of the league and accepted it, and has been stanchly supported in the league by thousands of homeopathic practitioners and their patients.

Dr. Harry Linden Chiles is secretary of the National Osteopathic Association. He accepted a directorship, and is also being supported by thousands of osteopathic practitioners and their patients.

Mrs. Diana Belais was offered a directorship because of her courageous efforts to secure a higher law in New York State than the doctors' cruel theories and professional arrogance. She is president of the New York Antivivisection Society.

Mr. Frederick A. Bangs is an ex-president of the Hamilton Club, of Chicago. He is a prominent attorney and a Christian Scientist.

Mr. Paul A. Harsch is secretary of the E. H. Close Realty Co., of Toledo, Ohio, and removed to New York to become secretary of the league. He is a Christian Scientist.

I am a Christian Scientist.

These persons joined the work at different times, but all within a few weeks.

The only person who was acting in any prominent way at first who is not acting now is Joseph R. Kathrens, at present Chicago office manager of the Lesan Advertising Agency. He was a director and secretary-treasurer during the first few weeks while Mr. Harsch was arranging to remove to New York from Toledo. He represented me.

These people have run the league from its inception by meetings, the records of which you are at liberty to see if you desire.

They have collected all moneys received and disbursed by popular subscriptions among their own affiliations and from no place else.

The amount of money collected up to May 2, 1911, was $94,274.39. The subscription books are open to you in detail for any investigation you want to make, and we will also be glad to tell you in detail what the money was spent for.

In the membership of approximately 200,000 at this time there are registered 7,500 individual subscriptions, ranging from 25 cents to $10,000. Many of these sums, however, have been made up from smaller sums secured by the person sending in the larger sum. It is likely, therefore, that fully 20,000 persons have subscribed. Where a large sum has been sent us we can secure the names of the individuals subscribing the aggregate.

In the membership there are nearly 10,000 physicians of all schools, and at this time the membership of the league is growing faster among physicians than among any other class of people.

These members, including physicians, have joined this league and subscribed their money from one motive and one motive only; i. e., to stop the dominant efforts of the allopathic medical oligarchy to establish a system of State compulsory medicine in this country and to insure to themselves and to all other American citizens the right to employ the practitioner of his choice.

In regard to the questions you ask about Messrs. Flower, Miller, Carr, Englehart, and Huhn, I have forwarded a request to each one of them for the information desired, and will give it to you as soon as it is received.

I will say, however, that I know now that some of the statements your questions imply are true, and I know that others are not true.

You misunderstood me about Mr. Flower. I said he was not now associated with his brother in the patent-medicine business, but did not say that he had not been so associated. I may even have been mistaken in this; Mr. Flower will answer that.

Even if all the things implied in your letter were admitted, I fail to see that anything has been established which in the least proves your sweeping statement that our membership is composed for the most part of people "hard hit by the pure food and drug act," or that we are "gophers," or that our money is secured from patent medicine and adulterated food sources, or that it is expended for anything even remotely connected with this subject.

In every movement in support of a principle there are likely to be found three elements which may be made the subject of criticism. First, those who join the movement for selfish purposes; second, those who join out of resentment toward those whom the movement opposes; and, third, those who may have at one time been associated with those whom you oppose, but have changed their views.

In a membership of 200,000 it would be foolish for us to say positively that not a single one of the first two types has slipped in, and any information of this kind you have will be gladly received. We welcome and defend those of the third type.

But we know who and what practically all of our 200,000 members are, and we know that they are in no way interested in the subject which you state that they are there to defend.

Nor can we say that not a dollar has ever been received from such a source as that you claim, but we know that not a dollar has been received from such a source known to any of the directors, and that money received from such sources has been returned, and help offered by these sources has been declined.

We also know that the method of securing the funds was such, and we are sufficiently familiar with the details of where this money came from to be able to prove that neither you nor any of your doctor friends can possibly be more antagonistic to the interests you claim we received it from, and for whose interests you claim we expended it, than are those who subscribed 99 per cent of the money for the league's support.

I hope this answers your letter of May 11 to the extent which it can be answered at this time. You say you will ask us a great many helpful questions. We shall be glad to have them as fast as you can prepare them, so that we can be working on the data, and would suggest personal conferences at any time, an investigation of the league books, a talk with our fiscal agent, the Astor Trust Co., or anything else that may be helpful to you, and then when that is all over we will ask you to go back to the original article which you published under the title of "A Bad Bunch," and go over it carefully with us and see what, if any, of the statements there made you have been able to prove or we have been able to disprove.

And then, of course, we will ask you to correct the wrong that you have done, and we feel sure that you will do so.

Sincerely,

THE NATIONAL LEAGUE FOR MEDICAL FREEDOM,
H. E. LESAN,
Chairman Committee on Publicity and Education.

—

COLLIER'S,
416 WEST THIRTEENTH STREET,
New York City, May 16, 1911.

DEAR MR. LESAN: On account of the condition on which you write the inclosed letter, which I have put in brackets on the first page, I think it only fair that I should return it to you.

In trying to find out what you definitely deny I had no intention of binding myself to cooperate with you in anything I may write in the future. I certainly shall not do that. I was merely trying to have the oral protest which you made the other day put in writing to avoid any possible misunderstanding.

Yours, very truly, NORMAN HAPGOOD.

—

MAY 17, 1911.

Mr. NORMAN HAPGOOD,
Editor Collier's Weekly, New York City.

DEAR MR. HAPGOOD: Replying to your letter of May 16, in which you return my letter of the 15th written as a protest of the National League for Medical Freedom against certain untrue statements made in Collier's issue of May 6, under the caption "A bad bunch."

I have been unfortunate in expressing myself, or you have read something into my letter that was not there.

I certainly had no intention of endeavoring to bind you to cooperate with me in anything you might write in the future on this or any other subject.

My purpose was exactly as you say, and that was to have our protest put in writing, and to let all such written communications become the foundation of anything which you printed which purported to quote the National League for Medical Freedom.

Outside of what statements we make—for which we are entirely responsible—and such modifications of your ideas as such statements of ours may make, we are not endeavoring to influence what you say in Collier's, though, of course, we would hold you responsible for anything that you said that was not true, and especially so after we had given you the opportunity to learn the truth.

Therefore I am sending back to you my letter of May 15, with this note of explanation, and would like to hear from you in regard to it.

Sincerely, yours,

H. E. LESAN.

—

COLLIER'S, *May 19, 1911.*

DEAR MR. LESAN: Thanks for yours of the 18th, which was of much interest to me.

I heartily return your personal satisfaction regarding the opportunity to talk it over, and am sorry that no matter how clearly the facts may be agreed upon in the long run by us, our principles and beliefs must be widely divergent. What I wish to do, if possible, is to make clear my opinion of the work that Christian Science is doing in the world, while at the same time making clear my strong belief in the medical profession and in the harm that is done by organized opposition to that profession.

Yours, sincerely,

NORMAN HAPGOOD.

Mr. H. E. LESAN,
881 Fourth Avenue, New York City.

MAY 22, 1911.

Mr. NORMAN HAPGOOD,
Collier's Weekly, New York City.

DEAR MR. HAPGOOD: I wrote you the last of the week that not later than Monday we would put certain information in your hands, as per your request.

We feel, however, that the situation, from our standpoint at least, has been somewhat changed by your communication of May 19.

If we understand your letter correctly, it means that when we have established that the things you said in Collier's about the league were untrue, that you then expect to justify your attack—or even to continue it—on the ground that an organization which protests against any of the methods of the so-called regular medical profession is inimical to the public welfare.

The directors of the league feel, in view of their frankness in placing all the information at your disposal—quite as much to save you embarrassment as to prove our own position—that they should not go any further in giving you an opportunity to learn the facts until they have some indication from you as to your intentions—

First, in regard to correcting false statements in Collier's of May 6.

Second, as to your future intention toward the National League for Medical Freedom.

On receipt of satisfactory assurances that you mean to be fair in correcting the wrong done us on May 6, and that you will not use the information given you in confidence for the purpose of proving you are wrong in one set of statements, to support your attack from another direction, we will be glad to submit the information.

Without such assurances the directors feel that they should adopt some other course of setting themselves right before the public.

This is all said, however, without any intention of abridging your right to express your opinions as you choose, and with every confidence on the part of all of us that your intentions are perfectly fair in regard to statements of fact, and that you will so assure us.

Sincerely, yours, H. E. LESAN.

—

WASHINGTON, D. C., *May 16, 1911.*

PAUL A. HARSCH,
Secretary National League for Medical Freedom,
New York, N. Y.

MY DEAR SIR: Referring to your letter of yesterday, in which you ask enlightenment as to questions propounded by Mr. Hapgood, of Collier's, is at hand. I will answer the questions in the order they are given:

"1. Did Mr. C. W. Miller, as a representative of the Legislature of Iowa, oppose the passage of the pure-food law in that State?"

Neither as a representative of the legislature or as a newspaper writer did I oppose the law in question. As a matter of fact the Iowa pure-food law was passed by the thirty-first general assembly whereas my legislative service did not begin until the thirty-second.

"2. Did he make a charge, decided to be false in court, that the Bremer County Medical Society had a fee schedule?"

With reference to this matter, I beg to state that there was never any denial of the fact that the Bremer County Medical Society had a fee schedule. The Bremer County Medical Society, in addition to its extortionate fee schedule, had a blacklist agreement under the terms of which any family in arrears to one member of the society and listed as poor pay by him would be refused attendance by any other member thereof save on a cash-in-advance basis or upon the order of the county commissioners or township trustees.

Because these agreements appeared to be in violation of the Iowa antitrust law the grand jury of my county found indictments against the physicians party thereto. I was summoned as a witness before the grand jury making these indictments, before whom I produced and gave into its hand an original copy of the fee schedule which had been printed for the guidance of the physician subscribing to it. The case never came to a formal trial, but all of the issues involved were thrashed out in a habeas corpus proceeding. The decision of the district court, subsequently confirmed by the supreme court, was that medical service was labor rather than a commodity, and that since the indicted physicians had but resorted to the ordinary devices of labor unions, they were without guilt in the eyes of the law. All of these various matters are referred to in some detail in the articles I contributed in the national magazines two years ago. Since I believe you have a copy of their compilation in your hands, would suggest that you submit them to Mr. Hapgood's perusal. Having turned his attention to this subject, I am inclined to believe he would find much in them both of interest and enlightenment.

In conclusion let me state that if wrongly accusing the Bremer County Medical Society of adopting a fee schedule would justify my description as part of a "bad bunch," the inference seems plain that the odium should be lifted from me and attached elsewhere, providing my accusation is shown to have been a simple statement of undisputed fact. Certainly no complaint would be lodged against me by Mr. Hapgood for making even an unfounded statement regarding the practices of a medical society that were not to its discredit, and I take it that he looks upon the employment of trust and union labor methods to extort unreasonable fees from the sick and ailing in the same light that I do. He seems wholly unaware of the fact, however, that practically all of the country medical societies affiliated with the American Medical Association maintain fee schedules such as I complained of with reference to the Bremer County Medical Society. He should be advised of this fact, along with the further fact that the supreme body not only urges the adoption of fee schedules by local societies, but goes so far as to suggest the prices that should be printed in them. Conclusive evidence on these points is furnished by the Journal of American Medicine, the official mouthpiece of the American Medical Association, and I would refer Mr. Hapgood in particular to the article from that publication which I submitted as part of my statement to the House committee at the hearing on the health bills last year.

I am glad that Mr. Hapgood is looking us up, and if he will display the same diligence in looking up the organization that is resorting to all manner of falsehood and misrepresentation for the purpose of discrediting the opposition to its selfish ambition, as I believe he will, the result can not be other than gratifying.

I beg to remain, very sincerely,

C. W. MILLER.

ATTITUDE OF CHRISTIAN SCIENTISTS TOWARD PURE-FOOD AND SANITARY LAWS.

Mr. President, in this connection I think it is well for me to correct an impression that prevails, no doubt very generally,

in regard to the attitude of Christian Scientists toward pure-food laws, sanitation laws, and other laws of similar character. It is generally given out—and, I suppose, generally believed—that Christian Scientists are opposed to all such legislation, which is a very great mistake. They believe in all kinds of sanitation that is necessary and proper for the purpose of preserving health. We have not yet reached that stage when we can simply say we will ignore all material means of that kind for the purpose of bettering the condition of our people and that we can heal disease in some other way and without such precautions. Christian Scientists try to be reasonable with respect to such matters. While they may believe that theirs is a better way, that may sometime become the exclusive way of dealing with sickness and disease, yet they submit to such legislation as being proper and right under the circumstances. You never find any Christian Scientist undertaking to violate or to repudiate or to in any way interfere with the administration of such laws. I want to say now that there is no truth in this statement that this movement is in any way allied with the people who are opposing the pure-food laws. It has no such foundation. The people who are honestly and conscientiously opposing this legislation have no sympathy with the people who are opposing pure-food laws and other laws of a similar character.

DOCTORS' FEE BILLS.

Mr. President, there has been some indignant protest against the claim that is made that the American Medical Association is attempting to establish throughout this country fee bills to regulate the amount of charges that shall be made by doctors irrespective of their ability or competency to do the work which they are attempting to do. For the purpose of meeting that position and showing that we have not been unjust with respect to it, but that we are acting upon sufficient information, I desire to embody in my remarks an article that has been written by Dr. J. N. McCormack, to whom I have heretofore referred, with respect to this matter of fee bills, calling attention to the fact and urging that that sort of control should be established throughout the country. The reason why the American Medical Association has not declared for establishing fee bills within its own ranks is very apparent. They do not compose all of the doctors in any neighborhood or in any county or locality. Therefore, if they, as an organization, were to establish the fee bills and be regulated and bound by them, the other physicians of the neighborhood would not, and consequently they would be at a disadvantage.

But the man who speaks for them, the man who is in a sense their walking delegate, goes about the country and advocates the establishment of these fixed charges, and says, in that connection, that it would not do for a part of the physicians in any locality to establish fee bills, but that it should be done by all of them. Therefore he is using the power of the American Medical Association to bring into that organization not only the members of the association itself, but all the physicians in any given locality where they are willing to be bound by such regulations. That will be proved by the article of the doctor himself, who is quite frank on that subject. It is as follows:

MEDICAL ECONOMICS, BY DR. J. N. M'CORMACK.

[From the Journal of the American Medical Association.]

The county societies and postgraduate courses furnish the facilities for doing the scientific and social features of this work. For the business side of it I am advising that the profession in each county or city consider the advisability of arranging for systematic monthly collections with a carefully selected business representative and a centrally located "medical collector's office," the collector to be under bond and on a definite salary, and with authority to appoint as many assistants as may be necessary, for whom he is responsible, very much as sheriffs and city collectors do.

The collector should be a man of tact and judgment; he should hold the affairs of each physician as strictly private and confidential, and he should be well paid.

* * * * * * *

For obvious reasons the schedule should be adopted by the profession as a whole or as individuals and not by the county society. The provision in the by-laws forbidding such action by the societies, inserted after careful consideration, was certainly wise under the conditions then and still existing, and probably should be permanently retained.

The membership in most societies embrace only about from one-half to three-fourths of the physicians of the county. While it is probable that all, including the former sectarians, will finally come in, this will be the work of years, and, although not absolutely essential, it is important that the schedule be agreed to pratically by all the active physicians of the jurisdiction, whether members or not.

The rates should not be too hard and fixed. There are people of moderate circumstances in almost every community—factory operatives and others—who ought to pay something, and yet should not pay full fee, and a wise discretion on this and similar points must be provided for in any plan which is to be comprehensive and successful. The orders for arrangement and the items of practice included are as seems best suited for most counties and communities, but the purpose is to make it so simple and flexible that it can be altered to suit varying conditions and views. For instance, if it is thought best, fees for fractures and dislocations or any other surgical or special work can be easily added. It will be noted that a broad distinction is made between ordinary and complete office examinations, including a thorough examination of the chest, urinalysis, and other like work involving extra time and skill. My own opinion is that a double charge should be made for night practice for well-to-do people, but I have yielded to the views of others on this point. Telephone practice is so annoying, exacting, and unsatisfactory that it certainly should be paid for, except where regular visits are being made, and in all cases after bedtime. Consultations are purposely made low in order to develop and encourage this variety of practice.

The form of schedule suggested and the footnote as they should go on the placard are as follows:

Schedule of medical fees for ——— County.

Day visit in town	$2.00
Night visit in town	3.00
Day visit in country, first mile, $2; each after mile, one way	1.00
Night visit in country, first mile, $3; each after mile, one way	1.50
Ordinary office examination and advice	1.00
Complete examination and advice	5.00
Advice or prescription by telephone	1.00
Obstetric case, uncomplicated, not over 6 hours	15.00
Life-insurance examinations	5.00

Consultation, double ordinary visit.
Surgical and other special fees as may be arranged.

I have also, Mr. President, a letter here from B. O. Flower, president of the League for Medical Freedom, and a statement accompanying it showing the falsity of the articles in Collier's Weekly. They are as follows:

[Extracts from letter of Mr. Flower.]

BOSTON, MASS., *June 28, 1911.*

Hon. JOHN D. WORKS,
United States Senate Chamber,
Washington, D. C.

MY DEAR JUDGE: Mr. Hapgood's article is a tissue of misrepresentations, and misrepresentations that were knowingly made. For example, I wrote a letter to Mr. Lesan, which he forwarded to Hapgood, in which I stated that I had devoted my entire time to literary work from 1889; that I had not invested one dollar, directly or indirectly, in proprietary medicines or in any other business matters outside of the publication business; that my position in regard to proprietary medicines and the protection of the people from drugs and poisons had always been outspoken and on the side of genuine protection for the people. After one year of investigation, trying to find something in my record or history that he could use to discredit me, he so signally fails that he singles out a member of my family and seeks to discredit me through assailing that member, although I have never had a particle of business relations with that member since 1889 and that party has never been connected directly or indirectly with the National League for Medical Freedom. The dragging of the name in was done, of course, to try to discredit me. In the same way he has tried to discredit Mr. Miller by innuendoes and false implications. His attack on Mrs. Belais was one of the most shameful and insulting characterizations possible, aimed against a woman of remarkably clear mental vision, of strong moral convictions, high minded, and in every way worthy of esteem. Of our entire advisory board Hapgood is able to find three persons that he claims have been interested in or have defended proprietary medicines. Mr. Huhn is connected with a proprietary medicine concern, but in that concern there are over 2,000 members of the American Medical Association, the association that is pretending to be so desirous of driving out of business proprietary medicines.

I am taking the liberty of inclosing to you a detailed statement in regard to Collier's article, which I have prepared. This is sent to you because I thought you might like to have the data in case any questions should come up relating to points in this article. I have gone somewhat into the details in regard to what Hapgood stated about my connection with my brother's company—a connection which he knew ended in 1889, but which, in his paper, he stated extended to 1899, or about 10 years after the company had gone out of business. I have also gone into considerable detail in regard to other members of my own family and my own literary work, etc. All this is offensive and unpleasant to me. I had preferred not to mention anything about my family relations or my own work, but since Collier's has attacked me on account of one member of my family, I felt I was justified in referring to other members of the family who have held large and honorable positions on both sides of the water, and I have mentioned my own work simply for the purpose of giving to you the opportunity, if any attack was made upon me any time, to refer to what I had done. The other points in this communication, I think, you may find helpful to you.

Cordially, yours, B. O. FLOWER.

STATEMENT OF LEAGUE FOR MEDICAL FREEDOM IN ANSWER TO ARTICLE IN COLLIER'S WEEKLY.

1. In the recent attack made by Collier's on the National League for Medical Freedom, thoughtful and intelligent readers can not fail to be impressed with the fact that this journal makes no attempt to meet the arguments or the position taken by the league and its representatives; no attempt to consider whether the position taken is sound, reasonable, and in accord with the spirit of democracy, the rightful freedom of the people, and the best interests of scientific advance. This journal starts out with the assumption that the ever-changing fads, theories, and dogmas of the so-called regular school of medicine are the infallible truths, and that those who question the right of these would-be, self-appointed censors of public health to secure compulsory medication and the enactment of legislation inimical to the rights of the citizen—legislation that would tend to prevent him from employing the practitioner of his choice or which would compel him to submit to treatments that he believes to be dangerous—are enemies to the public weal; that their motives should be impugned and their views misrepresented, and they should be made the victim of abusive epithets. Instead of a free, candid, fair discussion of the merits of the issues and arguments involved, such as would be worthy of honorable journalism, this publication chooses to attack individuals and substitute epithets and innuendoes for arguments. It is no new thing to find those who feel they can not meet arguments or successfully refute the position taken by an antagonist, to resort to mud slinging. This is precisely what Collier's has done, and, in this instance, the attempt is so pitifully weak that only by resorting to the subterfuges of the pettifogger could it hope to throw dust in the eyes of even its most careless and superficial readers. Here we find misstatements of facts

and unwarranted inferences hand in hand with unjustifiable interpretations and insulting epithets, which the defenders of a bad cause so often rely on to enable them to ignore arguments and which they hope may so discredit the opposition that its reasons and arguments will not carry the weight that they merit. Let us examine the facts.

2. The editor of Collier's, before he penned his misleading article, had in his possession the facts that the president of the league had, since 1889, or for more than 20 years, devoted his entire time to editorial and literary work, and that during this time he had not invested one dollar in any proprietary medicine or drug concern whatsoever, nor had he received one dollar directly or indirectly from such source, and that no relative or friend, so far as he knew, had directly or indirectly any interest of any description in any proprietary medicine for sometime prior to the organization of the National League for Medical Freedom or since its organization. These facts were placed in the hands of the editor of Collier's so that he would not inadvertently make any false statements. Yet in the article in Collier's the statement is made that the president of the league was an officer in a medical company from 1885 to 1899 It is a fact, which the president of the league has never denied, that during the eighties of the last century he served for a time as secretary to a brother who enjoyed a large medical practice, numbering among his patients a great many persons of prominence, such as Col. Thomas A. Scott, Joseph Jefferson, the actor, and scores of other prominent persons, who testified to the fact that under his treatment they had received great benefits after failing to receive benefits from other physicians. During this period a company was organized to place on the market a few of the remedies that had seemed to be particularly effective in a great number of cases. At this time this brother also had a sanitarium in Boston with a staff of able medical assistants. One of these has since been a State examiner on the board of health in Massachusetts. In 1889 the president of the league severed all business connections with his brother and devoted his entire time to literary work, and he was not in any way connected with the business, directly or indirectly, after 1889, and not 1899, as stated by Collier's.

After a year's searching to find something against the president of the league that could be used in a mud-slinging campaign, the editor confesses his weakness by denouncing another member of the president's family, who never had any connection, directly or indirectly, with the league, and with whom the president of the league has had no business connections for more than a score of years. To try to discredit one man by attacking another member of his family may serve the purpose of such a sheet as Collier's, that prefers epithets to arguments, but it is not a method that will appeal to fair-minded or reason-governed persons.

If the editor had taken the trouble to investigate the family of the president, he would have found that if one of its members had been discredited in the public mind a great number of others had occupied positions of honor and enjoyed the love and respect of millions of people.

The eldest brother of the president was, to the time of his death, one of the leading pulpit orators and pastors in the Church of the Disciples, or Christian Church—the church to which President Garfield belonged. His father was, for more than 60 years, or to the time of his death at the age of 84, an honored and successful minister in the Disciple Church, being one of the pioneers in that denomination and the founder of scores of flourishing churches. A great-uncle of the president, Edward Fordham Flower, settled in Stratford-on-Avon, England. He was several times elected mayor of Stratford. One of his sons, Charles, was the chief promoter and contributor to the building of the famous Shakespearean Memorial Theater, of Stratford. Another brother, Edward, did more than any other person to restore historic Stratford, to preserve such historic buildings as the Ann Hathaway cottage, the birthplace of Shakespeare, etc. A third son was the celebrated English scientist, naturalist, and surgeon, Sir William H. Flower. He was the author of over 300 published works, one of Queen Victoria's surgeons, and, for many years prior to his death, head of the department of natural history of the British Museum. Sir William H. Flower was one of the principal contributors on natural-history subjects to the ninth edition of the Encyclopedia Britannica. It was Sarah Flower Adams, another of the president's ancestors, who penned the world-famous hymn, "Nearer, my God, to Thee." These are but a few relatives of the president of the league, who have justly won a commanding place in public affection and esteem because they have been servants of progress and civilization.

During the past 22 years the president of the league, besides being the editor of the Arena and later of the Twentieth Century Magazine, has written a number of important volumes, embracing historical works, social and economic studies, biographies, and literary criticisms. Most of these volumes have enjoyed large circulation in America, England, and Australasia, and at least one of the works has been translated into German and published in Berlin. Among his leading cloth-bound volumes are: The Century of Sir Thomas More, an historical survey of the first century of modern times; How England Averted a Revolution of Force, an historical study of the first 10 years of Queen Victoria's reign; Civilization's Inferno, or Studies in the Social Cellar; The New Time, a plea for the union of the moral forces for practical progress; Whittier: Prophet, Poet, and Man; Gerald Massey: Poet, Prophet, and Mystic; Lessons Learned from Other Lives, a book of short biographical sketches; and Persons, Places, and Ideas, a volume of literary and critical essays.

Here is a man who for 22 years has been in public life and has been under the full glare of publicity, aggressively battling for political, social, and economic justice, an editor and author of distinction, a man loved best by those who know him best, and universally respected by those who are acquainted with his life, a man who, as the editor of Collier's knew before he wrote his article, had devoted the past 22 years of his life entirely to literary work and the furtherance of fundamental democracy and economic advancement, and during this time had not invested one dollar in proprietary medicines or received a dollar from any proprietary or drug interest, and that he had not only not advocated or defended proprietary medicines, but had advocated legislation, as will be presently shown, that would compel every manufacturer of proprietary medicines to clearly label the exact contents of his remedies; and this person is cited by Collier's as a leading officer of the league to prove that the league is interested in and supported by the proprietary-medicine interests. After months' or a year's investigation Collier's find it necessary to seek to discredit the president by attacking a relative with whom the president has had no business connections for more than a score of years. But this is not all.

The editor of Collier's evidently felt it necessary to convey the idea that this man, who he knows had not for more than a score of years invested a dollar in any proprietary medicine or drug interest or received a dollar from any such interest, and who has no relations or friends engaged in this business, was a defender of patent medicines, else his claim would be so palpably absurd as to render his journal ridiculous in the eyes of thinking people. So what does he do? He searches to find out some line in the president's writings that might be construed as in advocacy of proprietary medicines. He could not have failed to find that here, as elsewhere, the president had been outspoken and fearless in the expression of his opinions, but he must also have seen that his demands and suggestions for safeguarding the people's rights were the very thing that the proprietary medicine interests would most strongly oppose if the medicines were, as the editor of Collier's would have the people believe, composed of dangerous poisons or habit-forming drugs or otherwise worthless compositions. Instead of daring to copy any comprehensive statement of Mr. Flower on the subject of proprietary medicines, because he knew it would utterly discredit and disprove Collier's claims, this editor resorts to one of the most contemptible methods of misrepresentation that a sensational journalist can stoop to. He takes one sentence apart from the context and dismisses it as if it was one of many statements favorable to proprietary medicine interests. Thus, he says: "His views on patent medicines are often expressed. For instance: 'I think that a great majority of proprietary medicines are infinitely less dangerous to the public than the majority of regular doctors' prescriptions.'" In passing it may be observed that Mr. Flower stands firmly on this position, holding that the great majority of proprietary medicines have been simple remedies that, in the hands of successful family physicians, have seemed to work cures, and that the great majority of men who to-day are under the influence of opium, chloral, cocaine, and other habit-forming drugs have been brought to their present condition through physicians' prescriptions, and that the great majority of dangerous medicines administered to the people have been and are being given by the regular profession.

The editor of Collier's spoke truly when he said the president's "views are often expressed," but he did not dare to give the public those well-known views, simply because to do so would expose his own insincerity. For the benefit of the public, and to show how thoroughly Collier's statement misrepresents the president's position on this question, we give below his unequivocal views in regard to patent medicines and the rights of the people as published nearly a year ago, that the readers may judge for themselves:

"DRUG CONSUMPTION AND THE PUBLIC.

"Passing from the consideration of foods to that of drugs and medicines, we find ourselves in the presence of general charges, some of them not worthy of special attention and others calling for serious consideration.

"It is claimed that the people of the United States annually spend many millions of dollars for patent or proprietary medicines, and some of our medical brethren have pointed out that this amount of money is thus lost to the profession. They might even go much further and say that the amount paid by the people would probably be far greater if they were forced to depend upon the doctors instead of the family medicines, for a bottle of some simple or family medicine frequently prevents the family sending for a doctor for many common ailments and thus incurring a bill many times greater than the cost of several bottles of medicines.

"We hold no brief for the proprietary-medicine manufacturers, and would heartily favor any legislation that would compel full publicity as to the nature and composition of the various medicines so popular with the people, provided the same measure of wholesome publicity be extended to the doctors' prescriptions, for we believe the people have a right to know what they take and that no class of vendors or prescribers of foods or medicines should be immune.

"It is true that not a few of the old and popular proprietary remedies were originally favorite prescriptions of family physicians enjoying large practices. The medicines that were later put on the market had seemed to be peculiarly efficacious, and the doctor or some druggist subsequently began their manufacture and sale to the public. In recent years, since the craze for getting rich has become a national mania, a number of new preparations, some of them said to contain small quantities of opium, chloral, cocaine, and other habit-forming drugs, have been put on the market, and the charge is made that in certain instances the drugs contained in these medicines might easily lead to death through carelessness of the consumer, or in other instances there is grave danger of brain and nerve destroying habits following the use of the medicines. The first charge is far less serious than the second. As a matter of fact, few manufacturers of proprietary medicines would dare to take any risk with the careless general purchaser of drugs by putting large quantities of any deadly poison in his preparations, even if such drugs were not too expensive to be used in such preparations.

"The charge that there are medicines on the market containing sufficient opium in some form, or cocaine or chloral, to lead to drug habits on the part of innocent victims deserves serious consideration, for in our age of stress, business excitement, rush, and worry a large proportion of our people have little reserve or resisting power, and stimulents and habit-forming drugs soon play havoc with their victims. We hold that under no circumstances whatever should any habit-forming drug be dispensed without the consumer's full knowledge as to what he is taking, and if such drugs are to be dispensed in any way that there should be legal requirements compelling every manufacturer of any preparation containing any poison or habit-forming drug to put a red label on every bottle or package, on which should be printed in plain English the name of the drug and the amount of the same used in the preparation. This we believe to be a rightful protection that should be demanded, and a penalty should follow any attempt on the part of manufacturers to deceive the consumer by failure thus to warn him of the dangerous drugs contained in the preparations.

"IMPERATIVE NECESSITY OF PUBLICITY IN THE PRESCRIPTION OF ALL HABIT-FORMING DRUGS.

"But this protection does not go far enough. It entirely ignores the chief cause of the alarming increase in the drug habit among our people. We think it is quite safe to say that at least 90 per cent of the victims of opium, chloral, cocaine, and other brain and nerve-destroying drugs contract these habits through prescriptions given by regular doctors, and in a large number of cases the patients are entirely ignorant of the nature of the drug that is administered or of the fact that they are taking any habit-forming poison. When one thinks of the great army of victims of opium, chloral, and cocaine, whose lives have been wrecked and who are dragging out a living death, who were innocently introduced to these enslaving drugs by physicians, he realizes the imperative need for prompt legislation compelling every physician who prescribes these medicines to write the prescription in plain English, in red ink, as red, being the poison color, would help warn the patient of lurking danger in the prescription. This legal regulation would give the patient a needed protection. Then, if he desired to take the risk, he could do so, but it would give him the chance to escape what in thousands and tens of thousands of cases has proved a fatal curse

innocently contracted by the taking of medicines about the composition of which he was ignorant.

"Will the political doctors, who have been so loudly clamoring for the protection of the people from proprietary medicines supposed to contain minute proportions of some habit-forming drug, join us in demanding that the people be made acquainted with the presence of such drugs in all preparations and in all prescriptions which go into their hands?

"That in the great majority of cases where persons have contracted the drug habit they first acquired a taste for the poison from doctors' prescriptions, will not, we imagine, be questioned. That the people have a right to know of their peril before running the risk of coming under the influence of opium and other subtle poisons is evident. Hence, if the solicitations of our medical brethren for protection of the "dear people" are sincere, they certainly will unite in this demand to afford genuine protection without vicious class distinction. If they are honest in their pretensions and realize the magnitude of the curse, they will join in urging that the chief source of this evil, no less than minor sources, be brought under such legal provisions as will give the people at least protective knowledge. If, on the other hand, the political doctors are merely bent on building up a great nation-wide Medical Trust or monopoly, and are using this plea as the advocates of special legislation among the physicians in the various States have been wont to use similar pleas when seeking restrictive legislation, they will oppose this genuine attempt to protect the people. And we confess that we have small hope of the aid of the drug-dispensing political doctors in this important crusade, and one thing that makes us doubt is their action when an opportunity similar to the above was given them in the State of Iowa. There a measure was introduced providing for the use of red labels on certain proprietary medicines. The second vice president of the National League for Medical Freedom, Hon. Charles W. Miller, a member of the legislature, while approving the legislation provided it be made general and not class in character, and provided it be so shaped as to afford real protection for the people, amended the proposed bill by providing that physicians who dispensed opium, chloral, and similar drugs should write their prescriptions in plain English, in red ink. This simple and thoroughly proper amendment created consternation in the camp of the political doctors, and every effort was made to have the amendment stricken out. Failing in this, the bill was defeated.

"Clearly, if the protection of the people is the purpose of our lawmakers, and not the aggrandizement of a great privilege-seeking class, the laws enacted must be so comprehensive as to include in their scope the class chiefly responsible for the evils against which the citizen is to be warned, as in the case of habit-forming drugs.

"Nothing is more vicious than class legislation or legislation that gives special advantage to a class or classes. Indeed, now as never before is it vitally important to scrutinize all legislation proposed, to see if there is not behind it some great special interest seeking power or financial advantage as a result of the proposed laws or enactments. Never has there been a time when it was so imperatively necessary to carefully frame laws so as to prevent any class, profession, sect, or group of people from gaining a position that might enable them to infringe on the rights of the individual through legislative warrant or bureaucratic rulings."

We venture the prediction that a law passed for the genuine protection of the people, such as Mr. Flower advocates above, would do more to protect the people from the danger of the drug habit and to defend and protect them from being made the victims of deception on the part of proprietary medicine manufacturers or doctors, than all the class medical legislation that the monopoly-seeking doctors have secured during the past 50 years, but such legislation would not promote the monopoly the political doctors are seeking, and would protect the people from dangerous prescriptions as well as questionable medicines that may be put upon the market. It would be important and genuine protective legislation in so far as the people are concerned, and it would not be class legislation in the interest of the increased power and wealth for State-protected or privileged doctors. Hence such legislation would be opposed by the political doctors just as it was opposed by them when offered by the Hon. Charles W. Miller in the Iowa Legislature.

3. Next we come to notice the attack by insinuation on the Hon. Charles W. Miller, second vice president of the league. This attack is as follows:

"Charles W. Miller, second vice president of the league, was also one of the founders. In his newspaper, which publishes patent-medicine advertising, he has constantly fought the medical profession. Last year one of his addresses against what he called 'a doctors' trust' was delivered to the Dairy Association of Baltimore. We may say in passing that Collier's does not believe in freedom to sell tuberculosis milk any more than it does to sell tuberculosis meat."

Mr. Miller has for years been the Democratic leader of the Iowa Legislature, and was formerly State chairman of the Democratic Party. His position shows the confidence of his own neighbors and of his party in his intelligence and uprightness. He owned until lately a county newspaper, and it is probable that he published proprietary medicine advertisements in his columns, as does almost every struggling county newspaper in the land. Mr. Miller has opposed the attempts of the doctors to blacklist other physicians in the interest of the doctors' monopoly or union. He opposed the attempt to raise the fee scale that would take vast sums from the pockets of the struggling farmers and working men and women unfortunate enough to be sick, and he tried to secure legislation that would compel the doctors to write their prescriptions which contained deadly poisons and habit-forming drugs in plain English and in red ink, so that their patients might enjoy at least measurable protection against drugs that might easily enslave them or injure their constitutions. All these things, which right-minded people will heartily applaud, were doubtless grievous offenses in the eyes of Drs. Simmons, McCormack, and Reed, the three master spirits in building up the politico-medical machine of the American Medical Association, and also in the eyes of Collier's, which appears to hold a brief for this association. Again, it is doubtless true, as Collier's points out, that Mr. Miller appeared before a dairy association, just as he has appeared before the congressional committee and has appeared before various other public bodies, to protest against the monopoly-seeking legislation of the American Medical Association. To point out the trust character of the legislation sought by the political doctors may be a serious offense in the eyes of Collier's, but it is not likely to impress any unbiased or fair-minded person as being other than a perfectly proper proceeding, provided his position was well taken and his argument convincing, and all persons who have listened to Mr. Miller's arguments or read his addresses will, we think, be impressed with the fact that he has clearly established his claims, and it will be observed that Collier's very carefully refrains from giving Mr. Miller's arguments. We venture to say that if they had published the address in full ninety-nine out of every hundred unbiased readers of that publication would have unhesitatingly declared that the member of the Iowa Legislature had thoroughly maintained his contention.

4. Next we come to Collier's attack on Mrs. Diana Belais. Perhaps nothing in this whole discreditable and shameless exhibition of the Collier brand of journalism is more characteristic or more calculated to arouse the contempt of all right-minded people than the following:

"Mrs. Diana Belais, a director and also a founder, has appeared before in this paper as president of an antiexperiment society—a well-meaning, but ignorant, reckless, and muddle-headed agitator."

Mrs. Belais is the president of the New York State Anti-Vivisection Society. She is a clear-visioned, logical, and intellectually brilliant woman, whose enlightened conscience revolts against the horrible sufferings imposed by the vivisectors on helpless dumb animals. With her stand such distinctly great scientific physicians as Dr. Edward Berdoe, M. R. C. S. (England) and L. R. C. P. (Edinburgh), one of England's greatest physicians, medical authors, and scientific investigators, and other physicians of international reputation.

Mrs. Belais's offense in the eyes of Collier's is that she has dared to oppose what thousands of the most enlightened of our people hold to be brutal, unnecessary, and dehumanizing cruelty practiced on dumb animals. The doctors wish a free hand in their reckless experimentation, and Collier's, in lieu of arguments to oppose Mrs. Belais's strong and reason-compelling pleas, resorts to abusive epithets against a high-minded, cultured, and thoroughly civilized woman, glibly characterizing her as "ignorant, reckless, and muddle-headed."

Last summer Mrs. Belais delivered an address before the Interstate and Foreign Commerce Committee of the House of Representatives in Washington that was strong, clearly reasoned, and logical—an address which called forth a number of expressions of sincere admiration from those present, some of whom were not in sympathy with the league in its position. But because Mrs. Belais intelligently and ably opposes cruel experimentation on helpless animals, she is denounced as "ignorant, reckless, and muddle-headed" by this modern champion of monopoly-seeking doctors and twentieth century example of the chivalry of the press.

We confess we are surprised that W. R. Brown, first vice president of the league and manager of the Brown-Ketcham Co., one of the great steel constructing concerns of this country, escaped criticism, for is it not possible that some of the buildings erected by this company may to-day house druggists who make or at least sell proprietary medicines? Then there is Dr. Lewis Pinkerton Crutcher, registrar and professor of materia medica in the Hahnemann Medical College, of Kansas City, Mo., one of the ablest educators, authors, and physicians in the homeopathic school; Dr. Harry C. Chiles, one of the leading osteopaths of the land. Both these men are representative and influential members in their schools of practice and are active directors in the league, and, as Collier's must know, would not actively associate with any organization that was promoted by the proprietary medicine interests or those who opposed pure-food legislation. Then there is Col. Frederick C. Bangs, another active director, who is a prominent attorney in Chicago. Is it possible that Collier's sleuths have been unable to discover some instance where Col. Bangs may have been consulted by a druggist or some person who makes or sells proprietary medicines?

5. So much for the active officers of the league. Next Collier's attacks the personnel of the advisory board of the league. Out of 200 members of this board the editor of Collier's has been able to discover but 3 persons who either at some time were interested in proprietary medicine interests or who have defended the proprietary medicine interests against the champions of the ethical remedies, many of which are deadly poisons, but which are approved by the American Medical Association. He finds that S. C. Carr, the editor of the Columbus Medical Journal, was at one time interested in a proprietary medical concern; that George P. Englehard, editor of the Medical Standard, has defended proprietary medicine interests; and that Charles Huhn, president of the National Association of Retail Druggists, is an officer in a cooperative proprietary medical concern. After a year Collier's sleuths have actually found 3 persons out of 200 who are or have been connected with proprietary medicine interests or who have had the temerity to say a good word for these medicines, and all this is advanced to prove that the National League for Medical Freedom is, to use the elegant language of this journal of civilization, "a bad bunch," and that it is opposed to pure-food legislation and an upholder of proprietary medicine interests. Collier's very wisely refrains from calling attention to the advisory board of the league as a whole, as its list contains as notable a company of strong, fine, public-spirited men and women as we think have ever appeared on an advisory board of any organization.

A few typical names on this list will show why Collier's does not care to mention the personnel of the advisory board. Among the distinguished physicians are: Dr. William E. Leonard, for 19 years professor of materia medica in the University of Minnesota; Dr. A. F. Stephens, one of the leading physicians, educators, and authors of the eclectic school of medicine; Dr. W. A. Dewey, editor of the Medical Century, one of the largest homeopathic journals published; Dr. Joseph D. Harrigan, New York City, a prominent homeopathic physician; Dr. John Perrins, vice president of the National Eclectic Medical Association; Dr. George W. Thompson, president of the faculty of the Eclectic College of New York; Dr. Claude E. Laws, president of the Arkansas State Eclectic Board of Medical Examiners; Edmund Vance Cook, author and lecturer; Charles Major, the popular author; William Ordway Partridge, the eminent sculptor; Orison S. Marden, editor of Success; Mrs. Clara Barton; Mrs. John Logan; Mrs. George T. Oliver; May Wright Sewall; ex-United States Senator William V. Allen; William D. Baldwin, president of the Otis Elevator Co., of New York City; Col. Robert C. Clowry, ex-president of the Western Union Telegraph Co.; Benage S. Joselin, president of the Portland Railway, Light & Power Co.; and Edwin T. Earl, publisher of the Los Angeles Express. These names are typical representatives of the advisory board and the membership of the National League for Medical Freedom—the league which Collier's would have its credulous readers believe is the enemy of the public weal.

Evidently fearing the loss of subscriptions from Christian Scientists, Collier's throws this sop to them: "Few mere observers rate the benefits that Christian Science has brought the community more highly than we do." And yet the fact remains, and none know this fact better than Collier's, that the American Medical Association, whose program is so enthusiastically indorsed by Collier's, through its State societies has been seeking and is seeking tirelessly to secure legislation that would prevent Christian Scientists from practicing, and thus deprive tens and hundreds of thousands of intelligent American people from the

enjoyment of this treatment when they desire its administration. At the present time in the city in which Collier's magazine is published the New York Medical Society, a component part of the State society, which in turn is an integral part of the American Medical Association, is trying through the courts to harass Christian Science practitioners under legislation which the doctors claimed when it was passed would not interfere with such practice.

6. The league has consistently from the beginning addressed itself to appeals to the reason of the public by arguments and citations of facts to maintain its position. It has held that certain great vital issues are at stake, issues vital to the most sacred rights of the people, and also to the cause of sound scientific advancement, and it has chosen to advance arguments rather than to indulge in abusive epithets. It has refused to engage in a mud-slinging campaign, and has only asked that the issues involved be fairly met and freely discussed, but in passing it may be pardoned for venturing an observation as a possible explanation for the activity of Collier's in its militant championing of the American Medical Association and the political doctors.

Some years ago when Collier's was preparing to attack the proprietary medicines its canvassers were sent to the doctors with special inducements to subscribe. A well-known physician thus describes the methods of the canvasser who approached him: After extolling Collier's and showing a book premium that made the magazine practically a free gift or the book a free gift if the doctor would consent to take Collier's—we do not remember now which way the matter was put by the canvasser—he next proceeded to enlarge on the fact that the American people were paying out millions of dollars every year for proprietary medicines that ought to go into the pockets of the doctors. Now, he explained Collier's proposed to make a great campaign against the proprietary medicines, and this would naturally greatly increase the revenues of the doctors. Therefore the doctors should support Collier's. This was the substance of the canvasser's song, and doubtless through this method Collier's received a great number of physicians as subscribers. Naturally enough they desire to retain this clientele, and there is nothing discreditable about their desire to do so, even by opposing the league, provided that in doing so they employ honorable methods of argument instead of resorting to a mud-slinging attack marked by vituperations, abusive epithets, and unjustifiable inuendos. Had the league desired to turn aside from its campaign addressed to the reason and sense of fairness of the people and marked by arguments, historical facts, and legitimate conclusions to a criticism of the personnel of the master spirits of the opposition, it could have easily dwelt at length on the damaging and unrefuted charges that have been advanced against a number of those who have been chiefly responsible for building up the political machine of the American Medical Association, but it has striven to hold to principles, and not cloud its issues by injecting personalities into its campaign, feeling that its cause was just, righteous, and in the interests of the cause of scientific advance no less than of the people's rights.

SCOPE AND PURPOSE OF THE BILL.

Mr. President, I now come to a consideration of the scope of the bill itself as it is presented. In order to show what the position and understanding of the Senator from Oklahoma, the author of the bill, is, I desire to read a few words from what he said before the Senate committee having a similar bill under consideration:

Senator OWEN. Mr. Chairman, may I be permitted to make a statement?

The CHAIRMAN. Certainly.

Senator OWEN. I wish to say that the only important point in this bill is the coordination of the principal health agencies of the Government; the detail of it is a matter that is immaterial. The only question of importance is—and the only question upon which I personally desire to have the evidence is—the desirability of a department with a seat in the Cabinet. I do not care anything about the details. If the committee determines on a department then the details could be arranged, but the time is very short.

I also want in this connection to include in my remarks a short extract from an address of H. L. Gordon before the committee having the matter under consideration, setting out in a very brief way the objections to the bill. It is as follows:

AT THE MERCY OF OFFICIALS.

If you place in the hands of these men a power which has no limitations or restrictions, as I have said before, and which does not attempt to designate where or when or how an investigation as to some particular sickness or disease shall be made, if you give him the authority which the language of this bill unquestionably gives him, to determine for himself the necessity of such an investigation, and to act in accordance with that determination, even though the person afflicted with the disease which is to be investigated may have not even a remote connection with interstate commerce, you place the citizenship of this country absolutely at the mercy of the men who are connected with the Public Health Service.

Of course, it might be said that an individual under those circumstances could have relief by objecting to the authority of these people, and by resorting to the courts for an enforcement of his personal and individual rights. But, gentlemen of the committee, it must not be forgotten that the great respect which the citizenship of this country has for everything and everybody which bears the badge or acts with the authority of the Federal Government would prevent and make impossible in most cases the questioning of the authority with which these men would be clothed under this bill.

And it must not be further forgotten that this bill provides not only for the study and investigation of diseases of man, but it "authorizes the study and investigation of the conditions influencing the propagation and spread thereof," and that therefore it is not putting the case too strongly when we suggest that this not only authorizes the invasion of the homes of this country for the purpose of investigating some particular sickness or disease that may exist there, but it authorizes the invasion of those homes for the further purpose of investigating the conditions that surround them, to enable the particular representative of the Public Health Service who may be making the investigation to determine from his standpoint and according to the teachings of his school of medicine what the cause of that disease might be.

A MONOPOLY THE AIM.

But there is one fact which, it seems to me, plays a very important part in determining whether or not such a power as this should be given to the Public Health Service. It is a fact, as I am informed, and it is a fact that should have great weight with this committee and with every Member of the National Congress in considering legislation of this kind, that the men in whose hands the powers delegated by this bill are put all belong to one school of medicine. And it does not change the situation, nor does it weaken the effect of the argument in opposition to this bill, that this particular school of medicine is the one upon which I call, or upon which you call, when we believe medical assistance to be necessary for ourselves or our families.

Indeed I have no hesitancy in stating to this committee that the men who represent the Federal Government in its health activities are all from the school of medicine which I always employ when I feel the necessity of calling upon anyone because of the impaired health of myself or my family. But because of my relations with these men it does not change the situation with reference to my attitude toward legislation of this kind. Indeed I might say to this committee that the very man who is my family physician and adviser is one of the leading lights in the organization which is back of and prompting all this sort of legislation, but I recognize the fact that in his activity he is only pushing forward the interest of himself and those whom he represents, which interests are not such as should influence this committee or the Congress of the United States in carrying out their wishes.

The fact is, gentlemen of the committee, that if the public health service is given the power which this particular provision of this bill would confer upon it, this particular school of medicine, which fills every position under the health activities of this Government, would be enabled, through the power and money of the Federal Government, to disseminate its views as to the causes of disease and as to the remedies which should be adopted by the citizenship of this country, to the exclusion of all the other opinions and remedies of the many other schools of medicine in this country.

In Ohio the advisory board, which acts for and represents the people for whom I appear in this case, is composed of one of the most prominent and influential homeopathic physicians in the city of Cincinnati; of the leader of the school of osteopathy in that city; of a lawyer, who, like myself, still follows and believes in the teachings of the school of medicine which controls the activities of the health interests in the Federal Government. These men are active in this movement not because they are opposed to the protection of the health of the people, not because they are prejudiced against any particular school of medicine, but because they are opposed to the Federal Government placing in the hands of one particular school of medicine the funds and the activities of this Government, by which the ideas and the conclusions of that particular school may be disseminated and scattered broadcast among the people of this country at the expense of the Federal Government.

BASIS OF OBJECTION.

That is why, Mr. Chairman and gentlemen of the committee, the homeopath and the osteopath and the eclectic physicians all unite in this protest against this sort of legislation and call upon you to consider their interests as well as the interests of those men who already control and fill the various positions under the Federal Government which are created under the Public Health and Marine-Hospital Service.

Now, I call attention to the provisions of the bill which seem to me to be important in this connection; and on the first page, commencing with line 5, is this clause:

And the provisions of title 4 of the Revised Statutes, including all amendments thereto, are hereby made applicable to said department.

Now, that, on the face of it, is a very innocent reference. One would hardly realize, I think, all that it means. In order that Senators may understand just what is brought into this bill by that reference I desire very briefly to call attention to title 4 of the Revised Statutes, made a part of the bill.

Section 158, found on page 26 of the Revised Statutes, is as follows:

The provisions of this title shall apply to the following executive departments:

Then the departments are enumerated, and, of course, if this bill were adopted it would add one more to the number of departments. Then follows this section:

Each head of a department is entitled to a salary of $10,000 a year, to be paid monthly. * * *

Also:

SEC. 161. The head of each department is authorized to prescribe regulations, not inconsistent with law, for the government of his department, the conduct of its officers and clerks, the distribution and performance of its business, and the custody, use, and preservation of the records, papers, and property appertaining to it.

Now, Mr. President, that provision brought into this bill by reference in that way gives the head of this department absolute and unlimited power to determine just what shall be done by him in carrying out the purposes of the bill, unless it be in violation of law. Therefore I say that except as to the restraints of the law that are thrown about every public official the power of the head of this department will be absolutely unlimited. When we come to consider the bill itself we find that its provisions are equally broad and unlimited in their terms.

Section 3 of the bill provides—

That it be the province and duty of the department of health to foster and promote all matters pertaining to the conservation and improvement of the public health and to collect and disseminate information relating thereto.

Language could hardly be broader and more unlimited than that. It gives him absolute power to control the situation—

Provided, That this act shall not be construed as attempting to authorize the department of health to exercise, or attempt to exercise, without express invitation from the chief executive or other proper

authority of the State, any function belonging exclusively to such State, or to enter any premises in any State without the consent of the owner or occupant thereof.

I desire to call the particular attention of the Senator from Oklahoma to that language. It has been stated here that the purpose was to prevent the entrance into any family or any home under the provisions of this bill. But the Senator from Oklahoma will see that this provision in the bill only applies to residents of the States and does not limit the power in the slightest degree on the part of the head of this department or of any of his officers or employees to enter the home of any family in territory under Federal jurisdiction—for example, in the District of Columbia—at his will. There is no restraint whatever upon him.

I think you will find that right here in the city of Washington there are hundreds of Christian Scientists who do not believe in the administration of drugs as a remedy. They do not believe in the practice as it is carried on by regular physicians, and they would dislike exceedingly to have their homes entered for any such purpose as that; and yet under this bill as it is drawn that power does exist, and there is no limitation of the power.

Now, I come to that clause in the bill that was referred to by the Senator from Oklahoma awhile ago with respect to the attempt in the bill to prevent any interference with the practice of healing on the part of any other than the regular schools of medicine. I think the Senator from Oklahoma has overestimated the effect of that clause in the bill. It does not provide in terms or in any other way that there shall be no discrimination between different schools of medicine or different methods of healing. It simply provides that the department of health shall recognize no so-called school or system of medicine. I do not know exactly what the Senator understands by the use of the word "recognized." According to that there could be no recognition of any school of medicine. But it does exclude everybody else except those of schools of medicine, as the Senator will see. Whether that was his intention or not, I do not know. But certainly it does, as in case of almost every piece of legislation that is attempted to be passed in Congress or elsewhere, absolutely exclude Christian Scientists from any protection by the provisions of the bill.

Does the Senator from Oklahoma desire now to ask any questions in respect to it? I declined to be interrupted before. I meant no discourtesy to the Senator, as I think he will understand.

Mr. OWEN. Mr. President, I started to interrupt the Senator when he was making his argument, but, feeling that it would, perhaps, interfere with the coherency of his presentation, I did not do so.

The bill was drawn deliberately and intentionally to prevent any discrimination against Christian Science, osteopathy, or any other school of medicine or of healing; and I thought the Senator, when he was criticizing the bill as establishing a department of medicine in control of one school or another school, had possibly overlooked the language of section 3. For that reason I asked him whether or not he understood that the bill intended to discriminate in favor of one school or another school or to recognize one school or another school.

Mr. WORKS. I may say to the Senator with respect to that matter that I do not believe the bill was intended on its face, or does upon its face, discriminate in favor of any school of medicine. But I desire to show, and will now proceed to do so, that such would be the effect of it, whether it is the intention of the Senator from Oklahoma in this bill to bring about that result or not. For this simple reason: Taking the medical bureaus as they exist at this time, you will be unable to find in any single one of them any medical practitioner who is not of the regular school of medicine.

Mr. OWEN. I should like to ask the Senator, if it will not interrupt him, whether or not this bill can be perfected by the use of any words whatever so as to accomplish the purpose of safeguarding the public health without promoting any particular school of medicine or so as to avoid the objection he makes.

Mr. WORKS. Well, I think that is very doubtful. It might be possible. The trouble about it is, I will say to the Senator from Oklahoma, that you must have a head to an organization of this sort. It may be of the regular school; it may be of the homeopathic school; whatever the head of the bureau or department may be, he is entitled to make such regulations as he pleases with respect to the conduct of the bureau or department. Now, if he makes such rules and regulations as will exclude all but one school of medicine, what can be done by legislation to prevent that result?

It does not make any difference whether it is of the regular school or some other school. I have just as much objection to the domination of a Government organization of this kind by one school of medicine as another. I would have just as much objection, and it would be just as objectionable, however I may feel with respect to that matter, to have it dominated and controlled by Christian Scientists, even if I believed that that would be better for the people of this country, because I think it is unjust. But how we are going to have any legislation of this kind without placing in the head of the department the control of all these things I am unable to see.

Now, if the Senator from Oklahoma is skillful enough to provide a law that will avoid any such thing as that, it would remove many of the objectionable features of the bill, I am frank to say to him.

ALL BUT ONE SCHOOL OF MEDICINE EXCLUDED.

In order to verify what I have said with respect to the physicians and surgeons now in the employ of the Government, I desire to insert as a part of my remarks letters and memoranda which I have received from the different departments of the Government having to do with the medical branch of the service. First is a letter from the Superintendent of the Government Hospital for the Insane, in which he gives the number of the medical employees, and in which he states in terms:

I may say that all of the physicians in the hospital are of the regular school.

The letter and accompanying memorandum are as follows:

DEPARTMENT OF THE INTERIOR,
GOVERNMENT HOSPITAL FOR THE INSANE,
Washington, D. C., May 8, 1911.

Hon. JOHN D. WORKS,
United States Senate, Washington, D. C.

MY DEAR SIR: I have your letter of the 6th instant making certain inquiries in regard to the number of people employed in this hospital in the care of the insane. In reply I inclose a tabulated statement which was gotten up in March, 1910, for the information of Senator OWEN, who then had a bill before the Senate for the establishment of a department of health, and who requested the different departments to give this sort of information. This table is approximately true at the present time. I may say that all of the physicians in the hospital are of the regular school.

I shall be very glad to give you any additional information you may desire.

Respectfully, WM. A. WHITE, *Superintendent.*

[Inclosure.]

Employees of the Government Hospital for the Insane.	Male.	Female.	Total.
Physicians and medical employees	20	4	24
Ward service (supervisors, nurses, attendants, etc.)	236	96	332
The number of other employees necessary to properly conduct the work of the institution, not included in the above list	270	160	430
Grand total			786

I submit also the memorandum furnished me from the Surgeon General of the Army showing the number of physicians and employees in the Medical Department of the Army, and also that all of them are of the regular school:

WAR DEPARTMENT,
OFFICE OF THE SURGEON GENERAL,
Washington, May 10, 1911.

Memorandum for the honorable the Secretary of War.

There are in the employ of the Medical Department of the Army—

Regular medical officers	384
Medical Reserve Corps officers	135
Contract surgeons	14
	533

All of these are graduates of the regular school.

GEO. H. TORNEY,
Surgeon General United States Army.

Then, from the Secretary of the Navy, who says:

DEPARTMENT OF THE NAVY,
OFFICE OF THE SECRETARY,
Washington, May 9, 1911.

MY DEAR SENATOR: Your letter of the 6th instant reached me yesterday and, in reply, I write to inform you that there are at present 304 members of the regular Medical Corps of the Navy and 6 acting assistant surgeons appointed for temporary service. I regret that it is impracticable to inform you as to the number of representatives from the various schools of medicines, as this is not a matter of record.

Candidates for the Medical Corps are required to pass satisfactorily a practical examination in the usual branches of medicine and surgery, and they must also have a good, general preliminary education.

Faithfully, yours,

GEO. VON L. MEYER.

Hon. JOHN D. WORKS,
United States Senate, Washington, D. C.

Mr. OWEN rose.

Mr. WORKS. Just one moment. While the letter does not disclose the fact, I think I can say with perfect assurance that

all of the medical employees in that department are like the others, of the regular school of medicine. Does the Senator from Oklahoma know of anything to the contrary?

Mr. OWEN. I simply rose to ask the Senator whether he thought those who are employed in the Army and Navy should not have taken such courses of instruction as are available in the country, and if it is to be regarded as a discredit that they should have graduated in such schools of medicine as we have in this country?

Mr. WORKS. Not in the least. I am not criticizing them because they have been graduated from any school of medicine. I am not criticizing in the least their competency or efficiency in the service. It is not that. It may be, and I presume it is, a fact that the surgeons and assistant surgeons and various medical employees are perfectly efficient in the service to which they belong. I am not intending to criticize them. I am simply calling attention to the fact that all of them are of a particular school of medicine, whether good or bad, and therefore the natural result of organizing a department of this kind would be to bring about exactly the same result with respect to the employees under that department.

Mr. OWEN. I should like to ask the Senator if it is not a fact that all of the employees of the Government at present engaged would come within the scope of his criticism?

Mr. WORKS. I desire to say, and I think I said awhile ago, and I do not think the Senator from Oklahoma could have misunderstood me, that my remarks are not intended in any sense to be a criticism.

Mr. OWEN. Well, then, subject to the comment of the Senator that they are graduates of regular schools.

Mr. WORKS. That is no discredit to them, I will say to the Senator. I am not pressing it as in any way discreditable to them.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER (Mr. FLETCHER in the chair). Does the Senator from California yield to the Senator from Utah?

Mr. WORKS. Certainly.

Mr. SMOOT. Does the Senator know whether a graduate of the homeopathic school could be to-day employed in the Navy or the Army of the United States? In other words, are the requirements of the Army and Navy such that a graduate of that particular school can enter either branch? Does the Senator know?

Mr. WORKS. I do not.

Mr. OWEN. I would respond to that by saying that regardless of whether a man is a graduate or not, as I understand the practice of the service, it is to subject the individual to a personal examination as to the extent of his knowledge to determine whether or not he is fitted by his training to serve the public in this way.

Mr. SMOOT rose.

Mr. WORKS. Mr. President, just a moment. If that examination were made by a board of examiners consisting alone of regular physicians, I apprehend that nobody could pass the examination except one who could qualify as a regular physician.

Mr. SMOOT. That is what I was going to suggest.

Mr. WORKS. That I understood to be the condition, but when the Senator from Utah asks me whether I know that to be so, I do not.

Mr. OWEN. I should like to suggest to the Senator from California that the character of the examination could be easily framed so that the examination is by number, without disclosing the identity of the applicant at all; and that ought to be the rule in making the examinations.

Mr. WORKS. I do not know that that would help the situation, but I understand that is not so at the present time.

Mr. OWEN. I do not know whether it is true or not at the present time. Who does assert that it is not true?

Mr. WORKS. I do not. I say I do not know that it is true at the present time.

Mr. OWEN. Does anyone assert it is not true?

Mr. WORKS. No, sir. I do not profess to know anything about it. If I were asked my opinion about it, I would say that my opinion is that nothing of that kind exists; but I do not know it.

Mr. President, in closing I want to call attention to a decision of the Supreme Court of the United States in the case of American School of Magnetic Healing against McAnnulty, in which the question rose as to the right of the Postmaster General to exclude from the mails certain advertisements by one who was claiming to be a magnetic healer and advertising his business. The question arose whether the Postmaster General had any right to determine that question, and whether he could on his own belief of what was right or what was wrong with respect to the healing of disease say that this thing or that thing should be excluded from the mails as fraudulent and in violation of law.

I am not saying this because I believe in the mode of healing that is carried on by magnetic healers, for I do not; but their rights are just like those of any American citizen so long as they are not violating the law in any way; and the principle upon which the Supreme Court acted in that matter is quite important as bearing upon the powers that might be given to the head of this department.

The Supreme Court say, on pages 103 to 106 of volume 187 of the United States Supreme Court decisions:

> There can be no doubt that the influence of the mind upon the physical condition of the body is very powerful, not only to alleviate but even to aid very largely in the cure of an illness from which the body may suffer. And it is said that nature may itself frequently, if not generally, heal the ills of the body without recourse to medicine, and that it can not be doubted that in numerous cases nature, when left to itself, does succeed in curing many bodily ills. How far these claims are borne out by actual experience may be matter of opinion. Just exactly to what extent the mental condition affects the body no one can accurately and definitely say. One person may believe it of far greater efficacy than another, but surely it can not be said that it is a fraud for one person to contend that the mind has an effect upon the body and its physical condition greater than even a vast majority of intelligent people might be willing to admit or believe. Even intelligent people may, and indeed do, differ among themselves as to the extent of this mental effect. Because the complainants might or did claim to be able to effect cures by reason of working upon and affecting the mental powers of the individual and directing them toward the accomplishment of a cure of the disease under which he might be suffering, who can say that it is a fraud or a false pretense or promise within the meaning of these statutes? How can anyone lay down the limit and say beyond that there are fraud and false pretenses? The claim of the ability to cure may be vastly greater than most men would be ready to admit, and yet those who might deny the existence or virtue of the remedy would only differ in opinion from those who assert it. * * *
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> Suppose a person should assert that by the use of electricity alone he could treat diseases as efficaciously and successfully as the same have heretofore been treated by "regular" physicians. Would these statutes justify the Postmaster General, upon evidence satisfactory to him, to adjudge such claim to be without foundation, and then to pronounce the person so claiming to be guilty of procuring by false or fraudulent pretenses the moneys of people sending him money through the mails, and then to prohibit the delivery of any letters to him? The moderate application of electricity, it is strongly maintained, has great effect upon the human system, and just how far it may cure or mitigate diseases no one can tell with certainty. It is still in an empirical stage, and enthusiastic believers in it may regard it as entitled to a very high position in therapeutics, while many others may think it absolutely without value or potency in the cure of disease. Was this kind of question intended to be submitted for decision to a Postmaster General? And was it intended that he might decide the claim to be a fraud, and enjoin the delivery of letters through the mail addressed to the person practicing such treatment of disease? As the effectiveness of almost any particular method of treatment of disease is, to a more or less extent, a fruitful source of difference of opinion, even though the great majority may be of one way of thinking, the efficacy of any special method is certainly not a matter for the decision of the Postmaster General within these statutes relative to fraud.
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> Vaccination is believed by many to be a preventive of smallpox, while others regard it as unavailing for that purpose. Under these statutes, could the Postmaster General, upon evidence satisfactory to him, decide that it was not a preventive, and exclude from the mails all letters to one who practiced it and advertised it as a method of prevention, on the ground that the moneys he received through the mails were procured by false pretenses?
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> Again, there are many persons who do not believe in the homeopathic school of medicine, and who think that such doctrine, if practiced precisely upon the lines set forth by its originator, is absolutely inefficacious in the treatment of diseases. Are homeopathic physicians subject to be proceeded against under these statutes and liable at the discretion of the Postmaster General, upon evidence satisfactory to him, to be found guilty of obtaining money under false pretenses and their letters stamped as fraudulent and the money contained therein as payment for their professional services sent back to the writers of the letters? And, turning the question around, can physicians of what is called the "old school" be thus proceeded against? Both of these different schools of medicine have their followers, and many who believe in the one will pronounce the other wholly devoid of merit. But there is no precise standard by which to measure the claims of either, for people do recover who are treated according to the one or the other school. And so, it is said, do people recover who are treated under this mental theory? By reason of it? That can not be averred as matter of fact. Many think they do. Others are of the contrary opinion. Is the Postmaster General to decide the question under these statutes?

I ask, if that be true, if the head of this department can determine that question in favor of one school of medicine to the exclusion of the other?

Mr. OWEN. I did not quite catch the force of the decision. It was to the effect that the Postmaster General could not discriminate against the magnetic healers. Would not that rule protect others from like discriminations——

Mr. WORKS. Not at all.

Mr. OWEN. Who occupied a similar position?

Mr. WORKS. It would so far as the use of the mails is concerned, but if a department of health——

Mr. OWEN. The spirit of the decision is to protect the individual in the practice of medicine.

Mr. WORKS. Certainly. I have said that if the head of the department goes so far as to violate the law he is subject to the law in that respect; but so long as he keeps himself within the law there is absolutely no limit to his power.

Mr. President, I have said all that I desire to say on this subject. I have tried to discuss it with fairness and without any hostility toward anybody of any school of medicine or healing. I have no animosity or antipathy toward any school of medicine or anyone who is engaged in the practice of medicine. I recognize the fact that all schools of medicine are doing good at the present time in this country, and their rights should be fully respected. On the other hand, the mode of healing in which I believe is entitled to the same degree of justice as those who are practicing other means of healing disease.

Senators may not agree with me as to the efficacy of that sort of treatment. I am quite sure many of them do not. But that is not the question. If I believe in it I have a perfect right under the laws of this country to secure for myself such medical or other treatment as I desire, and it would be a violation not only of my rights, generally speaking, but it would be a violation of the very spirit of the Constitution to forbid me the right to resort to that sort of help that I believe to be most efficient in my own case. I would not have anyone denied the right which belongs to him in the use of drugs. That is his right, whether I believe in it or not; but I insist, on the other hand, that those of us who believe in another and different sort of remedy for our ills have exactly the same right to resort to that remedy that the man has who believes in the use of drugs as a remedy.

Mr. OWEN. Before the Senator takes his seat, there are one or two questions I would like to ask him, if it would be agreeable to him.

Mr. WORKS. Certainly.

Mr. OWEN. Does the Senator understand that a national department of health would engage in the issuance of licenses to practitioners and deny licenses to Christian Science practitioners?

Mr. WORKS. I do not know whether they would or not. They could make regulations under your bill.

Mr. OWEN. That might be directly averted by forbidding it, but the practice of the United States, under the limitations of constitutional law, is that all licenses to practice "healing" or "medicine" are given by the State laws and not by the Federal Government. I think perhaps the Senator may have overlooked that. I do not think the Federal Government has any right whatever to issue licenses within a State for the practice of medicine.

Mr. WORKS. I agree with the Senator.

Mr. OWEN. I think there is no constitutional right to do it.

Mr. WORKS. I agree with the Senator in respect to the exercise of that power in the States. That matter I have not discussed. I may discuss it at some future time if it becomes necessary. I have not undertaken to discuss the general principles involved or the constitutionality of the bill. I agree to what the Senator says, that the Federal department would have no right to interfere with the affairs of a State. But I have this to say, that the indications are, from what is said by some of these doctors, that they believe just that can be done, because one of them, as I remember, distinctly referred to the fact that they might elevate the efficiency of the State boards of health and various other things. That would be an interference with the constitutional rights of the States.

Mr. OWEN. The Senator has spoken, Mr. President, of the value of Christian Science. I myself believe it has been very efficacious in many instances. What the process is by which recovery is accomplished I do not think is thoroughly understood. But I should like to ask the Senator, in view of his confidence in its value, would it not be well to have the health officials we now have in Nation and in State give a proper study to it, with a view to ascertaining its value and giving it to the public when they have found its value?

Mr. WORKS. If the doctors, surgeons, and others who have charge of the medical bureaus of the Government would go about an examination of a matter of that kind in a right spirit, as I think the Senator from Oklahoma would, I believe it would be a very excellent thing to do. If they should go about it in the frame of mind which generally exists upon the part of medical practitioners, it would be useless.

Mr. OWEN. Mr. President, I understood from the general discussion of the Senator from California that he was under the impression that Senate bill 6049 had been prepared by the American Medical Association.

Mr. WORKS. No; I think the Senator got that impression from something I read to the effect that their legislative committee would frame a bill. I said nothing about it. I know nothing about it.

Mr. OWEN. The bill which was introduced to establish a department of health at the last Congress was written by myself alone. I dictated every word of it.

Mr. WORKS. I did not controvert that in the least; I did not intend to do it.

Mr. OWEN. Does the Senator believe that under this bill the officers of the Federal department proposed could invade the private homes of citizens without the consent of the citizens?

Mr. WORKS. Yes; except in the States.

Mr. OWEN. Except in the States. That objection, then, might be easily obviated by inserting "the District of Columbia and the Territories" in the face of Senate bill No. 1.

Mr. WORKS. That could be easily obviated.

Mr. GRONNA. I wish to ask the Senator from California a question. I am impressed with his discussion of this subject. Does the Senator believe that the law now upon the statute book is adequate, or would he suggest some change in the law under which we have now a bureau known as the bureau of health? I merely wish the Senator's view on that point.

Mr. WORKS. I believe everything that is desired to be accomplished through this bill, except the establishment of a department and the making of the head of that department a member of the Cabinet, could be accomplished by legislation with respect to the medical bureau as it exists at the present time without the establishment of a department.

Mr. SMOOT. And at a great deal less expense.

Mr. WORKS. And at a great deal less expense.

Mr. OWEN. I should like to ask the Senator if it is not a fact that Great Britain, Germany, France, and other leading nations of the world have departments of health?

Mr. WORKS. I am not informed, Mr. President, whether they have or not, and I should not care whether they have or not. They have not our Constitution or our form of government, which, I think, makes a great difference.

Mr. OWEN. I suggest to the Senator that the people who inhabit those countries have the same kind of bodies and die in the same kind of fashion, and may be protected from exposure in the same improved methods.

Mr. WORKS. Yes; and if permitted to do so, they would probably desire the same freedom we receive for those bodies and their treatment that I am contending for.

Mr. OWEN. I respond to that by saying that the people of Australia and New Zealand have the same degree of freedom we have, and in those countries the death rate under a better administration of government is only nine and a half to the thousand, whilst ours is sixteen and a half to the thousand. We lose over 600,000 people a year unnecessarily in this country by preventable causes.

Mr. WORKS. Does the Senator attribute that to the health department as it is there constituted?

Mr. OWEN. I do; and to the care of the people by the laws as administered in those countries.

Mr. WORKS. Then the Senator must intend to reflect on the department as we have it now, not only the Federal department but the boards of health in the several States. I think myself that they are fairly efficient.

Mr. OWEN. I do say that they are not everywhere as efficient as they ought to be. They ought to be made more efficient, and that is the purpose of this bill.

Mr. WORKS. Then the Senator proposes to make State boards of health more efficient through the Federal department. That is just the thing I object to.

Mr. OWEN. Only in so far as a good example and publicity of ascertained fact might be of service. I will say that some of the States have departments which are excellently well conducted that might well serve as an example and pattern for the United States, that the good example of the one will serve a valuable purpose in impressing the other, and that a reasonable mutual emulation on the part of the departments of health in the various States and in the Federal Government would serve a useful purpose in promoting a knowledge of the laws of health and protecting men against unnecessary death and from the inefficiency of unnecessary and avoidable disease, the annual present cost of which has been demonstrated to be about four thousand millions of dollars.

Mr. BORAH. Mr. President, I want to trespass for only a few moments upon the time of the Senator from North Dakota [Mr. GRONNA], who has given notice that he will address the Senate to-day.

Yesterday, in a colloquy with the Senator from Ohio [Mr. BURTON], the attitude of the German Government with reference to agriculture and the tariff was referred to. I was unable at that time to turn to some data which I had, but which I now have before me, and desire to put into the RECORD in connection with that statement.

In 1879 Mr. Bismarck said in debate in the Reichstag:

Is not the moment approaching when our agriculture will no longer be able to exist because corn is pressed down to a price at which it can not be remuneratively produced in Germany, taxation, the cost of living, and the cost of land being as they are? When that moment comes, then not only agriculture but the Prussian State and the German Empire will go to ruin as well.

That marked the beginning of the change of policy of Mr. Bismarck with reference to duties upon farm products, and from that time he became an advocate of the protective policy in Germany and applied it equally to farm products with other articles.

Now, I read from a statement of Mr. James J. Hill, found in his book on Highways of Progress. Among other things therein discussed is the question of reciprocity:

How to meet German competition is to-day the study of every intelligent leader of industry and every cabinet on the Continent of Europe. It will be found that a large share of her world-wide success is due to symmetrical national development. Agricultural industry has not been slighted. Behold a contrast that throws light upon the idle host of England's unemployed marching despondently through streets whose shop windows are crowded with wares of German make. Between 1875 and 1900 in Great Britain 2,691,428 acres which were under cereals and 755,255 acres which were under green crops went out of cultivation. In Germany, during the same period, the cultivated area grew from 22,840,950 to 23,971,573 hectares, an increase of 5 per cent.

I also read in this connection a statement from the English tariff commission of 1906:

The causes of the decline in agriculture are world-wide in their operation, affecting all importing countries. The striking feature in the case of the United Kingdom is that agriculture has been more depressed than in any other country and more depressed than any other branch of economic activity. During the last 25 years the course of all agricultural prices has been the same downward direction, with the result that agriculture has been subject to a great combination of causes, all tending toward its depression.

The commission then proceeds:

European countries generally have pursued a policy involving import duties on agricultural produce, whereas in the United Kingdom agriculturists have been subject to the unrestricted importation of foreign produce on terms not dissimilar, in many cases, from those experienced by manufacturers who complain of dumping.

In this connection I call attention to another list of figures bearing upon that subject, it seems to me, if not directly, indirectly. In the great West, where the wheat acreage was once an average of 25 bushels per acre, it is now 14. The average wheat production of 40 different counties of northern Illinois is as follows: 1870, 10,476,011 bushels; in 1880, 7,122,963 bushels; in 1890, 5,073,070 bushels; in 1900, 637,450.

The average acreage in Indiana fell from 15.6 bushels to 14.4; Minnesota, 15.8 to 13; North Dakota, 14.4 to 10; the entire United States, 15.3 to 14.

The last available statistics show that our average wheat yield per acre is 13.5; Austria, 17; France, 19.8; Germany, 27.6; Great Britain, 32.2. Oats: United States, 30 bushels per acre; Germany, 46; Great Britain, 42. Barley: United States, 25; Germany, 33; Great Britain, 34.6.

I will not now trespass upon the time of the Senator from North Dakota to follow the statistics to show that the increase of production per acre in those countries began with the period of time when the countries began to give particular attention to their agricultural interests, either by way of increased duties upon imports or otherwise, and that the increase in production has steadily kept apace with the attention given to the matter by the Governments in different ways.

As I said yesterday, we have in this country one-half of our agricultural lands in private ownership not yet under cultivation. The last seven years have marked a noted increase in taking possession of the abandoned farms, the reclaiming of the land which was skinned over and from which the parties passed on to richer lands of the West between 1870 and 1890.

Not only have we the lands in private ownership, but we have, as I before stated, some 75,000,000 acres of public land which are agricultural lands, not including some ten or twelve million acres of swamp lands and perhaps five or seven million acres more of arid lands.

About 1870 there began the great immigration for the settlement of the agricultural lands of the West. The region was a vast one and easily reduced to cultivation. Transportation facilities were pushed in every direction.

From 1870 to 1900 we produced more agricultural products from this region alone than in all our history theretofore.

In 1860 there was under cultivation west of the Mississippi twenty-six and a half million acres; in 1900, 194,000,000 acres—a gain of 186,000,000.

We are preparing to admit to the same market and practically under the same Government a region of territory equal in extent and equal in richness and productiveness to the territory I am now referring to.

Between 1870 and 1890 we raised as much corn in the Mississippi Valley as had been produced in the United States up to 1870. Of wheat we produced one-half during that period of the total amount which had been produecd up to 1870.

From 1840 to 1870 our per capita production of the staple cereals was 860 bushels—from 1870 to 1900, 1,450 bushels—notwithstanding the fact that the agricultural population relative to the total population of the Nation was greater from 1840 to 1870 than it was from 1870 to 1900.

As a result these farm prices began to decline until they went down about one-half below the point where they had ranged before, the price of wheat falling fully one-half and corn and oats even below. The farmer could not sell. He burned his corn for fuel and his wheat rotted in the field.

Year after year the farmer's actual expenses exceeded the price of his productions, but he could not close up like a manufacturing establishment. This was his home and he had to stay with it.

In this impoverished condition the usurer found a harvest, and every cent of profit, when there was any, was divided with the railroad, the money lender, and the manufacturer. The farmer was ground to the earth for years in the great West, as everyone knows and as the mortgage record during that period discloses, which has only begun to be cleared up within the last 8 or 10 years.

The effect of all this was to drive the people from the farms into the cities and to discourage them from going to the farms at all. The city population in 1850 was 12½ per cent of the whole population of the United States; in 1900 it was nearly 50 per cent of the whole population.

In 1870 all towns and cities together contained a population of 11,750,000; in 1900 they contained a population of 35,840,000, an increase in 30 years of 24,900,000, showing that as the increase of population during this period was 37,745,000 the cities got nearly two-thirds of it. In fact, from 1890 to 1900 nearly three-fourths of the population went to the cities and towns. From 1870 to 1900 our population increased 88 per cent, and during that time our city population increased two and one-half times. And as the cities grew and the great skyscrapers went up in the centers of population there were more and more abandoned farms all through New York, New Jersey, and Pennsylvania, because they were driven from the farm lands, where they could not secure a competency, into this region where the effect of the tariff system was more beneficial and where they could secure a living and possibly educate their families.

Of all people engaged in gainful pursuits in 1870, 47.36 per cent were engaged in agriculture; in 1880, 44.3 per cent; in 1890, 37.7 per cent; and in 1900, 35.7 per cent.

Farm values went down, and those prosperous agricultural regions of the East became the scene of abandoned farms. The farmer of the East skinned his farm and went West.

The increase in agricultural values during those years was small, but the increase in other values was exceedingly great, such as manufacturing establishments and city property. The average acreage value of farm lands from 1860 to 1900 only increased $4.70 per acre.

In 1850 the wealth of the agricultural classes was estimated at $3,987,000,000, of the town and city classes at $3,170,000,000, or at $1,000,000,000 in favor of the agricultural classes. From 1870 to 1880 the city wealth was $9,402,000,000; the agricultural wealth, $3,000,000,000. From 1880 to 1890 the increase of city wealth was $18,575,000,000; agricultural, $4,000,000,000. From 1890 to 1900 the increase of city wealth was $19,000,000,000; agricultural, $4,500,000,000. In other words, from 1860 to 1900 the total increase of wealth in the city was $59,811,000,000; the agricultural, $12,547,000,000.

The multimillionaires are not from the agricultural fields of industry.

I have trespassed longer than I should have done on the Senator's notice, but I wanted to put these figures into the RECORD in connection with what was said yesterday.

Mr. SIMMONS. Mr. President, I desire to give notice that on Monday next, immediately after the conclusion of the morning business, I will address the Senate upon the reciprocity bill, and especially upon the amendments pending to that bill.

Mr. GRONNA. Mr. President, on January 26, 1911, President Taft transmitted to the two Houses of Congress a special message embodying the Canadian trade agreement which is now before this body. I made some remarks on this measure on the 28th of February, and expressed the opinion that it would work a great injury to the farmers of this country and would be of no benefit to the consumers in the cities, for the reason that they do not buy the natural products direct from the farmers, but buy the manufactured articles and the secondary food products

on which the duties are retained. A further study of this question has not changed my views in this respect, and I may say that they are shared by the great majority of those most vitally interested in this matter—the farmers.

The farmers of this country are greatly concerned about the effects of this measure, and I venture to say that they are almost unanimous in their opposition to it. I know that that is the case in North Dakota and neighboring States. I believe it is true, as has been stated by representative men from agricultural districts, that never since the Civil War has the farmer been so aroused over any legislation as he is over this agreement. In many of the Western States they have held conventions to protest against it. In North Dakota, the State which I have the honor in part to represent, a nonpartisan State convention was held which more than 700 farmers and business men attended. The delegates to this convention were elected at conventions held in the different counties in the State by the farmers of the respective counties, and were expected to, and did, express the general view of the people of their respective sections with regard to this measure. This movement was not financed by anyone. The farmers attending the county conventions paid their own expenses and the delegates to the State convention paid their own expenses. At this convention the delegates, without regard to political party, were unanimous in denouncing this agreement, and a delegation was selected to come to Washington and urge the manifest injustice to the agricultural class of enacting such a measure as the one pending. This convention was not held because it was thought necessary to influence the attitude of the Senators and Congressmen from the State. They knew the position which their representatives had taken on this question. It was well known that the entire congressional delegation from the State would oppose the measure. The action was taken in the hope that the Senate and the Finance Committee would listen with open minds to the representations of the men whose market it was proposed to surrender to the Canadian farmers. They could not bring themselves to believe that Congress would willingly enact a measure the only apparent result of which would be to deprive the farmers of this country of hundreds of millions of dollars, for the benefit of the Canadian farmers and some of the trusts in our own country, if they only correctly understood the situation. Attempts have been made by part of the press, and others, to discredit the delegations of farmers that came to Washington to protest against this measure and to create the impression that they were sent here by the Lumber Trust and other protected interests. I protest against these gratuitous insults to the representatives of the most important industry in this country, the only explanation of which is a desire to discredit all opposition to this measure, and I merely state a fact when I say that the unfairness which certain large papers have shown in the treatment of this question has resulted in diminishing to a large extent the power and influence of the press as a whole.

Some people have been able to delude themselves with the belief that this measure is approved of by the country as a whole, and that the farmers are indifferent to it. Nothing could be further from the truth. Various commercial organizations, it is true, and in some few instances State legislatures, have passed resolutions favoring it, but as was shown before the Senate Finance Committee, it is also true that in many instances, if not in most of them, these favorable resolutions were adopted because they were pressed by some interested person, and the majority of the other members had little idea of the real nature of the agreement. Sometimes they were adopted without a single member of the body or organization having seen a copy of the bill. The indifference of the farmer is apparent only to those viewing his attitude with a prejudiced eye, or else incapable of understanding how the farmer records his opposition to measures. Because there have been no riots among the farmers in opposition to this measure, that is not a sign that the farmers are indifferent. The farmer of this country is not a rioting person. He has a habit of recording his approval or disapproval of the acts of his Congressman and Senator in another way, and it is probable that some of those so busily engaged in discovering that the farmers are indifferent to this matter will have occasion to change their views when the ballots are next counted.

Mr. President, this measure has come to us as the result of what has been variously called a treaty and an agreement with Canada. If a treaty had been negotiated, it should have been submitted to the Senate for ratification, and a two-thirds vote would have been necessary to put it into effect. This measure is not a treaty, however, but legislation designed to put into effect an agreement made by the President with the Government of Canada. Such agreements are usually embodied in formal treaties, but in this instance the President has taken it upon himself to make an agreement with a foreign nation, without consulting the Senate and without submitting the agreement to the Senate for ratification, as it was his duty to do under the Constitution, and has agreed as a part of the bargain with that foreign country to use his utmost efforts to secure the passage of laws putting that agreement into effect. The majority of the membership of this body seem to view this action on the part of the President with equanimity, whether they do not realize its real nature or else rely on the President's good sense not to enter into any agreement with foreign powers which would result disastrously to our country. There is no essential difference, however, between entering into an agreement of this kind and pledging himself to use all his efforts to secure the enactment of legislation carrying it into effect, and the entering into an agreement to aid some other power in the case of war and pledging himself to use his best efforts to secure the passage of bills appropriating the necessary moneys. I do not believe there is any danger that this will be done so long as the present incumbent of the presidential chair remains in the White House—notwithstanding the apprehensions of some people last spring—but if this precedent is established, if this invasion of the prerogatives of the Senate is countenanced, it will some time in the future return with evil results in its train, when some President whose penchant will be the extension of territorial dominion instead of the surrendering of the farmers' markets, will use the power of making agreements with foreign nations, which the Senate appears to be about to surrender to the President, in such a way as to involve our country in serious difficulties with other nations.

The bill which we have under consideration here is a revenue bill, and as such should have originated in the House of Representatives. In having the bill framed, so far as its essentials are concerned, and trying to force it through Congress, the President is exceeding his constitutional powers, and this violation assumes a decidedly serious aspect when we reflect that the action is being taken in accordance with a pledge given to a foreign nation. The Members of both Houses of Congress, as well as the people at large, have been in the habit of considering that the lawmaking power is lodged in Congress, and that the President has merely the veto power. We have assumed that when the Constitution stated this in plain words it meant just that. Now that this important measure is before us, however, a majority of the Members of the two Houses of Congress cheerfully acquiesce in the assumption of the President that he is the real lawmaking as well as the treaty-making body, and that the Congress has merely the veto power and that even this veto power should not be exercised free from pressure by the administration. The President, after having consulted representatives of a foreign country, has decided what measures ought to be passed by Congress, has had measures drafted, and is now under the pledge which he gave the Canadian Government, using all his power to secure the passage of the desired revenue legislation. The President has apparently come to the conclusion that he represents the people of this country both as executive and legislature, and that the two Houses of Congress are merely two bodies of men provided for by the Constitution, which he can unfortunately not get rid of, but which are to be ignored and coerced whenever he deems it necessary or expedient. I am not a lawyer and I shall not pursue this subject further—it has been touched on before and will no doubt be fully discussed before the close of this debate—but I confess that I can not view with the equanimity that others evince the usurpation of legislative power by the President, and the ignoring of the Senate in the making of agreements having the effect of treaties with foreign nations.

One noticeable feature of this debate, which has been remarked on by others, is the strange unwillingness of the supporters of this measure to explain what benefits the country will derive from it and to defend it and the President's action in entering into the agreement on the floor of the Senate. The result is that while there are a large number of Senators pointing out the defects of this measure and urging injurious results as reasons for defeating it or radically changing it, they have to carry on the debate without any presentation by the great majority of the supporters of the bill why they or anyone should be in favor of its passage. The supporters of the measure must surely have some reason for being in favor of it, and ought not to be averse to enlightening those of us who do not find that we can in good conscience support it. There have been no reasons presented to the Senate by the President or by those in charge of the bill why it should pass. It almost appears as though we are expected to accept the President's advice and pass whatever measures he may be pleased to submit to us without opposition and with only perfunctory debate.

The arguments advanced outside of this Chamber by friends of this agreement are various. It has been urged that it will tend to reduce the high cost of living, or at least prevent it from rising any higher; that it will benefit the farmer by giving him cheaper bran and shorts; that it will steady the wheat market in this country by preventing violent fluctuations at Liverpool due to the dumping of Canadian wheat into the Liverpool market, as this wheat will be absorbed by the storage facilities of the United States and more gradually shipped to Liverpool; that it will extend our markets; that it will promote commercial intercourse and increase our trade with Canada; that it will give us cheaper print paper; that it is a step toward free trade; and that it is the inauguration of a policy which will result in the annexation of Canada. Further, there is vague talk of the mutual benefits to be derived from closer trade relations with our neighbor on the north, without specifying what those benefits may be or showing how this agreement is going to bring them about.

The most superficial examination of this measure can not fail to impress on one's mind three facts in regard to it: The articles on which the duties are to be removed are practically all farm products or raw materials. The articles on which we reduce or remove the duties are the same ones on which Canada reduces or removes her duties. The farm products and raw materials from which the duties are removed are such as Canada expects to sell to us and not such as we might hope to sell to Canada. If we bear those facts in mind, it may aid us in determining what the purpose of the entering into this agreement was and what its probable effect will be.

The purpose of this bill is usually given as the promotion of commercial intercourse with Canada and the extension of our trade with that country. I do not believe anyone has as yet shown how it will increase our trade with Canada in any other way than by increasing our imports of agricultural products. Three considerations force themselves upon one in this connection: (1) If the purpose is to secure cheaper raw materials, the proper way is not to remove the duties only on Canadian products, but on the products of all countries. (2) If the purpose is to reduce the price of the commodities which the average consumer uses, the way to do this is to remove or greatly reduce the duties on the manufactured articles. (3) If the purpose is to extend our markets in Canada, the way to do this is not to secure the removal or the reduction of the Canadian duties on such goods only as Canada expects to sell to us, but to secure the removal of such duties on goods that we export to Canada or might expect to export to Canada if the duties were removed.

It appears to me that the truth of these statements ought to be clearly evident to anyone who will attempt to view the measure with unbiased eyes. If for some reason or other—if the producers of any product have formed a trust or combination so as to unduly enhance prices, or if our production falls short of our consumption, and the tariff on the product consequently results in higher prices, and we wish to reduce these prices by removing the tariff, it seems self-evident that the effective way to do this is to remove the tariff on the goods of all foreign countries and not only on the goods of one. Otherwise, we simply give the producer in the favored foreign country the benefit of our protection—letting him share our home market—in short, give him a measure of protection against the producers in other foreign countries. If the wheat growers of this country have formed a trust and raised the price of wheat beyond what it ought to be, or if our production falls short of our consumption so that the tariff on wheat results in increased prices, and we decide to reduce the price by admitting foreign wheat, the proper way to do, if we have no other purpose in mind, is to remove the duty on wheat, no matter from what country or part of the world it comes. If we admit wheat from one country and exclude that from other countries, we are giving protection to the producers of the first country. The same necessarily holds true in the case of flax, of barley, of oats, of cattle, of pulp and paper, and of any other product. The only ground on which the admission of certain articles free from one country and not from another can be defended is that by so doing we receive in return some advantage from the former country that we do not from the latter. If Canada has given us any such advantages in the pending agreement, no one seems willing or able to point them out.

If the purpose is to reduce the price of the articles that the average consumer uses, not only should the duties be removed on articles from all countries instead of merely from one, but the duties to be removed or greatly reduced should be those on the articles which the consumer buys—not the duties on the natural products, but the goods manufactured from them. So long as the duty remains on the manufactured article, it makes no difference to the consumer whether there is a duty on the raw material. If the price of wheat falls off 10 cents a bushel because of this agreement it will not affect the price of flour or of the bread made from the flour. If the price of flax is reduced 25 cents per bushel by the removal of the duty, it will not affect the price of linseed oil. Even if the price of oats tumbles on account of the duty being taken off, the price of rolled oats will remain the same so long as the duty is not removed from that. If the price of cattle is reduced the full amount of the present duty the price of beef will remain the same so long as the Beef Trust is protected in its market. Whatever reduction there may be in the price of wheat, of oats, of barley, of flax, or of any of the other farm products and raw materials that this measure places on the free list, the consumer will not get the benefit of lower prices on articles manufactured from these.

Mr. STONE. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Missouri?

Mr. GRONNA. Yes; with pleasure.

Mr. STONE. The Senator from North Dakota has expressed the view that if you remove the duty on wheat and retain the duty on flour the flour will not be reduced in price to the consumer.

Mr. GRONNA. That is my position.

Mr. STONE. And that if you remove the duty on cattle and let the duty on beef remain it will not reduce the cost of meat to the consumer.

Mr. GRONNA. That is correct.

Mr. STONE. I wish now to ask whether the Senator thinks that the removal of the duty on flour as well as the duty on wheat would be helpful or hurtful to the wheat raiser; and also to ask him whether he thinks that if we take the duty off cattle so that they may come in free from Canada or free from all the world, and then take the duty off meats so as to let meat come in free, would the effect be to increase or decrease the price of live cattle?

Mr. GRONNA. Mr. President, the Senator from Missouri asked me two questions.

Mr. STONE. Confine it to the last.

Mr. GRONNA. I will attempt to answer both, briefly. The first question is, If we take the duty off, we will say, the raw material, the wheat, which is the product of the farmer, or from cattle, and also remove the duty from the secondary products, will that reduce the price to the consumer? To that I answer yes; I believe it will. The second question, if I understand the Senator correctly, is, If we take the duty off the raw material and retain it on the secondary products, will that reduce the price to the consumer? I say no; and I want to cite one instance, Mr. President, which is worth a great deal more than my opinion.

During the Sixty-first Congress we can all remember the interest that was taken by the Members in both branches of Congress in the question of hides. When the duty was taken off hides green salted hides were worth in the Chicago market from 16¾ to 18 cents per pound. It had been said that taking the duty off hides would not affect the price of hides, and it is true that it did not for a few months; it is true that during the next fall hides sold, if anything, a little higher in the Chicago market than they did before the duty was removed; but to-day the price of hides is from 10 to 13 cents a pound, and there is not a Senator on this floor nor a consumer in this Capital but knows that the price of shoes has been advanced to the consumer.

While I am not going to set up my own opinion, if I had time I could prove to the satisfaction of every Senator here that the price on all grades of shoes has advanced on an average about 10 per cent, and in some cases, on the higher grades, it has advanced 12½ per cent. Is that an answer to the Senator?

Mr. STONE. I fear I did not make myself understood by the Senator. I will ask this direct question——

Mr. NELSON. Mr. President, if the Senator will yield to me, I am afraid that he does not appreciate and understand the effect of the statement that was made to him by the Senator from North Dakota.

Mr. STONE. Oh, I think I do understand and appreciate it. As to the hide and shoe business, if the Senator will permit me——

Mr. GRONNA. Certainly, I am glad to yield to the Senator.

Mr. STONE. I will say that during the consideration of the Payne-Aldrich bill I was opposed to putting hides on the free list unless we also put shoes on the free list.

Mr. GRONNA. In that the Senator from Missouri showed his usual good sense and judgment.

Mr. STONE. I advocated both; and if my distinguished friend from Minnesota would consider it of sufficient interest,

which of course he will not and should not, to examine the RECORD of that time, he would find that I offered an amendment to put shoes on the free list, and that I voted against putting hides on the free list unless shoes were put on the free list. I never believed that putting hides on the free list would result in cheapening shoes to the consumers. I agree with the Senator from North Dakota that it has not done so. I can have no controversy with the Senator from North Dakota or the Senator from Minnesota [Mr. NELSON] about that. It was very easy for me to appreciate the statement made by the Senator from North Dakota, to which the Senator from Minnesota has called my attention.

I wish to ask this direct question: Does the Senator from North Dakota favor putting meats on the free list?

Mr. GRONNA. Most assuredly, if we place cattle on the free list. If we allow the importation of cattle without any duty, I would certainly favor placing meats on the free list.

Mr. STONE. If this reciprocity bill is agreed to by the Senate as it passed the House, would the Senator from North Dakota vote to put meats on the free list for the whole world?

Mr. GRONNA. I would be willing to do more than that. I would be willing to pass the free-list bill first, as suggested by my distinguished friend and neighbor from Minnesota.

Mr. STONE. But I want, if the Senator will consent——

Mr. GRONNA. And then pass the woolen bill and then——

Mr. STONE. I am not asking about the free list. I am asking the Senator from North Dakota if he would vote to incorporate a provision in the law, in the event the reciprocity bill is passed, to put meats on the free list?

Mr. GRONNA. Mr. President, I am a new Senator——

Mr. STONE. But you are an old Member of Congress.

Mr. GRONNA (continuing). And I have not been in position to get the information that perhaps other Senators have. I think it would be better to wait with all this kind of legislation until we get a report from the Tariff Commission. Then we would have full knowledge of conditions not only in our own country but in all countries, especially Mexico, as the Senator from California [Mr. PERKINS] suggests to me.

Mr. STONE. I understood the senior Senator from Iowa to argue the other day that it would be dangerous to put meat on the free list for the reason that if that were done the great packing establishments now operating in the United States might transfer their operations in large measure to the Argentine, to Mexico, and other foreign cattle-raising countries, and there purchase the cheaper range cattle raised on the plains of Argentina or Mexico, slaughter them there, employing cheaper labor, and so on and so forth, along the usual line of argument; and then he argued that they could ship that meat in here and dump it in our markets at a price below what meat made of American-raised cattle could be produced and sold for without a loss, and that the effect of that would be to still further depress the price of our native cattle in the hands of our farmers and feeders. If that is true, if the view of the Senator from Iowa [Mr. CUMMINS], who is a wise Senator and one who has delved deeply into the mysteries of these questions, is right, then is it not true, as contended by the Senator from Iowa, that the inevitable effect of permitting the introduction of free meat from the world at large would be to cheapen the price of native cattle, for the price of cattle must in a great measure depend upon the price of beef in our market places?

Mr. NELSON. Will the Senator yield to me?

Mr. GRONNA. I will be glad to yield.

Mr. NELSON. I should like to ask the Senator from Missouri——

Mr. STONE. I was asking the Senator from North Dakota a question. I did not purpose to take the witness stand.

Mr. NELSON. Allow me to make a suggestion. What effect would all that the Senator from Missouri has described have on the packers of Kansas City? I wish the Senator would give us some light on that subject.

Mr. STONE. It would have the same effect on the packers of Kansas City that it would have upon the packers of any other city.

Mr. NELSON. Well, what would be the effect?

Mr. STONE. I was not undertaking to state effects. I was undertaking, for the benefit of my friend from North Dakota [Mr. GRONNA], who is insurging alongside of my friend the Senator from Iowa [Mr. CUMMINS], to state the view, as I understand it, of the Senator from Iowa, and to ascertain whether they were agreed.

Now, of course, if cattle bought on the plains of Argentina at a lower price than they can be brought from the ranges of the United States or from the feed lots of the United States, and can be turned into beef down there at a lower price than the cattle here can be turned into beef, and can then be shipped at a comparatively small expense to our ports and from thence distributed, it does strike me that it would tend to decrease the price of beef to the consumer in the United States, and that in turn might reduce the price of cattle.

Mr. NELSON rose.

Mr. STONE. If you decrease the price of beef in the United States, it strikes me, as it does the Senator from Iowa, that it might decrease the price of cattle in the feed lot.

Mr. NELSON. Mr. President, will the Senator allow me?

Mr. STONE. I was asking the Senator from North Dakota if he thinks as the Senator from Iowa thinks about this, and I wanted to know if he was in favor of putting beef on the free list?

Mr. NELSON. I should like to know what remedy the Senator from Missouri would prescribe. Has he any specific that would cure such a situation as he describes?

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Iowa?

Mr. GRONNA. With pleasure.

Mr. CUMMINS. Before the Senator from North Dakota answers the very discriminating inquiry propounded by the Senator from Missouri, I should like him to take my position from me rather than from the memory of our distinguished friend, the Senator from Missouri, although he is not far wrong.

Notwithstanding this alliance between the free-trade Senator from Missouri——

Mr. STONE. No; do not put it that way.

Mr. CUMMINS. I mean the tariff-for-revenue-only Senator from Missouri and the high protectionists of New England and Pennsylvania and New York; I am still a protectionist. I still believe in the soundness and universality, for that matter, of the general doctrine of protection. It is said, and it may be true—I am not disposed to controvert it at this time—that there is no substantial difference between the cost of producing cattle in Canada and in the United States.

If there is no such difference, then under the doctrine of protection there ought to be no duty on cattle imported from Canada into the United States. I am not saying whether there is or is not a difference, because we have not made the investigation which is necessary to reach a certain conclusion upon the subject. But——

Mr. STONE. But the Tariff Board has.

Mr. CUMMINS. I beg the Senator's pardon. The Tariff Board has reported some facts with regard to the business, but has not made that complete return which we have a right to expect and which we can fairly expect in the near future. But if the cattle raised in Canada come in free to the United States it goes without saying—no one ought to controvert the proposition—that the meat made from those cattle shall come into the United States free. The man who would deny that proposition has lost all his power of reasoning.

Now, so far as South America is concerned, I want the Senator from Missouri to remember that the conditions of cattle raising in, say, the Argentine Republic are widely different from the conditions of cattle raising in the United States, and everyone who knows anything about that knows that it costs less to produce a steer in the Argentine than it does in the United States.

If we should open the markets of this country to either the cattle or the meat of the Argentine Republic and surrounding countries, we would only be intensifying and emphasizing the wrong that we are about to perpetrate upon the farmers of this country in the reciprocity measure, and so I do not want to be misunderstood at all. So far as I am concerned, I am opposed to free meat from the Argentine Republic. I am opposed to it because that policy would still further reduce the price of cattle in the United States. But I am in favor of free meat from Canada because we are apparently about to admit cattle from Canada upon the hypothesis that it costs no more to produce cattle here than it does there. And with that statement of my position I turn the question and the subject over to the Senator from North Dakota.

Mr. STONE. I think I fairly stated the position of the Senator from Iowa and substantially as he has stated it himself. Now I again ask my friend the Senator from North Dakota if he concurs in the view of the Senator from Iowa?

Mr. GRONNA. Mr. President, the distinguished Senator from Missouri puts to me a hypothetical question. I will ask the Senator from Missouri if he believes that the farmers of Missouri and the United States are receiving too high a price for their cattle or for their meat?

Mr. STONE. No; I do not think they are. I wish they were getting more. But that does not at all touch the question.

Mr. GRONNA. Mr. President, I shall not undertake to make any answer for the distinguished Senator from Iowa. I wish I were as able to take care of myself as he is. I can not give the Senator from Missouri a direct answer, because, as I said before, we have had no report from the Tariff Commission that would justify me in saying that I would be in favor of letting in free meat from Mexico. I will say that I believe, as the Senator from Iowa has said, that it might be the means of reducing the price of cattle to the farmers of the United States.

The result of this measure will be that for every bushel of wheat imported the Government will lose the 25 cents which it would have collected otherwise, and for every bushel that the miller buys from the American farmer he will pay as much less as the price is reduced by the free importation of Canadian wheat. For every bushel of barley imported the Government will lose the 30-cent duty, and that bushel will aid the brewing interests in getting the barley of the American farmer for a less price. For every bushel of flax imported the Government will fail to collect the present duty of 25 cents per bushel, and the linseed oil trust will pay less to the American farmer for every bushel of flax that it buys from him. The trusts are still protected in their markets; it is the farmers who are to receive less for their products in order that this administration may have the glory of being the one to negotiate a trade agreement with Canada and force its ratification by Congress.

As an illustration of what result may be expected from removing the duties on raw materials while retaining them on the products manufactured from them, I wish to remind you of what happened when the duty was removed from hides. I touched upon that a moment ago.

Those of us who were in Congress at that time remember the plea of the shoe manufacturers and the tanners for free hides. According to them, if free hides were given them, the result would be lower prices for shoes. Hides were after a struggle placed on the free list, but the price of shoes went up and has stayed up. It has been stated that this was due to an increase of the price of hides—in spite of the removal of the duty—caused by an increased demand for hides in other countries. The fact is, however, that the price of hides has dropped.

In June, 1909, the Chicago prices of hides ranged from 13¾ to 17 cents per pound, on the various kinds of hides; in October of the same year they ranged from 14½ to 18 cents, but since then there has been a steady decline, and in March of this year the prices ranged from 10 to 13 cents. The prices of hides have decreased, but the prices of shoes have increased. Whether the benefit of the cheaper hides went to the tanners, the shoe manufacturers, or the trust controlling the machines used by shoe manufacturers, or whether they all shared in it, the fact can not be disputed that the consumer—the person who buys the shoes—not only did not receive any benefit from the removal of the duty on hides, but actually has to pay a higher price for his shoes than he did before. And the Government lost $2,000,000 revenue, as the Senator from Idaho [Mr. BORAH] suggests.

If the purpose of this agreement is to extend the commerce of the United States, or if that is one of the purposes, it would seem that it must have been entered into blindly on the part of our Representatives. Almost without exception the goods on which the duties have been removed are goods that Canada will sell to us and that we can have no hopes of selling to her. I do not see how anyone can maintain that there is any reciprocity in such an agreement. I do not assent to the proposition that the mere mutual removal of duties by two countries constitutes reciprocity. Unless there are mutual benefits there is no reciprocity. It is beyond my comprehension how we can have reciprocity with Canada unless Canada removes the duties from goods that we expect to sell to her in return for our removing the duties on goods which she expects to sell to us.

Mr. President, never before would a measure of this kind have been seriously considered by a Republican President or a Republican Senate. It is not a reciprocity agreement in the true sense of the word, either in form or in nature. It is merely a cloak to hide the adoption of a new economic and industrial policy—a policy that no one connected with the administration has as yet dared to champion in the open, a policy that has never yet been accepted as a Republican policy by anyone authorized to speak for the party and that has never yet found its way into a Republican platform, a policy out of harmony with all the previous declarations of the Republican Party and directly opposed to the tenets held by those who composed its galaxy of statesmen, a policy which will be repudiated by the rank and file of the party as soon as they have an opportunity to be heard—the policy of placing food products and raw materials on the free list and retaining a protective duty on manufactures.

I feel called upon to protest against this false and pernicious doctrine. It is not in accordance with Republican platform declarations. It was part of the platform on which Mr. Foss was elected governor of Massachusetts, but that was not a Republican platform. Those who favor it must proceed on the assumption that there is no difference in the cost of producing the raw material in the different countries and that its producer is so favorably situated that there is no need of considering what his requirements may be. The only alternative is the less charitable assumption, although I will not say less true in some cases, that those who are so ready to remove the duties on the raw material while advocating the retention of the duties on manufactures—often far in excess of the difference in cost of production at home and abroad—care nothing for any other industries so long as those in which they are especially interested are properly protected. The plea that the farmer has derived no direct benefit from the protective duties on his products in the past, and should therefore not complain if those duties are now removed when it is admitted that he is deriving some benefit or will derive some in the near future, is neither a justification nor an excuse. It is merely an attempt to find a plausible explanation of their willingness to sacrifice the interests of the farmer and producer of raw materials.

Mr. McCUMBER. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield to his colleague?

Mr. GRONNA. With pleasure.

Mr. McCUMBER. I think my colleague will agree with me that the use of the term "raw material" as applied to farm products is rather a misnomer. We can scarcely say a product that comes first from an investment of land at $50 to $100 an acre, the turning of that land over by the use of power, either horsepower or otherwise, of harrowing it, of purchasing or raising the seed, of sowing it, of caring for that seed, of then harvesting and shocking and thrashing, and finally cleaning and hauling to market is a raw material, and therefore it is the farmers' manufactured material, entitled to the same consideration as any other manufactured product, and should be considered the same in the matter of the levying of our tariff.

Mr. GRONNA. My colleague is absolutely correct in that. I am only using the term "raw material" here in the usual, perhaps rather loose, way. The farmer's bushel of wheat is his finished product; the farmer's wool is his finished product; and everything that is produced on his farm is as much his finished product as a pair of boots is the manufacturer's finished product. There is no question about that.

Mr. WARREN. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Wyoming?

Mr. GRONNA. I do.

Mr. WARREN. The suggestion in my mind has been given voice by the senior Senator from North Dakota. I assume, and I think correctly, that the junior Senator from North Dakota was using the term in the loose way it is often used. But when we undertake to trace a really true raw material I find it is a good deal of a will-o'-the-wisp, because, taking the matter of farmers' products, they are all the result of an investment of time, labor, and capital. Take, for instance, wool. As stated, that is the finished product of the farmer. It goes to the spinner, and while wool is his raw material the yarn that he turns out is his—the spinner's—finished product. It goes still further to the weaver, the cloth men. The yarn is their raw material in the same sense. The cloth is their manufactured product. Again, it goes to the cutters and the makers of garments. The cloth itself is their raw material and the finished clothing is their manufactured product.

So it is hard to undertake to define anything along the lines of that which is the product of labor as raw material. I assume that the Senator from North Dakota is using the term in the sense in which it is so often used or misused.

Mr. McCUMBER. If the Senator will allow me, I think we can only justly apply the term raw material to the minerals in the ground, which have been placed there by nature, and the trees that grow on the mountains or along the rivers. The moment that human labor is applied to them even those articles become the fixed product of the laborer.

Mr. GRONNA. Mr. President, I want to thank my colleague and also the Senator from Wyoming for calling my attention to this point. I agree with both. What is one man's finished product is another man's raw material, and vice versa. As my colleague has said, raw material is that which has not been touched by the human hand.

The Republican platform of 1908 declares:

> In all tariff legislation the true principle of protection is best maintained by the imposition of such duties as will equal the difference between cost of production at home and abroad, together with a reasonable profit to American industries.

It does not confine it to manufactures, but to American industries.

This platform on which President Taft was elected does not mention reciprocity; neither does the Democratic platform of that year. If the principle above stated is to apply in the making of tariffs, the policy will have to be pursued as regards agriculture as well as manufacturing. If the manufacturer is to have a protective duty equal to the difference in cost of production, so must the farmer. The farmers have loyally supported protection because they believed that it would result in building up the industries of the country, and although most of them realized that they were getting comparatively little in return for the burden they were bearing, they bore the burden uncomplainingly, because they had sufficient patriotism to suffer under temporary—as they believed—disadvantages in order that the general welfare might be promoted. They did expect, however, fair treatment. Believing that it would be wise statesmanship to have a protective tariff sufficient to encourage home industries and protect the home market from the effects of industrial disturbances and undue price fluctuations abroad; believing that a reasonable stability in prices is more advantageous both to the producer and the consumer than violent fluctuations, and consequently believing that our own markets should not be subjected to the disturbances which would be inevitable if thrown open to the whole world so as to feel the combined effects of speculations, panics, misdirected efforts, industrial miscalculations, and in general whatever may disturb production and bring on industrial crises, they were willing to bear these burdens at a time when they derived little benefit from them, in the belief that when the time came when it would be a direct benefit to the farmers to protect them from the flood of produce resulting from the opening of new and fertile lands, that small favor would not be begrudged them. They now see with bitter amazement the readiness with which they are now to be sacrificed, not because of any undue benefits which they have been deriving from protection, not because of their having formed trusts and combinations to raise the prices of their products to exorbitant levels, but apparently because it has been decided that popular discontent with the indefensible duties on certain manufactures demands a victim to appease the popular discontent, and the agricultural interests have been seized upon as the ones who will make the least resistance. Consequently they are called upon to surrender the duties on their products without receiving anything in return, and their protection is to be cut off without any examination as to what the effect of such action will be, and so far as the administration is concerned, without giving the farmers a single word in defense. How different the treatment of the woolen interests, the duties on whose products the President has characterized as indefensible, but which, it is now given out, must not be touched until the Tariff Board has made a thorough investigation, lest a change based on deficient knowledge injure the industry!

I can not forbear to say at this point, Mr. President, that the indifference of the administration to the interests and welfare of the farmer, the unkindly rebuffs he has met with when he has attempted to present his case to the President, and the jeers and innuendos of which he has been made the object by the metropolitan press, especially that portion of it which is supporting the present administration, will not result in any good either for the country or the administration. I do not presume that there is a Senator here who does not know that the opposition to this measure among the farmers is real, and that the farmers who appeared before the Finance Committee of the Senate in opposition to it were here in sincere earnestness because they were convinced of the injustice of the measure and the destructive effects which it will have on agriculture.

This bill places whatever the farmer produces on the free list, and the arguments for it have largely been devoted to stating that this will not injure the farmer in any way, that it will not affect the prices that he receives for his products. Especially in the case of wheat it has been industriously reported that the price is made in Liverpool, and that, consequently, anything that we may do in this matter will have no effect on that price. It is noticeable that those who are industriously making this statement are those who have nothing more than an academic interest in the price of wheat or else have certain interests in the adoption of this measure. The farmer and the grain buyer both seem to be convinced that it will affect the price, and that its effect will be to lower the price. Without exception, so far as I have noticed, all those who have had to do with the handling of grain, whose success or failure has often depended on their ability to judge the market and determine its probable trend, whether it be as buyer or seller, seem to be convinced that the free admission of Canadian wheat can have but one effect, and that is to lower the price to the American farmer. Those who have to back their opinion with hard cash seem to be satisfied that the effect of removing the duty will be to lower the price. The very day that the Minneapolis wheat traders received the news of the Canadian agreement there was a break in the wheat prices at Minneapolis. In the market reports published by such papers as the Minneapolis Journal, which supports this agreement, this break was ascribed to the belief that the agreement would result in lower prices. Whether that belief be correct or erroneous, there is no getting around the fact that the break in the market and the subsequent lower prices for wheat were due to it.

There are those who, looking at our exports of wheat every year, are unable to comprehend why the removal of the tariff on wheat should have any effect on the price. Most people know that our consumption of wheat is gradually overtaking our production, and that our exports are consequently decreasing. The exports for the fiscal years ending June 30, 1908, 1909, and 1910, were 163,043,669 bushels, 114,268,468 bushels, and 87,364,318 bushels, respectively.

Mr. McCUMBER. I should like to ask my colleague if that does not include flour?

Mr. GRONNA. Yes; it includes flour.

Mr. McCUMBER. I wished to make it clear.

Mr. GRONNA. This includes the wheat flour, reduced to bushels at the rate of 4½ bushels to the barrel. The exports for the calendar years 1908, 1909, and 1910 of wheat and wheat flour were 151,338,124 bushels, 92,085,643 bushels, and 61,923,297 bushels, respectively. The 1910 crop of wheat was 695,443,000 bushels. It will thus be seen that the export of wheat and flour during the calendar year 1910 was somewhat less than 9 per cent of the number of bushels raised that year. It would appear to many that this would be sufficient to have the effect of reducing the price in our markets to the level of the Liverpool market, less the cost of transporting the wheat to the latter market. One difficulty with most people in considering this question is that they do not distinguish between the different kinds and grades of wheat, and do not appreciate the different milling qualities of the various grades. Further, many people are apt to pursue the inquiry as to where the wheat goes no further when they learn that it was exported, taking it for granted that every bushel sold abroad has the same effect in tending to reduce the price in our domestic market to the Liverpool price as if sold in Liverpool.

During the fiscal year ending June 30, 1910, we exported in all 46,679,876 bushels of wheat. Of this about 20,000,000 bushels went to England. Almost 6,000,000 bushels went to Belgium. Over 5,000,000 bushels went to Germany. Over 3,000,000 bushels went to Mexico. During the same year we exported in all 9,040,987 barrels of flour. Of this, 1,895,397 barrels went to England, 791,850 barrels to Cuba, almost 740,000 barrels to the Netherlands, and almost 669,000 barrels to Hongkong. The rest of the flour and the rest of the wheat was scattered among the other nations of the world. A little reflection will convince anyone that with our wheat and flour distributed in this manner we are more independent of the Liverpool market than we should be if all our surplus went to that market, and the effect of the Liverpool price on our domestic price consequently less marked.

There is another fact, however, which operates even more strongly to make the Minneapolis and Duluth markets independent of the Liverpool market. The three States producing the bulk of the hard spring wheat are Minnesota, North Dakota, and South Dakota. The terminal markets for this wheat are Minneapolis and Duluth. The milling qualities of this wheat are greatly superior to those of the winter varieties, and all, or practically all, of this wheat is ground into flour in this country. The wheat which is exported and which competes with the wheat of other countries in the Liverpool and other foreign markets is either winter wheat or the other variety of wheat called durum, or macaroni wheat, of which varying quantities are grown in the three spring-wheat States. The Secretary of Agriculture makes the following statement in his 1909 report in regard to the production of durum or macaroni wheat:

> The annual production of durum wheat at present, though difficult to determine before taking a census, appears to be at least 50,000,000 bushels, and probably comes nearer to 60,000,000. * * * The export now averages considerably over 20,000,000 bushels per annum.

The export of all kinds of wheat for the fiscal year ending June 30, 1910—the crop of 1909—was, in round numbers, 47,000,000 bushels. Subtracting the export of durum wheat and there would remain not more, and in all probability considerably less, than 27,000,000 bushels as our export of winter and hard spring

wheat. The supply of durum wheat has not been an appreciable factor in fixing the price of the other kinds of wheat. It is a wheat that is not now to any extent used for flour in this country. Only a few years ago our millers refused absolutely to buy and grind it. Its price has consequently always been below that of hard spring wheat. A few years ago the difference was as much as 20 cents per bushel. At present the difference is about 10 or 11 cents. In considering the effect of the prices at Liverpool on our domestic price, therefore, we must deduct the export of durum wheat from our total wheat export, as this wheat has in the past competed only indirectly with the other kinds of wheat—in much the same manner, for instance, that oats competes with barley. The remaining 27,000,000 bushels, constituting our total export of winter and spring wheat in 1910, was practically all winter wheat. The statement was made before the Finance Committee, and so far as I know it has not been disputed either before the committee or elsewhere, that not only do we not export any spring wheat, but that even the best grades of northwestern flour never go to Europe. Consequently, while the winter wheat, or part of it, is exported to Europe and other countries, and there comes in competition with wheat from all parts of the world, the hard spring wheat of Minnesota, North Dakota, and South Dakota does not come into competition with the wheat produced in other countries, and the world price of wheat does not determine the Minneapolis or Duluth price. The price in the Liverpool market has an indirect effect on the price at Minneapolis and Duluth, as it affects the price of our winter wheat, and the winter wheat will to some extent compete with our spring wheat. If the supply of spring wheat is short, or if its price is very much higher than that of winter wheat, for instance, the winter wheat will to some extent take the place of the spring wheat in the manufacture of flour, although the flour thus manufactured will not compare in quality with that made from spring wheat. It is merely a case of accepting the inferior article if the price of the better one is deemed too high.

How nearly independent we are of the Liverpool market is even better brought out if we take the exports of wheat and wheat flour for the calendar year 1910. During that year we exported, in round numbers, 24,000,000 bushels in the form of wheat and 37,000,000 bushels in the form of flour. If the estimate of the Secretary of Agriculture that our export of durum wheat is in excess of 20,000,000 bushels annually holds good, and I see no reason for doubting it, it is apparent that even in the case of spring wheat the effect of the world's market on its price is only indirect, due to the competition of the flour of other countries with our flour in the world's markets. How much of the flour exported was durum wheat flour I have not been able to learn; but it seems probable that some of it may have been. Taking the lowest figures given by the Secretary as to production and export of durum wheat, 50,000,000 bushels and 20,000,000 bushels, respectively, would leave 30,000,000 bushels to be consumed and disposed of otherwise. The requirements for seed would not exceed four or five million bushels, which would leave some 25,000,000 bushels unaccounted for. While all of this may not be ground into flour in this country, a large part of it undoubtedly is, and making allowance for the consumption of some of it in this country, it seems probable to believe that part of the 37,000,000 bushels exported in the form of flour was durum wheat.

The price of wheat in Canada, however, is dependent on the Liverpool price because of the large percentage of the crop which they export. The wheat which they raise in the Canadian northwest is practically all hard spring wheat; and as they consume only part of it, the remainder is exported to be sold in competition with the wheat from other countries. The result is that the price of No. 1 northern in Winnipeg has been on the average some 11 cents less than the Minneapolis and Duluth price. The Winnipeg price is the price of Port Arthur, ready for export; it is the export price. It has been urged that the difference in price is due to the difference in freight charges, but it should be borne in mind that the distance to Liverpool by the Canadian route is some 600 or 700 miles shorter than by the American route. And as wheat can be shipped through the United States in bond without the payment of duty, if the difference in price were due to the higher freight charges in Canada, the Canadian wheat for export would naturally be shipped through the United States in the manner indicated, the effect of which would be to raise the Winnipeg price. As shipping the wheat in bond does not have this effect on the Winnipeg market, and as the price received by the Canadian farmer for wheat to be shipped in bond through the United States is from 10 to 15 cents less than that received by the American farmer within 4 or 5 miles, or sometimes less, of the same point, it is evident that the difference in price is not due to the difference in freight charges. An attempt was made to show before the Finance Committee that the difference was due to laws enacted in Canada, prohibiting the trading in futures or hedging, and that this restriction on the grain trading at Winnipeg had resulted in depressing the price below the Minneapolis level. The Winnipeg Grain Exchange, however, has denied that there is any law preventing hedging, and has stated that country elevators sell daily purchases as hedge as regular thing, and that the exchange floor business at Winnipeg is practically the same as at Minneapolis. I do not see there can be any escape from the conclusion that the higher price for hard spring wheat in our markets is due to the fact that our markets are independent of the Liverpool market and the tariff on wheat prevents the importation of wheat from Canada. Lest anyone should think that perhaps the Canadian wheat is an inferior product, I will say that No. 1 northern wheat in Canada must weigh 60 pounds to the bushel, while No. 1 northern wheat in the markets in this country is not required to weigh more than 58 pounds to the bushel. It consequently takes better wheat to grade No. 1 northern in Canada than it does in the United States.

In order to secure definite information as to what the difference actually is between the price received by the American farmer for wheat and that received by the Canadian farmer, I wrote to Mr. George McLean, a grain dealer at Sarles, N. Dak. Besides buying American wheat, Mr. McLean buys Canadian wheat in bond. In buying Canadian wheat he has the competition of the Canadian wheat buyers in the neighboring Canadian towns, and, of course, has to pay at least the full price that the Canadian buyers do, and possibly a little more, as in all probability the Canadian farmer has to haul his grain a little farther in order to sell it to Mr. McLean than he has to in order to reach his Canadian markets. Sarles is located some 3 or 4 miles south of the Canadian boundary. North of the boundary line are the towns of Cartwright, Clearwater, and Crystal City—none of them more than 10 miles from the line. These towns are situated in the Province of Manitoba, on a branch of the Canadian Pacific Railroad, within 100 miles of the great city of Winnipeg. I wish to insert here, and have made a part of my remarks, Mr. McLean's reply, which gives the prices paid for American and Canadian wheat at Sarles during the months of October and November last:

SARLES, N. DAK., *May 27, 1911.*

Hon. A. J. GRONNA,
Washington, D. C.

MY DEAR MR. GRONNA: Replying to your letter of the 23d instant regarding the prices paid for wheat in Sarles, I submit the following:

Dates.	American wheat.	Canadian wheat in bond.
Oct. 3, 1910	$0.97	$0.85
Oct. 5, 1910	.98	.84
Oct. 7, 1910	1.00	.85
Oct. 11, 1910	99	.85
Oct. 12, 1910	.98	.83
Oct. 15, 1910	.96	.83
Oct. 17, 1910	.95	.81
Oct. 20, 1910	.93	.81
Oct. 25, 1910	.91	.81
Oct. 29, 1910	.92	.79
Nov. 1, 1910	.89	.77
Nov. 2, 1910	.90	.75
Nov. 3, 1910	.89	.75
Nov. 4, 1910	.88	.75
Nov. 8, 1910	.89	.77
Nov. 12, 1910	.88	.77
Nov. 14, 1910	.91	.79
Nov. 16, 1910	.93	.79
Nov. 20, 1910	.92	.80
Nov. 26, 1910	.91	.80
Dec. 2, 1910	.91	.77

Mr. Gronna, these are actual prices paid on the above dates and can be verified if necessary.

Yours, very respectfully, GEORGE MCLEAN.

Mr. McCUMBER. I wish to state to my colleague that the Canadian wheat is purchased and sold in bond, so that no tariff has to be paid on it.

Mr. GRONNA. Certainly; no tariff at all has to be paid. I shall touch upon that point in a few moments.

The difference in price at Sarles in favor of the American market ranges from 10 to 15 cents, and averages just a little less than 13 cents during the two months for which the prices are given. Is it any wonder that the Canadian farmer is anxious to enter the American markets with his wheat when he sees his neighbor right across the boundary line—only a few miles distant, their fields perhaps touching—receive on the average 13 cents more for every bushel of wheat that he sells? And is it any wonder that the American farmer is opposed to an agreement which will permit the Canadians to sell their

surplus in the markets of this country, and which everyone expects will result in bringing the markets in the two countries to the same level?

The free admission of Canadian wheat in competition with our hard spring wheat can have no other effect than bringing the markets for this kind of wheat in the two countries to the same level. Whether the immediate result would be to reduce the American market to the present level of the Canadian market, or whether the Canadian price would be increased somewhat, I shall not undertake to say. In view of the large surplus which Canada even now has, however, I am inclined to believe that the price of wheat would rise little in Canada, if at all. There would be a decided decline in the price on this side of the line. Of the ultimate result there can be little doubt. Canada has such vast possibilities before her as a wheat-raising country that only a very few years would be required until her production of the hard varieties of wheat would far exceed the combined consumption of the two countries, and the price received for the surplus exported and sold in the world's markets would determine the price received by the American as well as the Canadian farmers.

Another effect which the free admission of Canadian wheat would have, distinct from that above noted, which may not be apparent to one who is not conversant with actual conditions, is the effect of dumping a large supply of wheat into the terminal markets in the fall. The Canadian Northwest is a new country. In new wheat-growing countries the grain is sold practically from the thrashing machine. The new settler needs money to pay the bills contracted during the year, which are payable as soon as he has thrashed his wheat, and hurries his grain to the market as soon as it reaches him from the spout of the thrashing machine. The result is that most of the wheat is marketed at practically the same time, and the markets are glutted. The unusually heavy receipts invariably result in unduly low prices, and the farmer who is compelled to sell in the same market at that time receives less for his wheat than it is actually worth. In sections that have been longer settled the grain is marketed more gradually and the prices are more stable. If Canadian wheat is admitted free there can be no doubt that the millions of bushels of wheat produced in that new country will come pouring over the border in the fall of the year and glut the Minneapolis and Duluth markets to the further injury of the American wheat grower.

The President has stated at various times that conditions of production are so similar on the two sides of the boundary line that it is evident that the Canadian farmers have no advantage over ours, and that consequently the Republican platform, which declares for a tariff sufficient to cover the difference in cost of production at home and abroad, is not violated by this agreement. As a matter of fact the conditions are not similar. The mere fact that wages may be the same per day, and that there may not be much difference in the cost of living, does not make the conditions of producing grain similar. Other things have to be taken into consideration. Old land will require more cultivation to produce a crop than new land, and may require the use of fertilizers. With the same cultivation the new land will produce a crop much greater than the old land, and the labor cost per unit of production on the old land may be several times that on the new land, even though the daily wages paid may be exactly the same. Further, land in an old settled section will cost more than new land in a country just opening up. Now, Canada has the new, cheaper, more productive lands, and we have the older, less productive, dearer lands. It would seem that no argument would be needed to convince anyone that with these conditions the cost of raising a bushel of wheat is necessarily greater in the United States than in Canada, and yet the statement is gravely made and reiterated whenever an attempt is made to show that the farmer has no right to complain because of this measure.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER (Mr. BRANDEGEE in the chair). Does the Senator from North Dakota yield to the Senator from Minnesota?

Mr. GRONNA. With pleasure.

Mr. CLAPP. I take it that the Senator is about to leave that particular question; and, if so, I desire to make a suggestion at that point.

Mr. GRONNA. I will be very glad to yield to the Senator.

Mr. CLAPP. The question of the balance of trade in noncompetitive articles, of course, simply means that one country must buy noncompetitive articles somewhere. If they buy them all of one country, it means nothing as to competition, but the balance of trade in competitive articles means something as to the ability of a country to compete. According to the President's own figures, the balance of trade for the year ending the 1st of July, 1910, I think, in favor of the United States was $119,000,000, but to get that balance of trade the United States had to sell enough additional in Canada to make up a balance of trade against us in agricultural products; in other words, take the articles which this bill advances to the free list—and I use the word "advances" advisably, for corn is already on the free list and of course we have a balance of trade on corn.

Mr. GRONNA. And the same is true of cotton.

Mr. CLAPP. Yes; but take the articles which this bill advances to the free list, consisting principally of farm products, and in those articles for that year Canada had a balance of trade against us of $22,000,000. There is a concrete fact of more value, it seems to me, than all the disputes by the day as to whether a man gets $1.13 or $1.12 in one country or the other. In this balancing of competitive articles the balance was against us $22,000,000, which shows beyond any controversy that we simply can not compete with Canada upon those articles, and yet those are the articles it is proposed to advance to the free list.

Mr. GRONNA. Mr. President, the Senator is absolutely correct in that statement, according to my view. The agreement will not only be detrimental to the farmer in that it will depress his prices, but it will be detrimental to the country as a whole.

Mr. Collins, testifying before the Senate Finance Committee, gives the cost of raising a bushel of wheat in Minnesota and the two Dakotas as 65 cents per bushel, and in Saskatchewan as 39 cents per bushel. The cost, according to these figures, is 26 cents less in Saskatchewan. Mr. Chamberlain, testifying before the same committee, arrives at a cost of 57 cents per bushel in the United States and 40 cents per bushel in Canada—a difference of 17 cents per bushel in favor of the Canadian farmer. Mr. Chamberlain does not seem to have taken into account, however, the higher price of land in the United States—as he takes $8 as the cost per acre of raising wheat in both countries—which would operate to make the difference in cost per bushel greater than that given by him. Mr. Thomas H. Cooper, of the State University of Minnesota, submitted to the Select Committee on Wages and Prices of Commodities a statement showing that the average cost of production on a number of farms, records for which for a series of years have been kept at the university, was as follows for the years 1908 and 1909: Wheat, 75 cents per bushel; oats, 38.3 cents per bushel; corn, 41.2 cents per bushel; barley, 40.9 cents per bushel; flax, $1.037 per bushel; potatoes, 30 cents per bushel. I believe that these figures more nearly represent the actual cost of the above-named farm products than those of Mr. Collins and Mr. Chamberlain. I have had figures submitted to me, however, by actual farmers in North Dakota showing a much higher cost of production than those of Mr. Cooper. Without expressing any opinion as to what the exact cost of raising a bushel of wheat may be, I will say that I do not see how anyone who has taken the trouble to inquire as to the yield in the Canadian Northwest and the yields in our wheat-producing States and the prices of lands in the two countries, can make the statement that it costs no more to produce a bushel of wheat in the United States than it does in Canada. The average yield of the Canadian wheat fields in 1909 was 21¼ bushels per acre. The average yield of the United States the same year was 15.8 bushels per acre. The yield in Minnesota was 16.8 bushels; in North Dakota, 13.7; in South Dakota, 14.1. The average yield in the United States in 1910 was 14.1 bushels. In Minnesota the yield was 16 bushels; in South Dakota, 12.8 bushels; in North Dakota, 5 bushels. The yield in Canada was also somewhat less than the year before, the total wheat crop being some 17,000,000 bushels less, while the acreage was greater.

I have spent considerable time on the question of how this measure will affect the price of wheat, because wheat is the great staple production of my State. The prosperity of the farmers of North Dakota depends on the wheat crop and the price received for that crop. Last year there was a short crop because of drought, and it seems an act of wanton cruelty to inflict this measure on the farmers of that section, when they will need every dollar they can possibly receive for their grain in order to recover from the setback received last year.

In the case of barley the measure will not affect the North Dakota farmer as much as it will the farmers of other States. When we come to flax, however, the blow again strikes the farmers of my State. North Dakota usually produces about three-fifths of all the flax raised in this country. The annual production of flax in the United States is usually about 25,000,000 bushels. Practically all of this is consumed in the United States. In the fiscal year ending June 30, 1909, we exported 882,889 bushels, and in the year ending June 30, 1910, only 65,193 bushels. This year considerable quantities will have

to be imported, as last year's production was only slightly more than 14,000,000 bushels. The price in this country is consequently not dependent on the markets in other countries. And yet it is contended that removing this duty will not in any way affect the farmer. The production of flax in Canada is increasing, the acreage in 1910 being more than three times that in 1909. The average yield of flax in the United States was 9.4 bushels in 1909; in 1910 it was 4.8 bushels. In Canada the average yields for the same years were 15.98 bushels and 7.97 bushels, respectively. With the free admission of Canadian flax it will inevitably result in lowering the price of flax in this country. And it is to be noted in the case of flax, as in that of wheat, that the removal of the tariff will not result in decreasing the cost to the consumer as the tariff is still retained on linseed oil. The more a person studies this measure the more is he impressed with the care which has been taken to retain the duties on manufactures, while removing it on raw materials. I will say that by "raw materials" I mean the products of the farmer, which, of course, as my colleague [Mr. MCCUMBER] suggests to me, are not raw materials, but the farmers' finished products.

Some supporters of this measure are wont to speak of Canadians in farm products as negligible, and refer to the exports of *Canadian wheat*, for instance, as unimportant. While I do not like to advertise the advantages of a foreign country as compared with our own, I feel it incumbent upon me to call attention to some of the facts with regard to Canada. West of the Red River of the North, and stretching northward from the boundary of the United States, lies the great Canadian Northwest. Stretching 1,000 miles from Winnipeg to the Rockies, and 500 miles northward from the boundary, she has what is claimed to be the largest unbroken wheat field in the world. The area of the three prairie Provinces, Manitoba, Saskatchewan, and Alberta is equal to the combined areas of Minnesota, Wisconsin, Iowa, North Dakota, South Dakota, Nebraska, and Missouri. The future wheat production of this region is estimated at from 1,000,000,000 to 1,600,000,000 bushels, or from one and a half to two and a half times the present production of the United States; and yet it is said that the enactment of the reciprocity bill will not affect the American farmer. In 1909 Saskatchewan alone, with 50,000,000 of her 60,000,000 acres of arable land unbroken prairies, produced 91,000,000 bushels of wheat. In addition to that she produced more than 105,000,000 bushels of oats, almost 8,000,000 bushels of barley, and nearly 4,500,000 bushels of flax. Alberta has 100,000,000 acres of agricultural land, with only 1,000,000 at present under cultivation. Manitoba is the oldest of the three Provinces, but it is estimated that only 20 per cent of her arable land is under cultivation.

During the year ending March 31, 1910, 208,794 immigrants entered Canada, 103,798 of whom came from the United States. It does not require a prophet to see what the effect on wheat raising in the United States will be of the free admission of Canadian grain. In two or three years Canada will export more wheat and flour than we do. If we admit her wheat free, not only will it compete with our hard spring wheat and force the price down to the level of the world's market, but it will displace a large part of the winter wheat which is now mixed with the northwestern hard wheat for milling purposes, and the States producing winter wheat will be compelled to find a market for most of their product abroad, instead of exporting only the surplus as at present. It should be further noted in this connection—and I ask the Senate to pay particular attention to this—that with the tariff removed from wheat the American wheat grower is in danger of being discriminated against in the matter of freight rates. The American railroads will be sure of the carrying of the American grain, but for the carrying of the Canadian grain they will have to compete with the Canadian lines, the inevitable result of which would seem to be lower rates for Canadian producers than for American producers. The American farmers being at noncompetitive points will have to help pay the cost of carrying the grain of the Canadian farmers located at competitive points. There can be no question about that, Mr. President.

President Taft made a speech at Chicago on the 3d of June in which he undertook to defend this agreement. In connection with his discussion of the effects of the measure on agriculture, he makes the following statement:

> Canada is so far north that her agricultural products are practically limited to wheat, rye, barley, oats, potatoes, live cattle, horses, and dairy products.

He might have added to the above flax and hay, and he would have no difficulty in finding a number of States on this side of the line whose agricultural products are limited to those enumerated. He dwells upon the fact that Canada produces no cotton and little corn as a reason why this measure will not injure the farmer. It would seem that it was hardly necessary to call attention to the fact that Canada will not be a competitor in the production of cotton and corn. She does produce the products enumerated above, and when we admit these free of duty they must inevitably compete with our products. The reason that Canada entered into this agreement was that she wanted a better market for these products, and she expects to find it in this country. Canada had no duty on either cotton or corn, and we had no duty on cotton. The removal of the duty on corn is not going to affect the price of either of those products in any way, and I do not know that anyone has maintained that it will. The crops which the different Provinces of Canada produce, however, are the crops that our border States across the line from those Provinces produce, and whether we like to admit it or not, it can not be denied that the Canadian products will compete with ours in our own markets.

The President continues:

> She (Canada) imports a large amount of cottonseed oil, which, by the Canadian reciprocity treaty, is now made free; she can not fatten cattle as they are fattened in the United States, and therefore it has become very profitable for American farmers to import young cattle from Canada even with the duty on them and to fatten them for the Chicago market.

Now, mark this—

> The United States imports into Canada a great many more horses than she exports from the Canadians. She sends to Canada a much larger amount of potatoes than she receives from her. The United States imports into Canada about 15 times as much of meat and dairy products as Canada imports into the United States.

Mr. President, I deny that statement, or at least a part of it.

The President apparently expects the farmer to derive some benefit from the free admission of cottonseed oil by Canada, but as the farmer does not manufacture cottonseed oil, I believe it must be conceded that if any benefit is derived it will not be by the farmer. So far as the statement that it has become very profitable for the American farmers to import Canadian cattle, even with the duty on them and to fatten them for the Chicago market, is concerned, I have been unable to find anything that would in any way warrant such an assertion. The number of cattle imported from Canada, on which duty was paid, during the fiscal year 1909, was 10,061. In 1910 the number was 5,168. The receipts of cattle at our principal markets are somewhat more than 9,000,000 a year. Whatever may be the result of the removal of the duty on cattle, it is apparent that there is not now any such industry as the importation of Canadian cattle for the purpose of fattening them for the Chicago market, as the President seems to have been led to believe. Farmers appearing before the Finance Committee flatly contradicted the statement that Canadian cattle were imported for this purpose. If it were a fact that the Canadian farmers can raise cattle so much cheaper than the Americans that cattle can profitably be imported under the present duty, it would appear an argument for increasing the duty rather than removing it, if the farmer is to be treated as other producers are in the matter of tariff legislation. The present tariff, however, appears to be fully protective. The total number of cattle of all kinds in the United States is, in round numbers, 70,000,000. The total number in Canada is 7,000,000. The result of the removal of the duty would no doubt be an increasing import of cattle from Canada, resulting in lower prices for our cattle raisers, cheaper cattle for the packers, and no reduction in the price of meat paid by the consumer.

The statement that we send to Canada a much larger amount of potatoes than we receive from her is not quite exact. The imports from and exports to Canada of potatoes for the last five years are as follows:

Years.	Imports from Canada.	Exports to Canada.
	Bushels.	*Bushels.*
1906	421,106	171,010
1907	11,393	136,360
1908	177,102	169,029
1909	1,181,693	107,425
1910	97,138	207,764
Total	1,888,421	791,588

Our total imports of potatoes from Canada for the last five years are 1,888,421 bushels, and our exports to Canada 791,588 bushels. So we do not export as many potatoes to Canada as we import from that country. These figures are taken from Commerce and Navigation of the United States for the year 1910, and are presumably correct.

The President's statement that we export fifteen times as much meat and dairy products to Canada as we import from

Canada is in danger of being misleading, so far as dairy products are concerned. In the fiscal year 1910 we exported to Canada dairy products to the value of $86,230, while we imported dairy products to the value of $831,378. Our imports of these products were almost ten times as great as our exports. These imports came into our country in spite of our duties of 6 cents a pound on butter and cheese, 2 cents a gallon on milk, and 5 cents a gallon on cream. The removal of the duties on these products will, of course, result in a greatly increased importation, with the usual result on the prices received by our dairy farmers.

Now, I want my friend from New Jersey [Mr. MARTINE] to pay particular attention, inasmuch as he is a farmer. So far as meat products are concerned the President is correct in the statement that we export to Canada far more than we import from Canada, but the farmer does not export and sell these products, and the duties on them have not been removed. The Beef Trust sells the meat products, and it will still have the benefit of a high protective duty.

The President says further:

The only real importation of agricultural products that we may expect from Canada of any considerable amount will consist of wheat, barley, rye, and oats. The world price of these four cereals is fixed abroad, where the surplus from the producing countries is disposed of, and is little affected by the place from which the supply is derived. Canadian wheat nets, perhaps, 10 cents less a bushel to the producer than what grows in the Dakotas or in Minnesota—

Now, mark this. The President admits that the Canadian farmers receive 10 cents a bushel less, and then he gives the reason or attempts to do so—

due to the fact that exporting that wheat and warehousing it and transporting it to Liverpool is considerably greater than the cost to the Dakota farmer of disposing of his wheat to the millers of Minneapolis or sending it abroad.

Besides the agricultural products mentioned by the President Canada will also send us cattle, sheep, potatoes, hay, dairy products, and flaxseed. Consul Frank Deedmeyer, Charlottetown, Prince Edward Island, makes the following interesting report as to what that small island has now available for export to the United States in the event of the passage of this measure:

There are now available in Prince Edward Island for shipment to the United States, if freed from tariff duties, 100,000 bushels of potatoes, 500,000 bushels of turnips and other roots, 2,000,000 bushels of oats, 100,000 bushels of seed oats, 150,000 tons of hay, 600,000 pounds of cheese, 100,000 pounds of butter, 1,000,000 dozen eggs.

The President makes the bald statement that the difference in the price of wheat received by the North Dakota farmer and that received by the Canadian farmer is due to the greater cost of "exporting that wheat and warehousing it and transporting it to Liverpool." I do not happen to have any figures at hand as to the transportation charges from Port Arthur to Liverpool and from Duluth to Liverpool, but it was stated before the Finance Committee, and I am sure my colleague will bear me out in the statement that they are the same. If the difference in price were due to the greater cost of transporting the Canadian wheat to Liverpool, the difference in price ought to be, approximately, equal to the difference in cost of transportation. Now, even if the Canadian transportation system were so much inferior to ours that it cost the Canadian exporter 10 cents more to ship a bushel of wheat to Liverpool than it costs the American exporter, as the President would have us believe, the Canadian has the very simple alternative of shipping his wheat in bond—of taking advantage of our superior transportation facilities and shipping his grain through the United States without paying any duty. As he sells his grain for 10 cents less than his American cousin receives and does not ship his wheat in bond—or if he does does it not result in his receiving the same price—there surely must be some other reason for this difference.

The President continues:

If, now, the duty is to be taken off of wheat and the Canadian wheat can come to the millers of Minneapolis and other places, it can and will be made into flour, because the capacity of the American mills is 33 per cent greater than is needed to mill the wheat of this country.

I am quoting from the President's speech—

Canadian wheat can be imported and ground into flour without materially reducing the demand for or price of American wheat, and the surplus will be sent abroad as flour. The price of Canadian wheat will doubtless be increased a few cents by access to the market nearer at hand, but the access to the market nearer at hand will not reduce the price of his wheat to the American farmer, for the reasons stated.

If, as the President says, the capacity of the American mills is 33 per cent greater than the production of American wheat, why is it that we every year export more wheat as wheat than in the form of flour? Why should not these American mills find work in the grinding of American wheat instead of Canadian wheat? If the reason that more American wheat is not exported as flour is that the European countries discriminate against our flour in favor of our wheat, would not that same cause operate as against grinding Canadian wheat, proceeding on the assumption that the President's premises are correct? And further, if there are other reasons, not apparent, which prevent the American mills from grinding their full capacity of American wheat, why do not those mills now grind Canadian wheat in bond or under the drawback privilege? The mills can import Canadian wheat, under the present law, and grind it, and if they export the flour and by-products they are refunded 99 per cent of the duty paid, in other words they are required to pay a duty of only one-fourth cent per bushel. If it is not profitable to do this and export the flour now, will it be profitable to grind Canadian wheat for export if the duty is removed? And if, as seems the inevitable conclusion, that flour will not be exported, how can we escape from the conclusion that the flour made from Canadian wheat will displace an equal amount of flour made from American wheat?

The President continues in his enumeration of the benefits to be derived by the American farmer:

A very material benefit to all the farmers of the country, especially the stock and cattle raisers and the dairy farmers, will be the by-products of bran and shorts from the flour mills likely to follow the free export of wheat from Canada to those mills. These by-products are now so scarce and so high priced that many farmers are unable to procure them.

Will any Senator here tell me how the farmer is going to buy his bran and shorts any cheaper with a duty of 12½ cents per hundred or $2.50 per ton?

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Minnesota?

Mr. GRONNA. Yes.

Mr. CLAPP. Of course he could not get it any cheaper, but he could have some consolation possibly—that is, if he could follow some people's theory, the evident theory of the authors of this bill—in the thought that the wheat which had been made from it had been put on the free list. That would be about all the consolation he would get out of it.

Mr. GRONNA. That is correct.

If the price of bran and shorts is so high now that many farmers are unable to procure them, as the President states, the simple and effective way to remedy this would be to place these by-products on the free list.

I believe my farmer friend the Senator from New Jersey [Mr. MARTINE] will agree with me on that.

This measure retains a duty of 12½ cents per 100 pounds. If, as there is reason to believe, the free admission of wheat will merely give the millers cheaper wheat, and permit them to grind Canadian wheat instead of American wheat, without materially increasing the amount of wheat ground, there will be no increase of the supply of bran and shorts and their price will not be lowered. The removal of the duty on the raw material is not an effective way of reducing the price of either the manufactured product or the by-product so long as the duties on those remain.

The President, after reiterating his belief that the adoption of this measure will not reduce the price of wheat and other farm products "in any marked way," continues:

It will, however, by enlarging the source of supply, prevent undue fluctuations, and it will and ought to prevent an exorbitant increase in the prices of farm products—

I hope every farmer will pay marked attention to this. I still quote from the President's speech—

which, as they have been for the last three or four years, have inured greatly to the profit of all engaged in agriculture.

Who is there here who will take and defend the utterances made by a Republican President against the interests of all the American producers of this great country?

Mr. CLAPP. I do not see the Senator from Missouri [Mr. STONE] present.

Mr. GRONNA. I like the Senator from Missouri. I wish he were here. He honored me with his presence for a little while. I only hoped he would remain, and I believe that even the distinguished Senator from Missouri would have learned something about wheat and a few other things.

Reduced to its lowest terms, this expression of the President means that while the measure will not reduce the price of wheat and other farm products below the present level, it will, and the President hopes it will, prevent the price from increasing in the future.

The only undue fluctuations that it will prevent will be the increase in price due to short crops. In other words, when our farmers suffer from drought, as did the western farmers last year, and it becomes a serious question with them how to tide over until the next crop is harvested, the President would have the Canadian wheat as a supply to fall back upon in order to

prevent the farmer from getting a slightly higher price for his wheat because of the shortage.

That is the statement made by my friend the Senator from Nebraska [Mr. HITCHCOCK], if I remember correctly.

The President enters a flat denial of the statement that because of our higher tariffs the price of living is higher here than in Canada, and in support of this denial points to two facts: (1) We export to Canada $225,000,000 worth of goods of the widest variety of manufactures, while England, having a preference of 33⅓ per cent in the matter of tariffs, exports goods to Canada worth only $93,000,000. (2) In negotiating this agreement the President directed the American commissioners "to secure as great a cut in the duties on manufactures in Canada as they could," but they were unable to secure any more than appears in this treaty, for the reason that Canada would not expose her manufacturers to the competition of American manufacturers, which is a very conclusive proof that the manufactured products that enter into the cost of living are higher in Canada than they are in the United States. With regard to the first fact, it might be suggested that most people would regard it as proof that our manufacturers can compete with the English manufacturers on even terms, at least in the Canadian markets, and presumably in our markets, and that they consequently do not need protection. The same persons would not necessarily find the second proof conclusive, for the reason that it has often been charged that the American manufacturers are in the habit of selling their goods cheaper in Canada than in the United States, and that while the Canadian manufacturers may believe that the American manufacturers can sell their goods cheaper than they themselves can sell the same goods, it is no proof that the American manufacturers do sell those goods cheaper in the American markets.

I want my distinguished friend again to pay attention to this, because I know he will be interested in what I am about to say. I remember he asked some questions a couple of weeks ago why the opening up of the new Northwestern States had not caused a decline in the lands in neighboring States. I am not quoting the Senator verbatim, but, I believe, in substance, and I am going to show him—at least I shall attempt to show—how it works.

The President, to disprove the contention that the free admission to our markets of the products of the cheaper Canadian lands will operate to lower the prices of farm lands in this country, cites the fact that the value of the lands in Ohio, Indiana, Illinois, Iowa, Wisconsin, and other States has increased in spite of the opening up of the lands in Kansas, Nebraska, and North and South Dakota in the two decades from 1890 to 1910. The conditions are not quite the same, however. On the opening up of the new wheat lands in the newer States, Iowa, Illinois, and the other States mentioned did surrender the growing of wheat very largely to the new States, turning their attention to raising corn and hogs. If there had not been these other things to turn to, the value of their lands would beyond a doubt have been seriously affected. Kansas and Nebraska can hardly be said to have been opened up since 1890. The population of Nebraska has increased only 130,000 since 1890, and the population of Kansas about 270,000. Between 1890 and 1900 the population of Kansas increased only 42,000, and the population of Nebraska only 3,644. This in spite of the fact that both of these States are great corn States, Kansas producing 169,000,000 bushels in 1910, and Nebraska 206,000,000 bushels. The only States that exceeded Nebraska's production last year were Illinois, Iowa, and Missouri. In the case of the competition of Canadian lands, however, it must be borne in mind that not all the States on this side of the line can turn to other crops. North Dakota will continue to raise wheat, flax, oats, and barley, if it raises anything, and it will have to do this in competition with the cheaper and more productive Canadian lands. This can have only one effect on land values in that State. Some of the other States at present growing wheat and other small grains may turn to corn, but there will be a decided loss because of the forced change of crop and the increased competition in the raising of corn. Even States that may not feel the Canadian competition directly will be affected indirectly.

That is just how Kansas and Nebraska are going to be affected and every corn-producing State. Further, the area with which we are now to be brought into competition is greatly in excess of that brought into competition with our older lands by the opening up of our last west. As has been shown, the three prairie Provinces of Canada contain as much land as eight or nine of the States comprising our Middle West, and practically all of it is fitted for the production of wheat and other grains. With the efforts of the Canadian Government, the Canadian railroads, and the land companies to promote immigration to that region, the opening up of the Canadian lands will proceed at a much more rapid rate than did the opening up and settlement of our lands. The settling of North Dakota has been in progress for 30 years.

Mr. HITCHCOCK. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Nebraska?

Mr. GRONNA. Yes.

Mr. HITCHCOCK. As I recall it, the question which I addressed here upon the floor to a Senator who had been speaking was something like this: He had quoted from some statistical tables to show that the average value of farm lands in North Dakota was some $40 or $45 per acre, whereas in Canada the land was worth $20 or $25 per acre, and he drew the conclusion that if that $25 land in Canada was thrown into competition with the $40 land in North Dakota the results would be disastrous to the North Dakota farmer. The question I put to him was whether he argued from that that the competition of the North Dakota farmer with the $40 land had been disastrous to the farmers in Nebraska with their $100 land; and I drew his attention to the fact that there is as much disparity in the value of farm lands in the agricultural States of the United States as there is between the value of farm lands in North Dakota and Canada, and that these lands nevertheless competed with each other without any serious consequences.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Idaho?

Mr. GRONNA. Yes.

Mr. BORAH. Does the Senator from Nebraska contend that these lands compete with each other without any serious consequences?

Mr. HITCHCOCK. My impression is that the prosperity of Nebraska was not seriously affected by the development of North Dakota, and we in Nebraska have rejoiced to see the neighboring States and Territories develop. We would rather see a State like North or South Dakota prosperous in its agriculture than to see it a desert waste; and so it seems to me the people of the United States would rather see a great prosperous agricultural empire in Canada than to see a rolling desert of Sahara there. I believe it is a better neighbor.

Mr. BORAH. It might make some difference whether they are under our flag or under another man's flag. But does not the Senator from Nebraska think that the opening of Nebraska and Illinois and Wisconsin and all that great region had a very powerful effect upon the productiveness, or the capacity to produce, of the eastern farmer?

Mr. HITCHCOCK. I think the fact is that the eastern farmer had exhausted his land and that his crop average had been reduced year by year until it was approaching the point where it would be impossible to continue the cultivation.

Mr. BAILEY. Except at high prices.

Mr. HITCHCOCK. I think, furthermore, that the development of a neighboring State in the way it is pictured that Canada will develop will immeasurably improve the conditions in the United States for their mutual and reciprocal trade relations. I believe that this country will get great benefit, even if Canada does develop in the marvelous way of which the Senators tell and which I think is grossly exaggerated.

Mr. BORAH. If the Senator will pardon me for just a moment, when the lands of the Middle West were opened up the farms in the East began to be abandoned. Within the last seven or eight years those farms are again being taken up and rehabilitated, owing to the increase in the price of farm products. Now, the question is whether it is better for us to raise our own products, when we can, than to skin our farms, as we will do in Nebraska and the Dakotas and other places, as we did in the East, and move on to Canada.

Mr. HITCHCOCK. I think the Senator from Idaho has committed an inaccuracy there. The prices of farm products are now no higher than they have been for 10 years in the past.

The fact is that there is an attempt being made to revive the abandoned farms of the East, but it is an attempt that is being made along scientific lines to make productive what has been allowed to become a desert, and allowed to become so by exhaustion of the soil. The attempt is now being made not so much by individual farmers as by great railroads to restore those lands to productivity by putting enrichment upon them.

Mr. BORAH. And they are doing so because the price of farm products warrants them in doing so.

Mr. HITCHCOCK. But the price of farm products is not now so high as it was two years ago.

Mr. BORAH. That is true.

Mr. HITCHCOCK. And 10 years ago they were as high as recently.

Mr. BORAH. The Senator is about correct in his dates. It was just about 10 years ago that the price of farm products began to rise, and ever since that time there has been a noticeable retardation of the movement from the farm to the city, and the taking up of the abandoned farms and occupying them and rehabilitating them and recultivating them have been going on, and it has been by reason of the fact that the increase in the price of farm products has warranted them in doing so.

Mr. HITCHCOCK. Of course, I may say to my friend, the Senator from Idaho, that there is also another reason why the farms of the East were abandoned besides that they had become exhausted. One reason is that the party to which the Senator belongs for the last generation or more has been placing an enormous premium upon industrial occupations, has been offering a great allurement to people to move into the cities and to abandon their farms, and has been placing upon agriculture a great burden which, up to this time, it has endured for the benefit of those cities and towns which have been growing while the country has been under a process of depopulation.

Mr. BORAH. The charge that the Senator makes is, in a measure, true. But until we secured the active agency and cooperation of the party to which the Senator belongs we have never been able to put the farmer upon a free-trade basis and the manufacturer upon a highly protective basis, which the Senator and his party are helping us to do now.

Mr. HITCHCOCK. I call the attention of the Senator from Idaho to the fact that the most distinguished Senator from New York [Mr. ROOT], a prominent leader of the party to which the Senator belongs, and of which he is also a leader, upon the floor of the Senate within 10 days made the statement the tariffs which have been placed upon the products of the farm in the past have, in his opinion, been of no benefit to the farmer.

Mr. BORAH. Until lately.

Mr. HITCHCOCK. No; he made the statement that they had been in the past of no benefit to the farmer, although they had been there for a generation, and although the Democratic Party and the Democratic leaders had been arguing that those tariffs placed upon agricultural products were put there for the purpose of hoodwinking the farmer into the belief that he had a share in the plunder of this protective tariff.

Mr. BORAH. I appeal to the RECORD, that the Senator from New York used the exact language that until late the protective tariff had not been of benefit to the farmer—that until late years he had not received any benefit therefrom.

Mr. HITCHCOCK. The Senator is mistaken. I quoted the exact language of the Senator from New York.

Mr. MARTINE of New Jersey. That has been reiterated a half a dozen times by the Senator from New York.

Mr. WARREN. The Senator from New York distinctly stated that if they would read all the language it would qualify what they had quoted.

Mr. GRONNA. In justice to the Senator from New York, who does not happen to be present just now, I will see that that part of his remarks is inserted in my speech.

Mr. BAILEY. Right at this point——

Mr. STONE. May I be permitted to interpose?

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Missouri?

Mr. GRONNA. Yes.

Mr. STONE. While the Senator is inserting the remarks of the Senator from New York——

Mr. GRONNA. I intended to quote the Senator from New York, but I have so many things that I want to touch upon that I eliminated what would have made many pages.

Mr. STONE. Well, it is a pity the Senator did that, if what he destroyed was as good as that he has delivered.

Mr. GRONNA. I am glad to know the Senator from Missouri appreciates it.

Mr. STONE. Yes. I want to suggest to my friend the Senator from North Dakota that while he is inserting what the Senator from New York said, that which the Senator from Nebraska has quoted——

Mr. WARREN. In part.

Mr. STONE. I suppose in part. He certainly did not quote the entire speech.

Mr. GRONNA. I said upon that particular point, Mr. President.

Mr. STONE. I was going to suggest that it might be well in a parallel column to insert a wise remark made by one of the wisest of our colleagues, the distinguished senior Senator from Minnesota [Mr. NELSON], during the debate on the Payne-Aldrich bill. At that time, when answering a question propounded to him by the Senator from Idaho [Mr. BORAH], the Senator from Minnesota said that while he could not at the moment tell how many bushels of wheat had been raised in a given year in Minnesota, he was prepared to state with the utmost confidence that the tariff had never benefited the farmers of Minnesota and had never added a farthing to the market price of their wheat; that the market value of wheat was fixed in Liverpool, and so on and so forth.

I am just suggesting that it would be most enlightening to the public in general and to the constituency of my friend, the Senator from North Dakota, in particular, if he would include that among his quotations.

Mr. NELSON and Mr. BORAH addressed the Chair.

The VICE PRESIDENT. Does the Senator from North Dakota yield, and to whom?

Mr. GRONNA. I yield to the Senator from Minnesota.

Mr. NELSON. I want to say to the Senator from Missouri that I am very sorry to learn of the mental condition he is in with respect to this question of wheat. I am unwilling to take up the time of the Senator from North Dakota to answer him at this time. But later on in the discussion I shall take pains to give the Senator from Missouri some of the A B C's in respect to the prices of wheat, and hope to have him converted.

Mr. STONE. I do not know just what my friend means by my mental condition——

Mr. NELSON. I refer to the question of wheat——

Mr. STONE. On the subject of wheat. I do not know just what the Senator means. I know what I referred to, for I have been quoting as nearly literally as I can from memory a very wise expression, and a very correct one, delivered two years ago on the floor of the Senate by my distinguished friend, the Senator from Minnesota, and I have suggested that the Senator from North Dakota, while quoting from the Senator from New York, should embrace the other for the enlightenment of his constituents.

Mr. NELSON. In the first place, I want to say to the Senator from Missouri he does not quote me entirely and fully and correctly; and, in the next place, I shall endeavor to point out to him that the conditions which were existing then are entirely different from the conditions which are existing now.

Mr. STONE. Two years ago——

Mr. NELSON. But I am unwilling to take up the time of the Senator from North Dakota. He has quite a bit of a speech yet to make and has been on his feet for nearly two hours; but later on I will try to satisfy the Senator from Missouri.

Mr. STONE. If it be possible that my friend has changed his opinion and his position, I am sorry to hear it. If he has changed, then the Senator from North Dakota need not quote from him. I was supposing that the Senator from Minnesota was standing by his utterance of two years ago.

Mr. GRONNA. Mr. President, I believe that the Senator from Minnesota is perfectly able to take care of himself, and the Senate will undoubtedly do him the honor to give him sufficient time to explain his position. I can only promise that I shall be very glad to be here to listen to the debate between the two distinguished Senators.

Mr. HITCHCOCK. Before the Senator from North Dakota resumes——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Nebraska?

Mr. GRONNA. Yes; for a question.

Mr. HITCHCOCK. I should like to justify what I said——

Mr. GRONNA. Certainly; I yield.

Mr. HITCHCOCK. As to my accuracy in quoting the Senator from New York [Mr. ROOT]. He used this language——

Mr. GRONNA. Mr. President, the Senator from New York said a great deal, and I certainly would do an injustice to the Senator from New York to incorporate his entire speech into my remarks. Unless the Senator from Nebraska will read that particular portion of the speech of the Senator from New York, I hardly think it would be fair to read merely a part of his remarks on the subject.

Mr. HITCHCOCK. The Senator from North Dakota will remember that the Senator from Idaho questioned the accuracy of my quotation, and in order to justify my quotation I should like to read a few sentences.

Mr. GRONNA. I said to the Senator from Nebraska that I would agree to incorporate in my remarks the statement made by the Senator from New York touching upon wheat.

The VICE PRESIDENT. The Senator from North Dakota will advise the Chair whether he yields or does not yield.

Mr. GRONNA. I yield to the Senator from Nebraska just to incorporate that particular quotation.

Mr. HITCHCOCK. I quote from the speech of the Senator from New York [Mr. ROOT], on page 2427:

I never have thought that the duties which were imposed upon farm products were of any real general benefit to the farmer.

Mr. GRONNA. The Senator from New York said more than that.

Mr. HITCHCOCK. Yes; he said more than that. I will read the whole paragraph if the Senator desires. I have read only that much to show that I was right in my statement that he used that language.

Mr. BORAH. Mr. President, the quotation——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Idaho?

Mr. GRONNA. I yield to the Senator from Idaho.

Mr. BORAH. The Senator from Nebraska is not reading the entire statement.

Mr. BAILEY. He is reading another part.

Mr. BORAH. That is what I supposed. I have just found what the Senator has read, but the Senator will remember that we discussed a day or two afterwards that remark of the Senator from New York and referred to the proposition that he said "until lately," and it is so printed in the RECORD.

Mr. HITCHCOCK. In this whole paragraph the Senator from New York did not qualify his expression in that way. I will repeat what he said. It is a sentence, complete:

I never have thought that the duties which were imposed upon farm products were of any real general benefit to the farmer.

Mr. GRONNA. But, Mr. President, the Senator from New York did qualify that statement.

Mr. BAILEY. Would the Senator——

Mr. NELSON. Will the Senator yield?

The VICE PRESIDENT. Does the Senator from North Dakota yield, and to whom?

Mr. GRONNA. I yield to the Senator from Minnesota.

Mr. NELSON. I want to say, Mr. President, that the Senator from Nebraska and the other Senators of like mind ought to take into account that the Senator from New York is not a farmer.

Mr. GRONNA. I now yield to the Senator from Texas.

Mr. BAILEY. Mr. President, the Senator from Nebraska is right as to one passage in the speech; the Senator from Idaho is right as to another passage in the speech. If the Senator from Nebraska will turn back to the first column on page 2427 he will find that after making substantially the same statement there which the Senator from Nebraska has read from the second column the Senator from New York then uses substantially and practically the language attributed to him by the Senator from Idaho, and it is this:

But with the increase of our cities as compared with our farming population and the using up of our waste lands and the fencing in of old cattle ranges and the reduction of the productive power of our land we have about come to the point where the continuance of those duties, instead of being a matter of indifference to the people of the country, would result in putting up the cost of food.

It is a little difficult for a man to make a speech on that side of the question without falling into these contradictions.

The VICE PRESIDENT. The Senator from North Dakota will proceed.

Mr. GRONNA. Mr. President, a decade is likely to see the prairies of Canada settled. The effect of the free admission of Canadian products will be comparable to the effect of the opening of the West on the agriculture of New England and other Eastern States. It seems hardly necessary to call attention to the abandoned farms and depressed land prices and the emigration from that section of the agricultural population which resulted.

The President also contends that the natural change in farming in this country is from the raising of wheat and other cereals for export to the raising of grain for farm consumption and development of the secondary products in the form of cattle and hogs. He fails to take into consideration that there are some sections of our country that can produce wheat and other grains that can not produce corn at an advantage. North Dakota is not a corn-growing and hog-raising State, but it does raise wheat and flax and other grains, and it certainly is not statesmanship to try to force the people of that section to discontinue the raising of crops for which the State is best fitted for the growing of crops for which it is less fitted and which it may never be possible to produce extensively with profit. It has appeared to me that in encouraging industries the Government should encourage those in each section for which that section has the best advantages. Now, however, it is proposed that we discourage the raising of grains in the States that can produce them to greater advantage than any other crops merely because a foreign country would like to have our markets for grains for her own products.

There is no danger of our not producing enough wheat for our own consumption if the farmer is assured of a fair price. If, however, the farmers are to be subjected to the competition of the Canadian wheat, which can be raised more cheaply, I have no doubt that we shall be importing wheat in a few years. The Secretary of Agriculture in his report for the year 1909 discusses the probable future production of wheat in this country. He believes that with a more intensive agriculture the yield per acre of wheat will be increased——

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Will the Senator from North Dakota yield to the Senator from Idaho?

Mr. GRONNA. Let me finish this sentence and then I will yield.

And also states that in the older States there has lately been an increase in the acreage devoted to wheat. This has operated to increase our production in addition to the increase due to new lands being brought under cultivation. He estimates that by 1950 our production may be between 3,750,000,000 and 4,750,000,000 bushels, while our consumption would not exceed 1,400,000,000 bushels, even with a population of 200,000,000.

Now I yield to the Senator from Idaho.

Mr. BORAH. In order to save the Senator the trouble of looking up the quotation, I have the exact language here from the speech of the Senator from New York, as published in the RECORD.

Mr. WARREN. On what page?

Mr. BORAH. On page 2427. The Senator from New York said:

I do not think that as a class in general up to this time or until, perhaps, within a very short period, the protection upon food products has been of any real advantage to the farmer.

Mr. GRONNA. I thank the Senator from Idaho for his quotation. While I am inclined to believe that neither our population nor our production will be as large as indicated by the Secretary, I do believe that we shall be fully able to raise all the wheat that we require for our own consumption until 1950, and later if we do not adopt a policy of deliberately discouraging the production of wheat in this country—whether through the free admission of Canadian wheat or otherwise, I am satisfied that the free admission of wheat from Canada will mean the surrender of wheat growing to that country to a large extent for some years to come.

In the competition of the production of crops the land that produces more cheaply will prevail. In the case of the Canadian lands, the difference in the cost of transporting the wheat to our markets—if any there be—will not be sufficient to overcome the advantages which the Canadian farmer has. Some time in the future, when the Canadian lands have been cropped to the extent that ours have and require as much labor and cultivation to produce a bushel of wheat as ours now do, we may be able to compete on even terms in the production of wheat, but until that stage is reached the free admission of her grain will mean that we must to a large extent go out of the business of raising wheat, the extent depending on the rapidity with which her wheat land is brought under cultivation. This does not necessarily mean that our production of wheat will suddenly stop. Those lands that can produce wheat and other grains, but which can not produce corn to advantage, will continue to produce wheat even while there is no profit in doing so, and in most cases after it has become evident that every year's operations are carried on at a loss. As was well pointed out by the junior Senator from Texas [Mr. BAILEY], the farm differs from a factory in that it is a home. In the case of a factory, its operation will stop when the owner is convinced that the loss from its operation is greater than the loss that would result from its remaining idle, but in the case of a farm the owner will cling to it long after it has stopped returning any profit, will curtail his expenses, both of operation and living, wherever possible, and will not leave it until he is in absolute danger of starvation. For this reason, it is to be presumed that in the event of the passage of this measure we shall continue to produce considerable wheat in competition with the Canadian wheat, even if it be produced at a loss.

Mr. President, I do not know whether the Senator from Texas has any objection to my referring to him or not, but I want to say for myself that I appreciate that there is one Democrat, one man from the Southern States, who recognizes and values the honest toil of the farmer.

One of those appearing before the Finance Committee in favor of the Canadian reciprocity agreement, urged that it would be a benefit to North Dakota to abandon wheat growing, and gave the impression that he was in favor of forcing the North Dakota farmer to stop growing wheat and devote himself to diversified farming. There are certain kinds of diversified farming, however, to which North Dakota can not adapt itself, and the same is true of other States. But even when a State is fitted for diversified farming, it is not farsighted statesmanship to attempt to force the farmers into it. When farmers in a certain region continue to grow a certain crop, it is because it is more profitable to grow that crop. If that region is also adapted for the production of other crops, the farmers will begin to grow them when it becomes profitable to do so, which, as a rule, is when they find that they can compete successfully with other sections producing them. So far as North Dakota is concerned, I am satisfied that because of her climate and soil wheat will remain the great staple crop of the State, even though the Canadian competition makes it difficult for the farmer to grow it at a profit. With newer and consequently more productive lands, with cheaper lands, and with lower taxes, tariff and others, in Canada, the competition is an uneven one. In years to come when the conditions have become similar to those in this country, the competition may be on even terms, but until that time does come we have no right to ask the American wheat grower to compete in an open market with the Canadian wheat grower buying all his purchases in a protected market. I do not agree that we should surrender wheat growing to Canada because she can produce more cheaply. The fact that wheat can not be produced as cheaply in our wheat-growing States as in Canada does not prove that wheat is not the most profitable crop that can be produced in those States. It is not the part of wisdom to attempt to compel a State better fitted for the production of wheat than of other crops to abandon its present crop and produce those that it can produce only under a disadvantage compared with other States. If France and Germany and other countries have seen it worth while to encourage their farmers to produce enough wheat for home consumption, surely the United States should not blindly adopt a policy which some of its advocates clearly, and others by implication, state means the surrender of wheat growing to a foreign country. A nation producing its own food has within it the means of maintaining her political as well as her industrial independence. A nation dependent on other countries for her food is in danger of losing both.

The farmer of this country has not been unduly prosperous. The great fortunes which have been made—whether they are being squandered in extravagance or whether they are being used wisely in the industries—have not been made on the farm. The Select Committee on Wages and Prices of Commodities says in its report—I am sorry the distinguished chairman of the committee, the Senator from Massachusetts [Mr. LODGE], is absent. I quote from the report of the committee:

> Witnesses agree that farming operations were conducted at a loss, or at best with only a very slight margin of profit for several years—

Mark this—

> and that only during the past two or three years have farmers been able to secure a fair return on their labor and investment.

I do not know what they propose to do now.

> The wealth of the farmers has increased, but largely through increase in the value of their land. This, however, is somewhat in the nature of profit on speculation, and not a profit from crops or live stock produced.
>
> The State University of Minnesota—

I still quote from the report of this committee—

> The State University of Minnesota has since 1902 kept in the greatest detail records of a number of farms in that State. Allowing the farmer, his wife, and children pay at current rates for all labor performed, the net profits during the three years 1905 to 1907 was only 4.09 per cent, and this profit advanced to about 6 per cent for the two years 1908 and 1909. The profit during the past two years approximates the average interest on farm mortgages in that State.

Mr. President, I wish to say that I believe that is a true report of the condition of the farmer.

A statement submitted to the committee by Mr. Thomas P. Cooper, of the Minnesota State University, shows that the average cost of production on the farms under observation during the two years 1908 and 1909 was as follows: Wheat, 75 cents per bushel; oats, 38.3 cents per bushel; corn, 41.2 cents per bushel; barley, 40.9 cents per bushel; flax, 103.7 cents per bushel; potatoes, 30 cents per bushel.

The figures submitted by Mr. Cooper refer merely to the cost of production in Minnesota. The farm values of the crops in that State for the years 1908 and 1909 are given as follows by the Department of Agriculture:

Crops.	Farm value in cents per bushel.	
	Dec. 1, 1908.	Dec. 1, 1909.
Wheat	94	96
Oats	43	35
Corn	55	49
Barley	49	47
Flax	120	150
Potatoes	56	35

Former President Roosevelt in 1908—and I ask Senators to mark some of the words of that illustrious statesman—appointed a Commission on Country Life. It consisted of Prof. L. H. Bailey, of the New York State College of Agriculture, chairman; Mr. Henry Wallace, of Wallace's Farmer; President K. L. Butterfield, of the Massachusetts Agricultural College; Mr. Gifford Pinchot, at that time chief of the Forest Service; Mr. Walter H. Page, editor of the World's Work. Later Mr. C. S. Barrett, of Georgia, and W. A. Beard, of California, were added. This commission was appointed to inquire into the conditions of country life and to consider its problems—those which the Government can help solve as well as those which must depend for their solution on the intelligence and energy of the farmer himself. In transmitting the report of this commission to Congress, Col. Roosevelt made the following statement, to which I wish to call attention:

> I warn my countrymen that the great recent progress made in city life is not a full measure of our civilization; for our civilization rests at bottom on the wholesomeness, the attractiveness, and the completeness, as well as the prosperity, of life in the country.

From the treatment that the measure now before us has received, it is evident that many of us are in danger of forgetting the truth which Col. Roosevelt so well expressed. If there was the slightest consideration of what the farmer's welfare demanded, in the framing of the agreement with Canada, there certainly is no evidence of it. The commission in its report says:

> Yet it is true, notwithstanding all this progress as measured by historical standards, that agriculture is not commercially as profitable as it is entitled to be for the labor and energy that the farmer expends and the risks that he assumes, and that the social conditions in the open country are far short of their possibilities. We must measure our agricultural efficiency by its possibilities rather than by comparison with previous conditions. The farmer is almost necessarily handicapped in the development of his business, because his capital is small and the volume of his transactions limited, and he usually stands practically alone against organized interests.

Mr. President, those are significant words.

Thoughtful men have long seen the danger lying in the overemphasis of manufacturing and commerce, resulting in our becoming more and more a nation of city dwellers. Our laws have unduly enhanced the importance of these industries, and agriculture has been robbed of its dignity along with part of its just remuneration. The result is, in the case of many of the older States, not merely a relative but an absolute decrease in the number of farmers, while the cities have increased immensely in population. I have not been able to get figures from the last census for all the States with reference to this, but I have from some of the States. In Massachusetts there were 1,203 fewer farmers in 1910 than in 1900, and by farmer I mean the person who operates the farm. This is a decrease of 3 per cent. In Missouri there were 8,805 fewer in 1910 than 10 years previous; in New Hampshire, 2,411; in New Jersey, 1,489; in New York, 12,070; in Ohio, 5,336; in Pennsylvania, 5,854; in Vermont, 506; in Connecticut, 517; and in Illinois, 13,298 fewer farmers than in 1900. In other words, there were that many fewer farms in each State. Even in Minnesota there was almost a standstill, the increase in 10 years being only 1,100. It might be thought that the decrease in the number of farms might be due to a tendency toward larger farms, but the reports show that the acreage in farms has also decreased in all of the above-named States. The figures which I have obtained so far show the following decreases in the acreage of farms in different States: Illinois, 324,000 acres; Connecticut, 136,000 acres; California, 946,000 acres; West Virginia, 694,000 acres; Vermont, 71,000 acres; Utah, 763,000 acres; Pennsylvania, 825,000 acres; Ohio, 428,000 acres; New York, 650,000 acres; New Jersey, 279,000 acres; New Hampshire, 368,000 acres; Missouri, 518,000 acres; Massachusetts, 277,000 acres. These 13 States show decreases in farm acreages of more than 6,000,000 acres. These figures are preliminary and may not quite correspond with the final

figures, but it is not thought that the changes will be material. To how large an amount the States for which I have no figures will bring the total I have no way of estimating. These figures are enough to show that the number of farmers in the older States is decreasing and that farms are being abandoned.

The population figures for the country, by counties, also indicate the same fact. In Ohio, for instance, there was a decrease in 39 out of 88 counties; in Illinois, in 50 out of 102; in Indiana, in 56 out of 92; in Michigan, in 26 out of 83; in Wisconsin, in 19 out of 70; in Iowa, in 71 out of 99; in Missouri, in 71 out of 115; in Nebraska, in 21 out of 90; in Kansas, in 33 out of 105; and even in Minnesota there was a decrease in 27 counties out of 82. In the counties where there are increases instead of decreases, this was often due to the fact that cities of some size were situated in them.

In view of these facts, would it not be the part of wisdom to carefully scrutinize all legislation that may affect the farmer and to refuse our sanction to measures, whether drafted by the President or not, which may affect him injuriously? The Country Life Commission, in making its report, said:

> Notwithstanding an almost universal recognition of the importance of agriculture to the maintenance of our people there is nevertheless a widespread disregard of the rights of the men who own and work the land. This results directly in social depression, as well as in economic disadvantage.
>
> The organized and corporate interests represented in mining, manufacturing, merchandising, transportation, and the like, seem often to hold the idea that their business may be developed and exploited without regard to the farmers, who should, however, have an equal opportunity for enjoyment of the land, forests, and streams, and of the right to buy and sell in the open markets without prejudice.

The commission further says:

> We find that there is need of a new general attitude toward legislation, in the way of safeguarding the farmer's natural rights and interests. It is natural that the organized and consolidated interests should be strongly in mind in the making of legislation. We recommend that the welfare of the farmer and countryman be also kept in mind in the construction of laws. We specially recommend that his interests be considered and safeguarded in any new legislation on the tariff, on regulation of railroads, control or regulating of corporations, and of speculation, river, swamp, and forest legislation, and public-health regulations. At the present moment it is especially important that the farmer's interests be well considered in the revision of the tariff. One of the particular needs is such an application of the reciprocity principle as to open European markets for our flour, meats, and live cattle. One of the great economic problems of our agriculture is how to feed the corn crop and other grains profitably, for it must be fed if the fertility of the land is to be maintained; to dispose of the crop profitably requires the best markets that can be secured.

This commission said in 1908 that it was "especially important that the farmer's interests be well considered in the revision of the tariff." That "one of the particular needs is such an application of the reciprocity principle as to open European markets for our flour, meats, and live cattle." That "to dispose of the crop profitably requires the best markets that can be secured." One can not but be struck by the difference between the views of this commission, consisting of able and thoughtful men, who had investigated the conditions surrounding farm life, and had an idea of its needs on these questions as compared with those of the present administration and other supporters of this measure. This administration does not seem to think that the interests of the farmer should be well considered in the revision of the tariff. This administration does not appear to believe that there is any need of applying the reciprocity principle so as to extend the market of our farm products in Europe. This administration does not appear to believe that there is any need or desirabiltiy of conserving the markets of the farmer at home, to say nothing about extending his markets abroad. The reciprocity agreement which this administration is trying to force through Congress extends the market of the Canadian farmer at the expense of the American farmer, and increases the profits of the Beef Trust, the millers, and the railroads.

It has been urged that the American farmer ought to be willing to accept this measure for a year's trial, at the end of which it is intimated that it may be repealed if it does not work satisfactorily—and some of the administration's supporters have pointed to the willingness of the President to agree to this and the unwillingness of the farmers to do so as a proof of the reasonableness of the one and the unreasonableness of the other. It would seem unnecessary to call anyone's attention to the fact that the President and the farmers are in far different positions so far as this proposition is concerned, but it seems that it is necessary in this debate to call attention to a good many things that everyone knew and understood until this reciprocity agreement was sent hurtling into Congress. If this measure becomes a law and works badly—if its effects are injurious, as the farmers have reason to believe they will be—how will that affect the President? At most it will mean only a loss of prestige. But how will it affect the farmer? In the three wheat States, Minnesota, North Dakota, and South Dakota, the loss on wheat alone, if the price is decreased 10 cents a bushel, will in average years be from $20,000,000 to $25,000,000.

On flax the loss to the North Dakota farmers, if the price is lowered to the amount of the present tariff, will be over $4,000,000. Witnesses before the Finance Committee testified to the belief that such an experiment would cost the farmers of these three States at least $40,000,000 a year, and the farmers of the entire country $300,000,000 a year. Has the farmer of this country been hoarding wealth to such an extent that he should be subjected to the possibility of losing hundreds of millions of dollars in order that an administration may see how some pet scheme will work? Is not the statement that this measure can be repealed at the end of a year and that the farmer ought to be content to accept it on these terms the bitterest mockery? The farmers all over the country are opposed to this measure. If they can not prevent it from becoming a law at this time what reason is there to believe that they will be able to secure its repeal at the end of a year? Will any Senator here tell me? Has the President shown himself so willing to listen to the representations of the farmers in regard to this measure that there is much prospect that he will accept a year's trial as sufficient to establish its merits? The farmers know that it is the merest pretense when it is said that this measure can be repealed at any time if it does not work satisfactorily. Those unable or unwilling to appreciate the farmers' condition at this time will be equally unable next year.

The benefits which it has been stated will accrue to the farmer from this agreement will, on examination, be found to be wholly imaginary. If there is any class or industry which will derive any benefit from it, it certainly is not the agricultural industry. There is absolutely no new market opened for the farmer's products. Canada is an agricultural country, and we are not going to sell her wheat, or oats, or barley, or cattle, or flax, or hay. We are not because of this agreement going to sell her any more cotton or corn than we did, for the simple reason that these products are already on her free list. So far as farm products are concerned, the only increase in our trade with Canada will consist in her exporting a larger amount to us than she has done previously; we shall not only permit her but invite her to invade our markets. The injustice to the farmer involved in this is recognized by the Committee on Ways and Means, when it says in its majority report on the free-list bill.

I want my friends on the other side to pay particular attention to this, because this quotation is your own child.

> In fact, action on the Canadian agreement involves the necessity of further and immediate action in removing a number of duties on imports from other countries, in order that justice may be done to the great army of our agricultural producers, who in the Canadian agreement are to have all the alleged protection removed from their products without a corresponding or reciprocal removal of the protective duties most burdensome on the commodities they must purchase as necessary to sustain their lives and industries. As a beginning in the correction of this injustice, against which our farmers properly protest, the bill (H. R. 4413) herewith reported, has been framed.

That is what the Democrats in the other body said, "to remedy this injustice" done by the Democratic majority, "against which our farmers properly protest."

They acknowledge that the farmer does protest. They seem to have no doubt but that the farmers will suffer from this iniquitous agreement. I would like to know from some Senator on the other side of this Chamber whether they believe that the report made by the majority in the other body is true or not.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Missouri?

Mr. GRONNA. With pleasure.

Mr. REED. Does the Senator mean to say that the committee of the House reported that this bill was an unmixed injustice? Is it not true that in the rest of the report they set forth the reasons why this bill should be passed? Is it not true that the spirit of their report is that it would be unjust to pass this reciprocity bill and not go further and take duties off other articles? Is not that the fairer statement of the matter?

Mr. GRONNA. I believe that the Senator from Missouri is in a better position to know what the distinguished committee meant by making this statement—I have quoted it verbatim; and in replying to the Senator, as to the spirit, I will simply ask, Is it another case where the spirit is willing, but the flesh is undoubtedly weak?

Mr. REED. Mr. President, the flesh, if that is the term used to describe the Democratic Party in the House of Representatives, was strong enough to apply the specific remedy referred to in the paragraph of the report the Senator has read. They did pass bills intended to meet the very condition referred to.

Now, I take it the Senator believes this bill is unjust to the farmer.

Mr. GRONNA. I not only believe it, but I know it is.

Mr. REED. Yes; and that it is especially unjust, in his opinion, because the burdens are not taken off of the farmer on the things he purchases.

Mr. GRONNA. Right here—is the Senator from Missouri willing to help me to take this free-list bill and attach it to the reciprocity bill to give the farmers the justice your own committee has said they are entitled to?

Mr. REED. The Senator interrupted my question with one before I was through.

Mr. GRONNA. I beg the Senator's pardon.

Mr. REED. I want to ask him one——

Mr. GRONNA. I thought it was just the proper place to ask the Senator from Missouri a question.

Mr. REED. Certainly. I was about to ask——

Mr. GRONNA. If the Senator will pardon me, I am willing to vote to attach it to this reciprocity bill. Is the Senator from Missouri willing to help me to take away part of the burden that the American farmer has been subjected to, according to the statement of his party in the other body?

Mr. REED. I am sorry the Senator interrupted my question, because I was traveling to the same point.

Mr. GRONNA. I yield to the Senator.

Mr. REED. I will say to the Senator from North Dakota that the Democratic Members of the Senate, so far as I have heard expression of opinion, without exception, agree to the proposition that they are willing to remove from the farmer every possible burden, and that, so far as I know, they are willing to vote for those very measures which were passed by the House of Representatives to correct the inequalities which were referred to in the paragraph of the report the Senator read. I think there is absolute unanimity of opinion.

Now, I wanted to ask the Senator this question——

Mr. GRONNA. Will the Senator answer my question?

Mr. REED. I will answer the Senator.

Mr. GRONNA. Before the Senator asks me a question, will the Senator answer my question?

Mr. REED. But I will ask this one in its order, and then answer with perfect frankness.

Mr. GRONNA. Very well.

Mr. REED. If this bill does pass, will the Senator help the Democrats to relieve the farmer of these inequalities by helping to pass the bills the House of Representatives has already sent in?

Mr. GRONNA. The Senator from Missouri wants me to answer that question?

Mr. REED. Yes.

Mr. GRONNA. What assurance can the Senator from Missouri give me that the free-list bill will become a law and relieve the farmer providing the reciprocity bill does pass the Senate?

Mr. REED. I am asking whether, if this does pass, you would go that far with us. Of course, I can not speak for the President. The Senator has already answered the question he has asked me. So far as I know the Democratic opinion is that they would be willing, I think that they would all be willing, to add the House free-list bill and reduction bills to this measure if two things could be assured: One that the bill as thus amended would pass the Senate; and, second, that it would be signed by the President and become a law.

Now, the Senator has already indicated a fear in his own mind that the President would not sign the House bills if they came to him separately.

Mr. GRONNA. I did not intend to indicate any such fear, as will be shown by the statement which I shall make later on. I think it is unfair to the President of the United States to criticize him or to entertain any fear that he will veto any measure until he is given an opportunity to do so. But that is not answering the question which I put to the Senator from Missouri.

Mr. REED. Oh, yes. The Senator just asked me this question, Whether I could give him the assurance that if these House bills were added to this bill it would become a law? and I took it that he meant that the President's veto might be interposed, because if it passed this House it would only lack that signature in order to become a law.

Mr. CLAPP. Mr. President, if the Senator——

Mr. REED. It would also lack the concurrence of the House, but the action of the House is assured.

Mr. CLAPP. I wanted to remind the Senator that we have had some experience here in conference matters which would have to be embraced in the suggestion that it would become a law.

Mr. REED. Possibly. Now I will answer the Senator. If the Senator from North Dakota——

Mr. GRONNA. I will listen to the Senator——

Mr. REED. If the Senator can give assurance that if this bill is amended by adding the House free list and reduction bills it will be signed by the President of the United States, I am ready to vote for it, provided there are enough votes to assure it would pass here.

Mr. GRONNA. The Senator has not answered my question.

Mr. REED. I thought I had.

Mr. GRONNA. The question I am most deeply interested in is the first question I put to the Senator from Missouri.

Will the Senator from Missouri help me to protect the farmers of this country by amending the bill so as to at least give them a very small benefit by attaching the free list to the reciprocity agreement? Will the Senator from Missouri vote with me for such an amendment?

Mr. REED. The very moment the Senator——

Mr. GRONNA. That is the question I should like to have answered.

Mr. REED. The very moment the Senator gives us the assurance that the President will not veto it in that form.

Mr. NELSON. Will the Senator from North Dakota yield to me?

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Minnesota?

Mr. REED. I have not the floor to yield, but I will be glad to yield.

The VICE PRESIDENT. The Chair asked the Senator from North Dakota if he would yield to the Senator from Minnesota.

Mr. GRONNA. Has the Senator from Missouri concluded his question?

Mr. REED. I was through. I said I did not have the floor to yield, but I would be glad to yield.

Mr. GRONNA. If the Senator from Missouri has any further question to ask I will be glad to yield to him.

Mr. REED. Nothing further than to make this statement: I think it is a good time to make it, because we all ought to deal here openly and fairly on this great matter with ourselves and with the country. I think the Democratic position is that the reciprocity bill does not go as far as they would like to have it go. They want other, further, and additional relief for the people of the United States; not the farmers alone, but all classes of citizens. That is the position.

The fear of the Democrats is that if this bill is amended at all here in the Senate it may then be beaten in part by the votes of the very men who helped to amend it; and if it is not beaten, but is passed by the Senate, then it will be vetoed by the President. I think the Democratic position is that the reciprocity bill, while far from perfect, is better than no step in the direction of tariff reduction.

Mr. NELSON. Mr. President——

Mr. GRONNA. I now yield to the Senator from Minnesota.

Mr. REED. Just let me conclude what I have been saying, and then I will yield.

Mr. GRONNA. Very well.

Mr. REED. I take it that the position of our friends represented by the Senator upon his feet is a little similar. He does not so much object to the reciprocity measure if he could carry the reform far enough to equalize the reduction on farm products, but he hesitates to have the reductions go up in separate bills for fear the President will veto them, and he believes that the measure, without the other additional bills or amendments, is a bad bill.

Mr. WARREN. May I ask the Senator a question?

Mr. REED. When I conclude. Now, the trouble with us is not so much where we are trying to go as the assurance that we will get to the destination. And I say again, and I put it to the Senator, can he bring the assurance to the Democrats of this Chamber that if this bill is passed by the Senate and passed by the House with the free-list amendment on, the President of the United States will permit it to become a law?

Mr. NELSON. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Minnesota?

Mr. GRONNA. I now yield to the Senator from Minnesota, because I should like to answer all these questions at once.

Mr. NELSON. I am surprised at the questions and the disingenuousness of the Senator from Missouri. He knows that this measure passed chiefly by Democratic votes in the other House, and if it has the least show of passage in this House it is because it has the support of the Democratic Party. Most of the Republicans in this Chamber are opposed to that measure. Now, it seems to me, the question whether the bill will be signed by the President if we add the free-list bill ought to be

addressed to the President by those who are cooperating with him and who are sailing under his banner. Instead of addressing it to us, who are opposed to reciprocity, address it to the President, under whose flag and banner you are operating.

Mr. REED. Let me ask——

Mr. WARREN. Mr. President——

Mr. REED. I ought to be permitted to answer one man at a time.

Mr. WARREN. This is along the same lines.

The VICE PRESIDENT. Does the Senator from North Dakota yield, and to whom?

Mr. GRONNA. I yield to the Senator from Wyoming.

Mr. REED. I ought to be permitted to answer one at a time.

Mr. WARREN. The Senator has asked a question, and I am about to ask a question, and you can answer both. I want to ask why the Senator from Missouri has so studiously avoided informing us what the House will do. The newspapers have stated, and it has not been denied, that one of the reasons why they doubt that the President will sign it is because those who originated the measure and caused its passage in the House have refused absolutely to entertain it if we amend it here.

Mr. REED. Have I the permission——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Missouri?

Mr. GRONNA. With pleasure.

Mr. REED. I want to say that I have neither studiously avoided nor otherwise avoided answering any question. When my good friend gets better acquainted with me he will know that I never do. I have no authority to speak for the House of Representatives; I hold no brief from that great body; but I am here to say that after talking with a number of men who have been very potential in the councils of the Democracy, without exception they have said to me that if the Senate amended this bill by adding the House free-list bills it would never go to conference; that it would be passed by the Democratic votes in the House of Representatives.

Now, I trust the Senator will not say I have avoided anything.

Mr. WARREN. The Senator's account from the House does not agree with the purported interviews with the chairman of the Committee on Ways and Means, which formulated these two bills. Perhaps the Senator is right; I do not doubt it; but there seems to be a difference between the testimony of the men in the House who have had most to do with it and the Senator from Missouri.

Mr. REED. It is not the first time I have differed with newspapers; it is not the first time I have been right; and it may not be the first time I have been mistaken. I simply give my statement for what it is worth.

The statement was made by the Senator from Minnesota [Mr. NELSON] that we were sailing under the President's banner. I do not think the Democratic Party ought to be accused of that. Simply because the President of the United States has gotten partially right on this great question and is taking one step in the right direction, and because we vote for it, we ought not to be required to stand sponsor for him or assume to be his spokesmen. There is no use trying to shift this responsibility, Mr. President. There are men on the other side of the Chamber in the counsels of the President almost daily who represent the administration, practically and in a proper way. I say that without the slightest criticism. They are on the Republican side of this Hall; every one of them is here; and the question ought to be addressed by the Senator from Minnesota and by the Senator from North Dakota to the men who belong to the President's party and who are in the President's counsels. If they can not get information from their own side of the Chamber, just come over to our side and help us a little and we will elect a President who will let us know whether a measure will be signed or not. I say that with respect, for if the President can properly go over this country, making speeches daily upon measures pending before Congress and advise the people, he may just as properly advise this body.

Mr. GRONNA. Mr. President, I had almost come to the conclusion that the Senator's party had kidnapped our President. I think it is unfair for him to ask me what I believe the President would do or would not do in a matter of this kind.

Mr. REED. With all due respect, when the Democracy start out kidnapping Presidents they will pick one for themselves.

Mr. GRONNA. As a ransom you demand that we surrender to the Canadian farmer the markets which belong to the American farmer, and that is more than the American farmer can stand.

Mr. NELSON. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Minnesota?

Mr. GRONNA. I yield to the Senator.

Mr. NELSON. It is now late. The Senator has been on his feet for more than three hours. I move that the Senate adjourn.

Mr. CULLOM. I hope the Senator from Minnesota will withdraw that motion, that we may have a brief executive session.

Mr. NELSON. Very well; I withdraw the motion.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After eight minutes spent in executive session the doors were reopened, and (at 5 o'clock and 12 minutes p. m.) the Senate adjourned until to-morrow, Friday, July 7, 1911, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate July 6, 1911.

COLLECTOR OF INTERNAL REVENUE.

Frank L. Gilbert to be collector of internal revenue for the second district of Wisconsin, vice Frank R. Bentley, resigned.

UNITED STATES DISTRICT JUDGE.

Paul Charlton, of Nebraska, to be United States district judge for the district of Porto Rico, vice John J. Jenkins, deceased.

APPOINTMENTS IN THE ARMY.

Maj. Edwin R. Stuart, Corps of Engineers, to be professor of drawing at the United States Military Academy, to take effect October 4, 1911, vice Prof. Charles W. Larned, who died June 19, 1911.

CAVALRY ARM.

Squadron Sergt. Maj. Romney T. Jewell, Eleventh Cavalry, to be second lieutenant of Cavalry, with rank from June 30, 1911.

MEDICAL RESERVE CORPS.

To be first lieutenants with rank from June 30, 1911.

Thomas Henry Watkins, of Louisiana.
Clark David Brooks, of Michigan.
Warfield Theobald Longcope, of Pennsylvania.
Charles Aaron Hull, of Nebraska.
Albert Ernst Taussig, of Missouri.
Edwin Clyde Henry, of Nebraska.
Louis Barth, of Michigan.
Park Weed Willis, of Washington.
Horace Russel Allen, of Indiana.
Mark Marshall, of Michigan.
James Fleming Breakey, of Michigan.
Reuben Peterson, of Michigan.
Hermann Johannes Boldt, of New York.
Marcus Claude Terry, jr., of California.
Francis St. Clair Reilly, of Pennsylvania.
Arthur Ernest Lane, of Wyoming.
Lester Laurens Roos, of New York.
Will Garrison Merrill, of Wisconsin.
Frank Wilburn Dudley, at large.
Almon Pliny Goff, at large.
James Walker Smith, at large.
Howard White Seager, of California.
Elwin Witt Ames, at large.
Lewis Francis Bleazby, of California.
Michael Manley Waterhouse, of New York.

SECRETARY OF LEGATION AND CONSUL GENERAL.

Francis Munroe Endicott, of Massachusetts, now secretary of the legation at Santo Domingo, to be secretary of the legation and consul general of the United States of America at Santo Domingo, Dominican Republic, to fill an original vacancy.

MEMBER OF EXECUTIVE COUNCIL OF PORTO RICO.

Manuel Camunas, of Porto Rico, vice Juan F. Vias Ochoteco, resigned.

PROMOTIONS IN THE NAVY.

Commander Albert L. Key to be a captain in the Navy from the 1st day of July, 1911, to fill a vacancy.

Commander Harry A. Field to be a captain in the Navy from the 1st day of July, 1911, to fill a vacancy.

Lieut. Commander Montgomery M. Taylor to be a commander in the Navy from the 4th day of March, 1911, to fill a vacancy.

Lieut. Commander Milton E. Reed to be a commander in the Navy from the 14th day of June, 1911, to fill a vacancy.

Lieut. Ralph E. Pope to be a lieutenant commander in the Navy from the 1st day of July, 1911, to fill a vacancy.

Lieut. Willis G. Mitchell to be a lieutenant commander in the Navy from the 1st day of July, 1911, to fill a vacancy.

Lieut. (Junior Grade) Lloyd W. Townsend to be a lieutenant in the Navy from the 4th day of March, 1911, to fill a vacancy.

Lieut. (Junior Grade) Grafton A. Beall, jr., to be a lieutenant in the Navy from the 4th day of March, 1911, to fill a vacancy.

Lieut. (Junior Grade) William L. Calhoun to be a lieutenant in the Navy from the 1st day of July, 1911, to fill a vacancy.

Ensign Matthias E. Manly to be a lieutenant (junior grade) in the Navy from the 13th day of February, 1911, upon the completion of three years' service as an ensign.

Paymasters Edward T. Hoopes and Cecil S. Baker, with the rank of lieutenant, to be paymasters in the Navy, with the rank of lieutenant commander, from the 1st day of July, 1911.

Naval Constructors William McEntee, William B. Ferguson, jr., and John A. Spilman, with the rank of lieutenant, to be naval constructors in the Navy, with the rank of lieutenant commander, from the 1st day of July, 1911.

Asst. Naval Constructor Lew M. Atkins, with the rank of lieutenant (junior grade), to be an assistant naval constructor in the Navy, with the rank of lieutenant, from the 1st day of July, 1911.

The following-named midshipmen to be ensigns in the Navy from the 5th day of June, 1911, to fill vacancies:

Eric L. Ellington and

Wallace L. Lind.

Passed Asst. Paymaster Chester G. Mayo to be a paymaster in the Navy from the 2d day of January, 1911, to fill a vacancy.

CONFIRMATIONS.

Executive nominations confirmed by the Senate July 6, 1911.

UNITED STATES ATTORNEY.

Guy D. Goff to be United States attorney for the eastern district of Wisconsin.

UNITED STATES MARSHAL.

Harry A. Weil to be United States marshal for the eastern district of Wisconsin.

PROMOTIONS IN THE NAVY.

Lieut. Samuel B. Thomas to be a lieutenant commander.

Medical Inspector James C. Byrnes to be a medical director.

Asst. Surg. Joseph A. Biello to be a passed assistant surgeon.

Richard H. Laning, a citizen of Washington, to be an assistant surgeon.

The following-named ensigns to be assistant civil engineers:

David G. Copeland, and

Greer A. Duncan.

UNITED STATES MELTER AND REFINER.

Harrison J. Slaker to be melter and refiner of the United States assay office at New York, N. Y.

ENVOYS EXTRAORDINARY AND MINISTERS PLENIPOTENTIARY.

Lewis Einstein to be envoy extraordinary and minister plenipotentiary to Costa Rica.

William W. Russell to be envoy extraordinary and minister plenipotentiary to the Dominican Republic.

Evan E. Young to be envoy extraordinary and minister plenipotentiary to Ecuador.

Charles Dunning White to be envoy extraordinary and minister plenipotentiary to Honduras.

H. Percival Dodge to be envoy extraordinary and minister plenipotentiary to Panama.

SECRETARIES OF LEGATIONS.

Jordan Herbert Stabler to be secretary of the legation at Guatemala.

Hugh S. Gibson to be secretary of the legation at Habana.

Edward T. Williams to be secretary of the legation at Peking.

Charles Campbell, jr., to be second secretary of the embassy at Tokyo.

George T. Summerlin to be second secretary of the legation at Peking.

William K. Wallace to be second secretary of the legation at Habana.

SECRETARY OF LEGATION AND CONSUL GENERAL.

Francis Munroe Endicott to be secretary of the legation and consul general at Santo Domingo, Dominican Republic.

APPOINTMENTS IN THE ARMY.

MEDICAL CORPS.

First Lieut. Edgar D. Craft, Medical Reserve Corps, to be first lieutenant.

TO BE SECOND LIEUTENANTS.

Corps of Engineers.

Cadet Philip Bracken Fleming.
Cadet John Wesley Stewart.
Cadet Joseph Cowles Mehaffey.
Cadet Paul Sorg Reinecke.
Cadet Raymond Albert Wheeler.

Cavalry Arm.

Cadet John Everard Hatch.
Cadet Alexander Day Surles.
Cadet Philip James Kieffer.
Cadet Karl Slaughter Bradford.
Cadet Frederick Gilbreath.
Cadet Harrison Henry Cocke Richards.
Cadet Arthur Bayard Conard.
Cadet Frank Hall Hicks.
Cadet John Porter Lucas.
Cadet Wilfrid Mason Blunt.
Cadet James Craig Riddle Schwenck.
Cadet William Patrick Joseph O'Neill.
Cadet Frank Lazelle Van Horn.
Cadet Howell Marion Estes.
Cadet John Furman Wall.
Cadet Leo Gerald Heffernan.
Cadet Edwin Noel Hardy.

Field Artillery Arm.

Cadet Curtis Hoppin Nance.
Cadet Freeman Wate Bowley.
Cadet John C. Beatty.
Cadet Charles Anderson Walker, jr.
Cadet Bethel Wood Simpson.
Cadet Neil Graham Finch.

Coast Artillery Corps.

Cadet Charles Adam Schimelfenig.
Cadet Charles Reuben Baxter.
Cadet Gustav Henry Franke.
Cadet Hubert Gregory Stanton.
Cadet Harold Floyd Nichols.
Cadet Franklin Kemble.
Cadet Herbert Arthur Dargue.
Cadet John Griffeth Booton.
Cadet James Blanchard Crawford.
Cadet Robert W. Clark, jr.
Cadet Robert Lincoln Gray.
Cadet John Louis Homer.
Cadet Robert Clyde Gildart.
Cadet George Derby Holland.
Cadet Joseph William McNeal.
Cadet Max Stanley Murray.

Infantry Arm.

Cadet Harry Russell Kutz.
Cadet Thompson Lawrence.
Cadet Harry James Keeley.
Cadet Charles Philip Hall.
Cadet William Edmund Larned.
Cadet Alfred John Betcher.
Cadet Charles Laurence Byrne.
Cadet George Richmond Hicks.
Cadet Haig Shekerjian.
Cadet Charles Sea Floyd.
Cadet Benjamin Curtis Lockwood, jr.
Cadet Carroll Armstrong Bagby.
Cadet Oliver Stelling McCleary.
Cadet Frederick Gilbert Dillman.
Cadet Gregory Hoisington.
Cadet Ziba Lloyd Drollinger.
Cadet Frank Butner Clay.
Cadet Jesse Amos Ladd.
Cadet Paul William Baade.
Cadet Joseph Laura Wier.
Cadet James Roy Newman Weaver.
Cadet James Daniel Burt.
Cadet Emanuel Villard Heidt.
Cadet William Henry Harrison Morris, jr.
Cadet Sidney Herbert Foster.
Cadet Carl Fish McKinney.
Cadet Roscoe Conkling Batson.
Cadet Allen Russell Kimball.
Cadet Ira Adelbert Rader.
Cadet Alvan Crosby Sandeford.
Cadet William Jay Calvert.

Cadet William Burrus McLaurin.
Cadet Kenneth Ebbecke Kern.
Cadet David Hamilton Cowles.
Cadet Ira Thomas Wyche.
Cadet Arthur Clyde Evans.

PROMOTIONS IN THE ARMY.

MEDICAL CORPS.

Capt. Reuben B. Miller to be major.

FIELD ARTILLERY ARM.

First Lieut. Nelson E. Margetts to be captain.
First Lieut. Robert Davis to be captain.
Second Lieut. Joseph W. Rumbough to be first lieutenant.
Second Lieut. William McCleave to be first lieutenant.
Second Lieut. Allan C. McBride to be first lieutenant.
Second Lieut. Joe R. Brabson to be first lieutenant.

INFANTRY ARM.

Lieut. Col. Frank B. Jones to be colonel.
Maj. James A. Goodin to be lieutenant colonel.
Capt. Charles Miller to be major.

COAST ARTILLERY CORPS.

Cadet William Benjamin Hardigg to be second lieutenant.

CAVALRY ARM.

Cadet Thomas Jonathan Jackson Christian to be second lieutenant.

RETIRED LIST OF THE ARMY.

First Lieut. John S. Marshall, retired, with the rank of captain.

POSTMASTERS.

CALIFORNIA.

James W. Roe, San Gabriel.

ILLINOIS.

Anthus Willard, Macon.

MINNESOTA.

Ralph Prescott, Le Roy.

NEW JERSEY.

James Steel, Little Falls.
George N. Wimer, Palmyra.

OHIO.

Robert Cleland, Convoy.

SOUTH CAROLINA.

M. B. Cross, Ferguson.

WITHDRAWAL.

Executive nomination withdrawn July 6, 1911.

Foster V. Brown, of Tennessee, to be United States district judge for the district of Porto Rico.

SENATE.

FRIDAY, *July 7, 1911.*

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Journal of yesterday's proceedings was read and approved.

COLUMBIA HOSPITAL FOR WOMEN.

The VICE PRESIDENT announced the appointment of Mr. GALLINGER to succeed himself as a director on the part of the Senate of the Columbia Hospital for Women and Lying-in Asylum in the District of Columbia, as provided for in the act of June 10, 1872.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a joint resolution adopted by the Legislature of the State of Wisconsin, which was referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

Joint resolution (J. Res. No. 149, A) memorializing Congress of the United States to take such action as may be necessary to compel all interstate railroads to engage directly in the business of carrying and delivering express.

Whereas the present system of carrying on the express business of this country by companies which enter into private contract with railroads for the transportation of goods is an economic waste, in that such system requires and necessitates to a considerable extent duplicate equipment and investment and earnings necessary to insure a reasonable return on such duplicate investment; and

Whereas it is one of the paramount functions of both Nation and State to enact laws which will compel all business affected with a public interest to be so conducted as to afford to the people the best possible service at the lowest possible rate; and

Whereas to compel railroads to engage in the business of carrying and delivering express will obviate the necessity for duplicate investment and duplicate profit now existing; and

Whereas other countries, with success both economically and financially, have combined the railroad and express business: Therefore be it

Resolved by the assembly (the senate concurring), That we respectfully request the Congress of the United States to take such action as may be necessary to compel all interstate railroads to engage directly in the business of carrying and delivering express; and be it further

Resolved, That certified copies of this resolution be forwarded to the Chief Clerks of the two Houses of Congress and to the United States Senators and Congressmen from Wisconsin.

C. A. INGRAM,
Speaker of the Assembly.
H. C. MARTIN,
Acting President of the Senate.
C. E. SHAFFER,
Chief Clerk of the Assembly.
F. M. WYLIE,
Chief Clerk of the Senate.

Mr. BURTON presented a petition of sundry citizens of Ohio, praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

He also presented resolutions adopted by the National Association of Automobile Manufacturers, favoring the adoption of an amendment to the so-called corporation-tax law permitting corporations to make returns at the end of their fiscal years, which were referred to the Committee on Finance.

He also presented memorials of Greenwood Grange, No. 1061, of Hardin County; of Colebrook Grange, No. 1593; of Dunham Grange; of Leipsic Grange, No. 1664; of Warren Grange, No. 1715; of Parma Grange, No. 1732; of Pomona Grange, of Richland County; and of Pleasant Hill Grange, No. 598, of the Patrons of Husbandry, and of sundry citizens, all in the State of Ohio, remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which were ordered to lie on the table.

He also presented a petition of Pomona Grange, Patrons of Husbandry, of Ashtabula County, Ohio, praying for the establishment of a parcels-post system, which was referred to the Committee on Post Offices and Post Roads.

Mr. SIMMONS presented a petition of the congregation of the Christian Church of Hyde County, N. C., praying for the enactment of legislation to prohibit the interstate transportation of intoxicating liquors into prohibition districts, which was referred to the Committee on the Judiciary.

Mr. PERKINS presented a petition of sundry farmers of Santa Paula, Cal., praying for the enactment of legislation authorizing the inspection of foreign nursery stock, which was referred to the Committee on Agriculture and Forestry.

Mr. BRADLEY presented a memorial of the Trade and Labor Assemblies of Kenton and Campbell Counties, in the State of Kentucky, remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES.

Mr. CHAMBERLAIN, from the Committee on Military Affairs, to which was referred the joint resolution (S. J. Res. 31) authorizing the Secretary of War to loan certain tents for the use of the Astoria Centennial, to be held at Astoria, Oreg., August 10 to September 9, 1911, reported it with an amendment and submitted a report (No. 98) thereon.

Mr. CULBERSON, from the Committee on Public Buildings and Grounds, to which was referred the bill (S. 955) to provide for the extension of the post-office and courthouse building at Dallas, Tex., and for other purposes, reported it with an amendment and submitted a report (No. 97) thereon.

PUBLIC BUILDING AT CHARLESTON, W. VA.

Mr. WATSON. From the Committee on Public Buildings and Grounds I report back favorably, without amendment, the bill (S. 2932) to authorize the Secretary of the Treasury, in his discretion, to sell the old post-office and courthouse building at Charleston, W. Va., and in the event of such sale to enter into a contract for the construction of a suitable post-office and courthouse building at Charleston, W. Va., without additional cost to the Government of the United States.

Mr. CHILTON. I ask unanimous consent for the immediate consideration of the bill.

The VICE PRESIDENT. The bill will be read for the information of the Senate.

The Secretary read the bill; and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT ALLIANCE, OHIO.

Mr. REED. From the Committee on Public Buildings and Grounds I report back favorably, without amendment, the bill (S. 2208) appropriating additional funds for the erection of a public building at the city of Alliance, in the State of Ohio, and I submit a report (No. 96) thereon.

Mr. POMERENE. I ask unanimous consent for the present consideration of the bill.

The Secretary read the bill; and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PENROSE:

A bill (S. 2956) to define the true intent and meaning of section 48 of the act of August 28, 1894, levying taxes on distilled spirits, to regulate the business of reclaiming waste spirits from empty whisky barrels, and to define the status of persons engaged in such business; to the Committee on Finance.

By Mr. BRIGGS:

A bill (S. 2957) for the relief of Jane Brand Barnard; to the Committee on Pensions.

By Mr. SIMMONS:

A bill (S. 2958) for the relief of Benjamin F. Lancaster (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 2959) to provide for the purchase of a site and the erection of a public building at Chapel Hill, N. C.; to the Committee on Public Buildings and Grounds.

A bill (S. 2960) for the relief of Cleveland L. Short (with accompanying papers);

A bill (S. 2961) for the relief of H. D. Norcom, administrator de bonis non of E. H. Norcom, deceased (with accompanying paper); and

A bill (S. 2962) for the relief of Thomas M. Brower and John M. Brower, heirs of Jacob W. Brower, deceased; to the Committee on Claims.

By Mr. CRANE:

A bill (S. 2963) granting an increase of pension to John A. White; to the Committee on Pensions.

By Mr. CLAPP:

A bill (S. 2964) for the reinstatement of Lieut. Col. Constantine Marrast Perkins to the active list of the Marine Corps; to the Committee on Naval Affairs.

By Mr. BRADLEY:

A bill (S. 2965) granting an increase of pension to Joshua Boring (with accompanying papers); to the Committee on Pensions.

CORPORATIONS IN INTERSTATE COMMERCE.

Mr. CLAPP submitted the following resolution (S. Res. 98), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Interstate Commerce is hereby authorized and directed, by subcommittee or otherwise, to inquire into and report to the Senate at the earliest date practicable what changes are necessary or desirable in the laws of the United States relating to the creation and control of corporations engaged in interstate commerce, and what changes are necessary or desirable in the laws of the United States relating to persons or firms engaged in interstate commerce; and for this purpose they are authorized to sit during the sessions or recesses of Congress at such times and places as they may deem desirable or practicable, to send for persons and papers, to administer oaths, to summon and compel the attendance of witnesses, to conduct hearings and have reports of same printed for use, and to employ such clerks, stenographers, and other assistants as shall be necessary; and any expense in connection with such inquiry shall be paid out of the contingent fund of the Senate upon vouchers to be approved by the chairman of the committee.

REPUBLICAN RECIPROCITY.

Mr. DU PONT. I have a copy of the address delivered by President Taft at a banquet of the Marion Club, Indianapolis, Ind., July 4, 1911, on the subject of Republican reciprocity. I move that the address be printed as a Senate document. (S. Doc. No. 63.)

The motion was agreed to.

ELECTION OF SENATORS BY DIRECT VOTE.

Mr. JOHNSTON of Alabama. On the 5th of July the Senator from Kansas [Mr. BRISTOW] caused to be printed in the RECORD a communication from a citizen of Georgia in regard to the proposed amendment of the Constitution providing for the election of Senators by the people. I ask leave to have printed in the RECORD four editorials, short ones, from Georgia papers showing an entirely different opinion in regard to the amendment, and also one from the New York Press of the same tenor, denoting that the question is not at all sectional.

The VICE PRESIDENT. Without objection, permission is granted.

The matter referred to is as follows:

[The Atlanta Georgian (and News).]

SENATOR BRISTOW SETS A STUMBLING BLOCK.

The House resolution providing for the direct election of Senators was proceeding merrily on its way to success when Senator BRISTOW set a stumbling block for it.

Senator SUTHERLAND, at the last session of Congress, had successfully played the same little trick, and Senator BRISTOW deemed it timely that he do likewise and gain like renown.

Accordingly, he offered an amendment providing that the United States Government should retain the control of the time, place, and manner of holding the election, the meaning of which is that the Government will have the power of prescribing such suffrage requirements for the elections as it deems fit.

The Federal Government would thus be able when it so chose to nullify the suffrage laws of the Southern States—laws which these States have enacted from causes arising out of the truest meaning of the words self-defense and self-protection.

It should be stated, however, that Congress already has this power over the election of Representatives, but has never used it since the days of the military rule in the Southern States following the close of the Civil War. The force bill was an attempt to put it in operation, but it never succeeded even then, and will never likely succeed at any time.

The Nation has passed a century and a quarter of its existence with the States in complete control of the elections, both of their Senators and Representatives. The House resolution, without the Bristow amendment, is merely writing this long practice in the Constitution. It can certainly, therefore, do the Nation no harm.

The Southern States are asked to give their approval of the direct election of Senators. This they do gladly and freely, but it is too much to ask of them that at the same time they approve it in such a form as to relinquish a safeguard of their prized, because long-fought-for, suffrage laws.

The Federal Government will never likely disturb these laws, but the South wants to make sure and wants this surety incorporated in the fundamental law of the land. This is the price that it sets on its approval of the direct elections bill.

Accordingly, the House has refused to concur in the Bristow amendment, and it has been sent back for the Senate to ruminate over.

The Bristow amendment has already proved a stumbling block in the way of the resolution's final passage by Congress. It will prove an even greater stumbling block in the way of the amendment's ratification by the necessary number of States. The legislatures of the Southern States would never give it their approval.

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[The Savannah Press.]

THE DIRECT ELECTION BILL.

The refusal of the House to concur in the Bristow amendment, with which the Senate sought to check the force of the bill for the direct election of Senators, naturally meets with the applause and approval of those who advocate State rights. The purpose of the amendment was solely to put into the hands of Congress the power to interfere with the action of the States by giving to it the power to regulate the time and manner of holding the elections for United States Senators.

It was, in fact, a direct threat to the Southern States from the Republican Party to interfere with their election arrangements, whereby the white people maintain control of their States and uphold their standards of civilization and government. While the Republican States would have little annoyance to fear should events so turn about as to put the Democratic Party in control of Congress, the Southern States would be open to difficulties and indignities from a Republican Congress which it would scarcely be possible for us to measure. Moreover, by the power of this mischievous amendment the popular election of Senators would be but a tragic farce and the interests behind the Republican Party would be presented with a "good road to progress" into the subjugation of the States.

Mr. RUCKER of Missouri was taunted by a Republican Representative, who said: "You are afraid that your grandfather clause will be declared unconstitutional."

It may be as well frankly to acknowledge that this issue is to be avoided if possible. Self-preservation, which is the first law of nature, and the most dominant of all laws, has obliged the Southern States, by every possible measure to circumnavigate one of the constitutional amendments which was tacked on to the Constitution fabric at a time when the voice of the South was forcibly silenced. In almost every State in the South there could be found provisions which, under a strict construction of the Federal law, from an inimical point of view, might be declared unconstitutional.

But it is no longer the purpose of the Republicans to disrupt the country and bring on the trouble this sort of action would be obliged to precipitate. It is merely their object to hold this threat over the Southern States as a club and with it to clear the path for the further subjugation of the States to the power of the special interests of which the whole Republican Party has become merely an instrument.

Representative RUCKER, in his objections to the Bristow amendment, said: "I have no fear of the people, but of the combinations behind closed doors which trample on the most sacred rights of the people. Give the States just a little more power and we will take the Lumber Trusts, the Sugar and all the other trusts out of politics."

This sums it up about as well as it could possibly be told, and whether or not the Senate will consent to giving the States a chance to remove the trusts from politics remains to be seen.

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[Macon Telegraph.]

THE SENATE'S ACTION.

The Senate of the United States has passed by the impressive vote of 64 to 24 the resolution proposing an amendment to the Federal Constitution providing for the election of Senators by direct vote and declaring—through the Bristow amendment—that the Federal Government shall have power over the manner, time, and place of holding elections for United States Senators. On the latter proposition the

Senate was very evenly divided, the vote being 44 to 44, Vice President SHERMAN casting the single ballot that fastened this amendment on the resolution.

The vote for the resolution in spite of the undesirable amendment shows that popular sentiment in favor of the change is, or is believed to be, overwhelming. If the House acts favorably on the resolution in its amended form it will go to the States for ratification, and its final adoption as an amendment to the Constitution will probably depend on the action of the Southern legislatures. These, it has been predicted, will never ratify it with the Bristow provision included.

We note with satisfaction that Senators BACON and TERRELL, of Georgia, were among the 24 who voted against the resolution on its final passage with the Bristow amendment attached.

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[Macon News, June 17, 1911.]

SIGNIFICANCE OF THE BRISTOW AMENDMENT.

If this amendment should be accepted by the House and finally ratified by the States it would have to be construed in connection with section 4, Article I, which vests in the Congress the heretofore dormant power of making and altering the regulations for the election of Representatives at will, which would then also apply to the election of Senators.

The mere fact that the Congress would have the power to tamper with the election of Senators under the new amendment, should it be finally adopted, does not infallibly imply that it would exercise the power to do so, but it would leave a very uncomfortable feeling in the minds of all patriotic and thoughtful people to know that the power had been implanted in the Constitution, and the activity and determination displayed by the Roots, the Smoots, the Gallingers, the Guggenheims, and others of that sort to bring about this end means that they will make mischief of it in future if they can do so.

We believe it safest, therefore, by all odds for southern Senators and Representatives to have none of it; for the Democratic House to refuse to concur with the Bristow amendment; and, failing that, for the Southern States to refuse to ratify the amendment.

"So far as the letter of the Constitution is concerned," says the New York World, "the powers of Congress might not be increased by the ratification of the amendment in the form drafted by Senator BRISTOW; yet the feeling is general throughout the South that such an amendment would be perverted into a referendum in favor of Federal control of the franchise and would revive the latent powers that have never been exercised. It is easy enough to say that these fears are exaggerated, but they have to be dealt with, and it is doubtful if a single southern legislature would ratify the senatorial amendment in the form in which it is presented by the Senate. Without assistance from the South the Constitution can not be changed, and there can be no popular election of Senators.

"The Bristow amendment is unnecessary and mischievous. The powers that it emphasizes are fully reserved to Congress in other sections of the Constitution. It merely arouses sectional animosities and imperils the movement for the election of Senators by direct vote."

—

[New York Press.]

BAD FAITH IN THE SENATE.

In appointing Senators CLARK of Wyoming, BACON of Georgia, and NELSON of Minnesota as conferees on behalf of the Senate over the Bristow amendment to the direct-elections resolution, the upper House of Congress shows little sign of yielding to the House. A majority of the Senate, as the roll call on the Bristow rider showed, is willing to run the risk of refusal by the States to ratify the direct election of United States Senators. For there is a great risk of rejection of the amendment if the measure is coupled with a threat to enforce the constitutional rights of the colored citizen in the suffrage. Those who voted for the Bristow amendment are therefore either hostile to direct choice of Senators or lukewarm toward that plan when they insist on a clause attached to it which makes the reform odious to the Southern States.

No Senator can be considered a real friend of the principle of popularly elected Senators if he persists in voting for the Bristow amendment. No Senator so voting can escape the suspicion that he is more interested in the promotion of Lorimerism than in extending to the southern negroes the privilege of voting. No Senator believes that the restoration of the electoral franchise to the southern negro can be brought about as an incident to the enfranchisement of both white and black voters, both at the North and the South, who are now robbed in so many cases of the right to choose United States Senators.

The Bristow amendment is insincere. It is an obstacle in the way of a really feasible reform; and if that was not the purpose of its author, the character of a great deal of its support in the Senate is such as to show that it is being used in bad faith. The Senate ought to recede from its amendment and submit the resolution to the States in the form adopted by the House. Then, standing by itself, the principle of popular election of United States Senators will be ratified by a unanimous vote.

CALLING OF THE ROLL.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Clapp	Jones	Smith, S. C.
Borah	Crane	Lippitt	Smoot
Bourne	Culberson	McCumber	Stone
Bradley	Cullom	Martin, Va.	Sutherland
Brandegee	Cummins	Martine, N. J.	Swanson
Briggs	Curtis	Nelson	Taylor
Bristow	Fletcher	Page	Thornton
Brown	Foster	Penrose	Warren
Bryan	Gronna	Perkins	Watson
Burnham	Guggenheim	Poindexter	Wetmore
Burton	Heyburn	Pomerene	Williams
Chamberlain	Johnson, Me.	Reed	Works
Chilton	Johnston, Ala.	Simmons	

Mr. BURNHAM. My colleague [Mr. GALLINGER] is unavoidably absent.

The VICE PRESIDENT. Fifty-one Senators have answered to the roll call. A quorum of the Senate is present.

DEFICIENCY APPROPRIATIONS.

The VICE PRESIDENT. The morning business is closed.

Mr. PENROSE and Mr. WARREN addressed the Chair.

Mr. WARREN. I was about to move to take up an appropriation bill.

Mr. PENROSE. I did not know the Senator wanted to bring up the bill at this time. The Senator from North Dakota [Mr. GRONNA] gave notice of his intention to conclude his remarks this morning on the pending reciprocity bill.

Mr. WARREN. I assume it will be agreeable to the Senator from North Dakota to allow this small appropriation bill to be disposed of.

Mr. GRONNA. Very well.

Mr. WARREN. Then I ask unanimous consent for the present consideration of House bill 12109.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 12109) to supply a deficiency in the appropriations for contingent expenses of the House of Representatives for the fiscal year 1911, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. WARREN. I ask unanimous consent that the formal reading of the bill be dispensed with and that it be read for amendment, the amendments of the committee to be first considered.

The VICE PRESIDENT. Is there objection to the request of the Senator from Wyoming? The Chair hears none. The Secretary will proceed to read the bill.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was, on page 1, after line 6, to insert:

SENATE.

For compensation of officers, clerks, messengers, and others in the employ of the Senate, namely: Sixteen pages for the Senate Chamber, at the rate of $2.50 per day each, during the first session of the Sixty-second Congress, $3,680, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 2, after line 3, to insert:

The unexpended balance of the appropriation for inquiries and investigations ordered by the Senate, including compensation to stenographers to committees at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding $1.25 per printed page, is herewith made available for use during the fiscal year 1912.

The amendment was agreed to.

The next amendment was, on page 2, after line 11, to insert:

For miscellaneous items, exclusive of labor, $15,000.

The amendment was agreed to.

The next amendment was, on page 2, after line 13, to insert:

For additional amount for the assistant clerk to the Committee on Immigration for services from May 1, 1911, to June 30, 1912, both inclusive, $420.

The amendment was agreed to.

The next amendment was, on page 2, after line 17, to insert:

To pay N. G. Morgan for extra services in compiling and supervising the publication of eulogies on deceased Members of Congress and statuary proceedings for the Sixty-first Congress, under the direction of the Joint Committee on Printing, $250.

The amendment was agreed to.

The next amendment was, on page 2, after line 22, to insert:

The Secretary of the Senate is hereby authorized and directed to pay from the contingent fund the compensation usually allowed for compiling and editing the edition of the Congressional Directory for the first session of the Sixty-second Congress, as prepared and published under the direction of the Joint Committee on Printing.

The amendment was agreed to.

The next amendment was, on page 3, after line 17, to insert:

GOVERNMENT PRINTING OFFICE.

For attorney for the Government Printing Office, to be appointed by the Joint Committee on Printing, for the fiscal year 1912, $3,000.

Mr. HEYBURN. Mr. President, is it not an unusual proceeding to authorize a committee to appoint an officer of the Government? It seems to me that that officer should be appointed as other Assistant Attorneys General are appointed.

Mr. WARREN. Mr. President, in this case an attorney is necessary, and the amendment merely provides for an attorney who was formerly engaged in this work.

Mr. HEYBURN. I think there is no other instance in the Government in which any employee of this character is appointed other than by the usual method of appointment.

Mr. SMOOT. Mr. President, perhaps I had better explain to the Senator and to the Senate what the object of the provision is. The Printing Office has had an attorney for years. Mr. Elder has been that attorney ever since I have been chairman of the Printing Committee.

Mr. HEYBURN. By whom was he appointed?

Mr. SMOOT. He has been in the past appointed by the Public Printer, but during the last session of Congress it was

suggested that he be appointed by the Attorney General, as all other attorneys for the departments, with the exception, I believe, of the Agricultural Department, are appointed. The Attorney General so recommended, and in an appropriation bill the Senate at the last session inserted a provision authorizing the attorney for the Printing Office to be assigned or appointed by the Attorney General.

Mr. HEYBURN. That is the usual method.

Mr. SMOOT. But that provision went out in conference. The Senator will remember that in the last minutes of the last session the bill was in conference, and nearly all of the Senate amendments were disagreed to. That left the Printing Office without an attorney.

The Attorney General has no power under the law to assign an attorney to the Printing Office, and this provision is designed to provide for an attorney for the Printing Office for this session of Congress. So far as I am concerned, I shall, when the next appropriation bill comes before the Senate, ask that the attorney for the Printing Office be assigned by the Attorney General, as most other attorneys for the departments are assigned; but if this provision is not passed at this session the Printing Office will be without an attorney, and there are contracts——

Mr. HEYBURN. I am not proposing to defeat the amendment. My attention was naturally attracted to it because it involves an unusual proceeding, and it is just as well for us to understand the matter as we go along.

The Printing Office occupies a position occupied by no other branch of the Government. It is the Congressional Printing Office, and originally it was for the use of Congress only. Now it has been absorbed by the executive departments of the Government, and they seem to think that it is really their instrumentality, when, as a matter of fact, it is the instrumentality of Congress alone; but through a general acceptance of the conditions it is now the printing office for the administrative branch of the Government as well as of Congress, and they make use of it more than we do.

Mr. WARREN. Mr. President, if the Senator will permit me, I will say that the duty of the Committee on Appropriations in this matter is, of course, to provide for emergency appropriations. This seems to be the proper way to provide for what was considered by the Printing Committee an emergency——

Mr. HEYBURN. I am not criticizing the committee.

Mr. WARREN. To provide an agency through which the work could be done for the present and until such time as legislation might provide for it in the manner that the Senator from Idaho suggests.

Mr. HEYBURN. I am not criticizing the committee. This is an innovation in legislation, and it is well enough for Senators to understand why the innovation is proposed. I have had occasion to consider this question before. The relation which the Public Printing Office bears to the Government is dissimilar from the relation which any other branch of the Government bears to the General Government. If we are going to have an attorney—and I assume that one is necessary, though I do not know just why, but I assume that it is necessary to have an attorney for the Printing Office, and I am not going to controvert that—I am only calling attention to the manner of the appointment. If committees of this body are to appoint attorneys for administrative branches of the Government, that is something entirely new. Admitting that an attorney is necessary, do we want to be originators or pioneers in an innovation that may possibly come home to us when some other department of the Government is seeking to encroach upon the rights and duties of our branch of the Government? That is the question.

Mr. President, it is not necessary to get in too big a hurry this morning to pass this bill. We have nothing of much importance awaiting us and we have plenty of time; the weather is good, and I do not think that anything is gained by too much haste in this matter.

I do not desire to see a change in this respect. I do not desire to see a system inaugurated or recognized by which committees of Congress, whether joint or separate, shall have power to appoint attorneys. The other day when we were considering a certain investigation and a committee was appointed, we authorized that committee to employ attorneys. I felt at that time that that was the limit beyond which we certainly never should go, but this is a step beyond that.

I merely call attention to this in order that we may not get up such speed in enacting this measure as to overlook the fact that we are entering upon a new plan of legislation and procedure. That is all. I think that the amendment proposed by the committee should have provided for this attorney either to be nominated by the President or assigned by the Attorney General, which would seem to be entirely appropriate, inasmuch as the Printing Office is now quasi administrative and is no longer strictly the instrumentality of Congress. I think the Attorney General should assign one of the very many assistants now at his disposal for the performance of those duties, and thus avoid entering upon this innovation.

Mr. CULBERSON. Mr. President, when the bill was before the Committee on Appropriations, I presume it will not be improper for me to say that I opposed the insertion of anything on this subject in the bill on the ground that it was additional and general legislation, which ought not to be incorporated in an urgent deficiency bill. I do not make the point of order, and shall not make it, but I want to state that it is contrary to the rules of the Senate and the practice of the Senate by an amendment in an urgent deficiency bill to provide for general legislation and the creation of an additional office. I am opposed to the adoption of the amendment, though I do not, as I said awhile ago, make the point of order against it. But, Mr. President, this amendment is not, as I remember, the amendment which was adopted by the committee. That amendment, according to my recollection, provided that this appointment should be made by the Attorney General of the United States.

Mr. WARREN. Mr. President, the Senator from Texas is mistaken about that. The proposition before us was that this attorney should be appointed by the Attorney General, and the criticism was made, and I think properly so, that that carried it into the realm of general legislation. The committee did not feel that it ought to insert general legislation in an emergency bill.

The reason the provision was framed in this manner was that it was to be treated as an emergency, it being necessary to provide for an attorney in the interim during this year until the matter could be taken up in the regular way in some general bill or in one of the annual appropriation bills.

Mr. CULBERSON. I accept, Mr. President, the statement of the chairman of the Committee on Appropriations, who was present all the time during the consideration of the bill, as to what actually occurred. My recollection was to the contrary, however.

I agree with the Senator from Idaho [Mr. HEYBURN] that if we are to have an attorney for the Government Printing Office he ought to be appointed in the regular way by the Attorney General of the United States and not by a joint committee of Congress. The duties of this joint committee are legislative and not executive, and they ought not to have the appointment of this officer. I therefore move an amendment to strike out the words "Joint Committee on Printing" and to insert the words "Attorney General."

The VICE PRESIDENT. The amendment proposed by the Senator from Texas will be stated.

The SECRETARY. On page 3, line 20, in the amendment reported by the Committee on Appropriations, after the words "by the," it is proposed to strike out "Joint Committee on Printing" and to insert "Attorney General," so as to read:

GOVERNMENT PRINTING OFFICE.

For attorney for the Government Printing Office, to be appointed by the Attorney General, for the fiscal year 1912, $3,000.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Texas to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 4, after line 5, to insert:

MILITARY ESTABLISHMENT.

The amount authorized to be expended for the completion of the chapel building at Fort Sam Houston, Tex., by the act making appropriations for the support of the Army for the fiscal year ending June 30, 1912, is hereby made available for the payment of any existing indebtedness on said building not in excess of $5,000.

The amendment was agreed to.

The next amendment was, on page 4, after line 13, to insert:

To complete construction under the authorization heretofore made, on the military reservation at Fort Mason, Cal., of a general supply depot for the supply departments of the United States Army, including the necessary storehouses, offices, shops, stables, sheds, power houses, quarters, and other buildings, together with wharves for the accommodation of at least four ships of the Army transport service, $150,000.

The amendment was agreed to.

The next amendment was, on page 4, after line 21, to insert:

NAVAL ESTABLISHMENT.

The portion of the act approved March 4, 1911, entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1912, and for other purposes," which reads as follows: "Clerks to paymasters and not exceeding 10 clerks to accounting officers at yards and stations, general storekeepers ashore and afloat not exceeding 10

clerks, and receiving ships, and other vessels; 2 clerks to general inspectors of Pay Corps; 1 clerk to pay officer in charge of deserters' rolls;" is hereby amended to read as follows:

"Clerks to paymasters at yards and stations, general storekeepers ashore, and receiving ships, and other vessels; 2 clerks to general inspectors of the Pay Corps; 1 clerk to pay officer in charge of deserters' rolls; not exceeding 10 clerks to accounting officers at yards and stations; and not exceeding 10 clerks to general storekeepers afloat."

The amendment was agreed to.

The next amendment was, on page 5, after line 14, to insert:

INTERIOR DEPARTMENT.

For work at Capitol and for general repairs thereof, including flags for the east and west fronts of the center of the Capitol and for Senate and House Office Buildings; flagstaffs, halyards, and tackle; wages of mechanics and laborers; purchase, maintenance, and driving of office vehicle; and not exceeding $100 for the purchase of technical and necessary reference books and city directory, $1,750.

The amendment was agreed to.

The next amendment was, on page 5, after line 23, to insert:

For the care and improvement of the grounds surrounding the Capitol, Senate and House Office Buildings; pay of one clerk, mechanics, gardeners; for fertilizers; repairs to pavements, walks, and roadways; to continue available during the fiscal year 1912, $7,000.

Mr. CUMMINS. Mr. President, I desire to make an inquiry of the chairman of the Committee on Appropriations with respect to the provision for an additional clerk. For whom is this clerk to work?

Mr. WARREN. To what does the Senator from Iowa refer?

Mr. CUMMINS. I refer to that part of the amendment proposed by the Committee on Appropriations which reads:

For the care and improvement of the grounds surrounding the Capitol, Senate and House Office Buildings; pay of one clerk, mechanics, gardeners, etc.

Mr. WARREN. Mr. President, the provision the Senator quotes is merely the language of the original appropriation act which we followed and does not add to the amount heretofore appropriated for a clerk. We do not authorize an additional clerk, but merely enlarge the scope of the general appropriation. We use the language in which the original appropriation was made which carried these employees.

Mr. CUMMINS. The original appropriation is sufficient to pay those who are now employed?

Mr. WARREN. Certainly.

Mr. CUMMINS. Why, then, does the amendment provide for "pay of one clerk, mechanics, gardeners," and so forth?

Mr. WARREN. If the Senator will notice, there are several other things provided for.

Mr. CUMMINS. Precisely; but why do you put in a clerk?

Mr. WARREN. As I said before, that language is used to designate what we are providing for, so that the appropriation may be used for any emergency that may occur as to any of those items mentioned in the regular annual appropriation. The recital of clerk, and so forth, is in the nature of a title.

Mr. CUMMINS. I assume this amount is to be expended by the Superintendent of the Capitol Grounds.

Mr. WARREN. Yes.

Mr. CUMMINS. He has not asked for any additional clerks, has he, and is it not proposed that there be an additional clerk employed?

Mr. WARREN. It is not. This provision is to carry on the work of grading, making a lawn, erecting a fountain, and providing for other work that is unfinished.

Mr. CUMMINS. I am entirely satisfied——

Mr. WARREN. And the only reason that the words occur to which the Senator refers is simply that it seemed proper to give a recitation of the original language used in making the appropriation granting him the authority, et cetera.

Mr. CUMMINS. I am entirely satisfied with the assurance of the chairman of the committee that there will be no additional clerical force employed, because I have not understood an additional force was necessary.

But now I ask the Senator whether there is an appropriation which will enable the superintendent to finish the interior court or park in the Senate Office Building. It is a most unsightly place, and I should like to know why it is not finished.

Mr. WARREN. There has not heretofore been any appropriation for that purpose, and this bill carries the necessary appropriation to finish that work.

Mr. CUMMINS. Does the Senator think that $7,000 is sufficient to finish the building?

Mr. WARREN. The bids are filed providing for a fountain similar to the one erected on the House side, which cost something like $2,500. They have bids for grading and grassing the lawn for about $4,500, and the amounts for both are inserted here.

Mr. CUMMINS. Will the appropriation enable the superintendent to construct the steps and ways around the court?

Mr. WARREN. That relates entirely to another matter. There is at present an appropriation available at any moment to finish the steps and, as I understand, all unfinished portions of the building proper. But there are certain repairs throughout this Capitol Building which we provide for here in the matter of $1,700, and $7,000 appropriated to take care of these grounds, which never have been provided for.

Mr. CUMMINS. After these appropriations are made the superintendent can go forward then with all practicable speed and finish the interior of the building and make it decent and sightly?

Mr. WARREN. I will say to the Senator, in further explanation of the reason it has not been done before, that the finishing of the basement and some of the interior of the building has caused the officials to use this ground for the storage of lumber and sand and material, and it was thought best to wait until the interior was finished before undertaking to finish the lawn or before putting in the steps at entrances where they would have to drag in and out certain material.

Mr. CUMMINS. The condition the Senator mentions has not existed for the last four months.

Mr. WARREN. That is true, but there has been no appropriation in the meantime.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

The next amendment was, on page 6, after line 4, to insert:

Department of Justice:

For special emergency repairs to the Court of Claims Building, $281.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. HEYBURN. I desire to offer an amendment on page 4, after line 5. I send the amendment to the desk.

The VICE PRESIDENT. The Secretary will report the amendment.

Mr. HEYBURN. I retain the floor.

The SECRETARY. On page 4, after line 5, it is proposed to insert the following:

PANAMA-PACIFIC INTERNATIONAL EXPOSITION COMMISSION.

That a commission is hereby constituted to consist of three commissioners, to be known and designated as the Panama-Pacific International Exposition Commission, who shall be appointed by the President of the United States, and who shall be subject to removal by him. Vacancies in said commission to be filled by appointment by the President.

Said commissioners at their first meeting shall organize by the election of their officers, including the election of a secretary.

The allotment of space for exhibitors, the classification of exhibits, the appointment of all powers of award, and the awarding of premiums shall be done and performed by said Panama-Pacific International Exposition Co., subject, however, to the approval of said commission.

That after the plans of said commission shall be prepared by said company, the rules and regulations of said company affecting the rights or privileges or interests of exhibitors or of the public shall be fixed and established by said company, subject, however, to the approval of said commissioners.

That the commissioners appointed by the President under the authority of this act shall receive the sum of $7,500 each per annum, together with their actual and necessary expenses, including traveling expenses, and the secretary to said commission shall receive the sum of $3,000 per annum, all of said salaries to be paid by the Treasurer of the United States out of moneys not otherwise appropriated. That there is hereby appropriated a further sum of $5,000 per annum, or so much thereof as may be necessary, for the purpose of defraying the expenses of additional clerical force and other necessary expenses of said commission, said sum to be paid out only on the certificate of the chairman of said commission.

That the United States shall not in any manner, under any circumstances, be liable for any acts or doings of said Panama-Pacific International Exposition Co., or under the laws of the State of California, or by their officers, servants, or employees, or any of them, or for services, wages, labor, or salaries of officers or agents, or servants of employees, or for supplies, material, or any other things in and about the construction, operation, or maintenance of said exposition, or for any subscription to capital stock or any stock certificates, bonds, or mortgages of any kind issued by said corporation or by said commission, or for any debts, liabilities, or expenses of any kind or nature whatsoever attending such exposition or corporation, or accruing from the same, or for any expense or cost connected with said commission, except as provided for and authorized herein.

That nothing in this act shall be construed as binding the United States Government, either directly or indirectly, to extend any pecuniary aid or assistance, either as a loan, donation, or otherwise, to the said Panama-Pacific International Exposition Co. either before or after the termination of said exposition.

Mr. HEYBURN. Mr. President——

Mr. WARREN. Will the Senator permit me?

Mr. HEYBURN. I do not yield for a point of order. I have the floor, and I will not yield for a point of order until I have said what I have to say.

Mr. WARREN. I am not asking the Senator to yield for a point of order. If he declines to yield, I can make the point of order later, if I wish to.

Mr. HEYBURN. I merely wanted to say to the Senator——

Mr. WARREN. I rose to offer my kindly services to the Senator; but as he has the floor, let him go on.

Mr. HEYBURN. I will be glad to accept it, if the Senator will state it.

I wanted, in connection with offering this amendment, that it should appear in the RECORD that public resolution No. 56 of

the Sixty-first Congress, House joint resolution No. 213, authorized the President to invite the world to participate in this exposition, but it makes no provision whatever for the manner in which the Government of the United States shall carry out or receive the acceptance of foreign nations, and it makes no provision whatever for any control of space in the exposition on behalf of the United States, and it makes no provision whatever for the appointment of anyone who shall represent the United States in the carrying out of this resolution of the last session.

If there is any case in which there is an urgent deficiency involved, it is in this matter of the Panama Exposition. As it is now there is an absolute deficiency in legislation, and there is an absolute deficiency in financial provision for the carrying out of the resolution.

Why enact this resolution if we are not going to make any provision under which the United States Government can do what it authorizes the President to inaugurate or institute?

Now, it has been suggested that these expenses should be borne by the corporation in California. I have never been in favor of allowing any private individual or corporation or organization to pay for anything that the Government of the United States authorized to be done. In the first place, the proper paymaster is the master in these cases and not some one else who may because of fancied advantage volunteer to relieve the United States of the burden of paying its own officers. The principle is bad.

Mr. President, I want to anticipate any objection that may be raised by a point of order in this case, and it was with no discourtesy to the Senator from Wyoming at all that I objected to being interrupted. But of course we have all observed that sometimes one meets with an unexpected condition when you yield the floor, and I want to expressly disclaim any intention to be discourteous. I wanted to state plainly why I did not yield, because under ordinary circumstances I would yield to the Senator from Wyoming or to any Senator who indicated a desire to say anything.

I want to make this perfectly plain, so that it will not appear to be in violation of the rule of legislation that does and should govern in these matters. An urgent deficiency is not necessarily confined to the provision for financial assistance or financial relief, because in several parts of this bill as reported from the committee it recommends measures that are as far from that rule as this would be.

I think it is a proper subject for an urgent deficiency bill to provide for the carrying out of the express will of Congress or to make provisions to enable any of the executive or administrative branches of the Government to carry them out.

Mr. PERKINS. As far as concerns the suggestion of the Senator, it has been expected that the President would at the proper time send in a communication or recommendation relating to this commission. Therefore, I suggest to my friend the Senator from Idaho whether it is not better for us to defer action until we receive such a message from the President.

Mr. HEYBURN. I do not feel at liberty to make a statement here without special authorization in regard to that matter, but I will say to the Senator from California that I am sufficiently advised to justify me in saying that it would not be against the wishes or any policy of the President to have this action taken.

I did not think to make any further preparation in regard to the matter. There is no question at all but that the Government should be represented in determining the apportionment of space to different Governments and the general arrangement of this exposition. Otherwise, as it is a private corporation, it may do as it sees fit, and the Government would have no control, and yet it will be heralded to the world that it is a national affair, and the President will have invited the nations of the world to participate in it under the assumption that our Government, acting through Congress, will make a provision adequate for it.

Now, we have always made provision for the appointment and the compensation of commissioners. In this case I have taken the liberty of cutting down the number of commissioners from five to three, as proposed elsewhere, and of reducing the proposed salary of the secretary. I do not believe in a wide-open door of expenditure in a matter of this kind. I think it is our duty to act at this time in view of the fact that before Congress meets again in all human probability and in all propriety these invitations will have been issued to the world to participate in this exposition, and the inquiry will very naturally arise, "Well, where is the United States to be found; with whom are we to deal; where are the commissioners or representatives of the United States?" One method proposed would lead to the answer, "The exposition corporation, incorporated under the laws of the State of California, is to pay these commissioners." If that corporation is to pay them, then the commissioners would be the employees of that corporation. Congress would have no control over them.

I am very anxious that such a condition should not arise. I am very anxious that whoever stands as the representative of the United States shall be subject to the control of the United States and paid by the United States. It is for that reason that I have taken occasion to occupy the time of the Senate in explaining the matter. It would be intolerable to think that a private corporation might have control of the commissioners representing the Government of the United States on an occasion of that kind.

Mr. President, I sincerely hope that this amendment will be adopted. It is an urgent deficiency, in that there is an utter lack of provision for the carrying out of an existing law.

Mr. JONES. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Washington?

Mr. HEYBURN. I yield to the Senator from Washington.

Mr. JONES. I think something ought to be done along the line suggested by the Senator from Idaho, but I wondered, on hearing the amendment read, how this commission is to exist.

Mr. HEYBURN. It would exist until the end of the exposition, but the commissioners are subject to removal by the President.

Mr. JONES. I wondered whether the Senator thought of that, and whether it would not be a good idea to limit his amendment——

Mr. HEYBURN. It is limited. There is a provision that the power to appoint shall exist only during the period occupied by the exposition. I have it not at my desk, or I would refer to it.

Mr. JONES. I think something ought to be done along the line of the amendment, but I think there ought to be some limitation so that the term of these commissioners will be pretty definitely fixed.

Mr. HEYBURN. Of course it should be definitely fixed. Now, I will see.

I will say that I dictated this amendment, and it only came to me at my desk. I have not had the time I would ordinarily like in looking it over, but I intended to incorporate a provision that the commission should expire with the closing of the exposition, and if it is not so expressly stated there, I would be very glad to thus modify it.

Mr. JONES. I did not notice anything of that kind as it was read, and I thought there ought to be something of that sort in it.

Mr. HEYBURN. I crossed out nearly a page of it here at the desk, and I was just looking to see if I had crossed that out. The power of the President to vacate the appointment at any time, of course, would terminate the commission. That power is expressly given.

Mr. JONES. It seems to me, however, we ought to require a report of the commission by a certain time and close up its work.

Mr. HEYBURN. I am in thorough accord with the suggestion of the Senator from Washington in that regard. I will amend the proposed amendment by inserting appropriate words.

Mr. ROOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from New York?

Mr. HEYBURN. I yield to the Senator from New York.

Mr. ROOT. Mr. President, I am in entire harmony with the purpose expressed by the Senator from Idaho. Clearly if the President is to exercise the power conferred upon him by the Congress and to invite the representatives of foreign powers to attend the exposition there ought to be some official representative of the Government of the United States who will see to it that we are not humiliated by having given an invitation and then failed to be courteous to the guests who come in response to it. That representation ought to be official, authoritative, with adequate powers prescribed, and properly limited.

I should hesitate, however, to assent to the disposition of the matter in quite such a summary way as by an amendment offered on the floor to an urgent deficiency bill. I feel a little responsibility on such subjects because I happen to be chairman of the Committee on Industrial Expositions. I had hoped that at the proper time and in the proper way I would be able, through the instrumentality of that committee, to reduce this subject to a little more of system. The difficulty which the Senator from Idaho has perceived here, and which he has presented so aptly and forcibly, is continually arising. We treat the subjects of expositions, the acceptance of invitations to us by foreign governments, and the extending of invita-

tions to them, in each instance as if it were a sporadic case, as if it stood by itself.

In fact, when we take them altogether, they are continuous. They are coming one after another. They are a part of the great activity of international intercourse throughout the world. I think we are about the only country that does not treat them in any systematic way.

I say I hope this subject may be put in the way of thorough consideration and the framing of a provision so that the powers of the representatives of the United States may be fitted to the powers of the company or whatever concern it is that is giving the exposition.

Mr. HEYBURN. If I may interrupt the Senator, we have never faced just the condition that confronts us now. We are dealing with a private corporation, and that is unusual.

Mr. ROOT. We have done that often. We did it at St. Louis, and we did it at Jamestown.

Mr. HEYBURN. It was a legislative corporation.

Mr. ROOT. They were private corporations.

Mr. HEYBURN. It was a legislative corporation, provided for by the legislature, with their rights and powers limited.

Mr. ROOT. I can not say as to that.

Mr. HEYBURN. I will not undertake to speak accurately about it.

Mr. ROOT. I have not examined the subject with reference to making a definite statement, but my recollection is that there was an exposition corporation at St. Louis and an exposition corporation at Jamestown. I do not hesitate to say, sir, that the arrangements for the representation of the United States were not adequate in either of those cases, and they did not work out the results which ought to have been produced.

Mr. HEYBURN. I should like to say to the Senator——

Mr. ROOT. I hope we will make thorough work in dealing with this subject. I am very glad the Senator from Idaho has brought it up.

Mr. HEYBURN. I feel that I owe an apology to the standing committee in this matter. The necessity arose suddenly, and I could not ascertain that any other Senator intended to bring it up. Of course, after the adjournment of this special session, which may be in the very near future, there will be no opportunity to deal with this question until the regular meeting of Congress.

Upon the proposal to a foreign nation to participate in the exposition, the first question will be how much space can they have. There is no authority existing to-day that can control that matter or that should control it. This provision which authorizes the commission to participate in and to absolutely control the assignment of space to foreign countries is a very important one, and it is imminent. It is an urgent deficiency all right, because there must be some power.

Had there been time, I would not have assumed to take this up as an individual Senator, but it came to me last evening after the chairman of the Committee on Appropriations had reported out the bill. Ordinarily we would not have expected it to be reported so quickly. It came in a few days before and was reported out without any opportunity to consider the method or the propriety of this measure. Unless we do it now in this way, I think the Senator from New York will agree with me that we will not be able to make any provision at all for many months.

Mr. ROOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield further to the Senator from New York?

Mr. HEYBURN. Certainly.

Mr. ROOT. My idea had been that the formulation of the powers of the representatives of the Government in the exposition which is now under consideration would come better at a later time than now. I should like to know a little more what is to be the scope of the undertaking. I do not think they have yet settled on their site.

Mr. HEYBURN. I will say to the Senator that in the dictation of this morning I had anticipated that question, but I concluded, just as the Senator has concluded, after seeing it before me on my desk, coming after the Senate sat, that we were not yet ready to deal with those details; and I thought if we provided for a commission that should stay the hand of anticipation in regard to the assignment of space and the other very important matter provided for here the regular committee would take it up and formulate what would, in effect, be a code for the direction and control of the commission. I had no intention of attempting at this time to fully anticipate the necessities of legislation, but merely to take advantage of the only possible opportunity of getting any legislation on the subject at all.

Mr. CURTIS. Mr. President, I wish to suggest to the Senator from Idaho whether it would not be a good plan for the Senator to withdraw his amendment and offer it as a bill, so that it might be considered by the committee, and then, perhaps, when another deficiency appropriation bill comes later before the Senate it can be attached to that measure.

Mr. HEYBURN. I would unhesitatingly accept that suggestion if there was any possibility of getting a bill enacted into a law. Without referring particularly to the conditions elsewhere, we know that no such bill would become a law for probably eight or nine months.

Mr. CURTIS. I made the suggestion because of the fact that I had intended to offer an amendment to this bill on another subject, but I was advised that there would likely be another deficiency bill at this session, and I agreed to wait.

Mr. HEYBURN. If I thought there would be another deficiency bill that would be enacted into law, I would be very much relieved to be rid of this question this morning. If I have done nothing more than to halt the rush of legislation this morning, I will feel that I have not occupied the time of the Senate in vain.

Mr. ROOT. Why not put it on the reciprocity bill?

Mr. HEYBURN. Now, there comes a suggestion which is worthy of serious consideration. Doubtless it might be considered as an appropriate amendment on the reciprocity bill or as an amendment to some of the amendments to be proposed to that bill.

Mr. WORKS. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from California?

Mr. HEYBURN. I yield to the Senator.

Mr. WORKS. Mr. President, I am afraid it may be inferred by some of the things that have been said by the Senator from Idaho that the Senators from California have been neglectful of their obligation to their own people. It had not occurred to me that it was necessary to take any action at this time. It does not seem to me that there is any haste about it or any emergency to call for action at present.

I am not at all antagonistic to what is being done by the Senator from Idaho, but I wanted to assure the Senate that so far as my colleague and myself are concerned, we are very anxious to do anything we can to make the San Francisco exposition a success. I understand, however, that the conditions there are in a rather formative state at present, and there is no particular reason why action of this kind should be taken just now.

I agree with the Senator from Idaho that a commission of this kind should be formed for the purpose of protecting the Government in the holding of the exposition. I do not know whether the commission ought to be composed of five members, as has been the custom heretofore I believe, or whether it should be limited to three in number. But I only wanted to protect myself and my colleague from the inference which might be drawn that we were not properly looking after the interests of our constituents.

Mr. HEYBURN. Mr. President, I would deem myself very unfortunate if I had offered grounds for such an inference. Of course I did not. This is a matter in which all the States are equally interested, and being a resident of one of the neighboring States, a resident of a State that will take great pride in participating on a very liberal scale in the exposition, I do not feel that I have encroached upon any prerogative of the Senators from California.

Mr. WORKS. I will state that the matter is not confined to California by any means. I understand that the people of the whole country are interested in the exposition.

Mr. HEYBURN. They are equally interested in it. Whether they benefit equally or not, they are equally interested in it.

I think, with these suggestions, I will only urge that this is the only opportunity, and it is quite worth while to hesitate long enough to see that the opportunity does not pass from us without leaving another in its place and to be without commissioners, say, until the appropriation bill comes in next year. About February will come the only appropriation bill on which this provision could be incorporated, and probably later than that. So it is quite important that we take the question of time into consideration. The invitations will doubtless be sent out by the President at a very early period.

Mr. ROOT. I will make it my business to ascertain what the purpose is in regard to sending invitations. I had not supposed that the sending of them was imminent. I had not supposed that the President would consider it his duty to issue the invitations before arrangements had been made to make it certain that the nations responding to the invitations would be adequately cared for.

Mr. HEYBURN. It is the business of the commission to adequately care for them.

Mr. ROOT. Certainly; and in order that they may perform that duty they must have powers conferred upon them, and in order that those powers may not be unduly exercised the powers must be prescribed and limited.

Mr. HEYBURN. Undoubtedly. It is a large question.

Mr. ROOT. It is a subject that needs study. It needs careful study, in view of some comparative failures in the past owing to a lack of system.

Mr. HEYBURN. That is all true, Mr. President; and I again say that it was only in view of what seemed to me to be an emergency that I was induced to take up this question. There is no particular reason why I should take up the question more than another Senator; but it seemed to me that there was an urgent necessity.

Mr. ROOT. There is no reason but that public spirit which the Senator from Idaho always exhibits.

Mr. OVERMAN. Mr. President, is the amendment pending?

The VICE PRESIDENT. It is.

Mr. HEYBURN. The amendment is certainly pending.

Mr. OVERMAN. I was in hopes the Senator from Idaho would adopt the suggestion made by the Senator from Kansas [Mr. CURTIS] and also by the Senator from New York [Mr. ROOT], and that he would not press the amendment at this time, but let it take its regular course and go before the committee of which the distinguished Senator from New York is chairman, in order that the matter may be fully and carefully considered. It is a very important question. It has never been before any committee. I therefore am constrained, unless the Senator will withdraw——

Mr. HEYBURN. I am going to withdraw my presence from this discussion, but I did not yield to any Senator to make a point of order.

Mr. OVERMAN. I understood the Senator had yielded the floor.

The VICE PRESIDENT. The Chair understood that the Senator from Idaho had yielded the floor. The Chair misunderstood the Senator from Idaho.

Mr. HEYBURN. I shall resume my seat. I merely want to have the question considered with sufficient deliberation and coolness at this time so that we will not lose an opportunity and then afterwards realize that we have lost the opportunity. I shall leave the amendment to take its own course.

Mr. OVERMAN. Mr. President, I have the floor now in my own right?

The VICE PRESIDENT. The Senator from North Carolina has the floor.

Mr. OVERMAN. I thought I had it before. I think the Senators from California ought to be consulted in this matter. They represent that great State, and really it is a State enterprise. While the Government is going to invite other nations, those Senators ought to be considered in the matter, and it ought to go before the committee to be considered carefully. Therefore I make the point of order that the amendment has not been estimated for, that it has never been before a committee, and that it is new legislation.

Mr. HEYBURN. If the Senator will permit me, before taking his seat, because then it would not be in order, I will state that before presenting this question I consulted both Senators from California, and the statement of what I intended to do met with their approval as expressed to me.

Mr. WARREN. Speaking on the point of order, it had been my intention, because of my earnest interest in this enterprise and my good wishes for it, to suggest to the able Senator from Idaho [Mr. HEYBURN], who knows perfectly well that the amendment is subject to a point of order, as it is to every Senator, that he ask the unanimous consent of the Senate; that then I would not make the point of order, and, if no one else did, the amendment could be considered.

The Senator himself, however, in his argument, has made it incumbent upon every member of the Committee on Appropriations—and certainly upon the chairman—to see that such an amendment shall not be allowed to go into the bill without the point of order being made.

Mr. HEYBURN. Mr. President——

Mr. WARREN. I beg pardon; I will yield to the Senator in a moment.

The VICE PRESIDENT. The Senator from Wyoming declines to yield.

Mr. WARREN. The Senator stated in his argument that it was a deficiency in legislation. Now, the Committee on Appropriations is hardly given either the duty or the privilege of making good all the deficiencies in legislation. That statement is true; there is a deficiency in legislation; but we are making deficiencies in appropriations to provide for such matters as have already been legislated for.

I noticed this morning, when the subject came up, that the chairman and several members of the Committee on Foreign Relations took a great interest in this matter, as they should. We also have present here the chairman and members of the Committee on Industrial Expositions, who should take charge of such legislation as that proposed. In my opinion, a measure of this kind ought to come from one or both of those committees, favorably recommended, before it is taken up by the Senate or even by the Committee on Appropriations.

Now, as to the opportunities that may follow, I do not see how the House can adjourn without presenting an urgent deficiency bill, because this bill carries no appropriation for their pages and they are without provision since July 1. So if this matter can be formulated and put in such a shape that unanimous consent can then be given to put it on an appropriation bill, it can come at that time as well as now; and so far as next autumn is concerned, we shall undoubtedly have an urgent deficiency bill in the first days of December. It is the usual case. I imagine that the House Members and Senators will desire to draw their travel allowance soon after they meet, and as the 1912 appropriation has already been exhausted in the payment of mileage for the present term, it, together with other matters, will bring up another bill of this character very early in December. In the meantime I presume we shall have one following this in a few weeks. But over and above all, this proposed legislation ought to be treated as a separate and independent measure before it approaches an appropriation bill.

The Senator from North Carolina, I understand, has made the point of order.

The VICE PRESIDENT. The Senator from North Carolina [Mr. OVERMAN] raises the point of order. The Chair sustains the point of order.

Mr. BACON. Mr. President, I have an amendment which I desire to offer to the bill, and I desire to make a brief statement to the Senate in regard thereto. I do not indicate the point at which it is to come, but that can be easily determined if the Senate should adopt the amendment.

The VICE PRESIDENT. The Secretary will read the amendment proposed by the Senator from Georgia.

The SECRETARY. Insert the following:

That jurisdiction is ceded to the State of Georgia over the following-described property, the title to which has been granted by the United States Government to the city of Atlanta, by deed dated November 11, 1910, to wit: Commencing at the corner of Marietta and Forsyth Streets and running thence northwest along Marietta Street 201.58 feet to Fairlie Street, thence northeast along Fairlie Street 105½ feet to an alley, thence southeast along the alley 201½ feet to Forsyth Street, thence southwest along Forsyth Street 110½ feet, to the beginning point at the corner of Marietta and Forsyth Streets.

Mr. BACON. Mr. President, I desire to state to the Senate that this is an emergency matter and involves the question of the jurisdiction of the State of Georgia over a piece of property within its borders to which the United States Government itself now has no title. The piece of land in question is that upon which is situate the building which was formerly the Government building in Atlanta. Recently the United States has procured another piece of land and has put up another Government building thereon. The ground in question was originally given by the city of Atlanta to the Government, upon which to erect the Government building for the accommodation of the post office and of the Federal courts. At the time when the new building was provided for an arrangement was made under which the Government of the United States would be paid for the old building and would return the land to the city of Atlanta. Of course, when the building was originally erected, the State of Georgia ceded jurisdiction to the United States Government over that piece of property, as is always required to be done. This proposed amendment is to supply what was an unintentional omission in the provision in the appropriation bill approved June 25, 1910, making appropriations for the sundry civil expenses of the Government. In that provision occurs this language:

Atlanta, Ga., old post-office building: The Secretary of the Treasury is authorized to have appraised, in a fair and impartial manner, the old post-office building in the city of Atlanta, Ga., having in view the value of said building for municipal purposes, and to convey said building, together with the lot or lots heretofore donated by the city of Atlanta to the Government of the United States on which said building is situated, to the said city of Atlanta, on the payment by it into the Treasury of the United States of the amount of the appraised value of said building thus ascertained: *Provided*, That the acceptance of such conveyance by the city of Atlanta shall constitute a release of any and all obligations of the Government of the United States under the deed from the city of Atlanta to the United States or by the agreement referred to therein.

In pursuance of that clause the city of Atlanta has paid to the United States Government what was the appraised value of the

property, and the Government of the United States has made a deed for the entire property, including the land, to the city of Atlanta; so that the Government of the United States has no interest in it whatever. The clause of the act from which I have just read should have contained the additional provision that the jurisdiction which had heretofore been ceded by the State of Georgia to the United States Government was receded to the State of Georgia. That was unintentionally omitted, and this amendment is simply for the purpose of suppying that omission.

As a practical question, I will simply state that because the city of Atlanta has bought this property from the Government of the United States to use it as a municipal building, it is a very grave question whether any of the official acts of the city can be properly performed within that building; whether its recorder's court can be held in it, and so forth; but what is equally important, in a more general way, the United States Government now has criminal jurisdiction over this piece of ground in the city of Atlanta to which it has no title and in which it has no interest whatever, and to-day if there were a murder committed upon the front steps of that building, which was formerly the Government building of the United States, the jurisdiction would be in the Federal courts and not in the State courts.

Mr. HEYBURN. I should like to ask under what circumstance the Government has criminal jurisdiction over that piece of ground?

Mr. BACON. Simply because when the Government of the United States had the property conveyed to it by an act of the Legislature of Georgia the jurisdiction was ceded to the United States Government; it is there now, and can never be otherwise unless the Congress of the United States recedes it to the State of Georgia.

Mr. HEYBURN. Does the Senator think that the recession by the United States would not in effect abolish the jurisdiction there?

Mr. BACON. The Government has not receded anything; it has simply deeded the property.

Mr. HEYBURN. Well, the jurisdiction went with the title. Can it be possible that the jurisdiction of the United States would remain after the United States ceased to have the basis upon which the jurisdiction rested? I should think that they would go and come together. The jurisdiction came with the title and would go with the title.

Mr. BACON. Well, Mr. President, the Senator might think that way, and other lawyers might think the other way. I confess that I do not agree with the Senator; but even if he were right, there is a question raised which affects material interests. It affects the question as to the legality of the conviction of any man who is tried in that court. It is now a pressing question from the fact that the city of Atlanta is issuing bonds, and the question has been raised by capitalists—we all know how sensitive capital is—as to whether or not a bond executed in that building, assuming to be within the jurisdiction of the State of Georgia, is a good bond when in fact, according to the papers at least, the jurisdiction is in the Federal Government. There is no doubt, I presume, as to the fact that the raising of such questions as to criminal jurisdiction would certainly result in almost interminable litigation and unnecessary delay.

I would not present this amendment, Mr. President, but for the fact that this is an emergency. I trust the committee will accept the amendment.

Mr. HEYBURN. The very interesting question is raised, Could the United States have jurisdiction in criminal cases where the title was not in the United States? Is there any instance——

Mr. BACON. I think the State of Georgia could cede, if it saw proper to do so, the jurisdiction over a piece of ground within its borders to the United States, whether the United States had title to it or not. Of course the State could do that.

Mr. HEYBURN. We could not confer jurisdiction to the United States anywhere on private property.

Mr. BACON. Does the Senator from Idaho enjoy discussing moot questions? What possible advantage can there be in raising the question? The adoption of this amendment will certainly dispose of the matter.

Mr. HEYBURN. Well, Mr. President, the Senator asks that in rather a critical tone of voice.

Mr. BACON. Well, Mr. President, I will withdraw the tone.

Mr. HEYBURN. Yes; but a question is presented here involving a stated legal consequence of cession. Statements of that kind should not stand in the RECORD unchallenged, if other Senators have views that do not accord with them. I do not think that I owe any apology for having discussed this legal question, even though it may be a moot question. That is a privilege of a Senator, and the privileges of Senators are equal.

Mr. BACON. I have not asked for any apology from the Senator, nor do I consider that one is due. I simply desired, if possible, to convince the Senator that, even if his view of the question is a plausible one, it is better that the question should be settled and determined, rather than that it should be left to drag itself through the courts and the prolonged determination and appeals from one court to another.

Mr. HEYBURN. I was not objecting to the Senator's amendment.

Mr. BACON. The adoption of the amendment settles the whole controversy.

Mr. HEYBURN. I repeat I do not object to the Senator's amendment.

The VICE PRESIDENT. At what point does the Senator from Georgia desire that his amendment shall be inserted?

Mr. WARREN. I suggest that, with the Senator's consent, the amendment go in between lines 21 and 22, on page 3, with the heading "Treasury Department."

Mr. BACON. I shall be very glad to have the amendment inserted at that point, Mr. President.

The VICE PRESIDENT. The amendment will be so modified and inserted at the place indicated. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. JONES. I offer the amendment which I send to the desk, to come in after the amendment just adopted.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. After the amendment just agreed to it is proposed to insert:

Transportation of silver coin: For transportation of silver coin, including fractional silver coin, by registered mail or otherwise, $120,000; and in expending this sum the Secretary of the Treasury is authorized and directed to transport from the Treasury or subtreasuries, free of charge, silver coin when requested to do so: *Provided*, That an equal amount in coin or currency shall have been deposited in the Treasury or such subtreasuries by the applicant or applicants. And the Secretary of the Treasury shall report to Congress the cost arising under this appropriation.

Mr. WARREN. Mr. President, I think I shall have to make the point of order against that amendment. I will withhold it, however, until the Senator from Washington may have an opportunity to speak upon it. In the meantime I wish to say that formerly appropriations for the transportation of silver coin were regularly made every year. They were made largely for the reason that it was sought to have a greater circulation of silver dollars and other silver coin, especially at points far away from the Treasury. The department finally ceased to estimate for the appropriation, and in a hearing, or, in fact, I might say, in several hearings, before the committee reasons were given why it was unnecessary to make the appropriation. Therefore the appropriation was omitted, and we are now without any estimate from the Treasury Department for such an item. Perhaps the Senator has information to the contrary, but the committee is without any estimate or without any suggestion from the department that it is necessary. In fact, on the contrary, we have the department's testimony that it is not necessary, and therefore the appropriation was omitted.

Mr. JONES. Mr. President——

Mr. WARREN. I withhold the point of order until the Senator from Washington concludes.

Mr. JONES. Mr. President, the amendment is in the language of the provision of law on this subject that we have had heretofore. It proposes to appropriate the amount that has heretofore been appropriated by Congress for this purpose.

I know that there has been quite a controversy with reference to this question and that the item was left out of the last appropriation bill and no provision was made for it. In my section of the country—and, I think, in other sections as well—there is quite a demand for legislation of this kind, because of peculiar conditions there. I have received a great many telegrams from business men and banks and business interests in our State urging that something of this kind be done, and be done immediately, on account of the necessity of business in the moving of the crops.

In the business of our State, especially, silver is used a great deal in the payment of hands at the close of each day's work. This has become quite a custom, in our section of the country at any rate, and it works a great hardship on the banks and business interests to have to bring silver coin into the country at their own expense.

I hope that the chairman of the committee will not make the point of order against the amendment, but let it be adopted and go to conference at any rate, because it is a matter of con-

siderable importance in a business way, and especially in several sections of this country where they use silver coin to a very great extent in their daily business.

As to the expense involved, of course silver coin is furnished by the Treasury Department only upon deposit by the applicant of an equivalent amount of money, and it is simply the transportation charges that are paid by the Government. Though I recognize that the amendment is subject to the point of order, I trust the chairman of the committee will not make it, but that he will allow the amendment to be adopted. I do not care to take any more of the time of the Senate on the matter.

Mr. WARREN. Mr. President, I feel I will have to insist on the point of order; but I shall be very glad to cooperate with the Senator if the Treasury Department feels that the proposed legislation is necessary and will cooperate with the legislative branch in regard to it.

All the paper money and gold money which is now transported is transported at the expense of the banks. The appropriation proposed in the amendment, in my judgment, is entirely too large even if we were to make one, because it can apply only to fractional coin.

Mr. JONES. Of course the Secretary would not have to use any more of the appropriation than was necessary to meet the demands of business.

Mr. WARREN. If the Senator would take the matter up and obtain more complete information as to the necessity of his amendment I should feel different about the matter in connection with a later bill, but this proposition has neither the estimate of the department nor the indorsement of any committee. I feel that I shall have to object to the amendment.

Mr. JONES. I want to suggest to the Senator that, so far as the necessity for this amendment is concerned, it is an emergency matter. The business interests require it now, and unless it is done within a month or two the necessity will have passed. I suggest to the Senator that the bill has come here very suddenly——

Mr. WARREN. It has been two years since this provision was omitted from the general appropriation bill.

Mr. JONES. That is true; but we have suffered by reason of that omission all that time, and we do not think we ought to suffer longer. If the matter could go to conference, the Senator could probably get more information from the Secretary of the Treasury in regard to it; and if the amount proposed is too large, it can be there cut down. The Senator is aware, of course, that this bill has come over rather unexpectedly and has been reported out of the committee hurriedly, so that I have not had an opportunity to secure this information from the department; but it could be secured by the conference committee before the bill is brought back.

Mr. WARREN. I wish to say in passing that the bill has been here a week or more, so that we have not unduly hurried it in any manner.

The VICE PRESIDENT. The point of order is sustained.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

RECIPROCITY WITH CANADA.

Mr. PENROSE. I move that the Senate proceed to the consideration of the reciprocity bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes.

Mr. GRONNA. Mr. President, when the Senate took the adjournment yesterday I was calling attention to a paragraph in the report of the Ways and Means Committee, a report made by the Democratic majority of that committee, recognizing the fact that a great injustice would be done to the farmers of this country by the passage of the so-called reciprocity agreement. In that same report the committee signifies a willingness to correct, at least in a small degree, this injustice by passing the so-called free-list bill. I asked Senators on the other side of the Chamber if they were willing to join with me to carry out the suggestion made by this committee.

Mr. REED. I got in yesterday when the Senator was referring, or began to refer, to this report. I want to ask him to what report he is referring?

Mr. GRONNA. It is a report made by the majority of the Ways and Means Committee on the free-list bill—by the Democratic members of the committee.

Mr. REED. On the free-list bill?

Mr. GRONNA. On the free-list bill.

Now, I want to ask Senators on the other side if they are willing to take the advice of a majority of the majority of the Members of the House of Representatives and correct the injustices which they admit will result from this measure? I want to know now if any of the Senators on the other side of the Chamber will join with me to vote to attach the free-list bill to this reciprocity agreement? I greatly admire the Democratic Members of the House for their honesty and their courage in admitting to the country that they have not only made a mistake, but that they have passed a bill that is doing not only an injury, but an injustice to the American farmer.

So I pause for some Senator on the other side to say whether or not he is willing to help us on this side—at least some of us—to correct this iniquitous measure.

Mr. President, it is evident that the Members on the other side of this Chamber are unwilling to agree to such a proposition.

I impute no motives to any Senator on this floor or to any Member of the other body when I say that it has been intimated that it is not the intention that the so-called free-list bill and the other bills shall pass. I do not believe that that is true. I have no reason to believe that the members on the other side of the Chamber are not just as anxious to pass laws that are wise and beneficial for all the people in this country as we are on this side of the Chamber, but the majority of the House have said that they have passed a bill which they now recognize and admit is doing a great injustice to the farmer of this country.

We do not need all the votes on the other side. Give us a few votes, and there are enough Senators on this side who will help you to correct the inequalities of the pending measure.

Mr. REED. If it will not interrupt the Senator——

The PRESIDING OFFICER (Mr. CHILTON in the chair). Does the Senator from North Dakota yield to the Senator from Missouri?

Mr. GRONNA. I will yield to the Senator.

Mr. REED. The Senator has called attention to the majority report of the House committee, and uses it as a text to declare that its purport is that the reciprocity measure has taken away the benefits to the farmer and will work incalculable injury to him. For some reason he has chosen to take a Democratic report for his text. He is now advocating placing upon this reciprocity bill certain amendments in the nature of what are known as the farmers' free-list bill and other bills with reference to which he read the report of the Democratic members.

I want to ask him, now that he is advocating the addition of those measures, or substantially those measures, to this bill, if he agrees with this report of the members of his own party. I desire to read it.

VIEWS OF THE MINORITY.

The pending bill was ordered reported not only without investigation, but without the semblance of consideration by the committee. It was stated in the committee that it would reduce revenue about $1,500,000, and it is now admitted that it will cut down the revenue by more than $10,000,000, and later admissions are likely substantially to increase this amount. The measure was christened by its authors "the farmers' free-list bill," and it represents a transparent attempt at the manufacture of political capital. In view of the title which its friends have given it, it would at least have been proper to investigate the effect it is likely to have upon the agricultural interests. The President of the United States felt it his duty to call Congress in special session to consider the Canadian reciprocity bill. That bill has already been acted upon by the House, and instead of bringing forward tariff bills, ill considered or not considered at all, for the purpose of administering political soothing sirup to particular classes of population, the undersigned are of opinion that the interests of the farmer and of everybody else will be subserved if the country is spared from further political exploitation and further tariff legislation at the present time and adjournment is taken promptly after the reciprocity bill shall have been finally acted upon.

S. E. PAYNE.
JNO. DALZELL.
S. W. MCCALL.
E. J. HILL.
J. C. NEEDHAM.
J. W. FORDNEY.
NICHOLAS LONGWORTH.

Now, I should like to ask the Senator if he agrees with this statement, coming from his own party, that Congress should adjourn without doing anything more than to pass the reciprocity bill, and if the things he is now advocating are to be classified as political soothing sirup?

Mr. GRONNA. The Senator from Missouri has not answered my question.

Mr. REED. Oh, but whether I answered the Senator's question yesterday is hardly pertinent to the inquiry I am now making as to whether the measures he is now advocating he regards as political soothing sirup.

Mr. GRONNA. I have asked the question again this morning, and I have asked it in good faith, whether or not the Senators on the other side will join with me and others to amend this bill at least in a small way and take away some of the objectionable features in the so-called reciprocity agreement. The Senator from Missouri proceeds to make a speech and to read a lengthy report, and I shall in my own way answer that some other time. I propose at this time to proceed with my speech on the pending measure.

So far as reducing the cost of living is concerned, reducing the tariff on the raw material can result only in reducing the price that the manufacturer pays for it. So long as the protection is retained on the manufactured product, little if any of this will be handed down to the consumer of the finished product. If the intention of this agreement was to reduce the cost of living, the tariff should have been removed from the manufactures which the average man buys, and not as against Canada alone—a country that does not sell us any manufactures and whose manufacturers can not compete with ours—but as against countries where the manufacturing industry has been fully established, such countries as England and Germany. The only manufactured products off which the duties have been removed, of which there is any possibility of Canada selling us any, are unplaned lumber, pulp wood, and print paper valued at less than 4 cents a pound. The unplaned lumber is not the kind the average consumer buys, however, and it would seem that the main benefit to be derived from its free admission would go to the lumber mills which will be able to import the unplaned lumber free of duty and will have a protection of from 50 cents to $1.50 on the process of planing it. I do not know that it has been explained why print paper valued at more than 4 cents a pound is not to be admitted free. I have been informed that the paper used by magazines is valued at 5 cents and upwards.

It is evident that the effect of this agreement will not be to reduce the price to the consumer, and it is further evident that the farmer will receive no compensation for surrendering his home market in the extension of his foreign market, and that any benefit from the lowered duty on lumber will be so small as to be insignificant compared with the possible loss due to the lowered price of his products. As I stated previously, if the purpose was to reduce either the price of the raw material or the price of the finished product, in either case the measure should remove the duties as against all countries and not merely against Canada. By removing the duties on Canadian products and retaining them on the same products when produced in other countries, we merely give a measure of protection to the Canadian producer.

It is to be expected in a reciprocity measure that there will be a mutual benefit, that if we open our markets to the producers of a country that country will open its markets to our producers. If two countries produce the same products, it is manifest that there can be little if any advantage accruing to either from an exchange of these products or from the establishment of reciprocity between them, if the market conditions in the two are the same. If, however, the consumption in one country is greater than in the other so that the prices in its markets are higher, the producers of the second country will be benefited by admission to the markets of the first country, and the producers of the first country will be harmed as the free admission of the increased supply will naturally force prices down. To what point they will be lowered will of course depend on the amount exported by the second country. Where, however, two countries do not produce the same products, and each consequently has to import the products of the other, both may be benefited by a wisely arranged reciprocity agreement, whereby the markets of the producers of both countries will be extended and the supplies available to the consumers of both countries increased. In such a case, it is conceivable how an arrangement can be made which will lower the price to the consumers of each country and increase the prices received by the producers. This can not be brought about, however, by mere mutuality of duty removal. If the first country removes the duties on the goods which it does not produce, it opens its market for these goods to the second country on better terms than to other countries, and the probable result will be a lowering of the prices of those goods. The second country entering this market at an advantage compared with other foreign countries, will find that its producers will receive better prices for those products. If, however, the second country removes the duties on those same goods which it produces and which the first country does not produce, it is evident that so far as the extension of trade is concerned, there is no mutuality of benefit, and that it is not a reciprocity agreement, although both countries have removed certain duties. This Canadian reciprocity agreement belongs to this class. We open our markets to the Canadian products by removing the duties on the products which Canada expects to sell to us—natural products, and Canada reciprocates by removing those same duties—duties on goods which we do not sell to Canada and which we do not have the slightest expectation of selling to Canada. So far as the removal of duties is concerned, this agreement has absolutely nothing of the nature of a reciprocity agreement.

By the terms of this agreement and the measure now before us, we give Canada such a preference in the matter of tariff as we have given to no other country. We admit all of the natural products of Canada free, and such of her manufactures as she has any hopes of exporting. We treat her far more favorably than we do Cuba or even the Philippines. With all the sympathy which we have had for the Pearl of the Antilles, and with all the responsibility which we have felt for her future welfare, political as well as industrial and commercial, we did not feel that we could do more for her than to admit her sugar 20 per cent cheaper than we do sugar from the rest of the world. We did not say to her that we stood ready to buy whatever she wanted to sell us, free of duty. In the case of the Philippines we decided to admit her products free of duty, but ever mindful of our own producers we limited it, for the present, at any rate, to 300,000 tons of sugar a year and varying amounts of tobaccos and cigars. Only in the case of Canada is it urged that we must admit all of her products free of duty, even though her products are such as we can produce ourselves in sufficient quantities to supply our home consumption, which is not the case with the products of Cuba and the Philippines. In return for our concessions to Cuba and the Philippines we received certain concessions, and we are favored in the matter of trade with them as no other nation is on the face of the globe. How is it in the case of Canada? In return for our immense gift to her, do we receive anything in return, and are we favored more than other nations are? There are gentlemen who appear to find something worth taking in the concessions that Canada has made in the matter of tariff duties, but I do not believe there is anyone who will say that we are favored to the extent that Cuba and the Philippines favor us. I have prepared a table showing a comparison of the rates which we are to enjoy and the preferential rates that Canada grants to England, which I wish to insert at this point and ask to have made a part of my remarks.

The PRESIDING OFFICER. Without objection, the table will be inserted as requested.

The table is as follows:

Comparison of proposed reciprocal rates with British preferential rates.

Articles.	British preferential rates.	Reciprocal rates.
Gypsum, crude	Free	Free.
Mica, unmanufactured	15 per cent	Do.
Feldspar:		
Crude	Free	Do.
Ground	do	Do.
Asbestos	do	Do.
Fluorspar, crude	do	Do.
Glycerin, crude	15 per cent	Do.
Talc	Free	Do.
Sulphate of soda	do	Do.
Soda ash	do	Do.
Extract of hemlock bark	do	Do.
Carbon electrodes	do	Do.
Brass in bars and rods	5 per cent or free.	Do.
Cream separators	Free	Do.
Tin plates	do	Do.
Crucible cast-steel wire	do	Do.
Galvanized iron or steel wire	do	Do.
Typesetting machines	12½ per cent	Do.
Barb wire	Free	Do.
Coke	do	Do.
Rolled wire rods, iron or steel	do	Do.
Farm wagons	17½ per cent	22½ per cent.
Plows	12½ per cent	15 per cent.
Harrows	do	Do.
Harvesters	12 per cent	Do.
Reapers	12½ per cent	Do.
Seed drills	do	Do.
Mowers	do	Do.
Horserakes	do	Do.
Cultivators	do	Do.
Thrashing machines	15 per cent	Do.
Thrashing machine parts	do	Do.
Portable engines and traction engines	do	20 per cent.
Horse powers for farm use	do	Do.
Hay loaders, potato diggers, fodder or feed cutters, grain crushers, fanning mills, hay tedders, farm rollers, manure spreaders, and windmills.	15 per cent	20 per cent.
Grindstones	10 per cent and 17½ per cent.	5 cents per 100 pounds.
Building stone	10 per cent	12½ per cent.

Comparison of proposed reciprocal rates with British preferential rates—Continued.

Articles.	British preferential rates.	Reciprocal rates.
Roofing slates	50 cents per 100 square feet.	55 cents per 100 square feet.
Vitrified paving blocks	12½ per cent.	17½ per cent.
Paving blocks of stone	15 per cent.	Do.
Oxide of iron	do	22½ per cent.
Asbestos, manufacture of	do	Do.
Printing ink	12½ per cent.	17½ per cent.
Pocketknives and penknives	20 per cent.	27½ per cent.
Scissors and shears	do	Do.
Other cutlery	do	Do.
Bells and gongs	do	Do.
Brass rules and corners	do	Do.
Basins, bathtubs, etc	20 per cent.	32½ per cent.
Brass band instruments	15 per cent.	22½ per cent.
Clocks, watches, and movements	20 per cent.	27½ per cent.
Printers' wooden cases or cabinets for holding type.	do	Do.
Antiseptic surgical dressings and bandages	12½ per cent.	17½ per cent.
Plate glass, in sheets over 7 square feet but not over 25.	15 per cent.	25 per cent.
Automobiles and parts of (excluding tires)	22½ per cent.	30 per cent.
Digesters for pulp mills	20 per cent.	27½ per cent.
Pocketbooks, etc., in chief value of leather	22½ per cent.	30 per cent.
Cement	8 cents per 100 pounds.	11 cents per 100 pounds.
Coal, bituminous	35 cents per ton.	45 cents per ton.
Canned fruits	1½ cent per pound.	2 cents per pound.

Mr. GRONNA. In this table I have not included such articles as wheat, fish, print paper, pulp wood, lumber, and so forth, which England would not export to Canada and which we do not export to Canada. A glance at this table will convince anyone that we are not given a preference over England, but that England retains her preference over the United States. The reciprocal tariff rates which are to be granted the United States adhere very closely to the intermediate rates, which it is the practice of Canada to grant to other countries making concessions in their tariffs. In other words, so far as Canadian trade is concerned, the manufacturers who hope to extend their exports to Canada will find themselves on the same footing as manufacturers in other countries to which Canada has or may grant the same concessions, and at a decided disadvantage as compared with the British manufacturers. Such countries as have secured the benefit of the Canadian intermediate tariff seem to have done so at the cost of concessions very slight as compared with that which we are asked to grant. To sum up this phase of the question, we have favored Canada in the matter of trade as no other country, not barring Cuba and the Philippines, but Canada has only placed us on the same footing with other countries and still favors England at our expense. Some gentlemen may think that this is a good bargain, but it appears to me that our negotiators were caught napping, unless their instructions were to secure an agreement at any price, so long as the cost was paid only by our own farmers. The slight reductions Canada has granted in the matter of duties on manufactures has been pointed to as one of the benefits of this agreement, and it has been proclaimed that our exports to Canada should largely increase because of these.

There is one thing that must not be overlooked in this connection. Canada has favored the English manufacturer as against the American manufacturer, and will continue to do so after this agreement is adopted. If in spite of that we sell more to her than England does, there must be another reason which a slight change in tariff duties will not change one way or the other. Whether it be the quality of our goods or what it may be I shall not stop to discuss, but it is evident that the Canadian consumer prefers to pay the higher duty on the American product in preference to buying the English product although the duty on the latter is lower. In such a case, where the importing country does not manufacture enough to supply her own market but must import, the consumer clearly pays the tariff, and the result of the slight reductions in the Canadian duties, if there is any result, will be the lowering of the price paid by the Canadian consumer and not the increase in the price received by the American manufacturer. However desirable a thing it may be to secure lower prices for the Canadian consumers, I do not believe that we should purchase it at the cost of the market of our farmers, especially as Canada has it in her own hands to secure this reduction by lowering or removing her own tariffs. If the Canadian consumers are oppressed by too high prices, due to the Canadian tariff, let them apply to their own Government to take it off. I see no reason why we should buy tariff reductions for the Canadian consumers, and no one else would see any if it were not for the fact that the farmers are expected to pay the bill.

Mr. President, it is noticeable how differently we are expected to treat Canada than we treat all other countries. By this agreement, we are granted not the minimum tariffs by Canada—those are reserved to England and British dependencies—but her intermediate tariffs. In return we furnish a free market for practically everything that Canada may wish to sell. In the case of Germany, we find the following results from the operation of the maximum and minimum provisions of the Payne Tariff Law. This is taken from the report of the President on the operations of this law, submitted June 9, 1910, in response to a resolution passed by the House of Representatives:

The negotiations resulted in Germany granting to the United States her full conventional tariff rates in return for the minimum tariff of the United States, this being an exchange of minimum for minimum. The United States was thus placed on exactly the same terms as all other countries to which Germany had granted her conventional tariff in pursuance of treaty stipulations.

In the case of France, the following was the result:

The basis of settlement with France upon which the minimum tariff of the United States was granted to that country was that France granted her minimum rates to the United States on about 80 numbers of the tariff where two rates existed. These cover manufactured articles most important in the export trade of the United States, including agricultural and including various forms of implements, tools, and machinery on which this Government had long sought equality of tariff treatment. In addition, assurances were given as to the maintenance of many general tariff rates in the French schedules, the understanding being that if certain rates are lowered the United States shall be accorded such reduction. The French rates on all edible oils were equalized, thus removing discrimination against cottonseed oil, which for edible purposes is a distinctively American product.

The trade relations with Austria-Hungary were settled on this basis:

The Government of Austria-Hungary has, in exchange for the minimum tariff of the United States, granted its complete conventional tariff rates to the products of the United States imported into Austria-Hungary. * * *

As a further result of the negotiations, the Government of Austria-Hungary has agreed to take the necessary legislative steps looking to the reduction of the present discriminating duty on cottonseed oil and its equalization with the lower duties of competing vegetable oils.

The negotiations with Italy had the following result:

Italy has granted her complete conventional tariff rates to imports from the United States and has made certain administrative changes favorable to American commerce, including the classification of gum lumber in such manner as to permit its admission free of duty and the less rigorous application of the sanitary regulations governing the admission of American pharmaceutical and medicinal preparations.

In the case of Brazil we obtained certain concessions, as shown in the statement given below:

Prior to the beginning of tariff negotiations with Brazil the Government of that country had been granting a preferential reduction of 20 per cent in favor of 11 classes of American products, limited to one year but subject to renewal upon approval of the Brazilian Congress. These articles were as follows: Paints, wheat flour, pianos, condensed milk, scales, watches, clocks, manufactures of rubber, typewriters, windmills, and refrigerators. Through the representations of the department the above list has been increased so as to include the following additional classes, namely, cement, corsets, dried fruits, and school furniture and desks.

In regard to the relations with Canada, the report has the following:

The question requiring adjustment with the Dominion of Canada grew out of the Franco-Canadian treaty which was put in force between the two countries February 1, 1910. The Canadian tariff consists of three schedules—general, intermediate, and British preferential. The British preferential rates are extended only to the United Kingdom and to various British colonies. The intermediate rates are the minimum rates as to all other countries. Under the terms of the Franco-Canadian treaty France was given a series of intermediate rates and in addition a small list of special rates applying to peculiarly French products. By the operation of the favored-nation treatment the treaty rates were extended automatically to several countries besides France, some of whose products competed with the products of the United States in the Canadian market. This question was adjusted satisfactorily by the extension on the part of Canada of the intermediate rates of the Canadian tariff to various exports of the United States.

These concessions, some of them important and others less so, were not obtained at the expense of our surrendering our markets to the various countries, but merely by the operation of the maximum and minimum provision of the Payne tariff law. In the German markets we are on the same standing as other countries. In the French markets most of our exports are given the same treatment as those of other countries. In the case of Austria-Hungary the complete conventional tariff rates have been granted us. No country has any advantage in the markets of that country that the United States does not have. And all of these concessions have been obtained without our granting those countries any considerations or favors not enjoyed by all other countries that treat our goods fairly. So far as I know, the maximum rates of the Payne law are not enforced against any country. In the case of Canada certain of our goods were granted the intermediate rate in return

for our minimum rates, and now we are to purchase the application of the intermediate rates on a few more articles by surrendering the home markets of our farmers. For, with the exception of such agricultural products as Canada will export to us and we shall not export to her now or in the future, the rates agreed to by Canada in this agreement are her intermediate rates, practically. Certainly, this or any other country never made a trade agreement in which they gave so much for so little. It is almost enough to convince us that in the matter of tariff bargaining our representatives are not the equals of those of other countries, and that it would be well to provide that in the future no bargains must be attempted unless there is an expert present who has some knowledge of what is given and what is received, and who knows the probable effects on the industries of this country of removing the tariff duties on its products.

But even such favors as we have received from Canada in this agreement, if we grant for the sake of argument that they are worth anything, are not to be reserved for us. Under the favored-nation clause of its treaties Canada will be forced to extend the same concessions to other countries. Lest anyone should believe that there is any doubt as to this I will quote what the English tariff commission says in regard to it:

Mr. Fielding, Canadian minister of finance, announced in the Dominion House of Commons on February 16, 1911, that Canada is under obligation to extend most-favored-nation treatment to 12 countries, namely, Argentine, Austria-Hungary, Bolivia, Colombia, Denmark, Japan, Norway, Russia, Spain, Sweden, Switzerland, and Venezuela. France is a favored-nation country to the extent of the articles specified in Schedules B and C of the Franco-Canadian treaty. The 12 above-named countries are enjoying the benefits of the French treaty, and in regard to the proposed arrangement with the United States Mr. Fielding said:

"As respects the dutiable schedules in the agreement with the United States, the concessions to be granted to the United States are largely the same as have already been granted to France and the favored-nation countries. As respects a large part of the list, therefore, no additional advantages will be enjoyed by such countries. There are, however, a few articles in the French schedules which in the agreement with the United States are made free or dutiable at lower rates; in these cases the advantages granted to the United States will extend also to France and the favored-nation countries. In the case of a few articles which are not to be found in the French treaty the favored-nation countries will be entitled to receive concessions on the same terms as the United States, but France will not be so entitled. Although not arising from any agreement, in no case has any advantage been granted to any foreign country that did not at the same time extend to all parts of the British Empire. In the few cases in which the rates to be established are lower than those already enjoyed by British countries the reductions will apply to such countries. There is no understanding of any kind except what is found in the correspondence and schedules already before the House."

From this statement it is seen that Canadian concessions to the United States are to be extended to all favored-nation countries, and that therefore the area of competition which the British manufacturers will have to meet in future in Canada will be extended to all the competitive products from these countries, which will enjoy together with the United States either free entry or reduced rates in Canada, in every case diminishing the present preference upon British goods.

It will be noted that Germany is not included in the above enumeration of favored-nation countries. A trade treaty is contemplated, however, under an arrangement made between the Canadian and German Governments in 1910.

Thus it appears that not only are we not to be placed on the same footing as England is in the matter of trade, but that after surrendering our market in agricultural products we find that such concessions as we did obtain through these means are to be extended automatically to other countries. The only conclusion which I can reach is that our manufacturers who may have hopes of increasing their trade with Canada will find that they will derive little benefit from this agreement. England will still have a preference, and the manufacturers of other foreign countries will be on the same footing as ours. The only ones who, it appears, will reap any benefits, so far as the United States is concerned, are the railroads, millers, packers, brewing interests, and certain large newspapers.

Further, I understand that several European nations are planning to seek admission for the same products on the same terms granted to Canada, under the most-favored-nation clause. While the State Department will no doubt adhere to the position that the most-favored-nation clause does not operate to require this country to grant any concessions unless corresponding concessions are granted by the other country—although this construction has been given up by all European countries—it may be suggested that there are a number of countries that would be glad to secure admission of their agricultural products in return for a pseudo admission of our agricultural products, especially countries which produce products which they are confident we will not sell them, but which they can produce at an advantage compared to our farmers, and place on our markets at a profit. Argentina, Brazil, and Australia, for instance, would no doubt like to sell us cattle. Mexico might not object to having the opportunity to export them for the benefit of our farmers. Other countries would have other products which they could sell us with profit. The duties on manufactures could not be reduced to any extent in this manner, as they have been carefully guarded in the making of this agreement. As the President said in his speech at Fall River, Mass., on June 23: "No protected interest will be injured."

It may be interesting to consider how men outside of the United States consider this agreement. Premier Laurier of Canada makes the following statements in an interview published in the May number of the Columbian magazine:

We are above all an agricultural people, our chief wealth is the growth of those products of the Temperate Zone, fruits, cereals, and vegetables; and it is our boast—but a boast founded on actual experience—that in cereals, fruits, and vegetables we can, without exaggeration, beat the world. At the northern extremity of the Temperate Zone, our cereals have more strength, our fruit has better flavor, our vegetables have more delicacy than similar productions from other parts of the world; and under free competition, not barred in any way by tariff legislation, they will displace all other products on the tables of the wealthy. Our object to-day is to open the door of the American market, to open the door of a nation of 90,000,000, which has been closed to us the last 50 years. * * *

Canada consumes only 50 per cent of her production of wheat. Where is the balance to go? We have the English market. The English market is quite ample enough to take the surplus production of wheat in this country for many years to come, although we are sure the production will increase tenfold by and by. But there are other products than wheat which the British market can not absorb, or can not absorb with the same convenience as the American market can. We have in the Province of Quebec natural meadows, which require no tillage, and upon which the best of timothy has been grown, not for 50 years, but for 100 years. All along the two shores of Lake St. Peter there are natural meadows, a few inches only above the level of the water, which are yearly flooded, and which, to the knowledge of everyone in the Province, have been for 100 years or more growing hay and nothing else. The counties of Berthier, Montmorency, and St. Maurice, on the north shore, and the counties of Nicolet, Yamaska, and Richelieu on the south, are so situated that they have a very considerable population who are growers of hay and for whom this treaty, if it becomes law, will be a positive boon. To-day they can not sell any hay in the United States, because there is a duty of $4 a ton. Let the duty be removed, and then immediately there will be an immense trade in that section of the community, as there was some 30 years ago. The same thing applies in the case of eggs, poultry, and mining products. For this reason it is to our advantage that we should have not only the British market but the American market also.

Then there is the cattle trade. Years ago we had a cattle trade with Great Britain. * * * If we are not able to sell all the cattle we can raise in Great Britain there is a more ready market in the United States.

This agreement is concerned chiefly with natural products. There are no manufactured products dealt with in this agreement except agricultural implements. There is a vast difference between reciprocity in natural products and reciprocity in manufactured goods. This is the reason we have acted with this prudence. I do not know who was present at the conference which took place between our two representatives and Mr. Knox, but it is not a great effort of imagination to suppose that the Americans were far more concerned about obtaining reciprocity in manufactured products than they were in natural products. But our negotiators would not consent to any reciprocity in manufactured products, but insisted on limiting this agreement simply to such manufactured products as agricultural implements.

The Canadian premier makes no secret of why the Canadian Government entered into this agreement, but plainly states that it was to give the Canadian farmer free entry to our markets for his products, and makes no attempt to conceal his belief that the farmers of his country will benefit greatly from this privilege. He further states than the Canadian negotiators refused to agree to reciprocity in manufactured products other than agricultural implements. Some persons may be curious to know why an exception was made in the case of agricultural implements. The reason for the willingness, which Premier Laurier expresses, to grant reciprocity in agricultural implements was no doubt the desire to reduce somewhat the cost of these to the Canadian farmer, as the opening up of the Canadian northwest, which is going on at a rapid rate, will create a larger demand than the Canadian manufacturers can hope to supply for years. The agreement, however, still retains a duty of 15 per cent on these articles.

The British tariff commission in its report on this agreement makes the following statements:

While, therefore, little opportunity would seem to be given by the agreement for the United States to capture any Canadian import trade in these articles, there appears to be a large area for an increase in Canadian exportation to the United States, and consequent diversion southward of Canadian food and agricultural products that now come to the United Kingdom. These figures relate solely to the import trade of each country, and, seeing that the removal of the tariff barriers between Canada and the United States makes the North American continent a single trade territory in which Canadian and United States producers will compete on even terms, the balance of advantage in respect of these goods should rest with those who have the greatest potentialities of production, namely, the Canadians.

The commission was speaking of the effect of the removal of the duties on natural products. It further says:

Canada's opportunities are especially marked in the case of wheat. Under the present duty of 25 cents per bushel, Canada supplies only $5,000 worth for consumption in the United States. * * * The ability of Canada to take advantage of this new field of export must

depend partly upon her capacity of competitive production and also upon the extent to which her export of wheat to the United Kingdom will be diverted through the removal of the United States duty.

The British tariff commission appears to have no more doubt than has Premier Laurier, that the result of this agreement will be the invasion of our home market by the Canadian farmer and that the advantage in the competition for markets will rest with the Canadians. The invasion of our market by Canadian farm products must inevitably result in the displacing of part of the production of the American farmer, and it is amazing that anyone will stand up and say that this agreement will in no way affect him or the prices which he received.

Mr. President, I desire to ask to have printed an article which appeared in a Canadian newspaper called the Globe, known as Canada's national newspaper.

The PRESIDING OFFICER. Without objection, leave will be granted.

The article referred to is as follows:

[The Globe, Canada's national newspaper, Toronto, Wednesday, Apr. 26, 1911.]

BARLEY AND THE TARIFF.

Canada knows by experience the effects of light and heavy tariffs on the barley market. It grows the finest quality of barley in America for malting purposes, and for many years it supplied the United States with the bulk of the grain that was malted in that country. In the reciprocity years of 1854–1866 its harvests were reaped to supply that market, and the farmers of Ontario especially grew rich by the barley trade. Duties were imposed at the close of that term, and for the next quarter of a century they ranged from 10 to 15 cents per bushel. But this barrier had little effect, and year after year the exports were maintained at a pretty constant rate. Beginning with 1876, when separate figures for barley and rye began to be kept in our trade tables, the quantity and value of barley exports to the United States for 17 years, or until the McKinley tariff of 30 cents per bushel came into operation, were as shown in the following table for fiscal years:

Years.	Bushels.	Values.
1876	10,164,551	$7,426,827
1877	6,243,033	4,503,117
1878	6,498,444	3,787,718
1879	5,193,324	4,643,048
1880	6,732,403	4,184,007
1881	8,724,931	6,272,998
1882	11,577,251	10,105,556
1883	8,741,626	6,245,263
1884	7,700,581	5,054,144
1885	9,028,314	5,477,441
1886	8,528,287	5,708,130
1887	9,437,717	5,245,968
1888	9,360,521	6,488,317
1889	9,934,501	6,454,603
1890	9,939,745	4,582,562
1891	4,732,953	2,849,269
1892	2,721,168	1,354,485
Total	135,279,351	90,323,453

The fiscal year 1891, when the high tariff came into operation, showed a noticeable decrease in the exports, and in the following year they were reduced to about one-fourth of the exports of 1890, but the average for the whole period was 7,957,000 bushels, with an average value of $5,313,000.

In the following 17 years, when the duty was kept up at a rate of 30 cents per bushel most of the time and of 30 per cent part of the time, the quantity and value of our exports were as shown in the next table:

Years.	Bushels.	Values.
1893	1,431,398	$638,271
1894	493,551	216,493
1895	1,674,193	706,586
1896	787,787	297,438
1897	1,246,343	371,633
1898	84,083	28,867
1899	122,374	59,158
1900	164,468	77,754
1901	190,547	85,927
1902	17,461	9,499
1903	37,112	17,148
1904	86,175	39,036
1905	101,111	46,225
1906	47,245	21,645
1907 (nine months)	19,094	8,258
1908	210,788	139,573
1909	266,096	144,660
Total	6,979,826	2,908,171

In these 17 years, under a tariff of 30 cents, or 30 per cent per bushel, the yearly average fell in quantity to 410,578 bushels and in value to $171,069; and the total loss in the 17 years, compared with the previous period, was in quantity 128,300,000 bushels and in value $87,415,282.

This was a serious loss to the farmers of Canada, or rather to the farmers of Ontario, who had been the producers of the barley, and the farmers of the United States have not yet replaced it by barley of their own growing. Glucose has largely taken its place, which is a poor and harmful article, calculated to promote kidney troubles for the consumers of lager beer.

One other fact deserves to be mentioned. In the first period of 17 years, when the United States tariff was moderately low, the average price of Canadian barley shipped to that country was, according to the trade tables, about 67 cents per bushel, and the average in the next 17 years was under 42 cents per bushel, or 25 cents per bushel less.

With barley on the free list, it is certain that our old market for this grain would again be fully restored. Ontario, with its greater capacity, would grow more than ever before to supply a larger market for consumption, and Manitoba, Saskatchewan, and Alberta would join it in the same American market, increased in population by close upon 29,000,000 since the McKinley Act destroyed the trade 20 years ago.

He is no friend of the farmers of Canada who blocks the way to win back for us this great trade, and he is a poor sort of politician who will lend himself to any interest which would block the way.

Mr. GRONNA. Mr. President, Canada has long sought reciprocity with the United States in natural products. There are certain reasons, however, why the Canadian Government should be particularly anxious to enter into an agreement of this kind at this time, although it is not to be presumed that any government in our neighbor on the north would at any time refuse to accept such a gratuitous gift as this agreement hands it. What is known as the Canadian Northwest extends from the Red River of the North to the Rockies. It is a new country. A very large proportion of the settlers in this section have come from the United States. These people do not feel the bonds of the British Empire; they do not feel that they have any kinship with the people of the eastern Provinces of Canada; their relatives and friends are all south of the border line, except such as have emigrated with them. They have no interest in England and no particular love for the rest of the Dominion. They did not leave this country from any wish to give up their American citizenship, but because they believed that that part of Canada offered greater advantages than did the United States. They would have been better pleased if the new lands had been in the domain of Uncle Sam, but since it was not they accepted the Canadian Government as part of the bargain whereby they became owners of their lands. They know, however, even if some of the supporters and advocates of this measure in this country do not, that they are receiving 10 cents less for their wheat than their brothers on this side of the line. In many, if not most, instances the difference is greater. The Canadian Government is also aware of the difference in price.

The farmers of Saskatchewan, Alberta, and Manitoba have begun to look with longing eyes toward our markets. Every time that they took a load of wheat to market the fact was impressed upon them that the American farmer was better situated with respect to price. They also possibly began to reflect that there are other ways of securing free admission to the markets of the United States besides negotiating reciprocity treaties, as I do not suppose that they even dared to hope that the United States would accept such an agreement as arranged for us by the President. It was no doubt recalled to them that there was a time when the United States had strong hopes—I might say expectations—of extending her dominion over the territory to our north. They could not help but remember that there is no tariff wall between the different States. With the increasing difference in price of American and Canadian wheat, due to the fact that in this country our consumption is increasing faster than our production, while in Canada the production is increasing much more rapidly than the consumption, the desire of the farmers of the Canadian Northwest to secure an entrance to the markets of the United States would grow stronger and the discussion of means would naturally follow. There is no reason to believe that the Canadian Government failed to perceive what the drift of sentiment in this section would inevitably be, and there is every reason to believe that it was anxious to secure to its northwestern farmers every advantage which they would have had as residents of the United States.

At this juncture the President of the United States steps in and offers to give the Canadian farmers the very thing they want—the wheat market of the United States. With practically no consideration in return he will surrender to them the markets of the farmers of his own country. He has not the power to do this alone, but he will make the agreement and use all the power of his high office to force Congress to enact legislation carrying out the agreement. Is it any wonder that the Canadian Government was eager to accept this arrangement? While the Canadian Government may have reflected that the great flood of Canadian wheat will force the wheat market of the United States to an export level, and that the agreement will thus benefit the Canadian farmer little at this time, it also no doubt had its eye on the future wheat market of the United States, aiming to displace our home-grown wheat in our own markets. If this agreement is ratified, we shall in a large measure surrender the growing of wheat to Canada; lands which can produce other farm products will be devoted to the production of those products, and lands which because of their

location or for other reasons can not produce anything except grains at a profit will continue to do so if it can be done in competition with Canadian grains, and if it can not be done the lands must necessarily in time become again a waste. The diversion of lands from wheat growing to the production of other farm products will necessarily affect farmers who may not feel the Canadian competition directly. While the State of North Dakota will perhaps be hit harder than any other State the effect will extend in varying degrees to every State.

Whatever the immediate and ultimate effect on the price that the Canadian farmer will receive may be, however, the Canadian Government, if this measure becomes law, will have removed one cause of dissatisfaction among its northwestern farmers, and it will thus have strengthened the Dominion and made more secure its future as a nation independent of the United States. Those in this country who favor this agreement because they believe it to be a step toward annexation should pause and reflect whether the Canadian Government may not have given some thought to the future of its own country, and whether the men composing it may not be more correct judges of the conditions and of the character of the people *within* their boundaries than men on this side of the line. If the Government at Ottawa believed that this is a step toward annexation, it would certainly be the last to press for the ratification of the agreement.

Mr. President, whatever tariff policy we may adopt in the future, it must be applied with even-handed justice to all industries and all classes. I may be in error, but it is my impression that the Republican Party has been in power as long as it has because the people have had confidence that whatever mistakes of judgment it might make it would always try to treat all classes and industries fairly and would not intentionally discriminate against one section or industry in favor of another; and I may say that the result of last fall's elections was due to the fact that the people of this country had had their confidence shaken in the ability of the party to hand out justice to all concerned when it came to the matter of determining what measure of protection each industry was to receive. The measure now before us is anything but just. Whether we believe in a protective tariff or in a tariff for revenue only or in complete free trade, the only basis on which any of these policies can be permanently enforced is the treatment of all concerned alike. This measure is a jumble of free trade and protection; at first glance it appears to be an inexplicable mixture, but as a person studies it carefully it becomes apparent that there was a method in its framing; he can not help but notice that the industries of this country seem to have been divided into two classes, one of which is to be favored and the other is not to be favored; one of them is to suffer all the disadvantages which may arise from it, and the other to reap such advantages as may accrue; one of them to receive no benefits, and the other to bear none of the burdens; the agricultural industry to be deprived of such protection as it enjoys, and the manufacturing industry to retain all its present protection; the agricultural interests to be asked to share their market with the producers of a foreign nation and to receive in return no extension of their market, and the manufacturing interests to retain their domestic markets and to receive some concession in the matter of foreign markets. The only policy in accordance with which this agreement can have been made is the policy of free raw materials for our manufacturers and protection for their products; free trade in what the manufacturer has to buy and protection for what he sells, and conversely, free trade in what the farmer has to sell and protection for what he has to buy. And yet some people appear to be astonished and the President is impatient because he has to discuss the advantages that are to be derived from the adoption of this agreement. And the farmers are accused of failing to consider this agreement from a broad standpoint and of measuring it by the narrow yardstick of their own interests.

Mr. President, there was a time when a man having in mind the interests of those who till the soil in this country was in no danger of being accused of narrowness. There was a time when those charged with the responsibility of administering our Government thought it worth while to consider the needs of the farmer. There was a time when the idea that it is our first duty to increase our trade with other nations, no matter what effect such increase may have on our own industries, had not taken the hold it seems to have to-day. Those who urge the increased trade with Canada that will result from this agreement ignore the fact that this increase will consist merely in increasing her exports of agricultural products to this country. I confess I can not see how it is going to benefit our Nation to have Canada's millions and hundreds of millions of bushels of grain pouring over our borders, although I can see how it will put millions of dollars into the vaults of the Great Northern and other railway companies, whose presidents are now industriously engaged in urging the need of looking at this proposal from a "broad standpoint." The broadness of the view of Mr. James J. Hill is likely to be, as a North Dakota farmer expressed it in a letter to me, "about 100 feet wide and 1,000 miles long." I do not find fault with Mr. Hill for considering the advantages which his railroad and the coffers of his railroad company will derive from the importation of Canadian grain, but I do find fault with him for stating that the farmers are generally for this measure—a statement which I do not see how a man who keeps his ear as close to the ground as he does can make—and for attacking those who oppose this agreement as unjust to the agricultural interests as narrow, demagogical, prejudiced, and self-seeking. I venture the assertion that even Mr. Hill will in the long run find that this measure is a mistake. The prosperity of his railroad must ultimately depend more on the prosperity of the farmer in this country than it does on the welfare of the Canadian farmer, and if the Northwestern farmer suffers because of the adoption of an unjust policy it will in time react on the prosperity of his railroads.

Mr. President, I have spoken more at length on the effect of this measure on the prices of the products that North Dakota produces than on those of the products of other States, not necessarily because the first are the more important, but because I am somewhat familiar with the conditions of farming in my own State, know that the farmers have not been unduly prosperous, and believe that there is reason for their apprehension as to the effects of this measure. I should, however, oppose a measure of this kind even if the products of my own State were not involved, as no good can come to any nation from the perpetration of an injustice to one class or those engaged in one industry, especially when that industry is as fundamental to the welfare of the nation as agriculture. I may have erroneous ideas as to what has in the past been understood as reciprocity, and yet when I read the statements of the men who were the sponsors for this policy in the days past I can not conceive how this measure can with any show of reason be called a reciprocity measure. Mr. Blaine, for instance, said in regard to the former reciprocity treaty with Canada:

> The selection, as shown by the schedule, was made almost wholly to favor Canadian interests. There was scarcely a product in the list which could be exported from the United States to Canada without loss, while the great market of the United States was thrown open to Canada without tax or charge for nearly everything which she could produce and export. All her raw materials were admitted free, while our manufactures were charged with heavy duty, the market being reserved for English merchants. The fishery question had been adroitly used to secure from the United States an agreement which was one-sided, vexatious, and unprofitable.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Minnesota?

Mr. GRONNA. Yes; I yield.

Mr. CLAPP. Before the Senator leaves the reference to Mr. Blaine—I have been called out of the Chamber part of the time, and I should like to ask the Senator whether in his speech he has referred to the speech which Mr. Blaine made against the whole system of reciprocity in competitive articles? If he has not, I should like to submit as a part of the Senator's remarks an extract from that speech.

Mr. GRONNA. Mr. President, I will say that I have not referred to it.

Mr. CLAPP. Then, I should like, Mr. President, with the permission of the Senator from North Dakota, to submit an extract from a speech made by Mr. Blaine in 1874. It is true that in Mr. Blaine's later years he did advocate reciprocity in noncompetitive articles, but not in competitive articles. Mr. Blaine said:

> [Extract from speech of Hon. J. G. Blaine, June 20, 1874, p. 124, "Political Discussions."]
>
> Against the whole policy of adjusting revenue questions by the treaty-making power, I desire to enter on behalf of my constituents an emphatic protest. The Constitution gives to the House of Representatives the sole and exclusive right to originate bills of revenue, and this great power should be kept where it can be controlled by the direct and unbiased vote of the people. It may well be that sundry articles of Canadian product should be admitted free or with diminished duty; it may well be also that Canada would find it advantageous to admit certain articles from us free of duty. Let each country decide the question for itself, and avoid the "logrolling" feature of a treaty in which it will inevitably—

This applies with complete force to the present situation—

> happen that certain interests will be sacrificed in order that others may be promoted. Let us simply place Canada on the same basis with other foreign countries, taxing her products or admitting them free, according to our own judgment of the interest of our own revenue and the pursuits and needs of our own people, always bearing in mind that in government as in family matters "charity begins at home," and that "he who provideth not for those of his own house is worse than an infidel."

I submit this to the Senator as an answer to the claim of the President that this bill is in harmony with the attitude and position of Mr. Blaine upon this question.

Mr. GRONNA. Mr. President, I thank the Senator from Minnesota for submitting this valuable quotation.

President McKinley in his last public speech, at Buffalo, in September, 1901, said:

By sensible trade arrangements which will not interrupt our home production, we shall extend the outlets for our increasing surplus. * * * We should take from our customers such of their products as we can use without harm to industry and labor. * * * What we produce beyond our domestic consumption must have a vent abroad. The excess must be relieved through a foreign outlet, and we should sell everywhere we can and buy wherever the buying will enlarge our sales and production, and thereby make a greater demand for home labor.

The Republican platform of 1900 contained the following declaration:

We favor the associated policy of reciprocity, so directed as to open our markets on favorable terms for what we do not ourselves produce in return for free foreign markets.

The Republican platform of 1904 says:

We have extended widely our foreign markets, and we believe in the adoption of all practicable methods for their further extension, including commercial reciprocity wherever reciprocal arrangements can be effected consistent with the principles of protection and without injury to American agriculture, American labor, or any American industry.

The Republican platform of 1908, on which President Taft was elected, contained no declaration in favor of reciprocity, and the farmers who supported the Republican candidate certainly had no reason to believe that they were to be singled out for an attack by a Republican administration.

The reciprocity agreements which have been entered into by former Republican administrations have been confined to noncompetitive products, admitting products which we do not produce ourselves free of duty, and securing in return for this concession the free admission of some of our products to other countries. The only reciprocal feature discernible in the pending measure is between the Canadian farmer and the railroads and some of the manufacturing interests in this country. The Canadian grain grower and the American millers, packers, and railroads all expect to reap some gain from this pact. The American farmer and the American consumer will reap no gain. I would rather have reciprocity between the farm and the factory in this country than between the farm in Canada and the factory and railroads in this country.

Mr. President, it has been intimated here and elsewhere that this bill can not be amended, that it must be passed in its present form or not at all, and the reason given is not that Canada in that event would refuse to pass the bill now pending before its Parliament, thus causing the agreement to fail, but that it would prevent this measure from becoming law by reason of its failure to receive the required sanction elsewhere. So far as the fear of the President's using his veto power is concerned, I will say that I do not believe that anyone has been authorized by him to state that the bill will be vetoed if changed in any manner, and I am frank to say that I believe that the pending measure can be greatly changed without its resulting in failure to receive the President's sanction. It is within the memory of some of us how a railroad bill came to us fresh from the drafting room of the Executive offices with the ultimatum, according to newspaper reports, that if it were materially changed the President would feel it incumbent on him to use his veto power. The two Houses of Congress took the bill in hand, and by radically changing it—in fact, reversing its effects, if not its purpose—presented to the President a bill embodying the views of a majority in Congress. Was this bill as thus passed met with a veto? Far from it. The President immediately approved the bill, and has since been proud to claim its passage as one of the achievements of his administration. I may be pardoned for stating that I do not believe that the President will refuse his approval of this bill if the Senate should see fit to amend it.

The other body of this Congress has, in the report of the Ways and Means Committee on the free-list bill, admitted that the Canadian reciprocity measure standing alone works an injustice to the farmer, and has passed the free-list bill in an avowed attempt to remove some of this injustice. I confess I can not see why anyone should believe that the inclusion of some of the provisions of that bill in this measure should prevent its being agreed to by the House. Surely, if it is desirable to pass a bill to remedy some of the injustices which another measure will work, it ought to be desirable to amend the measure so as to effect the same purpose.

If, however, the Senate should decide that it is not advisable to amend this bill, I believe it would be well to consider and take action on the free-list bill, the woolen bill, and other general tariff bills which we understand are coming over from the House before taking final action on the pending measure. It has been intimated that those bills are in danger of being vetoed if passed by the Senate. While I do not believe that anyone has been authorized to make such a statement, I believe it would be well to know whether or not the other bills will become laws before taking the final vote on the pending measure. It is possible that there are Senators whose attitude toward this bill, especially in the matter of amending it, would be influenced by the knowledge that the free-list, woolen, and other bills would or would not become laws. I believe it is only fair to those Senators and also to the President to dispose of the other bills first. It is well known that the President is anxious to secure the passage of this bill, but I do not believe that he wants to suffer under the belief which certain individuals have tried to foster that he will use the fate of the other bills to secure support for his pet measure. Neither do I believe that Senators who favor this measure and who also favor the other bills want to labor under the suspicion, which has been aroused in certain quarters, that they are not sincere in their support of the free-list and other bills, and that they have not been offered with the expectation of their becoming laws.

A further consideration which, it appears to me, carries some weight is the fact that the other bills are general tariff bills applying to all countries and will determine the general level of tariff duties levied. The justice, wisdom, and desirability of trade agreements granting special rates to one country naturally depend largely on the general level of duties against the products of other countries. If we pass those other bills, or refuse to pass them, we will then know what the general tariff rates will be and what concessions we are asked to grant to Canada in the matter of tariff rates. It is manifestly impossible to determine whether the placing of an article from one country on the free list is a concession until we know whether the general tariff law places that article on the free list.

It is impossible to know whether the tariff rate granted one country is a concession until we know whether the tariff rate applying to the products of other countries is higher or lower than the special tariff rate. So long as we do not know whether or not those other bills will become laws or what rates of duty they will carry in their final form, we are working in the dark so far as Canadian agreement is concerned. It is possible that if we pass the Canadian reciprocity bill and later pass other measures, we shall find that the duties carried by them in their final form are lower than the special rates we grant Canada. If this should cause the Canadians to question our good faith in entering into this agreement, it certainly would not operate to bind us with any closer ties to that country. Regardless of whether we favor or are opposed to the reciprocity measure, I believe it would be far better to consider and act on the free list and woolen bills, which are now before the Senate, and such other bills as are coming over from the House, before taking final action on this measure, than to proceed with this bill while in the dark as to what the general tariff rates will be three or four months from now.

Mr. President, in its present form the pending measure is not deserving of the name reciprocity. It surrenders the market of the American farmer without any recompense. Retaining the protection of the manufactured products it will not, as has been pretended, reduce the cost of living to the consumer. Offered and granted such special privileges in the matter of trade as are not enjoyed by any other country—not even Cuba or the Philippines—Canada grants the United States no privileges in the matter of trade which she is not willing, and compelled, to grant to all other favored-nation countries, with England enjoying a preference wherever the article is not placed on the free list. We are asked to make this gratuitous gift to a foreign country, which, no matter how friendly it may be, is a part of the empire built up by our greatest commercial rival.

Mr. CLAPP. Mr. President, will the Senator pardon an interruption?

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Minnesota?

Mr. GRONNA. I yield.

Mr. CLAPP. In connection with the suggestion of the Senator in regard to the preferential duty which is granted to England, if the Senator will pardon the suggestion, I think that there ought to be made in his speech a reference to an attempt on the part of the administration to lead the American people to believe that there are no preferentials now granted to Great Britain. I call the Senator's attention to a speech made by the Secretary of State, the Hon. Philander C. Knox, in Chicago on the 15th of February, 1911, in which he said:

Trade between the United States and the British Provinces was, up to 1845, burdened with a system of differential duties which discrimi-

nated against foreign importations into Canada in favor of the British. In 1845 the British Government authorized the Canadian Legislature to regulate its own tariff. Canada, now autonomous as to tariffs, generously and almost at once removed the existing differential duties and admitted American goods on the same terms as those imported from Great Britain. This change gave a great impetus to importations from the United States.

That is the end of the quotation. That expression going to the American people from the Secretary of State would carry to the minds of those who are not familiar with the history of Canadian legislation the idea that the discriminations removed in 1845 had never been restored, when the fact is that they were restored, are now in force, and will remain in force under this Canadian reciprocity bill.

I desire to suggest to the Senator, if he will pardon me, the importance of putting this in his speech, because it will go to thousands of readers and not only call attention to the misrepresentation, but show the existence of a preferential duty in favor of Great Britain.

Mr. GRONNA. I will say, in reply to the Senator from Minnesota, that I have submitted a statement making a comparison of the British preferential rates and the reciprocal rates extended to the United States, showing that Great Britain has a preferential rate.

Mr. CLAPP. Yes; but has the Senator made that in connection with this statement of the Secretary of State?

Mr. GRONNA. No; I have not.

Mr. CLAPP. A reader of the Senator's speech might have read this statement of the Secretary of State, and unless attention is called to it, and specifically denied, recognized as a statement that should be denied, the reader might perhaps come to the conclusion that the Senator had overlooked this. If the Senator will pardon me, I think the two ought to go together.

Mr. GRONNA. I thank the Senator for the suggestion, and I shall put it in my remarks in connection with the statement comparing the tariffs between the two countries.

Mr. CLAPP. That was the idea.

Mr. GRONNA. I believe that we should try to extend our foreign markets by reasonable tariff arrangements, including reciprocity treaties, wherever we can do so without doing injustice or injury to industries in our own country, but I do not believe in the unconditional surrender of American markets without recompense, as this agreement effects. There are countries with which reciprocity treaties could be made which would benefit us as well as them. There are countries which produce goods which we need and have to buy, and which need to buy such products as we have to sell. Wisely drawn agreements with such countries would have my support, but I can not support an agreement which sacrifices the interests of the American farmer in order that the Canadian farmer, the railroads, the millers, the packers, and the brewing interests may be benefited.

Mr. THORNTON obtained the floor.

Mr. BRISTOW. Mr. President——

The VICE PRESIDENT. Does the Senator from Louisiana yield to the Senator from Kansas?

Mr. THORNTON. I do.

Mr. BRISTOW. I suggest the absence of a quorum.

The VICE PRESIDENT. The Senator from Kansas suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Clark, Wyo.	Johnson, Me.	Smoot
Bailey	Crane	Johnston, Ala.	Stone
Bourne	Cullom	Lippitt	Sutherland
Bradley	Cummins	McCumber	Swanson
Brandegee	Curtis	Martin, Va.	Taylor
Bristow	Dixon	Martine, N. J.	Thornton
Brown	du Pont	Overman	Warren
Bryan	Foster	Page	Watson
Burnham	Gore	Perkins	Wetmore
Burton	Gronna	Pomerene	Williams
Chamberlain	Guggenheim	Root	Works
Chilton	Heyburn	Shively	
Clapp	Hitchcock	Simmons	

The VICE PRESIDENT. Fifty Senators have answered to their names. A quorum of the Senate is present. The Senator from Louisiana will proceed.

Mr. THORNTON. Mr. President, at the outset of my remarks I wish to express to my Democratic brethren my deep regret at the fact that I can not stand on this proposition where the great majority of them stand, for if I considered my personal feelings alone, it would be far more agreeable to me to vote with them on every matter than against them on any.

Yet I am sure they will accord to me the same liberty of opinion and right of expression of that opinion as I so fully accord to them.

Nor do I believe that if I acted on a question contrary to the dictates of my conscience they could have much respect for me, and I certainly could have none for myself.

On the day the Root amendment to the Canadian reciprocity bill was voted on I took occasion to very briefly state to the Senate my reasons for opposing the bill while supporting the amendment, these reasons being that in my opinion the bill was unjust to the agricultural interests of some sections of the country and the amendment was intended to render it a little less unjust in the particular feature toward which it was directed.

I wish now to present more fully the reasons why I can not support the bill in its present shape consistently with the professions I made to the people of Louisiana at the time of my election, or with my sense of right and justice, or with what I deem was the obligation I assumed to the people of the United States when I took the oath of office as a Member of this body.

In order to show that I can not support this bill in its present shape and be consistent with my previous public professions to the people of my State, I must be pardoned for stating them here.

During the month of December last the candidates for the Senate, including myself, were invited by the General Assembly of Louisiana to address that body and state their positions on matters pertaining to national policies among others.

And my views were given in an address to the General Assembly delivered on the evening preceding my election and reiterated on the day following it while expressing my thanks for the high honor conferred on me.

On the tariff question, with which this Canadian reciprocity agreement is so intimately connected, I said that the Republican Party, under the claim of fostering home industries, had imposed a duty on many manufactured articles in excess of what was necessary for their protection, with the resultant effect of unduly increasing the profits of the manufacturers at the expense of the consumers, and that in all the efforts of my party to better this condition I would assist.

I said it was the agriculturists who bore the brunt of the tariff on the manufactured articles they must use, and that if a tariff for protection along any lines could be justified, the agriculturists were entitled to its benefits.

I said that I never had been and, unless my present views changed, never expected to be an advocate of a protective tariff in the sense that term was generally understood as a doctrine of the Republican Party.

I said it was idle to talk about free trade, because that could not be a practical question under existing circumstances.

I said that in order to meet the expenses of the Government it was necessary to levy import duties as a source of revenue, and as tariff duties must be levied and as the agriculturists of the United States generally received less of the benefits and more of the burdens of the protective-tariff system than any other class of our people, I believed that wherever duties could be levied that would help those who followed agriculture for a livelihood, they should be levied.

I said that I considered the tariff question to be a most intricate one on account of the diverse conditions existing in a country of such great area and varied productions and industries as our own, and they who felt it to be an easy question readily solved by themselves, possessed mental capacities far superior to my own.

I said further that the longer I lived and studied existing conditions, the more satisfied I became that the tariff question, with all its complex problems, should not be made a partisan political question, but its differences should be adjusted through the aid of a nonpartisan board, so that tariff bills could be framed along scientific and business instead of political lines.

These are substantially the views on this subject I expressed to the General Assembly of Louisiana in the most perfect good faith, for otherwise, of course, they could not have been expressed, and I took my seat in this body last December fully imbued with their spirit, and considering their expression in the nature of pledges which must necessarily be redeemed whenever the occasion demanded.

It was in the closing days of the last Congress that I was put to the first test when the vote on the creation of the permanent Tariff Board was taken, and I was one of the five Democratic Senators voting for the act.

I regretted to differ on that question with the great majority of my Democratic brethren, as I regret to differ with them on the present question, yet I had no alternative, because I was fully convinced that such a board, created out of the proper material, would greatly facilitate the work of the Congress along tariff lines; and the high character of the President of the United States was to me, at least, a guaranty that he would

appoint a capable and nonpartisan board that would give faithful and impartial research and findings, the final result being that this great tariff question would cease to be the football of politics, as it were, even though at the expense to the country of removing some arrows from the quivers of some of the blatant demagogues of both political parties.

And the second demand on me to prove my faith by my works came with the advent of this Canadian agreement.

My duty in this case is so plain to me that I can not for a moment hesitate to both voice and vote my opposition to the bill.

To do otherwise would not only force me to violate the solemn professions I made to the General Assembly of Louisiana both before and after my election, but also my sense of right and justice and the obligation of my oath as a Senator of the United States, as I understand that obligation.

I did not come here as the self-constituted champion of the agriculturists of this country, and I am not posing now as such.

Yet I claim that they should be fairly treated, and I do not hesitate to say that not only should no discrimination be made against them in any tariff law, but, if discriminations must be made in favor of any class, they are more entitled to receive it than any other class.

For after all is said it still remains true that agriculture is the foundation stone of the prosperity of this country, the removal of which would cause the superstructure of commercial greatness, which has been built up at such vast expense, to topple over in ruins.

For I believe the American farm can do without the factory better than the American factory can do without the farm.

I would not willingly do harm to either, for I do not wish to see a single industry of my country that is assisting in her development and giving work to her citizens destroyed; but if I had to choose, the factory would die and the farm would live.

And the feeling I have for the cultivators of the soil is in the blood also, for I am sprung from a race of agriculturists, was born and raised to manhood on a farm, what time I was not in the Civil War, and followed agriculture for a livelihood for 10 years after its close; a farmer in fact as well as in name, I can say to the Senator from Idaho [Mr. BORAH], walking between the plow handles and enriching with the sweat of my toil the fields formerly tilled by my father's slaves.

And so my sympathy for the cultivators of the soil comes very naturally, having undergone with them a common experience, and I can not but resist the enactment of a law which discriminates against them as directly as this bill does.

That discrimination, as has been said so often during this debate, consists in removing the import duty from what they must sell while retaining it on what they must buy, not only for the cultivation of their farms but for the necessities as well as the comforts of their families, forcing them to sell in a free while buying in a protected market.

And that is why I told the people of my State, through a published interview when I went home in March, that I could not support the bill; and I told them, moreover, then what I repeat now, that the fact that the bill did not injure a single agricultural product of my State could not for a moment operate to prevent me from opposing it, because I stood for the agricultural interests of every section of this country—North, South, East, and West.

And I say here and now that the interests of the wheat and oat and barley growers of the northwestern border States and of the dairy producers of New York and Vermont will receive from me the same consideration that I would extend to the agricultural interests of Louisiana or any Southern State, for if I am a Southerner and a Louisianian I am also an American; and while it is true that in one sense I represent the people of Louisiana particularly, it is also true that in another sense I represent the people of the United States generally, and that is why I feel that I can not support this bill without impairing the obligation of my oath as a Senator of the United States.

Now, I do not know the extent of the injury these citizens of the United States will receive through the operation of this agreement, and I do not think its extent can be accurately approximated by anyone; but it seems clear to me that they will receive some injury, and it is not fair or right that they should receive any.

And even if it was a doubtful proposition, I contend that it is wrong to make the experiment at their expense, for if it should diminish the price of their agricultural and dairy products through this foreign competition, the money they will have lost will never be repaid to them from any source, for the Government of their country that caused them to lose will never make that loss good to them.

Two things stand out plainly to me in this connection. One is that as long as import duties are levied for the benefit of manufacturers, who can be helped thereby, just that long they should be levied for the benefit of agriculturists, who can be helped thereby.

And I confess that the statement of the Senator from Nevada [Mr. NEWLANDS], made on this floor recently, that if these farmers were helped by this duty to the extent of its imposition, he wished the duty removed so that they could not profit by it, had to me a very hard and cruel sound, not in accordance with what I had conceived to be his kindly nature; and I wondered if the State of Nevada was as rich in soil as she is in rocks, and settled thickly by an industrious farming population, he would feel the same way about it.

And the other thing that stands out plainly to me is the fact that these buncoed farmers, if I may be pardoned for using a slang expression for the reason that it best describes their situation, will continue to pay the same prices they now pay for the manufactured articles they need.

I consider this agreement to be absolutely unjustifiable for the reasons I have given.

Yet as much as I condemn it I wish it to be very distinctly understood that I do not for a moment question the perfect sincerity of the President of the United States in proclaiming his belief that this measure will not hurt the farming elements of the border States, but, on the contrary, benefit them along with all other classes of our people.

In fact, I feel absolutely sure that I, who denounce his pet measure as wrong and unjust, feel for him a far higher personal regard than do at least nine-tenths of the Democratic Senators who applaud the measure as being wise and beneficent.

I feel assured that his big heart throbs for all the people of his country and that he would not willfully injure any class among them; but this does not prevent me from believing and saying, with the utmost respect, that in this matter his head is as wrong as his heart is right.

The feeling that the cost of living had become unduly high was responsible for the defeat of the Republican Party in the elections of last fall, and something had to be done to counteract the feeling if possible, and it was claimed that this agreement would reduce the cost of living through the free admission of the agricultural products of Canada, though how the admission of these agricultural and dairy products into the United States free of duty can have any effect on the general cost of living in this country I can not see, though I can see how it will diminish more or less the profits of the farmers of the border States.

And with all respect, it seems to me that this claim of reducing the cost of living through this bill is farcical, though the effect of the measure as to the farmers of the United States living in the States adjacent to the border may be tragical.

Nevertheless it is the accepted theory that it will reduce the cost of living through cheaper food that gains for it the general support of the manufacturing industries and residents of cities.

I do not believe that the price the farmer receives for his raw material is responsible for the high cost of living. He does not receive a high price for his products, and if the consumer pays a high price for them in their finished state it is due to other causes than the price paid to the farmer, who not only does not receive the benefit of the enhanced price, but has to pay that enhanced price for what he must use of the finished product of his own raw material.

It has been shown more than once during the progress of this debate that the placing of hides on the free list did not reduce the price of shoes, and therefore the result has been that the American farmers and cattle raisers have lost a few million dollars' profit and the American Government a few million dollars of revenue, while the American public has not saved a dollar through a reduction in the price of shoes.

It must be that the manufacturers have been able to regulate the selling price in some manner.

And under these circumstances I should like to see the duty on hides restored, so that the farmers could again receive the profit and the Government the revenue; and the public saved from monopoly by reducing the duty on shoes.

And just as it has been with free hides, so do I fear it would be with free wool; the farmer losing the profit and the Government the revenue and the public paying as much as ever for woolen goods, the price of which would be maintained in the same way the price of shoes has been maintained; and the remedy being the same, a reduction of the duty on woolen fabrics so that a monopoly in their sale could not be created and maintained.

I do not believe that the operation of this agreement which admits free cattle and wheat and oats into this country would

result in cheaper meat from the packers or cheaper flour from the millers or cheaper bread from the bakers or cheaper cereal preparations from the manufacturers of such.

I think that relief from the high cost of living will not be reached by removing the duty from farm products, but by reducing the duty on manufactured articles; and so I believe that this Canadian agreement, while injuring the agriculturists, will not reduce the general cost of living. I said privately here during the session of the last Congress that if the agriculturists could be compensated for the removal of the duty from their products by the lowering of the duties on manufactured articles, I could support the bill; and I said so publicly when I went home in March.

When the Congress reconvened for the extra session, it was announced that the House of Representatives would pass the free-list bill before it passed the Canadian bill; and I at once announced that this arrangement would enable me to vote for the Canadian bill; and I was happy, too, in the thought that then I could stand with the great majority of my Democratic brethren in this body, for I would so much rather stand with them than against them.

But the program was changed, through the promise of the President it was said, that if the House would pass his Canadian bill first, he would not dissolve the Congress after the Senate passed it, but allow the House to pass and send up tariff revision bills, though, of course, giving no promise that such bills would receive his countenance.

And so the program was changed, and it was decided to pass the reciprocity bill first and the free-list bill afterwards, and then all my hopes were dashed.

For I knew what both the House and the Senate knew, that the reciprocity bill would pass the Senate and become a law, while the free-list bill, dubbed by its authors the "farmers' free-list bill" because of the idea that it would compensate them for the injury they would receive from the operation of the reciprocity bill, could never pass the Senate and become a law, thus, as the Senator from Iowa [Mr. CUMMINS] recently said in the debate on this floor, making to the farmers "a promise to the ear, but breaking it to the hope."

Now, I stand here and maintain that if the free-list bill or some bill of a similar nature can not become a law at this session, then, in justice to the farmers of the border States, this reciprocity bill should not become a law at this session.

In consideration of the fact of the discrimination of the bill against the agricultural interests of the country, coupled with the lack of advantages to the United States generally, I can not believe the favor it is receiving in the country would be as general if it had not been created and fostered by the powerful influence of the press of this country.

It is an undeniable fact that through the free print-paper provisions of the bill the newspaper and magazine proprietors of the United States will receive a greater pecuniary benefit from its passage than any other class of our people.

I do not charge that this is the reason for the energetic support the great majority of them, outside of the agricultural press, are giving to the bill, but I do charge that without that support the bill would have no general public standing.

It may be that they honestly think its passage is for the general good; and if they say so, I will not question their sincerity.

But it is natural that men should be biased in the direction of their personal interests, perhaps unconsciously at times, and their sense of justice dulled thereby; and the spectacle of the press of both political parties agreeing with practical unanimity on this measure might strike an outsider as a little singular and somewhat unusual.

But the newspapers expect to be large beneficiaries under the bill; and, therefore, it does not seem surprising that when the President of the United States was advocating its passage before the Newspaper Publishers' Association in the city of New York his remarks were received, according to the newspaper statements, with "tumultuous applause," for the President was addressing a stocked jury, as it were, with minds made up before hearing either evidence or argument.

Nor is it surprising to read lately that in the poll of newspapers, taken to show the feeling of the country toward the bill, the vote would always be three or four to one in favor of it, for that was also appealing to a stocked jury with minds already made up; and I do not say they were not honestly made up, but, as I have already said, there was the danger of bias, consciously or unconsciously, through self-interest.

You might just as well take a poll of the protected manufacturers of this country on the question as to whether a tariff bill carrying high protection for their special products was of general benefit to the country.

I think there would be a great unanimity of opinion in favor of the proposition that such a bill was a good one, and they might be honest, too, in their opinion, for I hope I may never become so narrow as to refuse to accept the sincerity of others on a question simply because their views on it were opposed to my own. Yet, still, I think I could legitimately charge that it was another case of a stocked jury.

But the press is urging the passage of the bill, and who shall deny the mighty influence of the press of this country.

Some Members of this body may remember how last December a very new addition to the Senate, and who has since been subtracted from it, himself a newspaper editor, in an address on this floor very broadly intimated that it was the press and not the Congress of the country that enacted its laws.

I of course can not admit the correctness of the statement. Still I believe the press often assists in the molding of the opinion of public men to a greater extent than they may be aware of.

Speaking for myself, if I even halfway know myself, my attitude on public questions will be determined by my conception of right, uninfluenced by either the desire to receive the plaudits of the press or the fear of receiving its censure.

I do not for a moment intimate that anyone else could be thus influenced; I only claim that I can not be.

And I can say that I believe, generally speaking, the influence of the press is for good on public men and public measures and its legitimate censorship an aid to both private and public morals.

No public man can reasonably object to criticism of his judgment on public matters by either the press or individuals, but he has the right to object to criticism of his motives when he knows his motives are honest.

And some of the ardent newspaper advocates of this bill have exceeded the bounds of legitimate criticism of Senators who are opponents of it, for they have gone so far as to impugn their motives and charge them with insincerity, thus reflecting on their personal honor.

I can not admit that any Senator would either advocate or oppose this bill from insincere motives; and, speaking for myself alone, I wish to say that any newspaper statement that may have been previously published or that may be hereafter published, charging or intimating that my opposition to this bill is not genuine or that I was not sincere in the expression of my motives for my opposition to it, is false.

But the newspapers will get their wish in this matter, for the bill will be passed by the Senate and approved by the President and go into operation; and then I will wait with some interest to see whether free print paper will cause a reduction in the price of advertisements, the great source of revenue to newspapers and magazines; and I shall hope that free paper will help the patrons of advertising columns more than free hides seem to have helped the wearers of shoes.

I know the people of the cities favor this bill under the idea that it will give them cheaper food products. I do not believe it will; but if I was sure that it would, I deny that they should have cheaper living through a reduction of the price of foodstuffs unless the agriculturists have at the same time cheaper living through a reduction of the price of manufactured goods.

A recent illustration of the city feeling on this subject is the resolution of the commercial bodies of Milwaukee approving Canadian reciprocity; and I shall try to learn hereafter, through the experience of others, whether cheaper malt will cheapen the price to its thirsty imbibers in this country of "the beer that made Milwaukee famous."

It should be thoroughly understood that my opposition to the bill is based on the opinion that through its provisions the agriculturists of a part of this country are unfairly discriminated against.

I am not concerned with its danger to the protective-tariff system of the country established and maintained by the Republican Party as are those Republican opponents of the bill who have preceded me in the debate, because I have not been a subscriber to that system, but a subscriber to the Democratic doctrine of a tariff for revenue.

I admit the perfect sincerity of the advocates of the Republican doctrine, and I think I fully understand their position, but do not consider it justified by results.

Briefly stated, the theory is that in order to assist the upbuilding of our manufacturing industries we should levy an import duty on articles of foreign make, thus enabling our own manufacturers to pay their workmen higher wages than they could otherwise pay, enabling them to live comfortably, the final result being that while the scale of wages would be maintained, the scale of prices for the manufactured products would be gradually lowered through home competition.

This sounds well in theory and appeals to pride and patriotism, but it has not worked out in practice; for if wages are kept up, I think the fact is due rather to the organized efforts of the employees than to the benevolence of the employers; and, so far as the reduction of prices through competition is concerned, we have seen that they are not only maintained but often increased through the joinder of interests, thus stifling competition; and there is a well-grounded suspicion that some of the tariff schedules of late years have been dictated by the manufacturers.

I have previously said that the agriculturists have not generally had a fair share in this protective tariff business, because they bore all the burdens of it that others did while receiving fewer of the benefits.

I know the position of the Republican protectionist on that question, too, which is that manufacturing industries build up cities, affording thereby a better market to the farmer. That may be true to a certain extent, and farmers contiguous to cities have a more profitable sale for their surplus truck; and it may be that sometimes farmers have grown rich by increase of the value of their lands due to the growth of industrial cities, as in the instance of our farmer Senator from New Jersey [Mr. MARTINE], assuming the correctness of the statements made on this floor by the Senator from Idaho [Mr. BORAH].

Mr. MARTINE of New Jersey. I deny the impeachment, most respectfully.

Mr. THORNTON. I did not understand whether the Senator said anything that calls for an answer.

Mr. MARTINE of New Jersey. Not necessarily. I simply said that I deny the impeachment of having grown rich or of being rich.

Mr. THORNTON. I am sorry the Senator is under the necessity to make a denial. I wish the imputation were true. But I think the general situation is, as I have stated, that the manufacturer has generally had greater advantages than the farmer under the protective tariff system.

Of course no theory that did not present on its face the appearance of plausibility could have so long commanded the support of the majority of the American people as the Republican protective theory has commanded it, but experience sometimes shatters theories.

And so with the tariff theory of the Democratic Party having as its underlying basis the great principle of equal rights and opportunities to all.

The rules within which the Democratic theory are supposed to be embraced are few and, on their face, perfectly sound, in my opinion, but while foolish men may be able to repeat them, only wise men can apply them properly in such a country as this.

It comes back to the proposition that the tarfff is a most complex problem, as they who attempt to frame a tariff law undoubtedly discover.

But a protective tariff should be impartial in its application and not discriminate against the food producers, as this bill does.

During the debate on this question, the Senator from New Jersey [Mr. MARTINE] said he favored entire free trade with Canada; and I claim that this would be infinitely fairer to the farming element than is the present bill; for that would allow the farmers, in common with all other classes, to buy some very necessary things at a much cheaper price than now—clothing and cotton and woolen goods, I understand, being about one-third cheaper in Canada than in the United States.

There was an attempt made at one time by the reciprocity press to belittle the opposition of the farmers of the border States to this bill, but the attempt had to be abandoned under the facts as shown.

And an effort has also been made on this floor to show that antagonism to this bill existed in Canada also, and therefore some people there did not think Canada was getting the advantage.

There is a certain amount of opposition in Canada, coming from the political party there in the opposition, and there is a feeling that the agreement may be injurious to England; but this opposition seems confined to Provinces like Nova Scotia and New Brunswick and Ontario, the latter having an intense feeling of loyalty toward the "mother country."

At Weyburn, in the Province of Saskatchewan, according to the press dispatches, the Canadian farmers passed resolutions that they would make the Province secede from the Dominion if the agreement was not ratified; and at Moose Jaw, in that Province, the same intense feeling is reported, and a Washington paper that strongly advocates the bill, commenting editorially on these occurrences, says:

> Obviously, reciprocity is sweeping through Manitoba, Alberta, and Saskatchewan, from Rat Portage to Medicine Hat, like a prairie fire.

And why should it not? These Canadian farmers know the advantages to them of having a free outlet into the United States for their surplus agricultural products; and no one in this Chamber will deny that the opportunity to thus dispose of her surplus agricultural products was the moving consideration with Canada in this matter, and that without the stipulation for free trade in those products she would not for a moment have considered the agreement.

She would not entertain the proposition for free trade in manufactured articles.

I do not believe this Canadian bill is well understood by the farmers of the country at large. I believe if they did understand it, generally, they would in all sections of this country demand that justice should be shown to their class.

I do not believe that the southern farmers, although they can not be hurt by this treaty, at least for many years to come—not until she becomes, as she is destined to become in the next 50 years at the outside, the greatest food-producing section of the United States—would countenance it if they understood it, for I know they are a warm-hearted and fair-minded class of people; but it is not called generally to their attention, except through newspapers interested in its passage.

I think that not only their sense of justice but policy as well, should make the agriculturists of this entire country stand together on this question, for there is need through present appearances for them to thoroughly organize, not to seek advantages over other classes but to see that advantages are not taken over them; and when they do so, even if their vote is not as great as the combined vote of other classes, it is great enough to cause their wishes to receive great consideration in the Congress of the United States.

But they are not united now, and this bill will pass the Senate through the combined votes of strict Democrats and stalwart Republicans, the latter voting for it because of their reluctance to oppose this Republican administration measure—for that is what it is and nothing else—and the Democrats voting for it for what I do not know, but for reasons that are doubtless proper and sufficient unto them, and which, I presume, will be given on the floor during the debate.

So far the only reasons I have heard advanced by them publicly or privately were that the bill was "a step in the right direction," was a good political move in the way of changing Republican farmers to Democrats, or would interject strife and dissension into the Republican Party, the last theory being lately advanced in a published interview by the talented and fearless leader of the Democratic Party in the House of Representatives, my previous high respect for whom has been lately enhanced by his refusal to permit the judgment of his committee to be coerced by outside interference.

And I see that in the published report of his recent speech at Providence, R. I., the President has adopted this Democratic reason by saying that Democrats should support the bill because it was "a step in the right direction."

In the direction of what? Democrats have claimed that the step leads toward free trade, toward conversion of Republicans to Democrats, and toward dissension in the Republican Party; but I hardly think the President, who is the head of the Republican Party in this country, will claim that any of these steps are in the "right direction."

I have yet to learn that free trade is an authorized doctrine of the Democratic Party, though I am aware it is favored by some or many Democrats.

But I deny that there is any Democratic principle in this bill. It could never have been framed by any Democratic committee, for no bill that combines free trade for agriculturists with protection for manufacturers could possibly be Democratic. It violates the great Democratic principle of equality, and I utterly repudiate the statement of the Senator from Wyoming [Mr. CLARK] that this is a Democratic measure. It most distinctly is not, and the fact that a majority of Democrats in both Houses of this Congress will vote for it for various reasons can not make it a Democratic measure.

Now, so far as the political expediency of the matter is concerned, every Democrat here is necessarily the judge of his own conscience, and I have neither the right nor the wish to judge him in that respect.

But, speaking for myself alone, I can say that I have never subscribed to the doctrine that the end justifies the means, and have never knowingly practiced it, and I am too old to begin the practice now.

I shall vote in accordance with my conviction of right and without reference to the question of injury to a political opponent.

It has been now more than a month ago that a very valued friend in north Louisiana, one who heard my address to the general assembly of that State, being himself one of its most useful and honored members, and one of that body who honored me with his support, and who had read my published interview in March, previously alluded to, on this reciprocity bill, wrote to me that, while he would vote for it if he could,

yet, knowing the position I had taken before the legislature that elected me with reference to the agriculturists of the country, he thought I should oppose the bill; and he added that he recognized the unfairness of passing the bill unless the farmers' free-list bill could be passed and become a law at the same time, yet that in politics sometimes the end might justify the means, and the passage of this bill would probably make good Democrats out of these Republican farmers; and then, after saying that some of my people might question my judgment, he added this message, the reading of which, I am not ashamed to say, dimmed my eyes while rejoicing my heart:

Again I wish to assure you that the people of Louisiana are sure of your sincerity of purpose in acting in this matter as you have done, and honor you for the courage of your convictions.

I can not see how the passage of this bill under existing circumstances should make Democrats out of Republican farmers, for a majority of the Republicans in the House voted against it, and it was carried there by the large Democratic majority given it, and here a majority of the Republicans will vote against it, and it will be carried by the large Democratic majority voting with the stalwart Republicans who have been unable to resist the presidential pressure.

I believe the Democratic Party can not gain recruits from Republican farmers in this way, but could gain them by uniting with the progressive Republicans of this body to see that the Canadian bill does not pass unless at this same session a tariff-revision bill passes; and I believe that in pursuing such a course justice and good policy would go hand in hand together.

But it seems useless to hope for this, for the Canadian reciprocity bill will pass without an amendment that would relieve any of its injustice, just in the shape the President says he wishes it passed—"the bill, the whole bill, and nothing but the bill"—while the tariff bills of the Democratic House will not pass, and would not be approved if they did.

There are some grating things about this matter to me. Not long since the leading evening newspaper of this city, a paper continually exhorting the Democrats of this body to vote for reciprocity, contained an editorial saying that this measure was the only one that would pass the Senate, and the tariff bills already passed by the House—alluding to the free list and woolen bills—were only "popgun measures" and "plays to the galleries," and the Democratic Senators should stand by reciprocity and see it pass.

I confess that such talk from such a source is not pleasant to me as a Democrat, and it is somewhat trying, too, from my knowledge that the great majority of the Democratic Senators will do as this paper says they should do about the reciprocity bill and then be patted on the back by it for doing it, and then sneered at afterwards for trying to pass honest reform bills sent them by a Democratic House.

The editor has an undoubted right to form and express his opinions on the matter, but I do not feel called on to follow his advice, for I am neither a Republican nor high protectionist, while, judged by his utterances, he is evidently both.

These Democratic measures will not become laws, but the Canadian bill will become a law, and the farmers will be hurt and the protected manufacturers left unhurt.

To me there is a great principle at stake in this matter, and for one I will never be a party to such an act of injustice, and I can answer, too, to the people of my State for my action.

At the risk of appearing egotistical, I say here that I am confident that at least nine-tenths of the people of Louisiana will believe in the sincerity of my position on this subject and that at least two-thirds of them will approve of my judgment on it.

And if the farmers of this country, who more than any other class of its citizens have added to its glory and greatness, shall be injured by this act of their Government, they shall never be able to say that I assisted in what the leonine Senator from Idaho [Mr. BORAH] recently called on this floor "the infamy of this legislation."

Since this address was prepared President Taft has stated, in a speech delivered at Indianapolis three days ago, that in his judgment the reciprocity bill would not diminish the cost of living; and the Senator from Ohio [Mr. BURTON] in an address to the Senate two days ago advocating the passage of the bill, said it would be unwise to hold out the hope that it would accomplish any material change in the cost of living. I have devoted some space in my address toward trying to show that the bill would not reduce the cost of living. The country has generally understood that the principal advantage claimed for the United States would be the reduction of the cost of living, and the reciprocity press has steadily urged that fact as an inducement to its support.

If it is now admitted that it will have no such effect, the only plausibly meritorious claim for its enactment is withdrawn, and there is in my opinion no excuse for its support.

IMPROVEMENT OF RURAL-DELIVERY ROADS.

Mr. SWANSON. Mr. President, availing myself of the custom of the Senate, several days ago I gave notice that after the conclusion of the speech of the junior Senator from Louisiana [Mr. THORNTON] I would make some remarks on a bill I have introduced, being Senate bill 2935, relative to national aid for the improvement and construction of post roads. I request that that bill be now temporarily laid before the Senate.

The VICE PRESIDENT. In the absence of objection, the unfinished business will be temporarily laid aside. The Chair lays before the Senate the bill referred to by the Senator from Virginia, the title of which will be stated.

The SECRETARY. A bill (S. 2935) to provide for the construction, maintenance, and improvement of post roads and rural-delivery routes through the cooperation and joint action of the National Government and the several States in which such post roads or rural-delivery routes may be established.

Mr. SWANSON. Mr. President, there is no question before the American people to-day more important than the improvement of the public roads and highways. The progress of this Nation in nearly all directions has been phenomenal. We have established our preeminence in most things. We have become the greatest manufacturing people in the world, the products of our factories exceeding those of Britain and Continental Europe combined. Our mines furnish the world more than one-half of its mineral products and wealth. Our plains and prairies are recognized as the granaries of the world. Cotton continues the king of plants, and the world's comfort and clothing are dependent upon the white fields of the South. We occupy to-day the foremost place in the world's commerce, our exports now exceeding those of Great Britain. Our wealth to-day is greater than that of any other nation. Recently we have become supreme in finance, our banking capital being the greatest possessed by any people. The world's financial heart now throbs in New York, and its pulsation affects the world. We now surpass all other nations in the amount of money expended for primary and general education, in the creation of colleges and splendid universities. In miles of railroad, navigable rivers, and improved harbors we are unsurpassed. Our progress in these directions has been so wonderful that its story reads more like romance than history.

Yet, Mr. President, as amazing as are these varied achievements, it is admitted that to-day we have the poorest public roads and highways of any civilized nation. Of the 2,155,000 miles of public roads within the United States, less than 200,000 miles are macadamized or improved with hard surfacing. Thus, more than nine-tenths of the public roads and highways of the United States during rainy seasons are almost impassable. No other enlightened people in the world are cursed with such a wretched condition. Our energies and our money have been generously expended in every other direction, except in the betterment of our public roads.

After careful examination and thoughtful consideration I am satisfied that our neglect in this respect has been one of the greatest misfortunes that has affected us as a people and should be remedied as quickly as possible. No one can overestimate the annual loss incurred by our people in traveling and hauling over these wretched public roads. Our internal commerce exceeds the interforeign commerce of the entire world. It is estimated that 90 per cent of our internal commerce must first or last be hauled over the public roads. The average haul of this vast commerce over the public highways, after careful investigation, has been estimated to be on an average of a little more than 9.4 miles. The same careful investigation fixes the average cost of hauling these products at 23 cents per ton per mile. The cost of hauling per mile over the splendid roads of France is on an average of about 7 cents per ton per mile. The average cost in England and Germany is about 11 cents per ton per mile. If the more important and main lines of our public-road system were improved as are those of France, Britain, and Germany, it is estimated by good authorities that our products could then be hauled over our entire system of roads at a cost of 12 or 13 cents per ton per mile. This would result in an annual saving in this item of hauling alone to the people of the United States of more than $250,000,000. This is the annual "mud tax" paid each year by the people of the United States in hauling their products over poor roads. This loss, if wisely and properly expended, would in 20 years macadam or furnish hard surfacing to all the public roads within the United States. But this does not include all the loss occasioned this country by its bad country roads. The poor condition of the roads makes it unprofitable to market much of the products of the farm. If the cost of transportation and the cost of production exceed the selling price, it makes it impossible for the producer to dispose of his products at a

profit; hence production is arrested. In many sections farmers fail to raise certain crops because the cost of hauling them over miserable country roads is so great that they sustain loss instead of profit. The national loss from this source amounts annually to many million dollars. Our bad roads, making it impossible in many sections to market certain products of the farm, have prevented a great diversification of crops which exists in France, England, and Germany, with their splendid road system. We can not overestimate the loss and injury to agriculture resulting from this source.

Another great detriment that has come to this Nation from its wretched country roads is that it has forced the people to leave the rural sections and congregate in towns and cities. This fact is strikingly disclosed by the census returns. In 1790 only 3.4 per cent of our population dwelt in our cities; in 1850, 12.5; in 1900 the percentage was 40; in 1910 it was 46. This explains why so many acres of fertile land still remain untilled, while the city, with its unsanitary and unwholesome tenements, is crowded with human beings whose standards of living and methods of life result in their mental, moral, and physical decay. Statistics gathered by the Office of Public Roads and compared with the reports of the United States census reveal that in 25 counties, selected at random, possessing only 5.1 per cent of improved roads in 1904, the decrease of population averaged 3,112 for each county for the 10 years between 1890 and 1900. The records of this department further show that in 25 counties similarly selected, which possessed an average of 40 per cent of improved roads, there was an increase averaging 31,095 to the county. These significant facts show more eloquently than language the great benefits accruing from improved roads. Statistics gathered from the same source show how education and school attendance are affected by improved roads. These statistics show that in five States in which about 34 per cent of the roads are improved 77 out of each 100 pupils enrolled regularly attend the public schools. That in other five States in which the improved roads only amount to 1.5 per cent only 59 out of each 100 pupils enrolled regularly attend the public schools. These figures prove more forcibly than language the advantages accruing to education from good improved public highways.

Each census discloses that our urban population is very rapidly increasing at the expense of our rural sections. This is not desirable.

It means an immense national loss, not only financially, but morally, intellectually, and physically. The pleasures and profits of country life are largely dependent upon the condition of the public roads. Social intercourse and pleasure are only possible in those sections where comfortable traveling is possible over the roads.

Good school facilities and good public roads go hand in hand. They are companions which can not be separated. Carefully gathered statistics disclose that efficient country schools and the attendance of scholars are invariably dependent upon the condition of the public roads.

The country has been the great nursery which has furnished the men of genius and patriotism who have builded this mighty Nation.

We should do what we can to encourage our population to remain there, and develop our wonderful soil and agricultural resources.

Then, the agricultural people of this Nation are the mighty sources of patriotism and courage who will preserve this Nation in the coming hours of storm and stress.

Another great loss sustained by this Nation on account of its wretched public highways is that it has left undeveloped and uncultivated more than 400,000,000 acres of available and desirable land in the United States. If our roads were properly improved this land would be at once occupied by thrifty and prosperous farmers, thus adding greatly to the national wealth and power. Farm lands would greatly increase in value from improved public roads, and the country population would rapidly increase, greatly to the betterment of the Nation, both morally and materially.

Some economists have estimated that the annual loss to this Nation on account of wretched country roads exceeds more than $400,000,000 annually. I do not believe this is an exaggeration.

There are 850,000,000 acres of improved and unimproved farm land in the United States. It is estimated by the Agricultural Department that good roads would increase the value of this land from $2 to $9 per acre. This great increase of value would more than pay for the cost of improvement.

I feel justified in saying that one of the paramount questions before the American people to-day is the improvement of our public-road system. The farmer, in the future, in order to increase his profits, must reduce the cost of transportation. As the farming lands of Canada, South America, and Africa are opened and developed, the farmers of this country will have greater competition. To meet this competition, they will have to reduce either the cost of production or the cost of transportation. I hope this Congress will not adjourn without reducing greatly the cost of production. The cost of production in this country is greatly enhanced by the excessive tariff duties imposed upon everything purchased, on account of the Payne-Aldrich bill.

The Democrats of the House of Representatives have sought to bring the farmer relief from these excessive exactions by passing a bill known as the farmers' free-list bill, which, if enacted into law, will greatly reduce to him the cost of living and the cost of production. I hope the Senate will promptly concur in the passage of this bill, and this deserved relief will come to the great agricultural masses. The cost of transportation to the farmer is composed, first, of hauling over the public roads, and then over the railroad or steamboat lines to the markets. Within the last 70 years the cost of transportation over the railroads and waterways has greatly decreased, while the cost of transportation over the country roads has been increased. In 1837 railroad rates were 7½ cents per ton per mile. Now it is estimated that the average cost of hauling by rail is 7.8 mills per ton per mile, or about one-ninth of the original rate. Seventy years ago the charge for hauling on the old Cumberland Pike was 17 cents per ton per mile. This charge permitted a profit. It is now estimated that the cost to the farmers, without profit, is 23 cents per ton per mile. Thus, while transportation over railroads has decreased to about one-ninth of what it was about 67 years ago, transportation over the public roads has increased about 35 per cent. Water transportation has so decreased that it now costs the farmer 1.6 cents more to haul a bushel of wheat 9.4 miles from his barn to the depot than it does to haul it from New York to Liverpool, a distance of 3,100 miles. This fact strikingly illustrates the importance of road betterment not only to the farmer, but also to the rest of the country, who are users and consumers of farm products. The greatest saving to accrue in the future to farmers from reduced transportation will come not so much from reduced railroad transportation as from reduced cost of transportation over the public roads, resulting from their improvement.

We have now an Interstate Commerce Commission, fully empowered by law to see that the transportation rates imposed upon goods are not excessive and to give relief from railroad exactions promptly and efficiently. I have always favored giving this power to a commission, and I shall in every possible way sustain this commission in their efforts to prevent excessive freight charges and to give shippers fair and reasonable rates. I hope the present law is sufficient to accomplish this. If not, I am for its amendment until the people shall have the fullest measure of relief and justice in both freight and passenger rates.

This Nation, in the past, has contributed out of its Treasury vast sums of money and many million acres of land to encourage the construction of railroads, and to improve the rivers and harbors, in order to get cheap railroad and water transportation. More than 200,000,000 acres of land were conveyed to the railroads for this purpose. Each year witnesses vast appropriations for river and harbor improvements to reduce the cost of water transportation. The river and harbor bill of last year appropriated $31,000,000. I do not criticize these appropriations. Wisdom demands that our waterways should be improved, not only to furnish needed facilities for transportation, but also to compete with our railroads, and thus keep railroad rates reduced and fair. Our harbors should be improved so that our commerce, consisting of imports and exports, can be cheaply and promptly handled. This is beneficial alike to the manufacturing and agricultural interests; but I insist that, while the National Government spends this vast sum of money to accomplish these commendable purposes, it is derelict in its duty not to furnish an equal amount to the people who live in the country and can not use these waterways but are dependent upon the public highways for the transportation of their products. These people constitute a large part of our population. They bear their equal part of taxes. Since they have an equality of burdens, they should have an equality of benefits. The Government is properly and wisely generous and liberal in its river and harbor improvements; it should be equally as generous and liberal in its appropriations to the other sections of the country, whose inhabitants are absolutely dependent upon the public roads for their transportation. Justice demands this. The two should go together. The people who live near the rivers and harbors are as much interested in road improvement as are the people who live in the interior country. The people on the waterways need good roads to their wharves, from whence they ship their products. The people in the interior need good roads to their depots, from whence they ship their products.

Mr. President, the question naturally presents itself, Why is it that this Nation, which has achieved such wonderful success and progress in everything else, should be so backward in the construction and improvement of its public roads; especially when they are such important factors in the development of the Nation and the people annually sustain such a great loss from the prevalence of bad roads? The poor results obtained have been occasioned by the vicious system of road improvement and construction which has prevailed in this country. This Nation has foolishly left the construction, improvement, and repair of public roads almost entirely to the local communities through which they pass. While we have rapidly improved our agricultural, governmental, manufacturing, and general business methods, we have steadily adhered until recently to our antiquated system of road construction and improvement.

When this country was first settled we introduced here as a part of our road system the parish system then prevailing in England. This required that the local communities through which a road passed should construct and keep it in repair. This was done either by local taxes or local labor. This was the road law of England, passed in 1555, and continued there until some time in the eighteenth century. While this law existed in England the roads of England were as bad and impassable as are those of this country. In the eighteenth century England abandoned this localized system of road construction and repair and inaugurated her present system, which consists of a combination of parliamentary and local appropriations. By this joint action of national and local aid England immediately made wonderful progress in her road system, and to-day enjoys all the benefits that accrue from splendid highways. It is amazing that we have continued so long the vicious system which England abandoned many years ago. Experience has demonstrated everywhere the inability of local authorities unassisted to either construct or properly keep the mainly traveled roads in repair.

The roads of France, which are the best in the world, were constructed during the reign of Napoleon the Great, and consisted of the joint action and aid of the national and local authorities. Until this joint action occurred, the roads of France were wretched. Road construction in the United States presents a similar experience to those of England and France. Those States in the United States which possess good roads have only obtained them by the joint aid of the State and local authorities. Massachusetts possesses the best roads of any State in the Union. She had no road improvement of any consequence until the State united with the local authorities and furnished three-fourths of the funds for road construction and repair. As soon as this policy of State aid was adopted in Massachusetts a stimulus was given to road improvement, with wonderful results.

The States of New York, New Jersey, Pennsylvania, and others, by the extension of State aid to local authorities in the construction and repair of public highways, have also achieved wonderful results, and these States are now blessed with fine roads, which are being rapidly increased.

We have a similar experience within the State of Virginia. Until 1906 there was practically no construction of macadam or hard-surfacing roads within the State. Though Virginia spent more than a million dollars per year on her roads, very poor results were obtained. The construction of roads was left entirely to the local authorities.

As candidate for governor of Virginia, I announced as one of the special policies that I would endeavor to inaugurate, if I should be elected, State aid for the construction of roads.

In my inaugural address I strongly recommended that the State should create a highway commission and furnish free to the local authorities experienced engineers and road builders to aid in making surveys and furnish suggestions and information in connection with the proper building of roads.

I also recommended that the convicts in the jails and those in the penitentiary with short terms of service should be furnished free to the local authorities to work upon the public roads, the State paying the cost of maintaining and guarding these convicts and the counties furnishing the material, thus sharing fairly the expense of construction.

The general assembly enacted these recommendations into laws, which were at once placed in operation. The department of highways proved a great success. The local authorities were enabled to get scientific engineers to aid them without expense, of which they gladly availed themselves. There was a greater demand for the convicts to be utilized for road construction than the State could supply.

When the next general assembly convened I recommended that the State should appropriate $250,000 out of its treasury, conditioned upon the counties furnishing an equal amount, which amount should be distributed among the counties in the State in proportion to the taxes paid by them into the State treasury and be confined to those counties which had not been able to obtain convicts during the year. This recommendation was enacted into law and has resulted in wonderful road development within the State. Nearly all the counties of the State availed themselves of the provisions of this law. By the operation of these laws in Virginia, extending aid to the local communities, more than 500 miles of good hard-surfaced roads have been constructed.

The interest in road improvement has been greatly stimulated and is rapidly increasing. The interest in road construction has been so stimulated that 16 counties have voted bond issues for the construction of permanent roads aggregating $2,823,000. When this amount shall have been expended Virginia will possess many miles of splendid roads.

It should be noted that the educational progress and improvement kept pace with the road improvement, as previously stated. The desire for good educational facilities and for good roads seems to go hand in hand. Before 1906 there were only 74 high schools within the State of Virginia, and most of these were located in the towns and cities. The State, out of its treasury, appropriated $100,000 to aid in the establishment of rural high schools, conditioned upon the local authorities uniting with the State. Under the operation of this law in four years the high schools of the State were increased from 74, as previously stated, to 405. More than one-half of the magisterial districts of the State rapidly acquired splendid high schools. The stimulation to this, like the stimulation to road construction, came from the State aid extended. The primary schools all over the State have also had greatly increased attendance, longer terms, and better facilities from the increased special State appropriations.

By this appropriation of State aid to schools and roads the rural communities, which are not rich, were greatly benefited.

In Virginia about 52 per cent of the taxes in the treasury are paid by the cities. Thus, by this system, the rich cities of the State paid more than one-half of the special appropriations made by the State to the country communities for schools and roads.

I wish to say that this law was passed without any objection from the representatives of the cities. They generously supported the bill, and were willing to thus assist the country in making its great material and educational advance.

Mr. President, what is still more striking in this matter is that the expenses incurred by the State for its increased appropriations for education and roads and other progressive policies more than paid for themselves in the increased revenues derived by the State on account of the increased prosperity and advance of values. Without any increase of taxes whatever the revenues of Virginia for the years 1908 and 1909 increased over the revenues of the two previous years more than $916,000, although these years immediately followed the panic of 1907. But for this panic and the long stagnation of business which followed, the increase would have been still greater.

This demonstrates that investments of public money for wise and beneficial purposes more than pay for themselves, not only to the State in the increased revenues but also in the increased happiness and prosperity of its individual citizens.

All this conclusively proves to my mind that the Federal Government should aid the States and local authorities in the construction of good public highways by generous appropriations out of the Treasury. Not until this is done will we witness the creation of a successful system of road construction.

The travel over our roads now is national, State, and local. The travel being national, State, and local, the cost of constructing and maintaining roads should be national, State, and local. It is not just to expect local communities to construct and maintain roads over which the travel of State and Nation far exceeds the local. It is utterly impossible for local communities to bear the expense of constructing macadam or hard-surface roads. To do so would require such a heavy tax as to practically bankrupt the communities. A system must be devised whereby this expense can be fairly distributed. The only way that this can be accomplished is by the appropriation of money out of the State and National Treasuries.

The cities are as much interested and are as much benefited by good country roads as are the people in the rural sections. Good roads enable the people of the country to easily come to market not only with their produce, but also to make purchases. The trade and commerce of cities are greatly enhanced by being surrounded by splendid roads. In addition, it adds to the comfort and pleasure of those living in the cities. Thus, good roads enhance the value of property alike in city and country. Many of the cities, when permitted to do so by their charters, have united with country communities in appropriating money for the construction and maintenance of public roads. The charters of many of the cities prohibit them from making such appropriations. The best and the fairest way to enable

the cities to aid rural sections in the construction and maintenance of good roads is by appropriating a fair share of money for this purpose out of the State and National Treasuries. By this means the cities and rich communities are enabled to share with the country sections their fair burden of road construction and improvement.

Since both city and country receive benefits from good roads, each should share its part of the burden. I believe this is willingly conceded alike by the citizens of the city and country.

Mr. President, in addition to the reasons previously presented as to why the National Government should extend its aid for the improvement of public highways of our country there are other considerations of justice and fair dealing which demand this. The United States Government now uses more than 1,000,000 miles of the public roads of this country in carrying its mails over them, either through its star-route contractors or its rural-delivery carriers. It uses daily this vast mileage of roads without giving to the States or communities a cent of compensation. Last year this Government paid to the railroads of this Nation $50,142,200 for using their tracks to carry its mails over their roads.

The counties and States contribute their money for the construction and maintenance of these country roads as much as do the stockholders of the railroads for the construction and maintenance of their railway tracks. If it is just and fair that the Government should pay this vast sum of money for utilizing the tracks of the railroads, it is equally as just and fair that the Government should contribute a fair compensation to the States and communities for using their roads for the conveyance of the Government's mails. An argument for the one is equally as conclusive as for the other.

Hence, I insist that as the carrying of mail is a Government function, and entirely monopolized by the Government, that the Government should make just and fair compensation to the States and communities for the use of their roads. The time has come when the States and local communities should insist upon this.

Another consideration which strongly presents itself to my mind as to why the Government should extend national aid to road improvement is that it would result in the saving of a great deal of money to the Government. The Government now expends $42,000,000 annually for rural delivery. The average route of a rural-delivery carrier is about 24 miles. The carrier is unable to make a greater distance than this on account of the bad condition of the public roads.

If these roads were properly improved, a carrier could easily and with more comfort deliver mail a third longer distance. It is estimated if the roads of the country were properly improved that in the reduced expenses incurred in its star-route service, in its present Rural Delivery Service, and in the extensions which will certainly come in the future, the Government would save $8,000,000 or $9,000,000 annually. Patriotism and wisdom alike demand that the Government should make this great saving and at the same time add materially in the advancement and prosperity of our country by generously aiding road improvement.

Mr. President, I am unable to see any strong reasons why the Federal Government should further hesitate in the extension of a proper and liberal appropriation for the construction and improvement of public highways. To contend that it has no constitutional power to do so is absurd. No one has ever disputed that the Government has not power to establish, maintain, and repair post roads. It has established through its star route and Rural Delivery Service more than 1,000,000 miles of post roads, which it daily uses; hence it not only has the power under the Constitution, but also has imposed upon it the imperative duty to bear its fair share of the burden of improving these roads and keeping them in proper repair.

Webster, Clay, Jefferson, and even Calhoun, who was very strict in his construction of the Constitution, all advocated national aid for the construction of public highways.

Prior to the Civil War the Federal Government had appropriated $14,000,000 to aid in the construction of public highways.

The 1,000,000 miles of public roads now made post roads by the uses of the Federal Government are the main roads traveled and the ones most needing betterment; hence no objection on constitutional grounds can be found for the Government undertaking to bear its fair share of the burden of improving the roads that it daily uses.

Besides, this Government has spent large sums of money in the betterment of the public roads of Porto Rico and the Philippine Islands, and also Alaska. If it has the authority to expend the public money there for these purposes, it has equal authority to expend the public money for these purposes in this country.

I believe that the American people have greater demands upon the Public Treasury, filled with their contributions, than have the people of Porto Rico and the Philippine Islands and Alaska.

I am not one of those who would retard progress and prosperity in the United States by refusing to aid in road construction here and generously contribute the taxes paid by our people for road construction in our colonies.

The citizens of the United States demand that they shall be treated by the Government as generously and considerately in the matter of road improvement as has been extended to the people of these colonies.

Mr. President, some maintain that if the Government ever ventures into appropriations for road improvement there will be no limit to the expenditures made and the Federal Government will be finally bankrupt. This argument should have no weight. Every appropriation for public roads that is wisely spent will make this nation richer and greater. Bankruptcy never comes from increasing wealth and prosperity, but from increasing poverty and decay. The greatest national need to-day is good roads. The elimination of our greatest evil will bring increased wealth, increased health, increased moral and material advance.

This is precisely the same argument which was used against the establishment of rural delivery. I was a member of the Post Office Committee when the first appropriation of $10,000 was made for rural delivery. From the beginning I was a stanch friend and earnest advocate of this system. When the first appropriation of $10,000 was made the Post Office Department refused to experiment with the appropriation. Not until the appropriation was made peremptory would the department make the experiment to ascertain whether rural delivery was possible or not. As soon as the experiment was made with a few routes it was so successful that its extension became rapid. After the appropriation for this purpose had become several million dollars its enemies made a determined fight in the Committee on Post Offices and Post Roads and in the House of Representatives to destroy the system, claiming that it would bankrupt the Treasury. A report was made by the Post Office Committee of the House of Representatives, concurred in by all the members of that committee except Mr. Cromer and myself, which would have perverted the Rural Delivery system into a star-route system, and practically destroyed it.

After two weeks of debate the bill and the report of the Committee on the Post Office Department of the House of Representatives was defeated and rural delivery saved to the people. In making this fight for rural delivery I contended then that it would ultimately more than pay for itself by the increased revenues it would bring to the Government, in addition to the great benefits it would bring to the rural sections.

The history of rural delivery has verified the truth of my prophecy and overthrown the forebodings of those who maintained that it would deplete the Treasury.

The establishment of rural delivery by the abolition of star routes and post offices has saved this Government more than $26,000,000. The entire service now only costs $42,000,000. The difference between the saving and the cost, amounting to $16,000,000, I believe, is more than made up by the increased sale of postage occasioned by the extension of rural delivery.

I prophesied that rural delivery as a supplement to the post-office service would so increase postal receipts I believed before long the Post Office Department of the Government would be practically self-sustaining. This has now been realized. We will have exactly the same experience when the Government is wise enough and generous enough to extend aid in the improvement of its post roads. This will give increased mail facilities over them, which will bring increased revenues to the Government. It will enable the Government to transmit its mails over its post roads with increased facilities and at greatly reduced cost.

Not only justice but prudential foresight to protect its own revenues demand that this Government should cooperate with the States and local communities in improvement of the public highways, of which it to-day is a user of more than one-half.

Mr. President, to carry out these views expressed by me I have prepared and introduced a bill, which I shall, at the proper time, press for consideration and passage before the Post Office and Post Roads Committee, of which I am a member, and also the Senate. This bill provides that the Government shall appropriate $20,000,000 annually for the next five years for the purpose of improving the post roads and rural delivery routes now used by the Government.

By limiting the appropriations to the post roads and rural delivery routes it removes all constitutional objections that could possibly be urged.

In addition, it appropriates the money to the roads most needed to be improved. There is scarcely a road which is used

to any considerable extent that is not used by the United States Government either as a rural delivery route or a star route.

Thus this limitation presents no difficulty whatever as to the roads to be improved. It opens up more than 1,000,000 miles of roads for governmental aid.

The bill provides that the States or local authorities shall furnish an amount equal to that furnished by the Federal Government. This shares the burden of road construction equally between the Government and the States and the local communities benefited. This is the system which has been productive of the most progressive and beneficial results in England, France, and Germany.

The bill provides that this $20,000,000 shall be divided among the States according to population, excluding in the estimate cities which have, as shown by the last census, a population exceeding 150,000. As the money is intended to improve roads in the rural sections, I thought this could be accomplished better by this provision excluding the large cities in making up the distribution. By doing this the money will be distributed in the sections where good roads are most needed and where the people are least able locally to bear the cost of construction.

I inserted that the appropriation should be made for five years in order to enable a comprehensive scheme of road improvement to be devised. Also I am satisfied if the States and local communities knew that this appropriation would be continued for five years they would more generously respond in providing their share to be utilized for road construction. I think this very important.

The Federal appropriation is left under the control of the Federal authorities created under the bill. After the amount has been assigned to each State and Territory, the roads upon which the money is to be expended for improvement is determined by the joint agreement of the Federal and State authorities. This insures to the State and Nation that the money will be expended where each is benefited. As each contributes to the fund used, each should have a voice in determining where the money should be expended. I believe this will result in wise administration and prevent jealousy between Federal and State authorities.

The Virginia law provides similar provisions where State aid is extended to the counties, the location of the road being fixed by the joint action of the State highway commissioner and the county authorities. An experience of four years has demonstrated the wisdom of this provision. No friction has occurred and each has been satisfied that the money appropriated was wisely and properly expended.

The local authorities have been more ready to respond in making their contributions when they knew that they would have a voice in the expenditure and location of the roads.

The bill provides that the contracts shall be opened and awarded by the joint action of the Federal and State authorities. This prevents all possibilities of fraud and will satisfy the Federal and State Governments that their interests will be thus properly protected.

The road must also be accepted, when improved, by the joint action of Federal and State authorities. This insures performance of contract satisfactory to each.

The cost is then paid by the Federal authorities out of the Treasury, and a request is made upon the State for the payment of its share. If the State fails to promptly pay its share of the cost, then no further payment can be made to the State out of the road fund. This protects the Federal Government from paying any money until it has received full value by the construction of the roads under contract. It also gives it proper protection for the payment of more than its half. It gives the State and local authorities time in which to furnish their share of the expense. When the road is improved and contract fulfilled, the road continues under the control of the State and its authorities as heretofore.

I have endeavored in this bill to provide efficient Federal aid without interfering whatever with the authority of the States in the control of its public roads and highways. I have also endeavored to so safeguard the Federal Government that it would spend no money and incur no expense except after it had received full value in improved roads.

The bill makes provision for the creation of a road department, with engineers and capable officials to carry out the purposes contemplated.

I think that by the joint action of Federal and State authorities improper political influences in connection with road improvement and construction will be prevented. The joint action of State and Nation will, I believe, be productive of the best results. It does not impair the rights of the States in any respect over their public roads, but does provide an efficient way for the Federal Government to render aid without having its money wasted.

The Federal Government has now a bureau in the Agricultural Department well experienced and equipped to undertake this work on its part. Hence the Government can without fear undertake this work, with the full assurance that its money will be wisely expended and bring many accruing benefits.

The Government can easily afford to appropriate this $20,000,000 for five years for this purpose. Our appropriations last year amounted to $1,041,000,000. The Government can afford to begin by appropriating $20,000,000 annually for road betterment. After a few years, when the system has been fully developed and experienced and capable engineers obtained, and the needs and requirements of road improvement fairly ascertained, the Government should make larger appropriations. Of this vast amount now annually appropriated but a very small per cent of it is expended in the rural sections. Justice and fair dealing demand that the rural sections should have their fair share of Federal appropriations, and this can only be obtained by appropriations for road improvement, which is beneficial not only to the country but to all parts of this great Nation.

I believe, if the Federal Government will immediately make this appropriation and inaugurate as a part of our Federal system national aid to roads, in a few years we will witness a wonderful improvement in our public roads. We will have the same gratifying experience in rapid road improvement that we have had in those States that have extended State aid, and in those nations, like England and France, which give national aid.

Mr. President, the last national platform of both parties favored the Federal Government aiding public roads. The Republican platform contained the following:

> We recognize the social and economic advantages of good country roads maintained more and more largely at public expense and less and less at the expense of abutting property owners. In this work we commend the growing practice of State aid, and we approve the efforts of the National Agricultural Department, by experiment and otherwise, to make clear to the public the best methods of road construction.

While this platform is somewhat ambiguous, yet its intention was to convey to the voters of the country that the Republican Party favored national aid for road improvement.

The declaration contained in the Democratic platform is clear, explicit, and leaves no question of doubt. It is as follows:

> We favor Federal aid to State and local authorities in the construction and maintenance of post roads.

I have drawn my bill so as to carry out the purposes so clearly indicated in the national Democratic platform.

The House of Representatives, now controlled by the Democratic Party, is clearly committed to national aid for the improvement of the post roads of this country. I feel satisfied that the Democratic Party in the House of Representatives will fulfill this pledge and promise made to the people in its platform.

I hope the Senate and the members of both parties, Republicans and Democrats, will unite in aiding this great movement for road improvement by suitable legislation and appropriation which will result in immeasurable benefits to this country.

I believe in parties and public officials conscientiously and strictly fulfilling the pledges made to the people in order to obtain position and power.

As the Democratic Party stands pledged in unequivocal language that the Federal Government should aid the State and local authorities in improving all its post roads, I shall exert myself to the utmost as long as I am a Member of the Senate to have this pledge fulfilled.

The bill that I have prepared and introduced, I believe, fulfills this pledge, is carefully safeguarded, and will be promotive of splendid results.

It is modeled somewhat after the Virginia law, applying Federal aid in a similar manner that Virginia extends State aid. The Virginia law has proven so satisfactory and has worked so smoothly and successfully that I feel satisfied this law if enacted by Congress would prove equally so.

But, Mr. President, I wish to say that I am not wedded to any special bill, nor am I possessed of any pride of authorship which would deter me from supporting any fair and reasonable bill extending proper national aid to the State and local authorities in the improvement of the public roads. I am deeply concerned in this matter. I am convinced that it is one of the most important problems demanding proper solution before the American people to-day. I am satisfied that the Federal Government has delayed too long and should delay no longer extending to the State and local authorities generous aid for road improvement. All measures tending to the accomplishment of this purpose shall have my earnest and cordial support. When the Federal Government commences to bear its fair share of the burden of improving our public roads, that day will mark the beginning of the end of bad roads in this Nation. It will open a new chapter in our history, each leaf of which when turned will gleam with more happy country homes, better schools and churches, and larger and

more prosperous rural communities. Imagination would be powerless to picture through the vista of the coming years the increased health and happiness, the increased wealth and power, and the great moral and material advance which would come to this Republic upon the inauguration of this great national policy.

MUNICIPAL GOVERNMENT.

Mr. OWEN. Mr. President, the progressive movement in this country has for its object the overthrow of commercialism in government and the restoration of equality of opportunity and of the rights of human beings in preference, where the choice must be made, to the rights merely of property accumulation. The chief purpose of the progressive movement is to overthrow the chief agency of commercialism in government, machine politics and the rule of the minority through corrupt practices, and to restore the rule of the majority through honest registration laws and election laws. This is to be accomplished by the passage of certain tried and tested statutes, including, particularly, the initiative, the referendum, and the recall, a thoroughgoing corrupt-practices act, complete publicity of all public business, and including the commission form of government for municipalities, or the short-ballot system. The commission form of government may be properly regarded as a very important auxiliary in the progressive movement.

The commission form of government has a national value and a direct bearing upon the integrity of the election of Senators and Congressmen, because it is an important agency in overthrowing corrupt machine politics in municipalities and cities. The proportion of inhabitants living in cities, as compared to the inhabitants of the United States, is 53.7 per cent, not counting towns of less than 2,500 inhabitants. IF CORRUPT GOVERNMENT CAN BE TERMINATED IN CITIES, IT CAN NOT SURVIVE IN THE STATES OR IN THE NATION.

The relative urban and suburban population of the different States I submit as Exhibit A.

Machine politics and their centers of activity are in the cities, and if corrupt political organization can be overthrown in cities it will go far toward establishing integrity of government throughout the States and throughout the Nation, as machine politics do not easily flourish among country people who are not so easily reached or so easily influenced by machine methods.

The commission form of government eliminates mere partisan politics in cities, towns, and villages in the government of such municipalities. The commission form of government usually carries with it the initiative, referendum, and recall, giving home government popular government, the people's rule enabling the citizens of each town to control the governing business in that town. It enables them, through the initiative, referendum, and recall, to initiate and pass any law they do want, including corrupt-practices prevention acts, and veto any law they do not want, such as the granting of franchises of value without consideration, and enables them to recall inefficient or dishonest officials.

For these reasons I have thought it worth while to call to the attention of the Senate and of the country the importance of the commission form of city government as an agency in restoring integrity of government and overthrowing the corruption and inefficiency which have so seriously invaded the governing function under color of partisan zeal.

WHAT THE COMMISSION FORM OF CITY GOVERNMENT IS.

The commission form of government, as usually understood, may be illustrated with the system adopted in Des Moines, Iowa, under the act of the general assembly of that State (Exhibit B) and the charter of that city (Exhibit C).

The general plan is that the citizens by primary may nominate candidates for mayor and four commissioners, *who shall have complete charge of town business—legislative, executive, and judicial.* Any person can be nominated by a petition of 25 citizens. The 10 candidates having the highest vote at the primary two weeks later are submitted to the citizens for an election, and the 5 candidates having the highest votes at this election comprise the city council, with full powers—legislative, executive, and judicial. They manage the business as completely as the board of directors could manage the business of a bank. There are five departments, as follows:

First. A department of public affairs.
Second. A department of accounts and finance.
Third. A department of public safety.
Fourth. A department of streets and improvements.
Fifth. A department of parks and public property.

The mayor, by virtue of his office, has charge of the department of public affairs, with general supervision over the other departments, and receives a salary of $3,500. The other commissioners receive a salary of $3,000. *The council, by majority vote, appoints all other officials of the town*—city clerk, solicitor, tax assessor, police judge, treasurer, auditor, civil engineer, city physician, marshal, chief of fire department, street commissioner, library trustees, and all other necessary officers and assistants. *These selections are made under a board of civil service commissioners,* who conduct examinations of a practical character to determine the fitness of applicants. Each commissioner appoints the subordinate employees in his own department and *each commissioner is held responsible for the successful management of his department.*

Extreme pains are taken to prevent fraud in the elections. For instance, the fullest publicity is required of campaign funds. Both the source and the manner of expenditures are required to be reported under oath. No officer or employee is permitted to be interested, directly or indirectly, in any contract with the city or in any public-service corporation, or to accept any free service therefrom. All council meetings to which any person not a city officer is admitted must be open to the public.

"*All franchises* or right to use the streets, highways, or public places of the city can be granted, renewed, or extended only by ordinance, and every franchise or grant for interurban or street railways, gas or water works, electric light or power plants, heating plants, telegraph or telephone systems, or public-service utilities *must be authorized or approved by a majority of the electors* voting thereon at a general or special election.

"*Every motion, resolution, and ordinance of the council must be in writing, and the vote of every member* of the council, for and against it, *must be recorded.* The council is required to print and effectively distribute each month, in pamphlet form, a detailed, itemized statement of all receipts and expenses and a summary of its proceedings during the preceding month. At the end of each year the council must cause a full and complete examination of all the books and accounts of the city to be made by competent accountants and publish the report in pamphlet form.

" Every ordinance or resolution appropriating money or ordering any street improvements or sewers, or making or authorizing any contract, or granting any franchises must be complete in its final form and remain on file with the city clerk for public inspection at least one week before its final passage or adoption, and must be at all times open to public inspection." (Hamilton.)

Nothing is permitted to be done in secrecy or in the dark. The public business *is* public.

PARTISANSHIP IN CITY BUSINESS ELIMINATED.

Partisanship is eliminated. No party emblems are permitted on the ticket, but the candidates are listed in serial order, without party designation, and are nominated and elected as far as possible on the ground of personal fitness. In this way partisanship is carefully and deliberately eliminated, as far as practicable.

Ward lines are abolished in the choice of city commissioners, so that each citizen votes for every commissioner, both in nominating and in electing him.

THE WARD SYSTEM ABOLISHED.

The abolition of the ward system is essential to the successful establishment of the commission form of government. The ward system in the past has been peculiarly injurious to good government because " it perverts the political education of the electors and *encourages a local selfishness destructive of the general* and *ultimately of the local interests as well.* The ward system leads to the nomination of a ward boss, who, under color of intense zeal for that ward and under color of being a great advocate of a political party and by petty ward politics, gets himself elected and tries to keep himself in power by getting things for that ward, more than it would be equitably entitled to and at the expense of the balance of the city. This policy leads to unscrupulous men making combinations in the council, trading with each other, and taking advantage of the portions of the city whose representatives are more scrupulous.

A city is best governed whose government deals with the city as a body unit and where its general interests are held paramount to local, private, or ward selfishness.

Citizens at large nominate men who would not be nominated by the ward system, and thus narrow or unscrupulous men are prevented from so easily entering the council. It prevents wards trading in the council at the expense of the city. It prevents extravagance in wards by virtue of such trading.

The abolition of the ward system elevates the character of the officials of the city, and what is far more important, it elevates the electorate of the city by making the citizens feel

that they have power to nominate and elect the entire governing board of the city.

We observe in New York City recently a ward boss giving away 7,000 pairs of shoes, apparently from pure benevolence, but more likely for the reason that he could by this process of commendable charity and open-hearted generosity control 7,000 votes in his ward and put himself in a position where he could indirectly recoup himself with usury at the expense of the taxpayers of that great municipality.

THE ESSENTIAL FEATURES OF THE COMMISSION FORM OF GOVERNMENT.

The essential value and features of the commission form of government are, roughly, as follows:

First. *Complete centralization and concentration of all power and responsibility in a small council or commission*, usually of five members, doing away with the separation of powers into the legislative, executive, and judicial. This is fundamental. The commission is thus directly charged with and responsible for the entire administration of the city's affairs.

Second. *The members of the commission must be elected at large and not by wards*, and therefore represent the city as a whole, not by subdivisions.

Third. *The members of the commission must be the only elective officers of the city*, and must have the power of appointing all subordinate administrative officials.

Fourth. The commission must have the power of removing subordinate administrative city officials at will.

Fifth. The commission should be subject to the initiative, the referendum, and the recall, so that if the commission fails to pass the laws the people do want, such laws can be passed by the initiative petition; and so that if the commission propose to pass any law the people do not want, they shall have the right of veto by referendum petition; and so that, if a commissioner proves to be inefficient or corrupt, his successor may be nominated and he may be recalled by a special or general election.

Mr. HEYBURN. Will the Senator from Oklahoma permit me to ask him just a question here?

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Idaho?

Mr. OWEN. Certainly.

Mr. HEYBURN. By whom would they be nominated; by what process, if the board has control of all the political affairs? I am curious to know who would nominate those men who were to take the place of the commissioners who were removed or recalled?

Mr. OWEN. Twenty-five per cent of the electors, under the charter.

Mr. HEYBURN. Would they meet to do it in some organized way?

Mr. OWEN. By petition.

Mr. HEYBURN. So far as I have heard the Senator, there is no provision under which they could act. Twenty-five per cent of the people scattered among the body of the people could not act.

Mr. OWEN. They submit verified petitions to the city clerk, and that automatically calls for the election under the charter. There is a very exact method provided for calling the election under the charter, a copy of which I submit.

Mr. HEYBURN. Then this would be a Government by 25 per cent of the people. I see.

Mr. OWEN. It would permit 25 per cent of the people to petition for the recall of an inefficient or corrupt official and permit 51 per cent of the people to determine the recall of the public servant; or, on the other hand, give a vote of confidence and confirm the official in his public office.

THE PROTEST.

A special provision of the Des Moines charter enables the citizens to prevent the council fastening objectionable legislation upon the city by a protest of 25 per cent of the number of electors previously voting for mayor. Upon the filing of this protest the council must either reconsider and repeal the ordinance objected to or submit it to a vote of the people for acceptance or rejection.

THE RESULTS.

The result of this system has been to abolish the corrupt ward system, with its mischievous waste, inefficiency, and dishonesty. It has eliminated partisanship, and no longer can a ward boss appeal to his fellow citizens to stand by him as the exponent of "the grand old party" of Lincoln, Grant, and McKinley, nor can he appeal to the disciples of Thomas Jefferson with any better effect. His views on the tariff or currency are not regarded as of any importance, but his relation to the gamblers, the law-defying saloon keepers, the political jobbers, public-service corporation and municipal contractors, and his fitness to make a good municipal officer are closely scrutinized by the great body of the citizens of the municipality.

The direct and undivided responsibility and the full power placed in the hands of each commissioner obtains from him his best efforts and the best results.

This system has reestablished popular supremacy in the cities adopting it. There is no doubt that everything bad in city politics is the work of the few and not of the many, and that these few have been led by trained mercenaries, who have paid themselves out of the public treasury, directly or indirectly, for packing caucuses, padding registration lists, repeating, stealing or stuffing ballot boxes, perpetrating frauds in the casting of votes, and doing the thousand and one more or less disreputable things which in American cities have been counted as "helping the party."

The direct rule of the people has been established by the commission form of city government in lieu of all this. They have under this system the right of direct nomination (selection) and election of officials, freedom from fraud, complete publicity, and they have the right of the initiative, referendum, protest, and recall, compelling respect of the popular will, both affirmatively and negatively. In this manner the people are stimulated in a sense of civic righteousness and power and of personal civic responsibility. It has established the rule of the people in town government and has dethroned the city boss and terminated corrupt ward and municipal partisan politics.

Of course, no city can rise higher than the level of its citizenship, but whatever the intelligence and conscience of the citizens of a town are capable of may be attained through this improved method of governing municipalities.

Under this system the public business is conducted with efficiency, promptness, free from blackmail, and free from the petty rascalities, free from the "grand and petty larceny" that have heretofore characterized municipal councils. A request of the commission can be acted upon in an hour, and it is not necessary to run the gauntlet of a corrupt house and council of the old city legislatures, with the long delays and blackmail incident thereto.

Under the civil service, the city employees are chosen upon a basis of merit and actual worth and not as a reward for activity in helping the ward boss to keep himself in power.

City franchises are safeguarded under this new system. It is impossible for the council to sell a franchise by secret barter, or to deliver such a franchise if sold, and no corrupt interest can afford to buy or attempt to buy franchises under these conditions, where delivery is impossible and dangerous.

The causes of corruption are removed. The temptation to corruption is removed. Powerful safeguards against corruption are thus established.

The plan in actual operation has shown the most remarkable results in clean streets and alleys, improved sidewalks and paving, better administration of all public utilities, and freedom from favoritism; and justice and common sense are in control.

In Des Moines the old "red-light" district, which was owned and controlled by a social-evil trust of "appalling cruelty, greed, and wickedness," was turned into a respectable neighborhood by the vigor and vigilance of a well-directed police force. The city offices are filled by men expert and capable of rendering high-class services. The books and records have been brought up to date and are kept in intelligible condition.

I will observe here that the cities which have adopted this method have adopted in many cases a comparative uniformity of bookkeeping, by which the condition of various departments and services of municipalities are able to be compared one with another, so that a city finding a very high cost in some particular line as compared with other cities in the same department or service may make an inquiry into that particular branch of the service. In that way, by concentrating attention on defective services, they are able to eliminate the wastefulness by which their accounts have been run up in that special branch of the administration. An immense saving of money has been made, and the people are delighted with the splendid results of the new government.

The elections have worked admirably. "Not for a generation has so little money been spent and never have the citizens been able to give their attention so undividedly to the prime issues of a municipal campaign—the honesty, capacity, and fidelity of those seeking public place."

The success of the Des Moines system was due to the activity, first, of James H. Berryhill, of Des Moines, who had business interests in Galveston and who had seen the working of the commission government in that city. The Des Moines Register and Leader, the News, and the Capital, of which the Hon. Lafayette Young, our recent colleague in the Senate, was editor, are entitled to special credit, together with the Bar Association of the State of Iowa and the public debates which were held in this connection. It took the most resolute effort

for several years to accomplish this result and get over the opposition of the old machine in Des Moines and Iowa and their influence with the legislature, but, thanks to the patriotic and good men of that State, the legislature gave the necessary authority.

I submit results of the commission form of government in Galveston and Houston, Tex., Leavenworth, Kans., Des Moines and Cedar Rapids, Iowa, as given by Hamilton. (Exhibit D.)

I submit also a list of over a hundred of the cities which have adopted this plan for the last two years. (Exhibit E.)

I expressly acknowledge indebtedness to John J. Hamilton and his excellent work on the "Dethronement of the City Boss" (Funk & Wagnalls); to Ford H. MacGregor, Bulletin No. 423 of the University of Wisconsin; to Prof. Frank Parsons's "The City of the People," published by C. F. Taylor, 1520 Chestnut Street, Philadelphia, Pa.; "The Digest of Short Ballot Charters," by Charles A. Beard, Ph. D., The Short Ballot Organization, 383 Fourth Avenue, New York; and Buffalo Conference for Good City Government, Clinton Rogers Woodruff, editor.

The constitutionality of the Texas law giving municipalities the right of recall, rendered by the civil court of appeals, I submit as Exhibit F.

Seventy-four cities and towns in the State of New York, I am informed by the secretary of the Commission Government Association of Buffalo, are considering this method, and a large number of them have petitioned the New York Legislature for the right of home government for cities. Up to this time, in spite of promises, those in control of the governing business, including the bipartisan machine men in New York State, have denied them their just rights of local self-government. and it will require a pitched battle with the forces of machine politics to obtain this right for these cities, the chief of which is Buffalo, with over 400,000 inhabitants.

The Short Ballot Organization, of which the Hon. Woodrow Wilson, governor of New Jersey, is the president, has excited a very great interest throughout the Union, and it is easily applicable not only to cities, but also to counties and States, the purpose being to concentrate the attention of the electorate upon a few responsible men charged with the control of policies and administrative responsibility, so that the people may give their concentrated attention to these few officials and choose them wisely.

It is impossible to have the people choose wisely when they are called upon by the party bosses and party machines to vote on 200 or 300 names at a time. Tammany Hall, for example, has a committeeman for each 25 voters of New York City, a committee so large that Madison Square Garden could not hold it. Its primary ballot contains from 300 to a thousand names. The consequence is that democracy is defeated and "bossism" is enthroned.

Gov. Johnson, of California, put the matter in a nutshell in his last annual message, when he said:

> It is time we stopped scolding the voters for their inattention to the offices at the foot of the ticket and cut the ballot down to the number of officials that they will take the trouble to select. The job of reforming the voter is too big. He has a living to make and has to have some fun as he goes along. But the job of reforming the ballot is simple. All that is needed is to cut out the offices that have to do merely with the routine and clerical work and call on the voter to elect only those that control policies.

Over 200 cities and towns have adopted some form of this improved method of city government within the last two years, the list submitted being incomplete and imperfect.

I submit a form of ballot used by Grand Junction, Colo., which is the most improved form of municipal ballot that has yet been adopted. The Grand Junction ballot gives the first, second, and third choice to each citizen for the members of the city council. If there are not a sufficient number of votes of the first choice to give a majority of the votes, then the first and second choices are added together. If that does not give a majority, then the first, second, and third choices are added together, which always results in a majority vote, so that it requires no nomination and subsequent election. One election is enough. At one election the public officials are both nominated and elected. It is economical and it is satisfactory in its results and operation.

OFFICIAL BALLOT.

GENERAL MUNICIPAL ELECTION, CITY OF GRAND JUNCTION, COLO., NOVEMBER 2, A. D. 1909.

INSTRUCTIONS.—To vote for any person, make a cross (X) in ink in the square in the appropriate column according to your choice, at the right of the name voted for. Vote your first choice in the first column; vote your second choice in the second column; *vote any other choice* in the third column; vote only one first and only one second choice. Do not vote more than one choice for one person, as only one choice will count for any candidate by this ballot. Omit voting for one name for each office, if more than one candidate therefor. All distinguishipg marks make the ballot void. If you wrongly mark, tear, or deface this ballot, return it and obtain another.

For Commissioner of Public Affairs:	1st choice.	2d choice.	3d choice.	Totals.
D. W. AUPPERLE	465	143	145	753
W. H. BANNISTER	608	93	43	739
N. A. LOUGH	99	231	238	568
E. B. LUTES	41	114	88	243
EDWIN M. SLOCOMB	243	357	326	926
THOS. M. TODD	362	293	396	1,051

For Commissioner of Water and Sewers:		
BOSTWICK W. VEDDER		

For Commissioner of Finance and Supplies:		
LEON J. CHAPMAN		
H. F. VORBECK		

For Commissioner of Highways:	1st choice.	2d choice.	3d choice.
JOHN W. ARMSTRONG			
ROBERT M. HARDINGE			
HENRY B. POTORF			
THOS. H. RADER			
S. J. SCOVILL			

For Commissioner of Health and Civic Beauty:	1st choice.	2d choice.
CHAS. GASHO		
CHAS. K. HOLMBURG		
D. B. WRIGHT		

No. 769.

Official ballot for election precinct No. 16, in Grand Junction, Mesa County, Colo., November 2, 1909.

H. F. VORBECK, *City Clerk.*

The following letter of Karl A. Bickel, Esq., of Grand Junction, Colo., explains its working:

STATE OF COLORADO,
LEGAL DEPARTMENT, INHERITANCE TAX DIVISION.

Senator ROBERT L. OWEN,
Senate, Washington, D. C.

In re sample preferential ballot, with results in one set shown:

Had the election been conducted under the old-style plan, as is common in 85 per cent of American cities, Bannister, the "old-gang" candidate, would have been elected. Had it been conducted along the cumbersome Des Moines system, the race would have been between Aupperle and Bannister. Yet when the people had fully and accurately expressed themselves on all the candidates and demonstrated their full choice, it was shown that Bannister was not within the first three of being the most desired man, and that Aupperle did not have within 196 votes of a majority of all votes cast, and that Todd was the only man of the six who did have the support of a majority of the voters—that is, a majority of the voters would rather have Todd elected than any other man, although a large number of those who voted for Todd had preferences above him. The preferential system keeps the whole people organized to smash the organized minority and prevents minority rule. There were not as many spoiled ballots as a result of the G. J. preferential election than usual in the Australian-ballot elections.

K. A. BICKEL.

Mr. President, I have submitted this matter because I regard it as having very great influence upon the integrity of the Government of the United States. This method has been found to work so well that, within the strict interpretation of what might be called a commission form of government, there are nearly 200 cities that have recently, within three years past, adopted this method of governing in 27 States, and if it would not weary the Senate I should like to call attention to some of them.

The two great cities of Alabama, for instance, Birmingham and Montgomery.

In California, Santa Cruz, Berkeley, Modesto, Oakland, San Diego, San Luis Obispo, Vallejo, and Monterey.

In Colorado, Colorado Springs, Grand Junction, and, I believe, Denver now has adopted it.

Idaho, Lewiston.

Illinois, Carbondale, Decatur, Dixon, Elgin, Hillsboro, Jacksonville, Kewanee, Moline, Ottawa, Pekin, Rochelle, Rock Island, Springfield, Spring Valley, Waukegan, and Clinton.

Iowa, Burlington, Cedar Rapids, Davenport, Des Moines, Fort Dodge, Keokuk, Marshalltown, and Sioux City.

Kansas, Anthony, Abilene, Coffeyville, Cherryvale, Caldwell, Council Grove, Dodge City, Emporia, Eureka, Girard, Hutchinson, Independence, Iola, Leavenworth, Kansas City, Marion, Newton, Neodesha, Parsons, Pittsburg, Topeka, Wichita, and Wellington.

Kentucky, Newport.

Louisiana, Shreveport.

Maryland, Cumberland.

Massachusetts, Gloucester, Haverhill, Lynn, and Taunton.

Michigan, Harbor Beach, Port Huron, Pontiac, and Wyandotte.

Mississippi, Clarksdale and Hattiesburg.

Minnesota, Faribault and Mankato.

New Mexico, Roswell.

North Carolina, Greensboro, High Point, and Wilmington.

North Dakota, Bismarck, Mandan, and Minot.

Oklahoma, Ardmore, Bartlesville, Duncan, El Reno, Enid, Miami, McAlester, Muskogee, Purcell, Sapulpa, Tulsa, Wagoner, Guthrie, and Oklahoma City.

Oregon, Baker City.

South Carolina, Columbia.

South Dakota, Dell Rapids, Huron, Pierre, Rapid City, Sioux Falls, Vermilion, Yankton, Aberdeen, Canton, and Chamberlain.

Tennessee, Memphis.

Texas, Aransas Pass, Austin, Beaumont, Corpus Christi, Port Arthur, Dallas, Denison, Fort Worth, Galveston, Greenville, Houston, Kenedy, Marble Falls, Marshall, Palestine, Port Lavaca, and Sherman.

Utah, Salt Lake City.

Washington, Spokane and Tacoma.

West Virginia, Bluefield, Huntington, and Parkersburg.

Wisconsin, Eau Claire and Appleton.

In Texas, among the cities, I call attention to Dallas, the largest city in the State; to Houston, Fort Worth, Galveston, and a large number of others.

Mr. MARTINE of New Jersey. I will state in this connection that in New Jersey it has taken a strong hold of the people there. The city of Trenton, the capital of our State, has recently ratified it. It is now being agitated in the great city of Jersey City, in New Brunswick, Plainfield, and a number of other cities. It is taking a strong hold upon the people of New Jersey.

Mr. OWEN. I have thought it proper to submit this matter to the Senate because I think it deserves to have the attention of the country called to it as an agency for bringing about a restoration of honest government in this country. Our municipalities, and especially our great municipalities, have been most seriously afflicted by a partisan or bipartisan system of corrupt politics, of which the examples are too numerous to mention and some of them so egregious as to make it a serious humiliation to the American Republic. The condition which was exposed by Francis J. Heney and Rudolph Spreckels in San Francisco is a painful exhibition of it. Ben Linsay's disclosure of the conditions in Denver was equally bad. The disclosures of Joe Folk in St. Louis were just as striking and painful. In Pittsburg, where 116 men, including a large part of the city council, the legislative authority of that city, mercenaries who were engaged in a wholesale conspiracy to rob that city and the people of the city under the party and ward service in the governing business. The conditions in Harrisburg, Pa., the conditions in Philadelphia, in New York, in Albany, and in Boston furnish a like painful and sorrowful record.

I wish to say that this method of governing municipalities by the commission plan is not only adapted to villages and to towns, but to great cities, cities as large as New York City and Philadelphia, and the bigger the city the more efficient and valuable becomes the principle of governing the municipality by the commission plan, which concentrates power and makes those who exercise it responsible directly to the people under the initiative, referendum, and recall.

Mr. HEYBURN. Would it apply to States? Why not apply it to States?

Mr. OWEN. Mr. President, the system of a short ballot is capable of being applied to very large cities, and I think it might, under suitable modifications, be wisely applied to the governing business of States.

Mr. HEYBURN. Then what would become of the constitution of a State, if you are going to substitute five men, with all of the powers of the legislative, judicial, and executive government?

Mr. OWEN. If the people of the State take charge of the governing function in the State of Idaho, or any other State, they will be able to govern it with efficiency and with wisdom, and without any fear of destroying government. I think it would be a good thing if the legislatures of the States were not so large. They are sometimes too large, and I know they would do better if they were subject to the initiative, referendum, and recall.

Mr. HEYBURN. Would five be sufficient?

Mr. OWEN. The Senator may determine from the size of his own State what he would regard as a sufficient number. I think it would be dependent upon the number of people to be found in any given State.

But I do not care to discuss a matter which is so remote from this. It is sufficient to call the attention of the country to the expediency of this method of administering the government of municipalities and its wonderful success where it has been tried, and I have done so for the purpose of promoting efficiency and honesty of government not only in cities, but in counties, States, and Nation. For it must be always remembered that a corrupt city boss uses his city machine to levy tribute on the county-machine managers, on the State-machine managers, and on the national-machine managers to demand public offices and legislative and administrative favor for himself and his commercial and political allies.

Mr. President, the great problem of the present time is the restoration of equality of opportunity, so that every man, every woman, and every child may receive and enjoy a fair return for labor honorably and faithfully performed; so that every human being can have an equal opportunity to enjoy the providences of God and the inalienable rights of life, liberty, and pursuit of happiness.

The only way that this equality of opportunity can be established is through genuine, real self-government of the people, by the people, for the people. Under actual self-government when the majority of the people are in power—the majority of the people will always refuse to grant special privileges to the few at the expense of the many; refuse to grant to the few the right to tax the many for the benefit of the few at the cost of the many.

It will not do to say that the people have self-government when in reality they are actually governed by machine politics; when under the mechanism of party management their governors, Congressmen, and Presidents are nominated by the delegated delegates in State conventions of delegated delegates in county conventions sent by ward and precinct caucuses manipulated by local bosses and their henchmen; where the machine under the mechanism of party management can nominate all public officials under a system which does not give to each citizen an equal opportunity, through the mandatory direct primary, safeguarded by law, to nominate public officers; where there is no thoroughgoing corrupt practices act to prevent the

machine politicians from false registration, from stuffing the ballot box or stealing the elections, through a variety of fraudulent practices; where there is no system by which the people can recall crooked officials or veto laws which the people do not want, or initiate laws which the people do want, it is perfectly obvious to the most casual observer that the people do not rule, but are ruled by the mechanism of machine politics under the guidance of the so-called local, county, and State boss, because the machine is in control in a majority of States.

Of course in nominating the President or in nominating any other important officer, as a governor of a State, the machine will not dare to nominate a man who is incapable of standing a campaign. But it must always be remembered that all men, including public men, are influenced powerfully by their environment and political associations and affiliations, and that the great corporate monopolies of the country are fully aware of those whose predilections will enable them to be subjected to influences in the interest of big business.

It is not at all necessary to suggest that machine candidates are of necessity dishonest or even insincere. It is sufficient that they are subject to the domination or influence of special interests. In this event, the people are not in reality exercising the right to rule, but they are being ruled by nominees and candidates chosen against the interests of the people, and who would be greatly disliked by the people if the people really understood what to expect from them.

Self-government is through two main systems; either it is party government in combination with constitutional government or self-government solely through the constitutional form; that is, the direct rule of the people through constitutional forms, without having party government.

The great political problem of the age is, How can real self-government be reestablished in national affairs, and be reestablished in the States and in the towns and cities wherein as yet the people are still out of power?

The line of least resistance in reestablishing the self-government of the people is through the initiative and referendum by questioning candidates on this issue when the candidate is seeking votes. The ordinary candidate will not dare to refuse his promise to support the initiative and referendum when he is seeking to be nominated or elected, if vigorously questioned by organized bodies of voters. To do so is to ask the voters to support him as a lawmaker and at the same time to deny the people whose votes he solicits their right to initiate any law they do want or to veto any law they do not want. Few candidates have the hardihood to do this. No candidate can succeed in it where the people are in earnest in making the demand.

With the initiative and referendum established, so that the people can initiate any law they do want and veto any law they do not want, the next steps are easy—to establish a thoroughgoing, mandatory, direct primary, safeguarded by law, and to establish, also, a thoroughgoing corrupt-practices act that will secure an honest registration law, faithfully administered, and will guarantee likewise elections free from bribery, coercion, and corruption. In this way self-government can be secured for the States as States.

For villages, towns, cities, and counties the answer is: Secure from the legislature the right to establish a system of government in which a small number of representatives—town or county commissioners—directly nominated, directly elected, and subject to recall, shall be directly chosen by the people, responsible to the people, and who shall be both the legislators and the executors of the public will. They will then conduct the governing business for the people. The name of the system is The Commission Form of Municipal Government. It may be easily adapted to counties and to States.

It completely establishes the self-government of the people, and will make it thoroughly efficient and honest.

COMMERCIALISM IN GOVERNMENT.

Commercialism has invaded the governing function. The administrative branches of the Government, the legislative branches of the Government, and even the judicial departments of Government are not free from its corrupting influence.

Commercialism has insinuated itself unfairly, unjustly, and corruptly into the governing function in counties, in towns, in cities, in States, and in the Nation.

Secret alliances have been entered into in innumerable counties, cities, and States between various special interests and the so-called partisan or bipartisan political machines.

These special interests have an infinite variety of forms. It may be a gas company desiring to monopolize the gas at a high rate in some city; it may be a traction company; it may be a water company; it may be a municipal-contract company dealing with the paving, sewerage, municipal buildings; it may be the Oil Trust, Tobacco Trust, or any of a thousand trusts in commerce, transportation, or public utilities; it may be any form of selfish interest or a combination of them.

It may be a combination of mere political mercenaries banded together to put themselves in office, inspired not by patriotism, not by desire to render public service, but banded together by the "cohesive power of public plunder."

The main point is that these special interests use the political machine as an agency through which they can promote their selfish interests at the expense of the general welfare.

CORRUPT MACHINE POLITICS MUST BE TERMINATED.

It is for this reason that machine politics must be overthrown and will be overthrown by the progressive movement, which stands for an honest registration act, an honest election law and secret ballot, a direct primary law, a thoroughgoing corrupt-practices prevention act, the initiative and referendum and recall, the commission form of government for cities, the publicity pamphlet, a strict civil service, for direct nomination of party delegates and of the presidential and vice presidential candidates, and so forth. By these processes the power of the political machine as an agency for corrupt government in the service of the special interests against the general welfare can be greatly abated and finally terminated.

It sometimes happens that even a political machine is in the hands of ambitious but upright men, who do not lose sight of honest government and may give the people a fairly satisfactory government, but the opportunities for corruption of government under this system is always open to the unscrupulous when men inspired alone by the general welfare grow weary, inattentive, and relax their vigilance. It is a bad system, defective, and full of pitfalls.

THE POLITICAL MACHINE.

Mr. President, legitimate organization of patriotic men to promote the policies of government in which they believe is highly commendable and meets with my cordial and warm approval. I have always been active myself in promoting and taking personal part in what I deemed legitimate political organization for patriotic purposes; but when legitimate party organization degenerates into a corrupt and corrupting political machine, led by mercenaries with sinister purposes, who get possession of the machinery of political organization, under color of intense devotion to the party service or of great zeal in promoting party doctrines, and resort to corrupt practices, it should be restrained and abated. When party knaves engage in false registration of voters, registering absentees, dead men, fictitious persons, and ghosts, and thereafter have such falsely registered electors impersonated at the polls and falsely vote them; when they stuff the ballot box with fictitious ballots; when their strikers mutilate the ballots of honest men to defeat the public will; when they make a false count of the registered votes; when they make false returns of the registered votes; when they steal the election by corrupt practices, coercing men who are unfortunate, poor, or dependent; when they bribe voters by the thousand, as they did in Adams and Scioto Counties, Ohio; and put unworthy allies into office and public power; when they enter into unholy alliance with sinister commercial interests to defeat the public will, to buy municipal councils, as they were exposed in doing in San Francisco, in Denver, in St. Louis, in Chicago, in Pittsburg, and in innumerable cities; when they and their office-holding allies enter into corrupt agreements with municipal contractors to defraud the people of the city in the building of streets, bridges, sewers, and waterworks; when they give away or convey for a trifling consideration valuable franchises belonging to the people of the cities, or the people of the States, or the people of the United States, through corrupt combinations of this character; when they nominate public officials, secretly pledged to serve special interests, by packing conventions in towns, cities, counties, and States; when these combinations nominate Members of Congress and procure the election of Senators by bribery and corrupt methods and practices as the servants of special interests, the time has come when an end shall be put to it by the people of the United States and the integrity of government be reestablished by the overthrow of such corrupt machines whether in city, State, or Nation.

The corrupt political machine is the chief agency through which special interests operate in the United States. Those desiring special privilege contribute large sums of money to the organized machine—to the local, the city, the State, or the national political "boss." They bring about the coercion of employees of corporations by tens of thousands for the support of machine rule. They furnish the means for bribery and corrupt practices and are paid back their investment by the machine or the boss at public expense—by county contracts, by municipal contracts, by laws they desire passed or laws they desire defeated, by immunity from law, by the law's delay,

or by the appointment of various officials who administer the law, prosecuting attorneys, and even of judges on the bench who will interpret the law favorably to them.

It is extremely difficult for the ordinary citizen to uncover, expose, and punish these corrupt and corrupting processes.

Corrupting special interests will not hesitate to spend money for the purchase of seats on the floor of the Senate and to use other corrupt processes to unfairly influence legislators in the choice of Senators. When a Senator is to be elected every available pull on the individual member of the legislature is taken advantage of through the ambition, the interest, the selfishness, the weakness, or the affections and obligations of the individual member of the general assembly. Any member of the general assembly whose house is mortgaged, who has serious debts he can not meet, is thus capable of being subjected to such unfair pressure. It is for these reasons that the people of the United States demand election of Senators by direct vote of the people. It is for these reasons that Oregon and other States are adopting the people's rule system and the presidential-preference voting system, so that the citizens may deal directly with the nomination of a President. It is for these reasons that the people of this country are demanding direct primaries, so that they can select all candidates and party delegates, and explains the demand for the initiative and referendum, so that they can initiate the laws they do want and veto the laws they do not want. By the initiative system alone can they force through thoroughgoing corrupt-practices prevention acts in the several States over the heads of legislatures controlled by corrupt machines. It is for these reasons that the short ballot has been so widely advocated and so largely adopted in municipalities. It is for these reasons the people demanded improved methods of administering the business of the House of Representatives and relieving that body from machine methods, and it is for these reasons that a commission form of government for municipalities is so desired and so necessary.

Mr. HEYBURN. Mr. President, a word. It is the most astonishing doctrine I have ever heard announced in a responsible tribunal or upon a responsible occasion, that the people, tiring of the exercise of the functions of self-government, should hire somebody to perform it for them. That is all it amounts to. You hire three or five men, giving them absolute power to name the judiciary and the executive officers, you pay them so much a year, and there is nobody above them to whom they are responsible. It is the most astonishing proposition of abandoning self-government that I have ever heard, and were there any foundation for it it would be a reflection on and impeachment of the American people that ought to discredit them in the eyes of all the nations of the earth.

EXHIBIT A.

DEPARTMENT OF COMMERCE AND LABOR,
BUREAU OF THE CENSUS,
Washington, May 27, 1911.

Hon. ROBERT L. OWEN,
United States Senate, Washington, D. C.

MY DEAR SENATOR: In reply to the inquiry by telephone of your secretary, I am sending you herewith a tabular statement of the urban and rural population of the United States, as printed in the census of 1900. The figures for 1910 are available as yet only for a few States, and from these no general statement could be made to-day which would be serviceable as indicative of conditions in the entire country. It is expected that the information relative to this matter will be fully tabulated next week, and I can arrange to have it sent to you when completed if at that time it would serve your purposes.

Very respectfully,

ROLAND P. FALKNER, *Acting Director.*

City and county population, 1900 and 1890.

	Population.		Per cent of total population.	
	1900	1890	1900	1890
United States	75,994,575	62,947,714	100.0	100.0
Cities:				
100,000 and over	14,208,347	9,697,960	18.7	15.4
25,000 to 100,000	5,509,965	4,291,608	7.3	6.8
8,000 to 25,000	5,273,887	4,255,057	6.9	6.7
4,000 to 8,000	3,380,193	2,449,299	4.4	3.9
2,500 to 4,000	2,211,019	1,865,443	2.9	3.0
All cities	30,583,411	22,559,367	40.2	35.8
Country districts	45,411,164	40,388,347	59.8	64.2

EXHIBIT B.

THE IOWA LAW.

[Passed by the General Assembly of Iowa, 1907, and amended, 1909. Adopted by the city of Des Moines, Iowa, at a special election held June 20, 1907. The election of the first council (commissioners) provided for in the act took place in March, 1908. The "plan" became operative April 1, 1908.]

An act to provide for the government of certain cities and the adoption thereof by special election "additional to Title V of the code." [Approved, Mar. 29, 1907, and as amended Mar. 30 and Apr. 16, 1909.]

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. [Sec. 1056-a17. SUPPLEMENT TO THE CODE OF 1907—CITIES AFFECTED.] Cities having by the last preceding State or national census a population of 7,000 or over, including any such city acting under special charter, may become organized as a city under the provisions of this act by proceeding as hereinafter provided. [As amended, 1909.]

SEC. 2. [Sec. 1056-a18. PETITION—QUESTION SUBMITTED—RESULT CERTIFIED—ELECTION OF OFFICERS.] Upon petition of electors equal in number to 25 per cent of the votes cast for all candidates for mayor at the last preceding city election of any such city, the mayor shall, by proclamation, submit the question of organizing as a city under this act at a special election to be held at a time specified therein, and within two months after said petition is filed: *Provided, however*, That in case any city is located in two or more townships said petition shall be signed by 25 per cent of the qualified electors of said city residing in each of said townships. If said plan is not adopted at the special election called, the question of adopting said plan shall not be resubmitted to the voters of said city for adoption within two years thereafter, and then the questions to adopt shall be resubmitted upon the presentation of a petition signed by electors as hereinbefore provided, equal in number to 25 per cent of the votes cast for all candidates for mayor at the last preceding general city election. At such election the proposition to be submitted shall be "Shall the proposition to organize the city of (name the city), under chapter 14-c of the supplement to the code, 1907, as amended by the acts of the thirty-third general assembly, be adopted?" and the election thereupon shall be conducted, the vote canvassed, and the result declared in the same manner as provided by law in respect to other city elections. If the majority of the votes cast shall be in favor thereof, cities having a population of 25,000 and over shall thereupon proceed to the election of a mayor and four councilmen, and cities having a population of 7,000 and less than 25,000 shall proceed to the election of a mayor and two councilmen, as hereinafter provided. Immediately after such proposition is adopted the mayor shall transmit to the governor, to the secretary of state, and to the county auditor each a certificate stating that such proposition was adopted. At the next regular city election after the adoption of such proposition there shall be elected a mayor and councilmen. In the event, however, that the next regular city election does not occur within one year after such special election the mayor shall, within 10 days after such special election, by proclamation, call a special election for the election of a mayor and councilmen, 60 days' notice thereof being given in such call, such election in either case to be conducted as hereinafter provided. [As amended, 1909.]

SEC. 3. [Sec. 1056-a19. STATUTES APPLICABLE—EXISTING ORDINANCES, RESOLUTIONS, ETC.] All laws governing cities of the first and second class [as amended, 1909] and not inconsistent with the provisions of this act, and sections 955, 956, 959, 964, 989, 1000, 1023, and 1053 of the code now applicable to special-charter cities and not inconsistent with the provisions of this act shall apply to and govern cities organized under this act. All by-laws, ordinances, and resolutions lawfully passed and in force in any such city under its former organization shall remain in force until altered or repealed by the council elected under the provisions of this act. The territorial limits of such city shall remain the same as under its former organization, and all rights and property of every description which were vested in any city under its former organization shall vest in the same under the organization herein contemplated, and no right or liability either in favor of or against it, existing at the time, and no suit or prosecution of any kind shall be affected by such change, unless otherwise provided for in this act. [As amended, 1909.]

SEC. 4. [Sec. 1056-a20. ELECTIVE OFFICERS—VACANCIES—TERMS OF OFFICE.] In every city having a population of 25,000 and over there shall be elected at the regular biennial municipal election a mayor and four councilmen, and in every city having a population of 7,000 and less than 25,000 there shall be elected at such election a mayor and two councilmen. [As amended, 1909.]

If any vacancy occurs in any such office, the remaining members of said council shall appoint a person to fill such vacancy during the balance of the unexpired term.

Said officers shall be nominated and elected at large. Said officers shall qualify and their terms of office shall begin on the first Monday after their election. The terms of office of the mayor and councilmen or aldermen in such city in office at the beginning of the terms of office of the mayor and councilmen first elected under the provisions of this act shall then cease and determine, and the terms of office of all other appointive officers in force in such city, except as hereinafter provided, shall cease and determine as soon as the council shall by resolution declare.

SEC. 5. [Sec. 1056-a21. CANDIDATES—HOW NOMINATED—PRIMARY ELECTION—BALLOT—CANVASS OF VOTES—RESULT PUBLISHED—MUNICIPAL ELECTION.] Candidates to be voted for at all general municipal elections at which a mayor and councilmen are to be elected under the provisions of this act shall be nominated by a primary election, and no other names shall be placed upon the general ballot except those selected in the manner hereinafter prescribed. The primary election for such nomination shall be held on the second Monday preceding the general municipal election. The judges of election appointed for the general municipal election shall be the judges of the primary election, and it shall be held at the same place, so far as possible, and the polls shall be opened and closed at the same hours, with the same clerks as are required for said general municipal election. Any person desiring to become a candidate for mayor or councilman shall, at least 10 days prior to said primary election, file with the said clerk a statement of such candidacy, in substantially the following form:

STATE OF IOWA, ——— *County, ss:*

I, ——— ———, being first duly sworn, say that I reside at ——— Street, city of ———, county of ———, State of Iowa; that I am a qualified voter therein; that I am a candidate for nomination to the office of (mayor or councilman), to be voted upon at the primary election to be held on the ——— Monday of ———, 19—, and I hereby request that my name be printed upon the official primary ballot for nomination by such primary election for such office.

(Signed) ——— ———

Subscribed and sworn to (or affirmed) before me by ——— on this —— day of ———, 19—.

(Signed) ——— ———,

and shall at the same time file therewith the petition of at least 25 qualified voters requesting such candidacy. Each petition shall be verified by one or more persons as to the qualifications and residence, with street number, of each of the persons so signing the said petition, and the said petition shall be in substantially the following form:

Petition accompanying nominating statement.

The undersigned, duly qualified electors of the city of ——— and residing at the places set opposite our respective names hereto, do hereby request that the name of (name of candidate) be placed on the ballot as a candidate for nomination for (name of office) at the primary election to be held in such city on the ——— Monday of ———, 19—. We further state that we know him to be a qualified elector of said city and a man of good moral character and qualified in our judgment for the duties of such office.

Names of qualified electors.	Number.	Street.

Immediately upon the expiration of the time of filing the statements and petition for candidacies the said city clerk shall cause to be published for three successive days in all the daily newspapers published in the city, in the proper form, the names of the persons as they are to appear upon the primary ballot, and if there be no daily newspaper, then in two issues of any other newspapers that may be published in said city; and the said clerk shall thereupon cause the primary ballots to be printed, authenticated with a facsimile of his signature. Upon the said ballot the names of the candidates for mayor, arranged alphabetically, shall first be placed, with a square at the left of each name, and immediately below the words, "Vote for one." Following these names, likewise arranged in alphabetical order, shall appear the names of the candidates for councilmen, with a square at the left of each name, and below the names of such candidates shall appear the words, "Vote for four," or "Vote for two," as the case may be. The ballot shall be printed upon plain, substantial, white paper, and shall be headed:

"Candidates for nomination for mayor and councilmen of ——— city at the primary election," but shall have no party designation or mark whatever. The ballots shall be in substantially the following form:

(Place a cross in the square preceding the names of the parties you favor as candidates for the respective positions.)

OFFICIAL PRIMARY BALLOT.

Candidates for nomination for mayor and councilmen of ——— city at the primary election.

For Mayor.

(Name of Candidate.)

(Vote for one.)

(For Councilman.)

(Name of Candidate.)

(Vote for four) or (vote for two) as the case may be.

Official ballot attest:

(Signature) ———,

City Clerk.

Having caused said ballots to be printed, the said city clerk shall cause to be delivered at each polling place a number of said ballots equal to twice the number of votes cast in such polling precinct at the last general municipal election for mayor. The persons who are qualified to vote at the general municipal election shall be qualified to vote at such primary election, and challenges can be made by not more than two persons, to be appointed at the time of opening the polls by the judges of election; and the law applicable to challenges at a general municipal election shall be applicable to challenges made at such primary election. Judges of election shall, immediately upon the closing of the polls, count the ballots and ascertain the number of votes cast in such precinct for each of the candidates, and make return thereof to the city clerk upon proper blanks to be furnished by the said clerk within six hours of the closing of the polls. On the day following the said primary election the said city clerk shall canvass said returns so received from all the polling precincts, and shall make and publish in all the newspapers of said city, at least once, the result thereof. Said canvass by the city clerk shall be publicly made. The two candidates receiving the highest number of votes for mayor shall be the candidates, and the only candidates, whose names shall be placed upon the ballot for mayor at the next succeeding general municipal election, and in cities having a population of 25,000 and over the eight candidates receiving the highest number of votes for councilman, or all such candidates if less than eight, and in cities having a population of 7,000 and less than 25,000 the four candidates receiving the highest number of votes for councilman, or all such candidates if less than four, shall be the candidates, and the only candidates, whose names shall be placed upon the ballot for councilman at such municipal election. All electors of cities under this act who by the laws governing cities of the first and second class and cities acting under special charter would be entitled to vote for the election of officers at any general municipal election in such cities shall be qualified to vote at all elections under this act; and the ballot at such general municipal election shall be in the same general form as for such primary election, so far as applicable, and in all elections in such city the election precinct, voting places, method of conducting election, canvassing the vote, and announcing the results shall be the same as by law provided for election of officers in such cities, so far as the same are applicable and not inconsistent with the provisions of this act. [As amended, 1909.]

SEC. 5-A. [Sec. 1056-a22. SERVICES FOR HIRE—PENALTY.] Any person who shall agree to perform any services in the interest of any candidate for any office provided in this act, in consideration of any money or other valuable thing for such services performed in the interest of any candidate, shall be punished by a fine not exceeding $300, or be imprisoned in the county jail not exceeding 30 days.

SEC. 5-B. [Sec. 1056-a23. BRIBERY AND ILLEGAL VOTING—PENALTY.] Any person offering a bribe, either in money or other consideration, to any elector for the purpose of influencing his vote at any election provided in this act, or any elector entitled to vote at any such election receiving and accepting such bribe or other consideration; any person making false answer to any of the provisions of this act relative to his qualifications to vote at said election; any person willfully voting or offering to vote at such election who has not been a resident of this State for six months next preceding said election, or who is not 21 years of age, or is not a citizen of the United States, or knowing himself not to be a qualified elector of such precinct where he offers to vote; any person knowingly procuring, aiding, or abetting any violation hereof shall be deemed guilty of a misdemeanor, and upon conviction shall be fined a sum not less than $100 nor more than $500 and be imprisoned in the county jail not less than 10 nor more than 90 days.

SEC. 6. [Sec. 1056-a24. COUNCIL—QUORUM—MAYOR TO PRESIDE.] Every city having a population of 25,000 and over shall be governed by a council consisting of the mayor and 4 councilmen, and every city having a population of 7,000 and less than 25,000 shall be governed by a council consisting of the mayor and 2 councilmen, chosen as provided in this act, each of whom shall have the right to vote on all questions coming before the council. In cities having 4 councilmen 3 members of the council shall constitute a quorum, and in cities having 2 councilmen 2 members of the council shall constitute a quorum, and in cities having 4 councilmen the affirmative vote of 3 members, and in cities having 2 councilmen the affirmative vote of 2 members shall be necessary to adopt any motion, resolution, or ordinance or pass any measure, unless a greater number is provided for in this act. [As amended, 1909.]

Upon every vote the yeas and nays shall be called and recorded, and every motion, resolution, or ordinance shall be reduced to writing and read before the vote is taken thereon. The mayor shall preside at all meetings of the council; he shall have no power to veto any measure, but every resolution or ordinance passed by the council must be signed by the mayor or by two councilmen and be recorded before the same shall be in force.

SEC. 7. [Sec. 1056-a25. COUNCIL—POWERS AND DUTIES—DEPARTMENTS.] The council shall have and possess and the council and its members shall exercise all executive, legislative, and judicial powers and duties now had, possessed, and exercised by the mayor, city council, solicitor, assessor, treasurer, auditor, city engineer, and other executive and administrative officers in cities of the first and second class, and in cities under special charter, and shall also possess and exercise all executive, legislative, and judicial powers and duties now had and exercised by the board of public works, park commissioners, the board of police and fire commissioners, board of waterworks trustees, and board of library trustees in all cities wherein a board of public works, park commissioners, board of police and fire commissioners, board of waterworks trustees, and board of library trustees now exist or may be hereafter created. [As amended, 1909.]

The executive and administrative powers, authority, and duties in such cities shall be distributed into and among five departments, as follows:

1. Department of public affairs.
2. Department of accounts and finance.
3. Department of public safety.
4. Department of streets and public improvements.
5. Department of parks and public property.

The council shall determine the powers and duties to be performed by and assign them to the appropriate department; shall prescribe the powers and duties of officers and employees; may assign particular officers and employees to one or more of the departments; may require an officer or employee to perform duties in two or more departments; and may make such other rules and regulations as may be necessary or proper for the efficient and economical conduct of the business of the city.

SEC. 8. [Sec. 1056-a26. DEPARTMENT SUPERINTENDENTS, OFFICERS, AND ASSISTANTS.] The mayor shall be superintendent of the department of public affairs, and the council shall at the first regular meeting after election of its members designate by majority vote one councilman to be superintendent of the department of accounts and finances; one to be superintendent of the department of public safety; one to be superintendent of the department of street and public improvements; and one to be superintendent of the department of parks and public property: *Provided, however,* That in cities having a population of less than 25,000 there shall be designated to each councilman two of said departments. Such designation shall be changed whenever it appears that the public service would be benefited thereby. The council shall, at said first meeting or as soon as practicable thereafter, elect by majority vote the following officers: A city clerk, solicitor, assessor, treasurer, auditor, civil engineer, city physician, marshal, chief of fire department, market master, street commissioner, three library trustees, and such other officers and assistants as shall be provided for by ordinance and necessary to the proper and efficient conduct of the affairs of the city: *Provided, however,* That in cities having a population of less than 25,000 such only of the above-named officers shall be appointed as may, in the judgment of the mayor and councilmen, be necessary for the proper and efficient transaction of the affairs of the city. In those cities of the first class not having a superior court the council shall appoint a police judge. In cities of the second class not having a superior court the mayor shall hold police court, as now provided by law. Any officer or assistant elected or appointed by the council may be removed from office at any time by a vote of a majority of the members of the council, except as otherwise provided for in this act. [As amended, 1909.]

SEC. 9. [Sec. 1056-a27. POWER TO CREATE AND DISCONTINUE OFFICES.] The council shall have power from time to time to create, fill, and discontinue offices and employments other than herein prescribed, according to their judgment of the needs of the city, and may by majority vote of all the members remove any such officer or employee, except as otherwise provided for in this act, and may, by resolution or otherwise, prescribe, limit, or change the compensation of such officers or employees.

SEC. 10. [Sec. 1056-a28. OFFICE IN CITY HALL—SALARIES.] The mayor and councilmen shall have an office at the city hall, and their total compensation shall be as follows: In cities having by the last preceding State or national census a population of 7,000 and less than 10,000 the mayor's annual salary shall be $600 and each councilman $450. In cities having by such census a population of 10,000 and less than 15,000 the mayor's annual salary shall be $1,200 and each councilman $900. In cities having by such census a population of 15,000 and less than 25,000 the mayor's annual salary shall be $1,500 and each councilman $1,200. In cities having by such census a population of 25,000 and less than 40,000 the mayor's annual salary shall be $2,500 and each councilman $1,800. In cities having by such census a population of 40,000 and less than 60,000 the mayor's annual salary shall be $3,000 and each councilman $2,500, and in cities having by such census a population of 60,000 or more the mayor's annual salary shall be $3,500 and that of councilman $3,000. [As amended, 1909.]

Any increase in salary occasioned under the provisions of this scale by increase in population in any city shall commence with the month

next after the official publication of the census showing such increase therein.

Every other officer or assistant shall receive such salary or compensation as the council shall by ordinance provide, payable in equal monthly installments.

The salary or compensation of all other employees of such city shall be fixed by the council and shall be payable monthly or at such shorter periods as the council shall determine.

SEC. 11. [Sec. 1056–a29. MEETINGS—PRESIDENT OF COUNCIL—VICE PRESIDENT.] Regular meetings of the council shall be held on the first Monday after the election of councilmen, and thereafter at least once each month. The council shall provide by ordinance for the time of holding regular meetings, and special meetings may be called from time to time by the mayor or two councilmen. All meetings of the council, whether regular or special, at which any person not a city officer is admitted shall be open to the public.

The mayor shall be president of the council and preside at its meetings, and shall supervise all departments and report to the council for its action all matters requiring attention in either. The superintendent of the department of accounts and finances shall be vice president of the council, and in case of vacancy in the office of mayor, or the absence or inability of the mayor, shall perform the duties of the mayor.

SEC. 12. [Sec. 1056–a30. ORDINANCES AND RESOLUTIONS—FRANCHISES.] Every ordinance or resolution appropriating money or ordering any street improvement or sewer, or making or authorizing the making of any contract, or granting any franchise or right to occupy or use the streets, highways, bridges, or public places in the city for any purpose, shall be complete in the form in which it is finally passed, and remain on file with the city clerk for public inspection at least one week before the final passage or adoption thereof. No franchise or right to occupy or use the streets, highways, bridges, or public places in any city shall be granted, renewed, or extended except by ordinance, and every franchise or grant for interurban or street railways, gas or water works, electric light or power plants, heating plants, telegraph or telephone systems, or other public-service utilities within said city must be authorized or approved by a majority of the electors voting thereon at a general or special election, as provided in section 776 of the code.

SEC. 13. [Sec. 1056–a31. OFFICERS AND EMPLOYEES—WHAT PROHIBITED.] No officer or employee elected or appointed in any such city shall be interested, directly or indirectly, in any contract or job for work or materials, or the profits thereof, or services to be furnished or performed for the city; and no such officer or employee shall be interested, directly or indirectly, in any contract or job for work or materials, or the profits thereof, or services to be furnished or performed for any person, firm, or corporation operating interurban railway, street railway, gas works, waterworks, electric light or power plant, heating plant, telegraph line, telephone exchange, or other public utility within the territorial limits of said city. No such officer or employee shall accept or receive, directly or indirectly, from any person, firm, or corporation operating within the territorial limits of said city any interurban railway, street railway, gas works, waterworks, electric light or power plant, heating plant, telegraph line or telephone exchange, or other business using or operating under a public franchise, any frank, free ticket, or free service, or accept or receive, directly or indirectly, from any such person, firm, or corporation any other service upon terms more favorable than is granted to the public generally. Any violation of the provisions of this section shall be a misdemeanor, and every such contract or agreement shall be void.

Such prohibition of free transportation shall not apply to policemen or firemen in uniform; nor shall any free service to city officials heretofore provided by any franchise or ordinance be affected by this section. Any officer or employee of such city who, by solicitation or otherwise, shall exert his influence directly or indirectly to influence other officers or employees of such city to adopt his political views or to favor any particular person or candidate for office, or who shall in any manner contribute money, labor, or other valuable thing to any person for election purposes, shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine not exceeding $300 or by imprisonment in the county jail not exceeding 30 days.

SEC. 14 [Sec. 1056–a32. CIVIL SERVICE COMMISSIONERS—DUTIES—POWERS OF COUNCIL].—In cities having a population of 25,000 and over the council shall, and in cities having a population of 7,000 and less than 25,000 the council may, immediately after organizing, by ordinance appoint three civil service commissioners, who shall hold office, one until the first Monday in April of the second year after his appointment, one until the first Monday in April of the fourth year after his appointment, and one until the first Monday in April of the sixth year after his appointment: *Provided, however,* That in all cases in which no civil service commissioners are appointed by the council the council shall have the same powers and shall exercise and perform all the duties devolving upon such commissioners as provided for in this act. In cities wherein civil service commissioners have been appointed under the provisions of this act each succeeding council shall, as soon as practicable after organizing, appoint one commissioner for six years, who shall take the place of the commissioner whose term of office expires. [As amended, 1909.]

The chairman of the commission for each biennial period shall be the member whose term first expires. No person while on the said commission shall hold or be a candidate for any office of public trust. Two of said members shall constitute a quorum to transact business. The commissioners must be citizens of Iowa and residents of the city for more than three years next preceding their appointment.

The council may remove any of said commissioners during their term of office for cause, four councilmen voting in favor of such removal, and shall fill any vacancy that may occur in said commission for the unexpired term. The city council shall provide suitable rooms in which the said civil service commission may hold its meetings. They shall have a clerk, who shall keep a record of all its meetings, such city to supply the said commission with all necessary equipment to properly attend to such business.

(*a*) *Oath of office.*—Before entering upon the duties of their office, each of said commissioners shall take and subscribe an oath, which shall be filed and kept in the office of the city clerk, to support the Constitution of the United States and the State of Iowa, and to obey the laws, and to aim to secure and maintain an honest and efficient force, free from partisan distinction or control, and to perform the duties of his office to the best of his ability.

(*b*) *Examinations—Results certified.*—Said commission shall, on the first Monday of April and October of each year, or oftener if it shall be deemed necessary, under such rules and regulations as may be prescribed by the council, hold examinations for the purpose of determining the qualifications of applicants for positions, which examination shall be practical and shall fairly test the fitness of the persons examined to discharge the duties of the position to which they seek to be appointed. Said commission shall as soon as possible after such examination certify to the council double the number of persons necessary to fill vacancies, who, according to its records, have the highest standing for the position they seek to fill as a result of such examination, and all vacancies which occur, that come under the civil service, prior to the date of the next regular examination, shall be filled from said list so certified: *Provided, however,* That should the list for any cause be reduced to less than three for any division, then the council or the head of the proper department may temporarily fill a vacancy, but not to exceed 30 days.

(*c*) *Removals and discharges—Appeal.*—All persons subject to such civil-service examinations shall be subject to removal from office or employment by the council for misconduct or failure to perform their duties under such rules and regulations as it may adopt, and the chief of police, chief of the fire department, or any superintendent or foreman in charge of municipal work, may peremptorily suspend or discharge any subordinate then under his direction for neglect of duty or disobedience of his orders, but shall, within 24 hours thereafter, report such suspension or discharge, and the reason therefor, to the superintendent of his department, who shall thereupon affirm or revoke such discharge or suspension, according to the facts.

Such employee (or the officer who discharged or suspended him) may, within five days of such ruling, appeal therefrom to the council, which shall fully hear and determine the matter.

(*d*) *Witnesses—Annual report—Rules and regulations.*—The council shall have the power to enforce the attendance of witnesses, the production of books and papers, and power to administer oaths in the same manner and with like effect, and under the same penalties, as in the case of magistrates exercising criminal or civil jurisdiction under the statutes of Iowa.

Said commissioners shall make annual report to the council, and it may require a special report from said commission at any time; and said council may prescribe such rules and regulations for the proper conduct of the business of the said commission as shall be found expedient and advisable, including restrictions on appointment, promotions, removals for cause, roster of employees, certification of records to the auditor, and restrictions on payment to persons improperly employed.

(*e*) *Penalties.*—The council of such city shall have power to pass ordinances imposing suitable penalties for the punishment of persons violating any of the provisions of this act relating to the civil service commission.

(*f*) *Officers and employees affected.*—The provisions of this section shall apply to all appointive officers and employees of such city, except those especially named in section 8 of this act, commissioners of any kind (laborers whose occupation requires no special skill or fitness), election officials, and mayor's secretary and assistant solicitor, where such officers are appointed: *Provided, however,* That existing employees heretofore appointed or employed after competitive examination or for long service under the provisions of chapter 31, acts of the twenty-ninth general assembly, and subsequent amendments thereto, shall retain their positions without further examination unless removed for cause.

All officers and employees in any such city shall be elected or appointed with reference to their qualifications and fitness and for the good of the public service, and without reference to their political faith or party affiliations.

It shall be unlawful for any candidate for office, or any officer in any such city, directly or indirectly, to give or promise any person or persons any office, position, employment, benefit, or anything of value, for the purpose of influencing or obtaining the political support, aid, or vote of any person or persons.

Every elective officer in any such city shall, within 30 days after qualifying, file with the city clerk and publish at least once in a daily newspaper of general circulation his sworn statement of all his election and campaign expenses, and by whom such funds were contributed.

Any violation of the provisions of this section shall be a misdemeanor and be a ground for removal from office.

SEC. 15. [Sec. 1056–a33. MONTHLY ITEMIZED STATEMENT—ANNUAL EXAMINATION.] The council shall each month print in pamphlet form a detailed itemized statement of all receipts and expenses of the city and a summary of its proceedings during the preceding month, and furnish printed copies thereof to the State library, the city library, the daily newspapers of the city, and to persons who shall apply therefor at the office of the city clerk. At the end of each year the council shall cause a full and complete examination of all the books and accounts of the city to be made by competent accountants, and shall publish the result of such examination in the manner above provided for publication of statements of monthly expenditures.

SEC. 16. [1056–a34. APPROPRIATIONS.] If, at the beginning of the term of office of the first council elected in such city under the provisions of this act, the appropriations for the expenditures of the city government for the current fiscal year have been made, said council shall have power, by ordinance, to revise, to repeal, or change said appropriations and to make additional appropriations.

SEC. 17. [1056–a35. TERMS DEFINED.] In the construction of this act the following rules shall be observed, unless such construction would be inconsistent with the manifest intent or repugnant to the context of the statute:

1. The words "councilman" or "alderman" shall be construed to mean "councilman" when applied to cities under this act.

2. When an office or officer is named in any law referred to in this act, it shall, when applied to cities under this act, be construed to mean the office or officer having the same functions or duties under the provisions of this act, or under ordinances passed under authority thereof.

3. The word "franchise" shall include every special privilege in the streets, highways, and public places of the city, whether granted by the State or the city, which does not belong to the citizens generally by common right.

4. The word "electors" shall be construed to mean persons qualified to vote for elective offices at regular municipal elections.

SEC. 18. [1056–a36. REMOVAL OF ELECTIVE OFFICERS—PROCEDURE—ELECTION OF SUCCESSORS.] The holder of any elective office may be removed at any time by the electors qualified to vote for a successor of such incumbent. The procedure to effect the removal of an incumbent of an elective office shall be as follows: A petition signed by electors entitled to vote for a successor to the incumbent sought to be removed, equal in number to at least 25 per cent of the entire vote for all candidates for the office of mayor at the last preceding general municipal

election, demanding an election of a successor of the person sought to be removed shall be filed with the city clerk, which petition shall contain a general statement of the grounds for which the removal is sought. The signatures to the petition need not all be appended to one paper, but each signer shall add to his signature his place of residence, giving the street and number. One of the signers of each such paper shall make oath before an officer competent to administer oaths that the statements therein made are true as he believes, and that each signature to the paper appended is the genuine signature of the person whose name it purports to be. Within 10 days from the date of filing such petition the city clerk shall examine and from the voters' register ascertain whether or not said petition is signed by the requisite number of qualified electors, and, if necessary, the council shall allow him extra help for that purpose, and he shall attach to said petition his certificate, showing the result of said examination. If by the clerk's certificate the petition is shown to be insufficient, it may be amended within 10 days from the date of said certificate. The clerk shall, within 10 days after such amendment, make like examination of the amended petition, and if his certificate shall show the same to be insufficient it shall be returned to the person filing the same, without prejudice, however, to the filing of a new petition to the same effect. If the petition shall be deemed to be sufficient the clerk shall submit the same to the council without delay. If the petition shall be found to be sufficient the council shall order and fix a date for holding the said election, not less than 30 days or more than 40 days from the date of the clerk's certificate to the council that a sufficient petition is filed.

The council shall make, or cause to be made, publication of notice and all arrangements for holding such election, and the same shall be conducted, returned, and the result thereof declared, in all respects as are other city elections.

So far as applicable, except as otherwise herein provided, nominations hereunder shall be made without the intervention of a primary election by filing with the clerk at least 10 days prior to said election, a statement of candidacy accompanied by a petition signed by electors entitled to vote at said special election equal in number to at least 10 per cent of the entire vote for all candidates for the office of mayor at the last preceding general municipal election, which said statement of candidacy and petition shall be substantially in the form set out in section 1056–a21 of the supplement to the code, 1907, so far as the same is applicable, substituting the word "special" for the word "primary" in such statement and petition, and stating therein that such person is a candidate for election instead of nomination.

The ballot for such special election shall be in substantially the following form:

(Official ballot.)

Special election for the balance of the unexpired term of ——— ——— *as* ——— ———.

For ——— ———.
(Vote for one only.)
(Names of candidates.)
——— ———
——— ———

Name of present incumbent.
Official ballot attest:
(Signature) ——— ———
City Clerk.

The successor of any officer so removed shall hold office during the unexpired term of his predecessor. Any person sought to be removed may be a candidate to succeed himself, and unless he requests otherwise in writing, the clerk shall place his name on the official ballot without nomination. In any such removal election the candidate receiving the highest number of votes shall be declared elected. At such election if some other person than the incumbent receives the highest number of votes the incumbent shall thereupon be deemed removed from the office upon qualification of his successor. In case the party who receives the highest number of votes shall fail to qualify, within 10 days after receiving notification of election, the office shall be deemed vacant. If the incumbent receives the highest number of votes he shall continue in office. The same method of removal shall be cumulative and additional to the methods heretofore provided by law. (As amended, 1909.)

SEC. 19. [Sec. 1056–37. PETITIONS FOR ORDINANCES—ADOPTION OR SUBMISSION—HOW REPEALED OR AMENDED.] Any proposed ordinance may be submitted to the council by petition signed by electors of the city equal in number to the percentage hereinafter required. The signatures, verification, authentication, inspection, certification, amendment, and submission of such petition shall be the same as provided for petitions under section 18 hereof.

If the petition accompanying the proposed ordinance be signed by electors equal in number to 25 per cent of the votes cast for all candidates for mayor at the last preceding general election, and contains a request that the said ordinance be submitted to a vote of the people if not passed by the council, such council shall either—

(*a*) Pass said ordinance without alteration within 20 days after attachment of the clerk's certificate to the accompanying petition, or

(*b*) Forthwith after the clerk shall attach to the petition accompanying such ordinance his certificate of sufficiency, the council shall call a special election, unless a general municipal election is fixed within 90 days thereafter, and at such special or general municipal election, if one is so fixed, such ordinance shall be submitted without alteration to the vote of the electors of said city.

But if the petition is signed by not less than 10 nor more than 25 per cent of the electors, as above defined, then the council shall, within 20 days, pass said ordinance without change, or submit the same at the next general city election occurring not more than 30 days after the clerk's certificate of sufficiency is attached to said petition.

The ballots used when voting upon said ordinance shall contain these words: "For the ordinance" (stating the nature of the proposed ordinance), and "Against the ordinance" (stating the nature of the proposed ordinance). If a majority of the qualified electors voting on the proposed ordinance shall vote in favor thereof, such ordinance shall thereupon become a valid and binding ordinance of the city; and any ordinance proposed by petition, or which shall be adopted by a vote of the people, can not be repealed or amended except by a vote of the people.

Any number of proposed ordinances may be voted upon at the same election, in accordance with the provisions of this section; but there shall not be more than one special election in any period of six months for such purpose.

The council may submit a proposition for the repeal of any such ordinance or for amendments thereto, to be voted upon at any succeeding general city election; and should such proposition so submitted receive a majority of the votes cast thereon at such election, such ordinance shall thereby be repealed or amended accordingly. Whenever any ordinance or proposition is required by this act to be submitted to the voters of the city at any election, the city clerk shall cause such ordinance or proposition to be published once in each of the daily newspapers published in said city; such publication to be not more than 20 or less than 5 days before the submission of such proposition or ordinance to be voted on.

SEC. 20. [Sec. 1056–a38. ORDINANCES—WHEN EFFECTIVE—PETITIONS OF PROTEST.] No ordinance passed by the council, except when otherwise required by the general laws of the State or by the provisions of this act, except an ordinance for the immediate preservation of the public peace, health, or safety, which contains a statement of its urgency and is passed by a two-thirds vote of the council shall go into effect before 10 days from the time of its final passage; and if during said 10 days a petition signed by electors of the city equal in number to at least 25 per cent of the entire vote cast for all candidates for mayor at the last preceding general municipal election at which a mayor was elected, protesting against the passage of such ordinance, be presented to the council, the same shall thereupon be suspended from going into operation, and it shall be the duty of the council to reconsider such ordinance; and if the same is not entirely repealed, the council shall submit the ordinance, as is provided by subsection b of section 19 of this act, to the vote of the electors of the city, either at the general election or at a special municipal election to be called for that purpose; and such ordinance shall not go into effect or become operative unless a majority of the qualified electors voting on the same shall vote in favor thereof. Said petition shall be in all respects in accordance with the provisions of said section 19, except as to the percentage of signers, and be examined and certified to by the clerk in all respects as therein provided.

SEC. 21. [Sec. 1056–a39. ABANDONMENT OF COMMISSION PLAN OF GOVERNMENT.] Any city which shall have operated for more than six years under the provisions of this act may abandon such organization hereunder and accept the provisions of the general law of the State then applicable to cities of its population, or if now organized under special charter, may resume said special charter by proceeding as follows:

Upon the petition of not less than 25 per cent of the electors of such city a special election shall be called, at which the following proposition only shall be submitted: "Shall the city of (name of city) abandon its organization under chapter 14–c of the supplement of the code, 1907, as amended by the acts of the thirty-third general assembly, and become a city under the general law governing cities, or if now organized under special charter shall resume said special charter?"

If a majority of the votes cast at such special election be in favor of such proposition the officers elected at the next succeeding biennial election shall be those then prescribed by the general law of the State for cities of like population, and upon the qualification of such officers such city shall become a city under such general law of the State; but such change shall not in any manner or degree affect the property, right, or liabilities of any nature of such city, but shall merely extend to such change in its form of government.

The sufficiency of such petition shall be determined, the election ordered and conducted, and the results declared, generally as provided by section 18 of this act, in so far as the provisions thereof are applicable.

SEC. 22. [Sec. 1056–a40. PETITIONS.] Petitions provided for in this act shall be signed by none but legal voters of the city. Each petition shall contain, in addition to the names of the petitioners, the street and house number in which the petitioner resides, his age, and length of residence in the city. It shall also be accompanied by the affidavit of one or more legal voters of the city stating that the signers thereof were, at the time of signing, legal voters of said city, and the number of signers at the time the affidavit was made.

SEC. 23. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved March 29, A. D. 1907.

For ordinance under which the first administration was organized in Des Moines, July 6, 1908, see page 220, The Dethronement of the City Boss, by John J. Hamilton; Funk & Wagnalls, New York.

EXHIBIT C.

ORDINANCE UNDER WHICH THE FIRST ADMINISTRATION OF DES MOINES, IOWA, WAS ORGANIZED.

An ordinance to distribute the executive and administrative powers, authority, and duties into and among the several departments, and determine the powers and duties to be performed, and assign them to the appropriate departments and officers.

[Passed July 6, 1908.]

Be it ordained by the city council of the city of Des Moines:

SECTION 1. That the executive and administrative powers, authority, and duties in the city are distributed into and among the several departments, and the powers and duties to be performed are determined and assigned to the appropriate departments and officers, all as hereinafter set forth.

THE COUNCIL.

SEC. 2. The council has and shall exercise all legislative powers, functions, and duties conferred upon the city or its officers. It shall make all orders for the doing of work or the making or construction of any improvement, bridge, or building. It shall levy all taxes, apportion and appropriate all funds, and audit and allow all bills, accounts, pay rolls, and claims, and order payment thereof. It shall make all assessments for the cost of street improvements, sidewalks, sewers, and other work, improvement, or repairs which may be specially assessed. It shall make or authorize the making of all contracts, and no contract shall bind or be obligatory upon the city unless either made by ordinance or resolution adopted by the council, or reduced to writing and approved by the council, or expressly authorized by ordinance or resolution adopted by the council. All contracts and all ordinances and resolutions making contracts or authorizing the making of contracts shall be drawn by the corporation counsel or city solicitor, or approved by such officer, before the same is made or passed. All superintendents of departments and officers are the agents of the council only, and all their acts shall be subject to review and to approval or revocation by the council. Every superintendent or officer shall, from time to time, as required by law or ordinance, or when requested by the council, or whenever he shall deem necessary for the good of the public service, report to the council in writing respecting the business of the department or office or matters connected therewith.

The council may, by ordinance or resolution, assign to a superintendent, officer, or employee duties in respect to the business of any other department, office, or employment, and such service shall be rendered without additional compensation.

DEPARTMENT OF PUBLIC AFFAIRS.

SEC. 3. The mayor shall have and exercise all the powers and perform all the duties provided or prescribed by law or the ordinances of the city, not in conflict with the provisions of this ordinance. The mayor shall be superintendent of the department of public affairs, and as such shall have general supervision and oversight over all departments and offices in the city; he shall be the chief executive officer and representative of the city, shall sign all contracts on behalf of the city, and shall have charge of and cause to be prepared and published all statements and reports required by law or ordinance or by resolution of the council. The mayor shall be chairman of the local board of health; shall possess all of the powers and perform all of the duties pertaining to the local board of health, as is now or may hereafter be required by the laws of the State and the ordinances of the city. All notices of quarantine and release must bear his signature.

The corporation counsel, city solicitor, and assistant city solicitor, city stenographer, and other officers and employees of the legal department, the police court, the police judge, and clerk of police court, the city library and library building, and library trustees and other officers and employees in the library; the civil-service commission and all other officers or functionaries not by law or ordinance distributed or assigned to some other department are distributed and assigned to the department of public affairs.

DEPARTMENT OF ACCOUNTS AND FINANCE.

SEC. 4. The superintendent of the department of accounts and finance shall have charge of and supervision over all accounts and records of the city, and all officers, boards, or departments required to keep or make accounts, records, or reports. He shall inspect or cause to be inspected all records of accounts required to be kept in any of the offices or departments of the city, and shall cause proper accounts and records to be kept and proper reports to be made. He shall audit or cause to be audited at frequent intervals the accounts of every officer or employee who does or may disburse money. He shall have charge of the purchase, care, and distribution of all supplies and other articles not otherwise provided by law. He shall have charge and supervision over all printing by or for the city, unless otherwise provided by law. He shall examine, or cause to be examined, and report to the council upon all bills, accounts, pay rolls, and claims before they are acted upon or allowed, unless otherwise provided by law.

The assessor, auditor, treasurer, license collector, city clerk (by a later ordinance the city clerk was transferred to the department of public affairs), and market master, and their respective offices or departments, and all employees therein, and all bookkeepers and accountants, are distributed and assigned to the department of accounts and finance and shall be under the supervision and direction of the superintendent thereof.

The superintendent of the department of accounts and finance shall procure from all persons and corporations operating public-service utilities in the city such reports as they are by law or ordinance or otherwise required to make to the city, or any of its officers, and procure copies of such reports as are made to the State or any public office or department, and shall collect or cause to be collected all license fees, franchise taxes, rentals, or other moneys which may be due or become due to the city. He shall report to the city council any failure to make reports or to pay moneys due to the city, with such recommendations in relation thereto as he may deem proper. He shall, whenever the city has authority so to do, cause to be examined the accounts and records of any person or corporation operating a public-service utility in the city, and shall report to the council any refusal to permit such examination, with such recommendations in relation thereto as he may deem proper.

DEPARTMENT OF PUBLIC SAFETY.

SEC. 5. The marshal, chief of police and police department, and all policemen, officers, and employees therein, and all police stations and property and apparatus used in said police department; the chief of fire department and the fire department, and all firemen, officers, and employees therein, and all fire stations and property and apparatus used in said fire department; the fire and police alarm system, and all property and apparatus belonging thereto; the city physician, assistant city physician, board of health, health officers, and all officers and employees in their respective offices or in the health department of the city, and the city hospital and employees therein, and all buildings, property and apparatus belonging to or used in said offices and department; the fire marshal, inspector of plumbing, city electrician, electrical inspector, and their offices, and all property and apparatus used therein, are all distributed and assigned to the department of public safety.

The superintendent of the department of public safety shall have charge of and supervision and direction over all officers and employees assigned to said department and over all said buildings, property, and apparatus. He shall have charge of all purchases of horses, apparatus, and supplies for said department or the offices and departments assigned thereto. He shall have charge of and supervision over the removal and disposal of garbage. He shall have supervision over the construction and repair of all buildings assigned to said department and may, on application, receive assistance therein from other officers and departments of the city.

DEPARTMENT OF STREETS AND PUBLIC IMPROVEMENTS.

SEC. 6. The superintendent of the department of streets and public improvements shall superintend and take charge of all public work, the cleaning of streets and public places, the entire erection, making, and reconstruction of all street improvements, sidewalks, sewers, bridges, viaducts, and public buildings, and other improvements, and of the repair thereof where not otherwise assigned. He shall approve the estimates of the city engineer, which may be made from time to time, of the cost of such work as the same progresses, and accept any building erected, work done, or improvement made when completed according to contract, and perform such other duties as may be provided or required by ordinance or resolution. He shall have control, management, and direction of the lighting of streets and alleys, of public grounds and buildings not otherwise assigned, and of all lamps, lights, lighting materials, and persons charged with the care thereof. He shall have charge of enforcing the provisions of law or ordinances relating to billboards. He shall have control and supervision over all public dumping grounds and dumps. He shall have supervision over all public-service utilities and all persons or corporations rendering service in the city under any franchise, contract, or grant made or granted by the city or State, and shall report to the council or other proper officer any failure of said person or corporation to render service or to observe the requirements or conditions of the franchise, contract, or grant under which such public-service utility is operated.

The civil engineer and engineer's department, and employees therein, street commissioner, inspectors, and all other officers and employees employed in connection with the work of said department are distributed and assigned to the department of streets and public improvements, and shall be under the supervision and direction of the superintendent thereof.

DEPARTMENT OF PARKS AND PUBLIC PROPERTY.

SEC. 7. The superintendent of parks and public property shall have charge of and supervision over Greenwood Park, Waveland Park, Grand View Park, Union Park and Birdland, South Park, Good Park, city bath house and park, Bates Park, Hoyt Sherman Place, Nash Park, the library grounds, River Front Park, and park at Raccoon Forks; of so much of Des Moines and Raccoon Rivers and their banks as belong to the city or are under its control, and of all other public parks and pleasure grounds in the city, and of all officers and employees, including park policemen, employed in or about said parks and pleasure grounds, and of all property belonging to said parks and pleasure grounds, or kept or used in connection therewith. He shall have charge of and supervision over the city hall and janitors thereof, and the park or grounds adjoining said city hall. He shall have charge of and supervision over Woodland Cemetery, Glendale Cemetery, Laurel Hill Cemetery, and all other public cemeteries in the city, and of the sextons and other employees in the cemeteries, and of all property belonging to or used or kept in connection with the public cemeteries. He shall have charge of and supervision over Tracy Home property, the abandoned fire station at Seventeenth and Crocker Streets, and all other property owned or controlled by the city and not assigned to some other department. He shall have charge of and supervision over all boulevard and street parkings and park ways. He shall have charge of and supervision over the improvements, maintenance, lighting, and care of all said parks, pleasure grounds, and cemeteries, and of the buildings therein or thereon. He shall have charge of enforcing the provisions of law and ordinances relating to the improvement and care of street parkings and the planting of trees therein. He shall have such assistance from the civil engineer and engineering department as may be necessary in surveying, laying out improvements, and otherwise improving the parks, and may, on application, receive assistance from other officers and departments of the city.

OF APPOINTMENTS OF ASSISTANTS AND EMPLOYEES.

SEC. 8. Except as otherwise provided by law or ordinance, the superintendent of each department shall appoint or employ such assistants and employees as may be authorized by the council and necessary to the efficient conduct of the service in said department.

RULES AND REGULATIONS.

SEC. 9. That the superintendent of each department shall make and enforce such rules and regulations, not inconsistent with law or the ordinances or rules and regulations adopted by the city council, as may be necessary to secure efficient conduct of the service of his department or the business in charge thereof.

SEC. 10. This ordinance is declared to be urgent and necessary for the immediate preservation of the public peace, health, and safety, and shall take effect and be in force from and after its passage and publication as provided by law.

EXHIBIT D.

[Pages 169 to 181, inclusive, from "The Dethronement of the City Boss" (Funk & Wagnalls), by John J. Hamilton.]

RESULTS OF THE NEW SYSTEM IN FIVE TYPICAL CITIES.[1]

1. IN GALVESTON, TEX.

A board of three eminent engineers was employed and paid to devise plans for the reconstruction of the city after the flood.

The emergency following the great storm was dealt with efficiently by the city acting independently and also jointly with the county and State.

The grade of the entire city was raised by the city with the assistance of the State; a great sea wall was constructed by the county; these improvements aggregating in cost $4,000,000.

Annual budgets exceeding the city's revenue by an average of about $100,000 gave way to budgets kept strictly within the municipal revenues.

A floating debt of $204,974.54 was paid off out of current revenues; bonds to the amount of $462,000 were retired; new bond issues were restricted to permanent improvements; an agreement was reached with holders of city bonds whereby the interest was reduced from 5 to 2½ per cent for a period of five years.

The city hall and the waterworks pumping station wrecked by the flood were rebuilt.

The water system was extended and provision made for a duplicate main across the bay.

Three engine houses were built and others damaged by the storm were repaired.

The entire business section was repaved at a cost of $183,027.07.

Rock and shell roads, costing $181,064.04, were constructed.

The drainage system was extended at a cost of $245,664.47.

Old judgments to the amount of $18,026.65, inherited from former administrations, were paid off.

City employees were paid in cash instead of in scrip subject to heavy discounts.

City bonds quoted as low as 60 in the flood year were speedily brought to a premium.

A modern system of bookkeeping was introduced.

Interest was collected on city balances in depositories.

A plan of preparing the annual budget and strictly adhering to it was adopted.

The sanitation of the city was greatly improved.

The streets were kept cleaner and cleared of fruit stands and other obstructions.

Police regulations were more strictly enforced.

Saloons were excluded from the residence districts.

The policy evil and public gambling were abolished.

The city hall was transformed from a resort for loafers into a business office.

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[1] A majority of the cities operating under the new plan have adopted it within the year 1909, and many of these have not yet held their first elections under it.

Political influence was eliminated in selecting heads of departments and employees; the merit system was established.
The city water service was metered.
Favoritism was done away with in all public services.
The services of men of the highest character and ability were secured for the municipality.
Public confidence in the city government was fully restored.
The city was emancipated from the long reign of strife, dissension, and jealousy; harmony and general prosperity were reestablished.
Notwithstanding the enormous extension of municipal activities and the increase of efficiency a tax rate of $1.60 for city purposes, the lowest of any large city in Texas, was not increased.

2. IN HOUSTON, TEX.

City indebtedness to the amount of $400,000 was retired.
The practice of issuing bonds to cover annual deficits was discontinued; expenditures were kept rigidly within the city's income.
Current obligations were promptly met; warrants, previously quoted at 75 to 80, became worth par.
The city credit was completely restored, following a period when bondholders had been threatening to sue on account of defaults.
Waterworks were purchased for $901,000 with popular approval, showing confidence in the new government. The purchase was approved in 1906 by a vote of three to one, whereas it had been rejected in 1903.
The water service and fire protection were greatly improved.
The street railways were required to bear their share of public burdens and improve the service.
Three schoolhouses were built, at a cost of $106,000.
A 15-acre park was purchased for $55,000 cash.
Dangerous old bridges across the bayou, in the heart of the city, which the old government had refused to replace, except by bond issues, were replaced with new bridges, paid for out of current revenues.
Twelve other bridges were put in repair.
The city plumbing work and supplies were obtained at 15 to 25 per cent less cost by the adoption of business methods.
Good vitrified brick paving was substituted for inferior work.
A shipload of brick was imported from New York, and the brick combination was broken.
The cost of electric lights was reduced from $80 to $70 per arc per year.
The tax rate was reduced from $2 to $1.80.
Graft, sinecurism, favoritism, and incompetency, which permeated every department of the old government, were done away with.
Police and sanitary regulations were strictly enforced; the fostering of vice was discontinued.
Quarreling and dissensions disappeared; harmony was restored both in the city government and among citizens.
Business methods were adopted in all departments. Council sessions became short, businesslike, and devoid of speech making.
The confidence of citizens in the integrity of the city government was completely restored.
Growth and prosperity of the city were stimulated by improved civic conditions.
These good results were obtained simply from change of the system, members of the commission having been connected with the former government.

3. IN LEAVENWORTH, KANS.

Strict enforcement of law was substituted for the city's traditional policy of defiance of State prohibitory laws.
Bankruptcy and financial helplessness were succeeded by a thoroughly satisfactory condition of the city's finances.
Citizens of the highest standing were induced to accept office under the new régime, the politicians being driven from power by large majorities.
A period of decreasing population and stagnation in business and building was followed by one of rapid growth in all of these respects.
In 25 years under the old form of government the city paved 12 miles of streets. In the first 21 months under the new system 5½ miles were paved.
City bonds to the amount of $20,200 were paid off in two years.
The county indebtedness for which the city was responsible was paid off by the latter to the net amount of $119,750 within two years.
Only $27,000 of the new bonds were issued against these reductions; a net reduction of the bonded indebtedness of $112,950 took place, while the new issues represented permanent improvements.
A new set of books was operated, and the city's business handled like that of "an up-to-date mercantile establishment."
All bills due from the city were paid before the 10th of each month.
Appointments were made on account of fitness, regardless of party affiliations.
Property values largely increased, and the volume of real estate transfers showed unprecedented growth of the city.
New factories were built, which give employment to 300 men.
All of these improved conditions were brought about without increased taxation, despite a loss of $80,000 a year from illegal saloon licenses.

4. IN DES MOINES, IOWA.

The city's net loss in the last year of the old government was $134,510.62; the net gain in the first year under the new charter was $48,439.10, a total relative saving of $182,949.65.
The tax levy for city purposes in the last year of the old charter was 38.7 mills (on the 25 per cent valuation established by law); the first year under the new charter it was 36.4 mills.
Public improvements to the value of $357,755.50 were made during the first year under the new system.
Contractors were held strictly to the specifications, and claims for extras, which had grown into a crying abuse, were firmly rejected; the quality of all public work visibly improved.
Several carloads of inferior creosote paving blocks were rejected.
A modern bookkeeping system was installed.
Municipal expenditures were held strictly within the city's revenues, ending the practice of piling up yearly deficits, to which almost the entire city bonded debt was due.
Numerous leaks were stopped; all the licenses collected were turned into the treasury.
Street lights, formerly costing $75 to $95, were reduced to a uniform rate of $65 per arc per year, and the moonlight schedule abolished, insuring better service.
Incandescent lights were reduced from $24 to $17 in some cases and the all-night schedule was substituted for a moonlight schedule in others, at the same price, $17.
All public work was promptly done; complaints were given immediate attention.
The streets were kept noticeably cleaner; the alleys in business sections, never before cleaned at all, were now thoroughly cleaned.
Street signs were put up throughout the city, years of clamor for it having failed to induce the old government to make this improvement.
The wages of men with teams were increased from $3.50 to $4.50; those of day laborers from $2 to $2.25; much better service was required.
The quality of public service in all departments was noticeably bettered.
The cost of cleaning catch basins was reduced from $1.40 to $1.12.
Uniform cement walks were laid throughout the business section.
Bridge paving under the old system cost $4.74 per yard by contract; under the new system it was done by day labor for $4.09.
Culverts costing $17.61 per cubic yard under the old plan were built for $12.63 under the new.
Mowing in the parks was done at 75 per cent of the old cost.
Work done by contract was let to the lowest bidders, without manipulation.
The "red-light" district, operated under the corrupt and unlawful monthly fining system, was entirely abolished.
Bond sharks, who owned the segregated "red-light" district and oppressed the inmates of disorderly houses, were driven from business.
Public gambling houses, previously operated under police protection, were closed.
Petty gambling devices, such as slot machines, formerly protected, were effectually prohibited.
Ordinances regulating saloons were strictly and uniformly enforced.
Friendly, but mutually self-respecting, relations between the city government and public-service corporations were established.
City politics were entirely divorced from State and national politics.
Private enterprise and public spirit were remarkably stimulated. Over $400,000 was raised for public purposes by citizens in two years. A great coliseum, new Y. M. C. A. and Y. W. C. A. buildings were provided, etc.
The city, formerly notorious for "divisive strife," became notably harmonious.
The confidence of citizens in the representative character of the city government was fully reestablished.
Following is a comparative statement of working funds in Des Moines in 1907 and 1908:

Cash on hand Apr. 1, 1907	$70,396.63		
Claims outstanding	55,085.83		
Excess cash over claims		$15,310.80	
Cash on hand Apr. 1, 1908	$72,790.11		
Claims outstanding	191,989.93		
Excess claims over cash		119,199.82	
Loss, 1907 (last year under old charter)			$134,510.62
Claims outstanding Apr. 1, 1908	$181,989.93		
Claims paid by bond issue	175,616.07		
Claims that were not paid by bond issue		16,373.86	
Cash on hand Apr. 1, 1908		72,790.11	
Excess cash over claims that were not paid by bond issue		56,416.25	
Cash on hand Apr. 1, 1909	$164,352.05		
Claims outstanding	59,496.77		
Excess cash over claims		104,855.28	
Gain, 1908 (first year under new charter)			48,439.03
Gain, 1908 over 1907			182,949.65

5. IN CEDAR RAPIDS, IOWA.

Bonds were retired and interest paid thereon amounting to a total of $61,980.
Extensive park improvements were made.
Additional park property was acquired.
A new fire station was erected. All city buildings were put in good repair.
The island in Cedar River, formerly a dumping ground, was purchased by the city and turned into a beautiful civic center.
The services of Charles Mulford Robinson, the civic improvement expert, were secured, and, following his advice, streets were extended, street signs were erected, waste paper receptacles provided, etc.
Public works of all kinds were done on a large scale, and well done.
The receipts from the police court increased from $75 to $700 per month without an increase of arrests.
License taxes were impartially collected.
Milk and meat inspection laws were enforced.
Five patrolmen were added to the city police force.
Gamblers were driven from the city.
The social evil was segregated and put under severe restrictions.
Defective paving was rejected; contractors were held to the specifications.
Cash discount was taken on all city bills.
Interest was collected on city balances in banks.
The city's credit was established at the highest standard.
Business methods were introduced in all departments of the city government.
Complaints from citizens were given immediate attention. Civic pride was awakened.
The growth of the city was largely accelerated.

EXHIBIT E.

List of cities having the commission form of government in some form.

[A large number of cities which have, by popular vote, decided to adopt the commission form of government are excluded from this list because the actual establishment of the system has not yet been completed in such cities. This embraces some large cities, as Buffalo, N. Y., etc.]

ALABAMA.

	Population.
Birmingham	132,685
Montgomery	38,136

CALIFORNIA.	Population.
Santa Cruz	11,146
Berkeley	40,434
Modesto	4,034
Oakland	150,174
San Diego	39,578
San Luis Obispo	5,157
Vallejo	11,340
Monterey	4,923
COLORADO.	
Colorado Springs	29,078
Grand Junction	7,754
IDAHO.	
Lewiston	6,043
ILLINOIS.	
Carbondale	5,411
Decatur	31,140
Dixon	7,216
Elgin	25,976
Hillsboro	3,424
Jacksonville	15,326
Kewanee	9,307
Moline	24,199
Ottawa	9,535
Pekin	9,897
Rochelle	2,732
Rock Island	24,335
Springfield	51,678
Spring Valley	7,035
Waukegan	16,069
Clinton	5,165
IOWA.	
Burlington	24,324
Cedar Rapids	32,811
Davenport	43,028
Des Moines	86,368
Fort Dodge	15,543
Keokuk	14,008
Marshalltown	13,374
Sioux City	47,828
KANSAS.	
Anthony	2,669
Abilene	4,118
Coffeyville	12,687
Cherryvale	4,304
Caldwell	2,205
Council Grove	2,545
Dodge City	3,214
Emporia	9,058
Eureka	2,333
Girard	2,446
Hutchinson	16,364
Independence	10,480
Iola	9,032
Leavenworth	19,363
Kansas City	82,331
Marion	1,841
Newton	7,862
Neodesha	2,872
Parsons	12,463
Pittsburg	14,755
Topeka	43,684
Wichita	52,450
Wellington	7,034
KENTUCKY.	
Newport	30,309
LOUISIANA.	
Shreveport	28,015
MARYLAND.	
Cumberland	21,839
MASSACHUSETTS.	
Gloucester	24,398
Haverhill	44,115
Lynn	89,336
Taunton	34,259
MICHIGAN.	
Harbor Beach	1,556
Port Huron	18,863
Pontiac	14,532
Wyandotte	8,287
MISSISSIPPI.	
Clarksdale	4,079
Hattiesburg	11,733
MINNESOTA.	
Faribault	9,001
Mankato	10,365
NEW MEXICO.	
Roswell	6,172
NORTH CAROLINA.	
Greensboro	15,895
High Point	9,525
Wilmington	25,748
NORTH DAKOTA.	
Bismarck	5,443
Mandan	3,873
Minot	6,188
OKLAHOMA.	
Ardmore	8,618
Bartlesville	6,181
Duncan	2,477
El Reno	7,872
Enid	13,799
Miami	2,907
McAlester	12,954
Muskogee	25,278
Purcell	2,740
Sapulpa	8,283
Tulsa	18,182
Wagoner	4,018
Guthrie	11,654
Oklahoma City	64,205
OREGON.	
Baker City	6,742
SOUTH CAROLINA.	
Columbia	26,319
SOUTH DAKOTA.	
Dell Rapids	1,307
Huron	5,791
Pierre	3,656
Rapid City	3,854
Sioux Falls	14,094
Vermilion	2,187
Yankton	3,787
Aberdeen	10,753
Canton	2,103
Chamberlain	1,275
TENNESSEE.	
Memphis	131,105
TEXAS.	
Aransas Pass	1,197
Austin	29,860
Beaumont	20,640
Corpus Christi	8,222
Port Arthur	7,663
Dallas	92,104
Denison	13,632
Fort Worth	73,312
Galveston	36,981
Greenville	8,850
Houston	78,800
Kenedy	1,147
Marble Falls	1,061
Marshall	11,452
Palestine	10,482
Port Lavaca	1,699
Sherman	12,412
UTAH.	
Salt Lake City	92,777
WASHINGTON.	
Spokane	104,402
Tacoma	83,743
WEST VIRGINIA.	
Bluefield	11,188
Huntington	31,161
Parkersburg	17,842
WISCONSIN.	
Eau Claire	18,310
Appleton	16,773

EXHIBIT F.

[From the Dallas News, May 28, 1911.]

TEXAS RECALL IS UPHELD BY HIGHER COURT—BONNER AND LEFEVRE CASES FROM THIS CITY ARE AFFIRMED—JUDGE FOREE SUSTAINED—PROVISION IN DALLAS CITY CHARTER HELD TO BE VALID—TEXT OF THE OPINION.

In an opinion rendered by Justice Bookhout in the court of civil appeals yesterday the judgment of the lower court in the case of Shearon Bonner *v.* E. A. Belsterling et al., composing the Dallas Board of Education, is affirmed and the recall provision of the Dallas city charter is held to be valid. A similar opinion was rendered in the case of Arthur Lefevre *v.* The Dallas Board of Education, in which the same questions were presented to the court.

The suit was instituted by Shearon Bonner against members of the Dallas Board of Education elected at a recall election held in Dallas on April 4. The plaintiff alleged that the election, which was held under the recall provision of the Dallas city charter, was not a valid election, and sought an injunction restraining the newly elected board from discharging the duties of the board, and also from interfering with the plaintiff in the discharge of his duties as a legally elected member of the board.

In the fourteenth district court, before Judge Kenneth Foree, a general demurrer to the plaintiff's petition was sustained and the injunction denied. From the ruling of the lower court the plaintiff appealed. Following the action of the court yesterday, E. G. Senter, of Meador, Davis & Senter, who represented Mr. Bonner, stated that the case will be taken to the supreme court.

The decision rendered yesterday is in conflict with an opinion rendered by the court of criminal appeals of this State in the case of ex parte Farnsworth. In discussing the opinion of the Farnsworth case, the court said: "While we have great regard for the opinion of the court of criminal appeals, we are not favorably impressed with the reasoning in those cases. It is in conflict with the principles announced by the supreme court.

TEXT OF THE OPINION.

The opinion follows:

No. 6512. Appeal from Dallas County. Shearon Bonner, appellant, *v.* E. A. Belsterling et al., appellees.

This was a suit by appellant, Shearon Bonner, against E. A. Belsterling, J. D. Carter, J. B. McCraw, M. A. Turner, W. A. Goode, and Frank Gilbert, citizens of Dallas; the petition alleging in substance that on the 5th day of April, 1910, an election was held in the city of Dallas for members of the board of education, and that C. C. Lane, as president, H. D. Ardrey, Robert N. Watkin, John W. George, L. K. Wright, and John C. Mann, and petitioner were elected and duly qualified as members of said board; that on the 11th day of August, 1910, another election was held and John W. George and J. C. Mann were removed from said board and that J. D. Carter and J. B. McCraw were elected and qualified as their successors. That thereafter on the 4th day of April, 1911, another recall election was held under the provisions of article 9 of the city charter of the city of Dallas, and in compliance with the provisions thereof, and in said election E. A. Belsterling, as president, and J. D. Carter, John B. McCraw, M. A. Turner, W. A. Goode, and Frank Gilbert were chosen as members of said board of education to succeed C. C. Lane, as president, H. D. Ardrey, L. K. Wright, J. D. Carter, John B. McCraw, and this plaintiff, Shearon Bonner, provided said article is valid and enforceable. That in said last election John W. George and J. C. Mann were not candidates. That the right and title of E. A. Belsterling, as president, and M. A. Turner, W. A. Goode, and Frank Gilbert as members of the board of education

depends entirely upon the recall election held upon the 4th day of April, 1911, and upon the validity of the said recall provisions of the said city charter of the city of Dallas.

PLAINTIFF'S ALLEGATIONS.

Plaintiff charges that the said defendants, Belsterling, Carter, Gilbert, Goode, McCraw, and Turner, are utterly without right or authority to exercise the functions of the board of education of the city of Dallas, unless said recall provisions of the city charter of the city of Dallas are valid, and unless said election held thereunder is a lawful election and unless the lawful members of said board of education, namely, those elected at the election held on the first Tuesday of April in the year 1910, could be removed from their offices prior to the expiration of the term of two years to which they were elected by means of the exercise of the said recall provision of the city charter of the city of Dallas. He alleges that, having been lawfully elected as a member of the board of education of said city of Dallas for the term of two years, he is now entitled to hold his position as a member of said board of education and to exercise all the functions and privileges as a member of said board, but that he is unlawfully and wrongfully deprived of his office and the same is wrongfully withheld from him by the defendants herein, and that defendants wrongfully refuse to permit this plaintiff to exercise the right appertaining to his office.

The prayer is that plaintiff be restored to the possession of his office and that a writ of mandatory injunction be issued, directed to each of the defendants, commanding and requiring them and each of them to desist from further acting and from pretending to act as a board of education of the city of Dallas and as members thereof, and from depriving this plaintiff of his privilege of so acting and from exercising and pretending to exercise control over the public schools of the city and from interfering with, or molesting in any way, the plaintiff in his exercise of his rightful authority as a member of said board of education, and to desist from receiving and disbursing the funds belonging to the public schools of said city, and from discharging or attempting and pretending to discharge any of the teachers or other employees of said public schools and from exercising or attempting to exercise any right, privilege, authority, or power in any way appertaining to the office of said board of education or a member thereof, and that upon final hearing said injunction shall be made perpetual.

The defendants demurred generally to the petition, which demurrer was sustained and the injunction prayed for refused. To this action the plaintiff excepted and perfected an appeal.

STATEMENT OF CASE.

If, as alleged, the appellant was elected a member of the board of education of Dallas at an election held in April, 1910, for the term of two years, and he afterwards qualified as such member and entered upon the duties of the office, his term not having expired, he was entitled to a writ of injunction preventing defendants from ousting him from office, unless the election held in August, 1910, removing him from office and electing his successor, was a valid election and held under a valid law. It is conceded the election was held under the recall provisions of the charter and in compliance with their requirements, but it is asserted in the petition and here contended that these provisions of the charter are invalid. This appeal brings before us the validity of the recall provisions of the charter. The question is: Did the legislature have the power by special charter to authorize the people of Dallas to remove a member of the board of education from office at a special election, called upon a petition, as provided for in article 9 of the charter? In other words, is the recall feature of the charter constitutional? Article 9 of the special charter of the city of Dallas, providing for the recall of elective officers, contains the following provision: "A petition signed by the qualified voters of said city, equal in number to at least 35 per cent of the entire votes cast for the office of mayor on the final ballot at the last preceding general municipal election, demanding the election of a successor of the person sought to be removed, shall be filed with the city secretary; provided, that the petition sent to the board of commissioners shall contain a general statement of the grounds upon which removal is sought. The signatures to the petition need not be all appended to one paper, but each signer shall add to his signature his place of residence, giving the street and number. One of the signers of each such paper shall make oath before a notary competent to administer oaths that the statements made herein are true and that each signature to the paper appended is the genuine signature of the person whose name purports to be thereunto subscribed."

ARGUMENT NOT SOUND.

It is insisted by appellant in argument that the signing and presentation of a petition as required by this article of the statute operated as a removal of the officer named in the petition. This argument is not sound. After the presentation of the petition the charter requires the board of commissioners to determine whether the petition is sufficient, and if sufficient, to fix a date for the holding of the election and cause publication and arrangements to be made for its holding not less than 30 nor more than 40 days from the time the petition is found to be sufficient. The election is to be conducted and the result declared in all respects as other city elections, and a majority of all the votes is made necessary to elect. In the event no candidate shall receive a majority at the first election a second election shall be held. The successor of any officer so removed is to hold office during the unexpired term of his predecessor. Any person sought to be removed may be a candidate to succeed himself, and unless he requests otherwise in writing the city secretary shall place his name on the official ballot without nomination. In any such removal election the candidate receiving the highest number of votes shall be declared elected. At such election if some other person than the incumbent receives the highest number of votes the incumbent shall thereupon be deemed removed from the office upon the qualification of his successor. A compliance with all these prerequisites is necessary to operate as a recall and removal of an incumbent from office.

CONTENTION NOT TENABLE.

It is contended by appellant that this article of the charter operates to deprive a citizen of property and privileges without due process and in a manner other than by due course of the law of the land. In other words, that a public office is "property" within the meaning of the Federal and State Constitutions, that "no person shall be deprived of life, liberty, or property without due process of law." This contention is not tenable. The office of member of the board of education of the city of Dallas is not "property" within the meaning of that word as used in the State and Federal Constitutions. Offices are created for the public good, at the will of the legislative power, with such privileges and emoluments attached as are believed to be necessary to make them accomplish the purposes designed. Except as restrained by the constitution the legislature may reduce the compensation of an office, and, except as to incumbents of a constitutional office, it may remove officers not only by abolishing the office, but by an act declaring it vacant. Whoever accepts a public office must accept it with this principle in view. (Atty. Gen. *v.* Jochim, 99 Mich., 358; 58 N. W., 611; 23 L. R. A., 699; Graham *v.* Roberts (Mass.), 85 N. E., 1009.)

The office of member of the board of education of Dallas is property only in the sense that the incumbent is entitled to receive the emoluments of the office so long as he holds the same and until he has ceased to legally occupy the office. But it is not property within the meaning of that word as used in the State and Federal Constitutions. (Atty. Gen. *v.* Jochim, supra; in re Carter, Sup. Ct. Cal., 74 Pac., 997; Butler *v.* Pennsylvania, 10 How., 402; Augusta *v.* Sweeney, 44 Ga., 463; Throop on Officers, secs. 345, 346, 17–19; Connor *v.* Mayor, 5 N. Y., 296; Nichols *v.* McLean, 101 N. Y., 533; 5 N. E., 347; Hoboken *v.* Gear, 27 N. J. Law, 273; Kenny *v.* Hudspeth, 59 N. J. Law, 322; 36 Atl., 662; State *v.* Council, 53 Minn., 242, 55 N. W., 118.)

DOES NOT IMPAIR OBLIGATION.

It is contended that the recall provision of the charter seeks to substitute within the municipality a socialistic and communistic system of government in lieu of a republican form of government, and that it operates to impair the obligation of contract. We do not concur in this contention. The charter does not impair the obligation of contract. The appellant held his office by election and not by contract. It is neither socialistic, communistic, or obnoxious to a republican form of government to require an elective officer of a municipal government to submit to the voters of the city the issue for their determination whether he shall longer continue in office. (Kadderly *v.* City of Portland, Sup. Ct. Oregon, 74 Pac., 710; in re Pfahler, Sup. Ct. Cal., 88 Pac., 271; Erickson *v.* City of Des Moines, Sup. Ct. Iowa, 115 N. W., 177.) In the case last cited it was held, and we think correctly, that a republican form of government within the meaning of Article IV, section 4, of the Federal Constitution guaranteeing to the States a republican form of government was a guaranty to the State at large and not to the system of local government provided by the States for the regulation of their municipalities. At the time of granting the charter the legislature that passed it was composed of good men from every calling and from every part of the State, among the number many lawyers. It is common knowledge that charters are formulated by the people of the towns, presented by their representatives to the legislature, and in case of opposition committees attend upon the legislature to secure the wish of the majority. The city of Dallas had three representatives in the house and one in the senate that enacted this law. The members of the legislature did not regard the law as socialistic or communistic or as obnoxious to a republican form of government. Under the law a court has no power to review the action of the legislative department of the government, but when called upon to administer a law enacted by it must, in the discharge of its duty, determine whether the law is in conflict with the constitution, which is superior to any enactment that the legislature may make; but in the examination of such a question it must be borne in mind that except in the particulars wherein it is restrained by the Constitution of the United States the legislative department may exercise all legislative power which is not forbidden expressly or by implication by the provisions of the constitution of Texas. If there is any doubt as to the validity of the law, it is due to the coordinate branch of the government that its action should be upheld and its decision accepted by the judicial department. (Brown *v.* City of Galveston, 97 Tex., p. 9.)

It is insisted that article 9 of the city charter of Dallas is invalid because it would operate to remove an officer for causes other than those prescribed by law, without the finding of the truth of the same by a jury, and through a mode contrary to the procedure required by the constitution. Appellant cites article 5, section 24, of the constitution in support of this contention. This article reads: "County judges, county attorneys, clerks of the district and county courts, justices of the peace, constables, and other county officers may be removed by the judges of the district courts for incompetency, official misconduct, habitual drunkenness, or other causes defined by law, upon the cause therefor being set forth in writing and the finding of its truth by a jury." The office of member of the board of education of Dallas is not one of the offices named in this section of the constitution, and unless such officer comes within the meaning of "other county officers" mentioned in the above clause, he is not a county officer. Appellant argues that a school trustee, such as a member of the board of education of the city of Dallas, is a county officer and comes within the class "other county officers" referred to in the constitution. In support of this argument appellant cites the cases of Hendricks *v.* State (49 S. W., 705) and Kimbrough *v.* Barnett (93 Tex., 301). In the Hendricks case the question before the court was whether a school trustee in a school district which is a subdivision of the county, as are commissioners and justice precincts, is a county officer. It was held that such a trustee is an officer in and for the precinct of the county of which his precinct is a part, and therefore of the county itself. In that case it was said that "in the case of the trustees appointed by the county judge for school communities, they may be removed by that officer upon the written application of a majority of the patrons of the school." (Rev. Stats., 1895, art. 3955.)

This decision, in effect, holds that a trustee of a school district in a subdivision of the county such as a justice's precinct is a county officer, and that such a trustee can be removed by the officer who appointed him. In the case of Kimbrough *v.* Barnett it was held that the trustee of an independent school district is a county officer within the meaning of section 30, article 16 of the constitution, stipulating that the "duration of all officers not fixed by the constitution shall never exceed two years." But it does not hold that such a trustee is a county officer within the meaning of section 24, article 5 of the constitution, specifying the causes for which county judges, county clerks, and other county officers may be removed from office in a suit at law. The removal sought was not of the character provided for in this section of the constitution.

INTENT OF CITY.

The city of Dallas, in procuring the charter, intended that the elective officers of the city should be subject to both the existing and changing public sentiment on all local measures, and that if the official conduct of any elective officer failed at any time to so respond he was subject to recall, if the majority of the voters of the city so determined. The appellant accepted the trust subject to this power in his constituency, and the duration of his term of office is dependent upon the will of the majority as expressed at the polls. Whether the interests of the city will be better subserved by a ready obedience to public sentiment than by the adherence to the individual opinion of the officer on questions of public concern is a political and not a legal question. (Hilzinger *v.* Gillman, Sup. Ct. Wash., 105 Pac., 472.)

The office of member of the board of education of the city of Dallas is an office created by the charter of said city, and such member is a municipal and not a county officer within the meaning of section 24, article 5, of the constitution of Texas. The office is created by the charter, which also contains the recall provision, and it was under this charter that the appellant was elected a member of the board. Appellant having been elected under a charter containing the recall provision, his right to the office, as was said in Griner *v.* Thomas, 105 S. W., 1060, "is qualified by all preceding valid laws which provide for its suspension or termination." His term of office, as stated in the charter, was two years, but this was subject to the condition subsequent that 35 per cent of the entire votes for candidates for mayor at the last preceding election could by petition express their disapproval of his official action and demand that he be sustained by a vote of confidence. Such procedure is not in conflict with the constitution. The constitution recognizes that large, growing cities should be permitted to determine for themselves and in their own way the many important questions of local policy as they arise.

LEGISLATURE HAD AUTHORITY.

Article 11, section 5, of the constitution provides that "cities having more than 10,000 inhabitants may have their charters granted or amended by special act of the legislature." Under this clause the legislature had authority to grant the special charter to Dallas, and to include therein the recall provision. But appellant contends that the recall provision violates article 16, section 43, of the constitution. This section provides that "No man or set of men shall be exempted, relieved, or discharged from the performance of any public duty or service imposed by general law by any special law. Exemption from the performance of such public duty or service shall only be made by general law." The legislature having been authorized to grant or amend a charter to a city with the population of Dallas by special law and the charter granted having placed the public schools of the city under the management and control of a board of education composed of a president and members and provided for their election, it follows that the office of president and members of the school board being created by special law and not general law that article 16, section 43, of the constitution does not apply.

Appellant cites sections 13 and 15, article 1, and section 25, article 4, of the constitution as inhibiting the recall provision of the charter. We have carefully considered these provisions of the constitution, and it is clear that they do not expressly restrain the enactment complained of, nor do they, by fair implication, have that effect. It follows, therefore, that this provision of the charter not being prohibited by either the State or Federal Constitutions, must be held valid. (Hilzinger *v.* Gillman (Sup. Ct., Wash.), 105 Pac., 472; In re Pfahler, supra; Good *v.* Common Council (Cal.), 90 Pac., 45; Kadderly *v.* Portland, supra; Pacific States Telegraph & Telephone Co. *v.* State (Sup. Ct., Oreg.), 99 Pac., 427; Erickson *v.* City of Des Moines, supra; City of St. Louis *v.* Western Tel. Co., 149 U. S., 467–470; Meriwether *v.* Garrett, 102 U. S., 511; Graham *v.* Roberts, supra.) This court in a case in which the regular judges were disqualified and the court was composed of special judges, after mature consideration, held that the "initiative" provision of the Dallas charter was constitutional. (Telegraph Co. *v.* City of Dallas, 131 S. W., 80.) A writ of error was granted by the supreme court and the case was reversed, because the method pointed out in the initiative clause of the charter had not been followed in the passage of the ordinance. (Telegraph & Tel. Co. *v.* City of Dallas, 134 S. W., 321.) In that case, in the opinion of the supreme court, it was said: "There is nothing in our constitution which forbids the legislature to submit proper subjects to the voters of the city by referendum. The authority of the legislature in creating municipal corporations is ample for that purpose." This is a holding that the initiative and referendum features of the charter are not prohibited by the constitution.

The cause has been briefed on both sides by able lawyers, and the briefs show exhaustive research. The only cases cited by appellant's counsel sustaining their contentions are the two cases styled Ex parte Farnsworth (135 S. W., pp. 535 and 538), by the honorable court of criminal appeals of this State. While we have great regard for the opinions of that court, we are not favorably impressed with the reasoning in those cases. It is in conflict with the principles announced by the supreme court in Brown *v.* City of Galveston and is contrary to its holding in Telegraph & Telephone Co. *v.* Dallas.

It follows from the above remarks the judgment must be affirmed.

Affirmed.

BOOKHOUT, *Associate Justice.*

Delivered May 27, 1911.

RECIPROCITY WITH CANADA.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes.

The VICE PRESIDENT. The pending question is on agreeing to the amendment of the Senator from Iowa [Mr. CUMMINS].

Mr. CUMMINS. Mr. President, I do not think the Senate ought to vote on these amendments to-night. I doubt very much whether we can get a quorum, and I intend to suggest at this time an adjournment until Monday.

Mr. SMOOT. Mr. President, I move that the Senate adjourn.

Mr. CUMMINS. Will the Senator withhold the motion for a moment while I make a suggestion?

Mr. SMOOT. I will withhold it for a moment.

Mr. CUMMINS. Mr. President, it is well known, I think, that there is no Senator who desires to speak to-morrow; that is, if it be not well known generally, I think it would be well known if some investigation were made. If we meet to-morrow and there be no debate, necessarily the amendments that are the pending question must be voted upon. To-morrow is a day that is to be devoted to pleasure by some of the most prominent and most influential Senators of the body. I would be very sorry to interrupt the cruise that is proposed, in order to enable them to enjoy the breezes of the ocean instead of the sultry atmosphere of this Chamber; but I do not want the amendments voted upon in the absence of those Senators and many other Senators who feel that the heat has been so great and the depression so extreme that they must find some recuperation in a week-end visit elsewhere. We will make no progress by being compelled to come here to-morrow and then adjourning. I hope that the Senator from Utah will see the propriety at this time of adjourning until Monday. My friend from Minnesota [Mr. NELSON] makes a very pertinent suggestion, that even the department clerks have Saturday afternoon as a vacation.

Mr. SMOOT. They are not on the *Mayflower.*

Mr. CUMMINS. They are not on the *Mayflower*, of course; they are not on reciprocity either; but, nevertheless, the parallel is close. Now, does not the Senator from Utah think that we shall make just as much progress by adjourning until Monday as by adjourning until to-morrow and then having an hour or two of useless and profitless bickering here, followed by an adjournment, without accomplishing anything?

Mr. SMOOT. Mr. President, if I thought that would be all that would be accomplished, I certainly would not insist upon meeting to-morrow.

Mr. CUMMINS. May I ask the Senator what he expects to accomplish to-morrow?

Mr. SMOOT. I do feel that there is a majority of Senators in the city who will be here to-morrow, and I see no good reason why we should not go right on with the business before the Senate. I do not see that the mere fact that seven or eight Senators are leaving the city cuts any figure at all with the business of the Senate so long as we have a quorum.

Mr. CUMMINS. Those are the very Senators that I want here to vote upon this question. They have not been heard in debate, and they ought at least to have a chance to vote.

Mr. SMOOT. But I suppose——

Mr. CUMMINS. I understand that the chairman of the Committee on Finance will not be here to-morrow. I have proposed most important amendments to the bill which he has reported, and I am certainly entitled to his presence—his possible presence—when a vote is taken. Now, I ask the Senator from Utah, in all fairness, does he expect to vote upon these amendments to-morrow?

Mr. SMOOT. Mr. President, there may be a number of Senators who desire to speak; if not, the proper business to be brought before the Senate would be a vote upon the amendments proposed by the Senator from Iowa.

Mr. CUMMINS. The Senator from Utah will remember that when I asked a week ago that a day should be fixed for voting upon these amendments opposition to my request came, among others, from the Senator from North Carolina [Mr. SIMMONS], and his objection was that he desired to speak upon either these amendments or amendments of his own of a somewhat similar character. The Senator from North Carolina has given notice that he will address the Senate on Monday morning, and I think it would be very discourteous to him to attempt to vote on these amendments to-morrow, before he shall have addressed the Senate, as he proposes to do.

Mr. STONE. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Missouri?

Mr. CUMMINS. I yield to the Senator.

Mr. STONE. I should like to ask the Senator from Iowa if he will be prepared now to agree to a day in the near future upon which a vote may be taken on the pending bill and amendments?

Mr. CUMMINS. In response to the Senator from Missouri, I will say that, so far as I am concerned, I am entirely willing to fix a day, by unanimous consent, for voting upon the amendments I have presented. I endeavored to secure that consent, as the Senator knows, last week.

Mr. STONE. Upon all amendments and upon the bill?

Mr. CUMMINS. Not upon the bill. So far as I am concerned, there will be no time fixed for voting upon the bill until the amendments that it is well known will be proposed to the bill shall have been reasonably debated. Whenever that time elapses I shall not interpose any objection to fixing a time for voting upon the bill.

Mr. STONE. With a view to ascertaining the judgment and view of the Senator from Iowa, I ask if he will be willing to fix some day, about, say the 25th of July, for voting upon the bill and all amendments?

Mr. CUMMINS. Mr. President, speaking for myself, I shall not agree to fixing a date for voting upon the bill and all the amendments until the amendments have been fairly and reasonably presented in debate. I have learned through some experience and more observation that it is very unwise to fix a time for voting upon an important measure until the debate upon the measure has been practically concluded. I shall, how-

ever, be glad to fix a day for voting upon the amendments that have been debated up to this time.

Mr. STONE. What amendments has the Senator in mind?

Mr. CUMMINS. The amendments I have proposed and which constitute the pending question.

Mr. STONE. What day would the Senator suggest as agreeable to him?

Mr. CUMMINS. I suggest next Tuesday. I do that because I want to give the Senator from North Carolina an opportunity to address the Senate.

Mr. STONE. Would it be agreeable to the Senator to vote on his amendments immediately after the Senator from North Carolina has concluded his speech on Monday next?

Mr. CUMMINS. As the Senator from Missouri can well see, I might desire to make some further explanation on my own part if anything should develop in the course of the remarks of the Senator from North Carolina that would seem to require a reply; but I am sure that I can do that so that we can vote upon the amendments on Tuesday. That need not delay the debate generally.

Mr. SMOOT. Mr. President, I notice that the Senator from North Carolina [Mr. SIMMONS] yesterday gave notice that "on Monday, July 10, 1911, following the routine morning business, he would address the Senate on H. R. 4412, the Canadian reciprocity bill, and especially upon the amendments offered by himself to the bill."

Mr. CUMMINS. I understand the character of the notice the Senator from North Carolina has given; but the Senator from Utah will remember, I am sure, that when I asked that Friday, the 7th of July, be fixed as the date for voting upon these amendments the Senator from North Carolina objected because he wanted to address the Senate upon his own amendments, which bore close relation to the amendments I have proposed; and I think the senior Senator from Indiana [Mr. SHIVELY] made the same objection.

Mr. SMOOT. As I remember, the Senator from North Carolina did say that he wanted to speak upon certain amendments, and he mentioned the amendments offered by the Senator from Iowa. I do not remember, however, that the senior Senator from Indiana stated that there was objection on his part on account of his desire to speak to those amendments.

Mr. CUMMINS. If the Senator from Utah will yield to me long enough, I will ask unanimous consent that on the legislative day of Tuesday next the pending question shall be disposed of before adjournment, with the right upon the part of any Senator to ask for such a division of the pending question as parliamentary law or the rules of the Senate may warrant.

Mr. MARTIN of Virginia. Mr. President, I hope very much that the Senator from Iowa will agree to have the vote on his amendments taken on Monday instead of on Tuesday. It seems that there is no Senator ready to occupy the floor to-morrow, and a suggestion is made that the entire day on Saturday shall be practically lost. So far as we have been advised, the Senator from North Carolina is the only Senator who has indicated a desire to speak on Monday. By meeting at 11 o'clock and sitting until 5 or 6 o'clock, which we can afford to do in order to facilitate the consideration of these measures, surely there will be abundant time for additional debate on the amendments offered by the Senator from Iowa; and, so far as I am concerned, I would be much better satisfied to have the agreement provide for a vote on Monday before adjournment on the amendments offered by the Senator from Iowa. I am a little afraid I do not exactly understand what might be embraced by the words "the pending question."

Mr. CUMMINS. I will accept the suggestion of the Senator from Virginia, and will change my request to Monday and substitute the words "amendments offered by myself" in lieu of "the pending question"——

The VICE PRESIDENT. The amendments offered by the Senator from Iowa are the pending question.

Mr. CUMMINS. Understanding, however, that there are to be such separate votes upon the amendments as the rules of the Senate and parliamentary law will permit.

The VICE PRESIDENT. That would be granted without being put in the request, as a matter of course. If a division were demanded, a division would be given under the rules, of course, whether or not such a stipulation were in the request.

Mr. CUMMINS. I suggest that there will be a good many divisions; that is to say, there will be several votes.

The VICE PRESIDENT. The Chair can see by reading the amendment that there might be 50 separate propositions.

Mr. CUMMINS. I should like the unanimous-consent agreement to include one other thing, namely, that the votes be taken by the yeas and nays, so that we will not be under the necessity of calling for the yeas and nays when every vote is had.

Mr. SMOOT. Mr. President, so that we will understand the proposition, I should like to ask the Senator if this is his request, that immediately after the close of the speech to be delivered by the Senator from North Carolina we shall begin to vote upon the amendments offered by the Senator from Iowa?

Mr. CUMMINS. That is not my request.

The VICE PRESIDENT. The request is that on the legislative day of Monday the Senate conclude voting upon the amendments offered by the Senator from Iowa, divided as perhaps they may be by the rules of the Senate, without fixing the time when the Senate shall begin to vote.

Mr. CUMMINS. Before adjournment upon that legislative day.

The VICE PRESIDENT. Before adjournment on that legislative day.

Mr. STONE. Will the Senator from Iowa consent to fix an hour when the voting shall begin?

Mr. CUMMINS. No, Mr. President, I do not know but that some one will desire to say a few words with regard to the amendments. I would not want to make the agreement other than I have stated it, which is the usual form of agreements for that purpose.

Mr. STONE. It is not at all unusual to fix an hour when we shall begin to vote, I think.

Mr. CUMMINS. Well, the other form is much more usual and, I think, much more satisfactory.

Mr. SMOOT. Mr. President, I can not see what the Senator from Iowa will gain by his request if granted. After the Senator from North Carolina finishes speaking the question before the Senate will be on the amendments of the Senator from Iowa, and we will commence to vote upon those amendments. If we do not get through on the legislative day of Monday, let us take an adjournment until Tuesday and then vote again on Tuesday. According to the request of the Senator from Iowa, the legislative day may go over until Tuesday and over Wednesday and over Thursday, and we could gain nothing at all; but if the Senator will say that we will vote upon that calendar day before adjournment, then we would know when the matter would be closed.

Mr. CUMMINS. The Senator from Iowa is not attempting to gain anything by the request. He is simply attempting to make it reasonably convenient to Members of the Senate by furnishing them some reasonable information as to the time when the votes will be taken upon these amendments. Of course it is within the power of the Senator from Utah to object.

Mr. SMOOT. Mr. President, I have no desire whatever to interfere with the vote on the amendments or the vote upon the pending bill. While I am opposed to the bill, I know that the business interests of the country almost demand that the question here be settled one way or the other. I would be perfectly willing to vote to-morrow upon the bill or fix any date to vote upon the bill.

Mr. CUMMINS. What business is particularly disturbed by the free admission of agricultural products? I do not know of any great trust or great business that is particularly concerned in the admission of agricultural products. I do not believe that the statement of the Senator from Utah is borne out by the facts.

Mr. SMOOT. Well, Mr. President, all I want to say is this: The reciprocity bill is not the only bill before the Senate. There is the wool bill——

Mr. CUMMINS. Oh, well——

Mr. SMOOT (continuing). The farmers' free-list bill, and there may be other bills; more than likely they will be discussed before adjournment comes, and the quicker they are disposed of the better it will be for the welfare of the country.

Mr. CUMMINS. Then why not take up the bills in which the country is really interested, and which paralyze business, and dispose of them before we dispose of the bill that does not affect business at all?

Mr. STONE. Mr. President, I rise to a question of order. I hardly think we will reach any agreement by entering upon a debate of that kind. Let us see if we can reach an agreement. The Senator from Iowa is frank——

The VICE PRESIDENT. Nobody yet has objected to the request of the Senator from Iowa, because the Chair has not yet put it to the Senate. Possibly, if the Chair put it to the Senate, it might be agreed to, and that might end the whole matter.

Mr. STONE. Yes; it might and it might not.

The VICE PRESIDENT. It might not. That is true.

Mr. STONE. If the Chair will be patient and indulge me a little bit——

The VICE PRESIDENT. Most certainly. It is a pleasure to be patient with the Senator from Missouri.

Mr. STONE. We may save some confusion. The Senator from Iowa is a frank man and any statement he makes will be accepted by all of his colleagues.

Now, I ask him, inasmuch as these amendments we are discussing, about which we are trying to reach a date for voting upon, are his amendments, will he tell the Senate about how many yea-and-nay votes he thinks are likely to be asked for?

Mr. CUMMINS. Answering the Senator from Missouri in perfect candor, it would seem to me that there ought to be 10 or 12 roll calls. I think, so far as I am concerned, that the divisions I will ask for would be about 10 or 12.

Mr. STONE. Will the Senator, then, tell me the ground upon which he predicates his objection to fixing, say, 5 o'clock Monday to begin voting; not later than 5 o'clock?

Mr. CUMMINS. My objection is, it is utterly impossible to foretell the conditions which will then exist. I have asked for this unanimous-consent agreement only to avoid what I believe to be an unfairness that might otherwise be inflicted upon me and upon those who favor these amendments in voting to-morrow.

Mr. STONE. No Senator, of course, wishes to be unfair to the Senator from Iowa.

Mr. CUMMINS. I think myself that whenever the debate finishes upon these amendments we ought to take a vote upon them, but when we do take a vote upon them, we ought to take it at such a time as that all or nearly all Senators could be here if they desire to be here.

To-morrow will be the close of a very oppressive week. Many of the Senators desire to leave the city for perfectly legitimate reasons.

Now, does not the Senator from Missouri think it would be unfair to insist upon a vote upon these amendments to-morrow?

Mr. STONE. Oh, that is an entirely different question—voting to-morrow. I have not said anything about that.

Moreover, there may be force in one reason suggested why that should not be done, namely, that the Senator from North Carolina [Mr. SIMMONS] desires to speak on Monday on some amendments of his and upon all of the amendments pending. Still if the Senator from North Carolina should not care to discuss the amendments of the Senator from Iowa at all, then we might, with his consent, unless there are urged very good reasons to the contrary, vote to-morrow if there is a quorum and more of the Senate present.

Now, the Senator from Iowa said that the chairman of the Finance Committee was absent and that seven or eight other Senators were going away on pleasure excursions along the bay. It could not benefit the Senator, I imagine, to have the chairman of the Finance Committee here. For what reason has the Senator anxiety to have him here if he is absent of his own motion?

Mr. CUMMINS. It would add dignity to the occasion.

Mr. STONE. Oh, that was the reason.

Mr. CUMMINS. Then I at least would be in the presence of my own leader.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Idaho?

Mr. SMOOT. I yield.

Mr. BORAH. Will not Senators permit the Chair to state this proposition so that we can ascertain whether there is any objection or not?

The VICE PRESIDENT. The Secretary has placed it in this form:

> It is agreed, by unanimous consent, that on the legislative day of Monday, July 10, 1911, and before adjournment on that day, the Senate will dispose of the pending amendment to the bill H. R. 4412, the Canadian reciprocity bill, the right of division reserved, and that the vote or votes taken shall be by yeas and nays.

Mr. HEYBURN. Mr. President——

Mr. CUMMINS. I suppose the words "pending amendment" are intended to refer to the amendments offered by me?

The VICE PRESIDENT. There can be but one amendment pending at a time. Later, of course, it can be divided by——

Mr. CUMMINS. I agree with the Chair in that particular.

Mr. HEYBURN. I desire to address an inquiry: Has the Senator from Iowa observed Rule XVIII, which says that a motion to strike out and insert is not within the rule of a divisible question? I have just sent for a copy of the amendment, and I find it comes under that rule, and it is not divisible, and I think the Senator would be confronted with that rule, and probably it should be taken notice of now.

Mr. CUMMINS. I think, however, as I understand that rule it means this: The motion to strike out a particular thing and insert a particular thing instead is not divisible.

Mr. HEYBURN. I thought it as the Senator has expressed it, but being in some uncertainty of mind I have sent for the amendment, and I find it is in the express terms that bring it within the scope of this rule.

It would not be fair to the Senator from Iowa if we should proceed to-day upon the assumption that the question might be divided, when he might discover on Monday, or whenever it came to a vote, that this amendment must be treated as a whole.

Mr. CUMMINS. Let me see if I understand the senior Senator from Idaho. I have moved, for instance, that meat be stricken from the reciprocal dutiable list and be inserted in the United States free list.

Now, I agree that in so far there could be no division of that question, but I have also moved that finished lumber be stricken from the reciprocal dutiable list and put upon the free list. Does the Senator from Idaho think that that rule would preclude the division of the question as between meat and lumber?

Mr. HEYBURN. A reading of the rule would seem to bear out that conclusion. It reads:

> If the question in debate contains several propositions, any Senator may have the same divided, except a motion to strike out and insert, which shall not be divided.

I read that part of the rule. In the title of the amendment, as it is printed here, it proposes to strike out and insert.

Mr. NELSON. Mr. President——

The VICE PRESIDENT. Will the Senator from Utah yield to the Senator from Minnesota?

Mr. SMOOT. I yield to the Senator.

Mr. NELSON. While the amendment printed as a whole proposes to strike out different paragraphs of the bill and insert others in place of them, I think each particular item in the bill, like meat or wheat or anything of that kind, should be treated as a separate proposition. If there is any doubt about that, it ought to be included in this unanimous-consent agreement.

Mr. HEYBURN. Certainly; that is the reason why I called attention to it.

The VICE PRESIDENT. The Chair thinks it is perfectly clear that the amendment is susceptible of innumerable divisions.

Mr. NELSON. It strikes me so.

The VICE PRESIDENT. Anything can be separated which can be acted upon separately as a distinct proposition without affecting the rest. This can be done, in this instance, so it seems to the Chair, world without end almost.

Mr. NELSON. I think the Chair is right, and I am anxious to be clear on the subject because I have some amendments of the same kind. While I have grouped them all on one printed sheet, they relate to different paragraphs.

Mr. HEYBURN. That is true in some cases. If I may be permitted, I will take a specific case. On page 19 it is proposed to strike out lines 16, 17, 18, 19, and insert lines 20, 21, 22, and 23, covering the items; that is, strike out the words—

> Timber, hewn, sided or squared otherwise than by sawing, and round timber used for spars or in building wharves.
>
> Sawed boards, planks, deals, and other lumber not further manufactured than sawed—

And insert—

> Logs; timber, however sided or squared; round timber, for whatever use; sawed boards; planks; deals and other lumber, planed or unplaned, finished or unfinished; laths and shingles.

There is a clear case.

The VICE PRESIDENT. There is a distinctly separate proposition to strike out and insert, each provision being susceptible of amendment prior to voting upon the proposition to strike out and insert.

Mr. HEYBURN. It is a question of interpreting those words. They are an exception to the general rule in regard to the division of a question, and the exception is rather meagerly stated, but very succinctly stated. Then I understand from the Chair's suggestion that as to those items they could not be separated? You could not take a vote, for instance, on hewn timber, omitting the other items substituting logs, et cetera, however sided?

The VICE PRESIDENT. When the Chair looks at it again, he is not sure about that.

Mr. CUMMINS. Let me suggest the meaning of the rule. It seems to me perfectly clear that you can not separate the motion to strike out from the motion to insert; that is, the

motion to strike out and insert is inseparable. But if the motion to strike out and insert comprises many subjects, then there can be the same division of those subjects as there could be in any other amendment. That is the way I have construed the rule.

Mr. HEYBURN. My only object in calling attention to it was that some one might be taken by surprise because this is a very long amendment.

Mr. CUMMINS. Very.

Mr. HEYBURN. And it contains many subjects, and I thought it no more than fair that if one might hereafter care to raise the question it be suggested at this time.

Mr. CUMMINS. I am very glad the Senator from Idaho raised it, because if the Chair is in any doubt with regard to it, I must take some other means of accomplishing the end I have in view.

The VICE PRESIDENT. If the Chair might make a suggestion, the Chair thinks that when the question arises there will be no difficulty whatever, unless it be on the question of the proposition of ordering the yeas and nays. The Chair has a notion that many of these divisions might be such that a yea-and-nay vote would not be called for. For instance, on page 18, line 5, "corn meal." That is a proposition by itself. The next line, line 6, "barley malt." That is a proposition by itself, and might be voted upon separately.

Mr. CUMMINS. I may say, for information, that so far as I am concerned I intend to ask for a yea-and-nay vote upon the manufactured products of the free list—on flour, oats of all kinds, oatmeal, bran, et cetera. I think they all are naturally grouped in one proposition.

I do not say that others may not ask for different divisions——

The VICE PRESIDENT. Certainly not.

Mr. CUMMINS. But that is my purpose. Then likewise with meats, and likewise with steel and iron, and likewise with woolen, cotton, and silk, and so on.

Mr. HEYBURN. I call the Senator's attention directly to some of the proposed amendments that involve a principle rather than an item, and call his attention to pages 23 and 24 and part of 25, which states three different distinct principles running through this legislation, and the proposition is to strike out——

Mr. CUMMINS. Those do not strike out——

Mr. HEYBURN. Those I have referred to are in italics. For instance, on page 23 of the bill you propose to strike out and you propose to substitute. I merely call attention to it.

Mr. CUMMINS. I have twice made a vain effort to accomplish something, and I now withdraw my request for unanimous consent.

Mr. SMOOT. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Saturday, July 8, 1911, at 11 o'clock a. m.

SENATE.

SATURDAY, *July 8, 1911.*

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D., as follows:

O Thou who art the God of all comfort, as again the muffled voice of heavenly death is heard in our midst, we bow our heads in submission to Thy holy will. Yet are we not affrighted, seeing that whether living or dying we are Thine. Therefore though we walk through the valley of the shadow of death, we fear no evil; knowing that if the earthly house of our tabernacle be dissolved, we have a building from Thee, a house not made with hands, eternal in the heavens. And unto Thee, with whom is the fountain of life, and in whose light we shall see light, be glory on earth and in heaven, now and for evermore. Amen.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a joint resolution passed by the Legislature of the State of Wisconsin, which was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

Joint resolution (J. Res. No. 135, A) memorializing Congress to initiate or participate in a general world-wide movement through The Hague Tribunal or otherwise for international peace and general disarmament and the international policing of the high seas.

Whereas during the last two-year period, in a time of profound peace, our Federal Government expended for military and naval purposes over $555,000,000.

Wisconsin's share of this enormous expenditure, on the basis of population, exceeds $14,000,000, and by reason of the high economic, industrial, and social development of this State its contribution undoubtedly far exceeds the above amount.

The total amount of taxes levied directly by this State during the two-year period was less than $2,000,000, and the total of income and of disbursements of this State for all general purposes was less than $13,000,000.

The people of Wisconsin, therefore, pay for the military and naval expenditures of the Federal Government more than seven times the amount paid in taxes to the State and a sum far in excess of the receipts or of the disbursements of the State.

This enormous expenditure for war purposes does not include any part of the expenditure during the same period of over $322,000,000 for pensions and over $43,000,000 for interest on indebtedness incurred in time of war.

Whereas the progress of civilization and of science has relegated war, as a settlement of international disputes, to a thing of the past, and the growing control of the Government by the people, who must bear its burdens, has practically rendered future war impossible, and the present military and naval expenditures constitute wholly an economic loss, which expenditure, in view of our scientific progress, is not even justified for war purposes, benefiting only the great trusts and combinations which fatten on contracts for construction and supplies, robbing the great body of the people of the higher economic plane which is justly theirs.

Whereas any movement for peace, to insure success, must be placed upon a broad basis, and recent attempts to place the burden or responsibility of this movement upon the people of any race or language must fail.

Civilization is not confined to English-speaking people, and the population of our country and of our State has come largely from other than English-speaking countries, making signal contribution to the cause of peace.

Resolved by the assembly (the senate concurring), That we respectfully memorialize the Congress of the United States to initiate or participate in a general world-wide movement through The Hague Tribunal or otherwise for the establishment of international peace and for a general disarmament by all nations and the international patrolling of the high seas and of territory exposed to or inhabited by savage tribes.

Resolved, That a copy of this resolution be immediately transmitted to the President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and to each of the Senators and Representatives of this State in Congress.

C. A. INGRAM,
Speaker of the Assembly.
H. C. MARTIN,
President of the Senate.
C. E. SHAFFER,
Chief Clerk of the Assembly.
F. M. WYLIE,
Chief Clerk of the Senate.

Mr. HITCHCOCK presented a petition of sundry citizens of Lincoln, Nebr., members of the Spanish War Veterans' Association, praying for the enactment of legislation authorizing the payment of travel pay and allowances to officers and enlisted men of volunteer organizations who served in the Philippine Islands, which was referred to the Committee on Military Affairs.

Mr. OWEN. I present a list of the boards of trade and chambers of commerce who have recently passed resolutions favoring the establishment of a national department of health. I ask that the list be printed in the RECORD and referred to the Committee on Public Health and National Quarantine.

There being no objection the list was referred to the Committee on Public Health and National Quarantine and ordered to be printed in the RECORD, as follows:

New Lots Board of Trade, Brooklyn, N. Y.; Charleroi Business Men's Association, Charleroi, Pa.; St. Albans Board of Trade, St. Albans, W. Va.; Chamber of Commerce, Olean, N. Y.; the Citizens' Commercial Club Co., Delphos, Ohio; Covington Commercial Club, Covington, Tenn.; the Pasadena Board of Trade, Pasadena, Cal.; the Worcester Board of Trade, Worcester, Mass.; Merced County Chamber of Commerce, Merced, Cal.; Oakland Chamber of Commerce, Oakland, Cal.; San Jose Chamber of Commerce, San Jose, Cal.; Chamber of Commerce, Allentown, Pa.; Fitchburg Board of Trade and Merchants' Association, Fitchburg, Mass.; Merchants' Association and Chamber of Commerce, Altoona, Pa.; the Indianapolis Board of Trade, Indianapolis, Ind.; Richmond Hill Board of Trade, Richmond Hill, New York City; Reno Commercial Club, Reno, Nev.; the Commercial Club of Minneapolis, Minneapolis, Minn.; Chamber of Commerce, Petaluma, Cal.; the Dubois Business Men's Exchange, Dubois, Pa.; the Parkersburg Board of Commerce, Parkersburg, W. Va.; Board of Trade, Ashland, Mass.; Oklahoma City Chamber of Commerce, Oklahoma City, Okla.; Chamber of Commerce, Quincy, Ill.; Chamber of Commerce, Athens, Ga.; Business Men's Club, Huntsville, Ala.; Lancaster Board of Trade, Lancaster, Pa.; Monte Ne Commercial Club, Monte Ne, Benton County, Ark.; Board of Trade, Long Branch, N. J.

Mr. STONE presented memorials of sundry citizens of El Dorado Springs, St. Louis, and Carthage, in the State of Missouri, remonstrating against the passage of the so-called Johnston Sunday-rest bill, which were ordered to lie on the table.

MATTHEW LOGAN.

Mr. WARREN, from the Committee on Military Affairs, to which was referred the bill (S. 270) for the relief of Matthew Logan, reported it without amendment and submitted a report (No. 99) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BRISTOW:

A bill (S. 2966) granting an increase of pension to Lucy E. Culp; to the Committee on Pensions.

By Mr. KENYON:

A bill (S. 2967) for the relief of John Doyle, alias John Geary; to the Committee on Military Affairs.

A bill (S. 2968) granting a pension to Rose Logan;

A bill (S. 2969) granting an increase of pension to Joseph H. Lanam (with accompanying paper); and

A bill (S. 2970) granting an increase of pension to John L. Mellender (with accompanying papers); to the Committee on Pensions.

By Mr. SIMMONS:

A bill (S. 2971) granting a pension to Mollie E. Strickland (with accompanying papers); to the Committee on Pensions.

By Mr. HITCHCOCK:

A bill (S. 2972) granting an increase of pension to Robert Martin; to the Committee on Pensions.

By Mr. CLAPP:

A bill (S. 2973) granting an increase of pension to Reuben F. Brownell (with accompanying papers); to the Committee on Pensions.

ASTORIA (OREG.) CENTENNIAL.

Mr. CHAMBERLAIN. I ask unanimous consent to call up the joint resolution (S. J. Res. 31) authorizing the Secretary of War to loan certain tents for the use of the Astoria Centennial, to be held at Astoria, Oreg., August 10 to September 9, 1911. It is a very short measure.

The VICE PRESIDENT. The joint resolution will be read for the information of the Senate.

The Secretary read the joint resolution; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The joint resolution was reported from the Committee on Military Affairs with an amendment, in line 6, after the words "nineteen hundred and eleven," to strike out "such tents, with necessary poles, ridges, and pins, as may be required at said centennial" and insert "100 wall tents and 100 conical tents, with poles, ridges, and pins for each," so as to make the joint resolution read:

Resolved, etc., That the Secretary of War be, and he is hereby, authorized to loan, at his discretion, to the executive committee of the Astoria Centennial, to be held at Astoria, Oreg., August 10 to September 9, 1911, 100 wall tents and 100 conical tents, with poles, ridges, and pins for each: *Provided*, That no expense shall be caused the United States Government by the delivery and return of said property; the same to be delivered to said committee designated at such time prior to the holding of said centennial as may be agreed upon by the Secretary of War and B. F. Crawshaw, general secretary of said executive committee: *And provided further*, That the Secretary of War shall, before delivering such property, take from said B. F. Crawshaw a good and sufficient bond for the safe return of said property in good order and condition, and the whole without expense to the United States.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended.

Mr. SMOOT. I did not listen to the reading of the joint resolution, and I should like to ask the Senator from Oregon if it provides that a bond shall be given, so that in case of the loss of tents the Government will be reimbursed.

Mr. CHAMBERLAIN. It provides that a bond shall be given by the centennial committee fully protecting the Government against loss.

Mr. WARREN. And that the Government shall be at no expense.

Mr. CHAMBERLAIN. Yes.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

BLACK WARRIOR RIVER IMPROVEMENT.

Mr. JOHNSTON of Alabama. I ask unanimous consent to call up the bill (S. 943) to improve navigation on Black Warrior River, in the State of Alabama.

The VICE PRESIDENT. The Secretary will read the bill for the information of the Senate.

Mr. JOHNSTON of Alabama. The bill has been read, and I ask that it be taken up for action on the substitute I have submitted.

Mr. BURTON. I understood that the bill was to come up on Monday. It involves some very important changes in principle, as I understand it, as well as changes in the specific improvement.

Mr. JOHNSTON of Alabama. It involves no changes in the improvement at all, and the only change——

Mr. BURTON. It involves changes in the size and number of the dams.

Mr. JOHNSTON of Alabama. That is in the original bill, and it is exactly the same in the substitute that I propose. I hope the Senator from Ohio will not object.

Mr. BURTON. I had understood that the bill would come up on Monday, and I had intended to give it somewhat careful examination before that time. Thus far I have been unable to do so.

Mr. JOHNSTON of Alabama. Very well; if the Senator desires I will wait until Monday.

Mr. BURTON. I think it ought to go over until Monday.

The VICE PRESIDENT. Objection is made to the present consideration of the bill.

PLATS AND FIELD NOTES OF PUBLIC-LAND SURVEYS.

Mr. WARREN. I ask the Senate to take up the joint resolution (S. J. Res. 32) authorizing chief clerks in offices of surveyors general to approve and sign plats and field notes of public-land surveys. It is an important measure and should be passed speedily.

The Secretary read the joint resolution and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CIRCUIT JUDGES.

Mr. SUTHERLAND. I ask unanimous consent to call up the bill (S. 2653) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary."

The Secretary read the bill.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. OWEN. I should like to have it go over.

The VICE PRESIDENT. Objection is made.

Mr. SUTHERLAND. I hope the Senator from Oklahoma will not object to the consideration of this bill. If he will permit me, I should like to state to him very briefly the purpose of it.

It makes no change whatever in the existing law except to make it clear that the circuit judges in the various circuits of the United States shall constitute the circuit court of appeals. Under the existing law it is thought that that is not made quite clear, and the only change in section 118 of the code which is proposed by the bill is to add to it this provision:

The circuit judges in each circuit shall be judges of the circuit court of appeals in that circuit, and it shall be the duty of each circuit judge in each circuit to sit as one of the judges of the circuit court of appeals in that circuit from time to time according to law.

It has been thought, as I said, that the existing law did not make it quite clear that the circuit judges shall be the constituent members of the circuit court of appeals, and it is to remove that doubt, and that only, that this bill has been reported from the Judiciary Committee.

Mr. OWEN. I will state that I have no objection to the purpose of the bill, but I wish to move an amendment to it, and I am not quite prepared to do it to-day.

THE CALENDAR.

The VICE PRESIDENT. The morning business is closed. The calendar is in order under Rule VIII.

The bill (S. 237) for the proper observance of Sunday as a day of rest in the District of Columbia was announced as first in order on the calendar.

The VICE PRESIDENT. The pending question is an amendment offered by the Senator from Idaho [Mr. HEYBURN].

Mr. HEYBURN. I ask that the bill may go over.

The VICE PRESIDENT. It will go over.

The bill (S. 291) providing for the retirement of petty officers and enlisted men of the United States Navy or Marine Corps, and for the efficiency of the enlisted personnel, was announced as next in order.

Mr. WARREN. Let the bill go over.

The VICE PRESIDENT. It will go over.

The bill (S. 25) to regulate the business of loaning money on security of any kind by persons, firms, and corporations other than national banks, licensed bankers, trust companies, savings banks, building and loan associations, pawnbrokers, and real estate brokers in the District of Columbia was announced as next in order.

Mr. POMERENE. Mr. President, I have prepared an amendment to the bill providing that the maximum sum to be charged shall be 8 per cent per annum in addition to certain charges connected incidentally with the loan. The chairman of the Committee on the District of Columbia, the Senator from New Hampshire [Mr. GALLINGER], has taken a great deal of interest in this matter, and in his absence it seems to me that perhaps the measure ought not to be taken up.

The VICE PRESIDENT. The bill will go over, on objection.

Mr. CURTIS. If the Senator from Ohio would offer his amendment so that it might be pending, we could see what it is in the meantime.

Mr. POMERENE. I shall be very glad to do so. I will send for it.

Mr. CURTIS. With that understanding, let the bill go over.

The VICE PRESIDENT. The Senator from Ohio offers an amendment to the bill, after which objection is made to its present consideration, and it goes over.

The amendment intended to be proposed by Mr. POMERENE is as follows:

On page 6, line 7, strike out the words "1½ per cent per month" and in lieu thereof insert the words "8 per cent per annum."

Also, in line 10, after the word "charges," insert the following, "except that a charge not exceeding $1 may be made for services and expenses for each loan, when originally made, but no charge shall be made for any renewal thereof or part thereof, and."

The bill (S. 123) to alter the regulations respecting the manner of holding elections for Senators, was announced as next in order.

Mr. HEYBURN. Let the bill go over.

The VICE PRESIDENT. It will go over.

REGULATION OF AMUSEMENT PLACES IN THE DISTRICT OF COLUMBIA.

The bill (S. 2600) to authorize the Commissioners of the District of Columbia to prevent the exhibition of obscene, lewd, indecent, or vulgar pictures in public places of amusement in the District of Columbia was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER.

The bill (S. 1899) to repeal a portion of an act heretofore passed relating to the alienation of the title of the United States to land in the District of Columbia was announced as next in order.

Mr. HEYBURN. Let the bill go over.

The VICE PRESIDENT. It will go over.

The bill (H. R. 2958) to amend an act entitled "An act providing for publicity of contributions made for the purpose of influencing elections at which Representatives in Congress are elected" was announced as next in order.

Mr. SMOOT. Let that bill go over, Mr. President.

The VICE PRESIDENT. The bill goes over.

The bill (S. 943) to improve navigation on Black Warrior River, in the State of Alabama, was announced as next in order.

The VICE PRESIDENT. That bill has already been passed over.

The bill (S. 2653) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary" was announced as next in order.

The VICE PRESIDENT. That bill has just gone over.

ADDITIONAL JUDGE FOR FOURTH CIRCUIT.

The bill (S. 2604) authorizing the President to appoint an additional circuit judge for the fourth circuit was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER.

The bill (H. R. 4413) to place on the free list agricultural implements, cotton bagging, cotton ties, leather, boots and shoes, fence wire, meats, cereals, flour, bread, timber, lumber, sewing machines, salt, and other articles was announced as next in order.

Mr. SMOOT. Let that bill go over, Mr. President.

The VICE PRESIDENT. The bill goes over.

The bill (H. R. 11019) to reduce the duties on wool and the manufactures of wool was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill goes over.

VERMONT JUDICIAL DISTRICT.

The bill (S. 1650) to amend section 110 of "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, was considered as in Committee of the Whole. It proposes to amend section 110 of "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, by striking out all of that section and inserting in lieu thereof the following:

SEC. 110. The State of Vermont shall constitute one judicial district, to be known as the district of Vermont. Terms of the district court shall be held at Burlington on the fourth Tuesday in February, at Windsor on the third Tuesday in May, at Rutland on the first Tuesday in October, and at Brattleboro on the third Tuesday in December. In each year one of the stated terms of the district court may, when adjourned, be adjourned to meet at Montpelier and one at Newport.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WIDENING AND EXTENSION OF MINNESOTA AVENUE.

The bill (S. 1069) to authorize the widening and extension of Minnesota Avenue from Pennsylvania Avenue SE. to its present terminus, near Eastern Avenue, and for other purposes, was considered as in Committee of the Whole.

The bill had been reported from the Committee on the District of Columbia with an amendment to strike out all after the enacting clause and insert:

That the act of Congress entitled "An act to authorize the widening and extension of Minnesota Avenue SE. from its present terminus near Pennsylvania Avenue SE. to the Sheriff Road," be, and it is hereby, amended by striking out the limitation of 90 days from the passage of the act within which condemnation proceedings shall be instituted, and also the provision that said avenue shall be widened and extended according to the permanent system of highway plans adopted in and for the District of Columbia, and adding to the act a new section to be known as section 3, and to read as follows:

"SEC. 3. That the Commissioners of the District of Columbia are hereby authorized and directed to prepare a new highway plan for that portion of Minnesota Avenue lying between East Capitol Street and Foote Street so as to provide better alignment for said avenue, and to avoid improvements lying within said avenue, as proposed under the plan for a permanent system of highways in the District of Columbia, and to record said new plan in the office of the surveyor of the District of Columbia; and said Minnesota Avenue shall be widened and extended within the limits named in said act according to the permanent system of highway plans adopted in and for the District of Columbia as said plans are amended by the new highway plan for a portion of said avenue herein authorized."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to amend 'An act authorizing the widening and extension of Minnesota Avenue SE. from its present terminus near Pennsylvania Avenue SE. to the Sheriff Road,' approved February 25, 1909."

ANACOSTIA RIVER AND EASTERN BRANCH.

The bill (S. 1898) providing for the protection of the interests of the United States in lands and waters comprising any part of the Anacostia River, or Eastern Branch, and lands adjacent thereto, and for other purposes, was announced as next in order.

Mr. SMOOT. Let that bill go over.

The VICE PRESIDENT. The bill goes over.

MISSOURI RIVER BRIDGE.

The bill (S. 2768) to authorize the St. Louis-Kansas City Electric Railway Co. to construct a bridge across the Missouri River at or near the town of Weldon Springs Landing, Mo., was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with an amendment, on page 1, line 7, after the word "at," to insert "a point suitable to the interests of navigation, at," so as to make the bill read:

Be it enacted, etc., That the St. Louis-Kansas City Electric Railway Co., a corporation organized under the laws of the State of Missouri, is hereby authorized to construct, maintain, and operate a bridge and approaches across the Missouri River at a point suitable to the interests of navigation, at or near the town of Weldon Springs Landing, in the State of Missouri, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ADDITIONAL DISTRICT JUDGE FOR COLORADO.

The bill (S. 77) to provide for the appointment of one additional district judge in and for the district of Colorado was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

APPORTIONMENT OF REPRESENTATIVES UNDER THIRTEENTH CENSUS.

The bill (H. R. 2983) for the apportionment of Representatives in Congress among the several States under the Thirteenth Census was announced as next in order.

Mr. SMOOT. Let that bill go over, Mr. President.

The VICE PRESIDENT. The bill goes over.

VOLUNTEER FORCES OF THE UNITED STATES.

The bill (S. 2518) to provide for raising the volunteer forces of the United States in time of actual or threatened war was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment, to strike out all after the enacting clause and insert:

That all male citizens of the United States and all male persons of foreign birth that declare their intention to become citizens of the United States under and in pursuance of the laws thereof, who are of sound body and mind and between the ages of 18 and 45 years, are hereby declared to constitute the national forces, and, with such exceptions and under such conditions as may be prescribed by law, shall be liable to perform military duty in the service of the United States.

SEC. 2. That the organized and active land forces of the United States shall consist of the Regular Army and of the National Guard while in the service of the United States: *Provided*, That in time of war, or when war is imminent, the aforesaid land forces may be augmented by such volunteer forces as Congress may authorize.

SEC. 3. That the Regular Army is the permanent military establishment, which is maintained both in peace and war under the provisions of law.

SEC. 4. That the National Guard is the Organized Militia of the several States and Territories and District of Columbia, organized as a land force and subject to be called into the service of the United States.

SEC. 5. That the volunteer forces shall be maintained only during the existence of war or while war is imminent, and shall be raised and organized, as in this act provided, only after Congress has or shall have authorized the President to raise such a force: *Provided*, That the term of enlistment in the volunteer forces shall be the same as that for the Regular Army, and all officers and enlisted men composing such volunteer forces shall be discharged from the service of the United States as soon as practicable after the President shall have issued a proclamation announcing the conclusion of hostilities or the passing of the emergency.

SEC. 6. That when volunteer forces are to be raised the President shall issue his proclamation, stating the number of men desired for each arm, corps, and department, within such limits as may be fixed by law, and the Secretary of War shall prescribe such rules and regulations, not inconsistent with the terms of this act, as may be necessary for the purpose of examining, organizing, and receiving into the service the men called for: *Provided*, That the power to organize shall include the power to provide the officers and enlisted men of all grades and classes, including trained nurses, male and female, that may be necessary in the various arms, corps, and departments: *Provided further*, That all enlisted men received into the service in the volunteer forces shall, as far as practicable, be taken from the several States and Territories and the District of Columbia, in proportion to their respective populations.

SEC. 7. That the volunteer forces shall be subject to the laws, orders, and regulations governing the Regular Army in so far as such laws, orders, and regulations are applicable to officers or enlisted men whose permanent retention in the military service, either on the active list or on the retired list, is not contemplated by existing law; and no distinction shall be made between the Regular Army and the volunteer forces in respect to the conferring upon officers or enlisted men of brevet rank, medals of honor, certificates of merit, or other rewards for distinguished service, nor in respect to the eligibility of any regular or volunteer officer for service on any court-martial, court of inquiry, or military commission: *Provided*, That the oganization of all units of the line and of the signal troops of the volunteer forces shall be the same as that prescribed by law and regulations for the corresponding units of the Regular Army: *Provided further*, That when military conditions so require, the President may organize the land forces of the United States into brigades and divisions and such higher units as he may deem necessary, and the composition of units higher than the regiment shall be as he may prescribe: *Provided further*, That to each regiment of infantry, cavalry, and artillery, and to each battalion of engineers and signal troops organized under this act, there shall be attached the same personnel of the Medical Department as are attached to like organizations of the Regular Army: *Provided further*, That the organization of the coast defenses, of machine-gun detachments, establishments of the Medical Department, remount depots, military trains, secret-service agencies, military prisons, lines of communication, including their supply depots, and of other adjuncts that may be necessary in the prosecution of war, and the organization of which is not otherwise provided for by law, shall be as the President may from time to time direct.

SEC. 8. That the President is authorized, by and with the advice and consent of the Senate, to appoint all officers required by this act; the number and grade of such officers not to exceed the number and grade of like officers provided for a like force of the Regular Army: *Provided*, That all appointments below the grade of brigadier general in the line of the volunteer forces shall be by commission in an arm of the service and not by commission in any particular regiment; and officers in each arm of the service shall be assigned to regiments, and transferred from one regiment to another, as the interests of the service may require, by orders from the Secretary of War: *Provided further*, That no officer above the grade of colonel shall be appointed under the provisions of this act.

SEC. 9. That to provide the staff officers that will be necessary in the various staff corps and departments in time of war or while war is imminent, and that are not otherwise provided for in this act, the President is authorized to appoint, by and with the advice and consent of the Senate, such number of volunteer staff officers of the proper grades for such corps and departments as he may find necessary: *Provided*, That the total number of such officers so appointed, including all such officers of the National Guard called into the service of the United States, shall not exceed the ratio of 1 officer to 200 enlisted men for all National Guard and volunteer forces called into the service of the United States: *Provided further*, That the President may appoint, by and with the advice and consent of the Senate, volunteer chaplains at the rate of 1 for each regiment of volunteer infantry, cavalry, and field artillery, and 1 for every 12 companies of volunteer coast artillery raised.

SEC. 10. That in appointing the volunteer officers authorized by this act the President may select them from the Regular Army, from the National Guard of the District of Columbia, and, upon the recommendation of the various governors, from the National Guard of the several States and Territories in proportion, as far as practicable, to their respective populations, and as near as may be from the localities from which the troops were recruited, and from the country at large: *Provided*, That in appointments from the country at large preference shall be given those who have had honorable service in the Regular Army, the National Guard, or the volunteer forces, or who have been graduated from educational institutions in which military instruction is compulsory, and to those duly qualified and registered pursuant to section 23 of the act approved January 21, 1903: *Provided further*, That at the same time, not to exceed one Regular Army officer shall hold a volunteer commission in any one battalion of volunteer engineers or signal troops, or in any one battalion of volunteer field artillery; and not to exceed four Regular Army officers shall hold commissions in any one regiment of volunteer cavalry, field artillery, or infantry, or in any 12 companies of coast artillery, including their field and staff, at the same time: *And provided further*, That Regular Army officers appointed as officers of Volunteers under this act shall not thereby vacate their Regular Army commissions or be prejudiced in their relative or lineal standing therein.

SEC. 11. That the vacancies created in any grade not above that of colonel among the commissioned personnel of any arm, staff corps, or department of the Regular Army, through appointments of officers thereof to higher volunteer rank, shall be filled, as far as possible, by temporary promotions according to seniority in rank from the next lower grade; and vacancies that remain thereafter in the lower grades in said arm, corps, or department and that can not be filled by temporary promotions, as prescribed by this section, may be filled by the temporary appointment of officers of such number and grade or grades as shall maintain said arm, corps, or department at the full commissioned strength authorized by law: *Provided*, That officers temporarily promoted or appointed under the terms of this section shall be so promoted or appointed by the President, by and with the advice and consent of the Senate, for terms that shall not extend beyond the cessation of existing hostilities or the passing of the existing emergency as defined by the President's proclamation, whereupon the said officers shall be discharged from the positions held by them under their temporary promotions or appointments: *Provided further*, That officers temporarily promoted under the provisions of this section shall not vacate their permanent commissions nor be prejudiced in their lineal or relative standing in the Regular Army.

SEC. 12. That all returns and muster rolls of organizations of the volunteer forces shall be rendered to The Adjutant General of the Army, and upon the muster out of such organizations the records pertaining to them shall be transferred to and filed in The Adjutant General's Office. And regimental and all other medical officers serving with volunteer troops in the field or elsewhere shall keep a daily record of all soldiers reported sick or wounded, as shown by the morning calls or reports, and shall deposit such reports, with other reports provided for in this section, in The Adjutant General's Office, as provided for herein for other reports, returns, and muster rolls.

SEC. 13. That in time of war all organizations of the land forces shall be recruited and maintained as near their prescribed strength as practicable. For this purpose the necessary rendezvous and depots shall be established by the Secretary of War for the enlistment and training of all recruits, and in order that officers may be available for recruiting duty the President is authorized, by and with the advice and consent of the Senate, to appoint officers of Volunteers of the proper arm of the service, additional to those elsewhere herein authorized, in numbers not to exceed at the rate of 1 major, 4 captains, 5 first lieutenants, and 5 second lieutenants for each organized regiment of cavalry, field artillery, or infantry, each 3 battalions of engineers, or each 12 companies of coast artillery; that for purposes of instruction and discipline the troops at recruit depots herein authorized may be organized into companies and battalions, at the discretion of the Secretary of War, with noncommissioned officers and privates of such grades and numbers as may be prescribed by the President. The recruit rendezvous and recruit depots herein prescribed shall be under the direct control of the Secretary of War, and shall render their reports and returns to The Adjutant General of the Army: *Provided*, That to maintain the National Guard organizations in the service of the United States at their maximum strength the recruiting rendezvous and depots in any State or Territory may, at the request of the governor thereof, enlist and train recruits for the National Guard organizations in the service of the United States from that State.

SEC. 14. That, in the organization of the recruiting system, the President is authorized to employ retired officers, noncommissioned officers, and privates of the Regular Army, either with their rank on the retired list or, in the case of enlisted men, with increased noncommissioned rank; or he may, by and with the advice and consent of the Senate, appoint and employ retired officers below the grade of colonel, with increased volunteer commissioned rank not to exceed one grade above that held by them upon the retired list: *Provided*, That retired officers and enlisted men while thus employed shall not be eligible for transfer to the field units, but shall receive the full pay and allowances of the respective grades in which they are serving, whether volunteer or regular, in lieu of their retired pay and allowances: *Provided further*, That upon the termination of the duty or, in case of those given volunteer rank, upon muster out as volunteers, the officers and men shall revert to their retired status.

SEC. 15. That, except as otherwise specifically prescribed by law, all officers provided for in this act are subject to such assignments of duty and such transfers as the President may direct: *Provided*, That medical officers of Volunteers when detailed as consulting surgeons shall not exercise command over the hospitals to which they may be assigned for duty, except that by virtue of their commissions they may command all enlisted men: *Provided further*, That medical inspectors shall be detailed for duty with each army, field army, and division, and for the base and lines of communications, and that no officer shall be detailed for duty as a medical inspector except he be experienced in military sanitation.

SEC. 16. That all officers and enlisted men of the volunteer forces shall be in all respects on the same footing as to pay, allowances, and pensions as officers and enlisted men of corresponding grades in the Regular Army: *Provided*, That enlisted men in the Quartermaster's

Department and Subsistence Department of the volunteer forces shall receive the same pay and allowances as enlisted men of corresponding grades in the Engineer Corps.

SEC. 17. That the commander of a division or higher military unit is authorized to appoint, from time to time, military boards of not less than three nor more than five officers of the volunteer forces to examine into the capacity, qualifications, conduct, and efficiency of any commissioned officer of said forces within his command: *Provided*, That each member of the board shall be superior in rank to the officer whose qualifications are to be inquired into: *Provided further*, That if the report of such board is adverse to the continuance of any officer, and if the report be approved by the President, such officer shall be discharged from service in the volunteer forces, at the discretion of the President, with one month's pay and allowances.

SEC. 18. That the act approved April 22, 1898, entitled "An act to provide for temporarily increasing the military establishment of the United States in time of war, and for other purposes," is hereby repealed, and all other laws or parts of laws inconsistent with the provisions of this act are, to the extent of such inconsistency only, hereby repealed.

Mr. BURTON. Mr. President, I should like to have some explanation of that bill.

Mr. WARREN. Mr. President, it is a general volunteer army bill. It is a bill that has had very careful attention at the hands of the subcommittee and the full Committee on Military Affairs, and numerous hearings have been had on it. In lieu of the various acts that have been made applicable to the military establishment in connection with Regular Army, the National Guard, United States Volunteers, and so forth, this bill lays out a general plan. Of course it costs nothing in times of peace, and the forces provided for would be used only upon order of the President and action of Congress authorizing their use, but if, after exhausting the Regular Army and the militia of the States, other troops should be necessary at any time in case of an emergency the bill provides for United States volunteer forces, their formation, and so forth. As I have already stated, the bill has had very careful attention, and I hope there will be no objection to it.

Mr. BURTON. May I ask, does this bill involve any additional appropriation except in case of actual hostilities?

Mr. WARREN. Not a penny; and in case we should have war very much less expense would be involved than under the present system, and the bill would provide a force better officered and better organized than under existing laws, which are inadequate to supply an effective fighting force at a time when the stress of war is present or imminent.

Mr. BURTON. Is this the same bill as the one reported at a prior session or is it a new bill?

Mr. WARREN. It is better than the bill referred to by the Senator, but it pertains to the same subject.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

Mr. CUMMINS. I should like to ask the Senator from Wyoming, the former chairman of the committee, one question. In section 4 it is provided "that the National Guard is the organized militia of the several States and Territories and the District of Columbia, organized as a land force, and subject to be called into the service of the United States."

I take it for granted that it is not intended by this bill to change or disturb the present relations——

Mr. WARREN. Not at all. That is merely——

Mr. CUMMINS. Just a moment. The present relations between the Federal Government and the National Guard. Would it not be well to add to that section "as provided by law"? Otherwise it might be——

Mr. WARREN. Add what words, please?

Mr. CUMMINS. Immediately after the words "United States," in section 4——

Mr. WARREN. Oh, yes; I see no objection to that addition.

Mr. CUMMINS. There is not, of course, an unlimited right of calling the National Guard into service. There are some conditions which must be observed.

Mr. HEYBURN. This bill repeals those conditions.

Mr. CUMMINS. I do not think it wise to use these general phrases, but, on the other hand, we often refer to the law as it is now, which does prescribe the conditions under which the National Guard shall be called into service.

Mr. WARREN. I see no objection to the amendment offered. This is merely intended to be a recital——

Mr. CUMMINS. I am sure of that. I do not believe it is intended to change at all the relations between the Federal Government and the States.

Mr. WARREN. There is no objection at all to the amendment.

The VICE PRESIDENT. Does the Senator from Iowa offer an amendment?

Mr. CUMMINS. Yes; to add to section 4 the words "as provided by law."

The VICE PRESIDENT. The Secretary will report the amendment.

The SECRETARY. On page 12, line 7, after the words "United States," insert the words "as provided by law."

The amendment was agreed to.

Mr. HEYBURN. I think, if we adopt section 18, there will be no law making any provision——

Mr. CUMMINS. I do not understand that this is intended to repeal the law which organizes the National Guard and which prescribes its duties and responsibilities and the relation of the Government to it. The Senator from Wyoming has assured the Senate that it is not so intended.

Mr. WARREN. Not at all. Perhaps the Senator from Idaho did not hear me say in the commencement that this provides—that is, in order to get the matter in one's mind—that the Army in time of war is to be made up of three forces: First, the Regular Army, with its regular officers, who are in for life, and enlisted men who are in for a regular term; second, the militia forces that are duly organized under the laws by the States, with officers appointed by the governors. They go in in command by companies or battalions or regiments, and the laws regarding the militia are apart and separate and are not touched in any way by this enactment. Third, if a further army is needed or further forces are needed, this provides the machinery for enlisting a United States volunteer force that can be called out only in time of war or in emergencies, and under which all enlistments shall expire upon the proclamation of the President that the emergency has passed, et cetera, and all the officers that have been taken from the Regular Army and placed in positions perhaps of higher rank go back to their former positions and rank.

Mr. HEYBURN. Yes; I think I understand that; but, in my mind, it is a question of whether or not the act of April 22, 1898, which in effect attached the volunteer forces to the Regular Army under certain conditions, would not be included in this repealing clause. That is the only thing. I have not had time to examine it.

Mr. WARREN. Even if it should, that has no reference to the militia.

Mr. HEYBURN. That is a question. Our present militia law attaches under certain circumstances to what we call the State militia—that is, makes them a part of the Army of the United States. This is the act which does it. Now, if you repeal the entire act—I have not had time to examine it in detail—but my recollection——

Mr. WARREN. I had no intention to take the Senator by surprise through an early passage of the bill. But the Senator will find, I think upon examination, that what I have stated is true, that there has been care in every word, line, and letter of the bill to preserve all of our late legislation which now governs the militia.

Mr. HEYBURN. I would ask the Senator what other law is there now which incorporates the militia of the various States into the Army of the United States than the act of 1898? What other law is there?

Mr. WARREN. Does the Senator refer to the——

Mr. HEYBURN. The act of 1898.

Mr. WARREN. That is not the Dick law, so called, is it?

Mr. HEYBURN. Yes.

Mr. WARREN. I have not it before me at this moment.

Mr. HEYBURN. This is the language which attracted my attention:

That the act approved April 22, 1898, entitled "An act to provide for temporarily increasing the military establishment of the United States in time of war, and for other purposes," is hereby repealed.

My impression is if you repeal that entire act then the reference suggested by the Senator from Iowa would be of no force because there can be no law to refer to.

Mr. WARREN. That law—1898—is not the militia law now in force.

Mr. HEYBURN. That law was intended to do just what this was in a practical manner. This law supplements that.

Mr. WARREN. Very true. This law supplements that and leaves the militia perfect.

Mr. HEYBURN. I merely suggest it because you will find if you repeal the law which you are relying upon by reference to give vitality to this law, it will need further reference.

Mr. WARREN. The reference herein contained does not repeal the present militia law.

Mr. HEYBURN. The trouble is, it is general. There is no distinction.

Mr. NELSON. My recollection is that during the Spanish War we established for the first time what we called a volunteer force of the United States, and the President appointed the officers. We had, in addition to the regular troops, volunteer troops from the several States known as State regiments, the officers appointed and commissioned by the governors of the States. Then we had a small volunteer army, created for the

first time, where the officers were appointed by the President of the United States. I think this law is the one referred to in this bill—the law of 1898.

This follows in one respect the principle of that law, and that is that these are organizations organized as volunteers of the United States as distinguished from the Regular Army and as distinguished from some troops organized under State governments.

Mr. WARREN. That is exactly so.

Mr. NELSON. And in the cases of these troops the officers are appointed by the President and confirmed by the Senate instead of by the governors of the respective States as in the case of State militia.

Mr. CUMMINS. May I say, as I remember it, the law which creates the present relation between the General Government and the National Guard—that is, which brought the National Guard into service as an organization—was passed, I think, in 1904 or 1905, and is known throughout the country as the Dick bill.

Mr. WARREN. That is right.

Mr. CUMMINS. And it is that law to which I referred when I suggested that there be added here "as provided by law," for that is the act of Congress which gives the President the power to call the National Guard into the Federal service as an organization under certain circumstances.

Mr. HEYBURN. He has had that power under previous acts.

Mr. CUMMINS. I think not. I do not believe——

Mr. WARREN. The Senator from Iowa is, I think, correct. The Dick law was intended to cover the entire ground of the relations of the State militia to, and the form of its utilization by, the United States Government, and to repeal all of the preceding legislation that was obnoxious to the new law just as this proposes to take up the matter of the United States volunteer forces, so well described by the Senator from Minnesota, and it only intends to change and repeal that which would be obnoxious to this proposed law and refers only to the United States volunteers and not to the State militia.

Mr. REED obtained the floor.

Mr. GORE. Mr. President——

Mr. REED. The Senator from Oklahoma has been waiting some time. I yield to him.

Mr. GORE. Mr. President, I wish to ask the Senator from Wyoming one question regarding this bill. The measure, as I understand it, undertakes to institute and organize the volunteer forces of the United States. Now, as I understand section 1—I wish to know whether I understand it correctly or not—every able-bodied citizen of the United States between the ages of 18 and 45 is expressly declared to be a member of the volunteer forces whether he volunteers or not. Is that correct?

Mr. WARREN. The Senator probably knows that at present every male citizen of the United States within a certain age——

Mr. OWEN. The Senators on this side of the Chamber can not hear the Senator from Wyoming.

Mr. WARREN. As every Senator doubtless knows, every male citizen of the United States within a certain age is liable to military duty in case of great necessity by way of draft, and of course this provides for volunteers only, and states the kind of men that can be accepted as volunteers.

Mr. GORE. It was my understanding that every able-bodied citizen—of course, in certain exigencies—was liable to military service; and if section 1 had provided that these citizens were liable to military service in certain contingencies, or were eligible as members of the volunteer service, it would be one thing, but to make men volunteers who do not volunteer strikes me as being a little singular.

Mr. WARREN. If the Senator will allow me, that is exactly the language that has been on the statute book for years and years. I have before me—it has just been handed to me—the act of 1903, and it commences:

> That the militia shall consist of every able-bodied male citizens of the respective States, Territories, and the District of Columbia, and every able-bodied male of foreign birth who has declared his intention to become a citizen, who is more than 18 and less than 45 years of age, and shall be divided into two classes, etc.

Mr. CUMMINS. Possibly the Senator from Oklahoma [Mr. GORE] has not noticed the difference between the words as they are used in this bill "national forces" and "volunteer forces." Section 1 does not provide that every able-bodied citizen between 18 and 45 shall constitute the volunteer forces.

Mr. GORE. That is the point I was inquiring about. As I heard the reading I understood it to be volunteer forces.

Mr. CUMMINS. No; it says that all able-bodied citizens, or all citizens who are of sound body and mind and between the ages of 18 and 45 years are hereby declared to constitute the national forces.

Mr. GORE. I misunderstood it in the reading of the bill. I understood it said "volunteer forces." That was the point I desired to inquire about.

Mr. CUMMINS. Of course those would include the Regular Army, the National Guard, and the volunteer forces as well.

Mr. WARREN. I may say that the law upon which our present militia is based is that approved January 21, 1903, known as the Dick law, as amended by the act of May 27, 1908, and subsequent acts.

Mr. REED. Mr. President, if I had not been out of the Senate for a moment when this bill was called up I would have objected to its consideration this morning. I think now that the bill ought to be laid over for a day or two, in order that it may be examined. It is manifest here already that the bill has not been given a thorough investigation by the Members, and without desiring in the least to impede the passage of the bill, I myself should like to have a chance to look at it. It is a very important measure.

The VICE PRESIDENT. Under the rule, any Senator can interpose an objection at any period during the proceeding. It is not too late to interpose an objection.

Mr. REED. I thought we had passed that point.

The VICE PRESIDENT. The bill is not up by unanimous consent.

Mr. WARREN. If the Senator will allow me, the bill came up in regular course on the calendar. It was my desire to have it read and printed in the RECORD, and, of course, if any Senator wishes to have it lie over, I shall make no objection, even if I were permitted to do so, but I could not effectually object.

Mr. REED. I thought we had passed that point.

Mr. WARREN. But it is a matter, I will say to the Senator, that has had very long and very earnest attention by the old Committee on Military Affairs and by a new subcommittee, and considerable attention by the new general Committee on Military Affairs. I feel so confident that the bill is the best one we have ever presented that I want to invite attention to it, and I would insist, if I could, upon every Senator giving it his especial attention.

Mr. CHAMBERLAIN. Mr. President, if I may interrupt the Senator from Missouri for just a moment, he will notice that while the bill is general in its terms nothing can be done under it except by an act of Congress. That is a condition precedent to the reorganization of the volunteer force under the very terms of the bill. Section 5 provides—

> That the volunteer forces shall be maintained only during the existence of war or while war is imminent, and shall be raised and organized, as in this act provided, only after Congress has or shall have authorized the President to raise such a force.

In other words, before the President or the General Staff could do anything under the terms of the bill some action of Congress would be necessary. So, in the last analysis, Congress is the final arbiter, and Congress determines whether anything shall be done under it at all.

Mr. REED. I wish to say that I have not the slightest doubt but that the committee has given the bill the very best thought. This may be a very wise measure. I hope it is, and I think we will probably find that it is. But it is a very important measure, notwithstanding the clause just referred to by the Senator from Oregon. If it were not important, its enactment would not be pressed at this time. I think if we let it go over for a day or two, so as to give us all a little chance to look into it, it will be the better course to follow.

The VICE PRESIDENT. The bill will go over under the objection of the Senator from Missouri.

Mr. WARREN. Mr. President, I ask permission to say just a word to the Senate and the Senator from Missouri. The Senator will find upon an investigation, which I hope he will make, that it is the same way, or nearly the same way, of raising troops as already provided for, but the existing legislation is, some of it, antiquated and some of it crude, having been hurriedly enacted. This is in one sense new legislation, but in another it is simply a better grouping of the present legislation.

Mr. HEYBURN. Mr. President, before the matter is laid aside I desire, in justice to the remarks which I made, to state that as I understood it, and I verified the fact, this is to take the place of the act of Congress which was passed a few days before the breaking out of the Spanish War, or rather before the declaration of war. Three days before the declaration of war Congress enacted a law for which this is intended to be a substitute. That law has stood as the law of the land since that time, and the war was fought under it. The volunteer forces were provided and called into action by virtue of the act that is to be repealed. I was only solicitous to see that no

valuable provision in that law should be dropped out of this measure.

The State militia are not organized under an act of Congress. Congress recognizes the State organizations and has enacted legislation by which they may cooperate, but that is not a part of the armed forces of the Nation except when actually engaged in the service. The act of Congress under which the Spanish War was fought and troops organized and brought into service is a very important piece of legislation. It served the purpose very well during that time. While there were some amendments to it, still the amendments were not very material.

Mr. WARREN. The Senator will notice that this will repeal only such portion as may be inconsistent.

Mr. HEYBURN. It was that language which attracted my attention. I was raising the inquiry as to whether or not that language is exactly as it should be, "That the act approved April 22, 1898, entitled," and so forth, "is hereby repealed, and all other laws or parts of laws inconsistent with the provisions of this act are, to the extent of such inconsistency only, hereby repealed."

That would apply to the act of Congress that was passed the day after Congress declared war. Congress declared war on one day and on the next day enacted a provision that governed during the entire war in regard to the organization of the forces. From the way this language is punctuated and the way it is stated here it is a question as to whether or not that statement "to the extent of such inconsistency only"——

Mr. WARREN. It repeals that act, and then repeals——

Mr. HEYBURN. The inconsistent provisions.

Mr. WARREN. In any other act.

Mr. HEYBURN. But it does not deal with the inconsistent provisions of the first act. That is general, but it is of course——

Mr. WARREN. It repeals that.

Mr. HEYBURN. It repeals it absolutely. The reservation applies only to the act that was passed the day after the declaration of war.

Mr. WARREN. There were several acts.

Mr. HEYBURN. Those were the important acts. One was the organization of the Army and the other was the organization of officers.

Mr. WARREN. This skims out and preserves everything that is adaptable in that law and all the others.

Mr. HEYBURN. Of course, it is a most important piece of legislation, and it ought not to be hastily considered or acted on. As the Senator from Wyoming has suggested, it is not his intention to press it unduly, because we are reorganizing the whole system of war, you might say the reserve forces of the Government in time of war.

Mr. WARREN. Mr. President, I want to be allowed to say just a word further. Not many years ago the War College was established; also a General Staff. Their work—a certain portion of it—was intended to be confidential. We have had bitter experience of the tremendous cost of war without proper preparation. Under this law and with the work of the General Staff and with the War College plans will be worked out and information can be given and received as quickly as, for instance, we could ask where a certain city lot is located. The party in charge who is asked to put his finger on the map can state where it is situated almost instantly. It is expected that the War College and General Staff will, under the terms of this bill, always have in readiness prepared papers showing where rendezvous and recruiting stations may be placed, showing what transportation is available at every point, how long it would take to move troops and supplies from any given point to any one of the danger points, what the cost would be, and so forth; in fact, a complete general plan for the moving of troops, the Volunteers as well as the Regular Army, upon a few hours' notice from any one point to another.

The bill is important, and we want to have a thorough understanding and knowledge of it, and therefore a thorough explanation of its provisions. Many changes in war-equipment matters have of late occurred. The fighting units and formations of our forces have changed since some of the standing laws were passed. For instance, a regiment of infantry to-day has a platoon of machine guns, which is a new factor. A law of this kind is the framework or warp into which we may weave the filling. Under it we make first our plans, our maps, and thus have our working tools ready to proceed in any manner or direction, if called upon, along the lines of war.

As I have stated, there need be no immediate hurry about it. I hope that every Senator will take up the matter, and if any criticism seems necessary make it known here on the floor, because we want a law that we believe to be right and we want everyone, as near as may be, to be satisfied with it. Those who have looked into it most believe that in case we have another war like the last one the expenditure of nearly half the money that was then expended might be avoided if we could proceed properly under regular plans of legislation.

Mr. REED. I wanted to ask the Senator before he took his seat, just for my own information, if this bill originated or was recommended by the military authorities—that is, if the plan emanated from that source?

Mr. WARREN. I will say to the Senator that we have received annually, I think ever since the Spanish War, the opinions of the Chief of Staff or the Secretary of War or both along the lines of reforming our volunteer legislation, and this is the result of all those suggestions and the result of long-continued consideration of the Committee on Military Affairs and those Members of the Senate who are especially interested in military affairs, some of whom have served in the Army themselves. A number of the members of the Military Committee have so served. As the bill will show, it has been amended throughout so much since it came from the military authorities that it is in the nature of a substitute. We have followed the lines advocated by those in military authority as far as we could from a legislative standpoint. I believe we have legislation now proposed in this bill which ought to be satisfactory to Congress, and fairly so to the military establishment.

Mr. REED. To what extent does the bill impinge upon or impair the militia arm as heretofore existing?

Mr. WARREN. It has not a thing to do with it. There are three possible arms for service under the bill. First, the Regular Army; second, the States' militia, which, under the law, may go into the service of the United States; the law governs that; and then this proposed United States volunteer force, which comes in as a third force—a United States force, a photograph, if you please, of the Regular Army, only that enlistments are during emergency for enlisted men, and the commissions of officers are also during emergency only.

Mr. JOHNSTON of Alabama. I want to suggest to the Senator from Wyoming that we have had before us on several occasions the volunteer officers of the State militia.

Mr. WARREN. Oh, yes.

Mr. JOHNSTON of Alabama. They have appeared in regard to this bill and made many valuable suggestions; and the bill has been modified on the suggestions made by them.

Mr. WARREN. I think it is very satisfactory to all or at least a majority of the officers and men composing the militia.

Mr. HEYBURN. There is an overlap which I presume at some stage of the consideration of the bill might be improved. The language in regard to both the State militia and the language in this measure provides that the men without any exception, within certain ages and under certain conditions, may be called. Of course a man has a right to enlist in the State militia and to go into the Government's service through that avenue, and he would not be subject to impressment under this law.

Mr. WARREN. This law would not impress anybody.

Mr. HEYBURN. I have just been reading that language. It is unusual; it does not sound very warlike.

Mr. WARREN. There can be no impressment in the bill; they are volunteers.

Mr. HEYBURN. This is not very warlike language. It is not the usual language used in dealing with such matters:

> That when volunteer forces are to be raised the President shall issue his proclamation, stating the number of men desired, etc.

In war the word "desired" does not issue from a commanding officer; it is that they come. In other words, a proclamation heretofore for the raising of troops has been that they shall come, not that their presence is desired on a certain occasion at 8.30 or anything of that kind.

Mr. WARREN. Evidently the Senator has forgotten since the war time with which he was well acquainted that in times of draft there is a proportion demanded from each State.

Now, as to the provision that if any State is unwilling to furnish volunteers they come from another, it is an army at large. While the provisions of the act suggest that they shall be as near as may be proportioned among the States, at the same time the force could all be raised if necessary, if refused in other States, from any one State or from several States, and there is no impressment, of course. No one can go in under this act unless he goes in as a volunteer of his own free will.

Mr. HEYBURN. I used the word "impressment" in the American sense and not in the sense used in foreign countries. I do not like a provision which leaves it optional with a State to furnish its quota of soldiers in time of war. I do not like that kind of a provision. A State should be compelled to furnish its quota, and if it did not furnish them as volunteers it

should be done by draft, as it was on former occasions. I remember the enrollment for draft very well.

Mr. WILLIAMS. The bill makes no provision for any draft, or anything of that sort. The language "desired" is very proper to be used in connection with volunteers. He is invited to volunteer and not commanded to do so. This is solely a volunteer force.

Mr. WARREN. I realize that.

Mr. WILLIAMS. Later on, after you get into war, you may leave the volunteer feature and go into the impressment and draft business. When you do, you cease to invite, you command; but as long as the man is called a volunteer he is invited, not commanded.

Mr. HEYBURN. During stages in the Revolutionary War, after the Colonies became States, the quota that each State should furnish was specifically stated. They were not requested to furnish them, but they were directed to furnish them. I think that there should be a little more of the military spirit in the bill. It is rather too mild for military legislation. I think we should have a standing and general law that would authorize the Government to compel the States to furnish their quota of soldiers, and I believe there is enough of military spirit in the American people to justify that kind of legislation. I think it should be in this bill. It is all right to invite them. I have no objection to inviting them.

Mr. WILLIAMS. The more military spirit there is among the people the less necessity will there be for the sort of language the Senator desires. If the military spirit was not among the people, then very probably they would have to be commanded. I have never known the time, except during the Civil War, when more people did not volunteer than were needed.

Mr. HEYBURN. The spirit may be among the people.

Mr. WILLIAMS. In this connection, if the Senator will excuse me a moment longer, I think the fact that one State should happen to fall somewhat below another in the number of soldiers furnished as volunteers cuts no figure at all. The man who is most anxious to fight is generally the best soldier. Take a State like Tennessee, for example, which has always prided herself on furnishing more volunteers than any other State, and I suppose probably will continue to do so. The volunteers the first few days are apt to be the boys who are going to bear the brunt of the fight, and it seems to me it is always well not to use any language except the mildest and the most accurate, especially when you consider that these men are coming as volunteers and not under command. They are coming under invitation. If a State had such a population of a warlike aspiration as that, it naturally would transcend its quota, and another one had a population of such a character as that it would not, all the better will this provision be for the Army.

Mr. HEYBURN. Mr. President, there is much in that, but the Senator will bear in mind that you have already made two previous drafts upon the people in which you will have obtained most of the patriotism. Then, there is a provision here that would be somewhat of a deterrent. The patriotism, while it would never be exhausted, still would have been largely drawn upon, first, by the formation of the Regular Army, and, second, by the State organizations which comes before this proposed organization.

Mr. WARREN. Does not the Senator think that the real patriotism comes when there is fighting, when there is war, rather than through enlistments in time of peace in the Regular Army? The country gets at least as good a quality, perhaps better, of patriotism when the man who enlists believes he is going to do some act to show his valor and love of country.

Mr. HEYBURN. That principle is very well stated, but you must bear in mind, however, that the Regular Army is only a skeleton for the force that exists as soon as occasion for its service arises. We have, for instance, only half the prescribed number in a company or regiment. Now, those who go in there go in because of the patriotism of the hour that impels them to do so.

Next to that men will enlist not in the army proposed by this bill, but they will enlist in their State militia, which upon proffer will be accepted as volunteers by the Government, as always has been the case. That will be probably the flower of the Army—and I say nothing in derogation of the Regular Army, because I have the very highest regard for its character and efficiency. Then comes this third army which is invited courteously to come forward and supplement the two Armies that have already been formed. Here is a provision that will probably meet with some objection:

Provided, That all appointments—

This refers to this new army—

Provided, That all appointments below the grade of brigadier general in the line of the volunteer forces shall be by commission in an arm of the service and not by commission in any particular regiment.

That throws them into what you might call the general army.

Mr. WARREN. That is the law now.

Mr. HEYBURN. I know that, but I am speaking now of the effect that it would have upon the State troops. The State troops want to be commanded by officers who are citizens of their own State, and the officers of the State want to command citizens of their own State, so that they will always give preference to them.

Mr. WARREN. These troops are all militia.

Mr. HEYBURN. Yes; but they are no longer militia when their services have been accepted by the Government. They then become a part of the Army of the United States. It is such things as this to which I think attention should be called. I am very glad that there is a disposition to let the bill go over. I would have felt like apologizing for occupying so much time, except we have nothing else on hand.

The VICE PRESIDENT. The bill will go over.

PUBLIC BUILDING AT DALLAS, TEX.

The bill (S. 955) to provide for the extension of the post-office and courthouse building at Dallas, Tex., and for other purposes, was considered as in Committee of the Whole.

The bill had been reported by the Committee on Public Buildings and Grounds with an amendment. On page 2, section 3, line 9, before the word "thousand," to insert "and fifty"; so as to make the section read:

SEC. 3. That the Secretary of the Treasury be, and he is hereby, authorized and empowered, in his discretion, in lieu of the foregoing, to acquire a new site, by purchase, condemnation, or otherwise, for a post office at Dallas, Tex., at a limit of cost not to exceed $150,000: *Provided*, That the site so acquired shall be bounded on at least two sides by streets and be of sufficient area to permit of the reservation of a fire limit on all sides of the building to be constructed of at least 40 feet, including streets and alleys.

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RECIPROCITY WITH CANADA.

Mr. SMOOT. I move that the Senate proceed to the consideration of House bill 4412.

The motion was agreed to, and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes.

The VICE PRESIDENT. The pending question is the amendment offered by the Senator from Iowa [Mr. CUMMINS].

Mr. CUMMINS. Mr. President, I desire certain divisions of the pending question, and, in order that there may be no inaccuracy in my motion, I have committed it to writing. I move that a separate vote be taken as follows:

First, to strike from the printed bill as reported by the committee, line 10, page 1, to line 15, page 2, both inclusive, and insert in the free list, after line 8 on page 17, the paragraphs printed in italics on page 17 of the reprint showing my amendments.

Before the Chair rules upon that portion of my motion, I desire to say that the portions sought to be stricken out are those which cover—

Fresh meats—Beef, veal, mutton, lamb, pork, and all other fresh or refrigerated meats excepting game, 1½ cents per pound.
Bacon and hams, not in tins or jars, 1½ cents per pound.
Meats of all kinds, dried, smoked, salted, in brine, or prepared or preserved in any manner, not otherwise herein provided for, 1½ cents per pound.
Canned meats and canned poultry, 20 per cent ad valorem.
Extract of meat, fluid or not, 20 per cent ad valorem.
Lard and compounds thereof, cottolene and cotton stearine, and animal stearine, 1½ cents per pound.
Tallow, 40 cents per 100 pounds.
Egg yolk, egg albumen, and blood albumen, 7½ per cent ad valorem.

These are the parts of the bill that are sought to be stricken out in that portion of the amendment to which I have referred. The portion sought to be inserted in the free list will be found on page 17 of the reprint of the bill showing my amendments, which portions are a reproduction of the parts I have just recited, with the exception of the dutiable percentages; in other words, it seeks to take meats from the dutiable list and to put them upon the free list, with some inconsequential matters in addition.

The VICE PRESIDENT. Without objection, the vote will be taken upon the amendment, in the form indicated by the Senator from Iowa, to strike out and insert.

Mr. CUMMINS. Now, Mr. President, I desire to address the Senate very briefly upon that portion of the amendment. I begin by saying that I have not believed it to be fair that a vote be taken upon these amendments to-day. I expressed that view yesterday and I reaffirm it to-day. However, I understand

the exigency of the matter, and content myself with the protest I have made.

Mr. President, it is proposed in the so-called reciprocal arrangement with Canada that the United States shall admit to her markets all the cattle, all the live animals grown and produced in the Dominion without any duty whatsoever. It is proposed in the same instrument that meat of all kinds, the product of these animals or a part of these animals, shall pay a duty of 1¼ cents per pound. At one and the same blow you strike from the farmer every protection that he has hitherto enjoyed for his product, being live animals, and you refuse to give to the consumer of the manufactured products of live animals the benefit of the reduction you propose to make.

I simply want to reassert again, as I have affirmed more than once, that this provision is for the benefit only of the packers of meats. It can result only in advantage to them. You are taxing or—that is not quite the right word—you are taking from the farmer some of the benefit he now has, and you are transferring it to the packers of Kansas City and of Chicago and of New York and of other centers in which this business is carried on. I have never heard a proposition so indefensible, and I sincerely hope that the people of this country, understanding its injustice, will take measures, whenever they have an opportunity to do so, to correct the flagrant wrong that we are about to inflict upon them.

Now, Mr. President, I ask for the yeas and nays upon this division of the amendment.

Mr. BURTON. Mr. President, in voting against this amendment I wish it to be distinctly understood that it is not because I would not like to see a provision for free meats included in this reciprocity agreement, but I think the facts are pretty well known in regard to this matter. The President of the United States and his commissioners were willing to have free meats as a reciprocal provision in the agreement—free entrance both to the United States and to Canada—but the objection arose on the Canadian side. What, then, was done? I am not presuming to speak with any confidential information, but refer to what is generally known to the public.

Mr. BAILEY. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Texas?

Mr. BURTON. Certainly.

Mr. BAILEY. I was about to ask if the Senator from Ohio could refer us to any official document establishing the fact that our commissioners made that proposition?

Mr. BURTON. Not to any official document, but to a speech made by the President—I have forgotten exactly the place where he made it.

Mr. BAILEY. I understand the President has made that explanation, but it did not satisfy my mind, for the reason that, though Canada might have objected to admitting our meat free, she would not have objected to our admitting her meat free.

Mr. BURTON. Oh, that is a question for Congress to decide. It is, of course, not usual in any agreement of this kind to give gratuitous concessions. Every reduction is regarded as entitled to some equivalent.

Mr. BAILEY. You did that in the case of print paper and voted down an amendment to correct it.

Mr. BURTON. That was a very different situation from the one presented here.

Mr. BAILEY. Oh, yes; one affects the newspapers and the other the farmers.

Mr. BURTON. Now, instead of free meats there was a very decided reduction in rates, which, if there is any benefit to the consumer from reciprocal reductions, will be of substantial importance when this agreement is adopted. Again, in the course of trade——

Mr. BRISTOW. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Kansas?

Mr. BURTON. Just one minute. In the course of trade there have been very slight importations of meat from Canada. The tendency is the other way, because our packing industries are so very much more highly organized and because of the larger use of Indian corn and other grain in the feeding of meat-producing animals.

Mr. BRISTOW. Does the Senator from Ohio feel that because there have been slight importations from Canada into the United States the duty should therefore still be maintained?

Mr. BURTON. Why, Mr. President, the whole principle of this agreement is one of reciprocity in which, so far as possible, equivalents should be obtained on both sides; and I think in the long run the provisions, which I trust may be supplemented, are better in the shape in which they now are. This is true, because in future negotiations the existing agreement paves the way for the mutual admission of meats free from duties both to the United States and to Canada, while in the form proposed by the amendment there would be free admission to the United States only.

Mr. BRISTOW. The Senator suggested that there had been material reductions. Let me inquire if the reduction was not from one and one-half to one and one-fourth of a cent per pound?

Mr. BURTON. Well, let us look at the first reduction, as given in Schedule A, on bacon, which is from 4 cents per pound to 1¼ cents per pound. I gave those material reductions in my remarks the other day. On some articles the reduction is only from 1½ to 1¼ cents.

Mr. BRISTOW. It is that on dressed meats.

Mr. BURTON. But, I repeat, on bacon the reduction is from 4 cents to 1¼ cents.

Mr. CUMMINS. Mr. President, I must be permitted to answer one suggestion just made by the Senator from Ohio before this vote is taken. I believe it to be true that the State Department was willing to grant free meat into the United States from Canada if the Canadian Government had been willing to grant free meat into that Dominion from the United States; and I hope that that will be accepted as one of the bases of our consideration here. The Canadian Government, however, came to the conclusion that its industries could not endure free competition, and therefore declined that proposition. The State Department then refused to admit meat into the United States free, because that would injure the packing industries in the United States, without any equivalent; that is to say, the packers of the United States at once said: "We do not want free meat from Canada into the United States unless we can extend our trade by having free meat into Canada," a very persuasive argument for the packers, but no argument whatsoever for the consumer of meat; no argument whatsoever to satisfy the farmers who must sell their cattle in a free market and buy their meat in a protected market.

I am not, of course, imputing to the State Department any ill motive, and I am not assuming to know what the State Department said to the Canadian commissioners, but I am simply stating what must have been the motive which prevailed in refusing to allow free meat to enter the United States.

Mr. BURTON. Will the Senator from Iowa yield to me for a question?

Mr. CUMMINS. I yield to the Senator from Ohio.

Mr. BURTON. Has the Senator from Iowa any information or even the remotest intimation that any representation was made by the packers of the country to the commissioners?

Mr. CUMMINS. I have not. But the Senator from Ohio knows that if we are holding our duties on meats in order to secure from Canada a concession of her duties on meats, we are holding those duties in order to benefit our packers, because they are the only ones who could be benefited by the reduction of the duties on meats into Canada. Is not that true?

Mr. BURTON. Contrary to that, is it not true that in every reciprocity treaty made by the United States, whether with Canada or any other country, the utmost effort has been made to secure absolutely uniform reductions and uniform duties just so far as possible? That has been the general principle.

Mr. CUMMINS. On the contrary, since the Canadian treaty of 1854, this is the very first effort, so far as I am informed, that the United States has ever made to introduce reciprocal duties on the same articles of the same degree. I do not know of any other treaty in which that attempt has been made.

Mr. BURTON. Will the Senator from Iowa yield?

Mr. CUMMINS. I will.

Mr. BURTON. Was not the prior treaty with Canada negotiated in 1854 and ratified by the House and Senate in 1855 made up of absolutely identical duties and of an absolutely identical free list between the two countries, and is it not the natural course in making any other treaty to follow that example as nearly as is possible?

Mr. CUMMINS. I believe it is true of the ill-fated treaty of 1854 that the duties were reciprocal and the free list was reciprocal, but it is the only one of its kind, and it very soon fell under the condemnation of the American people. But in our treaty with Cuba, in our treaty with Hawaii, in our proposed treaties with France and Belgium and the Argentine there never was a thought of trying to make duties reciprocal and admitting articles into one country and the other at the same degree of taxation.

In my opinion it is a fatal mistake for us to pursue any such plan in dealing with Canada. I say that when we give Canada free cattle we will be faithless to our obligation toward the

men who produce our cattle if we do not give Canada also free meat.

Holding that view—and I expressed it as fully and as clearly as I could in an address of some extent the other day—I again ask for the yeas and nays upon this amendment.

The yeas and nays were ordered.

Mr. SIMMONS. Mr. President, I gave notice a few days ago that I intended on Monday to discuss this bill and pending amendments. I am not going to object to a vote now on the amendments offered by the Senator from Iowa, although two of the amendments he has offered are substantially the same as two that I have offered.

I wish to give notice now that while I do not object to a vote on the amendments of the Senator from Iowa, if those amendments which are similar to mine are voted down in Committee of the Whole I shall offer my amendments in the Senate.

The VICE PRESIDENT. The Secretary will call the roll. The question is on agreeing to the amendment offered by the Senator from Iowa to strike out the part indicated on page 2 and insert in lieu thereof the part indicated on page 17.

The Secretary proceeded to call the roll.

Mr. CHAMBERLAIN (when his name was called). I have a general pair with the junior Senator from Pennsylvania [Mr. OLIVER], but I understand if he were present he would vote the same way as I intend to vote, and therefore I will vote. I vote "nay."

Mr. THORNTON (when Mr. FOSTER's name was called). The senior Senator from Louisiana [Mr. FOSTER] is unavoidably absent.

Mr. CURTIS (when Mr. GUGGENHEIM's name was called). I have been requested to announce that the Senator from Colorado [Mr. GUGGENHEIM] is paired with the Senator from Kentucky [Mr. PAYNTER]. Were he present, he would vote "nay."

Mr. SHIVELY (when Mr. KERN's name was called). I ask leave to announce that my colleague is unavoidably absent from the city.

Mr. McCUMBER (when his name was called). I have a pair with the senior Senator from Mississippi [Mr. PERCY]. If he were present, I understand he would vote "nay," and I should vote "yea." Therefore I withhold my vote.

Mr. MYERS (when Mr. McLEAN's name was called). The junior Senator from Connecticut is absent, and I have been requested to announce that if he were present he would vote "nay."

Mr. PERKINS (when his name was called). I have a general pair with the junior Senator from North Carolina [Mr. OVERMAN]. In his absence I withhold my vote.

Mr. SMITH of South Carolina (when his name was called). I have a general pair with the Senator from Delaware [Mr. RICHARDSON]. I was instructed by him that upon these amendments he would vote as I vote, and therefore I will vote. I vote "nay."

Mr. SUTHERLAND (when his name was called). I have a general pair with the senior Senator from Maryland [Mr. RAYNER]. In his absence I withhold my vote.

Mr. WARREN (when his name was called). I have a pair with the senior Senator from Louisiana [Mr. FOSTER], who, I understand, is absent on important public business. I therefore withhold my vote.

Mr. CHILTON (when Mr. WATSON's name was called). My colleague has a general pair with the senior Senator from New Jersey [Mr. BRIGGS]. If my colleague were here he would vote "nay."

The roll call was concluded.

Mr. BURNHAM. I desire to announce that my colleague [Mr. GALLINGER] is paired with the junior Senator from Arkansas [Mr. DAVIS]. My colleague is necessarily absent.

Mr. MARTIN of Virginia. I desire to say that the junior Senator from Tennessee [Mr. LEA] is detained from the Senate by sickness.

Mr. JOHNSTON of Alabama. I desire to announce that the senior Senator from Arkansas [Mr. CLARKE] is paired with the junior Senator from Wisconsin [Mr. STEPHENSON]. I am informed that if the Senator from Arkansas were present he would vote "yea."

Mr. REED. By an inadvertence I cast my vote. It seems there is at least a sort of pair existing between myself and the Senator from Michigan [Mr. SMITH]. I desire to withdraw the vote, and to say that I transfer the pair to the Senator from Tennessee [Mr. LEA], and now desire to vote under those circumstances. I vote "nay."

Mr. PAGE. I desire to announce that my colleague [Mr. DILLINGHAM] is absent from the city. He is paired with the senior Senator from South Carolina [Mr. TILLMAN].

Mr. CURTIS. I have been requested to announce that the Senator from Nevada [Mr. NIXON] is paired with the Senator from Alabama [Mr. BANKHEAD].

Mr. HEYBURN. I ask if a quorum has voted.

The VICE PRESIDENT. The Chair has not yet been advised by the Secretary. [After a pause.] On this question the yeas are 13, the nays 32.

Mr. SUTHERLAND. I transfer my pair to the senior Senator from Pennsylvania [Mr. PENROSE] and will vote. I vote "yea."

The result was announced—yeas 14, nays 32, as follows:

YEAS—14.

Bailey	Clapp	Gronna	Sutherland
Borah	Clark, Wyo.	Kenyon	Thornton
Bourne	Cummins	Nelson	
Bristow	Dixon	Simmons	

NAYS—32.

Brandegee	Curtis	Lippitt	Reed
Bryan	Fletcher	Martin, Va.	Shively
Burnham	Gore	Martine, N. J.	Smith, S. C.
Burton	Heyburn	Myers	Smoot
Chamberlain	Hitchcock	Owen	Stone
Chilton	Johnson, Me.	Page	Swanson
Crane	Johnston, Ala.	Poindexter	Wetmore
Cullom	Jones	Pomerene	Williams

NOT VOTING—45.

Bacon	Frye	Nixon	Smith, Mich.
Bankhead	Gallinger	O'Gorman	Stephenson
Bradley	Gamble	Oliver	Taylor
Briggs	Guggenheim	Overman	Terrell
Brown	Kern	Paynter	Tillman
Clarke, Ark.	La Follette	Penrose	Townsend
Crawford	Lea	Percy	Warren
Culberson	Lodge	Perkins	Watson
Davis	Lorimer	Rayner	Works
Dillingham	McCumber	Richardson	
du Pont	McLean	Root	
Foster	Newlands	Smith, Md.	

The VICE PRESIDENT. A quorum has now voted. On this vote the yeas are 14, the nays 32. The amendment is rejected.

Mr. BAILEY. It is apparent that we have a bare quorum here, and I move that the Senate adjourn.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Texas, that the Senate adjourn. [Putting the question.] By the sound the "noes" have it.

Mr. BAILEY. I dislike to dispute the President's sense of sound, but the vote went by sound and not by count; I believe I will ask for a division.

The Senate refused to adjourn; there being on a division ayes 19, noes 28.

Mr. CUMMINS. I ask that a separate vote be taken upon the following part of the amendments which constitutes the pending question. Strike out from line 1 on page 3 to line 11 on page 4, both inclusive, and insert in the free list the paragraph in italics from lines 1 to 24, both inclusive, on page 18 of the reprint showing my amendments.

The VICE PRESIDENT. The Secretary will state the amendment.

The SECRETARY. On page 3 of the bill strike out all from line 1——

The VICE PRESIDENT. Beginning with what words?

The SECRETARY. Beginning with the words "tomatoes and other vegetables, including corn, in cans," down to and including line 11, on page 4.

The VICE PRESIDENT. Ending with what words?

The SECRETARY. Ending with the words "cherry juice and prune juice, or prune wine, and other fruit juices and fruit sirup, nonalcoholic, 17½ per cent ad valorem."

And insert in the free list of the bill the words found in the reprint on page 18, beginning "Tomatoes and other vegetables, including corn," ending with the words "cherry juice and prune juice, or prune wine, and other fruit juices and fruit sirup nonalcoholic."

Mr. HEYBURN. Mr. President, a correction. If I am not mistaken, on page 3 it commences with line 5.

The VICE PRESIDENT. The Senator from Iowa is offering the amendment from the first print of the bill.

Mr. HEYBURN. I wanted the RECORD to show what it is in the print of June 20.

Mr. CUMMINS. I read my amendment from the committee print.

Mr. HEYBURN. The print of June 20 is the pending print.

The VICE PRESIDENT. The Senate, of course, is acting upon the bill, not upon the reprint, and that is why the Chair asked that the Secretary state the words at the beginning and close of the amendment, so that Senators would thoroughly un-

derstand it. The Senator from Iowa has correctly stated the amendment, because he used the print of the bill which the Senate is now working upon.

Mr. CUMMINS. Precisely. I desire a division of the question and a ruling upon that.

The VICE PRESIDENT. Without objection, the vote will be as requested by the Senator from Iowa.

Mr. BAILEY. Mr. President, my attention was diverted for a moment. I did not understand how it was desired to take the vote.

Mr. CUMMINS. I am simply asking for a division.

The VICE PRESIDENT. It is to strike out and insert.

Mr. CUMMINS. I am asking for a division, so that we can have a separate vote upon the striking out of the manufactured products of cereals from the dutiable list and putting them in the free list. To do that I strike out from the reciprocal dutiable list beginning at the top of page 3 of the committee print and closing with line 11 on page 4.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Iowa.

Mr. CUMMINS. Mr. President, I desire to suggest to the Senate before the vote is taken the character of this amendment. According to the bill the following articles bear the following duties:

Tomatoes and other vegetables, including corn, in cans or other air-tight packages, and including the weight of the package, 1½ cents per pound.

Wheat flour and semolina, and rye flour, 50 cents per barrel of 196 pounds.

Oatmeal and rolled oats, including the weight of paper covering, 50 cents per 100 pounds.

Corn meal, 12½ cents per 100 pounds.

Barley malt, 45 cents per 100 pounds.

Barley, pot, pearled, or patent, one-half cent per pound.

Buckwheat flour or meal, one-half cent per pound.

Split peas, dried, 7½ cents per bushel of 60 pounds.

Prepared cereal foods, not otherwise provided for herein, 17½ per cent ad valorem.

Bran, middlings, and other offals of grain used for animal food, 12½ cents per 100 pounds.

Macaroni and vermicelli, 1 cent per pound.

Biscuits, wafers, and cakes, when sweetened with sugar, honey, molasses, or other material, 25 per cent ad valorem.

Biscuits, wafers, cakes, and other baked articles, composed in whole or in part of eggs or any kind of flour or meal, when combined with chocolate, nuts, fruits, or confectionery; also candied peel, candied popcorn, candied nuts, candied fruits, sugar candy, and confectionery of all kinds, 32½ per cent ad valorem.

Maple sugar and maple sirup, 1 cent per pound.

Pickles, including pickled nuts, sauces of all kinds, and fish paste or sauce, 32½ per cent ad valorem.

Cherry juice and prune juice, or prune wine, and other fruit juices and fruit sirup, nonalcoholic, 17½ per cent ad valorem.

These are the manufactured products of the so-called raw material of the farmer and the horticulturist. I have proposed to put them all upon the free list, so far as the United States is concerned, and they will be found on page 18 of the reprint showing my amendments. I believe that page 18 is an exact reproduction of these manufactured articles as found in the reciprocal dutiable list, with the exception of the duties which are prescribed in the latter list. They present very much the same question as the one just voted on.

Mr. BAILEY. Will the Senator from Iowa permit me to ask him a question?

Mr. CUMMINS. Certainly.

Mr. BAILEY. Can he have any rational hope that a Senate which will say that it is fair to take the tax off of wheat and still leave it on flour, that it is fair to take the tax off of cattle and still leave it on meat is going to vote to free these commodities of the farm and the orchard, the same when they come from the factory as it did when they came from the farm and the orchard?

Mr. CUMMINS. Mr. President, I have but very, very little hope. I still believe, however, in deathbed conversion and repentance. It may be that as we proceed the light of reason and justice will fill this Chamber, and we may find Senators who, although unwilling to admit free meat, having admitted free cattle, will be willing to admit free flour, having admitted free wheat.

Mr. BAILEY. I want to remind the Senator from Iowa that the Senator from New York [Mr. ROOT] declared that the people of this country will never again submit to any tax upon breadstuffs. The Senator from Ohio [Mr. BURTON] practically declared the same thing. Yet the Senator from Ohio, with that declaration still in the ears of his associates here, votes to keep a tax on breadstuffs. The Senator from Ohio knows as well as the Senator from Iowa and the Senator from Texas that the people eat flour, and that they do not eat wheat. Yet he takes the duty off of wheat, which is the form in which the farmer sells it, and still leaves a duty on flour, which is the form in which the people eat it.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER (Mr. BRANDEGEE in the chair). Does the Senator from Iowa yield to the Senator from Idaho?

Mr. CUMMINS. I do.

Mr. BORAH. But the Senator from Texas must bear in mind that both the Senator from Ohio and the Senator from New York state that they hate to do it.

Mr. BAILEY. Well, Mr. President, I can not understand how a man can be made to do what he hates to do. I understand there are potential influences at work here and elsewhere to force this treaty through without amendment, and it looks like they will succeed in doing so; but it shall not go through until these statements which I consider inconsistent are recorded, because the American farmers intend to read this record, and when they do read it I think they will have their own opinions of the consistency of certain Senators.

Mr. BORAH and Mr. DIXON addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Iowa yield, and to whom?

Mr. CUMMINS. I yield to the Senator from Montana, for he rose first.

Mr. DIXON. I wanted to further supplement what the Senator from Texas said by the statement that the amendment upon which we are now voting in no wise invalidates the pending treaty. It does not prevent it from becoming a law. We are merely extending the free list to Canada. It in no way hampers the treaty from going into effect and merely equalizes the injustice that is being perpetrated on the producers of the so-called raw material.

Mr. CLAPP. Will the Senator pardon me a minute? He says we are merely extending something to Canada. I am voting for these amendments upon the theory, at least, that we are trying to extend something to the American consumer.

Mr. DIXON. We are extending it to the American consumer as well as to Canada. I wanted to make it apparent——

Mr. BAILEY. That they can not vote against this upon the idea that they might defeat the treaty.

Mr. DIXON. Exactly; and that there can be no possible excuse for voting against this amendment that it will in any way defeat the treaty.

Mr. BURTON. Will the Senator allow me?

Mr. CUMMINS. In just a moment. I do not wish to get confused with concessions here. I yield now to the Senator from Idaho.

Mr. BORAH. I wish to ask the Senator from Montana if he understands, then, why it is that these Senators vote against making this bill so it will carry some relief to those who need it?

Mr. DIXON. It is one of the reasons I have waited for six weeks to understand. It is one of the unexplained propositions which confront the Senate.

Mr. BORAH. I think it is a case for the third-degree committee; evidently some one is under duress.

Mr. DIXON. Then I move that this treaty be referred to the third-degree committee, to ascertain the cause of this apparent inconsistency.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Utah?

Mr. CUMMINS. I feel now that I must yield to the Senator from Ohio [Mr. BURTON] before I yield to the Senator from Utah.

Mr. BAILEY. I am very anxious to hear what the Senator from Ohio will say.

Mr. BURTON. Mr. President, I certainly did not succeed in making the Senator from Texas understand my position. I regard this as an international agreement standing by itself. I spoke upon that so long some three days since that I dislike to take the time of the Senate again. Not only will any change in this agreement endanger the success of our negotiations with Canada, but it will disturb our tariff relations with divers other countries with which we have treaties containing a favored-nation clause.

I am not willing in the light and airy way which has just been manifested in this debate to say that these proposed gratuitous concessions may not give other countries having preferential treatment the right to claim the same treatment for themselves as we might without equivalent grant to Canada. We have maintained the contention that whenever there was an equivalent given in any bargain between ourselves and another country, as, for example, between ourselves and Canada, no other nation, whatever its treaty relations with us might be, could complain; but other countries have not conceded that doctrine, and it requires two to make a bargain. By these amendments, however, it is proposed to grant concessions without any equivalent.

To repeat what I said a few days ago, if we make concessions not granted to Canada in the original agreement, not even requested by her, such a course would, at any rate, create friction and pave the way for the assertion of claims by other countries.

Mr. President, I am very much pleased at the sort of mutual admiration society that has been manifested here among Members on different sides of the aisle. This is a sort of a continuance of the dialogues which occurred several days ago. The Senator from Texas [Mr. BAILEY] and the Senator from Montana [Mr. DIXON] vied with each other in their expressions of honorable intention to amend the tariff. Several quoted Scripture, and the amity was so marked that I was reminded of that old quotation from the Psalms:

> Mercy and truth are met together; righteousness and peace have kissed each other.

Mr. BAILEY. The Senator from Ohio was not present on that occasion.

Mr. BURTON. I think I was. I think I heard the dialogue between the two, at any rate.

But I am afraid that others who are less charitable and desire that any manifestation of affection shall be between persons rather than between abstract qualities will quote another paragraph:

> And the same day Pilate and Herod were made friends together, for before they were at enmity between themselves.

The problem in my mind, and it is a difficult one, is this: Is all this amity here extending across the line going to get anywhere? Is the Senator from Texas, after all, going to join with the Senator from Montana, the Senator from Idaho, and the Senator from Iowa in any constructive tariff proposition?

Mr. BAILEY. Just as far as the Senator from Ohio [Mr. BURTON] and the Senator from Mississippi [Mr. WILLIAMS] are going to go.

Mr. BURTON. I am not claiming that I am going along the same path permanently with the Senator from Mississippi. I should like to go with him as far as I can.

Just one word further. This agreement presents a very substantial reduction in duties on flour.

Our duty was 25 per cent. The average price would probably run $4.50 or $5. I always refer to the Senator from North Dakota [Mr. MCCUMBER] for prices of wheat and flour. It differs according to the location and quality of the flour. That, perhaps, would be $1.25 a barrel. The duty on a barrel of flour going into Canada was 60 cents. Now, by mutual agreement it is 50 cents for both countries. In other words, the duty has been reduced from $1.25 to 50 cents on the side of the United States, and from 60 cents to 50 cents on the side of Canada.

It seems to me the most ardent tariff reformer ought to take great satisfaction over so substantial a reduction, and rather than lose the chance of obtaining any agreement at all, a chance which is endangered by amending this bill, he ought to accept what is already vouchsafed. That, I trust, is an answer to my friend from Texas.

Mr. BAILEY. Will the Senator from Iowa yield to me?

Mr. CUMMINS. I yield to the Senator from Texas.

Mr. BAILEY. Mr. President, while the Senator from Ohio is congratulating the country on the reduction of the duty on flour from $1.25 per barrel to 50 cents, why does he not also explain that the reduction on the quantity of wheat required to grind that barrel of flour is from $1.12½ cents to nothing. Now, the Senator from Ohio knows that the duty on wheat was 25 cents a bushel. He likewise knows that it requires 4½ bushels of wheat to make a barrel of flour, and, therefore, that the miller was paying on the imported wheat of a barrel of flour $1.12½ cents, and against that he had protection of $1.25 on the barrel of flour, or a net protection on his flour of 12½ cents per barrel.

Mr. BURTON. If the Senator from Iowa will yield to me there are two conclusive answers to that.

In the first place, the Senator from Texas knows that both the United States and Canada are great exporters of wheat.

Mr. BAILEY. No; the United States are not a great exporter.

Mr. BURTON. Yes; it is a great exporter.

Mr. BAILEY. Why, the Senator——

Mr. BURTON. Under ordinary conditions the price of wheat and the price of flour are not determined in the least degree, save for a very limited area, by that duty of 25 cents.

Mr. MCCUMBER. Mr. President——

Mr. BAILEY. Why do you take it off then?

Mr. MCCUMBER. Mr. President——

Mr. CUMMINS. I yield to the Senator from North Dakota.

Mr. MCCUMBER. Will the Senator from Iowa allow me to ask the Senator from Ohio one question? What does he call a limited area? I want to ask him if he calls the States of Minnesota, Wisconsin, North Dakota, South Dakota, Montana, and Iowa a very limited section—as large as 20 Ohios?

Mr. BURTON. Mr. President, I would give my enthusiastic tribute to the locality mentioned by the Senator from North Dakota. It is a most magnificent empire——

Mr. MCCUMBER. I was not asking for a tribute. I was asking the Senator's opinion as to what he regarded a very limited area.

Mr. BURTON. Under normal conditions the effect of that duty would not extend one tier of counties into those States.

Mr. MCCUMBER. Under normal conditions! That condition has extended for 10 years over every section of that country.

Mr. BURTON. I must differ with the Senator from North Dakota, though I concede his greater familiarity, both as to the facts and to the normality, if I may use the word, as to conditions.

Mr. MCCUMBER. The Senator may differ——

Mr. BURTON. I want to say one thing further. At very considerable length I dwelt upon the fact the other day, and I fear I am trespassing again upon the good nature of the Senate, that the result of removing those tariff barriers would be to approximate, yes, to make equal, the price on the two sides.

If there is free intercourse between the two countries and only a very small fraction of the wheat is consumed in the counties in which it is raised—and even that production, as in North Dakota, your own State, is sent to Minneapolis to be ground—if, I say, wheat has to be sent away somewhere for a market, it may be to Hamburg or some place four or five thousand miles, who is there who believes that the price will be a mere county or State matter? It is a great question of international trade; a great question of prices fixed the world over. It does not change trade laws if you should bring in the warehouse receipts here and show that at some time you paid 13 cents more for Dakota wheat than for Canadian wheat. That was due to artificial conditions that would be wiped out the moment reciprocity existed.

Mr. CUMMINS. If that be true, why not let in free flour?

Mr. BAILEY. Flour is wheat in its consumable form.

Mr. BURTON. If it did not endanger the agreement, if it were not contrary to the form in which it was framed, if it did not endanger our tariff relations with other countries, I would most cordially join with the Senator from Iowa.

Mr. CUMMINS. Why not free flour from the whole world?

Mr. BURTON. If we want free flour from the whole world, let us take up the question courageously as an independent proposition and do not try to put it as a rider on an international agreement.

Mr. BAILEY. Mr. President——

The PRESIDING OFFICER. To whom does the Senator from Iowa yield?

Mr. CUMMINS. I hope the Senator from Ohio will excuse me. I am sure he has put his views already before the Senate. I yield to the Senator from Texas.

Mr. BURTON. I had not quite finished my answer to the Senator from Texas.

Mr. CUMMINS. And probably you will never be able to.

Mr. BURTON. I do not know about that.

Mr. BAILEY. The only thing I want to say to the Senate is that in one breath the Senator from Ohio congratulates the country that the duty on flour has been reduced from $1.25 to 50 cents per barrel, and parades that as one of the blessings and benefactions of this treaty; and then, when pressed why he does not apply the same treatment to wheat, he says that the duty does not affect the price of wheat, and yet he knows that flour is simply wheat in a consumable form.

Mr. BURTON. If the Senator from Texas——

Mr. BAILEY. If it be true that a reduction in the duty on flour will reduce the price of flour, why is it not true that a reduction of the duty on wheat will reduce the price of wheat?

Mr. BURTON. The Senator from Texas must excuse me. I was interrupted. The interruptions were somewhat multiplied before I had finished my answer. I do not believe that it would influence the price of flour materially, save under certain conditions, relating especially to localities and to occasional scarcity. I dwelt upon that subject at length here recently.

Mr. BAILEY. Then why do you tell the country and the Senate that you have done a great thing in reducing the duty on flour? Did you desire to make them believe that this was better than it is?

Mr. BURTON. The Senator from Texas should know——

Mr. BAILEY. He does not know.

Mr. BURTON. That I have a record on this subject. I have not said anything of the kind to the country or to the Senate. I distinctly stated here three days ago just the contrary of what the Senator has now been seeking to place in my mouth. I do not expect that a reduction of these and other duties will make any very great decrease. It will, however, improve conditions by widening our area of trade between peoples under similar conditions, just as the Louisiana Purchase and California annexation and that of Florida, I think, widened our commercial horizon.

One further point and then I will be through. Of course, the Senator from Texas disagrees with me on another proposition. I believe in a graded scale as between the raw material and the finished product.

Mr. BAILEY. On everything except fuller's earth. You are not in favor of free fuller's earth.

Mr. BURTON. I have forgotten about that. I have not discussed the question for some time.

Mr. BAILEY. I have not forgotten about it.

Mr. BURTON. I think fuller's earth is not coming in in a very great quantity.

Mr. BAILEY. No; for you have kept it out with a duty.

Mr. BURTON. I remember now the question was whether fuller's earth was in an improved condition, was developed from its primary condition as a raw material.

If the Senator will allow me, I am inclined to think that in any reform or reduction of the tariff progress can be made, if it is desired, by removing the duties on raw material and then commensurate duties on the finished product. I do not believe there is any reason for any duty on flour in this country; but let us take that product up, if we take it up, in a bill by itself, and not try to remove the duties here in this reciprocal agreement.

Mr. CUMMINS. I now feel compelled to yield to the Senator from Utah [Mr. SMOOT].

Mr. SMOOT. Just a word. I want to try to be consistent in my position respecting this bill.

Mr. BAILEY. Then, you must quit being a Republican.

Mr. SMOOT. I can be consistent and be a Republican, too, in this matter.

Mr. BAILEY. Not at this time.

Mr. SMOOT. I want to say to the Senator from Texas he is not consistent himself in advocating the ideas expressed by him this afternoon, judged by the Democratic thought on the other side, because he is entirely out of harmony with the great majority of Democratic Senators.

Mr. BAILEY. Describe that as a majority, but not as Democratic thought.

Mr. SMOOT. I said the great majority. That is the expression I used. I expect to be consistent in this whole matter. I want to say to the Senator from Ohio that I do not believe in free trade in raw materials.

Mr. BURTON. Excuse me for interrupting the Senator, Mr. President. I do not say that we should have free trade in raw materials immediately or by drastic reductions, at least in cases in which conditions are different. What I do say is that in any progress toward tariff reform the natural beginning is with raw material and food products.

Mr. BAILEY. What do you mean by tariff reform?

Mr. SMOOT. I do not propose to vote for free wheat. I do not propose to vote for free cattle. I am not voting for free trade, and when I vote against these amendments I do so with the distinct understanding that I do not wish to record my vote as favoring free trade on the articles included in the amendments.

I am going to vote against the bill. I do not believe in it, and I wish it could be defeated. Therefore I think I am consistent in voting against the amendments and the bill.

Mr. CUMMINS. The Senator from Utah thinks that the bill will pass, does he not?

Mr. SMOOT. I am afraid it will.

Mr. CUMMINS. Therefore does he not think it is his duty to make it as just as possible, even bad as it is?

Mr. SMOOT. Mr. President, I hardly like to say that the bill would be more just with the amendments. I do not think the bill is just in any particular——

Mr. CUMMINS. There are degrees of justice.

Mr. SMOOT. With the amendments or without them. Therefore I am going to vote against them all.

Mr. GRONNA. Mr. President——

Mr. CUMMINS. I yield to the Senator from North Dakota.

Mr. GRONNA. The Senator from Utah has evidently failed to read the majority report of the Committee on Ways and Means of the House. They recognize the fact that injustice has been done to the farmer. They say so in their report. I ask the Senator from Ohio to point out to me what he means by free raw material when he refers to wheat. How much of a bushel of wheat is free raw material?

Mr. BURTON. Of course the term "free raw material" is one to which you can give no exact definition. It means in a general way that which comes in its first or elementary form from the earth, such as the products of the soil and minerals from the mine.

I want to say to the Senator from North Dakota that there is another reason why I class wheat with raw material and in a category by itself, namely, its very essential connection with the food supply of the people, which I think places it in an exceptional position with most other food products.

Mr. President, I am not now saying what I should favor if there were actual need of a duty on wheat, or if there were need of a duty on cattle, coming from Canada, or yet if there were any rational basis for such a duty. I would not favor a ruthless casting down of tariff barriers in any case, but I tried to prove the other day that there was no very serious need of duties on the Canadian products admitted by this proposed agreement, and I stand by the views then expressed.

Mr. GRONNA. Mr. President, can the Senator give us any idea as to the cost of producing a bushel of wheat and the amount of labor that is required?

Mr. BURTON. I do not know that I have analyzed the actual cost. The fact is that you can not fix the cost of production and make it uniform throughout the United States, because it differs widely in various localities. I think it would be useless to attempt to bring here any figures about the cost of producing wheat. It is perfectly evident that it is a profitable crop, for it is raised on a very large scale throughout the United States and was raised even when a large share had to be sent abroad.

Mr. GRONNA. Is it not true that there has been testimony submitted to the Finance Committee that the labor cost per bushel of producing wheat in this country runs all the way from 59 cents to 75 cents?

Mr. BURTON. Were the witnesses cross-examined?

Mr. GRONNA. The witnesses were cross-examined.

Mr. WILLIAMS. But not under oath.

Mr. GRONNA. Not under oath, of course.

Mr. BURTON. That may be one view in regard to it. The safest test, however, is not an estimate as to what it costs, but what the course of production is—whether or not people conclude it is best to raise it.

Mr. CUMMINS. That is, whether wheat growers become millionaires, as wheat millers do.

Mr. BURTON. I am not defending the millers; but so far as individual millers are concerned—and there are quite a number of them in my State—I should like to have the name of one who has become a millionaire. On the other hand, I know of a great many who have failed and gone out of business.

Mr. CUMMINS. I am not familiar with conditions in Ohio, but I know something about them elsewhere, and I am sure that the business of grinding wheat into flour has not been an unprofitable business in the United States, or in our locality, and that that business can just as well afford the loss of the duties which I here propose to take from it as can the business of growing wheat. I can assure the Senator from Ohio that the millers will still survive, and I believe will be fairly prosperous.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from North Carolina.

Mr. CUMMINS. I do.

Mr. SIMMONS. Mr. President, it is very evident that there is a disposition to further discuss this amendment, which is probably one of the most important amendments, if not the most important amendment, to be offered to this bill. As I have said this morning, a few days ago I gave notice that I would address the Senate on Monday on these amendments. It is chiefly upon this particular amendment that I desire to speak on Monday. I do not want to have to speak to-day before the time I have given notice that I would speak, because I am not prepared. I have not with me the data that I wish to bring to the attention of the Senate, and I would not be able to discuss the question with that fairness and fullness with which I would like to discuss it and which I think its importance demands.

Mr. President, in that condition, if the Senator from Iowa will not object, I should like to ask unanimous consent that the votes on the amendments be postponed until Monday, and that during the legislative day of Monday this amendment and all other amendments to the agreement be voted upon.

Mr. CUMMINS. Mr. President, I have twice made a similar proposition, and each time it has been rejected.

Mr. SIMMONS. I wish to say, if the Senator will permit me——

Mr. CUMMINS. I tried very hard yesterday to show the Senate that it would be unfair to the Senator from North Carolina and unfair to the proposer of these amendments to compel a vote upon them to-day. My appeal, however, fell upon deaf ears, and therefore I want the Senator from North Carolina to know, as I am sure he does know, that I am not in anywise responsible for insisting upon a vote upon these amendments to-day.

Mr. SIMMONS. I understand that. I happened to be temporarily out of the Chamber when the matter was first brought up this morning.

Mr. STONE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Missouri?

Mr. CUMMINS. Certainly.

Mr. STONE. I desire to say in response to the Senator from Iowa that he did make a request that the amendments which he has offered and which are now pending should be taken up on Monday.

Mr. CUMMINS. My first request was Tuesday.

Mr. STONE. But the Senator changed it to Monday.

Mr. CUMMINS. At the suggestion of the Senator from Virginia [Mr. MARTIN].

Mr. SIMMONS. And I announced my purpose to speak Monday, with the understanding that these amendments were to go over until after I had spoken.

Mr. STONE. It is unimportant whether the request was for Tuesday or Monday. The Senator did prefer such a request, coupling with it a further request that any division of the amendments desired might be had, and that the yeas and nays might be considered as ordered. There occurred a colloquy in reference to the request in an effort to see whether it could be modified in some respects, as, for instance, that an hour might be fixed at which the voting might be commenced. During that very peaceful and amiable colloquy the senior Senator from Idaho [Mr. HEYBURN] called the attention of the Senator from Iowa to some rule of the Senate relating to the division of questions pending.

There was no objection made by any Senator to the request of the Senator from Iowa, but in a somewhat petulant mood, greatly to the surprise of many of us, for up to that time we had been proceeding, as I have said, in an amiable way, apparently, and were about to reach some conclusion, the Senator waved his hand somewhat petulantly and spoke in a tone that was a little petulant and said, "I have made one more vain attempt to get an agreement, and I now withdraw the request." Immediately a motion was made to adjourn.

I have no reason to believe, if the Senator had been sufficiently patient and sufficiently anxious to have an agreement to have permitted the Chair to have put the question to the Senate, that there would have been any objection to it; and I hardly think it is fair to have it go into the RECORD and, to some extent, to the country that the Senate and the friends of this measure were not disposed to treat the Senator from Iowa and the Senator from North Carolina fairly. I do not think such a conclusion is warranted by the facts.

Mr. MARTIN of Virginia. Mr. President——

Mr. STONE. The Senator from Virginia informs me that he desires to prefer a request.

Mr. SIMMONS. Mr. President, before the Senator from Virginia does that, I want to state to the Senate that I know some Senators are absent to-day who would not have absented themselves had they not been under the impression that there would be no vote upon these amendments until Monday. I know at least one Senator who is away with that understanding, and I understand that with him are quite a number of Senators.

Mr. CUMMINS. Mr. President, I am very sorry if it appeared to the Senator from Missouri that I withdrew the request in a petulant way; I was not conscious of any such feeling. I have observed, however, the Senator from Missouri very carefully in a brief experience in the Senate, and I felt sure that what he was doing and what he was saying was a premonition that I was not to be granted the consent for which I asked. Therefore I withdrew the request. I think the Senator from Missouri must do me the justice to believe, at least, that I was not acting in a revengeful or resentful way. I felt absolutely certain that I would not be granted the consent for which I asked; it was growing late; and I did not care to keep the Senate longer in session. So much in reply to the Senator from Missouri.

I have no objection whatever to a unanimous-consent agreement, properly phrased, for voting upon these amendments or this series of amendments on Monday or on Tuesday, but I will not agree, so far as I am concerned, to fixing an hour when the voting is to begin.

Mr. SIMMONS. The request was that they be voted on upon the legislative day, if the Senator will permit me.

Mr. CUMMINS. The peculiar character of the amendments and their importance will involve some discussion as each division of the question arises, and therefore I shall not consent to an hour being fixed that would cut off debate.

Mr. MARTIN of Virginia. I am very sorry to hear the Senator from Iowa object to fixing an hour for voting. I was about to ask unanimous consent that an hour be fixed.

Mr. CUMMINS. I could not agree to that, as the Senator from Virginia will see at once. I have offered a series of amendments. They form a completed whole, but they must be voted upon separately. I feel it to be my duty to explain, as each division arises, just what it embraces. And I could not, therefore, agree to begin voting at a particular hour and continue until all the amendments were voted upon.

Mr. MARTIN of Virginia. I think the Senator from Iowa will recall that I approached him this morning with the suggestion that, if he considered it unfair to him or to his amendments that there should be any vote to-day, I did not think there was any disposition on this side of the Chamber to insist on such a procedure, provided we could come to an agreement by which we would make real progress in the consideration of this measure. I left the Senator from Iowa with the impression that a request for unanimous consent would be made which without specifying any hour would fix Monday before adjournment as the time when all the amendments offered by him should be voted on. Later on I was informed that he objected to such a request being made of the Senate.

Mr. CUMMINS. Then the Senator from Virginia has been misinformed. I did not object and do not object.

Mr. MARTIN of Virginia. The Senator from Illinois [Mr. CULLOM] was my informant. I had an understanding with him that he would make the request, but he told me later that he would not do so, because the Senator from Iowa preferred that he should not. It took me by surprise, for I had confidently expected that such a request would be made and granted. The Senator from Illinois is now in his seat.

Mr. CUMMINS. I think the Senator from Illinois misconstrued what I said. I said to the Senator from Illinois that I did not request him or any other Senator to make the suggestion for unanimous consent, and I do not do so now.

Mr. CULLOM. Mr. President——

The PRESIDING OFFICER (Mr. SMOOT in the chair). Does the Senator from Iowa yield to the Senator from Illinois?

Mr. CUMMINS. Certainly.

Mr. CULLOM. As I have been referred to, I simply desire to say that I came here this morning feeling that possibly I might assist in bringing about a better understanding and aid in securing an agreement to vote upon what are known as the Cummins amendments. I talked with the Senator from Iowa about the matter, and he told me, as I understood him, that he preferred that I should do nothing about it at that time. I so reported to the Senator from Virginia, and dropped the matter.

Mr. CUMMINS. I told the Senator from Illinois that I preferred that he should not do anything of that sort at my suggestion. That was what I intended at least.

Mr. CULLOM. I did not understand the Senator to use the words "at my suggestion." I understood the Senator to state the fact that he would prefer that I should not do anything at that time.

Mr. CUMMINS. Very well. Of course I am not responsible for the way in which the Senator from Illinois understood what I said. What I intended to say——

Mr. CULLOM. I certainly did not hear the Senator use the words "at my suggestion," as he now says he did. He may have used them, but I did not hear him do so.

Mr. CUMMINS. The attitude I have taken is that I would not again ask for unanimous consent for a time to vote.

Mr. MARTIN of Virginia. I simply desired to have the Senator from Iowa fully assured not only that I, but, so far as I know, all the Senators on this side of the Chamber had no desire to insist on a course that would subject him to any disadvantage or any inconvenience. I told the Senator that I expected to vote against his amendments, but that I wanted him to understand that we wanted them fairly presented to the Senate; that he had bestowed much time and thought on them, and I felt that it was due him that he should have every opportunity to have his amendments fairly presented to the Senate.

Mr. CUMMINS. Mr. President, the Senator from Iowa is not at this time asking anything but a vote, nor has he done so at any time this morning. I have not suggested the post-

ponement of this matter. When the Senator from North Carolina [Mr. SIMMONS] came to me a few moments ago, I told him I was not responsible for voting upon these amendments to-day.

Mr. MARTIN of Virginia. Mr. President, it is true the Senator from Iowa did not ask for a postponement, but he did say as soon as he took the floor this morning that he considered it exceedingly unfair——

Mr. CUMMINS. I did say that and I do consider the matter in that light.

Mr. MARTIN of Virginia. And I wanted him to understand that if there was any unfairness it was accomplished by his own objection to the request being made to the Senate. I believe if he had not withdrawn his request yesterday it would have been acceded to, and I think if he would have been willing for the Senator from Illinois [Mr. CULLOM] to make a request this morning it would have been acceded to. Certainly, so far as I know, there was a disposition to accede to it.

Mr. CUMMINS. I do not know what the disposition has been. I only know my part in it; that is all.

Mr. CULLOM. Mr. President, I should like to make a little further explanation. On yesterday, when we concluded the attempt to secure an agreement, I felt greatly disappointed that we did not come to an understanding. I felt that if the Senator from Iowa had not suddenly thrown up his hands with the announcement that he had nothing further to say, and if he had not withdrawn his request, we would in a little while have come to an agreement. I do not lodge any complaint against the Senator; but I came in this morning desiring to do fairly by the Senator and to get an agreement if we could. If I had been authorized to make, or he had consented that I should again make, the request, I should have been as liberal as possible in trying to get an agreement, so that we might end the controversy and get a vote at some future time upon the amendments which the Senator has offered. I do not make any complaint against the Senator at all, except that I felt he was a little bit out of humor on account of his failure to get such an agreement as he suggested and therefore withdrew the request suddenly and left us without any agreement at all.

Mr. MARTIN of Virginia. Mr. President, I have not been out of humor myself at any time, and I am not now, but I am exceedingly anxious to meet the views and conform to the reasonable convenience of all Senators. I therefore now ask that unanimous consent be given that a vote be taken on Monday next before adjournment on all of the amendments offered by the Senator from Iowa [Mr. CUMMINS] and all of the amendments offered by the Senator from North Carolina [Mr. SIMMONS]. I hope that will be agreed to.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Virginia?

Mr. CLAPP. The Senator certainly means the legislative day of Monday.

Mr. MARTIN of Virginia. Of course I mean the legislative day. I say Monday, but for our purposes Monday does not terminate so long as the legislative day continues; and I am perfectly willing to say the legislative day of Monday.

Mr. CUMMINS. Mr. President, I am perfectly willing that such an agreement shall be made. It must be understood, however, that the right of division of my amendments remains.

Mr. MARTIN of Virginia. That is the parliamentary right of the Senator from Iowa, as explained by the Chair on yesterday.

The PRESIDING OFFICER. The Senator from Virginia asks unanimous consent that on the legislative day of Monday, July 10, 1911, before adjournment, all of the amendments offered by the Senator from Iowa [Mr. CUMMINS] and by the Senator from North Carolina [Mr. SIMMONS] be voted upon.

Mr. WILLIAMS. Mr. President, one question. I want to ask the Senator from Virginia if his request includes all the amendments to the bill?

Mr. MARTIN of Virginia. The request did not include that. I would be glad if all amendments could be included, but I realize the impracticability of that. I do not believe such a request would be acceded to. We all know that there are amendments to the bill under preparation which will be offered and which will be debated, and we can not assume that Senators who are bestowing time on such amendments will agree to vote on them on Monday. My request for unanimous consent simply applies to the amendments proposed by the Senator from Iowa and the Senator from North Carolina, though I repeat I would gladly go further if I considered it practicable; but I do not consider it practicable, and I want to make some headway toward the disposition of this bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Virginia?

Mr. NELSON. What is the request? Let us have it stated.

The PRESIDING OFFICER. The Senator from Virginia asks unanimous consent that on the legislative day of Monday, July 10, 1911, before adjournment, the Senate vote upon all amendments offered by the Senator from Iowa [Mr. CUMMINS] and the Senator from North Carolina [Mr. SIMMONS]. Is there any objection? The Chair hears none, and it is so ordered.

Mr. CUMMINS. I assume that that instantly transfers until Monday the vote just ordered upon the division of my amendment that has been under discussion for the last few minutes?

The PRESIDING OFFICER. The Chair thinks that is understood.

DEATH OF REPRESENTATIVE ALEXANDER C. MITCHELL.

A message from the House of Representatives, by J. C. South, its Chief Clerk, communicated to the Senate the intelligence of the death of Hon. ALEXANDER CLARK MITCHELL, late a Representative from the State of Kansas, and transmitted resolutions of the House thereon.

The PRESIDING OFFICER. The Chair lays before the Senate resolutions of the House of Representatives, which will be read:

The Secretary read the resolutions, as follows:

IN THE HOUSE OF REPRESENTATIVES,
July 8, 1911.

Resolved, That the House has heard with regret and profound sorrow of the death of ALEXANDER CLARK MITCHELL, Representative in this House from the second congressional district of Kansas.

Resolved, That a committee of 15 Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral at Lawrence, Kans., and that the necessary expenses attending the execution of this order be paid out of the contingent fund of the House.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for properly carrying out the provisions of this resolution.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Mr. CURTIS. Mr. President, I offer the resolutions which I send to the desk.

The PRESIDING OFFICER. The resolutions offered by the Senator from Kansas will be read.

The Secretary read the resolutions (S. Res. 99), as follows:

Resolved, That the Senate has heard with deep sensibility the announcement of the death of the Hon. ALEXANDER CLARK MITCHELL, late a Representative from the State of Kansas.

Resolved, That the Secretary be directed to communicate a copy of these resolutions to the House of Representatives.

The resolutions were considered by unanimous consent, and unanimously agreed to.

Mr. CURTIS. Mr. President, as a further mark of respect to the memory of the deceased, I move that the Senate adjourn.

The motion was unanimously agreed to, and (at 1 o'clock and 56 minutes p. m.) the Senate adjourned until Monday, July 10, 1911, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

SATURDAY, *July 8, 1911.*

The House met at 12 o'clock noon.

The Rev. N. H. Holmes, D. D., of Pittsburg, Pa., offered the following prayer:

O Lord, our God, Thou who art the same to-day, yesterday, and forever, help us to worship Thee. We devoutly pray for Thy blessing to rest upon every section of our broad land, and upon these, its Representatives, and upon him who guides and presides over their deliberations. Grant, we beseech of Thee, that they may all have wisdom and strength from on high to discharge their manifold duties—duties freighted with far-reaching responsibilities and consequences—as in the sight of God. Let Thy fatherly goodness, we pray Thee, and Thy kind providence be extended toward the friends and loved ones of this House, and grant that such as are separated one from another may be kept far from harm and danger and sorrow. O Lord God Almighty, visit this morning the stricken home in Kansas where has gone to his last home one of the Members of this House. Our Father, Thy word teaches us to pray for all in authority, and we gladly pray for all those in authority in every State and Territory in our Union, and for our President. God bless him, and guide him in the Nation's affairs over which he presides, and prosper his measures for universal peace. And now, O Lord, take us all and keep us by Thy power through faith unto salvation, through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Wednesday, July 5, 1911, was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed with amendments bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 12109. An act to supply a deficiency in the appropriations for contingent expenses of the House of Representatives for the fiscal year 1911, and for other purposes.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 2208. An act appropriating additional funds for the erection of a public building at the city of Alliance, in the State of Ohio;

S. 2789. An act to change the location and straighten the course of the channel of the Grand Calumet River through the lands of the Gary Land Co. and the Indiana Steel Co., and for other purposes; and

S. 2932. An act to authorize the Secretary of the Treasury, in his discretion, to sell the old post-office and courthouse building at Charleston, W. Va., and, in the event of such sale, to enter into a contract for the construction of a suitable post-office and courthouse building at Charleston, W. Va., without additional cost to the Government of the United States.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 2789. An act to change the location and straighten the course of the channel of the Grand Calumet River through the lands of the Gary Land Co. and the Indiana Steel Co., and for other purposes; to the Committee on Rivers and Harbors.

S. 2932. An act to authorize the Secretary of the Treasury, in his discretion, to sell the old post-office and courthouse building at Charleston, W. Va., and in the event of such sale, to enter into a contract for the construction of a suitable post-office and courthouse building at Charleston, W. Va., without additional cost to the Government of the United States; to the Committee on Public Buildings and Grounds.

S. 2208. An act appropriating additional funds for the erection of a public building at the city of Alliance, in the State of Ohio; to the Committee on Public Buildings and Grounds.

S. 2462. An act to cede jurisdiction to the State of Georgia over certain land in Fulton County; to the Committee on the Judiciary.

Also the following House bill with Senate amendments:

H. R. 12109. An act to supply a deficiency in the appropriations for contingent expenses of the House of Representatives for the fiscal year 1911, and for other purposes; to the Committee on Appropriations.

DEFICIENCY APPROPRIATIONS.

Mr. BARTLETT. Mr. Speaker, I ask unanimous consent that the House bill (H. R. 12109) to supply a deficiency in the appropriations for the contingent expenses of the House of Representatives for the fiscal year 1911, and for other purposes, which has been reported from the Senate with Senate amendments, be printed with the Senate amendments, and that the bill with the amendments lie on the Speaker's table until the next meeting of the House.

The SPEAKER. The gentleman from Georgia [Mr. BARTLETT] asks that the bill with the Senate amendments be printed and lie on the Speaker's table until the next meeting of the House.

Mr. DALZELL. Mr. Speaker, I have no objection to the first part of the request, that the bill be printed with the Senate amendments, but under the rule the bill ought to go to the committee, and not lie on the Speaker's table.

Mr. UNDERWOOD. Mr. Speaker, I will say to the gentleman from Pennsylvania that this is a deficiency bill, and Mr. FITZGERALD, the chairman of the Committee on Appropriations, is not here to-day, and I think he desires that unanimous consent be given to nonconcur in the amendments of the Senate. The purpose of the request of the gentleman from Georgia was to expedite the consideration of the deficiency bill and prevent delay. Of course, if there is objection, it will have to be sent to the committee.

Mr. BARTLETT. It is the usual course to secure unanimous consent for that purpose—that the bill lie on the table until the next meeting of the House. Of course, the Senate amendments upon subjects which have not been considered by the House would, on objection by anyone or on motion, have to be referred to the committee in which the bill originated.

Mr. DALZELL. I understand that, I will say to the gentleman from Georgia. But I understand that the purpose of gentlemen on the other side is to adjourn until next Wednesday, and this bill, if it is to be treated as it ought to be, should be referred to the Committee on Appropriations and be reported back by next Wednesday. The request for unanimous consent by the gentleman from Georgia would be as pertinent then as now. I shall have to insist.

The SPEAKER. Under the rule, the bill will lie on the Speaker's table.

Mr. DALZELL. Oh, no; I will say, Mr. Speaker, that this is a House bill with Senate amendments proposing new appropriations, and therefore it goes automatically to the Committee on Appropriations.

Mr. BARTLETT. If objection is made when unanimous consent is asked, it goes there.

Mr. UNDERWOOD. Mr. Speaker, I understand that the gentleman from Pennsylvania states he will object, so that that carries it to the committee.

The SPEAKER. The bill goes to the Committee on Appropriations, and will be printed with the amendments, so that the Members can get a fair idea about its contents.

LEAVE OF ABSENCE.

Mr. GRAY, by unanimous consent, obtained leave of absence indefinitely, on account of illness in his family.

TRUSTEES OF COLUMBIA HOSPITAL.

The SPEAKER. The Chair announces the following appointments: Mr. SAMUEL W. SMITH, of Michigan, vice Mr. Sturgiss, of West Virginia, and Mr. FOSTER of Illinois, reappointed to succeed himself, on the board of trustees of Columbia Hospital.

ADJOURNMENT OVER UNTIL WEDNESDAY NEXT.

Mr. UNDERWOOD. Mr. Speaker, I move that when the House adjourns to-day it adjourn to meet on Wednesday next.

The SPEAKER. The gentleman from Alabama moves that when the House adjourns to-day it adjourn until Wednesday next. The question is on agreeing to that motion.

The question was taken, and the motion was agreed to.

THE LATE HON. ALEXANDER C. MITCHELL, OF KANSAS.

Mr. PROUTY. Mr. Speaker, I rise to announce the death of one of the Members of this House, Mr. MITCHELL, from the second district of Kansas, who died yesterday morning and whose funeral will take place to-morrow afternoon at Lawrence, Kans. I desire, in the absence of any member of the delegation from Kansas, all of whom left the city last night in order to be present at the funeral, to offer the following resolution, which I send to the Clerk's desk and ask to have read.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 236.

Resolved, That the House has heard with regret and profound sorrow of the death of ALEXANDER CLARK MITCHELL, Representative in this House from the second congressional district of Kansas.

Resolved, That a committee of 15 Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral at Lawrence, Kans., and that the necessary expenses attending the execution of this order be paid out of the contingent fund of the House.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for properly carrying out the provisions of this resolution.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The question being taken, the resolution was unanimously agreed to, and the Speaker appointed as the committee on the part of the House Mr. RUCKER of Missouri, Mr. RUSSELL, Mr. RUBEY, Mr. PEPPER, Mr. TRIBBLE, Mr. BOOHER, Mr. MURRAY, Mr. LOBECK, Mr. CAMPBELL, Mr. MURDOCK, Mr. MADISON, Mr. ANTHONY, Mr. REES, Mr. JACKSON, and Mr. YOUNG of Kansas.

Mr. PROUTY. Mr. Speaker, as a further mark of respect to our deceased colleague, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 11 minutes p. m.) the House adjourned until Wednesday, July 12, 1911, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Bridgeport Harbor, Conn. (H. Doc. No. 89); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

A letter from the Acting Secretary of War, transmitting, in response to House resolution of June 15, 1911, information relative to charges of misconduct on the part of officers of the Pay Department since January 1, 1905 (H. Doc. No. 90); to the Committee on Military Affairs and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 2385) granting an increase of pension to William J. Ramsey, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. LAFEAN: A bill (H. R. 12356) donating obsolete bronze cannon to Major Jenkins Post, No. 99, Grand Army of the Republic, Hanover, Pa.; to the Committee on Military Affairs.

By Mr. WEEKS: A bill (H. R. 12357) to amend an act entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," approved August 5, 1909; to the Committee on Ways and Means.

By Mr. RODDENBERY: A bill (H. R. 12358) making it unlawful to collect or receipt for the special tax for the purpose of carrying on the business of wholesale liquor dealer or retail liquor dealer in communities where State or local laws forbid the sale of such intoxicating or spirituous liquors; to the Committee on Ways and Means.

Also, a bill (H. R. 12359) to prohibit the use of the United States mails for the purpose of advertising, soliciting, or offering for sale intoxicating liquors in communities where State or local laws forbid the sale of such intoxicating or spirituous liquors; to the Committee on the Post Office and Post Roads.

By Mr. LAFFERTY: A bill (H. R. 12360) to divide the State of Oregon into two judicial districts; to the Committee on the Judiciary.

By Mr. STEPHENS of California: A bill (H. R. 12361) providing for the establishment and operation of a Government owned and controlled line of steamers along the Pacific coast and through the Panama Canal and making provisions therefor; to the Committee on Appropriations.

By Mr. CLAYTON: A bill (H. R. 12362) concerning taxable costs in suits at law; to the Committee on the Judiciary.

Also, a bill (H. R. 12363) providing that questions of negligence and contributory negligence shall be submitted to the jury; to the Committee on the Judiciary.

Also, a bill (H. R. 12364) to provide for circuit and district courts of the United States at Opelika, Ala.; to the Committee on the Judiciary.

Also, a bill (H. R. 12365) to allow and regulate amendments in judicial proceedings in the courts of the United States; to the Committee on the Judiciary.

Also, a bill (H. R. 12366) to revive the right of action under the captured and abandoned property acts, and for other purposes; to the Committee on War Claims.

Also, a bill (H. R. 12367) to provide for the refunding of cotton tax; to the Committee on War Claims.

By Mr. COX of Indiana: Resolution (H. Res. 237) calling for information from the President; to the Committee on the Public Lands.

By Mr. LINDBERGH: Resolution (H. Res. 238) authorizing the Monetary Commission to investigate financial institutions or corporations and report whether they operate in restraint of trade and in violation of law; to the Committee on Rules.

By Mr. COOPER: Memorial joint resolution of the Legislature of the State of Wisconsin memorializing Congress to enact a law imposing a suitable license or other fee upon crafts navigating the Great Lakes and contiguous waters; to the Committee on the Merchant Marine and Fisheries.

Also, memorial joint resolution of the Legislature of the State of Wisconsin, memorializing Congress to initiate or participate in a general world-wide movement through The Hague Tribunal or otherwise for international peace and general disarmament and the international policing of the high seas; to the Committee on Foreign Affairs.

By Mr. CLARK of Missouri (by request): Memorial memorializing Congress to initiate or participate in a general world-wide movement through The Hague Tribunal or otherwise, for international peace and general disarmament and the international policing of the high seas; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARTLETT: A bill (H. R. 12368) granting a pension to Mamie R. Grant; to the Committee on Pensions.

By Mr. BARCHFELD: A bill (H. R. 12369) granting an increase of pension to Charles T. Bown; to the Committee on Invalid Pensions.

By Mr. CLAYTON: A bill (H. R. 12370) granting a pension to William A. Richards; to the Committee on Invalid Pensions.

By Mr. CARLIN (by request): A bill (H. R. 12371) for the relief of Spencer Roberts, a member of the Metropolitan police force of the District of Columbia; to the Committee on the District of Columbia.

By Mr. CATLIN: A bill (H. R. 12372) granting an increase of pension to William Barfield; to the Committee on Invalid Pensions.

By Mr. FIELDS: A bill (H. R. 12373) for the relief of W. S. Adams; to the Committee on War Claims.

By Mr. FLOYD of Arkansas: A bill (H. R. 12374) granting a pension to John M. Boen; to the Committee on Invalid Pensions.

By Mr. FRENCH: A bill (H. R. 12375) authorizing Daniel W. Abbott to make homestead entry; to the Committee on the Public Lands.

By Mr. HAMILTON of West Virginia: A bill (H. R. 12376) for the relief of James A. Showen; to the Committee on Claims.

Also, a bill (H. R. 12377) granting an increase of pension to William H. Bishop; to the Committee on Invalid Pensions.

By Mr. HEALD: A bill (H. R. 12378) granting an increase of pension to Henry B. Mitchell; to the Committee on Invalid Pensions.

By Mr. HUMPHREY of Washington: A bill (H. R. 12379) granting a pension to John W. Connors; to the Committee on Pensions.

By Mr. HUGHES of New Jersey: A bill (H. R. 12380) granting a pension to Sophronia Vanderbeek; to the Committee on Pensions.

Also, a bill (H. R. 12381) granting an increase of pension to James Hand; to the Committee on Invalid Pensions.

By Mr. KENT: A bill (H. R. 12382) granting an increase of pension to John Campen Mixon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12383) granting a pension to William Barth; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12384) granting an increase of pension to James H. Cloer; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 12385) granting a pension to Rebecca Back; to the Committee on Pensions.

By Mr. MARTIN of Colorado: A bill (H. R. 12386) granting a pension to Margaret A. Wells; to the Committee on Pensions.

By Mr. McGILLICUDDY: A bill (H. R. 12387) granting an increase of pension to John Pierce; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12388) granting an increase of pension to Charles W. Price; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 12389) granting an increase of pension to George F. Sheldon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12390) granting an increase of pension to Margaret O'Reilly; to the Committee on Invalid Pensions.

By Mr. PALMER: A bill (H. R. 12391) granting an increase of pension to Aaron Henry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12392) granting an increase of pension to James B. Armstrong; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12393) for the relief of John S. Hufford; to the Committee on Military Affairs.

By Mr. PEPPER: A bill (H. R. 12394) granting an increase of pension to John A. Rowan; to the Committee on Invalid Pensions.

By Mr. REILLY: A bill (H. R. 12395) granting a pension to Bernard Flusk; to the Committee on Pensions.

By Mr. STERLING: A bill (H. R. 12396) for the relief of Adelbert S. Eddy; to the Committee on War Claims.

By Mr. SIMS: A bill (H. R. 12397) for the relief of the legal representatives of J. B. Armstrong, deceased; to the Committee on War Claims.

By Mr. SELLS: A bill (H. R. 12398) to correct the military record of B. J. Roe; to the Committee on Military Affairs.

Also, a bill (H. R. 12399) to correct the military record of Isaac Davidson; to the Committee on Military Affairs.

Also, a bill (H. R. 12400) to correct the military record of D. N. J. Wise; to the Committee on Military Affairs.

Also, a bill (H. R. 12401) granting an increase of pension to Daniel H. Parrott; to the Committee on Invalid Pensions.

By Mr. SHERWOOD: A bill (H. R. 12402) granting an increase of pension to George W. Peterson; to the Committee on Invalid Pensions.

By Mr. WEEKS: A bill (H. R. 12403) placing Henry E. Rhoades, assistant engineer, United States Navy, on the retired list with an advanced rank; to the Committee on Naval Affairs.

By Mr. WILLIS: A bill (H. R. 12404) to correct the military record of Ira Gwynn; to the Committee on Military Affairs.

Also, a bill (H. R. 12405) to correct the military record of Larkin Tonguet; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Resolution of Vincennes Branch of Alliance of German Societies of the State of Indiana, approving House resolution 166; to the Committee on Immigration and Naturalization.

By Mr. AYRES: Petition of citizens of the Bronx, in favor of a parcels post; to the Committee on the Post Office and Post Roads.

Also, resolution by the North Side Board of Trade of the city of New York, urging the ratification of treaties for unlimited arbitration; to the Committee on Foreign Affairs.

By Mr. BARCHFELD: Petition of the Carbon Steel Co., of Pittsburg, Pa., against House bill 1642, establishing a standard gauge for sheet and plate iron and steel; to the Committee on Interstate and Foreign Commerce.

Also, papers to accompany bill granting an increase of pension to Charles T. Brown; to the Committee on Invalid Pensions.

By Mr. COOPER: Resolutions adopted by the American Medical Association in annual session at Los Angeles, Cal., June 26, 1911, petitioning Congress to amend the pure-food and drug laws at the present session so that false statements of any kind appearing upon the labels, circulars, etc., of foods and drugs be made unlawful; to the Committee on Agriculture.

By Mr. FLOYD of Arkansas: Papers to accompany House bills 11245 and 12039; to the Committee on Invalid Pensions.

By Mr. FRENCH: Petition of citizens of Emmett, Idaho, protesting against the passage of a parcels-post law; also similar petitions by the citizens of Council, Cambridge, Midvale, New Plymouth, Nampa, and Boise, Idaho; to the Committee on the Post Office and Post Roads.

By Mr. HAUGEN: Petition of citizens of St. Ansgar, Iowa, favoring the passage of Senate bill 2117 to promote the efficiency of the Public Health and Marine-Hospital Service; to the Committee on Interstate and Foreign Commerce.

By Mr. HUGHES of New Jersey: Resolutions of the New Jersey State Board of Agriculture, requesting that the efforts of President Taft and of the State Department to secure justice to American users of potash should be supported in every possible way; to the Committee on Foreign Affairs.

By Mr. KENDALL: Protest of citizens of Baxter, Ira, and Mingo, Iowa, against parcels post; to the Committee on the Post Office and Post Roads.

By Mr. KINDRED: Petition of H. Planten & Son, of Brooklyn, N. Y., protesting against the passage of House bill 8887; to the Committee on Ways and Means.

By Mr. LOBECK: Resolutions of the Commercial Club of Lincoln, Nebr., requesting that the date on which corporations shall make their annual report be changed from the calendar year to the fiscal year; to the Committee on Ways and Means.

By Mr. LONGWORTH: Petition of Cincinnati Vigilance Society, of Cincinnati, Ohio, for the passage of the Sims bill to forbid interstate transmission of race-gambling odds and bets; to the Committee on Interstate and Foreign Commerce.

By Mr. O'SHAUNESSY: Petitions of A. L. H. Schleiser and Charles Schmitt, of Newport, R. I., asking that House resolution 166 be adopted; to the Committee on Immigration and Naturalization.

Also, resolution by American Medical Association, requesting that the pure food and drug law be amended so that false statements of any kind appearing upon the labels, circulars, etc., of foods and drugs be made unlawful; to the Committee on Agriculture.

By Mr. RAKER: Petition of Robert Wilkinson and 12 other citizens of Forks of Salmon, Cal., requesting that the duty on raw and refined sugars be reduced; to the Committee on Ways and Means.

By Mr. REILLY: Resolutions adopted by the American Medical Association in annual session at Los Angeles, Cal., June 26, 1911, petitioning Congress to amend the pure food and drug laws at the present session so that false statements of any kind appearing upon the labels, circulars, etc., of foods and drugs be made unlawful; to the Committee on Agriculture.

By Mr. REYBURN. Resolution of the American Medical Association, requesting that the pure food and drug law be amended so that false statements of any kind appearing upon the labels, circulars, etc., of food and drugs be made unlawful; to the Committee on Agriculture.

By Mr. SCULLY: Petitions of New Jersey Pharmaceutical Association and others protesting against the passage of House bill 8887; to the Committee on Ways and Means.

Also, petition of Division No. 7, Ancient Order of Hibernians, of Middlesex County, N. J., together with others, protesting against the proposed arbitration treaty with Great Britain; to the Committee on Foreign Affairs.

By Mr. SAMUEL W. SMITH: Petition of Le Roy Dean and others, against the passage of the Sunday-observance bill (S. 237); to the Committee on the District of Columbia.

By Mr. STERLING: Petition of citizens of Livingston County, Ill., concerning appropriation for improvement of New River, Fla.; to the Committee on Rivers and Harbors.

By Mr. WILLIS: Papers to accompany House resolution to correct the military record of Ira Gwynn; to the Committee on Military Affairs.

By Mr. WOOD of New Jersey: Resolutions adopted at the last annual meeting of the New Jersey State Board of Agriculture in reference to the tariff on potash; to the Committee on Ways and Means.

SENATE.

MONDAY, *July 10, 1911.*

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Journal of the proceedings of Saturday last was read and approved.

PETITIONS AND MEMORIALS.

Mr. CULLOM presented a memorial of sundry citizens of Nome, Alaska, remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

Mr. GALLINGER presented a petition of the East Washington Citizens' Association, of the District of Columbia, praying that an appropriation be made for the construction of a bridge across the Anacostia River at East Capitol Street, which was referred to the Committee on the District of Columbia.

He also presented a memorial of Bow Lake Grange, Patrons of Husbandry, of Strafford, N. H., and a memorial of Local Grange No. 58, Patrons of Husbandry, of Bradford, N. H., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which were ordered to lie on the table.

He also presented a memorial of the East Washington Citizens' Association, of the District of Columbia, and the memorial of Albert E. Dieterich and sundry other citizens of Washington, D. C., remonstrating against the proposed location of the municipal stables on square 1043 in that city, which were referred to the Committee on the District of Columbia.

Mr. LODGE presented a petition of the State Board of Trade of Massachusetts, praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

Mr. PERKINS presented a memorial of Local Grange No. 23, Patrons of Husbandry, of Petaluma, Cal., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

He also presented a petition of the Chamber of Commerce of Berkeley, Cal., praying for the enactment of legislation providing for the preservation of the forests in the Yosemite Valley National Park, which was referred to the Committee on Forest Reservations and the Protection of Game.

Mr. SHIVELY presented resolutions adopted by Group 1, Indiana Bankers' Association, at Fort Wayne, Ind., favoring the adoption of the currency system as proposed by the National Monetary Commission, which were referred to the Committee on Finance.

Mr. CRANE presented a petition of the congregation of the First Parish Unitarian Church of Fitchburg, Mass., praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

Mr. WETMORE presented a petition of the New England Manufacturing Jewelers and Silversmiths' Association, praying that an appropriation be made to increase the depth of the Providence River and Harbor to 30 feet, which was referred to the Committee on Commerce.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GALLINGER:

A bill (S. 2974) authorizing the widening and extension of Rhode Island Avenue extended, and for other purposes (with accompanying paper); to the Committee on the District of Columbia.

By Mr. PENROSE:

A bill (S. 2975) granting an increase of pension to Cecile O. Hamill; to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 2976) to correct the military record of Charles Rayfield, alias John Brown; to the Committee on Military Affairs.

A bill (S. 2977) granting an increase of pension to John Smith;

A bill (S. 2978) granting an increase of pension to Almond Partridge;

A bill (S. 2979) granting an increase of pension to Martin Feeney;

A bill (S. 2980) granting an increase of pension to W. P. Anderson;

A bill (S. 2981) granting an increase of pension to Thomas J. Pearson;

A bill (S. 2982) granting an increase of pension to Lucy E. Culp;

A bill (S. 2983) granting a pension to Mary Burnett (with accompanying paper);

A bill (S. 2984) granting an increase of pension to John Dodgion (with accompanying papers);

A bill (S. 2985) granting a pension to A. C. Hogan, jr. (with accompanying papers); and

A bill (S. 2986) granting an increase of pension to William M. C. Hix (with accompanying paper); to the Committee on Pensions.

By Mr. FLETCHER:

A bill (S. 2987) to authorize the Government of the United States to participate in celebrating the four hundredth anniversary of the discovery of Florida by Juan Ponce de Leon, in the year 1913, and for other purposes; to the Committee on Industrial Expositions.

By Mr. LODGE:

A bill (S. 2988) granting a pension to Kate B. Wheeler (with accompanying papers);

A bill (S. 2989) granting an increase of pension to Martha Summerhayes (with accompanying papers);

A bill (S. 2990) granting an increase of pension to Charles S. Hicks (with accompanying paper);

A bill (S. 2991) granting a pension to William G. Hollis (with accompanying paper);

A bill (S. 2992) granting an increase of pension to Nancy M. Chapman (with accompanying paper);

A bill (S. 2993) granting a pension to Lizzie A. Shepard (with accompanying papers); and

A bill (S. 2994) granting an increase of pension to Seba Coffin (with accompanying paper); to the Committee on Pensions.

By Mr. CHILTON:

A bill (S. 2995) granting a pension to John E. Rosser;

A bill (S. 2996) granting a pension to Harlan L. Whaley; and

A bill (S. 2997) granting a pension to Elizabeth J. Mitchell; to the Committee on Pensions.

By Mr. GORE:

A bill (S. 2998) authorizing and directing the Secretary of the Interior to sell the surface of the segregated coal and asphalt lands belonging to the Chickasaw and Choctaw Tribes of Indians; to the Committee on Indian Affairs.

By Mr. CRANE:

A bill (S. 2999) for the relief of S. and W. Welsh and others (with accompanying paper); to the Committee on Claims.

RECIPROCITY WITH CANADA.

The VICE PRESIDENT. The morning business is closed.

Mr. PENROSE. I move that the Senate proceed to the consideration of House bill 4412, the reciprocity bill.

The motion was agreed to, and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes.

The VICE PRESIDENT. The pending question is on the amendment of the Senator from Iowa [Mr. CUMMINS], upon which he demands the yeas and nays.

Mr. CUMMINS. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Cullom	Lodge	Reed
Bailey	Cummins	McCumber	Root
Borah	Curtis	McLean	Shively
Bourne	Foster	Martin, Va.	Simmons
Brandegee	Gallinger	Martine, N. J.	Smoot
Briggs	Gronna	Myers.	Stone
Bristow	Guggenheim	Nelson	Sutherland
Brown	Heyburn	Nixon	Swanson
Burnham	Hitchcock	Oliver	Taylor
Burton	Johnson, Me.	Overman	Thornton
Chamberlain	Johnston, Ala.	Page	Watson
Chilton	Jones	Penrose	Wetmore
Clapp	Kenyon	Perkins	Williams
Clark, Wyo.	Kern	Poindexter	
Crane	Lippitt	Pomerene	

The VICE PRESIDENT. Fifty-eight Senators have answered to the roll call. A quorum of the Senate is present.

Mr. BAILEY. Mr. President, the Journal has been approved?

The VICE PRESIDENT. The Journal has been read and approved.

Mr. BAILEY. I then merely desire to incorporate in the RECORD the statement that on Saturday last, when the vote was taken on the amendment proposed by the Senator from Iowa [Mr. CUMMINS], I overlooked the fact that I was paired with the Senator from Massachusetts [Mr. LODGE]. Unmindful of that pair, I voted on the roll call. Fortunately it made no difference in the result.

I believe I owe this statement to the Senator from Massachusetts, who, in his absence, relied upon me to keep the pair.

The VICE PRESIDENT. Is there a second to the demand for the yeas and nays on agreeing to the amendment of the Senator from Iowa [Mr. CUMMINS]?

The yeas and nays were ordered.

Mr. CUMMINS. I understood that the Senator from North Carolina [Mr. SIMMONS] desired to speak before the vote was taken. After he has been heard I wish to occupy a few moments in reply to the Senator from Ohio [Mr. BURTON].

The VICE PRESIDENT. The Senator from North Carolina then is recognized.

Mr. SIMMONS. Mr. President, before I begin the analysis which I shall attempt to make of this treaty agreement, so called, I want briefly to outline my contentions with reference to it; and that I may be specific in my statements I will read the propositions which I shall attempt to establish.

First. I shall contend that while this bill puts farm products from Canada on the free list it, in effect, increases the protection on the manufactures of those products.

Second. That the tariff duties retained on manufactures, other than manufactures of farm products from Canada, are more protective as against the Canadian importer than the duties levied by the Payne-Aldrich bill upon those commodities are as against Great Britain, France, Germany, and Belgium, our real competitors in these commodities.

Third. I shall contend that by this arrangement the price of many of the staple products of the farm will be reduced, and the benefit of this reduction will inure to the trust manufacturers of these products, while the consumers, in whose benefit we are presumed to be revising the tariff, will receive no part of the benefit of the reduction made on either farm or manufactured products.

Fourth. I shall contend that the effect of this treaty, so far as it is to be regarded as an attempt at revision of the tariff, is a revision against the farmer and the landowner in the interest of the newspapers, the railroads, the packers, the millers, the brewers, and a few other trusts and tariff-protected manufacturers, while the general consumer will receive no benefit by way of lessened cost of the necessaries of life.

Fifth. I shall contend that while the farmer and the landowner pay the price of the concessions made both by us and by Canada in this bill, it contains no provision for compensating him in whole or in part for the losses he sustains.

Sixth. I shall contend that the bill should be amended, as proposed in the amendments I have introduced, by putting meats and flour of different kinds on the free list, so that the consumer may get the benefit of reductions in prices of farm products; and that, as the farmer will pay the price of the concessions made by both countries, he should be compensated, as far as may be, by putting the things he buys upon the free list, as

provided in the amendment offered by the Senator from Texas [Mr. BAILEY].

Whether these contentions and these conclusions are correct or not will depend upon the facts.

I shall therefore address myself to a discussion of the facts relating to the changes which this treaty makes in our present tariff.

Will putting the staple farm products on the free list reduce the price of those products?

In discussing this question I shall direct my attention chiefly to the effect of these reductions upon wheat, barley, and live stock, not only because they are the products out of which the people's foodstuffs are made, but because they are the products most discriminated against in this agreement and which have been most discussed in this debate.

And first, Mr. President, I will direct my attention to wheat.

It is claimed by the advocates of this treaty, especially by the President, that putting wheat from Canada on the free list will not affect the domestic price of wheat in this country, because it is claimed we are exporters of wheat and that, therefore, the domestic price is fixed by the world's demand—that is, the Liverpool price.

Do the facts sustain the contention of the advocates of this bill and the President?

It is true we still export some wheat, but very little, and the quantity is rapidly diminishing year by year. In 1910 we made an enormous wheat crop—725,000,000 bushels—but exported in that year only about 46,000,000 bushels, and during the first 10 months of this year, practically the whole year for this purpose, our exports of wheat amounted to only 22,000,000 bushels. To be exact, Mr. President, I submit tables taken from the reports of the Bureau of Statistics of the Department of Agriculture.

Exports of wheat.

(Annual Report Commerce and Navigation for 1910, p. 508.)

	Bushels.
1908	100,371,057
1909	66,923,244
1910	46,679,876
1911 (10 months ending April, advance sheets)	21,479,608

Exports of flour.

(Annual Report Commerce and Navigation for 1910, p. 508.)

	Barrels.
1908	13,927,247
1909	10,521,161
1910	9,040,987
1911 (10 months ending April, advance sheets)	8,366,726

These reports show that while in 1908 we exported 100,000,000 bushels of wheat during 10 months of the year ending June, 1911, we exported only about 22,000,000 bushels, or about one-fifth of what we exported two years ago. They also show that our exports of flour have fallen off. While in 1908 we exported 13,000,000 barrels, in 1910 we exported only a little over 8,000,000 barrels.

But more important than these facts, as affecting the question under consideration, is the fact that practically all of our exports of wheat for the last few years have been of the lower grades of wheat, most of it known as macaroni wheat. This grade of wheat, I concede, is on an export basis, but the amount in 1910 exported was only about one-twentieth of our total production, while the amount exported this year will hardly exceed one twenty-fifth of our production.

We consume at home practically all of our high-grade wheat, known as No. 1 northern and southern red. It is needed to supply the domestic demand, and as this constitutes more than nineteen-twentieths of all the wheat we produce, the domestic price is but little affected by the export price.

In this statement, Mr. President, I am supported by the yearly reports of the Agricultural Department and by the testimony of practically all of the witnesses who appeared before the Finance Committee to give testimony upon this subject.

I have here a table—I have taken it from statistics compiled by the Bureau of Statistics of the Department of Agriculture—showing that the average price of wheat in this country in 1910 was $1.14 a bushel. This table gives the price of wheat in this country, month by month, for the year 1910, and then estimates what the average of that price is, and the average is found to be $1.14. This table also gives the average price of wheat during that year in Liverpool, month by month; and the average price in Liverpool, according to this table, is identically the same as the average price in this country—$1.14. The export price, of course, is the Liverpool price less the cost of transportation from the domestic port to Liverpool.

The cost of transportation of wheat from Duluth, which has been the export point for the great wheat-producing section of this country, for the year 1910 and in recent years, has averaged, including insurance and so on, about 15 cents a bushel. Therefore, Mr. President, if the domestic price of wheat in this country were upon an export basis or had been upon an export basis last year, that price would have been 99 cents a bushel. So it is shown conclusively by these statistics that the average domestic price of wheat in this country for 1910 was 15 cents higher than the export price.

The table I refer to is as follows:

Range of cash prices, per bushel, of No. 1 northern.

Months.	Minneapolis.	Liverpool.
1910.		
January	$1.10-$1.16	$1.22-$1.24
February	1.10- 1.16	1.20- 1.23
March	1.12- 1.16	1.19- 1.22
April	1.06- 1.16	1.18- 1.23
May	1.03- 1.14	1.00- 1.14
June	1.02- 1.17	1.02- 1.10
July	1.13- 1.29	1.10- 1.27
August	1.09- 1.23	1.21- 1.25
September	1.09- 1.15	1.19- 1.24
October	1.02- 1.12	1.14- 1.19
November	.99- 1.07	1.07- 1.11
December	1.00- 1.06	1.07- 1.09
Average	1.14	1.14

To further illustrate, Mr. President, let me take the condition of the wheat market in my State. It may not be known that we produce 7,000,000 bushels of wheat in North Carolina. It is a high-grade wheat. It may not be quite equal in quality to No. 1 northern, but if at all it is only a fraction below it. I have taken the pains to ascertain from the Agricultural Department what wheat in my State sold for on the farm (they could not furnish me the price at the mill), month by month, in the year 1910.

In response to my inquiry the statistician of the Department of Agriculture advised me that the average farm value of wheat in North Carolina for the year 1910 was by months as follows:

	Cents.
January	110
February	127
March	129
April	129
May	130
June	127
July	123
August	119
September	112
October	113
November	112
December	112

The average of these monthly prices is, for the year, 121 cents per bushel.

The actual cost of transporting a bushel of wheat from Greensboro to Liverpool is about 17 cents, as shown by documents I have in my possession. But let us put it at the same as from Duluth—15 cents. If the price of wheat in North Carolina had been on the export basis in 1910, it would have averaged in that year in North Carolina 15 cents less than the Liverpool price.

The average price of wheat in Liverpool during 1910 was $1.14, so that if the price of wheat in North Carolina had been on an export basis, it would have sold for 99 cents a bushel, whereas, as a matter of fact, it sold for $1.21 a bushel, or 22 cents per bushel above the export price.

Mr. President, while the domestic price of high-grade wheat, the kind we consume in this country, ranges from year to year from 10 to 15 cents above the export price, the price of wheat in Canada is and has long been upon an export basis; and hence the domestic price of Canadian wheat is necessarily from 10 to 15 cents a bushel lower than ours.

I have a table sustaining this statement with regard to the domestic price of wheat in Canada. This table, which is the market report of the price of wheat in Winnipeg for each week in the year 1910, shows that the average price of wheat at Winnipeg for that year was about $1 a bushel.

It will be seen from this statement that the average domestic price of wheat in Canada in 1910 was 14 cents below the average domestic price in this country.

This table is so long that I do not reproduce it. It is in conformity with the testimony of the witnesses.

In further support of my contention in this regard, I wish to read to the Senate extracts from the testimony before the Finance Committee of Mr. Wilkinson and Mr. Lyon, gentlemen who showed great familiarity with this subject. I am laying stress upon these facts because the President in all of his speeches of recent date has recognized the importance of convincing the farmer that the price of his wheat was upon the Liverpool or export basis, and therefore the reduction contained

in this bill of the duty on wheat could not possibly affect the price of his product. If the President's premises were correct, his conclusion was correct, and therefore, Mr. President, I am taking the time of the Senate in trying to demonstrate, as I think I shall do and have already in part done, the inaccuracy of his premises and of those other advocates of this bill who have followed that same line of argument. I shall read first from Mr. Wilkinson's testimony. It is very short:

Mr. WILKINSON. The Winnipeg wheat goes over to Europe, to Liverpool, which has been the chief market.

I make the statement that the wheat of Canada, the value of the wheat of Canada at Port Arthur, has been based on what it would bring on the British market in Liverpool. I make this further statement, that the Duluth market has averaged from 5 to 15 cents per bushel during that five years more for our No. 1 northern wheat in Duluth than the Canadian No. 1 northern has brought at Port Arthur.

Port Arthur is the exporting point of Canada. Duluth is the exporting point of the United States. They are separated only by Lake Superior, and, according to the testimony of this witness, coming from that section of the country, claiming to be, and shown by his testimony to be, familiar with wheat conditions and prices in that country, the Port Arthur price of wheat—that is, the Canadian price—was, and has been for the last five years, from 5 to 15 cents a bushel less than the price of wheat at Duluth, the American export point, just on the other side of the lake.

Continuing, Mr. Wilkinson said:

Minnesota No. 1, northern grade, is wheat that must weigh 58 pounds to the bushel; it must grade that; it must contain, say, not less than 1 per cent over half hard wheat, the majority—I think that the term in the law is "the majority."

* * * * * * *

No. 1 northern wheat, Manitoba grade, must be sound wheat that weighs 60 pounds to the bushel. Now, with anybody in the wheat business, anybody that knows anything about the wheat business or who has ever been in the wheat business, knows that there is a great difference in the quality of the wheat when you increase it 2 pounds to the bushel. In addition to that, it must have over 90 per cent of hard wheat in it, so you can see the difference between the two grades of wheat. Their wheat is usually better than ours. Consequently, if the grade of wheat was the same at both places, the difference in the price would be accentuated and increased from 3 to 4 cents per bushel more.

That is to say, Mr. President, if our wheat were of the same quality and weight and intrinsic value as the Canadian wheat, instead of a difference of 15 cents per bushel, there would be a difference of from 18 to 19 cents a bushel between the price of Canadian and American wheat.

Mr. Wilkinson testified further as follows:

The better grade of wheat has to bring the lower price at the other side of the line, because their market is the export market of Great Britain; our wheat not being quite as good, being worth less intrinsically, from 3 to 4 cents per bushel, will sell from 5 to 15 cents more per bushel on this side of the line at practically the same market points, with practically the same facilities to get it to the markets of the country as the other, because we have built up that home market for our products. That is the reason our wheat, our northwestern wheat, is worth to us more money than it is in Liverpool.

Mr. Lyon, another intelligent witness, said:

For more than five years past the price of northern wheat at Minneapolis has averaged from 5 to 15 cents per bushel more than at Winnipeg. The price at Winnipeg, as you all know, is based upon delivery at Fort William port. From July 10, 1909, to January 28, 1911, the price of northern wheat at Minneapolis averaged 10½ cents per bushel more than at Winnipeg. The expense of shipment from Minneapolis to Duluth is approximately 1½ cents per bushel, thus making a difference of about 12 cents per bushel between the prices at Duluth and Fort William, on opposite sides of the international line at the head of Lake Superior, and with equal freights to Liverpool. Can anything show more clearly that the price of our wheat is not determined by the Liverpool market, as has been repeatedly stated by the President?

There were scores of other witnesses whose testimony sustained the statements of these two whom I have quoted; but, of course, I will not quote from all of them.

Mr. President, do we know better than the wheat farmers and the stock raisers what will be the effect of these duties upon their products? That the wheat farmers and the stock raisers of this country believe that putting their products on the free list will reduce the price is not to be disputed. Any man who heard, as I did, their testimony before the committee could have no doubt about it. No man who has read that evidence can have a doubt about it if he believes what these farmers from 20 States said. They came here, Mr. President, when this treaty was before us during the last session of Congress. They came back again during this session. They came not in dozens or in scores, they came in hundreds from, I think, twenty-odd States, some of them more than a thousand miles distant from the Capital, and a more determined, earnest, honest set of men and witnesses I have never seen offered to support any cause.

I heard them both times. If there was any fact or circumstance which could impeach the integrity of the testimony which they delivered, I did not hear it. I know of no reason why the scores and hundreds of farmers who appeared before the committee, speaking with knowledge of the actual facts with reference to the price of wheat here and in Canada, and its known effect to them upon their prices, are not to be believed. I say I heard them both times, and I am ready to confess here that my former views with regard to this matter were materially changed as the result of that testimony; and I can not believe that any Senator here who heard that testimony rose from those hearings with any reasonable doubt in his mind that the effect of putting wheat upon the free list will be to reduce the price of wheat in this country to the Canadian level, which is from 10 to 15 cents below the American level.

It is said, Mr. President, that these farmers were demanding protection for their products. They were not. They were simply demanding equal treatment for their products under whatever tariff legislation Congress might enact. They were simply demanding that their industry should not be singled out; that they should be treated with reference to the tariff as other industries were treated. They were demanding that, if their products were put upon a free-trade basis, the things which they had to buy in making that wheat, in raising those cattle, in conducting their farming operations, should also be put upon a free-trade basis.

The following extracts from the minority report on the reciprocity bill of the Finance Committee made by Senator MCCUMBER (S. Rept. 63, pt. 2) gives a view of these matters that is in conformity with the tables I have presented and with the evidence delivered in the hearings before the committee. The facts stated as to the relative prices of these products were amply demonstrated by the testimony of the witnesses who appeared before us. The report, among other things, says:

(8) For a number of years the northwestern farmers have received for their cereal products a price considerably in excess of what such products would bring for export purposes. The great markets of Minneapolis and Duluth have for several years ceased to be exporting markets for the principal kinds of wheat raised in the States tributary to those markets.

(9) It is claimed by some of the supporters of this measure that, as we still export grain from some parts of the United States, our prices are governed and fixed by the foreign prices. This is not true to-day, and has not been true for a number of years. The cost of transporting grain from Minneapolis to Liverpool, including insurance, commission, handling, etc., is about 15 cents per bushel. Allowing reasonable profit on capital and risk of business, we can export from Minneapolis to Liverpool only when the Liverpool prices are from 16 to 17 cents above the Minneapolis price.

The following are the average prices paid for No. 1 northern wheat in Minneapolis and Liverpool for the years 1908, 1909, and 1910, as reported by the Bureau of Statistics, Agricultural Department:

Years.	Minneapolis.	Liverpool.	Difference.
1908	$1.11	$1.25	$0.14
1909	1.20	1.29	.09
1910	1.14	1.14	.00

If, therefore, we had been dependent upon Liverpool prices for our wheat, we would have received 3 cents per bushel less for it in 1908, 8 cents per bushel less in 1909, and 17 cents per bushel less in 1910.

Senator MCCUMBER comes from the great wheat-producing State of North Dakota, and has personal knowledge of the things of which he speaks.

These facts establish beyond controversy that on account of the limited demand of the local market the price of Canadian wheat of all kinds is on the export basis, and by reason of the local demand, taking practically the whole of our production of high-grade wheat, the domestic price here is from 8 to 17 cents in excess of the export price. The fact stands for itself. No amount of theory or sophistry can overthrow it or refute it. You can not argue it away.

Why is Canadian high-grade wheat on an export basis while the high-grade wheat of this country is not? The answer is found largely in the fact that while Canada has a population of only about 8,000,000 people it produces more wheat for export than we do. It is found in the further fact that while the American wheat producer has 92,000,000 local customers for his wheat, the Canadian wheat producer has only 8,000,000 local consumers of his wheat.

Mr. President, remove the duty on wheat from Canada and let Canadian wheat come into this country, and I think there can be no question about the fact that at once the price of wheat in this country will drop to the level of the price of wheat in Canada, which is, as I have shown, from 5 to 15 cents lower.

The difference is more marked between the prices of barley in this country and in Canada than in the case of wheat. Barley has for a long while sold in this country for very much more than it sells for in Canada, running from 25 to 30 cents a bushel more. We do not export barley. Nobody claims that. To say that the duties on barley in this country are not operative is to disregard all the facts with reference to the price of barley here and elsewhere.

Mr. Bryan, for years recognized as the leader of the Democratic Party, knew the effect of taking the duty off of barley

when he was in the House at the time the Wilson bill was adopted. He came from a barley-producing State, and when the bill as reported to the House provided for a reduction of duty on that product to 20 per cent, he and a few other Democrats from the barley-producing States joined with the Republicans and raised the duty in the bill as reported from 20 per cent to 25 per cent and on barley malt to 35 per cent.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from Missouri?

Mr. SIMMONS. Certainly.

Mr. REED. I did not rise to question the statement, because I do not know whether Mr. Bryan was in favor of a duty on barley or not. But I wanted to ask the Senator from North Carolina why barley is cheaper in Canada than in the United States? What is the reason?

Mr. SIMMONS. I should suppose, Mr. President—I have not examined that question—probably it is because, as respects barley, Canada is on an export basis while we are not. It produces more than it consumes, while we do not.

Mr. REED. Does the Senator believe that that is the only reason?

Mr. SIMMONS. Oh, I believe that another reason is that when there *are* 92,000,000 customers for a product and there is not enough of it, it will be higher than when there are only 8,000,000 consumers of a product and there is too much of it.

Mr. REED. Then I understand the Senator to say that we can not raise enough barley in the United States, and that is the reason the price is higher? I want to ask him now if he takes the position that when the farmers of the United States can not raise enough of an article to feed the people of the United States they then ought to be compelled to pay an additional price on food products—if that is his Democratic doctrine?

Mr. SIMMONS. I have stated very explicitly that the farmers who came here asking that the duties on these things, their products, be not removed did not come asking for protection. They came simply asking that their products should be treated like the products of every other class of people in this country. I am not here advocating and supporting the duties that are upon barley or any other farm products if they are too high for revenue purposes. My belief, however, is that the duties upon farm products are, as a rule, moderate compared with those on manufactured products in this bill and in the Payne-Aldrich bill.

Mr. REED. What is the duty on barley?

Mr. SIMMONS. At present?

Mr. REED. Yes.

Mr. SIMMONS. I think it is 30 cents a bushel. I am not quite sure about that.

Mr. NELSON. Thirty cents a bushel.

Mr. SIMMONS. But the Senator does not let me finish. I am not arguing, and I have stated that I am not arguing, in support of high-protective duties on farm products.

The argument I am making is the argument the farmers made when they came before the committee, that the things they sell should not be put upon the free list while the things they buy remain on the protected list—that the products of the farm and of the soil should not be put upon a free-trade basis while the products of the factory remain on the protected basis, as is provided in this bill.

That is my contention. I am not defending the duties placed upon farm products by the Payne-Aldrich bill or any other bill. I am like the Senator from Missouri—in favor of a revenue tariff. Nevertheless, I am opposed to removing all duties on farm products, while in practical effect increasing the protection on the manufactures of those products, as this bill in some instances does, as I can and shall demonstrate. The Senator claims that the duties on farm products, which I am insisting shall not be entirely removed unless the duties on those things the farmer buys are also removed, are protective duties, and that in taking this position I am advocating those duties.

Now, I wish to ask the Senator, who is supporting this bill which retains an average duty of about 20 per cent on all manufactured products included in its provisions—duties highly protective, almost prohibitive as against Canada—does the Senator, in giving his support to this bill, wish to be understood as standing for these highly protective duties? Does he wish to be understood as standing for the increases in protection which this bill gives the packers, millers, and the brewers?

Mr. STONE. It is lowered.

Mr. SIMMONS. It is nominally lowered, but by reason of the fact that the raw materials of these manufacturers and trusts are put upon the free list, the amount of protection that remains is higher and greater by something over 100 per cent than the amount in the Payne-Aldrich bill.

Mr. STONE. That is purely speculative.

Mr. REED. I do not intend to get away from the question I was asking the Senator or to let the Senator get away from it if I can help it. The Senator has stated that the price of barley is very much——

Mr. SIMMONS. I will answer the Senator, if that is what he wishes me to do. I am not advocating the present duty on barley. I think that duty too high. I would favor its reduction to a revenue basis. But that is not the question. The question I am discussing is whether these duties on farm products are operative in present conditions and whether they should be entirely removed while protective duties are retained upon the manufactured products with which this bill deals. I am contending against the wholesale removal of the duties on farm products while the duties on the finished products are retained; and I am denying the proposition of the advocates of this measure that the removal of the duty on farm products will not effect the price of farm products in this country. In taking this position, I am not advocating those duties any more than the supporters of this bill are advocating the protective duties it retains on manufactures.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from North Carolina yield further to the Senator from Missouri?

Mr. SIMMONS. Certainly.

Mr. REED. The Senator stated that the tariff on barley was about 30 per cent——

Mr. BAILEY. Thirty cents a bushel.

Mr. SIMMONS. I did not say that. I said 30 cents a bushel in the present law.

Mr. REED. The Senator says we can not, in this country, raise enough to supply our people. He then says that he is in favor of a tariff for revenue. I want to ask him if this tariff of 30 cents a bushel has not been practically prohibitive, and if it is not a protective tariff rather than a revenue tariff?

Mr. SIMMONS. There will be no controversy between the Senator and myself about the tariff on this particular item. I voted against the increase made in the duty on barley by the Payne-Aldrich bill. I am not justifying it any more than I suppose the Senator means, by voting for this bill, to justify the still higher duties it retains on barley malt, the manufactured article.

Mr. REED. The Senator has said that his opposition to this bill arises from the fact that we are taking the tariff off for the farmer and giving him no compensation.

Mr. SIMMONS. The argument I am now making—and the Senator must not confuse the proposition I am now discussing with some other proposition—is to show, as I have several times distinctly stated, that the President and the advocates of this bill are not correct when they assert that the duties on farm products, which it is proposed to repeal, are not operative as to the three staple products I am discussing.

Mr. REED. I want to ask the Senator this question: If he has not stood on the platforms of his State and the platforms of this country for many years denouncing the protection measures, as applied to the farmer, as utterly inoperative and useless, and as a mere sop thrown to the farmer? Has he not done it a thousand times on a thousand platforms?

Mr. SIMMONS. I have no hesitation in saying to the Senator that that was my view in times past with respect to most of the duties on farm products. But in the light of the facts that have been revealed in the investigations and voluminous hearing made by the Finance Committee, of which I am a member, of this question—on account of the fact of our diminishing exports of these products, and on account of the fact that we are now practically upon a nonexporting basis as to them, all of which facts have been undeniably established by the statistics and testimony presented to the committee at the last and present session—I am satisfied, as I have before stated, that these duties are operative as to the products that I have been discussing.

Mr. WILLIAMS. Do you say now operative?

Mr. SIMMONS. I said operative—operative exactly as the President contends they are not operative.

Mr. WILLIAMS. Operative how? As protection?

Mr. SIMMONS. Operative in the sense that there are importations which have to pay these duties.

Mr. WILLIAMS. Operates for protection to the farmer?

Mr. SIMMONS. Operates to the extent of preventing the wheat of this country sinking down to the export level of Canada.

Mr. WILLIAMS. That is, operates to the protection of the producer?

Mr. SIMMONS. Just as the duties in this bill on the manufactures of these farm products, which duties the Senator from Mississippi is insisting shall not be either repealed or reduced, operate to protect the manufacturers of those products.

Mr. WILLIAMS. Never mind about the other items. But the duties upon these agricultural products, you contend, now operate as protection?

Mr. SIMMONS. Yes; just as the duties on the manufactured products embraced in the bill operate as protection. I am insisting that you must not discriminate against the farmers of this country in favor of other interests.

If you will reduce the duty on the things the farmer buys, then I will vote for your bill. But, Mr. President, I am not willing that the duties of the present law on farm products shall be wiped out while the duties on the manufactures of those products as well as upon the manufactures the farmer buys in making his crops are retained or only immaterially reduced.

Mr. WILLIAMS. Then I understand the contention of the Senator from North Carolina to be that he will not vote for the removal of protection in any instance unless he can get an opportunity to remove protection in all its operations.

Mr. SIMMONS. The Senator understands me as saying that I will not vote to raise or retain protective duties on manufactured products and for free trade in farm products.

Mr. WILLIAMS. This bill does not raise the duties on manufactured products nor the duty on single manufactured product.

Mr. SIMMONS. It does not reduce the effective protection on the manufacturer's products, but increases it by giving him free raw materials.

Mr. WILLIAMS. It does not raise the duties on a single manufactured product, and lowers duties on many of them.

Mr. SIMMONS. Mr. President, there are nominal reductions, but the duties retained on manufactured products are more protective as against Canada, where cost influencing conditions are similar to those in this country, than are the duties of the Payne-Aldrich bill upon the same articles imported from Great Britain, France, or Germany, where conditions are dissimilar to ours.

Mr. WILLIAMS. Will the Senator from North Carolina give to the Senate a single instance in which the bill raises a duty upon the finished product?

Mr. SIMMONS. If the Senator will wait, I will show that the bill raises the protection on a number of articles. It is the protection and not the rate that is important.

Mr. WILLIAMS. I ask the Senator to do it because I make the assertion that the bill does not in any single instance raise the rate of duty upon a single manufactured article or upon a single finished product.

Mr. SIMMONS. It does not nominally, and I have not stated that it did. What I stated is that by taking the duty off of the raw product of the packers and the millers and the brewers the duties retained, though nominally reduced, are more protective by far than the duties of the existing law.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Will the Senator from North Carolina yield further to the Senator from Mississippi?

Mr. SIMMONS. Certainly.

Mr. WILLIAMS. I shall not trouble the Senator from North Carolina much longer. I understand his contention to be that the protection against the consumer consists in the difference between the duty on the raw material, so called, and the duty upon the finished product. Is it not a fact, and has it not been eloquently maintained by the Senator from Texas [Mr. BAILEY], and does not the Senator from North Carolina maintain, that the measure of protection, in so far as it maintains or fixes price, consists in the rate of duty upon the finished product; and if the rate of duty on the finished product be reduced by this bill, no matter what else happens, then the protection to the detriment of the American consumer is reduced just that far?

Mr. BAILEY. Mr. President——

Mr. WILLIAMS. I have asked the Senator from North Carolina the question, and I should like to have a reply to it.

Mr. SIMMONS. The Senator had better let me answer the question he has already asked before asking another.

Mr. WILLIAMS. I am not asking another. I ask the Senator if the measure of robbery, the measure of governmental larceny, the measure of protection against the consumer does not consist in the rate of duty on the finished product?

Mr. SIMMONS. Mr. President, let me illustrate. Does not the Senator understand that if there is a duty of 25 cents upon a finished product and a duty of 10 cents upon the raw material out of which that product is made, if the duty on the finished product is reduced 5 cents and the duty on the raw material is taken off altogether, the effective protection on the finished product will be greater than before?

Mr. WILLIAMS. When the Senator from North Carolina asks me that question, I will answer distinctly that the Senator from Mississippi has not an intellect so acute as to perceive that.

Mr. SIMMONS. The Senator's intellect is acute enough.

Mr. WILLIAMS. If the duty on the finished product were 25 per cent, then regardless of what the duty was on the raw material, if that duty were reduced to 15 per cent the reduction of duty in favor of the consumer would be 10 per cent, and unless some other factor entered to disturb the equation the price to the consumer would be lowered just that much. No amount of refinement and "subtraction and addition" can make anything else out of it.

Mr. SIMMONS. Then the Senator says the practice in all tariff bills of adding enough duty to the finished product to compensate the manufacturer for the duty on his raw material is based on an utterly false theory.

Mr. WILLIAMS. In so far as the capacity or ability of the foreign producer to send his goods to the American market is concerned, yes. Take shoes and hides, for example. When you reduced the duty on hides you *enabled* the shoe manufacturer to reduce the duty on shoes.

Mr. SIMMONS. He did not do it, though.

Mr. WILLIAMS. I am not through. But you do not *compel* him. When you went further and reduced the duty on shoes you compelled him to reduce his price. So with this. When you reduce the duty on dressed meat, when you reduce the duty on flour, when you reduce the duty upon the other finished articles, you compel the American producer to meet the foreign producer with a lessened price.

In further answer to what the Senator from North Carolina answers to me, I will say, in forming a just tariff to the American producer, every time you put a duty upon raw materials you must just by that much increase the duty upon the finished product.

Mr. SIMMONS. Suppose you take off the duty on the raw material and do not take it off of the finished product, what is the effect?

Mr. WILLIAMS. Not necessarily anything; but when you reduce the duty on the finished product, regardless of what you have fixed upon the raw material, then you force the American producer of the finished product to lower his prices in the American market, if indeed they are not already so low that the foreigner can not compete with him. When you reduce the duty on the raw material you merely enable him to lower his price, and God alone can make him do it unless he wants to; but when you add to that a reduction on the finished product then you compel him to do that which in common fairness he ought to do, because by cheapening his cost of production you have enabled him to do it.

Mr. SIMMONS. Mr. President, we have had an illustration of this forcing the producer of the finished product to reduce his price by taking the duty off of his raw materials and at the same time slightly but not sufficiently reducing the duty on the finished product—just as this bill does. We took the duty off of hides, as the Senator from Mississippi says. At the same time we reduced the duties on shoes, the finished product, to 15 per cent. The shoe manufacturer gave up 10 per cent on shoes and saved 15 per cent on the hides used in making them. His effective protection was not reduced but increased. Instead of forcing the Shoe Trust to reduce the price of shoes—to abate their larceny, to adopt his language—as the Senator from Mississippi says that line of action should do, it has enabled that heartless combination to increase their exaction from the wearers of shoes. Speculation and theory may be attractive, but facts are real.

The Senator is entirely correct in his general proposition that reducing the duty on the finished product below the prohibitive point will expose the domestic manufacturer to that extent to foreign competition.

The practical question we are discussing here is not whether the slight reductions made in the duties on manufactured products from Canada is going to result in additional importations from that country, thereby increasing competition, because everybody knows that Canada is not an exporter of these things; that she can not compete with our manufacturers in these products; and that the duties retained are as protective as against her, on account of similarity of conditions, in labor and material cost, as twice that amount would be against our real competitors.

That is not the practical question here at all; the practical question is, Will the manufacturer be forced by these slight reductions to reduce his price to the consumer, and if not forced to do so, where he is given his raw materials free, will he voluntarily give the consumer the benefit of his saving or put it in his pocket?

Mr. President, while this bill will help the manufacturer, there is not a line in it that promises the consumer of manufactured goods any relief from his tariff burdens.

Mr. BAILEY. Mr. President——

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from Texas?

Mr. SIMMONS. Certainly.

Mr. BAILEY. I simply want to correct the statement which the Senator from Mississippi makes as to my position on this question. I have never maintained, or if I have ever made such a declaration on the floor, it was made in the confusion of debate here and did not correctly represent my views—that the duty on the finished product represents the manufacturers' protection, but I have always maintained——

Mr. WILLIAMS. I did not state that. I said it measured the protection against the consumer—the price fixing protection. It might leave an opportunity for greater profit to the manufacturer while lowering price to the consumer.

Mr. BAILEY. What I have always contended is that the duty on the finished product regulates, so far as the tariff duty regulates it at all, the manufacturer's price of the finished product.

Mr. WILLIAMS. In the home market.

Mr. BAILEY. In the home market. I can well conceive, and I have maintained it on more than one occasion, that you can increase the manufacturer's real protection while at the same time reducing his selling price. In other words, if you reduce his cost of production 30 per cent, while you reduce the duty on his finished product only 20 per cent, he has a clear net gain of 10 per cent in his protection. There are two ends at which the manufacturer may be protected. One is the producing end, the other is the selling end, and I take it you can just as effectively protect him by reducing the cost of production as you can by increasing his selling price.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from Mississippi?

Mr. SIMMONS. Certainly.

Mr. WILLIAMS. But with this distinction between the two things: When you increase his protection at one end of the line, to wit, the finished-product end, you increase the price to the people, and when you increase his protection just as effectively by reducing a duty at the other end of the line, to wit, the raw-material end, you do not increase the price to the people. In other words, the difference between encouraging manufactures by enabling manufacturers to produce more cheaply is one thing, and encouraging manufactures by enabling them to filch a higher artificial and legislative price out of the pockets of the people is another thing. In the former case you encourage manufactures by untaxing the consumer—that is, reducing taxation; in the latter you encourage them by taxing the consumer—that is, increasing taxes. One is statesmanship; the other is legislative larceny.

Mr. BAILEY. Mr. President, my mind can not quite comprehend the difference in political morality between allowing the manufacturer under one duty to filch a profit of 40 per cent, and another duty that allows him to filch a profit of 30 per cent. A duty is undoubtedly a protection, no matter what purpose you levy it for, and the immorality of the transaction, so far as it strikes my mind, consists wholly in levying the duty for the purpose of enabling one man to charge more against another man who must buy his goods.

But so long as the real purpose of a tariff is to raise money to support the Government I do not conceive that there is any immorality in the transaction. There is a regrettable incident connected with it. For instance, if we collected taxes in corn I would dislike very much to see the taxgatherer go to a farmer's crib and open it and spill some of the corn on the ground while he was taking this toll which the State demanded; but I would not be willing to keep the tax collector from the farmer's crib, notwithstanding the unavoidable incident that in taking a part of the farmer's corn to contribute toward the support of the Government the result was to spill some of the corn on the ground. I would regret it, but I would not exempt him from taxation because I could not avoid that. So I regret the incidental protection which is afforded by a purely revenue duty, but that can never be avoided, and in my judgment a sound Democracy requires that this unavoidable incident shall be distributed to all classes, all sections, and all industries as equally as the wisdom of man makes it possible.

If the Senator will permit me, while I am on my feet, I wish to say that I can conceive many taxes which I would oppose and yet the partial repeal of which I would equally oppose. For instance, if there were a per capita tax on all the people of these United States, I would be opposed to it. I believe it would be unnecessary and unjust. But if it were proposed to repeal that per capita tax on all men except red-headed men, I would vote no, because it would be obviously and infamously unjust to make that kind of a discrimination. Or, to state it in another way——

Mr. WILLIAMS. That would be because you select a purely artificial distinction.

Mr. BAILEY. I understand——

Mr. WILLIAMS. But suppose you exempt men who were receiving less than so much a month or so much a year?

Mr. BAILEY. But you have made a purely artificial distinction here. You have exempted everybody but the farmers from the repeal.

Mr. WILLIAMS. Oh, no; not from the repeal.

Mr. BAILEY. Now, let me finish. I want to go one step further and say that if we had a per capita tax, and if under the Constitution it could be repealed as to some States and continued as to others, as much as I would be opposed to it, I would resist the repeal of that tax as it applied to the States of Massachusetts, Maine, New Hampshire, New York, New Jersey, Pennsylvania, and still leave it in effect against the people of Texas. I maintain that though a tax is unjust, as long as my people must pay it so likewise all other people must pay it. And the Senator from Mississippi would not disagree with me about that.

Mr. WILLIAMS. No; because that would be purely a sectional discrimination.

Mr. BAILEY. If I might be permitted to venture a suggestion to the Senator from North Carolina, as I understand his argument—and it is mine—we favor a revenue tax, but we demand that it shall be applied to all men, to all sections, to all classes, and to all industries alike, and we denounce a proposition to repeal it upon all which the farmer sells and only reduce it on all of the implements with which the farmer makes his products.

For instance, Mr. President, the Government of the United States collects more revenue on wheat than it collects on all farm implements combined from Canada. It collects over $38,000 in duty on wheat and collects less than half as much as that on all the implements that go to the farmer's place from Canada. Yet we repeal the duty on wheat wholly and we only reduce the duty on all these agricultural implements.

Mr. WILLIAMS. Now, Mr. President——

Mr. STONE. I should like to say——

The VICE PRESIDENT. The Senator from North Carolina has the floor.

Mr. SIMMONS. Mr. President, I did yield to the Senator from Mississippi.

Mr. WILLIAMS. I should like to reply to just one other thing about discrimination.

Mr. SIMMONS. I must ask Senators not to altogether take me off my feet. I want——

Mr. WILLIAMS. I am not trying to do that, I trust, Mr. President.

The Senator from Texas [Mr. BAILEY] has said that we made a discrimination in this bill. We make no discrimination. We are meeting a condition which is presented to us. The question that I want to put to him and to the Senator from North Carolina and to men who seem to agree with him—and there are very few of them on this side of the Chamber——

Mr. SIMMONS. There are plenty of them in the country, though.

Mr. WILLIAMS. Is this: If we divide into two camps, one of which makes a fetish of "free raw material" and the other of which makes a fetish of "antifree raw material," we can never come to a vote, while we are called upon to reduce any particular protective duty, without finding part of us voting with the Republicans, on the ground that until we can reduce it as that part would wish they will not reduce it upon the given article; and thus a part of us are left always voting with the Republicans for protection.

Here, for example, is a protective duty on barley and a protective duty on flax. The idea that the difference between two duties is the measure of Democratic opposition is a mistake, for this reason, because the Democratic opposition to protectionalism is merely that it robs the consumer, and if you reduce the duty on the finished product you are benefiting the consumer just that far——

Mr. BAILEY. And the duty on both barley and flax is as low as a Democratic House has found itself able to reduce the duty on woolen manufactures.

Mr. WILLIAMS. I want to call the Senator's attention to another thing. It is not the *rate* of a duty that constitutes its character as protectionism. It is the *effect* of the duty. A 10 per cent duty upon one article may be prohibitive, while a 50 per cent duty upon another might not be, but might admit importation.

Mr. BAILEY. Mr. President, if the Senator will permit me——

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from Texas?

Mr. SIMMONS. Certainly.

Mr. BAILEY. That is true; and yet no man living will contend that the 10 per cent duty is as objectionable as one of 50 per cent.

Mr. WILLIAMS. It is not, even if prohibitive?

Mr. BAILEY. It is not, because a 50 per cent duty will increase the manufacturers' exaction against the consumer 50 per cent, while a 10 per cent duty can only add 10 per cent.

Mr. WILLIAMS. Oh, in point of degree the Senator is right, but in kind they are liable to the same Democratic objection, because they are both prohibitive. The point, the Democratic point of a tariff for revenue only, if I understand the teaching of the fathers of the party, is the maximum revenue point, within governmental needs, whatever it may be.

Mr. BAILEY. No, Mr. President, that is not the Democratic doctrine. The Democratic doctrine is the lowest rate below the maximum revenue-producing point that will support the Government.

Mr. WILLIAMS. Democrats believe in increasing the revenue by decreasing the duties.

Mr. BAILEY. The Democratic doctrine is the lowest rate below the maximum tariff-producing point that will support the Government.

Mr. WILLIAMS. That is the more correct statement of it. It is the maximum revenue point, provided the Government needs that amount of revenue.

The VICE PRESIDENT. The Senator from Mississippi will please give his attention to the Chair.

Mr. WILLIAMS. I thought that I had the permission of the Chair.

The VICE PRESIDENT. The Senator from North Carolina was demanding the floor.

Mr. WILLIAMS. I did not hear him demand it, or I should have given it to him.

Mr. SIMMONS. I yield to the Senator from Mississippi if he wants to go on.

Mr. BAILEY. Mr. President, I know how troublesome it is and how disagreeable it is to have a Senator's speech interrupted in this way, and I authorize the Senator from North Carolina, when he comes to print his speech in the RECORD or in pamphlet form, to cut out whatever I have said.

Mr. SIMMONS. I am much obliged to the Senator, but I will not do that.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from Missouri, who has long been waiting patiently for that purpose?

Mr. SIMMONS. Just one minute. I have had no opportunity to speak for some little time.

Mr. President, the discussion that has gone on between the Senator from Mississippi [Mr. WILLIAMS] and the Senator from Texas [Mr. BAILEY] has strayed far away from the question which I was discussing. I was discussing the question, and I do not intend to be diverted from it, whether taking the duties off the farm products, as is proposed in this bill, would operate to reduce the price of farm products, and whether those duties are operative at present. But before I get back to that I want to say a word in further reply to the Senator from Mississippi on the subject of free raw materials. I want to say to that Senator that I am not as favorably inclined as he seems to be to enlarging the free list.

Mr. President, with one-half of the product imported into this country already upon the free list it is now proposed to enormously add to that list by putting upon it practically all the natural products of the country. That is not in keeping with Democratic doctrine; that is not in conformity with that great Democratic measure known as the Walker tariff, which has been the model Democratic tariff in this country for more than half a century. The free list in the Walker tariff does not comprise much over half a page of printed matter. The Democratic theory, as interpreted and applied by the great Democrats of that day, was that all the products of the country should bear equally the burdens of taxation and should participate equally in the incidental benefits of our tariff system. If that doctrine be carried out, tariff taxes would not bear heavily on any part of the people, nor would it furnish another part, and a very small part, the opportunity to rob and oppress the millions.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from Missouri?

Mr. SIMMONS. Certainly.

Mr. REED. Mr. President, I would not insist upon this interruption, but I started this controversy by asking a couple of questions, and I was not through.

Mr. SIMMONS. Which I thought I answered half a dozen times, if the Senator will pardon me.

Mr. REED. They were preliminary to the question I now desire to ask.

Mr. SIMMONS. Will the Senator state whether the question he is going to ask is pertinent to the subject I am discussing? I do not wish to have the thread of my argument broken.

Mr. REED. It is exactly pertinent, if I understand the theory of the Senator, and it is not to interrupt that I rise, but I want to get such elucidation of this matter as the Senator, with his great ability, can give. I understand the Senator's position now to be that the effect of the reciprocity bill will be to reduce the price of wheat, barley, and certain other farm products to the farmer, but that it will not reduce the price to that extent to the consumer; in other words, in taking the duty off of the raw material, the benefit will never reach the consumer, because a trust of some kind, completely dominating our market, will simply absorb that benefit.

I understand that to be his position, and to be his position especially with reference to wheat. I want to ask the Senator this question: If he means to say to this Senate and to the country that there is a Milling Trust? I call his attention to the fact that, as shown by the Bureau of Statistics, there were in 1905—the last year as to which I am able to get statistics—10,051 separate and distinct milling institutions in the United States; that they ran from 72 in number in New Hampshire to as high as 1,195 in the State of Pennsylvania, and that the State of North Carolina, which is so ably represented by the Senator, had 234.

Mr. SIMMONS. Now, if the Senator will permit me——

Mr. REED. To conclude my statement, so that the Senator can answer it all at once—and I will not again interrupt him further, unless, if his answer does not suit me, I will reply——

Mr. SIMMONS. The Senator can interrupt me as much as he pleases.

Mr. REED. I do not wish to do so, because the Senator wants to finish his speech, and it is proper he should be allowed to do so.

Mr. SIMMONS. I do not want to cut off any interruption.

Mr. REED. I ask the Senator if he means to say that these 10,051 separate milling institutions in this country, all having access to the market, and consequently having the benefit of this cheap wheat when it comes, are so united and bound together that that benefit will not reach the consumers of the United States?

Mr. SIMMONS. Mr. President, I am not able to say categorically that the flour millers are in a trust. I could not prove it. But by means entirely effective for the purpose they seem able to control the price of flour. Like many other industries, not outwardly controlled by a central trust, they seem by a mutual understanding to have succeeded pretty well in establishing and maintaining the prices of their products and avoiding very troublesome competition between themselves.

Mr. President, in the South there are hundreds of cottonseed-oil mills. I do not suppose technically they constitute a trust, yet in some mysterious way they fix the price of the seed they buy and of their several products. There is practically no competition. The effect on the consumer is about the same as if they were in a trust. Their number seems to have but little to do with it. There are 27,000 lumber mills in this country as against 10,000 flour mills according to the Senator, yet there are those who never tire in denouncing them as a part of a gigantic trust.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from Missouri?

Mr. SIMMONS. Certainly.

Mr. REED. The Senator keeps talking combinations, and he has talked about combinations in other things, but I am limiting my question to the flour business.

Mr. SIMMONS. I have answered the question of the Senator and given him all of my knowledge about it and all of my facts. I do not say that about the flour mills, but I do say if they have no arrangement by which they regulate the price of flour, it is very strange that the price of flour is practically the same everywhere in the United States; and I want to say further if they have no such arrangement they would seem to be an exception to the rule which seems to generally obtain in our industrial system.

Mr. REED. I want to ask the Senator if he knows of a single particle of evidence, outside of the mere fact that the prices are about the same, of any combination between the flour mills of his own State, over 200 of them, and the other flour mills of the country?

Mr. SIMMONS. Mr. President, I have answered that fully. I have given the Senate the benefit of all the information I have about it, as well as the benefit of my deductions. It is not necessary to go on repeating question and answer.

Mr. President, I want to remind the Senate of what I was discussing before I was interrupted, because I want to get back to that. I was discussing the question, in answer to the President's contention in all of his recent speeches, whether the duties on farm products were operative, and, if operative, whether their removal would not in some way injuriously affect the farmer? I take it that nobody will contend that the duty on cattle is not operative.

Last year we imported from Mexico 188,000 head of cattle, and the duty we collected on Mexican cattle amounted to about $600,000. We only import about 5,000 head from Canada, but Canada exported 159,000 head of cattle to Great Britain. Why did Canada not export those 159,000 head of cattle to the United States? We are right at her door. Why did she send them across the sea? Because we have a duty against Canadian cattle and Great Britain has no duty against them. They went there because they could go free. They do not come here to be sold in competition with our native cattle, because they would have to pay a duty to get in our markets. It will not do, therefore, to say that the duty against Canadian cattle has not been operative. Remove the duty upon cattle from Canada and the bulk of the 160,000 now sent to Great Britain will be sent here, which, added to the 188,000 from Mexico, will make our importations of cattle about 400,000 head a year.

The fact that the present duty on cattle excludes so largely importations from Canada, while not having the same effect against Mexico, illustrates and confirms the contention I shall make later (when I come to discuss the reductions in duties on manufactures which this bill makes) that on account of the similarity of conditions here and there a small duty against Canada is more protective than a much larger duty against most other countries.

It must therefore be admitted that the duties on these staple products of the farm are operative under present conditions, and that their entire removal will reduce the price which the farmer now receives.

Does this bill, as I have alleged it does, while putting wheat, barley, and live stock on the free list, increase the protection of the manufactures of those products?

It reduces the duty on meat from 1½ to 1¼ cents per pound. It reduces the duty on flour from $1 to 50 cents per barrel, but it gives the packer and the miller their raw materials free.

Now, let us see if the effect of this does not actually increase instead of reduce the net protection of the manufactures of these products.

I have a table here furnished me, as a member of the Finance Committee, by an expert from the Treasury Department assigned by order of this committee to assist minority Members in getting up statistics with respect to the tariff legislation now before us. This table I submit will show that as a result of the removal of the duty on these raw materials this agreement greatly increases the protection offered by the Payne-Aldrich Act on meats and flour.

Effect of proposed reciprocity upon the protection to certain industries.

	Duty.	
	Present.	Reciprocity.
Beef cattle:		
Alive, valued at $50	$13.75	
Dressed, 700 pounds	10.50	$8.75
Protection to packer	[1] 3.25	8.75
Swine:		
Alive	1.50	
Dressed, 200 pounds	3.00	2.50
Protection to packer	1.50	2.50
Sheep:		
Alive	1.50	
Dressed, 150 pounds	2.25	1.87½
Protection to packer	.75	1.87½
Wheat:		
4.53 bushels (amount needed to make 1 barrel flour)	1.13	
Flour, 1 barrel	$1.18	$0.50
Millstuff, 55 pounds	.10	.07
	1.28	.57
Protection to miller	.15	.57

[1] Against the packer.

According to this table, upon live stock, steers, valued at $50, there is a duty under the present law of $13.75. When that steer is dressed, he will dress 700 pounds, and there is under the present law a duty on that dressed meat of $10.50. So it is seen that at present the duty on the live stock is $3.75 against the packer instead of in favor of him.

Now, take the reciprocity agreement. On that steer there is no protection. On the 700 pounds of meat there the protection is $8.75. So that while the protection under the Payne-Aldrich bill is $3.75 against the meat packer, under this bill the protection is $8.75 plus $3.75 in favor of the meat packer.

Take swine. Take a hog, undressed, live, the duty is $1.50. If it dresses 200 pounds, the duty on the meat is $3. So that under the Payne-Aldrich bill the packer's net protection on a hog dressing 200 pounds is $1.50. Under the reciprocity treaty there is no duty on the hog, but a duty of $2.50 on the meat it dresses. So that under this treaty the net protection of the meat packer on a 200-pound hog is $1 more than under the Payne-Aldrich bill.

On the meat of a sheep which will dress 150 pounds the packer gets under this treaty $1.12½ more protection than he receives under the Payne-Aldrich bill.

On the finished product of wheat required to make a barrel of flour the miller will get 42 cents more protection under this agreement than under the Payne-Aldrich Act.

The packers, it is true, do not sell all the meat the people consume. The farmer slaughters some and the local butcher slaughters some, but the packers fix the price of their meats, as they do the price of that of all others.

Of course, Mr. President, if this treaty becomes a law the packer and the miller will get their raw materials cheaper, but the consumer will not get the finished product cheaper except through the grace of the trusts.

Mr. CLAPP. Mr. President——

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from Minnesota?

Mr. SIMMONS. Yes.

Mr. CLAPP. I want to ask the Senator—if this is not too serious a question to inject any humor into—to suggest whether we shall get anything from the generosity of the trusts?

Mr. SIMMONS. It is a little humorous, I admit, to suggest even the remote possibility of the trusts voluntarily sharing their profits with anyone.

Unless our experience with trusts is overturned in this instance it can not be doubted that they will put the savings in their own pockets and snap their fingers at the consumer.

This will be the result unless the Democratic contention, that the price of trust and tariff protected products is fixed without reference to the cost of production, but as high as the tariff will allow and as high as the people will stand, is false, and I do not think it is false.

I want to call attention at this very point to a statement of Mr. Herman Ridder before the Finance Committee.

Mr. Ridder is president of the American Newspaper Publishers' Association, which everybody knows is the main power behind this treaty, is pushing it in season and out of season in order that the great newspaper publishers might get their print paper a little cheaper. He said, in substance: You can not reduce the price of the trust product by removing the tariff on the raw material without at the same time removing it from the finished product.

He illustrates with pulp and paper. Newspapers, he said, are at the mercy of the Paper Trust, and he declared you could not reduce the price of paper by removing the duty on pulp, out of which it was made, unless you remove the duty from the finished product—paper—itself, and he demanded that in the interest of the newspapers the tariff should come off of both paper and pulp.

The same is true of cattle and beef, of swine and pork, and wheat and flour.

Paper is made of pulp; but the newspapers do not use pulp; they use paper. Their concern, therefore, is about the price of paper and not that of pulp. Beef is the product of the cow; pork is the product of the hog; flour is the product of wheat; but the people do not eat wheat or cows or hogs; they eat flour, beef, and pork. The consumer's concern, therefore, is as to the price of flour, beef, and pork, and not of wheat, cows, and hogs. The meat packers and the millers are in a trust, just as Mr. Ridder claims the paper manufacturers are in a trust.

If you can not reduce the price of paper without reducing the duty on paper as well as pulp, for the same reason you can not reduce the price of flour and meats without at the same time reducing the tariff on flour and meats as well as cattle and wheat.

For the purpose of helping the newspapers, the bill removes the duty upon both pulp and paper imported from Canada. Why, then, not take it off of flour and meat as well as from cows and wheat?

Can anyone, under these circumstances, give a reason why the duty should not be taken off of flour and meat as well as off of cows and wheat?

The only reason given for this manifest discrimination, this utter failure of the treaty to relieve the consumers of meat and flour to the same extent as consumers of paper, is the statement that Canada would not consent to take the duty off of our meat and flour when imported into that country, and that, as the treaty was to be a reciprocal agreement, we could not afford to take it off of meat and flour imported into this country from Canada.

The answer to that explanation is twofold. First, it is not necessary that Canada should take the duty off of meat and flour. Nobody is demanding that she should. The demand is not that this duty be removed in the interest of Canada, but in the interest of the American consumers. The removal of this duty as contended would inure to the benefit of the meat and flour eaters of this country and Canada could not possibly complain of such a change on our part of the agreement, because it would be a change in her favor without requiring any concessions on her part.

The second answer is that the treaty is not reciprocal in all respects; it was not intended to be so; it is not reciprocal as to the duties on pulp and paper.

Under this treaty pulp and paper will be admitted into the United States free, but no American pulp and paper will be admitted into Canada until every Province of the Dominion removes its restrictions and prohibitions, and that every sane man knows will never happen.

It is not reciprocal as to the duty on lumber. It provides for a duty on Canadian lumber of about $1 per 1,000 feet, and it exacts a duty of about $4.50 per 1,000 feet on our lumber imported into Canada. Nor is it reciprocal as to many other items.

I am not unmindful of the argument that to change this treaty might bring it in conflict with the favored-nation clause of our commercial compacts. In the view I take of this matter I do not think that question is involved, or, at least, not seriously involved.

We are not considering a treaty, although for convenience this arrangement is frequently spoken of as such. The President has made no treaty, nor has he made any contract with Canada. He has no right to make an agreement with a foreign nation affecting the tariff except by specific authority of Congress, and Congress has given him no authority to make such a contract.

All that the President and his Secretary of State have done in the premises was to find out from Canada what she would do provided we would do certain things in which she is interested. No contract has yet been made. The Congress of the United States and the Dominion Parliament alone have the power to make a contract of this kind, and that is what they are now trying to do.

The memoranda of the understanding transmitted to us by the President are the basis upon which these representative bodies of the two countries are now trying to get together. What we do here and what is done in the Dominion Parliament and not this understanding will constitute the contract, if any is made.

Canada has indicated to us that she will do certain things if we will do certain things, and we have indicated the same thing to her. If we pass this bill we will simply say to Canada, "Here are the concessions we will make to you if you will make the concessions to us we understand you are willing to make." When both have acted there will be a contract and not before. Whether that contract shall in any way contravene the rights of other nations having treaties with us depends upon what these two representative bodies make it and not upon the understanding which has furnished the tentative, so to speak, basis for mutual legislation. Whether the equivalents fixed in the agreement, as it may eventually be made, are equal is a matter between the contracting nations alone.

While suggestions have been made here that to change the memoranda of the understanding may violate the favored-nation clause, what has been said, except in the case of two or three Senators, has seemed to me to be rather in the nature of an expression of apprehension than of firm conviction.

For the purpose of benefiting the newspapers, with the approval and sanction of the President, the bill before us amends and changes the paper-and-pulp clause of the memoranda of the understanding made by the administration with Canada, but the newspapers and the President now tell us that we must not amend the meat-and-flour clause of the understanding to accomplish the same thing for the consumers of these foodstuffs, although such an amendment would be pleasing to Canada.

Now, Mr. President, that the meat and bread eaters of this country may get the same treatment through this legislation that the newspapers demand, I have introduced an amendment to the bill putting meat and flour on the free list, as well as live stock and wheat.

Who is opposing this amendment?

Mainly, the newspapers, who, while filling their columns with demands for cheaper necessaries for the masses and denouncing the greed of the trusts, are unwilling that this bill shall be amended so as to give the bread and meat eaters the same relief from the extortions of the Beef and Flour Trusts that it as amended gives them from that of the Paper Trust.

Mr. President, this bill makes some slight reductions in the duties on manufactures other than farm and forest products, but an analysis of these reductions will show that they will offer no relief to the general consumer from tariff burdens or compensation to the farmer for putting his product on the free list.

There are two all-sufficient reasons why these reductions will afford no relief to the consumer or compensation to the farmer.

First. Conditions which affect the cost of production of manufactured products being but slightly different in the two countries, a small duty against Canada will be as effective for protection as a very large duty against those European countries where the cost of production as a result of the difference in labor and standard of living may be materially less than here. While the agreement makes reductions on many manufactured articles coming from Canada, in practically every instance the duties retained are just as protective against Canada as the duties fixed in the Payne-Aldrich Act are upon like articles imported into the United States from other countries of the world.

Second. Canada does not make to any considerable extent the manufactured articles upon which the duties are reduced, and we do not and will not buy them from her. Canada sells us agricultural products, but she does not to any considerable extent sell manufactured products. She is an agricultural country and not a manufacturing country. Her exports are largely agricultural, not manufactured, products.

The following table of manufactured articles of common consumption on which the duties are slightly reduced will confirm my statement that we buy as good as none of these things from Canada, and that the duties retained on them are as against Canada, where labor conditions are similar to those here, more protective than the duties of the Payne-Aldrich bill against our European competitors, where labor and living conditions are so largely dissimilar.

Duty on articles that farmers might buy.

Articles.	Value imports year 1910.	Present duty.	Reciprocal duty.
		Per cent.	*Per cent.*
Wagons	None.	35	22½
Portable engines	None.	30	20
Basins, etc	None.	35	32½
Antiseptical surgical dressing	None.	25	17½
Motor vehicles	None.	45	30
Plows	$74,618	23	15
Hay loaders	10,000	45	15
Cutlery	1,035	40	27½
Clocks and watches	1,092	40	27½
Automobiles	69,707	45	30
Musical instruments, etc	32,731	40	30

Average duty on the above under present law is 37 per cent and under proposed reciprocity is 24.7½ per cent; a duty highly protective as against Canada where conditions are similar to ours.

The rates on the other articles of manufacture embraced in the schedules show about the same difference.

If Mr. Taft is right in saying that protection is not needed where labor conditions are practically the same, then it is clear that the 24 per cent duty on these articles is just 24 per cent more protection than the American producer of these articles is entitled to.

Where there is a real reduction there are not and will not be any importations; and where there would be importations, instead of a real reduction there is an increase in protection.

It is believed that this statement is substantially true as to every probable importation of manufactures from Canada except as to lumber and as to pulp and paper. Consumers of lumber near the border will get the benefit and consumers of paper will get some benefit, but they are practically the only

consumers who will be benefited by these proposed slight reductions on manufactures from Canada.

Concluding my analysis of the concessions made by us to Canada in this so-called reciprocal trade, I repeat, the farmer will be the chief loser, and there is no effective provision in the bill to compensate him in any measure for this loss; the general consumer will get nothing and the benefits of the trade will go to the railroads, the newspapers, the meat packers, the brewers, and the flour millers, and a few other tariff-protected trusts, none of whom will share their benefactions with the people.

But this is only half of this so-called reciprocal trade. The other half is the concessions Canada makes to us.

Who will pay the price of Canada's concessions, and who will get the benefits?

Canada has nothing to sell us except agricultural and forest products; on the other hand, she does not want our farm products. She does not want them because she has enough of her own. Although she has a little over 8,000,000 of people, she makes more wheat to sell than we do, and she is probably the finest grazing country on the continent. What Canada wants is free entrance into our markets for her natural products, and the concessions which she makes to us on manufactures is to secure this valuable privilege.

It is clear, therefore, that the farmer and the landowner will pay the price of the concessions Canada makes to us, as we have seen he will pay the price of our concessions to Canada.

But who will get the benefit of these concessions? Will they inure to the American manufacturer as a whole? No. Who, then, will they go to?

I answer you: To the Steel Trust, the Harvester Trust, the Automobile Trust, and the Coal Trust.

It is said that southern cottonseed oil will be benefited by the reduction made on that product. Not so. The duty which Canada levies on this product is a pure revenue duty and she has taken it off to relieve her people. The southern producers of this product have a monopoly in it. Canada must buy it from them or not buy it at all, and must pay the price they charge. They will get the same price and sell Canada practically the same amount whether there is a duty on it or not.

The total concessions made by Canada in favor of our manufactures is only a little over $1,000,000. Of this amount the Harvester Trust will get about $196,000; the Automobile Trust will get about $100,000; the Coal Trust will get about $450,000, and the Steel Trust will get a share. There will be but little left.

The farmers and the landowners, as I have shown, are the burden bearers of both concessions. This was so patent that the House of Representatives, after passing this bill, in recognition of these facts and as far as might be to remedy the wrong done the farmer, passed the so-called farmers' free-list bill.

That this reciprocity bill was regarded as unjust and unfair to the farmer is shown by the report of the Committee on Ways and Means on that bill. Chairman UNDERWOOD, speaking for the Democrats, said in that report:

> In fact, action on the Canadian agreement involves the necessity of further and immediate action in removing a number of duties on imports from other countries, in order that justice may be done to the great army of our agricultural producers, who in the Canadian agreement are to have all the alleged protection removed from their products without a corresponding or reciprocal removal of the protective duties most burdensome on the commodities they must purchase as necessary to sustain their lives and industries. As a beginning in the correction of this injustice, against which our farmers properly protest, the bill (H. R. 4413) herewith reported has been framed.

This report admits what I have contended as to the effect on the farmer and that it was proposed and passed by the House of Representatives by way of compensation for the injury incident to putting his products on the free list unless the things he had to buy were also put on the free list.

Sir, that was the general understanding when that farmers' free-list bill was framed and introduced in the House. This report of the chairman of the committee expresses with accuracy the sentiment that then existed throughout the country, the belief that was entertained by the farmers and the people as to the purpose of that bill. The country was even led into the belief that there was some sort of an understanding that the President would sign that bill. There was no statement that any actual understanding existed, it is true, but it was in the atmosphere and it was widely believed.

The Senator from Texas now offers such parts of this farmers' free-list bill as are not covered by the amendment I have offered, as a separate and independent section to this bill, so that the balm may be applied at the same time the wound is inflicted.

If the amendment I have offered is adopted, the consumer, in whose interest the demand for a tariff revision is made, will get the benefit of what the farmer loses in putting his products on the free list, and if the amendment offered by the Senator from Texas is adopted the farmer will, in a measure, be compensated for his losses.

Who are the objectors to this amendment? Chiefly the newspapers and the President. The newspapers, because they think it will jeopardize their bill—because this is their bill—and because they think it will be exposed to a presidential veto. The President, because, being a protectionist, he does not believe in putting manufactured products upon the free list.

The newspapers say they are in the hands of a trust, and they demand immediate relief, even though they get it by inflicting injury upon others. They are not willing to wait until there is an opportunity to get what they want without injuring others—they demand immediate relief for themselves.

Why should the newspapers have what they want, and what I think they are entitled to in the main, at any cost, while the farmer and the general consumer must wait a more convenient season? If the farmer is wronged by this bill, why should he have to wait for compensatory legislation? Why should the wearer of woolen clothes have to wait?

I have no objection to the newspapers and magazines having free paper, but they should not insist upon getting it by riding roughshod over the interests and rights of everybody else.

There is nothing in the financial condition of the newspapers to justify them in this demand for preferential consideration and treatment over other consumers. The great metropolitan newspapers which are pressing this matter are not suffering. It is said the profits of some of them in proportion to the capital invested are equal to those of the trusts. Mr. Ridder, president of the American Newspaper Publishers' Association, when asked about this matter in the hearings, admitted that he was making on a circulation of 80,000 a net profit of $250,000.

We must not, we are told, amend this reciprocity measure, because if we do we will endanger it—the President may veto it. We are told it is a step in the right direction, though a short step, and that the urgency for its passage is so great we must run no risk.

If this position is sound from a Democratic standpoint, then why not apply it to the wool bill? Why not first inquire of the President how much reduction he will stand on woolen clothes? Why not apply it to the farmers' free-list bill? Why not inquire of the President how much he will concede to the farmer in compensation for what this bill takes from him? Why not apply it to all the Democratic tariff measures, and conform them to the wishes of the President? That is what is proposed in connection with this bill. Will any Democrat be willing to agree to that with respect to these other measures?

If the Democrats will vote for these amendments to this bill we can get enough votes to pass them and remove many of the objections to this measure, objections that practically every one of them will admit, and make it of some benefit to the consumer as well as fairly just to the farmer.

I see no reason why the "O. K." of the President to what we do with respect to this bill is more imperative than his "O. K." with respect to other tariff measures that are before us or that may come before us this session.

I regret exceedingly to differ with a majority of my colleagues on this side of the Chamber in this, or any other matter. It would be more agreeable to me if I could, without violation of my convictions as to what is right and wise, agree with them in this and all measures, but much as I would wish to do so, I can not agree with them that this trade agreement in its present shape, whether considered from the standpoint of political or public advantage, is either just or wise.

It is a revision of the tariff, as I see it, in the interest, not of the victims, but of the beneficiaries of protection. It removes the tariff on unmonopolized products and retains—in some instances even increases—the tariff on monopolized products. There is no tariff for revenue in it. It is half free trade and half protection—free trade in the raw materials of the soil and protection for the finished products of the factories. It is not the kind of revision the people want, and it is not the kind they voted for at the late election.

It may be to our political advantage to pass this bill, but I do not believe it. But if I thought it was to our political advantage to pass it, I am so thoroughly convinced it would be unjust to the millions of my countrymen engaged in agricultural pursuits I can not get the consent of my mind to support it.

Mr. President, an effort has been made here and elsewhere to create the impression that I am opposed to this pact because it removes the duty from rough lumber.

I deny this. I have been and I am opposed to putting lumber on the free list unless there is a general reduction of duties, or unless the machinery used in its manufacture and which adds largely to the cost of production is also put upon the free list or materially reduced. Not only I, but my colleague, and

every Democratic Representative from my State, except one, voted against putting lumber on the free list in the Payne-Aldrich bill.

But it is not on account of the still further reduction in the duty on lumber that I am fighting this bill. I am fighting it because of its discrimination against the farmer.

While my main fight against this bill is on account of the way it treats the agricultural interests of the country, I do not overlook its injustice to the lumbermen and to the owners of our timber and pulp forests. The lumber industry is the largest single industry of the State, and, of course, I am interested in its prosperity; but I am under no different or greater obligation to it than I am to any and every other industry of the State.

It is said to be a treaty for reciprocity, and yet it admits Canadian paper and pulp into this country free of duty, while it is so arranged that not one pound of American-made paper can enter Canada without paying a high protective duty. It reduces the duty on dressed lumber imported into this country from Canada to an average of $1 per thousand, while lumber imported from this country into Canada is required to pay a duty of $4.50 per thousand.

Mr. President, there has been a duty on lumber, with the exception of two years, every day and every year since 1817. The present duty of 7 per cent on lumber is the lowest that has ever been imposed. It is about one-third of the duty imposed on it under the famous low-tariff bill known as the Walker tariff, which ever since has been referred to as a model Democratic measure.

I have been advised from the Treasury Department that this duty of 7 per cent is bringing in more revenue to the Treasury than any of the duties equally as low in the whole Payne-Aldrich bill. Therefore it is the best revenue-producing duty in the Payne-Aldrich bill, and therefore it meets in a high degree the Democratic requirement that the tariff be levied so as to produce the largest amount of revenue. It is nearly a 50 per cent reduction of the former duty. It has not checked importations. It has not created a wall over which our competitors can not break. It has provided a duty that subserves the purposes of revenue to an exceptional degree.

But it is said that lumber is a necessary of life; that men must have houses to live in, and that lumber is the chief material out of which they are built. Grant it. Though, as a matter of fact, only a small part of the lumber cut in this country is used for building houses, and not one-tenth of the lumber imported is used for houses. It is used for other purposes.

So are clothes a necessary of life. Men can live outdoors. They are not absolutely compelled to live in houses, but in this country men can not live without clothes. They will freeze, and, besides, the law will put them in jail if they do not clothe their bodies.

I have voted for a duty of 7 per cent on the material out of which houses are made because it was a revenue duty and because I was pledged to my people to do it. The Democrats of the House have just, almost unanimously, voted for, and the Democrats of the Senate will, when it comes to a vote, unanimously vote for, a bill to put a duty of 42 per cent upon woolen cloths, thereby imposing a duty upon the clothes the people wear six times as high as the duty for which I voted upon the material out of which the houses in which they live are made. They impose this duty on account of the revenue it produces and which the Government needs, and yet, Mr. President, it will produce no more revenue in proportion to the amount of the duty and importations than does that on lumber.

Upon what principle can a highly revenue-producing duty of 7 per cent on lumber, the material out of which the houses in which the people live are made, be said to be a protective duty, while a 42 per cent duty on the material out of which clothes the people wear are made is only a revenue duty? Why should I be denounced as a protectionist when I vote for a small but highly revenue-producing duty on the leading product of my State and applauded as a good tariff-for-revenue Democrat when I vote for a six times higher duty on an article but little produced in my State and which is no better revenue producer?

But it is not on account of the additional reduction in the duty on lumber made by this treaty that I have opposed it and am opposing it. I have stated repeatedly, and I state now, that I stand ready to vote for this bill if it is amended by adding the farmers' free list and putting meat and flour on the free list.

Mr. REED. Mr. President——

The PRESIDING OFFICER (Mr. THORNTON in the chair). Does the Senator from North Carolina yield to the Senator from Missouri?

Mr. SIMMONS. Yes.

Mr. REED. I want to ask the Senator if he thinks that Zeb Vance, of his own State, with the exception of the present representation from that State, one of the very greatest of its Senators, was utterly mistaken and foolish when he made this statement:

Now, sir, here are three great classes of producers of our country—the agriculturists, the miners, and the manufacturers—and they have made this compact—or, at least, it has been made for them—that the taxes are to be levied upon the articles made by the manufacturer for their "encouragement" and "protection" against competition; and taxes have been levied upon articles that compete with the miners who dig ores of iron and coal and everything of that kind from the soil. To give it the appearance of equality and justice tariffs are also levied upon the wheat, and the corn, and the oats, and the cotton, and so forth, grown by the farmer. That, on paper, looks fair, but it so happens that it is a reality for the manufacturer and miner and it is a delusion and snare for the farmer.

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Mr. SIMMONS. What was Mr. Vance talking about?

Mr. REED. About the tariff.

Mr. SIMMONS. What tariff?

Mr. REED. As I understand, he was talking of the tariff which preceded the Payne-Aldrich bill, the name of which at present escapes me—I think the Dingley bill.

The miners and manufacturers together have grown rich——

Mr. SIMMONS. What is the date of that?

Mr. REED. It is a quotation which I find in the CONGRESSIONAL RECORD.

Mr. GALLINGER. It must have been the Wilson bill.

Mr. REED. He said—

The miners and manufacturers together have grown rich and accumulated enormous wealth by this protective arrangement.

Mr. SIMMONS. If the Senator will pardon me, I want to know if he proposes to read the whole of Senator Vance's speech?

Mr. REED. No; only a few lines.

Mr. SIMMONS. I did not expect the Senator would interject a whole speech.

The PRESIDING OFFICER. Does the Senator from North Carolina decline further to yield to the Senator from Missouri?

Mr. SIMMONS. No; the Senator may proceed.

Mr. REED. I was just reading briefly to elucidate the next remark. Senator Vance continued:

The miners and the manufacturers together have grown rich and accumulated enormous wealth by this protective arrangement. But how has it been with the farmer? He has found that there is nothing to compete with him. A duty of 25 cents a bushel is laid upon his wheat, 10 cents on his corn, etc., but it turns out, in fact and in truth, that there is no competition with him coming from abroad; there is nothing to protect him against.

I say, therefore, that when this beautiful theory of protection came into practice, while it was a reality, and a substantial reality, for the manufacturer and miner, the agricultural man finds it to be a delusion and a cheat.

The prices of all his products are fixed by the markets abroad; and why? Because he makes more than will supply the home market and the surplus which goes abroad fixes the price of what is sold in the home market.

Mr. SIMMONS. Now, Mr. President——

Mr. REED. I read that in order that the Senator might have the context.

Mr. SIMMONS. I wish the Senator would tell me the date of that speech.

Mr. REED. In just a moment I think I can find the date.

Mr. SIMMONS. From whose speech is the Senator now reading?

Mr. REED. I am reading from a quotation from the CONGRESSIONAL RECORD just handed me by the Senator from Oklahoma [Mr. GORE].

Mr. SIMMONS. Whose speech is it? I insist on knowing.

Mr. REED. It is found in the speech of Mr. KITCHIN.

Mr. BAILEY. Made against the Senator from North Carolina.

Mr. REED. Not to my knowledge. It was a speech made in the House of Representatives. There are many interruptions, and, therefore, I can not tell——

Mr. SIMMONS. I am not going to make any comment on the speech from which that extract is read. That is understood in my State perfectly well.

The Wilson bill was passed in 1894, as I remember. That is 17 years ago. I do not think it was the Wilson bill. I do not know, but I should like to know about that before I say what I am going to say. I think that speech was made against the McKinley bill, which was up in 1890, because my recollection is that, while Senator Vance was alive when the Wilson bill was framed and passed the House of Representatives, I think Senator Vance died—I am not sure, but I think he died—just before the Wilson bill came to the Senate. That is my impression.

Mr. REED. I will say to the Senator that I shall have to examine it and find out. I will do that, and hand the fact,

whatever it is, to the Senator. The Senator says that he is Democratic, and yet he denounces free trade in lumber.

Mr. SIMMONS. Now, Mr. President, is the Senator going to ask me half a dozen questions in one?

Mr. REED. Oh, no.

Mr. SIMMONS. Let me first answer the one the Senator has just asked.

The PRESIDING OFFICER. Does the Senator from North Carolina decline to yield further to the Senator from Missouri? That is what the Chair wishes to know.

Mr. SIMMONS. I do not yield to the Senator to ask two questions at once. I want to first answer the question asked me.

Mr. President, I want to say in reference to that speech of Senator Vance that I presume the speech was made by Senator Vance on the McKinley bill, which was passed in 1890. That was 20 years ago. Senator Vance was a statesman; Senator Vance was a progressive man.

If Senator Vance were standing here to-day and had knowledge of the facts with reference to the effect of duties upon farm products, as those facts have been given to the Finance Committee and to the Senate by the witnesses, Senator Vance would not say that his statements at that time were applicable to the conditions which exist now. The Senator reads statements made by a Senator 20 years ago with reference to the effect of duties on farm products at that time, when all know that since that time there have been most radical changes in the conditions which affect the tariff duties on farm products. Everyone knows that since that time we have become practically a nonexporting nation in wheat products; that we have ceased to be an exporting nation in meat products and livestock, and we are not an exporting nation in barley—three staple articles to which this tariff relates—and that this change, so radically affecting conditions as respects tariff duties on those articles has taken place since 1890, when that speech was made.

Mr. REED. But, Mr. President——

Mr. SIMMONS. Hold on a minute. The Senator is very keen in his desire to make some point against me, and reads an attack on me made in a speech delivered in the other House by a partisan of one of the candidates against me. Everybody in my State knows and understands this.

Let me say to the Senator from Missouri, four years after Senator Vance made the speech, extracts from which the Senator has read, the Wilson bill was passed. That was a Democratic measure, was it not, I ask the Senator?

Mr. REED. A very poor one, when it got through the Senate.

Mr. SIMMONS. Ah, but it was a Democratic bill when it left the other House, was it not?

Mr. REED. Yes, sir.

Mr. SIMMONS. Yes; and the Wilson bill as it left the other House had a duty, not so high, upon every agricultural product that is mentioned in this treaty—every one of them.

Mr. REED. Mr. President, will the Senator from North Carolina now yield?

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Missouri?

Mr. SIMMONS. Yes.

Mr. REED. I then understand the Senator's position to be that while Senator Vance at the time he made this speech was opposed to every form of protection, he now holds that if Senator Vance had seen that the tariff was actually to result in protecting the farmer——

Mr. SIMMONS. Oh, I have said nothing of the sort.

Mr. REED. In raising his price, that he would have progressed and occupied this platform?

Mr. SIMMONS. I have not said anything of the sort, and the Senator shall not put words in my mouth that I have not uttered. I was speaking with reference to Senator Vance's statement with regard to duties on farm products not being operative, an utterance made in 1890; and I was referring to changes that have taken place since that time and the question of whether those duties are operative now; and I was referring to the fact that the Democrats in Congress subsequently framed and passed a bill that put a duty upon those very farm products.

Mr. REED. Everybody knows——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Missouri?

Mr. SIMMONS. I do.

Mr. REED. Everybody knows that in the Senate a bill was forced through here that did not satisfy the Democrats, and they took the best they could get.

Mr. SIMMONS. I am not speaking about the bill that passed here, but I am speaking about it as it came from the other House. It carried those duties as it came from the House.

Mr. REED. There were then, Mr. President, as there are now, men who wanted protection written into revenue measures.

Mr. SIMMONS. If the Senator means to say that I want protection written into a revenue measure, he states what he is not authorized to state as the result of my record. Mr. President, if a vote against putting farm products on the free list is a vote in the interest of protection, a vote to retain highly protective duties on the manufactures of farm products is also a vote for protection.

I stand ready, as I have repeatedly stated, to vote with the majority of my colleagues on this side of the Chamber to put wheat and live stock on the free list if they will vote with me at the same time to put the flour and meat the millers and packers make out of these farm products on the free list, so that the consumer and not the protected manufacturer will get the benefit; but they refuse to do that and insist upon retaining these protective duties in the bill. When confronted with this inconsistency they answer that these duties are reduced. I deny that. I contend that the nominal reductions this bill makes on these articles do not decrease their effective protection; but conceding for the sake of the argument their contention. The duty on meat at present is 1½ cents. This bill, while taking the duty off of live stock, reduces that on meat to 1¼ cents. Now, suppose under this arrangement the beef packers will get the benefit of the tariff retained and the consumer will get the full benefit of the reduction of one-fourth cent. Is it not manifest that the Beef Trust will get five-sixths of the benefit of putting live stock on the free list, while the people will only get one-sixth of that benefit? That is a reduction of the tariff so that the trusts get five times as much of the benefit as the people, even if any part of the one-fourth cent reduction shall trickle down to them through the hands of the trusts, the jobber, and the retailer.

Mr. REED. Mr. President, one further question. The Senator says——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Missouri?

Mr. SIMMONS. Yes.

Mr. REED. The Senator states that he is Democratic.

Mr. SIMMONS. Yes.

Mr. REED. And that he stands on Democratic platforms; and yet he says he is in favor of a tariff on lumber.

Mr. SIMMONS. Yes.

Mr. REED. And I want to read him——

Mr. SIMMONS. And I said I voted for it.

Mr. REED. I want to read him the last Democratic platform adopted by the last Democratic national convention.

Mr. KERN. And unanimously.

Mr. REED. Adopted unanimously. It reads:

> We demand the immediate repeal of the tariff on wood pulp, print paper, lumber, timber, and logs, and that those articles be placed upon the free list.

I should like to ask the Senator from North Carolina if he stands on that declaration when he says that he favors a tariff on lumber?

Mr. SIMMONS. Mr. President, when the Democratic convention which made that declaration adjourned and went home, on account of the fact that lumber is the largest single interest in my State, employing tens of thousands of men, the people of North Carolina rebelled against that declaration of the Democratic Party to such an extent as to make it manifest to the Democratic executive committee of that State that we were in danger of losing the control of the State as the result of that declaration. To meet that condition, the committee issued and circulated broadcast over North Carolina a circular which, after discussing this platform pledge, gave an assurance that no Democratic Senator or Representative from that State would vote to put lumber on the free list unless mill machinery, which enters so largely into the cost of manufacturing lumber, was also put upon the free list.

If I had not recognized the authority of the executive committee of my State to bind me in that interpretation of my duty in this regard, and if I had not assented to it, as an honorable man I ought to have said so when the campaign was on and when we were using that pledge to get the votes of the lumber people of my State. I did not do so, neither did any other representative from my State, so far as I know or ever heard, but on the contrary——

Mr. REED. Mr. President——

Mr. SIMMONS. Hold on; let me finish my sentence. On the contrary, Mr. President, some of the candidates for the House of Representatives read that circular on the hustings in their campaign speeches to the people and promised to abide by it if they were elected.

Mr. REED. May I interrupt the Senator?

Mr. SIMMONS. In that I was following again in the footsteps of that great Democratic leader, William J. Bryan. Mr. Bryan was a candidate for Congress in the year when the Democratic national platform pledged our party to remove the 10 per cent tax on the issues of State banks. He was elected, and was a Member of the House of Representatives when the bill was brought into that House to carry out that pledge and repeal that tax. Mr. Bryan voted against that bill, and gave as his reason for voting against it, notwithstanding the Democratic national platform pledge with regard to it, that the people of his State were against it, and he had pledged himself against it to them; and carrying out that pledge, he voted against that platform declaration.

Mr. REED. Mr. President, I trust the Senator will yield this once.

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Missouri?

Mr. SIMMONS. I trust the Senator will be as brief as he can, for I assure him that I am just about exhausted.

Mr. REED. I want to say this: The Senator has several times remarked that I was keen to get at him, leaving an apparent inference that I have some feeling against the Senator. That would be impossible. My relations with him have always been cordial, and I trust will always so remain. I have the highest admiration for the Senator, amounting almost to affection.

Mr. SIMMONS. I am very much obliged to the Senator.

Mr. REED. I feel a little grieved at the position he takes here, and it has been in the hope of receiving some light that I have been asking these questions. Now, I understand the Senator says that in order to get the vote of the lumber interests in his State the committee assured them that they would not be disturbed.

Mr. SIMMONS. I said in deference to the sentiment of the State on that question.

Mr. REED. In deference to the sentiment of the State and in order to get votes, they assured the people there would be no free lumber unless something else was done. I want to ask the Senator, as a matter of morals and as a matter of Democracy, if he thinks it is right to tax the people of all the United States on their lumber in order that even a Democratic candidate should be successful in his own home State?

Mr. SIMMONS. I want to say to the Senator that I am in favor, as he is, of a tariff for revenue, and when a bill is made applying that principle I am perfectly willing that the industries of my State and section shall take their places with those of other sections.

I stated in the Senate when I was discussing this question at the time when the Payne-Aldrich bill was up, and also in a later speech, that this specific declaration with reference to lumber must be construed with regard to our general declaration about the reduction of tariff duties; and I contended that taking this specific declaration in connection with the general declaration of the platform, it did not mean that lumber was to be put on the free list unless other duties were reduced according to the general pledge of the platform. And I said that I would vote for free lumber if the duties on articles which compete with lumber or entered into the cost of its manufacture were reduced as promised in our platform.

I said then, and I say now, that I am not willing that the industries of my State shall be treated in any different manner, in levying tariff duties, from any other State or industries; that is unjust and discriminatory.

So far as the duty on lumber is concerned, it is a revenue duty. I claimed that at the time I voted for it. It has proved itself not only to be a revenue duty, but one of the best revenue producers in the whole Payne-Aldrich bill. I am advised, as I have said before, that it is producing more revenue than any other duty in the bill equally as low as it is.

Mr. KERN. Mr. President——

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from Indiana?

Mr. SIMMONS. Yes.

Mr. KERN. I desire to inquire if North Carolina was not represented in the Denver convention by a distinguished body of delegates——

Mr. SIMMONS. North Carolina was well represented at the Denver convention. I have answered this thing three times here in the Senate.

Mr. KERN. The Senator has not heard my question.

Mr. SIMMONS. I beg the Senator's pardon.

Mr. KERN. I ask the Senator if North Carolina was not well represented and ably represented in the Denver convention?

Mr. SIMMONS. I have not attacked the Denver convention.

Mr. KERN. I desire to know if the North Carolina delegation in the Denver convention did not unanimously vote for the adoption of that platform?

Mr. SIMMONS. I suppose they did; and I have not said anything to the contrary. There was a minority; but it is well understood that in such matters the minority often subordinate their views.

Mr. KERN. I want to know whether or not that platform was adopted by the unanimous vote of the delegates present?

Mr. SIMMONS. I think everything was unanimous there.

Mr. KERN. And then I should like to know the name of that distinguished North Carolinian, which I did not catch, who took it upon himself to repudiate the national platform in order to get the vote of the lumber barons of North Carolina.

Mr. SIMMONS. If the Senator wishes to know the name of the chairman of the State executive committee which issued the circular I have referred to, I will, with pleasure, give it to him.

Mr. KERN. I only inquired his name. I did not get the gentleman's name.

Mr. SIMMONS. The name of the chairman is Mr. Eller. He was then, and is now, chairman of the Democratic executive committee in my State, and a very excellent gentleman.

Mr. KERN. As I campaigned to some extent in different parts of North Carolina, I had not heard of the incident, and I was curious to know about it.

Mr. SIMMONS. By permission of the Senate, I insert here an extract from the circular with reference to lumber that has been the subject of the colloquy with the Senators from Indiana and Missouri:

DIFFERENCE IN POSITION OF THE TWO PARTIES.

The chief difference which lumbermen may expect from the two parties on this question is that the Republicans would put lumber on the free list, as demanded by its President, but that the lumbermen could expect little relief at the hands of the Republicans from the exactions of the trusts of the country, which go to make the manufacture of lumber so expensive, while they may rest assured that the Democrats would not put lumber on the free list, it being a southern product, unless there should be coupled with it the placing upon the free list of all articles entering into competition with trust-controlled articles, as their platform demands, and which would tend to largely cheapen the expenses of the manufacture of lumber.

This agreement should appeal with great force to the producers of lumber, for there is no other line of manufacture in the country more heavily taxed by the trusts. They are extensive users of steel rails, which the head of the Steel Trust testified could be made at a profit at $15 per ton, and for which they have paid during the last three years from $30 to $40 per ton. And thus it is with practically all the materials which go into the manufacture of lumber, including the increased cost of labor, which the increase of 49 per cent in living expenses by reason of unreasonable protection has made necessary. The machinery and equipment which they have for the manufacture of lumber can not be considered as a permanent investment, but by reason of the hard usage to which it is subjected has to be frequently replaced with new equipment and frequent repair; and every lumberman knows from hard experience how the cost of all such materials which go into the manufacture has, in some instances, actually doubled in the last few years under the combined robbery of protection and trusts.

The above extract from the circular under discussion is not a repudiation of the Democratic platform, but is the committee's interpretation of it.

Mr. President, I am bitterly opposed to the so-called Payne-Aldrich bill. In the committee and in the Senate I fought it with all my strength.

It is an iniquitous measure.

There are between three and four thousand items in that bill. Of this number I voted the same as did the leader of the majority at that time, Senator Aldrich, for 14 of them. I voted differently from him on all other amendments, and then voted against the bill as a whole.

I voted as he did, and as all the Democrats did, for the income-tax amendment.

I voted as he did, and as many Democrats did, for the customs-court provision.

I voted as he did, and as all the Democrats except four did, for the provision with regard to the Philippine sugar tariff.

I voted as he did, and as all the Democrats did, against recommitting Schedule K to the committee with the instruction to report a schedule with the duties on wool in the Dingley bill unchanged.

I voted as he did, and as all the Democrats except 2 did, against a tax of 10 cents a pound on tea.

I voted as he did, and as 10 Democrats did, for a duty of 10 per cent ad valorem on iron ore, the raw product of the Steel Trust, a product which only the iron and steel manufacturers buy and use.

I voted as he did, and as about half of the Democrats did, for an ad valorem tax of between 12 and 15 per cent on coal. We export six times as much coal as we import.

I voted as he did on the five votes on the lumber schedule, resulting in the present duty on lumber. Upon these five votes the Democrats were somewhat equally divided.

I voted as he did for a duty on quebracho, a tanning product not produced in this country but controlled by a foreign trust. A purely revenue duty.

It will be seen that I was opposed then, as I am opposed now, to putting the raw materials of the trusts and manufacturers on the free list while the products they sell the people were protected by duties which practically gave them a monopoly of the American market.

I have no sympathy with the demand for free raw materials for the tariff-protected manufacturers and trusts. Half of the products that come into this country to-day are on the free list; a very small fraction of them, only about one-fifth, are things that the people buy and consume, the balance are the raw materials of the manufacturers and trusts. Putting them on the free list has not reduced the cost of the finished products to the consumers. It has simply increased the protection of the manufacturer.

We have an illustration of this in what happened when we put hides on the free list and retained a duty on shoes. It gave great relief to the Shoe Trust but no relief to the wearer of shoes.

The free list of the Payne-Aldrich bill is one of the most valuable provisions to the tariff-protected trusts and manufacturers in that bill. It adds enormously to their protection, while it affords relief to the consumer on but few articles.

I am heart and soul in favor of revising—yea, repealing—the Payne-Aldrich bill. I am ready to begin on it as a whole or by schedules.

But when I am asked to begin by putting the products of the farm and the soil and the things that come out of and off of the land on the free list while the manufactures of farm products and the products which the farmer and landowner buy remain highly protected, I must confess I am invited to engage in a kind of revision for which I have no stomach.

When I am asked to help in increasing the protection on the products of the two great trusts which are largely responsible for forcing the consuming millions to pay 65 per cent more for the meat and bread they eat than the farmer receives for the products out of which these necessaries are made; when I am asked to put the farmer's products on the free list in order to purchase a freer entrance into Canadian markets for the products of the Steel Trust, the Harvester Trust, the Automobile Trust, and the coal barons and thereby increase their already enormous profits; when I am asked to support a measure which I firmly believe will give the farmer no relief, but which will greatly add to his burdens, while increasing the profits and strengthening the hold of these great trusts upon the people; when I am asked by legislation to ratify a treaty agreement negotiated on the part of this Government by a rank protectionist Secretary, and which is sponsored by a President who in his pronouncement on the Payne-Aldrich bill declared it the best tariff law ever enacted; when I am asked to accept this measure without amendment, I feel compelled to both protest and withhold my support.

Mr. GRONNA. I suggest the absence of a quorum.

The VICE PRESIDENT. The Senator from North Dakota suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Cullom	Kenyon	Richardson
Bailey	Cummins	Kern	Root
Bourne	Dixon	Lippitt	Shively
Brandegee	du Pont	Lodge	Simmons
Briggs	Fletcher	McLean	Smith, Mich.
Bristow	Foster	Martin, Va.	Smith, S. C.
Brown	Gallinger	Martine, N. J.	Smoot
Bryan	Gore	Nelson	Stone
Burnham	Gronna	Oliver	Sutherland
Burton	Guggenheim	Overman	Swanson
Chamberlain	Heyburn	Page	Taylor
Chilton	Hitchcock	Penrose	Townsend
Clapp	Johnson, Me.	Perkins	Warren
Clark, Wyo.	Johnston, Ala.	Pomerene	Watson
Crane	Jones	Reed	Williams

The VICE PRESIDENT. Sixty Senators have answered to the roll call. A quorum of the Senate is present.

Mr. BAILEY. I desire to submit an amendment and ask that it be printed, which I intend, at the proper time, to offer as an amendment to the pending bill.

This amendment is substantially the woolen schedule as it passed the House of Representatives. Indeed, it is exactly that bill with some changes in the duties.

The VICE PRESIDENT. The amendment will be printed and lie on the table.

Mr. CLAPP. Mr. President, I have listened with a great deal of interest to the Senator from North Carolina [Mr. SIMMONS], and shall take up a discussion of this measure practically where he left off.

The pending motion relates to an amendment proposed to the Canadian tariff bill designed to put foodstuffs on the free list when those foodstuffs are made from raw materials which, by this bill, are put on the free list, and we have been told upon the floor of the Senate that the bill can not, and shall not, be amended in any particular. I want first to address myself in the nature of a protest against bringing legislation into Congress in this manner and under these circumstances; that is, against the scheme of legislation being framed in detail by the Executive and then presented with the demand that it be passed without any consideration by Congress.

Now, sir, in time of peace Federal legislation must of necessity relate very largely to the material interests of the people of this Nation. With our vast area, we have diversified climatic, geographic, and productive conditions. And I submit that when it is proposed to frame legislation affecting the entire people of this Republic, every portion of this Republic has a right to be heard before that legislation is framed and comes with the prestige that is a practical command to Congress that it shall not be amended. It is impossible to imagine any general legislation, except that which is purely ethical, that does not bear more, either in burdens or grant more to one section of this country than another in the opportunities of that legislation. I insist that every section has a right to be heard when that legislation is being formed, and it is only in the equation of a Congress composed of men from every section of the country and reflecting every character of environment that a fair result to all can be obtained. But that is not all.

When legislation is proposed by a Senator or a Member of Congress it can be analyzed; it can be met in argument by other Senators and other Congressmen from the standpoint of official equality. But, sir, when legislation comes into Congress from the Executive Office there is no one upon a plane of official equality with the author who can defend a section or a class of people who may have been wronged and to whom injustice is being done.

While I do not question the constitutional power of the President to frame legislation or dictate its terms to a stenographer in his office, I do submit that great sections of this country, great classes of our people, may be wronged by that legislation, without the purpose or intent, of course, on the part of the author, and those who would defend against that wrong and injustice can not meet the author of the measure upon a level of official authority and prestige, and it puts those who are being wronged at a disadvantage.

But, sir, it goes further than that. What I am going to say now does not affect me personally as a deterrent, for to refuse to sacrifice the interest of my constituents for the sop of patronage does not embarrass me. If I had my way the occupant of every office in the United States, the territorial jurisdiction of which could be ascertained, would be elected at the hands of the electors of that territorial jurisdiction. But in place of that, we have to-day a system where thousands upon thousands are appointed to their positions by the Executive, and a measure coming from the hands of the Executive not only comes here without that equation of consideration which should be found in Congress, with its representatives from every section of the country; it not only comes to the Congress with the overpowering advantage of Executive approval with no one of official equality to challenge the correctness of his position as to that legislation, but it comes to Congress with all the potentiality and power of patronage in the hands of the Executive.

You may say that no Congressman or Senator should yield for one moment to the claims of patronage, and yet every Senator must admit that it does not conduce to the cheerfulness of senatorial service to be charged with inability to secure for one's friends their fair share of patronage, because, in defense of his constituents, a Senator finds it necessary to oppose the desire of the administration. You may say that that is something Senators should rise above, but men are human; and I submit that in legislation broad as this legislation is, legislation that may affect one section of this country advantageously and another section of this country injuriously, giving to one class an undue advantage and wronging another class, it is a wrong and injustice to either section or class that they can not be defended upon the floor of this Senate except at the cost of official recognition to the man who makes the defense. The baneful and yet potential lure of patronage should never be thrown in the scale against any section or class in proposed legislation.

We had an illustration of that a year ago when the railroad bill came into this body with the declaration that there should not be a "t" crossed or an "i" dotted, and that to debate that measure was treason to the party. Within a few months we had a letter emanating from the White House in which it was asserted that men had been cut off from their usual share of patronage because they had dared to bid defiance to the Executive will, and yet later we saw that bill, amended in

every single particular but one, every reactionary feature but one taken out of it, signed with an expression of approval from the Executive, who, according to the declaration of his clerk, had punished Senators for defying his will. That it was passed in defiance of Executive will and at the cost of patronage speaks well for Congress. I insist that Congressmen and Senators should have the right to defend the interests of the people free from the menace of Executive disfavor.

I say this not with reference to any feeling toward the Executive. I would say the same thing no matter who occupied that great office. I believe, Senators, the time has come when some one should stand on this floor and make his protest against legislation that is sent in here—working as this does a great injustice upon a large body of our people—with the injunction that it shall not be amended in a single particular, and that injunction coming from a source so potent, so far-reaching in its effect upon the political fortunes of Congressmen and Senators as the Chief Executive of this Nation.

I now address myself to the character of this so-called legislation, and in doing this I shall discuss the attitude and the policy of the Canadian Government. But I want it understood that I do it in no spirit of complaint against the Canadian Government. I admire beyond expression that splendid patriotism that has made the welfare of Canada the lodestar of its political and administrative policy.

I yield to no man in my admiration of that broad statesmanship of Canada which looks out for Canada, which looks out for Canada as an entirety, and which seeks to build up Canada in the interest of Canada. I believe in the time-honored maxims that "Charity begins at home," and "He who fails to provide for his family is worse than an infidel."

Now, then, we are told that if we amend this bill we will encounter not only Executive displeasure, but if we fail to pass it so as to meet the approval of Canada it will be the last chance that Canada will offer us for reciprocal trade agreements. A complete answer, however, to the proposition is found in the fact that the pending bill is not reciprocal. It is a grant of our market to Canada without any corresponding grant worth considering. In other words, it is the taking down of our tariff where Canada can successfully compete with us, and to say we can not do that at any time if we desire is absurd.

The President—and I shall have to refer frequently to the President, because he is the author of this bill, just as I would refer to a Senator had a Senator been the author of the bill—the President says that he tried to get certain concessions at the hands of Canada, but was unable to do so. He did not need to place himself at the mercy of Canadian diplomacy to learn that; a study of Canadian development and Canadian tariff policy would have saved him that trouble.

I want to invite the attention of the Senate to a consideration of Canada in her entirety. Canada stretches from one ocean to the other, a somewhat narrow strip in latitude, but as you go west of the Great Lakes and beyond the forests that adjoin the Great Lakes Canada broadens out into a wide expanse.

Canada is so situated that she never can build up a great manufacturing industry in her mid-continent possessions. In that respect Canada differs from this country, because our manufacturing interests have moved westward with the advance of population. But Canada, owing to the condition of her natural resources, must always have her industrial activities in the extreme east or the extreme west, while that great wider central expanse of Canadian territory must ever be devoted to agriculture and grazing purposes.

Canada has adhered persistently to one policy, and that is the policy of protection, and so insistent is Canada with reference to protection that she even insists upon a protective policy counter to the general current policy of the mother country.

Now, Canadian statesmanship is confronted with this situation—that the consumers of Canada and the western farmers of Canada must in some way be reconciled to the high tariff which Canada, in order to develop her eastern manufacturing, imposes upon manufactured articles coming into Canada, and there is only one way in which Canada can do that, and that is to find something that, so far as satisfying the Canadian western farmer, will take the place in his mind of a demand for a reduction upon manufactured articles and reconcile him to the maintenance of a Canadian tariff upon manufactured articles. Unless this is done sooner or later he will demand their abolition or material reduction.

I read from the President's address, delivered in Chicago. He says:

> Again, in our negotiations over this Canadian reciprocity treaty I directed our commissioners to secure as great a cut in the duties on manufactures in Canada as they could, but they were unable to secure any more than appears in this treaty, for the reason that Canada would not expose her manufacturers to the competition of American manufacturers, which is a very conclusive proof that the manufactured products that enter into the cost of living are higher in Canada than they are in the United States. Otherwise they would not fear the competition of American manufacturers.

Of course he could not; nor should he have expected, in view of the tariff history of Canada, to get any material reductions on manufactured articles. Canada has been determined for over half a century, and is determined now, to maintain her tariff wall against the United States upon manufactured articles just as long as she can, although to do that much longer she must in some way placate the western Canadian farmer. She is determined upon this because we can manufacture cheaper than she can, and to take her tariff wall down on manufactured articles would subject her to further competition and a greater influx of articles of American manufacture.

We do not need to waste any time upon that proposition, for the President's own statement in the closing lines of the paragraph I have quoted says:

> Canada would not expose her manufacturers to the competition of American manufacturers.

So we have the President's own statement that Canada would not sacrifice her interests by taking the wall down where we could compete, and the fact that she consents to take the wall down on farm products, by analogy of reasoning, shows that she does so because she can compete with us in farm products.

Now, I must digress a moment at this point to analyze this idea of reciprocity.

It is the subject of congratulation that as we have advanced in civilization we have blunted the somewhat rugged edges of human instinct and purpose; but human instinct and purpose survive, nevertheless. We may take on a certain finish of manner, we may take on a certain finish of expression, but self-interest is as absolutely the guiding star of activities to-day as it was before man had ever coined and conjured up attractive terms like "reciprocity." There never yet was a trade made in this world, from two boys trading jackknives unsight and unseen to two nations engaging in a treaty, but that each sought it because it thought it was to be the gainer. No nation will ever grant any reciprocity in anything unless that nation believes she is either acceding to a demand within her own borders or is getting something from the other nation which is an equivalent of what she gives.

So we may as well strip this of the attractive term "reciprocity" and call it simply a cold-blooded trade proposition, and the real motive on each side in a trade negotiation between countries is that each country wants the market of the other in those things it can produce cheaper than the other. Reduced to that analysis, what do we find? We find that Canada has already made one concession, not to the United States, for she never has and never will make a concession to the United States. When Canada took the duty off corn, she took it off as a concession not to us, but as a concession to the demand of the Canadian people, who could not successfully raise corn in competition with us. She has made the concessions to her own people in response to their demand, just as in this tariff bill that is pending we make a concession to our own people. The basis of this tariff bill on our side is the demand for free print paper, not as a desire to grant a concession to Canada, but because there is a demand within our own borders which must be heeded in the matter of tariff revision. If the demand for free paper must be complied with, it would have been far better to have done so directly without sacrificing the farming interest, as in this bill.

The principal thing which under this bill we do get into the Canadian market, in addition to what we already have, is southern fruit, and, obedient to the rule I have shown, southern fruit is certain in time to go into the Canadian market, not as a concession to the United States, but because fruit has become so general in its use to-day that the people universally demand it. Applying this principle, now, to the terms of this arrangement with Canada, what do we find? We find that Canada is confronted with the problem of maintaining her manufacturing interests by a tariff. To do that she must placate the western Canadian farmer, and consequently she stands where she has stood for the last 50 years, insisting that she will not take the tariff down as to American manufactured articles, but insisting that she must get us to take it down as to farm products, for the benefit of the Canadian farmer, that she may thus placate the Canadian farmer and reconcile him to the maintenance of the Canadian tariff wall upon American manufactured articles.

When this bill first came up there was quite an approval of it throughout the country. A great many men in my section of the

country favored the bill because they believed that reciprocity meant something—that the giving of our markets to Canada involved the giving of the Canadian market to us. But gradually as they came to read the bill they discovered that there was nothing of the kind in it; that outside of southern fruits there was practically—broadly stated, of course, because there are always exceptions—no admission to the Canadian market that we do not have under existing law, and no material reduction of duties on those things we make cheaper than Canada, and, as they discovered this condition, approval of the bill began to abate.

But now some say "while the bill does not do what we thought it was doing, while the bill does not open the Canadian market to our people, yet it is a step in the right direction." I hardly know how to characterize that kind of a proposition. Here is the United States, and the only thing in the world that the United States has to trade with Canada is a market for farm products, because farm products can be produced cheaper in Canada than here, just as manufactured articles can be produced cheaper here than there. If we should open our doors to-day to every manufactured article in Canada it would not amount to anything, because, as the President himself so frankly admitted, the cost of manufacturing in Canada is greater than it is here.

On the other hand, Canada is still an importing country as to manufactured articles in excess of her production and until Canada develops her manufacturing to a point where she has something to export she will not be asking for a market for manufactured articles.

If to-day we should say to Canada, down goes our tariff wall on manufactured articles, it would not be any concession to Canada. It is nothing that Canada wants. The only thing that Canada wants is our market for farm products, and she wants that to placate her farmers and reconcile them to the Canadian tariff on manufactured articles, and now we propose to trade that off for nothing upon the theory that, having got rid of the only trading stock we have, we are going to get something in sound trade in the future. And that is characterized as statesmanship.

Compare that kind of a proposition with that broad, farseeing statesmanship of Canada, which insists on maintaining the tariff wall as to manufactured articles, but seeks to placate and reconcile her farmers to the maintenance of her tariff wall by securing to her farmers this great American market of ours. Not only that, but Canada never will take down her duties on manufactured articles until she is obliged to do so in response to a demand within her borders, largely from her farmers therefor. Just in proportion as by this bill we placate the Canadian farmer and reconcile him to the maintenance of the Canadian tariff against manufactured articles, just in that proportion we postpone the day when Canada will be obliged, in concession to her own people, to take down her wall upon manufactured articles. We are not only giving away all we have on earth to trade, but we are satisfying and reconciling the Canadian farmer with the high protective tariff Canada imposes upon manufactured articles; and to say that that is hastening the day when the tariff wall will come down it seems to me is as great a travesty on logic as it is to characterize it as statesmanship is a travesty on statesmanship. On the other hand, it is the absolute giving away of our stock in trade and postponing the hour when the Canadian farmer, in resentment at the burdens imposed upon him by the Canadian Government through her tariff wall, will insist upon that wall being removed.

The President says that this is the best he could get. Any student of American and Canadian tariff history would have known that. From the date when the tariff was framed in 1855 between Canada and the United States down to the present hour the one thing that every Canadian statesman, who has met a representative of our Government upon a reciprocal proposition, has insisted upon was that they would not yield upon their tariff as against manufactured articles.

I could stand here and read extracts from great Canadian statesmen, one after another, insisting that the one thing they would have would be the American market for their farm and natural products, and that they would grant nothing more. This is seen in the experiences of Presidents Grant and Harrison, who both undertook to negotiate trade relations with Canada, but in each case Canada insisted on her old-time policy of maintaining her tariff where we could compete and insisting on our taking ours down where she could compete, just as she has done in the present case, but, without meaning invidious comparison, both Grant and Harrison refused to submit to such a one-sided arrangement. When the President of the United States went into this arrangement and secured this kind of a deal with Canada he knew that this was the old-time policy in which Canada had never wavered. I am not complaining of Canada; I admire their statesmanship, their courage, and patriotism. The one thing in which they never have wavered is their refusal to yield anything against their own manufacturers. One thing that Canada has insisted on from the very beginning in any trade relation with us is the letting down of our bars against her farm and natural products, holding the fort where we could compete and asking us to yield where she could compete.

More than that, I say, without any spirit of criticism, there was nothing in the situation which demanded the President to place himself in a position where he was obliged to take this or anything else. Two years ago the Payne-Aldrich bill passed Congress. For two years among the American people the tide of resentment has been rising and rising against that bill. For two years the American people have borne the unjust burdens that that bill imposed upon them. There was an abundance of work for the President and Congress without the President entering into a position where he had to apologetically say "It was all I could get."

Compare this measure with itself and we find that while it makes no material reduction upon manufactured articles it places the products of the farm upon the free list. Two years ago I voted and worked against the Payne-Aldrich tariff bill for the simplest reason on earth, and that was because that bill was framed in the interest of the few and at the expense of the many. I desire to enter my protest against the too general extension of a free list in this country. A free list is a two-edged sword. A free list of raw materials, while it may be heralded as a downward revision, after all is the best friend the trusts have. While it may be secured in apparent advocacy of the rights of the people, it is the false friend of the people.

Taking the duty off of the raw material and leaving the duty on the finished product simply exposes the American producer of raw material to competition with other countries, and leaves the American consumer at the mercy of the protective tariff under an economic condition in which combination is far to fast taking the place of competition. Yet that is the plan upon which this bill is framed. While it takes the duty off of the raw material it leaves a duty upon the protected article.

I am a Republican. I stand upon the Republican platform that protection within the limits of the difference in the cost of production is a fair measure for the entire country. If it actually costs $1 to produce an article, and that is the honest and fair actual cost, every citizen of this Republic directly or indirectly may be said to participate in that cost. A duty of $1 that absolutely measures the difference in the cost of production is less of a wrong to the American people than a duty of 25 cents in excess of what the manufacturer requires. There is no escape from that conclusion.

Take the item of beef. No one will insist for one moment that our beef packers require a protective duty as against the labor employed in producing the finished product. Yet this bill takes the duty off the steer and leaves a larger direct protective duty, making allowance for the compensatory duty taken off the steer, than exists to-day on the beef itself under the Payne-Aldrich tariff bill.

I submit figures and statistics upon that subject, prepared by an employee of the Treasury:

Effect of proposed reciprocity upon the protection to certain industries.

	Duty.	
	Present.	*Reciprocity.*
Beef cattle:		
Alive, valued at $50	$13.75	.....
Dressed, 700 pounds	10.50	$8.75
Protection to packer	[1] 3.25	8.75
Swine:		
Alive	1.50	.....
Dressed, 200 pounds	3.00	2.50
Protection to packer	1.50	2.50
Sheep:		
Alive	1.50	.....
Dressed, 150 pounds	2.25	1.87½
Protection to packer	.75	1.87½
Wheat:		
4.53 bushels (amount needed to make 1 barrel flour)	1.13	.....
Flour, 1 barrel	$1.18	$0.50
Millstuff, 55 pounds	.10	.07
	1.28	.57
Protection to miller	.15	.57

[1] Against the packer.

The President of the United States says that this measure is in harmony with Republican traditions and the utterances of great Republican leaders. In my creed a truth is just as much a truth before it is admitted as afterwards. The earth just as certainly revolved on its axis when all mankind believed it to be a flat plain as it does to-day. There is that in human nature that prompts us to turn to something outside of ourselves in support of our position, which may perhaps ward off criticism. So no matter how patent a truth may be, a man is inclined, especially if he is facing criticism, to cite somebody as authority for that truth, and the President cites such men as Blaine and McKinley.

The Republican platform wherever it has touched upon the question of a tariff has placed itself squarely and firmly for protection, and wherever the Republican Party has declared for reciprocity it has been as the handmaid of protection.

Mr. Blaine is quoted on this subject, and I submit the speech of Mr. Blaine delivered in 1874, when he was dealing with this very question of Canadian reciprocity. Of course I am aware, as every student of our country's history is, that in his latter days Mr. Blaine evolved the idea of reciprocity in noncompetitive articles with South America; but Mr. Blaine, so far as I know, in his whole career never for one moment assumed to take the position that reciprocity should include the surrender of our own products, our own industries, or the sacrifice of our own activities. I quote from his speech dealing with the very subject of Canadian reciprocity:

> Against the whole policy of adjusting revenue questions by the treaty-making power I desire to enter, on behalf of my constituents, an emphatic protest. The Constitution gives to the House of Representatives the sole and exclusive right to originate bills of revenue, and this great power should be kept where it can be controlled by the direct and unbiased vote of the people. It may be well that sundry articles of Canadian product should be admitted free, or with diminished duty; it may be well also that Canada would find it advantageous to admit certain articles from us free of duty. Let each country decide the question for itself and avoid the "log-rolling" feature of a treaty, in which it will inevitably happen that certain interests will be sacrificed in order that others may be promoted. Let us simply place Canada on the same basis with other foreign countries, taxing her products or admitting them free according to our own judgment of the interest of our own revenue and the pursuits and needs of our own people, always bearing in mind that in government as in family matters "charity begins at home," and that "he who provideth not for those of his own house is worse than an infidel."

While I do not assume that it will add anything to the force of Mr. Blaine's statement I also desire to enter my emphatic protest. I believe, sir, that a measure involving the welfare of 90,000,000 of people should be wrought out in the equation of Congress, imperfect as Congress is, as much given to delay as Congress is; that it should be wrought out in the equation of representatives from every section of this country, reflecting the environment of every section of the country. We will get a fairer disposition in that equation than any man in the seclusion of his office can ever hope to work out.

I have already shown that every country—and Canada is no exception to that rule—admits that which she is forced to admit by reason of a demand within her borders, just as we are conceding the proposition of paper in this country—not as a concession to Canada, but because of the demand in our own midst.

We find here this great farm interest ruthlessly sacrificed; we see here the Beef Trust bolstered; we see here the miller protected; we see here the contractor getting free rough lumber for ties and for bridge building, while the humble American home is being constructed with finished lumber upon which a duty is retained, and a greater duty, if you take into account the compensatory duty, than it was before the enactment of this bill.

Yet the man who penned those lines in defense of the broad equation in the consideration of American interests at the hands of legislation in a protest against the logrolling methods adopted in the treaty-making process is quoted as being in favor of the bill, which by its very terms strikes the duty down upon a group of articles where last year, and according to the very evidence furnished by the President, we have a balance of trade against us of $22,000,000, and leaves a greater direct protective tariff than ever when you take into account the compensatory duty upon the things that the people of this country eat, the bread, the meat, and the dressed lumber which the people use in the construction of their buildings. And yet James G. Blaine is quoted in defense of a proposition of that kind.

Then, again, the President turns to the name of McKinley, a name that Republicans are wont to conjure with and cites McKinley as in favor of a proposition of this character. We are all familiar with the last utterances of McKinley, but I shall read them into my remarks that they may go into the RECORD as part of my protest not only against the manner in which this legislation is brought here, but a protest against what is almost a sacrilege in view of the position which McKinley actually took. In that speech in Buffalo, when McKinley was in the shadow of impending death, he recorded for the last time with unabated loyalty his conviction of the Republican doctrine of protection. Three times on that day he spoke of the expansion of our market. He spoke of the fact that exclusiveness was a thing that had to be relegated to the past, but in every instance, never for one moment abating his loyalty to protection, he insisted that whatever be done should be done without injury to American labor or American industrial activities—

> By sensible trade arrangements, which will—

What? Strike at the great agricultural interests of this country? No; but—

> By sensible trade arrangements, which will not interrupt our home production, we shall extend the outlets for our increasing surplus.

Again, he says:

> If perchance some of our tariffs are no longer needed for revenue or to encourage and protect our industries at home.

Will any man in face of the evidence that has been presented to the Committee on Finance question the necessity to-day of protection to the farming industries of this country? Whatever may have been said in the years gone by, as we have reached a point that our consumption is narrowing down to our production, every man realizes the benefits of the protective duty upon these articles.

I am not going to spend all my time, or ask the Senate to take its time, in analyzing the question whether you can board a farm laborer in Canada for $3.37 a week or in the United States for $3.37½. There is a broad concrete fact, which I shall give, that tells more than table upon table of statistics.

Take the figures which the President has submitted here; and when I speak in this connection of the last year I mean the fiscal year ending March 31, 1910, as that is the year covered by these figures. Take the items that this bill advances to the free list and group those items. The balance of trade last year on that group was against us to the extent of $22,000,000. Our entire balance of trade against Canada was $119,000,000, and to get that $119,000,000 we had to sell enough more stuff to make up the dead loss on farming products of $22,000,000 in the balance.

I know some critic may say that this should be $17,000,000 instead of $22,000,000, but the Senate will bear witness I use the term "advances to the free list."

I have already mentioned the fact that Canada has put our corn on the free list, not as a concession to us but a concession to the Canadian people. Eliminating corn, in which we had a balance last year of $4,000,000, and grouping the articles which this bill advances to the free list, there is a balance of trade against us of $22,000,000.

I realize that the balance of trade may mean much or it may mean little. If we should buy all our coffee of Venezuela or all our tea of Ceylon, we buy more than we would sell to those people, and it would simply mean that we bought our entire supply of coffee and tea from one country; but when you measure the balance of trade in competitive countries it means that the country which has the balance of trade is able to compete successfully with the country against which the balance of trade exists.

I was reading the other day that this would be a great opening for the farmers, because last year the American farmer shipped 7,680 tons of hay into Canada; but, in keeping with the general effort that has been made in favor of this bill, the author of that statement failed to state that last year Canada shipped 96,507 tons of hay into this country.

Take butter. Last year we shipped 61,000 pounds of butter to Canada. Canada shipped 980,000 pounds into this country. A great many people in defending this bill say, taking these figures only of the small importations, "Why, we can stand those importations," forgetting all the while that back of that importation of 980,000 pounds of butter lay 5,000,000 pounds more ready to come into this market, but which under existing conditions Canada had to send to England.

Now, it is proposed to give this butter market to Canada, and we take the English market in exchange; and that is about all there is of the element of reciprocity in this bill.

It is proposed to take one or two hundred million bushels of Canadian wheat—no one can tell how much it will develop—and we send that much more of our wheat to England and take the English price and the English market, exchanging the American market for the English market. If that is reciprocity, Heaven save the mark, and Heaven save us from any great surcharge of that sort of reciprocity.

I say again, the $22,000,000 balance against us absolutely demonstrates that that group of articles can not be produced in successful competition with the Canadian producer of those articles, and instead of listening to the warning of William McKinley, instead of having in mind these words:

If perchance some of our tariffs are no longer needed for revenue or to encourage and protect our industries at home—

Or listening again to these words—

By sensible trade agreements, which will not interrupt our home production.

Instead of recognizing that, as the basis of legislation looking to trade relations, it is proposed now to take a group of articles showing in the balance of trade against us on that group our inability to compete in those articles and strike down the duty on that group as the basis of a trade relation; and I say again, the only trade we will get is that we trade our market for the English market. I deny that such a scheme is in harmony with Republican policies or the declarations of Republican leaders, not only is it unjust to the memory of Blaine and McKinley to try to distort their clear utterances for protection into support of this measure, but that this bill is repudiated by Republicans of our own generation is found in the fact that in the House a large majority of Republicans voted against it in February, and, taking into account our reduced numbers in the House now, a still larger percentage of Republicans voted against its passage in April, and a large majority of Republicans in this Chamber will vote against it. It will owe its passage to Democratic votes.

It is said that if this bill should be passed the great influx of wheat which will come into this country would steady the price of wheat. Does anyone suppose that shipping 100,000,000 bushels of Canadian wheat into this country and we shipping 100,000,000 bushels to England would change the ultimate quantity of wheat at all? And that would be the result as to any quantity coming here under this bill from Canada. We give them our market and we take the foreign market. There is the same general production; there is the same general consumption.

Again, we are reminded that it would prevent gambling in wheat. There never was a time when gambling in wheat did not keep pace with increased production, and if the production of the world to-day could be doubled it would in no way lessen, but rather accentuate, gambling. In fact, we do not add anything to the vital supply. We only transfer one or two hundred million bushels, as the case may be, from Canada to our market, and in exchange we get the English market for the market which we surrender.

Now, speaking of this free list and free raw material, while the Senator from North Carolina [Mr. SIMMONS] used the illustration, I am going to also use it, and say that the test of an honest revision is not the downward revision necessarily upon a free list composed of raw material. In the Payne-Aldrich tariff bill we had a great increase of the free list, and yet in that increased free list as it stands totalized to-day we only gave 20 per cent directly to the consumer and the other 80 per cent to the benefit of the man who handled the raw material. In other words, only 20 per cent of our present free list goes directly to the consumer, the other 20 per cent going first to the manufacturer.

There was a time in the history of tariff when we had competition and the cheaper the manufacturer got the raw material the cheaper he would sell in the market in competition; but when competition gives way to combination, then instead of helping the consumer by putting raw material on the free list you are simply taking money out of the Federal Treasury and putting it in the pockets of the trust, the combination, or the aggregation of those who use the free raw material and change it to the finished product before it reaches the consumer.

I declared two years ago, and I reiterate that declaration to-day, that, cost what it will of presidential disfavor, cost what it will of political fortune, I will never cast my vote for a tariff-revision bill until that bill has some just regard for the American consumer. He may be a stranger here, I think he seldom entered here in years gone by, but he is here, and he will be heard here hereafter. The vice of this bill, like the vice of the Payne-Aldrich bill, is that the ultimate consumer, according to the President's own admission, to which I will later refer, gets very little, if any, benefit.

We are told by the President of the United States that there are men who "vociferously" assume to defend the farming interests. It is also intimated that the opposition of the farmers has been worked up.

The farmer is a man who gets up in the morning before daylight and starts his farm work. All day long he toils in the fields and at night goes back and finishes his chores. It is true that in the last few years, owing to the unexampled prosperity of this country, that men here and there have been able to get ahead a little. That man reads of a tariff bill—a tariff bill that takes the duty off the wheat which he raises, but leaves it on the flour that he buys; a bill which takes the duty off the steer that he raises, but leaves the duty on the beef, if he does not himself slaughter it, that he may buy in the market; a bill that gives to a contractor free timber for bridges and ties, but leaves a duty upon the doors and window-sashes that go into the farmer's house; a bill that not only takes the duty off the farmer's wheat, but, as he develops into butter making, he necessarily does it somewhat at the expense of the grain raising, and so he has to buy bran and shorts—that farmer, with the tariff taken off his wheat and off his butter, reads a bill that leaves the duty on the bran and shorts that he must buy; and the President of the United States intimates that that farmer has to be told to rebel at that suggestion, that he has to be told to protest at the hands of some active and, as the President characterizes them, "vociferous friends of the farmer." I fear that that will not set kindly in the mind of the American farmer.

For years the American farmer has stood the brunt of this battle. He has been told "if you be patient, as we develop the manufacturing interests of this country we will make a home market for you"; and as we get that home market so near to where the difference of consumption and production is almost wiped out, then, without even giving the farmer a hearing, the benefit of the system is dug out from under his feet; and the President gives as a reason why he did the digging single-handed and alone that if others had been consulted in the framing of this bill there would have been a difference of opinion as to what the bill should contain. There is a truth that no enemy of the President, past or future, will ever question; there surely would have been a difference of opinion. That farmer, however, was entitled to be heard in the framing of a bill that was to come before this Congress with the prestige of a declaration for its passage without amendment from a man to whom to go counter meant disfavor with the administration. That farmer was entitled to be heard before he should be sacrificed in a bill that was to come here with a declaration that not a "t" should be crossed nor an "i" dotted. Yet we are told that that farmer had to be stirred up in order to oppose a measure of this kind.

In this connection I want to digress for a moment to say this: I think all Senators have noticed a change in the last few years. There was a time here when men who made it their business to create forces behind them, associations for and against things, would get a bill introduced, or would find a bill which had been introduced, and they would write out to their clientage, and back to us would come hundreds and thousands of stereotyped letters saying "Vote against House bill so-and-so," or "Vote for Senate bill so-and-so."

But Senators who have been here a few years will bear me witness that those stereotyped letters have disappeared; they no longer come here; but in the place of them there comes a letter, frequently written on half a page of somewhat faded paper, by a man whose hand you can see has been cramped and crabbed with toil, written with a pen rusty because of disuse, but the wording of that letter, giving that man's reason for opposing or favoring a bill, while it may be evidence of a crabbed hand, half-faded paper, and rusty pen, nevertheless it bespeaks an intelligence and independence on the part of the writer.

I want on this floor to-day to sound a note of warning to some men in this country who imagine that the intelligence of the American people and the independence of the American people are not aroused upon this and other great questions. As to intimating that the American farmer had to be stimulated to oppose a measure which struck at his very life, as does this bill, I fear it will not set well with the American farmer.

Mr. HITCHCOCK. Mr. President——

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Nebraska?

Mr. CLAPP. With pleasure.

Mr. HITCHCOCK. Has the Senator from Minnesota any figures to show the extent to which the farmers of his State have protested against this bill by letters such as he has described?

Mr. CLAPP. Mr. President, I want to warn the Senator from Nebraska that that is an unsafe criterion. The board of trade, the chamber of commerce, the organization can speak, but you and I must stand here for the man who lives out from the railroad, out from the city, and is not a part and parcel of some organization, and the man who makes an effort to establish an equation numerically between those forces which are organized and those forces which are scattered out in the homes of this country will make a great mistake. I have no hesitation in saying from the character of the protests which I have received, from the num-

ber of letters which I have received, and from my knowledge of the men and their relation to their surroundings, that Minnesota is simply overwhelmingly against this bill.

Mr. HITCHCOCK. Mr. President, I asked that question——

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Nebraska?

Mr. CLAPP. With pleasure.

Mr. HITCHCOCK. Mr. President, I asked that question because every test which I have made in Nebraska has indicated that the farmers have comparatively little interest in this bill, and has indicated that there was certainly a very small amount of sentiment against it among them.

Moreover, I wish to call the attention of the Senator from Minnesota to another form of proof. A few weeks ago in the ninth district of the State of Iowa there was a special election to fill the vacancy caused by the resignation of the Hon. Walter I. Smith from the House of Representatives. In that election the issue was squarely made. The Democratic candidate declared for the reciprocity bill; the Republican candidate declared against the reciprocity bill; and in that district, which had given Republican majorities in the past up to 5,000, the Republican candidate received a majority of only about twelve hundred.

Mr. CLAPP. Yes; and I want——

Mr. HITCHCOCK. Now, I should like to ask the Senator from Minnesota whether he sees in those figures any indication of a general uprising among the agriculturists of the West against this reciprocity bill?

Mr. CLAPP. I do. As to the district that Mr. Walter I. Smith, by the strength of his personality, was able to hold against a protest that swept away stronger personalties than his in some instances, because of the resentment against the action of Congress two years ago, the Senator from Nebraska must remember that it was the refrain of that issue that also cut down that majority as it was the refrain of that issue that brought the distinguished Senator from Nebraska to our midst. When you realize that those people in midsummer, depending upon representatives as they should, will gather in numbers like that it means something.

Mr. Smith's last majority was only 1,500, as the Senator from North Dakota [Mr. GRONNA] advises me. I do not know of a thing which has occurred during all of this summer which to my mind has been so significant as that election in the State of Iowa, when you consider all things and consider the condition that grew out of the situation two years ago, which to-day hangs like a pall over our party from one end of the country to the other.

No; the farmer does not need to write. He does not need to be told. I do not know anything of the farmers of the State of Nebraska, except I know one thing, that in speaking through that State, I discovered that they were very enthusiastic in their indorsement of the present Senator from Nebraska, because, among other things, and I think more than all else, he had stood not in harmony with the Payne-Aldrich tariff bill, but, on the contrary, in opposition to it.

It will not do for us to deceive ourselves by the numerical equation of those who petition for a bill or protest against it. The test is the manner of the protest or petition rather than the number of letters. I have received hundreds of letters, especially in the early days of this controversy, from the larger cities of my State. Those letters almost without exception simply contained the statement, "We wish you to vote for reciprocity." Well, of course, it is unnecessary for me to say that if the contingency should ever present itself of voting for real genuine reciprocity, I would probably do so, but reciprocity is one thing and this Canadian tariff bill is another thing. There is not enough reciprocity about this bill to serve as a label. They were probably themselves impressed with the word "reciprocity," and, believing the bill was reciprocal, they used that term in their correspondence. But you take the men who have written against this bill, and they have sat down and given their reasons for opposing it. A letter from one man who gives his reasons for opposing a thing counts more in my mind, so far as the question raised by the Senator from Nebraska is concerned, than a hundred mere naked directions to vote for or against a measure.

I say again the farmer reads these things. Take the farmers who appeared before the Finance Committee. Many of them, to my knowledge, have never believed in protection, but they come down here now and they say: "We have paid for this market in the years in which we have sustained protection"—of course this is not advanced to the Senator from Nebraska, but it is an argument advanced to the men who have advocated protection—they say, "We have paid for this market, and now we are entitled to the market." They say, "If you are going to take the duty off of what we sell, then take the duty off of what we buy." Does any Senator believe that a farmer or any other man is so blind and senile intellectually that he does not recognize the injustice of taking the duty off of about everything on earth that he produces and leaving the duty where it is on about everything which he purchases?

It is the injustice of this bill against which I protest. It strikes beyond the mere question of dollars and cents. I hope it will also strike a blow to this policy of one man—and I am not now speaking of the man, but of the policy—of one man arrogating to himself the discharge of a trust to the people of all the United States in the framing of a bill and telling the people what is for their good. Before the duty was taken off of wheat and left on flour, before it was taken off of the steer and left on the beef, the men who raised the wheat and the steer, on the one hand, and the consumers, on the other, who buy flour and beef, had a right to be heard. I am contending for a forum where legislation shall be shaped so that the legislation and those affected by it may get some benefit of the equation under the system of diversified and widely extended representation.

There is one thing more that I am going to call attention to. I spoke of my protest against this form of legislation, because it is calculated to silence those who have suffered injustice and wrong; it is calculated to silence the advocates of those who have been wronged in legislation; and I come now to an example of that kind in this controversy. I hold in my hand, sir, what purports to be a speech made by the Secretary of State of the United States in the city of Chicago on the 15th day of February, 1911. He opens that speech with this declaration:

> Trade between the United States and the British Provinces was, up to 1845, burdened with a system of differential duties which discriminated against foreign importations into Canada in favor of the British. In 1845 the British Government authorized the Canadian Legislature to regulate its own tariff. Canada, now autonomous as to tariffs, generously and almost at once removed the existing differential duties and admitted American goods on the same terms as those imported from Great Britain. This change gave a great impetus to importations from the United States.

Now, mark the skill with which this statement is put before the American public—the fact of a burden upon trade with Canada accentuated by differentials in which Canada discriminated against foreign countries in favor of Great Britain. This is followed by the statement that as soon as Canada could do so—"in 1845 the British Government authorized the Canadian Legislature to regulate its own tariff" and to admit "American goods on the same terms as those imported from Great Britain," leaving the impression upon the reader that the discrimination in favor of Great Britain had never been restored. There could have been no other purpose than to leave that impression. Independent of the purpose of creating that impression, the paragraph has no relation to the discussion of the present Canadian tariff bill.

If that statement had been made by a Member of the House of Representatives or by a Senator, a Representative or a Senator could meet it, but that being made by the Secretary of State, there is no official who can defend the farmers and the consumers of this country and who can meet that statement from the standpoint of official equality with the Secretary of State; and there is perhaps a feeling that because he is Secretary of State that fallacy ought not to be exposed.

What was the purpose of making that declaration to the American people? The Secretary of State and every one else familiar with the American character knows that generosity is an overmastering instinct of American human nature, and by saying to the American people that while down to that time our trade with Canada had been burdened with a differential in favor of Great Britain, yet Canada, grand and generous in her impulses, the moment she got the opportunity, removed that differential, I submit that there is no man, unless he knew the history of Canadian tariff legislation, who would read that paragraph but would at once draw the conclusion that that differential was still removed. What place has such a statement in a tariff discussion if the differential were simply taken off and put back? None. The inference is that that differential remained removed; and yet the Secretary of State and the President, under whose authority he must have made that declaration, know that that differential was soon put back, is in force to-day, and this reciprocity tariff bill with Canada does not even pretend to remove it; yet that statement of the Secretary of State, with its appeal to the generous impulses of the American heart, has gone to thousands and thousands of men who never will hear of the restoration and the retention of that differential. That is one of the reasons why I object to legislation being framed and forced through Congress in this manner.

It is human nature for men who frame a measure to go beyond the limits of fairness in their zeal of advocacy for that measure, and when you throw against the privileges, rights, and interests of a great body of American people the

prestige of a great office so that a man stands in the shadow of its disapproval if he goes contrary to its dictation and challenges the fairness of a great minister of State in the defense of the rights of his people, I say the time has come when there ought to be a protest entered against forming and seeking to pass legislation in this manner.

I think that is all I care to submit to-day. This bill is not a reciprocal measure. It does not meet the reciprocal or the economic relations of the two countries. It strikes a hard blow at our agricultural interests and feeds the consumer on the husks of an ill-conceived promise, because, after all his effort in this behalf, after all his speeches have been made, the President, finally driven from one point to another, admitted in his Indianapolis speech:

> It is my own judgment that the reciprocity agreement will not greatly reduce the cost of living, if at all.

And yet we have been called here in an extra session—this country is already to-day feeling the paralysis of this proposed legislation—and we gain absolutely nothing save the admission of some far southern fruits which Canada sooner or later, in obedience to the demands of her own people, has got to admit *within her* borders. In the last analysis we are told by the author of the bill that the ratification of the reciprocity agreement will not materially, if at all, reduce the cost of living. I quote now the distinguished Senator from Ohio [Mr. BURTON] in his defense of this bill:

> The intention of this proposal for reciprocity is not to reduce the price of articles sold by the farmer.

If you do not reduce the price of wheat, how in the name of reason do you expect to reduce the price of flour, when you take the duty off of wheat and leave a duty on flour? If you do not reduce the price of the steer, is there any man bold enough to assert that you reduce the price of the dressed beef, when you have left a duty on dressed beef? So, after all this hysteria, after trying to give to Canada the last thing we have to trade for the opening of her markets, after surrendering the only weapon we have by which we can force Canada, in concession to her western farmers, to take down her tariff wall, we are told in the last analysis that it was not the purpose of this measure to reduce the price of farm products. We are told by the author of the bill that this measure will not materially, if at all, reduce the cost of living; and it does seem to me that that ends the proposition.

I have spoken of the effect of this measure upon the farmer. That is because the blow falls heaviest, primarily, upon him. I would defend from injustice any other class or calling, and those who criticize us for speaking of the farmer in connection with this bill must remember that he is the one who suffers first from the effect of this bill. But you can not strike a blow at the agricultural interests of the country without its being reflected along every channel and avenue of our industrial and commercial life. This is already beginning to be seen in the business depression which is being experienced in connection with the certainty of the passage of this bill.

As was said by the Association of Minnesota Manufacturers in their recent publication:

> If the treaty is a bad thing for the Northwestern farmers, it is a bad thing for us. Our principal trade comes and will continue to come from the Northwest, and anything that injures that section will injure us.

Stating this more broadly, with the entire country, whatever injures the agricultural interests will be a blow at the general welfare.

Now, with the President's own admission as to its not decreasing the cost of living to the consumer, a fair deduction from the President's own declaration that this bill will not help the consumer, I shall vote against the bill and am willing to submit my course in regard to this legislation to the people, whom, in connection with my distinguished colleague, I ever seek to serve.

Mr. DIXON. Mr. President, at the outset I want to encourage my friends who do me the honor to listen to me by assuring them that I am not going to speak very long this hot afternoon. I apprehend that anything that might be said at this stage of the proceedings will have very little, if any, effect on the final vote. My judgment is that if, as was said of old, some one rose from the dead and offered himself as a witness in the matter of Canadian reciprocity, it would have no possible effect in changing the vote of any Senator. Yet, Mr. President, to give evidence of the faith that is within me regarding the matter I want to submit briefly a few remarks.

Mr. President, the Senate is confronted by a strange spectacle. A minority of the Republican membership of this body, almost without exception made up of Senators from the manufacturing States of the East—Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, New Jersey, Delaware, Ohio, and Illinois—are in alignment with an overwhelming majority of the Democratic Senators to enact into law a tariff measure, misnamed a reciprocity treaty, which, stripped of all disguises is simply a tariff bill for full "free trade in all agricultural products" under the guise of reciprocity with Canada.

Supporting this same movement for "free trade in farm products," we find aligned in solid phalanx practically the entire daily newspaper press of the great cities, both those that have been and are the advocates of a "protective tariff" and those who have been and are demanding either "free trade" or "tariff for revenue only."

In this new political alliance we see Mississippi and Massachusetts hand in glove and Pennsylvania and South Carolina joyously acclaiming the newly proclaimed political economy that proposes protective-tariff duties for every class of American citizens and American industries except it be for that portion of our population that earn their living in agricultural pursuits.

At the same time we see in solid opposition to the measure every Republican Senator, with only three exceptions, from the great agricultural States of Minnesota, Wisconsin, Michigan, Iowa, Kansas, Nebraska, North Dakota, South Dakota, Wyoming, Idaho, Utah, and Montana, and the three agricultural New England States—Maine, New Hampshire, and Vermont.

For this strange and heretofore unheard-of political alliance there must be some profound and basic reason.

For nearly three solid months the Senate has been in session to consider and debate the pending measure, and while very many Senators have been heard in denunciation of the bill only two or three Senators have yet raised their voices in even mild defense of it.

There is another strange and unheard-of procedure attending this matter. After six weeks of hearings on the bill by the Finance Committee, and after listening to hundreds of witnesses as to the ultimate effect of its provisions on the agricultural interests of the country, nearly every one of those witnesses giving testimony adverse to its merits, the Finance Committee sends the bill back to the Senate without either a favorable or an adverse report accompanying it.

FREE PRINT PAPER.

Yet the great daily newspapers are proclaiming that it must and shall be passed by the Senate "without amendment"; that no man dare lay unholy and profane hands upon it in any way.

Is it not at least an extraordinary situation that reveals the entire daily newspaper press, with hardly an exception, lined up in solid support of this tariff measure that is misnamed reciprocity.

I fully realize the tremendous and overwhelming power of the press to create and foster public opinion. Its power for good can not be estimated. When wielded in a common cause it is irresistible. It is practically the only means for the wide dissemination of information.

Generally speaking, the press intends to be fair. But the owners of newspapers are human. They are not entirely above all the selfish interests that admittedly dominate the rest of their fellow creatures.

We know the campaign for "free print paper" that has been carried on with such persistent purpose since 1907.

In January last the President transmitted to Congress the present so-called Canadian reciprocity treaty, providing for free trade in farm products while still maintaining duties on all manufactured articles, "print paper" being the one shining exception to the rule.

A few days later the powerful "American Newspaper Publishers' Association" sent out instructions, *marked* "private to editors," as follows:

> It is of vital importance to the newspapers that their Washington correspondents be instructed to treat favorably the Canadian reciprocity agreement, because print paper and wood pulp are made free of duty by this agreement.

I am neither arguing pro or con as to whether as a matter of right or good business judgment the comparatively small duty of about 9 per cent, or $3.75 per ton, on print paper should be removed in a general tariff bill, but is not the price to be paid by the farmers of this country in the way of free trade in all farm products for the remission of the small duty on "print paper" a tremendous one?

Day after day we have been only too familiar with the staring headlines in the daily newspapers:

> Reciprocity sure to pass. President will force Congress to act. No amendments will be tolerated to reciprocity bill. President will veto reciprocity if amended. Senators will feel the big stick. Farmers' opposition only inspired by the Lumber Trust—

And so on ad infinitum et nauseam.

I have been reading with much interest the series of articles by Will Irwin, now running in Collier's Weekly, on the history of newspapers in this country, and was impressed with his

eminently fair and impartial treatment of this most interesting phase of our national development.

After paying full and well-deserved tribute to the great work done by the press, he also turns on a light as to the relation that sometimes exists between the "business office" and the editorial and news columns.

When Canadian reciprocity has become a law, I would suggest to Mr. Irwin that he might add a most interesting chapter on the relation between the campaign for Canadian reciprocity and the "free print paper" clause in the pending bill.

It is indeed gratifying to find three or four of the great daily newspapers that are frank enough to tell the whole story of the relation of "free print paper" and its relation to so-called reciprocity.

In a recent issue the Philadelphia North American said editorially:

> But merely because we consider honest and equitable a reduction of the paper schedules of the tariff which would save The North American large sums of money every year is no reason why this newspaper should give its indorsement to an agreement which is to our self-interest, but seems more and more like a sham and a perversion of real reciprocity.
>
> If any American will profit thereby, save the Beef Trust, the millers, the organized middlemen, and the newspapers, we are unable to see who they can possibly be.

Yet this measure is one that did not originate in either branch of Congress. The legislative branch of the Government had nothing to do with its inception.

The profound silence of its friends in the Senate Chamber is unexplainable.

Until the agricultural papers of the country began some weeks ago to print the real facts in the case, the people generally were under the honest belief that the so-called reciprocity bill actually meant free trade with Canada in both manufactured and agricultural products.

WHAT THE BILL MEANS.

I think I make no misstatement of fact when I say that the avowed purpose of the measure is free trade in agricultural products, at the same time retaining the tariff duties on all manufactured articles, except print paper.

In plain words the effect of the treaty is to cheapen the value of the products of our farms for the benefit of the cities and manufacturing centers of the East, and to give the newspapers "free print paper."

The whole arrangement being at the sole expense of the farmers of this country. In return he gets nothing, while we remit the $5,000,000 that is now annually collected on Canadian imports.

Its avowed purpose is to reduce the cost of living to the population of the cities by lowering the price of agricultural produce.

It is for the city and against the country.

It is for the manufacturers and against the farmers.

It is for the East and against the West.

It is class legislation of the most offensive kind.

The only argument advanced in its favor is that "it will not hurt the farmer—much."

It has been sailing under the false colors of "reciprocity." That is a beautiful name. It rolls from the tongue with a sweet accent. The very term "reciprocity" appeals to the better instincts of men. It is like the words "religion," "equity," "goodness," "mercy," "harmony," and other sweet-toned words that appeal to our better nature.

But the man who is enamored at the thought of real "reciprocity with Canada" had better not read any more of the pending bill than its title page if he does not want to be disabused of his first impressions.

Otherwise he will experience a feeling akin to that which a deeply religious person would experience should he pick up a nicely bound volume labeled Bunyan's "The Pilgrim's Progress" and discover within the tales of "The Decameron."

NOT OPPOSED TO REAL RECIPROCITY.

I want to say in the outset that I am not opposed to real reciprocity with Canada. I would welcome it.

I would not oppose absolute free trade in both manufactured articles as well as farm products with our northern neighbor, where conditions and climate and language and people are so closely akin.

What I do object to is making fish of one industry and flesh of another.

The line of demarkation that runs throughout the entire bill is fundamentally wrong.

We have repeatedly asked, and no one has yet answered, Why are all the products of the farm to be placed on the free list when, by the terms of the same bill, everything the farmer purchases continues to be protected by tariff duties?

The questions yet remain unanswered why, under this bill:

The present duty of 25 cents per bushel is taken from wheat and the tariff of 50 cents per barrel is to be maintained on flour for the millers and 17½ per cent on "prepared cereal foods."

Why the duty of 15 cents per bushel is taken from oats and the duty of 50 cents per hundredweight remains on oatmeal?

Why the duty of 30 cents per bushel is taken from barley and the duty of 45 cents per hundred retained on "barley malt"?

Why, with the duty removed from the farmers' wheat, there should be retained a 25 per cent ad valorem duty on "biscuits, wafers, and cakes"?

Why the duty of 27½ per cent ad valorem is taken from cattle, $1.50 per head from sheep, and $1.50 per head from hogs, raised on the farm, and a duty of 1¼ cents per pound is retained for Armour and Swift on bacon, lard, beef, mutton, pork, and all other dressed meats?

Why the present duty of 6 cents per pound on butter and 6 cents on cheese is taken away and the duty of 20 per cent is retained on the churn that makes the same butter?

Why the present duty of $4 per ton is removed from hay, and the farmer is still compelled to buy his "mowers and horse-rakes" and other farming implements under a 15 per cent duty and "hay tedders" under a 20 per cent duty?

Why all vegetables are put on the free list and yet a duty of 1¼ cents per pound is still retained on "tomatoes and other vegetables, including corn, in cans"?

We have inquired why under this misnamed reciprocity treaty everything on earth that the farmer raises except wool—and sheep unshorn can also be brought in free—has gone on the free list and everything on earth that he buys still retains a tariff duty, and no one has answered.

Mr. President, there must be some reason why this bill is being urged for passage, and I hope I am fair-minded enough to discuss frankly the reason urged by some of its proponents for this new departure in our present financial system.

INCREASE IN PRICES.

Since 1896 there has been a steady increase in the price of all commodities. The upward movement of prices has not been confined to the United States, but has been world-wide.

During the same period there has been witnessed a great world-wide movement for the combination of capital in all forms of commercial enterprise.

It has been the era that has witnessed the formation of the great industrial combinations that are popularly known as trusts and combines.

During this 15-year period the tremendous organization of the labor unions has taken place.

Practically every form of labor except the farmer has now become organized into industrial and trades unions that embrace within their membership an overwhelming majority of the workers of the United States.

The great combinations of trade and commerce have been most successful in "steadying" and "regulating" the price of their commodities.

The testimony presented by the Government in the famous Standard Oil and Tobacco Trust cases, the testimony of Judge Gary before the House committee regarding the workings of the Steel Trust, leaves no possible room for doubt as to the effect of these great combinations of capital on the selling prices for every commodity known to modern business.

The successful demands of the labor unions for shorter hours and increase of wages have also largely contributed to the upward trend of prices.

INCREASE IN GOLD COINAGE.

There is another factor that has also been of tremendous importance in this world-wide movement of advance in prices.

According to the last report of the Director of the Mint, from the date of the discovery of America in 1492 down to 1896, a period of over 400 years, the total world production of gold, the unit and yardstick of all values, reached a total of $8,850,000,000. In the past period of 15 years, since 1896, the production of gold has been $5,000,000,000.

In other words, during the past 15 years there has been poured into the world's coinage of gold $5,000,000,000, or more than 56 per cent additional to the entire gold production of the world in the 400-year period preceding. In the 400 years, from 1492 to 1896, $8,000,000,000; in the past 15 years a little over $5,000,000,000.

The purchasing power of the gold dollar has in the 15-year period since 1896 shrunk more than one-third.

INCREASED COST OF LIVING.

In the face of this great increase in price values there has arisen a cry against "the increased cost of living." It has been felt most by those having a "fixed income."

The wages of the wage earner has probably about kept even pace with the increased price of commodities.

The man with the "fixed income" has felt the "increased cost of living" more than any other class.

Hence a protest has gone up everywhere and from all quarters against "the increased cost of living."

Forgetting how we struggled against and prayed for a relief from "low wages" and "low prices" that blasted and scorched and dried up the industrial life of this Nation in the years immediately preceding the year 1897 the people are now demanding relief from "high prices" and the "high cost of living."

I think it fair to assume that the inception of this so-called reciprocity treaty arose from that protest against "the high cost of living." Frankly speaking, it was an attempt to somewhat "lower the cost of living" to the people of the cities and manufacturing centers at the expense of the farming classes and rural communities of this country.

I have no question that the President, when the idea was suggested to him, acted solely from a good impulse and without a full understanding of its final meaning.

It is my opinion that in his desire to respond to what he believed to be a popular demand, voiced largely through the columns of the great daily newspapers, reflecting only the sentiment of the cities, he yielded to the suggestion, forgetting that the proposition thus proposed to "lower the cost of living" to the people of the cities and manufacturing centers was in reality a canabalistic scheme to do so at the expense of the other half of our people who are engaged in agricultural pursuits.

My protest against this propaganda for lowering "the cost of living" to one portion of our people at the direct expense of the other portion is that it is not fair or equitable.

If tariffs are to be reduced in order to cheapen prices, then let the reduction be made general, all along the line, to manufacturers and farmers alike.

Let us not attempt to have "free trade in farm products" at the expense of the farmer while retaining high duties on manufactured articles coming from foreign countries.

Let us not make fish of one industry and fowl of another industry.

Yet while urging the passage of this reciprocity bill with the avowed purpose of "lowering the cost of living" and lowering the cost of "print paper" its supporters attempt to say "the farmer won't be hurt—much." They say the price of wheat is fixed at Liverpool, which is not true, as was conclusively shown by the two Senators from North Dakota and the Senator from Minnesota [Mr. NELSON] by a cold recitation of the actual market reports.

Let me again read the statement of actual market price for wheat and barley on the same day in the Canadian markets and in the American markets, situated only a few miles distant on the other side of the international boundary line:

Comparative prices of wheat and barley in United States and Canada.

Dates.	Kind of grain.	Name of town in United States.	Price per bushel.	Name of town in Canada.	Price per bushel.	Difference in price.	Distance apart.	Tariff per bushel.
Dec. 31, 1910	Wheat	Kermit	$0.90	Estevan	$0.76	$0.14	15 miles apart	$0.25
Jan. 10, 1911	do	Pembina	.97	Emerson	.82	.15	4 miles apart	.25
Do	do	Neche	.96	Gretna	.81	.15	2 miles apart	.25
Dec. 31, 1910	do	Portal	.90	North Portal	.75	.15	Just across line	.25
Jan. 11, 1911	do	Walhalla	.96	Haskett	.83	.13	6 miles apart	.25
Dec. 31, 1910	do	St. John	.91	Boissevan	.81	.10	15 miles apart	.25
Do	do	Hannah	.90	Snowflake	.77	.13	4 miles apart	.25
Do	do	Neche	.91	Gretna	.81	.10	2 miles apart	.25
Do	do	Sarles	.89	Clearwater	.75	.14	Just across line	.25
Jan. 10, 1911	do	Westhope	1.00	Colter	.85	.15	15 miles apart	.25
Do	do	do	1.00	Lyleton	.84	.16	20 miles apart	.25
Do	do	do	1.00	Malita	.86	.14	30 miles apart	.25
Do	do	St. John	.96	Boissevan	.86	.10	15 miles apart	.25
Do	do	Hansboro	.90	Cartwright	.77	.13	8 miles apart	.25
Dec. 31, 1910	do	Antler	.91	Lyleton	.78	.13	5 miles apart	.25
Jan. 10, 1911	do	Portal	.92	Boscurvis	.75	.17	15 miles apart	.25
Do	Barley	Pembina	.67	Emerson	.42	.25	4 miles apart	.30
Do	do	Neche	.66	Gretna	.38	.28	2 miles apart	.30
Do	do	St. John	.66					

Comparative prices of wheat at Winnipeg and Minneapolis.

[Winnipeg 1 northern and Minneapolis 1 northern.]

Date.[1]	Winnipeg closing price 1°.	Minneapolis closing price 1°.	Over.	Date.[1]	Winnipeg closing price 1°.	Minneapolis closing price 1°.	Over.
1910.				1910.			
Jan. 1	[2]			July 30	108¼	120½	12¼
Jan. 8	105	115⅝	10⅝	Aug. 6	108½	120½	12½
Jan. 15	103½	113½	9⅞	Aug. 13	111½	114½	1½
Jan. 22	103⅜	114⅜	10⅜	Aug. 20	106⅜	110⅛	3⅝
Jan. 29	103⅜	113⅜	10	Aug. 27	108⅜	112⅜	4⅛
Feb. 5	101½	110¾	9¼	Sept. 3	105½	112¾	7¼
Feb. 12	102	[2]		Sept. 10	102	111¼	9¼
Feb. 19	102¾	115	12¼	Sept. 14	100	111½	11½
Feb. 26	103	114⅜	11⅜	Sept. 24	101	112½	11½
Mar. 5	102⅜	112¼	10⅛	Oct. 1	98⅜	109⅜	11⅛
Mar. 12	104½	114½	10½	Oct. 9	99	111⅝	12⅝
Mar. 19	105½	113½	8⅛	Oct. 15	97	107¼	10¼
Mar. 26	105½	115⅝	10⅛	Oct. 22	94⅜	104½	9¼
Apr. 2	105⅜	114⅜	9⅛	Oct. 29	91¾	102¾	11
Apr. 9	104⅜	113½	8⅛	Nov. 5	90⅛	101¼	11⅛
Apr. 16	101⅜	108⅜	6⅞	Nov. 12	91⅜	103⅜	12
Apr. 23	101½	111	9½	Nov. 19	94⅜	104⅜	10⅛
Apr. 30	98½	109⅜	10⅜	Nov. 26	92½	102½	9¾
May 7	[2]	113¾		Dec. 3	91	104¾	13¾
May 14	98½	112½	13⅝	Dec. 10	89½	101⅜	12¼
May 21	94½	109⅝	15⅛	Dec. 17	90¼	101⅜	11⅛
May 28	88½	104½	15½	Dec. 24	[2]	103½	
June 4	88⅜	105⅝	17¼	Dec. 31	91½	103⅝	12⅛
June 11	89½	105	15½	1911.			
June 18	91½	106⅜	15⅞	Jan. 7	93½	108½	14⅝
June 25	95¾	112	16¼	Jan. 14	95½	108½	12⅝
July 2	[2]	[2]		Jan. 21	94½	104⅝	10⅛
July 9	108	120½	12½	Jan. 28	94½	103⅝	9⅛
July 16	116½	130	13½				
July 23	116½	126	9½				

[1] The day cited in each case is Saturday.

[2] Holiday.

On the 7th day of January there was 14 cents difference in our favor. On the 14th there was still a difference of 13 cents in our favor. On the 21st it was about the same. On the 28th, after we had a report of the effect of this reciprocity agreement and its likelihood to pass this Congress, Winnipeg went up and Minneapolis went down. Winnipeg went up about 1½ cents, from 93 to 94½, and Minneapolis went down from $1.08 to $1.03; so it made a difference of about 6½ cents a bushel, resulting from the fact that the bill had been reported to the Congress of the United States.

MONTANA WHEAT PRODUCTION.

Mr. President, the State of Montana, which is popularly supposed to be a mining State, alone will produce this year nearly 20,000,000 bushels of wheat, and Prof. Thomas Shaw, the agricultural expert of the Great Northern Railroad, says that the undeveloped lands of Montana will easily produce 400,000,000 bushels of wheat annually. The method of dry farming has revolutionized agricultural conditions in the West. The old dollar and a quarter sheep pasture of the bygone days is now the land that produces 30 to 40 bushels of hard wheat per acre.

I think it will be conceded that the average market price of wheat in the Northwest is 10 cents per bushel more on our side of the line than on the Canadian side.

The passage of this bill means that the wheat farmers of Montana will suffer a loss of $2,000,000 in the market price of this year's wheat crop alone.

The farmers of Montana alone will this year raise about 3,000,000 bushels of barley.

It is admitted by all that the market price of barley will average about 25 cents per bushel more on the American side of the line than on the Canadian side. The removal of the 30 cents per bushel duty on barley will this year cost the farmers of Montana not less than $750,000.

The inevitable result will be the tremendous development of the immense Canadian Northwest at the expense of our own people.

The inevitable result will be the general depreciation of our undeveloped farming lands and the same proportionate enhancement in value of the undeveloped farming lands of western Canada.

In anticipation of the passage of this bill the emigration into northwestern Canada is already being accentuated.

The belief that they will soon obtain free entrance into our market is already causing a boom in western Canadian lands. In this morning's Washington Herald I notice the following press dispatch, which tells the story of the inevitable result of the passage of this bill:

CHICAGO, *July 9.*

Hope for cheaper meats in the United States is held out by the rapid growth of the alfalfa-fed beef cattle and sheep industry in the western Provinces of Canada, attention to which has just been called by the arrival in that section of the advance guard of an invading army of Australian sheep growers. F. W. Fairbain, an Australian wool king, with headquarters in London, recently purchased 4,000 acres in Alberta for sheep-raising purposes. Mr. Fairbain is the largest grower of wool in the world, and his determination to have his son engage in the sheep industry in western Canada is taken as an indication that his future operations on a large scale will be on this continent.

Most people are of the honest belief that the proposed legislation is something new and untried, and say, "If it is not a success, we can repeal it." They do not know that we are merely repeating that which was heretofore tried and overwhelmingly repudiated as a total failure.

Mr. MARTINE of New Jersey. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from New Jersey?

Mr. DIXON. Certainly.

Mr. MARTINE of New Jersey. I wish the Senator would read the rest of the article that he refers to about the gentlemen about to purchase a tract of land in Canada. I think there is something that follows that which would read strongly in the interest of reciprocity or cheaper food.

Mr. DIXON. I will let the Senator——

Mr. MARTINE of New Jersey. That article goes on to say, if you will permit me——

Mr. DIXON. I do not yield to the Senator for a speech.

The VICE PRESIDENT. The Senator from Montana will not further yield.

Mr. DIXON. I yield for a question. But the Senator from New Jersey can use that article in his own speech.

Mr. MARTINE of New Jersey. I do not care to make a speech. I only desired to have the Senator read the article in full.

Mr. DIXON. The Senator can do that in his own time.

The VICE PRESIDENT. The Senator from Montana declines to yield further.

HISTORY OF RECIPROCITY.

Mr. DIXON. From 1816 to 1854 the United States Government was continually importuned to negotiate a reciprocity treaty with Canada. On account of her being compelled to seek a market for her exports, which consisted chiefly of the so-called raw products of the farm and the forests, Canada naturally sought an outlet in the markets of the United States.

In 1854 a reciprocity treaty was negotiated. It was to continue for 10 years with the right of termination upon 12 months' notice by either party. It was terminated in 1866 upon notice given by the United States 1 year before.

As the period of the natural existence of the treaty drew to an end, the British Minister at Washington, at the instance of Canada, made every effort to secure its prolongation. But on January 18, 1865, notice was given by the United States Government of its intention to abrogate the treaty on the ground "that it was no longer for the interest of the United States to continue the same in force," and all attempts at arranging a prolongation came to an end in February, 1866.

In this matter I would recall, for our present guidance, Patrick Henry's famous remark: "I have no lamp to guide my feet except the lamp of experience."

BLAINE'S RECIPROCITY.

In discussing the effects of the Canadian reciprocity treaty of 1854, Mr. Blaine, in his "Twenty Years of Congress," says:

The selection, as shown by the schedule, was made almost wholly to favor Canadian interests. There was scarcely a product on the list which could be exported from the United States to Canada without loss, while the great market of the United States was thrown open to Canada without tax or charge for nearly everything that she could produce and export. All her raw materials were admitted free. It had served its purpose admirably as a makeweight for Canada in acquiring the most generous and profitable market she had ever enjoyed for her products.

That was Mr. Blaine's testimony.

In 1875 Canada again, through the British minister at Washington, renewed negotiations for another "reciprocity treaty."

In discussing the agitation for a renewal of the former reciprocity treaty with Canada, Senator Morrill, of Vermont, on February 3, 1875, in this Chamber, said:

The abrogated reciprocity treaty with Great Britain, relating to her Canadian Dominion, having proven profitable to our northern neighbors and unprofitable to us, it is not wonderful that they should seek in some form an early renewal of its advantageous conditions, nor is it wonderful that we should scan fresh proposals from that quarter with disgust. The Dominion Government maintained during the last session of Congress a confidential embassy at Washington to manufacture or to create a public opinion at our capital through diligent diplomacy and diligent use of the public press in favor of a new reciprocity treaty.

While considering any new reciprocity proposals, the effect of the old treaty should be constantly borne in mind. Our exports to Canada in 1855 were $20,828,676, but in 12 years, under the operation of "reciprocity," or in 1866, they had fallen to $15,243,834, showing a positive decrease of over $5,000,000. Yet the exports of Canada to the United States during the same time, which were in 1855 only $12,182,314, had increased in 1866 to $46,199,470. When our treaty began, the balance of trade was $8,000,000 annually in our favor, and at the end the balance to be paid in specie was $30,000,000 in one year against us. That was reciprocity which can not be dwelt upon with composure or that we can afford to have repeated.

In the same speech in the Senate, Senator Morrill said:

Reciprocity, formerly a word of deceitful sweetness, has turned out a bitter-sweet, the smart from which leaves no relish for a second taste.

Continuing, he said:

True, the reciprocity treaty of 1854, pitilessly terminated, as it was, by congressional direction at the earliest practicable day, is still preserved, in spite of its repulsive memories, as a precedent; but a bad precedent, solitary and alone, stands only as a scarecrow in the field to prevent one of the gravest blunders in our diplomacy from being repeated.

Again, he said:

But consumers here would be only benefited by just the amount of injury inflicted upon our agricultural producers. Agriculturists have been want to encourage manufacturers, because that policy adds to the number of consumers of their products and correspondingly diminishes competitors among themselves.

I want the Senators from the manufacturing States of the East to pay special attention to Senator Morrill's words. They apply with special force to the present situation. He said:

But how long could farmers be expected to sustain a tariff upon manufactures if all their own products are to be exceptionally exposed to a northern blast of free trade? After such an exposure any harmonious policy as to a tariff even for revenue would be indefinitely foreclosed. Protection that does not protect farmers will not be long likely to protect anybody. Our farmers feel a profound interest in the Government they support, and they expect the Government to reciprocate that interest by more regard than is extended to the farmers of any other country, who have nothing at stake but the profits and loss of trade.

In 1892 the Dominion of Canada again sought to renew the provisions of the old treaty. But President Harrison, in his message to the Senate on June 20, 1892, said:

A reciprocity treaty limited to the exchange of natural products would have been such only in form. The benefits of such a treaty would have inured almost wholly to Canada. Previous experiments on this line had been unsatisfactory to this country. A treaty that should be reciprocal in fact and of mutual advantage must necessarily have embraced an important list of manufactured articles.

And so the matter rested until the present time, when the present treaty is presented covering practically the same articles produced on the farms and ranges as in the old treaty of 1854, but introducing the new item of "free print paper."

Mr. President, I will venture this assertion: If the 6,000,000 farmers of this country knew exactly the terms of this bill and were organized as the trades and professional men of this country are organized to look after matters of legislation affecting their interests, and through such organizations were here demanding that their business interests receive the same fair treatment that other business interests are accorded, I doubt if this misnamed reciprocity treaty would receive a half dozen votes on the floor of this Senate.

JAMES J. HILL.

I noticed in the daily papers the other day an interview with that great railroad magnate, James J. Hill, whose branch lines of railroad penetrate in a dozen places the great Canadian wheat fields and farms of western Canada, and whose railroad system will reap untold millions of dividends under Canadian reciprocity from the enormous tonnage they will haul from Canadian farms into our own market.

In the interview he strongly advocates this treaty. He denounces as "ghost dancers" the Senators and Congressmen who have tried to prevent this great injustice being perpetrated on the farmers of this country.

It is a "ghost dance," Mr. President, and like Banquo's ghost it will return to plague the interests that are forcing this one-sided tariff legislation into the political economy of this country.

I received a letter the other day from a farmer in the Gallatin Valley, out in Montana, the most fertile grain valley in the world, in which he refers to Mr. Hill's famous interview on "ghost dancers," which I want to read. It may be of interest to some of you:

BOZEMAN, MONT., *June 16, 1911.*

I see by press reports that the opposition to the so-called reciprocity agreement by the farmers is not real; that it is being fostered by the "lumber interests," etc. Anyone making any such statement either does so willfully or has taken no pains to correctly inform himself of the true feeling of the farmers. The farmers of this valley are practically a unit in opposition, and we do not need any "ghost dances" or "medicine men" to agitate us either, as Jim Hill has stated. We understand why we do not want it just as well as he understands why he does want it, and it is simply a matter of dollars and cents. Under no circumstances can we be benefited by it.

The report that opposition is dying is not true, as far as this part of the State is concerned; in fact, the opposition is stronger than it ever was. The farmer is the joke again, as usual. We are not free traders, but we will be with a little more legislation like that proposed.

Very respectfully,

———.

Mr. President, in conclusion I want to say I am a Republican and a protectionist. I have always believed that our great American market—the greatest in the world and the envy of the producers of all other countries—should be preserved for our own people, who live here, pay our taxes, support our Government, and who, in times of danger and trouble, shoulder their musket and give their lives in defense of its flag.

The manufacturers and the population of the cities, who earn their livelihood by trade and commerce that so largely depends upon manufacturers, are protected by tariff duties that are supposed to measure the difference in cost of labor at home and abroad. I have believed in that policy. Under it we have grown and prospered like no other nation on earth.

ABRAHAM LINCOLN.

I have believed that Abraham Lincoln was right when, in discussing the theory of a protective tariff, he said:

When we send a dollar abroad for the purchase of an article the other fellow has the dollar and we have the goods. When we buy the same article made here at home, we have the goods and the dollar also.

But, Mr. President, I am not for protection in spots. I am not for this new doctrine, "this banner with a strange device," that will protect the iron industries of Pennsylvania, the shoe factories of Massachusetts, and the cotton mills of Georgia, and at the same time force the dairy farmer of Iowa, the wheat farmer of Minnesota, and the rancher in Montana to sell his products in a "free-trade" market, while purchasing all his supplies in a "protected" market.

You shall not by my vote write this unequal, unjust, and inequitable measure into the statutes of this Nation.

The whole scheme is fundamentally wrong, and no sophistry or argument can make it right.

This misnamed reciprocity measure seeks to put the farmer in a class by himself, separate and apart from the rest of the citizenship of our common country.

You are attempting to put the farmer in a "Jim Crow" car all by himself, while the rest of the industrial classes continue to ride in "Pullmans."

Mr. President, we might as well understand now that if this class legislation in tariff matters is to become a law the whole system of tariff will have to be rewritten.

Temporarily you may command a majority vote in this Senate Chamber by the present alliance of the Democratic Senators and a minority of the Republican Senators from the manufacturing States of the East, but the combination can not stand. If it does, the protective tariff system can not stand.

The prophetic words of Lincoln, uttered in regard to slavery in 1858, well apply to the present situation. He said then: "This country can not endure half slave and half free." No system of tariff, whether levied for protection or revenue, can endure that protects the industries of the manufacturing States and does not equally protect the industries of the agricultural States.

We are writing political history with the final passage of this bill.

Its enactment means the presence of new and strange faces in this historic Chamber in the near future.

If we are to revise tariff duties "to reduce the cost of living," why not commence revising the cotton and steel and chemical and leather schedules along with the agricultural schedule which Canadian reciprocity alone affects?

Why start in by revising the one schedule that has carried the lowest duties and affecting agricultural products which can not be controlled by trusts or combines?

Mr. President, I am well aware of the misinformation that exists widespread as to what this so-called reciprocity bill really means. I well know the power of the daily newspapers to create public opinion when they are united in a common cause. I know the pressure that has been brought to bear on individual Senators to vote for this bill.

I well know that in my own State powerful influences have been at work to create public opinion favorable to its passage. But no matter what may be the result, I would rather keep the respect of my own conscience and cast my vote on the pending measure in accord with my own honest judgment, at whatever cost to my own political fortunes, than be a party to the perpetration of so unjust a measure to the farmers of my State in common with the rest of this great Nation.

Mr. CUMMINS and Mr. STONE addressed the Chair.

The VICE PRESIDENT. The Senator from Iowa.

Mr. CUMMINS. I rose simply for the purpose of reminding Senators of the particular effect of the division of my amendments. I do not care to do so now, if the Senator from Missouri desires to proceed.

Mr. STONE. Mr. President, I had intended this afternoon to take some time in answering one or two questions that have been asked by some of the opponents of this bill, and then to ask one or two questions myself. I wanted to answer the question why I favored this reciprocity bill and why I oppose amendments to it, even though the amendments on their merits might have the approval of my judgment. I desired to answer both those questions; and then I intended to ask the opponents of the measure pending, or at least those of them who really believe in the wisdom and necessity of tariff reductions—that is, believe, or say they believe, in lowering the duties now prescribed by our tariff law—why they stand, as I think they do, in the way of taking up and considering that kind of legislation? We now have on the calendar several tariff-reduction bills sent over to us from the House, and there are others on the way. I am curious to know why Senators who believe in the substantial propositions embodied in those measures stand in the way of considering them.

Mr. BAILEY. Mr. President, if the Senator will permit me to interrupt him, I will ask unanimous consent to vote on both those bills before we adjourn next Monday. Will the Senator yield to me for that request?

Mr. STONE. Mr. President, I do not yield for that.

The VICE PRESIDENT. The Senator from Missouri does not yield.

Mr. STONE. I do not yield to sidetrack or displace the bill now before the Senate with anything.

Mr. BAILEY. I will agree——

The VICE PRESIDENT. Does the Senator from Missouri yield further to the Senator from Texas?

Mr. STONE. Certainly.

Mr. BAILEY. I will stipulate that the agreement to vote on those two bills shall not in any way interfere with or displace the pending bill.

Mr. STONE. If the Senator from Texas will put his request for unanimous consent in this form, that we vote next Monday on the reciprocity bill and all amendments thereto during that legislative day, and on the following legislative day vote on the free-list bill, and on the following legislative day on the woolen schedule, I will join with him.

Mr. BAILEY. But the Senator complained that we were delaying the consideration of those two bills to reduce the tariff. I wanted to make it manifest to him and to the country that we were ready to consider and dispose of those bills without the least delay, and I will be glad to prefer a request for

unanimous consent to vote on them. If the Senator thinks Monday is too much delay, I will make it to-morrow or the next day or the next, so as to make it clear that we are not delaying the consideration of those bills.

Mr. STONE. Mr. President, the Senator from Texas is always so adroit that he embarrasses his antagonist. Of course this proposal of his, made in such well-rounded terms, puts me at some disadvantage, and yet I do not recede a hair's breadth from the proposition that Senators are delaying the consideration of the tariff bills. To my good friends on the other side of this question, or some of them—not all, because there are many who intend to vote against the reciprocity bill who later will not vote to reduce tariff duties, but my friend from Texas will vote to reduce tariff duties and my friend from Wisconsin [Mr. LA FOLLETTE] has expressed himself in most eloquent and emphatic terms over again against the existing duties—to these and Senators like them I say that they are standing in the way, because they know and they admit—if not the two I have named, then others with whom they are acting have admitted more than once on the floor of the Senate—that they did not expect that the reciprocity bill would be postponed, sidetracked, or displaced, and that they expected it would pass the Senate without amendment, as it came from the House. That is their opinion, and there is not a Senator on that side who will express a contrary opinion, and the votes already taken justify that opinion. And yet, knowing this as they do, they come and offer amendment after amendment, with the certainty that the amendments will not be agreed to; and they debate them for hours and days and weeks. Whatever their purpose—and I do not impugn their motives or the sincerity of their course—the result is to postpone and imperil the consideration and passage of the tariff bills.

Mr. President, it is frightfully hot here this afternoon, and it is now nearly half past 4, and we have agreed to vote on the amendments offered by the Senator from Iowa [Mr. CUMMINS] and those offered by the Senator from North Carolina [Mr. SIMMONS] to-day. I have concluded under the circumstances that I would postpone for to-day what I intended to say, believing that we will make greater progress and do better work if I do not occupy the time of the Senate by a speech which I can make to-morrow or the next day or the next. In other words, I am more anxious to vote than I am to speak. So I have determined not to enter to-day upon the discussion I have outlined or indicated. I would rather vote.

Before I sit down, however, I do want to notice one or two things entirely outside of what I had intended to say in the speech it was my purpose to deliver this afternoon.

My distinguished friend, the able junior Senator from Texas [Mr. BAILEY] made a remark to-day while the Senator from North Carolina [Mr. SIMMONS] occupied the floor that I attempted at the time to reply to, but others were recognized and I let it pass. Although it is now a little out of order, and although it is not of very great importance, I will recur to it simply that the truth of the situation, as I think it to be, may appear in the RECORD.

My friend from Texas remarked at some point during the speech of the Senator from North Carolina that the proposition now before the Senate proposed, among other things, to take the duty off wheat and make it free, when wheat was affording an annual revenue of $38,000 or more to the Treasury; that we were collecting that amount on wheat imported from Canada; that we proposed to wipe that out, and at the same time to continue a duty on lumber and timber in different forms, which the Senator correctly said produced a less aggregate of revenue than wheat. I think the Senator said less than half.

Mr. President, my friend makes a statement of fact, and upon that he predicates in a sentence or two an argument. I think the fact is not quite correctly stated, and if that be true, then the argument falls. So, if the argument be anything of moment, if it be worth anything, it falls, and it falls whether it is worth anything or not. It is true that during the last fiscal year the amount paid to the collectors of revenue of customs duties on Canadian imports of wheat was about $38,000—something over that—but, Mr. President, not a penny of it ever went permanently into the Treasury of the United States; not a penny of it was ever absorbed in the general funds of the Treasury; but every dollar of it, except the 1 per cent intended to cover the expense account, was remitted or returned, because the wheat was imported in bond.

Mr. BAILEY. They do not pay on wheat imported in bond.

Mr. STONE. Well, the duty was remitted.

Mr. BAILEY. Will the Senator permit me to interrupt him?

The PRESIDING OFFICER (Mr. DIXON in the chair). Does the Senator from Missouri yield to the Senator from Texas?

Mr. STONE. Yes. I will say, however, to the Senator from Texas that the wheat was reexported.

Mr. BAILEY. That is a very different thing.

Mr. STONE. The effect is the same. I am not so happy in my expressions as is the Senator from Texas, and I am glad to have him call me down when I make a mistake.

Mr. BAILEY. The Senator from Missouri is always accurate when he understands his subject, but the trouble in this case was that he did not have his facts exactly right.

Mr. President, while I am on my feet I want to ask the Senator from Missouri where he ascertained that this 99 per cent of the collections on wheat was returned in the shape of drawbacks? If that is true, I have been incorrectly advised. I do not find any statement to that effect.

Mr. STONE. I have examined this document sent here by the President of the United States, showing the imports of wheat for the year ending June 30, 1910, showing the rate of duty levied and collected upon it; the number of bushels, 152,383; the value of it, $135,441; the customs duties levied, $38,096; and the amount of duties remitted by the United States, $38,096.

Mr. BAILEY. That states what we remit by this agreement and not what was paid out of the Treasury in the shape of drawbacks. If the Senator will examine that same column as to every article that is placed upon the free list, there is a statement of the amount of duty remitted.

Mr. STONE. I understand that.

Mr. BAILEY. But that has reference to remissions under this agreement and not under the drawback provisions of the present law.

Mr. STONE. I understand that thoroughly, but I also understand the fact to be that as to the wheat imported into this country from Canada for the mills at Minneapolis and elsewhere and ground into flour there and shipped abroad, the duties paid upon that were remitted or returned.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from North Dakota?

Mr. STONE. I do.

Mr. GRONNA. Mr. President, is it not true that when wheat is shipped in bond the bond is given and the duty is not paid at all, excepting 1 per cent?

Mr. STONE. Oh, well, that shipped in bond simply passes through, but if it is shipped in here and ground and shipped out again——

Mr. GRONNA. I think the Senator will find that every dollar that has been set forth in the document accompanying this reciprocity agreement has been paid into the Treasury of the United States, not on the wheat that has been shipped in bond, but on the wheat that has been imported into the United States and has been consumed in the United States.

Mr. STONE. Mr. President——

Mr. BAILEY. If the Senator will permit me, let us get this right. I assume we all want to do that.

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Texas?

Mr. STONE. Yes; I yield.

Mr. BAILEY. Of course, Mr. President, if it is true that the Government paid out in drawbacks 99 per cent of what it collected on imported wheat, the document that the President sends to us would be misleading, and that the Senator from Missouri is mistaken in so assuming I think will appear by an examination of the very table which he has read, because I think he will find that the amount of duties remitted in that last table is identically the same as the amount of duties collected—not 99 per cent of it, but the full 100 per cent. If the Senator will further examine the statistics he will find that from all countries we imported something like 800,000 bushels of wheat, and that our total export of foreign imports was less than 150,000 bushels.

Mr. STONE. Can the Senator tell the Senate how much of the $38,000 of duty—which is a small and insignificant item in itself—remained in the Treasury of the United States?

Mr. BAILEY. The whole of it, according to the official document.

Mr. STONE. I do not think so.

Mr. BAILEY. If the Senator would let me see that document just a moment——

Mr. STONE. Yes; the Senator can have it.

Mr. BAILEY. I think it will show what I have said, that the total remission is the full collection. Here it is. The Senator has marked it, and it is exactly as I supposed it to be. The total collections were $38,096; the duties to be remitted are $38,096.

Mr. STONE. Will the Senator, I ask again, inform the Senate, in his opinion, whether the whole of that money was left in the Treasury?

Mr. BAILEY. Undoubtedly, according to that. The only statement I have ever seen—the Senator from Kansas [Mr. CURTIS] is now examining the documents to see if he can find the exports divided as to countries—the only statement I have ever seen is the total of imported wheat and the total export of the imported wheat. We reexported, I will say, something like 20 per cent; but we could not remit this $38,096 unless we actually collected it and retained it.

Mr. STONE. Well, Mr. President, I wanted to make that statement, which I think is a correct one; but now I will pass to the other subject in an equally brief manner, for I do not want to consume time, and see if my friend from Texas will join issue on this as he did on the other. During the speech of the Senator from North Carolina [Mr. SIMMONS] the Senator from Texas made this observation:

> In order that the record may be complete and in order that the Senate and the country may understand with what great care this plank in the platform was drawn, I desire to incorporate in the RECORD the statement that when they commanded us immediately to put logs on the free list logs were then on the free list and had been for more than 20 years.

The particular clause of the platform referred to is in this language:

> We demand the immediate repeal of the tariff on wood pulp, print paper, lumber, timber, and logs, and that those articles be placed upon the free list.

Mr. President, during the debate on the Payne-Aldrich bill the Senator from Texas made a statement similar to the one I have just read. He and I had some little colloquy about it at that time, and I was a little surprised this morning that the Senator from Texas raised that question again. I thought he had been satisfied that he was wrong. Not often, and not without difficulty, can my friend be satisfied that he is wrong, but I did think that I had once even accomplished that; but it seems I did not do so.

Mr. President, the Denver convention was composed of capable and representative men, chosen from the different States. What my friend said here to-day, and said on a former occasion, impeaches the capacity of the committee on platform and of the convention, which agreed unanimously to the platform, to act with an intelligent comprehension of what they were attempting to do.

The committee on platform at Denver was composed of several Senators, Members of this body; some Members of the House of Representatives; governors and ex-governors; judges and ex-judges of high courts; and other prominent, influential, and intelligent men. Among them was our candidate for President in 1904, Alton B. Parker, who that year led our forces unhappily to defeat. I think, Mr. President—and I wish that matter settled permanently and finally—the gentlemen constituting that platform committee and those who composed the convention did know what they were doing. They were not acting ignorantly.

It is a fact that logs in the rough were then, as they are now, admitted free of duty; but there are other kinds of logs than those in the rough. The Senator's criticism hinges around logs, and nothing but logs. If a log with the bark on it undisturbed is brought in, it will come free; but if it is hewn on one side, if labor has been expended upon it in sawing or in hewing—that is the language of the statute—it will be subject to a duty. There might be loaded upon a car and shipped in a log 20 feet or more in length and of any diameter you please upon which human labor has been in some slight degree expended, it may be merely in hewing the sides of it for some reason, perhaps for convenience of shipping, or where some little sawing had been done upon it—that would be subject to duty. But it is a log, and the idea of the convention was to put logs of all kinds upon the free list.

Mr. President, my friend, the Senator from North Carolina [Mr. SIMMONS], who addressed the Senate this afternoon, was one of the most influential members of the committee on platform at the Denver convention. He was not only a member of the convention, but he was a member of the platform committee. My distinguished friend, the Senator from Texas [Mr. BAILEY], was not at the convention. He had been, as I recall, elected a delegate to the convention, but for some reason did not attend, and therefore we were deprived of his wide knowledge, experience, and advice.

Mr. BAILEY. I was sick.

Mr. STONE. We had to do the best we could under the circumstances, and with Judge Parker on the committee, who but recently had been our candidate for President, a distinguished lawyer and jurist and a great Democrat, and with several Members of this body and several Members of the House of Representatives, who had taken part in the passage of tariff laws more than once, on the committee, this clause was written into the platform, and properly written into the platform. So I wish again to enter my respectful protest, with all due deference to the weighty judgment of my friend the Senator from Texas that the platform was not absurd, was not ludicrous, and was not written in ignorance.

I think that is all I care to say, for I think that is enough.

Mr. BAILEY. Mr. President, it will take more than that to prove that the Senator from Texas is wrong in this instance. The Senator from Missouri is mistaken when he assumes that in any part of the dutiable list touching lumber logs are mentioned as being logs only so long as they are not beyond a certain state. I have been going hurriedly over the act itself, and, without having been able to read every line of it, I venture here to declare that the word "log" does not appear in the dutiable section of the act.

Mr. STONE. It does not, I think.

Mr. BAILEY. Then the Senator's suggestion that logs, if manufactured beyond a certain point, were not logs within the meaning of the law hardly excuses that mistake.

I was, as the Senator has said, duly chosen a delegate to that convention, and while I hardly think these personal statements worth a place in the RECORD, since he has seen fit to call attention to the fact that I was not there, I will probably be permitted to state here the fact that I was lying at the point of death when that convention was in session, and that explains my absence.

The platform uses the word "logs," and the only place in the tariff act then in existence where the word "log" is used is in the free list; and surely if the convention or the committee did not conform its declaration to the state of the law, that is a fair ground for criticizing it for want of due deliberation.

Now, I did not mean to criticize the committee, because I have always understood—I do not state this as a matter within my own knowledge—that this plank was furnished to the committee on platform and adopted by it, and not drawn by it. The Senator from Missouri, I believe, was a member of that committee, and the zeal with which he has since defended that plank would lead me to suppose that if any member of the committee was responsible for it the Senator from Missouri had a part in framing it.

Mr. STONE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Missouri?

Mr. BAILEY. I do.

Mr. STONE. I had only this part in framing it, that I was a member of the platform committee. I do not at this moment recall just how that particular plank or paragraph of the platform came before the committee.

Now, I am perfectly willing to say to the Senator from Texas—there is no reason why I should not—that some suggestions—am I interrupting?

Mr. BAILEY. Oh, no; go on.

Mr. STONE. That some suggestions on several of the more important questions pending were made in writing and brought to the convention and laid before the committee.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Idaho?

Mr. BAILEY. Now, you keep out. This is a Democratic affair.

Mr. STONE. They were brought to the committee and laid before the committee by a friend and fellow townsman of Mr. Bryan, who was nominated by the convention, and whom everybody knew would be nominated by the convention even before the convention met.

These suggestions came, as I said, from Mr. Bryan. Now, this particular paragraph may have been among those suggestions. I do not recall whether that is so. I myself had no conference or consultation with Mr. Bryan about it previous to the convention or after it, or at any time.

I will say also that Judge Parker laid before this platform committee, of which he was a member, a tentative draft of a platform, I think more extended and more in detail than the one that Mayor Brown, of Lincoln, brought in the way of suggestion from Mr. Bryan, and my friend the Senator from Nevada [Mr. NEWLANDS] also made some suggestions, and other members of the committee had planks, propositions, and resolutions.

That committee, I will say to my friend, was in session, I think, exceeding 48 hours—almost two days and nights—until

the convention became impatient. We did not accept the mere deliverance of any man. We took what all had to say, and out of it all this platform, whether wise or unwise, was evolved.

I am only sorry, very sorry, that the illness of the Senator from Texas kept him from participating in the important work of making that platform. If he had been there, it is possible that the word "logs," under his rather hypercritical and ever-discriminating advice, might have been left out; but if so, we would still have been uncertain whether a log 20 or 30 feet long, that had the bark chipped off one side only, might or might not have been subject to duty.

I am very sorry the Senator from Texas could not have been there, but we did the best we could under the circumstances.

Mr. BAILEY. If I had attended that convention, I have a very well-defined idea that the platform would at least have read according to language of the law, and that we would not have demanded that a thing already on the free list should be immediately placed on it. I am perfectly sure that if any member of the committee had called attention to the fact that logs were on the free list—and that was not only true of the act of 1897, which was then the law, but it was true of the act of 1894, as it was of the act of 1890—that mistake would have been avoided.

Free logs is one of the bad examples of free raw material. The sturdy man who goes into the forest with an ax or a saw, on both of which he pays a duty, and cuts down the trees, is given no duty for his labor; but the moment that log is touched with a piece of machinery, by some magic change, under the law as it has stood for many years, it becomes entitled to a duty. I do not subscribe, sir, to that tariff philosophy, and probably it was my opposition to it which called my attention to a circumstance which might otherwise have escaped me, as it did the members of that committee on platform.

But, Mr. President, I will say to the Senator from Missouri that if I had been at that convention we would not have stopped with correcting the mistake as to logs. We would have eliminated the balance of that declaration from that platform, or else we would have had a contest over the motion to do so.

Sir, there were then 4,000 articles subject to a duty, and those 4,000 articles included all, or practically all, of the prime necessities of life, the duty on many of them exceeding 50 per cent and the duty on some exceeding 100 per cent; and as long as the law thus stood I would never have consented to select from those 4,000 dutiable articles, embracing every necessity of life, the four articles of wood pulp, print paper, lumber, and logs.

Sir, the duty of $2 per thousand then levied on lumber was only 12 per cent, and that small duty yielded to the Public Treasury more than $1,700,000 per annum, while the duty on cheap blankets was 180 per cent and yielded to the Public Treasury less than $180 per annum. The duty on the wool hats that men of moderate circumstances must buy was then, as it is now, more than 70 per cent, and yet it yielded to the Public Treasury less than a tenth of what lumber yielded at the moderate rate of 12 per cent.

Wood pulp and print paper bore a duty far below the average which the Senator from Missouri and I can ever hope to impose upon the imports to this country. For if you give us the power—and that we will be given the power if we behave ourselves with a moderate degree of common sense now seems certain—but when we have the power and we sit down at the table to frame a tariff bill, neither he nor I will be able to make its average rates as low as the duties on wood pulp and print paper were then. Wood pulp and print paper, sir, are used by two very small and very prosperous classes. Wood pulp is the raw material of the paper manufacturer, and we have it upon the authority of men whose testimony has not been impeached that the paper manufacturers are not only organized into a trust, but a greedy and a prosperous one. And yet will you tell me that this greedy and prosperous trust should have the small duty on the raw material remitted while the working men and women of this country are paying an average duty of 95 per cent upon their woolen goods?

Oh, no, Mr. President; no such proposition as that could have ever passed unchallenged in a body of which I was a member. The print paper is manufactured, as I say, by a trust; and if they are not a trust, how many paper manufacturers are there in this land? The number is so small that, according to all the testimony of those who patronize them, there is no substantial competition between them. Shall you remit the duty on wood pulp, and thus take from the public Treasury a million dollars toward the public expenses to save that moderate tax to these few rich and greedy paper manufacturers?

Mr. President, the case is no stronger in favor of free print paper. The representative of the American Newspaper Publishers appeared before the Committee on Finance while it held its hearings, and testified that this present duty of 10 per cent cost the newspaper publishers of the country $6,000,000 annually, and he claimed that a repeal of the duty would reduce the expense of printing these newspapers $6,000,000. He stated that there is one publisher in this country—the man who publishes the Hearst newspaper—uses one-tenth of this print paper, and therefore he would save $600,000 by the repeal of this duty.

Yet with an enormous tax upon the bread and meat, upon the shoes, hats, and clothing of the American people who must work for their daily bread, will you tell me why that tax is left on them while we repeal a 10 per cent tax upon a small and prosperous class? No, sir; the Senator from Missouri may well have said that had I been there there would have been a contest over that plank in our platform.

Mr. President, I was taught to believe that genuine Democracy looks to the millions and to their relief rather than to the hundreds who need no relief. It does not array class against class; it does not encourage the rich to oppress the poor, nor teach the poor to envy the rich. It enjoins upon every man to respect the rights of others. Its creed is justice to all men, but if it can do benevolence to some without doing injustice to any, it will bestow its favors, not upon those whose abundance gives them luxury and ease, but upon those whose hard estate condemns them to a never-ending toil, for its great mission in this world was and is—

> To lift some portion of that weight and care
> Which crushes into dumb despair
> One half of the human race.

And neither here nor elsewhere will I ever consent to repeal a 10 per cent tax upon a small, rich, and prosperous class while leaving a tax which averages more than 40 per cent upon the clothes, which for the sake of health, of comfort, and of decency, the poor are compelled to buy.

Mr. CUMMINS. Mr. President, I do not rise to further discuss the pending question, but only to remind Senators of its scope. It is sufficient to say that the division of the amendment upon which we are about to vote transfers flour and all the manufactured products of cereals from the reciprocal dutiable list in this arrangement to the free list, so far as the United States is concerned.

I yield to a temptation that is somewhat difficult to resist only sufficiently to say to the Senator from Ohio [Mr. BURTON] that he is quite in error in assuming that these amendments or this particular amendment is a rider to the reciprocity measure. He asked on Saturday—and he asked in a triumphant way, as though it were difficult of answer—why we had not courage enough to bring forward a bill for free flour, and not attach it as a rider to the reciprocity arrangement.

We have been told over and over again from the other side of the Chamber, and it has been assented to upon this side of the Chamber, that we have no chance now to secure free flour; that there is no opportunity at the present time, unless it is made a part of this bill, to give the people of the country free flour, free oatmeal, or free products of any sort coming from the farmers' cereals. If we do not transfer these articles from the reciprocal dutiable list to the free list, whatever advantage is to arise to the American people from free flour and free manufactured products of this sort must be indefinitely postponed.

Mr. WILLIAMS. Mr. President——

Mr. CUMMINS. I do not mean to say that this advantage will never accrue to them. I only say that the time at which they may enjoy relief from taxation is indefinitely in the future.

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Mississippi?

Mr. CUMMINS. I do.

Mr. WILLIAMS. I understood the Senator from Iowa to say a moment ago that we could not get free flour and free oatmeal and free meal from Canada. Does the Senator mean by that that we can not pass a bill at this time for that purpose?

Mr. CUMMINS. I mean by that precisely what the Senator from Mississippi has declared over and over again, namely, that if free flour and other provisions of the tariff are incorporated into independent measures and pass the Congress of the United States they may not receive the approval of the President of the United States. I do not know whether they would or would not be approved, but it has been so asserted over and over again until we are proceeding upon the hypothesis that they would not be so approved.

Mr. WILLIAMS. I asked my question for the purpose of getting information. If the Senator from Iowa believes that the legislation would be killed by being vetoed, then the Senator from Iowa can not hope that the same legislation ingrafted upon this bill would meet with any other fate. But if the

Senator from Iowa entertains any doubt about the question as to whether a bill for free flour and free oatmeal and free meal and free dressed meat can pass this body or the body at the other end of the Capitol—I take it that there is no doubt about the latter—and then run the risk of a veto at the other end of the Avenue, I think I can assure him that if he can get as many as 7 votes from that side in favor of a bill to that effect as an original proposition we can furnish him with the balance on this side. We have to speculate upon a veto, it is true, but if we tack the two measures together we involve two things that we want in the speculation, and if we keep them separate we involve but one.

Mr. CUMMINS. The Senator from Mississippi, it seems to me, is guilty of a rare offense upon his part—bad reasoning, bad logic. There is just one thing of which we are absolutely sure, and it is the only thing of which we are sure so far as free flour is concerned, that if we transfer it in this arrangement from the reciprocal dutiable list to the free list, then it will become a law. No man dare assert that he has any doubt that that change in this measure will incur the Executive disapproval. I do not believe that any man dare say that or dare think that, having due respect for the wisdom and the patriotism of our Chief Executive.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Mississippi?

Mr. CUMMINS. I do.

Mr. WILLIAMS. With due respect to the wisdom and to the patriotism of the Chief Executive, but with possibly not as much respect as the Senator from Iowa would have me entertain for his early Federalistic, Republican, and protectionist education and training, I have my doubts, and it is because I have them that I do not want to involve Canadian reciprocity in the speculation.

Mr. CUMMINS. Mr. President, one can not question, of course, the sincerity of the statement just made by the Senator from Mississippi. I am bound to respect it as being his real conviction. But it can not be the conviction of the great body of the Members of the Senate. We are here making a proposal to Canada, and it is for the Senate to make just the proposal that it thinks it is wise to make, having in view the welfare of our people. It is not a change that will imperil the arrangement in Canada; it will add to its attractiveness there; and it must, as it seems to me, meet the conscience and the approval of the people here.

But, Mr. President, I have already discussed this question at very great length and I will not pursue it further. I understand that the yeas and nays have been ordered upon the amendment.

The VICE PRESIDENT. They have been ordered.

Mr. CUMMINS. I can simply remind Senators that the scope of this division is the transfer of flour and other such manufactured products from the dutiable list to the free list.

Mr. SMITH of Michigan. Mr. President, I was not here on Saturday when the amendment of the Senator from Iowa [Mr. CUMMINS] was voted upon. Had I been here, I should have voted against the amendment, and I propose to vote against the amendment now presented. Under no circumstances or condition am I going to join the low-tariff and free-trade raiders in an attempt to reform all the protection there is left out of the tariff in a haphazard and unskillful and undesirable way by these popgun political amendments.

I had some small and modest part in the formation of the Dingley bill. I heard prophecies most dire from our Democratic friends, some of whom I now see on the other side of the Chamber, that if we enacted the Dingley bill into law we would be unable to do any business with Europe.

The Bureau of Statistics report that the domestic exports from the United States to foreign countries for the present fiscal year ending June 30 amount to more than $2,000,000,000, the highest figure ever attained in the history of this Republic. I am well aware of the importance of our foreign trade. I have not been unmindful of its benefit to American labor.

Our foreign commerce will for the present year amount to more than $100 a second, $400,000 an hour, $4,000,000 a day for every day in the year, aggregating more than $2,000,000,000. It is a large sum; it is a desirable trade. Senators who were then Members of the House of Representatives, some of whom are within sound of my voice, have declared over and over again that that trade would be lost if we erected a tariff barrier around our territory.

Mr. President, it is a pleasure and a satisfaction to all of our countrymen to feel that the genius of our labor finds expression in such a high form that the people of every land pay tribute to it. But, sir, large as is our foreign commerce, important as it always has been, it is but a drop in the ocean of trade compared with that domestic commerce which our policy of protection has fostered and developed.

I desire to give special emphasis for a moment to the strength and value of that far greater commerce which does not bulk at the seaport, but can be seen in every hour of the day as it passes along the turnpike from the farm to the city or is whirled through space over the commercial highways of our country, extending through the States and Territories of the Union, giving employment to millions of skilled fingers and bringing cheer and happiness and luxury to the modest home of the artisan, the farmer, and the mechanic, amounting this very year to the almost incomprehensible sum of over $100,000 per minute, $6,000,000 per hour, over $140,000,000 a day, and amounting this year to more than $25,000,000,000. That is the market which permits the manufacturer to put an addition upon his factory. That is the market which urges the farmer to reclaim the waste land.

Mr. NELSON. Mr. President, will the Senator from Michigan yield to me?

Mr. SMITH of Michigan. In just a moment. That is the market that makes our country independent of the world. That is the market that dignifies American labor. That is the market that insures the stable wage. That is the market which lights the home with happiness and fills it with good cheer.

Mr. President, in this half-hearted and desultory attack on our historic policy, conceived in anger and cast in a spirit of revenge, I do not propose to soil my hands by tearing down the wall built with practical unanimity by the Republican Party and whose fruits are visible on every hand as the result of sound economic wisdom.

Mr. President, there is not a country on the face of the globe to-day that is prosperous that has not emulated the American example and followed our policy and adopted our principles of protection. Even Canada, that has entered so largely into the political discussions of our affairs for the last few weeks, has a protective tariff policy equal to and in many respects higher than our own.

If steel rails were selling upon the Pittsburg market to-day for $28 a ton, and Mr. Gary should conceive it to be to the advantage of the Steel Co., rather than let the men out of the factory and keep his mills idle, to offer those surplus rails to the Montreal market at $20 a ton, the purchaser under that arrangement in Canada would be called upon by the Canadian Government to make good that $8 before he could be permitted to use the products of the American mill. With a jealousy that we may well emulate Canada protects her domestic market from foreign inundation, while we are battering down the wall of protection to-day in the interest of a mere fiction. Who is to say that even the advantage claimed for the newspaper owners will not fail? Does anybody imagine that free print paper is to come into this market cheaper than it can now be purchased here? I think not. Some of our mills may be closed but the owners will maintain the American price. A representative of one of the biggest paper mills in Canada called upon an important Michigan newspaper man within two weeks, and asked if he could do business with him. "Certainly," said the publisher, "but you will give us the benefit of the reduction of duty?" "No," said the Canadian, "I can not give you that benefit." "Well, you will give us one-half the reduction?" "No; I can not give you one-half." "You will give us one-third the reduction?" "No; I can not give you one-third. If Canadian reciprocity passes and the American duty is removed, we expect to market our product in your country at the American price." I think the newspaper publisher who waits to get cheaper paper from Canada will get a well-rounded, splendid-proportioned gold brick, and he deserves to get it for seeking such an unfair advantage at the expense of other lines of industry not as prosperous as his own.

For my part I do not propose by my vote to undertake to raze this tariff wall that means so much to our countrymen and to our country. I do not propose to identify myself with men who have never been in full sympathy with our protective policy. I want the wheels of American industry to turn; I want the light of American furnaces to shine; I want a domestic policy that has always made us prosperous.

The manufacturer or the tradesman who has no present market for his staples may store them for another month or year, but the laborer can not store his wares. His wares are the muscles of his strong right arm; his capital is his time; and he must sell it on the instant or never sell it at all. The old saying that the mill will never grind with the water that has passed must be cut from the list of aphorisms, for the wonderful progress of electrical science has enabled us to stand by the side of the cataract, gather the power of the falling water, store

that power in the cells of the dynamo, send it across the ocean, and a year later turn a wheel with the force thus appropriated and preserved; but neither God nor man can stay the course of time. Time stands for the dial of the universe, and as the minutes are ticked off he gives them to those who grasp them. Our policy creates the opportunity to thus profitably use the passing minutes, and the enviable status of the American laboring man is the honest tribute to our wisdom and our fidelity.

Labor is so helpless it is the first to feel the effect of a reduction of value and the last to get the benefit of an inflation. A lower tariff will flood this market with imported goods, and down will fall the price of labor, as falls the mercury in a winter's morning.

Mr. President, I shall do nothing that will in any way impair the harmony and the effectiveness and the strength and the resistance of the wall of protection. I shall not do it in anger, and I shall not do it in a spirit of compromise or good will. I am for the American policy, which has made our country great and which is making every country great which has adopted it. I am for the American policy and opposed to free trade in whole or in spots, and if I ever vote to tear down this wall it will be when I am fully convinced that it does not subserve a useful purpose to my countrymen, and not in a spirit of political advantage or political revenge.

Therefore, Mr. President, had I been here on Saturday last I should have voted against the amendment then pending, and to-day I shall cast my vote against similar amendments and against every raid which is unfairly made against this principle—a principle which has put into the savings banks of our country more money than was ever put into banks by the people of any land. The 8,000,000 people of the State of New York alone have more money in such savings to their credit than there is in savings among the 44,000,000 people composing the British Empire. When you ask me to change that prosperous condition for one of doubt and anxiety and failure, I question your wisdom and will follow the inclinations of my own heart and the promptings of my own judgment.

Mr. THORNTON. Mr. President, on last Saturday, when the vote was taken on the amendment offered by the Senator from Iowa [Mr. CUMMINS] to the bill, I voted in favor of the amendment. I did so because I thought it was meritorious and calculated for the benefit of the consumers of the country; and I think so still just as much as I did then; but the majority against the amendment was so large—and would have been larger if there had been a greater attendance of the Senate on that occasion—that I became convinced of the utter futility of attempting to ask the adoption of any amendment whatever to the Canadian reciprocity bill. I then determined that I should not vote at all on any further amendments to that bill. I would not be willing to vote against any that I thought were proper and meritorious, but I can not bring my consent to vote for them and be acting what I consider a part in a comedy.

I beg to assure the Senator from Iowa [Mr. CUMMINS] and the Senator from North Carolina [Mr. SIMMONS] that I am very far from meaning by this remark that their action in offering the amendments they have offered and trying to the best of their ability to support them before the Senate is a comedy to them—and this will apply to all other Senators who may hereafter wish to offer amendments. On the contrary, I assume that they consider it their duty to offer the amendments and to speak in their favor. I know that they are better judges of their duty than I am, and I believe they are better judges of their duty in these matters than any other Senator in this Chamber.

Therefore, for reasons that I have stated, I shall not vote hereafter on any amendment offered to the bill, with two exceptions. It is possible that the Democratic free-list bill may be offered as an amendment. If so, I shall consider it my duty to vote for it, with the full knowledge that it will be voted down by the Democratic Members of the Senate for reasons sufficient unto them; and I will vote for it also when it comes again before the Senate as an independent measure, with the full knowledge, which every other Senator here also has, that it will never become a law.

Another exception is this: It may be that some Senator may wish to offer amendments retaining the present duty or at least some duty on agricultural products of this country which this bill puts on the free list, and, as my whole opposition to it is on account of the fact that it takes the duty off of agricultural products without reducing the duties on manufactured products, I shall wish to go on record as voting for such an amendment, although with the full knowledge that it will share the fate of all other amendments.

I wish to make this statement in advance of the vote in order that my position may be understood and that no one will ever be able to say when I did not vote that I refrained from doing so because I wished to dodge any vote on any amendment; for while I have the honor to be a Member of the Senate I shall strive very hard never to give occasion to anyone to say that I have dodged any question that may come before it for consideration.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Iowa [Mr. CUMMINS].

Mr. BACON. Mr. President, without asking for the reading of the amendment, I simply request that the nature of the amendment may be briefly stated.

The VICE PRESIDENT. The amendment is to strike out all that part of the pending bill beginning with the word "tomatoes," on page 3 of the reprint, down to and including the words "cherry juice, and so forth, ad valorem," on page 4 of the reprint, and to insert all of the items on page 18 under the free list. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. BACON (when his name was called). I have a general pair with the senior Senator from Maine [Mr. FRYE]. I had intended under his authority to transfer that pair to my colleague [Mr. TERRELL], who is now necessarily absent. I am informed, however, by the political colleagues of the Senator from Maine that if he were present he would vote in the same way that I would vote and that my colleague would vote. Therefore I am unable to carry out the purpose to make any pair, and I am also free to vote by that fact, and I vote "nay."

Mr. GALLINGER (when his name was called). I have a pair with the junior Senator from Arkansas [Mr. DAVIS]. I transfer that pair to the junior Senator from Illinois [Mr. LORIMER] and vote. I vote "nay."

Mr. GUGGENHEIM (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. PAYNTER], who is unavoidably detained. I therefore withhold my vote.

Mr. TAYLOR (when Mr. LEA's name was called). My colleague [Mr. LEA] is absent from the city on account of illness. He is paired with the senior Senator from South Dakota [Mr. GAMBLE].

Mr. McCUMBER (when his name was called). I have a pair with the senior Senator from Mississippi [Mr. PERCY]. I therefore withhold my vote. I understand if the Senator from Mississippi were present, he would vote "nay." If at liberty, I should vote "yea."

Mr. DU PONT (when Mr. RICHARDSON's name was called). My colleague [Mr. RICHARDSON] is absent from the city. If he were present, he would vote "nay."

Mr. SMITH of South Carolina (when his name was called). I have a general pair with the junior Senator from Delaware [Mr. RICHARDSON]. I am informed that he would, if present, vote as I intend to vote, and therefore I will vote. I vote "nay."

Mr. SUTHERLAND (when his name was called). I have a general pair with the senior Senator from Maryland [Mr. RAYNER]. In his absence I withhold my vote.

Mr. TAYLOR (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. BRADLEY]; but I am informed that he would vote "nay" if he were present, and therefore I feel at liberty to vote. I vote "nay."

Mr. BACON (when Mr. TERRELL's name was called). Supplemental to the statement which I have already made, which explains the reason why my colleague is not paired, I simply wish to announce that, if he were present, my colleague would vote "nay."

The roll call was concluded.

Mr. BACON. I am requested to announce that the Senator from New York [Mr. O'GORMAN] is paired with the Senator from South Dakota [Mr. CRAWFORD]. If the Senator from New York were present, he would vote "nay," while the Senator from South Dakota would vote "yea."

Mr. SIMMONS. The Senator from Arkansas [Mr. CLARKE] is paired with the Senator from Wisconsin [Mr. STEPHENSON]. If the Senator from Arkansas were present, he would vote "yea" on this amendment.

Mr. PAGE. My colleague [Mr. DILLINGHAM] is absent from the city. He is paired with the senior Senator from South Carolina [Mr. TILLMAN].

The result was announced—yeas 14, nays 52, as follows:

YEAS—14.

Bailey	Clapp	Gronna	Simmons
Borah	Clark, Wyo.	Kenyon	Warren
Bourne	Cummins	La Follette	
Bristow	Dixon	Nelson	

NAYS—52.

Bacon	Fletcher	Martin, Va.	Root
Brandegee	Foster	Martine, N. J.	Shively
Briggs	Gallinger	Myers	Smith, Mich.
Brown	Gore	Nixon	Smith, S. C.
Bryan	Heyburn	Oliver	Smoot
Burnham	Hitchcock	Overman	Stone
Burton	Johnson, Me.	Owen	Swanson
Chamberlain	Johnston, Ala.	Page	Taylor
Chilton	Jones	Penrose	Townsend
Crane	Kern	Perkins	Watson
Cullom	Lippitt	Poindexter	Wetmore
Curtis	Lodge	Pomerene	Williams
du Pont	McLean	Reed	Works

NOT VOTING—25.

Bankhead	Frye	O'Gorman	Sutherland
Bradley	Gamble	Paynter	Terrell
Clarke, Ark.	Guggenheim	Percy	Thornton
Crawford	Lea	Rayner	Tillman
Culberson	Lorimer	Richardson	
Davis	McCumber	Smith, Md.	
Dillingham	Newlands	Stephenson	

So the amendment of Mr. CUMMINS was rejected.

Mr. CUMMINS. The next division which I ask of my amendment is as follows. Strike from line 19, on page 4, to and including line 9, page 5, of the committee print, and insert in the free list the following, found in italics on page 21 of the reprint showing my amendments. I read the items that I ask to be inserted:

Agricultural implements of all kinds, including portable engines with boilers in combination, and horsepower or traction engines for farm purposes.

Mr. WILLIAMS. I should like to ask the Senator from Iowa a question just for information.

Mr. CUMMINS. I yield.

Mr. WILLIAMS. While the Senator is putting agricultural implements, including portable engines, on the free list, why has he left off cotton gins?

Mr. CUMMINS. I could not hear the Senator from Mississippi.

Mr. WILLIAMS. I say, while you are putting agricultural implements of every sort, including farm engines, on the free list, why was it that cotton gins were not also placed in the list?

Mr. CUMMINS. I had not cotton gins in my mind. That is all. I am perfectly willing to put them in. Will the Senator from Mississippi vote for the amendment if I put them in?

Mr. WILLIAMS. I will not; but I wanted to ask the Senator a question.

Mr. CUMMINS. Then I will leave the Senator from Mississippi to take care of the cotton gins.

Mr. WILLIAMS. I want to ask the Senator a question for this reason: If he offers these same amendments later on to some other bill, or as an independent proposition, I should like to suggest to him that the cotton farmer also uses implements, and the cotton gin is one of them.

Mr. CUMMINS. I am not very familiar, of course, with the cotton gin——

Mr. WILLIAMS. Then, I will vote for it as an amendment.

Mr. CUMMINS. I do not live in that quarter of the country. I wish I was more familiar with them, but I have used such generic terms here as must include everything that a farmer uses to produce his crop.

Mr. WILLIAMS. I did not so understand it because the Senator thought it was necessary to include portable farm engines eo nomine.

Mr. CUMMINS. Yes; I included them because——

Mr. WILLIAMS. If that be the case, and a harvester for grain——

Mr. CUMMINS. It can hardly be said that a portable engine or a traction engine is a farm implement. It can be used for a great many other purposes.

Mr. WILLIAMS. In a certain sense, a cotton gin might not be an implement, but it is one of the things used by the cotton farmer in order to get his crop ready for market.

Mr. CUMMINS. From what little I know of the cotton gin, I think it is an agricultural implement, and would be included within this very broad and general language which I have employed, namely "agricultural implements of all kinds, including portable engines with boilers in combination, and horsepower or traction engines for farm purposes."

Mr. WILLIAMS. Later on when the Senator from Iowa and I vote together, upon some occasion when it does not involve in its fate something else, I hope he will add the things which the cotton farmers use as well as those which the grain farmers use.

The VICE PRESIDENT. The Chair understands that this is simply a motion to strike out; not a motion to strike out and insert.

Mr. CUMMINS. It is a motion to strike out and insert.

The VICE PRESIDENT. The Secretary has not the part to be inserted.

Mr. CUMMINS. I read it again: Strike out from line 19, on page 4, to and including line 9, on page 5, in the committee print and insert in the free list the following, found in italics on page 21 of the reprint showing my amendments. What is there found I read:

Agricultural implements of all kinds, including portable engines with boilers in combination, and horsepower or traction engines for farm purposes.

This simply transfers agricultural implements, which remain in this arrangement under heavy duties, from the dutiable list to the free list, so that the farmer, if conditions of trade permit it, may be able to raise his untaxed crops with untaxed agricultural implements.

Upon the motion I ask for the yeas and nays, and I want to say that I am not going to tax the patience of the Senate by asking for the yeas and nays upon the great list that I have here. I want to get a fair consensus of opinion upon the several phases of my amendments, and then I do not intend to ask any further yea-and-nay votes, whatever others may want to do. But it seems to me upon agricultural implements, because the relation between them and the agricultural crop is so close, we ought to record ourselves.

The VICE PRESIDENT. Upon this amendment the Senator from Iowa requests the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BACON (when his name was called). Again I make the same announcement with reference to the Senator from Maine, my colleague, and myself, and I will let the announcement stand as to any future calls of the yeas and nays. I will vote. I vote "nay."

Mr. SIMMONS (when the name of Mr. CLARKE of Arkansas was called). I wish to announce again that the Senator from Arkansas has a general pair with the Senator from Wisconsin [Mr. STEPHENSON]. If the Senator from Arkansas were present, he would vote "yea."

Mr. GALLINGER (when his name was called). I make the same announcement as on the previous vote. I have a pair with the Senator from Arkansas [Mr. DAVIS], which I transfer to the Senator from Illinois [Mr. LORIMER], and vote. I vote "nay."

Mr. GUGGENHEIM (when his name was called). I make the same announcement of my general pair.

Mr. McCUMBER (when his name was called). I again announce my pair with the senior Senator from Mississippi [Mr. PERCY]. I understand, also, he would vote "nay" upon this proposition, and I should vote "yea." I therefore ask leave to withhold my vote.

Mr. BACON (when Mr. O'GORMAN's name was called). I again make the same announcement for the Senator from New York [Mr. O'GORMAN] with reference to his pair with the Senator from South Dakota [Mr. CRAWFORD]. If the Senator from New York were present, he would vote "nay" and the Senator from South Dakota would vote "yea."

Mr. DU PONT (when Mr. RICHARDSON's name was called). I make the same announcement as on the last vote. My colleague is absent from the city. If he were present, he would vote "nay."

Mr. SMITH of South Carolina (when his name was called). I again announce my pair with the junior Senator from Delaware [Mr. RICHARDSON], and as I am authorized to vote, as he would vote the same as I do, I will vote. I vote "nay." I will let this announcement stand.

Mr. SUTHERLAND (when his name was called). I again announce my pair with the senior Senator from Maryland [Mr. RAYNER]. I will let this announcement stand for any further votes which may be taken to-day without repeating it.

Mr. TAYLOR (when his name was called). I again announce my pair with the junior Senator from Kentucky [Mr. BRADLEY]. If he were present, he would vote "nay," and he has authorized me to vote. I vote "nay."

The roll call was concluded.

Mr. PAGE. I again announce the absence of my colleague [Mr. DILLINGHAM], who is paired with the senior Senator from North Carolina [Mr. SIMMONS]. I will let this announcement stand for the day.

Mr. TAYLOR. My colleague [Mr. LEA] is paired with the senior Senator from South Dakota [Mr. GAMBLE].

The result was announced—yeas 12, nays 52, as follows:

YEAS—12.

Bailey	Clapp	Gronna	Nelson
Bourne	Cummins	Kenyon	Simmons
Bristow	Dixon	La Follette	Warren

NAYS—52.

Bacon	du Pont	McLean	Reed
Brandegee	Fletcher	Martin, Va.	Root
Briggs	Foster	Martine, N. J.	Shively
Brown	Gallinger	Myers	Smith, Mich.
Bryan	Gore	Nixon	Smith, S. C.
Burnham	Heyburn	Oliver	Smoot
Burton	Hitchcock	Overman	Swanson
Chamberlain	Johnson, Me.	Owen	Taylor
Chilton	Johnston, Ala.	Page	Townsend
Clark, Wyo.	Jones	Penrose	Watson
Crane	Kern	Perkins	Wetmore
Cullom	Lippitt	Poindexter	Williams
Curtis	Lodge	Pomerene	Works

NOT VOTING—27.

Bankhead	Dillingham	Newlands	Stephenson
Borah	Frye	O'Gorman	Stone
Bradley	Gamble	Paynter	Sutherland
Clarke, Ark.	Guggenheim	Percy	Terrell
Crawford	Lea	Rayner	Thornton
Culberson	Lorimer	Richardson	Tillman
Davis	McCumber	Smith, Md.	

So Mr. CUMMINS's amendment was rejected.

Mr. CUMMINS. Mr. President, the second division on which I ask a vote is as follows: Strike out from line 23, page 5, to line 23, page 6, both inclusive, of the committee print, and insert in the free list from line 6 to 23, page 22, both inclusive, in italics in the reprint showing my amendments.

This is a transfer from the dutiable list of certain articles, such as asbestos and cutlery and bells and clocks and printer's wooden cases, and so on. I need not recite the articles in detail. I do not intend to ask for a yea-and-nay vote upon this division of my amendments. I believe the transfer ought to be made, but evidently a majority of the Senate are of a contrary opinion. Therefore, I simply submit the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Iowa [Mr. CUMMINS].

The amendment was rejected.

Mr. CUMMINS. The next division of my amendment is as follows: Strike out lines 11 to 13, inclusive, page 7, committee print, and insert in the free list, lines 1 to 5, both inclusive, page 22, reprint showing my amendments.

The effect of this division is to transfer motor vehicles and automobiles and parts thereof, including rubber tires, to the free list. In this arrangement with Canada it is apparent the duty on rubber tires is very carefully preserved, as is also the duty on automobiles. Under our present law the duty is 35 per cent. We have very generously and munificently granted to Canada a reduction of 5 per cent. The amendment which I propose to insert in the free list is as follows:

> Automobiles, and parts thereof, including rubber tires; motor vehicles of all kinds, and parts thereof, and rubber tires therefor; crude rubber; manufactured rubber, which shall include all articles of which rubber is the component part of chief value.

I take it for granted, however, that the majority of the Senate does not regard it as desirable, and unless some other Member of the Senate desires the yeas and nays upon the amendment I shall not ask for a vote by yeas and nays upon it.

Mr. BRISTOW. I should like to have the yeas and nays on the amendment.

The yeas and nays were not ordered.

Mr. BRISTOW. Mr. President, I wish to remark in this connection that this treaty, which is dealing so generously with the manufacturers of the United States and so harshly with the farmers, carefully prescribes that the duty shall not be reduced upon rubber tires, preserving the full duty on a trust-controlled product specifically and definitely; and the Senate does not care to go upon record upon the vote for the approval or disapproval of the proposition.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Iowa.

The amendment was rejected.

Mr. CUMMINS. The next division on which I desire a vote is as follows: Strike out from line 24, page 7, to line 12, page 8, both inclusive, committee print, and insert in the free list the paragraph in italics lines 20 to 23, both inclusive, page 19 of the reprint showing my amendments.

Mr. President, this relates to the lumber schedule. It takes lumber from the dutiable list and puts it upon the free list so far as the United States is concerned. It is true there is some reduction in the arrangement, but the free part of the arrangement is upon that kind of lumber which is not to any great extent imported into the United States. The lumber schedule has been the subject of very extensive discussion, not now, but at a former time. I can not imagine why we should not have free lumber if we are to have free wheat and free cattle. I would like the yeas and nays upon the free-lumber schedule.

The VICE PRESIDENT. The Senator from Iowa demands the yeas and nays on agreeing to the amendment.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BACON (when his name was called). Under the same announcement as was made heretofore, I vote "nay."

Mr. GALLINGER (when his name was called). I transfer my pair with the Senator from Arkansas [Mr. DAVIS] to the Senator from Illinois [Mr. LORIMER], and vote "nay." I make this announcement to stand on subsequent votes that may be taken to-day.

Mr. GUGGENHEIM (when his name was called). I have a general pair with the Senator from Kentucky [Mr. PAYNTER].

Mr. McCUMBER (when his name was called). I again announce my pair with the Senator from Mississippi [Mr. PERCY]. If I were at liberty to vote, I should vote "yea." My pair not being present, I withhold my vote.

Mr. DU PONT (when Mr. RICHARDSON's name was called). My colleague [Mr. RICHARDSON] is absent from the city. He is paired with the Senator from South Carolina [Mr. SMITH]. If my colleague were present, he would vote "nay."

The roll call was concluded.

Mr. SIMMONS. I wish to announce that the Senator from Arkansas [Mr. CLARKE] is absent, and is paired with the Senator from Wisconsin [Mr. STEPHENSON]. If the Senator from Arkansas were present, he would vote "yea."

Mr. TAYLOR. I wish to announce the pair of my colleague [Mr. LEA] with the Senator from South Dakota [Mr. GAMBLE].

Mr. BACON. I again announce that the Senator from New York [Mr. O'GORMAN] is paired with the Senator from South Dakota [Mr. CRAWFORD]. If the Senator from New York were present, he would vote "nay" and the Senator from South Dakota would vote "yea."

The result was announced, yeas 12, nays 52, as follows:

YEAS—12.

Bailey	Brown	Dixon	La Follette
Bourne	Clapp	Gronna	Nelson
Bristow	Cummins	Kenyon	Simmons

NAYS—52.

Bacon	Fletcher	Martine, N. J.	Root
Brandegee	Foster	Myers	Shively
Briggs	Gallinger	Newlands	Smith, Mich.
Bryan	Heyburn	Nixon	Smith, S. C.
Burnham	Hitchcock	Oliver	Smoot
Burton	Johnson, Me.	Overman	Stone
Chamberlain	Johnston, Ala.	Owen	Swanson
Chilton	Jones.	Page	Taylor
Clark, Wyo.	Kern	Penrose	Townsend
Crane	Lippitt	Perkins	Warren
Cullom	Lodge	Poindexter	Watson
Curtis	McLean	Pomerene	Wetmore
du Pont	Martin, Va.	Reed	Williams

NOT VOTING—27.

Bankhead	Dillingham	McCumber	Stephenson
Borah	Frye	O'Gorman	Sutherland
Bradley	Gamble	Paynter	Terrell
Clarke, Ark.	Gore	Percy	Thornton
Crawford	Guggenheim	Rayner	Tillman
Culberson	Lea	Richardson	Works
Davis	Lorimer	Smith, Md.	

So Mr. CUMMINS's amendment was rejected.

Mr. CUMMINS. I may say, for the encouragement of Senators, that I intend to ask for but one more roll call. I present the amendments in the divisions under which I think they would naturally group.

The next is to strike out lines 19 and 20, both inclusive, page 8, of the committee print; and on page 15, lines 21 to 23, inclusive, of the committee print, and to insert in the free list what is in italics on page 21 of the reprint showing my amendments—

> Coal of all kinds, screened or unscreened.

This is simply to put upon our free list coal from Canada.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was rejected.

Mr. CUMMINS. The next division is to strike out lines 13 to 18, inclusive, page 8, committee print, and lines 1 to 7, inclusive, page 19, and insert in the free list from and beginning with the words "iron ore" in line 22, page 20, to and including line 6, page 21, of the reprint showing my amendments. This is to transfer to the free list iron ore and all the so-called tonnage products of iron and steel.

The VICE PRESIDENT. The Secretary will state the amendment to make it certain. It is somewhat complicated.

The SECRETARY. On page 8 of the bill strike out all of lines 13 to 18, inclusive; on page 19, beginning with line 1, strike out lines 1 to 7, inclusive; and on page 20, line 22, beginning with the words "iron ore," insert the remainder of that paragraph in the free list to the bill.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Iowa.

The amendment was rejected.

Mr. CUMMINS. The next division is, to add to the free list, after line 14, page 19, of the committee print, the paragraph in italics in lines 24 and 25, page 22, of the reprint of my amendments.

The VICE PRESIDENT. The Secretary will state the amendment.

The SECRETARY. On page 19 of the bill, after line 14, insert the following:

Leather and all manufactures thereof, including all manufactures of which leather is a component part.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was rejected.

Mr. CUMMINS. Next I add immediately thereafter the paragraph shown in italics, lines 4 to 6, inclusive, page 23, of the reprint showing my amendments.

The SECRETARY. Insert in the free list the words:

Cotton cloth, threads and fabrics of all kinds, and the manufactures thereof, including all manufactures of which cotton is a component part.

The amendment was rejected.

Mr. CUMMINS. Next I add immediately thereafter the paragraph shown in italics, lines 7 to 9, inclusive, on page 23.

The SECRETARY. Insert in the free list the following paragraph:

Silk cloth, threads and fabrics of all kinds, and the manufactures thereof, including all manufactures of which silk is a component part.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Iowa.

The amendment was rejected.

Mr. CUMMINS. Now, Mr. President, I have an amendment upon which I intend to ask for the yeas and nays, and I earnestly hope that the determination which appears so fixed here not to amend the bill in any respect whatsoever will be abandoned for the moment.

I propose an amendment which has nothing whatsoever to do with duties. It is very plain that you do not intend to change the duties on manufactured products on either side of the Chamber. I pass that and accept it for the time being as fixed, but I have prepared and I have offered an amendment to the proviso which states the conditions under which our act shall become effective.

You will remember that in discussing this matter the other day I said that one of the serious defects of the bill was that the concessions upon the part of the United States do not cease when the concessions upon the part of Canada may cease. That is to say, Canada may withdraw every consideration which she extends to us for that which we are now giving her and our law remains as we now enact it. I do not believe that the like of this provision can be found in the annals of civilized nations.

I believe, first, that we are dangerously near a collision with the favored-nation clause in extending these concessions beyond the time when we receive concessions from Canada; in other words, making our concessions dependent upon the existence and continuance of concessions from Canada. Is there a Senator here who, in view of this as a reciprocal arrangement and not merely as a reduction of our duties, does not believe that if we are to make a trade with Canada when her consideration fails our concessions will also cease? There is not a Senator here who does not so think; and I must believe that it was an oversight upon the part of those who framed the bill.

I am very glad, for my respect for the Senate, that the bill was not drawn by a Member of this body. If it was, and the Member who drew the bill was here, I am sure he would be the first to concede this weakness of it. Now, mark what I propose in order to work out——

Mr. SIMMONS. I presume the Senator is equally glad that it was not drawn by a Member of the other body.

Mr. CUMMINS. I do not know who drew the bill; I have not the information; but I am sure that it was not drawn by a Member of the Senate.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Mississippi?

Mr. CUMMINS. I do.

Mr. WILLIAMS. In response to what was said by the Senator from North Carolina [Mr. SIMMONS], it is my understanding that the bill was drawn by a Member of the other body, and by no less a Member than the present minority leader, who was then a member of the Republican majority.

Mr. SIMMONS. It might have been copied, but I doubt very much whether it was drawn by him.

Mr. CUMMINS. I do not permit myself to inquire into those things. I do not know who drew the bill. Whoever drew it, of course, did his duty as he saw it. But the fact is, as I have stated, that if Canada in a month or two months or a year shall change her concession by parliamentary enactment our law continues as we now enact it until Congress, as I once before remarked, always slow and sometimes uncertain, shall change what we now do. Therefore I have proposed this amendment:

Provided further, That if at any time after said proclamation shall be issued the President of the United States shall have satisfactory evidence that the facts upon which the original proclamation was issued no longer exist—

That is to say, that Canada is admitting our goods upon these rates of duty or without duty, as the case may be—

he shall then make proclamation to that effect, and the articles hereinbefore specified to be admitted to the United States exempt from duty shall be subject to such duties as the general tariff law of the United States shall then prescribe for such articles.

The articles upon which the duties are reduced are so immaterial that they are negligible quantities, and I pay no attention to them at all.

Mr. SIMMONS. Would the Senator read his amendment again?

The VICE PRESIDENT. Will the Senator from Iowa state for the information of the Secretary at what point he proposes that his amendment shall be inserted?

Mr. CUMMINS. My amendment is to strike out the proviso from line 13 to line 23, inclusive, on page 19 of the committee print, and insert in lieu thereof the paragraphs in italics from line 19, on page 23, to line 7, on page 25, inclusive, of the reprint showing my amendments. The first two paragraphs of the proviso are the same, substantially, as are found in the present bill. I have read the first change which I propose. I will read it again, so that the Senate may understand just what it is:

Provided further, That if at any time after said proclamation shall be issued—

That is, when Canada acts upon this and the President has evidence that our goods are being admitted into Canada under this arrangement, he issues a proclamation, and thereafter the goods from Canada come in as provided in the bill.

Provided further, That if at any time after said proclamation shall be issued the President of the United States shall have satisfactory evidence that the facts upon which the original proclamation was issued no longer exist, he shall then make proclamation to that effect, and the articles hereinbefore specified to be admitted to the United States exempt from duty shall be subject to such duties as the general tariff law of the United States shall then prescribe for such articles.

I may say to the Senator from Minnesota [Mr. CLAPP] that this proviso is the one attached to the free list. There is a similar one, or there ought to be a similar one, attached to the dutiable list, although I have not offered any amendment in that regard.

Mr. SIMMONS. Do I understand the Senator's amendment now applies only to articles on the free list?

Mr. CUMMINS. The proviso that I am seeking to amend is the proviso attached to the free list and not the proviso attached to the dutiable list.

Mr. SIMMONS. Are we to have a proviso that applies to the dutiable list also?

Mr. CUMMINS. I have not offered one, but, of course, if it shall be found to be the belief of the Senate that some such arrangement as this ought to be made, it can very easily be attached to the dutiable list, as we now will attach it, I hope, to the free list.

Mr. SIMMONS. Why could not the Senator include in his proviso articles covered by the dutiable list as well as those covered by the free list?

Mr. CUMMINS. I could.

Mr. SIMMONS. Why can he not do it now?

Mr. CUMMINS. The Senator from North Carolina will remember that this proviso occurs twice in the bill, first, is the dutiable list, and then comes the proviso upon which it goes into effect; then comes the free list and the proviso upon which it goes into effect. I have sought to amend only the proviso as to the free list.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Mississippi?

Mr. CUMMINS. I do.

Mr. WILLIAMS. As I understand, the Senator's proviso makes it so that if the President made a mistake in his first proclamation he might recall it by a second.

Mr. CUMMINS. I would think not.

Mr. WILLIAMS. As I understand, the effect would be that if after he had made proclamation he should later discover that the facts upon which he based it were wrong he could then issue another proclamation doing away with the previous proclamation; and the suggestion that I rose to make to the Senator from Iowa—and I will make it in an interrogative form—is whether he would not think it well to go still further and provide if the President found he had made a mistake in his second proclamation he might correct that by a third?

Mr. CUMMINS. Of course, I know that the Senator from Mississippi refuses to look upon any suggestion of change as serious, but the suggestion just made is hardly worthy of his high abilities.

Mr. WILLIAMS. I assure the Senator——

Mr. CUMMINS. I hope the Senator from Mississippi will understand that I am offering this amendment because I believe it will cure a defect in the arrangement, and the suggestion indicates to me that the Senator from Mississippi did not hear me when I read the proviso.

Mr. WILLIAMS. I think I heard it, and if I heard it correctly the amendment is based upon the idea that the President might issue a first proclamation upon misinformation as to what Canada had done.

Mr. CUMMINS. Not at all. Of course I knew the Senator had not——

Mr. WILLIAMS. And if that were the case, my suggestion merely was that he might go on correcting errors to the end of the chapter.

Mr. CUMMINS. Of course the Senator's imagination carries him to undue length. Will the Senator listen to me while I repeat the proviso, for which he is about to vote in the original arrangement, which he thinks, evidently, ought not to be changed in any form whatsoever?

Provided, That the articles above enumerated, the growth, product, or manufacture of the Dominion of Canada, shall be exempt from duty when the President of the United States shall have satisfactory evidence and shall make proclamation that the following articles, the growth, product, or manufacture of the United States or any of its possessions (except the Philippine Islands and the islands of Guam and Tutuila) are admitted into the Dominion of Canada free of duty.

I stated that if next week or next month Canada were to admit these articles free of duty and the President were to make a proclamation to that effect thereupon the same list of articles would enter the United States free from Canada; that if the month after that or the year after that Canada should repeal her enactment in that respect and levy duties upon the articles which she had before admitted free the President of the United States ought to have the power to take cognizance of that change of condition and issue a proclamation to that effect; and that thereafter the articles which are here enumerated should bear duties according to our general tariff law.

Mr. WILLIAMS. I frankly admit that I did not understand——

The VICE PRESIDENT. Does the Senator from Iowa yield further to the Senator from Mississippi?

Mr. CUMMINS. I yield.

Mr. WILLIAMS. I misunderstood the Senator from Iowa; but now does it not seem to the Senator from Iowa that if Canada's part of the contract once performed is to be repealed by an act of the Canadian national legislature, we might well trust our own National Legislature to repeal our part of it instead of intrusting it to the President?

Mr. CUMMINS. Not at all, Mr. President. Again the Senator from Mississippi fails to comprehend the situation. We could repeal our part of it any day. If we do, Canada's part ought to fail immediately. Canada can repeal her enactment at any time, and, if she does, our consideration ought to fail, and the articles on which we grant concessions ought to be ipso facto dutiable, instead of being upon the free list.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa further yield to the Senator from Mississippi?

Mr. CUMMINS. I do.

Mr. WILLIAMS. I would suggest to the Senator from Iowa that it does not necessarily follow that the Congress of the United States will want to repeal the reduction of duties upon Canadian products into the United States which had benefited the people of the United States, even if the Canadian Parliament had done a detriment to its people by repealing the act which had reduced taxes upon them.

Mr. CUMMINS. Precisely.

Mr. WILLIAMS. And that it could be very wisely and safely left to the national legislative body of the United States to determine whether or not they did want to do that when the contingency should arise.

Mr. CUMMINS. I thought, Mr. President, before we had reached the end of the discussion on this paragraph that the true attitude of Senators who are for this arrangement would appear. I simply wanted to make it absolutely sure that Senators upon the other side and that Senators upon this side are not supporting this arrangement because there is any reciprocity in it, because there are any concessions in it, because it is a true bargain between this country and Canada; but those Senators who intend to vote for it intend to vote for it simply because it is a reduction in the duties.

Mr. BAILEY. On agricultural products.

Mr. CUMMINS. On agricultural products; and you might just as well now stand up before the American people and say that you are voting for this because the duties on agricultural products are removed and not because you expect anything valuable coming from Canada on account of that removal; and the Senators upon this side who intend to vote for it intend to vote for it because they believe that in some way—I do not now know how, whether by alliance with the other side or what; I can not tell; I will not predict—but in some way they can secure immunity for their high duties upon manufactured products and their profits that are already overgrown and excessive. I just wanted the whole world to know that we were not looking for anything from Canada and that we were simply engaged in removing the duties from one class of the American people.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield further to the Senator from Mississippi?

Mr. CUMMINS. I do.

Mr. WILLIAMS. Judging from the course of the ratiocinations upon the part of the Senator from Iowa and by my acquaintance with him in the past, I judge that to-morrow, when he reads that reply to what I have said, he will come to the conclusion that it was neither impartial nor altogether a fair exposition of it. It proceeds upon the idea that a man can have but one reason for doing what he does. We happen to have two. First, we want to reduce these duties; and, secondly, we want Canada to reduce duties upon our products. I am merely speaking for myself. I hope that even if Canada fails in relieving her people of taxation, we will not repeal so much of the act as will relieve ours from taxation.

Mr. CUMMINS. Mr. President, coupled with the——

Mr. FLETCHER. Mr. President, permit me to suggest to the Senator from Iowa this idea: Under the provision which he offered, if Canada should change the state of facts as to any one item, then it would be obligatory and mandatory upon the President of the United States to issue a proclamation putting that item upon the dutiable list, as the law provided before this arrangement was entered into. Now, might it not be true that the arrangement would be agreeable to us and advantageous to us in spite of the fact that some item on the list——

Mr. WILLIAMS. Or half a dozen items.

Mr. FLETCHER. Or half a dozen items, as the Senator from Mississippi suggests, might have been changed in relation to the facts connected with them?

Mr. CUMMINS. I can easily conceive that the conditions stated by the Senator from Florida might exist; but if we are granting these concessions to Canada in consideration of concessions granted by her to us, if it is a bargain and exchange, then, when the consideration fails, our promise ought to fail. If Congress wants at that time to put any article upon the free list that would be by such proclamation restored to the dutiable list, it could do so. It has always in charge and under its control the adjustment of tariff laws.

Mr. GORE. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Oklahoma?

Mr. CUMMINS. I do.

Mr. GORE. I would like to ask the Senator from Iowa whether the Canadian bill—I have forgotten for the present moment—has a provision such as he proposes here?

Mr. CUMMINS. It has not.

Mr. GORE. I did not think it had.

Mr. CUMMINS. It has not, as I remember it.

Mr. GORE. That was my recollection, but I was not sure about it.

Mr. CUMMINS. I may say, in passing, that the Canadian bill is a mere resolution; it is an outline; it is a suggestion; but it does protect Canada very much more thoroughly than this bill protects the United States.

Mr. HEYBURN. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Idaho?

Mr. CUMMINS. I do.

Mr. HEYBURN. I thought the Senator had yielded the floor.

Mr. CUMMINS. No; I have not finished.

Mr. HEYBURN. Then, I will ask the Senator's courtesy for a moment. I had not intended to participate at all in the consideration of these amendments.

The Senator from Iowa is undoubtedly correct in his statement as to the defect in this bill. It provides that the President may create a condition upon the happening of certain things, but it makes no provision for him to restore the condition upon the failure of those things. That is true both as to dutiable articles and as to the free list. Now, I can not believe for a minute that it was the intention of the framers of the bill that that condition should exist; but it does exist under the terms of this bill. The language that relates to the dutiable list is practically the same as that to which the Senator from Iowa has called attention. It reads:

Provided, That the duties above enumerated shall take effect whenever the President of the United States shall have satisfactory evidence and shall make proclamation that on the articles hereinafter enumerated, the growth, product, or manufacture of the United States, or any of its possessions (except the Philippine Islands and the islands of Guam and Tutuila), when imported therefrom into the Dominion of Canada, duties not in excess of the following are imposed.

That is an unqualified statement. The President makes the proclamation. Now, Canada and the United States are both free to change or to repeal this legislation. If Canada were to repeal it, we will say after the adjournment of Congress, at the end of any session, then the Congress would not be in session, and Canada having repealed the law, it would still have the benefit of free access to our market in the case of the free list or of preferential rights under the dutiable list. No authority is given the President to restore our tariff on the conditions either relating to the free list or the dutiable list. It must await the action of Congress. Suppose, for instance—and I am appealing now to the Republicans; I am appealing now to protectionists—suppose, for instance, that the Congress of the United States should be Democratic, should be free trade, then they would not repeal the law. It would take months, it would take more than a long session of Congress or a special session of Congress to get action that would restore the duties or that would restore the status of our commerce, and this might go on for years; the condition might exist for years that we would receive no rights in Canada, and Canada would continue to receive all the benefits of the reduction in duties on the free list.

There is not only a great deal of merit in the proposition of the Senator from Iowa, but it points out the actual necessity of amending the provisions of this bill so that in the event that Canada should repeal the legislation which she is supposed to enact the Government of the United States would have a speedy and prompt remedy at hand to be exercised through a proclamation of the President of the United States, and that the United States would not be at the mercy of the differences of opinion in a long drawn-out contest which would follow, in which every item on the free list and dutiable list would have to be considered and contended about in Congress, just as we have been doing for months on this occasion. Some Senators would say "Yes; so far, let us repair the evil; so far, let us restore the status"; and others would say, "Let us do it as to this schedule, but not as to that"; and we would have one of those interminable tariff contests on hand.

Are we going to walk up against that, Republican Senators, who believe in a protective tariff policy? Are we going to put ourselves into such a position merely in response to a sentiment or promise that this bill shall not be changed in any particular? Are we going to leave our Government without the power to meet the changed conditions which are brought about or may be brought about by a change of administration in the Canadian Government or here? Are we going to tie our hands and leave the hands of the other Government free? I think it is time to pause, and I am compelled to deviate from the course I have laid down for myself here of remaining silent and voting against amendments.

This is an amendment that is imperative. It is imperative to Republicans. It is imperative to Democrats who believe in a protective tariff even so far as it is conceded by some Senators who have spoken to-day——

Mr. BACON. Mr. President——

The VICE PRESIDENT. Does the Senator yield?

Mr. HEYBURN. Certainly.

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Georgia?

Mr. CUMMINS. I yield with pleasure.

Mr. BACON. I would ask either Senator, as they are in accord upon the proposition, if, conceding that all that is said by the Senator from Iowa and the Senator from Idaho upon this subject——

Mr. HEYBURN. I can not hear the Senator.

Mr. BACON. I say, conceding all the Senator from Iowa says and all the Senator from Idaho says as to the correct construction of this section as it is found in this bill, does not the apprehension of an evil result flowing from that necessarily rest upon an assumption of a purpose or the possibility that Canada would act in bad faith and attempt to perpetrate a fraud upon the United States?

Mr. CUMMINS. May I answer?

Mr. HEYBURN. Yes.

Mr. CUMMINS. There is no apprehension of bad faith on the part of Canada. It is expressly stated in the correspondence that either Government may change its tariff laws at any time, whether immediately or remotely. There would be no bad faith upon the part of Canada in changing her tariff laws in a month if she found it for her interest to do so. There would be no bad faith upon the part of the United States in changing the tariff laws that we now have at the next session if we cared to do so.

Mr. BACON. I do not agree with the Senator in that regard. It is true that that provision is in there, but this is a reciprocal arrangement, and if Canada should purposely change her arrangements in order that she might have the benefit of the arrangement and deny to us the benefit of the reciprocal advantage, it would certainly be a fraud.

Mr. CUMMINS. Canada would do so, if I may be permitted to answer, upon the hypothesis that the Congress of the United States would immediately or as soon as it could withdraw the consideration which we had given to Canada.

Mr. BACON. While that is true, it is not to be assumed that Canada would undertake any measure of that kind which would affect the reciprocal advantages without the proper communication of its intention so to do to the United States, or to give the opportunity to the United States to make the same arrangement for themselves.

Mr. CUMMINS. In all the arrangements with nations, which usually take the form of a treaty, I never have known one which continued to be binding upon one nation after it had ceased to be binding upon the other.

Mr. HEYBURN. Mr. President——

Mr. CUMMINS. But it is for the purpose——

The VICE PRESIDENT. Does the Senator from Iowa further yield?

Mr HEYBURN. I understood the Senator from Iowa had yielded the floor.

Mr. CUMMINS. I yield to the Senator from Idaho.

Mr. HEYBURN. We must bear in mind that while frequently an arrangement is referred to as a treaty it is not a treaty. If it were a treaty, it would require concurrent action upon the part of the two nations to effect it. But it is merely legislation sentimentalized as a treaty. It is legislation as any other tariff bill is legislation.

Now, the Senator from Georgia, as I understood him, suggests that this was not probable. The parties in Canada to-day are so nearly divided on this question that they do not dare to come to a vote, and in 12 months from now the Canadian Parliament may be in the hands of that element of the political parties of that country which is strongly opposed to this arrangement; and we may be facing a repeal of it within a year. There is no assurance whatever that the Canadian Government will continue this tariff arrangement, and the purpose of the amendment of the Senator from Iowa—which, by the way, I presume he would intend to incorporate on page 9 in the corresponding provisions with reference to the dutiable list——

Mr. CUMMINS. It evidently ought to be in there.

Mr. HEYBURN. Yes; it should be; it is as necessary in one case as in the other. The amendment is intended to give the Government of the United States the right to restore the condition——

Mr. SMITH of Michigan. When the contract fails.

Mr. HEYBURN. When the contract fails, as is suggested to me by the Senator from Michigan—when the contract fails that this Government should have an immediate right to restore the conditions and not be compelled to wait and run the gantlet of legislation, as it would be compelled to do in the absence of an amendment of these two provisions in the bill, because no one will contend that the President can issue a proclamation affecting the tariffs except he is authorized specifically by Congress to do it.

The President has no original power at all over this question. The tariff schedules can be dealt with only by Congress, and I have suggested before the condition, and I emphasize it, that Congress either might not be in session for many months, as is, of course, frequently the case, or if in session, the controversies which would arise over the restoration of these several schedules might occupy the time of Congress for months,

or for years, for that matter. It might be years before the Congress of the United States would be so constituted that the principle of protection would be again restored and applied to the Government.

I am sure that Republican Senators can separate the consideration of this amendment from those questions which have been voted upon to-day. It is not in the same class. It is for the protection of the principle. It is to provide for the manner and to provide the power to restore the conditions in the event of that which not only may happen, but which probably will happen.

Mr. BACON. Mr. President, I desire to say that I consider the suggestion of danger to flow from this peculiar phraseology to be one not of a practical character. If there were a formal treaty between the two countries, as the Senator from Idaho has suggested there is not in this case, if there were an international treaty the two countries would proceed upon the assumption that each nation would act in good faith to the other nation, and that neither nation would seek to secure an advantage by any technical construction of any part of a treaty to which it was not legitimately entitled, and that if there were reciprocal advantages no nation could in honor nor would attempt to secure to itself an advantage under that arrangement at a time when it denied the same advantage to the other by taking advantage of the opportunity to withdraw its consent or by any other means.

While this is not a treaty, but reciprocal legislation, it is entered into with the purpose on the part of each to give the other an advantage in consideration of an advantage which it receives itself, and it is not to be conceived that either would, by taking advantage of the opportunity of the right given to change its tariff laws—and we certainly have no right to act upon the assumption that either nation would by taking advantage of any opportunity of that kind or right of that kind—endeavor to secure to itself an advantage under this reciprocal relation, which it thus took the opportunity to deprive the other of in a reciprocal way.

I do not conceive it possible that Canada should at any time desire to take advantage of the opportunity to change her tariff laws, and if the changing of those tariff laws would, in effect, cause her people to be the recipients of advantages which had been given in consideration of those laws as they then existed, I have not a shadow of doubt that the Government of the United States would have due notice of it, so that any reciprocal advantage which we might lose on account of those changes in the laws should be so cared for that we would not in fact be put at a disadvantage.

I repeat that the whole suggestion assumes that there will be an act of bad faith in order to accomplish or bring about that result, because to bring about that result in that way, while it might be done in pursuance of a plain privilege granted in the legislation, there would be necessary an act of bad faith and a fraud on the part of Canada against the United States.

I do not assume that that will ever be attempted by any country with which we have these negotiations either by formal treaty or by reciprocal legislation.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from New Hampshire?

Mr. CUMMINS. I do.

Mr. GALLINGER. If the Senator will permit me, I will ask the Senator from Georgia if this so-called agreement, or what the President frequently calls a treaty, is ever terminated, must it not be done by the action of one or the other Governments?

Mr. BACON. I suppose undoubtedly that it would be an action not in the manner of taking an undue advantage of the other, but it would be done by proper notice.

Mr. GALLINGER. Does the Senator think it could be arranged so that we would have concurrent action? Of course we know that if a treaty is denounced, that ends it.

Mr. BACON. Yes.

Mr. GALLINGER. If one of the parties denounces a treaty that ends the treaty.

Mr. BACON. Yes.

Mr. GALLINGER. But in this case we can only protect ourselves by having the power to abrogate this agreement when the other party abrogates it, so far as that country is concerned.

Mr. BACON. I think we would be protected by the good faith which we have every reason to repose in the other Government, in its rectitude of conduct, in its rectitude of purpose. It is true this reciprocal legislation is of an unusual character and it is different from the case of a treaty, as suggested by the Senator from New Hampshire, in the fact that a treaty would be ended by a denunciation, and, in the case of reciprocal legislation, it must be ended by legislation in each country.

I have no apprehension on my part that if either the United States should desire to end it or Canada should desire to end it that ending would be brought about by the country desiring to end it communicating to the other country "We propose to annul this legislation; to repeal this legislation."

Mr. CUMMINS. Just a moment. Who would give Canada notice that the Congress of the United States intended to change the law?

Mr. BACON. I suppose Congress would be animated by an equal desire and purpose to act in good faith.

Mr. CUMMINS. Mr. President——

Mr. BACON. I hope when the Senator asks me a question he will permit me to answer it. I had not finished the answer to the question.

Mr. CUMMINS. Proceed.

Mr. BACON. I was going to say that the question of the Senator from Iowa, as I understand it, is this: Who would give to Canada notice on the part of Congress of an intention to repeal the law? And I was replying that I assumed for ourselves the same purpose to act in good faith that I accord to Canada, and that I should suppose that if Congress intended to repeal this legislation, it would by proper resolution invest the Executive with the power to communicate to Canada that information, in order that Canada might take proper action at the same time and not be placed at a disadvantage by our repeal of that legislation. That is one practical way in which it could be done. Or, as the Senator from Nebraska [Mr. HITCHCOCK] suggests to me, Congress could pass the bill to take effect at a future date, which would give to Canada the opportunity in the meantime to pass a bill so that it would not be a one-sided arrangement with the reciprocal advantage lost to one while the advantage was retained to the other.

It might have been better that the bill should have been framed in reference to the possibility of such action on the part of Canada. But I am very free to say that if I myself had been drawing the bill I would not have considered the possibility of the fraudulent—and you might say dishonest—purpose of the Canadian Government to be such as to warrant the recognition of it by putting a safeguard against it in the bill, because I do not think that there is to be entertained for a moment the assumption that there will be on the part of Canada or on the part of the United States any act of bad faith in regard to this matter.

When we enact reciprocal legislation, the high impulse of honor and good faith requires that we shall only enjoy the reciprocal advantage by according and assuring to the other side the corresponding advantage, and whenever we seek to take away the advantage from the other party we will do so in such a manner as at the same time to surrender that which we have received in consideration of it.

Mr. CUMMINS. The argument of the Senator from Georgia impresses me very strongly, but the argument intensifies my conviction that this amendment ought to be made. I have not suggested any bad faith on the part of Canada or on the part of the United States.

I recognize that the laws which repeal this statute in Canada and in the United States might be made to take effect at the same time; but let us look at it as a practical matter. Suppose next winter we wanted to change our tariff law with Canada. Suppose that our Democratic friends, in revising the tariff generally, came to the conclusion that they did not want this patchwork to be upon their completed garment, and therefore did not want a special arrangement with Canada, I do not believe it would be bad faith upon the part of the United States or upon the part of Congress to pass a law revising our tariff which would include Canada and which would repeal this act.

But he would be a wise man who would be able to notify Canada that Congress would at a certain time perform a particular act. I do not believe it is possible for the wit of man to predict that at a certain time Congress will pass a law repealing an existing statute.

I do recognize that the last suggestion made by the Senator from Georgia is entirely practical, namely, when the law is repealed it can be made to take effect at a time in the future or to take effect upon some prescribed act on the part of Canada. But that is the very objection I make to this arrangement. I do not want it to depend upon congressional action at all. Congress is now making a bargain with Canada. We are taking certain things from her in consideration of certain things that we give her. I want that bargain to end whenever the

consideration upon either side fails; and then let Congress, of course, in pursuance of its continued power to deal with the tariff, prescribe such duties as it pleases.

Mr. LODGE. Mr. President, I was only going to say to the Senator from Iowa that, of course, in giving notice of the abrogation of a treaty it is given through the Executive in a formal way, generally the method being provided by the treaty itself. Congress could not communicate in a formal way to another Government that it was going to repeal this law, but Congress has its own method of notification, which would be that suggested by the Senator from Georgia.

If we were going to change our tariff law affecting Canada, of course we should put a limitation on it of time; and if Canada was going to change a law affecting us, she would give us notice by saying it should not take effect except at a certain time, which would give us ample opportunity for concurrent legislation.

The reason why I say that with so much confidence, if I may repeat for a moment what the Senator from Georgia has already very well said, is that it is inconceivable to my mind that either this country or Canada should be guilty of what would be a gross act of bad faith, to repeal this legislation, which, although not a treaty, is a reciprocal arrangement, without some notice. I do not apprehend for a moment that we would do it, and I can not conceive why we should impute it to Canada.

Mr. CUMMINS. Mr. President, of course one who wants this arrangement to go into effect and who is willing to assume that the Parliament of Canada will give us notice of her withdrawal of concessions upon her part, and is willing to assume further that then the Congress of the United States will take the measures that ought to be taken, will find the existing arrangement all that can be desired. I now add to what I have said in the second part of this division of my amendment this:

Provided further, That if at any time after the articles hereinbefore mentioned are admitted free under the aforesaid proclamation the President becomes satisfied that the rates of transportation upon any such article from Canada into the United States are unreasonably low, or are unreasonably high upon any such article from the United States, as compared with fair and reasonable rates upon the like article for substantially the same distance in the United States, he may issue his proclamation to that effect, and thereafter the said article or articles, when imported from Canada into the United States, shall be subject to the general tariff law of the United States.

I discussed this matter at some length a few days ago, and I shall not enlarge upon it. I simply remind Senators what it is. We are entering into an arrangement after which a very little discrimination upon the part of a transportation line from Canada into our markets or from our producing fields into Canada will destroy all the benefit that can be hoped from it by the people of this country.

Mr. HEYBURN. I should like to ask the Senator if this is a part of the same amendment?

Mr. CUMMINS. It is a part of the same amendment, although I can readily see it might well be divided, if anybody wants a division.

Mr. HEYBURN. I think the amendment with reference to the proclamation of the President should stand alone.

Mr. SMITH of Michigan. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Michigan?

Mr. CUMMINS. I do.

Mr. SMITH of Michigan. I suggest to the Senator from Iowa that the statement of the senior Senator from Massachusetts that it is inconceivable that any government would take the course outlined by the Senator from Iowa is hardly in accordance with our political history. Under the McKinley law we had many reciprocity treaties with foreign countries, every one of which was denounced by President Cleveland without any notice or warning of any kind. Our Democratic friends were not as solicitous then about reciprocity as they are to-day. Then it was regarded as the handmaiden of protection, because it was an exchange in noncompetitive products; now it is circumscribed free trade in competitive products.

Mr. LODGE. That is exactly what I said—that the treaties provided for their own abrogation, and we were not called upon to give more than a certain notice. He gave it. He was not called upon to apologize. He was called upon, and he denounced those treaties under their own provision.

Mr. SMITH of Michigan. He denounced them because he was out of harmony with them.

Mr. LODGE. What he gave as the reason does not make any difference.

Mr. SMITH of Michigan. Without apology to anybody he denounced them.

Mr. LODGE. Certainly.

Mr. SMITH of Michigan. A new issue may arise in Canada and they may denounce this arrangement, and if we are to await congressional action before we can denounce it, it seems to me we are subjecting ourselves to an imposition and a good deal of unnecessary annoyance.

Mr. LODGE. The treaty is denounced. This law would be repealed. They would not denounce it; they would repeal it.

Mr. SMITH of Michigan. They would repeal their law.

Mr. LODGE. They would repeal their law.

Mr. SMITH of Michigan. And we would have to repeal ours, either by legislation or automatically by power given to the President.

Mr. LODGE. Very well; I come back to what I originally said. We have precisely the same power they have under this agreement, and they have precisely the same power that we have. They can repeal this legislation when they see fit, and so can we. I said I simply could not understand that either nation would repeal this law without the law carrying with it a substantial notification—that is, a limit of time.

Mr. CUMMINS. I should like to ask the Senator from Massachusetts a question. What is the objection to allowing the concession upon one side to cease when the concession on the other side ceases?

Mr. LODGE. I think it is unnecessary, and I think it would simply tend to throw the bill into conference and perhaps endanger its passage. I do not think it of sufficient moment to amend this bill.

Mr. SMITH of Michigan. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield further to the Senator from Michigan?

Mr. CUMMINS. I do.

Mr. SMITH of Michigan. I wish to make this suggestion. Suppose after the presidential election in 1912 we discover that we have a Democratic Congress of free traders who believe in that principle, regardless of any concession from Canada. We still have a President until the 4th of March, 1913, who should at least be a protectionist in spots; and, Mr. President, I want him to have the automatic power and right to cancel this arrangement whenever the country that has given us similar concessions change their mind.

Mr. CUMMINS. The Senator from Michigan might well remember, too, that the next Senate of the country may be Democratic.

Mr. SMITH of Michigan. Yes; exactly.

Mr. CUMMINS. I do not say that it will be, but it might be that the next President of the United States will be a Republican.

Mr. SMITH of Michigan. Yes; that condition may arise. But I hope if we are to have such a calamity that we will at least have the other blessing.

But, Mr. President, I feel very sure that the country would never forgive us if these concessions from Canada are to become ineffective in the law through a change of government, and our favors to them to remain binding upon us, getting nothing in return. The country would never excuse us for such a blunder as that, and so far as I am concerned, I do not propose to be put in that situation.

Mr. GORE. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Oklahoma?

Mr. CUMMINS. I yield to the Senator from Oklahoma.

Mr. GORE. I should like to say to the Senator from Michigan that if Canada is to realize all the advantages and blessings out of this agreement and the United States is to get absolutely nothing in return, what reason is there to apprehend that Canada would ever fling away these golden apples of the Hesperides, if you please, or would ever jeopardize those blessings by repealing this agreement and affording that temptation to the United States to withdraw from Canada the infinity of blessings which she is to enjoy under this measure?

Mr. SMITH of Michigan. The Senator from Oklahoma understands very well that there is a very sharp division of public opinion in Canada upon this question, as there is here. I do not understand how there can be that division, for I believe the advantages are to Canada and not to us; but looking it squarely in the face, he knows, and I know, that there is a very vigorous political movement in Canada against this legislation. If that becomes strong enough, whether the influences are from without or from within the Dominion to change her policy, I would much prefer that the arrangement on the part of the United States shall be canceled by Executive action, in order that any new concessions to be made by a new Congress to Canada or to any other country may be taken up unembarrassed by action on this bill.

Mr. CUMMINS. Mr. President, at the suggestion of the Senator from Idaho, I will ask for a further division of the question, so that the proviso or amendment which is under discussion can be voted upon separately.

The VICE PRESIDENT. The Secretary will state the amendment.

The SECRETARY. On page 19 strike out the proviso beginning in line 15 and continuing down to line 23, and in lieu insert:

Provided further, That if at any time after said proclamation shall be issued the President of the United States shall have satisfactory evidence that the facts upon which the original proclamation was issued no longer exist, he shall then make proclamation to that effect, and the articles hereinbefore specified to be admitted to the United States exempt from duty shall be subject to such duties as the general tariff law of the United States shall then prescribe for such articles.

The VICE PRESIDENT. The Senator from Iowa asks for the yeas and nays upon his amendment?

Mr. CUMMINS. I do.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. OVERMAN (when Mr. BAILEY's name was called). I was requested by the Senator from Texas [Mr. BAILEY] to state to the Senate that he is suffering very much from an injured eye. He has been suffering all day and has been called from the Chamber on that account.

Mr. FOSTER (when his name was called). I have a general pair with the senior Senator from Wyoming [Mr. WARREN]. He has been temporarily called from the Senate, and in his absence I withhold my vote.

Mr. McCUMBER. I again announce my pair with the senior Senator from Mississippi [Mr. PERCY]. If he were present, I am informed, he would vote "nay." I should vote "yea." I withhold my vote.

The roll call was concluded.

Mr. TAYLOR. I am paired with the junior Senator from Kentucky [Mr. BRADLEY]. If he were present, he would vote "nay." Therefore I am at liberty to vote. I vote "nay."

Mr. CLAPP (after having voted in the affirmative). I have a general pair with the senior Senator from North Carolina [Mr. SIMMONS]. I do not know how he would vote if he were here. I feel constrained, therefore, to withdraw my vote. If he were here, I, of course, would vote for the amendment.

The Secretary recapitulated the vote.

Mr. CLAPP. I have permission to vote. I vote "yea."

Mr. DU PONT. My colleague [Mr. RICHARDSON] is absent from the city. I wish to announce that if he were present he would vote in the negative. I understand that he is paired with the Senator from South Carolina [Mr. SMITH].

Mr. SMITH of South Carolina. Yes; I made that announcement early, I should like to say, in fairness to him, and I asked that it might stand for the balance of the day.

Mr. DU PONT. I did not understand that.

The result was announced—yeas 19, nays 38, as follows:

YEAS—19.

Bourne	Cummins	Heyburn	Nelson
Bristow	Curtis	Jones	Oliver
Brown	Dixon	Kenyon	Smith, Mich.
Clapp	Gallinger	La Follette	Townsend
Clark, Wyo.	Gronna	Lippitt	

NAYS—38.

Bacon	Fletcher	Myers	Smith, S. C.
Brandegee	Gore	Overman	Smoot
Briggs	Hitchcock	Page	Stone
Bryan	Johnson, Me.	Penrose	Swanson
Burnham	Johnston, Ala.	Perkins	Taylor
Burton	Kern	Poindexter	Watson
Chamberlain	Lodge	Pomerene	Wetmore
Chilton	McLean	Reed	Williams
Crane	Martin, Va.	Root	
du Pont	Martine, N. J.	Shively	

NOT VOTING—34.

Bailey	Dillingham	Nixon	Stephenson
Bankhead	Foster	O'Gorman	Sutherland
Borah	Frye	Owen	Terrell
Bradley	Gamble	Paynter	Thornton
Clarke, Ark.	Guggenheim	Percy	Tillman
Crawford	Lea	Rayner	Warren
Culberson	Lorimer	Richardson	Works
Cullom	McCumber	Simmons	
Davis	Newlands	Smith, Md.	

So. Mr. CUMMINS's amendment was rejected.

Mr. CUMMINS. I now desire a vote upon the second paragraph of the division to which I called attention a few moments ago. I expected that it would be all voted upon together, but on the suggestion of the Senator from Idaho [Mr. HEYBURN] I separated the paragraph upon which we have just voted.

I now submit to the Senate this amendment to be added to the proviso:

Provided further, That if at any time after the articles hereinbefore mentioned are admitted free under the aforesaid proclamation the President becomes satisfied that the rates of transportation upon any such article from Canada into the United States are unreasonably low, or are unreasonably high upon any such article from the United States, as compared with fair and reasonable rates upon the like article for substantially the same distance in the United States, he may issue his proclamation to that effect, and thereafter the said article or articles, when imported from Canada into the United States, shall be subject to the general tariff law of the United States.

The Senate evidently is perfectly willing to trust to the good faith of Canada without any agreement with it whatsoever. I wonder whether it is also willing to trust to the good faith of the railroads of Canada that lead into the United States and into our markets and from our producing fields into the Canadian markets. The danger sought to be avoided by the amendment is not an imaginary one. It will be for the interest of the Canadian railroads to build up the industries of Canada and to promote the welfare of Canadian producers generally, and, as we all know, the variation of a few cents per hundred pounds would determine whether the products of Canada shall be consumed in our markets or whether there shall be consumed in our markets the products of the United States.

I do believe that we ought to have just a little care of our own producers. We have through long and weary years built up a system which now protects the various communities of the United States against unfair relative rates, but our business is now to be commingled with that of Canada; and over the rates between Canada and the United States and between the United States and Canada we have no control whatsoever. If we do not reserve the power to retaliate if there shall be unreasonable discrimination against our products in the business of these railroads, we will suffer just so surely as time goes on.

I submit this amendment, Mr. President, and upon it I ask for the yeas and nays, saying at the same time that I shall not ask for the yeas and nays upon any other of my amendments.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. OVERMAN (when Mr. BAILEY's name was called). I again announce that the Senator from Texas [Mr. BAILEY] has been called from the Chamber on account of suffering with his eyes.

Mr. FOSTER (when his name was called). Again announcing my pair with the senior Senator from Wyoming [Mr. WARREN], who is temporarily absent from the Senate, I withhold my vote.

Mr. McCUMBER (when his name was called). I again announce my pair with the Senator from Mississippi [Mr. PERCY], and withhold my vote.

Mr. SMITH of South Carolina (when his name was called). In justice to the junior Senator from Delaware [Mr. RICHARDSON], with whom I have a general pair, I want it to appear distinctly in the RECORD that he informed me of his intended absence; that on all amendments to this bill he would vote "nay," and that I would be at liberty to vote if I voted in accordance with the way he would vote. As it has transpired that on these amendments we would vote the same way, I desire that the notice which I gave earlier in the evening shall stand for the remainder of the day, and I want this in the RECORD, showing that I keep faith with him, as I know he would do the same with me. I vote "nay."

Mr. TAYLOR (when his name was called). If my pair, the junior Senator from Kentucky [Mr. BRADLEY], were present, he would vote "nay" on all these amendments. Therefore I am at liberty to vote. I vote "nay."

The roll call was concluded.

Mr. SIMMONS. I desire again to announce the pair of the Senator from Arkansas [Mr. CLARKE] with the Senator from Wisconsin [Mr. STEPHENSON], and to say that, if present, the Senator from Arkansas would vote "yea" on this amendment.

The result was announced—yeas 12, nays 46, as follows:

YEAS—12.

Bourne	Clapp	Dixon	La Follette
Bristow	Clark, Wyo.	Gronna	Nelson
Brown	Cummins	Kenyon	Simmons

NAYS—46.

Bacon	Fletcher	Martin, Va.	Smith, Mich.
Brandegee	Gallinger	Martine, N. J.	Smith, S. C.
Briggs	Gore	Myers	Smoot
Bryan	Heyburn	Oliver	Stone
Burnham	Hitchcock	Page	Swanson
Burton	Johnson, Me.	Penrose	Taylor
Chamberlain	Johnston, Ala.	Perkins	Townsend
Chilton	Jones	Poindexter	Watson
Crane	Kern	Pomerene	Wetmore
Cullom	Lippitt	Reed	Williams
Curtis	Lodge	Root	
du Pont	McLean	Shively	

NOT VOTING—33.

Bailey	Foster	O'Gorman	Sutherland
Bankhead	Frye	Overman	Terrell
Borah	Gamble	Owen	Thornton
Bradley	Guggenheim	Paynter	Tillman
Clarke, Ark.	Lea	Percy	Warren
Crawford	Lorimer	Rayner	Works
Culberson	McCumber	Richardson	
Davis	Newlands	Smith, Md.	
Dillingham	Nixon	Stephenson	

So the amendment of Mr. CUMMINS was rejected.

The VICE PRESIDENT. The question now is on the remainder of the amendments offered by the Senator from Iowa.

Mr. CUMMINS. Mr. President, there are a great number of other amendments in the series which I have offered, but I think they are pretty well known to the Senate, and I do not want to detain the Senate longer if I may have unanimous consent to vote upon the remainder of my amendments en bloc.

The VICE PRESIDENT. Without objection, the vote will be taken en bloc upon the remainder of the amendments offered by the Senator from Iowa. The question is on those amendments.

The amendments were rejected.

Mr. CUMMINS. The decapitation is so perfectly complete that I thought voting upon them en bloc was quite right. There is, Mr. President, one amendment that I intend to propose which has not yet been offered; and therefore, I suppose, it is not within the unanimous-consent agreement.

The VICE PRESIDENT. Not if it has not yet been offered, but simply proposed to be offered.

Mr. CUMMINS. It is proposed to be offered.

The VICE PRESIDENT. It is not in the printed copy of the Senator's amendments?

Mr. CUMMINS. It is not.

The VICE PRESIDENT. Then, it is not covered by the unanimous-consent agreement.

Mr. CUMMINS. I supposed that it was not within the unanimous-consent agreement.

The VICE PRESIDENT. It is not covered by the unanimous-consent agreement.

Mr. SIMMONS. Mr. President, I had not intended this evening to offer the amendments which I intend to propose, but I understand, as they are included in the unanimous-consent arrangement, that it will be necessary for me to offer them during this legislative day. They are somewhat similar to the amendments that have been acted upon. One of them puts meats of all kinds, fresh, dried, and so on, including hams and bacon, on the free list, transferring them from the dutiable to the free list. The other amendment transfers flour of all kinds, oatmeal, and so on, from the dutiable list to the free list.

Mr. President, I desire to say that while I offer these amendments and ask for a vote, I shall not ask for a yea-and-nay vote on them; but I will be content just to have a viva voce vote of the Senate. I know they will be voted down as in Committee of the Whole, but when the bill gets into the Senate I shall offer them again and ask for a yea-and-nay vote upon them.

The VICE PRESIDENT. The amendments proposed by the Senator from North Carolina will be stated.

The SECRETARY. It is proposed to strike out on page 1, line 10 to line 12, inclusive, the following words:

Fresh meats—Beef, veal, mutton, lamb, pork, and all other fresh or refrigerated meats excepting game, 1¼ cents per pound.

Strike out on page 2, line 1 to line 13, inclusive, the following words:

Bacon and hams, not in tins or jars, 1¼ cents per pound.
Meats of all kinds, dried, smoked, salted, in brine, or prepared or preserved in any manner, not otherwise herein provided for, 1¼ cents per pound.
Canned meats and canned poultry, 20 per cent ad valorem.
Extract of meat, fluid or not, 20 per cent ad valorem.
Lard and compounds thereof, cottolene and cotton stearine, and animal stearine, 1¼ cents per pound. Tallow, 40 cents per 100 pounds.

Insert on page 16, after the words "all other live animals," in line 6, the following words:

Fresh meats—Beef, veal, mutton, lamb, pork, and all other fresh or refrigerated meats excepting game.
Bacon and hams, not in tins or jars.
Meats of all kinds, dried, smoked, salted, in brine, or prepared or preserved in any manner, not otherwise herein provided for.
Canned meats and canned poultry.
Extract of meat, fluid or not.
Lard and compounds thereof, cottolene and cotton stearine, and animal stearine.
Tallow.

Also to strike out, on page 10, from line 10 to line 25, inclusive, and on page 11, from line 1 to line 10, inclusive, the following words:

Wheat flour and semolina, and rye flour, 50 cents per barrel of 196 pounds.
Oatmeal and rolled oats, including the weight of paper covering, 50 cents per 100 pounds.
Corn meal, 12½ cents per 100 pounds.
Barley malt, 45 cents per 100 pounds.
Barley, pot, pearled, or patent, one-half cent per pound.
Buckwheat flour or meal, one-half cent per pound.
Split peas, dried, 7½ cents per bushel of 60 pounds.
Prepared cereal foods, not otherwise provided for herein, 17½ per cent ad valorem.
Bran, middlings, and other offals of grain used for animal food, 12½ cents per 100 pounds.
Macaroni and vermicelli, 1 cent per pound.
Biscuits, wafers, and cakes, when sweetened with sugar, honey, molasses, or other material, 25 per cent ad valorem.
Biscuits, wafers, cakes, and other baked articles, composed in whole or in part of eggs or any kind of flour or meal, when combined with chocolate, nuts, fruits, or confectionery; also candied peel, candied popcorn, candied nuts, candied fruits, sugar candy, and confectionery of all kinds, 32½ per cent ad valorem.

And insert on page 16 of the bill, after the words "and beans and edible," in line 9, the following words:

Wheat flour and semolina, and rye flour.
Oatmeal and rolled oats, including weight of paper covering.
Corn meal.
Barley malt.
Barley, pot, pearled, or patent.
Buckwheat flour or meal.
Split peas, dried.
Prepared cereal foods not otherwise provided for herein.
Bran, middlings, and other offals of grain used for animal food.
Macaroni and vermicelli.
Biscuits, wafers, and cakes, when sweetened with sugar, honey, molasses, or other material.
Biscuits, wafers, cakes, and other baked articles composed in whole or in part of eggs or any kind of flour or meal, when combined with chocolate, nuts, fruits, or confectionery; also candied peel, candied popcorn, candied nuts, candied fruits, sugar candy, and confectionery of all kinds.

The VICE PRESIDENT. The question is on agreeing en bloc to the amendments offered by the Senator from North Carolina.

The amendments were rejected.

Mr. GALLINGER. I move that the Senate adjourn.

Mr. STONE. I rise to a question of order.

The VICE PRESIDENT. The Senator will state it.

Mr. STONE. I understood the Senator from Iowa [Mr. CUMMINS] to state that he had one amendment yet pending that had not been acted upon.

The VICE PRESIDENT. Not pending, but printed separately and not yet offered. It was not covered by the unanimous-consent agreement.

Mr. STONE. The unanimous-consent agreement covered all amendments offered by the Senator from Iowa.

The VICE PRESIDENT. The amendment referred to by the Senator from Iowa has not been offered.

Mr. STONE. Oh, not offered.

Mr. CUMMINS. May I explain to the Senator from Missouri how it happened? The amendment has not been printed——

The VICE PRESIDENT. A motion to adjourn is pending.

Mr. STONE. Let the matter go.

Mr. CUMMINS. Very well.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from New Hampshire [Mr. GALLINGER], that the Senate adjourn.

The motion was agreed to; and (at 7 o'clock and 33 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, July 11, 1911, at 11 o'clock a. m.

SENATE.

TUESDAY, *July 11, 1911.*

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

THE JOURNAL.

The Journal of yesterday's proceedings was read.

Mr. HEYBURN. Mr. President, I should like to ask for information or to make a suggestion. I notice in the reading of the Journal that mention is given on every occasion of the absence of a quorum and the roll call. It seems to me that that might very well be eliminated from the Journal. It accomplishes no good purpose at all, and it is not information that is valuable to anyone. I suggest that, there being no rule requiring it, such proceedings should not appear in the Journal. In the RECORD it is proper to appear, but it is not necessary that it should appear in the Journal, and I can see no good purpose served.

The VICE PRESIDENT. Rule IV provides that—

The proceedings of the Senate shall be briefly and accurately stated on the Journal.

Mr. HEYBURN. There are a great many, because speeches are proceedings of the Senate. Still we exercise a discriminating judgment in regard to the matter. I merely mention it for consideration. I think it is worthy of consideration.

The VICE PRESIDENT. Very well. Of course the Journal is made up by the Secretary, not by the Chair.

Mr. HEYBURN. I was aware of that, of course.

The Journal was approved.

PETITIONS AND MEMORIALS.

Mr. McLEAN. I present a resolution adopted by the Assembly of the State of Connecticut, which I ask may be printed in the RECORD and referred to the Committee on Post Offices and Post Roads.

There being no objection, the resolution was referred to the Committee on Post Offices and Post Roads and ordered to be printed in the RECORD, as follows:

STATE OF CONNECTICUT,
OFFICE OF THE SECRETARY,
General Assembly, January Session, 1911.

Resolution concerning the extension of domestic general parcels post.

Resolved by this assembly, That the Senators and Representatives of this State in the Congress of the United States are hereby requested to do all in their power to secure the immediate passage of an act providing for the extension of our domestic general parcels post in substantial accordance with the provisions of a bill entitled "A bill to reduce postal rates, to improve the postal service, and to increase postal revenues," being H. R. 14, Sixty-second Congress, first session, and providing as follows:

"That the common weight limit of the domestic postal service of the United States is hereby increased to 11 pounds, the common limit of the Universal Postal Union, and that in the general business of the post office the 1-cent-an-ounce rate on general merchandise—fourth-class mail matter—be, and is hereby, reduced to the third-class rate, 1 cent for each 2 ounces or fraction thereof.

"SEC. 2. That the rate on local letters or sealed parcels posted for delivery within the free-delivery services is hereby determined at 2 cents on parcels up to 4 ounces, 1 cent on each additional 2 ounces; at nondelivery offices, 1 cent for each 2 ounces.

"SEC. 3. That all mail matter collected and delivered within the different rural routes of the United States is hereby determined to be in one class, with rates, door to door, between the different houses and places of business and the post office or post offices on each route, as follows: On parcels up to one twenty-fourth of a cubic foot, or 1 by 6 by 12 inches in dimensions and up to 1 pound in weight, 1 cent; on larger parcels up to one-half a cubic foot, or 6 by 12 by 12 inches in dimensions and up to 11 pounds in weight, 5 cents; on larger parcels up to 1 cubic foot, 6 by 12 by 24 inches in dimensions and up to 25 pounds in weight, 10 cents. No parcel shall be over 6 feet in length, and in no case shall a carrier be obliged to transport a load of over 500 pounds.

"SEC. 4. That on all unregistered prepaid mail matter without declared value an indemnity up to $10 shall be paid by the Post Office Department for such actual loss or damage as may occur through the fault of the postal service, and this without extra charge. Certificates of posting shall be provided on demand. On registered parcels of declared value and on which the fee for registration, insurance, and postage has been duly prepaid, the Post Office Department shall pay the full value of any direct loss or damage that may occur through the fault of the postal service. The fees for insurance and registration shall be as follows: For registration and insurance up to $50, 10 cents; for each additional $50, 2 cents. No claim for compensation will be admitted if not presented within one year after the parcel is posted.

"SEC. 5. That all acts and parts of acts inconsistent with this act are hereby repealed.

"SEC. 6. That this act shall take effect six months from and after the date of approval thereof."

House of representatives. Passed June 13, 1911.
Senate. Passed June 22, 1911.

Mr. McLEAN presented a memorial of Local Division No. 1, Ancient Order of Hibernians, of Windsor Locks, Conn., remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

Mr. CULLOM presented petitions of the congregations of the Twelfth Street Presbyterian Church, of Alton, and of Edna M. Garrigues, of Trenton, in the State of Illinois; of the Friends Christian Endeavor Society, of Glen Elder, and of sundry citizens of Parsons, in the State of Kansas; and of sundry citizens of Concord, Mass., praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

Mr. OLIVER presented a petition of the Board of Trade of Pottsville, Pa., and a petition of the Board of Trade of Reading, Pa., praying for the proposed reciprocal trade agreement between the United States and Canada, which were ordered to lie on the table.

He also presented memorials of Local Union No. 81, of Pittsburg; of Local Union No. 273, of Philadelphia; and of Local Union No. 249, International Brotherhood of Stationary Firemen, all in the State of Pennsylvania, remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which were ordered to lie on the table.

He also presented a petition of the Board of Trade of Pittsburg, Pa., and a petition of the National Association of Automobile Manufacturers, praying for the adoption of an amendment to the so-called corporation-tax law permitting corporations to make returns at the end of their fiscal years, which were referred to the Committee on Finance.

He also presented a memorial of the Association of Retail Druggists of Philadelphia, Pa., remonstrating against the imposition of a stamp tax on proprietary medicines, which was referred to the Committee on Finance.

Mr. KERN presented resolutions adopted by Group 8, Indiana Bankers' Association, at Vincennes, Ind., and resolutions adopted by Group 1, Indiana Bankers' Association, of Indiana, favoring the adoption of the currency system as proposed by the National Monetary Commission, which were referred to the Committee on Finance.

Mr. LODGE. I present resolutions adopted by the Legislature of the Commonwealth of Massachusetts, which I ask may be printed in the RECORD and referred to the Committee on Foreign Relations.

There being no objection the resolutions were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

THE COMMONWEALTH OF MASSACHUSETTS,
HOUSE OF REPRESENTATIVES,
June 22, 1911.

Ordered, That the General Court of the Commonwealth of Massachusetts, speaking for the people of the Commonwealth, does hereby express its sense that uniform treatment and protection should be accorded to every American citizen, regardless of race, color, creed, or religious faith, and that every earnest and peaceful effort should be made by the executive department of this Government to secure from the Governments of all other countries uniformity of treatment and protection to American citizens holding passports duly issued by the authorities of the United States, in order that all American citizens shall have guaranteed freedom of travel and sojourn, without regard to race, color, creed, or religious faith, in all countries holding friendly relations with the United States, and that in every country at least equal rights and privileges be granted to all such American citizens as are granted to the citizens of any other country; and be it further

Ordered, That the United States Government be, and hereby is, strongly urged to exert all possible means to procure either an amendment to the present treaty with Russia or a new treaty with that country by which American citizens, regardless of race, color, creed, or religious faith, resorting to that country for peaceful and legitimate purposes of travel, business, or domicile, shall no longer be treated with discrimination; and be it further

Ordered, That our Senators and Representatives in Congress be requested to use their efforts to bring about this highly desirable result; and be it further

Ordered, That the secretary of the Commonwealth be requested to transmit a copy of these orders to the President of the United States, to each member of his Cabinet, and to each of our Senators and Representatives in Congress.

Sent up for concurrence.

JAMES W. KIMBALL, *Clerk.*

SENATE, *June 27, 1911.*

Adopted in concurrence.

HENRY D. COOLIDGE, *Clerk.*

THE COMMONWEALTH OF MASSACHUSETTS,
SECRETARY'S OFFICE,
Boston, June 30, 1911.

A true copy. Attest:

ALBERT P. LANGTRY,
Secretary of the Commonwealth.

Mr. PERKINS presented resolutions adopted at the annual session of the California Yearly Meeting of Friends' Church, held at Whittier, Cal., praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

Mr. BRANDEGEE presented a resolution adopted by the General Assembly of the State of Connecticut, favoring the immediate extension of our domestic general parcels post, which was referred to the Committee on Post Offices and Post Roads and ordered to be printed in the RECORD. (See first column of this page.)

NATIONAL ARCHIVES BUILDING.

Mr. WILLIAMS. Mr. President, I present a memorial for a national archives building at the Federal seat of government which has been sent by the department of archives and history in the two States of Mississippi and Alabama. I ask unanimous consent that the memorial be printed as a Senate document. (S. Doc. No. 64.)

Mr. SMOOT. I should like to know what the document is, as I did not hear the Senator's statement.

Mr. WILLIAMS. It is a memorial sent by the department of archives and history of the States of Alabama and Mississippi requesting the erection at the Federal seat of government of a national archives building. It is very short, containing only about four pages, giving very concisely the reasons why it is necessary and advisable to do so.

Mr. SMOOT. I have no objection.

The VICE PRESIDENT. Without objection, the order to print as a document is entered.

RECIPROCITY WITH CANADA.

Mr. SIMMONS. Mr. President, I ask unanimous consent to publish as a part of the remarks I made on yesterday on the reciprocity bill certain tables which I intended to use, but which I did not do on account of interruptions, and also a circular issued by the executive committee of my State, to which I referred.

The VICE PRESIDENT. Without objection, the request of the Senator from North Carolina is granted.

NEW MEXICO AND ARIZONA.

Mr. SMITH of Michigan. From the Committee on Territories I report back favorably, with amendments, the joint resolution (H. J. Res. 14) to admit the Territories of New Mexico and Arizona as States into the Union, upon an equal footing with the original States, and I submit a report (No. 100) thereon.

The VICE PRESIDENT. The joint resolution will be placed on the calendar.

Mr. SMITH of Michigan. Mr. President, in making the report of the Committee on Territories I desire to say that it was the understanding among the members of the committee that each member should be privileged to make such report and offer such amendments as he felt called upon to propose.

Mr. CLAPP. Such recommendations?

Mr. SMITH of Michigan. Such recommendations and such amendments. I simply desire to say that I am personally very friendly to the prompt admission of Arizona and New Mexico as States, but it may be deemed expedient, in order to accomplish that end at the present session, that certain amendments shall be considered, and I desire to give notice of my intention to offer an amendment later upon the question of the judicial recall respecting the constitution of Arizona.

Further, Mr. President, as soon as it seems advisable, I shall at an early day ask the Senate to fix a definite time when we may vote upon the joint resolution, with such amendments as may be offered and as have been made by the committee.

Mr. NELSON rose.

Mr. SMITH of Michigan. The Senator from Minnesota, the ranking member of the committee, I assume desires to speak to the same question. I therefore yield to him.

Mr. NELSON. Mr. President, on behalf of the minority of the committee, I desire to state briefly that while we were in favor of the admission of New Mexico with the constitution it has adopted without any qualification, the minority of the committee are utterly opposed to the admission of Arizona with the constitution that they present to Congress. We are opposed to it especially on two grounds. First, because it involves the recall of the judges; and second, that a mere 15 per cent of the last vote for governor can propose a constitutional amendment for adoption by the people. We think that in those respects, aside from many others, the constitution is vitally defective, and that the State never ought to be admitted with those provisions in its constitution.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PENROSE:

A bill (S. 3000) granting a pension to Howard Reeder; and

A bill (S. 3001) granting a pension to Caroline S. Mindil; to the Committee on Pensions.

By Mr. KERN:

A bill (S. 3002) granting an increase of pension to Samuel T. Mills (with accompanying papers);

A bill (S. 3003) granting an increase of pension to Alonzo J. Mather (with accompanying papers); and

A bill (S. 3004) granting a pension to Rose Anna Nagley (with accompanying papers); to the Committee on Pensions.

By Mr. JOHNSON of Maine:

A bill (S. 3005) for the relief of the Grand Lake Stream Co.; to the Committee on Claims.

A bill (S. 3006) granting an increase of pension to Ira Flagg (with accompanying papers); and

A bill (S. 3007) granting an increase of pension to Sara A. Haskell; to the Committee on Pensions.

By Mr. GALLINGER:

A bill (S. 3008) to authorize the extension of Eighteenth Street NE. (with accompanying paper); and

A bill (S. 3009) to authorize the extension of Irving Street NE. (with accompanying paper); to the Committee on the District of Columbia.

By Mr. McLEAN:

A bill (S. 3010) granting an increase of pension to Eli Hoyt (with accompanying paper); to the Committee on Pensions.

By Mr. OLIVER:

A bill (S. 3011) for the relief of David Lowry (with accompanying papers); to the Committee on Claims.

By Mr. THORNTON:

A bill (S. 3012) for the relief of the estate of Heluter Tounoir, deceased;

A bill (S. 3013) for the relief of the estate of Vamalle Basile, deceased; and

A bill (S. 3014) for the relief of the estate of Augustin Laban, deceased; to the Committee on Claims.

By Mr. SMOOT:

A bill (S. 3015) granting an increase of pension to George F. Sawin (with accompanying paper); to the Committee on Pensions.

By Mr. WARREN:

A bill (S. 3016) granting an increase of pension to Robert R. Smith; to the Committee on Pensions.

SALOONS IN THE DISTRICT OF COLUMBIA.

On motion of Mr. GALLINGER, it was

Ordered, That 25 copies only of the map prepared under the supervision of the junior Senator from California [Mr. WORKS], relating to the location of the saloons of the District of Columbia, be printed for the use of the Committee on the District of Columbia.

PENSACOLA NAVY YARD.

Mr. FLETCHER. I submit a resolution and ask permission of the Senate to make a brief statement in connection with it.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 100) was read, as follows:

Resolved, That the Secretary of the Navy be, and he is hereby, directed to inform the Senate as promptly as possible what orders, if any, he has issued respecting the navy yard at Pensacola, Fla.; what work incident to navy yards has been done at said navy yard within the last two fiscal years; whether work can be done at said navy yard as economically as at other navy yards, and if not, why not; whether specific appropriations for elevator of March 3, 1905, amounting to $1,000, and for remodeling building of March 3, 1909, amounting to $15,000, have been expended as provided by said acts; and if not, why not; and that he further report whether it is his intention to abandon work at said navy yard.

Mr. FLETCHER. Mr. President, this resolution is prompted by some recent orders of the Secretary of the Navy, the precise nature of which I am not advised, but consider it of public interest to know. Certain consequences have followed which indicate quite clearly the general character of the orders and the plain purpose of the Navy Department with respect to the navy yard at Pensacola, Fla.

This yard is included in a Government reservation of some 1,800 acres fronting on Pensacola Bay between the city of Pensacola and the entrance channel from the Gulf, off the end of Santa Rosa Island, which lies between the bay and the Gulf, and where is established Fort Pickens, with its sea wall, protected fort, retreating guns, and modern equipment.

There has been expended on this navy yard by the Government to June 30, 1910 (Rept., p. 31), for land, public works and improvements, and machinery installed, and maintenance, including repairs, a total of $12,217,413.11.

It has a walled-in area larger than any naval reservation in the country. The commandant's residence is a handsome structure. The hospital is a large buildling. The officers' and men's quarters are commodious. A splendid power plant is in fine condition. A water and pumping system is quite extensive. There is a considerable settlement, called Warrington, on the reservation, where the workmen are afforded good houses and yard room, under modern sanitary conditions. Electric-light plant, artesian water, sewerage system, wharves, docks, hoisting and other machinery, including a floating dock, which cost just after the Spanish War, in Habana Harbor, some $90,000, make the yard quite complete of its class.

More important than all else mentioned is the fact that as the commandant, Admiral Lucien Young, reports a war vessel drawing 30 to 35 feet of water can come limping alongside the wharf at this yard the darkest night. I challenge the department or anyone to point out such a harbor on either coast. Our largest battleships have maneuvered in that harbor without a mishap of any kind. Examine the charts and be convinced that nowhere have we a superior harbor, and I need not make further comparison.

Work can be done in this yard every day in the year. The climatic conditions are most desirable. The coal and iron and timber and all needed supplies are close at hand. Ample supply of labor under the most healthy and comfortable conditions is obtainable readily. Shipbuilding or repairing—all kinds of work—can be done there with a maximum of economy.

The proximity of the Central American countries, the Panama Canal, the West Indies, Cuba, the Caribbean Sea, emphasizes the importance of the location.

The proposition is to close that yard and the one at New Orleans and leave the 3,000 miles of Gulf coast and the South Atlantic coast without any yard where a vessel, even an injured torpedo boat, could be repaired. It is proposed to have a station at Key West—a sort of subbase for coaling and supplies—but no yard.

It is quite clear to most people that if we ever have any cause for engaging our Navy in actual service the seat of trouble will likely be in the Caribbean and Gulf of Mexico.

If navy yards are to be abandoned, shall they be those nearest the zone of conflict—within a few hundred miles at most—or should they be those several thousand miles distant from the place of need?

It is admitted that this yard was established by act of Congress. From time to time, and as late as June 24, 1910, Congress has made specific appropriations for it. Clearly Congress has expressed no intention, not even an intimation of a purpose, to abandon this yard. The Secretary of the Navy has recently discharged about 60 per cent of the employees, 131 in number, and transferred the officers and packed up the stores on hand for shipment to some other point, and evidently intends to make further reduction in the force at an early date, until there will be left a chief carpenter, as the officer in charge, and a half dozen watchmen and caretakers to look after the property. The yard will be closed. Not a hammer will be heard. The expensive machinery will be given a coat of white lead and a farewell. The docks and wharves will be neglected and go fast to destruction. Snakes will crawl through the weeds which will cover those now beautiful grounds. Bats and owls will make their homes in the unoccupied buildings. The men who have lived in Warrington for half a century and performed well such work as a discriminating department allowed them to have must seek some other abiding place. Desolation will take the place of what could and should be a well-ordered, busy, hustling, thoroughgoing, up-to-date, well-appointed, efficient navy yard, under skillful operation and masterful direction. The Government property, worth millions of dollars, will go to certain and speedy ruin.

All this because the Navy Department asserts its right and its choice to do indirectly, in effect, what it can not do directly. It has no authority to abandon the yard; it claims the power to close it. The difference is about the same as that between "tweedledum" and "tweedledee." For my part I would rather see the yard abandoned than closed. It would seem reasonable and appropriate and advisable to consult and obtain the concurrence of Congress before taking such a course. Congress, before deciding so serious a question, involving a reversal of past policies, turning against a yard and harbor selected nearly a century ago and favored by experts since, and sacrificing valuable property, would likely, through its regular or special committees, make a careful examination of the whole matter and give due consideration to all the facts, circumstances, and conditions. The conclusion, when that is done, will find acceptance. Until then I question the wisdom and the authority to peremptorily discharge the force and close the yard, as the department proposes. I claim, for instance, that specific appropriations for that yard made by Congress must be used there and can not be applied elsewhere.

The report of the Secretary of the Navy shows these appropriations at page 217, and the unused portions aggregate $74,359.38. I claim that the Secretary of the Navy can not establish a naval base in this or a foreign country without the consent of and provision by Congress, and if one be established at Guantanamo or anywhere else, it does not follow that thereby the Secretary is given leave and license to abandon or close yards long established elsewhere, in the teeth of Congress and against every expression he has ever been able to wring from Congress. It is important to know precisely what is being done in this respect and the reasons and authority for such action. Not only Florida and the Gulf States, but the whole country is concerned in this matter.

The Pensacola Navy Yard was established in 1824, having been selected by a board of naval officers. President Adams, December 3, 1825, approved the action of Congress, and oak forests in the vicinity were purchased for shipbuilding purposes. When the State was admitted, in 1845, Gov. Broome affirmed Federal jurisdiction. In 1836 a complete plan for a first-class naval station was commenced, and by 1861 it became one of the most complete and efficient stations in the country. Admiral Farragut reported that Pensacola should be retained as the first-class navy yard of the South.

To say that along with Pensacola and New Orleans should be abolished New London and Sacketts Harbor is trifling. New London has not been a navy yard since the Civil War, and Sacketts Harbor is only a somewhat unimportant sailors' home.

We contend this yard is sufficiently fortified, or easily can be. It should be made a first-class yard. It is easy to say the expenditures there exceed the productive work at present. It is a very simple matter for the department to deny work to a yard—starve it—and then cite the pay roll and other expenses in comparison with the amount of work turned out and prove that a wise economy dictates the cutting down of expenses. That simply means that the necessary expenses of a man without employment exceed his income. There is work to do, but if it is sent elsewhere and there is nothing furnished the yard to do the very condition complained of is produced. The evidence that the yard is unprofitable is manufactured thus by those who would destroy it.

Pensacola does an export business of more than $20,000,000 annually, and considerable work could be done for outside concerns while Government work is slack at this yard.

Mr. President, I ask that the resolution lie on the table until called up for some further remarks by my colleague, and possibly by myself, before action is taken upon it.

The VICE PRESIDENT. Without objection, the resolution will be printed and lie on the table.

MESSENGER TO COMMITTEE ON EDUCATION AND LABOR.

Mr. BORAH submitted the following resolution (S. Res. 101), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Education and Labor be, and it is hereby, authorized to employ a messenger at a salary of $1,440 per annum, to be paid from the contingent fund of the Senate until otherwise provided for by law.

RECIPROCITY WITH CANADA.

The VICE PRESIDENT. The morning business is closed.

Mr. PENROSE. I move that the Senate proceed to the consideration of House bill 4412, the reciprocity bill.

Mr. NELSON. I suggest the absence of a quorum.

The VICE PRESIDENT. Pending the motion, the Senator from Minnesota suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll.

Mr. THORNTON. The senior Senator from Louisiana [Mr. FOSTER] is absent from his seat on account of business at a committee meeting.

Mr. HEYBURN. I ask for a call of the absentees.

The VICE PRESIDENT. The Senator from Idaho asks for a call of the absentees. Without objection, the Secretary will call the list of the absentees.

Mr. LODGE. Has the number of those present been announced?

The VICE PRESIDENT. It has not. A quorum is present. The Senator from Idaho asks for a call of the absentees.

The Secretary called the list of absentees, as follows:

Messrs. Bailey, Bankhead, Borah, Bradley, Bristow, Brown, Chilton, Clark of Wyoming, Clarke of Arkansas, Crawford, Culberson, Davis, Dillingham, Dixon, du Pont, Foster, Frye, Gamble, Gore, Hitchcock, Jones, La Follette, Lea, Lorimer, Newlands, O'Gorman, Owen, Paynter, Percy, Poindexter, Rayner, Richardson, Shively, Smith of Maryland, Smith of Michigan, Stephenson, Stone, Terrell, Tillman, Townsend, Warren, Watson, Wetmore, and Williams.

Mr. BRISTOW, Mr. FOSTER, Mr. POINDEXTER, and Mr. WILLIAMS answered to their names when called.

Mr. BROWN entered the Chamber and answered to his name.

The list of Senators answering on the roll call is as follows:

Bacon	Cummins	Lodge	Poindexter
Bourne	Curtis	McCumber	Pomerene
Brandegee	Fletcher	McLean	Reed
Briggs	Foster	Martin, Va.	Root
Bristow	Gallinger	Martine, N. J.	Simmons
Brown	Gronna	Myers	Smith, S. C.
Bryan	Guggenheim	Nelson	Smoot
Burnham	Heyburn	Nixon	Sutherland
Burton	Johnson, Me.	Oliver	Swanson
Chamberlain	Johnston, Ala.	Overman	Taylor
Clapp	Kenyon	Page	Thornton
Crane	Kern	Penrose	Williams
Cullom	Lippitt	Perkins	Works

The VICE PRESIDENT. Fifty-two Senators have answered to the roll call. A quorum of the Senate is present.

The question is on the motion of the Senator from Pennsylvania that the Senate proceed to the consideration of the reciprocity bill.

The motion was agreed to.

CONSTITUTIONS OF NEW MEXICO AND ARIZONA.

Mr. SUTHERLAND. Mr. President, I ask unanimous consent that the reciprocity bill may be temporarily laid aside in order that I may be permitted to address the Senate on House joint resolution 14, in accordance with notice previously given.

The VICE PRESIDENT. Without objection, the reciprocity bill will be temporarily laid aside, and the Chair will lay before the Senate the joint resolution referred to by the Senator from Utah, the title of which will be stated.

The SECRETARY. A joint resolution (H. J. Res. 14) to admit the Territories of New Mexico and Arizona as States into the Union upon an equal footing with the original States.

Mr. SUTHERLAND. Mr. President, during the last few years the United States of America has become the field of operation for an amiable band of insurgent soothsayers, who have been going up and down the land indulging in cabalistic utterances respecting the initiative, the referendum, the recall, and divers and

sundry other ingenious devices for realizing the millenium by the ready and simple method of voting it out of its present state of incubation. They direct our attention to the clouds flying above the far western horizon, upon which the flaming finger of the Oregon sun has traced, in radiant and opalescent tints, glowing pathways and shining minarets, stately temples and castles and palaces, pinnacles of gold and caves of purple, and they tell us that these are the visible signs which mark the exact location of the new and improved political Jerusalem, where the wicked officeholders cease from troubling and the weary voters do all the work. They bid us join them in an airy pilgrimage to this scene of pure delight, and assure us that here, high above all selfish and mundane things, is the land "flowing with milk and honey," where every bird is a songster, where the exquisite and perfect flowers of political purity are in perpetual bloom, where "every prospect pleases" and only the "standpatter" is vile, where all the laws are perfect and corruption and wickedness are forgotten legends.

A good many people are accepting the invitation, without taking the precaution to secure return tickets.

As an humble observer of this spectacular enterprise I have thought it worth while to interrupt the somewhat monotonous consideration of the reciprocity bill long enough to suggest some reasons for anticipating the abrupt and inevitable return of these hopeful aeronauts to the solid earth after these alluring visions shall have faded into the damp and ghostly fog, the cold and unsubstantial mist, of which they are composed, and into which certain enthusiastic but irresponsible "balloonatics" have carried them in a balloon all gas and no ballast.

The conditions to which I have thus briefly alluded find a striking illustration in the proposed constitution of Arizona, which is now before the Senate for consideration. There has been more or less controversy respecting the precise authority of Congress in dealing with the proposed constitutions of Arizona and New Mexico. It has been broadly asserted that the only authority of Congress is to determine whether or not these proposed constitutions establish a government republican in form and contain certain provisions definitely specified by the enabling act. The so-called New Mexico-Arizona enabling act provides that—

When said constitution and such provisions thereof as have been separately submitted shall have been duly ratified by the people, * * * a certified copy of the same shall be submitted to the President * * * and to Congress for approval. * * * And if Congress and the President approve said constitution and the separate provisions thereof, if any, or if the President approves the same and Congress fails to disapprove the same during the next regular session thereof, then and in that event the President shall certify said facts to the governor, * * * who shall, within 30 days after the receipt of said notification, * * * issue his proclamation for the election of the State and county officers—

And so on.

Before either New Mexico or Arizona is entitled to admission, four distinct steps are required:

1. The *framing* of the constitution and its submission to a vote of the people of the State.

2. The adoption of the constitution by a majority vote of the people.

3. The approval of the constitution by the President; and

4. The failure of Congress to disapprove the same at the next regular session after the approval of the President.

Neither the authority of the President nor of Congress in passing upon this question is limited by any language in the enabling act. In terms their power to approve or disapprove is as broad as that of the people in voting upon the question of the ratification or rejection of the proposed constitution. If the President's authority is limited, it is not because of anything in the enabling act, but from the fact that the power to admit new States is one belonging to Congress, which can not be delegated by that body to the President, and it may be well contended that while Congress could delegate to the President the power to determine the existence of a fact—as, for example, that the constitution provided for a government republican in form and contained certain specified provisions upon the existence of which the admission of the State should depend—Congress could not delegate the power to admit or decline to admit the State at his discretion. However this may be so far as the President is concerned, no such limitation attaches to the power of Congress.

The Senate Committee on Territories, reporting the bill to enable the people of Arizona and New Mexico to form constitutions, after calling attention to the provision—

That the President and Congress, representing the Nation, shall review the constitutions of the proposed new States which the Nation is about to admit as a portion of its governing and lawmaking elements—

And to the further fact—

that the Nation is interested as vitally in the form of government of the States which it creates as are the new States themselves—

Said:

It is not only a measure of justice, but a measure of safety which will certainly *prevent any unsound or harmful provisions* in the constitutions of the proposed new States. This, of course, will be beneficial to the proposed new States as well as to the Nation.

Clearly, then, it was contemplated that the responsibility of Congress in the matter should attach to every part of the constitutions, because the power is to be exercised so as to "prevent any unsound or harmful provisions in the proposed constitutions."

This was the view of the Senator from Indiana, Mr. Beveridge, chairman of the committee, who said that by this requirement there was—

afforded a safeguard as to the *wisdom* of its provisions. A constitution is no light thing. It can not hurt anybody to have a constitution carefully drawn; it may help wonderfully to have it reviewed. It is sure to be not less thoughtful on that account. Also, the Nation is as much concerned as the State, for the State is to become a part of the governing power of the Nation.

In the consideration of either of these constitutions, therefore, the entire instrument is before us, and if upon the whole it is of such character or contain such provisions that Congress should not approve, it is the plain duty of that body to disapprove. We shall not, of course, disapprove for light or trivial reasons, but if there is contained in either constitution provisions which we believe to be radically wrong or subversive of the principles of good government, I conceive it to be our plain duty under the enabling act to so declare.

Complaints have been made respecting both the proposed constitutions of New Mexico and Arizona. The principal objection to the New Mexico constitution is that the power of amendment is not sufficiently elastic; that amendments will be too difficult to obtain. With that criticism I am unable to agree. It seems to me that the proposed constitution of New Mexico, like that of Arizona, may be justly criticized for ignoring the principle that constitutions are made to declare and establish fundamental law as distinguished from ordinary legislation. Both constitutions exhibit an unfortunate tendency to deal overmuch with mere details which should have been left to legislation. That, however, is an incident with which we should not, I think, undertake to deal. Legislative acts should be capable of being readily changed to suit the sometimes rapidly changing needs of the community, but constitutions are, or should be, declarations of the permanent, settled, broadly fundamental policies of the State, not to be lightly altered upon the mere caprice of the moment, but only after the most serious and deliberate consideration.

Prof. Stimson admirably states the distinction, as follows:

The Constitution is the permanent will of the people; the law is but the temporary act of their representatives, who have only such power as the people choose to give them.

If the Constitution of the United States had provided for its own amendment as easily as some few of the State constitutions provide, that great instrument would long since have become a medley of incongruous provisions and a patchwork of the shifting foibles of every generation. A written constitution means nothing unless it means stability and permanency. It is the *fundamental law*, the *foundation* upon which rests the whole superstructure of the State; and, like the foundation of a great building, the continual tearing out of a stone here and the insertion of another there will threaten the integrity of the whole structure. To call a constitution which may change with every shifting breath of popular emotion "fundamental law" is a perversion of language. Such a constitution is not to be likened to the foundation of an edifice, but rather to the weathercock upon the steeple, that simply registers the direction of each passing breeze.

The objections to the New Mexico constitution, compared with the Arizona constitution, are not, to my mind, of a serious character, and I shall not spend further time in their discussion, but confine myself to the Arizona constitution; and inasmuch as the features of that instrument which seem to me objectionable are illustrative of what I conceive to be an unwise, dangerous, and growing tendency toward the gradual breaking down of the American system of government throughout the country, I shall discuss the subject in a somewhat general way. I am aware of the fact that it is not fashionable to find fault with any of the new-fangled political fads which are being rather intemperately advocated under the claim of restoring a government by the people. Anyone who doubts the wisdom of the initiative and referendum, the recall, or the direct primary is at once set down by certain self-constituted guardians of the people's rights as a "reactionary" or a "standpatter," and only those who accept the whole program from prologue to epilogue are considered worthy to be called progressive.

Somebody has defined a standpatter as a man who has stopped and can not start and a progressive as one who has started and can not stop. If these definitions are to be accepted as accurate, sensible people will avoid both schools. It would seem to be the part of wisdom to delay starting at least long enough to ascertain where we are going and why, and then to keep going as long as we are headed in the right direction, and to stop whenever we discover that we have lost our bearings. Movement and improvement are not always synonymous terms. Just now there is a good deal of political and social unrest, not only among our own people, but throughout the world. That there is justification for much of the dissatisfaction which exists can probably not be truthfully denied. The conditions, however, which have given rise to this feeling call for sane, wise, level-headed counsel and consideration. But instead of these the agitator is abroad and confusion of thought results. Evils exist as they have always existed. Many remedies are being suggested, some of them good, some of them foolish, many of them utterly vicious and impracticable. There are quacks in politics as there are quacks in medicine, and in the one case as in the other, the quack is usually identified by the superabundance of the laudation with which he advertises himself and his remedies.

The value of a remedy in politics, as in medicine, is to be determined by its efficiency as a curative, and not by the name which its compounders have caused to be blown into the bottle or the promises which they have made in their advertising circulars. Between the political quack, who thinks only of himself, and the political zealot, who does not think at all, we are in grave danger of having all the stability and sanity ground out of our institutions. What we need, in my judgment, is not so much the adoption of new, experimental—not to say dangerous—panaceas for the ills of the body politic, as the conscientious and vigorous enforcement of the old and proven remedies.

Sir, we are living in strenuous days. Everybody seems to be afflicted in one form or another with the speed mania. We are not content to jog along in the old family carriage after the comfortable manner of our fathers; we must hurl ourselves through the land in high-power automobiles, dividing the population into the "quick and the dead" as we pass. The stagecoach has been relegated to the scrap heap, and the Twentieth Century Limited has taken its place. The post office has fallen into more or less disuse, and we are carrying on our correspondence over the telegraph wires by night lettergrams and day lettergrams. The housewife no longer shops with market basket upon her arm; she telephones the grocer and adds the bill for both telephones to the cost of living. To do everything more quickly, to travel faster and faster is the growing obsession of the times, and we are eagerly looking forward to the day when we shall fly through the air without the encumbrance of a gasoline tank, drawing propulsive power as we go from the electric waves which fill the universe with the mysterious energy of their rise and fall. The microbe of restlessness has invaded not only our social but our business and political life as well. We are no longer satisfied to lay by a modest competency for our old age by years of thrift and economy. We must get rich over night by betting on the price of wheat. Houses are no longer built from the foundation up, brick upon brick and stone upon stone. Tremendous steel frames, 10, 20, 40 stories in height, are elevated by the aid of steam and crane, and bricks are laid and windows put in upon every floor at the same time. The roof is fastened on before the cellar is finished. It is not strange that in the universal fever of haste government itself should be swept by this mad spirit of impatience, which has given rise to the new apostle of reform, whose demand is that we shall abandon the methodical habits of the past and go careering after novel and untried things. The speed limit has been taken off, the "stop, look, and listen" sign removed, and the importunate cry is, "Full speed ahead! Get somewhere else than where you are—it matters not where—only, in God's name, let it be quickly!"

Changes in governmental forms are advocated apparently for the mere sake of change. So many strange and doubtful experiments are being undertaken that we shall end by finding ourselves overwhelmed by their very multiplicity and impracticability. The minds of the people are being filled with all sorts of idealistic theories, beautiful in promise but ineffective in performance. Every self-constituted reformer brings to the quilting bee his favorite patch, and when the work shall be completed our scheme of government will be as bizarre as the old-fashioned crazy quilt of our grandmothers. It is high time for a reaction to that ancient but discredited common sense which thinks before it acts instead of repenting afterwards.

It is one of the penalties of advancing civilization that the feet of progress must sometimes go through the mire before they can plant themselves on the firm upland. That man is the truest pilot whose keen vision soonest makes out the direction in which the upland lies and, in safety rather than in haste, leads us to it, and he but a false pilot or an arrant knave, whatsoever he may call himself or howsoever loudly he may anathematize the mire, if he but lead us, however swiftly, round and round the vicious circle within the swamp. The problems with which we have to deal are full of perplexity and complexity. They can not be solved by a simple wave of the hand in a moment of time, by hysterical denunciation, by the undigested theories of the visionary and the dreamer, by the self-serving mouthings of the demagogue, or by the mere counting of heads at the ballot box. They call for thoroughgoing investigation, dispassionate consideration, wise statesmanship, and sometimes for that courageous patience which moves deliberately in the face of clamorous demands to make haste. There is overmuch waving of flags and beating of drums and blowing of horns. The voice of the *professional* reformer is heard in the land insistently calling upon us to forsake the ancient and well-beaten paths along which we have proceeded, at least in security, for a century and a quarter and go headlong in new and unexplored directions, luckily to find ourselves in pleasant fields and firm footing or unluckily plunged over the precipice or engulfed in the dismal swamp.

The so-called popular-government propaganda has for its ostensible object the broadening and strengthening of power in the hands of the people, but its tendency is to emasculate and ultimately destroy representative government. Its adherents in their enthusiasm have advocated what seem to me some very wild and visionary schemes, admirably calculated to inflame the popular imagination, but which, however much they may increase the direct participation of the multitude in the affairs of government, will, I am persuaded, give them not a better but a far less efficient and desirable government than they now have. I do not mean to say that I am opposed to every suggested alteration in the existing governmental framework. To oppose a new thing simply because it is new is quite as bad as to insist upon change merely because it is change.

But I am opposed to the initiative, the *modern* referendum, and the recall, because I believe that if these innovations shall be generally put into practice the inevitable result will be the gradual breaking down of the strength and the ultimate destruction of our republican institutions, under which for a hundred and twenty-four years we have steadily advanced in population, wealth, and civilization, until we are to-day not only the greatest nation in the world, but the greatest that the sun has ever looked upon in all his shining course. In saying this I am not opposing any honest effort to eradicate the evils which exist under this form of government. There is a vital distinction, however, between a *bad plan* of government and the *imperfect operation* of a *good plan*. If legislation by representative bodies is sometimes unsatisfactory, inadequate, or corrupt, it is not because the plan of representative government is at fault, but because, although inherently good, it is badly administered.

Mr. President, I am no standpatter. I am not in favor of standing still. No one who takes the slightest thought desires that we shall do that. Of course, we must advance, but we must at our peril distinguish between real progress and what amounts to a mere manifestation of the speed mania. Among the games of the ancient Greeks there was a running match in which each participant carried a lighted torch. The prize was awarded not to that one who crossed the line first, but to him who crossed the line first with his torch still burning. It is important that we should advance, but the vital thing is not that we should simply get somewhere—anywhere—quickly, but that we should arrive at a definite goal with the torch of sanity and safety still ablaze.

Our present form of representative government, under which laws are made by specially chosen legislators, construed by specially chosen and trained judges, and enforced by specially chosen executive officers, I am firmly convinced is the only practicable form of government for a country of immense area and great population such as ours. Whenever it proves ineffective or works badly the fault is not with the machinery, but with those who are operating it. The remedy is not for the people en masse to attempt to manipulate the complicated and delicately adjusted mechanism, which must inevitably lead to confusion and disaster, but to exercise more care in the selection of their specially chosen operating agents.

Everybody will agree that the average man is not as intelligent, as able, or as honest as the ablest, or the most intelligent, or the most honest. The individual fallibility of the average man will at once be conceded, but there are some people who seem to imagine that there is some mysterious virtue in

mere numbers; that 10 men are necessarily more intelligent, more moral, and more honest than 1 man; that by adding together a thousand individuals, none of whom has ever gone beyond the multiplication table, some strange and weird transmutation results by which the combined mass is enabled to work out the most difficult problem in Euclid with the utmost accuracy. Thus, following out this highly intelligent theory, whenever one is anxious to have a message carried with the greatest haste from one part of the city to another, obviously the thing to do is employ not the *fleetest* messenger boy in the service, but arrange with 10 or a dozen *average* boys to unionize the job.

The distinguished Senator from Oregon [Mr. BOURNE] is perhaps the greatest living exponent of this doctrine. His recipe, roughly stated, I understand to be this: Take the voices of 10 foolish men, 20 ordinary men, 5 rascals, 16 good citizens, and 3 wise men (if any such can be induced to join); mix them all up together, with the result, vox populi, vox Dei. It was in some such flash of inspired wisdom that the learned Senator, in the course of a speech delivered in this Chamber a few weeks ago, presenting to us his now well-known and justly celebrated "composite citizen," said:

> The people can be trusted. The composite citizen knows more and acts from higher motives than any single individual, however great, experienced, or well developed. While selfishness is usually dominant in the individual, it is minimized in the composite citizen.

With growing confidence in this child of his creative genius, he next declares—evidently as the result of mature reflection, because the declaration constitutes one of the capitalized headings with which in his editorial capacity he has thoughtfully adorned his speech—that the

> "COMPOSITE CITIZEN IS UNSELFISH."

The Senator immediately proceeds under this caption to tell us how the gratifying transformation from distributive selfishness to collective altruism is brought about by a process as interesting as it is ingenious. I quote again:

> The composite citizen is made up of millions of individuals, each dominated in most cases by selfish interest. But because of the difference in the personal equations of the individual units making up the composite citizen there is a corresponding difference in the interests dominating said units.

Mr. President, let me pause long enough here to say that this is not a quotation from Herbert Spencer, though quite as lucid and convincing as anything that learned philosopher ever wrote. But listen further:

> And while composite action is taking place, friction is developed, attrition results, selfishness is worn away, and general welfare is substituted before action is accomplished.

I am unable to accept the frivolous suggestion advanced by some that this beautiful conception has been evolved from an overworked and hysterical inner consciousness; that friction and attrition can scarcely be expected to exercise an intelligent choice; and that what little general welfare there is in the combination to begin with is quite as likely to be worn away as selfishness. Solomon has told us that a fool may be brayed in a mortar with a pestle and his foolishness will not depart from him, but it evidently never occurred to that wisest of men that the result might have been far different if he had submitted a large number of fools to the process at that critical period *while composite action was taking place.* By a parity of reasoning a selfish citizen may be brayed in a mortar with a pestle and his *selfishness* will not depart from him, but contrariwise with a million selfish citizens. This aggregate selfishness may be entirely eradicated we are told, and general welfare—altruistic and delightful—wholly substituted by the simple application of friction and attrition *while* composite action is taking place. There are those who might become impatient if the process of regeneration should not become complete until the culmination of composite action, and so the learned Senator assures us "that general welfare is substituted *before* action is accomplished."

Mr. President, this is comforting as far as it goes, but I could wish—not for my own sake, but for others—that the information were a little more definite respecting the exact stage of the process at which selfishness retires and general welfare appears on deck. Otherwise there will remain in the minds of some a not altogether unjustified apprehension that the attendant friction and attrition may become more or less tedious pending the arrival of general welfare, should the otherwise joyous process of composite action be unduly prolonged. But, Mr. President, shall we stop here? If we may rid ourselves of selfishness by this comparatively easy and inexpensive method, surely other human frailties and shortcomings may be eradicated in like manner. "While composite action is taking place" let "friction and attrition" exert their benign and regenerative power to rid us of ignorance and egotism and class hatred, and at least modify in some degree the tendency toward a somewhat exasperating "holier than thou" attitude, which, I fear, is growing upon some of the disciples of my honored friend, though he remains, God be praised, wholly unspoiled by any such unfortunate tendency himself.

But, Mr. President, in spite of all the distinguished Senator from Oregon has said, certain of the unregenerate seem to regard the "composite citizen" as being somewhat oversaturated with the irresponsible idealism of the Oregon school of government by ballot. At least one has confessed to a feeling of skepticism respecting even his bodily existence, in spite of the fact that the honorable Senator has privately assured him that this child of his creative genius is actually in our midst, albeit so spiritually refined and so delicately illumined by the influence of the modern uplift that only the sensitive eye of the faithful may behold him, or the hand of the faithful touch him. To the unregenerate he reveals himself only to the ear as a "voice crying in the wilderness," proclaiming the wickedness and folly of the entire order of things established.

When the fullness of the new dispensation shall be upon us, it will be made clear that any scheme of things which has endured for a period exceeding six months and which has only the poor merit of having worked fairly well in practice is inherently worthless as a guide to the conduct of advanced people. In short, the "composite citizen" holds to the doctrine that mere experience is an ass and that common sense is outlawed by the statute of limitations. Legislatures are to be swallowed up in the initiative and referendum, courts obliterated by the recall, political parties juggled out of existence by the direct primary, and upon their ruins will rise the recently organized Progressive League—which, by the way, just now seems to be progressing after the manner of a woman getting off a car, with its back to the front—as the supreme guide, philosopher, and friend of the "composite citizen," whose offices its members will continue to joyously fill and whose salaries they will continue to cheerfully draw. Then, indeed, will the political millenium be in sight. Every social and political evil will be eradicated by the simple but effective expedient of voting it out of existence.

All the operations of government—lawmaking, law construing, law executing—will be merged in the one supreme, all-embracing function of balloting. We may confidently look forward to that halcyon era when there will be primary elections to nominate candidates for office, preprimary elections to designate persons to become candidates for nomination, and anteprepriminaries to frame an eligible list from which to select preprimary candidates to run the gauntlet of the primary itself, to the end that only the good and virtuous may compete for the final suffrages of the people. Having selected our candidates by this sifting and resifting and resifting series of *primary* elections, we will have *election* elections to determine who of these irreproachable persons shall become our officials, and then *recall* elections to get rid of them if we think on reflection that some undesirable material has slipped through a hole in the sieve. There will be elections to select lawmakers and elections to make laws for them; elections to select judges to construe laws and elections to determine whether we like the way they construe them; elections for men to execute the laws and elections to execute the executors if they do not execute to suit us. Mr. President, we can not have too much of a good thing. The "composite citizen," bearing upon his shield the inspiring device—

> Count that day lost whose low descending sun
> Views at thy hands no uplift voting done—

will unanimously and hilariously go into perpetual action. With nothing to do but feed and clothe a family of six or eight or ten hearty, growing children, the "composite citizen" will have no difficulty in snatching a few months of time here and there during the year to devote to these duties of progressive citizenship, and his spare moments can be utilized in reading, studying, digesting, and perhaps understanding a few volumes of proposed initiative and referendum legislation.

The "composite citizen," under the soothing influence of "friction and attrition," "while composite action is taking place," will embody all the virtues but none of the vices of the multitude from which he is compounded. An aggregate of more or less wise and more or less foolish, of more or less good and more or less bad, of more or less strong and more or less weak human atoms, he will himself be all wise, all good, all powerful. He will be the just man made perfect and the unjust man made perfect also.

I have been consulting the dictionary. Mr. Webster, whose vocabulary covered the *whole* linguistic field from which my honored friend from Oregon culls only the flowers, abruptly introduces the matter, as was his discursive habit, between two

other wholly unrelated subjects, and treating the word "composite" as a botanical term, defines it thus: "Belonging to the order *compositæ;* bearing involucrate heads of many small florets, as"—the comparison is not mine, but that of the learned lexicographer—"as, for example, the daisy." The speech of the Senator from Oregon had prepared us to agree with Mr. Webster that his "composite citizen" was a "daisy," but we were in no mood for this sinister qualification, "bearing involucrate heads." After these glowing eulogies from the eloquent lips of the Senator to which we had listened, after these unqualified indorsements respecting the virtue, the unselfishness, the wisdom—ah, Mr. President! above all, the wisdom—of this paragon, must there finally creep into our hearts the foul suspicion that, after all, the "composite citizen" has something serious the matter with his head? Involucrate heads! *Horribile dictu!* The subject becomes painful. Let us inquire no further, but for better or worse, accept this creation of the inspired intellect of our honored friend simply as a "daisy with an involucrate head," and, closing the dictionary with all its brutal and disturbing bluntness of speech, voluntarily leave ourselves shrouded in deep, but merciful, ignorance respecting the exact nature of the affliction.

Mr. President, my objection to the initiative and the recall is without qualification. My objection to the referendum is not to that method as applied from the beginning in this country to the ratification or rejection of fundamental law or as applied to broad questions of public policy. What I object to is not its continued *historical application*, but its proposed *hysterical extension* to matters of general and detailed legislation. The Arizona constitution, so far as it refers to the referendum, provides that either the legislature or 5 per cent of the qualified electors may order the submission to the people at the polls of any measure or item, section, or part of any measure enacted by the legislature, except certain emergency laws, which are enumerated.

It is wise and proper that before a proposed constitution or constitutional amendment should go into effect it be adopted by a vote of the people. The constitution of a State contains the broad, underlying principles within the limits of which the various representative agencies of the people must act. The sovereign power rests only in the people and they alone should lay down the general principles according to which their representatives shall act and establish the boundaries beyond which they may not go; but under these principles and within these boundaries there is a mass of detailed work to be done that requires the continuous and sustained effort of somebody in order that it may be done well. The people as a whole have neither the inclination, the specialized training, nor the time requisite to enable them to master the thousand and one details necessary to qualify them to wisely discharge the functions of ordinary legislation. Men talk about the right of the people to make their own laws for their own government, and it tickles the fancy as a very high and noble sentiment, as it is, but it is a vain and idle performance to talk about the right to do a thing against the doing of which insuperable difficulties exist. To declare a general policy is a comparatively simple thing; to contrive the legislative machinery necessary to make the policy effective may be and often is an exceedingly complex and difficult task.

It is one thing to know that an evil exists and denounce it. It is quite another thing to put your finger on the cause of it, and still another to devise a remedy. After a late dinner you may have perfectly competent "inside information" that something has gone wrong, but be altogether unable to determine whether it was the wine or the cigar, the hot bird or the lobster salad, the olives or the pâté de foie gras. In such case you do not submit the matter to a referendum of the neighbors. You send for the doctor. All men, for example, may heartily agree as to the wisdom of regulating common carriers so as to insure fair and nondiscriminating treatment of all shippers and passengers, and the exaction of only fair and reasonable charges for services rendered. But, that much declared, we are only at the threshold of the difficulty. How shall it be done? What machinery shall be provided? There may be scores of divergent plans proposed. These are to be analyzed, compared, and contrasted, and in the end harmonized. There must be deliberate and intelligent interchange of views, the yielding of a detail here, the acceptance of a change there, amendment, and compromise. Such a process may call for weeks or months of laborious study, of careful sifting of conflicting claims as to law and fact, for technical knowledge, for investigation and thorough understanding of the preexisting legislation upon the subject. When all this is done and the law referred to the people to be adopted or rejected, how many will fit themselves to pass upon the question intelligently? Knowing that the law is to be submitted to the people, there will be a feeling on the part of the legislators that they have no responsible voice in the matter, but that the responsibility rests upon the shoulders of the electorate. Inevitably the same care in framing the proposed law will not be taken as where the final responsibility of enacting it into an enduring statute rests ultimately and alone upon the legislature itself. If an objectionable provision is found in the proposed law no method will exist, and in the very nature of things none can be devised by which the objectionable provision can be eliminated at the polls. There will be no choice but to adopt the bad provision for the sake of the good or to reject the good provision for the sake of avoiding the bad.

Mr. CHAMBERLAIN. Mr. President——

Mr. SUTHERLAND. I will yield to the Senator for a question and for a question only, because I want to get along.

Mr. CHAMBERLAIN. I wish to suggest to the Senator that possibly he has overlooked the fact that even in the initiative measures the legislature has the power of amendment or repeal. So, I ask the Senator if the objection which he is now urging is not answered by that proposition?

Mr. SUTHERLAND. I may say to the Senator that he will find very few legislatures that will have the hardihood to repeal a law which has been adopted by a majority of the people.

Mr. CHAMBERLAIN. They have not hesitated to do it in Oregon, where the law was ineffective in any particular.

Mr. SUTHERLAND. And so one great objection to applying the referendum to matters of general legislation is that, however desirable or however imperative the need may be, no opportunity is afforded for mutual concession, or compromise of conflicting views, and amendment.

The weakening effect of the referendum upon the fitness and responsibility of the legislature was forcibly stated by Mr. Justice Johnson in the case of Johnson *v.* Rich (9 Barb., 686), where it was said:

> I regard it as an unwise and unsound policy, calculated to lead to loose and improvident legislation and to take away from the legislator all just sense of his high and enduring responsibility to his constituents and to posterity by shifting that responsibility upon others. Experience has always shown that laws passed in this manner are seldom permanent, but are changed the moment the instrument under which they are ratified has abated or reversed its current. Of all the evils which afflict a State, that of unstable and capricious legislation is among the greatest.

In the case of Barto *v.* Himrod (8 N. Y., 483, 496), Mr. Justice Willard, speaking upon the same subject, no less wisely and forcibly said:

> If this mode of legislation is permitted and becomes general, it will soon bring to a close the whole system of representative government, which has been so justly our pride. The legislature will become an irresponsible cabal, too timid to assume the responsibility of lawgivers, and with just wisdom enough to devise subtile schemes of imposture to mislead the people. All the checks against improvident legislation will be swept away, and the character of the Constitution will be radically changed.

The population of a State is not homogeneous throughout the State. There are, for example, sections devoted to agriculture, others to mining, others to manufacture, others to cattle and sheep raising, and so on. There is the division of our population between the great cities and the country. The advantage of the representative plan of legislation is that representatives are elected from these various sections so widely differing in their manner of living, in their habits of thought, and in their material interests. In the legislative assembly all these are represented, their views and interests heard and considered. In shaping laws of general application light is shed from all directions, the question is considered from every angle of vision. In the case of direct legislation the inhabitants of a city may look at a question in one way, those of the country in another. Farming sections may have one view, mining sections another, and manufacturing sections still another. If the city vote largely predominates in a State, it is the city view which is likely to prevail. If the rural vote predominates, it is the view of the country which will probably prevail, and legislation is more apt to reflect class interest and class prejudice than where consideration is given in a deliberative body where the views of all may be fairly and fully considered and harmonized.

A government of the people in a territory of vast extent, of large population, and of great and increasing diversity of pursuits and interests, can be administered only by a system of representation. It is almost as impossible for the people en masse under such circumstances to directly perform the various functions of government as it is for the human body in its entirety to perform the functions of the heart or the brain or the lungs. In a primitive state of society the one may be done, as in the most primitive forms of life the other may be done, but as society becomes complex and as the forms of animal life

become complex special organs to discharge special functions are necessary.

Mr. Woodrow Wilson, in his very valuable book, "Constitutional Government in the United States," has expressed the thought clearly and forcefully. He says:

A government must have organs; it can not act inorganically by masses. It must have a lawmaking body; it can no more make law through its voters than it can make law through its newspapers.

Thus spoke the president of Princeton University, in the days of his tranquillity, before the microbe of political ambition had invaded his system.

Mr. CHAMBERLAIN. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Oregon?

Mr. SUTHERLAND. I do.

Mr. CHAMBERLAIN. I suppose the Senator has noticed that Mr. Woodrow Wilson has been candid enough to say that he has changed his mind?

Mr. SUTHERLAND. I had observed that, Mr. President.

Mr. CHAMBERLAIN. But the Senator seems to be "standing pat."

Mr. SUTHERLAND. That this view does not seem to be shared by the governor of New Jersey is one of the peculiarities of human psychology which I do not attempt to explain. I can only say that I prefer the calm, reflective judgment of the college president to the fevered hallucinations of the hopeful presidential candidate. Those who indorse his later utterances, reversing the ancient epigram, are simply appealing from Philip sober to Philip drunk.

Those who favor the initiative and referendum are in the habit of referring to the Swiss experiment with those methods. If it should be conceded—as it by no means can be—that the initiative and referendum are successful in Switzerland, the conditions in that country differ so radically from conditions here that it does not follow that they would be successful in the United States.

The Cantons in Switzerland are small in area and in population. The people are essentially homogeneous and conservative. Their legislative needs are few and simple. None of the legislative checks which exist under our system of government exist there. There is no executive veto, no judicial power of setting aside unconstitutional law, and there is only a single legislative chamber in each of the Cantons. But even under these conditions thoughtful men who have investigated the matter agree that more harm than good has resulted from their employment.

Mr. Wilson, already quoted, has given the subject very thorough and careful investigation. Speaking of the referendum, he says:

Where it has been employed it has not promised either progress or enlightenment, leading rather to doubtful experiments and to reactionary displays of prejudice than to really useful legislation.

He refers to the fact that in the Cantons of Zurich and Berne it led to the abolishment of wise health regulations; that in Federal legislation it was used only to aim a blow at the Jews under the guise of a law forbidding the slaughter of animals by bleeding. He says:

The vote upon most measures submitted to the ballot is usually very light; there is not much popular discussion, and the referendum by no means creates that quick interest in affairs which its originators had hoped to see it excite. It has dulled the sense of responsibility among legislators without in fact quickening the people to the exercise of any real control in affairs.

If it has thus failed in the comparatively simple affairs of small Switzerland, how much more dismal must be the failure in this country, with its vast and complex affairs.

The experience of every State in the Union where the referendum is in force, even as to constitutional amendments, is that, notwithstanding the comparative simplicity of the questions submitted, only about one-half or two-thirds of the people voting for candidates cast their votes for or against the proposed amendments. The remainder, from ignorance or indifference, do not attempt to pass upon the questions at all, and even of those voting it is safe to assume that no very large proportion have really taken the time to study and understand the questions submitted. I know from my own observation that of the persons who vote one way or the other many vote against proposed constitutional amendments because they have not taken the trouble to inform themselves as to the merits, and, on the other hand, many others vote for the amendments without understanding them and wholly on the strength of somebody's statement that they are all right. In a recent election held in South Dakota 13 proposed laws were submitted to the people under the referendum and every one of them was rejected at the polls, not because they were all bad, but because, as I am informed upon high authority, the mass of the people would not take the trouble to distinguish between the good and the bad, but voted against them all in utter disgust at the unwelcome task which they had been called upon to perform.

Attention has sometimes been called to the fact that direct legislation by the people is not a new thing. The New England town meeting has been cited as a case in point, but in these mass assemblies the people met face to face. There was opportunity for an interchange of opinion, for discussion, for the refining influence of deliberation and amendment. Those who, upon the one hand, favored the law, and those who, upon the other hand, opposed it, presented their views and assumed the responsibility for them.

This did not differ greatly from the process now in operation under our representative form of government, where the people, being so numerous that they can no longer meet and exchange their opinions, delegate their authority to agents, who assemble and publicly discuss their views, openly assume responsibility for them, and pass laws after full opportunity for discussion and amendment. The secrecy and the limitations of the ballot box are a poor substitute for these open and thoroughgoing methods.

In Mr. Wilson's work on "Constitutional Government in the United States," from which I have already quoted, he illustrates the difference between the judgment which men arrive at after a real interchange of views such as takes place in a deliberative assembly and the judgment which is likely to result under the initiative and referendum. He says:

Common counsel is not aggregate counsel. It is not a sum in addition, counting heads. It is compounded out of many views in actual contact; is a living thing made out of the vital substance of many minds, many personalities, many experiences; and it can be made up only by the vital contacts of actual conference, only in face-to-face debate, only by word of mouth and the direct clash of mind with mind.

All the objections which apply to the modern referendum apply with increased force to the initiative; and, in addition, there is the further objection that the proposed law is not even framed by any deliberative or responsible body. Under the Arizona constitution 10 per cent of the qualified electors are given the right to propose any measure and 15 per cent the right to propose any amendment to the constitution. A more sweeping and comprehensive repudiation of representative legislation could not well be imagined. Apparently the constitutional convention realized that perhaps they had gone too far, and so it was provided that initiative and referendum laws should not transcend the constitution. This provision itself shows the confusion of mind under which the framers labored, because to provide that an initiative law shall not transcend the constitution is of little avail when the constitution itself may be altered by an initiative amendment with equal ease and simplicity. Here there are no limitations, and therefore legislation of any character may be as readily tacked on to the constitution in the form of an amendment as it may be passed in the shape of ordinary law.

Under the initiative as thus provided proposed laws will, of course, frequently be drafted by a coterie or clique of interested persons, perhaps all of one way of thinking. It will not be considered and debated in public as legislative enactments are; there will be little, if any, opportunity for the consideration of opposing views in framing the law. The power of compromise, which is a necessity in the making of laws, will be wholly absent. There are certain radical reformers who decry all compromise as being a partial yielding to wrong. They recognize no middle ground and demand that we shall stand for the right without yielding the breadth of a hair.

But this is a mere begging of the question. Right and wrong in governmental matters are not always, indeed, not generally, divided by any sharp line which will enable us to put our finger upon one side and say this is exactly right and upon the other and say this is utterly wrong. The boundary between the two is a doubtful zone in which the extent of the uncertainty gradually diminishes as we proceed outwardly in either direction, until upon the one side we reach the clear field of indisputable right and upon the other of unmistakable wrong. But it is precisely in this middle ground of uncertainty—where honest people differ—that the deliberate interchange of conflicting opinion is necessary and the legislative function finds its field of greatest activity, and it is precisely here that the initiative would most signally fail, because the proposed law would be framed, not by those who see the situation from different angles, but by those who all occupy the same point of view. It is not difficult to obtain signatures to any petition, and the initiative petition will constitute no exception to the rule. Given an active, energetic, self-constituted committee, and 10 per cent of the voters of the State can be readily obtained to sign petitions proposing any kind of a law that anybody will want. Those who sign the petition—at least 10 per cent of the voters of the State—will be committed to it in advance; its sponsors will be active in

advocating it; "what is everybody's business is nobody's business," and in all likelihood, after the novelty of the system has worn off, interest will largely disappear and very few people will be found who will take the trouble to combat even a foolish or bad provision. A very large proportion of the voters will refrain from voting at all upon the question, and under these conditions, with active and interested work done in behalf of the law and a half-hearted opposition, or none at all, the chances are altogether in favor of the adoption of more unwise laws than ever get through our legislatures.

In Oregon at the last election 32 laws were submitted, either under the initiative or the referendum provision of the constitution. These proposed laws, together with a few brief and meager arguments in favor of and against some of them, are contained in a pamphlet covering 202 closely printed pages, to be studied, digested, and thoroughly understood before intelligent action could be had, presenting to the people, busy with their own affairs, a most difficult, perplexing, and burdensome task; a task which, in the very nature of things, must have been performed by the great majority in the most perfunctory manner or not at all. These laws are upon all sorts of subjects. There is a bill prohibiting the taking of fish from the waters of Rogue River, which would seem to be a police regulation affecting a limited part of the State and with which the people in remote sections would not be sufficiently concerned to give the subject very laborious consideration. There are a number of bills to create new counties, to allow certain counties to pay additional salaries to their judges, of which the same may be said. Either at this election or a preceding one this somewhat peculiar situation was brought about. In the lower part of the Columbia River salmon fishing is carried on by means of nets; in the upper part by means of fish wheels. That, as I understand, is due to the current. In the lower part of the river the current is comparatively slight, while in the upper part of the river the current is much stronger. The net fishermen, being opposed to the wheels, proposed a law under the initiative prohibiting all fishing by wheels. The wheel fishermen, being opposed to net fishing, proposed a law prohibiting the taking of fish with nets. The matter being submitted to the wise and discriminating "composite citizenship" of that State, both laws were adopted by good round majorities, with the amiable result that thereby the taking of salmon by any effective method was prohibited altogether.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator just for a moment?

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Oregon?

Mr. SUTHERLAND. Yes.

Mr. CHAMBERLAIN. I want to say that men who voted that way explain the situation in this way: That before that time the legislature had been protecting the fishermen, and the people by enacting both of these laws neglected the fishermen and protected the fish. That was the difference between the viewpoint of the legislature and the people. The result was that the fishing season was a closed one for the whole year and the States of Oregon and Washington then got together and enacted a uniform law.

Mr. SUTHERLAND. That is, the legislature was protecting the fishermen, and the people did not want them protected.

Mr. CHAMBERLAIN. They thought they would protect the fish, which had been neglected.

Mr. SUTHERLAND. I think the legislature had to come to the relief of the situation and pass a law which permitted fishing afterwards.

Mr. CHAMBERLAIN. They compelled the legislature of Washington, Mr. President, to join with them in enacting a uniform code of law for the government of both sides of the river, which both legislatures before that time had refused to do.

Mr. SUTHERLAND. I should think it might well have had that result.

A law proposing to compel railroad companies to give free passes to all public officials received nearly 30,000 votes out of a total of less than 90,000.

Mr. CHAMBERLAIN. Let me call the Senator's attention to one thing in reference to that.

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Oregon?

Mr. SUTHERLAND. I should like to go on.

Mr. CHAMBERLAIN. I will take but a moment, and then I will not interrupt the Senator again. I happened to be governor at the time a message was sent to the legislature advising the abolishing of the pass system. A bill was introduced into the legislature to abolish the pass system, but the legislature, instead of passing that law, changed it into a compulsory pass law; it was metamorphosed into a law compelling the railroad companies to issue passes to officials. That was taken before the people on a referendum, and the people repealed that law and enacted one abolishing the pass.

Mr. SUTHERLAND. What I was calling attention to was that in the State of Oregon 30,000 people, more than one-third of those voting, were found to vote for a law of that character.

A bill to create a "board of people's inspectors" was gravely submitted under the initiative by the People's Power League of Oregon, the board to consist of three persons to be selected in the first instance in the following highly popular manner. The executive committee of the State grange, the executive committee of the Oregon State Federation of Labor, and the presidents of the boards of trade and commercial organizations of Oregon were each to name three persons, and from each of these groups the governor was to select one for appointment. The people generally were not to be consulted. The "composite citizen" was notified to go on a vacation. It was made the duty of this board of censors "to have at least one of their number present at all times at every session of each house of the legislative assembly, and to be watchful for any defect or imperfection in the State and local systems of government." They were to watch the public officers and public institutions, the departments of the State and county and municipal governments, and to investigate and report on their management. They were imposing upon them a pretty large contract. All this was to be done, the proposed law naively provided, "without motive or desire for personal or partisan advantage." They were, moreover, "to be as fair and impartial to all citizens and officers as the supreme court seeks to be between parties to a suit." "As the supreme court *seeks* to be" is distinctly good. What the supreme court merely *sought* the censors for the people were bound under the mandate of the law to actually find and put into practical operation. They were to publish an official gazette not only of their own reports but also of any criticisms or complaints of their own official acts. These criticisms, however, under the law, are thoughtfully limited to not exceeding 200 words each; their own reports are to be without limit.

Reports by the governor, county officials, mayors of cities are to be published, but all of these are to be "brief and comprehensive." If they can not be made comprehensive without sacrificing brevity, we are not enlightened as to what shall be done. They are also to publish in this gazette a large number of other specific matters, and, finally, "other matters that they believe will promote the general welfare." Apparently there are to be no canvassing agents for this publication, the law directing that every registered voter who is either the head of a family or a member of no family shall be considered a subscriber, and the gazette mailed to him at public expense. The inhabitants of the benighted regions outside of Oregon must pay $1 a year in advance. It will be observed that every provision is made whereby the censors will watch everybody else and report their lapses, peccadillos, and shortcomings to the people, but, unhappily, no provision is made for watching or reporting upon the censors themselves. This unique piece of legislation, it must be borne in mind, was not proposed as a joke. The People's Power League of Oregon were as solemn about it as the Senator from Oregon has been in pointing out the virtues of the "composite citizen." Thirty thousand people in the State of Oregon voted for it, or considerably more than one-third of all those voting. A change of 11,000 votes would have carried it. When the State becomes truly progressive it probably will be carried. In the meantime the "composite citizen" must censor for himself.

Mr. CHAMBERLAIN. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Oregon?

Mr. SUTHERLAND. Yes.

Mr. CHAMBERLAIN. I assume that the Senator thinks that was a foolish and a bad law; does he not?

Mr. SUTHERLAND. Oh, I do.

Mr. CHAMBERLAIN. Well, the people of Oregon——

Mr. SUTHERLAND. I think obviously foolish——

Mr. CHAMBERLAIN. The people of Oregon showed by their vote that they agreed with you; and I think they showed by their vote that they agreed with the Senator from Utah on every law to which he has objected.

Mr. SUTHERLAND. I am calling attention to the fact that a change of 11,000 votes would have put that law into operation. Why should the people of Oregon or of any other State be subjected to the burden of passing on a law of that kind, concocted by a thoroughly irresponsible body of men, published

and put in this book at the expense of the State and circulated at great expense among the voters?

The People's Power League, however, proposed another law, which was adopted by a small majority, namely, the law providing for the election of delegates of the several political parties to their respective national conventions, every delegate so elected being entitled to receive from the State treasury the amount of his traveling expenses necessarily spent in attending the convention, not to exceed $200. Hereafter when any group of enterprising gentlemen may desire a pleasure trip at the public expense, all they will need to do will be to organize a party, call a national convention, and elect themselves delegates.

I should not like to suggest that any of these visionary schemes are being advocated by anybody from motives of self-interest, and yet that sort of thing sometimes happens in this cold and selfish world. I remember hearing of an individual who appeared before the common council of a certain city and in a fiery speech denounced a proposed ordinance restricting the speed of automobiles within the city limits as being a tyrannical and unwarranted invasion of the personal rights of the citizen. A councilman asked the objector how many automobiles he owned, to which he replied: "I don't own any. I'm an undertaker."

The excuse for the adoption of the initiative and referendum is that the people can no longer trust their representatives; that legislatures will not obey the popular will; that they are dishonest and corrupt and controlled by the interests. The initiative and referendum, therefore, proceeds upon the obvious fallacy that a democracy which has not the wisdom or the inclination to select honest and capable men to make laws can wisely perform the infinitely more complex and delicate function of making the laws directly. It would follow, I suppose, that any man who is incapable of selecting a competent physician would be thoroughly qualified to heal himself. The enduring basis of representative government is that it affords the opportunity for the whole people to select from among themselves those who can govern for them better than the people, because of their vast number and their other duties, can govern for themselves. For a people to confess their inability to do this is only short of confessing an inability to govern at all. Under the initiative and referendum it is not proposed to do away with our legislators; they are to continue. If, knowing that our legislators adopt laws for us in their final form, we still can not select capable men for the office, our inability will be intensified under the power to initiate laws for ourselves. If power is reserved by the people to pass a law which the legislature ignores, or to veto a law which the legislature passes, it will be argued the consequences of having dishonest or incapable legislators are not so serious, the need of care will not be so great, and the use of care in the selection of representatives will constantly diminish.

The referendum in the past has been confined to the adoption of organic law, and this has served to accentuate the vital difference between the constitution and ordinary legislation. If the referendum shall be applied to the making of law generally, the people will inevitably lose the high regard which they now have for their constitutions, and in the end the distinction between the organic law of the State and ordinary legislation will disappear. Constitutions are made not only for the purpose of confining the representative agents of the people within definite boundaries, but also for the purpose of preventing hasty, ill-considered, and unjust action on the part of the majority of the people themselves. The written constitution is the shelter and the bulwark of what might otherwise be a helpless minority. Tyranny is no less hateful in the hands of the people than in the hands of the despot, and the oppression of the minority by the majority is tyranny no less than is the arbitrary oppression of the king. The forward march of democracy will be of little avail if in the end it rescue us from the absolutism of the king only to hand us over to the absolutism of the majority. And so we provide that the government shall be administered by representatives who are to act not for a part of the people, but for all, thereby, in a sense, expressing our distrust in the hastily formed opinions of the temporary majority, but declaring our lasting confidence in the wisdom and the justice of the persistent majority. The demand for direct legislation by the people ignores this distinction and violates, if not the letter at least the spirit, of this constitutional compact.

It is the recall provision of the Arizona constitution, however, which, to my mind, is fraught with the greatest mischief. That provision, briefly stated, is that every elective officer in the State of Arizona is subject to recall by the qualified electors of the electoral district from which he was elected whenever such recall is demanded by a petition signed by electors equal to 25 per cent of the votes cast at the last preceding general election.

The grounds upon which the recall is based must be stated in not more than 200 words. The officer is given the alternative of resigning his office within five days after the filing of the petition. If he does not resign, a special election must be held not less than 20 nor more than 30 days after the making of an order to that effect. The reasons given in the petition for demanding the recall are to be set forth in the ballots, together with the officer's justification in not more than 200 words. Other candidates for the office may be nominated, to be voted for at said election, and the candidate receiving the highest number of votes shall be declared elected for the remainder of the term. No recall petition shall be circulated until the officer has held his office for a period of six months, except as to members of the legislature, in which case a petition may be circulated at any time after five days from the beginning of the first session following his election. After one recall petition and election, further petitions may be circulated and further recall elections held if the petitioners shall pay into the public treasury the expenses of the preceding election.

The power of recall, it is seen, includes all officials—legislative, executive, and judicial. Attempts have been made to show that the recall is not a new thing in this country, and we are referred to Article V of the Articles of Confederation, which reserved to each State the power to recall its delegates at any time within the year for which they were appointed and to send others in their place for the remainder of the year. Passing by the distinction between an officer elected by the people and a mere delegate appointed by a State to represent its interests in what was little more than a general convention, it is sufficient to say that the whole scheme of the Confederation was found to be so utterly ineffective that it was abandoned at the end of a few years, and the enduring National Government which we now have put into its place. The framers of the Federal Constitution evidently regarded the recall feature of the Confederation as an unwise precedent to follow, and it found no place in that great instrument, as for more than 100 years the ballot-box recall found no place in the plan of government of any State.

The inevitable tendency of the recall will be to give us a set of weak and spineless executive and legislative officials, no longer having the courage or the inclination to act upon their own initiative and responsibility, but with their ears always to the ground to catch the first indication of the popular drift in order to anticipate it. They will soon cease to distinguish between the settled, deliberate judgment of the people to which they should yield a willing obedience, and the passing whim of the moment, against which the ultimate best good of society may demand the assertion of a sturdy opposition. Such a provision, I firmly believe, is more likely to result in the recall of good officials than of bad ones, because the time-serving, unscrupulous politician will be swift to conform his action to every shifting opinion of his constituents, while the official of honesty and integrity and courage, who prefers his duty to his office, will stand for what he believes to be right and sound and wise, even though for the time being he may stand alone. It has happened very often that the governor of a State or the mayor of a city has incurred the violent opposition of a temporary majority by the announcement of a policy which, when put into operation, has been found to work to the advantage and upbuilding of the community. With the recall in existence, such an officer would have been swept out of office in response to a spasmodic impulse, afterwards found to be wholly unwarranted. It is far better in the long run that our public officials be permitted to serve out the short terms for which they are elected, unless they so conduct themselves as to become amenable to removal by impeachment or by punishment under specific provisions of law.

A republic has been well defined as "an empire of laws and not of men," and John Adams, who quotes this definition with approval (Adams's Works, vol. 4, p. 194), adds:

> That form of government which is best contrived to secure an impartial and exact execution of the laws is the best of republics.

The recall contemplates not an "empire of laws" to be executed with impartiality and exactness, but an empire of men who punish not according to some fixed and definitely prescribed rule, but according to their undefined, unrestrained, and unlimited discretion, conceived, it may be, in prejudice and delivered in careless ignorance of the facts, administered not in the sight of all men, but in the secrecy of the ballot box, where it can never be known whether the voter judged according to the poised and balanced scales of justice or struck with the knife of the assassin.

Mr. CLAPP. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Minnesota?

Mr. SUTHERLAND. Very briefly.

Mr. CLAPP. I know the Senator means to be fair. This speech will undoubtedly go to the country, and I think the last statement of the Senator should be qualified, that the recall and referendum have to be initiated in the open by men openly signing a petition. That would have been entirely ignored by the Senator's statement.

Mr. SUTHERLAND. Oh, no. The Senator has not been following me or he would have observed that I had already stated that the petition is initiated in the open.

Mr. CLAPP. Yes.

Mr. SUTHERLAND. The men who sign the petition, of course, are known. I am speaking of the ballot box. The way in which the voter casts his ballot can not be known because it is a secret ballot.

Mr. BRISTOW. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Kansas?

Mr. SUTHERLAND. Yes.

Mr. BRISTOW. Let me inquire if the Senator thinks a secret ballot would be any more dangerous in passing on a law than in electing a candidate to execute the law?

Mr. SUTHERLAND. I think there can be no doubt that the recall is more dangerous. Men do not punish laws. They do not take revenge on laws. They may punish men or take revenge upon men.

Mr. BRISTOW. I am rather surprised that the Senator should take a position against the secret ballot.

Mr. WORKS. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from California?

SEVERAL SENATORS. Go on.

Mr. WORKS. I think the Senator from Utah has not said so in terms, but I should like to know whether his opposition goes to the direct primary or not.

Mr. SUTHERLAND. I have not undertaken to discuss that here, but I will say to the Senator that if a direct primary system could be devised under which the votes only of the members of each party could be insured, I should have no objection to it. But I do not know thus far of any law which has been passed which accomplishes that result. But it is aside from my intention to discuss that. I have enough to do without going into that.

Mr. WORKS. I asked the question because I regard that as rather the most important feature of the reforms which are being urged, and one which might make others unnecessary.

Mr. SUTHERLAND. I regard it as the least objectionable.

Mr. DIXON. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Montana?

Mr. SUTHERLAND. I hope the Senator from Montana will not interrupt me. It is very warm, and I am already tired.

Mr. DIXON. I will not interrupt the Senator——

The VICE PRESIDENT. The Senator from Utah indicates an indisposition to yield.

Mr. DIXON. I think when the Senator hears what I have to say he will be glad to yield.

I have been very much interested in the discussion. This is one of the live, important questions which confront this country. Certainly the spirit represented here by urging the Senator not to yield to interruptions is not in conformity with the usual proceedings in the Senate Chamber.

Mr. SUTHERLAND. The Senator on his feet is the best judge of what shall be done.

Mr. DIXON. Yes.

Mr. SUTHERLAND. I have already indicated that I preferred to go on without being interrupted. The Senator himself will bear me out and every Senator here that I always gladly yield to interruptions.

Mr. DIXON. I say the Senator——

Mr. SUTHERLAND. But to-day the weather is oppressive, and I do not want to prolong this speech any longer than I am obliged to.

Mr. DIXON. Interruptions contribute to the illumination of the speech——

The VICE PRESIDENT. The Senator declines to yield further.

Mr. SUTHERLAND. The illumination can come along later.

It is sometimes said that if people can be trusted to elect and reelect officers with fairness they can be relied upon to administer the recall with fairness. The two powers are essentially different. We elect one man and defeat another, not because the one defeated is bad or unfit, but because the man elected is preferred for reasons which may be wholly aside from the merits of the respective candidates. Such a defeat carries with it ordinarily no reflection upon the ability or the integrity of the defeated. But to recall an official is a declaration of his unfitness, and carries with it reproach and dishonor. When an official seeks reelection the people pass upon his record as a whole, not merely upon some isolated act. Under the recall he occupies the position of an accused defendant seeking to avoid condemnation, and the attention of the people is concentrated upon the particular acts complained of, and his record, taken as a whole, receives little consideration. The difference between being rejected at an election and being recalled is the difference between not receiving an invitation to enter at the front door and being kicked out of the back door in disgrace. The recall necessarily involves the exercise of judgment respecting the rightfulness or wrongfulness of official conduct. The whole genius of our institutions demands that before a decision of this character shall be effected there shall be an opportunity to confront the accusers and to hear the accusation according to the settled and orderly methods of the law, and that judgment, after a full hearing, shall be rendered by an impartial tribunal. Anything less than this, whatever it may be called, is in essence nothing but lynch law. The people themselves will soon lose all regard for a representative who "lives and moves and has his being" in the fear of their spasmodic punishments.

While I thoroughly disapprove of the initiative and the modern referendum and the recall as applied to executive and legislative officers, I could well subordinate my judgment to that of the people of Arizona if they had not gone further and provided that the recall should embrace the judiciary as well. The power to recall a judge who renders an unpopular judgment is to my mind so utterly subversive of the principles of good government that I can never get my own consent to withhold my condemnation and disapproval of it.

The Senator from Oregon—not the father of the "composite citizen," but the junior Senator, Mr. CHAMBERLAIN—in his speech of April 17 last, asks:

> But as an abstract proposition, why should a judicial officer be independent of the wishes of his constituents?

Ah, Mr. President, much of the vice and fallacy of the argument for the right to recall judges rests in this assumption that the judge, like a Congressman or a legislator, represents a constituency. What is a constituent? He is a person for whom another acts. A constituent implies as a necessary corollary, a representative who speaks for him. A judge has no constituents; he is only in a restricted sense a representative officer at all. The people who elect him can with propriety make known their wishes only through the laws which they enact. The judge is the mouthpiece of the *law*. His constituents are the *statutes* duly made and provided. If his decisions are wrong, the remedy is to appeal to a higher court—not to the people. The scales of justice must hang level or there is an end of justice. The recall puts into the scale, upon one side or the other, in every case where strong public feeling exists, the artificially induced anxiety of the judge for the retention of his place. Bound by all the sacred traditions of his office to decide impartially between the parties according to the law and the evidence, he begins the discharge of his high duties with a personal interest in his own decision.

The judge represents no constituents, speaks for no policy save the public policy of the law. If he be not utterly forsworn, he must at all hazards put the rights of a single individual above the wishes of *all* the people. He has no master but the compelling force of his own conscience. Every circumstance which diminishes his independence and his courage, which closes his ears to the righteousness of the cause and opens them to the voice of clamor, makes for injustice.

If charged with incompetency, dishonesty, or corruption, common fairness demands that he should be tried in the open before an impartial tribunal, where he may be heard, not with a limitation of 200 words upon his defense, but in full, and where he may face his accusers and test the truth of their accusations by those orderly methods of procedure which the experience of centuries has demonstrated are essential to the ascertainment of truth. But the recall institutes a tribunal where everybody decides and nobody is responsible; where at least 25 per cent of the membership have already, as the judge's accusers, prejudged his case, and from whose arbitrary and unjust findings there is no appeal. In such a forum idle gossip and village scandal stand in the place of evidence; assertion takes the place of sworn testimony; and the foulest lie goes unchallenged by the touchstone of cross-examination. The voter

will make up his verdict of vindication or conviction under the illuminating radiance of the torchlight procession, in the calm, judicial atmosphere of the brass band and the drum corps, and upon the logical summing up of the spellbinder and the campaign quartet.

Mr. President, I am not one of those who have become impatient at the restraints and checks and safeguards of the representative form of government and the written Constitution. I am not one of those who would launch the ship of state, with every sail set, upon the wide sea of tossing waters—with all its unsounded depths and unknown shallows, with here a whirlpool and there a half-submerged rock—without a chart or a compass or a rudder or an anchor, trusting alone to the merciful chance of wind and wave and the tumultuous efforts of an uncaptained crew to preserve it from disaster. I disagree utterly with the distinguished Senator from Oklahoma [Mr. OWEN], who told us a few days ago in that calm, judicial way of his, that the Constitution of the United States—for which some of us had conceived a rather high opinion—was all wrong; that it was not sufficiently democratic; that it was so drawn by Madison and those who were in the Constitutional Convention as to vest unfair power in the hands of the minority, and that this principle shows from one end of it to the other; that, among other things, to his deep regret, he had been unable to discover in that worn and antiquated document any provision for the recall of the Supreme Court of the United States. There are some individuals in this country who ought to be prosecuted for monopolizing so much of the wisdom that a discriminating Providence intended should be distributed in modest proportions among a somewhat extended number of people. I do not mean to say that the Senator from Oklahoma is one of these, but I feel sure that it was a distinct misfortune that he did not make his appearance at a date sufficiently early to give the fathers who framed the Constitution the benefit of his counsel and advice. I am not certain that in that event the Constitution would have been better, but I am sure it would have been longer than it is. At any rate, it is a great pity that the Senator from Oklahoma could not have been privileged to point out at that time the high-handed disregard of its framers for the rights of the people which he points out with such conclusive finality now.

For a century and a quarter the great names of Washington, who was the president of the convention; of Benjamin Franklin, Alexander Hamilton, Robert Morris, James Madison, James Wilson, Charles Pinckney, Rufus King, and all the others of the immortal list, have occupied a shrine of glory in the hearts of the misguided multitude as the framers of a Constitution which, instead of being undemocratic "from one end of it to the other," is inspired "from one end of it to the other" with the thought that the day when the king commands and the people obey has gone, and that the new day has risen when the people shall command and the king obey.

But we have all been mistaken. The fathers, in framing the Constitution, were unpatriotic and undemocratic. They were engaged in turning over an amiable majority to the mercy of a ferocious minority; in setting up a government that could not be overturned by every breath of popular emotion; in creating a responsible and independent judiciary; and in other similar unholy and reprehensible enterprises, for which, I have no doubt, the enlightened "composite" citizenship of Oklahoma would, if they had the opportunity, commit them to the county jail as a gang of nonprogressive, standpat aristocrats.

Against these criticisms of the Constitution by this American Senator I would put the strong words of the great English commoner, who described it as "the most wonderful work ever struck off at a given time by the brain and purpose of man." Against the petulant view of this American Senator, that this learned, courageous, and patriotic court should be made responsive, by means of the recall, to the changing moods of the majority, I would set the vigorous statement of another Englishman, Mr. Bryce, who said:

> The Supreme Court is the living voice of the Constitution; that is, of the will of the people expressed in the fundamental law they have enacted. It is, therefore, as some one has said, the conscience of the people, who have resolved to restrain themselves from hasty or unjust action by placing their representatives under the restriction of a permanent law. It is the guaranty of the minority, who, when threatened by the impatient vehemence of a majority, can appeal to this permanent law, finding the interpreter and enforcer thereof in a court set high above the assaults of faction.
>
> To discharge these momentous functions the court must be stable, even as the Constitution is stable. Its spirit and tone must be that of the people at their best moments. It must resist them the more firmly, the more vehement they are. Intrenched behind impregnable ramparts, it must be able to defy at once the open attacks of the other departments of the Government and the more dangerous, because impalpable, seductions of popular sentiment.

Against all such wild and visionary demands for the popular recall of the judges I would print in letters of living light the strong words of Chief Justice Marshall:

> The judicial department comes home, in its effects, to every man's fireside; it passes on his property, his reputation, his life, his all. Is it not to the last degree important that he should be rendered perfectly and completely independent, *with nothing to influence or control him but God and his conscience?*

Sir, I hope I am not given to overextravagant statement, but I declare my solemn conviction that the moment a provision for the recall of the judges of the Supreme Court shall be written into the Federal Constitution, that moment will mark the beginning of the downfall of the Republic and the destruction of the free institutions of the American people.

And now, Mr. President, what is to be the next step in the onward march? Will it be to apply the referendum to judicial matters? Why not? If laws can be made by the simple formula of counting heads at the ballot box, why not laws construed and questions of fact unraveled by the same infallible method?

Such a device would seem to be the fitting complement of the recall. When a court is confronted with a particularly perplexing case in which there is great popular interest and warm public feeling, where the precedents of the law and the sentiment of the people are both conflicting, and the poor judge is driven to his wits' end to harmonize the one and accurately interpret the other, instead of putting him to the uncomfortable alternative of rendering a judgment which, however satisfactory to himself, may not meet the preponderating fancy of the multitude, surely he might have the benefit of the ballot-box opinion *before* instead of *after* he has decided. This *may* result in more or less disappointment to the losing litigant; it *will* result in a good deal of uncertainty respecting the law, but the judge will be saved and the power of the people vindicated.

Sir, the suggestion is not so fanciful as it may at first appear. In the wild witches' dance which is only just beginning the nimble feet of the "composite citizen" seem destined to cut livelier capers and more bewildering pirouettes than even this. An enterprising district attorney in southern California has already proposed to submit to the taxpayers of the county, if a way can be found, the question as to whether he shall further prosecute a case of arson in which the jury has already twice disagreed, upon which proposition the editor of the San Diego Herald comments in the following deplorably heterodox language:

> THE REFERENDUM.
>
> District Attorney Utley, in the Schoneck case, has made a wonderful proposition to the people of San Diego. After admitting his inability to secure a conviction, he asks the people to instruct him as to his duty. This sounds more like the utterance of a cunning politician than the words of a man.
>
> If Schoneck is innocent, the district attorney should not try to convict him. If he is guilty and the evidence is procurable, the case should be fought to a finish at any cost. If the district attorney feels that the man is guilty, but that it is impossible to procure evidence to convict, then he will do his duty and save the taxpayers much cost by dismissing the case. It is a matter wholly in the hands of the district attorney, and a man of caliber in that office would use his own judgment in the matter.
>
> It may seem like a delicate compliment to refer the matter to the people, but it really looks cowardly. Of course, an official who has made frequent blunders which the people are not slow to criticize may be overly sensitive and therefore may take such a course, thinking it may satisfy the public.

Those who are so intemperately appealing to the people to take over the *direct* management of their government, with its multiplicity of detail and difficulty, the successful operation of which demands concentration of effort and thoroughness of application, are preparing the way for future mischief. They are advocating a political creed alluring to the imagination, but utterly impossible of successful realization, and which, if adopted, will lead us more and more into the domain of the impracticable, with political chaos or political despotism as the ultimate result. It is the old contest between idealism and stubborn, matter-of-fact reality. It is the story of the philosopher's stone over again—the dream of transmuting all the metals into gold—the hunt for the master key that will open all locks, however different in size and shape—the problem of fitting square pegs into round holes—the puzzle of how to eat one's cake and have it—the search for the chimera of perpetual motion—the quest for the mythical pot of gold at the foot of the rainbow—and all the other impossible undertakings which have vexed men's souls and turned their brains and filled the lunatic asylums since mankind was divided into those who see facts and those who see visions. Finally, this latest delusion of having everybody drive the horses and everybody ride in the coach at the same time must share the fate of all the others, for it is now as it has always been, that the pursuit of the unattainable is the most profitless of human occupations.

Under the initiative and referendum the people will occasionally get a law they want which the legislature will not not pass; under the recall they will occasionally get rid of a man who never should have been elected; but under the *system* they will in the end get legislators that no thoughtful people ought to have and judges whom no free people should be satisfied with. The legislators will be driven to yield their own function of deliberation and their own independent judgment as to what is wisest and best and become mere recording agents. The executive officers will become less and less self-reliant men and more and more automatic machines, until some day, in the face of some great crisis, the people will awake to the affrighted realization that their government is in the hands of men who have lost the courage and the wisdom to act upon their own responsibility at all.

Mr. President, in the main and in the long run changes which come by the gradual and orderly processes of evolution are better and far more enduring than those brought about by the spasmodic methods of revolution. Experience is a safer guide than prediction. The tree is known by its fruits rather than by its blossoms, for sometimes the fairest blooms, like the fairest promises, produce no fruit at all. The rules of government that have been tried, that have been rounded into shape by years of practical use, that have stood the strain and pressure from every direction, are not to be lightly cast aside in order that we may put high-sounding experiment in their place. The strength and the glory of the common law, which is but the crystallized common sense of the clear-thinking English race expressed in definite form, is that it has been gradually developed by hundreds of slow years of application to the diverse and changing needs of society, until it has become fitted and molded and adjusted to all the conditions of life. And so, sir, with the great principles of our Government. Like the common law, they are a growth, not an invention. Year by year they have developed in enduring strength, striking their roots deeper and deeper into the intimate life of the people. They have withstood the specious opposition of the doctrinaire and the theorist, as well as the open shock of armed conflict. The preservation, the renewal, the strengthening of the old faith in their efficiency and virtue I regard as essential to our continued development along sane and symmetrical lines.

If the visionary and the dreamer, the agitator and the demagogue, could succeed in tearing them from the stately edifice of constitutional government, which, builded by the wise and loving hands of the fathers and cemented by the blood of the Civil War, has proven the sure refuge and shelter of all our people throughout the years in time of stress and trial, no man can foresee what miserable and inadequate makeshifts might be set in their place. Mr. President, I look with grave apprehension upon the present-day tendency to overturn, uproot, and destroy these vital and fundamental principles of representative government under which we have made and are making the most wonderful moral, social, and material advancement mankind has ever beheld. But, sir, I preach no gospel of despair. My sure confidence rests in the saving grace of the sober second thought of the American people, for, in the last analysis, we are a practical and a conservative people, sometimes, it is true, dreaming with our heads in the clouds, but always waking to the realizing sense that we must walk with our feet upon the earth. Sometimes the haunting spell of the darkness is upon us, but in the end the night goes, "the dawn comes, the cock crows, the ghost vanishes"; we open our eyes and all the uneasy and terrifying visions disappear in the light which fills the east with the glowing promise of another morning.

BUSINESS OF THE SESSION.

Mr. WATSON. Mr. President, I submit the following proposed unanimous-consent agreement, which I ask may be read.

The VICE PRESIDENT. It will be read.

The Secretary read as follows:

It is agreed by unanimous consent that on Wednesday, July 19, 1911, immediately upon the conclusion of the routine morning business, the Senate will proceed to the consideration of the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, etc., and that at 4 o'clock p. m. on the said day the Senate will proceed to vote, without further debate, upon the pending amendment, if there be any, upon any amendments that may then be offered, and then upon the bill itself, through the various parliamentary stages, to its final disposition. Further——

Mr. WILLIAMS. I should like to inquire what day is fixed in the order?

The VICE PRESIDENT. The 19th.

Mr. WILLIAMS. The 19th of July?

The VICE PRESIDENT. The 19th of July. Does the Senator from West Virginia make the whole request as one proposition?

Mr. WATSON. As one proposition.

The VICE PRESIDENT. The Secretary will continue the reading.

The Secretary read as follows:

It is agreed by unanimous consent that on Thursday, July 20, 1911, following the routine morning business, the Senate will proceed to the consideration of the bill H. R. 4413, the farmers' free-list bill, so called, and that at 4 o'clock p. m. on the said day the Senate will proceed to vote, without further debate, upon the pending amendment, if there be any, upon any amendments that may then be offered, and upon the bill itself, through the parliamentary stages, to its final disposition before adjournment on the said day.

It is agreed by unanimous consent that on Friday, July 21, 1911, following the routine morning business, the Senate will proceed to consider the bill (H. R. 11019) to reduce the duties on wool and the manufactures of wool, and that at 4 o'clock p. m. on the said day the Senate will proceed to vote, without further debate, upon any amendment that may be pending, upon any amendment or amendments that may be offered, and upon the bill itself, through all its parliamentary stages, to its final disposition.

The VICE PRESIDENT. Is there objection?

Mr. CUMMINS. I understand that these requests are coupled.

The VICE PRESIDENT. They are submitted as one request.

Mr. CUMMINS. It is impossible to agree to the request at this time. I do not think it will be very long before a vote will be had upon the reciprocity bill, but as is well known, there are the amendments which are to be proposed by the Senator from Kansas [Mr. BRISTOW] and the amendments which are to be proposed by the Senator from Wisconsin [Mr. LA FOLLETTE], who has given a great deal of time to the preparation of the amendments which he will offer; and I can not, in his absence at least, consent.

The VICE PRESIDENT. Objection is made.

Mr. LODGE. I was about to ask the Senator from Iowa if he would withhold his objection for a moment. That is a long request for consent. I believe that it contains nothing but an agreement to vote on the reciprocity bill, the wool bill, and the farmers' free-list bill. I am in favor personally of making an agreement to vote on all those bills and I do not care how soon it is made. But it is too long a consent to be agreed to now. I assume, of course, that it will be printed in the RECORD, so that we will have an opportunity to discover its full scope.

The VICE PRESIDENT. Having been read, of course it will be printed in the RECORD.

Mr. WATSON. Mr. President, we have heard a great many very clever explanations as to why we should not vote on the bill pending. Ninety-nine per cent of the people of this country want the Senate to vote on these bills and get away. I want to give notice that the request which was made and was objected to will be made by me on every occasion until it is settled.

Mr. CLAPP. Would the Senator, the next time he offers his unanimous-consent proposition, put the wool bill—the wool schedule having been declared as the iniquitous schedule of the present law—ahead of the Canadian reciprocity bill and also put the farmers' free-list bill ahead of the Canadian tariff bill?

Mr. WATSON. I will if that can be agreed to.

Mr. CLAPP. Here is one who will agree to it.

RECIPROCITY WITH CANADA.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes.

The VICE PRESIDENT. Are there other amendments to the bill?

Mr. CUMMINS. Mr. President, there is an amendment lying on the table which I have offered.

The VICE PRESIDENT. Does the Senator from Iowa now offer the amendment to which he refers?

Mr. CUMMINS. I do.

The VICE PRESIDENT. The amendment proposed by the Senator from Iowa will be stated.

The SECRETARY. On page 19 it is proposed to strike out, on line 23, the word "namely," and to insert:

And that the articles immediately following the proviso on page 9, upon which existing duties are reduced, being the growth, product, or manufacture of the United States, or any of its possessions (except the Philippine Islands and the islands of Guam and Tutuila), when imported therefrom into the Dominion of Canada, are admitted into the Dominion of Canada when from the United States upon the payment of duties not in excess of the duties prescribed in this bill therefor.

Also to strike out the word "namely," on page 9, line 4, and add the following:

And that the articles immediately following the proviso on page 19, being the growth, product, or manufacture of the United States, or any of its possessions (except the Philippine Islands and the islands of Guam and Tutuila, are admitted into the Dominion of Canada when imported from the United States free of duty, as herein prescribed.

Mr. CUMMINS. Mr. President, unless Senators have carefully applied this amendment to the bill as it is they will not be able to understand it by the mere reading of its phraseology. I remarked the other day that this bill, as it is now drawn, presents to Canada the option of accepting our dutiable list

without accepting our free list, or of accepting our free list without accepting the dutiable list; in other words, Canada can take her part of the bargain, if she cares to do it, and not take that part of the bargain which it is assumed gives us some advantage. I have not the least idea that there is any Senator here who would care to amend the bill, no matter if that is its form. Therefore, I submit the amendment, but do not ask for the yeas and nays upon it.

The PRESIDING OFFICER (Mr. BRANDEGEE in the chair). The question is on agreeing to the amendment proposed by the Senator from Iowa [Mr. CUMMINS].

The amendment was rejected.

The PRESIDING OFFICER. Are there further amendments to the bill as in Committee of the Whole? If not, the bill will be reported to the Senate.

Mr. CUMMINS. Mr. President, is it the purpose of the Senator from Pennsylvania to ask for a vote on the bill now?

Mr. PENROSE. If there is no one to address the Senate, we ought to vote on the bill.

Mr. CUMMINS. I do not know what is the purpose of the Senator from Wisconsin [Mr. LA FOLLETTE] as to presenting his amendments. I know that he has them in course of preparation. I know that the Senator from Kansas [Mr. BRISTOW] has prepared an amendment, but he is just now somewhat incapacitated with rheumatism or some other trouble of that character. I have no authority to speak for either of them, but I doubt whether a vote on the bill should be asked for in the next five minutes.

Mr. PENROSE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Pennsylvania?

Mr. CUMMINS. I do.

Mr. PENROSE. I do not want to inconvenience any Senator or to take advantage of any Senator's absence; but in view of the refusal to fix a day for voting on this measure and in view of the unwillingness of the two Senators referred to, or any other Senator, to extend the courtesy to the Senate of giving notice as to when they would be prepared to address the Senate, I do not see that this body has any other alternative than to proceed with the consideration of the measure, even if that should require a vote to-day or to-morrow upon it.

Mr. CUMMINS. Mr. President, I only present the situation. I am not authorized, of course, to ask on behalf of either of those Senators any indulgence whatever, but I know the Senator from Kansas is in the restaurant below eating his lunch.

Mr. NELSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Minnesota?

Mr. CUMMINS. I yield the floor.

Mr. NELSON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Cummins	Lodge	Reed
Bailey	Curtis	McCumber	Root
Borah	Dixon	McLean	Shively
Bourne	du Pont	Martin, Va.	Simmons
Brandegee	Foster	Martine, N. J.	Smith, S. C.
Bristow	Gallinger	Myers	Smoot
Brown	Gore	Nelson	Stone
Bryan	Gronna	Newlands	Swanson
Burnham	Guggenheim	Nixon	Thornton
Burton	Heyburn	Oliver	Townsend
Chamberlain	Johnson, Me.	Overman	Warren
Chilton	Johnston, Ala.	Page	Watson
Clapp	Jones	Penrose	Wetmore
Clark, Wyo.	Kenyon	Perkins	Williams
Crane	Lippitt	Pomerene	Works

The PRESIDING OFFICER. Sixty Senators have answered to their names. A quorum of the Senate is present.

Mr. BRISTOW. Mr. President, I was detained at my lunch when the call for a quorum was made. I inquire if the Canadian reciprocity bill is now before the Senate?

The PRESIDING OFFICER. The bill is still before the Senate as in Committee of the Whole and open to amendment.

Mr. BRISTOW. I have an amendment that I am desirous of presenting and addressing the Senate upon, but physically I do not feel just able to go on to-day.

Mr. PENROSE. Will the Senator yield?

Mr. BRISTOW. I will.

Mr. PENROSE. Then, Mr. President, to test the good faith of those interested in this matter, I will ask that the following request be read to the Senate, and I ask unanimous consent that it may be agreed to.

The PRESIDING OFFICER. The Senator from Pennsylvania presents a request, and asks unanimous consent that it may be agreed to. The Secretary will state the request to the Senate.

The Secretary read as follows:

It is agreed, by unanimous consent, that on Monday, July 24, 1911, immediately upon the conclusion of the routine morning business, the Senate will proceed to the consideration of the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes; and at 4 o'clock p. m. on that day, without further debate, the Senate will proceed to vote upon the pending amendment, any amendments that may be offered, and upon the bill—through the regular parliamentary stages—to its final disposition.

It is agreed, by unanimous consent, that on Wednesday, July 26, 1911, immediately upon the conclusion of the routine morning business, the Senate will proceed to the consideration of the bill (H. R. 4413) to place upon the free list agricultural implements, cotton bagging, cotton ties, leather, boots and shoes, fence wire, meats, cereals, flour, bread, timber, sewing machines, salt, and all other articles; and that at 4 o'clock p. m. on that day, without further debate, the Senate will proceed to vote upon the pending amendment, any amendments that may be offered, and upon the bill—through the regular parliamentary stages—to its final disposition.

It is agreed, by unanimous consent, that on Thursday, July 27, 1911, immediately upon the conclusion of the routine morning business, the Senate will proceed to the consideration of the bill (H. R. 11019) to reduce the duties on wool and manufactures of wool, and that at 4 o'clock p. m. on that day, without further debate, the Senate will proceed to vote upon the pending amendment, any amendments that may be offered, and upon the bill—through the regular parliamentary stages—to its final disposition.

The PRESIDING OFFICER. Is there objection?

Mr. BRISTOW. I object.

The PRESIDING OFFICER. Objection is made. The bill is still before the Senate as in Committee of the Whole and open to amendment.

Mr. BRISTOW. Mr. President, I desire to state that my objection is not because I desire to protract the session; it is not because I expect in any way to unduly delay the consideration of the reciprocity bill, but it is because I do not believe that the three measures referred to in the request and the amendments that may be offered thereto can be properly discussed in the time allotted.

I do not understand that the reciprocity bill is the only measure that is before this session of the Senate for consideration; and, so far as I am concerned, I expect to oppose any adjournment of Congress until all three of the bills referred to have been discussed and voted upon, together with other amendments to the tariff law and other bills now in process, so we are informed, of formation in the House of Representatives, which will come to us later.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from North Carolina?

Mr. BRISTOW. I do.

Mr. SIMMONS. Would the Senator from Kansas object to fixing a time to vote on the reciprocity bill if that were separated from the other propositions in the request made by the Senator from Pennsylvania?

Mr. BRISTOW. I would have to object at this time to that, because I would want to confer with some Senators who are not in the Chamber at present as to just how much time they think they need to discuss the reciprocity measure.

There is a bill, which the Committee on Territories has directed its chairman to report, favoring the admission of Arizona and New Mexico into the Union as States. For one, I do not think that Congress should adjourn before that measure has been acted upon. There is a bill pending before the Senate now to which, I believe, an amendment has been offered, which might be termed a corrupt-practices act, which was laid before the Senate a few weeks since at the request of the senior Senator from Texas [Mr. CULBERSON]. It seems to me that that bill ought to receive the consideration of the Senate before adjournment.

Why there should be such a determination to force the consideration of the reciprocity agreement now at the inconvenience of Senators who want to be heard upon it and no consideration be given to the other important measures, it is difficult to understand, unless it has been agreed, as the public press has stated, that as soon as the reciprocity bill has been voted upon Congress is to adjourn.

Mr. SHIVELY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Indiana?

Mr. BRISTOW. I do.

Mr. SHIVELY. Unless I misunderstood the Senator in his enumeration of the bills that have been reported, are on the calendar, and that should receive attention, he overlooked the bill for the apportionment of Representatives.

Mr. BRISTOW. I think that bill slipped my mind. I think that should receive the consideration of the Senate. It has passed the House of Representatives and it has been reported to the Senate by the Committee on the Census, as I understand.

Mr. SHIVELY. Yes; and it was passed by a Republican House at the last session. It has passed the Democratic House at the present session. It is the one of all these bills which we

are under a special constitutional obligation to consider, relating, as it does, to the apportionment of Representatives under the census. It is a bill to execute the principal one of the only two purposes for which the Constitution authorizes the taking of the decennial census.

Mr. BRISTOW. I am obliged to the Senator for calling my attention to that matter.

Why it should be necessary to insist upon long hours and immediate consideration of the reciprocity measure when Senators are not ready to discuss some phases of it, and to give no consideration to this other legislation, which in the judgment of many of us is equally important, I can not understand, unless, as I have said before, it has been agreed that these measures shall not be considered at this extra session.

I want to say to the chairman of the Committee on Finance that I was not expecting to take up an amendment that I have on the table to-day, but, if he insists, I will endeavor to get ready as rapidly as I can and occupy the time. It would, however, be a very great favor to me if I could take that up in the morning, because of a physical ailment that I have had for a few days that has prevented me from getting ready.

Mr. BAILEY. Mr. President, if no Senator desires to speak at this time, I will offer and ask for a vote on my amendments. I offer, first, as a separate and independent section what is known as the free-list bill, and when that has been disposed of I shall offer the amendment which embodies the wool bill, substantially as it passed the House of Representatives. I prefer that these amendments should be voted on before I attempt to address the Senate on the main question, because if they are adopted they will so far mitigate the evils of the agreement with Canada that I may not care to speak further upon the question.

Mr. President, inasmuch as the pending bill contains three sections, I offer as a fourth section the amendment which I will ask the Secretary to read.

The PRESIDING OFFICER. The Senator from Texas offers an amendment, which the Secretary will state.

The SECRETARY. Add a new section at the end of the bill, to read as follows:

SEC. 4. That on and after the day following the passage of this act the following articles shall be exempt from duty when imported into the United States:

Plows, tooth and disk harrows, headers, harvesters, reapers, agricultural drills and planters, mowers, horserakes, cultivators, thrashing machines and cotton gins, farm wagons and farm carts, and all other agricultural implements of any kind and description, whether specifically mentioned herein or not, whether in whole or in parts, including repair parts.

Bagging for cotton, gunny cloth, and all similar fabrics, materials, or coverings, suitable for covering and baling cotton, composed in whole or in part of jute, jute butts, hemp, flax, seg, Russian seg, New Zealand tow, Norwegian tow, aloe, mill waste, cotton tares, or any other materials or fibers suitable for covering cotton; and burlaps and bags or sacks composed wholly or in part of jute or burlaps or other material suitable for bagging or sacking agricultural products.

Hoop or band iron, or hoop or band steel, cut to lengths, punched or not punched, or wholly or partly manufactured into hoops or ties, coated or not coated with paint or any other preparation, with or without buckles or fastenings, for baling cotton or any other commodity; and wire for baling hay, straw, and other agricultural products.

Grain, buff, split, rough, and sole leather, band, bend, or belting leather, boots and shoes made wholly or in chief value of leather made from cattle hides and cattle skins of whatever weight, of cattle of the bovine species, including calfskins; and harness, saddles, and saddlery, in sets or in parts, finished or unfinished, composed wholly or in chief value of leather; and leather cut into shoe uppers or vamps or other forms suitable for conversion into manufactured articles.

Barbed fence wire, wire rods, wire strands or wire rope, wire woven or manufactured for wire fencing, and other kinds of wire suitable for fencing, including wire staples.

Timber, hewn, sided, or squared, round timber used for spars or in building wharves, shingles, laths, fencing posts, sawed boards, planks, deals, and other lumber, rough or dressed, except boards, planks, deals, and other lumber, of lignum-vitæ, lancewood, ebony, box, granadilla, mahogany, rosewood, satinwood, and all other cabinet woods.

Sewing machines, and all parts thereof.

Salt, whether in bulk or in bags, sacks, barrels, or other packages.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Idaho?

Mr. BAILEY. I do.

Mr. BORAH. I desire to ask the Senator from Texas a question. Does he offer this as one amendment?

Mr. BAILEY. I offer it as one amendment.

Mr. BORAH. Is this the same as it passed the House?

Mr. BAILEY. Exactly, except that I have eliminated all of the agricultural products. I have regarded this as an effort to provide the farmer some compensation for the sacrifices which he is required to make by the Canadian reciprocity agreement, and I hardly thought it was fair to include with the small compensation which this affords the further sacrifice of his market as against the world, and instead of making it a free list for the farmer and against the farmer, I have made it a free list entirely and only for the farmer. It proposes for the free list nothing which he sells, and all the articles now embraced in it are articles which he buys.

As this bill places many of our most important agricultural products on the free list, as against the farmers' most effective competitor, I do not think it necessary for me to detain the Senate in arguing that the implements with which he must cultivate his fields ought to be exempted from all duties. Nor does it seem incumbent upon me to say much in defense of the boot, shoe, and leather provision of the amendment, because, as hides are now on the free list, all articles made out of them should be dealt with according to the same rule. It is not fair and just that the farmer or the ranchman should sell his hides in an open market free of all tax, and then be compelled to pay a tax on them when he buys them back in the shape of boots or shoes or harness.

I know, of course, that when hides were put on the free list we were promised that all of our people, including our farmers and cattlemen, should have the benefit of cheaper shoes, and we were assured that, notwithstanding the enormous loss which our farmers and graziers would incur in consequence of the diminished price which they received for their hides, they would be reimbursed by the smaller prices which they would be compelled to pay for their shoes and other leather products. But the Payne-Aldrich law, which placed hides on the free list, has now been on the statute books for almost two years, and I do not think that any Senator on either side of this Chamber will venture to stand in his place and declare that the promise of cheaper shoes and cheaper harness has been fulfilled. There have been some slight reductions on certain grades of leather products, but those reductions have been forced by the reduced duties on those particular products, and not by the repeal of the duty on hides; and even those reductions have not reached the great mass of consumers, and never will. We all know that now, and I think most of us knew it when we repealed the duty on hides. I can not bring myself to believe that any man with ability enough to secure an election to the United States Senate could have been misled on that question, because it could be decided by such a short and simple calculation. Some good people outside of Congress who had no access to the facts and who had not given close attention to the subject might have believed that free hides meant cheaper shoes, but I do not think that any Senator or Representative in Congress could have expected that result.

There was practically no dispute about the fact that the difference in the cost of making a pair of shoes out of hides which had paid a duty at the rate of 15 per cent and the cost of making a pair of shoes out of hides which had paid no duty at all was less than 5 cents a pair. I have never heard the difference estimated at more than 7 cents a pair, and the better opinion is that it amounts to less than 5 cents a pair. I can not bring myself to believe that any Member of this body seriously thought that this 5 cents could be divided between the shoe manufacturer, the wholesale shoe merchant, the retail merchant, and then have any left for the man who buys and wears the shoes.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from Idaho?

Mr. BAILEY. I do.

Mr. BORAH. I call the Senator's attention to a statement made in debate by our new leader, the Senator from Ohio [Mr. BURTON], on this particular subject, because I think the Senator from Texas might want to modify his declaration that no Senator entertained that view.

This solicitude for the farmer is, of course, extremely touching. Nevertheless, the packers are managing their business in their own way and looking out for themselves, as anyone else would do.

It has been maintained here that the removal of the duty would make no difference in the price of shoes. There has been a good deal of argument on that point. I take it that if the tariff raises the price of the hides it raises the price of leather and shoes as well, and if the price of hides will be lowered by a removal of duty the price of shoes and leather will be similarly affected. The average rise in the price of leather in a pair of shoes ascribed to the tariff on hides would be from 2 to 8 cents. Some say it would be from 6 to 9. If it is true that the tariff does raise the price of hides and of leather, that is an amount sufficient to be taken into account.

To show how prophecies are sometimes answered by time, at the time we passed the Payne-Aldrich tariff bill we were receiving about $2,000,000 as revenue from hides. By putting hides upon the free list we lost the revenue to the Government of some $2,000,000. In the meantime the price of shoes instead of being lowered has in fact gone up and the price of hides has gone down.

Mr. BAILEY. The Senator from Ohio in that extract, as in a more recent utterance, confuses two different things. He argues that if taking the duty off of hides will reduce the price of hides, then taking the duty off of hides will reduce the price

of shoes. That is a *non sequitur*. Taking the duty off of hides will reduce the price of hides, but we must take the duty off of shoes to reduce the price of shoes.

Mr. BORAH. On rereading this, I think the Senator from Ohio was not perhaps arguing that it would lower the price of shoes so much as to prove that the farmer would be again touched.

Mr. BAILEY. The Senator from Ohio has recently manifested very pronounced symptoms of the political disease known as the doctrine of free raw material, and he applies it with great resoluteness and great firmness everywhere except in Ohio.

Mr. President, we were also told in that debate, and we hear the same assertion now with respect to other farm products, that the removal of the duty on hides would not affect the farmer, but would only take something from the Beef Trust; but if you will go among the farmers and ask them whether the removal of that duty has reduced the price of their hides, ninety-nine out of every hundred will tell you that it has, and the one who tells you otherwise does not understand this question. If the Democratic Party is right in its position on the tariff question, then it is undoubtedly true that whenever we repeal the duty on any article the price of that article diminishes by approximately the amount of the duty repealed.

No man will deny that as to the article actually imported. No man will deny that if I buy hides in Argentina or in Mexico and am permitted to import them into the United States without the payment of a duty on them those hides laid down at my tannery will cost me less by the amount of the duty than they would if I had been compelled to pay the duty. That far there is no disagreement between Democrats or Republicans. And the whole disagreement, so far as any disagreement exists at all is as to the effect of a duty on the price of the domestic article.

No opinion is more firmly or more clearly fixed in the mind of a Democrat than that a duty on any competing article not only increases the cost of the imported article, but increases the cost of the domestic article as well. I believe that, and I have been asserting it ever since I could find an audience to hear me discuss the tariff question. Believing it, Mr. President, I have lived up to it, and I vote according to it without variableness or shadow of turning.

If it be true, sir, that the repeal of the duty on hides has reduced the price of hides, then that single act of the Sixty-first Congress has cost American agriculture an enormous sum. We kill more than 5,000,000 cattle every year at the principal markets alone, and at a difference of $1.50 per hide, which is a most conservative estimate, it has made a difference to our farmers and ranchmen of more than $7,500,000. Where, Mr. President, has that vast sum gone? The men, women, and children who buy and wear shoes have not obtained the benefit of it. Not only, sir, have the $7,500,000 lost by the American farmers and ranchmen gone into the pockets of the leather manufacturers, but the $2,200,000 revenue formerly collected by the Public Treasury has gone to the same beneficiaries. We collected the year before the Payne-Aldrich law took effect, in round numbers, $3,000,000 on imported hides. Of that amount we paid out more than $700,000 in drawbacks. But with those drawbacks paid, that duty netted the Public Treasury a revenue of more than $2,200,000. What, sir, has become of it? The Government no longer collects it. The importers of hides formerly paid it, but they no longer pay it; and the whole of it, or practically all of it, has gone to swell the magnificent fortunes of our rich manufacturers.

Mr. HITCHCOCK. Mr. President——

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from Nebraska?

Mr. BAILEY. I do.

Mr. HITCHCOCK. Will the Senator from Texas give some figures to prove his statement that taking the duty off of hides resulted in a reduction in the price of hides?

Mr. BAILEY. I did not suppose that any figures were necessary to prove that statement, but if the Senator from Nebraska doubts it, I think I can make it plain to him.

Mr. HITCHCOCK. My recollection of the market was that for the year following the passage of the Payne-Aldrich bill, which placed hides upon the free list, the price was actually advanced, and a glance which I have just taken at the Statistical Abstract published by the Government bears out that statement.

Mr. BAILEY. That is a fact; but it does not in the least contradict what I have said.

Mr. HITCHCOCK. So that the taking off of the tariff on hides did not cause a reduction in the price of hides, as the Senator from Texas has stated.

Mr. BAILEY. But it did. The Senator treats the question as if there was no cause operating on the price of hides except the tariff.

The fact is that, notwithstanding the repeal of the duty which reduced the price of hides, there were other influences which counteracted that effect, and resulted in temporary increase of price; but the Senator must know that the inevitable effect of repealing the duty on hides was to reduce their price, and the fact that the price did not actually fall below what it had been was due to some other and counteracting cause. Congress reduced the duty on shoes at the same time it repealed the duty on hides, and yet the price of shoes advanced. Will the Senator from Nebraska permit a Republican to offer that fact as a refutation of our doctrine that to reduce the tariff on shoes reduces their price?

Mr. HITCHCOCK. Possibly I misunderstood the Senator from Texas.

Mr. SMITH of Michigan. Mr. President——

Mr. BAILEY. Let me finish with the Senator from Nebraska.

Mr. HITCHCOCK. I think possibly I misunderstood the Senator from Texas. I understood him to say that the result of taking the tariff off of hides was a fall in the price of hides.

Mr. BAILEY. I did not say that the price had fallen.

Mr. HITCHCOCK. Well, if the price which he received was not reduced, how did the American farmer lose?

Mr. BAILEY. I said the price had been reduced; but there is a great difference between saying that a price had fallen and that a price had been reduced. To say that a price had fallen would mean that it was actually less than at the time selected for comparison; but to say that a price had been reduced by a given cause would mean that it was less than it would have been except for that cause. If the farmers and ranchmen receive less for their hides with the duty repealed than they would have received had the duty remained, then certainly the price of hides was reduced by a repeal of the duty and they suffered a loss.

Mr. HITCHCOCK. But if the price of hides advanced after the tariff was taken off, how can the Senator from Texas claim that the taking off of the tariff resulted in a reduction or a loss to the farmer?

Mr. BAILEY. Because he would have received at least a dollar and a half more for each hide except for the repeal of the duty.

Mr. HITCHCOCK. How can the Senator demonstrate that?

Mr. BAILEY. By everything the Democratic Party has ever taught on the tariff question.

Mr. HITCHCOCK. Let me ask the Senator——

Mr. BAILEY. Let me finish this answer. The Senator from Nebraska and I, as well as all other intelligent Democrats, maintain that tariff duties increase the price of every article on which they are levied. The only exceptions which any of us admit to that rule are in cases where we produce a large surplus and import but a small quantity of particular commodities. Now, if we are right in saying that to impose tariff duties will increase the price of the article on which they are imposed, then certainly we can not deny that we will reduce the price of an article by repealing the duty on it; and I must be right in saying that free hides have been worth less than taxed hides would have been.

Mr. HITCHCOCK. Let me ask the Senator what other product of the farm has advanced since that time.

Mr. BAILEY. Does the Senator from Nebraska deny that a duty on an American-made article of which there are large imports enhances the price of the article?

Mr. HITCHCOCK. I do not care to enter at this time into a discussion——

Mr. BAILEY. But that lies at the very base of the Senator's contention.

Mr. HITCHCOCK. Of a theoretical question with the Senator from Texas. I am challenging his statement of fact. He said that the result of the taking off of the tariff on hides was a loss to the American farmer——

Mr. BAILEY. And I repeat that.

Mr. HITCHCOCK. And I claim that the figures prove that the price of hides has advanced since the tariff was taken off.

Mr. BAILEY. Even if that statement were correct, it would not disprove my statement. But the price of hides is less today than it was in 1910, which is only another way of saying that there has been a change in the price of hides since they have been free of duty, just as there were changes in the price of hides when they were subject to a duty. It is absurd for a man to undertake to establish or contradict a statement by taking into consideration a single circumstance and ignoring all other circumstances.

I will again ask the Senator from Nebraska whether or not he agrees with the Democratic Party in contending that by taking the duty off of an article we will reduce its price, and that by increasing the duty on an article we will increase its price?

Mr. HITCHCOCK. I am not disposed to enter into a theoretical discussion with the Senator from Texas. I arose to challenge his statement of fact.

Mr. BAILEY. And when I——

Mr. HITCHCOCK. I have challenged his statement of fact, and on that fact he based the declaration that the taking off of the tariff on hides had injured the American farmer. I stated that the evidence proved that no such result followed the taking off of the duty on hides and that the result of the taking off of the duty demonstrated the fact that the duty was for the benefit of the packing interests and not for the benefit of the farmer.

Mr. BAILEY. The Senator's information is not thorough enough. Does the Senator from Nebraska know that during the twelve months following the enactment of the Payne-Aldrich bill with its free hides we almost doubled our importation of hides?

Mr. HITCHCOCK. Well, if that were a fact and if the price still remains higher than it was before the duty was removed, it would still controvert the statement of fact made by the Senator from Texas.

Mr. BAILEY. The price does not remain higher. The price is not as high to-day as it was when that duty was repealed.

Mr. HITCHCOCK. Let me read from the Statistical Abstract, which brings the matter down to the year 1910.

Mr. SMOOT. From what page is the Senator reading?

Mr. HITCHCOCK. I am reading from page 525. The average price of hides of cattle per pound in the year 1908 was 12.2 cents; in 1909, the year in which the tariff law was passed and hides were placed upon the free list, it was 12.4 cents; last year, the year after the tariff act had been passed, it was 14.8 cents, almost high-water mark for the price of hides in recent years.

Mr. BAILEY. That proves nothing in the world except that there were influences other than the tariff operating upon the price of hides.

Mr. SMOOT. I want to call the attention of the Senator from Nebraska to the fact that the price he quotes—14.8 cents—as the average price for the year was for the calendar year, and that was for the year 1909—the year that the tariff bill passed. But he has not the figures here to show what was the price in 1910 or 1911. The price to-day on hides is lower than it was then.

Mr. SMITH of South Carolina. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from South Carolina?

Mr. BAILEY. I do.

Mr. SMITH of South Carolina. I should like to hear the Senator's explanation along this line. He seems disposed to meet the question of the Senator from Nebraska that, in spite of the fact that the duty was removed from hides, other circumstances than the mere fact of the removal of the duty caused an advance in the price of hides. If that be not true in reference to the advance in the price of shoes——

Mr. BAILEY. The price of shoes increased, due, as I think, to the circumstance that immediately after we repealed the duty on hides the Leather Trust, which they promised to break up by putting hides on the free list, enlarged its operations and marked up the price of leather.

Mr. WARREN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Wyoming?

Mr. BAILEY. I do.

Mr. WARREN. The Senator probably knows they established their agencies in every foreign country that exports hides to this country.

Mr. BAILEY. I understand that is true.

Mr. WARREN. The net result is simply a loss to the United States of the customs which we formerly collected and greater profits to the trusts that have been organized anew and strengthened of old, because of our taking the tariff off of hides.

Mr. SMITH of South Carolina. I should like to get at the bottom of this that I may understand the argument clearly. Then the Senator from Texas would agree, I presume, with some of us on this side that the only hope for cheap shoes would be to put them in the same category with hides and put them on the free list.

Mr. BAILEY. That is exactly what I am trying to do.

Now, Mr. President, let us for a moment see how plain an illustration negatives the inference which the Senator from Nebraska seeks to draw.

You can take the price list and you will find that the price of hides varied from year to year under taxed hides, just as it has varied under free hides. We can not therefore conclude that the whole result, when there was a change in the law, must be due to the law and nothing else.

Mr. President, I want to admonish the Senator from Nebraska of the contradiction into which he falls. If taking the tax off of hides will increase the price of hides, then taking the tax off of shoes will increase the price of shoes. Does the Senator from Nebraska think that?

Mr. HITCHCOCK. It undoubtedly would have that effect unless a trust existed which destroyed competition.

Mr. BAILEY. You certainly do not mean that.

Mr. HITCHCOCK. I did not understand the Senator's question.

Mr. BAILEY. I said that if removing the tax on hides has increased the price of hides, then reducing the duty on shoes must increase the price of shoes, and I asked if the Senator from Nebraska believed that reducing the tariff on shoes would increase their price.

Mr. HITCHCOCK. Mr. President, the Senator misquoted me.

Mr. BAILEY. I have not.

Mr. HITCHCOCK. The Senator is misquoting me.

Mr. BAILEY. I have not pretended to quote the Senator. I have simply asked him a question.

Mr. HITCHCOCK. The Senator from Texas is implying that I claim that taking the tariff off of hides increased the price of hides. I made no such claim.

Mr. BAILEY. There could have been no point in interrupting me, then.

Mr. HITCHCOCK. The Senator from Texas declared that taking the tariff off of hides had injured the farmer, as prices were lower.

Mr. BAILEY. No; I did not say that the price was lower. I said that the repeal of that duty had decreased the price of hides, but that does not mean that the price had actually fallen below its former level. It only means that the price was thus made lower than it would otherwise have been.

Mr. HITCHCOCK. He implied that, because the farmer could not have been injured unless there was a loss in the price.

Mr. BAILEY. I do not dissent from that statement.

Mr. HITCHCOCK. I rose to challenge the statement of fact and to demonstrate from the Statistical Abstract that the price of hides had risen instead of fallen after the tariff was taken off. I did not assert that it rose because the tariff was taken off.

Mr. BAILEY. If the Senator did not intend to combat my assertion that the price of hides had been reduced by repealing the duty on them, then his interruption was absolutely pointless.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from North Dakota?

Mr. BAILEY. I do.

Mr. GRONNA. I should like to know where the Senator from Nebraska gets his figures before I ask him a question.

Mr. HITCHCOCK. I get them from the Statistical Abstract.

Mr. BAILEY. I think it is undoubtedly true that immediately after we repealed the duty on hides the price of hides rose, just as immediately after we lowered the duty on shoes the price of shoes rose; but shoes, like hides, were subject to the operation of some cause that neutralized and overcame the fall in the price which a reduction of the duty in the one case and a repeal of the duty in the other case would have produced.

Mr. GRONNA. Mr. President, I want to make this statement: For the six months following the passage of the Payne-Aldrich bill the price of green salted hides went up, but from that time on the price has declined.

Mr. BAILEY. That is true.

Mr. GRONNA. In June, 1910, the price of hides was from 10 to 13 cents, as the Senator from Nebraska will find if he will examine the price of hides in the Leather and Hide Journal.

Mr. HITCHCOCK. I am not familiar with the price of hides within the last six months; but I know, if the official reports and the Statistical Abstract are reliable, that the average price of hides in 1909, the whole year and a half after the tariff act——

Mr. BAILEY. No; that is the calendar year.

Mr. HITCHCOCK. Well, I will state for that year, after the tariff act was passed.

Mr. BAILEY. For only about six months.

Mr. HITCHCOCK. The price of hides was not only higher than it was at the time the tariff was taken off, but higher than it had been for a number of years previous to that time. I do not assert that that demonstrates that taking the tariff off of hides increased the price. I merely state that those statistics demonstrate that fact.

Mr. BAILEY. But the Senator must have intended to deny that free hides were cheaper than taxed hides would have been, or else he does disagree with what I was saying.

Mr. HITCHCOCK. The Senator is mistaken when he says that the farmer was injured by taking the tariff off of hides.

Mr. GRONNA and Mr. SMOOT addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Texas yield and to whom?

Mr. BAILEY. I yield first to the Senator from North Dakota.

Mr. GRONNA. The Senator from Nebraska can satisfy himself as to the loss sustained by the farmer if he will examine the testimony given by Mr. Tomlinson, secretary of the Cattle Growers' Association of the West. He will find that Mr. Tomlinson said the farmer sustained a loss of $3.50 per head on account of the duty being taken off of hides.

Mr. HITCHCOCK. Mr. President, I presume there may have been some decline in the price of cattle.

Mr. GRONNA. There is no presumption about it. It is a matter of fact.

Mr. HITCHCOCK. There has also been a decline in the price of cattle and there was no tariff on hides.

Mr. BAILEY. The Senator is arguing against his own point now.

Mr. HITCHCOCK. I should be glad to have the Senator from Texas inform me in what way my argument is against the point I made.

Mr. BAILEY. I will do so as soon as I yield to the Senator from Utah.

Mr. SMOOT. Referring to the importation, the amount for the calendar year 1909 of importations of hides was $23,795,602, whereas in the calendar year 1908 it was only $12,044,435, or nearly double the amount after free hides became effective.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Mississippi?

Mr. BAILEY. I do.

Mr. WILLIAMS. I agree with the Senator from Texas that whenever the removal of a duty is followed by an increase in the price it must be owing to the operation of some factor working in spite of the removal of the duty and is not due to the removal of the duty. Perhaps the Senator may find that factor in the immense stimulation of the trade by the free entry of the goods, in this case hides, and in the immense increase in the demand while the supply remains stationary.

Mr. BAILEY. The supply was enormously increased by an almost double importation.

Mr. WILLIAMS. I mean that our demand went up from about $12,000,000 to $23,000,000, while the supply of hides upon which we drew throughout the world remained stationary.

Mr. BAILEY. That will not explain it, because we did not increase our consumption of shoes, and the price of shoes advanced instead of falling. There was no increase in our consumption of shoes, nor can it be accounted for by an increase in our export of shoes. Although the export of shoes has been an annually growing one, it did not grow the next year by any larger per cent than it had grown in previous years.

Mr. WILLIAMS. But we increased our manufacture of shoes very much.

Mr. BAILEY. No; we did not.

Mr. WILLIAMS. I think, if I am not mistaken without referring to it, we increased our importations of shoes.

Mr. BAILEY. We import very few shoes. The revenue from imported shoes was less than $30,000 in 1908.

Mr. WILLIAMS. What was the export of American shoes for the two years?

Mr. BAILEY. Ten millions, in round numbers, for 1909 and about 12,000,000 for 1910.

Mr. SHIVELY. Last year we exported over $12,000,000 worth.

Mr. BAILEY. Over $12,000,000 and less than $13,000,000.

Mr. SHIVELY. There were over 7,000,000 pairs. Whether the price of hides rose or fell, there has been an increase in the exportation of shoes.

Mr. BAILEY. That was true even under the 15 per cent duty on hides.

Mr. SHIVELY. Going to show that the tariff is not always determining upon the question of exportation, in any event.

Mr. BAILEY. That is true, undoubtedly.

Mr. WARREN. That is true; but the export of shoes increased enormously while the tariff remained on hides. It has not increased since in the same proportion that it did under that tariff. Whether there is any relation or not the Senator can decide himself.

Mr. BAILEY. It has not increased in the same proportion, because if it increased from a million to two million, that would increase 100 per cent; but if to a two million export we add another million, the same as before, the per cent of increase would be only 50 per cent. There has been a constant increase in our export shoe trade, but the rate of increase was just as great when the manufacturers paid a 15 per cent duty on their hides as it has been since Congress repealed that duty.

Returning now to the question between me and the Senator from Nebraska. He does not doubt—for no Democrat doubts—that the tariff duty on imported wool enhances the price of domestic wool. How, then, can he deny that a tariff duty on imported hides enhances the price of domestic hides? And if to impose a tariff duty increases the price of hides, then certainly a repeal of that duty must reduce the price of hides. Now, if free hides sell for less than taxed hides, then our farmers and ranchmen received less for their hides than they would have received had the duty not been repealed, and therefore they must have suffered a loss.

That is the inexorable logic of the entire Democratic argument on the tariff question, and Democratic Senators must not abandon it when they find that the price of a particular article has moved in an opposite direction, because, upon a full examination of all the facts, it will be found that the tariff did produce its effect upon the price, but that other influences produced an even greater effect, sometimes in the same and sometimes in the opposite direction. The Senator from Nebraska can select any article he chooses, either on the free list or on the dutiable list, and he will find fluctuations in its price even when there has been no change whatever in the tariff law. Those fluctuations may, of course, occur coincident with tariff changes, and to the superficial student they may appear to negative what we agree to be the effect of every tariff duty on the price of every commodity; but a deeper study of the matter yields an explanation perfectly consistent with our arguments.

Mr. SMITH of South Carolina. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from South Carolina?

Mr. BAILEY. I do.

Mr. SMITH of South Carolina. Taking the Senator's statement that there was a loss, we will say of $7,000,000 to the farmer and about $2,000,000, I understand, upon importations, making a total of loss in the price of the hides of $9,000,000, did it have no effect at all upon the price of the manufactured article? Did it, in fact, produce any reduction in the price of the finished article?

Mr. BAILEY. It did not.

Mr. SMITH of South Carolina. The point I would like to hear the Senator bring out is the point that has been discussed here, that if we removed the duty on wheat it would not affect the price of flour. It has been stated that we removed the duty on hides and it did not affect the price of shoes. I should like to hear the Senator from Texas explain this matter. If he will bear with me a minute, every business man knows that every item of cost entering into the production of the finished article that goes upon the market has to be scrupulously taken into account, and there must be one of two things, either that same circumstance outside the mere fact of the remittal or change of duty has been effectual in maintaining the price or that there was such a monopoly of the business by virtue of these long years of their enjoyment of protection that they have intrenched themselves so that they are independent, whether they get their raw material free or whether they get it with the duty on it. I should like to hear the Senator just on that point with reference to shoes.

Mr. BAILEY. What I said was that the wearers of shoes had not realized any benefit from free hides. There has, perhaps, been a reduction in the wholesale price of the cheapest quality of shoes. It was the reduction of the duty on them, however, and not the repeal of the duty on hides which reduced the price of those shoes. You can give the manufacturer his hides free of tax—indeed, sir, you can give him his hides free of all cost—and still he will charge as much for the shoes made out of them as the competitive conditions of the market will permit. It was the reduction of the duty on shoes which forced a reduction in the price of certain shoes, but even that reduction has not manifested itself even in the wholesale price of the finer shoes.

Mr. SMITH of South Carolina. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield further to the Senator from South Carolina?

Mr. BAILEY. I do.

Mr. SMITH of South Carolina. Is not that on account of the fact, known among all business men, that the foreign shoes of the finer grade have no market in America on account of the style of the shoe, but that it is the commoner grades which are almost universally alike. Therefore, the repeal of the duty would affect the lower grades because we have competition by virtue of the lower grade, and until the foreigner makes our finer grades according to the style used in America we have

the monopoly of that business and are mulcting the American people on account of that monopoly.

Mr. BAILEY. The Senator from South Carolina has exactly explained the situation. No foreign shoe manufacturer can enter our markets with any hope of success, because it is true of everybody else as it is of Senators here, that when they go to buy a pair of shoes they prefer the same pattern every time. That habit is so strong with the American people that a foreign shoe manufacturer can not find any market here for his shoes. It may not always be this way, but it has been up to this time.

But, as the Senator well says, as to the coarser grades, such as the split brogan, which is the laborer's shoe, there has been a reduction in the wholesale price, though I doubt if even that reduction has found its way to the consumer.

But, Mr. President, I come back to the proposition that what has forced down the price of that split brogan is the reduction of the duty on it and not the repeal of the duty on the hides out of which it is made.

Mr. President, right in this confusion of thought rests this whole fallacy of free raw material. Senators and others say—the Senator from South Carolina has just said it—that the merchants and others are careful to compute every item of cost, and that is true. The merchants or manufacturers who do not do that finally settle their business in the bankrupt court or at an assignee's sale. But while it is true that they must receive when they sell their goods a price that returns to them every item of cost plus a profit, it does not follow that they sell their goods at a price which only does that. On the contrary, not only the manufacturer, but the merchant; not only the merchant, but the farmer; not only the farmer, but the butcher and the men engaged in every other occupation, charge just as much for what they sell as competition will allow them to charge; and, therefore, when the manufacturer obtains his raw material free he does not give his customer the benefit of it, but charges that customer whatever he can charge him under the tariff levied on the finished product, and the only tariff which enters into and determines his selling price is the tariff on the finished article. The tariff on the raw material enters into and helps to determine the manufacturing cost, but the manufacturing cost does not determine the selling price.

Mr. SMOOT. Mr. President——

Mr. BAILEY. In just a moment. If the Senator doubts that, let him take the case of a monopoly. Did any monopoly in the history of the world ever voluntarily reduce the price of its goods because it had reduced the cost of producing them? Monopolies sometimes do voluntarily reduce their prices, but they only do so when they find that by reducing the price they can so far extend their sales that the greater sales at the smaller price will net them a larger profit. Under those circumstances monopolies sometimes reduce their prices; but no monopoly in the history of the world—and I defy a contradiction—ever reduced its selling price because it had reduced its manufacturing cost.

Now I yield to the Senator from Utah and then to the Senator from South Carolina.

Mr. SMOOT. I simply wanted to call the attention of the Senator to one item in the shoe trade, to show that the reduction of hides has not in any way influenced the price of shoes. There is the $3 shoe, the $4 shoe, the $4.50 shoe made by Douglas and Emerson, and many other manufacturing concerns in this country. When the tariff was taken off of hides the price of those $3, $4, and $4.50 shoes never changed and has not changed to-day. I would not care how cheap they bought their hides those shoes would be still $3, the Douglas shoes; $3.50, the Emerson shoes, and so along through the price of shoes. The testimony before the committee showed that that was the fact.

Mr. GALLINGER. That is the retail price.

Mr. SMOOT. That is the retail price. It is what the consumer pays.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from North Dakota?

Mr. BAILEY. I promised to yield to the Senator from South Carolina, and then I will yield to the Senator from North Dakota.

Mr. SMITH of South Carolina. The only point that I wanted to keep clearly before the mind of the Senate, and I think the Senator from Texas will agree with me, was that in spite of the fact that any manufacturing concern may have a monopoly of any trade and charge practically its own price, yet the Senator will not say that in proportion as you raise the price of his raw material you necessarily decrease the amount of his profits. The converse is true, and he will be compelled to raise the price even with a monopoly. I happen to know that in the cotton business you have—

Mr. BAILEY. Is there a monopoly in the cotton business?

Mr. SMITH of South Carolina. Well, there is among the manufacturers.

Mr. BAILEY. I had not supposed that to be true.

Mr. SMITH of South Carolina. If you raise the price of your hides and he has to pay for them you have reduced his profits that much.

Mr. BAILEY. We have been saying that the manufacturer's profits are exorbitant, and I would be glad to reduce those profits for the benefit of the consumers.

Mr. SMITH of South Carolina. I think the Senator from Texas and the Senator from South Carolina are agreed on this, that the matter of greatest concern with us is not so much the exorbitant profits that the producer of raw material or the producer of the manufactured article may get, but the question of a fair and square deal to the consumer, manufacturer, and producer. I think that is the ground upon which we should argue this question.

Mr. BAILEY. That is the ground I have been arguing it on for ten years.

Mr. SMITH of South Carolina. I maintain that in proportion as you cheapen the elements that enter into the manufactured articles you give the consumer the benefit of that, barring an absolute monopoly.

Just one point further and then I am through. As you cheapen the raw material and make it easy of access and you raise the profit, you necessarily invite capital to enter into it and necessarily invite competition.

Mr. BAILEY. That is the argument which the Republicans have been making for all these years in support of protection.

Mr. SMITH of South Carolina. I just want to say to the Senator from Texas that I hope in my argument and in my politics I have learned one little rule in mathematics that is a pretty good one; it is that a straight line is the shortest possible distance between any two points, and I have tried to walk that straight line.

Mr. BAILEY. I have seen men try to walk the straight line and go farther around than anybody else.

The Senator and myself do not disagree about one point, and, if he would emphasize that point, we would not disagree at all. When he says that a tax on the manufacturer's raw material reduces the manufacturer's profit, he and I agree, and, by the same token, to exempt his raw material must increase his profits, must it not?

Mr. SMITH of South Carolina. Yes; but it does not reduce in either case the cost to the consumer.

Mr. BAILEY. No; the cost to the consumer depends upon the tariff duty on the finished product.

Mr. SMITH of South Carolina. Providing he has a monopoly of the article.

Mr. BAILEY. There is no proviso about it. That is true without respect to monopoly. It is true that the manufacturer's selling price will depend upon the competition which he must meet. If that competition is sharp enough it will reduce his selling price to the lowest point consistent with American wages and American profits. If it falls below that he will close up his factory.

Mr. SMITH of South Carolina. That is true, and that is just exactly along the lines that I claim that he would be compelled to have a monopoly of a business before he could exact an extortionate price for the things that he sells.

Mr. BAILEY. That is probably true if extortionate is used in its extreme and offensive sense.

Mr. SMITH of South Carolina. I did not mean that.

Mr. BAILEY. I mean as a commercial practice. But while no man can practice an extortion on his customers unless he is sheltered from competition by a monopoly, it is still true that, under the restricted competition which exists in our market places in consequence of the tariff, unfair prices are charged. We have said that a thousand times before we ever heard of these great combinations. For a century, and without any qualification about monopolies and trusts, our party has been charging that under these high tariff duties American manufacturers have extorted from American consumers conscienceless profits. The Senator must agree to that, every Democrat must agree to that, or else what we have been saying against our Republican opponents and their policies was not sincere.

Mr. President, if it is true that under this high protective tariff American manufacturers have extorted conscienceless profits, shall we swell their profits by giving them raw material free, which the Senator himself says will increase their profits?

Mr. SMITH of South Carolina. I should like to explain this matter here, Mr. President.

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from South Carolina?

Mr. BAILEY. I do.

Mr. SMITH of South Carolina. I should like to explain it, because it is an injustice to me.

Mr. BAILEY. I am answering the Senator according to his own statements, for I understood the Senator to agree with me as to the effect of free raw material on the manufacturers' profits.

Mr. SMITH of South Carolina. I do not agree, for this reason——

Mr. BAILEY. Then, more is the pity.

Mr. SMITH of South Carolina. I do not believe that I, the producer of raw material, because the manufacturers are exacting that to which they are not entitled and because it works a hardship on me in a sense, shall become a party with the manufacturer to work that hardship for my benefit on the consumers of this country. In proof of my faith, I am willing, wherever possible, for the benefit of the American people, to give them my material free, if necessary, and then to stand and fight to see that the manufactured article shall be reduced to where in justice it is proper, and to put it on the free list if necessary.

Mr. BAILEY. Mr. President, I thought the Senator said a moment ago that he believed in a square deal for the producer, the manufacturer, and the consumer.

Mr. SMITH of South Carolina. I do.

Mr. BAILEY. I now regret to find that he has modified his position to the extent that he is not willing for the producer of raw material to share in the square deal, but desires to leave all advantage in the way of a tariff to the manufacturer.

Mr. SMITH of South Carolina. Not that, Mr. President. I want to just change the phraseology a bit. I believe in the square deal, but I am not going to be a party to the square steal. That is the difference.

Mr. BAILEY. Anybody who steals, even from South Carolina, ought to be put in the penitentiary; but does the Senator say that a revenue tariff is a steal?

Mr. SMITH of South Carolina. I do not.

Mr. BAILEY. We were discussing the tariff on hides, which was only 15 per cent, and raised a net revenue of more than $2,000,000 annually. Does the Senator from South Carolina think that was a steal or a Democratic revenue tariff?

Mr. SMITH of South Carolina. Mr. President, as this question is asked, I want to state that I have sat here day after day, and I have really deplored the fact that this question was not argued upon the basis of a revenue of what the Government required; but, on the other side—and I am sorry to say that in some instances on this side—the argument seemed to be turning upon whom it would benefit as a citizen of this country, and not as to the benefit of the Treasury, in meeting the requirements of our Government economically administered.

I take it that there is not a Senator here who will not agree that we can not arbitrarily fix a blanket rate on all articles for our revenue. There are some articles that Democrats and Republicans would agree ought to bear a higher rate than other articles; but the aim and object of the Democratic Party has been to collect revenue to the least injury and to the best benefit of all, according to the article and according to its necessity to the people; to provide protection for none under the law, but simply to collect revenue. I do not know, I am not competent to say, what that would be on a specific article without going to our customhouses and studying all the imports and studying the relative necessity of that article to the people of the country. All that I am concerned about and all that I am contending for is that upon all these articles, if the people of this country can be benefited by having them free, in the name of Heaven and of our free institutions, let them have them free. If I were to grow wheat, I would infinitely rather prove my faith in seeing the bread eaters of this country get cheaper bread than to demand protection because the man who manufactures the flour is charging more under protection than he is entitled to, and by saying I am willing, so far as raw material is concerned, to throw wide open the door and give the people a chance to get bread as cheap as they may. That is my whole contention.

Mr. BAILEY. Mr. President, I am ready to answer the cry for cheap bread whenever they will likewise answer my cry for cheap clothes; but no party can ever compel me to take the duty off of what comes from the farm so long as a duty is left on what the factory makes out of it. That is my creed and that was the creed of the Democratic Party in its best days; that was the creed of the Democratic Party when John C. Calhoun represented the State of South Carolina on this floor. In one of the memorable contests revolving around this very question of free raw materials, forced upon the Democratic majority here by a Whig minority, John C. Calhoun voted that the manufacturers should pay a duty on their raw material so long as they collected a duty on their finished product. That, sir, was the creed of the Democratic Party in all the years of its glory and of its success, and it only abandoned it under the blandishments of New England. In the late eighties and early nineties the Democratic Party resolved to unite the South with New York and New England upon a free raw material and gold-standard platform, and then Grover Cleveland persuaded us from our allegiance to the elder faith and committed us to the doctrine of free raw material. If any Democrat can read the history of that time with pride or satisfaction, his mind is constructed differently from mine.

I mean no reflection on Mr. Cleveland's integrity; I intend no criticism upon his patriotism; but, sir, his mistakes all but cost the Democratic Party its organization. He tried to make Republicans out of us, and thus prepared the way for Bryan who all but succeeded in making Populists out of us. I am a Democrat. I am neither Populist nor mugwump; neither Socialist nor Progressive nor reactionary; I am a plain, old-fashioned Democrat, simple-minded enough to believe, sir, that from the teachings of Democrats like Thomas Jefferson and Andrew Jackson and John C. Calhoun I can still derive profitable instruction and that in following them I shall keep the faith of the Democratic Party.

In the law which was called the Walker tariff there was a duty on hides, there was a duty on wool, there was a duty on wheat, and there was a duty on flour. It may be that was wrong, but shall I be accused of lacking in party fealty because I would write a tariff bill in this day that is almost a literal transcript of the one they wrote in that day? I think not.

Mr. President, when I come to ask where the burden of taxation shall be laid I look about me. I see these farm homes; I see the men who have cultivated them for years stooping beneath the weight of a mighty burden, and I refuse to still further aggravate that burden. On the other side, I look at these rich manufacturers, and I find them crowning the mountain tops with palaces which rival in their magnificence the dreams of oriental splendor; I find them rolling in wealth; I find them practicing excesses which would have put to shame the lords of feudal ages. It is, sir, upon them, God giving me the power, with the people's aid, that I would lay the burdens of this Government.

Do you believe the farmers are so prosperous that their homes should be stripped of their ornaments so that the Federal taxgatherer may be paid? Who dares to say so, if he lives among them or if he even visits among them at election time? I have seen their children playing in innocent amusement with bare feet, while the manufacturer's children are drawn in gold carriages; and am I a demagogue because I demand that we shall lift the burdens from that humble farm home before we do from that manufacturer's mansion? Oh, sir, if this be demagogy, I am proud to proclaim myself the chief of demagogues; but I want to warn you that many of you will wish that you had joined me before this contest is over.

You may think the American farmer has his mind steeped in ignorance because he has not the leisure from his daily toil to learn as well as others may how this Government can oppress and despoil him. You may think he will not understand this new policy, which has been deliberately entered upon and which proposes to take the tariff off of everything which the farmer produces and leave the tariff on everything which he must buy.

If you tell me that the people want cheap living in the cities, I answer that the people who live in the country want cheap living there. Why give cheap living to one and refuse it to the other by law? The people of our cities now live better than those in the country. The laborer in the city can buy a barrel of flour, ground from the farmer's wheat, with less labor than the farmer can produce the wheat which makes that barrel of flour; and so it is from luxury to necessity; the city man can command them with less hours of his toil than the farmer can.

Whoever heard, Mr. President, about the high cost of living until the prices of agricultural products advanced to a remunerative basis? Have we not for years been paying extortionate prices for all the products of the factory? For 50 years, under this high tariff, everything purchased from the factory has been purchased at an enormous price. Do you doubt it? Call the roll of the manufacturers and find those who are impoverished and those whose wealth staggers the imagination. They are all rich. Can you call to mind a farmer who has grown rich upon the farm? How did the manufacturer grow rich except by the exorbitant prices which he exacted from farmers and laborers alike. Yet just as soon as the value of agricultural products rose to a point that enabled the farmer to pay the mortgage off

his home; to paint his house, to send his children to the free school, comes this cry from the cities against the high cost of living. Nothing was said when the farmer was being plucked by the manufacturer, but every fiber of congressional nature responds when the farmer begins to assess the manufacturer a fair price for the product of his land and his labor.

Mr. President, they told me in 1894, when they put wool and hides and lumber and attempted to put many other raw materials on the free list, that we were going to divorce the farmers and producers from the protective-tariff system. I was a Member of the House of Representatives when they passed the Wilson bill. I did not believe in it, and for that reason I did not speak upon it. I sat there through the whole debate and said never a word, because I did not believe in this free raw-material doctrine. They passed that bill. Did it divorce the farmers from the Republican Party? It divorced us from the Government just as speedily as the people could get to the polls, and a similar bill will bring us a similar disaster.

Now, let me record this—I will not call it a prophecy, I will call it a prediction—let me record this: Mr. President, if the Republican Party attempts to apply its doctrine of protection to some industries and free trade to others, the people will crush it; if the Democratic Party attempts to apply its doctrine of a revenue tariff to some industries and free trade to others, the people of the United States will crush it. No party, no matter what its tariff doctrine may be, dare to apply that doctrine unequally and unfairly to the industries of this land.

Mr. WILLIAMS. Mr. President——

Mr. BAILEY. I yield to the Senator.

Mr. WILLIAMS. I do not know whether or not I correctly understood the Senator from Texas a moment ago. Did I correctly understand him to attribute the Democratic defeat in the Cleveland régime to the tariff legislation which was passed?

Mr. BAILEY. I do attribute the defeat of 1894 largely to it.

Mr. WILLIAMS. I thought the Senator said that the result of that legislation was to divorce us from the Government.

Mr. BAILEY. I also said that they told me that with free raw material we would divorce the farmers and producers of raw materials from the protected industries of the country, and thus insure our triumph.

Mr. WILLIAMS. Mr. President, I should like to ask the Senator from Texas a question in the interest of historical accuracy or to ascertain his opinion of what the historical result meant. Does not the Senator from Texas believe with me that in that time of panic and of raids upon the Treasury for gold, the Democratic Party, happening to be in power, would have been put out of power, no matter what it had done concerning the tariff and no matter what it could have done? Does he know of any instance of any political administration weathering the storm of a great panic?

Mr. BAILEY. Mr. President, they beat us in the congressional elections of 1894 worse than they did in the presidential election of 1896.

Mr. WILLIAMS. Yes; but was not that because the depressed conditions continued to exist, and, while the acute stage of the panic had passed, the hard times for the actual producer were increasing for quite awhile after the financial panic had had its break?

Mr. BAILEY. Mr. President, the Senator from Mississippi needs to be a little careful there, because he and I have charged repeatedly that the hard times existed in 1892, and that it was due to the stringency originating under a Republican administration that Mr. Cleveland was called back into the Presidency a second time, after having been defeated once.

Mr. WILLIAMS. Mr. President, the Senator from Texas, I think, need not warn the Senator from Mississippi upon that point. The Senator from Mississippi has made that contention, made it no longer than three or four days ago, and he makes it yet. He says that the beginning of that period of decreasing prices, discouraging enterprise and production and encouraging hoarding, began as far back as 1889 and 1890 and gradually increased until the boil burst in the shape of a financial panic. It reached its acute stage then, though it began before; but it undoubtedly did reach its most acute and depressing condition and stage while we were in power and continued throughout Mr. Cleveland's administration. Times did not begin to grow better until about the last year of his administration, and while the acute stage, the financial, bank form of the trouble passed away, the producer's trouble did not pass away immediately, but became somewhat worse for a while after, and then gradually the trouble was cured, as all troubles of that sort are cured, by the panic leading to a rock-bottom cash industry after liquidation and increased labor and production.

Mr. SMOOT. Mr. President——

Mr. BAILEY. I want to finish with this matter first and then I yield to the Senator from Utah. I will not say that our disaster of 1894 was due entirely to the tariff bill, because I think there were several causes—I had almost said a multitude of causes contributing to it, but since the Senator——

Mr. WILLIAMS. I ask the Senator, then, would we not have had the same trouble if we had never passed the tariff bill at all?

Mr. BAILEY. We would have had trouble, but not the same trouble.

Mr. WILLIAMS. Would we not have had that panic whether or not we passed the tariff bill at all?

Mr. BAILEY. I think so.

Mr. WILLIAMS. Did we not have it before we passed the tariff bill?

Mr. BAILEY. We did.

As illustrating that the tariff act of 1894 contributed to our defeat, I will describe the political conditions as they existed in Texas at that time, though I know that the conditions existing in our State may not typify the condition existing in all States. About the time we passed that tariff bill we were afflicted with the Populists. If any Senators were never troubled with them, they do not know what is ahead of them if the Populists should ever come their way. They were active, and many of them were very eloquent; I think most of them were sincere and patriotic, and all of them extremely vociferous and disputatious. We used to have joint discussions with them, and they had one story which I have heard them tell 50 times. They did not argue against us on the money question; they argued against us almost entirely on the tariff question and on the free raw-material phase of the tariff question. I see a friend of mine who has the honor to represent a Texas district in the other House, who has had some experience with these same gentlemen. One of their stock stories was this: They would tell how they rode up to a farmer's house—they would pretend that it was a personal experience, and that Populist audience would shake the courthouse from turret to foundation stone every time the story was told—and found a farmer shearing sheep. He was shearing the sheep toward his head, and the Populist orator would declare that he told the farmer that was not the way to shear a sheep, and the farmer would answer, "I know that just as well as you do; I know that the way to shear a sheep is from his head back, but I am a Democrat, and I am ashamed to look these sheep in the face since the Democratic Party took the duty off of wool and left it on woolen clothes."

That same Populist Party elected 15 or 20 Members to the House of Representatives at that election. In the great Democratic State of Texas we saved four districts by less than 1,500 majority.

I never attempted to controvert the Populist position on the tariff question at that time, but I frankly admitted that the Democratic Party had made the mistake of assuming the old Whig Party's position and had allowed the Populist Party to take the true Democratic position. I am not certain, but I am under the impression, that there were some Populists in the State of Mississippi at that time. I know there were some afterwards, but I do not know it as well as the Senator from Mississippi [Mr. WILLIAMS]. I do not know that they made the tariff attack upon us there, but I do know they made it upon us in Texas, and they made it with tremendous effect.

Mr. President, it may be that some Senators are so highly educated and some constituencies may be so highly educated that it will be easy to convince them that it is right to take the tax off of the wheat as it comes from the farmer's granary and to leave a tax on the flour as it comes from the corporation's mill, but I do not believe it. I say, sir, if you are going to take the duty off of the steer as it leaves the farm there ought to be no duty on it as it goes to the laborer's table. I say if there is no duty on wool out of which the manufacturer weaves his cloth, there ought to be no duty on it when the poor man buys it and hands it over to his thrifty wife to make it into a genteel suit of clothes. That is my philosophy; this is my creed—equal justice to all men, to all industries, to all sections, to all classes, and special privileges to none. Under that sign, sir, the Democratic Party will conquer, and under no other sign can it ever hope to do so.

Mr. WILLIAMS. Mr. President, I have listened with great interest, as I always do, to the remarks of the Senator from Texas. No man admires his great ability more than I do. No man wonders more at his great intellectual acuteness, and I can only regret to see that ability and that acuteness not being used at this moment, in my opinion, either for the benefit of the party of which he is a member or the country of which he is a citizen.

Mr. BAILEY. Will the Senator permit me?

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Texas?

Mr. WILLIAMS. Certainly.

Mr. BAILEY. I have just been expending my strength and time speaking for a bill passed by the Democrats in the House of Representatives.

Mr. WILLIAMS. Ah, Mr. President, the Senator from Texas is not so simple to imagine that I am so simple as not to know that he knows that if he can put that bill upon this bill he kills that bill and this bill both.

Now, Mr. President, I hope the Senator from Texas will not imagine that he is the only Democrat in this great body or the only Democrat at the other end of this Capitol. That he has right to claim to be par excellence a Democrat is of course undisputed. But he is not the Democratic Party—not one of us here is—and what I meant just a moment ago was that at present his great ability is being chiefly used, practically, as far as this particular matter is concerned, in giving aid and comfort to the enemy. I do not intend to make a long speech, and I would have made none but for the ex-cathedra air, the schoolmaster way, in which the Senator from Texas has undertaken to teach us Democracy, referring to the Senator from Nebraska [Mr. HITCHCOCK], I think, as one "who is sitting around with books in his hand trying to catch his fellow Democrat in some error." The Senator from Texas must remember that he can not freely attack the position of his Democratic colleagues, as in the speech he has just made and in a former speech he has done, without expecting them, in their ineffective and frequently helpless way, as compared with his great ability, to attack the attacker.

The Senator from Texas must remember the old story about the man who took the leadened end of his buggy whip to the dog's head and smashed it, and when the owner of the dog came out after awhile and said, "Why didn't you hit him with the other end of your buggy whip?" replied, "Why didn't your dog come at me with his other end?"

The Senator from Texas can not attack the party and the party's policy as announced by a Democratic House of Representatives—and a majority in this body of not two-thirds only, the number necessary to bind the Democrats here, but a majority of more than nine-tenths of the Democratic membership here—and not expect a Democratic Senator from another State, perhaps helplessly, perhaps hopelessly, perhaps ineffectively, to hunt up such statistics as he can to reply to him to the best of his ability and opportunity. This only was the sin—if sin there was—of the Senator from Nebraska.

Having said that much, Mr. President, I want to talk a little about some of the positions taken by the Senator from Texas to-day. The Senator from Texas has the antifree-raw-material microbe. Some other Democrats elsewhere have the free-raw-material microbe. I am trying to the best of my ability to catch neither disease—to harbor neither germ.

I think when you are fighting a great system which is oppressing the people—the system of protectionism, whether it be protectionism in one item to an agricultural producer, protectionism in another item to a miner, protectionism in another item to a manufacturer—and when the enemy are intrenched in power and fortified in their rifle pits—and I can not choose the particular position which I regard as strongest and best fortified and least accessible to take first—then very frequently I am compelled to take the lowest position in the ramparts, because it is the line of least resistance—I am compelled, if I would deal successfully with an enemy like that, to undermine, to sap the line wherever I can and override it wherever I can. To leave the metaphor off, in attacking protectionism my idea is that when I am furnished with the opportunity to reduce a protectionist duty anywhere, it is my time to act, even though I can not right now act in reducing another and a more oppressive protectionist duty elsewhere in the line of combined special interests.

I am very much like the Irishman who came out on the occasion of an Orange parade at Tipperary with a shillalah, and when some one said, "Whom are you going to fight?" replied, "God only knows, I do not; but I am going to hit the first Orange head I see." I am going to destroy the first protectionist abuse that I can discover and get at. If a Republican President is kind enough to give me an opportunity to deal practically with a few of them—I started to say I am going to thank him. I reckon that is useless gratitude—I will rather thank God for the lucid interval which he has had and proceed to take advantage of it in the interest of an overtaxed people.

The Senator from Texas took a position a minute ago, if I understood him, and if I did not, at any rate what I have to say about it will, I hope, be accepted as a just and accurate economical thought concerning the effect of the free entry of raw materials, which I do not consider correct. From my own standpoint, the result of the free entry of raw materials is just this: The first effect of it is to cheapen the process of production to the manufacturer, because the raw material is a part of the cost of the finished product after it has gone through the process of manufacture. The first effect of cheapening the cost of the raw material to the manufacturer is to increase the profit of the manufacturer. The effect of increasing the profit of the manufacturer is to stimulate that particular manufacturing business and to invite more people to participate in it because of its high profit. The second effect upon the raw material itself is to increase the demand for it in order to supply the needs of a stimulated business, and increasing the demand for the raw material necessarily increases the price of the raw material to the extent of the increased demand, whatever that may be. So that frequently it happens that while the natural effect of taking the duty off the raw material is to decrease the price of the raw material, that effect is partially counterbalanced and sometimes for a time wholly counterbalanced by the much-increased demand. Whether that has happened in this case of hides, to which he has referred, I do not know.

Now, Mr. President, what happens to the manufacturer after that? Increased competition, which is invited by increased profits, leads to a decreased price. It is very seldom, indeed, that a decrease of the duty on a raw material used by a manufacturer leads immediately to a decrease of the price of the finished product. But after the process has been in operation long enough for the invited competition to come into play, the increased competition competing for business in the manufactured product decreases the price of the finished product.

And that happens in every case except these two: Wherever there is a monopoly of the business, of course, real competition can not be increased and the effect of decreased price will not be felt, and wherever there is a tariff duty upon the finished product so high as to be prohibitive, or practically prohibitive, there, also, the natural effect which I have described is counteracted and nullified. So thus far the Senator from Texas is right; where there is a tariff duty upon a manufactured product high enough to enable the American manufacturers to sell at an exorbitant price anyhow, despite the cheapened cost of production brought about by the free entry of the raw material, they will try to sell as close up to the line of the level given by the tariff shelter as they can, and if there are few enough of them and they are able to do it they will form a so-called "trust," or, in plain English, a combination, for the purpose of making that competitive effort ineffective and fruitless.

Mr. President, so much for that. There are three sorts of a tariff, Mr. President, and I am going to turn schoolmaster for a few minutes myself, not for the Senate, of course, but because it seems that this particular question has never been sufficiently clarified in the CONGRESSIONAL RECORD. There is, first, a tariff for protection. The rates under that tariff, if those who are advocating it and drawing a tariff bill are logical, will go to the point of prohibition of importations from foreign countries into the domestic markets. But as Tom Carlyle said, "Thank God mankind are not logical," and no protectionist ever yet existed who dared draw a tariff bill which was logically protective all through its items, all along the line. No tariff bill has ever been drawn by a protectionist every duty of which was prohibitive. But as the object of it is to give the home market to the home producer, it could not be completely successful unless the duties were high enough to exclude all foreign competition.

Ideally that is the protective tariff. Now, what is ideally the free-trade tariff—for that is the next tariff? It is a tariff levied entirely upon noncompeting articles. A free-trade country, like Great Britain, may collect almost as much money in tariff duties per annum as we ourselves do. But the duties are levied upon noncompeting articles, with the declared purpose that the import duties shall not in any way disturb the home producer, and so that every dollar of cost added and collected in price from the consumer shall go into the Government treasury, so that there is not even an incidental protection to disturb the home producer, to discriminate against the consumer in favor of the home producer, or to give advantage to one home producer over another.

Then there is the old historic Democratic tariff which, so far as I know, is peculiar to America alone of all countries. It has never existed as a fact upon any statute book, but it has been the goal toward which Democrats have tried to travel. The Walker tariff of 1846 came near it and the tariff of 1857 still nearer. The theory underlying that sort of tariff is this: First, that a tariff is a tax; secondly, that it is a tax upon the consumer; third, that all taxes ought to be as nearly as possible equal, and that, therefore, tariff taxes upon the consumer ought to tax all consumers, and that the various importations ought to be divided into about three classes, roughly outlined in this

way: Necessities of life and necessities of manufacturers in one class, meaning by "necessities of manufacturers" what are ordinarily called natural products or raw material; and that upon that class, being necessities, there ought to be levied the very smallest possible duty consistent with the effective administration of government.

Then there ought to be a class of so-called luxuries—and I think I am striking the Walker tariff idea—and the duties levied there ought to be as high as possible without encouraging smuggling. Then there is an intermediate class between the two, which we may call the class of comforts, or whatever we choose to term them, and upon that class of articles there ought to be levied a duty at what is called the maximum revenue point, meaning by that the maximum revenue point in so far as the Government requires a revenue. The ideal maximum revenue point is the point at which the Government can get the highest point of revenue multiplying the rate by the volume of importation. But if the Government does not need that much, then, of course, it will levy a less tax, and that is the tariff which was professed by Mr. Cleveland and by most of the other men who have led the Democratic Party in the past.

Mr. President, if there were a clean slate the Senator from Texas and I, I take it, would stand pretty nearly together upon what I have just explained to be a tariff for revenue only. But there is not a clean slate. There is not a clean slate nationally, and there is not a clean slate internationally, and the difference between a theorist and a statesman is that one drives blindly at the ideal desired and the other drives at the highest good attainable practically under existing conditions here and elsewhere to be met. There is not a clean slate nationally. No tabula rasa there, because we have in existence a protectionism which is in the very bone and blood of the commercial and industrial body of the United States, and nobody but a madman would undertake to tear it all down at once or to run through it the delicate rapier of a delicate theory.

You may want to remove a house to build another one; but, if there are other houses in that neighborhood or people close around, you do not blow it up with dynamite. You take time about it.

When Sir Robert Peel changed the opinion or policy of a lifetime and undertook to introduce free trade in Great Britain he took 10 years to complete his work—to reach the goal. Little by little his work was done and in such a manner as to leave in the wake of each tariff reduction or removal, not a soup house or empty factories and unemployed labor, but plain and obvious and palpable amelioration in the general condition of the people.

Have you a clean slate internationally? Not a bit of it. The trouble with the antifree-raw-material theory is just that. I should say unhesitatingly that I would infinitely rather have a small revenue duty upon raw materials than to have them free but for the circumstance which I am going to mention now, which is the difficulty in the way of this theory, and that is an international industrial slate written all over, not a tabula rasa. There is not an enlightened country on the face of the globe at this time which has not, wisely or unwisely—it makes no difference which—in violation of or in obedience to sound economical law, whichever it may be, admitted to its manufacturers free raw material.

What is the result, as far as we are concerned, whether we like it or not, whether it accords with an ideal tariff system or not? What is the result? Are Senators going to take the position that they neither expect nor desire the increase of American manufacturing productions beyond the point where they fill the home market? No. Democrats, of all men, least can take that position. We have always contended that with small tariff taxes on the finished product and on material and machinery used in manufacturing them our manufacturing business must grow; that other people would buy from us because we would buy more from them; and that after awhile the world's market for our manufactures would come into existence, as well as a home market.

But whatever theory there may be about it on one side or the other of the political line, this is the fact of American development and American growth: With our magnificent resources, our magnificent area of domestic free trade, which has had more to do with our prosperity than any other one factor, except the intelligence and freedom of our people, our manufacturing business has grown in the past, and will grow until it has overleaped the national boundaries and has leapt into foreign territory. It is doing it now where not overtaxed at home nor forbidden foreign entry by foreign protective tariffs.

It is wrong to hothouse manufacturers by legislation. From my standpoint it is immoral, unethical, and dishonest to levy a tribute upon one man in order to make another prosperous. I join in every word of the eloquent diatribe that the eloquent Senator from Texas has just pronounced in his eloquent manner against the oppressive profits and the excessive wealth that have come to the manufacturers of this country as a favored class in contrast with the laborers and the farmers. But there is just one thing, Mr. President, which is worse than hothousing the manufacturer by taxation at the expense of others into prosperity, and that is handicapping him by taxation into a condition where competition with foreign manufacturers is hopeless.

If English and German and French manufacturers can bring in their raw materials free, and if the American manufacturer can not bring his in free, then you have, by fixing a tax upon the raw materials, handicapped by legislation your own manufacturer until he is hopeless, outside of your own boundaries, to do business except in those few cases where the superiority of his genius, the superiority of his organization, the freedom from excessive military taxation and burdens, the freedom from various other oppressive regulations, will enable him, notwithstanding the handicap, to compete and excel.

Now, I take it that what I am about to say is the right Democratic position from the moral standpoint—and this tariff question is a moral question. I join with a great Democrat in saying that it is no more righteous to commit larceny by operation of law than it is to commit it in violation of law. Government has a right to tax me 5 per cent, 10 per cent, 50 per cent, 100 per cent, to take all I have if it be necessary for governmental and public purposes, to maintain the Government, to assert the independence of the country, to preserve the liberties of the people, to educate the children of the people. More than that, it has the right not only to take all I have, but to take all I am, take me myself, and put me on the firing line as food for gunpowder, but it has not a right to take one nickel out of my pocket or out of the pocket of the humblest negro who is laboring on my cotton plantation or the preacher on his circuit or the clerk at his counter to give it to any man. If the Government does not need it, then the Government has no right to deflect it to aid the business of another man, whether that man be a farmer or whether he be a miner or whether he be a manufacturer, I do not care.

And when the Senator from Texas tells me that he can not attack and can not join in an onslaught and a charge upon the bold, fortified lines of the enemy, where the rifle pits of the protectionists who are receiving agricultural protection duties are stationed, and now and here accessible to attack, simply because he can not at the same time take the still higher point where the rifle pits are filled by people who are receiving benefits through protectionist duties on manufactured articles, there is where he and I differ.

Protectionism is my enemy, the enemy of my people, the enemy of my labor, and, in my opinion, the enemy of right, morality, and economic ethics. Wherever I see a protectionist duty I shall, if I can, abolish it, and sometimes when things are bundled up together so that I can not get them apart I will abolish even a revenue duty if by doing it I can reduce in whole or in part of other duties which are protectionist duties.

Now, what is all this talk about the great distinction between putting a small duty on a thing and putting it on the free list? What does it amount to after all? The first and the second are questions of reducing taxes paid by the consumer. Suppose on a thing there is a tax of 10 per cent and you reduce it to 5 per cent, you have reduced duties, that is all. Suppose it bears a duty of 10 per cent and you reduce it to nothing, you have reduced duties, that is all. You have untaxed the people to that extent. Even if it were true that untaxing the consumer as far as the raw material is concerned would not go to the ultimate consumer immediately, I would still do it, hoping that I would get a chance at the other fellow at the finished product end of the line of legislative larceny later on, and when I got it I would take advantage of it.

But there is nothing more childlike and bland than telling me that when you put raw material upon the free list you are doing it for the benefit of the manufacturer, unless in the cases where the manufacturer is in a position where by virtue of monopoly or something else he can absolutely or substantially control and fix prices. The stimulation of business by cheapening the cost of production and the increase in the volume of business and the higher temptation held out by higher profits in business will bring about the competition which will bring about the price reduction. It is true that removing a duty upon raw materials merely *enables* the manufacturer to reduce his prices, while reducing the duty upon the finished product *forces* him to do it.

But I do emphasize this, that when you come to fix the point of price reduction toward which you shall force him it is very largely fixed by the factor of the rate of duty upon the raw

material. If you will take a raw material and tax it 20 or 25 per cent, then you can not in common fairness and common justice and common sense reduce the duty on the finished product as much as you otherwise could by fully that 20 or 25 per cent. If you do it anyhow, you are committing a worse wrong than hothousing by taxing an industry into prosperity. You are committing the crime of handicapping by taxation a production which would without your handicap have a fair chance and an equal opportunity with the foreigner.

If I understand the Democratic doctrine, it is this: The goal is to divorce just as far as we can government from big business and big business from government, and to take the Government out of the business of being a silent partner in private enterprise. Under our system, where no direct taxes can be levied except when they are apportioned between the States, we could not, if we wanted to, resort to a free-trade tariff; but we can levy just as few taxes as possible; and unless we want to handicap our manufacturers in the foreign market we have got to give them the same opportunity to buy their raw material here as the foreigner has there. Unless we want to handicap them even in the home market, when we come to fixing tariff rates we have got to put as much more tax on the finished product as amounts to the tax on the raw material. So you have absolutely handicapped them not only in foreign markets, but in the home market, by making them charge a higher price in order to obtain the same profit, thus decreasing the volume of their business in your home market.

Therefore, while I would theoretically, and if I had a clean slate, operate with the Senator from Texas in having taxes on all imports, so that all consumers might be made to contribute to the Federal Treasury, and he and I would not then differ very far, yet confronting actual conditions, as they are to-day here and abroad, he and I differ about to the extent that I have indicated. I am glad to see that the Democratic Party as a whole in this House and in the other is taking the position which it seems to me is right.

I am so constituted that I do not like ever to sit down without taking notice of a misapplied anecdote, if there is any. I have heard many, many times that old story about the sheep being sheared backward and the man who said, "He had never been able to look a sheep in the face after the Democrats took the duty off of wool." I think, like most of you, my fellow Democrats, I have heard it from Republican lips told upon the Democratic Party. They told it all over the country. I reckon they told it out in Idaho, out in Wyoming, out in Colorado, and everywhere in the country. I see the smile upon the face of the Senator from Idaho [Mr. HEYBURN], and I expect he told it himself. So it just happened accidentally, of course, that even the anecdote of my friend the Senator from Texas was to-day Republican. But he has amended it to make it a tariff-for-revenue anecdote; that is to say, he amended it from the way I heard it. I always heard that the man merely said, "Oh, yes; that is all right; but I have never been able to look a sheep in the face since they put wool on the free list." My friend adds, "and kept the high duty on the finished woolen products."

Mr. HEYBURN. Mr. President——

The VICE PRESIDENT. Will the Senator from Mississippi yield to the smiling gentleman from Idaho?

Mr. HEYBURN. If the Senator will not be interrupted, I think the reason why they were not able to look a sheep in the face after they had taken the duty off of wool was because the sheep had disappeared.

Mr. WILLIAMS. That is not the way the story goes; but there is nobody in this Chamber who can better explain, elongate, or diversify any statement, even an anecdote, than the Senator who has just taken his seat. I would be willing to accept the anecdote with the amendment but for the fact that I do not find the sheep are increasing in the United States very rapidly even now after a long time of high duties upon wool, and I do find that sheep raising thus far at any rate, as shown in the tables, is capable of supplying the increased and increasing American demand for wool. That leads me to another thing.

Mr. HEYBURN. I do not desire to interrupt the Senator if it would disturb the line of his argument, but I wanted to make the suggestion, based upon the facts, that it took about one year for the sheep to disappear, and it takes about seven years to reinstate the sheep business after the duty has been restored.

Mr. WILLIAMS. Very well. I do not believe I care to go into that except to say this——

Mr. HEYBURN. We will go into it later.

Mr. WILLIAMS. Of course, anything in the world can disappear quicker than it can reappear—a sheep or an oak tree. It is a truism in itself. I am not going to undertake to deny it. Even the Senator from Idaho or I could disappear quicker than another man could reappear.

Mr. HEYBURN. Of course, I will respect the Senator's wish not to pursue the subject, but if it would not be an intrusion upon him, I would suggest that as soon as sheep were no longer profitable but were rather an encumbrance because of their lack of value they disappear just as soon as they could be driven or shipped from the ranches. But sheep flocks are not produced in one year. It takes several years to reinstate the sheep industry after it has been driven out.

Mr. WILLIAMS. Oh, well, it has been 14 years since this "great tragedy" concerning sheep occurred.

Mr. HEYBURN. We have the sheep now and we want to keep them.

Mr. WILLIAMS. Well, the sheep are not increasing in proportion either to population or other agricultural production, or in proportion to manufacturing production, or in proportion to national wealth or national demand for wool and woolens.

Mr. HEYBURN. We are the third largest wool-producing State in the United States.

Mr. WILLIAMS. But I am not talking about a particular State.

Mr. HEYBURN. We have the sheep and we want to keep them.

Mr. WILLIAMS. I am talking about wool in the United States. My heavens, what in the world has the percentage of wool grown in Idaho as compared with other States got to do with the question of a tariff and our being able to produce a sufficiency of wool for American domestic consumption?

Mr. HEYBURN. It has something to do with it.

Mr. WILLIAMS. I will yield in a minute, but I want to answer you. Of course, it is the truth that every frontier State passes through its pastoral stage. They begin by raising cattle and sheep and things of that sort. Then later on they begin to substitute the production of cereals and cotton and so forth for it. Still later, diversifying their industries as well as their agriculture, they have manufactures, and all that. There always has been a period in the United States when there were States out in the West that were increasing their number of head of sheep and when there were States in the East that were decreasing theirs. That will go on just as long as the evolution of the human race pursues its usual course, and pastoral conditions give way before increased density of population and diversification of industry and higher priced lands, and so forth.

Mr. HEYBURN. I would call the Senator's attention to the official figures. The value of sheep in the United States in 1896 was $65,000,000, and to-day it is $233,000,000. So they do not seem to have disappeared under the existing tariff.

Mr. WILLIAMS. The selling price! Yes! Now, will the gentleman read the figures for the last 10 years, or hand it to me and I will read them for the last two years; i. e., the number of sheep. The gentleman has, I fear, resorted to the old trick of argumentation, which is to go back to an initial year about as bad as could be found. Eighteen hundred and ninety, 1891, 1892, 1893, 1894, 1895, down to 1896, were years of great hardship, when all sorts of values were going down and all sorts of production was discouraged here and elsewhere. The gentleman has taken one of those years and then taken a very highly prosperous year 14 years later and compared the two. But the point I am making is this, and I am making it to the Republican intellect: The whole theory of protectionism rests, if it rests rightly on anything at all, upon the principle that by encouraging home production you finally bring about a volume of production which is sufficient for home consumption, and that by thus bringing the field of competition into the encouraged business you reduce prices. The whole theory of protection rests upon this basis, that you want to produce the encouraged or protected thing in quantities sufficient for home consumption.

Mr. GALLINGER. Mr. President——

Mr. WILLIAMS. Now, if you find anything concerning which that is hopeless, and you are compelled to admit from past history that you have not done it with regard to wool, and that you can not do it, then the theory of protection quoad that particular thing—wool—has failed.

Now, as to wool, you have never succeeded in protecting it, hothousing it into a production of a volume sufficient for the American market.

Mr. GALLINGER. Mr. President——

Mr. WILLIAMS. In one minute. There was a time at which the American people produced wool to export, and under various tariff systems later—several of them protective; indeed, for the most part protective—the difference between the amount of wool needed for American consumption and the amount of wool grown in America has increased rather than decreased.

Now I yield to the Senator from New Hampshire.

Mr. GALLINGER. Mr. President, the Senator has announced a new doctrine, which is that we protect an article for the

purpose of enabling our own country to produce it to the extent of fully supplying the wants of our people.

Mr. WILLIAMS. I announce that that is what I regard as a Republican doctrine; it is not mine.

Mr. GALLINGER. No; that is the Senator's declaration, to produce a sufficient quantity for home consumption. Would the Senator apply that to sugar and rice? Would he take the tariff off of sugar and rice because we do not produce enough to supply our own people?

Mr. WILLIAMS. The Senator has no special favoritism in the way of production.

Mr. GALLINGER. Would the Senator remove those duties because our——

Mr. WILLIAMS. The Senator from Mississippi is not now advocating free wool for that matter; and here upon the floor of the Senate the other day he said he would much prefer a duty of 20 per cent on wool to no duty at all, because the Senator from Mississippi realizes that the Government must have revenue, and he would not give away all that revenue for nothing; and because, in the second place, the Senator from Mississippi believes that 20 per cent duty on wool after a few years will bring more money into the Treasury than 44 per cent duty upon wool now does.

Mr. GALLINGER. The Senator manifestly has been advocating free raw material. I do not think wool is a raw material.

Mr. WILLIAMS. Then the Senator from Mississippi has simply awkwardly expressed himself. The Senator from Mississippi has been trying to the very best of his ability to deplore and regret that the Democratic Party should be divided into two classes, one of which is making a fetish of free raw material and the other is making a fetish of antifree raw material, and to express his own determination to tear down protectionism by the easiest possible methods that he can find, regardless of either theory. That is the question. The Senator from Mississippi went on to say that in the long run, if we were going to carry our manufactures into other countries, we would have to have free raw material, or else the other enlightened nations of the earth would have to tax their raw material.

Mr. GALLINGER. I have no disposition to disturb the harmony that prevails to-day on the Democratic side of the Chamber.

Mr. WILLIAMS. The harmony is complete, I think, except as to three or four.

Mr. GALLINGER. On the contrary, I feel very much as Sir Lucius O'Trigger expressed himself in The Rivals, when he said:

> The quarrel is a very pretty quarrel as it stands; we should only spoil it by trying to explain it.

The Senator from Mississippi has not answered my question. When the Senator says sheep have not increased under the protective policy he ought to go to the record, because the record is that in 1896——

Mr. WILLIAMS. I have heard that.

Mr. GALLINGER. In 1896, under a Democratic tariff, sheep in this country were valued at $65,000,000, and to-day they are worth $233,000,000.

Mr. WILLIAMS. I have heard that. That is absolutely true.

Mr. GALLINGER. There has been a progressive increase year by year since the enactment of the McKinley tariff law.

Mr. WILLIAMS. I understand that trick of argumentation, taking a very low initial year.

Mr. GALLINGER. But there has been a progressive increase.

Mr. SMITH of South Carolina. If the Senator from Mississippi will allow me, I should like to call his attention to the number of sheep.

Mr. GALLINGER. There has been a very large increase of the number.

Mr. SMITH of South Carolina. I have the figures here. There has been practically no increase for the last 20 or 30 years.

Mr. WILLIAMS. In order to get this right, I will read it. The number of sheep in 1896 was 32,000,000. I am reading round numbers, not all the figures. In 1898 they had decreased to 29,000,000, a decrease of only——

Mr. SMOOT. The Senator is reading the wrong column.

Mr. GALLINGER. The Senator is reading the wrong column entirely.

Mr. WILLIAMS. I see; I am reading about oxen.

Mr. GALLINGER. The Senator is reading the oxen column in place of the sheep column.

Mr. WILLIAMS. The Senator is right; they are side by side. I will read it. I am reading it merely to get it in the RECORD, so as to show I am not trying to avoid any figures of any sort. The same result follows as to sheep, except, of course, there are different numbers.

In 1896 the number of sheep was thirty-eight and a quarter millions, in round numbers. In 1897 it was thirty-six and three-quarter millions, in round numbers. Perhaps I had better read the exact figures, so that they may go into the RECORD.

In 1896, 38,298,783. In 1897, 36,818,643. In 1898 they increased in number to 37,656,960. In 1899 they increased to 39,114,453.

Mr. GALLINGER. Protection was getting in its work.

Mr. WILLIAMS. Well, it was setting in awfully slowly, if it is taken in comparison with the increase in population and——

Mr. GALLINGER. A couple of millions a year.

Mr. WILLIAMS. And the increase in practical enterprises of every description. If the Senator will let me read the figures first, then he can argue later.

Mr. GALLINGER. Certainly.

Mr. WILLIAMS. In 1900, 41,883,065; and then the next year there was a jump, and there were, in 1901, 59,756,718; then, in 1902, 62,039,091; then, in 1903, 63,964,876, in round numbers 64,000,000; and then, in 1904, it dropped to 51,630,144, a drop of 6,000,000 in one year; then, in 1906, it went up to 50,631,619; in 1907, 53,240,282; in 1908, 54,631,000; in 1909, 56,084,000; and in 1910, 57,216,000. From 1896 to 1910, in 14 years, an increase in round numbers of 19,000,000 in the number of sheep, out of a present total of 57,000,000 in round numbers. Nineteen is 33⅓ per cent of 57. Divide that percentage by 14 to get the average annual increase in the number of sheep. The result is not astounding, to say the least. In 1901 sheep for the first time got back to what they had been in 1886, and passed it.

Mr. GALLINGER. Mr. President, if the Senator will permit me one word, I will be through and I shall not interrupt him further——

Mr. WILLIAMS. I do not mind interruptions.

Mr. GALLINGER. The Senators on the other side of the Chamber are making pleas in behalf of the farmers of the country, and they have even got a so-called farmers' free list. In 1896 the value of the sheep on the farms was $65,000,000 and in 1910 it was $233,000,000. It seems to me that under the protective policy of the Republican Party we are doing pretty well by the farmer, so far, at least, as the sheep producer is concerned.

Mr. WILLIAMS. Oh, yes. I could increase the value of bananas—or rather the price; they would have no higher value—in the United States, too, very largely by simply putting a very large duty on them and robbing the consumer out of just that much in the shape of tax-made price. There is not any great secret about that. That is the reason I read the numbers instead of the prices.

Now, the question remains upon this bill. I am willing to vote for the reductions on all of the duties on manufactured products which are made in this bill; I am willing to face a print-paper trust with free paper, which is a finished product, and with free wood pulp, as well as free pulp wood. I am willing to reduce the duty on dressed meat to the extent to which it is reduced here, and I would be willing to reduce it more. I am willing to put the articles which are placed on the free list here on the free list as regards Canada. I would not put all of them on the free list as regards the whole world, because I think it would needlessly violate the symmetry of the tariff and would needlessly sacrifice revenue that is needed. I am willing to vote for this bill because it is a reduction of taxes pro tanto upon the American people, and if Senators could convince me that it did not reduce taxes over $500 I would still vote for the bill.

The Senator from Texas and I are the best of friends personally and politically, and are going to remain so. I sat at the feet of Gamaliel in the other House when he was the minority leader of that body, and I am not ashamed to say that I learned, although older in years though younger in service than he, many a lesson of Democracy; but I do not believe he is teaching me practical Democracy to-day, and I believe that he will come to a time when he will see it. I regret that even for the moment he should be out of touch with the new Democratic House and with the Democratic part of the Senate. I expect to see him in the future right nine times where he is wrong once on tariff questions, but I think he is wrong now, and I could not keep my seat after this lecture to the Democracy of the country, but rose to express my conviction, at any rate, that I am a Democrat in spite of the position taken by the Senator from Texas, that the Democratic House is Democratic, and that these Democratic Senators are Democratic, and that in voting for this reciprocity bill we are casting a vote at least not undemocratic. That, Mr. President, is my apology for the few unnecessary remarks that I have made.

Mr. BAILEY. Mr. President, when the Senator from Mississippi declared that I am giving aid and comfort to the enemy, he forgot that when interrupted I was denouncing a tariff bill enacted by a Republican Congress and approved by a Republican President. He forgot also that when denouncing the law which placed hides on the free list without placing boots, shoes, and leather there with them, I was repeating what all of my Democratic associates in the last Congress said more than once.

Mr. WILLIAMS. I just want to say that you and I are both in favor of the Democratic free-list bill, of course. The only difference is that I do not want it as an amendment here.

Mr. BAILEY. But the Senator had no right, and no other Democratic Senator had any right, to project himself into my criticism of the action of a Republican Congress with the suggestion that I am giving aid and comfort to the enemy. Who, sir, are his allies? The Republican chairman of the Finance Committee; he marches side by side with the Senator from Pennsylvania [Mr. PENROSE], the Senator from Massachusetts [Mr. LODGE], and almost every stalwart protectionist on that side. One of the first, and one of the most cordial, letters which came to the President indorsing this reciprocity agreement with Canada was from Nelson W. Aldrich, the high priest of protection. Was he apt to volunteer his approval of a Democratic measure. No more than President Taft was to originate one. Giving aid and comfort to the enemy! Is not Aldrich with you and against me? Is not PENROSE with you and against me? Is LODGE not with you and against me? Is ROOT not with you and against me?

An overwhelming majority of the Republicans in the Senate will vote with the Senator from Mississippi and against me on this motion; and I could, therefore, with better reason, say that he is acting with the enemy. The Senator from Mississippi forgets when he taunts me with being in a minority among Democrats that he is with the majority among Republicans on this motion. Such an expression was neither just nor generous. Probably I will not be able hereafter to return that taunt; for if he thinks I ought to surrender my opinion to the majority on this question he will think it right for him to do so on all other questions, and he may never be in a minority of our party.

I am as good a party man as any good citizen ought to be; but when I must prove my democracy by supporting the policy of a Republican President, I will revise my rules for determining my party affiliation. When I must establish my fealty to the Democratic Party by following the flag so gallantly borne by the Senator from Pennsylvania [Mr. PENROSE] I will take a new inventory of my opinions. He is a Republican of the stalwart kind and he never voted a Democratic ticket, or scratched a Republican ticket, in his life. I can understand how he would feel bound by a sense of party loyalty to support this administration measure; but we have indeed fallen upon strange times when a Democratic Senator upbraids a fellow Democrat for refusing to sustain a Republican President. I have been here for more than 20 years and the Senator from Mississippi can not find a single instance where any Republican President has ever relied on me to help pass one of his administration measures.

Under that Democratic administration from 1893 to 1897 I helped to do some things which I did not think it wise to do. I helped pass the Wilson Bill when I knew it was not constructed in accordance with the principles of the Democratic Party; and if, sir, my party shall be called back to power I have no doubt that I will find it necessary to yield, on rare occasions only, let us hope, but at least on some occasions, my individual opinion for the sake of party unity; and I will cheerfully do so when the good to be accomplished is, upon the whole, greater than the evil.

The Senator from Mississippi says that he and I both favor the free-list bill; but that he does not want it as an amendment to this bill. I will take it in any fair way that I can get it, and I believe that the surest way to get it is to engraft it on the reciprocity bill which the President so much desires, and thus compel him to give the country what we say it ought to have, or make him deny his administration the achievement which he has publicly and repeatedly proclaimed a signal triumph of statesmanship.

The President might veto this free-list bill if it were sent to him as a separate matter, but he would be a madman to veto the reciprocity bill in order to prevent the free-list bill becoming a law if he thinks the reciprocity bill worth half the effort he has made to pass it, for the free list does not signify much one way or the other. It is of so little real consequence that I would never say to the farmers of this country that it will compenate them for a fraction of the injury which the Canadian treaty inflicts upon them. It gives them free implements; but implements can now be imported free from all countries except from those which levy a duty on similar articles from our country. Farm implements from our greatest commercial rival are now free, and this will subtract but little from their price. It puts cotton bagging and cotton ties on the free list, but that will be worth to the cotton planters of the South only about 10 cents a bale on their cotton. It puts salt on the free list; but the salt bill of an average family for a whole year would not be equal to the protection on a single wool hat at 42 per cent. The whole saving to the agricultural people of the United States will not be 10 per cent of what they lose on the wheat crop if the Canadian treaty shall reduce the price of wheat 10 cents a bushel. But it will be worth something to our farmers, and all Democrats should zealously support it.

Mr. President, when this farmers' free list is voted down, as it will be, I shall offer the woolen schedule as it passed the House, with some important amendments. I do not believe that the duty on cheap clothes and cheap blankets ought to be higher than the duty on Brussels carpets, and so I have transposed those duties. I have reduced the duty on all woolen goods except the finer grades of carpets to 30 per cent, and I have raised the duty on wool to 30 per cent.

What will those gentlemen who from time to time have insinuated that I am a protectionist say to that change? The people buy woolen goods, and I am trying to reduce the duty on them from 42 to 30 per cent; the manufacturers buy wool, and I am trying to increase the duty on it from 20 per cent to 30 per cent. Who will call that protection? Is it protection. sir, to demand that when the manufacturer imports his wool he shall contribute to the support of the Government the same as the farmer does when he imports his woolen goods? Is not the manufacturer better able to pay a tax on wool than the farmer is to pay a tax on woolen goods? During the debate on the Payne-Aldrich tariff bill Democratic Senators declaimed with great vehemence about the enormous profits of the woolen manufacturers, and will they tell me now that the woolen manufacturer is not able to pay as high a duty on his wool as the man of toil and poverty must pay upon his woolen clothes? To say that, sir, is to deride the history and the traditions of our party.

We have never made an argument on the tariff question which did not appraise a revision of the woolen schedule as much more important than any other tariff reform it is possible to propose; and yet I am told that my amendment reducing every duty in the woolen schedule must be rejected because its adoption will jeopardize this treaty, and some who do not really favor the treaty say that it must pass without amendment because they believe it will tend to still further divide the Republican Party. I do not believe that. If the Canadian treaty is wrong, and the Republican Party passed it, we might profit by its mistake; but if it is so bad as to disrupt the Republican Party, what must happen to us if we help to pass it? We will simply neutralize the effect of the President's blunder.

The refusal to put the free list and the woolen schedule on this bill is predicatd upon the idea that if we do so the President will veto all of them. That argument when analyzed simply means that if we pass the reciprocity bill, which the President so much desires, and let him sign that and lay it away in the archives of the State Department, we will then leave him free to veto the other bills. If the President will veto Canadian reciprocity because the free list and the woolen schedule are attached to it, will he not veto the free list and the woolen schedule if presented to him separately? Certainly he will. If he would veto all of them together he will certainly veto the two which he does not want after we have given him the one which he does want; and by this mistaken course the Democrats of the Senate put themselves in the attitude of saying to the world that they set a higher value on the President's reciprocity agreement than we do on our woolen schedule.

If you desire to destroy the protective system, let us revise the woolen schedule. That is the keystone of the protection arch; and if we nullify that agreement between the shepherds and the weavers, made more than 40 years ago and religiously observed until now, that arch will crumble Take the protection from the woolen manufacturer and leave him a revenue duty only; take the protection from the wool grower and leave him a revenue only, and you will make an irreparable breach in this tariff wall.

I am ready to join you in that. Are you, my fellow Democrats, willing to join me in doing it? I have no pride of authorship about the wool and woolens amendment. The least of you can draw one and offer it, and I will withdraw mine and vote for yours. If one of you shall make it 40, and another shall make it 30, and still a third shall make it 20 on wool and woolen goods alike, I will vote for the lowest duty proposed.

You can not cut the rate too deep for me. All I ask you to do is to cut it share and share alike. I will vote for as low a duty on wool as you will vote for on woolen goods.

The Senator from Mississippi complains that I have essayed the rôle of a schoolmaster, and then proceeds to do the same himself. I may have been too dogmatic in manner, but I was accurate in my matter while he was not, and I will show him from the Democratic scriptures that he was not. He declares that in framing a Democratic tariff bill we must put the necessaries of life and the manufacturers' raw materials on the same basis. He can find no warrant for that opinion in the platforms or in the legislation of the Democratic Party until the Cleveland era. I have here our doctrine as laid down by Robert J. Walker in his celebrated report, which was approved by a Democratic Congress, and was universally accepted as a correct statement of our position for 40 years. Now let us examine this report and see if it instructs us to treat the manufacturers' raw material as we do the necessaries of life. Walker specifies six rules according to which all tariff bills should be constructed, and, as they are brief, I will read them to the Senate. They are as follows:

First. That no more money should be collected than is necessary for the wants of the Government, economically administered.

Second. That no duty be imposed on any article above the lowest rate which will yield the largest amount of revenue.

Third. That below such rate discrimination may be made, descending in the scale of duties, or, for imperative reasons, the article may be placed in the list of those free from all duty.

Fourth. That the maximum revenue duty should be imposed on luxuries.

Fifth. That all minimums and all specific duties should be abolished and ad valorem duties substituted in their place, care being taken to guard against fraudulent invoices and undervaluation, and to assess the duty upon the actual market value.

Sixth. That the duty should be so imposed as to operate as equally as possible throughout the Union, discriminating neither for nor against any class or section.

Mr. President, there is no word in what I have just read to warrant the Senator from Mississippi in saying that a Democratic tariff bill should treat the manufacturer's raw material the same as the poor man's necessaries of life. Some Senators may think that such a warrant can be implied from the third rule, which declares that below the lowest rate which will yield sufficient revenue an article may be, for imperative reasons, placed on the free list. But, sir, that the profit or the prosperity of the manufacturer is not an imperative reason within the meaning of that rule for placing his raw material on the free list is made perfectly manifest further on in this report. After indicating the principles which should govern the Democratic Party in framing a tariff bill, Mr. Walker proceeded to assail the Whig tariff act of 1842, which he strongly urged Congress to repeal, and the very first criticism he made against that law involved an explicit condemnation of the doctrine of free raw materials. I understand, of course, that all Senators have read this passage, but it is so pertinent to the issue between the Senator from Mississippi and myself that I am sure I will be pardoned for reading it to the Senate now. It runs as follows:

The present tariff is unjust and unequal, as well in its details as in the principles upon which it is founded. On some articles the duties are entirely prohibitory and on others there is a partial prohibition. It discriminates in favor of manufactures and against agriculture by imposing many higher duties upon the manufactured fabric than upon the agricultural product out of which it is made.

Could anything be plainer than that? Not only, sir, is it impossible to fairly imply any sanction for the doctrine of free raw materials from the third rule laid down by Walker when read in the light of this declaration, but every fair-minded man must admit that what I have just read goes further and unequivocally repudiates even the proposition to lay a higher rate of duty on the manufacturer's finished product than on the farmer's raw material out of which it is made. Not only does Walker's report expressly condemn the doctrine of free raw materials, but the act of 1846, passed by a Democratic Congress and approved by a Democratic President, followed the report in that respect. Nor can we infer that in levying fair duties on raw materials the Democratic Party acted without any fixed purpose, for that very question was presented to the Senate while the act of 1846 was under consideration here. One of the Whig objections to the act of 1846 was that it reversed the policy of the then existing law with respect to raw materials and the Hon. John M. Clayton, a Whig Senator from the State of Delaware, offered this resolution:

That the bill be committed to the Committee on Finance with instructions to remove the new duties imposed by said bill in all cases where any foreign raw material is taxed to the prejudice of any mechanic or manufacturer, so that no other or higher duty shall be collected on any such raw material than is provided by the act of 30th of August, 1842; and, further, so to regulate all the duties imposed by this bill as to raise a revenue sufficient for the exigencies of the country.

On that resolution, which commanded the Democratic Finance Committee of the Senate to do what the Senator from Mississippi says it is our Democratic duty to do, they called the roll, and on that roll call every Democrat in the Senate, save and except three, voted against it. The three Democrats who voted for that resolution were the two Democratic Senators from Pennsylvania and a Democratic Senator from Connecticut, and when they called the roll on the final passage of the bill itself those same three Democratic Senators who had voted for that resolution voted against the act of 1846.

That resolution was adopted with the aid of these three Democratic Senators by a majority of one vote. It went to the Finance Committee of the Senate one afternoon, and that committee reported it back the next morning without altering a line or a letter of it. Thus a Democratic Finance Committee openly defied the order of the Senate and refused to do exactly what the Senator from Mississippi says it is our Democratic duty to do, and when the Democratic tariff act of 1846 became the law of the land there was no trace of the free raw material doctrine in it.

That act levied a duty on wool; that act levied a duty on lumber; that act levied a duty on wheat and hides, and on all other products of the farm or ranch with a single exception. The only agricultural product on which it did not levy a duty was cotton, and at that time no revenue could have been collected on cotton, for none was imported. That is not true now. A duty of 20 per cent on cotton would to-day raise more than two and a half millions of revenue, and I would cheerfully vote to levy that duty. The cotton imported comes from Egypt, and goes into Rhode Island, Massachusetts, and New Hampshire. It is spun into the finest threads and fabrics, which are subject to a high duty and sell at a high price, but the manufacturers pay nothing on the raw material.

Mr. GALLINGER. Mr President——

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from New Hampshire?

Mr. BAILEY. I do.

Mr. GALLINGER. If the Senator will permit me I will say that if I ever have an opportunity to join with the Senator from Texas in voting for a duty on that cotton, I will be glad to do it.

Mr. BAILEY. It is due to the Senator from New Hampshire to say that no man in this Senate is more consistent in adhering to his doctrine than he is. He is a high protectionist, and if there is anything higher than a high protectionist, he is that; but he is consistently so, and therefore I believe, indeed I know, he is honestly so. I have great respect for a man who believes so thoroughly in his doctrine that he is always ready to apply it; but I have little patience with any man who has so little confidence in his doctrine that he is always making exceptions to it. A man who believes in the soundness of his doctrine is always ready to apply it, and every time he admits the necessity of making an exception to it he acknowledges its unsoundness to that extent at least, or else he acknowledges his own insincerity.

The Senator from Mississippi makes a defense of the doctrine of free raw material which is certainly a curious one to come from a Democrat. He says that the philosophy of free raw materials is that if we give the manufacturer his raw material free we will increase his profits, and as we increase his profits we will attract new capital and new men into the business, which in turn will reduce his profits. That is precisely the argument which the Republicans have long made in favor of protection. I ask the Senator from New York [Mr. ROOT] if it is not. He is reluctant to agree with me, but he has the candor to do so and he nods his assent.

The Republican Party has told us that if we would lay high duties on manufactures and keep the foreigner out of our markets, we would stimulate the establishment of factories, and they would multiply until their competition would reduce the price of all American-made articles to the lowest price consistent with American wages and American profits; and now comes the Senator from Mississippi and attributes the same effect to free raw materials, thus furnishing an additional proof that free raw material is a device for the encouragement of manufactures, which is only another name for protection.

The Senator does, it is true, qualify his statement as to the effect of free raw material by saying that it will not work out where the market is controlled by a monopoly or a combination. Mr. President, the Democrats of 1846 opposed the doctrine of free raw materials long before a combination or a trust was ever organized. They denounced it then as a species of protection to the manufacturer, and there was no suggestion that a combination or a trust would interrupt the operation of a commercial law. The Senator from Mississippi says that he does not favor free raw materials, but he also says that a

duty on their raw material will handicap our manufacturers. Are we not handicapping our farmers by compelling them to pay a duty on the manufactures which they must buy? And why handicap the farmer any more than the manufacturer?

Let me show the Senator from Mississippi how unequal and how unjust his scheme would be. Let us take wool. If we levy no duty on wool and a duty of 40 per cent on woolen goods we not only impose a burden on the people who buy woolen goods, but we confer a special favor on the manufacturer. The duty on foreign goods is fixed according to their price in the foreign market, and that price is, of course, made up of the cost of the raw material, the labor cost, and the capital cost of manufacturing them. Those three elements constitute the cost of all production. There are what are sometimes called miscellaneous costs like deterioration, repairs, etc., but they are properly chargeable against capital cost in my general division. Therefore, a duty of 40 per cent on woolen goods means not only 40 per cent on the labor cost and the capital cost, but 40 per cent on the cost of the raw material as well; and free wool with a 40 per cent duty on woolen goods simply gives the manufacturer a bounty at least to the extent of 40 per cent of the cost of his raw material. Is that right? Is it just and honest to encourage manufactures in that way? Certainly, sir, it does not lie in the mouth of any man who advocates a special privilege like that to complain at me because I demand an equal treatment of the farmer with the manufacturer. If we must encourage manufacture by repealing the duty on what the manufacturers buy from the farmers, then, sir, let us encourage agriculture by repealing the duty on what the farmers must buy from the manufacturers.

Suppose we reduce all duties an average of 35 per cent and reduce them on everything alike. Suppose we reduce them so that we can go into the urban and rural precincts and say to all classes "we have reduced the duty on what you sell, but in equal ratio we have reduced the duty on what you buy." What fair-minded voter in the city or in the country can be dissatisfied with us then? But, if we commit the folly of discriminating between classes we will forfeit our claim upon the confidence of justice-loving men, and they will withdraw their support from our party.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from New Hampshire?

Mr. BAILEY. I do.

Mr. GALLINGER. I am much interested in the Senator's discussion. I want to suggest one question to him. He says that if we go into the manufacturing districts and say to the operatives "we have reduced the duty on the goods that you manufacture and we have likewise reduced the duty on the articles that you buy"—and the Senator suggests about 35 per cent as the average duty that he would think wise to impose—the operatives would be very well satisfied. Now, Mr. President, the Senator possibly has not thought out this particular point, that if 45 per cent or 40 per cent is a protective duty, 35 per cent may be below the protective point, and we might just as well have absolute free trade.

Mr. BAILEY. We would not have sufficient revenue to support the Government if we collected no custom duties.

Mr. GALLINGER. Exactly so.

Mr. BAILEY. That is the only purpose for which I would impose any tax.

Mr. GALLINGER. What I wanted to call attention to was that if we put the duty below the protective point the operatives with whom he is going to talk are going possibly to lose their employment and they will have nothing whatever with which to buy these cheap goods. If the Senator or his party is going to put the duty below the point that will enable us to compete successfully with foreign countries, the manufacturers will, of course, go out of business and the operatives will go out of business with the manufacturers. We had a little experience of that kind not many years ago.

Mr BAILEY. We also had an experience under our system, and a most prosperous experience it was.

Mr. President, it is now too late to go into a discussion of tariff details this afternoon. The truth is I have been holding the floor because I promised the Senator from Wisconsin (Mr. LA FOLLETTE) that I would prevent a vote to-day. He was not ready to speak, and I told him that he could remain at home and work and that I would see that no vote was taken. As I have now accomplished that I am ready to yield the floor, but before I do so I will cheerfully answer the question propounded by the Senator from New Hampshire. Let us take what all consider the most important schedule of the whole tariff law—the woolen schedule. The entire wages paid by the woolen manufacturers of this country constitute less than 25 per cent of the value of their product.

Mr. SMOOT. That is true in any country.

Mr. BAILEY. Mr. President, the Senator from Utah knows more about the woolen goods industry than any other man in this Chamber, because he has a practical knowledge of the wool trade; he knows it from the wool on the sheep until the cloth goes into the tailor's shop, and he agrees with my statement, that the entire wages of our woolen mills constitute less than 25 per cent of the value of their product. Then, how, sir, if we leave a 35 per cent duty, are we going to close them up?

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from Utah?

Mr. BAILEY. I do.

Mr. SMOOT. So that there may be no misunderstanding about the amount of wage that goes into woolen manufactures, I wish to say that in yarns, in blankets, and in cheap woolen products of any kind the labor does not amount to more than from 22½ to 25 per cent, but in this country when we manufacture a piece of cloth, the finer the cloth the greater percentage of labor in it. So I can not agree with the Senator if he is going to say that 25 per cent labor is all that is required in manufacturing a piece of cloth.

Mr. BAILEY. That includes fine cloth.

Mr. SMOOT. No, Mr. President, in any cloth that the American people wear, perhaps with the single solitary exception of the very coarsest kind of tweed. Outside of that there is in the wage a great deal more than 25 per cent of the cost of manufacturing.

Mr. BAILEY. Now, Mr. President, let me show the Senator how he has unconsciously fallen into a most obvious mistake. He assented to my statement that the total wages paid constitute less than 25 per cent of the total value of the woolen-mills' product, and he has also said that the wages paid in the manufacture of the cheaper goods average only about 22 per cent of their value. Now, taking both statements together, it is apparent on their face that 35 per cent will more than cover the wages paid to the operatives of the highest skill.

Mr. President, I might repeat here what I said in another connection to the Senator from Mississippi—and the argument is just as good against Republicans as it is against Democrats—that the duty on an imported article includes a duty on the labor cost as well as on the raw material and the capital cost. Now, if you levy a duty——

Mr. GALLINGER. And depreciation.

Mr. BAILEY. That is capital. That ought to be charged against the plant. I think the economists agree that every item of the cost of production can be included in the three elements I have named.

Now, a duty of 35 per cent is 35 per cent on the raw material, 35 per cent on the capital, and 35 per cent on the labor. That is the protection which a 35 per cent duty affords, and as the labor constitutes less than 25 per cent, how can the laborer be deprived of employment because a duty of 35 per cent is left on a 25 per cent labor cost? Oh, no, I am not afraid of closing up our woolen mills.

Mr. President, in the present state of the public mind a substantial reduction of the tariff is inevitable, and if the Senator from New Hampshire and the stalwart faction of the Republican Party really believe that such action will culminate in an industrial disaster they ought to stand out of our way and let us do that work. They have no earthly chance to prevent the doing of it sooner or later, and if it will bring the misfortunes which they predict, then the sooner they come the better it will be for the country, because the sooner they will pass. Not only will it be better for the country, Mr. President, to do this work without delay since it is certain to be done, but it will be better for the Republican Party, because if our revision of the tariff does bring the evil times which the Senator predicts, then he may reasonably hope to see his party restored to public favor.

Mr. President, before I resume my seat, I desire to reciprocate the sentiments of cordial friendship which the Senator from Mississippi has expressed toward me. It is true, as he says, that we served long together in the other House where we were friends, and I am sure that no difference of opinion can establish a different relation between us here. I have endeavored to cultivate a tolerence for differences of opinion, and I hope that I have not failed in my attempt to do so. But, sir, while I can tolerate differences, I do not fear them, and if the three or four Democrats who are still voting with me on this question should yield, as others have done to the pressure of a majority, I would stand all the more firmly in my place and declare my convictions. There are worse things than being in a minority, and the gravest offense that any representative of the people can commit is to do what he believes is wrong in order to join the majority.

Mr. WILLIAMS. Mr. President, I did not know that the Senator from Texas had taken his seat.

Mr. President, some of the history of my friend the Senator from Texas [Mr. BAILEY] is almost as erroneous as his opinion that a Democrat could hardly vote for Canadian reciprocity and remain a Democrat upon the tariff question is unsound.

Mr. BAILEY. I never said that.

Mr. WILLIAMS. Albert Gallatin, a great Democrat and a father in the faith, sent as his Treasurer's report or as a part of his report the so-called Free-Trade Memorial, in which he advocated free raw material.

Mr. Guthrie, Secretary of the Treasury under Franklin Pierce, I believe it was, sent his Treasurer's report upon the tariff question in which he advocated free raw material. The historical observation made by the Senator from Texas to the effect that he would defy anybody to find any Democratic sentiment or any Democratic doctrine in favor of free raw material prior to the Cleveland régime I might leave right there with those two instances. But I prefer, I believe, to go further while I am about it.

Albert Gallatin and Guthrie both were Secretaries of the Treasury of course prior to the Civil War. After the Civil War—or the War between the States, as I prefer to call it, because it was not a Civil War anywhere except in a part of Missouri and Kentucky and east Tennessee and north Alabama—the Democratic Party began to deal with the tariff again, and I will go on with that part of the history in a moment. But before I go to that I want to follow up the Robert Walker views upon the tariff. The Senator from Texas undertook to reply to what I had said about the classification of the necessities of life and of industry as possibly being the classification which ought to be put upon the free list by reading from Robert J. Walker's report what he said answered my statement. It happens to be that a part of what he read is what I think justifies it. It is the third reason given "that below such rate discrimination may be made, descending in the scale of duties, *and for imperative reasons the article may be placed in the list of those free of duty.*" [Italics mine.]

Now, I take it that among "imperative reasons" no stronger can exist than that a thing is a necessity of life or a necessity of industry.

In 1867, November 30, R. J. Walker used this language in a public letter upon the tariff question:

> But the tariff of 1846, although it remained much longer in operation than any other tariff, and produced much more beneficial results, was susceptible of great improvements, especially in its application to the present condition of our country.

Conditions had changed somewhat between 1846 and 1867. They have changed still more from 1867 on till now and in the same direction.

First—

He continues—

> the raw material of manufacturers, as recommended in my first annual report, should be duty free, as is the practice of all enlightened nations. This proposition then made by me was to some extent defeated at that time by Mr. Calhoun.
>
> His argument was this: That, so far as no revenue was collected on the raw material of manufactures imported here, we must make good the loss from other articles, and that this was an unjust and unconstitutional discrimination in favor of American manufacturers. My answer was, first, that it would never be unconstitutional to permit any one or more articles to come in duty free.

And as great an admirer as I am of Mr. Calhoun, I admit that I can not see any more than Robert J. Walker could, that it "could be unconstitutional to admit any article to come in free."

He goes on with his answer:

> That Mr. Calhoun had agreed to a large free list in the compromise tariff of 1832; third, that in point of fact there was no real loss of revenue, but an actual gain, resulting in this way: That, as our imports were measured by our exports, specie only liquidating occasional balances, and that, as we reduced our exports, we were necessarily diminishing our imports and decreasing our revenue.

To illustrate this, he went on to give an illustration about dyestuffs and some others. Now, he goes on:

> This proved to be the case, as shown by the tables of our exports of dyed goods under the tariff of 1846 as compared with those of 1842. After a close investigation of this subject and after examining the tariffs and manufacturing establishments of foreign countries in 1851–2 and 1863–4, I am convinced that to admit the raw material of manufacturers in all cases duty free would greatly increase our wealth, augment our exports, imports, and revenue, and diminish the burdens of taxation.

Now, I do not agree with that last sentence of Robert J. Walker, about all raw material being admitted free, but I have read it just as I have referred to the utterances of Albert Gallatin, Democratic Secretary of the Treasury, and Mr. Guthrie, when Democratic Secretary of the Treasury, to show the historical incorrectness of the idea as to the fact that is in the mind of the Senator from Texas, and with the permission of the Senate, not having the utterances of Mr. Guthrie or of Albert Gallatin upon my desk now, I will obtain them later and put them in my remarks. They again and again advocate exempting raw material from taxation.

The VICE PRESIDENT. Without objection, permission is granted.

The matter referred to is as follows:

PARTS OF MEMORIAL OF THE COMMITTEE OF THE FREE-TRADE CONVENTIONS SENT BY ALBERT GALLATIN TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED AS A REPORT.

[From p. 118.]

Raw materials are admitted free of duty because they are not, in that state, immediate objects of consumption, but necessary for the production of commodities to which the national industry may be advantageously applied.

[From pp. 128–129.]

If, however, the profits of the manufacturers are, by reason of the high duties laid in their favor, greater than the average profits in other pursuits, it is a simple transfer to them of the consumer's property, a flagrant injustice, which should, independent of any consideration of a general nature, be immediately corrected by a sufficient reduction of the duty. *But although there are exceptions, perhaps more in the case of raw materials* than in that of manufactures, it believed that where there is no monopoly against domestic competition this will be sufficient, ultimately, to reduce the profits of any particular pursuit to its proportionate rate as compared, according to its nature, with the profits of other branches of domestic industry. [Italics my own.]

[From pp. 130–131.]

If the protecting system has had a beneficial effect on agriculture or commerce it must be in reference either to the raw materials of domestic growth employed in the manufactures or to the supplies for which they give a market or to the transportation of both, as well as of the manufactured products.

It is obvious that no allowance be made, in this view of the subject, for the impulse given to the growing of wool, hemp, flax, or any other raw material which is itself sustained by a high protecting duty. The same reasoning applies to those as to any other protected article, whether of the growth or manufacture of the country, which, since it requires such protection, must be a losing concern if left to itself. If otherwise, the protection is useless, and the additional price arising from the bounty an unjust transfer of the property of one to another class of citizens. But it must, on the other hand, be recollected that the difference of price between the domestic cloth, for instance, and the similar foreign article free of duty, or, what is tantamount, the national loss incurred in the domestic manufacture, embraces both that on the wool or raw material and that on the manufacturing process.

It is otherwise with respect to cotton. The duty on that of foreign origin, which is about 33⅓ per cent on the value, is purely nominal. This is always true in regard to any article of domestic growth or manufacture which is usually and extensively exported. Any commodity which can in foreign markets where it has no protection sustain the competition of every similar foreign article will sustain it on still better terms in the home market, and is not protected by the duty, but by its intrinsic superior cheapness or quality.

[From pp. 132–133.]

Manufactures give also a value to certain raw materials which had little or none before—iron works to the ore, paper mills to rags, glass works to ashes—but the cost of extracting or producing most of those constitutes the greater part of the price; and the aggregate surplus value of all is so small, as compared with that of the manufactured article, that it is hardly worth consideration.

But it is principally respecting the increased consumption by the protected manufactures of supplies of domestic origin other than the raw materials, and, above all, of breadstuffs and other provisions, that the most exaggerated accounts have been industriously circulated. It might be supposed from the language held on that subject that the agricultural interest was exclusively indebted for its prosperity to the restrictive system. We are told of the "invigorated condition of our agriculture in the last three or four years, during which period the value of the labor of the farmer, and with it the value of his land, it is well known, has risen some 20 per cent or 30 per cent," and that "this augmentation in the value of agricultural labor and capital can be ascribed to no other cause than to the increase of the manufacturing classes and to the rapid growth of our home market under the protecting system."

[From p. 134.]

The enlightened advocates of the protecting system need not be informed that all those fluctuations are exclusively due to the foreign demand; that in a country which always raises what is equivalent of 1,500,000 barrels of breadstuffs beyond its own consumption, the price depends on the proportion between that supply and the foreign demand; and that that demand will continue to govern the price of the home market, whatever may be the increase of the domestic consumption, so long as such an excess beyond that consumption shall continue to be raised. If there was no foreign demand for that surplus—or for any other article which is now extensively exported—either the quantity raised must be diminished in that proportion or the price would fall to the very lowest rate at which the produce can be cultivated. Such has been the invariable result in every part of the country too distant from the seaports to participate in the benefit of the foreign market. The enhanced price of breadstuffs and other exportable articles beyond that minimum is almost exclusively due to the foreign demand and not in any perceptible degree to the increase of manufactures. The statement of prices exhibits no other than those ordinary fluctuations in the foreign demand which have at all times occurred, and does not afford the slightest proof of that permanent improvement in the value of agricultural labor ascribed to the protecting system. For the enhanced price which the farmer obtains for any of his products which continue to be extensively exported he continues to be solely indebted to the foreign market and to commerce.

[From p. 144.]

But in each country the price of labor is determined either by its productiveness or by the proportion between demand and supply in that country, and in no manner whatever by what may be that productiveness or that proportion in any other country, whether there is or is not an intercourse between the two countries. We have heard that Irish laborers, flocking in great numbers to England and Scotland, have by deranging the existing proportion between demand and supply, and by

the low rate of wages to which they were used, lowered in certain seasons the price of labor in those two countries; but so long as they remained at home and did not, by transferring their labor to the spot, interfere with that of England, the long-continued intercourse between the two countries never had the slightest effect on the price of English labor, which, varying according to circumstances exclusively belonging to England, has never been reduced to the miserable pittance that hardly sustains, without remunerating, the Irish laborer. This is universally true with respect to every country; the price of labor is in each regulated exclusively by the respective proportion of supply and demand and the state of society.

[From pp. 162–163.]

The only effect that can possibly be ascribed to a protecting duty is that of encouraging the establishment of manufactures which would not otherwise have existed or of inducing a greater number of persons to embark in those already existing. The propriety of the duty depends altogether on the probability of speedy success—that is to say, of the manufacture being so far adapted to the circumstances of the country that, after having been assisted by the duty in surmounting the first difficulties incident to every new undertaking it will be able to sustain itself and without such assistance to compete with the foreign articles.

This leads to the important distinction between a permanent and a temporary protecting duty, the first imposing a perpetual tax for the purpose of perpetuating a continued public loss, the other proper only when the prospect of speedy success is nearly certain. For if necessary to be continued for a long while, the loss continued for a period of years may be greater than the object is worth, and it would have been much wiser to wait until the country was better prepared for commencing the manufacture. The question is how the legislature, on subjects so complex, is to decide whether there is a probability that the result will in a short time be favorable. We answer, first, that whenever the application is for a gradually increasing instead of decreasing rate of duties it is a complete proof that the applicants wish a permanent and not a temporary duty; secondly, that whenever the protecting duty required is exorbitant this likewise clearly proves that there is not any expectation of a speedy favorable result. It is clear that the protection required must be proportionate to the difficulty of establishing the manufacture, and that the country is better prepared for those which require the least protection. A moderate and uniform duty will naturally encourage these, without the necessity of any special legislative interference, whilst those alone will be postponed which, for the very reason that they require a higher protection, ought not yet to be attempted. Instead of an artificial and precarious system the progress will be natural, steady, and permanent.

[From p. 168.]

The important objects more particularly objectionable are:

Hemp, flax, and some of the manufactures of hemp and flax.

Iron, particularly rolled iron, and a few branches of the manufactures of iron.

Wool, particularly of species coarser than any native wool of the United States, and the woolen manufactures embraced by the system of minimums.

Sugar, salt, and coal.

[From p. 169.]

Your memorialists are averse to any duty on the importation of raw materials. [Italics my own.]

[From p. 170.]

The manufacture of cast and bar iron was one of the few which had been established in America under the Colonial Government.

[From p. 176.]

We need not dwell on the injustice and mischievous effects of an exaggregated duty on an article of such general use as iron. It falls upon the farmer, the mechanic, the shipping interest, and on every branch of the iron manufacture, those few excepted which have been embraced by the partial protecting system; and it operates in the most unequal and unjust manner on those parts of the country which have no iron of their own, and might be supplied on cheaper terms under a rational system of moderate duties. The only reason why the extravagant duty is not universally opposed is because the tax thus laid on the agriculturist and the mechanic is spread over such an extent of the country and falls upon so many that the amount paid by each, levied as it is indirectly and in small portions at a time, is not generally understood.

[From p. 186.]

Wool had never been imported free of duty; and when that on woolen manufactures was being increased by the tariff of 1824 it was natural for the agriculturists, whose interest has in every country so often been sacrificed to the combinations of manufacturers, to seek an indemnity in a protecting duty on the corresponding agricultural product. That fixed by the tariff of 1824 was also below the average rate of duties, and not otherwise objectionable than as a tax on a raw material. Experience, however, soon proved that this measure was founded in error, and had depressed instead of promoting the manufacture intended to be protected.

The manufacturers examined by the Committee on Manufactures in 1828 generally agreed in stating that their business was in a more flourishing state before than since the tariff of 1824, and that the unfavorable change was in a great degree due to the increased duty on wool. Some of them asserted that they could manufacture cloth as cheap as in England, provided they could obtain the raw material on the same terms.

[From pp. 187–188.]

It is evident that the only means by which the raising of sheep can be rendered truly profitable is by improving the breed and the quality of the wool. This is what has been done in Prussia, several parts of Germany, and particularly Saxony, under a climate as severe as that of the Middle States, and in many instances in districts where nearly the whole profit arises from the sale of wool. This has also been done without any special protection and with such complete success as to rival and in the finest kinds to supersede in foreign markets the first-rate wools of every other country. There is no reason why the same result may not be obtained in the United States by the same means. There is no reason why the American farmers, decidedly superior in intelligence and activity, should not succeed as well as the inhabitants of a country which enjoys no superior advantage in any other respect.

[From p. 190.]

The object of the woolgrowers is that that market should be enlarged; but this can not be done effectually unless a domestic manufacture is firmly established; and for that purpose it is necessary that the raw material should be obtained on reasonable terms.

REPORT OF THE FINANCES, 1855–1856, JAMES GUTHRIE, SECRETARY OF THE TREASURY.

[From pp. 18 and 19.]

When we first imposed a tax on foreign wool, Great Britain and other manufacturing nations taxed it also, and as high as we taxed it. We discriminated in the tax upon the manufactures of wool, imposing a higher tax upon the finer fabrics; whereupon Great Britain and other manufacturing nations repealed their tax on wool and secured to their manufacturers the advantage of obtaining the raw material free of duty. This advantage over us they will continue to enjoy as long as our tax is continued. The reasons why they admit wool free are to be found in the fact that they manufacture more than they produce, and it is necessary they should be able to sell cheap, in order to enter advantageously the markets of the world, and it may be, also, to secure the market of the United States, to the suppression of manufacturing in this country. We also manufacture more wool than we produce and consume more manufactures of wool than we manufacture, and continue our tax on wool. The duty on wool was imposed to promote its production in the United States, and was expected to enhance the price. It has failed to secure the object for which it was imposed. The production has not kept pace with our population and consumption of woolen manufactures, and although the prices have been fair they have not been such as to make woolgrowing as profitable a pursuit as many others in the country. In the trial of 10 years under the tariff of 1846 there is no greater production of wool, in proportion to the population, than there was prior to that time.

[From p. 26.]

The suggested reduction of the revenue was, by an enlargement of the free list, so as to admit some articles of consumption and the raw materials used by our manufacturers to free entry and lessening the duty on other imports. It was thought that the duties from customs could well be reduced to some forty-eight or fifty millions of dollars and leave an ample sum for all the wants and requirements of the Government, including the redemption of the public debt as it should become due. It seemed to me that good policy required the raw material used in our manufactures to be exempt from duty and our manufacturers placed on an equality with those of Great Britain and other manufacturing nations, who admit the raw material to free entry. A tax upon the raw material is calculated to increase the cost of production by the profits of the importer on the tax on the raw material and the profits of the manufacturer on his outlay for that tax, and the importer's profit thereon, and of the merchant through whom it passes to the consumer, interfering with the manufacturers' enjoyment of both the home and the foreign market, on the same advantageous terms of the manufacturer of other nations, who obtains the raw material free of duty. A single example illustrates this case: Great Britain admits wool, a raw material, free of duty, and the United States imposes upon it a duty of 30 per cent. This enables the English manufacturer to interfere with the American manufacturer in the American markets and to exclude him from the foreign markets. It does more. It surrenders the markets of the countries producing the raw material to the nations who take it free of duty. Our manufacturing and commercial States enjoy the markets of our planting and provision States, because there exists no impeding duty, giving preference to foreign nations; but our manufacturing, commercial, and provision States do not enjoy the markets of Mexico, Central and South America, and the West Indies, nor of other nations inhabiting the shores of the Pacific, because these nations do not manufacture and have but little else for commercial exchange than the raw material, which we tax, and other nations take free of duty in exchange for manufactures and other productions; and, although we are more favorably situated for commercial intercourse with them we yield the trade to the European nations.

[From p. 27.]

The enlargement of the free list and admission of the raw material is suggested as the best and surest mode of giving increased beneficial employment to our tonnage and increased beneficial markets for our manufactures and other products, and of cultivating amity and friendship with our southern neighbors, and also the best mode of promoting our own prosperity next after the mutual free trade we enjoy with each other. Mutual beneficial commerce is all that is required to establish with these nations lasting relations of peace and friendship and remove from their minds all apprehension from our expansion. We should seek commerce and not dominion. When they shall know and feel that commerce alone is our object, and that it is as beneficial to them as to us, we shall win their confidence, and our friendship will be lasting.

REPORT OF THE FINANCES, 1854–1855—JAMES GUTHRIE, SECRETARY OF THE TREASURY.

[From pp. 12 and 13.]

In recommending, for the third time, the remodeling of the schedules of the tariff act of 1846 and the reduction of the revenue from customs, I have felt constrained, by a conviction of its propriety, again to recommend as one of the modes of reducing the revenue that the raw material used in our manufactures should be admitted free of duty.

Under laws of great wisdom and forecast, all manufacturing countries except the United States now admit the raw material used in their productions free of duty, thereby giving constant and profitable employment to capital and labor and enabling their factories to furnish a cheaper article and better to command both the home and foreign market, with beneficial employment to their tonnage in making the exchanges.

The United States, under the Federal Constitution, enjoy perfect freedom of trade with each other in all their agricultural, manufactured, mineral, and other productions. As to the raw material produced in the United States and used in the factories of other countries, those countries, under their laws, obtain the raw material free, whilst we deny to the raw material produced in those countries and used in our factories the same freedom, thus failing to allow the same constant and profitable employment of our capital and labor and the same beneficial occupation of the home and foreign market with cheap articles of our own manufacture and the same beneficial employment of our tonnage in making the exchanges.

The proposed reduction of the revenue by the admission of the raw material used in our manufactures free of duty has the sanction of Congress in the admission of guano, garden seeds, and animals for breed, free of duty, being raw material for the use of agriculturists; also copper ore; felt, adhesive; junk, old; oakum; plaster of Paris, unground; platina, unmanufactured; sheathing copper and sheathing metal; and in the return duty allowed on the exportation of refined

sugars, which gives the raw material used by sugar refiners free of duty to the extent the manufactured article is exported. The principle is recognized that taxes should only be levied for the purpose of revenue, and, I think, is clear, inasmuch as the duty is not needed, that the principle would not be violated by authorizing the admission of the raw material used in our manufactures, as proposed, free of duty. It is suggested in contravention of the legislation of other manufacturing countries and as an indirect reduction of taxes on the consumer of the home-manufactured article and may well be considered a step in advance toward free trade.

[From p. 15.]

If the free list shall be adopted, establishing free trade in the raw material, our manufacturers using this raw material and thus placed in equal competition with the manufacturers of other countries will gradually and more and more possess themselves of the home market, exclude the foreign article, and reduce the revenue.

Mr. WILLIAMS. Now, to come down later, Mr. President, before and after the war we proceeded further to "tinker with the tariff," or to try to, as our friends on the other side are fond of phrasing it. The tariff of 1857 was passed. Remember that. I hope the Senator from Texas will keep that in his mind. The tariff of 1857 provided for many free raw materials. Then, after the war—but I suspect I had better take it chronologically as I go. The Senator from Texas referred to the fact that in 1846 this matter, as he says, "was thrashed out" and that a resolution was offered to put free raw materials upon the bill of 1846 and that that was defeated.

Now, historically that statement of fact is true. But it is not true in the sense in which it would support the position of the Senator from Texas, because the proposition was made by an opponent of the bill when there were only about eight or nine days left of the session, as I remember, and it was made like a great many propositions have been made to amend the reciprocity bill—for the purpose of hampering and hindering and defeating—and the advocates of the bill therefore voted it down.

The Senator from Texas might just as well go out and say that the matter of the Democratic House's farmers' free-list bill has been thrashed out in the Senate here and defeated, because nine-tenths of the Democratic Senators in the Senate are going to vote against it as an amendment upon this bill, believing its effect would be to destroy two things that we wanted, whereas if we did not attach it to the bill only one of the two things that we want would be ultimately destroyed. It is an ordinary thing in parliamentary history for men to vote against things they want in order to save something else that they want, and that happened in connection with that motion in connection with the tariff bill of 1846, and precisely that is going to happen with the Senator's amendment—both amendments which he is offering here—to this reciprocity bill, although Democratic Senators will later vote solidly for both measures in substance as original and independent propositions and although a Democratic House has already voted for both as independent measures.

Mr. McDuffie, of South Carolina, one of the men who voted against the motion to which the Senator from Texas refers, went on to state that the tax upon raw material was only about 5 per cent, anyhow, and that as far as he was concerned he would just as soon see it out of the bill as in it. So much for that.

Now, Mr. President, for after the war: Mr. Morrison, who was the author of the Morrison bill and chairman of a Democratic Ways and Means Committee, used this language in reporting the bill to the House, and the report was unanimous, by the way:

The duties intended to be removed by the bill are chiefly those which tax articles used by our own manufacturers, which subject them to a hopeless competition at home and abroad with the manufacturing nations, none of which taxes such materials, that our own manufacturers may successfully compete, both at home and abroad, with manufacturing nations which do not tax such materials, thus securing markets for the products of hands now idle for want of work to do.

Later on that other great Democrat—from Texas, by the way—the Hon. Roger Q. Mills, was chairman of the House Ways and Means Committee, and another Democratic Ways and Means Committee in another unanimous report, of which Roger Q. Mills was author or introducer at that time, used this language:

If we could obtain free of duty such raw materials as we do not produce and can only be procured in foreign countries, and mix with our home product in the various branches of manufacture, we could soon increase our exports several hundred millions. With untaxed raw materials we could keep our mills running on full time, our operatives in constant employment, and have an active demand for our raw materials in our own factories. If there should be no duty on any materials entering into manufactures, many articles now made abroad would be made at home, which, while it would give more employment to our own labor, would give a better market to many articles which we produce and which enter into manufactures, such as cotton, wool, hemp, flax, and others.

Mr. BAILEY. Will the Senator from Mississippi tell me what he is reading from?

Mr. WILLIAMS. I am reading from a speech made by a colleague of the Senator from Texas in the House of Representatives, Judge WILLIAM R. SMITH; but what I have read was not his utterance. They are quotations made by him—the first one from Mr. Morrison and the second one from Mr. Mills.

Mr. BAILEY. I thought that was the speech that had been handed to the Senator from Mississippi by somebody over here.

Mr. WILLIAMS. The Senator is mistaken if he means it was handed to me to-day, though I know not what that has to do with the debate. Judge SMITH, who is a friend of mine, gave it to me about two weeks ago, and I put it in my desk and pulled it out to-day. So the Senator may not imagine that somebody else has to-day been handing things to me out of enmity to him. The things that I have read are not from Representative SMITH. They are from Morrison, wording one report which was unanimously adopted by a Democratic Ways and Means Committee in the House, and another report drawn by Roger Q. Mills, and also unanimously adopted by another Democratic Ways and Means Committee in the House. Neither Morrison nor Mills can be attacked on the score of not being Democrats or of being at enmity to anybody now living. So the statement that until Cleveland was President the free-raw-material doctrine was never broached by the Democratic party is historically incorrect—first, because Albert Gallatin, under Madison's administration, broached it; second, because Guthrie, Secretary of the Treasury under Franklin Pierce's administration, broached it; third, because Robert J. Walker in his letter of 1857 broached it, and Morrison in his report broached it, and Roger Q. Mills in his report broached it, all before the Cleveland tariff was enacted.

I do not agree with the free-raw-material men altogether any more than I altogether agree with antifree-raw-material men.

In fact, I am wedded to no theories, as a practical legislator, from which conditions can not separate me when the public welfare and the practical interest of the whole people demand it. I undertake to do that which seems to me the highest, best, attainable thing to be done in the direction of achievement in which I want to go, regardless of whether the thing is in keeping with any particular theory at the time or not. I say that because I do not want to be understood as indorsing altogether all the things which I have read. The truth is that neither free raw material nor antifree raw material is a hard and fast Democratic doctrine.

The Senator from Texas grows eloquent when he replies to what I said about handicapping the manufacturers by making them pay a tax upon their raw materials when other nations did not thus handicap theirs. The Senator says that "you handicap the farmer when you take the tax off of the free raw material and leave a duty on what he buys," and he tells you that he can not see any difference between handicapping a man by removing a tax and leaving him industrially where God put him without any governmental interference, and handicapping the same man by imposing a tax upon the things that he has to buy, and thereby not leaving him where God put him, but legislatively interfering. The two things are as far apart in my mind as one pole is from the other.

I am not opposed to encouraging industry by untaxing the people either by reductions in toto or by reductions in part. I am as bitterly opposed as the Senator from Texas can possibly be to making the Government a silent partner in somebody's private enterprise, and whether I am right or wrong in that particular, I think I am at least Democratic.

Then the Senator says, "What would be the result if we gave free wool and a 40 per cent duty on woolen goods?" I will tell you what would be the result. By removing the duty upon wool you enable our manufacturers to compete with many other manufacturers in the world. By reducing the duty upon woolen goods from its present rate, which, upon the average, is, I believe, 92 per cent down to 40 per cent, you would force this same manufacturer to meet competition with a price at least that much lower, thus compelling him to give to the people the benefit of the reduction of taxes both on wool and woolens.

Now, it may be that the Republicans are right, and the result might be to force him out of business if you did it all at once; but if he stayed in business and could stay in business he would have to reduce the prices by the amount of the difference between a 40 per cent tax which he could thereafter charge up to the consumer and a 90 per cent tax which he had theretofore charged up to the consumer, while at the same time the reduction of the duty on the wool would enable him to stand the lower price which he would have to make and, in my opinion, remain in business.

Then my friend the Senator from Texas grows eloquent again and says, "If you are going to make the farmer pay a tax

upon his suit of clothes and his hat, why not make the manufacturer pay a tax upon his wool?" Because you can not make a manufacturer pay the tax on the wool. That is why. He pays it in the first instance, and then collects it back, and from whom? From the very "poor, downtrodden, poverty-stricken farmer and laborer" the Senator from Texas is fond of talking about. You might just as well talk about a railroad paying for its steel rails. It does not do it. You and I pay for them. It is true the railroads pay for them in the first instance, but they collect them back afterwards, with interest. We pay for them. It is not a question of taxing the manufacturer by the amount of tax upon the raw material except right in the beginning, before the thing gets to working and before a lot of other people, attracted by the increased profits in the business, come into the business and by competition later on bring it around that the price is reduced.

Then the Senator says that I, in saying that when you furnish the manufacturer with free raw material and thereby decrease the cost of his production you thereby increase the profits of his business and thereby increase the number of people going into the business and the amount of capital going into it, and thereby start a competition which in the end brings around a fall of prices, am making the same argument identically that the Republicans make when they start off with the premise that by taxing the finished product you invite people and capital into the business, and in the long run reduce the prices.

Now, if the Senator from Texas had said that the result we both assert is arrived at was the same and that the course of reasoning from the initiative point to the result was the same he would have been more nearly correct; but the result to the country is immensely different.

The Republicans might reach that result of decreased prices, but they do not always reach it for a reason that I will indicate in a moment. They do not generally do it; but when they do they would reach that result by taxing the consumer and all the people on the finished product, while I would reach that result of lower prices by untaxing the people on the raw material which they receive back from the manufacturer. That is the difference. The means are not the same, whether the result be the same or not. The gravamen of his argument was to leave the impression that the method advocated by both of us was the same, while they are exactly opposites.

Now, the reason why the Republican theory will not hold throughout is this: That by merely putting a high duty upon the finished product, while they also have a duty upon the raw material and a duty upon the finished product, pro tanto higher than necessary, because of the duty upon the raw material, the utmost they can hope for from the manufacturers, except under very exceptional circumstances of great advantage, is that the manufacturer can capture and hold the home market. With the immense tax upon the finished product operative behind that tariff shield they can do more than that. The manufacturers can maintain the price pretty nearly up to the tariff-permitted level by combination, and so very frequently the thing falls through—the natural result is defeated.

This much of the Republican argument is correct, and I for one never blink a fact if I know it—a fact is the voice of God, and the only thing you can do to it is to bow down to it and say, "There you are; I can not jump over you; I can not go around you; and I can not tunnel under you."

Ordinarily in the absence of combination, in the absence of any special ability to combine, the encouragement of an industry by making it more profitable to those who engage in it will result in an increased volume of business of that description and an increased number of competitors in that business, and the competition will in a long time and after long and unjust robbery of the consumer result in a decreased price down to a certain level, which is the level of the cost of production plus a living profit; but, of course, if it is done in connection with business where so few people engage in it they can combine, then they will combine and prevent the natural process from taking place.

Again, if this is done in connection with an industry so little adapted to the country where it is being encouraged as that even the law itself can never make that industry produce a sufficiency for the home market, then the cheapening process will never begin, because where the cheapening process begins is after the home market is filled and the surplus must begin to be shipped abroad.

For example, to take a favorite illustration of mine, you could never decrease the price of bananas in America below where foreign bananas are now, because the soil and the climate are naturally so little adapted to the growth of bananas that, no matter what the duty is, they would have to be grown under glass, and being grown under glass they could never be produced as cheaply as they are in the Tropics, where they are not grown under glass. You can never by tariff production of wool bring wool down to the world market price, because there are numbers of countries better adapted to the growth of sheep and the production of wool than we are, and we are in comparison with them so ill adapted to the business that you will never succeed by encouragement of the sheep industry in bringing about a condition where the shepherds of America will raise enough wool for American consumption. You could not do it in England. You could not do it in France. You could not do it in Germany——

Mr. WARREN. Mr. President——

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Wyoming?

Mr. WILLIAMS. Unless you made the duty so outrageously exorbitant that nobody would vote for it.

I yield to the Senator from Wyoming.

Mr. WARREN. Will the Senator name some countries where the advantages are greater outside of the matter of labor for raising sheep than in America?

Mr. WILLIAMS. I could name several that seem to me to be so. It seems to me Argentina has superior advantages; it seems to me Australia has superior advantages; it seems to me that when you come to the long English combing wool sheep, with the present conditions, Canada for the time being has some advantages; but about that I do not know.

Mr. WARREN. May I ask the Senator why does he wish to give the manufacturers of wool protection in the way of a customs tariff upon imported woolens? Why not treat them as you do the farmer and let us have free wool and free woolens? Where is the difference?

Mr. WILLIAMS. Mr. President, would to God that I could, but I can not.

Mr. WARREN. I should like to have the Senator tell me why the farmers and their employees are not entitled to the advantages in this country of protection for his product or his labor, as the case may be, just as well as the manufacturer who manufactures cloth.

Mr. WILLIAMS. He is entitled to it just as much, or, rather, just as little, as anybody else.

Mr. WARREN. Then, why do not you say free woolens as well as free wool?

Mr. WILLIAMS. Simply because I do not want to say at present either free wool or free woolens, because I can not say both, with due regard to needed revenue, and I can not say free everything because of the provision in the Federal Constitution which requires that direct taxes shall be apportioned amongst the several States in accordance with their population. Of course the Senator understands as well as anybody why it is impossible to put everything upon the free list and at the same time administer and carry on the Government.

Mr. WARREN. Then why does the Senator say we should have free wool, as he has said?

Mr. WILLIAMS. I have not said it.

Mr. WARREN. Then I have misunderstood the Senator.

Mr. WILLIAMS. On the contrary, I just a moment ago said that a protective duty upon wool will never bring wool up to the point where you can furnish a sufficiency of the supply for the home-market demand. But I have not said that I did not want a revenue duty upon wool. Upon the contrary, I do want a duty of about 20 per cent, and I am going to vote for one. When the Wilson tariff bill was adopted, in 1894, I desired a small duty on wool then, although wool was put on the free list, but I wanted it for revenue purposes. The point I am making is that you can not protect into a home sufficiency of supply a thing like wool, so little adapted in our advanced industrial condition to be raised in our country, in competition.

Mr. WARREN. That is an assertion without proof. I deny that this country can not produce all the wool that is necessary here, with adequate protection to the woolgrower.

Mr. WILLIAMS. I will have to accept the denial as an argument, I suppose, and I will have to reply in the only way I can by saying——

Mr. WARREN. The denial stands as good as the assertion.

Mr. WILLIAMS. Every bit as good. I have supported the assertion with at least a modicum of argument of an inductive character, which is tolerably good. It is a fact that your protection has not done it with a duty of about 44 per cent upon washed wool, counting 4 pounds of unwashed to 1 pound of washed wool, and if a duty of 44 per cent which you fixed as "adequate" and which has been going on now for 15 years——

Mr. WARREN. And has nearly doubled the number of sheep.

Mr. WILLIAMS. And has increased the gap between the American demand for wool and the American supply of wool—has not done it, and is increasingly failing to do it, then my

assertion is supported by the strongest argument—experience, attempt, and failure.

There has been an absolute increase of sheep—not a very large one—and a very large increase of the value of wool—I mean the price of wool, not its value—an increase of price because a part of its price has been the tariff charge; and somewhat of the slight and inadequate increase in the number of the sheep may have been due to tariff stimulation. Sheep have not increased in proportion to our increase in wealth, our increase in production, our increase in population, or even—and that is the point—in proportion to the increased demand of the American people for woolen goods.

Mr. WARREN. There are a great many agricultural products that do not increase as fast as does our population. As to the wheat crop, for instance; would the Senator discontinue the growth of wheat, or would the Senator discontinue the growth of any product for that reason?

Mr. WILLIAMS. Oh, no; I would not discontinue it. What has that got to do with it? How did the Senator get the idea that I would discontinue the growth of wheat or wool?

Mr. WARREN. The Senator says that the number of sheep and the quantity of wool produced have not kept pace with the population and growth of the country.

Mr. WILLIAMS. But I said nothing about discontinuing the production of sheep or wool.

Mr. WARREN. That may be so as to any product; but that is no reason why wool should be refused recognition as a product of the country and not be afforded the same protection as others. To follow the plan and wish of the Senator from Mississippi, woolgrowing in the United States as a business will be discontinued. A few mutton sheep only will be left.

Mr. WILLIAMS. Oh, I thought the Senator said a moment ago that there was no reason why we should discontinue raising sheep. Of course, I did not say that. My reason for discontinuing protection is, of course, a double or a treble one.

Mr. WARREN. But the Senator will certainly discontinue the raising of sheep.

Mr. WILLIAMS. I do not think by putting a duty of 20 per cent on wool I am discontinuing or protecting it.

Mr. WARREN. Mr. President, how am I to understand the Senator now—that he does not feel he is offering any protection to wool by giving 20 per cent?

Mr. WILLIAMS. Not a bit. At least that is not my intention. I am not a protectionist.

Mr. WARREN. I agree with the Senator, that he is not a protectionist.

Mr. WILLIAMS. I expected the Senator to agree with me.

Mr. WARREN. And I will say further that I expect we shall have very few, if any, sheep in this country to produce wool, aside from a few mutton sheep to furnish early lambs for the epicures among the city folk. We will then, of course, be reduced to the necessity of obtaining our wool supplies from other countries.

Mr. WILLIAMS. Mr. President, this country will not cease to produce wool; it will not cease to produce sheep; it may not produce sheep by as great an annual increase as it does now, but every shepherd in this country, including the Senator from Wyoming himself, will get every dollar from raising sheep to which he is entitled in the law of morals, by the law of God, or to which he ought to be entitled by the law of man. If you can not raise sheep at a profit with a 20 per cent advantage over people somewhere else—I regard 20 per cent as a revenue duty, but it has, of course, this incidental protective feature to that extent—if, after giving you the special privilege of taxing me and my labor and the balance of America 20 per cent on every pound of wool you raise, you still can not raise wool in competition with somebody somewhere else, then that is your misfortune and not my crime.

Mr. WARREN. Will the Senator from Mississippi allow me to ask him a question?

Mr. WILLIAMS. Yes; certainly.

Mr. WARREN. The enormity of the crime of high protection must consist in the excessive amount of the duty; and, taking that view of it, I would like to ask the Senator, who seems to know so much about wool, what would be the proportion of the tax upon cloth and clothes that would go to the woolgrower? Take it in the suit, if you please, or per yard of cloth, and how much actual protection goes to the woolgrower on each suit of clothes?

Mr. WILLIAMS. Does the Senator mean what percentage of the price of a suit of clothes goes to the woolgrower; how many dollars and cents, for instance, go to the farmer in the present tariff on wool?

Mr. WARREN. I have said on a suit of woolen clothes. How many cents—for of course the woolgrower's portion of the wool tariff hardly reaches the territory of dollars in any single suit of clothes.

Mr. WILLIAMS. I should say it would depend upon the weight of the goods, the character of the wool, and a great many other things.

Mr. WARREN. Suppose the Senator gives us approximately the maximum and the minimum.

Mr. WILLIAMS. I can not give any average, nor do I care to give any, nor from my standpoint does it make the slightest difference. Whatever may be the increase in the price of a suit of clothes due to the tariff-increased price of the wool that is in it, that increase contains a 44 per cent element right now, which is put there by law, and that I should like to reduce to a 20 per cent element. If the addition was $1, the increase due to taxed wool would be 20 cents; if the addition was $4, the increase would be 80 cents at a 20 per cent tariff rate; but it does not make a bit of difference what the actual amount is; it has nothing to do with the logic of the case; it has nothing to do with the ethics of the case; it has nothing to do with the economics of the case; it has nothing to do with anything except the hothoused prosperity of the woolgrower.

Mr. WARREN. Mr. President, I should like to ask the Senator if he really believes that the wool industry of the United States will thrive under the 20 per cent tariff which he proposes?

Mr. WILLIAMS. Yes; but I do not believe it will thrive to the extent it does with this hothouse help and encouragement at the expense of others by the Government. Mr. President, I try to be frank and honest in arguing, as well as I can. If the Senator wants me to admit that a protective duty levied for the purpose of helping an individual enterprise does help it, I answer "yes." My objection to that is that it helps it at the expense of other enterprises and of other people; that it, by law, withdraws, invites and forces withdrawal, of labor and capital from naturally profitable pursuits into pursuits in themselves unprofitable, but which are made profitable, if at all, by law; and that that sort of artificial abstraction of capital and labor from a naturally profitable pursuit to one that is not naturally profitable is always a national loss.

I admit that I could start a banana industry and a pineapple industry in America and make them highly profitable to capital engaged in them and to the labor employed by the capital; but after I had done it and somebody carried me there and pointed it out to me and said, "Look at this glorious benefit of the tariff, 10 square miles under glass, bananas ripening everywhere, capital earning 20 per cent, labor paid $2 a day or $3.50 a day, a great fruit of the protective tariff," and I should be asked, "Do you deny, Mr. WALLIAMS, that this is a profitable pursuit?" then I would shock the Senator from Wyoming by saying, "Yes; I deny that it is a profitable pursuit; I do not deny that it is profitable to the capital and the man engaged in it, but it is not profitable to the people of the United States." There is a necessary law that has been infringed and a necessary national loss incurred by this legislative interference with the freedom of industry.

Mr. WARREN. What is the Senator's idea of——

Mr. WILLIAMS. And, by the way, in that connection, just excuse me for one other thing, because I want to say it right here, for fear I shall forget it, and then I am going to yield to the Senator again. I hear very much about protection being "equal." There is no protectionist under the sun who would vote for a protective tariff that is equal in its bearing on everybody. In the first place, you can not make it equal, because there are some things which, from the very nature of them and the fact that they are immensely exported, can not be protected to the extent of causing a rise in their prices, but if you could levy an equal-bearing protective-tariff system of duties, a protective tariff of such a character as to put one dollar additional to what he now gets into the pocket of each cotton planter, one into the pocket of each wheat farmer, one into the pocket of each woolgrower, one into the pocket of each lumberman, one into the pocket of each miner, one into the pocket of each laborer, and one other dollar into the pocket of each manufacturer, what would you have done when you got through? You would have a system of taxes by which you would take one dollar from all the people of the United States and give it to one fellow, another dollar from everybody and give it to another fellow, and so through the whole population, taking one from all and giving one to each, and when you got through you would have taken from each man exactly the same amount that you gave back to him less the cost of the collection and disbursement. Nobody wants a protective tariff, except for the special advantage which it gives. If it operated equally as an advantage and equally as a burden on each and every man, nobody would be assinine enough to want it, because it would

be merely swapping dollars with everybody everywhere, less the cost of collection, administration, and disbursement.

"Equal rights to all and special privileges to none!" The only reason upon which a protective tariff was ever advocated was that somebody thought it was a special privilege to some special industry. If the privilege and power of collecting taxes by increased prices from the people were equally distributed to every man, woman, and child in the United States, nobody would be fool enough to want it. There is no such thing as a tariff bearing equally upon all producers and all consumers, and if such a tariff could be constructed nobody would want it.

Mr. WARREN. Mr. President, the Senator is hastening along and I, of course, would not interrupt him, except that I want to get the Senator's idea about the revenue to be derived from the duty which he would place on wool. He assumes that 20 per cent is about right as a revenue tariff on wool?

Mr. WILLIAMS. Yes.

Mr. WARREN. What is the Senator's computation of what that will produce per year in the next 10 years?

Mr. WILLIAMS. I believe that in 5 or 10 years from now a 20 per cent duty upon wool will produce as much revenue as a 44 per cent duty does now.

Mr. WARREN. And that will be produced by the American ceasing, substantially, to produce sheep.

Mr. WILLIAMS. That will be produced by the stimulation of American woolen manufactures by the increased amount of capital going into them, by the increased amount of wool used by them, by the increased amount of labor employed by them, and, generally, by the increased volume of business.

Mr. WARREN. Will there be more people wearing woolen goods? And will they wear out more clothing, just doubling their consumption for very joy, the same as we would eat twice as much food if it were half as cheap?

Mr. WILLIAMS. There undoubtedly will be. There will not be more people, except by the natural increase in population, but there will be a great many people wearing wool then that are wearing something they buy for wool now that is not wool.

By the way, in that connection, there is nothing that cuts so many queer capers as a duty. I have said for years that the duty on wool did not do the wool raiser of this country the amount of good that he thought it did, but that it did the cotton planter a great deal of good that he never dreamed of. Why? Because it encourages men in competing with one another to sell cheap clothing, to put a good deal of cotton into so-called woolen goods, thereby increasing the demand for cotton just to that extent, and to that extent—small, perhaps—but still to that extent stiffening the price of cotton.

Mr. WARREN. The answers of the Senator to my questions are so long and cover so much outside territory that I will not pursue the interrogatories any further now, but at some other time I will bring up the matter of how much the people will probably receive and how they will receive it under a 20 per cent tariff on wool as a revenue measure.

Mr. WILLIAMS. If the Senator would tell me now the number of pounds of importations of wool into the United States, and then would multiply that by 24, he would arrive at a result which would be my estimate of what the people would save by reducing the duty from 44 to 20 cents a pound on wool.

Mr. WARREN. That is, the people would use twenty-four times as much wool as now?

Mr. WILLIAMS. Twenty-four cents multiplied by as much wool as is imported by the pound would be the saving to the people.

Mr. WARREN. Well, we imported something less than 300,000,000 pounds—anywhere between 200,000,000 and 300,000,000 pounds in different years.

Mr. WILLIAMS. That multiplied by 24 cents would be about one-fourth of $300,000,000, would it not? Twenty-four cents times 300,000,000 is $72,000,000 is it not, if your figures are correct, and if the new duty is to be 20 cents and the present duty is 44 cents, and if your figures are for washed wool imported? If figures are of unwashed wool, about one-fourth of $72,000,000. But that is not all that the people would save, because the people would not only save the difference between what they are paying now on the wool that is actually imported and what they would pay then, but they would also save that same difference on what they are now paying on wool that is bought from the Senator from Wyoming and other woolgrowers.

Mr. WARREN. Three hundred million pounds of wool is more than is being imported now. Whatever the value of that wool may be, the duty on it at present yields about $21,000,000. If the Senator will figure how many million pounds of wool will have to come in at the ordinary prices to produce $21,000,000, he will see that we would have to stimulate the trade by multiplying several times over.

Mr. WILLIAMS. The importations now are about $21,000,000?

Mr. WARREN. About that.

Mr. WILLIAMS. Then just take twenty-four forty-fourths of that amount and you have got what the people would save. If the duty on wool was reduced twenty-four forty-fourths, that is what they would save upon the wool actually imported. Then, if you take the save figures, twenty-four forty-fourths, and take the amount of wool that the American woolgrowers sell to the American manufacturer and the manufacturer sells to the American people and arrive at that and add the two results together you have got the whole thing—if the figures all around are right. I do not now what they are.

Mr. WARREN. Without going into figures, I will say to the Senator that he must first destroy the American woolgrower, and then he must greatly increase the consumption of wool in order to get his $21,000,000 of revenue from raw wool at 20 per cent ad valorem.

Mr. WILLIAMS. I thought that the Senator said that the present duties amounted to $21,000,000.

Mr. WARREN. I did.

Mr. WILLIAMS. Very well. Then what I said was that what the American consumer would save would be twenty-four forty-fourths of that amount. That would not be $21,000,000, of course, but about half of that amount. Suppose, however, that the importations were stimulated until they increased 100 per cent, then you would get back into the Treasury the same amount of revenue that you get now—virtually, not exactly—because 44 is a little over twice 20.

Mr. WARREN. You would not get that amount then, even after destroying the woolgrowers of America.

Mr. WILLIAMS. If it were half you would; but it is twenty-four forty-fourths.

Mr. WARREN. It is not half.

Mr. WILLIAMS. Say half, just for the sake of the calculation. Then, if you double the imports with half of the duty, of course you get the same revenue that you get from the old duty with half of the imports.

Mr. SMOOT. What will you do with the American product if you are going to double the imports?

Mr. WILLIAMS. Let the American product take care of itself, with no special privilege except the 20 cents, with a fair opportunity and in a free field.

Mr. SMOOT. Well, Mr. President, what I was going to say——

Mr. WILLIAMS. What is the Senator from Utah talking about? What does he do with the cotton producer? Does he not have less than a fair opportunity and a free field, and has he been crushed out of existence?

Mr. SMOOT. I am talking about the absolute facts. If you are going to import twice the amount of wool that is imported to-day—the amount being 262,000,000 pounds last year—that will be 524,000,000 pounds, about as much wool as is now used in American mills. If you are going to import that amount you will have to ship the home-produced wool to some foreign market.

Mr. WILLIAMS. The Senator from Utah argueth strangely.

Mr. SMOOT. I argue from the facts.

Mr. WILLIAMS. He leaves out the factor upon which the entire argument is based, which is the stimulation of the woolen-manufacturer's business in the United States and the increased consumption of wool. If he will multiply the producing capacity of the woolen manufacturers of the United States by two, then he can see how the importations might be doubled, even if the American wool producer sold as much as he ever did before.

Mr. SMOOT. A theory is a nice thing to talk about, but it never works out in practice.

Mr. WILLIAMS. Oh, well, that is a mere side remark, a fling, that is about as far away from either inductive or deductive ratiocination as a man could possibly land himself by a deliberative effort. All sound theories work out in practice. Mere hypotheses or alleged or unsound theories may not or do not.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from New Hampshire?

Mr. WILLIAMS. I yield.

Mr. GALLINGER. If we doubled our importations I think we would then be importing just about all the wool we consume and about all the wool we need.

Mr. WILLIAMS. No; not if the demand for the wool increased by the stimulation of the woolen industry; and if the demand for wool did not increase, as I anticipate, by the stimulation of the woolen industry, your present home production would come as near meeting it as it does now. But my theory

is, that if the stimulation of the woolen industry did not take place, of course the importations would not increase either, but I have been presuming that it would take place. I desire to be perfectly frank. I understood what the Senator from Wyoming [Mr. WARREN] wanted. He wanted me to admit that I did not regard a 20 per cent duty as sufficient protection to keep up the present price of wool, and I admit that. I would be a fool to stand here and argue for a reduction of taxes upon any other ground in the world than that it would decrease the price of the thing upon which the tax had been levied; but I take it for granted that if you decrease the price of the article upon which the tax is levied that will also increase the demand for the article by increasing its uses, and that the increase of the demand for the article would have some tendency to steady it and to carry its price up somewhat later on. I admit, if you want me to admit for Republican political purposes—and you are welcome to the admission—that the reduction of the duty upon wool will decrease the price of wool.

Mr. GALLINGER. And increase the importations, the Senator thinks?

Mr. WILLIAMS. Of course; that is the way it would decrease the price. If there were no increased importations, you could not decrease the price, of course.

Mr. GALLINGER. If the importations were increased and the woolen industry should be destroyed in this country, what price——

Mr. WILLIAMS. I did not say that.

Mr. GALLINGER. No; but I was saying that.

Mr. WILLIAMS. All right.

Mr. GALLINGER. Assuming that to be the fact——

Mr. WILLIAMS. I do not assume that to be the fact.

Mr. GALLINGER. I assume it to be the fact. If that were so, what price would the foreigner ask for his wool when he got possession of our market?

Mr. WILLIAMS. Now, Mr. President, I come to one of the very common fallacies of the whole protection argument. I am astonished——

Mr. GALLINGER. The Senator discovers a great many fallacies, provided they do not agree with his fallacies.

Mr. WILLIAMS. I do. I discover a great many; and I expect, being thoroughly fallible, absolutely fallible, that I indulge in a great many of them myself. The only difference is, I never indulge in a sophistry. I have sometimes fallen into a fallacy.

Mr. GALLINGER. The Senator has told us a great many times that he is always fair-minded.

Mr. WILLIAMS. But what I was going to call attention to is this: The Senator is proceeding upon the idea that all the woolgrowers in the world somewhere are to be designated as "the foreigner," and when the foreigner finds out that he has got the American market the foreigner just chuckles and raises his prices.

Mr. GALLINGER. That always happens.

Mr. WILLIAMS. Yes; that is the idea the Senator is proceeding upon; but, in the first place, Mr. President, we do not deal with "the foreigner"; we never have dealt with "the foreigner." He does not exist. His name is legion. There are millions of him. He can not consult with himself. He competes with himself and his self-competition takes care of prices. There are too many of him to fix a price. The United States never dealt with Germany, it never dealt with France, and it never dealt with Australia since the world began, nor did any of them ever deal with us, much less did we ever deal with "the foreigner." I know that certain subjects or citizens of theirs produce certain things and sell them to certain citizens of ours.

Mr. GALLINGER. And get the highest price they can get.

Mr. WILLIAMS. And certain citizens of ours produce things and sell them to them at the highest prices that they can get, and the purchasers in each case buy them at the lowest prices they can. Competition among buyers and among sellers as a price regulator is not destroyed by the fact that some of the buyers or sellers are foreigners; it is broadened.

Mr. GALLINGER. Yes. Buyers buy at the least they can and sellers sell at the highest price they can get.

Mr. WILLIAMS. And in the haggling of the market the price is fixed. The theory that a nation deals with a nation is absurd.

Mr. GALLINGER. I did not assert that.

Mr. WILLIAMS. But the Senator asserted something worse. He said, what is the foreigner going to do, and the assumption under the bottom of it was that there was somewhere some entity known as the foreigner, who could raise the price of his wool product because of what?

Mr. GALLINGER. Because he has our market.

Mr. WILLIAMS. Because we had increased the demand for it. If that was true, it would be raised to that extent, but he could no more increase the price of his wool to sell to us than he can increase the price of his wool to sell to Great Britain and Germany and France now. He has already increased it as much as the market will permit and as much as the competitors upon the buying side of their business can admit, and that is all he could do then, except in so far as an increased demand might justify an increased price.

Now, the difference between me and the Senator is plain and palpable. There is no use beating around the bush. What he is trying to do is to get a duty that legislatively hothouses production and prices. In this particular case it legislatively hothouses sheep raising for the benefit of the various American shepherds, from the humblest up to the loftiest sitting in the highest place. What I am denying the right of any government to do is just exactly that thing, except I would fix it so that a nation could raise its war material necessary for self-defense in its own borders. That is where Calhoun went, and I will go that far.

Mr. GALLINGER. I asked the Senator a question two or three hours ago that he did not answer. Now, he has got wool down to a revenue basis. Does the Senator think that the duty on rice is at a revenue basis at the present time?

Mr. WILLIAMS. I am rather inclined to think it is above the revenue basis. And, by the way, upon that subject I am rather inclined to think that even from the protectionist's standpoint American rice does not need a particle of protection. That is not all.

I want to tell you something else. When the Cuban reciprocity bill was up, and I was advocating it and various Democrats were resisting it, the cry that went up about the absolute ruin of the rice industry was most distressing. One of the best friends I ever had stood on the floor of the House of Representatives and said if we had Cuban reciprocity the rice industry of Louisiana and of Texas would be ruined. Another one from the State of Texas said substantially the same thing, the first one being from Louisiana. They went so far as to say when we later took up the Philippine free-trade bill that the same result would follow that. It had not followed upon Cuban reciprocity, but they said it would follow here. I said to one of them: "My dear boy, do you think that an anemic, half-starved Filipino, with a water buffalo for motive power and a crooked stick for a plow, can raise rice in successful competition with the highly organized industry in Texas and Louisiana?" He said: "I am certain of it." He then went on to say: "So much Philippine rice will come in, mighty near the whole crop." I said: "My dear boy, you forget that the Filipinos live chiefly on rice."

Mr. GALLINGER. And then import rice into the Philippine Islands.

Mr. WILLIAMS. They live chiefly on rice. The Senator's unrequested and ungranted interruption makes the position all the more ridiculous. So I reckon I ought to welcome it. I said they have got to live on rice. They have got to raise enough to eat before they can send out any at all, and they were not doing even that at that particular time, but I presumed that later on they would. "Oh," he said, "they will raise rice and send their rice to us, and then they will import cheap rice for themselves from China." By the way, I noticed a mistake in the RECORD the other day. I referred to this same argument in a speech the other day, and I had a slip of the tongue and said "Canada," or the stenographer had a slip of the pen and made it read "Canada." But I meant "China," and that is what my friend said. Time has passed. At that time reciprocity was exciting the terror and the alarm of the southern farmer. I voted for it anyhow, and they have not been hurt, and the things that they said would take place have not taken place.

I remember that the sugar-beet men came down here before the Ways and Means Committee and said then Cuban reciprocity and free trade with the Philippines would just absolutely close up every sugar-beet factory in the Northwest. You will remember I had put into the testimony of the Ways and Means Committee the report from the Agricultural Department showing that the sugar-beet industry has increased enormously; I think it was something like 400 per cent. So they have not been closed up.

Why, my friends, men in religion, men in trades, men in politics have been afraid of freedom ever since the world began. God Almighty seems to be the only being anywhere who is not afraid of freedom and not afraid to give it to His creatures. He gives it to such an extent that He lets us go wrong if we will—even to that extent. From the beginning religious bigots have been afraid of it, political bigots have been afraid of it, and industrial bigots have been afraid of it. And yet whenever

it comes we find it stimulates human enterprise, human intelligence, human ambition, and human industry to such an extent that it more than compensates for what seems to be the plain and palpable and obvious immediate losses by it.

Now, Mr. President, I thank the Senate for its kind attention.

Mr. BAILEY. Mr. President, I ask unanimous consent to have the report of Robert J. Walker, made to Congress in December, 1845, which was his first report, printed in the RECORD, because it flatly contradicts the letter which the Senator from Mississippi has just read.

The VICE PRESIDENT. Without objection, permission is granted.

Mr. BAILEY. It is proper for me to say further that when that letter was written Mr. Walker was no longer a Democrat, and he was holding, or had held for several years, a position under a Republican administration.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from Mississippi?

Mr. BAILEY. Yes.

Mr. WILLIAMS. If the Senator will yield, I know he does not want to leave a wrong impression. Mr. Walker was in every respect, except the suppression of the Confederacy and his adherence to the Union, as much a Democrat when he died as he was in 1846. He voted with the Republican Party solely upon the Union question and held office under Lincoln, as many other northern Democrats did, upon that issue.

Mr. BAILEY. If the Senator will examine that letter he will find that Walker claimed in it to be the author of the national banking system, which was essentially a Republican policy, and which Democrats had generally opposed. I can hardly allow the claim of the Senator from Mississippi that Walker was a Democrat, while Walker himself was claiming to be an author of an important and distinctively Republican measure.

Mr. WILLIAMS. I do not think the national banking act was Democratic, if that is what the Senator means.

Mr. BAILEY. Democrats almost unanimously opposed it at that time, and a majority of them have opposed it since that time.

But, Mr. President, the most singular thing about this proceeding, and the thing which surprises me most, is that the Senator from Mississippi would read that letter to the Senate, because its statement that in his first report to Congress Walker had recommended free raw materials is a positive and palpable falsehood. I have read that report more than once, and I declare that there is not one syllable in it recommending free raw material.

Mr. WILLIAMS. That is a fact.

Mr. BAILEY. But Walker says in that letter which the Senator from Mississippi has just read that he did recommend free raw material in that report.

Mr. WILLIAMS. Oh, no. He said "in his first report"——

Mr. BAILEY. That is his first report.

Mr. WILLIAMS. If the Senator from Texas will forgive me one minute more—I realize I have interrupted him too much——

Mr. BAILEY. That is all right.

Mr. WILLIAMS. And I realize that both of us have burdened the Senate. But the Senator will agree with me that the most charitable construction to put upon the acts and utterances of men if allowable is the proper one to place there. I imagine that what Mr. Walker means by that is that in his first draft which he had contemplated sending to Congress he had wanted to recommend free raw material, but was kept from it by the opposition of Mr. Calhoun. And certainly it is more charitable to suppose that than to assert that he was "a liar," now that the man is not here to explain what he did mean. It seems to me plain that that is what the man meant, because that is the only thing he could have meant consonant with the truth.

Mr. BAILEY. He could not have meant that, because the Senator will remember that Mr. Calhoun was not on good terms with either Walker or with Polk. Mr. Calhoun had broken with the Jackson administration, and Polk was Jackson's candidate for the Presidency. Not only so, but Walker was the man who secured the nomination of Polk at Baltimore. Martin Van Buren had enough delegates to that convention instructed for him, together with the uninstructed delegates who favored his nomination, to nominate him on the first ballot, and Robert J. Walker was the man who contrived to defeat Van Buren, and thus accomplished the nomination of Mr. Polk. It is probably true that Calhoun cared less for Van Buren than he did for Polk, for he distrusted Van Buren on the slavery question. The explanation suggested by the Senator from Mississippi can not be accepted, because no man who is familiar with the history of that time can ever be persuaded to believe that John C. Calhoun could have forced a Secretary of the Treasury under Polk's administration, and least of all when that Secretary was Robert J. Walker, to completely reverse his annual report upon any phase of the paramount issue of that day.

I am furthermore unwilling to adopt the charitable view suggested by the Senator from Mississippi, because I know that Walker deliberately circulated an outrageous falsehood against the most distinguished man who ever represented the State of Mississippi in the Congress of the United States. Robert J. Walker accepted an appointment as a special agent of the Federal Government to Great Britain, and represented both to the Government and to the financiers of that country that Jefferson Davis had been responsible for the repudiation of the public debt of Mississippi, and yet Walker knew as well as any man living that when the public debt of Mississippi was repudiated Mr. Davis had never taken any active part in the politics of that State, and afterwards favored an honorable settlement of that debt.

Mr. WILLIAMS. If the Senator from Texas will permit me, because it is an interesting historic fact, I did not know that Robert J. Walker had ever made that representation.

Mr. BAILEY. He made it, and Mr. Davis bitterly resented it.

Mr. WILLIAMS. If he did, he made an absolutely false representation. The Senator from Texas could emphasize further what he has just said by saying that when Jefferson Davis did run in Warren County for the legislature the chairman of the Democratic executive committee of the State of Mississippi undertook to read him out of the party because he was not in favor of the action of the Democratic legislature concerning those bonds. The Senator might add further that when Sergeant S. Prentiss was selected by the Whigs to meet Jefferson Davis upon the stump, because the Whig nominee for legislator could not do it, they met and agreed that they would leave out of the discussion all the things concerning which they agreed, and they agreed that they agreed upon the bond-issue question. You will remember that Sergeant S. Prentiss was so bitterly opposed to what Mississippi did in connection with that that he left the State and went to New Orleans. Yet he and Davis agreed that they had no point of discussion between them.

I am glad the Senator has mentioned that, because a distinguished ex-President of the United States repeated that erroneous statement about Mr. Davis and so-called Mississippi "repudiation" in a book which he wrote—I think the life of Thomas H. Benton; or in one of them at any rate—and he seems to have gotten his authority from Winfield Scott's autobiography.

By the way, I will add that a corporal in my grandfather's company in the Mexican War, in the regiment of which Jefferson Davis was colonel, and afterwards a colonel in the Confederate Army, told me once that my grandfather told him that "the only thing he ever knew Mr. Davis to do that was wrong was siding with the Whigs on the bond question." My grandfather did not think it was repudiation, and I do not, by the way. The truth of the matter was that the constitution of Mississippi forbade the pledging of the credit of the State for private institutions, and the Whig government pledged it anyhow. The people elected a Democratic legislature that undid it and left the world to call it repudiation or whatever it pleased.

Mr. BAILEY. As to a part of those bonds, I agree with the Senator from Mississippi. There was a part of them for which the State never made any provision, although it never expressly repudiated them.

The fact that Walker was guilty of that gross misrepresentation—and that he was guilty of it is beyond all question—renders it impossible for me either to believe him or to put a charitable construction upon what he has said even in another connection.

Walker wrote that letter with great deliberation, and in it he claims for himself a credit beyond what would be granted to most men in that day or in this day; and it is impossible for me to suppose that he intended to say one thing but said distinctly and pointedly another thing. That report is the one thing for which Walker is remembered. Except for it, and the bill which was drawn in accordance with it, he would long since have been forgotten, and I can not believe that he could have confused what he might have desired to say with what he actually did say. Not only that, but the report directly and specifically condemns the act of 1842 because it levied "higher duties upon the manufactured fabric than upon the agricultural product out of which it is made." In view of that unequivocal condemnation of the doctrine of free raw material, we must believe, if we believe Walker's letter, that Mr. Calhoun not only made Walker omit what he wanted to say on that subject, but made him declare for a distinctly contrary policy. Will the Senator from Mississippi ask us to believe that? No, Mr. President, Walker did not, either in the first or in the last

draft of his first report, recommend free raw material. But, sir, while I do not believe the explanation offered by the Senator from Mississippi is correct, even if accepted it would not be sufficient to refute my argument. Indeed, it would strongly support my contention, because it would show that the party organization overruled Mr. Walker's individual views, and not only compelled him to rewrite his report, but then constructed its tariff bill in accordance with that report as thus rewritten. That letter has been used many times, and for years I did not believe it was genuine, because I could not find a copy of it, and it was so flatly in the face of the report, which was an official record, that I could not believe that Walker had written it; but I finally found a copy of it in the Library, and I think this contradiction ought to go with it in the RECORD.

The Senator from Mississippi misunderstood me, if he understood me to say that no Democrat ever advocated the doctrine of free raw materials. I know all about the Gallatin memorial and I know about the Guthrie report. There have been Democrats from time to time who have advocated direct protection by duties as well as indirect protection through free raw material; but it was not an isolated or an individual opinion upon which I challenged the Senators statement of our position, and if he will examine the RECORD he will find that I said he could find no warrant of the Democratic Party for saying what he had said. The fact that Gallatin made that recommendation in the celebrated memorial which he drew and that our party did not follow it, and the fact that Guthrie made his recommendation and that our party did not follow it, are sufficient to support my statement.

Mr. WILLIAMS. Did not the party follow it in 1857—all the Democrats in both Houses?

Mr. BAILEY. No, sir.

Mr. WILLIAMS. In the tariff act of 1857?

Mr. BAILEY. That act did not put raw materials on the free list.

Mr. WILLIAMS. Not all of them, but many, very many of them.

Mr. BAILEY. It greatly enlarged the free list and it greatly reduced all the duties, but it did not put all raw materials on the free list. For instance, it put the cheaper wool on the free list and left the better wool on the dutiable list. Besides, the Senator from Mississippi must not forget that the act of 1857 reduced many of the duties as low as 4½ per cent, and when we reach the point where we can reduce all tariff duties to a level with the act of 1857 I shall not quarrel with my colleagues about whether particular articles are on one list or on the other.

I feel that out of this controversy has at least come some advantage, for the Senator from Mississippi has declared that he is not in favor of the doctrine of free raw materials. It is true he complains that some of us are unduly opposed to it, but real Democrats will not find any serious fault with us for our insistent opposition to it, if it is wrong. If the Senator from Mississippi can make other Democrats quit talking in favor of it, he will relieve me from the necessity of talking against it, and I shall be delighted.

Mr. WILLIAMS. I am afraid I would be just as helpless on one side as on the other. The only thing I can do is to vote with the crowd that happens to be attacking a protectionist duty at the time. If it is a finished product, I will vote with the Senator from Texas. If it is a raw material, I will vote the other way.

Mr. BAILEY. That haphazard method of dealing with tariff duties may suit the Senator from Mississippi; but he can not justify it upon any Democratic principle, for it disregards the vital question of the equality of taxation as between our different sections and various industries. No matter how anxious I am to reduce tariff duties, I will not vote to reduce them in a way which will still further increase the advantage of those who are now, and have been for a century, the chief beneficiaries of the system. By every consideration of justice and fairness we are required to equalize as well as to reduce the burdens of taxation; and instead of laying a 20 per cent duty on wool and a 42 per cent duty on woolen clothes, we ought to lay a 30 per cent duty on each, thus reducing the tax on those who must buy clothes for the sake of decency and comfort and increasing the tax on those who buy wool purely for the sake of profit; and if there must be a difference, it ought to be in favor of the toiling millions who must wear clothes rather than in favor of the prosperous thousands who manufacture clothes.

The Senator from Mississippi says that nobody wants a protective tariff equally applied, and I am very much inclined to agree with him in that opinion; but the Senator and myself want a revenue tariff as equally applied as possible, do we not?

Mr. WILLIAMS. Yes; but I do not mean by that with equal rates.

Mr. BAILEY. Oh, no.

Mr. WILLIAMS. Because one rate on one commodity might be prohibitive and the same rate on another might be barely a revenue duty.

Mr. BAILEY. No Democrat ever suggested that the duty on calico should be as high as the duty on silk. There is in Walker's report, and also in Polk's message, the wisest and safest rule ever laid down for our guidance, and that rule requires us in levying tariff duties to assimilate them as nearly as possible to a tax on property. Their theory was that those articles the purchase and consumption of which imply the possession of wealth ought to bear the heaviest tax, while those articles the purchase and consumption of which do not imply the possession of wealth ought to be subject to the lowest tax.

There is another difference between the Senator from Mississippi and myself. He keeps saying that he wants to leave man like God made him. He can not do that in a civilized country.

Mr. WILLIAMS. I did not say that. In that case a man would be left a savage. What I said was, I wanted to leave man with no industrial advantages in competing with others except such as God gives him. I would not make a savage of him.

Mr. BAILEY. Even stated in that way I can not join the Senator from Mississippi, because I recognize that in levying tariff duties to raise money for the support of the Government it is impossible to avoid certain burdens and certain advantages. We can not leave all men where God placed them in matters of government, and I propose, as far as possible, to place each man as much in the same position as the law obliges me to place every other man. In other words, if I am compelled to tax one man for the purpose of raising money to support the Government, then I insist on taxing every man who is able to pay a tax. I would tax no man above the point which the revenue necessities of the Government require, but up to that point I would tax every man according to his ability to pay.

Mr. WILLIAMS. Mr. President, for fear that what was said may be misunderstood, the Senator does not mean that he would at once and in one act cut down to a revenue basis all the duties?

Mr. BAILEY. If I had been permitted to write this bill I would have made a reduction——

Mr. WILLIAMS. I am not talking about the bill. I am now on the general question.

Mr. BAILEY. I will answer that.

Mr. WILLIAMS. Of course, now and then a vested wrong gets to be a vested right.

Mr. BAILEY. Never, in my opinion.

Mr. WILLIAMS. It gets to where a man is put in a position where you ruin him, of course, if you take his stimulant away from him too quick. The thing I am trying to get at is this: I think you do not want the country to understand that the just thing, in the very first act, is to go to a revenue basis upon all questions. I think the country expects of us to treat legislation with some regard as to what the actual conditions are. I do not think the Senator meant that, but I was afraid that other people might misunderstand him. It seems to me that we have got to withdraw some of the stimulant from the patient gradually.

Mr. BAILEY. Mr. President, if there were any probability that I would have been misunderstood, I am obliged to the Senator from Mississippi for giving me the opportunity to state exactly what I believe about that, and it is briefly this: If I had been in control of this matter I would have made a complete tariff bill, because I think we will find some difficulty in revising the tariff schedule by schedule. For instance, we have a bill revising the woolen schedule here now, and yet there are many things used in the manufacture of woolen goods which are included in other schedules, such as woolen-goods machinery, and so forth; and it will be extremely difficult, if not absolutely impossible, to adjust any of these duties fairly without readjusting all of them. Therefore, if I could have had my way I would have made a complete revision; and I would have made an average reduction equal at least to one-third of the existing duties. I would then have put into immediate effect one-third of that reduction, or 10 per cent, at once, and I would have put the other 20 per cent in effect at a certain annual rate extending over two or four years. I think that would have permitted every man to readjust his business without serious disturbance, but in its wisdom that body to which the Constitution confides the origination of revenue bills saw fit to proceed the other way, and I intend, so far as I can, to follow their lead, and in the two amendments which I have offered to the pending bill I have practically followed the two bills on those subjects which the other House has already passed.

APPENDIX.

REPORT OF HON. ROBERT J. WALKER.

[House of Representatives, Treasury Department. Document No. 6. Twenty-ninth Congress, first session.]

FINANCE—ESTIMATES OF APPROPRIATIONS FOR 1846–47.

Report from the Secretary of the Treasury on the state of the finances, etc.

December 3, 1845. Read and laid upon the table, and 100 extra copies of the report ordered to be printed for the use of the Treasury Department.

TREASURY DEPARTMENT, *December 3, 1845.*

In obedience to the "Act supplementary to the act to establish the Treasury Department," the undersigned respectfully submits the following report:

The receipts and expenditures for the fiscal year ending June 30, 1845, were as follows:

RECEIPTS AND MEANS.

From customs	$27,528,112.70
From sales of public lands	2,077,022.30
From miscellaneous sources	163,998.56
Total receipts	29,769,133.56
Add balance in the Treasury July 1, 1844	7,857,379.64
Total means	37,626,513.20
The expenditures during the same fiscal year amounted to the sum of	29,968,206.98
Leaving a balance in the Treasury on July 1, 1845, of	7,658,306.22

The estimated receipts and expenditures for the fiscal year ending June 30, 1846, are as follows:

RECEIPTS.

From customs, first quarter, by actual returns of the collectors	$8,861,932.14
For second, third, and fourth quarters, as estimated	15,638,067.86
Total from customs	24,500,000.00
From sales of public lands	2,200,000.00
From miscellaneous and incidental sources	120,000.00
Total receipts	26,820,000.00
Add balance in the Treasury on July 1, 1845	7,658,306.22
Total means, as estimated	34,478,306.22

EXPENDITURES.

The actual expenditures for the first quarter ending Sept. 30, 1845, amounted to the sum of	$8,463,092.41	
The estimated expenditures for the public service during the other three quarters, from Oct. 1, 1845, to June 30, 1846, are as follows, viz:		
Civil list, foreign intercourse, and miscellaneous purposes	6,739,211.06	
Army proper	2,594,735.06	
Fortifications, ordnance, arming militia, etc	2,346,778.82	
Indian department	1,649,791.94	
Pensions	1,356,556.02	
Interest on public debt and treasury notes	856,976.48	
Redemption of the residue of the loan of 1841	29,300.00	
Treasury notes which are yet outstanding, and payable when presented	687,764.18	
Naval establishment	4,902,845.93	
		[1] 29,627,031.90
Which deducted from the total of means before stated, leaves in the Treasury on July 1, 1846, an estimated balance of		4,851,254.32

But this balance is subject to be decreased by such additional appropriations as Congress shall make, to be expended during the fiscal year ending June 30, 1846, and to be altered by the sums which may be presented for payment of the old funded and unfunded debt and old Treasury notes.

The estimated receipts, means, and expenditures for the fiscal year commencing July 1, 1846, and ending June 30, 1847, are as follows:

RECEIPTS.

From customs for the four quarters	$22,500,000.00
From sales of public lands	2,400,000.00
From miscellaneous and incidental sources	100,000.00
Total revenue	25,000,000.00
Add estimated balance to be in the Treasury on July 1, 1846	4,851,254.32
Total means for the service of the fiscal year ending June 30, 1847	29,851,254.32

EXPENDITURES.

The expenditures during the same period, as estimated by the several departments of State, Treasury, War, Navy, and Postmaster General, viz:		
The balances of former appropriations which will be required to be expended in this year	$1,441,457.10	
Permanent and indefinite appropriations	2,997,915.72	
Specific appropriations asked for this year	21,079,440.43	
Total estimated expenditure		25,518,813.25

[1] The sum of $1,548,997 for supplying deficiency of revenue for postage, and also $300,000 for postages of Congress and of executive offices, are included in the above sum of $29,627,051.90.

This sum is composed of the following particulars:

For civil list, foreign intercourse, and miscellaneous	[1] $5,925,292.62
For Army proper	3,364,458.92
For fortifications, ordnance, arming militia, etc	4,331,809.93
For pensions	2,507,100.00
For Indian Department	2,214,916.18
For naval establishment	6,339,390.88
Interest on public debt	835,844.72
	$25,518,813.25

Which deducted from the total of means before stated gives an estimated balance on July 1, 1847, of 4,332,441.07

The receipts for the first quarter of this year are less by $2,011,885.90 than the receipts of the same quarter last year. Among the causes of decrease is the progressive diminution of the importation of many highly protected articles and the substitution of rival domestic products. For the nine months ending June 30, 1843, since the present tariff, the average of duties upon dutiable imports was equal to 37.84/100 per cent; for the year ending June 30, 1844, 33.85/100 per cent; and for the year ending June 30, 1845, 29.90 per cent, showing a great diminution in the average percentage, owing in part to increased importation of some articles bearing the lighter duties and decreased importation of others bearing the higher duty.

The revenue from ad valorem duties last year exceeded that realized from specific duties, although the average of the ad valorem duties was only 23.57 per cent, and the average of the specific duties 41.30, presenting another strong proof that lower duties increase the revenue. Among the causes tending to augment the revenue are increased emigration and the annexation of Texas. The estimates for the expenditures for 1846 are based chiefly upon appropriations made by Congress. The estimated expenditures of 1847 are founded upon data furnished by the several departments and are less by $4,108,238.65 than those of the preceding year.

These estimates are submitted in the full conviction that whenever Congress, guided by an enlightened economy, can diminish the expenditures without injury to the public interest, such retrenchment will be made, so as to lighten the burden of taxation and hasten the extinguishment of the public debt, reduced on the 1st of October last to $17,075,445.52.

In suggesting improvements in the revenue laws the following principles have been adopted:

First. That no more money should be collected than is necessary for the wants of the Government, economically administered.

Second. That no duty be imposed on any article above the lowest rate which will yield the largest amount of revenue.

Third. That below such rate discrimination may be made, descending in the scale of duties, or, for imperative reasons, the article may be placed in the list of those free from all duty.

Fourth. That the maximum revenue duty should be imposed on luxuries.

Fifth. That all minimums and all specific duties should be abolished and ad valorem duties substituted in their place, care being taken to guard against fraudulent invoices and undervaluation, and to assess the duty upon the actual market value.

Sixth. That the duty should be so imposed as to operate as equally as possible throughout the Union, discriminating neither for nor against any class or section.

No horizontal scale of duties is recommended, because such a scale would be a refusal to discriminate for revenue and might sink that revenue below the wants of the Government. Some articles will yield the largest revenue at duties that would be wholly or partially prohibitory in other cases. Luxuries, as a general rule, will bear the highest revenue duties; but even some very costly luxuries, easily smuggled, will bear but a light duty for revenue, whilst other articles, of great bulk and weight, will bear a higher duty for revenue. There is no instance within the knowledge of this department of any horizontal tariff ever having been enacted by any one of the nations of the world. There must be discrimination for revenue or the burden of taxation must be augmented in order to bring the same amount of money into the Treasury. It is difficult, also, to adopt any arbitrary maximum to which an inflexible adherence must be demanded in all cases. Thus, upon brandy and spirits, a specific duty, varying as an equivalent ad valorem from 180 to 261 per cent, yields a large revenue; yet no one would propose either of these rates as a maximum. These duties are too high for revenue, from the encouragement they present for smuggling these baneful luxuries; yet a duty of 20 per cent upon brandy and spirits would be far below the revenue standard, would greatly diminish the income on these imports, require increased burdens upon the necessaries of life, and would revolt the moral sense of the whole community. There are many other luxuries which will bear a much higher duty for revenue than 20 per cent, and the only true maximum is that which experience demonstrates will bring in each case the largest revenue at the lowest rate of duty. Nor should maximum revenue duties be imposed upon all articles, for this would yield too large an income and would prevent all discrimination within the revenue standard and require necessaries to be taxed as high as luxuries. But, whilst it is impossible to adopt any horizontal scale of duties, or even any arbitrary maximum, experience proves that, as a general rule, a duty of 20 per cent ad valorem will yield the largest revenue. There are, however, a few exceptions above as well as many below this standard. Thus, whilst the lowest revenue duty on most luxuries exceeds 20 per cent, there are many costly articles of small bulk, easily smuggled, which would bring, perhaps, no revenue at a duty as high as 20 per cent; and even at the present rate of 7½ per cent they yield, in most cases, a small revenue; whilst coal, iron, sugar, and molasses—articles of great bulk and weight—yielded last year six millions of revenue, at an average rate of duty exceeding 60 per cent ad valorem. These duties are far too high for revenue upon all these articles and ought to be reduced to the revenue standard; but if Congress desire to obtain the largest revenue from duties on these articles, those duties, at the lowest rate for revenue, would exceed 20 per cent ad valorem.

There are appended to this report tables, prepared with great care and labor, showing the rates of duty each year on each of these four articles and the equivalent ad valorem from the organization of the Government down to the present period, with the revenue collected every year upon each, from which tables Congress will be enabled to judge how far the present rates exceed the lowest revenue duties, and

[1] The sum of $121,050 of debt assumed for the cities in the District of Columbia, the sum of $1,000,000 for supplying deficiency in the revenues from postage, and $350,000 for postages for Congress and executive departments are included in the foregoing sum of $5,925,292.62.

how much they must be reduced so as to yield a revenue equal to that now obtained from these articles.

It is believed that sufficient means can be obtained at the lowest revenue duties on the articles now subjected to duty; but if Congress desire a larger revenue, it should be procured by taxing the free articles rather than transcend, in any case, the lowest revenue duties. It is thought, however, that, without exceeding that limit in any case, an adequate revenue will still be produced and permit the addition to the free list of salt and guano. In one of his annual messages Mr. Jefferson recommended to Congress "the suppression of the duties on salt." A large portion of this duty is exhausted in heavy expenses of measuring salt and in large sums paid for fishing bounties and allowances in lieu of the drawback of the duty, both which expenditures would fall with a repeal of the duty; which repeal, therefore, can cause no considerable reduction of the revenue. Salt is a necessary of life and should be as free from tax as air or water. It is used in large quantities by the farmer and planter, and to the poor this tax operates most oppressively, not only in the use of the article itself, but as combined with salted provisions. The salt made abroad by solar evaporation is also most pure and wholesome and as conservative of health should be exempt from taxation.

The duty on cotton bagging is equivalent to 55.20 per cent ad valorem on the Scotch bagging and to 123.11 per cent on the gunny bag, and yet the whole revenue from these duties has fallen to $66,064.50. Nearly the entire amount, therefore, of this enormous tax makes no addition to the revenue, but inures to the benefit of about 30 manufacturers. As five-sixths of the cotton crop is exported abroad, the same proportion of the bagging around the bale is exported and sold abroad at a heavy loss, growing out of a deduction for tare. Now, as duties are designed to operate only on the domestic consumption, there ought to be a drawback of the whole duty on cotton bagging reexported around the bale, on the same principles on which drawbacks are allowed in other cases. The cotton planting is the great exporting interest and suffers from the tariff in the double capacity of consumer and exporter. Cotton is the great basis of our foreign exchange, furnishing most of the means to purchase imports and supply the revenue. It is thus the source of two-thirds of the revenue and of our foreign freight and commerce, upholding our commercial marine and maritime power. It is also a bond of peace with foreign nations, constituting a stronger preventive of war than armies or navies, forts or armaments. At present prices our cotton crop will yield an annual product of $72,000,000 and the manufactured fabric $504,000,000, furnishing profits abroad to thousands of capitalists and wages to hundreds of thousands of the working classes, all of whom would be deeply injured by any disturbance, growing out of a state of war, to the direct and adequate supply of the raw material. If our manufacturers consume 400,000 bales, it would cost them $12,000,000 whilst selling the manufactured fabric for $84,000,000, and they should be the last to unite in imposing heavy taxes upon that great interest which supplies them with the raw material out of which they realize such large profits. Accompanying the drawback of the duty on cotton bagging should be the repeal of the duty on foreign cotton, which is inoperative and delusive and not desired by the domestic producer.

The condition of our foreign relations, it is said, should suspend the reduction of the tariff. No American patriot can desire to arrest our onward career in peace and prosperity; but if, unhappily, such should be the result, it would create an increased necessity for reducing our present high duties in order to obtain sufficient revenue to meet increased expenditures. The duties for the quarter ending the 30th of September, 1844, yielded $2,011,885.90 more of revenue than the quarter ending 30th September, 1845, showing a very considerable decline of the revenue, growing out of a diminished importation of the highly protected articles and the progressive substitution of the domestic rivals. Indeed many of the duties are becoming dead letters, except for the purpose of prohibition, and, if not reduced, will ultimately compel their advocates to resort to direct taxation to support the Government. In the event of war nearly all the high duties would become prohibitory, from the increased risk and cost of importations; and if there be, indeed, in the opinion of any, a serious danger of such an occurrence, it appeals most strongly to their patriotism to impose the lowest revenue duties on all articles as the only means of securing at such a period any considerable income from the tariff.

The whole power to collect taxes, whether direct or indirect, is conferred by the same clause of the Constitution. The words are, "The Congress shall have power to lay and collect taxes, duties, imposts, and excises." A direct tax or excise, not for revenue but for protection, clearly would not be within the legitimate object of taxation, and yet it would be as much so as a duty imposed for a similar purpose. The power is "to lay and *collect* taxes, duties, imposts, and excises." A duty must be laid only that it may be *collected*, and if it is so imposed that it can not be collected, in whole or in part, it violates the declared object of the granted power. To lay all duties so high that none of them could be collected would be a prohibitory tariff. To lay a duty on any one article so high that it could not be collected would be a prohibitory tariff upon that article. If a duty of 100 per cent were imposed upon all or upon a number of articles, so as to diminish the revenue upon all or any of them, it would operate as a partial prohibition. A partial and a total prohibition are alike in violation of the true object of the taxing power. They only differ in degree and not in principle. If the revenue limit may be exceeded 1 per cent, it may be exceeded 100. If it may be exceeded upon any one article, it may be exceeded on all; and there is no escape from this conclusion, but in contending that Congress may lay duties on all articles so high as to collect no revenue and operate as a total prohibition.

The Constitution declares that "all bills for raising revenue shall originate in the House of Representatives." A tariff bill, it is conceded, can only originate in the House, because it is a bill for *raising revenue*. That is the only proper object of such a bill. A tariff is a bill to "lay and collect taxes." It is a bill for "raising revenue," and whenever it departs from that object, in whole or in part, either by total or partial prohibition, it violates the purpose of the granted power.

In arranging the details of the tariff, it is believed that the maximum revenue duties should be imposed upon luxuries. It is deemed just that taxation, whether direct or indirect, should be as nearly as practicable in proportion to property. If the whole revenue were raised by a tax upon property, the poor, and especially those who live by the wages of labor, would pay but a very small portion of such tax; whereas by the tariff the poor, by the consumption of various imports or domestic articles enhanced in price by the duties, pay a much larger share of the taxes than if they were collected by an assessment in proportion to property. To counteract as far as possible this effect of the tariff—to equalize its operation and make it approximate as nearly as may be to a system of taxes in proportion to property—the duties upon luxuries, used almost exclusively by the rich, should be fixed at the highest revenue standard. This would not be discriminating in favor of the poor, however just that might be within the revenue limit; but it would mitigate, as far as practicable, that discrimination against the poor which results from every tariff by compelling them to pay a larger amount of taxes than if assessed and collected on all property in proportion to its value. In accordance with these principles, it is believed that the largest practicable portion of the aggregate revenue should be raised by maximum revenue duties upon luxuries, whether grown, produced, or manufactured at home or abroad.

An appeal has been made to the poor by the friends of protection on the ground that it augments the wages of labor. In reply it is contended that the wages of labor have not augmented since the tariff of 1842, and that in some cases they have diminished.

When the number of manufactories is not great the power of the system to regulate the wages of labor is inconsiderable; but as the profit of capital invested in manufactures is augmented by the protective tariff there is a corresponding increase of power until the control of such capital over the wages of labor becomes irresistible. As this power is exercised from time to time we find it resisted by combinations among the working classes, by turning out for higher wages or for shorter time, by trades-unions, and in some countries, unfortunately, by violence and bloodshed. But the Government, by protective duties, arrays itself on the side of the manufacturing system, and by thus augmenting its wealth and power soon terminates in its favor the struggle between man and money—between capital and labor. When the tariff of 1842 was enacted the maximum duty was 20 per cent. By that act the average of duties on the protected articles was more than doubled. But the wages of labor did not increase in a corresponding ratio, or in any ratio whatever. On the contrary, whilst wages in some cases have diminished the prices of many articles used by the working classes have greatly appreciated.

A protective tariff is a question regarding the enhancement of the profits of capital. That is its object and not to augment the wages of labor, which would reduce those profits. It is a question of percentage and is to decide whether money invested in our manufactures shall, by special legislation, yield a profit of 10, 20, or 30 per cent, or whether it shall remain satisfied with a dividend equal to that accruing from the same capital invested in agriculture, commerce, or navigation.

The present tariff is unjust and unequal, as well in its details as in the principles upon which it is founded. On some articles the duties are entirely prohibitory and on others there is a partial prohibition. It discriminates in favor of manufacturers and against agriculture by imposing many higher duties upon the manufactured fabric than upon the agricultural product out of which it is made. It discriminates in favor of the manufacturer and against the mechanic by many higher duties upon the manufacture than upon the article made out of it by the mechanic. It discriminates in favor of the manufacturer and against the merchant by injurious restrictions upon trade and commerce, and against the shipbuilding and navigating interest by heavy duties on almost every article used in building or navigating vessels. It discriminates in favor of manufactures and against exports, which are as truly the product of American industry as manufactures. It discriminates in favor of the rich and against the poor by high duties upon nearly all the necessaries of life and by minimums and specific duties, rendering the tax upon the real value much higher on the cheaper than upon the finer article.

Minimums are a fictitious value assumed by law instead of the real value, and the operation of all minimums may be illustrated by a single example. Thus, by the tariff of 1842, a duty of 30 per cent ad valorem is levied on all manufactures of cotton, but the law further provides that cotton goods "not dyed, colored, printed, or stained, not exceeding in value 20 cents per square yard, shall be valued at 20 cents per square yard." If, then, the real value of the cheapest cotton goods is but 4 cents a square yard, it is placed by the law at the false value of 20 cents per square yard, and the duty levied on the fictitious value—raising it five times higher on the cheap article consumed by the poor than upon the fine article purchased by the more wealthy. Indeed, by House Document No. 306, of the first session of the Twenty-eighth Congress, this difference, by actual importation, was 65 per cent between the cheaper and the finer article of the 20 per cent minimum, 131 per cent on the 30 per cent minimum, 48½ per cent on the 35 per cent minimum, 84 per cent on the 60 per cent minimum, and 84 per cent on the 75 per cent minimum. This difference is founded on actual importation and shows an average discrimination against the poor on cotton imports of 82 per cent beyond what the tax would be if assessed upon the actual value. The operation of the specific duty presents a similar discrimination against the poor and in favor of the rich. Thus, upon salt: The duty is not upon the value, but it is 8 cents a bushel, whether the article be coarse or fine—showing, by the same document, from actual importation, a discrimination of 64 per cent against the cheap and in favor of the finer article; and this, to a greater or less extent, is the effect of all specific duties. When we consider that $2,892,621.74 of the revenue last year was collected by minimum duties and $13,311,085.46 by specific duties, the discrimination against the cheaper article must amount, by estimates founded on the same document, to a tax of $5,108,422 exacted by minimums and specific duties annually from the poorer classes, by raising thus the duties on the cheaper articles above what they would be if the duty were assessed upon the actual value. If direct taxes were made specific, they would be intolerable. Thus, if an annual tax of $30 was assessed on all houses, without respect to their actual value, making the owner of the humble tenement or cabin pay a tax of $30 and the owner of the costly mansion a tax of but $30 on their respective houses, it would differ only in degree but not in principle from the same unvarying specific duty on cheap as on fine articles. If any discrimination should be made, it should be the reverse of the specific duty and of the minimum principle, by establishing a maximum standard, above which value the duties on the finer article should be higher and below which they should be lower on the cheaper article. The tax upon the actual value is the most equal and can only be accomplished by ad valorem duties. As to fraudulent invoices and undervaluations, these dangers are believed to be arrested effectually by the stringent provisions and severe penalty of the seventeenth section of the tariff of 1842, and now one-half the revenue is collected from ad valorem duties.

At least two-thirds of the taxes imposed by the present tariff are paid, not into the Treasury, but to the protected classes. The revenue from imports last year exceeded $27,000,000. This, in itself, is a heavy tax; but the whole tax imposed upon the people by the present tariff is not less than $81,000,000—of which $27,000,000 are paid to the Government upon the imports and $54,000,000 to the protected classes in enhanced prices of similar domestic articles.

This estimate is based upon the position that the duty is added to the price of the import and also of its domestic rival. If the import

is enhanced in price by the duty, so must be the domestic rival; for, being like articles, their price must be the same in the same market. The merchant advances in cash the duty on the import and adds the duty, with a profit upon it and other charges, to the price—which must therefore be enhanced to that extent unless the foreign producer had first deducted the duty from the price. But this is impossible, for such now is and long has been the superabundance of capital and active competition in Europe that a profit of 6 per cent in any business is sufficient to produce large investments of money in that business; and if, by our tariff, a duty of 40 per cent be exacted on the products of such business, and the foreign producer deducts that duty from his previous price, he must sustain a heavy loss. This loss would also soon extend beyond the sales for our consumption to sales to our merchants of articles to be reexported by them from our ports with a drawback of the duty, which would bring down their price throughout the markets of the world. But this the foreign producer can not afford. The duty therefore must be added to the price and paid by the consumer—the duty constituting as much a part of the price as the cost of production.

If it be true that when a duty of 40 per cent is imposed by our tariff, the foreign producer first deducts the duty from the previous price on the sale to our merchant, it must be equally true with a duty of 100 per cent, which is exactly equal to the previous price, and, when deducted, would reduce the price to nothing.

The occasional fall in price of some articles after a tariff is no proof that this was the effect of the tariff, because, from improved machinery, diminished prices of the raw material, or other causes, prices may fall even after a tariff, but they would in such cases have fallen much more but for the tariff. The truest comparison is between the present price of the same article at home and abroad, and to the extent that the price is lower in the foreign market than in our own, the duty, if equal to that difference, must to that extent enhance the price and in the same ratio with the lower duty. The difference in price at home or abroad is generally about equal to the difference in the cost of production, and presents, in a series of years, the surest measure of the effect of the duty—the enhancement in price being equal to that difference if the duty be higher than that difference or equal to it; or if the duty be lower, then the enhancement is equal to the duty; and if the article is produced, like cotton, more cheaply here than abroad, the duty is inoperative. The great argument for the tariff is that foreign labor being cheaper than our own the cost of foreign productions, it is said, is lessened to that extent, and that we must make up this difference by an equivalent duty and a corresponding enhancement of price in our own market both of the foreign article and of its rival domestic product, thus rendering the duty a tax on all consumers for the benefit of the protected classes. If the marshal were sent by the Federal Government to collect a direct tax from the whole people, to be paid over to manufacturing capitalists to enable them to sustain their business or realize a larger profit, it would be the same in effect as the protective duty, which, when analyzed in its simplest elements and reduced to actual results, is a mere subtraction of so much money from the people to increase the resources of the protected classes. Legislation for classes is against the doctrine of equal rights, repugnant to the spirit of our free institutions, and, it is apprehended by many, may become but another form for privileged orders, under the name of protection, instead of privilege—indicated here not by rank or title, but by profits and dividends extracted from the many, by taxes upon them, for the benefit of the few.

No prejudice is felt by the Secretary of the Treasury against manufacturers. His opposition is to the protective system and not to classes or individuals. He doubts not that the manufacturers are sincerely persuaded that the system which is a source of so much profit to them is beneficial also to the country. He entertains a contrary opinion and claims for the opponents of the system a settled conviction of its injurious effects. Whilst a due regard to the just and equal rights of all classes forbids a discrimination in favor of the manufacturers by duties above the lowest revenue limit, no disposition is felt to discriminate against them by reducing such duties as operate in their favor below that standard. Under revenue duties it is believed they would still receive a reasonable profit—equal to that realized by those engaged in other pursuits—and it is thought they should desire no more, at least through the agency of governmental power. Equal rights and profits, so far as laws are made, best conform to the principles upon which the Constitution was founded, and with an undeviating regard to which all its functions should be exercised—looking to the whole country and not to classes or sections.

Soil, climate, and other causes vary very much in different countries the pursuits which are most profitable in each; and the prosperity of all of them will be best promoted by leaving them unrestricted by legislation to exchange with each other those fabrics and products which they severally raise most cheaply. This is clearly illustrated by the perfect free trade which exists among all the States of the Union and by the acknowledged fact that any one of these States would be injured by imposing duties upon the products of the others. It is generally conceded that reciprocal free trade among nations would best advance the interests of all. But it is contended that we must meet the tariffs of other nations by countervailing restrictions. That duties upon our exports by foreign nations are prejudicial to us is conceded, but whilst this injury is slightly felt by the manufacturer, its weight falls almost exclusively upon agriculture, commerce, and navigation. If those interests which sustain the loss do not ask countervailing restrictions, it should not be demanded by the manufacturers, who do not feel the injury, and whose fabrics, in fact, are not excluded by the foreign legislation of which they complain. That agriculture, commerce, and navigation are injured by foreign restrictions constitutes no reason why they should be subject to still severer treatment, by additional restrictions and countervailing tariffs enacted at home.

Commerce, agriculture, and navigation, harassed as they may be by foreign restrictions, diminishing the amount of exchangeable products which they could otherwise purchase abroad, are burdened with heavier impositions at home. Nor will augmented duties here lead to a reduction of foreign tariffs; but the reverse, by furnishing the protected classes there with the identical argument used by the protected classes here against reduction. By countervailing restrictions we injure our own fellow-citizens much more than the foreign nations at whom we propose to aim their force, and in the conflict of opposing tariffs we sacrifice our own commerce, agriculture, and navigation. As well might we impose monarchical or aristocratic restrictions on our own Government or people because that is the course of foreign legislation. Let our commerce be as free as our political institutions. Let us, with revenue duties only, open our ports to all the world, and nation after nation will soon follow our example. If we reduce our tariff, the party opposed to the corn laws of England would soon prevail and admit all our agricultural products at all times freely into her ports in exchange for her exports. And if England would now repeal her duties upon our wheat, flour, Indian corn, and other agricultural products, our own restrictive system would certainly be doomed to overthrow. If the question is asked, Who shall begin this work of reciprocal reduction? it is answered by the fact that England has already abated her duties upon most of our exports. She has repealed the duty upon cotton and greatly reduced the tariff upon our breadstuffs, provisions, and other articles, and her present bad harvest, if accompanied by a reduction of our tariff, would lead to the repeal of her corn laws and the unrestricted admission at all times of our agricultural products. The manufacturing interest opposes reciprocal free trade with foreign nations. It opposes the Zoll-Verein treaty, and it is feared that no other treaty producing a reciprocal reduction of our own and foreign tariffs will receive its support. If that interest preferred a reciprocal exchange of our own for foreign fabrics at revenue duties, it would not have desired a tariff operating, without exception, against all nations that adopted low as well as high tariffs; nor would it have opposed every amendment proposing, when the tariff of 1842 was under consideration, a reduction of our duties upon the exports of such nations as would receive, free of duty, our flour and other agricultural products.

If that interest desired reciprocal free trade with other nations, it would have desired a very different tariff from that of 1842. It would have sought to confine the high duties to those cases where the foreign importer would sell his imports for cash only, and admitted a drawback of one-half of the duty where American exports would be taken abroad in exchange—not an actual barter of foreign imports for an equal amount in value of our products, but without any barter, where a sum equal to the value of their exports was used in purchasing here an equal amount in value of any of our products; and the shipment made abroad of these products upon the same principle under which a drawback of duties is now allowed on the reexportation of foreign imports. This would be less simple and is not recommended in lieu of that absolute reduction of the duties which will accomplish the same object of unrestricted exchange. But such a provision would be a self-executing reciprocity law and should be desired by those believing in countervailing tariffs against foreign nations, but in reciprocal free trade with all—thus enabling our farmers and planters to sell their products for cheaper foreign manufactures, getting more for what they sell and paying less for what they purchase in exchange. It seems strange that while the profit of agriculture varies from 1 to 8 per cent, that of manufactures is more than double. The reason is that whilst the high duties secure nearly a monopoly of the home market to the manufacturer, the farmer and planter are deprived to a great extent of the foreign market by these duties. The farmer and planter are to a great extent forbidden to buy in the foreign market and confined to the domestic articles enhanced in price by the duties. The tariff is thus a double benefit to the manufacturer and a double loss to the farmer and planter—a benefit to the former in nearly a monopoly of the home market and in enhanced prices of their fabrics, and a loss to the latter in the payment of those high prices and a total or partial exclusion from the foreign market. The true question is whether the farmer and planter shall to a great extent supply our people with cheap manufactures, purchased abroad with their agricultural products, or whether this exchange shall be forbidden by high duties on such manufactures and their supply thrown, as a monopoly, at large prices by high tariffs into the hands of our own manufacturers. The number of manufacturing capitalists who derive the benefit from the heavy taxes extracted by the tariff from 20,000,000 of people does not exceed 10,000. The whole number (including the working classes engaged in our manufactures) deriving any benefit from the tariff does not exceed 400,000, of whom not more than 40,000 have been brought into this pursuit by the last tariff. But this small number of 40,000 would still have been in the country, consuming our agricultural products, and in the attempt to secure them as purchasers, so small in number and not consuming one-half the supply of many counties, the farmer and planter are asked to sacrifice the markets of the world, containing a population of 800,000,000, disabled from purchasing our products by our high duties on all they would sell in exchange. The farmer and planter have the home market without a tariff, and they would have the foreign market also to a much greater extent but for the total or partial prohibition of the last tariff.

We have more fertile lands than any other nation, can raise a greater variety of products, and, it may be said, could feed and clothe the people of nearly all the world. The home market of itself is wholly inadequate for such products. They must have the foreign market, or a large surplus, accompanied by great depression in price, must be the result. The States of Ohio, Indiana, and Illinois, if cultivated to their fullest extent, could of themselves raise more than sufficient food to supply the entire home market. Missouri or Kentucky could more than supply it with hemp; already the State of Mississippi raises more cotton than is sufficient for all the home market; Louisiana is rapidly approaching the same point as to sugar; and there are lands enough adapted to that product in Louisiana, Texas, and Florida to supply with sugar and molasses nearly all the markets of the world. If cotton is depressed in price by the tariff, the consequence must be a comparative diminution of the product and the raising in its place to a great extent hemp, wheat, corn, stock, and provisions, which otherwise would be supplied by the teeming products of the West. The growing West in a series of years must be the greatest sufferers by the tariff, in depriving them of the foreign market and that of the cotton-growing States. We demand, in fact, for our agricultural products specie from nearly all the world, by heavy taxes upon all their manufactures; and their purchases from us must therefore be limited, as well as their sales to us enhanced in price. Such a demand for specie, which we know in advance can not be complied with, is nearly equivalent to a decree excluding most of our agricultural products from the foreign markets. Such is the rigor of our restrictions that nothing short of a famine opens freely the ports of Europe for our breadstuffs. Agriculture is our chief employment; it is best adapted to our situation; and, if not depressed by the tariff, would be the most profitable. We can raise a larger surplus of agricultural products and a greater variety than almost any other nation and at cheaper rates. Remove, then, from agriculture all our restrictions, and by its own unfettered power it will break down all foreign restrictions, and, ours being removed, would feed the hungry and clothe the poor of our fellow men throughout all the densely peopled nations of the world. But now we will take nothing in exchange for these products but specie, except at very high duties, and nothing but a famine breaks down all foreign restrictions and opens for a time the ports of Europe to our breadstuffs. If, on a reduction of our duties, England repeals her corn laws, nearly all Europe must follow her example or give to her manufacturers advantages which can not be successfully encountered in most of the markets of the world. The tariff did not raise the price of our

breadstuffs, but a bad harvest in England does—giving us for the time that foreign market which we would soon have at all times by that repeal of the corn laws which must follow the reduction of our duties. But whilst breadstuffs rise with a bad harvest in England, cotton almost invariably falls; because the increased sum which, in that event, England must pay for our breadstuffs we will take, not in manufactures, but only in specie; and not having it to spare, she brings down, even to a greater extent, the price of our cotton. Hence the result that a bad harvest in England reduces the aggregate price of our exports, often turns the exchanges against us, carrying our specie abroad, and inflicting a serious blow on our prosperity. Foreign nations can not for a series of years import more than they export; and if we close our markets against their imports by high duties, they must buy less of our exports or give a lower price, or both.

Prior to the 30th of June, 1842, a credit was given for the payment of duties, since which date they have been collected in cash. Before the cash duties and the tariff of 1842 our trade in foreign imports reexported abroad afforded large and profitable employment to our merchants and freight to our commercial marine, both for the inward and outward voyage; but since the last tariff this trade is being lost to the country, as is proved by the tables hereto annexed. The total amount of foreign imports reexported during the three years since the last tariff, both of free and dutiable goods, is $33,384,394—being far less than in any three years (except during the war) since 1793, and less than was reexported in any one of eight several years. The highest aggregate of any three years was $173,108,813 and the lowest aggregate $41,315,705—being in the years 1794, 1795, and 1796. Before 1820 the free goods are not distinguished in this particular from the dutiable goods, but since that date the returns show the following result: During the three years since the tariff of 1842 the value of dutiable imports reexported was $12,590,811—being less than in any one of seven years preceding since 1820—the lowest aggregate of any three years since that date being $14,918,444 and the highest $57,727,293. Even before the cash duties, for five years preceding the high tariff of 1828, the value of dutiable goods reexported was $94,796,241, and for the five years succeeding that tariff, $66,784,192, showing a loss of $28,012,049 of our trade in foreign exports after the tariff of 1828. The diminution of this most valuable branch of commerce has been the combined result of cash duties and of the high tariff of 1842. If the cash duties are retained, as it is believed they should be, the only sure method of restoring this trade is the adoption of the warehousing system, by which the foreign imports may be kept in store by the Government until they are required for reexportation abroad or consumption at home—in which latter contingency, and at the time when, for that purpose, they are taken out of these stores for consumption, the duties are paid, and, if reexported, they pay no duty, but only the expense of storage. Under the present system the merchant introduces foreign imports of the value of $100,000. He must now, besides the advance for the goods, make a further advance in cash, in many cases, of $50,000 for the duties. Under such a system but a small amount of goods will be imported for drawbacks, and the higher the duty the larger must be the advance and the smaller the imports for reexportation.

The imports, before payment of duties under the same regulations now applied to our imports in transit to Canada, may be taken from warehouse to warehouse—from the East to the Lakes, and to Pittsburg, Cincinnati, and Louisville; from New Orleans to Natchez, Vicksburg, Memphis, and St. Louis—and warehoused in these and other interior ports, the duties remaining unpaid until the goods are taken out of the warehouse and out of the original package at such ports for consumption, thus carrying our foreign commerce into the interior, with all the advantage of augmented business and cheaper supplies throughout the country. It will introduce into our large ports on or near the seaboard assorted cargoes of goods, to be reexported with our own, to supply the markets of the world. It will cheapen prices to the consumer by deducting the interest and profit that are now charged upon the advance of duty, building up the marts of our own commerce and giving profitable employment to our own commercial marine. It will greatly increase our revenue by augmenting our imports, together with our exports, and is respectfully recommended to Congress as an important part of the whole system now proposed for their consideration.

The act of the 3d of March last allowing a drawback on foreign imports exported from certain of our ports to Canada and also to Santa Fe and Chihuahua, in Mexico, has gone to some extent into effect under regulations prescribed by this department and is beginning to produce the most happy results, especially in an augmented trade in the supply of foreign exports to Canada from our own ports. Indeed, this law must soon give to us the whole of this valuable trade during the long period when the St. Lawrence is closed by ice, and a large proportion of it at all seasons. The result would be still more beneficial if Canada were allowed to carry all her exports to foreign nations in transitu through our own railroads, rivers, and canals, to be shipped from our own ports. Such a system, whilst it would secure to us this valuable trade, would greatly enlarge the business on our rivers, lakes, railroads, and canals, as well as augment our commerce; and would soon lead to the purchase by Canada not only of our foreign exports, but also, in many cases, of our domestic products and fabrics to complete an assortment. In this manner our commercial relations with Canada would become more intimate and more and more of her trade every year would be secured to our people.

Connected with this department and the finances is the question of the sales of the public lands. The proceeds of these sales, it is believed, should continue to constitute a portion of the revenue, diminishing to that extent the amount required to be raised by the tariff. The net proceeds of these sales paid into the Treasury during the last fiscal year was $2,077,022.30, and from the first sales in 1787 up to the 30th of September last was $118,607,335.91. The average annual sales have been much less than 2,000,000 of acres, yet the aggregate net proceeds of the sales in 1834, 1835, 1836, and 1837 was $51,268,617.82. Those large sales were almost exclusively for speculation, and this can only be obviated at all times by confining the sales to settlers and cultivators in limited quantities, sufficient for farms or plantations. The price at which the public lands should be sold is an important question to the whole country, but especially to the people of the new States, living mostly remote from the seaboard, and who have scarcely felt the presence of the Government in local expenditures, but chiefly in the exhaustion of their means for purchases of public lands and for customs. The public lands are not of the same value, yet they are all fixed at one unvarying price, which is far above the value of a large portion of these lands. The quantity now subject to entry at the minimum price of $1.25 per acre is 133,307,457 acres and 109,035,345 in addition, to which the Indian title has been extinguished—being an aggregate of 242,342,802 acres, and requiring a century and a quarter to complete the sales at the rate they have progressed heretofore, without including any of the unsold lands of Texas or Oregon or of the vast region besides to which the Indian title is not yet extinguished. It is clear, then, that there is a vast and annually increasing surplus of public lands, very little of which will be sold within any reasonable period at the present price, and in regard to which the public interest would be promoted and the revenue augmented by reducing the price. The reduction of the price of the public lands in favor of settlers and cultivators would enhance the wages of labor. It is an argument urged in favor of the tariff that we ought to protect our labor against what is called the "pauper labor" of Europe. But whilst the tariff does not enhance the wages of labor, the sales of the public lands at low prices and in limited quantities to settlers and cultivators would accomplish this object.

If those who live by the wages of labor could purchase 320 acres of land for $80, 160 acres for $40, or 80 acres for $20, or 40-acre lot for $10, the power of the manufacturing capitalist in reducing the wages of labor would be greatly diminished; because when these lands were thus reduced in price those who live by the wages of labor could purchase farms at these low rates and cultivate the soil for themselves and families instead of working for others 12 hours a day in the manufactories. Reduce the price which the laborer must pay for the public domain; bring thus the means of purchase within his power; prevent all speculation and monopoly in the public lands; confine the sales to settlers and cultivators in limited quantities; preserve these hundreds of millions of acres for ages to come as homes for the poor and oppressed; reduce the taxes by reducing the tariff and bringing down the prices which the poor are thus compelled to pay for all the necessaries and comforts of life, and more will be done for the benefit of American labor than if millions were added to the profits of manufacturing capital by the enactment of a protective tariff.

The Secretary of the Treasury, on coming into office, found the revenues deposited with banks. The law establishing the Independent Treasury was repealed, and the Secretary had no power to reestablish that system. Congress had not only repealed that law, but, as a substitute, had adopted the present system of deposit banks and prohibited changing any one of those for another bank except for specified reasons. No alternative was left but to continue the existing system until Congress should think proper to change it. That change, it is hoped, will now be made by a return to the Treasury of the Constitution. One of the great evils of banks is the constant expansion and contraction of the currency, and this evil is augmented by the deposits of the revenue with banks, whether State or national. The only proper course for the Government is to keep its own money separate from all banks and bankers, in its own treasury—whether in the mint, branch mints, or other Government agencies—and to use only gold and silver coin in all receipts and disbursements. The business of the country will be more safe when an adequate supply of specie is kept within our limits and its circulation encouraged by all the means within the power of the Government. If this Government and the States and the people unite in suppressing the use of specie, an adequate supply, for want of a demand, can not be kept within our limits and the condition of the business and currency of the country will be perilous and uncertain. It will be completely within the power of the banks, whose paper will constitute the exclusive circulation of the whole community. Nor will it be useful to establish a constitutional treasury if it is to receive or disburse the paper of banks. Separation from banks in that case would only be nominal and no addition would be made to the circulation of gold and silver.

Various forms of paper credit have been suggested as connected with the operations of the constitutional treasury, but they are all considered as impairing one of the great objects of such a treasury—namely, an augmented circulation of specie. If paper, in whatever form or from whatever source it may issue, should be introduced as a circulation by the constitutional treasury, it would, precisely to that extent, diminish its use as a means of circulating gold and silver.

The constitutional treasury could be rendered a most powerful auxiliary of the mint in augmenting the specie circulation. The amount of public money which can be placed in the mint is now limited by law to $1,000,000, and to that extent it is now used as a depository and as a means of increasing our coinage. It is suggested that this limitation may be so modified as to permit the use of our mint and branch mints for a much larger sum, in connection with the constitutional treasury. The amount of public money received at New York greatly exceeds that collected at all other points, and would, of itself, seem to call for a place of public deposit there; in view of which the location of a branch of the mint of the United States at that city would be most convenient and useful. The argument used against a constitutional treasury, of the alleged insecurity of the public funds in the hands of individuals, and especially the vast amount collected at New York, will be entirely obviated by such an establishment. The mint of the United States has now been in existence 52 years. It has had the custody of upward of $114,000,000, and during this long period of time there never has been a loss of any of its specie in the mint by the Government. The mint at Philadelphia is now conducted with great efficiency by the able and faithful officer at the head of that establishment, whose general supervisory authority, without leaving the parent mint, might still be wisely extended to the branch at New York. Besides the utility of such a branch as a place for keeping safely and disbursing the public money, it is believed that the coinage might be greatly augmented by the existence of a branch of the mint at that great city. It is there that two-thirds of the revenue is annually collected—the whole of which, under the operation of the constitutional treasury, would be received in specie.

Of that amount a very large sum would be received in coin of other countries, and especially in foreign gold coins—all which could be speedily converted, upon the spot, into our own coins of gold and silver. The amount, also, of such foreign coin brought by emigrants to the city of New York is very considerable, a large portion of which would find its way to the branch of the mint for recoinage. The foreign gold coins do not, and it is feared will not, circulate generally as a currency, notwithstanding they are made a tender by law. The rate at which these coins are fixed by law is not familiar to the people; the denomination of such coin is inconvenient; the parts into which it is divided are not decimal; the rates at which it is taken vary in different parts of the Union. It is inconvenient in the way of ready transfer in counting; it is more difficult, in common use, to distinguish the genuine from the counterfeit foreign coin; and the stamp upon it is not familiar to the people—from all which causes a foreign gold coin does not and will not circulate generally as a currency among the people. In many of the banks nearly the whole of their specie is kept in every variety of foreign gold coin, and when it is tendered by them in payment of their notes, the great body of the people, not being familiar with these coins, do not receive them; and thus the

circulation of a gold currency is, to a great extent, defeated. If these coins were converted at our mint or branch mints into the eagle, the half-eagle, and quarter-eagle we should speedily have a large supply of American gold coin, and it would very soon be brought into common use as a currency and thus give to it greater stability and greater security to all the business of the country. A considerable amount of foreign gold coin has, during the present year, under the directions of this department, been converted into American gold coin; but the process would be much more rapid if aided by the organization of the constitutional treasury and the establishment of a branch of the mint at the great commercial emporium of the Union. With the mint and branch mints as depositories, the sum remaining in the hands of other receivers of public money, whether of lands or customs, would be inconsiderable, and the Government could be readily protected from all losses of such sums by adequate bonds and the power by law to convict and punish as criminals all who embezzle the public moneys.

It is believed, under such a system, that no defaults would take place, and that the public moneys would be safely kept and disbursed in gold and silver. This Government is made, by the Constitution, the guardian of a specie currency. That currency can only be coined and its value regulated by this Government. It is one of its first duties to supply such a currency by an efficient mint and by general regulations of the coinage; but in vain will it attempt to perform that duty if, when coin is made or regulated in value, this Government dispenses with its use and expels it from circulation, or drives it out of the country by substituting the paper of banks in all the transactions of the Government.

There is nothing which will advance so surely the prosperity of the country as an adequate supply of specie, diffused throughout every portion of the Union and constituting to a great extent the ordinary circulation everywhere among the people. It is a currency that will never break nor fail; it will neither expand nor contract beyond the legitimate business of the country; it will lead to no extravagant speculations at one time, to be followed by certain depression at another; nor will labor ever be robbed of its reward by the depreciation of such currency. There is no danger that we shall have too much gold and silver in actual circulation, or too small an amount of bank paper, or that any injury ever will be inflicted upon the business of the country by a diminution of the circulation of the paper of banks and the substitution in its place to that extent of gold and silver. Even their most ardent advocates must admit that banks are subject to periodical expansions and contractions, and that this evil would be increased by giving them the funds of the Government to loan and by receiving and disbursing nothing but their paper.

It is believed that the permanent interest of every class of the people will be advanced by the establishment of the constitutional treasury, and that the manufacturers especially will derive great benefit from its adoption. It will give stability to all their operations and insure them to a great extent against those fluctuations, expansions, and contractions of the currency so prejudicial to their interests. By guarding against inflations of the currency it will have a tendency to check periodical excesses of foreign importations purchased in fact upon credit; while loans from banks, or dangerous enlargements of their business, and excessive issues of their paper will be greatly diminished. Whilst a sound and stable currency guards the manufacturer against excessive importations from abroad, it protects him from disasters at home and from those ruinous revulsions in which so many thousands are reduced to bankruptcy.

The tariff, if followed, as in the absence of adequate checks it certainly soon will be, by an inflated currency, whilst it thus enhances the expenses of manufacturing at home, will speedily and certainly raise prices up to the whole amount of the duty, so as to repeal the operation of that duty in favor of the manufacturer, and enable the foreign importer again to flood the market at the enhanced prices arising from an inflated currency. But soon the revulsion comes, and all are overwhelmed in a common ruin. The currency is reduced below the wants of the country by a sudden and ruinous contraction; and the labor and industry of years are required to repair the mischief. Stability, both in the tariff and the currency, is what the manufacturer should most desire. Let the tariff be permanently adjusted by a return to reasonable and moderate revenue duties which, even when imposed truly and in good faith for that purpose, will yield sufficient advantage to afford reasonable profits; and let this permanent system (and none other can be permanent) be established and accompanied by a stable currency, and the manufacturer, in a series of years, will derive the greatest benefits from the system. The present system can not be permanent. It is too unequal and unjust, too exorbitant and oppressive, and too clearly in conflict with the fundamental principles of the Constitution. If the manufacturer thinks that this system can be permanent, let him look to the constant changes which have attended all attempts to establish and continue a protective tariff. The first tariff was based in part upon the principle of very moderate protection to domestic manufactures, and the result has been, as appears by the table hereto annexed, that the tariff has been changed and modified 30 times since that period, being more than once, on an average, for every Congress since the Government was founded; and one of these tariffs was in itself a system of successive biennial changes, operating through a period of 10 years. Of these changes, 14 have been general and 16 special. From 1816 onward these changes have been most frequent, and it is vain to expect permanency from anything but a revenue tariff. Stability is what the manufacturer should desire, and especially that the question should be taken out of the arena of politics by a just and permanent settlement. A great number of tables, illustrative of the effects of the tariff, compiled from official documents, accompany this report. Some of these tables exhibit the operation of each of our tariffs from the organization of the Government to the present period. In order to enable the Secretary to comply with the direction of the acts of Congress, requiring him in his annual report to suggest "plans for improving or increasing the revenues" and to give "information to Congress in adopting modes of raising" the revenue, two circulars were issued, published, and generally distributed propounding various questions connected with this subject, and requesting replies. Some answers have been received from friends as well as opponents of the tariff, but the Secretary regrets that the manufacturers, with very few exceptions, have declined answering these questions or communicating any information as regards their profits and surplus or in relation to the wages of labor. An abstract of all that is deemed useful in these replies, together with a copy of both the circulars, is appended to this report.

The coast survey is rapidly progressing, having been extended eastward to the eastern coast of Massachusetts, and southward nearly to the dividing line of Maryland and Virginia on the Chesapeake. Two new centers of operation have been opened, under the sanction of this department, in North Carolina and on the Gulf of Mexico, from which the work may be spread until the parts unite. Important positions for forts, navy yards, harbors, and lighthouses present themselves along this interesting portion of the coast of Louisiana, Mississippi, and Alabama and the islands guarding the interior channel between Mobile and New Orleans. Great economy exists in the administration of the fund appropriated for the coast survey, and every effort is made by the superintendent to press the work onward to a completion; and his report in detail will be hereafter submitted to Congress. Three charts, resulting from the survey, have been published within the past year, and five more are nearly ready for publication. This great work is most honorable to the science of our country, most useful to our Navy and commercial marine, and, in connection with our lighthouses, must decrease the cost of freight and insurance as well as the risk of life and property. Great attention has been given by this department to the very important subject of our lighthouse system. The various improvements suggested by experience at home or abroad, the relative advantages of gas or oil, of reflectors, lenticular and revolving lights, the location and construction of the buildings as well as the mode of keeping the lights, are all being fully and carefully investigated, and report, it is believed, will be ready during the present session of Congress. From the Chesapeake to the capes of Florida, and thence westward, our coast is badly lighted, as well as the Great Lakes of the Northwest; and numerous wrecks, often accompanied with loss of life and property, seem to require the interposition of Congress.

Such portions of the charts of the exploring expedition as were placed under the charge of this department were distributed for the benefit of our whale ships. These valuable charts embrace the survey of many hitherto almost unexplored regions and islands of the Pacific as well as a part of the coast of Oregon, and must be eminently useful for many purposes, but especially to our seamen and merchants engaged in the whale fishery. In pursuance of a resolution of Congress a report is in progress of preparation as regards the banks and currency, and also in relation to statistics; and these, with all other reports required from this department, will be presented at the earliest practicable period of the present session.

In presenting his annual report, in obedience to the law, the Secretary of the Treasury submits his views with undissembled diffidence, consoled by the reflection that all his errors of judgment will be corrected by the superior wisdom of the two Houses of Congress, guided and directed by that overruling Providence which has blessed the unexampled progress of this great and happy Union.

R. J. WALKER,
Secretary of the Treasury.

Hon. JOHN W. DAVIS,
Speaker of the House of Representatives.

Mr. PENROSE. Mr. President, I had hoped that we might dispose of the pending amendment, but I am informed that several Senators would prefer to have the matter go over until to-morrow morning, and therefore I move that the Senate adjourn.

Mr. BAILEY. That is perfectly satisfactory.

The VICE PRESIDENT. The Senator from Pennsylvania moves that the Senate adjourn.

The motion was agreed to; and (at 7 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, July 12, 1911, at 11 o'clock a. m.

SENATE.

WEDNESDAY, *July 12, 1911.*

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The journal of yesterday's proceedings was read and approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. Smith, its Chief Clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 12109) to supply a deficiency in the appropriations for contingent expenses of the House of Representatives for the fiscal year 1911, and for other purposes; asks a conference with the Senate on the disagreeing votes of the two Houses thereon; and had appointed Mr. FITZGERALD, Mr. BARTLETT, and Mr. CANNON managers at the conference on the part of the House.

PETITIONS AND MEMORIALS.

Mr. CULLOM presented a petition of the Young People's Society of Christian Endeavor of the First Baptist Church of Glens Falls, N. Y., and a petition of the Christian Endeavor Society of the Presbyterian Church of Crows Landing, Cal., praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

Mr. WORKS presented memorials of sundry citizens of West New Brighton, Staten Island, and New York City, all in the State of New York, remonstrating against the passage of the so-called Johnston Sunday-rest bill, which were ordered to lie on the table.

Mr. MARTINE of New Jersey presented a memorial of Moravian Grange, Patrons of Husbandry, of Hope, N. J., and a memorial of Local Grange No. 132, Patrons of Husbandry, of Cold Spring, N. J., remonstrating against the so-called reciprocal trade agreement between the United States and Canada, which were ordered to lie on the table.

He also presented a petition of the board of directors of the Chamber of Commerce of Plainfield, N. J., praying for the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

He also presented a petition of the New England Society of Orange, N. J., praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

He also presented memorials of Local Division No. 10, Ancient Order of Hibernians, of Hudson County; of Bismarck Lodge, No. 1, of Sayreville; of the Arion Club, of Sayreville; of the Schuetzen und Germania Society, of Sayreville; and of Martin Stanton, James Hamill, and P. D. Leary, of Jersey City, all in the State of New Jersey, remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

Mr. MYERS presented memorials of sundry citizens of Fort Harrison, Helena, and Rimini, all in the State of Montana, remonstrating against the passage of the so-called Johnston Sunday-rest bill, which were ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. BACON, from the Committee on the Judiciary, to which was referred the bill (S. 2877) amending section 67 of the act approved March 3, 1911, to codify, revise, and amend the laws relating to the judiciary, reported it without amendment.

Mr. WILLIAMS, from the Committee on Military Affairs, to which was referred the bill (S. 2925) providing for a Confederate naval monument in Vicksburg National Military Park, reported it with an amendment and submitted a report (No. 101) thereon.

EMPLOYERS' LIABILITY AND WORKMEN'S COMPENSATION COMMISSION.

Mr. SMOOT. From the Committee on Printing I report back with an amendment in the nature of a substitute Senate concurrent resolution No. 6, submitted by the Senator from Utah [Mr. SUTHERLAND] June 29, and I ask for its present consideration.

The Senate, by unanimous consent, proceeded to consider the concurrent resolution.

The amendment was to strike out all after the resolving clause and to insert:

That the hearings held before the Employers' Liability and Workmen's Compensation Commission be printed as a public document and that 3,500 additional copies be printed for the use of the Employers' Liability and Workmen's Compensation Commission.

The amendment was agreed to.

The concurrent resolution as amended was agreed to.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows.

By Mr. BURNHAM:

A bill (S. 3017) granting an increase of pension to Fayette W. Barlow; to the Committee on Pensions.

By Mr. GAMBLE:

A bill (S. 3018) granting an increase of pension to George H. Welshman (with accompanying papers); to the Committee on Pensions.

By Mr. GORE:

A bill (S. 3019) for the relief of Elizabeth McLaughlin; and

A bill (S. 3020) for the relief of E. M. Hundley (with accompanying papers); to the Committee on Claims.

A bill (S. 3021) granting an increase of pension to Stalnaker Marteney (with accompanying papers); and

A bill (S. 3022) granting a pension to Rosa Ohm (with accompanying papers); to the Committee on Pensions.

NEW MEXICO AND ARIZONA.

Mr. NELSON submitted an amendment, in the nature of a substitute, intended to be proposed by him to the joint resolution (H. J. Res. 14) to admit the Territories of New Mexico and Arizona as States into the Union upon an equal footing with the original States, which was ordered to lie on the table and be printed.

FLORIDA EAST COAST RAILWAY CELEBRATION.

Mr. FLETCHER. I submit a concurrent resolution, which I ask may be read and referred to the Committee on Industrial Expositions.

The concurrent resolution (S. Con. Res. 7) was read and referred to the Committee on Industrial Expositions, as follows:

Whereas the citizens of the city of Key West, in the State of Florida, propose, by appropriate ceremonies, beginning on the 2d day of January, A. D. 1912, to celebrate the completion of the building of the extension of the main line of road of the Florida East Coast Railway Co. from the mainland of the State of Florida to the island city of Key West; and

Whereas the completion of this line of railway, covering more than 100 miles, along the chain of keys, connected by concrete viaducts, will mark the completion of the greatest enterprise in railroad engineering of this country and unequaled as an individual undertaking perhaps in the world; and

Whereas this great work is the result of the constructive ability of American genius, and has been made possible by the patriotic and progressive enterprise of its American promoters and builders; and

Whereas this marvelous accomplishment places the railways of the United States in close proximity to the Panama Canal and gives our country a commanding position with relation to the trade of all our neighboring Republics to the southward, thus making the enterprise one of both national and international importance, and its successful completion cause for congratulation: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That the President of the United States be, and he is hereby, earnestly requested to extend to all foreign nations an invitation to visit the city of Key West, Fla., and participate in the celebration of the completion of said over-sea railroad so connecting the mainland of the United States with the island city of Key West, both by their official representatives and citizens generally, and particularly to invite such foreign countries to send such of their respective naval vessels as may be practicable and convenient to participate in such celebration so to be held beginning on the 2d day of January, A. D. 1912.

Resolved further, That the President of the United States be, and he is hereby, requested to direct such portion of the Army of the United States as may be convenient and practicable to be present at Key West at the time of such proposed celebration and participate therein.

Resolved further, That under no circumstances is the United States to assume, be subjected to, or charged with, any expense of any character whatsoever in or about or connected with such proposed celebration.

ABOLITION OF SENATE OFFICES.

The VICE PRESIDENT. The Chair lays before the Senate the following resolution, coming over from a former day.

The SECRETARY. Senate resolution No. 74, submitted by Mr. LODGE June 19, 1911, as follows:

Resolved, That the offices designated as "superintendent of the folding room," "assistant postmaster and mail carrier," "clerk, compiling a history of revenue and general appropriation bills," one unemployed messenger, and one unemployed laborer, be, and are hereby, abolished.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

The VICE PRESIDENT. Is there further morning business?

Mr. MARTIN of Virginia. In connection with the resolution just adopted, I ask if it has any relation to the colored man who was employed in the stationery room.

Mr. LODGE. It covers his case and one other.

Mr. MARTIN of Virginia. I ask that the vote be reconsidered by which the resolution was adopted. The Senator from Mississippi [Mr. WILLIAMS] desires to be present when it is considered.

Mr. LODGE. I put it over several times. It is a small matter, and I think it ought not to be put over again. It has been pending for three or four weeks.

Mr. MARTIN of Virginia. It will not do any harm to let it go over until to-morrow. I am sure the Senator from Mississippi is interested in the matter. I do not know to what extent he is interested, but I know he wishes to be present when the resolution is considered, and I think that action ought to be postponed. It is of no great importance that it should be disposed of this morning.

Mr. LODGE. If it can be agreed that the resolution can be taken up and disposed of to-morrow morning, I have no objection.

The VICE PRESIDENT. The Chair will hand it down again to-morrow morning.

Mr. LODGE. If it is agreed that it shall be disposed of to-morrow morning, very well.

Mr. MARTIN of Virginia. That course is entirely agreeable to me.

The VICE PRESIDENT. Without objection, the action by which the resolution was passed is reconsidered, and the resolution will be handed down to-morrow morning.

Mr. LODGE. The motion to reconsider goes over until to-morrow morning.

The VICE PRESIDENT. The resolution will lie on the table.

Mr. LODGE. I understood that the Senator from Virginia made a motion to reconsider.

Mr. MARTIN of Virginia. I think the motion to reconsider leaves it with the status it had before. It is immaterial, so that there may be no final disposition before to-morrow morning.

Mr. LODGE. I only desire to have it disposed of; that is all.

The VICE PRESIDENT. The motion to reconsider will be entered, and the resolution will lie on the table.

DEFICIENCY APPROPRIATIONS.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 12109) to supply a deficiency in the appropriations for contingent expenses of the

House of Representatives for the fiscal year 1911, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WARREN. I move that the Senate insist upon its amendments, agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. WARREN, Mr. GAMBLE, and Mr. CULBERSON conferees on the part of the Senate.

RECIPROCITY WITH CANADA.

Mr. PENROSE. I move that the Senate proceed to the consideration of House bill 4412, the reciprocity bill.

The motion was agreed to, and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes.

ELECTION OF SENATORS BY DIRECT VOTE.

Mr. BORAH. Mr. President, I desire to call attention to another matter for a moment. I should like to ask, if proper to do so, and I presume it is, whether the conference committee on House joint resolution 39 can advise me if there is likely to be a report from that committee soon?

The VICE PRESIDENT. The chairman of the conference committee is not in the Senate Chamber at the present time.

Mr. BORAH. Two members of the committee are here. I presume they know something about it.

Mr. NELSON. There has been no meeting of the conferees yet. I inquired of the chairman of the Senate conference committee yesterday whether the House conferees had been here and desired to have a meeting, and he said he had not heard anything from them on the subject. That is all the information I have.

Mr. BORAH. Mr. President, I was of the opinion that there had not been any meeting of the conference committee, and I thought it proper to call attention to the fact that there ought to be an effort on the part of the conferees to get together. The Senate is entitled to know if the conferees can not agree, and it is entitled to have the result if the conferees can agree. We are approaching the time now when we are all hopeful of a final adjournment, and I feel quite sure that it will expedite the hour of adjournment if we can have a report from the conference committee.

Mr. NELSON. I desire to add a word further. My experience as a member of conference committees since I have been a Member of the Senate, and I think it is the experience of all Senate conferees, is that in all cases the House conferees come to the Senate conferees when they are ready to act; that it is not customary for the Senate conferees to go to the House, but the custom has been for the House conferees to indicate when they are ready to meet with the Senate conferees. I think I can safely say for the Senate conferees that we are ready at any time to meet whenever they are willing and indicate a disposition to meet. There has been no purpose, so far as I know, and I see the Senator from Georgia [Mr. BACON], a member of the conference committee, who, I think, will bear witness to the fact that there has been no disposition on the part of the Senate conferees to delay the matter in any shape or manner.

Mr. BORAH. I did not intend to intimate that there had been any intention to do so. I thought perhaps that owing to other pressing matters it had been overlooked, and I simply desired to call attention to it so that it might not be put aside too long.

Mr. BACON. Mr. President, I simply desire to say that the Senator from Minnesota [Mr. NELSON] has stated the facts as I understand them. I will add that I have had several conversations with the chairman of the House conferees and I judge from what he said to me that the disposition of the conferees on the part of the House is for an early meeting, and I have no doubt there will be one.

Mr. CLARK of Wyoming. Mr. President, I just came into the Chamber and became cognizant of the matter under discussion. The only thing I can say as a member of the committee of conference is that in the regular order of business the papers are in the hands of the Senate conferees. The Senate committee is waiting the appearance or the action or the request of the House conferees to act thereon.

RECIPROCITY WITH CANADA.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Texas [Mr. BAILEY].

Mr. HEYBURN. Mr. President——

Mr. BACON rose.

Mr. HEYBURN. If the Senator from Georgia desires to speak, I yield to him.

Mr. BACON. I was going to suggest the absence of a quorum.

Mr. HEYBURN. Very well.

The VICE PRESIDENT. The Senator from Georgia suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Fletcher	Martin, Va.	Smith, Mich.
Borah	Foster	Martine, N. J.	Smoot
Brandegee	Gallinger	Myers	Sutherland
Bristow	Gamble	Nelson	Swanson
Brown	Gronna	Nixon	Thornton
Bryan	Guggenheim	Oliver	Townsend
Burnham	Heyburn	Overman	Warren
Chamberlain	Johnston, Ala.	Page	Watson
Clapp	Jones	Penrose	Wetmore
Clark, Wyo.	Kenyon	Perkins	Williams
Crane	Kern	Poindexter	Works
Cullom	Lodge	Pomerene	
Cummins	McCumber	Reed	
Curtis	McLean	Root	

Mr. GAMBLE. My colleague [Mr. CRAWFORD] is necessarily absent on important business out of the city.

The VICE PRESIDENT. Fifty-three Senators have answered to the roll call. A quorum of the Senate is present. The question is on agreeing to the amendment offered by the Senator from Texas [Mr. BAILEY].

Mr. McCUMBER. Mr. President, I would ask if the pending amendment has been read?

The VICE PRESIDENT. The amendment has been read. Without objection, it can be read again, if the Senator desires it.

Mr. McCUMBER. I simply wanted to know whether it had been read. I have the amendment here. I should like to ask if the author of the amendment, the Senator from Texas, is present to explain the amendment.

The VICE PRESIDENT. The Chair understood that that Senator made a few desultory remarks in explanation of the amendment yesterday.

Mr. McCUMBER. I was trying to ascertain if he had made any remarks concerning the amendment. I listened very attentively to a most interesting argument between the Senator from Texas and the Senator from Mississippi upon general Democratic history and their elucidation of what constitutes a good Democrat.

I learned considerable about a gentleman by the name of Robert J. Walker, who seemed to have been the greatest philosopher as well as the greatest Democrat in the country, and who both Senators agreed was the greatest prevaricator we ever had in the country. But I got no information from either of the Senators concerning these amendments; there are several of them; and I wish the Senator from Texas was present——

Mr. BAILEY. I am.

Mr. McCUMBER. And that he would be able to explain, since we are now coming to a vote, some of their provisions.

Mr. President, if I understand the purpose of the pending amendment, it assumes that by the reciprocity agreement the farmers of this country have suffered great injury, and following upon the heels of this bill, which strikes them a most vicious blow, the Senator from Texas proposes this balm for their wounds. I want to find out from the Senator from Texas himself what benefit the farmer is to get out of what the Senator calls the farmers' free-list bill.

Mr. President, I can with mathematical accuracy determine just what injury this bill will be to the people of the entire Northwest. I can establish that so certainly that no Senator in this Chamber can gainsay the truth of the statement of the annual loss that will be suffered by the farmers of the State that I represent, of the State of South Dakota, and of the State of Minnesota. If we are to have some balm, some compensation for this injury, I want to know what it is.

Mr. President, but a few days ago we had a message from the President of the United States calling attention to the serious offense of fraudulently advertising nostrums as cures for certain ailments; and following the representation of the President of the United States I introduced a bill, hoping that it might be enacted into law, which would prevent any druggist or any so-called physician from advertising a nostrum which had no physiological effect on earth as a cure for some particular disease. I desire to make that act a criminal offense, and yet, while we would punish the fake doctor for prescribing something as a remedy which he knows will not be a remedy, we seem to gloss over an attempt to impose a fake remedy upon the farmers for the injury which is inflicted upon them by this bill.

I have diagnosed the case so far as this bill affects the people of the great Northwest. I know that we have a shortage of the kind of grain we need in our section of the country of a sufficient amount to make our tariffs on our present grain worth from 10 to 15 cents a bushel to us. I know that they raise in Canada, across the line, enough grain to make up that shortage, and in addition to have an enormous amount for export.

I know and have demonstrated that the result of this bill will be that both sections will then be placed on an export basis; that to-day our section, which is the great Northwest wheat-raising section, is not on an export basis and has not been on such a basis for a number of years; that the moment that it is placed on an export basis the market must necessarily go down from 10 to 15 cents a bushel on wheat; and that the moment we allow the Canadian crop to enter our land freely the market price of American wheat must go down to the level of the Canadian price.

Minnesota and the two Dakotas raise under normal conditions 250,000,000 bushels of wheat. Estimating the difference at only 10 cents a bushel, though the difference in price has averaged from 12 to 13 cents a bushel for the last few years, there is a loss of $25,000,000 to the farmers of those three States for a single year on wheat alone.

The Northwestern States also raise about 100,000,000 bushels of barley. The difference between the Canadian price and the American price last year averaged the full amount of the tariff duty, or about 30 cents per bushel. Figuring that, however, at only 25 cents a bushel, to be conservative, and we have another loss of $25,000,000 annually upon our barley crop.

Now, I want to make these matters clear; I want to make my diagnosis of the case certain; and then I should like to see whether or not the remedy which is proposed by the Senator from Texas will in fact be a remedy.

I then come to the flax crop, practically all of which is raised in the three States of North and South Dakota and Minnesota. My State raises about half of that crop, and the other half is divided between the other two States. We will place that conservatively at 15,000,000 bushels. I will ask my colleague if that is about right?

Mr. GRONNA. It is.

Mr. McCUMBER. About 15,000,000 bushels for those three States. The difference between the American and Canadian price during the last year and for about two years has been a difference of about 25 cents a bushel—nearly the exact amount of the tariff duty. That would make a loss of, we will say, $4,000,000 more. Thus I have shown a loss in those three States annually by reason of taking away the protection on our farmers' products of $56,000,000. I want to know, Mr. President, how we are to be compensated for this loss. I want the Senator who proposes this amendment to be as accurate in determining the extent of his remedy as I am accurate in determining the extent of our loss, so that we may estimate the amount of remedy or remedial salve that we are to get out of this farmers' free-list bill. If you rob one farmer of $100 in a single year, I want to know what he is to get back out of any one of those articles. It will not do to say to him that it is a little matter of principle; that he at least is given opportunity to buy in a free-trade market, unless you can point out to him what that free-trade market is.

I want my Democratic friends, including the Senator from Texas, and my Republican friends on this side, to comprehend the fact, which they do not seem to comprehend very well, that the farmer of the Northwest who has intelligence enough to know that he is hurt has also intelligence enough to understand that he gets no remedy whatever from this free-list bill. You give him, you say, free farm implements. Well, where is he to get those free farm implements from? Does not every farmer understand to-day, if he understands anything about the question, that he already has free trade in farm implements, except from those countries that levy a tariff upon American farm implements?

Mr. NELSON. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Minnesota?

Mr. McCUMBER. Certainly.

Mr. NELSON. Is the Senator from North Dakota oblivious to the fact that this amendment would put leather goods, boots, shoes, and lumber on the free list? Is that of no value to the farmer?

Mr. McCUMBER. I am going to figure out the value of that right now. Let me show my friend from Minnesota just what that value is. There is a reduction of $1.25 a thousand feet upon lumber. A farmer builds a house once in 45 years out of frame material. If he builds an ordinary, good-sized house he would probably purchase 20,000 feet of lumber. Twenty thousand feet of lumber at $1.25 a thousand would be $25. The farmer will have saved because of the free-list bill $25 in 45 years, or 55 cents a year, enough to buy five stogies. He is getting a great deal of benefit out of that, is he not?

Let us measure that against what he loses. I will take as a basis the farmer from the State of Minnesota who raises 100 acres of barley. He will raise on 100 acres, at a very low estimate, 2,000 bushels of barley, will he not? Two thousand bushels at a reduction in price of 30 cents a bushel would be about $600. He will lose at that rate $600 every year, and he will gain 55 cents—$600 on one side of the ledger and 55 cents on the other side of the ledger. Will any Senator tell me that that is compensation?

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Idaho?

Mr. McCUMBER. With pleasure.

Mr. BORAH. If he gets 55 cents, the equity does not seem to be very strong in his favor; but the farmer will not get the 55 cents. It has been demonstrated since we passed the Payne-Aldrich bill that the Canadian lumber dealer takes up the amount of the reduction of the tariff immediately upon its going into effect. While we were passing the Payne-Aldrich bill two years ago the Canadian lumber dealer incorporated into his contracts the proposition that he was to have the benefit of the amount of the duty added to his price. While it was disputed during the debate that that would be general, since that time it has been demonstrated that it has been universal. The consumer of lumber has not received the color of a cent's benefit from the reduction of the duty on lumber two years ago. By the removal of the duty on lumber, on the other hand, we have been deprived of the revenue which we would have obtained, and which has gone directly into the hands of the Canadian lumber dealer. To put lumber upon the free list at this time is not, in my judgment, to reduce the price to the advantage of the builder at all.

Mr. McCUMBER. I have always contended, even though I am for free lumber and would vote for free lumber, that the granting of free lumber would make no difference in the price to the American consumer; that the only possibility of its affecting the price would be in the case where there possibly might be a combination here that would not take in the Canadian manufacturer. I support the proposition that that which the Lord Almighty put under the ground billions of years ago, and which can not be renewed by any process, but which when once used becomes forever exhausted, ought to be outside the pale of protection. That is the only reason why I have ever opposed a duty upon lumber. If I believed, as I know many Senators believe who claim that my fears are groundless, that the timber supply was not soon to be exhausted, I would be strongly in favor of a duty upon lumber.

Mr. BORAH. Mr. President, I know of one lumber firm which shipped 8,000 carloads of lumber from the United States into Canada during the last year, and I am afraid that Canada is again getting the better of the diplomatic deal upon the question of conservation as well as upon the question of duty. If the Senator will permit me, I will read here a single paragraph from a letter from the governor of Vermont, written about the time the Payne-Aldrich bill was being considered, in which this process of taking up the duty was first brought to the attention of the public. The extract is as follows:

> You will understand this better when I tell you that only a week ago I traded a cut of 10,000,000 feet to be shipped during next year, but before I could close a trade I was obliged to put in the contract that if the duty was changed the seller should have one-half the reduction. Where would the consumer come in on this kind of a deal?

That was referred to at the time as an isolated transaction, but those who are interested in knowing what the effect was will find that that practice became universal in such transactions, and that the reason why the reduction was not of benefit to the consumer was because it was taken up by the Canadian lumber dealer.

Mr. McCUMBER. Mr. President, I did not intend to go into the question of the general policy of a duty on lumber; and I want to assure the Senator from Minnesota that, while he may consider that because I claim there is no financial benefit to be obtained from this measure, I would necessarily be opposed to it, on the contrary, there is something of a principle involved in it which will induce me, if I have an opportunity, to vote for it. But I am not going to vote for it and deceive the farming public into the idea that they will get a financial benefit out of this free-list bill.

I am sorry the Senator from Texas did not remain to answer a few of the questions I have propounded, for I understand this

is a Democratic measure, and that the Democrats, as a rule, will vote for the free list in a separate bill to compensate the farmer for the loss that he will suffer. Some of them think he will not suffer any loss; but, assuming that he will suffer some loss, they believe the so-called free-list bill will partially compensate him for that loss.

I now take up the first provision, namely, agricultural machinery. That machinery consists of wagons, of plows, of harrows, of seeders, of drills, of hay rakes, of thrashing machines, and so forth. I should like to ask anyone on either side of the Chamber to inform me what country outside of the United States is to furnish the farmer with a single one of those articles after you have taken off the duty, as you say you will take it off? It is practically off now, so far as I know, between nearly all of the countries, unless it be Canada. But will the Senator from Texas be kind enough to tell me where the farmer will get his wagon after we have passed this free-list bill, and he can include, if he desires, in the same statement what country will furnish him with the other articles I have mentioned. I want to take them one after another, and I know that I can rely pretty accurately upon any statement that will be given by the Senator from Texas.

Mr. BAILEY. The Senator from North Dakota must not have been in his seat, or if in his seat his attention must have been diverted when I was addressing the Senate yesterday afternoon, because I very frankly admitted that this provision of the free list will result in no substantial benefit to the farmer.

But while I am on my feet I will say to the Senator from North Dakota, who now underrates the value of this free-lumber provision, that I remember in 1909 what a persistent and earnest advocate of free lumber he was.

Mr. McCUMBER. I must say to the Senator, if he will allow me, that the Senator was absent when I just now discussed that point and that position——

Mr. BAILEY. Oh, no; I was not. I heard the Senator's point about conservation. But the Senator has changed his mind about that, I think, since the debate of 1909.

Mr. McCUMBER. Hardly.

Mr. BAILEY. The Senator is aware, of course, that the highest authority on conservation in this country takes a different view from the one he expresses, and the Senator from North Dakota, who knows very much about all these things——

Mr. McCUMBER. He does not——

Mr. BAILEY. Is also aware that a Canadian commission has in its report concurred in the view expressed by Mr. Pinchot as relating to their own forests and their conservation.

But whether that was right or wrong, and whether the Senator from North Dakota was right or wrong, he was earnest for free lumber then. The Canadian treaty gives him free lumber, which he is not willing to take with free wheat, free barley, free flax, and other things, and all I am trying to do or all the House of Representatives tried to do in this free list was to put planed lumber or manufactured lumber, we will call it, upon exactly the same basis as rough lumber.

I think myself that is right. I think if the man who does the roughest work, for which he receives the smallest wage, is to have no duty on the product of his labor, then I think the more highly skilled labor and the more improved machinery, commanding, as it always does, a higher wage and a higher price for its product, might consent to take the same treatment as its less fortunate brother engaged in a similar enterprise.

Mr. McCUMBER. The Senator agrees with me entirely upon the proposition that there ought not to be any distinction; that if we are to have free lumber, everything in the lumber line should be free. That is, if we are going to have free lumber at all.

Mr. BAILEY. I probably go further than the Senator. I would not only emancipate manufactured lumber in all of its forms from a duty, if I emancipated it in its crude form, but I would also emancipate everything necessary in the lumber business, from the ax which the woodman lays to the tree to the electric-light bulb which the saw mill man uses for night operations, including the bands and saws and the machinery of every kind.

In other words, if the Senator will permit me, if people are compelled to sell their products on a free-trade basis, I think they ought to be permitted to produce them on a free-trade basis. Does the Senator from North Dakota agree with me in that?

Mr. McCUMBER. Absolutely; but let us not abandon the purpose of the original query, which was to ascertain whether we would get what we might call a substantial benefit to compensate in any way for our losses, or whether it is a mere bagatelle, so small, so very minute that we can scarcely take it into consideration as compensatory relief.

Mr. BAILEY. I need only repeat what I said to the Senator a moment ago and what I said to the Senate yesterday afternoon. I do not regard this as anything like a compensation. I do not even regard it as important. But whatever it is worth I want to give it to the American farmer.

I will say further to the Senator from North Dakota that in my view it would not and will not be possible to compensate the farmer for having put everything he produces on the free list, even if you give him 50 per cent of what he buys on the free list. The only equivalent that you can give him for compelling him to sell all he produces in a free-trade market is to give him the right to purchase all he consumes in a free-trade market. In that way——

Mr. McCUMBER. The Senator would not call it an equivalent.

Mr. BAILEY. Yes; I think that is an equivalent. The Senator from North Dakota knows that my view is that if everybody in this country could buy on a free-trade basis, everybody in this country could produce and sell on a free-trade basis. If it were not for the necessity of raising revenue to support the Government I would be willing to convert the customhouses into schoolhouses. I have no doubt that with the superior intelligence, the superior skill of our people, supplemented by the superior natural advantages of our country, we could maintain an equal contest in our own markets and, I believe, in all the markets of the world.

Mr. McCUMBER. If we would put on the free list everything that is imported into the United States we could not compensate the farmer in the Northwest for the loss he suffers under this bill. Now, let me give the Senator a little illustration.

Mr. BAILEY. If the Senator will not think I am impolite, I must leave the Chamber to meet some young constituents who are waiting for me. As soon as I dispose of them I will return and renew the debate with the Senator.

Mr. McCUMBER. Certainly.

The proposition is this: The farmer sells a dollar's worth of his produce which without a protection of 25 per cent duty would bring only a dollar. He sells that produce, because of the duty, for $1.25. He takes that $1.25 and goes into the market and purchases one dollar and a quarter's worth of goods at retail. Now, here is the difference, and Senators will comprehend it the moment that they look at it.

He buys upon a retail basis. He sells upon a wholesale basis. The tariff that is levied upon the things he purchases is not levied upon the retail price, but upon the manufacturers' price. If it was levied upon the retailers' price, then a 25 per cent ad valorem duty taken off of that retail price would balance an ad valorem duty of 25 cents taken off of his selling price. But it so happens that under our method of doing business the article advances so rapidly in value from the time it leaves the manufacturers' hands until it is turned over to the consumer, that every time it is touched by the golden hand of American labor you have added to its value sometimes two and three fold, that there is no relation whatever between the original price and the selling price to the consumer.

Then we take this same article that he buys at retail for a dollar and a quarter, and on the average you would find that the manufacturer's price was perhaps not over 20 cents. Then if you take away 25 per cent duty from the manufacturer's price you will have reduced it 5 cents. Therefore, the farmer would save in his purchases, provided he always pays the full amount of the tariff, 5 cents. He would lose 25 cents on a dollar on his sales. The result would be that he would lose five times as much as he gained. That is true in almost every line of purchases.

So, Mr. President, I say you can not fully compensate him. But the complaint I make against this amendment is that it seems to have originated with a studied care that the farmer, under the guise of receiving a benefit, will absolutely receive nothing; that almost with studied determination they have eliminated—those who are responsible for this farmers' free-list bill—everything that would operate as a substantial benefit to him.

Now, following this matter a little further. Take a suit of clothes. If the farmer, in paying $45 for a tailor-made suit of clothes—which he does not very often do; ordinarily he will buy one at from $20 to $25—could have a tariff of 25 or 40 or 50 per cent ad valorem taken off of the retail price, of course he would benefit very greatly by it. But that suit of clothes is made up of goods which probably did not cost $4 in the market, and probably were imported into this country for $2, and if you, therefore, were to take away a 25 per cent duty you have saved him only 50 cents in the value of the cloth that goes into that suit of clothes.

In a purchase price of $45, how many dollars' worth of his own products must he expend to save that 50 cents? In buying that suit of clothes for $45 he expends $45 in actual goods—worth that much to him—and if he loses his benefit of 25 per cent protection, then you will see that he has lost $11 and has gained 50 cents. So I might follow along all lines of purchases.

I want Senators to understand, and I wish it was in my power to make the farmers of the country understand thoroughly, what the tariff really means to them, how much of a burden it is upon the people, and what part it plays in raising the retail price of any article.

Let me give Senators another little illustration which I believe will be interesting to them. I had my attention called the other day to a new brand of crackers, retailed at 40 cents a pound, made of wheat flour. A bushel of wheat to the farmer in my State who raised it, we will say, is worth 80 cents. That bushel of grain made 44 pounds of flour and 16 pounds of shorts and middlings. That 44 pounds of flour was made into these crackers. The 16 pounds of shorts and middlings would certainly buy the cottolene or the lard that was used to shorten those crackers.

Now, let us do a little computation. Forty-four pounds, at 40 cents a pound, makes $17.60. The farmer got 80 cents for that bushel of wheat. The consumer paid $17.60 for that bushel of wheat. Take off the tariff on wheat and your farmer has lost 10 cents on his bushel. How much difference will that 10 cents a bushel make in the matter of the 44 pounds of crackers in reference to their value? Will it make any difference whatever in their enormously enhanced selling price?

Again, bringing it more directly home to the farmer he sells 4 bushels of wheat for 80 cents a bushel, and he buys his flour under the present rates, and we will say that he pays 50 cents duty. It will cost him that much more on a barrel. The farmer, therefore, in raising 2,000 bushels of wheat will lose $200 on that crop in a year, and, as the American public consume on an average a barrel of flour a year, the farmer will save 50 cents. Balancing your accounts you have a loss of $200 on his wheat crop and you have a saving of 50 cents, and you call that compensation.

Now, I am trying to show, Mr. President, what a mere bagatelle is all of the benefit that the farmer will derive out of this free-list bill. I ask the Senator from Texas—and I ask it for information, because I believe he is not only acquainted with the conditions in the South, which I am not, but that he has also investigated—what the savings will be to the farmers of the Southern States in the matter of bagging. I will say to him I only know it in the Northern States and it amounts to so little, it is so infinitesimal, that I can not consider it of any value to him.

That may be due to the fact that we handle most of our wheat without the use of sacks at all; but I assume that bagging will be used for some purposes in the Southern States; that this bagging will be used to cover the bales of cotton and that the bands will be used for that purpose. I should like to have the Senator, if he will, kindly inform me what the saving would be to the farmers of the Southern States under that provision of the farmers' free list.

Mr. BAILEY. Mr. President, I stated yesterday afternoon that I thought the saving to the farmers of the South on free bagging and free ties provided in the bill would probably not exceed 10 cents a bale on their cotton.

Mr. McCUMBER. Will the Senator give me an estimate? There are 500 pounds in a bale.

Mr. BAILEY. Thirteen million bales is a large crop. Ten million bales is a small crop. Taking the average crop at 11,500,000 bales, it would mean $1,150,000 to the farmers of the South. When you set it at 10 cents a bale to your small farmer who makes but 8 bales of cotton, netting a saving of only 80 cents, it seems small; but when you take the aggregate of $1,150,000 it is of some consequence.

The Senator from North Dakota will permit me to say further that the provision for free grain bags was not made in the interest of the southern farmer.

Mr. McCUMBER. I understand that.

Mr. BAILEY. It was made in the interest or the supposed interest of the western farmer. The Senator will remember that I myself proposed an amendment in that respect in the Finance Committee. Free burlaps means a loss of $7,000,000 of revenue, and I can not bring myself to believe that it is wise legislation which remits that large amount of revenue upon that single article, which is not one of universal use. However, it is but justice to say to the Democrats, and especially the southern Democrats, to say that they would not propose free dressing for the cotton crop of the South without proposing free dressing for the grain crop of the North and Northwest.

Mr. McCUMBER. I wanted to get it down in percentages if I could. I do not know the value of cotton now, but I presume it is worth about 15 cents a pound. Is it not?

Mr. BAILEY. Hardly that. I think, perhaps, cotton selling in the local markets as far as any is sold—the crop has long since been marketed and only a few of the most prosperous farmers have held and been able to hold their crop——

Mr. WILLIAMS. It is $65 or $70 a bale.

Mr. BAILEY. I expect cotton is selling in the local markets of the South to-day at between 13 and 14 cents per pound, and averaging the bale at 500 pounds, that would make from $65 to $70 per bale. Of course, a saving of 10 cents on a $70 bale of cotton is not a very substantial gain.

Mr. McCUMBER. What I was trying to get at is, that the saving would be about one-tenth of 1 per cent.

Mr. BAILEY. But even that is worth saving.

Mr. McCUMBER. Oh, yes; I am not doubting it. All the way through I am simply trying to demonstrate what the Senator from Texas has so well said, that there is some little benefit, but it is really not a substantial benefit. I want the farmers of the country to understand that they are getting no substantial benefit out of this bill; that was all.

Mr. SMITH of South Carolina. Mr. President——

Mr. McCUMBER. I yield to the Senator from South Carolina.

Mr. SMITH of South Carolina. I think the Senator from Texas has been misinformed as to the probable saving to the farmer on his bale of cotton. There are 6 yards of bagging, the average weight is about 2½ pounds to the yard; there are 6 ties, 6 bands, 6 steel hoops to the bale. It is called in local parlance a "pattern." The cost is anywhere from 90 cents to $1.10 and $1.15 per bale for the amount that it takes to cover a bale and put it upon the market.

Under the present ruling of our customhouse officials bagging, on account of certain foreign matter that we have discovered in it, has advanced beyond the ordinary revenue duty, and just now a remittal of that duty, in place of the saving of 10 cents, as indicated by the Senator from Texas—I had the figures here two years ago and gave them to the Senate—would come nearer a saving of from 50 to 60 cents a bale on the bagging and ties if your duties were removed and we were allowed to buy the steel bands free and get our importations of bagging directly from Calcutta in place of having to pay a duty to the Massachusetts manufacturers.

Mr. BAILEY. Will the Senator from South Carolina permit me? I think I am not mistaken. The duty on cotton bagging is about six-tenths of a cent a yard.

Mr. SMITH of South Carolina. Yes.

Mr. BAILEY. And it takes about 6 yards to the bale.

Mr. SMITH of South Carolina. Yes; I understand.

Mr. BAILEY. Thirty-six tenths would be 3.6 cents on the bagging, and I think probably the duty on the ties will not be more than 7 cents.

Mr. SMITH of South Carolina. I should like to call the attention of the Senator from Texas, with the permission of the Senator from North Dakota to the fact——

Mr. BAILEY. It certainly would not be anything like 40 or 50 cents.

Mr. SMITH of South Carolina. The ruling of the customhouse officials has been that on account of the foreign matter in the ties the duty in place of being six-tenths of 1 per cent has been raised to 35 and 40 per cent.

Mr. BAILEY. They did not do it on that ground, and I think they ought not to have done it at all, but they have done it on the ground that the imported bagging did not contain 51 per cent of jute.

Mr. SMITH of South Carolina. That is what I said, that it contained foreign matter.

Mr. BAILEY. I think that is a bad ruling, but——

Mr. SMITH of South Carolina. It served its purpose, however, in raising the price of the article.

Mr. BAILEY. The remarkable circumstance was that the man who imported jute bagging had the test made to force him to pay a higher price on it.

Mr. SMITH of South Carolina. If the terms of the bill under which the ruling was made is examined closely it will be found that if there is one thread of foreign matter in that bagging it will put it under the 45 per cent duty.

But the point that I wish to make in order to set the Senator from North Dakota right, because he is generally very fair, is that in view of the fact that no jute is produced in this country, and in view of the further fact that this bagging is made out of the refuse of the jute vegetable, we could get it at the least from one-quarter to 2 cents a pound cheaper than it is now, and

in view of the fact that your burlaps and your higher finished articles come under a higher rate of duty, and they have practically a monopoly of that, and practically, therefore, a monopoly of the refuse that comes from the butts out of which the bagging is made, the six-tenths of 1 per cent, which was the average previous to this new ruling of our customs officials, is not a measure of the relief that would come to the farmer were the bagging from the foreign countries, from India, where the principal part of the jute is raised, allowed to come into this country free, because they get their greater profit out of the finer article, and the duty on that is practically prohibitive. The refuse is made into bagging, and even there the farmers of the country lose something like seven or eight million dollars.

Mr. McCUMBER. But I ask the Senator from South Carolina this question: Does the Senator from South Carolina believe that with the duty removed the farmers who raise cotton would get the full benefit or a benefit equivalent to the amount of duty?

Mr. SMITH of South Carolina. In 1906—I am not very sure, but I will risk that, anyhow; I think that was the year—in 1906, just upon the eve of the marketing of the crop, the American Steel Co. issued an order that there should be a raise of 30 cents a bundle on ties, which extracted over a million and a quarter dollars from the farmers of the country without a moment's previous notice, and the bagging company—there are practically only two in this country——

Mr. McCUMBER. Is the Senator sure that you could avoid that difficulty if you had free bagging?

Mr. SMITH of South Carolina. Surely; because previous to the monopoly of the bagging business in this country we got our bagging cheaper. I am sorry that I have not the figures here that I prepared two years ago.

Mr. McCUMBER. I will say to the Senator that I appreciate the difficulty of creating a market overnight and changing the course of trade; and while it might be possible that it could be imported for a less amount, so that the farmer could have the full benefit of the tariff removed, I can see great difficulty if there was a combination made in this country or elsewhere in immediately getting that bagging at a cheaper rate, even though a combination were made, and the cotton will not wait for a new competitive plant to be established.

Mr. SMITH of South Carolina. I should like to state, with the permission of the Senator from North Dakota, that it is now alleged, and those who use bagging believe, that in order to increase the weight and therefore increase the profit the bagging that we have to-day is salted. It is certainly a fact that if you will take a load of bagging and unload it and expose it to the sun and to the air during any kind of a dry period it will lose from one-eighth to a quarter of a pound a yard. Besides that, there is incorporated into it all manner of cheaper articles, so that the six-tenths of 1 per cent measures the duty on jute imported from India, but there is nothing to measure the salt that is in it, nor is there anything to measure the foreign substance that is in it. It is positively so unfit for the purposes for which it is created that it will not hold the hook. Anyone who has been abroad and has seen the condition in which American cotton gets to the market under the foreign bagging manufacture as compared with the previous state when we had pure jute, with its resistant fiber, will understand that the six-tenths of 1 per cent on bagging is like the duty on wool. Woolen goods consist largely of cheap cotton which they buy at 15 cents and sell at $1.25 per pound in the shape of wool. You buy your jute, bring it over here for a monopoly, incorporate the salt and waste, and sell it to the American farmer, and it will not hold the hooks to weigh it.

I for one, not only for the sake of the farmers of the country, but for the preservation of the cotton after it is baled, would rather see the cheap labor of Calcutta or India produce the bagging, for that would give us value received, than to be at the mercy of the Bagging Trust in America, which sells us salt and scrap in place of selling us jute.

Mr. McCUMBER. I am thankful to the Senator for his information. I want to say to him that I asked the question not for the purpose of bringing out any conflict of ideas, but I want to get the matter clearly before the country as to what saving the farmers in different sections will derive by reason of this farmers' free list. For instance, in my own State I know on some articles we get the full benefit of the tariff. We do not get one-half the benefit of the tariff on our wheat, because the difference in price is only about 12 or 13 cents a bushel, while the actual tariff is 25 cents a bushel. While I am acquainted thoroughly with conditions as they are affected by the tariff in my own section of the country, I must plead almost total ignorance of the effect of these tariffs upon the products that are raised by the farmer of the South.

Mr. BAILEY rose.

Mr. McCUMBER. I yield to the Senator from Texas.

Mr. BAILEY. Without desiring to controvert the statement of the Senator from South Carolina, but purely that the RECORD may not mislead anybody, I want to put in the RECORD the actual duty on bagging and ties.

The duty on bagging I have already stated. It amounts to about three and a fraction cents on a bale of cotton. The duty on ties is three-tenths of 1 cent, or half of what the duty on bagging is. I know the Senator from South Carolina does not want to mislead his own people, but if he leads them to believe that they are going to save 50 cents a bale on their cotton in consequence of free bagging and free ties, he will disappoint them. While we failed to procure free bagging in the tariff law, we succeeded in making the duty a low one. If we give it out that we can save 50 cents a bale in the cost of wrapping our cotton, and we do succeed in passing this bill and our cotton farmers only buy their cotton and ties and cotton bagging 10 cents less per bale, they will think we either have not been accurate or sincere. I think the Senator from South Carolina has only to take the quantity of hoop iron in the ties for a bale of cotton and to take the quantity of bagging in the bagging for a bale of cotton, and he will find that my estimate of 10 cents' saving per bale is not very far from what it will actually turn out to be.

Mr. SMITH of South Carolina. I should like to state, with the permission of the Senator from North Dakota, that I have several letters from dealers in bagging asking what is the probable outcome of this agitation of putting bagging and ties upon the free list, in view of the fact that it has advanced on account of the ruling of the customhouse that the bagging now put upon the market should bear a duty of 45 per cent; I believe that was the ruling.

My estimate that we would save 50 cents or more was not predicated upon the actual duty that is collected now, but upon the fact that within the last four or five years in place of paying 80 cents for the covering for a bale of cotton I myself on my own farm have been forced to pay a dollar and a quarter for exactly the same goods. I have heard of no depreciation or of no less crop of jute in India; I have heard of no less product of the Steel Trust; but there is not a farmer on this floor who wraps his cotton with bagging and ties who will not testify that in the last 10 years we have increased the price of the bagging and the ties on a bale of cotton from 80 cents on a bale to $1.10, $1.15, and $1.20.

Mr. BAILEY. It ought also to be stated that the cotton-bagging manufacturers have done that injustice against the cotton farmers of the South at a time when they had free raw material with which to make cotton bagging.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Utah?

Mr. McCUMBER. I yield to the Senator from Utah if the Senator from South Carolina is through. I do not wish to take him off his feet.

Mr. SMOOT. I take it for granted that the Senator will not claim that it is the tariff that has advanced the cost of bagging and ties per bale of cotton from 80 cents to a dollar and a quarter.

Mr. SMITH of South Carolina. Mr. President, by virtue of the tariff on ties and on bagging and a combination of the bagging manufacturers of this country, they have a practical monopoly of the manufacture thereof and, like the Steel Trust, can overnight raise the price to where they please, whereas if there were no duty at all on those articles—because six-tenths of 1 per cent on bagging——

Mr. BAILEY. Six-tenths of 1 cent.

Mr. SMITH of South Carolina. Six-tenths of 1 cent, I mean. Practically a cent a yard on bagging is almost prohibitive, in view of the cheapness of the raw material. It only costs about 3 to 4 cents a yard, so the duty is practically 1 cent. You have, therefore, got from 25 to 33⅓ per cent duty on it; and on account of the cheapness of it, that is practically prohibitive. I claim if that duty were removed and competition were allowed to be free in this country and abroad that in place of bagging costing 4 cents a yard, or from 25 cents to 30 cents a bale, we could get it for 2 cents a yard, which was the original price when we had it imported here, thus reducing it by 50 per cent. If it were not for the tariff, if the Senator from North Dakota will allow me, we would use the so-called pauper labor of India; and yet the claim is made on this floor that we are attempting to preserve the laborers of America as against the cheap labor of Europe; and here are the laborers of America producing not a pound of jute or a pound of bagging, but producing the raw materials in America—they are

laborers par excellence; they are the men who produce the raw material—and yet you will not allow the laborers of America to enjoy the benefits of the pauper labor of Europe; you put them at their mercy; and you will not allow them to get the product of the pauper laborer of Europe when they can utilize it and increase their own wage.

Mr. SMOOT. Mr. President, the Senator from Texas [Mr. BAILEY] made a statement to the Senate that if we had free cotton bagging and free ties it would save the cotton planter of the South 10 cents a bale or thereabout. The Senator from South Carolina [Mr. SMITH] interrupted the Senator from Texas and stated that that was a mistake, that instead of being 10 cents a bale it was nearer 50 cents a bale.

Mr. SMITH of South Carolina. The saving that it would be.

Mr. SMOOT. Mr. President, the only saving there could possibly be would arise from the protective tariff, and the protective tariff of six-tenths of a cent a yard on 6 yards of bagging required to cover a bale of cotton is 3.6 cents on a bale.

Mr. McCUMBER. If I may address myself to both Senators, so as to keep this argument in a logical form as I am going over each of the propositions, we have now arrived at about what the savings would be in the matter of bagging, which I think could be fairly estimated at about one-tenth of 1 per cent upon the value of the cotton; that is, of course, assuming that the farmer will get the full benefit of the reduction of the tariff. Of course there is a very big "if" in that proposition, but in my argument here I will give the farmer the full benefit of it.

I come now to the next proposition, as to which the Senators have preceded me a little in their joint discussion, and that is the proposition of hoops or bands.

Mr. WILLIAMS. Mr. President, before the Senator goes to that——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Mississippi?

Mr. WILLIAMS. Perhaps I can correct the conclusion at which he is about to arrive. Will the Senator permit me to do so?

Mr. McCUMBER. Certainly.

Mr. WILLIAMS. I hold in my hand a communication from the New Orleans Cotton Exchange, signed by its president, Mr. W. B. Thompson, which I should like to read for the purpose of correcting the statements thus far made.

Mr. SMOOT. I have a copy of the same letter, I will say to the Senator, and I believe every Senator in the Chamber has one.

Mr. WILLIAMS. I did not pretend to be a monopolist in the possession of the letter.

Mr. McCUMBER. The whole object of this discussion, Mr. President, is to get light on this subject, and I am yielding to the Senator for that purpose.

Mr. WILLIAMS. This is a very high authority, and this is to give you light. I by no means pretend to be the monopolistic possessor of this information. I am giving it because it seems to be correct. The letter reads as follows:

NEW ORLEANS COTTON EXCHANGE,
New Orleans, April 12, 1911.

Hon. JOHN SHARP WILLIAMS,
United States Senator from Mississippi, Washington, D. C.

DEAR SIR: I beg to hand you copy of preamble and resolutions adopted by the board of directors of the New Orleans Cotton Exchange at a special meeting held on the 10th instant.

I trust that I may be permitted to add a few words by way of explanation and of argument touching this important matter.

The cotton crop of the South yields annually an average of about 12,000,000 bales. Of this total approximately five-eighths, or 7,500,000 bales, representing an average money value of over $500,000,000, are exported and exchanged for foreign gold. The mere statement of these facts attests the importance of the cotton-producing industry, emphasizes the obligation which the country at large owes the producer of this crop, and establishes his right to at least just treatment at the hands of the general law-making power.

Under the present tariff law the duty on steel cotton ties amounts to 0.027 cent per bale, or to $324,000 on a crop of 12,000,000 bales. This tariff is prohibitive, as is shown by the fact that no steel ties are imported. Therefore the Government has no share in this impost, which constitutes simply and solely a tribute levied upon the cotton farmer for the benefit of the Cotton Tie Trust.

The duty on jute bagging imposed by the present tariff law amounts to 0.05¼ cent per bale, or to $630,000 on a crop of 12,000,000 bales. This tariff is to a large extent prohibitive, inasmuch as it yields only about $100,000 in revenues to the Government. The balance of about $530,000 constitutes a tribute paid by the cotton farmer to the Bagging Trust.

Now, this is the point to which I would especially call the attention of the Senator—

But the Bagging Trust is not satisfied with its share of this impost. It desires to raise the duty to a figure which will not only prevent the Government from receiving any revenue therefrom, but will enable the trust to take from the farmer four times as much as it has been able to take heretofore. This trust has recently made a technical test case, based upon a question of chemical analysis, and has secured a ruling thereon from the Board of General Appraisers in New York which will change the duty on imported bagging from the present rate, which amounts to about .05¼ cents per bale, to an ad valorem duty which will amount to about 21 cents per bale.

To that I call the attention of the Senator from Texas—

This means an increase from $630,000 on the crop to practically $2,500,000, all of which the trust will collect from the farmer without any division with the Government.

Thus, under the Payne-Aldrich law as heretofore interpreted, the cotton producer has borne the burden of a $950,000 yearly tax on bagging and ties—

That is not far from the figures of the Senator from Texas, who put it at a million dollars—

and if the "chemical interpretation" holds he will hereafter be mulcted in the yearly sum of $2,800,000 for his baling materials, all of which will go into the treasuries of the bagging and tie trusts.

And right there the Senator from Texas was right, as I understood him, in saying that the suit by the decision of which this conclusion was arrived at was brought about by these very people, so that it might be decided against them to their own benefit in future transactions.

The remainder of the letter from Mr. Thompson is as follows:

From the reasons stated it will incontestably appear that not only the proposed outrage but the present tax on bagging and ties is inequitable and wrong; and because the western farmer has now and has had for more than 15 years his binder twine on the free list, the tax upon the southern farmer stands condemned of the additional vice of discrimination.

It is respectfully submitted that the lawmaking power rests under the compulsion of a two-fold duty in the premises. Bagging and ties should be allowed to come in free, not only as an act of justice to the cotton producer but as a penalizing rebuke to the cupidity of the manufacturing combinations which have preyed upon him.

Respectfully,

W. B. THOMPSON, *President.*

With the permission of the Senator from North Dakota, I will also insert in the RECORD at this point the resolutions of the New Orleans Cotton Exchange, which are as follows:

Extract from minutes of board of directors of New Orleans Cotton Exchange, April 10, 1911.

Whereas under the provisions of the Payne-Aldrich law the producer of cotton is and has been paying as tribute to a few manufacturers of bagging and ties a yearly sum amounting to approximately $950,000; and

Whereas the Bagging Trust has recently secured from the Board of General Appraisers in New York a technical ruling which will increase the amount of tribute paid by the cotton producer to the said combination of manufacturers to approximately the sum of $2,800,000 annually; and

Whereas the imposition of this burden, or of any burden, upon the large class of citizens who produce one of the greatest trade assets of the Nation, for the purpose and with the effect of enriching a few individuals who prey upon the industry is not only unjust and indefensible but un-American: Therefore be it

Resolved, That the New Orleans Cotton Exchange earnestly declares that all bagging and ties used in the baling of cotton should be placed upon the free list: And be it further

Resolved, That Senators and Representatives from the State of Louisiana and those from all the cotton-producing States and from all the United States be earnestly urged to use their efforts to bring about this just conclusion by enactment of the necessary legislation at the present extra session of Congress.

A true copy.

H. G. HESTER, *Secretary.*

Here is a letter from Mr. C. Lee McMillan, a very distinguished cotton factor in the city of New Orleans, an expert in point of information upon matters of this sort, directed to me, in which he says:

C. LEE MCMILLAN & CO. (LTD.),
New Orleans, April 13, 1911.

Hon. JOHN SHARP WILLIAMS,
Washington, D. C.

DEAR SIR: I must again beg your kind indulgence and ask that you will please read the inclosed copy of a letter I am sending by this mail to Judge BARTLETT.

While I realize the Senate last time agreed to place bagging upon the free list, and although now there are more Democrats in the upper House than there were at that time, still I feel the cause of the cotton farmer, which you are advocating, is going to require much of your attention, and I hope that you can be patient with me and with my suggestions upon the subject of free cotton bagging.

If Judge BARTLETT can get through the House the bill I have suggested (as per inclosed copy) and you can later get same through the Senate, I assure you there will be no way the Bagging Trust can prevent importations, except by keeping prices so low imports would not pay.

Before closing this, permit me to state that I have thought of but one item of information you have not already been furnished with upon this subject, and same is as follows:

If you are ever in position to ask the Bagging Trust people any questions ask them to explain why it is the trust takes some of the bagging it buys in Calcutta to its Brooklyn mill?

For your information, let me state, the trust puts Calcutta-made bagging through a bath of strongest salt water, thereby adding considerable weight, and as each additional one-fourth of a pound added to each yard enhances its selling value three-fourths cent you can realize that it pays better to take the Calcutta bagging the trust buys up in India to the Brooklyn mill, there load it up with salt, and pay freight on same to the South, than it would to ship all of its foreign-bought bagging direct from Calcutta or Liverpool to the Gulf ports of New Orleans or Galveston.

With my highest regards, I beg to remain,

Yours, faithfully,

C. LEE MCMILLAN.

I have other information of like character, but I do not wish to intrude too much foreign material into the body of the remarks being made by the Senator from North Dakota.

Mr. BAILEY. Mr. President, if the Senator from North Dakota will permit me, the Senator from Mississippi read the letter correctly, but from the reading it sounded like the duty was 27 per cent. Of course it is not.

Mr. WILLIAMS. No; 21 cents is what he said.

Mr. BAILEY. The estimate I made on a crop of 11,000,000 bales——

Mr. WILLIAMS. Twenty-one cents if the decision holds and six-tenths of 1 cent if it does not.

Mr. BAILEY. The estimate I made was a saving of $1,150,000 by the passage of this bill on a crop of eleven and a half million bales. Mr. Thompson, the cotton expert, estimates the saving at only $950,000 on a crop of 12,000,000 bales.

Mr. WILLIAMS. But the Senator and he are substantially in accord.

Mr. BAILEY. We substantially agree.

Mr. WILLIAMS. That is upon the basis that the duty on the face of the statute prevails, and not the duty as fixed by the decision of the Board of Appraisers.

Mr. BAILEY. I think, Mr. President, the effect of the decision will be this: It will cheat the men who have made contracts for bagging under the belief that they could import that kind of bagging under the duty; and the result of that will be that hereafter we will only import bagging that contains 51 per cent of jute. I think the effect of the high duty as established by this collusive suit would be to force that change.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Utah?

Mr. McCUMBER. I yield.

Mr. SMOOT. I call the attention of the Senator from Mississippi to the fact that 10 cents a bale protection is too high, according to the estimate of this letter, because of the fact that if they——

Mr. WILLIAMS. His estimate is $950,000; and 10 cents a bale would amount to $1,200,000 upon the basis of a crop of 12,000,000 bales, which is his basis of calculation.

Mr. SMOOT. That is not 50 cents a bale as I contended.

Mr. WILLIAMS. Nobody said that would make 50 cents a bale. It is not quite 10.

Mr. SMOOT. That is what I contended in answering the Senator from South Carolina. It is not quite 10 cents per bale.

Mr. WILLIAMS. What the Senator from Utah is forgetting is that the duty which is in operation by the decision of that board of appraisers is a duty of 45 per cent ad valorem, which amounts to 21 cents per bale of cotton.

Mr. SMITH of South Carolina. Mr. President, that is for bagging alone.

Mr. SMOOT. There is no question that the cotton planters of the South are not going to import cotton bagging containing less than 51 per cent of jute under the recent ruling; in fact, they could not afford to do so, because the cheap jute bagging would cost them more than 51 per cent jute bagging. So the figures that have been quoted here will have no effect whatever in future transactions, because they can buy cotton bagging containing 51 per cent of jute for not to exceed 3½ cents a yard, and why should they pay 21 cents duty on 6 yards of cheaper bagging?

Mr. WILLIAMS. They thought they were buying jute bagging.

Mr. SMOOT. Well, Mr. President, if it is decided now that bagging containing under 51 per cent of jute could not come into this country at less than 45 per cent, no planter or importer would import cotton bagging in the future unless it contained 51 per cent of jute. So the argument, so far as actual experience and actual business transactions are concerned, will cut no figure whatever in the future.

Mr. SMITH of South Carolina. Mr. President, with the permission of the Senator from North Dakota, I should like to say a word further. In view of the testimony of the expert from New Orleans in reference to ties, and in view of the operation of the bagging trust, just as soon as you get the duty prohibitive, so that there is practically no importation of their articles, as I explained before—I may have been rather unfortunate in my phraseology—the saving would be nearer 50 cents a bale than 10. The actual amount being calculated ad valorem, there would be a saving of 10 cents a bale. If the duty were removed and the price were allowed to go back to where it was under the free importation of bagging and the free importation of ties, the saving would be the difference between $1.20 and 80 cents. That is what I claimed would be the saving if we would remove the duty.

The Senator from Mississippi has read a letter from a firm in New Orleans affirming what I claimed in the first instance, that not only do we pay almost a prohibitive duty on the bagging, but that it is also loaded down with foreign material. The dealers do not ship directly to the small consumers the bagging as they receive it, but salt it down in order to increase their profits, because the minute it is spread out and put upon the bale of cotton every particle of the added weight by virtue of the salt solution is evaporated. If this weight were removed and we could buy real bagging and get our ties without the duty, I still maintain the saving would be nearer 50 cents a bale than 10 cents, as is now specifically and technically calculated upon the actual duties collected.

I am a practical farmer; I make cotton; and I think I know whereof I speak. Let me reiterate—and then I am through—there may be a possible technical saving upon the showing made by the Senator from Utah and the Senator from Texas, but the real effect will be that you will get bagging that does not evaporate; you will get it from 1¼ to 2 cents a yard cheaper; you will get your ties cheaper; and we have every reason to believe that in place of paying $1.20 a bale for enough bagging to cover a bale of cotton, the individual farmer who buys it—and the negroes and tenants of the South make 72 per cent of the entire American crop—in place of paying $1.20 a bale, will get this covering for 80 cents a bale.

Mr. McCUMBER. I have always heard of the great generosity, of the natural hospitality of our good southern friends. I have had very many occasions to demonstrate the truth of their good reputation. I fear their reputation for generosity is a little shaken by their explanations of the provisions of these amendments. Here is a bill introduced which takes from the northern farmers of three States an annual income of $56,000,000, that absolutely inflicts a loss of that much upon farmers of the two Dakotas and Minnesota, and in the same session that you strike that blow at the farmers of those three States, in the same session that you inflict that enormous loss upon the fellow toilers of the fields, the representatives of the cotton industry—the most important industry in the United States—ask Congress to create a benefit for them of $2,800,000.

Now, I submit to my friends on the other side that you certainly are not upholding your excellent reputation for generosity in that kind of legislation. It may be that the farmers of the South will save $2,800,000. I have such a deep sympathy for every one who toils in the field under the southern sun or in the long northern days that I am predisposed to assist them in every way possible, and I in doing that feel that I ought to have something of a reciprocal sentiment from them. If I am asked to vote for a proposition which will save the cotton growers of the South $2,800,000, am I not entitled to ask of them that they vote with me to defeat a proposition that will entail a loss upon my people of $56,000,000?

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Missouri?

Mr. McCUMBER. I yield.

Mr. REED. I understand the Senator from North Dakota to say that if the reciprocity bill is passed there will be a reduction to the farmers of the Northwest alone——

Mr. McCUMBER. Of three States alone.

Mr. REED. Of three States alone of $56,000,000.

Mr. McCUMBER. That is what the Senator from North Dakota stated.

Mr. REED. In other words, the people are now paying $56,000,000 a year more for their wheat from these three States than that wheat will bring after the bill is passed.

Now, will the Senator from North Dakota please answer this one question directly and categorically? Who pays that $56,000,000?

Mr. McCUMBER. Mr. President, I can not answer an erroneous question categorically or in any other way. The loss upon the 250,000,000 bushels of wheat per year of the three States, at 10 cents a bushel, is $25,000,000.

Mr. REED. Well, I——

Mr. McCUMBER. Oh, I am going to answer the question. But I am first going to make the question right.

Mr. REED. I will include the other grains that the Senator included in his statement, so that we will not cavil over that.

Mr. McCUMBER. That means 10 cents a bushel. That 10 cents a bushel measures the farmer's profit in a year under the present conditions. This 10 cents a bushel he is entitled to for the same reason that he is entitled to a profit upon his labor.

Mr. REED. Mr. President——

Mr. McCUMBER. Oh, let me answer it. Therefore the public are not injured if they pay a reasonable profit to that farmer any more than the farmer is injured if he pays an honest profit to the manufacturer and the laborer.

Therefore, Mr. President, admitting that the consumer, if you see fit, pays the amount, then the consumer pays no more than he should.

Mr. REED. Mr. President——

Mr. McCUMBER. But I have to answer the question thoroughly.

Assuming, now, that the consumer pays the 10 cents a bushel a year, and each consumer utilizes one barrel of flour a year, by removing the duty the consumer, then, has saved 50 cents a year, or at 10 cents a bushel for 4½ bushels, 45 cents. In other words, he saves 45 cents a year by reducing the farmers' business to no profit. In other words, he pays 45 cents a year in order that the farmer may have a most meager profit, and that means 4 cents a month; that means but one-thirtieth of 4 cents for a single day.

Now, I say that the consumer can well afford to pay that little profit and that little addition, if it is charged to him, in order that the farmer may have a reasonable profit upon his produce.

Mr. REED. I knew I could not get a direct yes or no answer from the Senator from North Dakota.

Mr. McCUMBER. The Senator is in error.

Mr. REED. I am going to ask him the question again.

Mr. McCUMBER. The Senator can always get a direct answer from me to a direct question. The question asked was not one that could be answered directly yes or no; and even if it could be, the Senator could not dictate what my answer should be, provided it was explanatory.

Mr. REED. I did not desire to dictate, but I say now that my question was direct, was susceptible of an answer direct, and it was this: The Senator states that the farmers of the three States he has named receive $56,000,000 annually more for their wheat—and was it barley and rye?

Mr. McCUMBER. Barley and flax.

Mr. REED. Barley and flax—than they would receive if this bill was passed. I asked the Senator the simple and direct question: Is it not the consumer who has to pay that additional $56,000,000? Now, will not the Senator just answer that yes or no and then make his explanation?

Mr. McCUMBER. The Senator was certainly not listening to me if he did not hear my answer to that—that the public did pay it; that the consumer did pay it.

Mr. REED. Very well. One question further——

Mr. McCUMBER. Now wait. The consumer did pay that. Now, if the consumer by paying that has paid the farmer more than the farmer was entitled to, then there is an injustice upon the consumer. But if taking into consideration what the farmer has to pay for the things he purchases, the amount he receives for his product is only a very meager, fair compensation, the public have no right to complain. That is the complete answer.

Mr. REED. Will the Senator yield for just a moment further?

Mr. McCUMBER. Certainly.

Mr. REED. Of course, the latter part of the Senator's argument—not his answer, but his argument—is a general argument from the protectionist standpoint. I do not intend to argue that with him now. He has given great study to this question, and I simply wanted to get that admission, which I now have obtained, that whatever increase of price there is upon grains comes ultimately out of the pockets of the consumers.

Now, I wanted to call attention to one thing. The Senator figures $56,000,000 as the increase of the price of farm products—that is, farm grains, flax, and barley, and wheat—for three States each year. Has the Senator figured the amount for all of the States?

Mr. McCUMBER. No; but these are the principal grain States which are directly affected. The Chicago market is not benefited 10 cents a bushel, probably. The Kansas City market receives a benefit, but not to the same extent. It is probable that the San Francisco market in wheat receives no benefit whatever. It is probable that the New Orleans section receives only that little benefit, that indirect benefit, which comes from a higher price on similar articles, which is rather light. But the benefit is very important to the three States I have mentioned.

Mr. REED. I understand, then, that the Senator concedes there is no substantial benefit to any of the States except the three States he has mentioned?

Mr. McCUMBER. Oh, no, no——

Mr. REED. That it does not benefit in Kansas City, and I can say to the Senator, for I live there——

Mr. McCUMBER. Do not make that statement, Mr. Senator. I did not say they did not get the benefit. I said they did not get the same benefit.

Mr. REED. Will the Senator, then, give us an estimate of what proportion of the benefit these other States would get? You get 10 cents a bushel. How much do you think the rest of the country gets?

Mr. McCUMBER. The Senator asks a question which is impossible to answer in dollars and cents. I can only explain to the Senator how all of these estimates will be made. The Senator knows that if oats, for instance, which is used for feed, is considerably higher in any year than it has been in previous years, that of itself will create a greater demand for a substitute, which we will say is barley, and the increased demand will raise the price of barley. When oats and barley are both very low, corn under ordinary conditions goes down with them, and when one of these articles which is used for food goes up, the other tends to rise by reason of the demand created for the other articles, and it raises the value of that. No man has statistics on it. No man can compute it. We only know of its general influence in raising values. Wheat is an article of ordinary consumption, and the general world's supply and the world's demand fix a sort of a level, not an actual level, but what we may call nearly the world's level.

Local conditions make values higher here and lower there. Many conditions affect it, but they all have an effect upon the value of that product. And if the prices of wheat are higher in one section of the country the very fact that they are higher there, that there is a shortage, for instance, of No. 1 northern in the country, as I have explained to you, sends the millers of Minneapolis and Duluth down into the Chicago market, and they begin to buy up and create a demand for No. 1 red, which can be mixed with the No. 1 northern, that demand raises the value of the No. 1 red. I can not tell you in dollars and cents because there are no statistics by which we can measure the influence of the price of one product upon another, but every man who knows anything about trade knows of that influence. I think I have answered the question as far as it is susceptible of being answered.

Mr. REED. Will the Senator yield?

The Senator's answer to my question as to the amount or per cent of benefit the rest of the States would receive from this tariff or have received from it reminds me of the line of the old song—

The longest way around is the shortest way home.

The Senator challenged——

Mr. McCUMBER. Sometimes it is the surest way home.

Mr. REED. And sometimes it is the only way to avoid walking directly into a cul-de-sac.

Mr. McCUMBER. The Senator wants to be fair, I know, and I think if he will stop one moment he will give me credit for being most fair in my explanation as to what extent the value of one product modifies the value of similar products.

Mr. REED. I give the Senator credit for the utmost sincerity of purpose; I give the Senator credit for having given this subject special study; and I asked these questions with a sincere desire to get some light. The Senator this morning challenged the Senators from the South to a mathematical statement of how much their States would be benefited by this bill.

Mr. McCUMBER. Yes, Mr. President; let me answer the Senator right here. I did that because the question I propounded was capable of mathematical demonstration, and I will say that the Senators were kind enough to give me the answer in a mathematical demonstration, just the same as I have given you the accurate statement of the losses upon certain products.

Mr. REED. I do not desire to press this matter importunately, but, if possible, to get at a conclusion. The Senator for some reason is able to give us what he calls a mathematical demonstration regarding the losses upon wheat in Minnesota and the two Dakotas. He asserts it will be 10 cents a bushel. That influence of 10 cents a bushel certainly does not run sharply to the red line of the map that divides those States from other States.

Mr. McCUMBER. That is what I am trying to explain to the Senator.

Mr. REED. Ten cents a bushel up to that line, and capable of mathematical demonstration and certainty, and then suddenly to enter the realm of uncertainty where there is no possible estimate that can be made. I wanted to ask the Senator if he could not give this body and the country the benefit of his opinion and judgment and estimate as to the amount in the aggregate the prices of wheat and flax and barley have increased in the entire country, if he has any estimate of it.

Mr. McCUMBER. If the Senator is through, I will answer the question.

Mr. REED. Yes, if you can make an estimate; because, Mr. President, to be frank with the Senator, if there is going to be a tax of 10 cents a bushel levied for the benefit of the farmers of North Dakota and Montana I want the farmers of Missouri to get their 10 cents a bushel. I do not want any tax levied

the burdens of which fall on all the people of the United States and the benefits of which are limited to three States.

Mr. McCUMBER. Let me ask the Senator, does Missouri produce any barley?

Mr. REED. A little.

Mr. McCUMBER. How much?

Mr. REED. I can not tell you. I have not been a student of this question from that standpoint. I have not been trying to tax the rest of the world for the benefit of my State. I can say to the Senator from North Dakota that the farmers of Missouri do not ask for any protection. They simply want a fair field and no favor, and they will meet the competition of this round world and beat it.

Mr. McCUMBER. I suppose, Mr. President, that we have all kinds of farmers in all sections of the country. I have a good many letters from farmers in Missouri and they are just as intense upon this question as the farmers of North Dakota. They may be mistaken, it may be only a few, it may be only the ones who wrote to me, because the farmer does not generally write at all unless he is worked up to a pretty high pitch of excitement over a proposition.

But, now, I want to get right back and answer the Senator. He wants to know the line of demarcation between the 10 cents a bushel and that which would be less than 10 cents a bushel.

Mr. REED. That was not my question. I want to know your best estimate of the total amount of addition to the price of these three grains upon all the grain raised in the country.

Mr. McCUMBER. Mr. President, the great trouble with nearly all the Senators who have tried to argue the wheat question seems to have been a sort of a total lack of knowledge as to where the different kinds of grain were raised, what it was used for, into what markets it generally went, and where was the usual course of trade, and the hundred and one things that bear upon it.

As I stated in a previous discussion of this question, they seem to think that the surplus of this country was as though it was in a single bin, and that if you draw from a part of that bin it would lower the surplus throughout the entire bin. They seem to forget entirely the breadth of our own country, the different sections into which it is divided, and the course of trade. They seem to fail to understand that there might be a shortage of grain in the Northwest to meet the millers' demand, of the kind of grain that would be required, and could not be supplied from the San Francisco district or from the New Orleans district on account of the great distance and the freight. They seem to take cognizance of but one fact, that there are 650,000,000 bushels of wheat raised and there are 100,000,000 bushels to export in wheat and flour, and as long as we export any of it its price must be generally about the same and fixed by the world's demand.

I have tried to make that clear, Mr. President, in previous arguments upon this occasion, but I can be definite as to some localities. I know the kind of grain that is raised up in the Northwest. I know where its market is. I know what its value is. I know what it is used for. I know the comparative price between that grain and the price on the other side. I know that the grain on one side is sold upon a market whose price is established by the home demand. I know that the mighty surplus upon the other side is sold upon a market whose price is established by the world's demand and not the home demand. I know that the amount of the surplus on the other side is so enormous that it would supply our entire demand upon this side and would still leave an enormous balance for export. I know that the logical, the conclusive, the only result would be that we would both be placed upon the export basis. Knowing what the difference between the export basis and the home-demand basis is, I take a period of 10 long years, and I can make an actual estimate and apply it to the crop during those 10 years and get a sufficiently accurate result upon which I can base my judgment.

I used the 10 cents a bushel, first, because it was ultraconservative, and, second, because it made it more easy of computation. I was using it only as a matter of illustration. As a matter of fact, the difference averages about 13 cents a bushel for the last two or three years. But, lest there might be some question about that being the average, I have taken the lower amount of 10 cents a bushel. If we raise and sell, under the ordinary conditions of a full crop, 250,000,000 bushels of wheat in those three States, and the difference is 10 cents a bushel, then I know that if we would be placed upon an export basis we would be losing 10 cents a bushel, and that 10 cents a bushel on 250,000,000 means, in round numbers, $25,000,000.

Now, I take the barley, that which is raised down in the Senator's own State. I do not know just how much is raised there, but, assuming that the farmers raise a fair amount, the difference between Canadian barley and Minnesota barley over the line has been for the last year a difference equal to the tariff of about 30 cents a bushel. I can then multiply the difference of the price by the number of bushels, and it will very accurately measure the loss. In some years—in 1910, for instance—there was a very little crop raised up in the Dakotas, but I am estimating that the three States will raise about 250,000,000 bushels if the three States are raising a normal crop with their present cultivation.

The Senator must see that if barley was worth a dollar a bushel, the highest I have ever known it to be in Milwaukee during the last year, and it was worth only from 50 to 70 cents a bushel over on the Canadian side, and they had a surplus in Canada which they would either have to consume at home or export, then we are getting a benefit, and the farmer of Missouri shipping his barley up into Milwaukee for $1 a bushel is making money on his barley. He is getting a direct benefit, and with that much difference he certainly can afford to ship it to Milwaukee, although that may not be the nearest market, and possibly not the most profitable market; but he is securing a benefit from that duty on barley.

It is impossible, as I said before, to estimate how much Iowa gets out of this. Iowa's market for the most part is Chicago, but the wheat and the barley of Iowa will be influenced by the value of the wheat and the barley of the Dakotas and Minnesota, how much no man can tell. We only know that an increased demand always increases the price, and when there is a higher price of any one article it creates a demand for other similar articles that can be used as a substitute.

Mr. REED. Would the Senator think if he gets——

The PRESIDING OFFICER (Mr. HEYBURN in the chair). The Senator from Missouri will please address the Chair.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Missouri?

Mr. McCUMBER. Always, with pleasure.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. REED. I apologize to the Chair. I thought by consent of the Senator from North Dakota I had the floor to interrogate him.

The PRESIDING OFFICER. Whenever a Senator——

Mr. REED. I will observe any rule, however technical, with great pleasure.

The PRESIDING OFFICER. The Chair will state the rule. When a Senator desires to interrupt another Senator who is speaking, he must first address the Chair and receive recognition, and then must be recognized as entitled to speak.

Mr. REED. I fully understand the rule, Mr. President.

The PRESIDING OFFICER. It is the duty of the Chair to state the rule to the Senator, whether he understands it or not, if he disregards it.

Mr. McCUMBER. I yield, Mr. President.

Mr. REED. I am not disregarding it. Would the Senator say that the rest of the country get half as much benefit as the three States that he is especially interested in?

Mr. McCUMBER. After having stated the general proposition, the intelligence of the Senator from Missouri, his general information upon trade matters is such that he can probably answer as accurately as I can. When I have stated that it could not be reduced to dollars and cents or even percentages, I have stated a fact which is self-evident to the Senator, which is as conclusive as it can be made. So if I would answer the Senator my opinion would be no more convincing to him than it is at the present time.

Mr. REED. I simply desired to get the Senator's opinion, and I understand now he can give none; that——

Mr. McCUMBER. Mr. President, the Senator does himself an injustice when he says that I can give none, because if the Senator—who certainly represents a State with great agricultural interests and who, true to those interests, investigates the commercial relations of the products of his State—is unable to answer the question, I am unable to answer it for him. But the Senator does know, for instance, that if the price of what we call northern wheat goes up, the price of red, the wheat of the Central States, always rises some. He will know that if the prices of barley and oats go up there is some similar relation with corn that is used for the same purpose. When he says that I admitted that I can not answer the question as to whether it benefits or not, the Senator is inaccurate in his statement.

Mr. REED. I do not want to be misunderstood, Mr. President.

Mr. McCUMBER. I know the Senator does not.

Mr. REED. I do not want to misquote the Senator. I have been very sincere in my desire to get an estimate of the Senator, based on his own judgment and his own investigation.

Mr. McCUMBER. The Senator must remember that the estimate I make on this year will not be wholly applicable to conditions, which may be different, another year.

Mr. REED. I understand.

Mr. McCUMBER. I would have to take each year separately, and then I would have to take one kind of grain and compare the rise and the fall of that particular grain in that year with another grain of a similar character, which can be used for the same purpose, and see what effect the rise and the fall on the one would be. That, the Senator should see, would be so changeable that I could not reduce it to an estimate that would be satisfactory to either of us. Yet the fact would never be denied by either of us.

Mr. REED. Mr. President, the Senator hardly allowed me to conclude, but since his response let me pass this observation. The same difficulty which he speaks of as existing with reference to an estimate of the amount of money that is paid to the farmers outside of the Dakotas and Montana exists, of course, in making his estimate with regard to Montana and the Dakotas.

Mr. McCUMBER. Certainly.

Mr. REED. I thought that certainly the Senator would take one of two positions, either that this 10 per cent raise operated in general throughout the country and gave the country a general benefit substantially the same throughout, or else he would admit that its benefits were limited to those local markets immediately contiguous to the Canadian line, or that he would take a third position, that the benefits throughout the country could be approximated, so that you could say if it raised it 10 per cent in these three States it certainly raised the price 5 per cent on a similar amount in the other States.

What I was trying to get at, what the American people are trying to get at, in my judgment, is how much, if anything, does this tax on wheat cost the man, the woman, and the child, the farmer and the laborer, the minister and the lawyer, the 90,000,000 people who eat bread? We know, according to the Senator's statement, that we are to pay $56,000,000 to three States. I want to know how much we are to pay to all the States for the bread that sustains life.

Mr. McCUMBER. Suppose, Mr. President, it operated even 10 cents a bushel on every bushel of wheat that is raised in the United States. I want the Senator to get that now, because he seems to want a question to be answered many times before he fully comprehends it. I have stated that suppose the entire charge was made to the people of the United States of 10 cents a bushel, which would amount to 44 cents upon a barrel of flour, and that each individual consumed a barrel. That is approximately correct. Each individual would then pay to the farmer an additional price, if the farmer got it all. Of course he is not getting it all, nor would the consumer get the full benefit if it was taken away. But I am giving the Senator the benefit of every possible doubt. Then the consumer would pay an addition of 44 cents a year, or about 4 cents a month. That would be a loss to the consumer of one-thirtieth of 4 cents a day. If the Senator will multiply that by 92,000,000, as a lightning calculator, he will then get the entire amount that the consuming public would pay in addition for their flour, assuming, of course, that they did pay all of this sum.

But, Mr. President, they do not pay it all. I am doubtful if the difference of 10 cents a bushel would make one penny's difference in the price of a barrel of flour. Its proportion to the price of the barrel is so small that the great manufacturers seem to scarcely take it into consideration. I am, therefore, very doubtful if the public would get any benefit by reason of taking it off, and it may be doubtful if they pay one-quarter as much as my estimate would be by reason of its being on.

Mr. REED. Mr. President——

Mr. McCUMBER. The Senator from Missouri must understand that the difference of 10 cents a bushel in the value of the wheat has never made any material difference in the selling price of flour. If he will look over the statistics and the Statistical Abstract he will find that that little difference is not considered at all by the miller in fixing his established prices. That the miller would make something, that he would save 10 cents a bushel, there is no question, but I doubt very much if you take it off if the consumer would get any benefit whatever.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Missouri?

Mr. McCUMBER. Mr. President, I think I have answered each query of the Senator very thoroughly. I want to go a little further and I will answer another proposition, because I noticed in the debate a short time ago that the Senator from Missouri questioned the fact whether or not the laborers of the city were paying less expended energy in the purchase of a barrel of flour than was expended by the farmer in producing that barrel of flour.

Mr. GORE. Mr. President——

Mr. McCUMBER. That becomes a most important factor in determining whether or not the farmer should be benefited——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Oklahoma?

Mr. McCUMBER. In just a moment. Because, Mr. President, if the amount of expended energy in the city produces a result three or four or five times as great as the expenditure of the same amount of labor upon the farm, then there is something to be righted in our trade relations, and it becomes our duty as representatives of all the people to do what we can to right those conditions. I want to give attention for a moment to that condition. I will now yield to the Senator from Oklahoma.

Mr. GORE. Mr. President, I agree with the Senator that in selecting a small unit to determine the weight or burden of a tax that burden and weight may be reduced to what seems to be a trifle. He lacked one step of going far enough in his hypothesis with reference to the wheat crop of the United States. As I understand, the wheat crop last year approximated 700,000,000 bushels.

Mr. McCUMBER. No; about——

Mr. GORE. Six hundred and ninety-five million, to be exact.

Mr. McCUMBER. It is less than 675,000,000, but that is close enough for your estimate.

Mr. GORE. Six hundred and ninety-five million.

Mr. McCUMBER. Six hundred and seventy-five million.

Mr. GORE. No.

Mr. McCUMBER. All right; give it at that.

Mr. GORE. I will take it at 700,000,000, in order to make the calculation easy. If the hypothesis be true that each bushel is advanced 10 cents by the tax, then the total increase in the crop was $70,000,000. According to the Senator's contention, the farmers of the United States on his hypothesis would have received $70,000,000 more for the wheat crop last year, on account of the tariff, than they would have received without the tariff. Does the Senator think that on that hypothesis the farmers would have received last year $70,000,000 on account of the tariff for nothing?

Mr. McCUMBER. Had we free trade with Canada last year the farmers of our section of the country would have suffered about one-third of that in actual loss in the three States.

I have stated to the Senator over and over again that I do not think every bushel of wheat in the United States is benefited 10 cents a bushel by reason of the tariff, and the debate has been so long upon that subject that I think the Senator will not presume to press that part of it any further.

Mr. GORE. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield further to the Senator from Oklahoma?

Mr. McCUMBER. I yield, Mr. President.

Mr. GORE. I should like to place the exact figures in the RECORD. The crop was 695,443,000 bushels. I realize that the Senator did not state that there would be a net advance of 10 cents on the entire crop in the United States, but I will bring it to the three States which he designates—Minnesota, North Dakota, and South Dakota. As I understand the Senator, he contends that the farmers of those three States realized last year $56,000,000 on account of the tariff more than they would have realized without the tariff. Is that correct?

Mr. McCUMBER. Will the Senator repeat his last statement, because my attention was called away?

Mr. GORE. I say the proposition is that it advanced the entire crop throughout the United States 10 cents. I do not understand that to be your contention, but that is your hypothesis. But I do understand the Senator's contention to be that the farmers of the States of North Dakota, South Dakota, and Minnesota realized last year on account of the tariff on grain $56,000,000 more than they would have realized without the tariff.

Mr. McCUMBER. No; to be accurate, I did not state that. I stated that under normal conditions with our present land under cultivation we have never raised in the three States 250,000,000, I think, but with the present amount of land under cultivation and the usual proportion sowed for wheat and with ordinary weather conditions the three States would now produce about 250,000,000. I desire to correct the Senator so that my statement may stand irrespective of what the estimates may be for the past years.

Mr. GORE. As I understand, the Senator embraces in that $56,000,000——

Mr. McCUMBER. Three States. I will state to the Senator there are hardly 100,000 of barley, I think, raised in the three States. When I spoke of barley I spoke of the northwestern barley States, which might include Wisconsin and other States.

Mr. GORE. Then, on the conditions which the Senator suggests, I ask him if the farmers of those three States realized $56,000,000 on account of the tariff for nothing?

Mr. McCUMBER. No; Mr. President, they did not realize it for nothing. Now, let the Senator finish his question and I will give him a full answer.

Mr. GORE. I wish to know if they received $56,000,000 more on account of the tariff than they would have gotten without the tariff?

Mr. McCUMBER. That has been answered over and over again.

Mr. GORE. I wish to know what value they returned for that $56,000,000, what value they parted with for the $56,000,000 that they got on account of the tariff, and if it was due to the tariff?

Mr. McCUMBER. Is the Senator through with his question?

Mr. GORE. Yes; I am.

Mr. McCUMBER. They parted with a 60 per cent duty on their clothes; they parted with a duty upon everything that they purchased; they parted with extra taxes; they shared in paying a great national indebtedness; they incurred sacrifices in building up their own State; they parted with large sums of money to educate the people of the State; they parted with large sums of money for the benefit of other sections of the United States; and having parted with those, they do not feel that it is just to them that there should be turned over now a great market, built up by their sacrifices, built up by their labors in past years, built up by their enthusiastic support of a policy that would increase the population and the home demand for their products, that they should now surrender that home demand for the benefit of those who have sacrificed nothing, who have endured nothing in the past, and who will pay nothing in taxes or anything else in the future for the benefit of the country.

Mr. GORE. Mr. President——

Mr. McCUMBER. Mr. President, we are leaving the real question at issue and we are going back into academic questions, which it was not my purpose to discuss. I have tried to be fair with Senators in interruptions, and doubly so am I glad always to get the good views of the Senator from Oklahoma.

Mr. GORE. That is very kind.

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Oklahoma?

Mr. McCUMBER. I do.

Mr. GORE. Mr. President, I appreciate the very eloquent and very comprehensive answer which the Senator from North Dakota has returned and his catalogue of what the farmers receive for the $56,000,000, yet I do not quite understand what value they parted with in order to get the $56,000,000; and I will suggest that if they received the $56,000,000 on account of the tariff, then somebody parted with $56,000,000 to those farmers on account of the tariff.

Mr. McCUMBER. The millers parted with a considerable portion of it, I will say to the Senator from Oklahoma.

Mr. GORE. What did the people who parted with the $56,000,000 get for the $56,000,000?

Mr. McCUMBER. Mr. President, I think I have answered the Senator's question very thoroughly. If he wants detailed answers, I will say that the millers parted with considerable of it; that the millers paid a better price for the grain than they would have paid if they had had Canadian grain, and therefore the millers paid some of this. I will say that the brewers paid some of it. The brewers paid a higher price for their barley. It may be that the brewers ought to be protected in a better way than they are and ought to be allowed cheaper barley; but when I look at the mammoth homes of the brewers, when I look at their palaces scattered all over the country, and then when I look at the little farm hovels over the entire United States, with their inhabitants having scarce enough to wear of good clothes, when I think of the number of people who serve and wait upon the pleasure of the brewer, I am not inclined, Mr. President, to want to enhance his profits at the expense of the farmer.

What I can say generally of the brewers I can also say of the great millers of the country, and I am certain that the taking off of this tariff will inure to their benefit. Very little benefit, if any, will go to the general consumer. I have several times over covered the subject of what the consumer would pay.

Now, Mr. President, I will agree partly with the Senator from Oklahoma that if we are all to go upon a free-trade basis, of course that presents an entirely different proposition, but assuming that we are still to continue upon a tariff-protection basis, I want to consider now the farmer's condition compared with the condition of other laborers of equal intelligence.

I was told the other day by a contractor the prices that he paid for his help in building. He pointed out in one instance a sleepy sort of individual, who sat for eight hours in an elevator, and upon the ringing of a bell lazily pulled a lever on one side and sent the elevator up, and, waiting a few minutes until there were two rings, pulled the lever the other way and he went down. For eight long hours he continued in that very active work, and received for five and a half days the sum of $36, or over $6 per day. I find that the bricklayer, I find that the plasterer, I find that the carpenter, I find that the stonecutter, and also the paper hanger are receiving about the same rates. I go to the bricklayer, and I find he is paid by the hour, instead of by the day, and he receives 62½ cents per hour.

If the Senator will follow that out and take the number of hours in a year at some 3,000 and multiply it by 62½ cents per hour he will get the wages of the ordinary laborer; certainly a laborer who is not more intelligent than is the farm laborer—at least, he need not be—because in order to raise crops we have to receive a technical education and we have to invest a large sum of money as capital. After estimating the amount that this laborer receives per day, I go back to the farmer who works on an average of 12 hours a day, and I find by as careful an estimate as can possibly be made, that he receives for that labor the beneficent sum of about 6½ cents per hour. Then you have your city laborer at 62½ cents an hour and your farm laborer at 6½ cents per hour, the city laborer receiving 10 times as much for his energy expended per hour as the farmer receives.

What has been the result? The result has been that you have built up a high cost of living in the city which is out of all proportion to what it ought to be, so that we are seeking some means to alleviate the condition of the man who is working for a definite salary. With that high price of labor your building costs you 10 times as much as it would if constructed with farm labor. Your land then takes on an enormous value.

The result is that everything that is handled in such buildings, erected upon a foundation of gold created by the higher price of the American laborer, takes on a higher value, and you must tax the purchaser to pay it. Then, because your prices are high, you go back to the farmer, who is not responsible in any way or in any degree for the higher cost of living, and you immediately shave down his profits to a mere existence, in order that the balance of the world may live upon his labors and live as well as they have been living. And you call that justice to the farmers of the country. Then, in the face of the injury that you have created, you offer him this sop, which you call the farmers' free-list bill, and from which the best of you can not establish to any certainty that he will get any benefit whatever.

Mr. President, I have, in all the years that I have been here, tried to impress upon the Senate the real condition of the farming public of the United States; I have tried to have them understand that the farmer is not receiving his just deserts for the labor that he and his family are daily performing; but the average Senator, the average Member of the House of Representatives, looks upon him in the same light as does the Senator from Ohio [Mr. BURTON] and the Senator from New York [Mr. ROOT], when they consider him a mere necessity in the economy of living, as an individual intended by God Almighty to furnish food that the rest of the people may live in ease and comfort. Anything that tends to raise the value of his product so that he shall receive a compensation for his labor, one that will more nearly equalize his compensation with the labor compensation of other individuals, is looked upon as something dangerous to the American people, and he is answered with the cold proposition that the other two-thirds of the American people will not submit to having the price of the loaf of bread increased to them and to their families.

The Senator from Ohio speaks in kindly terms of the farmer; he seems to have an affectionate regard for him; but when it comes to putting that affectionate regard into the form of a benefit, both the Senator from New York and the Senator from Ohio balk and say, "We can not do that." We can not afford to allow the farmer any more than he is now receiving, and lest his products might raise in value, we must have this Canadian reservoir ready.

The Senator from Ohio dilates upon the great men who have come from the farms of the United States. Mr. President, if great men come from the farm, it is because of the trip-

hammer of poverty that makes human character, that, with its heavy stroke upon stroke, hardens the individual and makes him capable of resistance, that gives him a power of endurance and enables him to walk out into the world and to meet the world with a courage and a confidence that you can not find in the hothouse flower of the city. But, Mr. President, would the Senator from Ohio keep the farmer in poverty that he might be the breeding ground of strong American characters? It is against that proposition that we who represent farming constituencies rebel.

Every Senator knows if he has carefully estimated the earning capacity of people on the farm that their earnings really are not one-fourth of what labor of equal intelligence receives in the city. I say here that the farmers are entitled to the same amount, and I say that the country would be in better condition if we could equalize the earning power of the whole rural districts until they would be an inviting field for the men and the women of the cities.

But I am told "Ah, this is an idle dream"; that there should be as much wealth displayed in the country as in the city.

Mr. President, if by any character of law I can make the farmer's product worth more than it now is, then it is my moral duty to make it so, but instead of assisting the great class of citizens who need your help more than any other class in the United States, a benefit to whom would benefit the whole country and take your excess population out of the cities, your first blow is at the farming population—those who earn the least—and you take from them every vestige of protection, while continuing to protect those whose earnings are the greatest.

I wanted to ask my Democratic friends to mention some benefits that will inure to the farmers of this country by reason of the farmers' free-list bill. I take agricultural machinery, and I ask the author of the amendment if he can tell me where the farmer will get his machinery any cheaper if we take off the tariff, and he says, if I recall rightly, the farmer will get no benefit. This is one of the principal items, and the author of the amendment admits it is a sop to the farmer and gives him no real benefit whatever.

Then I take bags and bagging. This reciprocity treaty will not injure the cotton raiser of the South. It will injure the wheat raiser of the North. Then, under the pretext that you are to give a benefit to the farmer, you give a benefit to the farmer who is not hurt, and you refuse to insert in your free-list bill anything for the benefit of the farmer who is hurt.

Then I take the articles of hoops and bands. I want to get that matter definite. I understand that the tariff upon hoops which are used to bind cotton would amount to 2.7 cents. That is my information from the Senator from Pennsylvania.

Mr. SMOOT. That is correct.

Mr. McCUMBER. That is a saving, if you get the entire saving, of 2.7 cents on a value of $65 for a bale. It is a bagatelle, though taken in the aggregate, of course, it amounts to considerable; but there is nothing for the farmer you hurt, no salve for the wounds that you inflict upon him.

Then I take the next item, boots and shoes, which it is proposed to put on the free list. When boots and shoes are on the free list, are you to get boots and shoes any cheaper? We reduced the duty on them down to 10 per cent. Did we get them any cheaper? The difference in cost on account of the tariff on the leather, which you took off, amounted to only about 3 or 4 cents on the very best pair of shoes, and will the shoe manufacturer make a difference upon a shoe, the price of which he never divides into smaller division than 50 cents? On a $2, a $2.50, a $3, or $3.50 shoe is he going to make a reduction of 3 or 4 cents? So, here again you have given the farmer absolutely nothing.

Then I come to barbed wire. You say you will give the farmer some benefit on barbed wire. Mr. President, where is he to get it? Is anybody importing barbed wire into the United States? We are exporting barbed wire, and we are jumping over tariff walls to do so. If that is the case, if we can manufacture barbed wire so cheaply that we can get into other countries with it, is there much danger of other countries coming into ours with their barbed wire? Who manufactures it abroad? The same condition applies to barbed wire as applies in the case of farm machinery. No foreigner would attempt to construct a plant to manufacture farm machinery to sell to the people of the United States unless he could get a guaranty that for 15 or 20 years at least he would not have any tariff to pay, and neither you, nor I, nor anyone else can give him that guaranty. Therefore he will not enter into the business of competing with the American manufacturer. So we get nothing out of that.

I turn to your next proposition—that is, beef and veal and mutton. It is a new proposition that you are going to benefit the farmer by lowering the duty on the thing which he produces—his protection. I do not care whether the protection is direct or indirect. I believe that the tariff is 1½ cents a pound on those articles. Well, we are exporting meat to Canada; we are exporting canned meats elsewhere. We are consuming about all of the meats that we produce in the United States, but the Chicago packers, the Omaha packers, and the St. Louis packers are able, I believe, to compete with the world, and therefore the farmer will get no benefit because no man is going to import meat into the United States.

Then take the item of flour. I have heretofore gone over that, and I have shown you that the difference is so little that it is not worth being taken into consideration at all.

Then we have lumber, and I have shown you that, taking the average amount which the farmer would use to build a house, he would have an actual saving of about 55 cents a year in the difference in the value of lumber, but against this he would have a loss of from $200 to $250 a year, dependent upon the character and the amount of grain that he raises.

I come now to the item of sewing machines. Those who are manufacturing sewing machines do not need any protection at all, and I do not see why the duty has ever been kept on, for the reason that American manufacturers are selling sewing machines abroad and are manufacturing them abroad. If they manufacture them abroad, they probably would not bring them into this country and sell them in competition with their own goods manufactured here. A Singer sewing machine, I presume, costs about from $25 to $30 at retail, and it is good for 30 years. Suppose the farmer did save 10 cents a year on a sewing machine, what is that compared with the enormous loss that you are inflicting yearly upon him by reason of this reciprocity agreement?

Mr. President, I am going to vote for this amendment, but I am going to do so upon a principle, and that principle is this: When you take all the protection from the product of one man you ought not in morals and in justice to retain it upon the product whenever it has been manufactured by some one else. The people of my State not only complain, as they have a right to complain, against the damage, against the general injustice of this reciprocity agreement, but they complain, as they have a right to complain, against the injustice contained in the proposition that they are not treated as the manufacturer is treated. They rebel against that; and it is in conformity with their almost universal demand that I stand as much as I can between them and this outrageous policy that they are not to be treated as having the same rights that are accorded other American citizens, that I shall vote for a proposition that would otherwise be obnoxious to me as a protectionist.

Mr. President, I had hoped that some Senator who favors this amendment would have the kindness to explain to the Senate the benefit the farmer is to get from the free-list bill; but no one has done so, for no one can show a benefit to the farmer that is worth the breath he expends in proclaiming it.

Mr. HEYBURN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. OLIVER in the chair). The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Borah	du Pont	Lippitt	Simmons
Bourne	Fletcher	Lodge	Smith, S. C.
Brandegee	Foster	McCumber	Smoot
Briggs	Gallinger	McLean	Stone
Bristow	Gamble	Martin, Va.	Swanson
Bryan	Gronna	Nixon	Taylor
Burnham	Guggenheim	Oliver	Thornton
Clapp	Heyburn	Page	Townsend
Clark, Wyo.	Hitchcock	Penrose	Watson
Cullom	Johnston, Ala.	Perkins	Wetmore
Curtis	Kenyon	Pomerene	Williams
Dixon	Kern	Shively	Works

The PRESIDING OFFICER. Forty-eight Senators have answered to their names. A quorum of the Senate is present.

Mr. HEYBURN. Mr. President, I have been in some doubt in my own mind as to whether I would say anything before the vote is taken upon this amendment. It is not in accordance with the policy that I have laid out for myself to attempt to discuss these amendments except where there is a probability or even a possibility of the amendments being adopted. In that case I would feel that I was not performing my duty should I allow them to come to a vote without placing in the RECORD such views as I might desire to have accompany my vote.

It is being asserted around me to-day that certain Senators are going to vote for this amendment on the wool schedule, and the reasons have been given. If that policy is prevalent it may be that we will find ourselves with Schedule K amended, and we will have to wait for some years for relief from a condition which would be very embarrassing to the country and those whom we represent, and those whose interests are at stake might say, "In that hour, when this was imminent, you were silent. Why?" I could not say that I was silent because I acquiesced in it from any standpoint or for any purpose. Therefore, I feel impelled briefly to say what I have to say against the enactment of such legislation.

The single question to be voted upon is whether the duty on wool shall be reduced from 11 cents to 3 cents. That is what it amounts to. We have had some experience, and we are not without a guide in this matter. Only once during the lifetime of any one in this Chamber have we had free wool. Schedule K has stood as the law of the land under the McKinley bill in 1890, under the Dingley bill in 1897, and under the existing tariff law. During the period of the Wilson bill or the Wilson-Gorman bill, or whatever you choose to call it, we had free wool—absolutely free wool—with a duty on manufactured articles.

I have sat here and listened with some amazement to a discussion as to the principles of the Democratic Party in regard to these matters, and I have been unable to see how they would reconcile their position under the Wilson-Gorman bill with the position they are assuming at this time. They are now demanding that the manufacturers of wool shall be relieved of their duties and proposing to place a small duty upon the raw wool.

Their action then and their policy now are so utterly inconsistent that it is difficult to explain. But I never was able to give a reason why a man should be a Democrat, and I was never able to explain to myself or anyone else why the Democratic doctrine should be the rule or law of the land; and I will not attempt it now. I will let it stand for itself.

The wool interest, of course, carries with it the sheep interest, because unless the wool is an inducement the sheep will not be raised. This, taken together with the proposed Canadian pact, which allows the sheep to come in free, of course presents the problem of wool and sheep together. You let the sheep in under the Canadian act and the wool in under this act. Of course, under the Canadian act, the sheep might bring in his own wool. He could come over onto this side of the line for shearing, and he could come by the millions. It is safe to say that more than a million Canadian sheep are sufficiently accessible to the boundary line to enable them to come in free, and to make money by coming, and it is safe to say that the Canadian Pacific road and the other roads could well afford to give rates to the sheep coming into this country for the sole purpose of being sheared and taken back.

I have given some attention to that matter, and I do not hesitate a moment to say that the cost would be so insignificant that the sheepmen on the Canadian side of the line, within 50 miles of the American line, could afford to bring their sheep over here on the railroads and shear them—bring them here for a few cents—and derive the benefit that they would derive by getting their wool into our markets free.

I have taken the matter up with some transportation men in order to see whether or not I was mistaken, and I am justified in saying that there is no question but that a very large quantity of wool would come into this country on the backs of the sheep and the sheep would go back to raise more wool.

But that was bad enough, and I raised my voice against that on a former occasion at greater length, but now it is proposed to allow the wool to come in in the fleece because, of course, 20 per cent ad valorem on the prevailing price of wool—3 cents a pound—would not be a deterrent at all and would not keep any wool out of the country.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to his colleague?

Mr. HEYBURN. Yes.

Mr. BORAH. I agree with my colleague, as he knows, upon the subject of the general necessity of maintaining protection for the wool industry. But my colleague stated that we now have a protection of 11 cents.

Mr. HEYBURN. Eleven cents.

Mr. BORAH. Yes.

Mr. HEYBURN. Yes.

Mr. BORAH. Well, that is ostensibly so, but does not my colleague agree with me that, as a matter of fact, the wool-grower only has about 7 or 8 cents now?

Mr. HEYBURN. If I were not afraid of overrefinement in reasoning, I would go into that question. I understand exactly what the Senator suggests, and it is in a measure true that there are certain things to be charged against the 11 cents protection that reduce the benefit derived under it. But then, in discussing a principle of legislation, I think it is sufficient to accept the face of the law and base the reasoning or conclusion upon it.

Mr. BORAH. I only wanted to call attention to the fact that it is another instance based upon the same principle as the reciprocity agreement——

Mr. HEYBURN. Very much like it.

Mr. BORAH. Where the eastern manufacturer gets very much the best of it.

Mr. HEYBURN. Yes; there is room for improvement in regard to that matter.

There are certain regulations that ought not to exist in regard to the manner of estimates. But I might go into that at the sacrifice of the general principle which should control. This is a place where principles of law and principles of government should be discussed rather than the details as to their application, and one often enters into a detailed consideration of a political question here at the expense of the question itself.

The large question in regard to the manufactured products of wool that is affected in this bill is in the wages item. This measure would carry with it about $75,000,000 in wages. That is, in connection with the manufactured products alone. It is a question as to which side of the line you are going to drop those wages on. I have taken my figures from the statistics within the last hour, and consequently I have confidence in stating them.

Now, are you going to leave those wages on the other side of the line and bring in the product that has been benefited by the wages paid there and never to come here, or are you going to keep the wages on this side of the line employed in converting our own raw material? Are we going to convert the raw material of other countries through their labor or are we going to convert the raw material of our own country to useful purposes through our wages paid to our own wage earners?

In my judgment, as I have said before, the two questions involved in discussing the question of the tariff are: First, the question, which involves all of the minor questions, of the displacement in our market of our own products displaced by the introduction of the products of other countries. There is a loss that can not be made up in any other or any future or any subsequent stage of the transaction. If a product that is the result of a million dollars paid in labor in some other country comes into our country, whether subject to duty or otherwise, it displaces the products of our own country to that extent, and we have paid the million dollars to the foreigner, and it never comes back to us, and our labor that would have manufactured the articles has not been given the advantages that would result from its work, the wages it would have received.

That is the basis upon which I consider the tariff question. I understand these details are very interesting as to the cost of this item and that item, but they are all involved in the general proposition of wages and displacements in our market.

Those who have been discussing this question have suggested that our remedy would be to find a foreign market for our products. That is such a cruel argument, that is such an unreasonable proposition, that I can not think anyone capable of thinking will agree with it. The idea of opening our market to the foreign product, knowing that we could produce it ourselves, and then when the foreign product has come in, say to our producing capacity, "All right; go ahead and produce it, and you can find a market in some foreign country." There is no patriotism in that, and there is no common sense in it.

The market of this country belongs to the people. It is their property. They created it by the civilization that they builded. In every part of the country they have created this market, and it is theirs. It is no one man's property or right, but it belongs to all of the people.

The primary object of our Government is to afford opportunity to the citizens. It is not to assist them in taking advantage of the opportunity, one as against another. It is to enable them all to stand upon an even footing and enjoy the same opportunity, and having the same opportunity, the Government, in the exercise of quasi-police power, sees to it that the strong do not run over the weak.

In regard to this wool question the Senator from Mississippi [Mr. WILLIAMS] left an argument in the air yesterday. For fear it may light and create a wrong impression, I will see if we can not pull it down now and investigate it. He read from the statistics the number of sheep in the United States during certain years, and he did not draw any comparison between the sheep and the sheep's products, and I will state it.

He called attention to the fact that the number of sheep did not decrease so much during the Democratic administration,

which, while some years ago, is quite fresh in our minds. He called attention to the fact that there were 47,000,000 sheep in the country in 1893, 45,000,000 in 1894, 42,000,000 in 1895, 38,000,000 in 1896, and 57,000,000 in 1910. And he seemed to think that the increase was hardly in proportion to the increase of the population.

Between 1896 and 1910, 14 years, the area—that is, the open area of the country upon which sheep might be raised; that is, the range—had been diminished by about 25 per cent. But it was suggested to him that he had better look to the value of the sheep because if the sheep are worth nothing the more you have then the greater disadvantage are you under. In 1895, which was after the Democratic Party was in power and its policy announced and its tariff law enacted, when the Democratic Party was in the saddle, we had 42,294,064 sheep, worth $66,685,767. That is $1.57 a head.

I saw sheepmen offering sheep at 10 cents a head if the buyer would drive them away and do it quickly, because they were eating up the grass, and there was no market for either the sheep or the sheep's fleece. That was in 1896. That was the year for which I have given these statistics.

Just compare that condition with this year. The increase in the number of sheep is only about 12,000,000, but the increase in the value of the sheep is the difference between $1.57 a head and $4.08 a head. That is where the Senator stopped short. He did not incorporate that statement into his remarks. In other words, the value of the sheep in 1896 was $1.57 a head because of the scant market for them, and it became worse immediately afterwards, and in 1910 it was $4.08 a head, because prosperity had returned to the country and there was a market for the sheep and for the fleece.

Now, attention was called to the effect of a free-trade policy upon the wool market and the volume of production and of import; that is, during the three years when the Democratic tariff was the law of the land, because that is about the length of time it was operative. It was not enacted until 1894, notwithstanding the party came into power in 1893, on the 4th of March. During the Democratic free-trade policy, with wool on the free list, we imported 786,797,405 pounds. That we bought from other countries at the expense of the dissemination of our own herds. During the equivalent period after the enactment of the Dingley bill we imported only 365,459,866 pounds. That was because there was a duty of 11 cents a pound upon the wool, which kept foreign wools out while our flocks were growing again. The difference there is 421,337,539 pounds, as showing the different conditions resulting from the different tariff policy of the country, and no other.

Mr. President, it seems to me that the interest in this measure is lagging, and I move that the Senate adjourn.

The PRESIDING OFFICER. The Senator from Idaho moves that the Senate adjourn. [Putting the question.] The "noes" appear to have it.

Mr. HITCHCOCK. I call for the yeas and nays.

The yeas and nays were not ordered.

Mr. CULLOM. I hope we will have a call of the Senate.

Mr. HEYBURN. Has there been a call for the yeas and nays?

The PRESIDING OFFICER. A call was made for the yeas and nays, and the Chair asked for a second. The Chair will again ask for a second.

Mr. HEYBURN. The Senator from Nebraska asked for the yeas and nays. If he does not second it, I do not know that it is worth while for anybody else to do it.

Mr. HITCHCOCK. I will withdraw the call.

The PRESIDING OFFICER. The Senator from Nebraska withdraws the request for the yeas and nays. The Senator from Illinois suggests the absence of a quorum.

Mr. CULLOM. I do.

The PRESIDING OFFICER. The Senator from Illinois suggests the absence of a quorum, and the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Borah	Dillingham	Kern	Simmons
Bourne	Dixon	Lippitt	Smith, S. C.
Brandegee	du Pont	Lodge	Smoot
Briggs	Fletcher	McCumber	Swanson
Bristow	Foster	Martin, Va.	Taylor
Brown	Gamble	Oliver	Thornton
Bryan	Gore	Page	Townsend
Burnham	Gronna	Penrose	Watson
Chamberlain	Guggenheim	Perkins	Williams
Clapp	Heyburn	Pomerene	Works
Clark, Wyo.	Hitchcock	Reed	
Cullom	Johnston, Ala.	Root	
Curtis	Kenyon	Shively	

The PRESIDING OFFICER. Forty-nine Senators have answered to their names. A quorum of the Senate is present.

Mr. HEYBURN. Mr. President, we see some queer things here. The only thing that I have not yet seen that I think would be a novelty would be to see some Senator go out while he was speaking. Every other phase of neglect and dilatory tactics has been presented in connection with this legislation. A majority of the body will sit here supinely and neither hear advice nor place themselves in a position to receive it. They seem to have been content to align themselves under different banners, and inscribe on the banner some epithet or title of glory according to the relation that they bore to it.

The Republicans of the Senate are opposed to this Canadian pact. All of the Republicans of the Senate are opposed to it. When I use that term I refer to men who stand for the principles of protection, a protective tariff policy, not protection on some one particular item or class of items, but as a policy of government. Those are Republicans.

There has been some talk with reference to the administration, and it has been thought by some to identify it or classify it as representing republicanism. It does not represent republicanism or any principle for which the Republican Party ever stood. I am not going to indulge in any attack on the personal character or personnel of the administration; I am talking now of political principles.

When this vote is taken there will be a majority of Republicans against it, and those who are not against it will be classed as Democrats and semi-Democrats, real fee-simple Democrats and borrowed Democrats. Fee-simple Democrats and—I will not use the word that came to my mind because it might be taken in an offensive sense, but I will suggest what it was—hired Democrats. I do not intend to use that in a sense which would be offensive. Then there may be one or two deceived Republicans, but I have a rather high opinion of the intelligence of Republicans, and I do not know whether to admit that they are deceived or not. They are misled. And here we stand to discuss this question.

Great interests are at stake. Men's fortunes and happiness are at stake. The interests—and I do not use that term in the sense in which it is used in the newspapers either; I mean the real interests of the people of the country—are divided upon this question, very largely from a selfish basis. That is to say, the people in the cities have been misled into the belief that they will benefit under this measure at the expense of the country, and they are willing to do it. They talk about cheap living. What difference how cheap the living if the man has nothing with which to pay for it? I have heard 20 men speak here from the assumption that every laboring man has always at hand the money to buy things with, and they have discussed only how cheaply he could buy them. Senator after Senator, even to-day, has risen and spoken of the choice that the laboring man might exercise in the market into which he would go for the purpose of buying the things he needed. There is a great big question behind that. If he goes, it matters not where he goes with an empty pocket; he can buy at no price. He does not have an accumulated fund out of which to purchase the necessities of life. He must earn as he spends. That is true as a general statement. Of course there are some exceptions to that, but it is true as to the great mass of the people. They know that they must have employment to-day in order that they may live to-morrow.

What are you proposing to do with them? You are proposing to substitute for the man who must depend upon the labor market a foreigner. I do not care whether he is a Canadian or a Swede or whether he is an Italian or where he comes from, he is not an American. He does not pay taxes for the purpose of the support of our Government or any part of it. He does not live here; he does not vote here, but he lives under the laws of another country and owes fealty to another Government. Yet you are going to give him a preference at the expense of the American citizen, who is as necessary to you, or more necessary to you, than you are to him.

Suppose the country were to conclude that it would live at home. It produces everything it needs, and can produce it even to the clothing that people wear. It can produce everything it needs in the way of food. When I was a boy the neighborhood mills made the cloth and the blankets, and the sheep owner, the farmer, sheared the wool with his own hands. He drove with it to the mill, and he was told, "You may come back here at a certain time." He would go back and he would get those bolts of clothing of different kinds and grades and take them home and put them upon the shelves in the storehouses of the farm. That was not an exceptional condition; I have seen it.

I think some remnants of that still exists in the old, solid, substantial sections of the country.

So the country can live, and live happily, and clothe itself and feed itself and get rich, because it does not have this continual outflow. That is where our ancestors and forefathers accumulated the wealth and the competence and the comfortable living that some of us have enjoyed. There was a small stream only flowing out from that home. The farmer would take the skin from the animal that he slaughtered for food to the tanner to be tanned. He would go back in seven months afterwards and get the leather, heavy or light, as it might be, and bring it home and put it on the shelves. Twice a year the competent tailor and the competent shoemaker would go to the home of those people, or if a smaller family they would go to his place; the tailor would make up the suits of clothes out of the cloth that was made from the sheep that were raised on the farm and the shoemaker would make the shoes for the family, all that they could possibly need between that and the next period. That is living. It was a healthier, better kind of life than the glitter of to-day.

That is the condition out of which the men who stamped their genius and greatness upon this country came. I can go back where those conditions are in a large measure existing to-day. I heard a man well known to the Senator from Utah [Mr. SMOOT], who is sitting on my left, say to me, in talking tariff, "I am a protectionist." He said, "I knew the sheep upon which the fleece grew out of which that coat was made. I knew the calf that wore the skin that covers my foot. This hat was made from the silk of my own silkworms, and this gold that carries my watch was mined from my own mines." He said, "Are you a protectionist that good?" That is getting back to the old school, and the best school and the best age this world will ever know.

Mr. President, it is not to throw away or destroy existing conditions, but it is to temper them with that sort of patriarchalism applied to the government of the people, where the people live patriarchal lives, where they produce as though there were no world beyond the boundary lines of the United States, where they barter and buy and sell among themselves. The existence of crime is no constitutional argument to me—that men are violating the law, either natural law or the law of the country, through the forms of trusts—why we should support a measure of this kind that deals with economics of honest men. This country can take care of the rogues, I guess. If it can not, it had better go out of business. If we are to be governed by police law, and if our legislation is to be shaped upon the lines of police government, then the Government is not worth sustaining. Let us act upon the assumption that we are capable of exercising a clean government, regardless of the crimes that are committed or charged.

I will not stop in this hour to determine that crimes are aided, perhaps made possible, by this legislation. But crimes are made possible by the manufacture of the dirk or the pistol or of powder. Is that any reason why those things that are being so used should be destroyed or abandoned?

Mr. President, we are going to have an accounting one of these days. There were 7,000,000 Republican votes cast at the last election, and there are 7,000,000 Republicans in this country. They are as a political principle 7,000,000 times bigger than any man, I care not whether he lives in the White House or whether he stokes the fires in the furnaces of this building. Those men are the Republican Party. It is the Republican Party that I care for, and not the men who happen to be in office for the few brief hours. The principles that the Republican Party stands for constitute Republicanism, and no man, no coterie of men, I care not whether they are high in office or otherwise, can change that fact.

I have seen men purse their mouths and look wise and say the administration has concluded so and so and the policy from this time will be so and so. I have seen the fortunes of government hurl them under, and they were lost under the wheel and never came up again. You will see it. They will be strewn upon the banks after the Republicans of the country realize their betrayal. They will be strewn upon the banks as the wreck of a miserable mistake; that is all.

Mr. President, I do not desire to enter the field of prophecy, but I will predict. That is a mild kind of prophecy. I will predict that after the coming election, which will be a political potpourri, the Republicans who are in the majority of this country, as I say there are over 7,000,000 of them registered, will simply say to the self-constituted leaders who sought to lead them astray, "Step aside now, we will organize ourselves; we will be organized by no man or set of men who have led us up to the trough of free trade and demand that we drink at it." And they will not be heard of. They will select from out the loyal ranks of the Republicans men whom they can trust, or think they can. I merely utter these words of prediction in order to lessen the disappointment which some will experience.

Do you think that those Republicans are going to adopt Democratic principles, or do you think that they are going to indorse those who try to persuade them or compel them to adopt Democratic principles? I do not object to Democratic principles on that side of the aisle; I like them, because I have been accustomed all my life to meet them in the open field of controversy, and generally to prevail against them. They are candid men; they believe in those principles of government, and I believe them when they say they believe in them. But I do not believe men whose record in the Republican Party is as old as the party itself when they tell me to-day that they believe in free trade. Call it what they please, that is what it is. The free list, on the face of the bill called the free list, is free trade. Reciprocity is simply a honeyed phrase with which to tempt those who allow some one else to think for themselves.

The most desperate and the most dangerous man on earth is the man you have persuaded to think wrong, and who has acted upon it. You had better beware of him either singly or in the aggregate—the man you have persuaded to think wrong when he had confidence that you would lead him only aright. When they rise they rend.

Mr. President, there are two bodies of insurgents in the Senate, insurgent Democrats and insurgent Republicans. I regret to see, and I say it in all candor, that a certain number of loyal, true Republicans are persuaded into the belief that they can afford to train with the insurgents for temporary purposes. When I see Senators in whose heart I know it would be impossible to fasten a belief in the doctrines of the other side of this body willing to adopt them for the purpose of vengeance, to use them as a hatchet to hack something with, it appalls me. I do not want to see it. It has been the boast of men that brave men will stand up on the deck of the sinking ship and go down with it rather than flee at the expense of others for whom they are responsible. It is a boast, and it is a proud boast, and it is a just boast.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER (Mr. HITCHCOCK in the chair). Does the Senator from Idaho yield to the Senator from North Dakota?

Mr. HEYBURN. Certainly.

Mr. McCUMBER. May I ask the Senator a very pertinent question? According to the Senator's rule of morals and human duty, does he believe the man who is assaulted, who feel's the grasp of the enemy's fingers upon his throat, while he may have an abhorrence of the general choking business, having no other weapon at hand, finds no justification in shutting off the other fellow's wind long enough for him to release himself?

Mr. HEYBURN. Mr. President, I would not reach out and grasp the body of my brother man and interpose it between myself and any danger that might arise.

Mr. McCUMBER. Suppose my brother man is the one who has fastened his fingers on my throat?

Mr. HEYBURN. Then I would fight him.

Mr. McCUMBER. That is what I would do.

Mr. HEYBURN. And go with the issue.

Mr. McCUMBER. But, Mr. President, I think I would fight him with a weapon that was closest, in an emergency.

Mr. HEYBURN. There are some things that ought never to be used as weapons by a man.

Mr. McCUMBER. He can use the same weapon as the one by which he is assailed?

Mr. HEYBURN. I did not intend, nor do I intend, to reflect upon the earnestness, upon the integrity of thought, or anything concerning those who are going to vote to pull down all the temple because a part of it has been pulled down. I am not going to do that, but I must claim and exercise the power and the right here to speak true to my own sentiments, wherever that may follow.

Mr. McCUMBER. I hope, if the Senator will allow me, he will not for a single moment believe that, earnest Republican as he is, protectionist as he is, he would for a single moment make an onslaught upon a general policy, but I think the Senator will agree that there are times when a person must strike back. It is not vengeance, because I have heard that term used so often. It is not through a spirit of vengeance, but in a spirit of fair play, of justice, of equal right to defend yourself, and defend yourself in the only possible and appropriate way.

Mr. HEYBURN. No; there is no time on earth when a man should not strike back when he is assaulted wrongfully. There is no substitute for the duty of defense against your honor or your person.

Mr. McCUMBER. Let me ask the Senator, then, if this tariff proposal or this reciprocity agreement does not strike, and strike hard, at the agricultural sections of the Northwest, and if they are struck are they not justified in relieving themselves in any possible legitimate way?

Mr. HEYBURN. Now the Senator asks whether they are justified. The question of justification is a very uncertain term. The thing that justifies with one man does not always justify with another. I think that is a personal question to be left to each individual.

Mr. McCUMBER. But the Senator says the man's duty who was assaulted is to strike back.

Mr. HEYBURN. Yes.

Mr. McCUMBER. He admits, now, the man has been struck. Then my claim is, it is his duty to strike back and strike quickly.

Mr. HEYBURN. Strike back, but do not take some other person as a weapon with which to strike. Let him strike on his own responsibility and abide the issue. All men are of the same size and the same prowess when the question of honor is involved. The man who stops to think whether his opponent is larger than he is or stronger is lacking in the sense of honor with which men should defend themselves.

I do not take kindly to the term "leader in the Senate." The Senator who is led is lacking in appreciation of his duty as well as his right. This is a body of peers. I will go with any man in the investigation of intellectual thought and the determination of right and wrong. I will go with him and work with him intellectually beside him, but I do not want him to think that he is leading me. It might divert my mind.

Mr. President, I have here a very concise statement of the sheep and wool industry locally applied but of general application. It had been my intention to read it as a part of my remarks. With the permission of the Senate I will insert it as a part of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

BEAR LAKE COUNTY WOOLGROWERS' ASSOCIATION,
Montpelier, Idaho, June 16, 1911.

Hon. W. B. HEYBURN,
United States Senate, Washington, D. C.

DEAR SIR: The above association presents the following facts and respectfully implores you not to consent to any legislation inimical to our industry:

In the first place it costs a great deal of money to enter the sheep business. Most of us have paid, or promised to pay, from $5 to $6 apiece for our grade ewes. Some, who have bought pure-bred ewes, have paid from $15 to $25 each for them, besides which, all of us have been compelled to purchase pure-bred rams for from $15 to $50 each, to improve our flocks, as well as a first-class team of work horses, harness, sheep wagon, sleigh, several saddle horses, pack saddles, tents, guns, saddles, and camp equipages, etc., for both summer and winter use. Valuable property of this description, in the hands of the kind of men we are forced to hire, deteriorates very rapidly, for they seldom, if ever, take any interest in their work, or in the care of the herds, animals, or outfit intrusted to their charge.

You must be aware of the fact, that through the gradual settlement of the country, and especially since the arid-homestead law became operative, open range is becoming scarce, and bids fair to become scarcer every year, until the luckless sheepman in his almost desperation hardly knows where to find range for his flocks. All this forces him either to purchase outright or to hire from the State or private parties spring and fall grazing grounds. In the summer he tries to secure a permit to graze on some forest reserve, and sometimes is successful, or partially so. The forest-reserve policy of gradually cutting down every year the number of sheep that the sheepman may graze on a reserve is productive of much injury to the business. The applicant aims to keep from each fall to spring as many sheep as he has had on the reserve the previous summer. When spring comes he often gets a cut of from 10 to 25 per cent off his previous permit, and what to do with the animals included in such cut he does not know. He can not sell them at that time, for they are too thin and there are in most cases too few of them to make a herd alone. Experienced sheepmen have proved that the only profitable and practical way to run sheep is to run two ewe bands in the summer, cared for by two herders and one camp mover, merge the two herds in the fall, and either feed them hay or send the strong sheep to the Utah, Wyoming, or Nevada deserts during the winter, feeding the old ewes and thin lambs at home. The winter desert grazing method is a very risky and dangerous one, many sheepmen having lost the savings of a decade in one severe winter on the desert.

Our industry is now conducted in such a way that each sheepman must now own his own corrals for handling, separating, dipping, and shearing his sheep. In many cases a separate corral or inclosure must be built for each of these operations. Besides this, he is compelled either to hire from the settlers or from the State government land on which to lamb his flocks in the spring. During the last 10 years scores of sheepmen have been forced to purchase irrigated land on which to raise oats and hay for their sheep and horses, as the thin, old ewes and thin rams, wethers, and lambs can not go on the desert, but must stay at home and be fed hay and sometimes grain during the whole of the winter, as if they were thin when they went down on the desert, the chances are that they would either die on the way down or perish from exposure, which none but fat, hardy sheep can possibly endure or survive.

The high, almost extortionate rate—from 8 to 12 per cent per annum—of interest charged by every bank in the West is another very heavy incubus on this industry. Very often, and especially so during the last two years, sheepmen have been forced to mortgage all their real estate and chattel mortgage every sheep in their flocks to obtain money to conduct their business. During the last few years some banks, having chattle mortgages on the herds, have refused to allow sheepmen to risk their flocks on the winter range, and have also declined to lend them more money to buy hay. This has forced many a sheepman to either accept almost any offer for his sheep at home, or to put his whole herd—ewes, lambs, rams, everything—on the cars, ship them East, and dump them on a falling market for any obtainable price.

High wages, ranging from $50 to $75 per month and board and bedding, are paid to sheep herders. Camp movers (embryotic sheep herders) receive from $40 to $55 per month, including board and bedding. Boarding expenses would not be such a heavy tax if these men would be economical with their supplies, etc., for it costs many a sheepman much more to board two herders and one camp mover at the sheep camp than to feed his whole family at home. If it cost the sheepman as much per capita to feed his family at home as it does to feed his employees at their camps he would immediately call in a referee or receiver in bankruptcy. The vast majority of the sheepman's employees will not eat the class of food that their employer will and must. The old adage, "Put a beggar on horseback and he'll ride to the devil," receives one of its most truthful and forceful illustrations in their case. The herder who can not and will not purchase with his own means delicacies for his table at his own home refuses to work unless his employer procure them for him at the sheep camp. Two herders who boasted of having lived on $9 per month per man last winter refused to accept $15 (in lieu of board) per month per man this summer, even if free flour, mutton, and potatoes were also furnished them. In practically all cases the extravagance of the sheepmen's employees forces him and his family to endure a domestic economy that is almost parsimony. Almost all men employed by sheepmen must have the most expensive kind of food, no matter what it costs, no matter whether their employers can afford to furnish it or not, or they will not stay with him. Waste and carelessness and extravagance seem to characterize all their operations. If the sheepmen could obtain as good, reliable, and obedient help as the banks, stores, railroads, etc., they would be a happy class of men. It is a standing joke among the sheepmen in the West that when they want something good to eat they tell their wives, "Guess I'll go to the sheep camp to get a square meal." The high prices for camp supplies, in the shape of groceries, canned goods, etc., add very greatly to the cost of conducting this industry. This would not be so bad if their employees would be as careful as any prudent man should be with his employer's supplies and property, but as before said, waste, carelessness, and extravagance seem to be these men's rules, to which there is little if any exception. Concerning the irresponsible nature of the labor employed perforce by sheepmen it might be well to state an obvious fact, that many a sheepman is forced to employ a herder and trust him with tens of thousands of dollars' worth of property to whom he might and probably would refuse to lend a dollar were he not in his employ. This paradox is a fact. Perhaps the less said of this feature of the case the better for the sheepman's peace of mind, for this is the sheepman's greatest trouble. He does not complain of paying good wages to good men, but of the unfortunate and unprofitable fact that good wages, good board, good bedding, and good treatment will seldom obtain and retain good men. They will often leave him at a moment's notice with a herd or herds of sheep on his hands, when it is absolute cowardice and inhumanity for them to think of doing so. Of course there are occasionally some notable exceptions, but these only go to prove the truth of the rule.

During the last two or three years sheepmen have been compelled to pay the same prices for herding, lambing, camp moving, dipping, and shearing that prevailed when the industry was flourishing. Last spring a committee appointed by the National and State Woolgrowers' Association waited on a committee appointed by the sheepshearers' union and on account of the losses endured tried to induce the union to reduce the price of shearing at least 1 per cent per head. All the satisfaction the sheepmen's committee secured was a demand for the sheepmen to "come through" with the same old prices.

The high railroad freight rates, ranging from $2 to $3 per hundredweight, prevailing on wool from the intermountain region to the Atlantic coast adds very greatly to the cost of conducting this industry, and these prices prevail whether the wool nets the sheepmen 10 cents or 25 cents per pound. It may be well to state here that the transcontinental freight rate on wool from the Pacific to the Atlantic seaboard is considerable less than half the rate from the intermountain region—one-third of the way across the continent—to the Atlantic coast. Of course the fact that there is no competition, and the further fact that the sheepman must ship his wool to the eastern market on the railroad nearest to his shearing corral, causes this extortionate charge on the part of the railroads.

Cost of the forest-reserve fees and the regulations made by the Forest Bureau, while they may have been, and perhaps have been, of some assistance to some sheepmen, have likewise been a further tax to be added to the sheepman's expenses.

In this State—Idaho—the sheepmen have a 2-mile-limit law to contend with. This forces them to keep their sheep away at least 2 miles from any farm, ranch, town, fence, or sign of habitation, and the only way that the unfortunate sheepman can obtain any feed on the public land near a farm or ranch is by wearing out checkbooks in paying ranchers for the privilege. Besides this, some counties—Bear Lake, in particular—have made regulations through their commissioners creating "herd districts" on the public land of the United States, thus forcing the sheepmen, under fine and imprisonment penalties, to keep off such districts. In this county if the 2-mile-limit law were enforced strictly—which it would be if the sheepmen did not pay the ranchers for the privilege of herding sheep near their ranches—and if the herd-district laws were always strictly enforced, every sheepman would have to leave the county.

The sheepman is also forced to pay taxes in every county and State through which his herd passes. In some counties he occasionally obtains a rebate, but in most of such cases he is often forced to threaten to sue the county before he can obtain it. Not only is this the case, but by the way of piling Pelion upon Ossa, the poor, unfortunate sheepman is always compelled to pay full annual taxes for the whole year in every State through which his herd passes. Some winter on the deserts in Nevada, Utah, or Wyoming, lamb and shear on the trail north, and summer in Idaho or north Wyoming. The ubiquity of the tax collector and his deputies, so far as sheep is concerned, is proverbial. They seem to be omnipresence personified. Like the trusts, banks, and rail-

roads, "they catch the sheepman coming, going, in between, and then some." Some members of the association, one in particular, have paid full yearly taxes during the last two years in the three different States—Idaho, Utah, and Nevada—and some have done the same in five different counties. The Idaho tax collector takes no official cognizance of a tax receipt from Utah. The Utah tax collector follows suit, and the Nevada tax collector, not wishing to be singular, thinks it is his duty to do as the others do and make the motion unanimous. The victim is only a sheepman, has few, if any, friends, and has money to throw away. The sheepman, unlike the professional tax dodger—the coupon cutter—can not evade his taxes. He can not, if he would, dodge or evade his taxes. His woolly friends are only too evident.

Another great outrage to him is the fact that railroads, railroad and private stock yards, commission houses, etc., charge about $200 to ship from the intermountain region, and market a car of sheep on the Missouri River. This must be paid whether the sheep net the price or not, and they must be sold on the day of their arrival, no matter how much they have shrunk in flesh, as they always do, on the way.

The slow speed of the stock cars, which have been known to take 10 days or more from Pocatello or Ogden to the Missouri River, makes the animals shrink considerably in flesh, and as sheep are always sold by weight at all the sheep markets, this takes away a very great deal more of the profit. Lots of sheepmen do not know their own stuff when they see it on the market, especially if they foolishly trust it to the herders or other help to accompany it to the market. It is a common thing for fruit trains to have the right of way East over sheep cars. One sheepman who owns a small orchard, as well as a few sheep, says that his pocketbook knows no difference between a loss from the shrink of his sheep or from the decomposition of his fruit. Everything seems to have the right of way over a sheep car. Many a sheepman has often seen his sheep car sidetracked that such perishable freight as coal, lumber, and gravel may not be hindered on the way. In fact, if the sheepman is wise and wants a good run to the eastern market he slips a little change to the yardmaster and gets his sheep cars put on a fruit train. He would like to get them attached to a faster than fruit train.

It is also a notorious fact that wool, one of the most important and valuable products of the sheep industry, has during the last two years declined about one-third in value. There was a time, a few years ago, when the wool and wether lambs from a herd would pay its annual expenses, but this is no longer true.

The prevailing and prospective uncertainty in the wool and mutton markets is very much worse for this industry than perhaps the actual withdrawal of the tariff on such things may be. Capital is proverbially very timid and will not invest where uncertain conditions prevail; and the uncertain conditions that prevailed last year are prevailing this season and threaten to continue during next year, have done the wool business almost irreparable and incalculable injury.

Many sheepmen in the West, commendably desiring to improve their flocks, have never purchased or bred anything but pure-bred rams. During the last few years the price of these animals, instead of decreasing as wool and mutton have done, seems to be and is increasing. The breeders of such stock plead when asked for cheaper prices, that very same excuse to the sheepman that he is pleading, viz, increased expenses, etc. It is impossible for the self-respecting sheepman to succeed in this business unless he improves his flocks by purchasing pure-bred sires. Not only is the first cost of these animals high, but they must be taken out of the ewe herd in the middle of the year and herded separately from that time till late in the fall or early winter, when their services are needed in the ewe band. This necessitates another herder, camp mover, camp outfit, and the heavy expenses incident thereto. The necessity for the high feeding of the rams during November and December every year adds very greatly to the fixed expense account.

To still further assist the sheepman in the road to bankruptcy court all the principal railroads in the West have recently raised the rates on rams in carload lots from the sheepman's ranch to the ewe band in the desert, where they are annually unloaded in December and put into the herd, and the same increased rates prevail when they are returned home in the middle of the winter. When the Oregon Short Line and the Southern Pacific Railroad officials were recently asked for the cause of the before-mentioned increased freight rates on rams in carload lots to and from the desert they replied that they had raised the rates because the Western Pacific had done so. Inquiry at the office of the Western Pacific elicited the response that the Western Pacific had raised rates because the Southern Pacific and O. S. L. R. R. had done the same. What a delightful instance of telepathy and induced unanimity of sentiment and action on the part of the railroad officials in their frantic efforts to assist the wealthy sheepman to become a multimillionaire! Such unselfish efforts ought to receive the attention and commendation of the Interstate Commerce Commission.

The worst thing with which the sheepman has to contend is the class of help he is forced to employ, and the unfortunate fact that when he pays for good help he is seldom able to obtain it, but next to this great loss is the one sustained by predatory animals, viz, coyotes, wolves, mountain lions, bears, etc., and especially the ravages of the coyotes, which seem to be increasing annually. Most sheepmen think themselves lucky if they lose only 10 per cent of the ewes and lambs on the summer range. During the last two years poisonous weeds have grown up and multiplied on the range, and this spring scores and scores of sheep in every herd have been killed by them. The only feasible remedy for the loss by predatory animals seems to be that the Federal Government and the States afflicted by them shall all pay the same amount of bounty for such of their wild animals.

It is a notorious fact that the sheepmen have had heavy losses on the deserts during the last few winters, especially during the winter before last. One of the members of the association declares that during the last two years he has only met one sheepman who confessed that he had made any money, and he knows that he lied because he wintered near him on the desert, and the two herds lambed, sheared, and shipped mutton East together.

Last summer was acknowledged to be the driest season in the history of the intermountain region. Sheep came off the range thin. Lambs were small and thin in the fall, and, consequently, fetched low prices in the markets. Lots of sheepmen for the first time in their lives were forced to sell their ewe as well as their wether lambs. The true sheepman always tries to retain his ewe lambs because they are always better in quality than their dams, so that his herd may increase in value if not in numbers.

During the autumn of 1909 there was a species of venereal disease among the rams which cost sheepmen scores of thousands of dollars. It was impossible to put them in the ewe bands till late in the middle of the winter. This made the 1910 lambs smaller in the fall, thus depreciating their value. The disease was eradicated only by heroic and strenuous efforts, and the expenditure and loss of a great amount of money.

The cost of complying with Federal and State regulations made expressly for sheepmen is not inconsiderable, and while no true sheepman objects to these regulations, which he knows are made for his benefit, and which he is not only willing but anxious to comply with, not only for his own sake but for the sake of other herds and the community at large, still a further depleted bank balance is the result of such compliance.

During the last few years hay and grain for winter feeding have not only been high in price but scarce, and, consequently, difficult to obtain. Some sheepmen have paid as high as $20 per ton for hay. The average price has been from $5 to $8 per ton. The high prices prevailing for grain (from $2.50 to $3.50 per hundredweight) used by the sheepman's horses and the extortionate prices charged for supplies during the winter by the little stores in and around the edges of the desert, have added greatly to swell the expense account. To add to their trouble some sheepmen have been charged from $500 to $1,000 per herd for the privilege of obtaining winter grazing leases on land claimed by railroads and other companies. In many instances, these high prices charged by these companies, who have secured the alternate sections of land, have prevented sheepmen from using vacant Government lands, because the parties claiming these lands have refused to allow sheep herds to cross their lands in order to reach Government lands to which these people had no title.

One of the members of our executive committee has a cousin, Henry E. Horne, living at Old Castle, Leadville, New South Wales, who informed us that he can make good money by selling his wool for 6d. a pound and his lambs for 10s. each. He can borrow money from the Australian banks for only 5 per cent per annum, and rent at a nominal price tens of thousands of acres of good grazing grounds from the Australian Government. His lands being all fenced, he has few herders to employ. His principal labor expense is to keep up half of the fences around his inclosure. His neighbors keep up the other half. He obtains help for less money and at less expense than we can possibly do. He has no winter feeding to do, no expensive camp outfits to maintain, no hard winters to contend with, and his greatest expense is at shearing time. If, and when, the sheepmen of the United States have to meet such competition as this they may just as well order cars enough to take their whole herds to market, dump them on the same, accepting any obtainable price, use the money in part liquidation of their obligations, and trust to Providence to permit them to liquidate the rest at some future time. There are more sheep herds, farms, ranches, and homes owned by sheepmen under mortgage to-day than at any other time in the history of this industry. Many banks in Boise, Salt Lake City, Pocatello, and Ogden have from $5 to $6 invested in each sheepman's ewe belonging to their customers and debtors. What the end will be Omnipotence alone can tell. One fact is certain, that if there is much more tinkering with the wool tariff most sheepmen will and must gravitate back to sheep herding for their more fortunate sheepmen—the few who have purses long and well-filled enough to stand the financial strain. They will leave sheep owning and go back once more to sheep herding, but their loss will be their employer's gain, for there will then be a very much better class of labor in this industry than the United States has ever seen. The average man that we employ to-day is our bête noire. "If we praise him, he strikes us for a raise; and if we roast him, he jumps his job." He often dictates terms of both peace and war to his employer.

We do not like to bother you too much with this affair, but we deem it our duty to this industry, to our wives and children, and even to the whole country, to state these facts. We respectfully submit them for your consideration, and we implore you once more to do all that you possibly can to prevent any legislation inimical to this useful and indispensable industry.

The ridiculous and utterly indefensible idea that selling wool in the grease for 5 or even 10 cents less to the wool buyer will make woolen clothing any cheaper is the most laughable and ridiculous idea ever emanating from that most ridiculous of all sources—a Democratic brain. The value of the wool in a suit of clothes has and will cut very little ice in its value after the tailor, retailer, etc., get a whack at their customer. The retailer can always be depended on to care for himself. He always has a lot of specious excuses to offer in defense of his high prices. The duty was taken off hides, but who buys shoes any cheaper? And echo answers: "Who? Who?"

The Democratic policy spells dismay, disaster, and bankruptcy to the whole sheep industry of the United States. The American people are needing and will soon use all the mutton and wool that can possibly be raised in this country. The American sheepman ought to raise it. The American sheepman is unwilling and unable, however willing he might be, to meet competition from the South American or even from the Australian sheepman. In the Democratic policy the American sheepman sees his finish, but he will have the supreme satisfaction and consolation of dragging the Democratic Party down to defeat with him in November, 1912.

The poor, unfortunate American sheepman, bound, blinded, and tortured by his life-long enemies, the Democratic Philistines, may be, and evidently is, doomed to financial defeat, disaster, and death; but instead of being the sport of his enemies, he will, if and when he falls, pull down the already tottering pillars of the Democratic tariff temple and cause his enemies to perish politically with him not later than the next general election.

We are ready to answer any questions, and, if necessary, to send a sheepman thoroughly acquainted with the business and with these facts to meet you or any Senate committee at any time or place you may please to designate for the purpose of furnishing any and all further information in our power.

Believing and knowing that you will do all you can for us, and thanking you cordially for all your past efforts in our behalf, we have the honor to remain, sir,

Your most obedient servants,

L. B. LEVERICH, *President.*
J. G. CRANE, *Clerk.*

Mr. HEYBURN. I will say that this table gives a very clear and succinct idea and statement as to the cost of every feature and phase of the sheep industry, and it is formulated by a man who is capable of doing it honestly and in a useful manner.

I desire, with reference to the cost and relation of the wool and the sheep, to read the following from the discussion of Mr.

Hagenbarth before the Committee on Finance. He was asked to give the relative value of the wool and the sheep. On page 34 he says:

The average value of mutton product per head, five years, is $2.0172.
The average value of the wool product per head for five years is $1.1494.
Giving for sheep a value of $3.1616.

I present that for the purpose of showing the relation between the value of the sheep and the wool.

Now, when you make wool unprofitable the sheep goes; the thing of greater value goes. As I said to the Senator from Mississippi [Mr. WILLIAMS] yesterday, it can disappear almost entirely in a year or two, because men will not allow a profitless animal to occupy and graze upon their lands; they will try to do something else with it.

When you destroy the flocks of this country, as it will appear from an examination of the Statistical Abstract, it takes from five to seven years to reinstate them, because sheep are not grown overnight, and men must reaccumulate the land for pasture, and then the breeding stock, and then time must elapse until they multiply according to the rules of nature.

During all of that time you are at the mercy of the foreign market. You have destroyed your own source of production, and the foreigner has stepped in and supplanted you in the home market, and when conditions are revived under which you can engage in the business profitably you can not start out and say, "To-morrow morning I will start in the sheep business and begin to reap profits and benefits." You can say, "I will begin to get some land; I will begin to get some breeding sheep; and then I will wait until in the process of a few years we will be able to dispense with this foreigner who has come into our home market."

There is a little joker in this bill that is rather funny. There are 7,000,000 animals now grazing on the forest reserves. The General Government itself will be out of a customer for the grass that grows on the reserves, because those animals will just as surely disappear from the forest reserves as from any other part of the country when it is not profitable to raise them. Then I suppose the Government will have to look for some wild animals with which to stock the forest reserves. I do not know what they will substitute for those sheep.

Mr. President, the question is worthy of a fuller discussion or consideration, but, as the Bible says, "Ephraim is joined to idols: let him alone." That seems to be the condition here, and the Ephraims are those who are going to support this measure.

Just take our own State. I now have a report which is reliable. The total of the sheep now on the range in Idaho is valued at $10,000,000—I give the round figures, but the sum is much more—and the average value of a sheep is $6.30. The Senator from Mississippi [Mr. WILLIAMS] seemed to express some surprise that the number of sheep had not continued to grow. He had not taken into consideration the fact that there was a standard beyond which it is not necessary to grow. The ranges are full; the industry is at flood tide; yet the other day when this free-wool bill came in from the House of Representatives wool dropped 4 cents a pound. How can Congress, a great dignified body, play the child and stick its finger into the machinery of a delicate clock or watch and giggle while it does it and wreck the beauty of the mechanism? That is what they are doing when they introduce this bill to revise or reduce the duties on wool. They are as ignorant of the effect of their act as is the child who projects its finger into the machinery, because it does not happen to grow under their feet or around their doors. They know about the thing that represents their bread and butter to them or their luxury or comfort, but they are impatient with the man who lives, perchance, a few miles away and seeks the exercise of his right and his duty here to present the interests of those people, and they say, "Oh, we are not interested in those people; they live out in the woods; they live on the frontier."

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. HEYBURN. Yes.

Mr. CLAPP. In criticizing the lack of knowledge on the part of those who have taken up the wool matter, I fear the Senator from Idaho has lost sight of the wonderful evidence of their thorough familiarity with the subject, which was indicated by the dictionary which they attached to their report. Does the Senator remember that?

Mr. HEYBURN. Who did that?

Mr. CLAPP. Presumably the committee; but I do not know.

Mr. HEYBURN. What committee? Let us have it so definite that the man who reads this record in the future will never be in doubt.

Mr. CLAPP. Has the Senator a copy of it?

Mr. SMOOT. It was the Ways and Means Committee?

Mr. CLAPP. Yes, sir.

Mr. HEYBURN. The Ways and Means Committee of what?

Mr. SMOOT. Of the House of Representatives.

Mr. HEYBURN. And they attached the dictionary to the report? I have read that. I do not object to being funny sometimes, but I do not want to be that funny.

Mr. CLAPP. In the light of that dictionary, can the Senator from Idaho question the familiarity of those gentlemen with the subject?

Mr. HEYBURN. I could, but the Senator from Minnesota having anticipated me, having explained it, I shall not engage in that.

The impatience, however, that is shown by those who do not happen to know the difference between a sheep and a goat, when men presume to stand here and do their duty, is shown by the fact that they go away. They come back occasionally when they are sent for. They think, however, we ought to vote. There is a class of men who think that when they have spoken all has been said, and that after that any conversation is superfluous. We have had some instances of it, where a man would stand up and declaim long and loud and eloquently and beautifully and sit down and draw a long breath and say, "Now vote; that is all there is to be said."

Mr. President, I hope that during this leisurely hour some Senator may be induced to inquire whether or not he is entirely sure that he is pursuing the right path. I am not going to argue with the Democrats; I never converted a Democrat in my life; I talk to them; they attend meetings where I speak, and they greet me gracefully and pleasantly, but I never suspected that I converted one of them. Let them be Democrats; let them so vote. If they should vote the Republican ticket I should lose confidence in them. [Laughter.] But when I talk to Republicans I have a right to demand, I have a right to plead with them, I have a right to urge upon them their duty. It is a right which exists and belongs to every one of us. We have no right to go into a controversy of this kind with our minds closed against change. Otherwise we might as well vote immediately upon the reading of the bill or the report on it.

Mr. President, I am looking not so much to to-day because to-day is mortgaged; this political hour is mortgaged to the verge of bankruptcy, but I am looking to the future. Some Senators will stand on this floor some day in sackcloth and ashes, because they will stand discredited as loyal members of a great party that represents a great principle. They may not confess it. I have been through several of these political cyclones, but I never went to the cyclone cellar. I stood out, and I felt the winds and saw the waves and buffeted them. I saw in the State where I live a condition that may have existed elsewhere, but I doubt it, where it was charged that we would not be given the right or the opportunity to vote for the Republican candidate for President because there should be no election. I sat in a convention under the threat that it would be captured; but we had policemen at the doors, and those who went in had a card with the chairman's name on it as evidence of their right of admission. That convention nominated an electoral ticket, and they nominated a ticket which represented Republican principles untainted by any hyphen. They only cast about 7,600 votes for that ticket out of a great many thousand, but those 7,600 votes were the leaven of the loaf, and that loaf rose from that day until we gave a Republican candidate for President 30,000 majority out of less than 80,000 votes. I am looking forward to those conditions, but they will not arise in my State if I can help it. I do not intend to temporize or compromise. I intend to support the nominee of the Republican Party, and I intend to promise on his behalf that the Republicans of the United States—the more than 7,000,000 of them—will send to the Congress of the United States a Republican majority that will enact laws along Republican lines and in conformity with Republican principles.

I am going to promise that from the rostrum wherever I speak for the nominee of the Republican convention, let him be who he may, I am not going outside of the house and throw stones at the windows because, forsooth, the fire has gone out. I am going to stay in that house, and I am going to live there in comfort, if I can, but I am going to submit myself to whatever discomforts may come and keep on repairing the house. That is my idea of being a Republican.

Now, to my friend from North Dakota [Mr. MCCUMBER]—and I say it in all consideration—does it not seem a little like throwing stones at our own mansion to be throwing this free-wool bill and free-list bill at the Democrats? They like it; they just seize it with the avidity that a fish would seize the bait, because it is in their direction. They believe in those principles, and you are not hurting them any. It reminds me of the man who tried

to freeze a dog to death by holding him at the northeast corner of the house in the nighttime. You can not choke the Democrats by throwing free trade at them, but you may choke yourselves. That is what I mean by saying to the Senator, I am not going to throw stones at the windows of our house in order that they may get in.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from North Dakota?

Mr. HEYBURN. Certainly.

Mr. McCUMBER. The Senator from Idaho directed his remarks to me.

Mr. HEYBURN. In kindness.

Mr. McCUMBER. In kindness always, I know. I might suggest to the Senator that the Republican mansion is built in harmony, in symmetry, and in justice, and the moment that you displace the relationship of one part of that structure to another, that moment you are producing an inharmony, and the only thing that is left us to do is to harmonize other parts as much as we can. The Republican party stands for protection, and it stands for protection so applied that the benefits, so far as the protective idea is concerned, will be made as nearly equal and in as near a line of exact justice to all industries concerned as possible. That has been disarranged. I will stay with the Senator in the house. I purpose to support the Republican nominee; I purpose at all times to be a Republican. The Senator has known that I have stood as such in the storm, and in very bitter storm, and I am able to do it again.

I may disagree with the Senator as to just exactly what shall be my attitude as to changing one schedule to conform to another schedule that has already been changed, and still with him maintain the same high regard for the Republican Party. I simply maintain that, when you have put everything on the free list which the farmer produces, there is no injustice in attempting to harmonize some of the things which the farmer buys upon the idea of a closer conformity with the prices at which he sells.

I agree with the Senator absolutely in that I will stand for the same proposition that he does to get a plank in the Republican platform that the next Republican nominee must stand on, demanding equal protection to all of the industries of the country; and I will take my chances upon that being the policy of the next administration. But in the little matter of how to remedy conditions in our house at the present time we may differ as to how far we may go.

I want to say to the Senator that I have not indicated my views upon the particular matter of which he has been speaking, and that is the wool schedule, and possibly he misapprehends my position upon that subject.

Mr. HEYBURN. No; I intended to be entirely impersonal; but I am free to admit that I did look at and direct my remarks to the Senator from North Dakota, in a measure, yet in a very impersonal measure. It was rather to point a principle than in the way of attack.

The Senator speaks about a little thing. This little weapon that is to be hurled into the ranks of Democracy will be a boomerang. It has the curve in it, and it will come sailing back and strike Republican protection on the head, and it will not skin a single Democrat. [Laughter.] You want to be very careful what weapon you take up. You must first know how to use the weapon and be quite sure that the other man is not more skillful in its use than you are.

Mr. CLAPP. Mr. President, will the Senator pardon an interruption?

Mr. HEYBURN. Certainly.

Mr. CLAPP. I heard several Senators approve of the Senator's suggestion that this will be a boomerang that will come back and strike the head of the Republican Party. I want to suggest to some of the Senators that when they have violated the fundamental principle of Republicanism in striking down one of the great industries of this country there will be something perhaps other than the head only of the Republican Party left for the boomerang to react on.

Mr. HEYBURN. Yes, Mr. President. Imagine carrying such a policy forward in the Alamo, with a lot of men fighting an enemy on the outside and needing every life and every arm that was inside the wall, getting into a quarrel among themselves and killing half of their number—that strikes me as being about the proposition—and then undertaking to continue their defense with the remaining number. No; that will not do. You can not win any contest in life in that way. You may feel like it; we all have those impulses sometimes to strike close at home, but the wise man does not do so.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from North Dakota?

Mr. HEYBURN. Yes.

Mr. McCUMBER. When there is a mutiny in the ranks of the Army what is the first duty of the commander?

Mr. BAILEY. To surrender.

Mr. McCUMBER. To surrender or to take care of the mutiny, and then, after he has disposed of that, to go ahead upon his original lines of battle?

Mr. HEYBURN. Mr. President, I intended that my remarks should be directed against the formation of a mutiny. I do not believe that the discontent in the Republican Party has gone so far as to be incapable or impossible of adjustment and correction—not by yielding Republican principles, but by pointing out to those who think they have a grievance the fact that they also have an enemy. They have a grievance, and they have a common enemy at the same time.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield further to the Senator from North Dakota?

Mr. HEYBURN. Yes.

Mr. McCUMBER. Does the Senator not agree with me that a certain portion of Republican Senators are to-day, by their votes upon the reciprocity agreement, attacking the citadel of Republican policy?

Mr. HEYBURN. Yes; but they are a minority.

Mr. McCUMBER. Very well; I want to deal with that minority.

Mr. HEYBURN. If we do not succeed in teaching the minority of Republicans in the Senate that they are making a mistake, the Republicans of the country will do so, and they will never forget that they have been so taught.

Mr. NELSON. Mr. President, will the Senator yield to me for a moment?

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. HEYBURN. Certainly.

Mr. NELSON. I should be glad to hear the Senator from Idaho inform us how we can educate the leader of our party, the head of our party, and bring him back into the true Republican lines of protection?

Mr. HEYBURN. Who is the leader and head of the party? [Laughter.]

Mr. BAILEY. Mr. President, if this does not indicate a mutiny in the Republican Party, I do not know how to describe one.

Mr. HEYBURN. Let us see——

Mr. BAILEY. There is a debate as to who is the real leader.

Mr. CLARK of Wyoming. Following the debate on yesterday as to the real principles of the Democratic Party.

Mr. BAILEY. How can an army win a battle while it is disputing as to who its general is?

Mr. HEYBURN. Well, generals have gone down in battle, and armies have selected other generals who led them to victory.

Mr. BAILEY. But you do not know whom to select.

Mr. HEYBURN. There will be a coming together of the Republicans, and they will know whom to select. This is not the first time that internal dissension has caused us to enter into a house cleaning. We have succeeded heretofore.

Mr. WORKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from California?

Mr. HEYBURN. Yes; I yield.

Mr. WORKS. The beauty of it seems to be that the meeting is between reactionaries.

Mr. HEYBURN. Mr. President, "reactionary" is a nice word; it is a very fine word to conjure with in the newspapers. They use it. The man they do not like is "a reactionary." There is no such thing as a reactionary in politics; there is none in this body at least, although there may be some outside. I am not going to be diverted by the calling of names—"reactionary." I have stood in the ranks and fought with the Republicans—that is, alongside of them, not against them—all my life. I was born before the Republican Party existed. My first teachings and my first impulses were in the direction of the principles of the Republican Party. I have never abandoned them for a moment. I have seen men abandon them to the regret of their lives. I remember in 1872 or 1873 one of the foremost men in the State in which I lived coming to my father, who was always a staunch Republican, and he said, "John, we have got to leave the old Republican Party and go with this new movement. It represents progression; it represents a lot of other things that are fashionable now." My father said, "John"—this was Forney, of the Philadelphia Press—"it is

easier to leave a party than it is to get back into it. I will stay in the Republican Party, and if you come back and knock at the door in a spirit of true repentance some day I will admit you." He never came back. The same was true of Andrew G. Curtin. I heard him argue with my father in regard to going out of the Republican Party, and he got the same answer. He went out; but, like Forney, he never came back. Gov. Curtin came to the House of Representatives as a Democrat, and the only way he knew he was a Democrat was that he saw a "D" after his name in the Congressional Directory. [Laughter.] Poor Forney died of a broken heart because he did not get to the United States Senate.

No; these are not new questions. There is a fundamental principle behind both great political parties. One is right and the other is wrong; but no Republican can find any excuse on earth for supporting this Canadian reciprocity bill or any amendment that is offered to it that would justify his action in my eyes or that will justify his action in his own eyes 10 years from now; and the man who does not see 10 years ahead in his political life is not a wise man or a safe man. You want to be very sure that you are going to be able to vote for yourself 10 years hence or stay away from the election.

You are going to strip this country of one of its great industries. There is no more doubt about that than there is that the sun will rise and set on the day in which you do this infamous thing. There is no personal element in what I say. It is an infamous thing because of the result that flows from it. You are going to strip the country of its clothing and take chances on some foreigner clothing you; you are going to be a beggar at the door of some other nation for clothes to wear; and they will charge you what they please and place the burdens that suit them upon the mercy that they grant you. That is what you are going to do. Would you rather be clothed by France or Spain or Mexico or Australia than by your neighbor, whose flocks graze under your vision and in the green fields that are your benefit as well as his? That is the question. Do you choose, rather, that some other Government shall make the laws under which your commodities are furnished you than that you make them yourselves? What will you say to the laborer when you take away his employment? When I say "laborer" I include all men in this country, for I do not legislate for the loafer; he simply creeps under the tent. The American people are a laboring people in the various vocations and walks of life, and the same right and consideration runs to all of them from Congress. Are you going to say to the people because, forsooth, some community with which you happen to be better acquainted will not be affected by this bill, that you have no further interest in it?

What are you going to substitute for these industries when you turn men away from their employment, in the lumber industry, for instance? One of the largest industries in the United States is that of lumber. The largest amount of wages paid is that in the lumber business, and yet you shut them out, and you say "We will not buy lumber of our own citizens; we will buy lumber of the foreigner, and we will be subject to the laws that the foreigners make in reference to its production and its sale," and you turn those millions of your workmen loose. Where are they to go? Will they go down into the fields of the South and say to you, "We are American citizens; we are hungry; we want an opportunity not to beg, but to work." What will you say to them? You will say, "Where have you been working?" They will answer, "We have been working in the great forests of this country to make the lumber to be used to protect the people and build up their civilization." You will ask them, "Why did you leave there?" And they will reply, "Because you voted me away. You said to me by your vote you shall not any longer labor in this field; we will allow the foreigner to do what you are doing, and you take your chances." Does that not appeal to men who are charged with the responsibility of creating equal opportunities, not for all the people of the earth, but equal opportunities for our own people. The legislator who would stand here in this body and legislate for equal opportunities for all the people of the earth with our own people should be subject to the recall. If there is any one case on earth where I would support the recall, it would be in that contingency.

Just think of it, a man, lacking an intelligent comprehension of the purpose and the principles of our Government, thinking that we must take into consideration the people of other countries when we legislate to control the industries of our own people! Such a man has no place here. We are a family Government. Our first duty is to the people of this country.

I have heard it said here that the line north of us, between this country and Canada, is a dim one, a geographical line, and various kinds of a line, always minimized. It should be the best marked line of any boundary of the United States, because there is more reason for it. It is easier of crossing by the man who would encroach upon us, who would come into our country and take our markets and contribute not even the duty of citizenship, not even the duty of bearing arms in defense of our country, of paying taxes to support it. The man who would come across this line that is boasted to be an indefinite line is the most dangerous man that you could admit. We can see a ship land at our seaports. We keep an eye on our southern boundary line. But here to the north a man may walk across the line with a hundred thousand dollars' worth of dutiable goods in his pocket. Is there any other line upon which vigilance is so necessary and so justified as upon that line?

And yet, I repeat, they minimize it as an argument why we should disregard its existence. Yes; they call it an imaginary line. I have seen men and heard them in this country to whom patriotism was an imaginary principle. But they are not the men in whose hands we can place the tiller ropes. The only argument that has been advanced in favor of it is that somebody wants it.

I have said many times that if there was any argument that would compel me to vote against a man who wanted an office it was the argument that he wanted it. Of course, that is the foundation principle—I hesitate to diverge—of the direct primary, where the man runs after the office and no office runs after the man, and the only reason he ever puts forward is: "I want it and I am willing to pay the admission fee. How much is it?" That is all there is of it. He is required to pay an admission fee in that kind of politics.

Mr. DIXON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Montana?

Mr. HEYBURN. Yes.

Mr. DIXON. I am very much interested in hearing an orthodox Republican speech made here in these days, but the suggestion of the man paying the entrance fee in the primary recalls to my mind that there have been elections recently in this country where there was a pretty heavy fee paid not under the primary system.

Mr. HEYBURN. That is very likely. I do not know anything about it. But all the direct primary laws require what one might call an "ante," and your name can not go on the ticket without it; your name does not receive consideration until you have paid it up.

Mr. President, we are being confronted with that kind of an argument here. We are told that somebody demands it. Why, great heavens, the United States Senate stands appalled before the statement that "you will take that bill and you will not alter it. Do you see?" That is the spirit in which it comes in here. "You will not amend it." The Senate of the United States, invested with the power of legislation and the duty of conscientious and separate action, are told, "You will take that bill as we give it to you, and you will not amend it. If you do, we will wreak vengeance on you. We will keep you here during the hot weather. We will do anything else that we can to you." And the Senate cringes and bends its knee before that edict.

I would look closer into a measure that came with that challenge, because of the challenge. I would suspect the intelligence and the motive of the power that would assume to exercise that control over the Senate individually or collectively.

The Senate of the United States, whose proud boast it is that it is the highest legislative body in the world, submit to a dictation of that kind from anyone on earth! And to submit to it from some one who has no legislative power, some one who by the conscience of law and government is bidden to keep his hands off the coordinate branches of the Government!

Has the day come when men in this body fear to disregard the dictation of anyone? For fear of what? The Senator who has anything to fear should go into counsel with his conscience.

Mr. President, while this may seem apart from the wool schedule, it is the very heart and soul of it, because it comes here wrapped in the flag of the pirate. It comes here discredited by the threat against the right of the free exercise of the duties of the high office that rest upon us. It is not too late in this hour, Republicans, this hour, to repudiate any dictation as to how and when we shall legislate in the performance of our duty. Let us get out from under this spell. It is like a deadly cloud which seems to have fallen upon Republicans. They are affrighted. Stand up and proclaim not only the right of action, but the determination to act! Did ever such a measure come before Congress in the history of this country—and I have gone back since these debates commenced for the purpose of investigating the question—did such a measure ever come into Congress and pass without any amendment?

Why is it? Is the spirit of empire rising up over the people to dominate them? Have the days when the people dared speak for themselves in their own councils gone by? We are the people. There is no voice of the people but that of the Congress. The people must either speak through Congress or they are dumb. Laws originate here, under the Constitution. They are formulated and finally determined upon here, and there is no other tribunal on earth authorized to make laws for the people of the United States. It is the spirit of self-government, and when we forget it the people's rights are in danger. Whenever the time comes when any man or set of men or coterie of men can state a line of action to be followed by Congress without controversy, then Congress has fallen from her high position to one that courts—I was going to use a harsher word—discredit.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. HEYBURN. Yes.

Mr. CLAPP. The Senator says that Congress has fallen in that——

Mr. HEYBURN. No; I did not. I said "if."

Mr. CLAPP. I will say if. I am in complete sympathy with the Senator, but I want to ask him if he does not go farther than *that*, and in that equation alone from which there can come representation to the various sections of this country. If this condition is to continue, would he not go a step farther and say that the country had fallen?

Mr. HEYBURN. That day will never come.

Mr. CLAPP. It will come unless we enter and maintain a protest against it.

Mr. HEYBURN. No; 90,000,000 people with the right to govern themselves will govern themselves right.

Mr. CLAPP. Then there will have to be some sort of a change, for those 90,000,000 people are to-day interested in this very legislation and powerless to meet the dictation that comes from one single source.

I am in complete accord with the Senator from Idaho. I believe the time has come when Congress, not for the sake of Congress, not for the sake of the dignity of the Senate alone, but for the dignity of the American people, should enter not only an emphatic protest, but a protest that means something against this policy that is growing up in regard to these matters.

I am in thorough accord with the Senator.

Mr. HEYBURN. The time has come for Republicans—Republicans who believe in the principles, for the principles are greater than the party; the party is only a crystallization of them—the time has come for Republicans who believe in the principles of the party to lay aside factional differences and march under one flag, to vote down this measure, and every amendment to it except the amendment that throws it out of Congress. That time has arrived, and the question is, Has the man arrived? The hour is here, and I am calling out for the man. The man who does not do it is in front of the wheels of the Juggernaut.

Mr. CLAPP. For one, I am in favor of doing it. But the Senator had reached a point which I think is vital, and that was the fact that Congress is gradually surrendering its power of initiative in legislation, gradually yielding to a condition where legislation can come in here with the dictation that there shall be no change and no amendment. In sympathy with that suggestion of the Senator I rose to suggest that not only do we owe it to ourselves, but in a broader sense to the country, to protest in a manner, and the Senator suggests a manner very aptly. It would be for Republicans, as Republicans, under the banner of Republicanism, which is known to every member of the Republican Party, to stand here with reference to this legislation independent of any outside dictation.

Mr. HEYBURN. Stand here to vote this bill out of existence, because there are men enough here who call themselves Republicans to do it.

Mr. CLAPP. Yes.

Mr. HEYBURN. Stand here and vote down every amendment that is proposed to it, because every amendment here is a splinter off the Republican flagstaff. These are only splinters that you see flying about, chipping in here, chipping in there. Let us keep that——

Mr. CLAPP. Mr. President, instead of the flagstaff being splintered, the flagstaff has been broken down, the flag has been lowered, and there is no splintered flagstaff, to refrain from further splintering.

Mr. HEYBURN. I will bet 7,000,000 Republican votes what the Senator says is not true.

Mr. CLAPP. Then does the Senator believe that the passage of the Canadian tariff bill leaves flying the Republican standard, the Republican flag, the Republican policy? The Senator does not understand my position in this respect.

Mr. HEYBURN. Yes; I do.

Mr. CLAPP. When this bill passes the flag has come down.

Mr. HEYBURN. No; the flag has not come down.

Mr. CLAPP. The mast has been broken.

Mr. HEYBURN. I have seen ships come in with their bulwarks shattered and splintered, and I have seen them come in with cracks in their sides, but the old flag was up at the mast.

Mr. CLAPP. But if the ship had gone down in mid-ocean——

Mr. HEYBURN. That is an "if."

Mr. CLAPP. Our ship has gone down.

Mr. HEYBURN. The only men who could think that the Republican ship has gone down are on that side of the aisle. No man on this side has a right to think it. The very concession that is embodied in that suggestion is one outside of the rights of the Senator.

Mr. BAILEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Texas?

Mr. HEYBURN. Yes.

Mr. BAILEY. I merely wanted to observe that even Republicans who agree with each other become embroiled.

Mr. HEYBURN. Yesterday we spent a delightful day. It was equal to being up on the coast of Maine or somewhere else. We sat here and basked in the sunshine and watched the Democrats rend each other. The Republicans are not going to rend each other. They are going to come back to the old fold of protection that protects without any fine lines of discrimination as to just how much above high tide it is. We are going to come back to that. When I say that I mean the Republicans. I do not undertake to speak for what is called the organization. Organizations are momentary, but Republicanism is eternal, and the people will stand ready to correct the mistakes of those who have proven to be failures as their representatives.

Mr. BAILEY. That is very good so far as it goes. But who is authorized to define Republicanism?

Mr. HEYBURN. Every Republican; and I am one of them.

Mr. BAILEY. Each for himself.

Mr. HEYBURN. I am authorized to speak for the great body of the American people with which I have been associated for a lifetime. I know them. I can tell a Republican when I hear him speak. If I can not do it by sight, I know him when he speaks. He may look like a Republican and open his mouth and seem like a Democrat.

Mr. BAILEY. I have myself thought that it is easier to distinguish a Republican by his voice than it is by his vote in this time. I read the record for a definition of a man's party affiliation rather than listen to his voice. The Senator from Idaho, when the roll is called, will find his party voting according to a split almost into two equal parts. I would like to know which is the Republican Party.

Mr. HEYBURN. The majority in this body is the Republican part in this body; the majority of those who sit on this side, and those who do not belong to the majority are probably on the mourners' bench, or will be there.

Mr. BAILEY. Are they Republicans? That is what I want to know. I want to know how to treat them.

Mr. HEYBURN. The Republican Party in this body is represented by those who stand for Republican principles, and they are so old that they need no branding.

Mr. BAILEY. But that is so general that a dull man can not comprehend it. What I want to know is if the majority are the real Republicans, what are the minority?

Mr. HEYBURN. What are the minority?

Mr. BAILEY. Are they apostates?

Mr. HEYBURN. They are mavericks, and the Senator knows exactly what a maverick is. It awaits branding.

Mr. BAILEY. It is an unbranded yearling, and if the Senator wants to call his associates that, he has my full permission to do it.

Mr. HEYBURN. They will either brand themselves or be branded, and then the Senator will know exactly to whom they belong.

Mr. BAILEY. If they could be rounded up in the White House lot I know how they would be branded.

Mr. HEYBURN. They will not be branded by anyone.

Mr. BAILEY. That is the way they do with mavericks——

Mr. HEYBURN. They do not wind them up in anybody's lot particularly. They will find them up at the end of a rope.

Mr. BAILEY. I did not say "wind." I said "round." The Senator must employ the cattle vernacular when he starts that way.

Mr. HEYBURN. I understand the cattle vernacular pretty well. I learned it a long time ago.

Mr. President, I had intended to talk to the Members of this body who sit on this side of the Chamber. It has been said, "You can not do any good. You can not accomplish anything." I am not willing to believe that. I am not willing to believe that men are going to determinedly and deliberately attack the principles in which they believe in the hope that they will make some measure so unpopular that it will die. I do not believe it. I do not want to believe it. I want to see these men here with whom we have served so long under the banner of the Republican Party, which is always over this side of the Senate, come back to their senses and their reason.

Mr. NELSON. You mean those who are in favor of reciprocity?

Mr. HEYBURN. No; I mean I want to see them all come back and disregard these madnesses which seem to have come upon the people, and come back to us and say, "We will have nothing to do with this kind of legislation; it is not representative of the Republican Party's principles or the principles of Republicans." That is what they ought to do. Do it if you sacrifice the impulse of the hour; do it because of the sentiments that have directed you in your lives in the years gone by and made you Republicans.

It is so easy for a little difference to make a big disturbance. Waive the little difference. Wait until four years from now, when the body at the other end of the Capitol will be as overwhelmingly Republican as it is now overwhelmingly Democratic; and it will be. There is not the slightest question about it. With that force and sentiment behind you, you can bring the old Republicans together. Let them throw off these progressiveisms, as they call it. They progress like a crab. You can not tell which way they are going.

If I should stand here as long as my strength would permit and the patience of the Senate would permit and feel that I had sown a seed in the mind of any man who ought to be a Republican, which seed would germinate and grow and bring him back again, I would be willing to stand here until I was ready to drop. It is a very serious proposition. When I see that men who have been termed "war horses" are willing to be led away, with the hand of the enemy of Republicanism on the bit, it appalls me, and it will appall the sturdy, strong Republicans in this country, and they will strike like lightning when they strike and they will destroy those who forgot how to be Republicans.

It seems to me that there have been so many fancies and foibles in politics recently that men in the Republican Party have forgotten the necessity of avoiding temptation, tempted off by this and that fancy. They may be meritorious and may be good, and were they presented with the deliberation and the patience and the determination by which men accomplish great things you might be able to secure recognition for them. But the trouble is, because the whole world will not fall down on its face in worship of the new idea, you immediately abandon the world. That is the trouble. You say, "I want quick action. I have got a new idea—a new thought here. No man ever entertained it before. It is grand. I want you to adopt it, and I do not want you to take time to think about it." That is the trouble in this political age; and we have in this body and we have in the organization of the party throughout the country these factions which represent just that principle. Come in with the ideas, but be patient with the party. Be patient with the majority. Do not quarrel with the majority immediately. Be patient with it, and if there is merit in your cause it will receive recognition at a proper time.

But if we were to undertake to change the faith, to change the policy of the Republican Party as often and as rapidly as is demanded by some, we would be continually afflicted with a political cold from sudden change. I wonder if the Republicans and those who call themselves Republicans are going to stand out stubbornly and wreck a part of the people of this country, in violation of the pledge that they and their ancestors made to preserve the people. Who ever heard of the Republican Party advocating free wool? Who ever heard of the Republican Party advocating a revision of the tariff by schedules? In 1894 they wrote an express declaration in their platform condemning it. "We condemn in unqualified terms the proposed policy of the Democratic Party to revise the tariff by schedules."

You might as well attempt to build a chimney from the top as to make an intelligent revision of the tariff by schedules. One door would be closed before you were permitted to look into the room adjoining it and know what was going to be there. Yet I find here that whatever your declarations may be, that is what you are doing. You are proposing to revise the last tariff in separate schedules. You are revising the farmers' free list—God save the mark—by schedule. You are proposing to revise the cotton schedule separately, and demanding that each of them shall be a closed book before the other is opened. That is Republicanism, is it?

If I had an idea that I had slept with and lived with all my life and believed in as I believe in my God, I would not sacrifice the Republican Party for it. I would not take chances on that unharmony which results from insisting that no other man shall think but you.

Mr. President, I am loath to leave this question feeling, as I do, the helplessness of this hour. I feel like a man who in the waning hours of the night looks upon the face of his friend who will pass away before he sees him again. It is not the deathbed of the Republican Party, but it will be the deathbed of a lot of men who think they are Republicans. It will be their deathbed, because when the millions of loyal and true Republicans rise up it will be such a political cyclone as will sweep them like the dust into the Democratic Party, and the Democratic Party will treat them as the dust as it walks about among them.

Mr. GALLINGER. Mr. President, I rise to occupy the attention of the Senate a very few minutes in presenting a matter that has a practical bearing upon the amendments that the Senator from Texas proposes to offer relating to the wool schedule of the Payne-Aldrich law.

It will be remembered that on yesterday during the most entertaining speech of the Senator from Mississippi [Mr. WILLIAMS] the question arose as to the number and value of sheep in the United States, covering a period of years. A portion of the table was put in the RECORD, but I desire to place in the RECORD a table covering the last 25 years, which shows the number and value of sheep in the United States, during each one of those years, as taken from Statistical Abstract of 1910.

Mr. President, I will not stop to read the figures, but will ask that they be printed in the RECORD as a part of my remarks.

The VICE PRESIDENT. Without objection that will be done.

The table referred to is as follows:

January 1—	Sheep.	
	Number.	Value.
1886	48,322,331	$92,443,867
1887	44,759,314	89,872,839
1888	44,544,755	89,279,926
1889	42,599,079	90,640,369
1890	44,336,072	100,659,761
1891	43,421,136	108,397,447
1892	44,938,365	116,121,290
1893	47,273,553	125,909,264
1894	45,048,017	89,186,110
1895	42,294,064	66,685,767
1896	38,298,783	65,167,735
1897	36,818,643	67,020,942
1898	37,656,960	92,721,133
1899	39,114,453	107,697,530
1900	41,883,065	122,665,913
1901	59,756,718	178,072,476
1902	62,039,091	164,446,091
1903	63,964,876	168,315,750
1904	51,630,144	133,530,099
1905	45,170,423	127,331,850
1906	50,631,619	179,056,144
1907	53,240,282	204,210,129
1908	54,631,000	211,736,000
1909	56,084,000	192,632,000
1910	57,216,000	233,664,000

Mr. GALLINGER. It will be observed that there are more sheep in the United States to-day than in any year of the period covered by the table, except the years 1902 and 1903; but the value of the sheep to-day is in excess of the values of either of those years to the amount of about $65,000,000. The value of sheep to-day is $25,853,871 in excess of the value of any other year since 1886, and more than three times the value of the year 1897. In 1900 the number of sheep in the country was 41,883,055, and their value was $122,655,913. In 1910 the number of sheep was 57,216,000, an increase of 5,332,945 in 10 years, and the value in 1910 was $233,064,000, an increase in 10 years of $110,408,087.

Now, let us compare the year 1909 with the year 1910. The Senator from Mississippi suggested that we were making very slow progress in the sheep industry of this country. A comparison of the year 1909 with the year 1910 shows that in 1909 we had 56,084,000 sheep, and in 1910 we had 57,216,000, an increase of 1,132,000, or over 20 per cent.

The value of sheep in 1909 was $192,622,000, and in 1910 the value was $233,064,000, an increase of $40,442,000 in a single year, or a trifle over 20 per cent.

In 1900 the number of sheep in the country was 41,883,055, and their value was $122,655,913.

In 1910 the number of sheep was 57,216,000, an increase of 5,332,945 in 10 years. The value in 1910 is $232,064,000, an increase in 10 years of over $110,000,000, an increase of over 90 per cent. This showing is certainly a very gratifying one.

Mr. President, the table I have submitted is worthy of careful study by the Senate at the present time. The fact is that the sheep industry has progressed as rapidly as could have been expected. There was a period from 1893 to 1898 when there was a great depression in the industry, and there have been other years when the number of sheep has somewhat decreased, but in no instance from 1886 to the present time has there been a year when the value has not increased over the value of the preceding year.

It is a remarkable circumstance that the value of our flocks has increased enormously, it being now three times that of the year 1897, and the increase for 1910 over 1909 was, as I have suggested, over $40,000,000, and the number of sheep has been correspondingly increased.

Mr. President, it may be that the wool schedule needs revision to some extent, but I appeal to my Republican associates to be extremely careful in this matter and not legislate in a way which will seriously cripple this great industry, which is giving employment to so many persons and supplying high wages to the men on our sheep ranches and also to the operatives in our woolen mills.

It is an indisputable fact that during the period of the Wilson tariff law—and I will not say that the depression was entirely consequent upon the passage of that law, although I believe that to have been the chief cause—the woolen industry all over this country was greatly depressed. In New England a very large proportion of our woolen mills were closed, the operatives were thrown out of employment, and that was equally true of other sections of our country.

It is also a fact, Mr. President, that immediately upon the accession of the Republican Party to power in 1896 and the enactment of a tariff law which gave adequate protection to the men who raise sheep and the manufacturing establishments which convert wool into cloth there was a wonderful development of that industry and an employment of laboring men to an extent that was very gratifying to those of us who believe in the doctrine of protection.

Mr. President, my only desire was to put in the RECORD the exact figures, so that Senators may examine them and in legislating on this subject, whether it be at this session or next year, the question as to the revision of the rates of duty on raw wool and on the manufactures of wool can be intelligently discussed.

I have suggested, Mr. President, and I suggest it again for the benefit of the Senator from Mississippi, that I do not say there ought not to be some reduction in the duty on some grades of woolen goods. I am willing to take that matter into very careful consideration at the proper time, but I do appeal to my Republican associates and to my Democratic friends as well not to legislate carelessly on this question or to do anything that will destroy an industry which is of so much moment to the happiness and prosperity of the people of this country.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from New Hampshire yield to the Senator from Mississippi?

Mr. GALLINGER. I am through, Mr. President, and will be glad to listen to the Senator from Mississippi.

Mr. WILLIAMS. Nobody in the United States could be more delighted than I to hear that even the Senator from New Hampshire is willing to revise the woolen schedule somewhat downward. I want to follow that admission upon his part by a question, Is he willing to reduce the duty upon wool to any extent at all?

Mr. GALLINGER. Mr. President, I did not even say that I was willing to revise the duty on woolen goods downward. I said that I was willing to take the matter into very careful consideration, and if the arguments persuaded me that a downward revision to some extent ought to be made, I would not stand in the way so far as the duty on wool is concerned. I am not competent to speak of that until I give it further investigation and consideration.

I do know that I am not in favor of the removal of the duty entirely from wool, which the Democratic Party made in 1894, and which resulted in such disaster to the sheep industry of the country.

Whether or not the duty on raw wool will stand something of a reduction is a matter that I will likewise give consideration to, but I am not prepared to-day to give an opinion as to what my exact action will be on the subject.

Mr. WILLIAMS. Mr. President, the answer of the Senator from New Hampshire to my inquiry justifies the old exclamation, "What a delusive thing is human hope."

Just a moment ago I thought I had gathered, and I felt rejoiced to my inner heart, the idea that even the Senator from New Hampshire was willing to revise the woolen schedule downward. I jumped to the conclusion that in that he meant to revise it downward it seems, but it now appears that he would regard an expression about revising the tariff a good deal like the authors of the late Payne-Aldrich bill, as a pledge to revise it upward.

Mr. GALLINGER. Mr. President, the Senator is not——

Mr. WILLIAMS. Perhaps I have been a bit unfair, and I will try to make it a fair statement. If what I have said be incorrect, then maybe this addendum will cure it. The Senator, as the leader of the majority upon that side of the Chamber, has either not had the opportunity or else has not had the willingness to come to a conclusion as to whether he would revise upward or revise downward. Now, I hope I have made the statement fair.

Mr. GALLINGER. First, let the Senator from New Hampshire disclaim any leadership on this side of the Chamber. He has never asked for it; it never has been bestowed upon him, so far as he knows, and he would not accept it if it was tendered in that form. He is simply a private in the ranks, a believer in the doctrine of protection, and with his Republican associates will, when this question of the tariff comes before this body seriously—because I do not think it is seriously before this body at the present time—be heard on the question in defense of the views that he holds on this and all other tariff duties.

Now, let me say to the Senator that I had no purpose of suggesting that I would be in favor of reducing the duties upward. I would not accept any such suggestion as that; but I will say to the Senator that there may be some items in the wool schedule that ought to be somewhat reduced and others that ought not to be reduced. I have not given the matter that careful consideration which I shall want to give it before voting on the different items. I think likewise that that may be true as to the cotton schedule. But I have looked upon this tariff discussion as a meaningless thing during the present session of Congress.

Nobody believes we are going to pass a tariff bill. Nobody believes seriously, I take it, that the amendments submitted by the Senator from Texas [Mr. BAILEY] on the wool schedule are going to be crystallized into law at this session of Congress. But I apprehend that if the Senator from Mississippi and I both live until next year, and we both continue as Members of this honorable body, we will have a real tariff discussion, and we will very likely have legislation on the subject of the tariff. When that time comes I shall discharge my duty as best I can, and if I am persuaded, as I may be, that some of the duties in the Payne-Aldrich bill are too high, I shall not hesitate to vote to lower them. But I have no expectation that I will ever be able to bring myself to support any tariff bill that will commend itself to the Senator from Mississippi, who is, by and large, a free trader.

Mr. WILLIAMS. I shall not be deflected into a discussion as to whether the Senator from Mississippi is "by and large, a free trader" or not. I think we have finally arrived at this blind alley, to wit: That the Senator's response to my question may well be classed with the usual Washington departmental response to letters: "Yours of a certain date received and will receive due consideration at the proper time." And that was about all I expected from the Senator from New Hampshire.

Now, if I have made a mistake in designating the Senator from New Hampshire as the leader, the floor leader, of the Republican Party in this branch of the Federal Legislature, it has been a mistake that I have gathered from conversation about me and from the public prints. I had the idea that he had been elected chairman of the Republican steering committee.

Mr. GALLINGER. That is not correct, I will say to the Senator.

Mr. WILLIAMS. It is not?

Mr. GALLINGER. It is not correct.

Mr. WILLIAMS. I thought that that was true. Then I will ask the Senator from New Hampshire, who is now chairman of the Republican steering committee?

Mr. GALLINGER. The committee that is ordinarily called the steering committee of the Senate has for its chairman the honorable Senator from Illinois [Mr. CULLOM]. I was elected chairman of the committee on committees, but I never had the presumption to think that that made me the leader of the Republican side of the Chamber.

Mr. WILLIAMS. What I meant by that was the committee on committees; and in my ignorance as a new Member of this

body I thought it was the custom to select the man for that place who was to be regarded as the party floor leader. This conclusion I arrived at from a knowledge of the traditions and customs of the Senate. My apology is made fully and my regrets are expressed sincerely, modified by the gratification of learning that the place is occupied by the senior Senator from Illinois [Mr. CULLOM], whom we all revere and regard very highly. I asked the Senator from New Hampshire the question whether he would be willing to reduce the duties upon wool, because I am of the opinion, right or wrong, that the duties hitherto fixed upon wool have not been high enough and protective enough either to bring about or to promise in any definite future an increase of the wool production in the United States equal to the constantly increasing demand for wool and for woolens. I wanted to know whether the Senator, for himself, let us say, and not for his party, would go further upon the high road of protectionism, as he logically must from that standpoint, and increase the duties so that there might be a home sufficiency of the supply, or whether he would desert the logic of protectionism under those circumstances, and, in obedience to a very general popular demand, reduce the duties somewhat, and if any, how much.

Mr. GALLINGER. Mr. President——

Mr. WILLIAMS. One other question, and then I shall not disturb my friend from New Hampshire—no; I do not mean that.

Mr. GALLINGER. The Senator never disturbs me.

Mr. WILLIAMS. I beg the Senator's pardon. I did not mean that. I understand that no question could possibly "disturb" either the set and fixed opinions or the equanimity of the Senator from New Hampshire.

Mr. GALLINGER. The Senator is right.

Mr. WILLIAMS. But I meant simply that I would not further take up his time. I was not in the Chamber when the Senator began, but I heard him say that he had put certain tables into the RECORD. I think I gathered that he said he had put in a table showing the value of sheep.

Mr. GALLINGER. Yes; and their number.

Mr. WILLIAMS. The table of numbers I put in the RECORD myself yesterday.

Mr. GALLINGER. The Senator did so on yesterday.

Mr. WILLIAMS. And stated my reasons for putting in the tables showing the numbers rather than the so-called table of value.

What I wanted to ask the Senator was whether, when he used the phrase "a table of the values of sheep," he meant a table of the prices of sheep?

Mr. GALLINGER. I meant exactly what the Statistical Abstract gives, the number of sheep and the value of the sheep.

Mr. WILLIAMS. That is the number of sheep multiplied by the market price of sheep.

Mr. GALLINGER. The aggregate number of sheep and the aggregate value of the sheep.

Mr. WILLIAMS. Now, I want to ask the Senator from New Hampshire to state, as near as he can, how much of that total market value—that is, the aggregate price of sheep—is due to the value of the sheep unaided by legislation, and how much of it is a factor in the price added by tariff legislation to the natural value—that is, the value which the same number of sheep would have had independently of governmental interference in restricting the supply by taxation?

Mr. GALLINGER. Well, Mr. President——

Mr. WILLIAMS. I am asking that question for information, because I should like to have it from a friend of the system. I should like really to know. Of course you say you are putting on a duty to encourage the industry, and the only way to encourage the industry is to raise the price. Now, I should like to have the Senator state for my information and for the information of the country how much of this so-called value is due to the tariff—what percentage or what aggregate amount, I care not how the Senator states it?

Mr. GALLINGER. Mr. President, the Senator is asking a question that it is impossible for anyone to answer offhand. I will simply say to the Senator that under the protective policy sheep have increased in number every year since 1899.

Mr. WILLIAMS. They have increased 19 per cent in 14 years.

Mr. GALLINGER. Well, they have increased very much more than that in the last 25 years; but even if that be so, the Senator will be interested to learn that in the last year they have increased 1,132,000 in number. That is doing pretty well. The value during that year has increased $40,442,500.

Mr. WILLIAMS. That is what I desire to get at. How much of that so-called value is the natural value of the sheep in a free, unhampered market, and how much is added by legislation to their price?

Mr. GALLINGER. My judgment is that in a free and unhampered market there would not be any value; the sheep would be practically extinguished. The Senator knows, if we had free wool, that within, say, 10 years the flocks of sheep in this country would practically be annihilated. Does he not know that?

Mr. WILLIAMS. Mr. President, I hope the Senator from New Hampshire will not attribute to me such a very remarkable, radical, and unreasonable opinion as that. I do not think people will quit eating mutton or quit wearing woolen goods, and I do not think the demand for either wool or for mutton will cease because of the reduced rates of a tariff bill.

Mr. GALLINGER. The Senator from Mississippi is right about that.

Mr. WILLIAMS. Moreover, I am thoroughly aware of the fact, and so is the Senator from New Hampshire, that the sheep industry in Great Britain, a thoroughly free-trade market, has not been extinguished. I am willing to admit that, of course, there will not be as high a price for sheep, that there will not be the same encouragement to the sheep herder, but that he will have just such encouragement and just such success as is due to his industry, to his intelligence, to the character of his pastures, to the caliber and the industry of his labor, and to such other natural factors as enter into the problem, including the conflict between demand and supply; but with wool upon the free list, of course, the sheep raiser would have no governmental encouragement, and there would be no governmentally added price to the price at which he could sell his sheep to the less-favored citizens of the Republic. I hope, however, the Senator from New Hampshire does not desire to attribute to me the idea that by withdrawing protection people would quit eating mutton or quit wearing woolen goods——

Mr. GALLINGER. No, Mr. President——

Mr. WILLIAMS. And that the sheep industry of the United States would therefore be "extinguished."

Mr. GALLINGER. I have no such purpose as that in mind. I think, however, people would be eating Australian and Argentine mutton and wearing clothes made out of Argentine and Australian wool. That is my judgment.

Mr. WILLIAMS. They are doing that now to some extent, are they not?

Mr. GALLINGER. To some extent, yes; but I do not want to increase it. The Senator from Mississippi tells us, and we believe that he always speaks sincerely——

Mr. WILLIAMS. I try to; but few men succeed in doing that always—heat of argument, excitement, and bias, all considered, I try.

Mr. GALLINGER. And that he practices intellectual honesty. He tells us that, and we believe it; but does the Senator from Mississippi believe that we can raise sheep and manufacture woolen goods in open competition with Argentina and Australia and continue to pay the wages that we are now paying in this country?

Mr. WILLIAMS. I think we can, but we can not raise so many sheep upon as poor pastures as we do now, and upon as high-priced land, but we shall raise sheep all the same, and we shall raise them and sell them in competition.

Mr. GALLINGER. Undoubtedly, but——

Mr. WILLIAMS. That is exactly the same problem that arises now and then as to a duty in connection with a manufacturing plant. There is no doubt about the fact that when you reduce the duty and bring on a sharper competition by bringing on an increased importation the unfit, the men without foresight, the men without the requisite intelligence, the men who will not advantage themselves by all improved methods must go out of business, and the business will be carried on upon the principle of the survival of the fittest. The very trouble with protection is that it encourages and maintains in business the thriftless and unintelligent and those who have not provided themselves with the latest and most effective machinery and the latest and most effective labor—the highest priced and therefore cheapest labor.

Mr. GALLINGER. Well, Mr. President——

Mr. WILLIAMS. I did not intend to go into that. I was merely trying to get an answer to these questions. I have tried to give it from my standpoint, but I want it from your standpoint. Paul said he was a Pharisee of the Pharisees before his conversion. By the way, I made a mistake about Paul the other day. I had the buck ague so badly in speaking to "grave and reverend seigniors" that I spoke of the light that Paul saw on his way to Tarsus, actually getting the place whence Paul came mixed up with the place whither he was wending his way——

Mr. GALLINGER. I observed that slip of the tongue on the part of the Senator.

Mr. WILLIAMS. I meant Saul of Tarsus on his way to Damascus. But it is said that Paul was "a Pharisee of the Pharisees," and I regard the Senator from New Hampshire as a protectionist of protectionists, a Republican of Republicans, and chief in the Sanhedrin, in so far as strength of faith goes, at any rate, though he disclaims leadership.

Now, desiring an answer from that sort of a man, I should like to have, if you can not give me an estimate, a guess upon your part of how much of the so-called value—that is, the price—of sheep in the United States is due to the natural conditions of demand and supply and how much of it is due to the legislative interference of the Congress of the United States through the fixing of a tariff duty.

Mr. GALLINGER. As I said a moment ago, Mr. President, I do not think there is any man on either side of this Chamber wise enough, without very diligent and exhaustive investigation, to give the Senator an answer to his question. The Senator knows that it is very easy to ask a question that can not be answered.

Mr. WILLIAMS. I know that. A child——

Mr. GALLINGER. That the tariff does cut some figure in the price of wool and the price of sheep goes without the saying.

Mr. WILLIAMS. A child, I know, can ask questions that a philosopher can not answer.

Mr. GALLINGER. Yes; everybody admits that.

Mr. WILLIAMS. And maybe I am filling that rôle to some extent; but in the figures which the Senator from New Hampshire has given I think he will find that the number of sheep increased about 19 or 20 per cent and the value of sheep—that is, their selling price—increased about what per cent? I think it was more than 200 per cent, was it not?

Mr. SMOOT. Certainly.

Mr. GALLINGER. The value of the sheep in 1910 was $233,664,000, as against $192,000,000 in 1909, and $211,000,000 in 1908, and $204,000,000 in 1907, and $179,000,000 in 1906. It has been a fluctuating value. The tariff has not kept——

Mr. WILLIAMS. What is the increase by percentage, I will ask the Senator from Utah [Mr. SMOOT], who has his pencil in hand?

Mr. GALLINGER. In what years?

Mr. WILLIAMS. From the year 1896 to 1910.

Mr. GALLINGER. In numbers or value?

Mr. WILLIAMS. In value.

Mr. GALLINGER. In 1896 the value of the sheep in the United States was $65,000,000, and in 1910 $233,000,000.

Mr. WILLIAMS. Now, that is an increase——

Mr. GALLINGER. And, in round numbers, the number of sheep in 1896 was 38,000,000 and in 1910 57,000,000.

Mr. WILLIAMS. The increase in value has been pretty nearly 300 per cent, has it not?

Mr. GALLINGER. Yes; more than that.

Mr. WILLIAMS. More than 300 per cent?

Mr. GALLINGER. Between three and four hundred per cent.

Mr. WILLIAMS. Yes; and an increase in numbers of about what? Twenty per cent?

Mr. GALLINGER. No; more than that. About 50 per cent. From 38,000,000 in 1896 to 57,000,000 in 1910.

Mr. SMOOT. Just 50 per cent.

Mr. WILLIAMS. The difference is 19,000,000, is it not?

Mr. GALLINGER. Yes.

Mr. WILLIAMS. Call it in round numbers 50 per cent. The number of sheep, according to that statement, has increased 50 per cent, and the market price, the selling price, the so-called statistical value, has increased over 300 per cent.

Mr. GALLINGER. That is correct.

Mr. WILLIAMS. If that be true, then the tariff has made the price of sheep increase about six times as fast as the number of sheep.

Mr. GALLINGER. That is where the Senator and I part company. Does the Senator think that the high price of everything in England and in every other country in the world, as well as in the United States, has been due to tariff legislation? The Senator knows that there has been an enormous increase in prices all along the line and all over the world.

Mr. WILLIAMS. Oh, no; I do not say that is the only cause.

Mr. GALLINGER. Oh, yes.

Mr. WILLIAMS. But I am calling attention now to the fact that the value has increased over 300 per cent and the number has increased not 50 per cent

Mr. GALLINGER. Yes; just 50 per cent.

Mr. WILLIAMS. And that, therefore, the so-called value has increased six times to where the number has increased one-half.

Mr. GALLINGER. The Senator very likely is aware of the fact—and if he is not I will call his attention to it—that the quality of sheep in the West has vastly improved since 1896, and the value of individual sheep is much greater now than then.

Mr. WILLIAMS. That has a great deal to do with another branch of this question, which we can not go into now.

Mr. GALLINGER. The tariff is surely not responsible for that.

Mr. WILLIAMS. It has a great deal to do with what I was trying to call attention to a moment ago—that a certain sort of sheep industry would continue where there was a certain kind of sheep on certain kinds of pasture, with certain kinds of attention, although on the commonest and least attended to sheep the industry might go out of existence. Of course the Senator from New Hampshire is right in saying that the present enormous increase in market prices of most commodities, not in America alone, but all over the world, is not altogether due to the tariff laws of any particular country. It is very largely due to the annual increase of the output of gold, and it is very largely not an increase of value, but an increase of exchangeable price as expressed in terms of money. Things swapped against one another have changed in not nearly the same proportion as those swapped against money. But this gross discrepancy which we find in sheep is far above and beyond the average or index of increased prices. But what I am trying to arrive at is this, and I am trying to get it from the Senator because I want both sides as near as I can get it. I want to get as near as I can to the Senator's idea of how much of the so-called value or the aggregate selling price of American sheep is owing to natural causes outside of the tariff and how much is owing to the tariff. Of course, I understand that he can not make an absolutely mathematical accurate calculation.

Mr. DIXON and Mr. WARREN addressed the Chair.

The VICE PRESIDENT. To whom does the Senator from New Hampshire yield?

Mr. GALLINGER. I will allow both Senators to get in in my time in a moment, because this is an interesting matter. I will simply say, once more, in reply to the Senator, that it is an utter impossibility to answer the Senator's question categorically or intelligently——

Mr. WILLIAMS. Or approximately even?

Mr. GALLINGER. Or even approximately, offhand.

Mr. WILLIAMS. The Senator can not make even a reasonable guess at it?

Mr. GALLINGER. No; I would not be willing to make a guess of any kind. I think that I would not do myself credit in making a guess. I know it is very much less than the Senator from Mississippi imagines it to be, but that it may have some bearing on the price is probably true.

Mr. WILLIAMS. Then the Senator from New Hampshire means that he thinks that the present protective duties have benefited the sheep herder very much less than the Senator from Mississippi thinks they have?

Mr. GALLINGER. As affecting the sheep herders, yes; I am inclined to think that is so. One other thing that I want to say is this: There has been the wildest anxiety on the other side of the Chamber to help the poor farmer out. They are not helping him out in passing the reciprocity bill; they are doing him a great injury; but in addition to supporting that measure our Democratic friends are tumbling over each other to support a so-called farmers' free-list bill to help the poor farmer out. I think we are helping the poor farmer out pretty well when we are increasing the value of his flocks in this country in a single year, as we have done from 1909 to 1910, over $40,000,000. I want the farmers to have that benefit. I would rather the sheep raisers—and they are all farmers—would get $233,000,000 for their sheep at the present time than $92,000,000 or $100,000,000.

Mr. WILLIAMS. Then, I would ask the Senator from New Hampshire this question, What proportion does the sheep-raising agricultural industry of the United States bear to the entire agricultural industry of the United States?

Mr. GALLINGER. That, again, I am unable to answer.

Mr. WILLIAMS. But the Senator from New Hampshire has just asserted that this amount of money gained by the sheep herder was gained "by all the farmers" of the United States.

Mr. GALLINGER. I did not say that. It was gained by the sheep herders and their employees.

Mr. WILLIAMS. Now, if it be true that the sheep-herding branch of agricultural industry forms a very small percentage of the total agricultural industry, then the statement that the Senator has just made, or the assumption that he has just taken, whichever it may be, is necessarily unsound, is it not?

Mr. GALLINGER. Not at all; and I will add to that this suggestion, that, even though the sheep herders are a small part of the agricultural population of this country, the so-called reciprocity bill, which the Senator from Mississippi is advocating with so much impetuosity, covers practically all the agricultural interests of the United States, and you propose to put all their interests under free trade.

Mr. WILLIAMS. I did not know that, and do not know it now.

Mr. GALLINGER. I think the Senator is not squaring himself——

Mr. WILLIAMS. I did not know that. I did not know that the reciprocity bill put all agricultural articles on the free list.

Mr. GALLINGER. It comes pretty near it.

Mr. WILLIAMS. I did not know that it even put wool there.

Mr. GALLINGER. It does not; but the Senator——

Mr. WILLIAMS. I did not know it put, oh, a hundred articles——

Mr. GALLINGER. It comes pretty near putting all the agricultural articles——

Mr. WILLIAMS. In fact, I had an idea that the total value of the crops put upon the free list in our trade with Canada alone and not with the balance of the world would not make over one-tenth of the total agricultural production of the United States.

Mr. GALLINGER. In that suggestion the Senator is wrong; and I presume the Senator includes cotton in his calculation.

Mr. WILLIAMS. Yes; and I include corn, and I include sugar, and I include rice, and I include a great many other things; and I think, although I have not made the calculation, that the total value of the entire production of the several articles which are touched by the reciprocity bill and put upon the free list will not constitute much, if any, over one-tenth of the total aggregate production and value of the entire agricultural interests of the United States. And especially when the Senator remembers, as the Senator will remember with his usual clear business sense, that the Canadian reciprocity bill permits even those articles made free by it to come free from only one country in the world, and that a very small one.

Mr. GALLINGER. That has been discussed by Senators better qualified to discuss it than I. I am simply going to add the suggestion—I did not make a speech, I will say to the Senator from Mississippi; he will observe that I am not making speeches these days—that I simply put into the RECORD some figures from official sources, and I expressed the hope that Senators would give them careful examination. They may serve as texts for future discussions between the Senator from Mississippi and some of the rest of us.

I am not vain enough to believe that my position is always right. I am not foolish enough to contend that the position of the Senator from Mississippi is always wrong. We have different views, and it is well that we have. We develop thought by friction and attrition, and these discussions are to my mind very valuable, even by way of suggestion, and I hope that next year we will have a free field to discuss all these questions.

I wish that we might stop now in these discussions and vote on the three bills that are before the Senate and adjourn and go home. That is what I should like to do. I am very tired of the heat of Washington and I am not being greatly enlightened by the discussions which are going on in the Senate, although they are entertaining. But they cover matters that we are all thinking about more or less, and at some time in the future will be very seriously considered in this body, no doubt, when we have a tariff bill, which I suppose we will have next year if we live until that time.

Mr. WILLIAMS. I do not share the pessimism of the Senator from New Hampshire. I have not yet reached the conclusion, if I ever reach it at all I would reach it very reluctantly, that the Democratic side of this Chamber added to those on the Republican side who profess a desire to revise the tariff downward, especially in connection with the woolen schedule, will be compelled to go home with the adjournment of this Congress without having accomplished any purpose and without having reduced any taxes that are now in my opinion bearing oppressively upon the people. If I thought with the Senator from New Hampshire I would agree with him that we ought to vote at once upon the several things that he has in his mind, whatever they are, and go on home. In fact if I agreed with him fully I think it would be wise to vote on reciprocity and go on home and leave the balance of it alone.

Mr. GALLINGER. That would suit me.

Mr. WILLIAMS. But I do not agree with the Senator. I have hope yet. I have hope in that recently budded and still, I hope, budding conversion of individual Republicans here and there from the high-protectionist platform to a reasonable protectionist platform. Even if I can not get what I want, I shall feel very proud indeed if this Congress shall adjourn with a few laws upon the statute books which, if even protectionist in their character, are yet not so highly protectionist as the duties now standing are. I have hope of that.

Of course, I have no hope that the Senator from New Hampshire and I will cooperate along those lines any more than I would have any hope, if a Democratic majority was here, that he would join me in any vote expressing my ideas. My hope is that the progressives—the Senators who are called by their opponents the "insurgents," though I can not for the life of me find what they are insurging against; I have been unable to locate the elective leadership of the Republican Party upon the floor, and therefore have been unable to find out what particular authority they were insurging against—I have hope that these so-called insurgents may insurge to the extent of bringing about some legislative enactment in the way of revising some tariff duties downward in the interest of the people whom they peculiarly and above all other public men claim to represent.

Mr. GALLINGER. Mr. President, it is not pessimism on my part; it is hope and expectation. I hope that we will have no tariff legislation at this session, and I do not expect we will have any tariff legislation at this session. I do expect that during the next session of Congress we will have presented to us a Democratic bill revising the rates of duties in the so-called Payne-Aldrich law. When that bill comes here we will then discuss it, and I promise the Senator from Mississippi that in that discussion, if I shall be here, I will try to be as sincere and careful in my consideration of the questions involved as the Senator from Mississippi will be, however widely we may differ.

I do not believe the Senator from Mississippi desires to destroy the industries of the United States, but the Senator has been educated in a school of political economy the application of whose principles would have a very disastrous result upon the industries of our country.

The Senator has been in the habit of telling interesting little stories during our debates that we have all liked to listen to. I want to tell a little story, because it was an actual happening. We had a Democratic family in New Hampshire who for more than half a century had been engaged in the woolen industry. They were most excellent people and made most excellent goods. They voted the Democratic ticket with great regularity and were potential in their community as leading and influential Democrats.

When the Wilson tariff law was passed and wool was placed on the free list those manufacturers, in common with some Republican woolen manufacturers in my State, believed that it was to be a great boon to their industry, and a workman was instructed to hoist a ladder on the front of that factory and paint over the front door the words: "In God we trust; Cleveland and free wool."

In about six months that factory closed. The workmen were out of employment. The fires were out, the smoke ceased to ascend from the chimneys, and the blinds were drawn. That same workman, taking the same ladder and the same paint brush, went up and rubbed out that motto and inscribed instead these words: "In God we trusted. In Cleveland we busted."

Mr. President, that is exactly what happened to the woolen industry of New England, and it was approximately what happened to the wool-producing industry of the Western States.

Mr. WARREN. The people of the West did not have money enough to paint a sign.

Mr. GALLINGER. The Senator from Wyoming says that the people in the West did not have money enough to paint a sign. But we had. That sign was actually painted, and that good family—and they were most estimable men—have been voting the Republican ticket ever since. They got enough of free wool to last them for a lifetime.

Mr. President, what I want above all things else is that when this impending Democratic legislation is inflicted upon this country, if it ever shall be, it will at least be conservative enough to save something out of the wreck that will necessarily come to the manufacturing industries of the United States.

I have not any question as to what will happen if the views of the Senator from Mississippi shall prevail. The Senator may think differently and does think differently, but the lessons of history and of experience have taught me that I am nearer right on this subject than is the Senator from Mississippi. But time will tell, and I am willing to wait.

Mr. DIXON. I wanted to interrupt the Senator from New Hampshire in his very interesting dialogue with the Senator

from Mississippi regarding the effect of the tariff on wool and sheep. I heard the table read showing the increase of 300 per cent in the value of the sheep in the United States between 1910 and 1896. During that time that they had increased about 19,000,000; in other words from 38,000,000 in 1896 to 57,000,000 in 1910. Undoubtedly the great increase both in numbers and in value was fundamentally due to the tariff.

Mr. WILLIAMS. Has not the Senator the figures wrong? What were the figures in 1896?

Mr. DIXON. About 38,000,000.

Mr. WILLIAMS. I thought the Senator said 28,000,000. The Senator is right.

Mr. DIXON. Yes; after the full effect of free wool under the Wilson tariff bill had gone into force.

Mr. WILLIAMS. That is an increase of 19,000,000, is it not, instead of 28,000,000?

Mr. DIXON. Nineteen million, I said—from 38,000,000 to 57,000,000.

But I want to say this to the Senator from Mississippi. I really think there is more widespread and honest misinformation about the wool tariff, the keystone of protection, as has been reiterated in the papers from time to time, than any other one thing.

Mr. GALLINGER. The woolen rates.

Mr. DIXON. The woolen rates. Now, to-day I do not believe my friend the Senator from Mississippi knows, as a matter of fact, the small difference between the price of raw wool in this country, in the Boston market, and in the London market. If I were to ask my friend from Mississippi what was the tariff on raw wool, what would he say?

Mr. WILLIAMS. The tariff on raw wool, unwashed, is 11 cents a pound.

Mr. DIXON. Eleven cents a pound on unwashed wool?

Mr. WILLIAMS. Yes.

Mr. DIXON. Does the Senator from Mississippi know that for the past six months there has not been to exceed 2 cents a pound difference between the price of raw wool in the United States and in London? Where does the other 9 cents of the tariff go?

Mr. WILLIAMS. The Senator from Mississippi did not know that; and if that be true, then it proves that the whole policy of putting this protective duty on wool has failed for at least six months in its evident purpose.

Mr. DIXON. Oh, no; not at all.

Mr. WILLIAMS. A duty of 11 cent on unwashed wool, by the admission of the Senator from Montana, has raised the price of American wool in the home market only 2 cents. It has brought about a difference between the home price and the price of wool in the markets of the world of only 2 cents. It necessarily follows, therefore, if that be true—I do not mean if it be true as a fact, but I mean if it be a statement which can be relied upon, not a mere temporary condition owing to some outside cause, but as a permanent condition to furnish a basis of sound argument—if it be true that fixing a duty of 11 cents on unwashed wool, which amounts to 44 cents on washed wool——

Mr. DIXON. Thirty-three cents on washed wool.

Mr. WILLIAMS. No; 44 cents, by protectionist estimate—has increased the price of American wool in the American market only 2 cents, then it follows with absolute mathematical and irresistible certainty that putting wool on the free list and taking off every cent of the 11 cents per pound duty could not decrease the price of wool in the American market more than 2 cents, because all it has raised it is 2 cents.

Now, you can take your choice—either your tariff act has had the effect which you purposed, to make the price of wool approximately as much higher than it would have otherwise been as the duty itself, or else it has failed and has made it only 2 cents higher. If the first proposition be true, then removing the duty will reduce the price 11 cents, untaxing the ultimate consumer to that extent; and if your second statement be true, then reducing the duty can reduce the price only 2 cents, and costing the sheep raiser in price only 2 cents.

Mr. DIXON. Now, has the Senator stated his proposition? Then, by the same rule of logic and reasoning, the Senator from Mississippi, as an honest man, is forced to say that the tariff on wool does not add to the cost of wool the measure of the tariff on wool. Does the Senator agree to that, if this statement be true?

Mr. WILLIAMS. The Senator from Montana has just made that statement himself.

Mr. DIXON. Yes. Then, by the same logic, the Senator from Mississippi——

Mr. WILLIAMS. The Senator from Montana made the statement, not I. I have not seen the figures.

Mr. SMOOT. They are true as to to-day's quotations.

Mr. WILLIAMS. If they are true——

Mr. DIXON. They are true. The Senator will take my word for that.

Mr. WILLIAMS. If it be true that the tariff of 11 cents a pound has raised the price only 2 cents a pound, then the removal of that tariff can reduce the price only 2 cents a pound and can hurt the sheep raiser only 2 cents per pound, or else it is a temporary condition due to some other disturbing cause and therefore not a fair basis for tariff argument. So that on one horn of the dilemma or the other the Senator from Montana has impaled himself.

Mr. DIXON. Now——

Mr. WILLIAMS. If——

Mr. DIXON. I yield for a question and a statement, but I do not want the Senator to make a full speech without giving me a chance to get in a word edgewise.

Mr. WILLIAMS. I think we will be here until September, and you will have an opportunity to get in plenty of words.

Mr. DIXON. The Senator has not answered my question.

The whole argument here of the Senator from Mississippi yesterday was that the tariff always enhanced the value of the American article the full measure of the tariff duty.

Mr. WILLIAMS. Oh, no; no Democrat has ever taken that position since the world began.

Mr. DIXON. Then I wholly misunderstood the interesting argument of the Senator from Mississippi for an hour yesterday.

Mr. WILLIAMS. The position that has been taken has been this, and nothing else: That under the tariff shelter the home producer gets as near the tariff fixed level of price as he possibly can and approximates it in nine cases out of ten. But he never gets precisely and exactly——

Mr. DIXON. Then why has not wool——

Mr. WILLIAMS. Because there are a thousand other factors besides the tariff which may enter into the question of price. The argument is good only when other things are all equal and the tariff alone operates.

Mr. DIXON. Why has not wool sold 11 cents higher here than in the London market if the American article has added to it here the full measure of the American tariff? Why does it not add 5½ cents if it added even 50 per cent of the tariff measure? I want to tell the Senator from Mississippi, and I think I know something about the actual working of the wool tariff, why the difference is. My State of Montana, I believe, raises more sheep and more wool than any other State in the Union.

Mr. WARREN. Except Wyoming.

Mr. DIXON. The Senator from Wyoming excepts Wyoming. I admit it is a neck-and-neck race, but I think the cold, actual figures will give Montana a little nose ahead in the race.

Mr. WARREN. I will say to the Senator that it would be true for the last two years, but we are clearly in advance now in both numbers.

Mr. DIXON. If the Senator from Mississippi will follow me, I say to him that notwithstanding there is a paper academic tariff on wool of 11 cents per pound in the grease, there has not been on an average—I want to get inside the line of safety—3 cents a pound difference between the London and Boston market within the last six months.

I will tell you what the matter is. The American woolen mills have not been running over two-thirds time.

Mr. SMOOT. Forty to 60 per cent.

Mr. WARREN. From 40 to 60 per cent.

Mr. DIXON. The Senator from Utah and the Senator from Wyoming say from 40 to 60 per cent under normal production. But when you hear men on this floor and newspaper editorials talk about the tariff on raw wool increasing the cost of clothing to the man who knows the actual condition it is a joke. There is not a suit of clothes in this Chamber on any Senator's back where the wool tariff to-day and for the last six months has made 15 cents difference in a suit. It has made a tremendous difference to the wool men of the West. About 500,000 people in this country are directly and indirectly interested in the growing of sheep and wool and mutton. I saw sheep in my State under the influence of the Wilson tariff bill of 1893 sell for 6 bits a head.

Mr. SMOOT. And the owners were glad to get rid of them.

Mr. DIXON. Translated into down-east English, that means 75 cents.

Mr. WILLIAMS. Cotton sold that year at 6 cents a pound, too. Yet there was no duty on cotton and no duty removed from cotton at the time.

Mr. DIXON. That is true. The Senator from New Hampshire recited the instance of his Democratic friend who ran the woolen mill there. That terrible nightmare which settled over the West during that 4-year period converted not one man,

but literally converted them by the thousands in my State. The secretary of the Montana Woolgrowers' Association used to be a Texas Democrat. He is now the most rantankerous protectionist I know of. He faced bankruptcy and ruin during that 4-year period. It has softened and steadied the price of wool and mutton and sheep. It has not had the full percentage, as shown by the figures, with the great increase in the coinage of gold in this country and in the world during the past 15-year period, as I have attempted to show.

Mr. WILLIAMS. By your own confession you added only 2 cents——

Mr. DIXON. Undoubtedly; but the yardstick of the gold dollar was the unit of value.

Mr. WILLIAMS. By your own confession there has been added only 2 cents to the price of wool.

Mr. DIXON. No; for the six months' period.

Mr. WILLIAMS. Then the Senator confesses he has picked out a period which is not fairly representative, and therefore could not be the basis of a fair argument.

Mr. DIXON. I am not stating that that has been the average difference in price. I say for the past six months' period that fact has existed.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Utah?

Mr. DIXON. I do.

Mr. SMOOT. I should like to say to the Senator from Mississippi that the reason of the existence of that condition of affairs is the agitation that is going on for free wool.

Mr. WILLIAMS. Oh, pshaw!

Mr. SMOOT. I want to say to him, whether he knows it or not, or whether he may say "pshaw" or not, that a woolen man who buys his wool to-day can not immediately transform it into goods and get his money, as in the case of buying and selling merchandise. He has to make the wool into goods, a long and tedious process, then find a market for it, and he has to give four months' time after dating his bill ahead. He can not afford to buy wool in a protected market, with the likelihood of having a free-wool market in the near future.

The same principle applied in 1896 before free wool, under the Wilson bill, was repealed. In 1896 nearly everybody expected the bill to be repealed and the price of wool advanced. Why? Because they knew just as soon as a tariff was placed on wool the price would advance, and they know to-day that if the tariff is taken off the price will be lower; and no manufacturer is going to take any chances unless he buys just as close as possible to a free-trade basis.

Mr. WILLIAMS and Mr. REED addressed the Chair.

The VICE PRESIDENT. To whom does the Senator from Montana yield?

Mr. DIXON. I yield to the Senator from Mississippi to finish his statement and then to the Senator from Missouri.

Mr. WILLIAMS. One Republican Senator has just attempted to prove that a tariff duty of 11 cents per pound on wool has robbed the American consumer of only 2 cents a pound.

Mr. SMOOT. Mr. President, the Senator——

Mr. WILLIAMS. Wait a minute.

Mr. SMOOT. The Senator from Montana did not say that. The Senator from Montana said within the last six months.

Mr. WILLIAMS. The Senator from Montana did say that taking the last six months the difference in the price of wool here and in the London market is 2 cents a pound, and he used it as the basis of his argument——

Mr. DIXON. To show why——

Mr. WILLIAMS. To disprove the Democratic contention that the duty does approximately measure the higher price of the article in the American market.

Mr. DIXON. That is exactly what I used it for.

Mr. WILLIAMS. According to my way of phrasing, it was the measure of robbery that the raiser was capable of perpetrating upon the consumer. That is merely my phraseology. But after one Republican Senator is through with that another Republican Senator—the Senator from Utah—steps to the front and says the first Republican Senator has taken an absolutely unfair basis, because the last six months have been totally exceptional, owing, according to the Senator from Utah, to Democratic "agitation" for the removal of the duty on wool. Now, in the name of common sense, both of you take one shoot or one of you get out of the argument; it does not make any difference which.

Now, one word more——

Mr. DIXON. Mr. President——

The VICE PRESIDENT. The Senator from Montana has the floor.

Mr. WILLIAMS. You can not take as the basis of fact for an argument an exceptional period. If you take it for a fair argument, you take a fair period. If it be exceptional and it is due to the fact that the people who have been robbed to the tune of 11 cents a pound raised their voices to such an extent that the robbery has been reduced to 2 cents, then the "agitation" has benefited the American people and the American consumer to the extent of 9 cents a pound.

Mr. DIXON. Mr. President, I must answer the Senator from Mississippi. I say to the Senator from Mississippi, not as a Republican Senator representing one theory of financial system to a Democratic Senator, but as one gentleman to another, there is no doubt but that the threatened reduction in the wool tariff has to-day cost the woolgrowers of this country literally millions of dollars. I have sent for a telegram which came to my office this morning. If the young man reaches me in time I will read it to the Senator from Mississippi. It is from one of the sheep growers at Billings, Mont. He says the price of wool under this continued threatened agitation has fallen to the terrible times of 1893. The wool market has literally been paralyzed under the threat of the House bill, which promises only about 2½ cents per pound on wool.

Any man who will take the patience to honestly investigate the conditions will find that what I am now saying is the absolute truth. The very threat of the passage of that bill by the House has cost the woolmen of this country literally millions of dollars in the past 60 days.

Mr. WILLIAMS. Of course, when the Senator from Montana makes a gentleman's statement to a gentleman of a fact I receive it, but you can not make a statement of that character about an inference, about a supposed cause. When the Senator states to me that wool has gone down to a certain price and is at a certain price, I accept his statement, but when he goes further and assures me as a gentleman that the reason for it is this or that——

Mr. DIXON. The Senator draws the line on reason.

Mr. WILLIAMS. Then he transcends the lines of possible information given. I have as good a right to draw a conclusion as to the cause as the Senator has. But I am not quarreling about that. I am quarreling about this: That you now say the reason of the fact that the tariff of 11 cents made only a difference of 2 cents is that there was agitation. A moment ago you were using that six months' period as a basis of your argument that 11 cents duty did not raise the price of the home market approximately to the tariff level.

Mr. DIXON. I think I can convince the Senator from Mississippi of that fact. I want to say to the Senator from Mississippi frankly that under the operations of the Dingley tariff on wool, carried through into the Payne bill, there has been nominally 11 cents duty, but there has not been that much protection to the woolgrower. The average man—and I say this not in any egotistical spirit—the average man does not take the time—the average Senator does not do it—to investigate the real conditions surrounding the duty on free wool.

Mr. REED. Mr. President——

Mr. DIXON. Just one minute.

Mr. REED. Right there on that question——

Mr. DIXON. All right; I will yield at this point.

Mr. REED. The Senator says that the difference in price is not represented by the tariff; that the difference does not approximate the tariff. How much did the tariff raise the price of wool per pound?

Mr. DIXON. Answering the Senator from Missouri in a perfect spirit of frankness, I would say to him it is impossible to determine that exactly. I saw wool sell in my State in 1895, under the terrible depression of the time, as low as 8 cents per pound. The Senator from Utah says he saw it.

Mr. SMOOT. I bought a million pounds at 6 cents a pound.

Mr. DIXON. The Senator from Utah says he bought a million pounds at 6 cents a pound. The actual condition was that the wool men were simply bankrupt and ruined. No man will dispute that.

Mr. REED. Mr. President——

Mr. DIXON. There was very widespread devastation through that whole tier of the country. The corn farmers in Iowa, Missouri, Illinois, Minnesota, and Indiana, where the sheep are fed, only raise the sheep for the market; they are carried in great train loads down to the cornfields of Missouri, Nebraska, Kansas, and Illinois, and there corn fed for the Chicago market.

Mr. REED. Mr. President——

Mr. DIXON. They suffered almost as severely as the sheepmen themselves when the great market was destroyed.

Mr. REED. Mr. President, if the Senator——

The VICE PRESIDENT. The Senator from Montana is aware that the Senator from Missouri desires to interrupt him.

Mr. DIXON. I yield to the Senator from Missouri.

Mr. REED. I asked the Senator for a frank answer. He has been asserting with great force that the tariff did not increase the price of wool——

Mr. DIXON. Oh, no, no.

Mr. REED. To the amount of the tariff.

Mr. DIXON. Yes; I think it has not.

Mr. REED. He has asserted that at the present time it increases it only 2 cents a pound. Now, it seems to be admitted, or at least stated, by the Senator that this is an exceptional time. If the Senator can be specific as to the amount the price is increased and can assert it to be 2 cents a pound——

Mr. DIXON. I am merely quoting the London and Boston market.

Mr. REED. Can not the Senator give us some estimate of the amount of increase which results on the average? Can not that be answered by the Senator without doing as a Senator from another State did this morning when I asked him a similar question about wheat, going into a long argument involving the whole tariff question. Can not some of the men who ask for this tariff, and clamor for this tariff, tell us approximately how much it raises the price of wool in cents per pound? Will not the Senator enlighten us on that point?

Mr. DIXON. The Senator from Missouri knows, and I know, and every Senator in this Chamber knows, that no man on earth can answer that question. You might take all the tables and market reports and lead pencils on earth and you can not give a specific answer to that question.

Mr. REED. Then you can not exactly——

Mr. DIXON. I do say this, that the theory you pursued then in wiping out the tariff did bring bankruptcy to hundreds of thousands of people, and the bill you have reported from the House now, if it becomes a law, as to the tariff on raw wool, will bring about the same result.

Mr. REED. If the Senator can state that it is 2 cents a pound now, and can get at it in cents now and give us the figures, why can he not give us the same figures through those other years without going into the general question of whether it is widespread bankruptcy? That does not answer my question. I want to know if the Senator knows, and if the Senator does not know, then I want him to stand on this floor and frankly confess that he does not know whether an 11-cent tariff is necessary or a 2-cent tariff is necessary.

Mr. DIXON. I will say to the Senator from Missouri I do know that the Democratic tariff on wool that you gave us before put us out of business; but as to actual figures, fluctuations of the market, no man on earth can tell.

Mr. SMOOT and Mr. REED addressed the Chair.

The VICE PRESIDENT. To whom does the Senator from Montana yield?

Mr. DIXON. I yield to the Senator from Utah.

Mr. SMOOT. I simply want to say to the Senator from Missouri that the day the wool bill was reported from the Committee on Finance to the Senate every purchaser of wool in the United States telegraphed to their buyers in Wyoming, Utah, New Mexico, Montana, and I believe in every Western State to stop buying wools.

Mr. REED. Will the Senator yield to me?

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Missouri?

Mr. DIXON. When the Senator from Utah finishes.

Mr. SMOOT. The effect of that was that the demand for wool, which came through the feeling that there was not going to be a change in the wool tariff, at least until the next season, ceased.

Mr. REED. Did not that mean simply that the purchaser of wool believed if the tariff was reduced they would buy in a market that was less burdened by taxes and would buy somewhat cheaper, and hence, perhaps, they would wait until they found out whether that reduction would take place. That means, does it not, that the buyers of wool recognized the fact that the tariff does raise the price to the consumer, the purchaser, and is a tax upon the people of the United States?

Mr. DIXON. Mr. President, your revenue-duty tariff is a tax on the consumer and does raise the price.

Mr. REED. Certainly.

Mr. DIXON. Your whole argument falls so far as——

Mr. REED. It is a revenue tariff.

Mr. DIXON. It is robbery just the same, but levied under a different system.

Mr. REED. It is a revenue tariff levied for the honest constitutional purpose of raising revenue. A protective tariff is raised for the dishonest and unconstitutional purpose of enabling one class of citizens to pick the pockets of all the rest of the people.

Mr. DIXON. That is the difference between tweedledee and tweedledum. If tariffs are wrong levied under one theory, what difference does it make whether it is an incidental protection or levied for protection outright and open and aboveboard, acknowledged to be for the purpose of keeping the people of this Republic at work and not to depend on the importation of goods from other countries. I ask the Senator from Missouri whether the duty on zinc, which the last tariff bill carried to the great zinc-producing State of Missouri, added anything to the price of zinc and the steadiness of the zinc market in your State?

Mr. REED. My understanding is——

Mr. DIXON. Answer yes or no.

Mr. REED. I am going to answer you, sir. I never dodge a question, and it never takes me half an hour to answer a question by making an argument about something that happened 15 years ago. My understanding is that it has not raised the price of ore to the producers of zinc at all.

Mr. DIXON. Are you willing to have it removed?

Mr. REED. To have it repealed?

Mr. DIXON. Yes.

Mr. REED. Absolutely.

Mr. DIXON. And the Senator——

Mr REED. And I shall never stand on this floor and cast a vote for the purpose of helping the people or any part of the people of my State rob the rest of the people of the United States. In that respect I differ from some of the Senators on the other side.

Mr. DIXON. Yes. And now, Mr. President, I ask the Senator from Missouri, in his zeal to stop this robbery, his zeal to prevent this great outrage on the people of this country, why he has not introduced an amendment here proposing a repeal of the duty on Missouri zinc ores?

Mr. REED. I have introduced no amendment on any matter, and for this reason: I want first to see passed this reciprocity bill, which captures one of the outposts of protection which a Republican President, driven by the exigencies of the political conditions, proposes to surrender. When we have taken possession of that position, I then propose to follow the lead of the House of Representatives and vote for those bills which have been sent here. When those bills are out of the way I shall be ready to join in going through the tariff and taking out of it every element except the simple element of revenue.

Mr. DIXON. Then why does the Senator——

Mr. SMOOT. Just a moment.

Mr. DIXON. Let me answer the Senator from Missouri.

Mr. SMOOT. I want to ask the Senator a question.

Mr. DIXON. All right.

Mr. SMOOT. I want to ask the Senator from Missouri if I understood him correctly to say that the duty on zinc ore had not increased the price of zinc ore in Missouri a cent?

Mr. REED. I do not think it has.

Mr. SMOOT. I wanted to get that answer, because, Mr. President, I think I can show the Senator that he is mistaken.

Mr. REED. Zinc ore went up for a time and it went down again, but, taking the market as a whole, it is regarded by the best judges of that district, as I understand, to have been of no benefit. Now, this came about——

Mr. GALLINGER. If it has not affected zinc——

Mr. REED. Our friend Mr. CANNON went through that part of the country and made speeches. He said to the producers of that ore, "If you will vote the Republican ticket, if you vote for my friend Charley Morgan, who stands here on the rear of this platform with me, we will give your people protection; if you do not do it, you will get no protection." That bribe offered to the people is a part of the morality of your beautiful system of protection. Morgan was elected by a small majority; Mr. CANNON redeemed his pledge, and the bill was passed. Zinc ore went up for a little while, but, taking the prices as they have run, I do not think any man can demonstrate that there has been any benefit to that district.

Mr. DIXON. Then, Mr. President, if the tariff on zinc ores has not increased the price, the people of this country have not been robbed by this action in putting a tariff on zinc ores. If it has not increased the price of zinc ores, then by the same argument it would apply to every other article in the list.

Mr. REED. It did not increase the price, as I understand, for various reasons. Among them was the fact that this particular tariff was a subterfuge and a fake from the start; that the ores which came in prior to that time were of the character used in the smelting process, and that they were not in the true sense competitive ores. But that is too broad a question.

Mr. SMOOT. But, Mr. President, I want to say to the Senator——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Utah?

Mr. DIXON. I do.

Mr. SMOOT. I want to say to the Senator from Missouri that his statement is not correct.

Mr. REED. I will debate that with the Senator from Utah at any time he wants to, and on any occasion, but it is aside from this question.

Mr. SMOOT. But, Mr. President, all the ores which come into this country which carry more than 10 per cent of zinc pay a duty, while before August 5, 1909, they were free. Every zinc-ore purchaser in this country stated that the average amount of zinc that was in the ores that came from Mexico was near 40 per cent.

Mr. REED. I understand that.

Mr. SMOOT. The last tariff bill affects every pound of ore that is imported into this country.

Mr. REED. I understand that.

Mr. DIXON. Mr. President, I want to finish my remarks.

The VICE PRESIDENT. The Senator from Montana declines to yield further.

Mr. REED. I trust the Senator will allow me to reply to the statement of the Senator from Utah, who did not understand me. I stated that my understanding of the facts was that the ore that came from Mexico was of a character which could be mixed with the native ores and used in smelting, and, therefore, any law that tended to shut it out did not in the long run benefit the miner.

Mr. SMOOT. Why, Mr. President, all the ore which is produced in Missouri is also of such a character that it may be used for smelting.

Mr. DIXON. I will have to shut off the zinc-ore debate, as I want to finish my remarks.

The VICE PRESIDENT. The Senator from Montana declines to yield further.

Mr. GALLINGER. Mr. President——

Mr. DIXON. I forgot the Senator from New Hampshire.

Mr. REED. It is not used for smelting, and I am talking about Mexican ores.

The VICE PRESIDENT. The Senator from Montana declines to further yield.

Mr. GORE. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Oklahoma?

Mr. DIXON. If it is for a discussion of wool I will. I do not want to get off on side issues.

Mr. GORE. It is in reference to sheep. Mr. President, I dislike to disturb the complacency of the Senator from New Hampshire [Mr. GALLINGER], but the Census Bureau issued a bulletin on the subject of sheep the day before yesterday, and I invite the Senator's attention to the figures. The official count of sheep and lambs in the United States last year, under the census, was 51,638,590, while the official census count of sheep and lambs in the United States in the year 1900 was 61,503,713.

Mr. DIXON. Somebody certainly has misread the figures to the Senator from Oklahoma. The Senator from Oklahoma knows that in 1896 there were 38,000,000 sheep. Does the Senator from Oklahoma think that in four years 38,000,000 sheep would develop into 60,000,000?

Mr. GORE. Within the last 10 minutes I conversed with the Director of the Census. The statement that there were over 61,000,000 sheep in 1900 seemed to me so incredible that I returned to the telephone, called up the Director's office, and had the Director verify the figures, the total number in 1900 being, as he reassured me, 61,503,713.

Mr. GALLINGER. The Statistical Abstract gives it at 41,000,000; and the Statistical Abstract, a Government publication, is supposed to be good authority.

Mr. GORE. Those are estimates of the Department of Agriculture.

Mr. GALLINGER. Yes; and sheep are agricultural products.

Mr. GORE. Those are estimates, whilst these, as I understand, are the official figures of the Census Bureau, taken by the enumerators assigned to their several districts throughout the United States, and, according to this advice, the number in 1900 officially counted was 61,503,713. The number last year, according to the census count, was 51,538,690, a falling off according to these official figures—I do not say whether they are right or wrong—of 10,000,000 head of sheep and lambs in the United States.

Now, justice requires me to say that the census of 1900 was taken in June, while the census of last year was taken in April. There was, of course, a larger percentage of lambs expected in 1900 delivered when the census was taken and a smaller number in 1910, and, I take it, the estimate read by the Senator from New Hampshire embraces the estimate for the lambs which were born subsequent to April, 1910.

I ask leave to print in the RECORD, accompanying the table submitted by the Senator from New Hampshire, the preliminary bulletin which has just been issued by the Census Bureau.

The VICE PRESIDENT. Without objection, permission is granted.

The matter referred to is as follows:

SHEEP AND LAMBS ON FARMS AND RANGES.

[Preliminary statement of Thirteenth Census statistics issued by the Census Bureau.]

WASHINGTON, D. C., *July 10, 1911.*

Statistics relative to sheep and lambs reported on farms and ranges for the United States, by States and geographic divisions, at the Thirteenth Decennial Census, April 15, 1910, are contained in an official statement issued to-day by Acting Director Falkner. It is based on tabular summaries prepared under the direction of Dr. Le Grand Powers, chief statistician for agriculture in the Bureau of the Census. The figures are preliminary and subject to slight revision later, when a few other farms, whose returns are now incomplete, are included in the final tables.

NUMBER OF SHEEP AND LAMBS, 1910 AND 1900, FOR THE UNITED STATES.

In summing up the results Acting Director Falkner states that, for the country as a whole, there was no material change in the sheep industry in the 10 years between 1900 and 1910.

The total number of sheep and lambs in the United States reported for 1910 was 51,638,590, made up of 29,707,000 ewes, 7,148,366 rams and wethers, 12,168,278 lambs, and 2,614,946 sheep and lambs not classified by age or sex in the 1910 reports. In 1900 the total number reported was 61,503,713, comprising 31,857,652 ewes, 7,995,315 rams and wethers, and 21,650,746 lambs.

The public is cautioned that, owing to the different dates of enumeration in 1900 and 1910, the figures for lambs are not comparable for the two periods. As previously shown, the number reported in 1900 as of date June 1 was 21,650,746, while in 1910 the number returned as of April 15 was only 12,168,278. This decrease is said by the Acting Director to be more apparent than real. If the enumeration in 1910 had taken place as of June 1, the number of lambs at the two census periods would probably have been approximately the same as shown by the other statistics.

Excluding the lambs from consideration, the other figures are fairly comparable. Such action would leave a net total of 39,470,312 wool-producing sheep for 1910, as compared with 39,852,967 for 1900. The 1910 total will be slightly changed in the final reports of the Thirteenth Census by the tabulation of supplemental schedules for Arizona and New Mexico, which will add approximately 100,000 to the number stated. Hence, it is seen that there was actually a decrease of only 1 per cent in the net total number of wool-producing sheep in 1910 as finally to be compared with the corresponding total for 1900.

The figures in the present statement do not include the number of wool-producing sheep reported for cities and towns as distinct from those on farms and ranges given herein. Their total in 1900 was 179,600, while the preliminary tabulation now in progress indicates that the total for 1910 was approximately 255,600.

INCREASES AND DECREASES BY GEOGRAPHIC DIVISIONS.

The very slight decrease in the total number of wool-producing sheep was not uniform for all parts of the United States. The total number reported for the North Atlantic division was 1,566,033 in 1910, as compared with 2,533,579 in 1900, a decrease of approximately 1,000,000, distributed throughout all the States in that area. The South Atlantic division reported 1,552,284 in 1910, as compared with 1,706,199 in 1900, a decrease of about 154,000; the South Central division, 3,165,905, against 3,328,848 in 1900, a decrease of about 163,000; the North Central division, 10,069,451 in 1910, as compared with 10,055,721, an increase of about 14,000; and the Western division, 23,116,639 in 1910, against 22,228,620, an increase of nearly 1,000,000. The total change in the South Atlantic, South Central, and North Central divisions, therefore, was almost negligible and not at all uniform. A group of States, comprising Maryland, Virginia, Tennessee, Kentucky, Ohio, Illinois, Minnesota, Iowa, Missouri, and Kansas, shows increases, whereas the States north and south of this central group show decreases. In the Western division Colorado, California, and Washington show slight decreases; Utah, a decrease of nearly 1,000,000; and New Mexico, a loss of 400,000. The other States show material increases.

NUMBER OF WOOL-PRODUCING SHEEP BY STATES.

In the North Atlantic division the number of wool-producing sheep reported for Maine was 149,934 in 1910 and 252,213 in 1900; New Hampshire, 31,201 in 1910 and 65,318 in 1900; Vermont, 84,360 in 1910 and 182,167 in 1900; Massachusetts, 22,672 in 1910 and 33,869 in 1900; Rhode Island, 4,206 in 1910 and 6,629 in 1900; Connecticut, 14,043 in 1910 and 23,021 in 1900; New York, 605,655 in 1910 and 984,516 in 1900; New Jersey, 16,593 in 1910 and 26,363 in 1900; and Pennsylvania, 637,369 in 1910 and 959,483 in 1900.

In the South Atlantic division the number of wool-producing sheep reported for Delaware was 4,415 in 1910 and 6,964 in 1900; Maryland, 126,251 in 1910 and 111,520 in 1900; District of Columbia, none; Virginia, 437,988 in 1910 and 392,125 in 1900; West Virginia, 564,378 in 1910 and 572,739 in 1900; North Carolina, 139,884 in 1910 and 208,812 in 1900; South Carolina, 28,024 in 1910 and 52,436 in 1900; Georgia, 154,442 in 1910 and 258,894 in 1900; and Florida, 96,902 in 1910 and 102,709 in 1900.

In the South Central division the number of wool-producing sheep reported for Kentucky was 776,894 in 1910 and 716,158 in 1900; Tennessee, 470,478 in 1910 and 307,804 in 1900; Alabama, 111,183 in 1910 and 229,298 in 1900; Mississippi, 156,506 in 1910 and 236,470 in 1900; Louisiana, 140,242 in 1910 and 169,234 in 1900; Texas, 1,364,554 in 1910 and 1,439,940 in 1900; Oklahoma, 48,766 in 1910 and 61,183 in 1900; and Arkansas, 97,282 in 1910 and 168,761 in 1900.

In the north central division the number of wool-producing sheep reported for Ohio was 2,892,272 in 1910 and 2,648,250 in 1900; Indiana, 812,427 in 1910 and 1,010,648 in 1900; Illinois, 661,484 in 1910 and 629,150 in 1900; Michigan, 1,545,241 in 1910 and 1,625,930 in 1900; Wisconsin, 628,539 in 1910 and 986,212 in 1900; Minnesota, 452,043 in 1910 and 359,328 in 1900; Iowa, 769,917 in 1910 and 657,868 in 1900; Missouri, 1,114,216 in 1910 and 663,703 in 1900; North Dakota, 239,114 in 1910 and 451,437 in 1900; South Dakota, 502,505 in 1910 and 507,338 in 1900; Nebraska, 245,195 in 1910 and 335,950 in 1900; and Kansas, 206,498 in 1910 and 179,907 in 1900.

In the western division the number of wool-producing sheep reported for Montana was 4,978,963 in 1910 and 4,215,214 in 1900; Wyoming, 4,676,206 in 1910 and 3,327,185 in 1900; Colorado, 1,313,048 in 1910 and 1,352,823 in 1900; New Mexico, 2,931,201 in 1910 and 3,333,743 in 1900; Arizona, 843,383 in 1910 and 668,458 in 1900; Utah, 1,670,890 in 1910 and 2,553,134 in 1900; Nevada, 810,973 in 1910 and 568,251 in 1900; Idaho, 2,160,029 in 1910 and 1,965,467 in 1900; Washington, 308,862 in 1910 and 558,022 in 1900; Oregon, 1,982,552 in 1910 and 1,961,355 in 1900; and California, 1,440,532 in 1910 and 1,724,968 in 1900.

NUMBER OF FARMS REPORTING SHEEP.

Although the number of mature sheep decreased very slightly during the decade, the number of farms reporting sheep decreased from 763,518 to 608,363, which is 155,155, or 20 per cent. The decrease in the number of farms in the North Atlantic States was at practically the same rate as the decrease in the number of mature sheep, leaving the average number of sheep per farm approximately 21 at both periods.

In the South Atlantic division, however, there was a decrease of practically 30,000 in the number of farms reporting, with only a slight decrease in the number of sheep. In 1900 the number of mature sheep per farm in that group of States was 16, whereas in 1910 the average number per farm had increased to 20.

In the south central division the number of farms fell off about 44,000, which is a much greater relative decrease than that in the number of sheep. In 1900 the average number of sheep per farm was 22, whereas in 1910 it was about 20.

In the north central division both the number of farms and the number of mature sheep increased slightly, the number of sheep per farm being about 29 at each census period.

In the western division the increase in number of farms corresponds very closely to the increase in number of sheep; the average number of sheep per farm reporting being approximately 900 at each of the censuses.

WOOL.

The number of fleeces of wool and the total weight of the wool clip for 1909 has not yet been completely tabulated. The average weight per fleece for a group of 16 States already tabulated is 7.4 pounds. In 1900 the average weight per fleece for these States was 6.8 pounds, and for the entire United States 6.3 pounds. If the average weight for the entire United States for 1909 is 7.4 pounds, the aggregate weight of wool shorn in that year, including that clipped from the sheep on farms and in cities at the date of enumeration, and that shorn from sheep afterwards slaughtered in the spring of 1910, before the date of enumeration, will be approximately 296,000,000 pounds, while if the average weight for the farms of the country is only 7 pounds, the weight of the farm clip will not greatly differ from that returned by the census of 1900, or about 277,000,000 pounds.

SUMMARY FOR THE UNITED STATES, BY STATES.

The preliminary comparative summary follows:

Comparative summary—Sheep and lambs, by States and geographic divisions, April 15, 1910, and June 1, 1900.

States and geographic divisions.	Census years.	1 Farms reporting sheep and lambs.	2 Total sheep and lambs (number).	3 Ewes (number).	4 Rams and wethers (number).	5 Lambs[1] (number).	6 Unclassified by age or sex (number).	7 Wool-producing sheep (columns 3, 4, and 6).
The United States	1910	608,363	51,638,590	29,707,000	7,148,366	12,168,278	2,614,946	39,470,312
	1900	763,518	61,503,713	31,857,652	7,995,315	21,650,746	.....	39,852,967
NORTH ATLANTIC DIVISION	1910	71,470	2,273,478	1,345,750	219,458	707,445	825	1,566,033
	1900	120,377	4,247,100	2,259,823	273,756	1,713,521	.....	2,533,579
Maine	1910	11,060	206,434	143,738	6,196	56,500	.....	149,934
	1900	18,361	420,116	240,717	11,496	167,903	.....	252,213
New Hampshire	1910	2,236	43,772	29,075	2,126	12,571	.....	31,201
	1900	4,202	105,113	61,295	4,023	39,795	.....	65,318
Vermont	1910	5,033	118,551	78,996	5,364	34,191	.....	84,360
	1900	8,533	296,576	168,292	13,875	114,409	.....	182,167
Massachusetts	1910	1,027	32,669	20,062	1,785	9,997	825	22,672
	1900	1,447	52,559	30,441	3,428	18,690	.....	33,869
Rhode Island	1910	242	6,789	3,952	254	2,583	.....	4,206
	1900	333	11,207	5,901	728	4,578	.....	6,629
Connecticut	1910	741	22,418	12,781	1,262	8,375	.....	14,043
	1900	1,258	36,987	20,655	2,366	13,966	.....	23,021
New York	1910	24,830	929,547	568,414	37,241	323,892	.....	605,655
	1900	40,625	1,745,746	938,315	46,201	761,230	.....	984,516
New Jersey	1910	875	30,446	15,539	1,054	13,853	.....	16,593
	1900	1,561	47,730	24,744	1,619	21,367	.....	26,363
Pennsylvania	1910	25,426	882,852	473,193	164,176	245,483	.....	637,369
	1900	44,057	1,531,066	769,463	190,020	571,583	.....	959,483
SOUTH ATLANTIC DIVISION	1910	76,274	2,507,418	1,331,401	201,789	955,134	19,094	1,552,284
	1900	106,420	2,698,915	1,381,330	324,869	992,716	.....	1,706,199
Delaware	1910	266	7,806	3,924	491	3,391	.....	4,415
	1900	466	11,765	6,360	604	4,801	.....	6,964
Maryland	1910	6,228	237,137	119,806	6,445	110,886	.....	126,251
	1900	6,339	191,101	101,006	10,514	79,581	.....	111,520
District of Columbia	1910	.....	.....	.....	.....	.....	.....	.....
	1900	.....	.....	.....	.....	.....	.....	.....
Virginia	1910	21,497	803,552	412,606	25,382	365,564	.....	437,988
	1900	24,732	692,929	353,549	38,576	300,804	.....	392,125
West Virginia	1910	26,014	906,093	496,623	67,755	341,715	.....	564,378
	1900	30,266	968,843	497,247	75,492	396,104	.....	572,739
North Carolina	1910	14,697	214,176	120,315	19,249	74,292	320	139,884
	1900	28,941	301,941	164,105	44,707	93,129	.....	208,812
South Carolina	1910	1,732	37,434	21,844	5,425	9,410	755	28,024
	1900	3,921	71,538	40,478	11,958	19,102	.....	52,436
Georgia	1910	5,180	187,589	101,239	46,474	33,147	6,729	154,442
	1900	10,891	336,278	162,704	96,190	77,384	.....	258,894
Florida	1910	660	113,631	55,044	30,568	16,729	11,290	96,902
	1900	864	124,520	55,881	46,828	21,811	.....	102,709
SOUTH CENTRAL DIVISION	1910	107,954	4,633,918	2,397,306	632,607	1,408,013	135,992	3,165,905
	1900	152,394	4,877,473	2,439,135	889,713	1,548,625	.....	3,328,848
Kentucky	1910	45,707	1,360,004	719,591	54,343	583,110	2,960	776,894
	1900	50,835	1,297,343	647,838	68,320	581,185	.....	716,158
Tennessee	1910	29,978	794,063	428,229	40,320	323,585	1,929	470,478
	1900	37,905	496,011	256,032	51,772	188,207	.....	307,804
Alabama	1910	6,631	142,914	75,340	27,060	31,731	8,783	111,183
	1900	17,962	317,053	157,830	71,468	87,755	.....	229,298
Mississippi	1910	5,723	194,235	105,315	45,518	37,779	5,673	156,506
	1900	14,430	312,632	162,188	74,282	76,162	.....	236,470
Louisiana	1910	3,677	178,217	97,923	37,828	37,975	4,491	140,242
	1900	5,740	219,844	114,414	54,820	50,610	.....	169,234
Texas	1910	6,929	1,757,963	851,371	404,391	393,409	108,792	1,364,554
	1900	6,416	1,889,298	924,174	515,766	449,358	.....	1,439,940
Oklahoma[2]	1910	877	62,282	40,561	7,189	13,516	1,016	48,766
	1900	804	88,363	45,959	15,224	27,180	.....	61,183
Arkansas	1910	8,432	144,190	78,976	15,958	46,908	2,348	97,282
	1900	18,302	256,929	130,700	38,061	88,168	.....	168,761

[1] Includes for 1910 lambs born between Jan. 1 and Apr. 15; for 1900, lambs under 1 year old June 1.

[2] Includes Indian Territory.

Comparative summary—Sheep and lambs, by States and geographic divisions, April 15, 1910, and June 1, 1900—Continued.

States and geographic divisions.	Census years.	1 Farms reporting sheep and lambs.	2 Total sheep and lambs (number).	3 Ewes (number).	4 Rams and wethers (number).	5 Lambs[1] (number).	6 Unclassified by age or sex (number).	7 Wool-producing sheep (columns 3, 4, and 6).
NORTH CENTRAL DIVISION	1910	326,329	14,600,315	8,542,271	1,454,883	4,530,864	72,297	10,069,451
	1900	358,569	16,180,556	8,675,532	1,380,189	6,124,835	.....	10,055,721
Ohio	1910	71,523	3,907,055	2,178,544	697,693	1,014,783	16,035	2,892,272
	1900	73,636	4,020,628	2,090,093	558,157	1,372,378	.....	2,648,250
Indiana	1910	38,191	1,336,967	742,576	69,851	524,540	.....	812,427
	1900	48,046	1,742,002	940,387	70,261	731,354	.....	1,010,648
Illinois	1910	26,262	1,062,846	586,487	74,997	401,362	.....	661,484
	1900	25,422	1,030,581	548,853	80,297	401,431	.....	629,150
Michigan	1910	54,865	2,306,476	1,433,263	111,978	761,235	.....	1,545,241
	1900	63,339	2,747,609	1,508,503	117,427	1,121,679	.....	1,625,930
Wisconsin	1910	30,040	929,783	588,628	39,911	301,244	.....	628,539
	1900	47,061	1,675,453	918,638	67,574	689,241	.....	986,212
Minnesota	1910	24,564	637,551	417,626	34,417	185,508	.....	452,043
	1900	28,056	589,878	329,984	29,344	230,550	.....	359,328
Iowa	1910	21,810	1,145,549	676,687	93,230	375,632	.....	769,917
	1900	18,788	1,056,718	576,104	81,764	398,850	.....	657,868
Missouri	1910	44,010	1,808,038	1,012,543	101,673	693,822	.....	1,114,216
	1900	38,013	1,087,213	587,757	75,946	423,510	.....	663,703
North Dakota	1910	3,723	289,354	178,973	52,617	50,240	7,524	239,114
	1900	4,957	681,952	340,273	111,164	230,515	.....	451,437
South Dakota	1910	5,155	610,728	405,308	86,876	108,223	10,321	502,505
	1900	6,392	775,236	422,042	85,296	267,898	.....	507,338
Nebraska	1910	3,043	293,496	160,955	56,317	48,301	27,923	245,195
	1900	2,764	511,273	279,073	56,877	175,323	.....	335,950
Kansas	1910	3,143	272,472	160,681	35,323	65,974	10,494	206,498
	1900	2,095	262,013	133,825	46,082	82,106	.....	179,907
WESTERN DIVISION	1910	26,336	27,623,461	16,090,272	4,639,629	4,506,822	2,386,738	23,116,639
	1900	25,758	33,499,669	17,101,832	5,126,788	11,271,049	.....	22,228,620
Montana	1910	2,269	5,372,639	3,050,239	1,602,658	393,676	326,066	4,978,963
	1900	1,481	6,170,483	2,995,795	1,219,419	1,955,269	.....	4,215,214
Wyoming	1910	1,670	5,194,959	3,413,975	792,921	518,753	469,310	4,676,206
	1900	1,076	5,099,613	2,498,914	828,271	1,772,428	.....	3,327,185
Colorado	1910	1,794	1,424,187	1,022,834	178,923	111,139	111,291	1,313,048
	1900	1,255	2,044,814	1,089,680	263,143	691,991	.....	1,352,823
New Mexico	1910	1,848	3,286,285	1,847,908	424,100	355,084	659,193	2,931,201
	1900	2,504	4,899,487	2,850,876	482,867	1,565,744	.....	3,333,743
Arizona	1910	621	1,061,363	537,262	115,883	217,980	190,238	843,383
	1900	602	924,761	452,271	216,187	256,303	.....	668,458
Utah	1910	2,419	1,827,180	1,340,595	330,295	156,290	.....	1,670,890
	1900	3,544	3,818,423	1,893,802	659,332	1,265,289	.....	2,553,134
Nevada	1910	316	1,103,889	602,780	125,906	292,916	82,287	810,973
	1900	255	887,039	434,574	133,677	318,788	.....	568,251
Idaho	1910	2,996	2,950,534	1,598,734	259,800	790,505	301,495	2,160,029
	1900	1,936	3,121,532	1,611,090	354,377	1,156,065	.....	1,965,467
Washington	1910	2,116	471,521	266,160	60,960	162,659	41,742	308,862
	1900	2,793	929,873	459,158	98,864	371,851	.....	558,022
Oregon	1910	6,394	2,696,779	1,394,472	491,982	714,227	96,098	1,982,552
	1900	6,696	3,040,291	1,480,282	481,073	1,078,936	.....	1,961,355
California	1910	3,893	2,234,125	1,075,313	256,201	793,593	109,018	1,440,532
	1900	3,616	2,563,353	1,335,390	389,578	838,385	.....	1,724,968

[1] Includes for 1910 lambs born between Jan. 1 and Apr. 15; for 1900, lambs under 1 year old June 1.

Mr. GORE. Mr. President, I now wish to ask one question of the Senator from Montana [Mr. DIXON] or the Senator from Utah [Mr. SMOOT]. I myself do not know about the matter, and I desire either one of them to tell me the price in the United States to-day of the three grades of wool—fine, medium, and coarse—and the price of the same grades of wool in England to-day.

Mr. DIXON. I will say to the Senator right now that in the last 10 days or 2 weeks there has been a gradual decrease in the market, until to-day there is practically no wool market. It has gone. I want to say now——

Mr. BAILEY and Mr. SMOOT addressed the Chair.

Mr. DIXON. I must insist on having the floor some of the time. I will read the telegram I sent for awhile ago for the benefit of the Senator from Oklahoma [Mr. GORE]. I see the Senator from Mississippi [Mr. WILLIAMS] has left the Chamber. It is dated Billings, Mont., July 10, and is as follows:

> Wool conditions worse than since 1893. Many clips unsold. Buyers will not buy until they know what action Congress will take upon the wool schedule.

The telegram is signed by a prominent citizen of Montana.

Mr. GORE. Mr. President, I ask the Senator from Montana if that telegram was sent in response to a telegram from him?

Mr. DIXON. Absolutely no.

Mr. GORE. Very well. Then I will ask the Senators from Montana and Utah to state the price of wool in the United States on June 20, the day before the bill revising the wool schedule was referred to the committee, and the price of wool in England on June 20. I do not know the prices, and want to find out.

Mr. DIXON. That would be just like asking a man how many grains of dirt there are on Pennsylvania Avenue between here and the White House. Nobody can tell that. I will say generally, however, making a rough off-hand statement, that at that time the price of wool in this country was about 17 cents a pound and on the London market about 14 or 15 cents; that is, roughly speaking.

Mr. SMOOT. Mr. President, of course——

Mr. DIXON. The Senator from Utah and the Senator from Wyoming can probably give more accurate figures than those I have given.

Mr. SMOOT. Mr. President, the Senator from Oklahoma asks for the prices of the three grades of wool on June 20 in this country and in England.

Mr. GORE. I do not mean that particular date, I will say to the Senator, but prior to the reference of the wool bill.

Mr. SMOOT. On the different classes of wool the prices vary according to the shrinkage of the wool and according to its length and fineness.

Mr. GORE. I realize that.

Mr. SMOOT. The price of first-class wool in London would run all the way from 16 cents up to 24 at that particular time, and perhaps it may have been a little higher; this, of course, is wool in the grease. In this country, in the Boston market, it would run all the way, I should say, from 18 cents to 22 cents, or about that. I could go on and tell the Senator the price for second-class and third-class wool, but the prices are all different.

Mr. GORE. Of course, I know of the varieties of grade, but I had been informed by a man in the wool business that wool in England was selling higher than it was in the United States, grade for grade.

Mr. SMOOT. That is not true.

Mr. WARREN. It is not true.

Mr. GORE. I did not know, but I wanted to find out.

Mr. DIXON. In the neighborhood of 2 cents has been about the average difference, as I remember, in the price.

Mr. WARREN. Mr. President, will the Senator yield to me?

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Wyoming?

Mr. DIXON. Yes.

Mr. WARREN. With reference to what the Senator from Oklahoma has quoted, I will say, it is true that the latest figures of the census show a shortage in the number of sheep as compared with the number a year ago. Winter before last in Wyoming and in portions of the neighboring States—as, for instance, in Montana—was the most disastrous that has ever been known since the settlement of that country. Wyoming, which has more sheep than any other State in the Union, according to the records——

Mr. BAILEY. Not according to the records.

Mr. WARREN. According to the records. I assert it again.

Mr. BAILEY. Then the Government publications are wrong.

Mr. WARREN. Very well.

Mr. BAILEY. I thought the Senator from Wyoming was a little mistaken when he corrected the Senator from Montana, but I did not choose to interfere. The difference is small, but Montana——

Mr. WARREN. Mr. President, I want to say that Montana has led for a number of years; and it is only within two years that the claim of Wyoming has been that she has more sheep than Montana, and perhaps when I have finished——

Mr. BAILEY. On April 1, 1910—that is within two years—Montana had 4,800,000 and Wyoming had 4,650,000 sheep.

Mr. WARREN. From what is the Senator reading?

Mr. BAILEY. The Statistical Abstract published by the Government of the United States—not always accurate, I will grant you, but we must use it.

Mr. WARREN. I do not care to be led into that question just now, in the time of the Senator from Montana [Mr. DIXON], because the Senator from Montana himself and I have no quarrel as to that, and we all know that no other States in the Union have near as many sheep as either Montana or Wyoming. I want to say as to the number of sheep that the decrease in the State of Wyoming was considered to be by many more than 33⅓ per cent.

The loss was nearly as great in Montana. Not only was the weather in December and January more severe than we had ever known before, but the breeding season was so interfered with because of the cold that the lamb crop of the next spring was only about half the usual number, and that winter and bad lambing season was followed by the driest summer we have ever had. The tariff, of course, is not responsible for that in any manner. I am glad to say that the last winter was the best we have ever had, and that the lamb crop was the largest, and another year will show probably that we have made up that shortage.

As to the figures in 1900, that is a matter that has been up and discussed here before. That arises from changing the time of the count and counting lambs in one year that were not counted in another. For instance, lambs born in May are sold for slaughter oftentimes in September and October by the thousands and even by the millions, taken altogether; and so, if you make the count on the 1st day of July, you get quite a different number from that you would get on the 1st day of October or the 1st day of January or the 1st day of April. That is best proved by taking the number of sheep each year up to 1900 and from 1900 since, which shows conclusively that some error occurred in the computation for that one year.

Mr. DIXON. Now, Mr. President, I must finish my remarks. I did not get up to discuss the wool tariff. I was led into it incidentally; but on the pending motion, which is——

Mr. GORE. Mr. President, just one word.

The VICE PRESIDENT. Does the Senator from Montana further yield?

Mr. DIXON. Only for a short question.

Mr. GORE. I wish to say that the explanation of the Senator from Wyoming [Mr. WARREN] is entirely satisfactory to me. I did not know whether the falling off was due to panic, tempest, or drought, but I did know that the necessary disaster would be available and forthcoming.

Mr. DIXON. I want to say, Mr. President, a few words regarding the pending amendment offered by the Senator from Texas [Mr. BAILEY], known as the free-list bill. I think it is superfluous for me to repeat the statement that I am a protectionist and have always tried to be consistent in my votes on the protective tariff. I voted for the Payne bill, not because I believed it was perfect, but because I thought it was the best that could be had at the time. At this time, however, I am compelled to cast my vote in support of the amendment offered by the Senator from Texas, known as the free-list bill, and in perfect frankness I want to state why.

Any tariff, whether protective or for revenue, should cover all phases of industry. A minority of the Republican Party at this session of Congress is drifting from its ancient moorings. Evidently by the vote of this Senate, including all of the Democratic Senators but three or four and a minority of the Republican Senators from the great manufacturing States, by their votes are going deliberately and purposely, and I started to say with malice aforethought, to strip from the farmers of this country every vestige of the protective tariff as it applies to them except on the one article of wool, and yet hope to adjourn without revising the general tariff schedules.

I want to say if Canadian reciprocity passes and becomes a law I am ready to stay here until December and go through the whole list. I notice the so-called free-list amendment is grouped into four or five classes—agricultural implements, cotton bagging, cotton ties, leather, boots and shoes, barbed wire, and lumber. I remember two years ago in the discussion of the Payne bill, during that long, hot summer, a gentleman from Jersey City, N. J., or possibly Newark—one of the cities right near New York—was over here. He was a leather manufacturer over here lobbying for free hides. He came to my office and attempted to convert me to that theory. He said he was a Democrat in politics, and I asked him by what theory of equity or rule of reason he asked me to vote to remove the 15 per cent duty on hides and yet vote to maintain a duty on manufactured leather. He attempted to give me some kind of an argument that hides was a by-product of the farmer and that the tariff on hides was simply a subterfuge, a delusion, and a snare.

After the duty on hides had been removed he came back to my office in a very jocular manner. He exultingly called my attention to the fact that the duty had been removed on hides anyway, notwithstanding my opposition, and I then said to him that if, in the goodness of an all-wise Providence, I should ever happen to be a Member of the American Congress when tariff duties were again revised, remembering the propaganda entered into at that time by the manufacturers of leather, the tanners, and the shoe men to remove the little pittance that the farmer did receive from his hides of cattle—if I knew how to do equity, not in a spirit of revenge, but in dealing out cold-blooded equity to these same people I would never again vote for a duty on shoes or leather or any product of leather. I expect this afternoon thus to register my vote.

If these amendments came up under normal conditions, when the Republican Senators from the New England States were trying to do equity to all classes and all sections, it would be different, but when I see the principle of protection deserted by the very men representing communities in this Senate Chamber who ought to be its stanchest defenders; when I see Senators from New England united with the Democratic Senators from the South, deliberately destroying the protection of the Northwestern farmer by the enactment of the so-called Canadian reciprocity bill, while it may not be abstractly right, when I see that thing happen in this Chamber, then my vote will be cast for the free-list bill to bring home to these men and these communities and these industries the great lesson of doing unto others as you would have others do unto you. I am satisfied that in the present abnormal condition of tariff discussion and tariff agitation it is the only way you are ever going to invoke a square deal in writing a tariff schedule in this country, and for that reason I expect to support by my vote the amendment of the Senator from Texas.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Texas.

Mr. BAILEY. Mr. President, just a word, and that not upon the pending matter.

Yesterday afternoon at the close of the session I uttered a rather bitter reflection upon the Hon. Robert J. Walker, accusing him of downright and positive falsehood. I had not at that time supposed there was any doubt in the mind of any man as to the correctness or accuracy of what I said. But the Senator from Mississippi [Mr. WILLIAMS] surprised me by saying he had never before heard that accusation against Mr. Walker. That being true, I am sure I was mistaken in assuming that it was a matter of universal knowledge, and being mistaken in that supposition I feel that I owe it to myself to incorporate into the RECORD the proof of the charge I made.

I have here the great work of Jefferson Davis, entitled "The Rise and Fall of the Confederate Government," and in that book he alludes to this very misconduct of Walker. He does not mention him by name, but everybody familiar with the history of that time knows that he here referred to Mr. Walker by designation if not by name.

Discussing the Confederate Government's foreign debt in the preceding paragraph, he then says:

Great efforts had previously been made by agents of the United States Government to reflect upon the credit of the Confederate States by resuscitating an almost forgotten accusation of repudiation against the State of Mississippi, and especially by an emissary sent to Great Britain, than whom no one knew better how false were the attempts to implicate my name in that charge.

The emissary sent to Great Britain, of course, was the Hon. Robert J. Walker.

I have here the only history of Mississippi I have ever read, and so far as I know the only one of that State ever published. It was written by the Hon. John H. F. Claiborne, who was once a Member of the House of Representatives and was one of the contestees in the most famous contested-election case ever tried by the House of Representatives. He was one of the contestees in the famous case of Prentiss and Word *v.* Claiborne and Gholson. I ask the clerk to read the paragraph which I have indicated by pencil mark.

There is some bitter reflection on Mr. Walker that I would not myself care to incorporate into the RECORD, but it is the history, and I ask that it be read inasmuch as I made the charge.

The VICE PRESIDENT. Without objection, the Secretary will read, as requested.

The Secretary read as follows:

In his professional life, after his retirement from the Treasury, his practice was chiefly confined to a few large cases with heavy contingent fees, and he thus became associated with a class of reckless and sometimes not very clean speculators, more or less to his injury, though sometimes profitable.

Among these he got as a fee an interest in the celebrated "New Almaden quicksilver mine" in California. After protracted and expensive litigation his party won it, but the defeated party refused to give possession, and military preparations were made on both sides. A compromise, however, was effected by allowing a million and three-quarters for a peaceable relinquishment. Mr. Walker disposed of his interest for near $500,000, and was about that time appointed by President Lincoln, on the recommendation of Secretary Seward, financial agent in Europe for the United States. The main object of his mission was to discredit the Confederate States and cripple their efforts to obtain money and recognition. In this he fully succeeded. Forgetting that all he was he owed to the generous people of Mississippi, who had lifted him from poverty and obscurity, he denounced her for repudiating just debts and implicated President Davis, who had never had any connection, direct or contingent, with the subject. But while, Casca-like, stabbing his best friend, he forgot to mention that the sinking fund, which had been set apart for this very debt, he had contrived to borrow, and afterwards refused payment except in depreciated warrants. The spirit of nationality might properly have induced Mr. Walker to adhere to the Federal Government, but he should never have accepted a service directly against his early benefactors and best friends. On this mission Mr. Walker appeared in great state. He traveled with a large retinue of attachés and servants, with the air of an imperial prince. How much of the public money and how much of his own he expended in this pageantry it is needless to inquire. This suddenly acquired fortune melted rapidly away, and the great financier, after this last crusade against his early friends, is understood to have died in embarrassed circumstances. He was indebted to Mississippi for his earthly honors, and it is painful to record that his last energies were earnestly employed to crush and destroy her.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Texas.

Mr. SMITH of Michigan. Just one moment. I desire to ask the Senator from Texas a question. I desire to ask the Senator from Texas whether the adoption of this amendment and its enactment into law will extend to the manufacturers and tradesmen of the world the free and unrestricted market in the United States for the articles enumerated in this amendment?

Mr. BAILEY. It was intended to do that, and I think it would do that.

The VICE PRESIDENT. The question is on agreeing to the amendment. By the sound the "noes" appear to have it.

Mr. BAILEY. It would be a waste of the Senate's time to call the roll. I shall not ask to do that.

The VICE PRESIDENT. The "noes" have it, and the amendment is rejected.

Mr. BAILEY. Mr. President, I now intend to offer the woolen schedule. It is, however, about the adjournment time, and I hope the Senator from Pennsylvania will now move an adjournment. I can offer the amendment and have it pending.

Mr. PENROSE. I would suggest to the Senator from Texas that he offer the amendment and have it pending, if that is entirely agreeable to him.

The VICE PRESIDENT. The Senator from Texas offers the following amendment.

Mr. BAILEY. As the other amendment would have been section 4, it having been defeated, I will ask the Secretary to number the first section of it section 4, and so on.

The VICE PRESIDENT. Does the Senator desire to have the amendment read?

Mr. BAILEY. I will ask, instead of reading the amendment, to have it printed in the RECORD, so that it will appear there in the morning.

The VICE PRESIDENT. Without objection, that course will be followed.

The amendment is as follows:

Add new section as follows:

"SEC. 4. That on and after the 1st day of January, 1912, the articles hereinafter enumerated, described, and provided for shall, when imported from any foreign country into the United States or into any of its possessions (except the Philippine Islands and the islands of Guam and Tutuila), be subjected to the duties hereinafter provided, and no others; that is to say:

"1. On wool of the sheep, hair of the camel, goat, alpaca, and other like animals, and on all wools and hair on the skin of such animals, the duty shall be 30 per cent ad valorem.

"2. On all noils, top waste, card waste, slubbing waste, roving waste, ring waste, yarn waste, bur waste, thread waste, garnetted waste, shoddies, mungo, flocks, wool extract, carbonized wool, carbonized noils, and on all other wastes and on rags composed wholly or in part of wool, and not specially provided for in this act, the duty shall be 30 per cent ad valorem.

"3. On combed wool or tops and roving or roping, made wholly or in part of wool or camel's hair, and on other wool and hair which have been advanced in any manner or by any process of manufacture beyond the washed or scoured condition, not specially provided for in this act, the duty shall be 30 per cent ad valorem.

"4. On yarns made wholly or in part of wool the duty shall be 30 per cent ad valorem.

"5. On cloths, knit fabrics, felts not woven, and all manufactures of every description made, by any process, wholly or in part of wool, not specially provided for in this act, the duty shall be 30 per cent ad valorem.

"6. On blankets and flannels, composed wholly or in part of wool, the duty shall be 30 per cent ad valorem: *Provided*, That on flannels composed wholly or in part of wool, valued at above 50 cents per pound, the duty shall be 45 per cent ad valorem.

"7. On women's and children's dress goods, coat linings, Italian cloths, bunting, and goods of similar description and character, composed wholly or in part of wool, and not specially provided for in this act, the duty shall be 30 per cent ad valorem.

"8. On clothing, ready-made, and articles of wearing apparel of every description, including shawls whether knitted or woven, and knitted articles of every description made up or manufactured wholly or in part, and not specially provided for in this act, composed wholly or in part of wool, the duty shall be 30 per cent ad valorem.

"9. On webbings, gorings, suspenders, braces, bandings, beltings, bindings, braids, galloons, edgings, insertings, flouncings, fringes, gimps, cords, cords and tassels, ribbons, ornaments, laces, trimmings, and articles made wholly or in part of lace, embroideries and all articles embroidered by hand or machinery, head nets, nettings, buttons or barrel buttons or buttons of other forms for tassels or ornaments, and manufactures of wool ornamented with beads or spangles of whatever material composed, on any of the foregoing made of wool or of which wool is a component material, whether containing india rubber or not, the duty shall be 30 per cent ad valorem.

"10. On Aubusson, Axminster, moquette, and chenille carpets, figured or plain, and all carpets or carpetings of like character or description, the duty shall be 40 per cent ad valorem.

"11. On Saxony, Wilton, and Tournay velvet carpets, figured or plain, and all carpets or carpeting of like character or description, the duty shall be 40 per cent ad valorem.

"12. On Brussels carpets, figured or plain, and all carpets or carpeting of like character or description, the duty shall be 30 per cent ad valorem.

"13. On velvet and tapestry velvet carpets, figured or plain, printed on the warp or otherwise, and all carpets or carpetings of like character or description, the duty shall be 35 per cent ad valorem.

"14. On tapestry Brussels carpets, figured or plain, and all carpets or carpeting of like character or description, printed on the warp or otherwise, the duty shall be 30 per cent ad valorem.

"15. On treble ingrain, 3-ply, and all-chain Venetian carpets, the duty shall be 30 per cent ad valorem.

"16. On wool Dutch and 2-ply ingrain carpets, the duty shall be 30 per cent ad valorem.

"17. On carpets of every description, woven whole for rooms, and Oriental, Berlin, Aubusson, Axminster, and similar rugs, the duty shall be 50 per cent ad valorem.

"18. On druggets and bockings, printed, colored, or otherwise, the duty shall be 30 per cent ad valorem.

"19. On carpets and carpeting of wool, flax, or cotton, or composed in part of any of them, not specially provided for in this act, and on mats, matting, and rugs of cotton, the duty shall be 30 per cent ad valorem.

"20. Mats, rugs for floors, screens, covers, hassocks, bed sides, art squares, and other portions of carpets or carpeting, made wholly or in part of wool, and not specially provided for in this act, shall be subjected to the rate of duty herein imposed on carpets or carpeting of like character or description.

"21. Whenever in this act the word 'wool' is used in connection with a manufactured article of which it is a component material, it shall be held to include wool or hair of the sheep, camel, goat, alpaca, or other like animals, whether manufactured by the woolen, worsted, felt, or any other process.

"SEC. 5. That on and after the day when this act shall go into effect all goods, wares, and merchandise previously imported, and hereinbefore enumerated, described, and provided for, for which no entry has been made, and all such goods, wares, and merchandise previously entered without payment of duty and under bond for warehousing, transportation, or any other purpose, for which no permit of delivery to the importer or his agent has been issued, shall be subjected to the duties imposed by this act and no other duty, upon the entry or the withdrawal thereof.

"SEC. 6. That all acts and parts of acts in conflict with the provisions of this act be, and the same are hereby, repealed. This act shall take effect and be in force on and after the 1st day of January, 1912."

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 4 minutes spent in executive session the doors were reopened, and (at 6 o'clock p. m.) the Senate adjourned until to-morrow, Thursday, July 13, 1911, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate July 12, 1911.

PROMOTIONS IN THE ARMY.

CAVALRY ARM.

Capt. Alonzo Gray, Fourteenth Cavalry, to be major from June 26, 1911, vice Maj. William C. Rivers, Cavalry, unassigned, detached from his proper command under the provisions of an act of Congress approved March 3, 1911.

Capt. Alexander L. Dade, Ninth Cavalry, to be major from June 29, 1911, vice Maj. J. F. Reynolds Landis, Ninth Cavalry, advanced to the grade of lieutenant colonel under the provisions of an act of Congress approved March 3, 1911.

First Lieut. Henry Gibbins, Cavalry, unassigned, to be captain from June 29, 1911, vice Capt. Alexander L. Dade, Ninth Cavalry, promoted.

Second Lieut. Henry R. Adair, Tenth Cavalry, to be first lieutenant from June 26, 1911, vice First Lieut. Allan F. Pope, Tenth Cavalry, detached from his proper command under the provisions of an act of Congress approved March 3, 1911.

Second Lieut. James S. Greene, Tenth Cavalry, to be first lieutenant from June 26, 1911, vice First Lieut. Robert M. Campbell, Eleventh Cavalry, detached from his proper command under the provisions of an act of Congress approved March 3, 1911.

Second Lieut. Gerald C. Brant, Ninth Cavalry, to be first lieutenant from June 26, 1911, vice First Lieut. Henry C. Pratt, Ninth Cavalry, detached from his proper command under the provisions of an act of Congress approved March 3, 1911.

FIELD ARTILLERY ARM.

Second Lieut. Leonard C. Sparks, Sixth Field Artillery, to be first lieutenant from July 1, 1911, vice First Lieut. David C. Seagrave, Fourth Field Artillery, detailed in the Ordnance Department on that date.

Second Lieut. John A. Crane, Fifth Field Artillery, to be first lieutenant from July 1, 1911, vice First Lieut. John Lund, Fourth Field Artillery, detailed in the Ordnance Department on that date.

APPOINTMENT, BY TRANSFER, IN THE ARMY.

CAVALRY ARM.

Second Lieut. John R. Lynch, Third Field Artillery, to be second lieutenant of Cavalry, with rank from August 17, 1910.

FIELD ARTILLERY ARM.

Second Lieut. Robert C. F. Goetz, Third Cavalry, to be second lieutenant of Field Artillery, with rank from August 17, 1910.

ADVANCEMENT IN GRADE.

Under the provisions of an act of Congress approved March 3, 1911, the officer herein named for advancement in grade in accordance with the rank he would have been entitled to hold had promotion been lineal throughout his arm of service since the date of his entry into the arm to which he permanently belongs.

CAVALRY ARM.

Maj. J. F. Reynolds Landis, Ninth Cavalry, to be lieutenant colonel from June 29, 1911.

PROMOTIONS IN THE NAVY.

Richmond Bryant, a citizen of Texas, to be a second lieutenant in the United States Marine Corps from the 6th day of July, 1911, to fill a vacancy.

Chief Gunner Arthur A. Phelps to be a chief gunner in the Navy, to rank with, but after, lieutenant (junior grade) on the retired list, from the 11th day of February, 1910, the date upon which he was transferred to the retired list, in accordance with the provisions of an act of Congress approved June 29, 1906.

Lieut. Commander Cleland Davis, an additional number in grade, to be a commander in the Navy from the 9th day of January, 1911, with the officer next above him.

Lieut. Walter G. Roper to be a lieutenant commander in the Navy from the 14th day of January, 1911, to fill a vacancy.

Lieut. (Junior Grade) Edward L. McSheehy to be a lieutenant in the Navy to fill a vacancy occurring February 15, 1911, and to take rank from January 31, 1911.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 1st day of July, 1911, to fill vacancies:

Leigh Noyes and
Walter B. Decker.

Ensign Walter F. Jacobs to be a lieutenant (junior grade) in the Navy from the 13th day of February, 1911, upon the completion of three years' service as an ensign.

Passed Asst. Surg. Howard F. Strine to be a surgeon in the Navy from the 2d day of June, 1911, to fill a vacancy.

Lieut. Commander Henry H. Hough to be a commander in the Navy from the 19th day of May, 1911, to fill a vacancy.

Passed Asst. Surg. Louis W. Bishop to be a surgeon in the Navy from the 24th day of August, 1910, to fill a vacancy.

Asst. Surg. Earle P. Huff to be a passed assistant surgeon in the Navy from the 12th day of July, 1910, upon the completion of three years' service as an assistant surgeon.

Asst. Surg. Lawrence M. Schmidt to be a passed assistant surgeon in the Navy from the 28th day of December, 1910, upon the completion of three years' service as an assistant surgeon.

Asst. Surg. Ralph W. McDowell to be a passed assistant surgeon in the Navy from the 18th day of May, 1911, upon the completion of three years' service as an assistant surgeon.

The following-named assistant surgeons to be passed assistant surgeons in the Navy from the 15th day of June, 1911, upon the completion of three years' service as assistant surgeons:

Lindsay C. Whiteside and
George C. Thomas.

COMMISSIONER OF IMMIGRATION.

Samuel W. Backus, of California, to be commissioner of immigration at the port of San Francisco, Cal., in the Department of Commerce and Labor, vice Hart H. North, resigned.

POSTMASTERS.

ALABAMA.

J. H. Mason to be postmaster at Columbiana, Ala., in place of James I. Abercrombie, resigned.

CONNECTICUT.

Marshall Emmons to be postmaster at East Haddam, Conn. Office became presidential July 1, 1911.

Grace W. Goddard to be postmaster at Essex, Conn., in place of Alfred E. Goddard, deceased.

FLORIDA.

Belle Booth to be postmaster at Panama City, Fla. Office became presidential July 1, 1911.

IDAHO.

Edmond M. Merrell to be postmaster at Soda Springs, Idaho. Office became presidential July 1, 1911.

ILLINOIS.

Eugene S. Coddington to be postmaster at National Stock Yards, Ill., in place of Thomas H. White. Incumbent's commission expired February 12, 1911.

Charles H. Mead to be postmaster at Augusta, Ill., in place of Joseph H. Coffman. Incumbent's commission expired December 18, 1910.

Merritt J. Platt to be postmaster at East Dubuque, Ill. Office became presidential July 1, 1911.

IOWA.

Frank Kreamer to be postmaster at Exira, Iowa, in place of Ernest D. Powell, resigned.

KANSAS.

Philip G. Kopplin to be postmaster at Hoisington, Kans., in place of Warren D. Vincent, removed.

KENTUCKY.

John J. Callihan to be postmaster at Russell, Ky. Office became presidential July 1, 1911.

MICHIGAN.

Jacob Erb to be postmaster at Royal Oak, Mich. Office became presidential July 1, 1910.

Charles J. Pailthorpe to be postmaster at Petoskey, Mich., in place of James Buckley, deceased.

Joseph O. Prosser to be postmaster at Palatka, Mich. Office became presidential July 1, 1911.

William H. Whittle to be postmaster at Painesdale, Mich., in place of Charles G. Kellow, resigned.

Algernon S. Young to be postmaster at Harrison, Mich. Office became presidential July 1, 1911.

MONTANA.

Howard M. Cosier to be postmaster at Poplar, Mont. Office became presidential July 1, 1911.

Ingeborg Jacobson to be postmaster at Cut Bank, Mont. Office became presidential July 1, 1911.

Edwin C. Spencer to be postmaster at Hardin, Mont. Office became presidential July 1, 1911.

Charles Weber to be postmaster at Thompson, Mont. Office became presidential July 1, 1911.

MISSOURI.

George Kells to be postmaster at Elvins, Mo., in place of Carr Hartshorn, resigned.

NEBRASKA.

John W. Steinhart to be postmaster at Nebraska City, Nebr., in place of Frank McCartney. Incumbent's commission expired December 13, 1910.

NEW JERSEY.

Charles Eichhorn to be postmaster at West Hoboken, N. J., in place of Charles Eichhorn. Incumbent's commission expired June 5, 1910.

William P. Ellett to be postmaster at Branchville, N. J., in place of George Phillips, resigned.

John M. Onderdonk to be postmaster at Montvale, N. J. Office became presidential July 1, 1911.

William H. Pfeiffer to be postmaster at Perth Amboy, N. J., in place of George H. Tice, removed.

NEW YORK.

Charles C. Horton to be postmaster at Silver Creek, N. Y., in place of Charles C. Horton. Incumbent's commission expired January 22, 1911.

OHIO.

Peter T. McLellan to be postmaster at Lucasville, Ohio. Office became presidential July 1, 1911.

Mary Sivalls to be postmaster at Woodville, Ohio. Office became presidential January 1, 1911.

OKLAHOMA.

William R. Cowan to be postmaster at McCurtain, Okla. Office became presidential July 1, 1911.

Allas M. Gingrich to be postmaster at Marshall, Okla. Office became presidential October 1, 1909.

George W. Merrill to be postmaster at Stratford, Okla. Office became presidential July 1, 1911.

PENNSYLVANIA.

Peter W. Triebele to be postmaster at Willow Grove, Pa. Office became presidential July 1, 1911.

SOUTH DAKOTA.

Henry D. Lehmberg to be postmaster at Colome, S. Dak. Office became presidential July 1, 1911.

Joseph P. Purintun to be postmaster at De Smet, S. Dak., in place of Delbert W. Wilmarth. Incumbent's commission expired March 2, 1911.

Albert G. Richards to be postmaster at Morristown, S. Dak. Office became presidential July 1, 1911.

TEXAS.

Jack Alley to be postmaster at Tahoka, Tex., in place of Amagar B. McLoud, resigned.

John M. Cape to be postmaster at San Marcos, Tex., in place of John M. Cape. Incumbent's commission expired February 13, 1911.

Tolbert Hannon to be postmaster at Richmond, Tex., in place of Henry L. Somerville, deceased.

May Harrison to be postmaster at Rising Star, Tex., in place of May Harrison. Incumbent's commission expired January 30, 1911.

Andrew G. Hershner to be postmaster at Angleton, Tex., in place of Andrew G. Hershner. Incumbent's commission expired February 13, 1911.

D. G. Hunt to be postmaster at Eastland, Tex., in place of Johnnie J. Kelly. Incumbent's commission expired February 21, 1911.

A. W. Long to be postmaster at Childress, Tex., in place of U. S. Weddington, removed.

Gustave A. Pannewitz to be postmaster at Shiner, Tex., in place of Gustave A. Pannewitz. Incumbent's commission expired December 11, 1910.

VIRGINIA.

Susan H. Boswell to be postmaster at Burkeville, Va., in place of John H. Boswell, deceased.

WEST VIRGINIA.

Zephaniah J. Martin to be postmaster at Fairview (late Amos), W. Va., in place of Zephaniah J. Martin ,to change name of office.

CONFIRMATIONS.

Executive nominations confirmed by the Senate July 12, 1911.

ASSISTANT SOLICITOR OF THE DEPARTMENT OF COMMERCE AND LABOR.

Edward T. Quigley to be Assistant Solicitor of the Department of Commerce and Labor.

COMMISSIONER OF IMMIGRATION.

Samuel W. Backus, Commissioner of Immigration, San Francisco, Cal.

POSTMASTERS.

ILLINOIS.

Charles S. Mead, Augusta.

MICHIGAN.

Charles J. Pailthrope, Petoskey.

TENNESSEE.

Robert P. Sulte, Rockwood.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *July 12, 1911.*

The House met at 12 o'clock m.

Prayer by Rev. Paul R. Hickok, of Metropolitan Presbyterian Church, Washington, D. C., as follows:

We praise Thee, O Lord, our God, for the assurance we have that Thou art present, that Thou art the rewarder of those who diligently seek after Thee. We come before Thee now confessing Thy sovereignty over us and invoking Thy blessing. Pardon all our iniquities, we pray, and fill us with a stronger purpose after righteousness. May we know Thy will, and may we earnestly desire to perform Thy will.

Give Thy richest blessings unto all Thy servants everywhere, and especially to the Members and officers of this House in their deliberations and in their enactments. Give Thy very special and merciful blessing to all those who are ill or burdened or tempted or who are passing through tribulations. Particularly would we ask Thy blessing for the household of that one of the Members of this House recently deceased, and we earnestly beseech Thee that the comfort which cometh from the Most High may come to each one of them.

Mercifully preserve and protect, O God, the loved ones who are far away. Increase our own love for our country and our devotion to our institutions, and in all our comings and goings let the words of our mouths and the motives of our hearts be acceptable in Thy sight, O Lord, our strength and our Redeemer. We ask it in the Master's name. Amen.

The Journal of the proceedings of Saturday, July 8, 1911, was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bills and resolutions of the following titles, in which the concurrence of the House of Representatives was requested:

S. 77. An act to provide for the appointment of one additional district judge in and for the district of Colorado;

S. 955. An act to provide for the extension of the post-office and courthouse building at Dallas, Tex., and for other purposes;

S. 1069. An act to amend an act authorizing the widening and extension of Minnesota Avenue SE. from its present terminus near Pennsylvania Avenue SE. to the Sheriff Road, approved February 25, 1909;

S. 1650. An act to amend section 110 of an act to codify revise, and amend the laws relating to the judiciary, approved March 3, 1911;

S. 2600. An act to authorize the Commissioners of the District of Columbia to prevent the exhibition of obscene, lewd, indecent, or vulgar pictures in public places of amusement in the District of Columbia;

S. 2604. An act authorizing the President to appoint an additional circuit judge for the fourth circuit;

S. 2768. An act to authorize the St. Louis-Kansas City Electric Railway Co. to construct a bridge across the Missouri River at or near the town of Weldon Springs Landing, Mo.;

S. J. Res. 31. Joint resolution authorizing the Secretary of War to loan certain tents for the use of the Astoria Centennial, to be held at Astoria, Oreg., August 10 to September 9, 1911;

S. J. Res. 32. Joint resolution authorizing chief clerks in offices of surveyors general to approve and sign plats and field notes of public-land surveys; also

Senate concurrent resolution 6.

Resolved by the Senate (the House of Representatives concurring), That the hearings held before the Employers' Liability and Workmen's Compensation Commission be printed as a public document, and that 3,500 additional copies be printed for the use of the Employers' Liability and Workmen's Compensation Commission.

The message also announced that the Senate had passed the following resolutions:

Resolved, That the Senate has heard with deep sensibility the announcement of the death of the Hon. ALEXANDER CLARK MITCHELL, late a Representative from the State of Kansas.

Resolved, That the Secretary be directed to communicate a copy of these resolutions to the House of Representatives.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

SENATE BILLS AND JOINT RESOLUTION REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 77. An act to provide for the appointment of one additional district judge in and for the district of Colorado; to the Committee on the Judiciary.

S. 955. An act to provide for the extension of the post-office and courthouse building at Dallas, Tex., and for other purposes; to the Committee on Public Buildings and Grounds.

S. 1069. An act to amend an act authorizing the widening and extension of Minnesota Avenue SE. from its present terminus near Pennsylvania Avenue SE. to the Sheriff Road, approved February 25, 1909; to the Committee on the District of Columbia.

S. 1650. An act to amend section 110 of an act to codify, revise, and amend the laws relating to the judiciary, approved March 3, 1911; to the Committee on the Judiciary.

S. 2600. An act to authorize the Commissioners of the District of Columbia to prevent the exhibition of obscene, lewd, indecent, or vulgar pictures in public places of amusement in the District of Columbia; to the Committee on the District of Columbia.

S. 2604. An act authorizing the President to appoint an additional circuit judge for the fourth circuit; to the Committee on the Judiciary.

S. 2768. An act to authorize the St. Louis-Kansas City Electric Railway Co. to construct a bridge across the Missouri River at or near the town of Weldon Springs Landing, Mo.; to the Committee on Interstate and Foreign Commerce.

S. J. Res. 31. Joint resolution authorizing the Secretary of War to loan certain tents for the use of the Astoria Centennial, to be held at Astoria, Oreg., August 10 to September 9, 1911; to the Committee on Military Affairs.

S. J. Res. 32. Joint resolution authorizing chief clerk in offices of Surveyors General to approve and sign plats and field notes of public-land surveys; to the Committee on the Public Lands.

Senate concurrent resolution 6.

Resolved by the Senate (the House of Representatives concurring), That the hearings held before the Employers' Liability and Workmen's Compensation Commission be printed as a public document and that 3,500 additional copies be printed for the use of the Employers' Liability and Workmen's Compensation Commission—

to the Committee on Printing.

CALENDAR WEDNESDAY.

Mr. UNDERWOOD. Mr. Speaker, I understand there are a few informal orders that gentlemen desire to ask for this morning, and I therefore move to dispense with the proceedings under the calendar for to-day, this being Calendar Wednesday.

The SPEAKER. The question is on the motion of the gentleman from Alabama, to dispense with the proceedings under Calendar Wednesday for to-day.

The question was taken, and two-thirds having voted in favor thereof, the motion was agreed to.

URGENT DEFICIENCY APPROPRIATION BILL.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent to discharge the Committee on Appropriations from further consideration of the Senate amendments to the bill (H. R. 12109) to supply a deficiency in the appropriations for the contingent expenses of the House of Representatives for the fiscal year 1911, and for other purposes, move to disagree to the Senate amendments, and to ask for a conference thereon.

The SPEAKER. The gentleman from New York asks unanimous consent to discharge the Committee on Appropriations from further consideration of Senate amendments to the bill H. R. 12109, the urgent deficiency appropriation bill, and move to disagree to the Senate amendments and ask for a conference. Is there objection?

There was no objection.

The SPEAKER. The question is on disagreeing to the Senate amendments.

The question was taken, and the motion was agreed to.

The SPEAKER announced the following conferees on the part of the House:

Mr. FITZGERALD, Mr. BARTLETT, Mr. CANNON.

IMPORTATION OF DOMESTIC ANIMALS.

Mr. UNDERWOOD, by direction of the Committee on Ways and Means, reported the bill H. R. 12312, to amend paragraph 500 of the act approved August 5, 1909, entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," which was read a first and second time, and, with the accompanying report (No. 61), ordered printed and referred to the Committee of the Whole House on the state of the Union.

Mr. PAYNE. Mr. Speaker, I would suggest to the gentleman that probably by unanimous consent we can pass the bill now.

Mr. UNDERWOOD. Mr. Speaker, I will say to the gentleman from New York that I will be very glad to call it up in the House and pass it now. It has not been printed, of course, but it comes here with the unanimous report from the Committee on Ways and Means. It merely corrects a mistake that was made in the Senate in reference to paragraph 500 of the tariff act. I therefore ask unanimous consent, Mr. Speaker, to call up the bill that I have just reported, and that it be considered in the House as in the Committee of the Whole House.

The SPEAKER. The gentleman from Alabama asks unanimous consent that the bill H. R. 12312, amending paragraph 500 of the tariff act, may be considered now in the House as in the Committee of the Whole. Is there objection?

There was no objection, and it was so ordered.

Mr. UNDERWOOD. Mr. Speaker, the report fully explains the bill, and instead of taking up the time of the House in making an explanation, I will ask unanimous consent that the Clerk may read the report.

The SPEAKER. The Clerk will first read the bill and then the report.

The Clerk read as follows:

A bill (H. R. 12312) to amend paragraph 500 of the act approved August 5, 1909, entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes."

Be it enacted, etc., That paragraph 500 of the act approved August 5, 1909, entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," shall be so amended as to read as follows:

"500. Articles the growth, produce, or manufacture of the United States, when returned after having been exported, without having been advanced in value or improved in condition by any process of manufacture or other means; casks, barrels, carboys, bags, and other containers or coverings of American manufacture exported filled with American products, or exported empty and returned filled with foreign products, including shooks and staves when returned as barrels or boxes; also quicksilver flasks or bottles, iron or steel drums used for the shipment of acids, of either domestic or foreign manufacture, which shall have been actually exported from the United States; but proof of the identity of such articles shall be made, under general regulations to be prescribed by the Secretary of the Treasury, but the exemption of bags from duty shall apply only to such domestic bags as may be imported by the exporter thereof, and if any such articles are subject to internal-revenue tax at the time of exportation, such tax shall be proved to have been paid before exportation and not refunded; photographic dry plates or films of American manufacture (except moving-picture films), exposed abroad, whether developed or not, and films from moving-picture machines, light struck or otherwise damaged, or worn out, so as to be unsuitable for any other purpose than the recovery of the constituent materials, provided the basic films are of American manufacture, but proof of the identity of such articles shall be made under general regulations to be prescribed by the Secretary of the Treasury: *Provided*, That this paragraph shall not apply to any article upon which an allowance of drawback has been made, the reimportation of which is hereby prohibited except upon payment of duties equal to the drawbacks allowed; or to any article manufactured in bonded warehouse and exported under any provision of law: *And provided further*, That when manufactured tobacco which has been exported without payment of internal-revenue tax shall be reimported it shall be retained in the custody of the collector of customs until internal-revenue stamps in payment of the legal duties shall be placed thereon: *And provided further*, That cattle, horses, sheep, and other domestic animals straying across the boundary line into any foreign country or driven across such boundary line by the owners for temporary pasturage purposes only, together with their offspring, shall be dutiable, unless brought back to the United States within six months, under regulations to be prescribed by the Secretary of the Treasury, in accordance with the provisions of paragraph 492."

The Clerk read the report (No. 61), as follows:

Mr. UNDERWOOD, from the Committee on Ways and Means, submitted the following report, to accompany H. R. 12312:

The Committee on Ways and Means, to whom was referred the bill (H. R. 12312) to amend paragraph 500 of the act approved August 5, 1909, entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," having had the same under consideration, report it back to the House without amendment and recommend that the bill do pass.

Paragraph 500 of the act approved August 5, 1909, provides for the return free of duty "articles the growth, produce, or manufacture of the United States, not including animals." The phrase "not including animals" was introduced into the bill on the floor of the Senate and subsequent to the report of the bill from the Senate committee. It was not in the bill as it passed the House of Representatives. The language used was obviously intended to limit the conduct of cattle feeders and breeders along the border lines and was not intended to limit animals which are transported into Canada or Mexico for temporary purposes and returned after a short stay in the foreign country. To hold that such animals would be dutiable would, in effect, be to place a prohibition upon domestic-born animals which was not placed on foreign-born animals and which clearly was not contemplated by Congress at the time the law was passed.

The Secretary of the Treasury, on June 16, 1911, wrote the following letter to the chairman of the Ways and Means Committee of the House

of Representatives, which fully explains the necessity for the passage of this bill:

TREASURY DEPARTMENT,
Washington, D. C., June 16, 1911.

The CHAIRMAN COMMITTEE ON WAYS AND MEANS,
House of Representatives.

SIR: I invite your attention to the case of Bragg *v.* The United States, decided in the United States Court of Customs Appeals, May 1, 1911 (T. D., 31575), of which I inclose herewith a copy. This decision upset the practice of the department to admit domestic animals exported and returned free of duty, except as are expressly provided for under paragraph 492 of the tariff act of August 5, 1909. I also invite your attention to a decision of the department of April 1, 1910 (T. D., 30481), a copy of which I inclose herewith, which indicates the reasons for the attitude of the department with respect to the meaning of the words "not including animals," as it appears in the paragraph 500 of the tariff act of August 5, 1909.

In view of the decision of the court in the Bragg case, however, the department has felt constrained to alter its practice and to issue instructions for the collection of duty on all domestic animals taken abroad and returned, except those straying or driven across the boundary line, as provided by paragraph 492. These instructions went into effect on June 1, 1911.

While article 659 of the Customs Regulations of 1908 provided for the free entry of teams and vehicles of domestic origin returning from Canada or Mexico on the production of evidence establishing the fact of domestic origin, there is some doubt as to the propriety of continuing this provision in force even to accommodate express companies and merchants who make daily trips into Canada or Mexico at such places as Detroit, El Paso, etc. In any event, the result will be that any domestic-bred saddle horses taken into Canada, Bermuda, or other near-by places for pleasure will be dutiable upon their return, and the same will be true of all other domestic pet animals taken out of the country. (See paragraphs 225–229, inclusive, of the tariff act of 1909.)

In view of these circumstances, I have the honor to suggest that paragraph 500 of the tariff act be amended by striking out in the second line thereof the words "not including animals," and by adding at the end thereof the following words:

"*And provided further*, That cattle, horses, sheep, and other domestic animals straying across the boundary line into any foreign country, or driven across such boundary line by the owners for temporary pasturage purposes only, together with their offspring, shall be dutiable unless brought back to the United States within six months, under regulations to be prescribed by the Secretary of the Treasury, in accordance with the provisions of paragraph 492."

Mr. UNDERWOOD. Mr. Speaker, as the report shows, the words "not including animals" were added to section 500 of the Payne tariff bill. The courts have decided that if those words remain in the bill it prevents a man from riding his horse across the border and coming back without paying duty on it, or taking domestic animals across the border and coming back. The object of the bill is merely to restore the old law, as suggested by the Secretary of the Treasury, and save this hardship to people living on the border.

Mr. FITZGERALD. Mr. Speaker, will the gentleman permit a question?

Mr. UNDERWOOD. I will.

Mr. FITZGERALD. Is this a unanimous report?

Mr. UNDERWOOD. It is.

Mr. FITZGERALD. What was the character of the case in which this decision arose? What kind of an animal was subject to a tax which resulted in this legislation?

Mr. UNDERWOOD. I think the decision was in reference to domestic animals. I think it was a horse or cattle or something of that kind which resulted in the decision.

Mr. FITZGERALD. Was it not a dog case?

Mr. UNDERWOOD. I think there was a dog case also, but I do not think that is the decision to which the Secretary refers that made the Court of Appeals——

Mr. FITZGERALD. The gentleman from Alabama says this is a unanimous report on this bill amending the Payne-Aldrich law. Was there any report from the Tariff Board approving this legislation? [Applause on the Democratic side.]

Mr. UNDERWOOD. I think we are enabled to successfully report this bill without the intervention of the Tariff Board.

Mr. FITZGERALD. Mr. Speaker, I would like a few minutes.

Mr. UNDERWOOD. Mr. Speaker, I understand the bill is to be considered under the five-minute rule, and I have not the right to yield, but the gentleman can take the floor in his own time.

The SPEAKER. The Clerk will report the bill for amendment, reading the first paragraph.

The Clerk read as follows:

Be it enacted, etc., That paragraph 500 of the act approved August 5, 1909, entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," shall be so amended as to read as follows:

Mr. FITZGERALD. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, this is a very interesting bill. A short time since a citizen of the United States of the female sex, returning from a trip abroad, was halted by the customs officials and informed that under the present tariff law her Pomeranian dog was subject to a tax. There was great consternation in administration circles at once. Here was this poor, suffering pup, taken abroad for its health by its unhappy mistress, and upon returning, restored to its former good health, the ruthless hand of the tax collector was stretched out and the announcement was made that this reinvigorated Pomeranian could not enter the sacred portals of the United States unless a contribution was made to the Treasury. As a result of the agitation over this, not mongrel, yellow dog, but Pomeranian pup, which, I believe, is a dog of aristocratic pedigree, the entire wheels of legislation were started with a rapidity unknown in recent years. And it became necessary in this sweltering weather to bring back to this city the eminent gentlemen composing the Committee on Ways and Means in order that these reinvigorated and restored pups might be admitted without having their owners subjected to the penalty of contributing a fair tax to the United States Government. There was no demand for a report from the Tariff Board, no insistence that this bill go over to the regular session of Congress until the Tariff Board could investigate it and determine whether the conditions were such that these domestic animals should be permitted to come in free of duty. [Applause and laughter.] But the imperative demand is made, and the Secretary of the Treasury writes a special letter to the chairman of the Committee on Ways and Means, calling his attention to the necessity for action at once. And I was astounded when I saw my colleague from New York [Mr. PAYNE] imploring the gentleman from Alabama [Mr. UNDERWOOD] to ask unanimous consent to take this bill up at once, even before it was in print so that Members could examine it, in order that relief might be afforded to such people.

Mr. Speaker, I recall that during the last session of Congress, when a colleague of my own and of himself introduced a bill to suspend the duties on meats for one year and put meats upon the free list, in order that the suffering people of the United States might be relieved from the exactions of the Beef Trust and obtain for themselves necessary subsistence at a reasonable cost, the gentleman from New York declined to call a meeting of the Committee on Ways and Means even to consider the bill; and he made the announcement that after a canvass among the Republican members of that committee it was determined that no legislation correcting any of the iniquities or inequalities of the law which bore his honored name would even be considered by the committee. How unfortunate! It was only the suffering people of the United States——

The SPEAKER. The time of the gentleman from New York [Mr. FITZGERALD] has expired.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent for five minutes more.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. FITZGERALD. It was not a pack of Pomeranian pups or of mongrel dogs, or even of yellow dogs, that had suddenly been brought back to our attractive shores and had set up their pitiful bark and appeal for relief. If it had been, I am certain under those circumstances the gentleman from New York [Mr. PAYNE] would have hastily gathered his committee together and reported a bill to afford relief both to the domestic animal affected and to the dilettante owners who came back from trips abroad for their various ailments and afflictions and could not bear to be subjected to any inconvenience or annoyance. Mr. Speaker, all through the country there has been a most violent complaint about our customs regulations affecting returning tourists. In the examination of their personal effects they have been subjected to unparalleled indignities. The average American citizen returning to this country from abroad, under the administration of the present law, is treated as a criminal.

And yet, in spite of the protests that have arisen from these men and women and in spite of the indignities to which they have been subjected upon the wharves of the cities at which the trans-Atlantic liners dock, no one has suggested undue haste to so legislate as to ameliorate the conditions existing and to treat American citizens as though they were what they are—honest and reputable persons, willing to pay whatever taxes might properly be imposed upon their importations. But once the unholy hand of the taxgatherer was laid upon this pet Pomeranian pup then a new condition arose, and it was necessary that the Congress expeditiously and quickly and speedily, without delay, should afford relief, so that these poor afflicted animals might not be separated from their fair possessors, even momentarily. [Laughter.] I am delighted that at last the country has had an opportunity to ascertain just what particular thing in this country suffering under the iniquitous provisions of the Payne-Aldrich bill would appeal to the sympathy of the minority in this House and would actuate the Republicans to unite in a unanimous report and to implore speedy action in order to obtain relief. [Laughter.] I trust that when the next bill reported from the Committee on Ways and Means, designed not so much to relieve those who might be annoyed

because their pet dogs would be interfered with, but in order to give relief to the people, the great masses of the people, will be brought in here, we will have the same unanimity of opinion and the same desire for speedy action from that part of the House. [Laughter.] I am certain that the country will rejoice at such an exhibition of reform and disinterested spirit on the part of that side on behalf of the people, rather than, as appears to be the record of the party, in favor of legislation for special interests. [Laughter and applause on the Democratic side.] I find now that the dog—pet, mongrel, or whatever else—has been classed with the other special interests which obtain speedy relief at the hands of the minority. [Laughter.]

Mr. HUGHES of New Jersey. Will the gentleman yield?

The SPEAKER. Does the gentleman from New York yield to the gentleman from New Jersey?

Mr. FITZGERALD. I yield.

The SPEAKER. The time of the gentleman has expired.

Mr. HUGHES of New Jersey. Mr. Speaker, I ask that the time of the gentleman be extended.

Mr. FITZGERALD. I do not care for an extension.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. HUGHES of New Jersey. The gentleman deplores the fact that this legislation is in the interest of dogs, rather than in the interest of the people. But does he not think that its terms are broad enough to include frankfurters, and thus indirectly relieve the people in some degree? [Laughter.]

Mr. FITZGERALD. I do not deplore, Mr. Speaker, the fact that this legislation is in the interest of dogs. I am glad that even dogs will have their day at the hands of the minority. The people have had their day denied and postponed so long that perhaps it is a promise for the future when the minority is willing to recognize that the "dog shall have his day," and the time may be coming when they will be willing to give the people an equal opportunity of relief. [Laughter and applause.]

Mr. FOCHT. Mr. Speaker, I would like to make an observation and ask a question. It has often been said and is well known that a mongrel dog frequently makes the best trick dog; but in order to bring the matter to the attention of the gentleman from New York and to the House, I would ask the gentleman from New York if he would not be gracious enough to inform me who owns this pup that he speaks about? [Laughter.]

Mr. FITZGERALD. Mr. Speaker, I am not sufficiently interested in the pup to have obtained the information requested. I refer the gentleman to the Republican members of the Committee on Ways and Means, all of whom favor this legislation, and perhaps they will be able to satisfy the gentleman, privately, and he may not then care to ventilate the information that he obtains. [Laughter on the Democratic side.]

Mr. PAYNE. Mr. Speaker, when my distinguished colleague, with his bright mind——

Mr. FITZGERALD. Mr. Speaker, does the gentleman appear on behalf of the pup? [Laughter.]

Mr. PAYNE. Mr. Speaker, I appear on behalf of the gentleman from New York [Mr. FITZGERALD], my friend and colleague, and you may call him whatever name you choose. [Laughter.]

Mr. FITZGERALD. Mr. Speaker——

The SPEAKER. Does the gentleman from New York yield to his colleague?

Mr. PAYNE. Certainly.

Mr. FITZGERALD. Mr. Speaker, I will say that the gentleman's colleague, even if a mongrel pup, would not seek the assistance of the gentleman from New York. There are many on this side of the House who could look after his interest, even if he were incompetent to look after it himself.

Mr. PAYNE. Oh, I am simply a volunteer [laughter], Mr. Speaker, when the gentleman from New York [Mr. FITZGERALD], who is so bright, usually so well informed, and who works so diligently to keep up with the business of the House, can not see anything more in this bill than a yellow pup, or the relief of the owner of a yellow pup, it shows the necessity for the report of a Tariff Board, even upon such a bill as this, or the necessity for some other information to inform the intelligence on that side of the House as to the nature and scope of the bill and why it should be passed.

This clause was put in the Dingley law as we are putting it in the law to-day. It was put in at the request of some cattle owners in the State of Texas, who desired to drive their cattle over into Mexico, feed them there, and bring them back again at the end of the period of the pasturing season, in order to produce beef for the free citizens of the United States, and save the grass of Texas for the other live animals there, including cattle and sheep. So you get into not only the beef business, but the mutton business and the wool business in the State of Texas in this little bill.

The bill reported by the chairman of the committee is precisely as was the Dingley bill in this particular, in regard to this paragraph, and precisely as was the present law as it left the House; but some Senator moved this amendment and it was not considered at great length in the Senate and the conference committee overlooked it; so it was agreed to; and it shuts out not only my friend's friend, the little yellow dog, but it shuts out the cattle and the privilege of pasturing them in Mexico and in Canada, and it shuts out even the sending of horses over there and bringing them back again. If my friend should go to Niagara Falls and cross the bridge, the hackman who takes him across would not be able to get back again unless he paid the duty on his horses—all because of this amendment that was put in in the Senate. Now, the House can see by the few things that I have said how proper it is that this bill should pass, and how ill-fitted and ill-timed the criticisms on it by my distinguished friend and colleague from New York [Mr. FITZGERALD], and he possibly would not have made them if he had had the intelligence on the subject that the Tariff Board might have furnished after they had considered the question or that he could have obtained from any member of the Committee on Ways and Means.

Mr. HARDY. Mr. Speaker, will the gentleman yield?

Mr. PAYNE. Certainly.

Mr. HARDY. I do not know, but it has not been stated and I would like to know, if any inquiry has been made into the question of what is the difference in the cost of production of the Pomeranian pup abroad and at home?

Mr. PAYNE. I would state to the gentleman, Mr. Speaker, that all those questions were considered years ago, and the Republicans generally are pretty well posted on them. Of course, I despair of my friend ever learning anything on the subject, even if we get a report on it from the Tariff Board.

Mr. HARDY. I presume that question was gone into when the Payne tariff bill was under consideration?

Mr. PAYNE. Well, I do not remember any such thing, Mr. Speaker, but if the gentleman will look through the 10,000 pages of testimony taken on that bill, he may find some enlightenment in those pages even on that subject. I know if he will diligently inquire, even though the weather is hot, he will be able to forget all about the weather.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. PAYNE. I would like to have five minutes more.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended for five minutes. He has not done much yet. [Laughter.]

The SPEAKER. The gentleman from New York asks unanimous consent that the time of his colleague may be extended for five minutes. Is there objection?

There was no objection..

Mr. PAYNE. I would be willing to yield the floor with what I have said in reply to the gentleman's 10 or 15 minutes when he had the floor [applause on the Republican side], but I want to make one suggestion more to the gentleman, and that is that he should get in his mind a comparison of things. Some things are larger than others, of course. The wool and woolen schedule is the most important in the law. At great expense the Tariff Board are getting a great deal of information on that subject, as I happen to know from recent inquiry of that board; and I think they will be able to present some information in December upon which even my colleague could make an improvement on the Democratic caucus bill, if he were advised, as I presume it will get through his understanding by that time, of the fact that there has been a surplus the last year of $15,800,000 under the present law—I mean the year ending June 30, 1910—and the surplus of $46,000,000 or $47,000,000 under the year ending June 30, 1911; and he will not be frightened in regard to our having a deficit or a growing deficiency in the Treasury or anything of that kind, and if he would calm his mind and understanding and focus them upon the real question in regard to the revision of Schedule K, I think perhaps he would get it in such a shape that he would offer some amendments even to the caucus bill—in the caucus, of course, not in the House—and would be unwilling to be bound hand and foot by a Democratic caucus on a bill which he knew nothing about and which even some of his friends on the committee told me they did not know anything about on that side of the House.

Mr. FITZGERALD. I understood the gentleman to say that by December we might have enough information to justify a revision of Schedule K.

Mr. PAYNE. I think the Tariff Board will present additional facts on the wool schedule, so that even the gentleman from

New York, my colleague, and his friends on that side of the House would understand, so that they could get at a more intelligent revision of the wool schedule than now.

Mr. FITZGERALD. Even as long ago as the first session of the Sixty-first Congress the gentleman from New York believed that the woolen schedule was too high and should be revised?

Mr. PAYNE. He certainly did, never has concealed it, always acknowledged and worked hard to make it lower; and if he could have had the information I think we will have from the Tariff Board in December he would have been enabled to convince his colleague of that fact and revised the wool schedule in that bill——

Mr. FITZGERALD. So the gentleman desires to get this information, not to convince this side of the House that the wool schedule should be lowered, but to convince his own side of the House that could not be convinced without it. [Applause on the Democratic side.]

Mr. PAYNE. Now, if my friend will wait a minute, not to convince our side of the House. We are utterly powerless in regard to changing any schedule in this law. We can not do it. You do not believe the intelligence we can give you on the subject. You go into a caucus, and we can not find anything there stated in that caucus except gross misstatements in regard to the revenues which you did believe and you did not——

Mr. FITZGERALD. The gentleman speaks about the caucus——

Mr. PAYNE (continuing). If you would come with an open mind into the House for information, we could convince you by that information you were wrong about this wool bill you have brought in here.

Mr. FITZGERALD. No; the gentleman could not convince that side of the House that the present schedule is wrong, and you could not convince me that my side is wrong——

Mr. PAYNE. I want to say to the gentleman—to give a little more intelligence on the subject and get a little more information—what I was trying to do was to adjust the schedule of a duty at so much per pound on the scoured wool in whatever form it might be brought in instead of a duty which is to-day making a discrimination between scoured wool and the wool in the fleece.

And while I had information which convinced me on the subject, I did not have that full and accurate information which we will have when it comes from the Tariff Board, and which, I think, will convince any gentleman in this House upon the subject that it is not only feasible but right, just, and equitable that we should have a schedule that will be entirely equitable, with a specific duty instead of the discarded, worn-out, and by all the nations of the world utterly repudiated ad valorem duty, which you put all through your wool bill and propose to put through the entire revision of the tariff, so far as you are able.

The SPEAKER. The time of the gentleman from New York [Mr. PAYNE] has expired.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended five minutes.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] asks unanimous consent that the time of his colleague be extended five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. FITZGERALD. Now, the gentleman from New York [Mr. PAYNE] was chairman of the Committee on Ways and Means for 12 years before he attempted to revise the tariff. If he could not get all the information he needed in that time, how long does he think the country ought to wait for him to be informed in order to perform the work devolving upon the Committee on Ways and Means?

Mr. PAYNE. Mr. Speaker, if I could not get all the information needed in 14 years as chairman of the committee, and a longer time as member of the committee, it shows the necessity for hard work on the part of men with sufficient force under them to conduct the investigation in order to get a full and complete knowledge of the tariff. I think with such a report my friend and honored colleague might be instructed.

Mr. FITZGERALD. All I have to say is, that since the gentleman could not get that information in 12 years, dogs are very fortunate with the Republican Party in power.

Mr. PAYNE. I think the gentleman ought to label that "this is a joke" before he puts it into the RECORD. Perhaps a diagram would help it out. Dogs may be unfortunate that the Republican Party is not in power, but there are 95,000,000 people in the United States that are doubly unfortunate that the Republicans are not in power to-day. [Applause on the Republican side.]

Mr. CANNON. I am very glad to stand under this fan, Mr. Speaker, and I hope the number of them will increase.

I listened with interest to both of the gentlemen from New York. I am for this bill. It has the unanimous report of the committee. I think all of us are for it. It will pass by unanimous consent, as it ought to pass. Of course the Pomeranian pup has been with us heretofore, and is still with us, whether its mistress takes it over into Canada and wants to bring it back, being a native of the United States, or not. I suppose under this amendment she could not be taxed. I am here to defend the Pomeranian pup in some cases. In the absence of any other family it is better than no family, in my judgment. [Laughter.] But, then, that is a matter of taste. My friend from New York [Mr. FITZGERALD] has had much to say about his colleague. His colleague is perfectly able to take care of himself. As you, not we in the minority, have managed, under the recommendations of our President, to pass the so-called Canadian reciprocity bill, that might be termed a "pact," through the House, without any report from the Tariff Commission, going, as you say, along your lines, but not going as far as you desire, I apprehend that you will manage to pass this bill by unanimous consent. I am for it, I say again, as a Member of the minority, although I am against and was against the bill that you passed, and which will pass, I apprehend, in the Senate by vote of Democratic Senators. I am against it for many reasons. You say it is in harmony with your policies; and, great heavens, how the tears have run down the cheeks of some of the people of the country, and how the great metropolitan press of the country in great headlines has said, "We are one people, the dear Canadians and the dear Americans." How we should fall upon each other's necks and promote harmony and good feeling, and assist them in their material interests in products of the soil, even when they refused the President who negotiated the agreement to have complete free trade in Canadian and American products generally.

The SPEAKER. The time of the gentleman has expired.

Mr. CANNON. I would be glad to have five minutes more.

The SPEAKER. The gentleman asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none. The gentleman is recognized for five minutes.

Mr. CANNON. When the doctor, living on the American side, rides across the Canadian border, or, living in Texas, rides across the Mexican border, to see a patient, I am perfectly willing that he shall come back, I will say to my friend from New York [Mr. FITZGERALD], without paying duty upon the American horse which he rides, for the preservation of the health of the patient and for good feeling. This is real good feeling, real humanity. It does not cost anything. It is not an excuse to drag in a great measure that will impair our revenues many, many million dollars, and as the years come and go will injure one-third of our people, and in the end all our people, at the expense of one-third of our population, developing a country that is now undeveloped at our expense and to their profit.

Now, then, I will say to the gentleman from New York [Mr. FITZGERALD], we can stand the Pomeranian pup. Great heavens! The business of this country halts. The public press tell us that by the action of this special session of Congress and the agitation of a change of the revenue laws 60 per cent of the spindles in New England are silent. Business grows less each day on account of the proceedings of this extraordinary session of Congress. I will agree that you are not responsible for being in session, but you are raising the devil with the industries and the prosperity of the country, now that you are here. [Applause on the Republican side.]

Mr. Speaker, there is legislation that might be well enacted. But it seems to me that this whole proceeding and this whole extraordinary session of Congress is a mere play back and forth for a little or a big political position, and 90,000,000 of people are paying the penalty.

The SPEAKER. The time of the gentleman has expired.

Mr. CANNON. Just a word in conclusion.

The SPEAKER. The gentleman asks five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. CANNON. I think I will not use that much.

I sympathize with you, gentlemen of the majority. Last Congress you hungered and thirsted for a Tariff Board. You were ready to tackle almost anything that would make confusion when you were in the minority. [Laughter.] Now that we are not responsible and when many of our friends believe in a Tariff Board, except as to Canadian reciprocity and Pomeranian pups, you do not want a Tariff Board. [Laughter.] Then we saw you; and now we see you. We do not recognize you as the same individuals.

Well, it is all proper enough. But, gentlemen, when the books are posted and the settlement comes, as it will come, 90,000,000

of people will not look on unmoved, with business and production halted because consumption halts, and there will be something drop in November, 1912. [Applause on the Republican side.]

Mr. SIMS. Mr. Speaker, Tennessee has furnished many great statesmen to the Nation, and among them two Speakers of this House—James K. Polk and John Bell. The portrait of John Bell graces the Hall of this Chamber just back of the Speaker's chair, given over to the portraits of the Speakers of this great legislative body. John Bell was the last candidate of the Whig Party for President, then called the Constitutional Union Party. He carried the State of Tennessee in the great struggle of 1860.

I think it will be interesting to the membership of this House to know that there lives in Tennessee a grandson of this great man, and who resembles in features his illustrious grandfather, and not only in physical features, but in ideals and statesman-like characteristics. I have thought that it will be not only interesting but beneficial for us to know the views of this descendant of the great John Bell as to our duties and responsibilities as national lawmakers.

Mr. Speaker, shortly after the election of the junior Senator from Tennessee by the legislature last January his friends and admirers gave a banquet in his honor, and among the gentlemen on the program for speeches was this grandson of John Bell, the Hon. John Bell Keeble, now a citizen of Nashville, Tenn., and one of the ablest and most distinguished members of the bar of his native State. I now send the reading clerk a newspaper report of Mr. Keeble's address on the occasion I have mentioned, and ask that it be read.

The Clerk read as follows:

John Bell Keeble was next introduced.

Mr. Keeble said: To those assembled here, viewing with pleasure the advent of our guest of honor into the service of the State, and to him just leaving his chosen calling for a new field of action, let me declare the dignity and solemnity of such an hour.

Let him who contemplates a consecration of his life to affairs of state, do so not lightly, but reverently. The curse of our institutions is the fact that men rush into public life as though it were a market place in which their intellectual wares may bring them gold or gain, and look upon politics as a game, the chief prize of which is position and power for the victor.

It may not be amiss to turn your thoughts to-night to the story of the consecration of a life to public service that is recorded in the pages of a book which has been the inspiration of more noble actions and greater sacrifices than all the other books the world has treasured.

Samuel, instructed by Jehovah at Bethlehem, in Jesse's home, finds David. David, who at this time had spent his days in keeping his father's sheep. The ceremony incident to his setting apart for public service was as solemn and as reverent as a call to the priesthood.

I am persuaded that this serious dedication of this life to public service left a profound impression upon David's life. It remained with him as he waited the day upon which he was to leave his pastoral calling and lingered with him until he gave up this commission with his breath. It nerved him in his fight with the Philistine; it supported him when he was persecuted by Saul; it aroused him to the acme of military achievement that baffled the enemies of the nation and established it in peace; it sustained him in periods of insurrection and rebellion; it guided him in the maintenance of just and wise government.

This was the corner stone of his character that makes his name the synonym of the greatest glory of his people; that causes his words to be lisped by thousands as they enter the valley of the shadow of death, and has coupled his name with the Savior of mankind—Jesus, Son of David!

NEED OF THE NATION.

What was true then is true now. What Israel needed this State and Nation need. Not money, not brains. There has never been a time when our Nation was so rich in both or either. The cry comes up for men to give themselves to public service in the same spirit that David gave himself to Israel.

There is no life in which men need more the sustaining strength of a deep conviction as to holiness and sacredness of their calling to preserve them from temptations and from falling, than political life.

He who gives himself to the service of the State is entering a career beset with trials and with perils. In fact, the history of the great mass of public servants ends with a tragic chapter.

I rejoice to say that if there may be a few public men who are yet subject to the grosser temptations of gold, they are so scorned and whipped by an enlightened public sentiment that their influence is short-lived, and they are rapidly rendered impotent in the doing of public wrong.

He, however, in public service, who rises to no higher virtue than that he will not sell himself for money, has but learned the alphabet of public morality. The consecrated statesman will not barter the people's offices for public favor to himself, nor will he bribe his constituents with the assets of the State.

The day is not only coming, but is now here, when high-minded men should all declare that patronage distributed to gain either the suffrages of a people or the support of a law-making body for favored measures is as corrupting and more dangerous by reason of its insidiousness than the purchase of such suffrages or support with money.

ONLY ONE STANDARD.

This is one standard, then, I set to-night. Let him who enters public life use the patronage at his disposal solely for the public weal, being unwilling ever to prostitute himself in this respect in order to achieve what seems to be a just and noble end.

The consecrated statesman will keep virgin his intellectual integrity. Perhaps it is not amiss to say that too many men have clamored in causes to which they had given no unreserved indorsement.

Sometimes rejoicing that they could salve their consciences with the patent nostrum that the wisdom of the party to which they belong was greater than their own.

Sometimes our public men read wireless messages from their constituents, these messages informing them of the trend of public sentiment. Learning this, without regard to their own convictions they yield without protest lest they lose their influence and their place.

A proper and decent regard for public sentiment is an element of every character, and men should be willing to yield on many matters to the combined wisdom of their people.

UNWORTHY OF TRUST.

But when it comes to a question of fundamental principle, then he who yields his principle to public sentiment, and profits by it, is unworthy of the perfect trust of any noble people.

I am not unmindful of the fearful strain of such a temptation. Not only position and political preferment are at stake, but oftentimes, indeed, the only apparent method of reasonable earnings seems to be at hazard.

But with all this, who can count the hindrance to the development of the best and truest policies that has been occasioned either by the silence of men who knew or the declamation of men whose lips belied the mind behind them.

The day is nigh at hand when the world will not respect a man who sells his intellectual virtue for office or for power any more than it tolerates a man to-day who sells his conviction for lucre.

The rich and the poor, the great and the small, those who manage great enterprises and those who by the sweat of their brows and brawn and brain make these enterprises possible, stand in need of frank, honest leadership as they have never stood in need of it before.

The consecrated statesman, as I picture him, will lead a strenuous and a dangerous life. Many will be crippled and many will be destroyed in the grim game of political strife.

But those who fall will fall in honor!

There are casualties on both sides. The ashes of the dishonest, the boodler, the practical politician, the trimmer, the demagogue, are preserved in many a storied urn.

It is a battle, after all.

I can see, in my imagination, the battle field at night, after the conflict has quieted. On one side contended an army inspired by love of power and possessions. On the other contended an army inspired by a divine conviction that their cause was just—an army fighting in defense of liberty and country.

Each side contributed its quota of the dead. The moon sheds its pale light on the dreadful and ghastly fruit of carnage.

On this man's face death has stamped his ruling passion of greed and hate. He died in selfish and ignoble battle.

On that man's face death stamped the ruling passion—exalted courage and divine sacrifice.

The striking and dramatic difference between the dead is this: That he who dies for principle and upon whose countenance is stamped this ruling passion of which I have spoken, is not really dead. The best of him survives—a heritage to his people. For after all—

> "To every man upon this earth, death cometh soon or late,
> And how can man die better than facing fearful odds
> For the ashes of his fathers and the temple of his gods."

Then, paraphrasing Macaulay, I say, How can a man in public life die better than facing fearful odds in the defense of his convictions and in the earnest effort to preserve his people from what he believes to be a serious calamity?

So, in public life, look around you at the dead and dying on the political battle field.

To him who sits as guest of honor, choose you now the stamp that your political death will leave upon your face.

This means sacrifice, I know as well as any man. But what a glorious thing it is to know that the sons of men who gave their fortunes and lives as gladly as a greeting, in the days of battle from the period of the Revolution to the terrible Civil War, are brave enough at least to sacrifice an office in order to save the state.

A GLORIOUS FIGHT.

It is a most glorious thing to fight in battle for holy cause. There is no heart in which a spark of manhood lingers that does not palpitate and surge at the story of heroism, inspired by patriotism.

It is more heroic and just as glorious to suffer and die politically for conscience as to die physically for conscience sake.

After all, what a glorious land it is, this land of promise of public service. How happy he ought to be upon whose head the consecration oil is poured, and who feels the spirit of consecrated service descend upon him. In comparison to the glory of such a career, all others—the accumulation of wealth, the pursuit of professional recognition, the discovery of new lands, the application of nature's forces to new and beneficient ends, seem to pale and lose in luster.

The destinies of whole peoples are affected by the thoughts and actions of those engaged in this life.

The safety of the individuals and the preservation of the intangible rights of society are affected by these same things.

NOBLY SUSTAINED.

As one enters upon such a career he is sustained and inspired by the devotion and confidence of thousands of living men and women.

He can turn his thoughts to the past and all the great spirits of that period seem to rise and exhort him to noble things. The pioneers who pierced the forest, the statesmen who made the fabric of government, and soldiers who guarded it, all seem to rise and beckon him on to higher and higher things.

To him in whose honor we have assembled to-night, I say:

You are bound to the State by birth and by traditions that you can neither lightly regard nor easily escape. Even while you grapple with the present and are setting your face to the future, eagerly awaiting the arising of to-morrow's sun.

I am satisfied that the good name of Tennessee conjures you, the glories of the past arouse your noblest emotions, while the needs of the present call you to action.

You are blessed with strength and youth and the confidence of people. Honor has come early to your door.

I trust you may not regard it as presumptuous in me to wish for you that success that comes from consecrated service to the State. A career that will meet the approval of the people of to-day, and the plaudits of the witnesses looking down upon you from the unseen and unknown world. A conduct that will give you the support of your own good conscience; a life that will finally entitle you to a place among those who have blessed mankind by their consecrated statesmanships.

[During the reading of the foregoing, the time of the gentleman from Tennessee having expired, by unanimous consent his time was extended to enable the clerk to conclude the reading of the article.]

Mr. CANNON. Mr. Speaker, if I may be indulged for a moment just to make a statement, I am informed that that most eloquent speech comes from the grandson of former Speaker Bell. That grandson, I am told, is now the attorney of the Louisville & Nashville Railroad. I want to ask the gentlemen upon the other side whether or not this eloquent speech, which is now entombed in the RECORD along with the remarks of the balance of us, is not an insidious effort on the part of a great corporation such as would warrant an investigation by a special committee? [Laughter.]

Mr. SIMS. Mr. Speaker——

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. SIMS. Mr. Speaker, the gentleman from Illinois has asked a question, and I desire to answer it.

Mr. CANNON. I would be very glad to answer any question that the gentleman from Tennessee desires to ask if I have the time, but I have no time.

Mr. SIMS. Mr. Speaker, I ask for recognition. I do not want five minutes, but only a minute. I move to strike out the last two words.

The SPEAKER. The gentleman from Tennessee moves to strike out the last two words.

Mr. UNDERWOOD. Mr. Speaker, I make the point of order that that is not in order. I ask unanimous consent that the gentleman from Tennessee may have two minutes.

The SPEAKER. Is there objection?

Mr. RODDENBERY. Mr. Speaker, reserving the right to object——

Mr. SIMS. Mr. Speaker, I am not going to use two minutes of time.

Mr. RODDENBERY. Mr. Speaker, I rose and addressed the Chair before reserving the right to object to the request of the gentleman from Alabama. I did not understand whether the Speaker had recognized me.

The SPEAKER. The Chair would say that four gentlemen rose at the same time, as near as the Chair could see, and the gentleman from Illinois [Mr. CANNON] began making a speech, without being recognized by the Chair [laughter], and so the Chair let him go.

Mr. CANNON. For which the gentleman from Illinois is much obliged.

The SPEAKER. Then the gentleman from Tennessee undertook to answer the gentleman from Illinois. The Chair will recognize the gentleman from Georgia as soon as the gentleman from Tennessee is through.

Mr. SIMS. Mr. Speaker, I do not know the object and purpose of the remark by the gentleman from Illinois [Mr. CANNON], the former illustrious Speaker of this House. I am satisfied that he does not know Mr. Keeble, or he would not attempt or do anything that would be construed as an attempt to break down the force and wisdom of what that gentleman, Mr. Keeble, said by referring to his occupation. Mr. Keeble is a professor of law in Vanderbilt University, as I am informed, and is also one of the attorneys of the Louisville & Nashville Railroad Co., but I am glad to say, Mr. Speaker, that being employed by a railroad company does not necessarily destroy the ideals of a true, honest, sincere American citizen, be he Democrat or Republican.

Mr. CANNON. Will the gentleman yield?

Mr. SIMS. Certainly.

Mr. CANNON. While the lamp holds out to burn, the vilest sinner may return. I have hopes of the final saving of the gentleman from Tennessee.

Mr. SIMS. And I pray as long as the lamp burns my friend from Illinois will receive a full share of its benefits.

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. RODDENBERY. Mr. Speaker, it is entirely fit that after the eloquent sermon read at the instance of the gentleman from Tennessee [Mr. SIMS], the gentleman from Illinois should so appropriately and after the ancient fashion open the doors of the church to all concerned. There is at least, however, some incongruity in dealing at one and the same time with the patriotic references of the gentleman from Tennessee and the canine qualities of a Fifth Avenue pup seeking reimportation into the United States. I desire, however, on behalf of one species of this family to speak. I could not quite gather the full report of the Ways and Means Committee, and I hope the gentleman from Alabama and his distinguished associates do not seek to place on the same basis the fox terrier and the possum dog. I have conceived that if a terrier or a St. Bernard or some aristocratic species under the tutelage of Fifth Avenue society should migrate in a steamboat stateroom across the Atlantic and there sojourn for a period of exceeding six months some little financial arrangement should be made at the American port before they again assume their residence in our Republic and proceed to ride upon our fashionable thoroughfares in carriages and automobiles. [Applause on the Democratic side.]

However, Mr. Speaker, it has occurred to me that the fox dog, the coon dog, the rabbit dog, and the possum dog should have a right to return to this country at any time without any embargo, without any tariff, or without any duty, save that of resuming their usual vocation. [Applause on the Democratic side.] I am inclined to agree with the gentleman from Illinois that there is about to be some ill-timed legislation on this tariff question, and, inasmuch as we could not hear from the Tariff Board on the legal status of society dogs, I am of the opinion that it should have been referred long since to the Committee on Immigration, so that the Immigration Commission when they traveled in Europe could have looked into the question of the admission into the United States of this new class of emigrants, and no doubt that commission would have unanimously recommended that they be admitted free from both head and tail tax. [Applause on the Democratic side.]

Mr. Speaker, there is one source of congratulation growing out of this debate and that arose when the gentleman from New York [Mr. PAYNE] gave to his colleague the statement that he thought the wool schedule was too high and had long so contended. Since this bill and the gentleman's statement deal with the matter of revenue, I desire to present to the House at this time correspondence had with the gentleman from New York in 1910, while he was yet chairman of the Republican Ways and Means Committee. On the 8th of April, 1910, I introduced the following bill:

A bill (H. R. 24257) to provide revenue for the Government, to reduce existing duties, and for other purposes.

Be it enacted, etc., That on and after the passage of this act an act entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," approved August 5, 1909, is hereby repealed.

SEC. 2. That from and after the passage of this act an act entitled "An act to provide revenue for the Government and to encourage the industries of the United States," approved July 24, 1897, is hereby reenacted with the following changes and modifications: *Provided*, That from and after the passage of this act there shall be levied and collected upon all dutiable articles, when imported from any foreign country into the United States or into any of its possessions, 70 per cent of the rates of duty which are, by the schedules and paragraphs of the dutiable list of said act of July 24, 1897, prescribed: *Provided, however*, That the rates of duty prescribed in "Schedule F—Tobacco, and manufactures thereof," and "Schedule H—Spirits, wines, and other beverages," and "Schedule L—Silks and silk goods," of act approved July 24, 1897, are hereby reenacted: *Provided further*, That there shall be levied and collected 50 per cent of the rate of duty imposed and levied on articles named and comprehended in "Schedule C—Metals, and manufactures of," "Schedule I—Cotton manufactures," "Schedule K—Wool and manufactures of wool," and "Schedule M—Pulp, papers, and books," of the act approved July 24, 1897.

SEC. 3. That all laws and parts of laws in conflict with this act are hereby repealed.

After this bill was referred to the Committee on Ways and Means and had been there for some time, on the 16th of April I undertook to address to the chairman of that committee a modest request as a new Member for a hearing before the Committee on Ways and Means on that bill. It was not a bill for the most sweeping reduction of the tariff. Being then a Republican House and a Republican Senate, I recognized that a bill proposing only a moderate reduction would be more prudent. I desire to read the letter received from Mr. PAYNE, then chairman of that committee, in reply to my request.

The SPEAKER. The time of the gentleman from Georgia has expired.

Mr. CARLIN. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for five minutes.

The SPEAKER. The gentleman from Virginia asks unanimous consent that the gentleman from Georgia may proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. RODDENBERY. Gentlemen of the House will see from the bill and understand that it proposed a reasonable and moderate reduction of the tariff, including the wool schedule, which the gentleman from New York says now he thinks should be reduced and had all along so contended. The letter is as follows:

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, D. C., April 20, 1910.

Hon. S. A. RODDENBERY, M. C.,
House of Representatives, Washington, D. C.

DEAR SIR: Your letter of the 16th instant received. Having revised the tariff as late as August 5 last, and business conditions throughout the country having improved to an unprecedented extent, the majority of the committee do not propose to continue the agitation of the subject, and therefore will not give you a hearing on the bill which you have proposed. You had ample opportunity a little over a year ago to present your views to this committee. Exhaustive hearings were had on the subjects which are treated of in your bill, and after months of study and deliberation the committee reported on them. I can not see how it would serve any useful purpose to have a hearing on this subject at the present time.

I know of no one except yourself who wants to go back to the Dingley law as a basis for a tariff measure. That law was certainly considered and thoroughly revised in nearly all its schedules. I commend you to a perusal of the evidence taken by the committee at that time, a copy of which you can get on application to the clerk of the committee.

Yours, very truly,

SERENO E. PAYNE.

Mr. MOORE of Pennsylvania. Mr. Speaker——

The SPEAKER. Does the gentleman from Georgia [Mr. RODDENBERY] yield to the gentleman from Pennsylvania?

Mr. RODDENBERY. If I have the time.

Mr. MOORE of Pennsylvania. What was the date of that letter?

Mr. RODDENBERY. April 20, 1910.

Mr. MOORE of Pennsylvania. That was after the passage of the Payne bill?

Mr. RODDENBERY. Nearly a year afterwards and after the idea of the Tariff Commission was promulgated, and when the gentleman in the letter read gave his reason for not taking up the tariff then, he did not undertake to conceal himself and his party behind a Tariff Board, as he now does, because the 5th of November, 1910, had not yet arrived. He referred me to the great satisfaction the Payne law was giving and cited me to the voluminous committee hearings, but when the people of this country touched off his party on the 5th of November last and repudiated the Payne tariff law, and he could no longer hide behind tariff protection, he proceeds to seek now the entrenchments of a Tariff Board. [Applause on the Democratic side.] The record will not disclose that the gentleman from New York was a very ardent advocate of the Tariff Board at that particular time. But now——

Mr. CULLOP. Will the gentleman from Georgia yield?

The SPEAKER. Does the gentleman from Georgia yield to the gentleman from Indiana?

Mr. RODDENBERY. With pleasure.

Mr. CULLOP. Is it not true that the gentleman from New York [Mr. PAYNE] then, as a Member from New York, was voting against the constitution of a tariff board?

Mr. RODDENBERY. The record, I think, will so disclose. And now, when the people of the country have placed the gentleman's party face to face with a reduction of the tariff, on the line of my original bill, and they can no longer resort to the argument that the country indorses the Republican tariff policy, they seek to get a stay of public execution by hiding behind the fiction of tariff legislation based on reports by trust-employed tariff agents.

However, the debate being under the five-minute rule, I can not indulge in further remarks along this line, but, Mr. Speaker, with reference to the pending bill, I think it would well become the Congress, with or without unanimous consent, instead of legislating respecting the reimportation of short-tailed, bull-necked pups, if we directed our attention to taking up the late report of the Immigration Commission and passed a law protecting American citizenship, American interest, and American labor against the vagrancy, crime, and scum of foreign lands. [Applause on the Democratic side.]

The SPEAKER. The time of the gentleman from Georgia has again expired.

Mr. RODDENBERY. Mr. Speaker, may I have two minutes additional time?

The SPEAKER. The gentleman from Georgia [Mr. RODDENBERY] asks two minutes additional. Is there objection? [After a pause.] The Chair hears none.

Mr. RODDENBERY. In my judgment the House, as an emergency measure, might with wisdom at this time, just before the great staple of the Republic goes on the market, report and pass through the House and to the Senate a bill providing for outlawing and striking down the gambling institutions of the country that fix the price of American cotton and American commodities. I might refer to other great measures in which the masses of our countrymen are vitally interested, affecting the prosperity, the happiness of the people, and touching public confidence in the legislative assembly, that we should consider instead of whittling away the time on special reports affecting the legal status of a dog in returning to the Republic after having been temporarily removed to the court of France or to the coronation of King George. [Applause on the Democratic side.]

Mr. NORRIS. Mr. Speaker——

The SPEAKER. The gentleman from Nebraska is recognized for five minutes.

Mr. NORRIS. Mr. Speaker, it seems to me it is nearly time for us to get back directly to this bill. I want to take this opportunity to place myself on record in favor of it, because I have learned from the gentleman from New York [Mr. FITZGERALD] and the gentleman from Georgia [Mr. RODDENBERY] that if this bill is enacted into law it will enable the owners of poodle dogs and other pet creatures to bring their favorites back into the country after they have taken them out for temporary social purposes.

I have a particular reason, Mr. Speaker, why I want to be on record on this proposition, because I have received the condemnation and the censure of a society—the Society for the Protection of Poodle Dogs in the District of Columbia. [Laughter.]

Some time ago, Mr. Speaker, I was invited by the young men to deliver an address at a meeting in the building of the Young Men's Christian Association in this city. The notice came by telephone, and I responded immediately and without any preparation, so that I ought not perhaps to have been held strictly accountable for anything I said on that occasion. My audience, however, was composed entirely of men—of young men—and I tried to say something to them that would be of benefit to them in the strife that comes to every man in this life. They were unmarried men and, among other things, I advised them that they ought to get married, and that to be a husband and a father was the noblest ambition of every male human being.

I told them why I believed it was necessary for young men who wanted to be patriotic and do good to their country and to humanity to be married and raise children. I called attention to the fact that many wealthy people were raising more poodle dogs than children, and I told them of an incident that came under my observation when walking down Connecticut Avenue one day, when I saw the door of a residence open—a residence that had cost perhaps a couple of million dollars—and a well-dressed woman came out and there drove up in front of it a carriage with two men in uniform sitting up in front and one man in uniform sitting on the seat in the rear, and as the woman came down the walk those men got down and took off their silk hats and bowed almost to the sidewalk as they opened the carriage door and put her into the carriage. She carried in her arms a beautiful poodle dog, all decked out in ribbons, trinkets, and flowers.

I watched her as they drove down the avenue, and my heart bled in pity for this woman of wealth, who I supposed was childless, and who was therefore compelled to waste her affections on a poodle dog. They had not gone very far, however, until the door of that mansion opened again and a colored woman came out, wheeling a little baby carriage. I crossed the street in order to ascertain exactly how the baby was dressed, and from the way it was dressed and the expensive trinkets and playthings that were about it I came to the conclusion that it was the child of the woman who had gone away caressing the poodle dog while her own flesh and blood was left in the care of a colored servant; and as the colored woman pushed the baby across into the park I felt, for awhile, sorry for the little baby. But I told the young men that, after thinking it over, my sorrow went to the poodle dog, because I believed, under all the circumstances, the baby was in the best company. [Laughter and applause.]

I had no intention, Mr. Speaker, of telling who the family was, but, since I told the young men that it was on Connecticut Avenue, I learned that I had come very nearly identifying the family, because, as I was told afterwards, it was the only baby in that part of Connecticut Avenue, and it was an unwelcome accident. [Laughter.]

But I told these young men that I believed that it was better to live in a sod house, where God's sunshine might come through the windows and shine on the dimpled face of your own little baby that was held in the arms of your own wife, than to live in the lazy luxury of marble halls that had never resounded to the rippling laughter of innocent childhood. I told them that in my younger days, about a year after I was married and had become a proud father, I had been invited to a banquet and had been given the proper subject, and how, under the enthusiasm of the occasion, I had become poetical and had said:

Of all the joys that life can give,
The baby is the best.
I've learned to laugh and cry and sing,
And miss at night my rest.
And when at night from heavenly dreams
I'm brought to earth a spell,
It's all because I think it seems
I've heard that baby yell.
To music of inferior brand,
All clothed in robes of white,
With baby in supreme command,
I march the floor at night.
But when those little eyelids close
In slumber, peaceful, sweet,
I kneel beside my slumbering rose
And kiss her on the cheek;
And kneeling there, in accents mild,
I send up thanks to God,
And ask Him to protect my child
When I'm beneath the sod.
Then fill the flowing goblet well
And drink with joy serene
To her whose charms I love to tell,
My pride, my love, my queen.

The SPEAKER pro tempore (Mr. RICHARDSON). The time of the gentleman has expired.

Mr. CANDLER. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for five minutes longer.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. NORRIS. Mr. Speaker, afterwards, the next day, the newspapers, having gotten hold of the story in some way, published the substance of my speech, and in a few days letters began to come to me from society women, poodle-dog owners, not only in the city of Washington but from all over the United States, condemning my speech in finding fault with the love that they had shown for the poodle dog. The society for the protection of poodle dogs condemned me in the severest terms. I was told that the cultured owners of the sacred poodle dog would not stand for any criticism from the plain representative of the common people. From these letters I learned that such a common mortal as I could not be expected to appreciate the affection so worthily bestowed by society women upon the sacred pet. Children might be all right for common people, but they were too inconvenient for women of wealth and high social standing. These attacks were so severe that I hesitated to go alone down Connecticut Avenue after sundown for fear of being attacked by these wronged poodle dogs and their infuriated owners and perhaps wounded, lacerated, and torn to such an extent that I would not make a respectable congressional funeral. One of the papers in the city of Washington sent a reporter, who interviewed some of the leading society ladies of the city of Washington, and with one voice they unanimously condemned me. Mr. Speaker, it became a question with me whether I was going to be able to live in Washington after reading what these society leaders said in condemning me for what I had said about these beloved poodle dogs. I remembered, however, that one thing is always true of a dog, and that is that it never gets in front of an automobile. It always barks at the automobile when it goes by, possibly upon the theory and the belief that the automobile is trying to get away and is afraid.

I remembered also, Mr. Speaker, that the Congress had provided an automobile for the preceding Speaker, and I remembered that the present Speaker had said that he would not use it after he was elected. So it occurred to me that possibly the retiring Speaker might take compassion upon me, as he was about going out of office, and teach me to run that old automobile, so that when it was sold at public auction, as it would have to be, being Government property, if it did not sell for much, I might be able to get the money together to buy it, and then, after having learned how to run it, I could take that automobile and go down through the streets of Washington at the rate of 60 miles an hour, bidding defiance to all the poodle dogs in creation. [Applause and laughter.] So, Mr. Speaker, I want to take this opportunity to go on record as doing something in favor of the poodle dog, that I may possibly avert the catastrophe which I fear is about to fall on my troubled head from the avenging wrath of the owners of such animals. [Applause.]

Mr. HUGHES of New Jersey. Mr. Speaker, I ask to be recognized for five minutes.

The SPEAKER. The gentleman is recognized.

Mr. HUGHES of New Jersey. Mr. Speaker, of course this is the silly season. The dog days are upon us. Consequently we ought not to be too much surprised at what has taken place in the course of this debate. Still, it seems to me, we might for a moment or two get back to the real purpose and object of this bill, which is to correct a manifest error in the Payne-Aldrich tariff law. As I look at it, there is no occasion for attempting to inject partisanship into this debate, and I think the efforts of gentlemen on both sides of the Hall to do so are a little bit farfetched. This bill was not drawn, as the gentleman from New York [Mr. FITZGERALD] very well knows, for the purpose of facilitating the entry of expatriated Pomeranian pups.

It seems that a distinguished Senator in his efforts to protect a domestic industry went much further than he intended when he offered his amendment on the floor of the Senate, and that the present language in the act works in this way. If a man sends a horse abroad to a horse show, for exhibition—a thoroughbred, blooded horse—it becomes necessary for him under the law to pay the regular duty to bring it back to this country. A hackman at Niagara Falls can not drive a passenger across the bridge and drive his horse and vehicle back without paying duty. Of course I know that if only the hackman were considered there would not be much sentiment behind this bill, but now I am going to call the attention of Members of the House to one result of the present legislation which is bound to come home to every one of us, and that is the effect it has upon the circuses.

One circus, I think the Ringling Bros., has made contracts to show in Canada. If they perform their contracts and go over into Canada, it will cost them $75,000 to get back into this country, and that $75,000 would not be paid upon the ferocious animals—the lions and the tigers, and so forth—but upon the domestic animals, and inasmuch as these gentlemen have made these contracts and are bound to go into Canada, we are confronted with the possibility that perhaps they might not want to pay that $75,000 and would stay there, and the youth of this country would be deprived of the opportunity of seeing circuses for evermore. Now, Mr. Speaker, I regret very much that the debate has been of such a character that it is likely to go forth to the country that the Ways and Means Committee met in solemn session for the purpose of permitting Pomeranian pups to be brought into this country with their owners.

Mr. FITZGERALD. Will the gentleman yield?

Mr. HUGHES of New Jersey. There is a serious purpose behind this bill, as the gentleman from New York very well knows.

Mr. FITZGERALD. Will the gentleman permit?

The SPEAKER. Does the gentleman yield to the gentleman from New York?

Mr. HUGHES of New Jersey. I yield to him.

Mr. FITZGERALD. The gentleman could not have been in the Chamber during all of my remarks, because I emphasized the fact that the agitation over this Pomeranian pup stopped at the customhouse was responsible for the unanimity of opinion on this bill. I never doubted that the Democratic Members would report a bill to relieve the conditions which actually grew out of an error in the Payne bill and affecting matters that would appeal to the reason of Members on this side of the House; but I contrasted the fact that the committee was unanimous on this bill with the record of the committee in the last session of Congress, when the chairman even refused to call a meeting of the committee to consider a bill to place meat on the free list, and I also emphasized the fact that at last something had been discovered that appealed to the sympathies of the Republicans in the House to favor this legislation.

Mr. HUGHES of New Jersey. Mr. Speaker, I would not have yielded to the gentleman from New York if I had known he was going to attempt to burn up the gentleman from Ohio. I am not charging the gentleman from New York with any desire to do anything but to embarrass the gentlemen on the other side. I know that nothing gives him more pleasure than an opportunity to do that, but in his desire to do that I do not wish it to go before the country that we are legislating here solely on Pomeranian dogs. There is a good reason why this measure should pass, and it is of sufficient importance to warrant the Committee on Ways and Means in considering it and reporting the bill to this House for its consideration.

The SPEAKER. Debate on this section has been exhausted. The gentleman from New York withdraws his pro forma amendment.

Mr. MOORE of Pennsylvania. Mr. Speaker, is all time exhausted, so that I can not ask the chairman of the committee a question or two? I have been waiting patiently for an opportunity.

Mr. UNDERWOOD. I will state that if the gentleman will allow the Clerk to read I will be glad to answer questions.

Mr. MOORE of Pennsylvania. It is in anticipation of the reading, and I think it will save further questions.

The SPEAKER. The gentleman from Pennsylvania can offer an amendment.

Mr. MOORE of Pennsylvania. I merely wish to ask a question or two in reference to the phraseology of the bill.

The SPEAKER. The trouble about that is no one has the floor.

Mr. UNDERWOOD. Mr. Speaker, then I move to strike out the last word. What question does the gentleman desire to ask?

Mr. MOORE of Pennsylvania. I want to ask the gentleman if there is anything in this bill that is new except the last paragraph, beginning on line 8, page 3, "and providing further that cattle, horses, sheep, and other domestic animals," and so forth, "straying across the boundary line," and so forth.

Mr. UNDERWOOD. I will state to the gentleman that the bill was prepared in conformity with the recommendation of the Secretary of the Treasury to make it conform with the recent decision of the Tariff Board, and the change in the law is in the second line of the Payne bill, section 500, where the words "not including animals" are stricken out, and the last paragraph is added on the suggestion of the Secretary of the Treasury.

Mr. MOORE of Pennsylvania. Merely to permit the return of animals that may stray over the border—cattle, sheep, and so forth?

Mr. UNDERWOOD. Not only animals that might stray across the border, but express companies doing business across the border can not drive their express wagons back and forth.

Mr. MOORE of Pennsylvania. Would it cover the return of such animals as might be sent by farmers along the border in Texas, on the northern border——

Mr. UNDERWOOD. It would.

Mr. MOORE of Pennsylvania. Who might negotiate for pasturage in Canada or Mexico?

Mr. UNDERWOOD. If the gentleman will examine the bill he will see it says, provided the animals are returned within six months.

Mr. LONGWORTH. Mr. Speaker——

The SPEAKER. Does the gentleman yield to the gentleman from Ohio?

Mr. UNDERWOOD. Yes.

Mr. LONGWORTH. This bill simply restores the law to the condition in which it was before the enactment of the Payne law.

Mr. UNDERWOOD. As I understand, it puts a limitation of six months.

Mr. MOORE of Pennsylvania. Paragraph 492 contains a clause which would seem to cover the provision which is inserted in the bill brought in by the gentleman from Alabama [Mr. UNDERWOOD]. I could not quite get it from the reading of the report, and therefore I would like to inquire if the decision of the court makes it necessary to pass this new provision, and does paragraph 492 fail to give sufficient scope for the purpose?

Mr. UNDERWOOD. I had the letter of the Secretary of the Treasury read from the desk. He states that it does require this additional legislation, and the legislation was offered on his suggestion.

The SPEAKER. Debate on this section is closed, and the pro forma amendment of the gentleman from Alabama is withdrawn. The Clerk will resume the reading of the bill.

The Clerk resumed and completed the reading of the bill.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the bill was passed.

On motion of Mr. UNDERWOOD a motion to reconsider the vote by which the bill was passed was laid on the table.

ADJOURNMENT UNTIL SATURDAY.

Mr. UNDERWOOD. Mr. Speaker, I move that when the House adjourns to-day it adjourn to meet on Saturday next.

The motion was agreed to.

NATHANIEL T. CRUTCHFIELD, AND MRS. H. M'KENNA KOLKMEYER, DECEASED.

Mr. LLOYD. Mr. Speaker, I offer the following privileged resolution from the Committee on Accounts.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 222.

Resolved, That there shall be paid out of the contingent fund of the House the sum of $300 to Nathaniel T. Crutchfield for expert services rendered in connection with the preparation of a comparative statement of the Rules of the Fifty-third Congress and the Rules of the Sixty-first Congress for the use of the Sixty-second Congress; and that there shall be paid out of said fund the sum of $200 to Mrs. H. McKenna Kolkmeyer for clerical, stenographic, typewriting, and proof-reading services rendered in connection with the preparation of said comparative statement for the use of the Sixty-second Congress.

Mr. LLOYD. Mr. Speaker, I ask that the Clerk read the report of the committee.

The SPEAKER. The Clerk will read the report (H. Rept. 60).

The Clerk read as follows:

The Committee on Accounts, to whom was referred House resolution No. 222, have had the same under consideration and recommend its adoption.

This resolution provides for the payment out of the contingent fund of the House of the sum of $300 to Nathaniel T. Crutchfield, and $200 to Mrs. H. McKenna Kolkmeyer for services rendered.

Mr. Crutchfield rendered expert services in connection with the preparation of the comparative statement of the Rules of the Fifty-third Congress and the Rules of the Sixty-first Congress.

Mrs. Kolkmeyer rendered clerical assistance to Mr. Crutchfield and those with whom he was laboring.

It was necessary that the Rules Committee have assistance in order that the House have no delay awaiting the preparation of rules.

Both Mr. Crutchfield and Mrs. Kolkmeyer rendered valuable assistance, and believing the amounts designated a reasonable compensation and this a proper resolution we have recommended its adoption.

Mr. LLOYD. Mr. Speaker, since the report on this resolution Mrs. Kolkmeyer has died. I therefore offer the following amendment:

In line 8, after the word "to," insert the words "the legal representatives of"; and, after the word "Kolkmeyer," in the same line, add the word "deceased."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

In line 8, after the word "to," insert the words "the legal representatives of"; and, after the word "Kolkmeyer," in the same line, insert the word "deceased."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The resolution as amended was agreed to.

Mr. LLOYD. Mr. Speaker, I would like to have the title amended in the resolution just passed, so as to add, after the words "Mrs. H. McKenna Kolkmeyer," the word "deceased." I wish to change the title of the resolution to correspond with the amendment, adding the word "deceased" after the word "Kolkmeyer."

The SPEAKER. The gentleman from Missouri asks to have the title of the resolution amended in accordance with the fact. Without objection, it will be so done.

THE DIPLOMATIC AND CONSULAR ESTABLISHMENTS.

Mr. KAHN. Mr. Speaker, I ask unanimous consent that I may address the House for 30 minutes in reply to the speech made last Wednesday by Mr. HENRY of Texas. (H. Res. 221.)

The SPEAKER. The gentleman from California asks unanimous consent to address the House for 30 minutes, in reply to the speech recently made on the Diplomatic Service by the gentleman from Texas [Mr. HENRY].

Mr. HENRY of Texas. Mr. Speaker, I have no objection to the request, but I would like the gentleman to couple with it the proposition that I may be allowed 10 minutes to reply to him if I should see proper.

Mr. KAHN. I certainly would like to have the gentleman from Texas accorded some time. It will probably take me fully half an hour to make the reply. I think it took the gentleman from Texas half an hour to make his speech. I will therefore modify my request, Mr. Speaker, and make it that the gentleman from Texas and myself be accorded an hour.

Mr. HENRY of Texas. I have no objection to that, Mr. Speaker.

The SPEAKER. The Chair would inquire of the gentleman from California how that hour is to be divided, so that the Chair can put the question.

Mr. KAHN. I suggest, Mr. Speaker, that I be allowed 40 minutes. I think I can absolutely conclude in that time. Then the gentleman from Texas will be allowed 20 minutes.

Mr. HENRY of Texas. I have no objection.

The SPEAKER. The gentleman from California [Mr. KAHN] asked for an hour, to be divided 40 minutes to himself and 20 minutes to the gentleman from Texas [Mr. HENRY], the gentleman from California to answer the speech recently made by the gentleman from Texas on the Diplomatic Service, and the gentleman from Texas to answer his speech. [Laughter.]

Mr. GARNER. Are you going to have a joint debate? [Laughter.]

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and it is so ordered. The gentleman from California is recognized for 40 minutes.

Mr. KAHN. Mr. Speaker, a week ago, on the 5th day of this month, my good friend, the distinguished gentleman from Texas [Mr. HENRY], chairman of the important Committee on Rules of this House, regaled us with a well-prepared speech, in which he voiced the opinion that there was too much glitter in our modern American diplomacy; and, in a burst of perfervid oratory, he expressed the hope that there might be an early return to the democratic simplicity of the formative period of our republican Government.

Democratic simplicity, forsooth! Why, if my good friend had drunk deep of the Pierian Spring on this subject of American diplomacy instead of having just sipped a drop or two, he would have discovered that this vaunted simplicity is little more than a pure myth—a figment of the imagination that had no actual existence.

At the very outset I make the assertion that at no time in the history of the Republic have the American ambassadors or ministers to foreign courts been less obsequious, been dressed in simpler clothes, resorted so little to finesse and chicane, conducted more important and far-reaching negotiations with a candor and directness that has never been excelled in our foreign policy than has the modern American diplomat under the leadership and guidance of the lamented John Hay and the able and distinguished ELIHU ROOT and Philander C. Knox. And I say further that at no time in our country's history has American diplomacy achieved greater results than during the period these three distinguished Americans have presided over the destinies of our Department of State.

My good friend from Texas [Mr. HENRY] begins his onslaught on our diplomacy with a recital of the sailing of Winthrop's expedition and quotes from Green, the English historian, to the effect that for 10 or 11 years after the sailing of the *Mayflower* 20,000 Englishmen had found refuge in the west. Then, in a burst of splendid oratory, he says:

Driven by a brutal abuse of royal power invading their individual rights as citizens, these sturdy men thus crossed the Atlantic to find homes in the wilderness amongst us.

I never knew before that we were here when Gov. Winthrop landed. It had probably escaped the attention of historians heretofore, but if we were here we were delighted to have those sturdy old pioneers of American civilization "in the wilderness amongst us." [Laughter.] Gradually sturdy citizens of other European countries expatriated themselves by thousands, some to escape persecution, religious and otherwise, some in a spirit of adventure, some in the hope of bettering their condition in life. Joining the Englishmen of whom the gentleman from Texas has spoken and their descendants they helped to redeem the wilderness and converted it into the homes and habitations of a simple, frugal, liberty-loving people. There were about 3,000,000 of these Americans in the original thirteen Colonies at the beginning of the Revolutionary War; and, as my friend from Texas has stated, these people of simple tastes sent their agents to the various courts of Europe to enlist the sympathy and, if possible, to obtain the active support of the monarchs, the princes, and the potentates of Europe.

Benjamin Franklin was the first and foremost of these agents. Our countrymen will always revere his memory for the eminent success he achieved at the French court. Through his influence, the French Government sent a minister to the Continental Congress in 1778. His name was Gerard. The Members of the Continental Congress were undoubtedly men imbued with the true spirit of democratic simplicity. In 1778, when M. Gerard was about to present his credentials to them, they had cast off their allegiance to the British Crown; they had discarded the trappings of royalty; and yet the contemplated visit occasioned them no small degree of embarrassment. It was at once fitting and proper that he be received with the formality required by the occasion, and so the matter was referred to a committee of three, composed of Richard Henry Lee, of Virginia; Samuel Adams, of Massachusetts; and Gouverneur Morris, of Pennsylvania.

Mr. Speaker, if we have writ our annals true, these gentlemen were the very essence of democratic simplicity. When they finally presented their report to the House, which report turned largely on mere points of etiquette, it was discussed by the Congress for five whole days. Upon his arrival the minister was received with a degree of formality that can not be read at this late day without occasioning something of a smile. It was provided that the accredited representative of the French monarch should be called on by two Members of the Congress on his arrival, who were also to conduct him into the august presence of the entire Congress. Let me read the program for his reception:

At the time he is to receive his audience the two Members shall again wait upon him in a coach belonging to the States, and the person first named of the two shall return with the minister plenipotentiary or envoy in the coach, giving the minister the right hand and placing himself on the left with the other Member on the first seat. When the minister plenipotentiary or envoy is arrived at the door of the Congress Hall, he shall be introduced to his chair by the two Members, who shall stand at his left hand.

[Laughter.]

When the minister is introduced to his chair by the two Members, he shall sit down.

[Laughter.]

His secretary shall then deliver to the President the letter of his sovereign, which shall be read and translated by the Secretary of Congress. Then the minister shall be announced, at which time the President, the House, and the minister shall rise together.

[Laughter.]

The minister shall then bow to the President and the House and they to him.

[Laughter.]

The minister and the President shall then bow to each other and be seated, after which the House shall sit down.

[Laughter.]

The minister shall deliver his speech standing. The President and the House shall sit while the minister is delivering his speech. The House shall rise, and the President shall deliver the answer standing. The minister shall stand while the President delivers his answer. Having spoken and being answered, the minister and President shall bow to each other, at which time the House shall bow, and then the minister shall be conducted home in the manner in which he was brought to the House.

[Laughter.]

It strikes me that as a specimen of democratic simplicity there was considerable bowing and scraping on this auspicious occasion. [Laughter.] I believe that it is customary at most of the royal courts of Europe to require three bows, or "reverences" as they are called, from the individual who approaches the royal presence. The first is given at the entrance door of the audience chamber, the second about the center of the room, and the third when one reaches the presence of the royal personage. I believe, too, that it is necessary on leaving the royal presence to back out as gracefully as you can with your face always turned toward the monarch [laughter], for it would be improper, so it is claimed, to turn one's back on the anointed ruler.

I wonder if M. Gerard, likewise, had to crawl out backward like a crab when making his exit from the Continental Congress. [Laughter.] At this late day the whole program seems an absurd attempt to copy court etiquette, and does not bear out the assumption that the founders of the Government were entirely oblivious of the pomp and ceremonials that would not comport to-day with the democratic simplicity of our own times. In those good old democratic days our ministers had to resort to many devious ways to accomplish results in the fields of diplomacy. Silas Dean wrote home from France to the Continental Congress requesting that some products of the Colonies be forwarded to him to be given to Queen Marie Antoinette as presents to secure her royal influence. He wrote:

DECEMBER 3, 1776.

The Queen is fond of parade, and, I believe, wishes for war, and is our friend. She loves riding on horseback. Could you send me a fine Narragansett horse or two?

[Laughter.]

The money would be well laid out. Rittenhouse's aviary, or Arnold's collection of insects, a phæton of American make and a pair of bay horses—

[Laughter.]

a few barrels of apples, walnuts, cranberries, butternuts, etc., would be great curiosities.

[Laughter.]

Mr. Speaker, the gentleman from Texas decries the fact that men of large means are invariably selected to fill the responsible diplomatic posts abroad. Let me say to him that from the very outset the pay to our representatives abroad has been entirely inadequate, and at every period of our country's history the men who have represented us on diplomatic missions have been compelled to use their private means in order to maintain the dignity of their positions and to uphold the honor of their country. Thus Thomas Jefferson, when minister to France, wrote to the Continental Congress and to his own personal friends that it was impossible for him to live on his salary. He suggested a more liberal appropriation. Writing to John Jay, the Secretary of Foreign Affairs, he said:

It is the usage here—and I suppose at all courts—that a minister shall establish his house in the first instance. If this is done out of his salary he will be a twelfth-month absent without a copper to live on. * * * My furniture, carriage, and apparel are all plain, yet they have cost me more than a year's salary.

John Adams complained to the Congress of the Confederation in 1785 that his salary at Paris and The Hague was insufficient to enable him to make a decent appearance at court and in society. He said truthfully that "extreme parsimony is not economy," and he told the Congress that his expenses had "pinched and straitened him confoundedly."

It goes without saying that if our representatives abroad are to accept courtesies they are compelled to return courtesies. John Quincy Adams, probably the most experienced of all our diplomats, wrote to the State Department, in 1815, that—

The annual salary of an American minister is insufficient to support a man with a family—I say not in the style of high official rank, but in the decency becoming a private gentleman.

His predecessor, William Pinckney, an exceptionably able American diplomat in his day, had to relinquish the English mission, and in asking to be relieved wrote to President Madison as follows:

Upon a recent inspection of my private affairs, it appears that my pecuniary means are more completely exhausted than I had supposed, and that to be honest I must hasten home.

The compensation—as it is oddly called—allotted by the Government to the maintenance of its representative abroad is a pittance, which no economy, however rigid, or even mean, can render adequate. It never was adequate I should think; but it is now, especially in London, far short of that just indemnity for unavoidable expenses which every Government, no matter what its form, owes to its servants.

I have, in fact, been a constant and progressive loser, and at length am incapable of supplying the deficiencies of the public allowance. These deficiencies have been hitherto supplied by the sacrifice of my own capital in America, or by my credit, already pushed as far as the remnant of that capital will justify, and I fear somewhat further. I can not, as an honorable man, with my eyes open to my situation, push it further, and of course I must retire.

William C. Rives, our minister to France during the Polk administration, advised the State Department that—

The burden becomes insurmountable to any but a man of very large fortune, to which class few of our public men in America belong, and to which it is certainly not the policy of our institutions to confine the performance of high public trusts.

James Monroe, who at various times had been a minister abroad, the Secretary of State, and the President of his country, urged Congress during his administration to make a more liberal appropriation for the Diplomatic Service. Among other things, he said:

A minister can be useful only by filling his place with credit in the diplomatic corps and in the corresponding circle of society in the country in which he resides, which is the best in every country. By taking the proper ground, if he possesses the proper qualifications and is furnished with adequate means, he will become acquainted with all that passes, and from the highest and most authentic sources. * * * Deprive him of the necessary means to sustain this ground, separate him from the circle to which he belongs, and he is reduced to a cipher.

It will be noticed that President Monroe dwelt upon the fact that not alone must a minister fill his place with credit in the diplomatic corps, but also in the corresponding circle of society in the country to which he is assigned, which society is always the best in every country.

Surely, my good friend from Texas must realize that in these days of expensive and even lavish entertainment it requires still greater means for a representative of our Government abroad to fittingly and properly entertain in that circle of society which the position he occupies compels him to enter.

And so I could give innumerable instances where our Presidents and our Secretaries of State from the very beginning of the Government to the present day have urged upon the Congress the absolute necessity for increasing the salary of our representatives abroad. Congress, however, has not seen fit to do so, and I think I can truthfully say that our salaries to our diplomatic representatives abroad at the present time are proportionately less than they were at the very beginning of the Government. From a report made by Mr. Morris, Secretary of Foreign Affairs, and his assistant secretary, Mr. du Ponceau, to Congress in 1782, it appears that Franklin, Jay, and Adams each received in that year a salary as minister abroad amounting to the sum of $11,111\frac{1}{9}$. When one considers that the purchasing power of money in those days was infinitely greater than it is to-day one is compelled to admit that we have distinctly retrograded in this matter of adequate compensation.

The gentleman from Texas deplores the fact that Dr. Eliot, of Harvard, had to decline the ambassadorship to England on account of financial poverty. Let me assure the gentleman that during his beloved days of democratic simplicity the eminent and able John C. Calhoun, of South Carolina, for similar reasons had to decline the mission to France in 1819, and later, in 1845, the mission to England.

My good friend from Texas, in speaking of the recent coronation festival in London, referred to what he called the "wild scramble for kingly favors." Does he know that one of his cherished heroes of the Revolutionary period, John Jay, was similarly accused? Mr. Jay was sent as a special envoy by President Washington to London to negotiate a treaty with England concerning some grave questions then in dispute, which threatened to break off the diplomatic relations between the two countries. The treaty is known in history as the Jay-Grenville treaty, or the British treaty of 1794. That treaty contained the germ of that policy which has fructified into the "modern era of arbitration"—that policy which in our own day is receiving the commendation of the great masses of our citizens. Its original reception in the United States, however, was none too cordial. Mr. Jay was denounced in placards pasted on the dead walls of Richmond, Va., as an "arch traitor," and one of the publications of that period excoriated him for having kissed the Queen's hand. With that kiss, so it was claimed, he "betrayed away the rights of man and the liberty of America." [Laughter.] So that my good friend from Texas will note that even in 1794 an envoy extraordinary of the United States was also charged with having made a scramble, not for kingly but for queenly favors. And since that alleged event happened at an early period of democratic simplicity, it may be inferred that he may have set the pace which the more recent envoys, to whom my friend from Texas has referred with such indignation, have followed.

Democratic simplicity, forsooth! I wonder what my good friend from Texas had in mind when he referred to the democratic simplicity of our earlier diplomacy. Did he have in mind the instance referred to by John T. Morse, jr., in his "Thomas Jefferson" (American Statesmen series), in which the reception of the English minister, Anthony Merry, is described in this language:

When Mr. Merry, the British minister, was to be presented, and went "in full official costume" at the appointed day and hour, in company with Mr. Madison, the Secretary of State, to the presidential mansion, he was astonished by a scene which he described as follows:

"On arriving at the hall of audience we found it empty, at which Mr. Madison seemed surprised, and proceeded to an entry leading to the President's study. I followed him, supposing the introduction was to take place in the adjoining room. At this moment Mr. Jefferson entered the entry at the other end, and all three of us were packed in this narrow space, from which, to make room, I was obliged to back out. In this awkward position my introduction to the President was made by Mr. Madison. Mr. Jefferson's appearance soon explained to me that the general circumstances of my reception had not been accidental, but studied. I, in my official costume, found myself, at the hour of reception he had himself appointed, introduced to a man as the President of the United States not merely in an undress, but actually standing in slippers down at the heels, and both pantaloons, coat, and underclothes indicative of utter slovenliness and indifference to appearances, and in a state of negligence actually studied."

Does the gentleman from Texas justify the action of President Jefferson on that occasion? Is that what he means by Democratic simplicity? I apprehend that even Mr. Jefferson's greatest admirers can find no extenuation for this evident discourtesy to the duly accredited minister of a foreign power.

Democratic simplicity, forsooth! In the early days of our history our diplomatic positions were all too often tendered as a reward for political services. The Diplomatic Service was the ark of refuge for the "lame ducks" of the earlier period of our national existence. Many excellent gentlemen also sought these diplomatic positions because it afforded an opportunity for foreign travel at the expense of the Government. It was not an unusual thing for a representative of this Government to absent himself from his post for many months at a time, to the great detriment of the interests of the American people, and still draw his salary.

For instance, in the early months of the administration of Andrew Jackson, John Randolph, of Virginia, was offered and accepted the mission to Russia. In Henry Adams's "Life of John Randolph" (American Statesmen series) he says:

He sailed in June, 1830.

He had been appointed in September, 1829, and was promptly confirmed. Under the rule then existing his salary commenced from the date of his confirmation.

He remained 10 days at his post, then passed near a year in England, and returned home in October, 1831; drew $21,407 from the Government with which to pay off his old British debt. This act of Roman virtue, worthy of the satire of Juvenal, still stands as the most flagrant bit of diplomatic jobbery in the annals of the United States Government.

Is the gentleman from Texas proud of this incident that occurred in our Diplomatic Service during the days of Democratic simplicity? Could such a thing happen at this period of our history? Would it not bring upon the shoulders of the offender both obloquy and opprobrium? And should there not have been a select committee of investigation so that they could have fully exploited this public scandal? [Laughter and applause on the Republican side.]

I spoke of the simplicity of costume of the present-day American diplomat at foreign courts. Does the gentleman from Texas recall the days of "fuss and feathers," when nearly all our early ministers and envoys abroad, under instructions from the Secretaries of State, were compelled to appear in court costume at public functions? Democratic simplicity, forsooth!

At the treaty of Ghent, negotiated in 1814 between this country and England, our five commissioners—Albert Gallatin, James A. Bayard, John Quincy Adams, Henry Clay, and Jonathan Russell—appeared in costume, which was thus described:

A blue coat lined with white silk; straight standing cape, embroidered with gold, single breasted, straight or round buttonholes slightly embroidered; buttons plain, or, if they can be had, with the artillerists' eagle stamped upon them, i. e., an eagle flying with a wreath in its mouth, grasping lightning in one of its talons; cuffs embroidered in the manner of the cape; white cassimere breeches; gold knee buckles; white silk stockings and gold or gilt shoe buckles; a three-cornered chapeau-de-bras, not so large as those used by the French, nor so small as those of the English—

[Laughter and applause on the Republican side.]

a black cockade, to which lately an eagle has been attached; sword, etc., corresponding.

Subsequently in 1817, during the administration of James Monroe, the State Department issued a circular wherein this uniform was adopted for our diplomatic ministers. The secretaries of legation were to have the same costume, with the exception that their coats were to have less embroidery than that of the minister. The instructions went on to say:

It is usual at all European courts on what are called gala days, such as birthdays of the sovereign, marriages of princes of his family, and other extraordinary occasions, for the foreign ministers, as well as other persons of distinction connected with the court, to appear in

uniforms more splendid with embroidery than upon occasions of ordinary levees, drawing-rooms, and diplomatic circles. A decent respect for the usages of the courts and a suitable compliance with forms there established make it proper that the minister of the United States should adopt this custom and wear on those occasions a coat similar to that above described, but embroidered round the skirts and down the breasts, as well as at the cuffs and cape, all the other parts of the dress remaining the same; the coats to be distinguished as the great and the small uniform. There should be a white ostrich feather or plumet in the minister's hat, not standing erect but sewed round the brim.

All the persons attached to the legation wear the same uniform as the secretary and need to have only one.

Oh, the democratic simplicity of that white ostrich feather! Oh, the democratic simplicity of that three-cornered hat, not quite so large as the French nor so small as the English! [Laughter and applause on the Republican side.]

In 1823 President John Quincy Adams sent out engraved designs of the uniform to be worn by ministers of the United States at foreign courts on occasions when full dress was required.

The uniform adopted under the administration of President Jackson was a little more simple, as follows:

A black coat with a gold star on each side of the collar, near its termination; the under clothes to be black, blue, or white, at the option of the wearer; a three-cornered chapeau-de-bras; a black cockade and eagle; and a steel-mounted sword with a white scabbard.

But eventually, on June 1, 1853, Gov. Marcy, the Secretary of State under President Pierce, in the spirit of real, bona fide democratic simplicity, issued a circular which cut the Gordian knot of ridiculous convention and for the first time prescribed the "simple dress of an American gentleman." It was in this language:

In addition to the "personal instructions to the diplomatic agents of the United States in foreign countries," the following are hereafter to be observed: In performing the ceremonies observed upon the occasion of his reception the representative of the United States will conform, as far as is consistent with a just sense of his devotion to republican institutions, to the customs of the country wherein he is to reside and with the rules prescribed for representatives of his rank; but the department would encourage, as far as practicable without impairing his usefulness to his country, his appearance at court in the simple dress of an American citizen. Should there be cases where this can not be done, owing to the character of the foreign government, without detriment to the public interest, the nearest approach to it compatible with the due performance of his duties is earnestly recommended. The simplicity of our usages and the tone of feeling among our people is much more in accordance with the example of our first and most distinguished representative at a royal court than the practice which has since prevailed. It is to be regretted that there was ever any departure in this respect from the example of Dr. Franklin. History has recorded and commended this example, so congenial to the spirit of our political institutions. The department is desirous of removing all obstacles to a return to the simple and unostentatious course which was deemed so proper and was so much approved in the earliest days of the Republic. It is our purpose to cultivate the most amicable relations with all countries, and this we believe can be effectually done without requiring our diplomatic agents abroad to depart in this respect from what is suited to the general sentiments of our fellow citizens at home. All instructions in regard to what is called diplomatic uniform, or court dress, being withdrawn, each of our representatives in other countries will be left to regulate this matter according to his own sense of propriety and with a due respect to the views of his Government as herein expressed.

That, if my friend from Texas will permit me, was the beginning of true democratic simplicity in the matter of dress so far as our diplomatic service was concerned. Many of our newspapers in this country warmly applauded Gov. Marcy for the stand he had taken in favor of this sensible departure. The discussion that followed its promulgation developed friends on either side of the question. William H. Trescott, of South Carolina, who was one of the greatest international lawyers of his period, the author of a diplomatic history of the United States, and, subsequently, an Assistant Secretary of State under Buchanan, wrote a letter to Senator Andrew P. Butler upon the subject, which reads as follows:

* * * * * * *

It is true that the circular of Mr. Marcy differs in scarcely any material points from the uniform tenor of the Government's former instructions, and that the exaggerated approbation of a large portion of the radical press of the country is calculated to injure the effect of these instructions, judicious in themselves and published with the quiet propriety of ordinary official communications. To represent the Secretary of State as a heroic tailor, inspired with a fierce zeal for Quaker reform, to deprive the American eagle of its heraldic thunderbolt and substitute in its terrible talons a gigantic pair of shears, to melt up in the furnace of popular indignation the tawdry glory of gold lace and embroidery, strikes the imagination, perhaps, of an excitable people. But we may still be permitted to doubt whether after all Mr. Sandford's appearance at the Tuileries "in plain citizen's dress" will be considered by impartial history as the next most important diplomatic event to the solution of the Turkish question. The truth is that the fussy and ludicrous comments of a portion of the press upon so simple a matter as a change of dress is a more painful exhibition of puerility than any conformity with any extravagance of official uniform. Once let it be understood that the American minister is to appear amid a crowd of laced and gilded dresses in a plain black coat, and that coat becomes as distinct an uniform as if he wore the stars embroidered on his breast and the stripes on his breeches. It is simply a matter of national taste, and the least said about it the better.

* * * * * * *

It will be noted that "the simple dress of an American citizen," under Secretary Marcy's circular, was to be worn whenever it could be done without detriment to the public interest, but in 1867 Congress completed the reform by passing a law, which later became section 1688 of the Revised Statutes, and which reads:

No person in the Diplomatic Service of the United States shall wear any uniform or official costume not previously authorized by Congress.

Secretary Marcy in his circular referred to the fact that our first and most distinguished representative at a royal court, Dr. Franklin, set an example of simplicity in his court dress. There is no doubt that the general impression prevails that our first ambassador to the court of Louis XVI was dressed in the simplest fashion, but Schuyler in his American Diplomacy makes this observation:

It is now well known that this (Dr. Franklin's appearance at the French court in simple dress) was not owing to any love of simplicity on the part of Franklin, but merely that on a certain occasion his presence was so much desired at court when he had no clothes in which he considered it fit to appear that he was requested to come in whatever he happened to be wearing at the moment.

It seems almost pathetic to have our ideals of democratic simplicity thus rudely shattered. [Laughter.]

Dr. Edward Everett Hale in referring to the court uniform of the great diplomatist states that he had a portrait painted of himself which he gave to the bride of his nephew as a wedding present, and which depicted him in a blue silk uniform embroidered with gold and wearing a wig. It may be of interest in passing to state that some of the buttons of the Doctor's court uniform may still be seen in one of the cases in the library of the State Department.

When Secretary Marcy's circular reached the legations in Europe and was given publicity court circles immediately became fluttered with excitement. The newspapers of that period heaped their ridicule upon the Government of the United States. Mr. Buchanan was then our minister in London. He took up the matter with the English master of ceremonies, Maj. Gen. Sir Edward Cust, and announced that it was his intention to wear "the simple dress of an American citizen" at court, unless the Queen herself should show a disposition to have him appear in costume. Sir Edward announced that his Queen would probably receive the American minister at court in any dress that the minister desired to wear, but that it would be disagreeable to his sovereign if the American minister were to depart from established usage.

He also intimated that Mr. Buchanan could not expect to be invited to court balls or to court dinners, at which functions everybody appeared in costume. Mr. Buchanan was one of our distinguished diplomats referred to by the gentleman from Texas in his speech of July 5. The reply of Gen. Cust displeased him greatly, and in writing to the Secretary of State, Mr. Marcy, Mr. Buchanan suggested that he would probably "be placed socially in Coventry on this question of dress," because if he failed to be invited to the Queen's functions, such as balls and dinners, he would also be ostracized at similar functions given by the courtiers of Her Majesty, and that this ostracism would prevent him from having the opportunity of cultivating those relations which were essential for the purposes of information and diplomatic business.

My friend from Texas must realize from this incident that an American envoy, to be of real service to his country, must be prepared to accept invitations to the social functions given not alone by royalty, but by the courtiers who surround royalty. James Monroe years before had enunciated a similar doctrine.

The matter of dining was declared by Lord Palmerston to be the very life and soul of diplomacy, and some of our own foreign representatives have admitted that hospitality plays no insignificant part in the career of the successful minister.

In his delightful satire on "Snobs," William Makepeace Thackery tells the story of a dinner given by the Chief Galoongee of the Porte at Constantinople to the English and the Russian agents who were separately negotiating an important piece of business for their respective countries with the Sultan's Government. Each of the two ambassadors tried to win the influence of the Galeongee. The latter, who was said to have been an enormous eater, placed before his guests a lamb dressed in its wool, stuffed with prunes, garlic, asafetida, capsicums, and other condiments, and it is stated to have been the most abominable mixture that ever mortal smelt or tasted. The English representative, in the language of Thackery, concludes the story thus:

The Galeongee ate of this hugely; and, pursuing the eastern fashion, insisted on helping his friends right and left, and when he came to a particularly spicy morsel, would push it with his own hands into his guests' very mouths.

I never shall forget the look of poor Diddloff, when his excellency, rolling up a large quantity of this into a ball, and exclaiming, "Buk buk" (it is very good), administered the horrible bolus to Diddloff. The Russian's eyes rolled dreadfully as he received it; he swallowed it with a grimace that I thought must precede a convulsion, and seizing a bottle next him, which he thought was sauterne, but which turned out to be French brandy, he drank off nearly a pint before he knew his error. It finished him; he was carried away from the dining room almost dead, and laid out to cool in a summer house on the Bosphorus.

When it came to my turn, I took down the condiment with a smile, said "Bismillah," licked my lips with easy gratification, and, when the next dish was served, made up a ball myself so dexterously, and popped it down the old Galeongee's mouth with so much grace that his heart was won. Russia was put out of court at once, and the treaty of Kabobanople was signed. As for Diddloff, all was over with him; he was recalled to St. Petersburg, and Sir Roderick Murchison saw him under No. 3967, working in the Ural Mines.

While Thackeray points his own moral, I think a more appropriate one is, "When in Rome do as Romans do." That policy leads to diplomatic success.

That is undoubtedly the policy our envoys were pursuing in the English capital during the recent coronation festivities. And yet my friend from Texas, in his speech the other day, almost exploded with indignation because he saw a newspaper account of a royal procession which was witnessed by our special ambassador, Mr. John Hays Hammond, and Mrs. Hammond and a goodly number of the courtiers that attend their majesties, the King and Queen.

According to the teachings of those stanch apostles of democratic simplicity, James Monroe and James Buchanan, our special envoy was admirably fulfilling one of the important purposes of his mission.

The newspaper account in question goes on to say that the incident which so annoyed my good friend occurred at Stratton House, the official residence of our special ambassador. As was to be expected, a large American flag floated to the breeze from the roof of the building. King George and Queen Mary when they passed gave a look of recognition to our ambassador and those assembled in the house and exchanged salutations with them.

Did it occur to my good friend from Texas that the salutation given to our ambassador was a salutation given not to him as an individual but as the representative of the entire American people? [Applause on the Republican side.] An ambassador is said to represent the person of his sovereign. In the United States the people are the sovereign, and the ambassador represents the great body of American citizens. When the King and Queen of England, looking up at Stratton House, beheld the Stars and Stripes and saw the American ambassador seated beneath its folds, they showed that measure of courtesy to the American people which the American people had naturally expected of their majesties. [Applause on the Republican side.]

I am surprised that my friend from Texas should have looked upon this incident in such a narrow and personal light.

Mr. Speaker, I know Mr. Hammond. He is a San Franciscan by birth. His parents were California pioneers. He is a college-bred gentleman, and to-day stands in the front rank of his chosen profession. He has made an eminent success of his life. He has amassed his own fortune. He has been thrown into business relationship with men of affairs all over the world. He is a true democratic citizen of the United States in the broadest sense. Mrs. Hammond is a fair daughter of the State of Mississippi. I know that neither of them would transcend the bounds of good breeding, and I believe that when my friend from Texas shall, in calmer moments, consider these matters of which he has spoken he will admit to himself that his criticisms were unfounded and entirely gratuitous.

Mr. Whitelaw Reid, our duly accredited ambassador to the Court of St. James, has occupied his post since 1905 with credit to himself and honor to his country. He is a gentleman and a scholar of broad culture, and has won a distinguished niche in the Diplomatic Service of his country. He is deservedly popular in the country to which he has been assigned, and his scholarly addresses, delivered on many public occasions in England, have never transgressed the rules of propriety or that salutary order of the Department of State which has come down to us from the very beginning of our Government, and which prohibits the public discussion of American political questions abroad by our diplomatic representatives.

My friend from Texas has attacked this gentleman, it seems to me, for the express purpose of lauding a former ambassador to England, the late Thomas F. Bayard, of Delaware. It is not pleasant to unearth the skeletons of the past, but let me remind the distinguished gentleman that this House discussed for several days resolutions of censure of Mr. Bayard, because, as an American ambassador, he himself had entirely disregarded those time-honored instructions against making political speeches in the land to which he had been accredited which the same Mr. Bayard, as Secretary of State, had so often laid down to newly appointed American diplomats as their rule of action while abroad. The debate on the resolutions was spirited and acrimonious. Even some of Mr. Bayard's friends were willing to admit that his utterances at Boston, England, and before the Edinburgh Philosophical Society were indiscreet, to say the least. To my mind it did not comport with the dignity of our foreign representative to criticize his own Government abroad by telling his auditors that we are often a violent people and that it takes a real man to govern us. Let me read a brief extract from the speech of Hon. Robert G. Cousins, of Iowa, delivered in this House on the 18th day of March, 1896. During the discussion of the resolutions, Mr. Cousins said:

The charge on which this resolution rests is not denied. It is, in fact, admitted. The answer of the President to the inquiry of the House of Representatives contains both speeches of Mr. Bayard that are complained of.

The first speech, delivered at Boston, England, is reported in the Boston Guardian and the Lincolnshire Independent of August 10, 1895, under the following headlines:

BOSTON, EAST AND WEST—THE AMERICAN AMBASSADOR VISITS THE BOROUGH—SPEECH DAY AT THE GRAMMAR SCHOOL—COMPLIMENTARY DINNER—PRESENTATIONS OF AN ILLUSTRATED ADDRESS.

This account of the performance is authentic, because Mr. Bayard attaches it to his letter to the Secretary of State, Mr. Olney. His only explanation of the silly affair is that he spoke "without premeditation" and that everything was "impromptu" and that "a humorous postprandial tone" prevailed, and that the reporters failed to catch his words, sometimes in Latin, and confused them.

This authenticated account goes on to say that his excellency [Mr. Bayard] was accompanied by his worship the mayor, who wore his "robes and chain of office," and that several of the best citizens were present. It also informs us that Mr. Bayard's lineage can be traced back to the same family as that of the "ideal chivalry," the Seigneur Pierre du Terrail de Bayard, the chevalier sans peur et sans reproche.

At this point the RECORD discloses the fact that the House laughed, and small wonder. My friend from Texas in his speech intimated something about a press agent working overtime. I think he will agree with me that the earmarks of press agency are plentifully apparent here. But let me continue my quotation from Mr. Cousins's remarks:

Having thus laid a substantial foundation for the social standing of the American ambassador extraordinary and plenipotentiary among the grammar scholars of Lincolnshire, the account further says that—

"Mr. Bayard's acknowledgment was marked by a depth of feeling, a sincerity of tone."

Now, whether it was "humorous and postprandial" or with "depth of feeling" and "sincerity of tone," the confusion, Mr. Speaker, is no doubt satisfactorily explained by the newspaper account of the ambassador attached to his letter to the Secretary of State, and which says that "some of those who took part in the evening proceedings betrayed a lack of appreciation of the importance of the guest, otherwise they would not have interrupted his remarks by the cracking of filberts."

My friend from Texas is wroth because our resident ambassador to England lives in Dorchester House; but I am positive that if the Congress of the United States had heeded the pressing appeals made by so many of our Executives, almost from the foundation of the Republic to the present day, and had purchased or constructed an embassy building in London, no matter how humble, Mr. Reid cheerfully would have made that building his official residence. Every man who has ever met our ambassador to England knows that to be true; and if he does live in an imposing and stately mansion in the British capital, it is entirely due to the niggardliness of our own Government in having failed to furnish him with a suitable residence.

It is evident that my friend from Texas is not very familiar with real property values in London or Berlin or Paris. They are old and populous capitals. They are built up solidly and compactly, and vacant lots such as one sees in our large American municipalities are exceedingly uncommon. Property values in these European capitals are just as high, and possibly a trifle higher, than they are in New York or Chicago. It cost our Government $130,000 to purchase the American embassy building in Constantinople. It is not likely that we will be able to purchase a site and building and install the necessary furniture in an eligible or desirable locality in either London, Berlin, or Paris for the sum of $150,000.

Mr. YOUNG of Michigan. Mr. Speaker, will the gentleman yield for a moment?

Mr. KAHN. I have only four or five minutes remaining, and I would like to get right down to several interesting matters.

The SPEAKER pro tempore (Mr. RUSSELL). The gentleman from California has one minute more.

Mr. CANNON. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended in order that he may complete his remarks.

Mr. KAHN. And may I suggest that the gentleman from Texas be given a similar amount of time.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent that the time of the gentleman from

California be extended to complete his remarks. Is there objection?

Mr. HENRY of Texas. Mr. Speaker, and that the same time be accorded to myself.

The SPEAKER pro tempore. And that the gentleman from Texas have a similar time.

Mr. PAGE. Mr. Speaker, not desiring to object, I wish the gentleman would state how much time he will want.

Mr. KAHN. Oh, 10 or 15 minutes more.

Mr. PAGE. Then I suggest that it be made 15 minutes.

Mr. CANNON. Make it 25 minutes.

Mr. KAHN. It is not necessary for me to have that much time.

Mr. CANNON. I do not want to interrupt the gentleman, but I want to ask him a question or two when he gets through.

Mr. PAGE. Make it 20 minutes. My idea is to make the time specific and not indefinite.

Mr. CANNON. Still, we have time to throw at the birds.

Mr. KAHN. Make it 20 minutes.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent that the time of the gentleman from California be extended for 20 minutes. Is there objection?

There was no objection.

Mr. KAHN. Mr. Speaker, I now yield to the gentleman from Michigan.

Mr. YOUNG of Michigan. Mr. Speaker, I wish to say to the gentleman from California that if our present ambassador in Great Britain be living in a style of some magnificence, he had an illustrious example, and I wish to read just a word from page 139 of "A Century of American Diplomacy," by John W. Foster, in which the author says:

> During his residence in Paris Mr. Jefferson set an example, often followed since, of taking "a handsome house * * * of considerable magnificence," and he lived in such style that after spending his salary, "with all the aid he could get from his private fortune, he was hard pressed to meet his expenses." He wrote to his friends in Congress, suggesting that an effort be made to increase his salary, but no relief came from that quarter, and it is understood that his later bankruptcy dates its origin to his life in Paris.

[Applause on the Republican side.]

Mr. KAHN. Mr. Speaker, I am thankful to the gentleman for having called that fact to the attention of the House. At an earlier period of my speech I called the attention of the House to the fact that Mr. Jefferson had appealed unsuccessfully to Congress for an increase in the salary, which he declared to be inadequate, by reason of his heavy expenses.

Mr. Speaker, while the building of the American legation should be a plain but substantial one, it should also be of such a character and in such a location that the American citizen traveling abroad will take an honest pride in it, even as he takes an honest pride in the public buildings here in Washington. He will not be satisfied with anything less, and would probably prefer to let matters drift along as at present rather than take anything less.

My friend in his speech also referred to the so-called international marriages. I think we are all in accord upon this subject. I wish a way could be devised for taxing the dowries of American brides in these matrimonial ventures, so that the penurious but titled fortune-hunter might secure but a small moiety of the price the bride pays him for a name which he himself dishonors by thus putting it up at auction to the highest bidder. [Applause.] Every true American citizen must be thoroughly disgusted with the performances of this character that have filled so much space in recent years in our American newspapers. If only the young American heiress and her parents could realize, with the late poet laureate of England, Alfred, Lord Tennyson, that—

> True hearts are more than coronets,
> And simple faith than Norman blood—

there would probably be fewer of these usually unhappy alliances in the future; but no less disgusting and revolting than the marriage itself is the snobbish curiosity of American men and women who flock to the vicinage of the church where the marriage is to be solemnized in order to blankly stare upon the bridal pair. The New York World of November 7, 1895, bore the following headlines on the occasion of the marriage of Consuelo Vanderbilt and the Duke of Marlborough:

> NOW SHE IS A DUCHESS. * * * FIVE THOUSAND WOMEN AND TWO THOUSAND MEN STRUGGLED IN THE STREET IN FRONT OF ST. THOMAS'S—INSIDE, FAIR GUESTS CLIMBED ON SEATS—THE DUKE AND HIS BRIDE GUARDED BY POLICEMEN AT CHURCH, AT HOME, AND AT DEPOT.

Mr. Speaker, according to recent press accounts the duchess is to-day a sadder but wiser woman. But the very acme of snobbishness, in my judgment, was reached when Miss May Goelet became the Duchess of Roxburghe. Again I quote from the New York World, and in this instance from the issue of November 11, 1903:

> WELL-DRESSED WOMEN MOB GOELET BRIDE—SEIZE HER HORSES BY THE REINS, CLIMB INTO HER CARRIAGE, AND SNATCH AT THE FLOWERS IN HER HAIR—MOUNTED POLICE DRIVE THEM BACK—WEDDING CEREMONY IN BOWER OF WHITE BLOOM—FOUR HUNDRED PRESENT IN THE CHURCH—TWO HUNDRED AT THE RECEPTION—DUKE AND DUCHESS DRIVE AWAY IN A SHOWER OF RICE AND WHITE SLIPPERS.
>
> Miss May Goelet was married yesterday to the Duke of Roxburghe at St. Thomas's Church, Fifth Avenue.
>
> * * * * * * *
>
> BRIDE MOBBED BY WOMEN.
>
> Fully 5,000 women—vulgar curiosity seekers, though most of them were very well dressed—jammed the streets adjoining the church and the Goelet mansion, which are four blocks apart.
>
> And these women were not content merely to watch the bridal party. They literally mobbed the bride and the church. They climbed up on the steps of the bride's carriage and poked their heads through the window, some of them even attempting to pick flowers from the bride's dress and veil; they climbed up on the church by using the heavy Virginia creepers as a ladder; they discovered a coal hole in the church area, that no one had thought to guard; and before the police had recovered from their astonishment a score of them had descended the narrow, begrimed stairway into the cellar and were groping among the dark coal bins, smearing their dainty gloves and dresses with coal dust.
>
> Before the service began women made their way to the end of a passage in the cellar and tried to burst open a door leading to the church above. The noise they made attracted some of the church attendants, who sent for the police, several of whom had already followed the women, and were arguing with them, urging them to leave. But arguments were vain. The women still kept up their attempts to burst the door leading to the church proper, and the policemen had actually to lay hands on them before they would leave. They had to come up through the same coal hole they had descended, and they presented a bedraggled and besmirched appearance when they issued, ignominiously, in the yard on the Fifty-third Street side. Some of them had white feathers in their hats when they descended, but when they reappeared, crestfallen, some in tears, the feathers were black.
>
> CLIMBED IN OVER LUMBER.
>
> Repairs are being made in the choir rooms at the rear of the church, which are entered by a door opening on the church area. A pile of lumber 5 feet high was on the piazza in front of this door. Some choir boys opened the door, and immediately a dozen women clambered over the lumber pile and forced their way into the choir rooms, brushing aside the choristers and attendants.
>
> More women scrambled in after them, until about 40 were inside, the attendants expostulating but powerless.
>
> Women kept jumping over the hedges of boxwood lining the paths of the area and then upon the porch and over the lumber.
>
> * * * * * * * *
>
> There was a compact mass of women around the main entrance of the church several hours before the service was to begin. Other battalions stormed the side doors. No one was admitted at these, yet for an hour before the ceremony and while it lasted women stood in crowds gazing wistfully at the relentless oaken portals. These women were expensively dressed, in correct costume for a wedding, and when they heard the music inside and realized that the ceremony was in progress tears of vexation and disappointment came to the eyes of some, and they presented such a ludicrously pathetic picture that even the policemen commented on their forlorn appearance.

I will cheerfully join with the gentleman from Texas in any effort he or the Members of the majority of this House may make to curb this tendency of bartering our fair American heiresses for the questionable consideration of a foreign title.

Mr. Speaker, I believe it was the crafty French King, Louis XI, who instructed his ambassadors to lie still more when they found that the officers of the States to which they were accredited indulged in the art of lying to them. Stubbs in his "Medieval History" defines an ambassador as "a person sent to lie abroad for the good of his country," and Lord Palmerston, the distinguished British diplomat, inferentially approves this definition, but adds, "thou shalt not be found out."

Even in 1733 Dr. Franklin was roundly denounced before the privy council of England by Wedderburn, the attorney general of that country, when the distinguished American sage, philosopher and diplomat, was sojourning in London as the agent of the Massachusetts Bay Colony, for having profited by the theft of confidential papers that had been written by Gov. Hutchinson to Mr. Whateley, the private secretary of Lord Grenville, of the English cabinet. And the mission of Arthur Lee to the court of Frederick the Great of Prussia failed of its purpose because Elliott, the English representative at that Prussian post, surreptitiously obtained possession of Lee's private papers, notes, and dispatches, and thus was able to thwart his plans.

Mr. Speaker, American diplomacy to-day is the diplomacy of candor. It is the diplomacy of directness. It insists on a square deal in the great game of international affairs. It has brought honor and glory to the American name. The policy of the "open door," the policy of free opportunity for the citizens of all countries in the Orient, has given immortality to the name of the lamented John Hay; and the glory of his achievements has added a luminous page to the annals of American diplomacy.

The splendid efforts of ELIHU ROOT to bind more firmly the ties of friendship that exist between the Republics of Central and South America and ourselves will prove an inspiration to

our Secretaries of State of the future in the same laudable direction. The brilliant and successful efforts of Philander C. Knox to extend American trade and to interest American capital in the uplift of the people of sister Republics, and even far-distant lands, and his pioneer work in making American diplomacy not a specialty here or there, but an intense and world-wide vigilant promotion of the interests of the American people, will be acclaimed with due appreciation by many generations yet to come.

In a speech delivered on this floor in January, 1855, John Perkins, jr., of Louisiana, uttered this sentiment:

A foreign minister is not now so much the court congratulator as the business agent of his Government; and it is more his exact knowledge of the progress and development of the trade and material interests of his country, and the history of its laws and legislation, as affecting other countries, and indicating the spirit and tendency of public opinion at home, that gives him influence, than the costliness of his living, or the degree of luster he can contribute to the brilliancy of court displays.

As the years have rolled on since those words were uttered our Secretaries of State have realized more and more the necessity for upbuilding American trade and commerce.

In the days of democratic simplicity, so much extolled by my friend from Texas, and until a comparatively recent period, the Diplomatic Service of our country did not offer a career to those who entered it. Appointments in the service, as I have heretofore stated, were frequently made to pay political debts and without a due regard to the fitness of the appointee for the position which he was called upon to occupy. All this has been changed in recent years, and I believe that if my friend from Texas were in very truth to attempt to revive the old, decrepit system of the days of primitive democratic simplicity, he would find that the American people would rise in their might and protest with all the vigor at their command against his effort.

Sir, until 1896 ours was a debtor nation. Ever since then the balance of the world's trade has been in our favor, and we have become and are now a creditor nation. The upbuilding of our trade and the investment of American capital, not only at home, but in all sections of the world, has too frequently been derisively referred to as "dollar diplomacy," just as our diplomacy of the days of democratic simplicity was formerly referred to as "shirt-sleeve" diplomacy. In his speech of last Wednesday the gentleman from Texas entirely subverted the true meaning of the phrase "dollar diplomacy." Let me tell him what dollar diplomacy is and what it has done for our country during the last few years

As has well been said by Mr. Huntington Wilson, Assistant Secretary of State, "It is not the use of the Government by capital, but the use of capital by the Government in effective furtherance of some broad policy beneficial to the United States and the American people and to the world." It contemplates helping the Government of Liberia by aiding that Government to extricate itself from the meshes of financial disaster. It contemplates helping the Government of Nicaragua to pay its indebtedness and thus to contribute toward the peace and prosperity of the inhabitants of a sister Republic. It contemplates extricating the Republic of Honduras from its burdens of debt, and by removing the temptation of insurrectionists to seize the customhouses for their own personal gain, to establish the stability of the Government of Central American Republics, just as similar efforts on the part of this Government have brought stability and prosperity to the hitherto contentious factions of Santo Domingo.

Dollar diplomacy contemplates the participation of American capital in the Hukuang loan and the currency-reform loan in China, and by such participation to help materially in the stimulation of American trade in the Chinese Empire.

It means the extension of American commerce. Within the past year or two the activities of our American legations in that direction have added millions of dollars to our export trade. This is notably the case in our commerce with the Central and South American Republics.

It means the maintenance of national honor at home and abroad. I remember when a boy it frequently—yes, all too frequently—happened that our country had to seek the aid of European governments to protect the life and property of American citizens whose interests were jeopardized in various parts of the globe. Under the influence of dollar diplomacy the international obligations have shifted. Only recently England has asked us to protect the life and property of her citizens in the Republic of Haiti. Only recently Germany has invoked the good offices of this Government in the matter of settling the claims of German citizens against the Government of Guatemala. Only recently Italy has invoked the same good offices in the matter of settling the claims of her citizens against Salvador.

And if dollar diplomacy has performed no other service, it is entitled to the everlasting gratitude of mankind for having extended its good offices to avert war between Ecuador and Peru and between the Dominican Republic and Haiti. Dollar diplomacy exerted its good offices to put an end to civil war in Honduras. It was instrumental in accomplishing the settlement of the bitter boundary dispute between Peru and Bolivia in a friendly and amicable spirit. And so I could keep on reciting the many really great achievements of our Department of State during the past two or three years. But the country and the world know and recognize the value of these achievements. Despite the despairing cry of my friend from Texas for a return to the days of diplomatic democratic simplicity—a simplicity that had its existence only in tradition and not in fact—the diplomacy of the present—dollar diplomacy, if you will—honest, sincere, candid, earnest, has attained a standard never surpassed in our country's history, and has added glory, honor, and prestige to the American Commonwealth in every section of the globe. [Applause on the Republican side.]

Mr. HENRY of Texas. Mr. Speaker, it seemed proper for me to reserve 20 minutes for replying to the address of my amiable friend from California [Mr. KAHN], but it does not now appear that it will be needed in order to answer him. However, I shall indulge a few remarks discussing what he has said.

The gentleman spoke of an incident in our early history when one of our diplomats expended $21,000 and was called to account for it. In that case we, at least, had the advantage of knowing the exact amount and the items for which the expenditures were made, but when it comes to the modern "open," "candid diplomacy" of the present Secretary of State, while we know that a certain amount of money was used and only a portion of it expended on a "portrait," we can not ascertain under this "candid diplomacy" how the other part was expended.

Mr. DALZELL. Mr. Speaker, the gentleman will allow me to correct him?

The SPEAKER. Does the gentleman yield?

Mr. HENRY of Texas. I yield to the gentleman from Pennsylvania.

Mr. DALZELL. Mr. Speaker, the incident to which the gentleman alludes did not occur under the present Secretary of State.

Mr. HENRY of Texas. It did not occur under the present Secretary of State, but when the expenditures of the people's money are questioned, information respecting them should not be withheld under the cover of "diplomatic secrets." [Applause on the Democratic side.]

Mr. DALZELL. I merely intended to have the gentleman correct in his statement as to the present Secretary of State.

Mr. KAHN. The gentleman states that while the incident which I mentioned occurred, the gentleman who drew down $21,000 was called to account. I have been unable to find anything in contemporaneous history, that is, in the history of that period, that shows that he was called to account. I made the statement to the House that the account of the incident was given in the biography of John Randolph by a well-known historic writer in this country.

Mr. HENRY of Texas. Mr. Speaker, I do not care at this time to discuss further the tender point just raised. We will hear more about it later. I meet the gentleman and accept his challenge in so far as he has endeavored to make argument this morning indorsing the recent riotous scenes occurring at the capital of Great Britain, and say that when the verdict of the people is rendered it will not be in approval of the lavish expenditure of money as exhibited on that occasion. Mr. Speaker, the gentleman speaks of our early diplomats and takes some time in reading a program of procedure when an ambassador came to our country. We all understand that in those days diplomacy was a cold, formal, and inexpensive matter. Why, the men who wrote the Declaration of American Independence wore knee breeches. They were formal in those days, and it is not of the polite formalities of which complaint is here made, but the vulgar extravagance into which this Nation has recently rushed in diplomatic matters. Mr. Speaker, my remarks were based upon a simple resolution introduced some days ago calling on the Secretary of State for certain information. And, first, let me preface what I say by calling your attention to the resolution and the act to which reference is made. The resolution was in this language:

Resolved, That the Secretary of State be, and he is hereby, directed to inform the House what action he has taken toward carrying out the provisions of the act approved February 17, 1911, providing for the acquisition in foreign countries of sites and buildings for the use of the diplomatic and consular establishments to the United States.

Mr. Speaker, when that resolution was introduced I had an idea and now have the notion that the Secretary of State has taken no steps to carry out the mandate of the Congress in regard to the same, because there are those in this country who do not wish to see the simplicity in our foreign affairs obtain that would be necessary if this act were executed by the Secretary of State. The gentleman speaks of the value of houses and lands in foreign capitals. Let us discuss that in a candid and serious fashion. In this act we provided for the expenditure of $500,000 every year for the purpose of securing embassies and houses abroad for our ambassadors and diplomatic officers. We provided that $150,000 shall be the limit of any one of them, thereby authorizing the expenditure of $450,000 in each year. Mr. Speaker, is that a liberal allowance? The gentleman complains that we can not purchase the buildings and furnish them for that sum. How much, I ask him, does he wish this Government to appropriate? Let us compare it with the buildings the European Governments occupy in this Capital.

Mr. KAHN. Will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman from Texas yield to the gentleman from California?

Mr. HENRY of Texas. I yield to the gentleman.

Mr. KAHN. I simply stated, if the gentleman will recall, that it would probably be impossible to secure an appropriate site and a building, together with the furniture, in the three great European capitals—London, Berlin, and Paris. I did not refer to any of the other cities of the world because I think that $150,000 would probably be enough in any one of them, with the possible exception of Vienna; but in the three cities which I named I think the gentleman will find the property values will be so high that it will be impossible to purchase a building in a suitable location in those three cities.

Mr. HENRY of Texas. I accept the gentleman's argument on that basis.

Now, Mr. Speaker, we have authorized the expenditure of $150,000 for each building and the furniture. The gentleman complains that that is not enough for those three places. Let us compare them with the embassies of the British Government, the German Empire, and the French Republic in the city of Washington. You are all familiar with them. Take the Kingdom of Great Britain and examine their building at Washington. Is it worth $150,000?

Mr. KAHN. Will the gentleman yield?

Mr. HENRY of Texas. I yield to the gentleman.

Mr. KAHN. Does the gentleman desire to compare this noncommercial city of Washington, with its 300,000 inhabitants, and the property values here, with the property values in the city of London, with 7,000,000 inhabitants; the city of Paris, with probably between two and three million inhabitants; and the city of Berlin, with over 3,000,000 inhabitants, and each one of those cities not only great capitals, but great commercial cities?

Mr. HENRY of Texas. With the "pauper labor of Europe," about which the gentleman's party so often complains, houses in Europe ought to be sold cheaper than in our country. Mr. Speaker, I am not comparing those houses for the purpose of contending that we should be limited to $150,000, but to illustrate the point that the main thing this Government should do is to provide a home for our ambassadors in order to maintain the dignity of this great Government as it should be abroad. [Applause.] With $150,000 we will be able to find a suitable home, a dignified residence for our American ambassador in London, as in the days of Thomas Francis Bayard, when he paid only £1,000 a year for his house and furniture. Let us see how these Governments have treated us. They have sent their ambassadors here. They are maintaining themselves in a dignified and unostentatious manner. We have no complaint to make of them, and, in view of such situation, if this Government of ours will expend $150,000 a year, and do it speedily as the act provides the Secretary of State shall do, we will find a decent, commodious, and suitable home for our ambassadors in each of the three capitals to which the gentleman alludes, and it will not be necessary for Mr. Reid, the American ambassador, to spend $400,000 a year for a country estate and town house in order to maintain a viceregal establishment, as he does in London. It is not typical of this Government. The time has come for the American people to enter a protest to such matters as these.

The gentleman says our ambassadors did some queer things in the early days. He says that Jay kissed the hand of the queen and was criticized for it. We should be thankful he had the good taste to "kiss the hand of a woman" rather than "nudge" a King. Mr. Speaker, let me allude to some of our *recent diplomatic triumphs* in London. Let the American people take into consideration these things and pass judgment upon the issues between the distinguished gentleman from California [Mr. KAHN] and myself. Permit me to call your attention to some things transpiring at the coronation show. The cable flashes this message of discord:

REID, JEALOUS, SNUBS HAMMOND AT DINNER.

LONDON, *July 1.*

According to gossip here all has not been blithe and merry between John Hays Hammond and Whitelaw Reid, respectively special ambassador to the coronation of the King and the regular American ambassador at the Court of St. James.

Much talk has resulted from the fact that when the Reids gave their big dinner dance in honor of the Connaught family the Hammonds were not seated at the hosts' table, where the guests of honor were.

The Duke of Connaught evened matters up a little by paying marked respects to Mrs. Hammond and taking her into supper. Those who do not like Ambassador Reid here say he could not bear to see another American more in the limelight at the coronation ceremonies and entertainments than himself.

Mr. Speaker, it ought to be investigated, and if John Hays Hammond is supplanting Ambassador Reid, seeking kingly favors, some sort of punishment ought to be administered. [Applause on the Democratic side.] The gentleman from California says that when the King and Queen were in a great royal procession and recognized John Hays Hammond and his wife they were not recognized merely as individuals, but that the King and Queen were recognizing this Government. We should be thankful that at last a king and queen of a great monarchy are forced to recognize our American Republic. [Applause on the Democratic side.] Some other "serious matters" have occurred since then, and it is hoped that Mr. Hammond will take his departure from the London capital before something desperate occurs. Let me call to your attention this cablegram:

HAMMOND NUDGES THE KING, SOCIETY IS HORRIFIED, BUT THE MONARCH HIMSELF SMILES, AT LONDON DINNER.

NEW YORK, *July 10.*

A London cable to the New York American says:

"John Hays Hammond and family go to Scotland to-morrow, leaving aristocratic Anglo-American society horrified by a story that has just leaked out.

"At Sir Edward Grey's dinner to the King at the foreign office Mr. Hammond, in speaking, touched the royal elbow, saying, 'I should think, sir, you would be gratified that everything passed off without a hitch'—

He meant by that expression that the crown did not get "hitched" to something else before getting to the King's head. Fortunate King! Or, perhaps, he felicitated the King upon the fact that Hammond and Reid had not "hitched," which really looked imminent at one important stage of the proceedings. Perhaps he meant that the King was fortunate that the crown did not get "hitched" to Hammond's head. For really it looked doubtful for several days in American papers whether the coronation ceremonies were convened for the purpose of crowning Hammond instead of George. We are sure the King won, because John congratulated George the victor—

"The King smilingly replied—'

It was good of the King to smile. Then it showed he was certain he had landed ahead of Hammond.

"'Mr. Hammond, I am glad to hear you say it.'

"The Duchess of Roxburghe, Countess Granard, and Mrs. John Ward, who saw Mr. Hammond's familiarity with the monarch, criticized the action seriously. But royalty seems happiest to be treated like humanity."

Mr. Speaker, we have arrived at a happy point where one of our American diplomats can go abroad as a special envoy, reveling in wealth, and touch the elbow of the King. [Applause on the Democratic side.] We have *advanced* in diplomacy since old John Jay kissed the hand of the Queen, when our ambassador is so familiar with the King that he can "nudge" him. [Laughter.] As an American I feel proud of it. Hereafter, as a tribute to his diplomatic prowess, let him be known in history as "Jack the Nudger." [Laughter and applause on the Democratic side.]

Mr. KAHN. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Texas yield to the gentleman from California?

Mr. HENRY of Texas. Yes; I yield to the gentleman.

Mr. KAHN. Does not the gentleman believe that when an ambassador to-day can nudge a king we have advanced in democratic simplicity and that the period of to-day is the true period of democratic simplicity?

Mr. HENRY of Texas. I do not believe that John Hays Hammond could ever have nudged the King if he had not worn his knee breeches. [Laughter.]

Mr. NORRIS. Will the gentleman yield?

The SPEAKER. Does the gentleman from Texas yield to the gentleman from Nebraska?

Mr. HENRY of Texas. I yield.

Mr. NORRIS. I would suggest, in reply to the gentleman from California, who thinks we have advanced because in

olden days they kissed the king's hand and now we nudge the king's elbow, that it seems to me that is going backward. [Laughter.]

Mr. HENRY of Texas. Not being a lady's man, like my friend from Nebraska, I did not make the remark. [Laughter.]

Mr. SIMS. Can the gentleman tell me what hour it was?

Mr. HENRY of Texas. The information I have is that it was just about 3.45 in the morning, just the time when they *carried home the ambassador*, to whom the gentleman from California [Mr. KAHN] referred a few moments ago.

Mr. HARDY. I think the time ought to be known, or if it was not noted I would have expected that the clock had stopped. [Laughter.]

Mr. MOORE of Pennsylvania. Does not the gentleman think it would help to illuminate this subject a little if he would describe this peculiar nudge that was indulged in on this particular occasion—just how it was done? [Laughter.]

Mr. HENRY of Texas. It undoubtedly would contribute to the understanding of the subject and edify the House very much. I feel sure it was a genuine California nudge. It might have been a hunch.

Mr. KAHN. I will say to the gentleman that if it was a California nudge——

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman——

The SPEAKER. To whom does the gentleman from Texas yield?

Mr. HENRY of Texas. I decline to yield to anyone at this point except the King of England or John Hays Hammond. [Laughter.]

Mr. Speaker, to show the impression made on the American people—*and it is a serious question*—permit me to read extracts from an American newspaper, the Washington Herald, of this morning:

WHEN HAMMOND NUDGED THE KING.

Ye gods and little fishes, how the dukes and duchesses around the royal presence palpitated when Hammond nudged the King!

Upon the tip of the ambassador's tongue trembled a remark. He wanted to tell his royal highness that the coronation had passed off as easily as a greased pig runs around the circus arena, or words to that effect. And to make sure that the monarch would get the full effect of the complimentary remark, he gave the benign ruler a gentle touch upon the sleeve.

It was a breech of etiquette, perhaps, and the lords and ladies stood aghast. Did the King faint or scowl or demand that the bold and bad American should preface his action with a "by your leave"? Not at all. He responded in an affable and happy manner, as if he, too, were made of common flesh and rather enjoyed being treated in human fashion. Whereupon the titled audience wondered all the more.

But we Americans will like the British King all the better for the good sense which he displayed when he felt a gentle pressure upon his royal person. Easily, John Hays Hammond is the hero of the hour.

Why, Mr. Speaker, if we send this envoy to another coronation carnival, in imitation of the polite French style, he will "nudge" the Queen. [Laughter.] So you see, Mr. Speaker, the importance of the issue between the gentleman from California and myself. His remarks were learned, and contributed to our edification; but, in all seriousness, he failed to touch the real subject before the American people.

A little more than half a century ago we had scarcely a millionaire in this country, and to-day more than half the wealth of the Republic is concentrated in the hands of a few. We have an ambassador at London paying more than $400,000 per annum for a town house and country estate, according to the reports cabled from that capital. We had a special ambassador there on a recent historic occasion with his retinues dressed in diamonds and peacock feathers. Tell me that the American people will indorse that kind of extravagance! Mr Speaker, what are we coming to when a gentleman will stand before the American people and say that we must send multimillionaires abroad as ambassadors, and that real scholars and diplomatists must stand back and decline the posts because they are not endowed with sufficient riches to maintain them? [Applause on the Democratic side.] It was that very thing in my mind when this resolution was introduced. We will go before the American people, not in a partisan sense, in 1912 and see whether they authorize you to put these great diplomatic posts up to be bought in by the highest bidder amongst multimillionaires, or whether the Eliots and the David Jayne Hills and the Thomas Francis Bayards and men of that type shall reflect the true dignity of this mighty Republic. Mr. Speaker, I referred to Thomas Francis Bayard as a typical American ambassador and reiterate my statement on this occasion. The gentleman alludes to the fact that Bayard made some speech while abroad that was not received favorably there and in some quarters of our country.

Mr. KAHN. Will the gentleman yield?

Mr. HENRY of Texas. Just one minute. I am proud of the fact that old Thomas Francis Bayard, that typical American, "unmuzzled" himself and spoke as becomes an American citizen. I yield to the gentleman from California.

Mr. KAHN. The gentleman is not familiar with the matter to which I alluded. The speech of Mr. Bayard was received with great applause in England, but it was not well received in this country. He made the statement that we were a "violent people," and that it required a great man "to govern us," Grover Cleveland being the great man at that time. That caused the resolutions to be brought into this House censuring Mr. Bayard.

Mr. BARTLETT. And which did not pass.

Mr. HENRY of Texas. Mr. Speaker, if he did make that statement, I am glad of it. We have no business making it a secret that we are a violent people. Let us agree that we are violent, and sooner or later we will correct the evil. We do need a great man as an Executive, and we had one when Grover Cleveland filled the Presidency. [Applause on the Democratic side.] Mr. Speaker, he is not the last great man we will have. Let me say to the gentleman if his party will indorse what he says about the lavish expenditure of wealth upon that recent riotous occasion, and similar ones, we will have another great man for President in 1912, and he will not come from that side of the House of Representatives. [Applause on the Democratic side.]

Allusion was made to the fact that Charles W. Eliot, the president of Harvard University for years, had declined the position of ambassador to Great Britain. He could not accept that great honor because he was financially poor, although he had every endowment of intellect and heart and conscience, and was admirably qualified to be our representative at that ancient court. It is a shame to the American people that such a man could not accept the position, but had to give way to that vulgar wealth now rapidly dragging its blighting trail over every cottage in this Republic. [Applause on the Democratic side.]

One of our accomplished diplomatists had to give way in another court. Why has Dr. David Jayne Hill relinquished his post at the court of the German Empire? It has been stated more than once in the public press that the German Emperor indicated to him, either directly or indirectly, that a poverty-stricken ambassador there was not desirable. That one was desired like the vice regal Charlemagne Tower, who, if possible, outvied John Hays Hammond and Whitelaw Reid in the almost obscene expenditure of wealth. But his career is cut short—a finished, scholarly, capable diplomat—and the country is yet uninformed as to why he relinquished his post. When the gentleman from California [Mr. KAHN] speaks of the "candid diplomacy of the present Secretary of State," will he answer me and tell the American people why Dr. David J. Hill left the German court and has practically been compelled to give up his post? Will the gentleman take the American people into his confidence? Will the "candid Secretary of State" tell the American people why he has resigned? Ah, Mr. Speaker, if he can not and will not tell, I think we know the answer. Perhaps the history coming after us will verify what is said here this day, unless the President changes his mind. It has been stated more than once in the public press and in private that this great diplomat was forced to give up his high station at the behest of the German Emperor in order that some gentleman of South African fame, with great riches, might be sent to Germany, and there renew the extravagance witnessed several years ago. History will justify me in this prediction, unless the President changes his mind. Mr. Speaker, as far as I am concerned, it would be preferable that this Government should not send any ambassador to Germany rather than bow to the decree of that Empire when the test of sordid riches is fixed as the sine qua non of acceptability. [Applause on the Democratic side.] Will the gentleman meet me on that issue in this House or elsewhere?

Mr. KAHN. What was the question the gentleman desired to ask?

Mr. HENRY of Texas. I have two questions. First, I wanted to know why Dr. David J. Hill resigned his post at Berlin, and if the gentleman from California indorses the proposition that John Hays Hammond shall be the ambassador to Germany, as the President intends at this date he shall be?

Mr. KAHN. I want to say to the gentleman that I have seen nothing in the papers that would convince me that Mr. Hill has resigned. I have seen no notice of his resignation, to begin with. As far as any appointment is concerned, I am not in the confidence of the President to that extent. I should feel very happy if the President were to honor me by asking me my opinion; and if he were to ask me whether John Hays

Hammond, as a gentleman and a scholar, could adequately represent this Government at any court in the world, I should unhesitatingly give my approval of such an appointment. [Applause on the Republican side.]

Mr. HENRY of Texas. Well, Mr. Speaker, if the gentleman had been reading the published current events instead of the diplomatic history of ancient times, he might have ascertained that Dr. David J. Hill has relinquished his post at Berlin.

Mr. KAHN. Mr. Speaker——

The SPEAKER. Does the gentleman yield?

Mr. HENRY of Texas. I yield to the gentleman.

Mr. KAHN. I understood the gentleman to say that Dr. Hill has resigned. I have seen nothing in any responsible paper that confirms that statement.

Mr. HENRY of Texas. Well, they are just waiting for John Hays Hammond to get through in England, go over to Scotland, come back to this country, and get his credentials.

Mr. PAYNE. Mr. Speaker——

The SPEAKER. Does the gentleman yield to the gentleman from New York?

Mr. HENRY of Texas. With great pleasure.

Mr. PAYNE. Is it not a fact that the statement was made in some newspaper and denied the next day in regard to Mr. Hill being persona non grata in Berlin? Was it not denied the next day, and has not it been denied two or three times since? He does not know anything more about it than we do.

Mr. HENRY of Texas. The gentleman from New York is always right to this extent, just about to the degree he is behind on his information in regard to tariff revision. It is true the statement was given out that he had resigned, and that it was denied the next day. But here is where the gentleman fails in his perception. It was repeated the next day and has not been since denied.

Mr. PAYNE. Oh, yes; it was denied until they got out of type.

Mr. HENRY of Texas. Then, Mr. Speaker, they have repeated it again; so it has not been denied since the last time.

Mr. PAYNE. If I will deny it? I absolutely have no information. I am just like the gentleman, inasmuch as I do not know anything about it. When I see a thing in the newspaper, and then see it denied and then see it asserted again and then denied I do not know which tells the truth.

Mr. HENRY of Texas. I will admit that you "have no information," but will not agree that you are "just like the gentleman from Texas."

Mr. PAYNE. Then I will amend that. In matters like this I am just like the gentleman from Texas.

Mr. HENRY of Texas. The gentleman from California [Mr. KAHN] referred to Thomas Jefferson, and said that while abroad he was so extravagant he had to write home and ask that his salary be increased. They did not increase it, and yet it was small. They did not comply with his request. Everybody knows that Thomas Jefferson, while the greatest Democrat this world ever produced, had no idea how to save and spend money in his personal matters. They refused to allow him to set the pace over in Europe and to increase his salary.

Mr. Speaker, I think the points have been made plain that are essential for this country to understand. And it is asserted to-day, as on the 5th day of July, that the almost obscene display of wealth and personal adornment at the London capital was nauseating to this country and every enlightened people of the earth. [Applause on the Democratic side.] It gratifies me that the gentleman agrees in regard to "international marriages." Everybody will concur that the time has come when the American boy is a loftier character than thin-blooded, puny princes of any European country. So, Mr. Speaker, if we can awaken the American people on this question and hark back to the early days of the Republic, when our expenditures were few and frugal, when there were no fortunes mountain high to be displayed on every public occasion, if we can recall the people to that era of our diplomacy when Washington, Jefferson, Madison, and Monroe presided over our destinies, we may avert the day when corruption of riches will certainly corrode and undermine the very foundations of the Republic, thus reversing our history of more than a hundred years. [Applause on the Democratic side.]

WITHDRAWAL OF PAPERS.

Mr. HUGHES of New Jersey, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of Laura E. R. Hatfield, Sixty-first Congress, no adverse report having been made thereon.

CHANGE OF REFERENCE.

By unanimous consent the Committee on Appropriations was discharged from the further consideration of the bill (H. R. 12361) providing for the establishment and operation of a Government owned and controlled line of steamers along the Pacific coast and through the Panama Canal, and making provisions therefor, and the same was referred to the Committee on Interstate and Foreign Commerce.

ADJOURNMENT.

Then, on motion of Mr. HENRY of Texas (at 3 o'clock and 34 minutes p. m.), the House adjourned until Saturday, July 15, at 12 o'clock m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of War, calling attention to department letter of June 9, 1911, relative to disposition of useless executive documents pertaining to the Bureau of Insular Affairs and on request of Librarian of Congress withdrawing recommendation that they be destroyed (H. Doc. No. 92); to the Committee on Disposition of Useless Executive Papers and ordered to be printed.

2. A letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Missouri River, Sioux City, Iowa, to Fort Benton, Mont. (H. Doc. No. 91); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 10255) granting an increase of pension to James Kenyon; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 12198) granting an increase of pension to Frederick W. Duden; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 9673) granting a pension to Julia M. Ashby; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 3720) granting an increase of pension to Frederick Burnett; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 12383) granting a pension to William Barth; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. AIKEN of South Carolina: A bill (H. R. 12406) to establish a fish hatchery and fish-cultural station in the State of South Carolina; to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 12407) to provide for the erection of a monument to Brig. Gen. Andrew Pickens; to the Committee on the Library.

Also, a bill (H. R. 12408) to remove obstructions to lawful commerce between the States and with foreign nations; to the Committee on Agriculture.

Also, a bill (H. R. 12409) dividing the State of South Carolina into two judicial districts, providing for the appointment of a district judge, etc.; to the Committee on the Judiciary.

By Mr. RAKER: A bill (H. R. 12410) for the erection of a public building at the city of Susanville, State of California, and appropriating moneys therefor; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 12411) to purchase and provide grounds and erect buildings and furnish the same for the Greenville Indian School, at Greenville, Cal.; to the Committee on Indian Affairs.

By Mr. RODDENBERY: A bill (H. R. 12412) to increase the pay of rural carriers and to extend and perfect the rural mail service; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 12413) to extend and improve rural free mail delivery so as to deliver mail daily at the door or upon the premises of each patron on rural mail routes throughout the United States; to the Committee on the Post Office and Post Roads.

By Mr. WICKLIFFE: A bill (H. R. 12414) to provide for the proper utilization of the equipment used or obtained for

use in the construction of the Panama Canal when said equipment or any part thereof is no longer necessary in the construction or to the maintenance of said canal, by utilizing said equipment in the improvement of the rivers and harbors in the United States for navigation, for the construction of works in reclamation, drainage, and irrigation projects in the United States, when authorized by Congress, and for the construction and improvement of public highways in the United States, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MOORE of Pennsylvania: A bill (H. R. 12415) to prevent and punish the desecration of the flag of the United States; to the Committee on the Judiciary.

By Mr. TALCOTT of New York: A bill (H. R. 12416) to promote the safety of passengers and other persons upon railroads by compelling carriers engaged in interstate commerce and in carrying United States mail to properly locate in trains cars constructed of wood; to the Committee on Interstate and Foreign Commerce.

By Mr. CALDER: A bill (H. R. 12417) to provide for the establishment and equipment of life-saving stations upon the waters of the United States not at present protected by the United States Life-Saving Service; to the Committee on Interstate and Foreign Commerce.

By Mr. BOOHER: A bill (H. R. 12418) to prevent dumping of refuse material into the Missouri River opposite or in front of Platte County, Mo., or opposite or in front of Leavenworth County, in the State of Kansas; to the Committee on Interstate and Foreign Commerce.

By Mr. HUGHES of New Jersey: A bill (H. R. 12419) providing for the removal of certain actions pending in the Supreme Court of the District of Columbia from one justice of said court to another justice of the same court; to the Committee on the Judiciary.

By Mr. GOOD: A bill (H. R. 12420) granting pensions to certain enlisted men, soldiers and officers, who served in the Civil War and the War with Mexico, and amending the act of April 19, 1908, relative to widows of soldiers, etc., of the Civil War; to the Committee on Invalid Pensions.

By Mr. MORRISON: A bill (H. R. 12421) to amend an act making an appropriation for the support of the Military Academy for the fiscal year ending June 30, 1911, and for other purposes, approved April 19, 1910; to the Committee on Military Affairs.

By Mr. McGUIRE of Oklahoma: A bill (H. R. 12422) providing for the per capita distribution of the proceeds of the sale of the unallotted lands of the Choctaw and Chickasaw Indians; to the Committee on Indian Affairs.

By Mr. LAMB: A bill (H. R. 12423) for the purchase and preservation of Jamestown Island, Va., as a national park, and making an appropriation therefor; to the Committee on Military Affairs.

By Mr. KENT: A bill (H. R. 12424) to authorize a survey of San Rafael Creek, Marin County, Cal.; to the Committee on Rivers and Harbors.

By Mr. WARBURTON: A bill (H. R. 12425) to establish a mint of the United States at Tacoma, in the State of Washington; to the Committee on Coinage, Weights, and Measures.

By Mr. FITZGERALD: Joint resolution (H. J. Res. 130) making appropriations for certain expenses of the House of Representatives incident to the first session of the Sixty-second Congress; to the Committee on Appropriations.

By Mr. DICKSON of Mississippi: Joint resolution (H. J. Res. 131) providing that the records of the various departments of the Government, so far as they cover or relate to any claim against the United States, shall be open to inspection of Members of the House and Senate; to the Committee on War Claims.

By Mr. GARDNER of Massachusetts: Memorial from the Legislature of Massachusetts urging United States Government to exert all possible means to amend present treaty with Russia, or form new treaty, by which American citizens, regardless of race, color, or creed, traveling in that country shall not be treated with discrimination; to the Committee on Foreign Affairs.

By Mr. PETERS: Memorial from the Legislature of Massachusetts requesting that the treaty between the United States and Russia be enforced; to the Committee on Foreign Affairs.

By Mr. REILLY: Memorial from the Legislature of Connecticut requesting the immediate passage of an act by Congress extending domestic general parcels post; to the Committee on the Post Office and Post Roads.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AIKEN of South Carolina: A bill (H. R. 12426) granting a pension to Hester J. Wilson; to the Committee on Pensions.

Also, a bill (H. R. 12427) granting a pension to Anna Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12428) granting a pension to George W. Bussey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12429) granting a pension to Charles J. Tribble; to the Committee on Pensions.

Also, a bill (H. R. 12430) granting a pension to Eliza T. Henderson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12431) for the relief of Mrs. C. D. Corbin; to the Committee on Claims.

Also, a bill (H. R. 12432) for the relief of Mary S. Corbin; to the Committee on Claims.

Also, a bill (H. R. 12433) for the relief of R. Q. Merrick; to the Committee on Claims.

By Mr. ALEXANDER: A bill (H. R. 12434) granting a pension to John H. Woodruff; to the Committee on Pensions.

By Mr. ASHBROOK: A bill (H. R. 12435) granting an increase of pension to William F. Crites; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12436) granting an increase of pension to William Ramsey; to the Committee on Pensions.

By Mr. BOOHER: A bill (H. R. 12437) granting a pension to William H. Chattle; to the Committee on Invalid Pensions.

By Mr. BRADLEY: A bill (H. R. 12438) granting an increase of pension to Samuel H. Hulse; to the Committee on Invalid Pensions.

By Mr. BROWN: A bill (H. R. 12439) for the relief of Thomas J. Lloyd; to the Committee on War Claims.

By Mr. CALDER: A bill (H. R. 12440) granting an increase of pension to Sarah H. David; to the Committee on Invalid Pensions.

By Mr. COX of Ohio: A bill (H. R. 12441) granting an increase of pension to W. H. Earley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12442) granting an increase of pension to James Willson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12443) granting an increase of pension to Milton Ross; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12444) granting an increase of pension to P. H. Bergen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12445) granting an increase of pension to James C. Franklin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12446) granting an increase of pension to Henry Nugent; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12447) granting an increase of pension to Henry Halteman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12448) granting an increase of pension to Simon Roth; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12449) granting an increase of pension to Henry Braden; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12450) granting an increase of pension to Henry Davidson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12451) granting an increase of pension to Alexander Hart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12452) granting an increase of pension to William M. King; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12453) granting an increase of pension to James M. Spry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12454) granting an increase of pension to Timothy Sullivan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12455) granting an increase of pension to John Molloy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12456) granting an increase of pension to Jacob Krick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12457) granting an increase of pension to James Willson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12458) granting an increase of pension to Mary Kohler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12459) granting an increase of pension to William O. Keefe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12460) granting an increase of pension to John F. Cahill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12461) granting an increase of pension to B. F. Wambaugh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12462) granting a pension to Claude Wilson; to the Committee on Pensions.

Also, a bill (H. R. 12463) granting a pension to Juniata Anglemeyer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12464) granting a pension to Annie O'Neil; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12465) granting a pension to Anna M. Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12466) granting a pension to Alice V. Lutes; to the Committee on Pensions.

By Mr. CULLOP: A bill (H. R. 12467) granting a pension to Arthur A. Pinkston; to the Committee on Pensions.

By Mr. DAVIS of West Virginia: A bill (H. R. 12468) granting a pension to Mary C. Gillespie; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12469) granting a pension to Jesse Lydick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12470) granting an increase of pension to William Hodgkiss; to the Committee on Invalid Pensions.

By Mr. FLOYD of Arkansas: A bill (H. R. 12471) granting an increase of pension to Martin C. Smith; to the Committee on Invalid Pensions.

By Mr. FOCHT: A bill (H. R. 12472) granting an increase of pension to Samuel Musselman; to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 12473) granting an increase of pension to Benjamin Simmons; to the Committee on Invalid Pensions.

By Mr. HAMILTON of Michigan: A bill (H. R. 12474) granting an increase of pension to Henry D. Austin; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 12475) for the relief of the legal representative of Joseph R. Payne; to the Committee on Claims.

By Mr. HAY: A bill (H. R. 12476) for the relief of Henry W. Carpenter; to the Committee on Claims.

By Mr. HUGHES of New Jersey: A bill (H. R. 12477) granting a pension to Elizabeth Buhr; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12478) granting an increase of pension to Thomas Holmes; to the Committee on Invalid Pensions.

By Mr. LAMB: A bill (H. R. 12479) for the relief of David R. Connard; to the Committee on War Claims.

Also, a bill (H. R. 12480) for the relief of the heirs of William Southworth, deceased; to the Committee on War Claims.

By Mr. LANGLEY: A bill (H. R. 12481) for the relief of the legal representatives of Nathan Gibbs; to the Committee on War Claims.

By Mr. LITTLEPAGE: A bill (H. R. 12482) granting a pension to David King; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12483) granting an increase of pension to Allen Tyler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12484) granting a pension to Nancy J. Bryant; to the Committee on Invalid Pensions.

By Mr. LONGWORTH: A bill (H. R. 12485) granting a pension to Susanna Manning; to the Committee on Invalid Pensions.

By Mr. McGUIRE of Oklahoma: A bill (H. R. 12486) granting an increase of pension to Josiah W. Reeser; to the Committee on Invalid Pensions.

By Mr. McKINLEY: A bill (H. R. 12487) to grant an honorable discharge to Arthur Wood; to the Committee on Military Affairs.

By Mr. McKINNEY: A bill (H. R. 12488) for the relief of Francis H. Connelly; to the Committee on War Claims.

By Mr. MACON: A bill (H. R. 12489) granting an increase of pension to John Small; to the Committee on Invalid Pensions.

By Mr. MORRISON: A bill (H. R. 12490) granting an increase of pension to George B. Roach; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12491) for the relief of Louise M. Bales; to the Committee on War Claims.

By Mr. O'SHAUNESSY: A bill (H. R. 12492) granting an increase of pension to Bridget Lynch; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12493) granting an increase of pension to Mary A. Mitchell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12494) granting an increase of pension to Annie E. Donnelly; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12495) granting an increase of pension to George C. Simmons; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12496) granting an increase of pension to Margurite D. Pollard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12497) granting an increase of pension to Mary J. Waddington; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12498) granting an increase of pension to Alexander Mills; to the Committee on Invalid Pensions.

By Mr. PROUTY: A bill (H. R. 12499) granting an increase of pension to Ellis R. Douglass; to the Committee on Invalid Pensions.

By Mr. RAKER: A bill (H. R. 12500) granting a pension to Joshua Bear; to the Committee on Pensions.

Also, a bill (H. R. 12501) granting an increase of pension to Zebina M. Hunt; to the Committee on Pensions.

Also, a bill (H. R. 12502) for the relief of W. W. Blood; to the Committee on Claims.

By Mr. REYBURN: A bill (H. R. 12503) authorizing the appointment of Maj. John S. Bishop, United States Army, retired, on the retired list of the Army, with the rank of brigadier general; to the Committee on Military Affairs.

By Mr. RUSSELL: A bill (H. R. 12504) granting a pension to Thomas Lathrop; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12505) granting an increase of pension to William McDonald; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12506) granting an increase of pension to George W. Wallace; to the Committee on Invalid Pensions.

By Mr. SIMS: A bill (H. R. 12507) for the relief of Alfred Vickry; to the Committee on War Claims.

By Mr. SMITH of New York: A bill (H. R. 12508) granting an increase of pension to Nicholas Roth; to the Committee on Invalid Pensions.

By Mr. J. M. C. SMITH: A bill (H. R. 12509) granting an increase of pension to Henry D. Jordan; to the Committee on Invalid Pensions.

By Mr. SPARKMAN: A bill (H. R. 12510) granting a pension to Frank E. Saxon; to the Committee on Pensions.

Also, a bill (H. R. 12511) granting an increase of pension to Joseph D. Hazzard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12512) granting an increase of pension to Isham Walker; to the Committee on Pensions.

Also, a bill (H. R. 12513) granting an increase of pension to James M. Hendry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12514) granting an increase of pension to George W. Lyons; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12515) granting an increase of pension to Joseph G. Long; to the Committee on Pensions.

Also, a bill (H. R. 12516) granting an increase of pension to D. W. Starkey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12517) granting an increase of pension to John Bryant; to the Committee on Pensions.

Also, a bill (H. R. 12518) granting an increase of pension to Henry Parish; to the Committee on Pensions.

By Mr. STEPHENS of Texas: A bill (H. R. 12519) granting a pension to John Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12520) granting an increase of pension to Horatio H. Rice; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Ohio: A bill (H. R. 12521) granting a pension to Emma Radcliff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12522) granting an increase of pension to John D. Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12523) for the relief of Catherine Weirick; to the Committee on War Claims.

By Mr. WEDEMEYER: A bill (H. R. 12524) granting a pension to Melvina Wiggins; to the Committee on Invalid Pensions.

By Mr. WILSON of New York: A bill (H. R. 12525) granting a pension to Ernestine Hennig; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12526) for the relief of Charles Lauber; to the Committee on Military Affairs.

Also, a bill (H. R. 12527) to remove the charge of desertion from the record of Frederick Wells; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALEXANDER: Papers to accompany bill for relief of John H. Woodruff; to the Committee on Pensions.

By Mr. ASHBROOK: Petition of Nels. W. Peterson, of Coshocton, Ohio, asking for the passage of the Berger resolution for an investigation of the kidnaping of the McNamara brothers; to the Committee on the Judiciary.

By Mr. AYRES: Petition of citizens of the Bronx, in favor of parcels post; to the Committee on the Post Office and Post Roads.

By Mr. BARCHFELD: Petition of the Manufacturers' Association of Beaver County, Pa., favoring a bill authorizing the construction of the Lake Erie and Ohio River Ship Canal under

the supervision of the United States Government and its engineers; to the Committee on Rivers and Harbors.

By Mr. BATES: Petition of Erie (Pa.) citizens against the passage of parcels-post laws; to the Committee on the Post Office and Post Roads.

By Mr. CALDER: Resolution of American Medical Association, urging that Congress amend the pure food and drug law so that false statements of any kind appearing upon the labels, circulars, etc., of foods and drugs be made unlawful; to the Committee on Agriculture.

Also, petition of Bamberger-Stern Co., of New York, N. Y., urging upon Congress the passage of legislation for the preservation of Niagara Falls; to the Committee on Foreign Affairs.

Also, resolution of the National Paper Trade Association, protesting against such clauses in the Canadian reciprocity measure as discriminate against the United States paper manufacturers; to the Committee on Ways and Means.

Also, petition of Montauk Paint Manufacturing Co., of Brooklyn, N. Y., urging the establishment of a permanent tariff board; to the Committee on Ways and Means.

By Mr. DYER: Papers to accompany House bill 4825; to the Committee on Invalid Pensions.

By Mr. FORNES: Petition of several residents of New York, N. Y., praying for the repeal of duty on lemons; to the Committee on Ways and Means.

By Mr. KAHN: Resolutions adopted by the Merchants' Association, San Francisco, Cal., in favor of bridging San Francisco Bay between San Francisco and Oakland, Cal.; to the Committee on Rivers and Harbors.

Also, petition of the Chamber of Commerce, San Francisco, Cal., protesting against suspension of coastwise trade laws; to the Committee on the Merchant Marine and Fisheries.

Also, memorial of the Merchants' Exchange of San Francisco, Cal., recommending that Congress at its special session fix the tolls to be charged for passage through the Panama Canal; to the Committee on Railways and Canals.

Also, resolution adopted by the Chamber of Commerce, Sacramento, Cal., in favor of Senate bill 817; to the Committee on Naval Affairs.

By Mr. O'SHAUNESSY: Petition of John E. Hurley, of Providence, R. I., for a reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

Also, resolution by Order of B'rith Abraham, opposing the restrictive immigration measure now pending in Congress; to the Committee on Immigration and Naturalization.

Also, resolution by New England Manufacturing Jewelers and Silversmiths' Association, urging upon Congress the necessity of a 30-foot channel in the Providence River to meet demands of commercial conditions at the port of Providence; to the Committee on Rivers and Harbors.

By Mr. PAYNE: Petition of 40 citizens of Mays Mill, N. Y., and others from the State, asking that the duty on raw and refined sugars be reduced; to the Committee on Ways and Means.

By Mr. PUJO: Petition of citizens of Calcasieu Parish, La., against the passage of the Johnston Sunday bill (S. 237); to the Committee on the District of Columbia.

By Mr. J. M. C. SMITH: Resolutions adopted by the American Medical Association in annual session at Los Angeles, Cal., June 26, 1911, petitioning Congress to amend the pure food and drug laws at the present session so that false statements of any kind appearing upon the labels, circulars, etc., of foods and drugs be made unlawful; to the Committee on Agriculture.

Also, petition of H. Nicola and 65 others, of Battle Creek, Mich., in favor of the Webb interstate bill; to the Committee on Alcoholic Liquor Traffic.

Also, petition of U. T. Sanders and 39 others, of Battle Creek, Mich., in favor of the Webb interstate bill; to the Committee on Interstate and Foreign Commerce.

By Mr. STEPHENS of California: Petition of numerous citizens of California, asking that the duty on raw and refined sugars be reduced; to the Committee on Ways and Means.

Also, resolution of the Federated Improvement Association, approving House bill 4660; to the Committee on the Merchant Marine and Fisheries.

By Mr. STEPHENS of Texas: Petition of Retail Merchants' Association of Canadian, Tex., protesting against the passage of parcels-post bill; to the Committee on the Post Office and Post Roads.

By Mr. SULZER: Resolution of Orchardvale Grange, 334, Granger, Wash., in favor of parcels post; to the Committee on the Post Office and Post Roads.

Also, resolutions adopted by the American Medical Association in annual session at Los Angeles, Cal., June 26, 1911, petitioning Congress to amend the pure food and drug laws at the present session so that false statements of any kind appearing upon the labels, circulars, etc., of foods and drugs be made unlawful; to the Committee on Agriculture.

Also, resolution of the Patrick Keenan Association, protesting against the conduct of Russia toward Jews; to the Committee on Foreign Affairs.

Also, resolutions of the Richmond Branch of the Alliance of German Societies of the State of Indiana, in favor of House resolution No. 166, providing for an investigation of the administration of the immigration office at Ellis Island; to the Committee on Immigration and Naturalization.

By Mr. TAYLOR of Ohio: Petition of numerous grocers in Columbus, Ohio, protesting against the duty on sugar; to the Committee on Ways and Means.

By Mr. WEDEMEYER: Petition of numerous citizens of Salem, Mich., asking for a reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

SENATE.

THURSDAY, *July 13, 1911.*

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.:

Almighty God, our heavenly Father, we thank Thee for Thy word that Thou wilt not leave us nor forsake us until Thou hast done that which Thou hast promised unto us. As we come unto Thee with troubled hearts and saddened spirits, fulfill in Thy servants, we pray Thee, Thine own word. Restore to Thine afflicted servants, we beseech Thee, the joy of Thy salvation, and in their sore and sudden loss strengthen them with Thy heavenly grace. And unto Thee, who givest and who takest away, will we ascribe praise now and for evermore. Amen.

The Journal of yesterday's proceedings was read and approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House has passed a bill (H. R. 12312) to amend paragraph 500 of the act approved August 5, 1909, entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. PERKINS presented a petition of the Chamber of Commerce of Sacramento, Cal., praying for the adoption of an amendment to the so-called corporation-tax law permitting corporations to make returns at the end of their fiscal years, which was referred to the Committee on Finance.

He also presented a resolution adopted by the Seventh California Volunteer Association at Los Angeles, Cal., remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

Mr. NELSON presented a memorial of Local Division No. 2, Ancient Order of Hibernians, of Hennepin County, Minn., remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

Mr. OLIVER presented a petition of the Board of Trade of Shenandoah, Pa., and a petition of the Chamber of Commerce of Lancaster, Pa., praying for the proposed reciprocal trade agreement between the United States and Canada, which were ordered to lie on the table.

He also presented a petition of sundry citizens of Sellersville, Pa., praying for the enactment of legislation to further restrict immigration, which was referred to the Committee on Immigration.

He also presented a memorial of Local Division No. 6, Ancient Order of Hibernians, of Dawson, Pa., and a memorial of Local Division No. 7, Ancient Order of Hibernians, of Keisenring, Pa., remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LODGE:

A bill (S. 3023) to amend section 2527 of the Revised Statutes; to the Committee on Finance.

A bill (S. 3024) to provide for the reconstruction, alteration, and repair of a bridge across the Weymouth Back River, in the State of Massachusetts; to the Committee on Commerce.

By Mr. WILLIAMS:

A bill (S. 3025) for the relief of the heirs of J. L. W. Bullock, deceased; to the Committee on Claims.

By Mr. BROWN:

A bill (S. 3026) to correct the military record of Charles Sutton; to the Committee on Military Affairs.

ASSISTANT CLERK TO COMMITTEE ON THE JUDICIARY.

Mr. CLARK of Wyoming submitted the following resolution (S. Res. 103), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on the Judiciary is hereby authorized to employ an assistant clerk, at a salary of $1,800 per annum, to be paid from the contingent fund of the Senate until otherwise provided by law.

HOUSE BILL REFERRED.

H. R. 12312. An act to amend paragraph 500 of the act approved August 5, 1909, entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," was read twice by its title and referred to the Committee on Finance.

ABOLITION OF SENATE OFFICES.

The VICE PRESIDENT. The morning business is closed.

Mr. PENROSE. I move that the Senate proceed to the consideration of——

Mr. LODGE. By agreement, I think the motion to reconsider Senate resolution No. 74 comes over from yesterday.

The VICE PRESIDENT. That was the understanding.

Mr. PENROSE. I did not see the Senator from Mississippi [Mr. WILLIAMS] present.

The VICE PRESIDENT. A motion was entered to reconsider the vote by which the resolution was adopted, with the understanding that it should be disposed of this morning.

Mr. WILLIAMS. Mr. President, I rise for the purpose of pleading the cause of an old, faithful, and honest negro man. I do not know that I have anything to urge in his behalf except a sentiment. Amongst all of the magnificent attributes of the human race, I think Tom Carlyle was right in saying that "loyalty" was the greatest of them all—loyalty to a country, to a State, to a cause, to a leader, to a man—loyalty to something. It is not peculiarly one of our American virtues. This old darky possessed it in a very high degree. He is very old now, I believe pretty nearly 80 years of age.

They say that he has done no work for about two years, or very little. I have no doubt that is true. But, Mr. President, you do not always compensate by present service for what you are receiving. If character and past services can not heap up a superfluity of services to be credited to present employment in old age some time, the world would be rather a bad place to live in. Here is, for example, the Senator from Maine [Mr. FRYE], and in my time I have known many more. Who is there who would have called upon Morgan or Pettus, of Alabama, or the Senator from Maine, or anybody else, to resign because they could not render each day a present service for a present emolument? They had already overrendered it in character of service.

Mr. President, this old darky was loyal as a slave to Jefferson Davis, of Mississippi. That loyalty might have been accounted for by the fact that maybe it was the part of the policy of the slave's position. But when freedom came he was loyal still, loyal to the man who had been his master, who had never said a cross word to him or laid upon him a blow. He followed him voluntarily as his bodyguard. He went with him to Fortress Monroe. He went into the cell there with him, and when old, emaciated, broken down by four years of nervous tension and public service, the old master was seized and shackled, this old darky was there with sympathy, help, and tears. He stayed with him all the time.

Oh, they say he can not perform any service now. They say he is not performing any right now. I do not doubt this statement. And maybe he never will be able to perform any. But why begin with him? If you are going to execute that sort of policy in the departments and everywhere, all right; but I do not know a Senator within the sound of my voice who does not know that not only in the departments but perhaps upon the rolls of this very Senate there are others. And that is not all, Mr. President. It may be true, though I do not know—I ask if it be not true that there are able-bodied men upon the rolls of the Senate who perform no sort of service, some of them perhaps sons or nephews or sons-in-law of public men?

I appeal to you, Senators, to let this old darky stay on the roll. It may be that some time he will be able to come back to perform service. The Nation took away from him his master, whose business it was to provide for him in his old age. In a certain sort of sense, then, the Nation has substituted itself for the master and for the master's responsibility.

Mr. President, there is not a Confederate reunion that is within a hundred miles of Washington to which old James Jones is not invited, and when the old gray-uniform fellows, growing so few in number and so weak physically, after the ceremonies are over, proceed to shake hands with one another, there is one thing that none of them forgets, and that is to shake hands with old Jim Jones. The war was said to have been fought to set him free, amongst others, and whether it was fought for that purpose or not, it resulted in that. And yet he possessed that great quality of the human soul which Carlyle said is the greatest—the quality of loyalty to a leader, a leader who was his master; and not only that, after the master was dead, loyalty to his memory—that he remained a voluntary servant until the subject of his loyalty, released and free, needed him no more.

A great many of us in Mississippi and throughout the South feel a debt of gratitude to this old darky. I can not urge any logical reason for what I am asking upon the ground of his being able to render a quid pro quo. It may be that he will never be able to render efficient service. But, I repeat, is it not true that there are others, and many others, in the same fix? And if that be true, then I have a right, I think, to go out of facts a little bit and appeal to historical sentiment.

Now, do not misunderstand what I am saying. There is not a man in this Chamber nor in this broad land who would have been actuated by any feeling of unfriendliness to the old darky because he was Jeff Davis's body servant. There is not a man who would be less actuated than the Senator from Massachusetts to allow a feeling of that sort to enter into his mind. I say that for fear that some of you might think that while I am pleading for him on account of his loyalty to the great Mississippian there is an intimation on my part that that is the reason why he was sought to be discharged. Not a bit of it. That did not enter into anybody's mind at all, least of all into the mind of the Senator from Massachusetts.

That is about all the statement of his case that I can make, and I am as well aware as you are of the fact that a statement is not an argument. But it seems to me we might afford to begin economical reformations of this sort somewhere else than on this old, faithful, honored, brave, and loyal darky.

Mr. LODGE. Mr. President, this resolution covers five places.

Mr. WILLIAMS. I want to give notice of an amendment to strike out that particular place. I will get it from the resolution.

Mr. LODGE. Yes, from the resolution. Of course, a motion to strike out would cover that particular case. It is the last one mentioned.

Mr. WILLIAMS. I do not want to defeat the whole resolution. I merely want to move that amendment.

Mr. LODGE. I understand. Mr. President, the resolution covers five places. It covers the superintendent of the folding room and the assistant postmaster. Those two places represent no work whatsoever. They do not exist as working places; they exist only as salaries. I think they ought to both be abolished, and I do not think that the Senate will question that those ought to be abolished, because there is no work done in either of them.

The case of the clerk, so called, to compile appropriations and do similar work of compilation for the Committee on Finance is held by a man who has been many years in service in that connection. The work of the Committee on Appropriations, as I stated before, is done by the clerks of that committee. So it has come down to the compilation of certain figures and tables when required for the Committee on Finance at the time of tariff consideration. That is temporary work which occurs only at intervals, and for which special provision ought to be made, but it ought not, in my judgment, to be a permanent place at $2,500 a year.

There remain the position of messenger and the position of laborer, which are held by two colored men, who, owing to illness, have done no work whatever for the last two years. The messenger who was attached to Senator Hale's committee for many years has been a most faithful and excellent man in all the performance of his duty until he fell ill.

I entirely appreciate what the Senator from Mississippi has said. We all of us respect loyalty. The loyalty of this old colored man, not merely to the man he served, but to his work when he was employed here, no one questions.

The point for the Senate to decide, and which no committee, either of the Senate or of a conference of the majority party, ought to decide for itself, is whether the Senate desires to enter upon the policy of placing on what is practically a pen-

sion roll faithful employees who have been here many years. If the Senate desires to do that, of course I shall accept their decision; but what I desire to insist on, and what those who are associated with me in this inquiry desire to insist on, is that whatever is done should be done openly and squarely, and we should know, and the public should know, exactly what happens. Men ought not to be carried on the rolls who do no work as doing work. If we think that Jones and Gaskin deserve from their long service to be retained on the rolls of the Senate and to receive an allowance or pay sufficient to support them—that is, a pension—let it be done in that way, and then the public will know, and we shall know, why it is done. But it is not right to carry names on the rolls of the Senate as performing work which is never performed, no matter who the man is or how deserving he may be.

The two cases of the assistant postmaster and the superintendent of the folding room, I take it everybody agrees with me, ought to be abolished. The third is the case of Mr. Durfee. Mr. Durfee has done and is now doing work for the Senate. It is merely a question whether it should be a permanent annual salary or whether he should be paid by temporary provision for the work that he actually performs. The other two cases—those of Gaskin and Jones—must be simply pension cases; it is nothing else.

If the Senate decides, as I said, to put those men on the superannuated roll and pay them such sum as it may see right and fit to pay, I have nothing to say; but it ought to be done in that way. No committee that has made an investigation of this subject could have been pardoned if it had not laid these facts fairly before the Senate for the Senate's decision.

I think myself that it is a very dangerous thing to enter on a civil pension list. I am opposed to it on broad, general principles. When we enter upon civil pensions, no man can tell the number of millions that it will take to meet it, because it is continuous. The numbers employed are very great, and under the pressure from outside, which we know gathers behind all these demands for pensions, it will result in a larger annual appropriation than any that has ever been made for military pensions, enormous as those are. That is my general objection to entering on the policy of civil pensions; but if in these two cases the Senate, with its eyes open, chooses to direct the Secretary of the Senate to pay these men an annual salary for their support, knowing exactly what they are doing and the public knowing exactly what is being done, I have no further word to say against it.

Mr. WILLIAMS. Mr. President, I am not pleading against a policy. I have no quarrel with the Senator from Massachusetts because of the resolution; I have no quarrel with the policy which the resolution indicates, but I am pleading for an exception. I do not think this peculiar kind of a case will present itself again in a hundred years. I am asking distinctly that it be made an exception, and that it be made an exception upon sentimental grounds, which seem to me to be worthy of consideration.

Mr. President, my motion is that the language in the fourth and fifth lines of the resolution, beginning with the last word in the fourth line——

The VICE PRESIDENT. The pending motion is that the Senate reconsider its action in passing the resolution.

Mr. PENROSE. Let us reconsider that action.

The VICE PRESIDENT. Until that is done, of course, no motion to amend the resolution is in order.

Mr. WILLIAMS. That is true. Then, after that is done, I shall move to strike out the words "and one unemployed laborer," because that language is the language that covers Jim Jones. I shall now move to reconsider the resolution with that in view.

The VICE PRESIDENT. That motion is pending, having been made by the Senator from Virginia [Mr. MARTIN] on yesterday. The question is on reconsidering the vote by which the resolution was adopted.

Mr. HEYBURN. On that I ask for the yeas and nays.

The yeas and nays were not ordered.

The VICE PRESIDENT. The question is on the motion to reconsider the action by which the resolution was passed.

The motion was agreed to.

Mr. WILLIAMS. Now, Mr. President, I move to strike out beginning with the last word on line 4 and including the first three words on line 5, the language "and one unemployed laborer."

Mr. PENROSE. Mr. President, I am in entire sympathy with the Senator from Mississippi in this proposition. I intend to vote for his amendment. Had the original program of what is known as the subcommittee on patronage of the committee on committees of the Republican caucus been put through unmutilated, I would not have interfered by voting for the amendment of any other Senator or have offered an amendment myself; but that program having been radically departed from, I feel at liberty to make certain exceptions to which my attention has been called and which I always thought should be made.

It seems to me that the proposition has now got down to merely one of the cheeseparing variety. The Senate roll is not the only roll of the Government where superannuated employees are retained, and I take it that no one, whether out of kindness of heart or an appreciation of past services, would desire to be brutal in the treatment of superannuated employees. Therefore I hope the amendment of the Senator from Mississippi will prevail.

As to the "clerk compiling a history of revenue and general appropriation bills," I do not know of anyone employed in or about the Capitol who works harder than this individual, Mr. Durfee. I had expected—although I did not know and do not now know how it can be done—that perhaps he might be provided for in some other way; but if exceptions are to be made, I intend to ask the Senate to strike out the abolition of his place from this resolution. His work is likely to be continuous, at least for the balance of the present Congress; practically it is continuous at all times. Even if it were suspended at intervals, his valuable technical knowledge and his indefatigable industry would be lost to the Finance Committee and to the Senate were he not always available when called upon. He is engaged at the present time in work for, I suppose, half a dozen Members of the Senate who are not members of the Finance Committee, who have requested the compilation of documents or other researches requiring very great accuracy and very great industry and care and promptness in execution, for these publications to be available must be furnished promptly while the discussions to which they relate are pending.

Mr. Durfee has been connected with the Senate for some 35 years. I do not know from what State he comes; I have no relation to him except the relation of appreciation of long and faithful service under my predecessor as chairman of the Finance Committee and during the short time that I have held the position. I believe it would be a great loss to the Senate, certainly it would to the Finance Committee, if his employment were temporary, if he should drift away from Washington or into some other occupation, and suddenly next winter the work of compiling tariff statistics should be thrown on the committee. We would not then be in a position to find anyone with the peculiar ability which this gentleman possesses.

That leaves in the resolution only the unemployed messenger, which is a sentimental proposition also, embodying the case of a colored servant of one of the Senators who served longest in this body of any Senator in recent years and one whom we all admire and respect. I would suggest to the chairman of the committee reporting this resolution that he agree to strike out, beginning on line 3 with the words, "clerk, compiling a history of revenue and general appropriation bills," confining the resolution to the abolishment of the superintendent of the folding room and assistant postmaster and mail carrier.

Mr. LODGE. I am opposed to all the strikings out.

Mr. PENROSE. But if the murder is done in the open, do I understand that the Senator is willing to waive his sentimental objection?

Mr. LODGE. Oh, not at all, Mr President. I have no sentimental objection at all. The sentimental part is all the other way.

Mr. PENROSE. There is sentiment on both sides.

Mr. LODGE. If any are to go, all three should be stricken out, but I shall vote against all being stricken out. I do not believe in the policy of striking any of them out.

Mr. PENROSE. I will move to amend the amendment of the Senator from Mississippi by striking out all of the resolution after the word "carrier," in line 3.

The VICE PRESIDENT. The Secretary will state the amendment to the amendment.

The SECRETARY. On line 3, after the word "carrier," it is proposed to strike out the remainder of the resolution in the following words——

Mr. PENROSE. Down to the word "laborer" in line 5.

Mr. WILLIAMS. I should like to appeal to the Senator from Pennsylvania, if possible, to allow a vote to be taken upon my amendment by itself, and then the Senator can offer his amendment later.

Mr. PENROSE. Very well; I am willing to do that.

The VICE PRESIDENT. The Senator from Pennsylvania withdraws his amendment to the amendment. The question then is on agreeing to the amendment offered by the Senator from Mississippi.

Mr. LODGE. On that amendment I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. CLAPP. Mr. President, I ask if at this time a motion for the indefinite postponement of the resolution would be in order?

The VICE PRESIDENT. The Chair thinks so.

Mr. CLAPP. Some kind of a plan is brought in here—I have not been on the inside of the matter at all—and then we start in to make one exception, and then another exception, and we make a travesty of the whole thing.

Mr. LODGE. I hope the Senator will not make that motion. There are two offices mentioned in the resolution that ought to be abolished and the Senate has agreed to do so. We do not know that the Senate will not agree to abolish them all. I am not anticipating the exceptions until the Senate has voted, and I hope the Senator will withhold his motion, at least until we can vote on the amendment.

Mr. CLAPP. I ask the Senator what is the use of these periodical efforts to do something along this line, and then, when the effort is made, first one exception is proposed and then another, until we get back to just about where we started?

Mr. LODGE. I agree with the Senator that the exceptions should not be made, but if the resolution should only provide for the abolition of the two offices for which there is an aggregate of four or five thousand dollars paid in salaries and no work done, it would be worth while to accomplish that much, if the Senate can not bring itself to do the whole thing.

Mr. CLAPP. Then we should have done a rank injustice to those whom we have stricken off for the simple reason that they do not happen to have someone here of sufficient influence to maintain them.

Mr. WILLIAMS. That does not follow if they have the same exceptional reason in their favor.

Mr. LODGE. If the Senator from Minnesota will allow me a moment, I do not think he quite understands the situation. In regard to the assistant postmaster, we abolish an office which nobody fills except in name.

Mr. CLAPP. Does he draw a salary?

Mr. LODGE. He is performing the duties of a messenger and he is retained as a messenger. He is not removed; he is retained in the office which he now fills. In the other case, the office is occupied nominally by a man who is detailed to the service of a Senator. He performs no duties as superintendent of the folding room because there are no duties to perform in that office.

Mr. CLAPP. I understand that.

Mr. LODGE. If we abolish that office that man can be replaced in another position or be attached to a committee. In those two cases no hardship is done to anyone, and we ought to get rid of those two vacant offices, carrying salaries, as I remember, of about $4,500 in the aggregate. The other three cases, as has been stated, are largely sentimental. It is a disagreeable position to take and no one would take it voluntarily; but in the interest of the public service, of proper accounting, and of the proper transaction of business, those three offices ought to be abolished.

Mr. WARREN. Mr. President, may I interrupt the Senator?

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Wyoming?

Mr. CLAPP. I yield to the Senator.

Mr. WARREN. I wish to make a suggestion to the Senator in charge of the resolution. To vote upon one of these questions at a time is hardly the right way, I think, to dispose of the matter, because either none of the offices should be abolished or more than one should be; and I want to suggest to the Senator for his consideration whether it would not be better to offer a substitute for the resolution which would abolish the two offices which he has particularly mentioned and the propriety of abolishing which no one questions.

Mr. LODGE. There is no need of doing that. I am against the exceptions that are proposed. Let us take a vote on the motion of the Senator from Mississippi to amend. If it prevails—and I hope it will not prevail—then the case mentioned by the Senator from Pennsylvania and the case of Senator Hale's messenger ought also to be excepted. I should then vote to except them, because it would be rank injustice to do anything else; but that is not to be determined until after the first amendment is determined. After that, if the other exceptions are made, the resolution will at least provide for abolishing the two offices which the Senate has agreed should be abolished. There is no point in offering a substitute now.

Mr. CLAPP. Mr. President, in view of what the Senator from Massachusetts says, although I am in sympathy with him, I will say that I am opposed to this eternal coming in here with some idea of reform and then gradually taking the foundation out from under it. If there could be some age limit, some definite proposition that did not leave it to the prestige of some Senator who might want to protect some old superannuated employee who was doing nothing but drawing a salary, I would not object to some basis of that kind; but I do not think it is right to discharge men who do not have any influence and retain those who happen to have influence when there is no work for either of them to do and neither of them would be able to do work if there were work for them. But rather than confuse the parliamentary situation I will not press the motion.

Mr. CUMMINS. Mr. President, I was a member of the subcommittee——

Mr. WILLIAMS. Mr. President, will the Senator from Iowa pardon an interruption for just a second?

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Mississippi?

Mr. CUMMINS. I yield.

Mr. WILLIAMS. I am just informed by the Senator from Oklahoma [Mr. GORE] that Jim Jones told him the other day that he was getting better and stronger and that he thought he would be able to come back to work soon. That may have something to do with the decision of the question.

Mr. CUMMINS. Mr. President, I was, with the Senator from Massachusetts, a member of the subcommittee which considered these questions. We believed that whatever might be the policy of the Senate with regard to a pension roll, it was due to the country that we be honest and fair and square with it, and so arrange our pay rolls that those who looked at them would know whether we were paying men for what it was there alleged they were doing or whether we were paying men for something else or paying them for doing nothing whatever.

I have not the same objection to a civil-service pension roll that my friend from Massachusetts may have. I believe that in some form or other it will be necessary before long for the United States to adopt some plan of superannuation, merely for the efficiency of the service; but I am not willing, so far as my voice and my vote are concerned, to allow it to appear that we are paying men when they are doing nothing whatsoever, or paying them for doing one thing, when in fact the record shows that they are employed for another thing. If it were to come to the question of composing a system here by which provision should be made for the old and the faithful and the efficient employees of the Senate who had worn themselves out in its service and in the performance of their duties, I believe that I would be in favor of giving them something upon which they might support themselves in the last years of their lives. But this is a pretext——

Mr. BAILEY. Mr. President, will the Senator from Iowa permit me there?

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Texas?

Mr. CUMMINS. I do.

Mr. BAILEY. What better right has a man who has held a position for a long time and drawn a salary that is a full compensation for his services to ask the taxpayers of this country to support him than the taxpayers who have never received a salary have to ask the Government to support them in their old age?

Mr. CUMMINS. No better, Mr. President.

Mr. BAILEY. Then if we treat everybody that way, where will the Government get the money?

Mr. CUMMINS. A civil-service pension, however, is not bottomed upon mere generosity or philanthropy. A civil-service pension is based upon the belief that it increases efficiency, and, so far as my investigation has gone, I believe it to be true that we could pension thousands of the civil-service employees in the city of Washington now and every year save money by so doing.

Now, mark you, I am not in favor of the civil-service plan without any contribution from the employees themselves. But somehow or other, sometime, we will be compelled, in my opinion, to introduce that system in the service of the United States. But that is not the question. I am simply expressing that in answer to the argument or view of the Senator from Massachusetts [Mr. LODGE]. It is not proposed here to establish a pension roll, and I am opposed to establishing a pension roll by indirection. I am opposed to allowing men to remain upon the active rolls of the Senate upon the presumption that they are doing work for the public, when, in fact, they are doing nothing whatsoever and are incapable of doing anything whatsoever. I am opposed to allowing a man to remain ostensibly as historian of a certain committee here, when it is a mere figure of speech. His services may be valuable, it is true, but if they are they can be hired for what the services are in fact

worth, and they can be paid for according to the service rendered.

The whole idea of the committee was that we should be open, fair, and candid not only with the Senators but with the country. We found certain men who were not performing any service, and had not been for a series of years, and could not perform any service, and we believed that unless the Senate wanted to establish a pension roll their positions ought to be abolished.

We found, for instance, the superintendent of the folding room, a man—I am not disparaging him at all; he bore that title—who had a salary of $2,160 a year, as I remember it, and he had not rendered any service whatsoever to the Sergeant at Arms or the Government as a whole, but has been detailed to the service of a particular Senator under a custom that has prevailed here for some time past.

I am not to be understood as criticizing that, because it has been a custom for a long time, a custom which I think ought to be abolished. This resolution, therefore, provides that that place be abolished. We ought no longer to continue to pay the man for doing things he is not doing, occupying a position he does not occupy.

In the same way with the deputy postmaster. There is no *deputy postmaster*. The man who holds the title of deputy postmaster is a messenger. He is performing good service, and ought to be paid for his service as messenger; but he ought not to be paid upon the hypothesis that he is a deputy postmaster.

It seems to me we ought not to make any exceptions to this resolution. If we want to keep these men, such of them as are rendering no service, let us do it in a fair and open way. If we want to employ the estimable gentleman referred to by the Senator from Pennsylvania [Mr. PENROSE] for the work desired, let us employ him and pay him according to the value of his services. But do not let us continue the farce of carrying him upon the roll as a historian, or something of that character, when he is rendering a very different service to the committee.

Mr. PENROSE. The description of his duties in the appropriation bill comes about as near describing them—unless you make a paragraph of them—compilation of revenue matters and appropriation bills.

Mr. CUMMINS. I have no objection to the Finance Committee employing a man to help it. It has a good many men in its employ; possibly too many; possibly not enough. I am now entirely willing, and always have been, to accept the judgment of the chairman of the Finance Committee with regard to the number of employees. But I am not willing that we shall be apparently doing one thing while we are in fact doing another. I hope if we want to provide for the last days of this old negro, who has distinguished himself, as suggested by the Senator from Mississippi, by peculiar service to his master, that we will not do it by carrying him upon the rolls as a laborer.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Mississippi. The Secretary will call the roll.

Mr. HEYBURN. Mr. President, I would be inclined to vote for the retention of this old imbecile upon the pay rolls of the Government, but the man who has shown himself to be capable of making a contest for his own enslavement can not be very valuable. I do not know what salary he is drawing, but it is hardly worth while to take a half hour of the Senate's time over it. He seems to have been found capable in the judgment of preceding Senates to perform some service for a given salary. Upon that record I might feel inclined, I think I would feel inclined, to vote against his being taken out.

But the other record does not appeal to me. I would not object to the Government employing an old horse which had been employed on the other side in the war, because the horse was not responsible, and this kind of a human being is not responsible. As I say, a man who would actually contend in favor of his own enslavement is not entitled to a very high place among even animals. But he seems to have found something in it. After years of enslavement it is hardly to be expected that a man is one of cool judgment capable of taking care of himself.

I do not imagine we are going to start in upon a policy of pensioning men because they acted in connection with an attempt to destroy the Government. But I would allow him to go on the list because he has been serving in a position in connection with the Senate and perhaps performing duties commensurate with what he received.

If I vote for the amendment offered by the Senator from Mississippi, I want it understood that that is the ground upon which I vote, and not because he has been going around for years boasting that he was the custodian and the only person who knew where the seal of the assumed government that was attempted to be set up in the South was, when, as a matter of fact, historians tell us he never even saw the seal. He would not know the seal from a yellow dog if he saw it. Cast your mind back to the days 40 years ago or more and think what this man knew about the issues. Merely because he happened to be a servant of the leader of that lost cause he comes here now and claims some special virtue by it. It would be more appropriate——

Mr. WILLIAMS. He has claimed no virtue.

Mr. HEYBURN. I know. I do not want to get into a controversy about it.

Mr. WILLIAMS. If the Senator does not want to get into a controversy, he should not make such statements.

Mr. HEYBURN. I merely want, when I vote for the Senator's amendment, to be certain not to leave a mistaken impression on the mind of anybody as to why I do it. If this man has been helpless and has been heretofore able to earn the compensation attached to the position which he occupies, I would vote to retain him on the pay roll for that purpose and not because of any glory attached to an infamous history.

Mr. BAILEY. Will the Senator from Idaho yield to me? That last expression almost moves me to desist from even asking the question which I was about to ask.

I think when the Senator from Idaho sees that in print he will rather regret it, if he is capable of the emotion I think he is.

But what I wanted to ask the Senator is this: He states that historians tell him that this old man never saw the Confederate seal. I want to ask him the name of that historian, because that is a matter of some historical interest.

Mr. HEYBURN. I think the Senator has inadvertently misquoted me as to using the term "historians." I referred to all of the statements that have been written, in newspapers and elsewhere. It appeals to the reason of anyone. What would Mr. Davis be doing with the seal? Do you suppose that Mr. Taft carries the seal of this Government around with him, and that somebody in his employ would know anything about it? I suppose if they had an officer whom they called the secretary of state, he had the seal very likely.

Mr. BAILEY. The statements in the newspapers only make it manifest that there were several copies of that seal because reputable men have declared that they have seen the Confederate seal at times and in places which made it impossible that they had seen the same seal. I think there is no doubt of the fact that there were probably more than half a dozen copies of that seal. But the seal which was used in the executive offices of the Confederate States Government I think is probably the one that was intrusted to the keeping of this negro.

I did not interpose with any view of participating in the discussion as to the resolution, but I understood the Senator from Idaho to say that the historians told him, and I just wanted to get the name of those, because if anybody knows about that I would be glad to learn it from them.

Mr. HEYBURN. I have explained what I meant by historians. I suppose newspapers think they are historians. I do not intend to be offensive.

If Senators would refrain from prodding those who feel and appreciate the loyalty that preserved this Union with the bringing up of these questions, they perhaps would be relieved from some plain speech. I have not a sentiment of bitterness in my heart against any man in this Chamber or elsewhere because of the mistakes that he committed in those days. I only object and sometimes resist the attempt to glorify those mistakes. That is all. There is no man bold enough to stand up here and say it was not a mistake to try to destroy this Union. There is no man so bold as that, and why do you bring up these questions time after time, first one thing and another, that you know must stir sentiment? Do you think that the loyal people of the North were devoid of sentiment when they suppressed the rebellion? Do you think they did it for hire? They did it because of their sentiment and they are entitled to consideration for that sentiment.

Mr. President, it is most unfortunate that these questions are brought in. But the responsibility must rest upon those who bring them in. I would not say a word that would be offensive to any Member of this body on that side or wherever he may sit, and I disclaim the intention to be offensive. But I claim the right and the duty to be candid and fair and free in my expressions. I never would raise the question. I never would introduce a resolution or a bill or support a measure that would force such questions upon the attention of this body. They should be forgotten. They should be buried in the past and remain there. This attempt to bring them up every once in a while and glorify them can but have the effect of——

Mr. WILLIAMS and Mr. BACON addressed the Chair.

Mr. HEYBURN. I will finish my sentence. They can but have the effect of stirring up loyal men and women. I believe the Members of this body on that side are loyal now. Whatever their record may have been, I believe they are loyal now. But no one is so foolish as to contend that a man with arms in his hand and a declaration on his part to destroy the Government can be considered loyal to it. Had I participated on that side of the question, I would be glad to have the question buried, rather than to be bringing it up for discussion and exhibition once in a while.

Mr. WILLIAMS. Mr. President——

Mr. HEYBURN. I yield.

Mr. WILLIAMS. I thought the Senator was through.

Mr. HEYBURN. I suppose the Senator thought I was through, inasmuch as he was commencing to speak when I was speaking.

Mr. WILLIAMS. I beg the Senator's pardon. I saw him turn around toward his chair, and I thought he was through. When I make a statement of that sort I make it in good faith.

Mr. HEYBURN. I give the Senator credit for that.

Mr. WILLIAMS. There has been no resurrection of war feeling or war prejudice or war passion by anybody unless the Senator from Idaho be the resurrectionist. He has indulged in a mild manner of "tearing passion to tatters" about nothing.

Mr. HEYBURN. The Senator asked me to yield. What for?

Mr. WILLIAMS. What?

Mr. HEYBURN. Did the Senator ask me to yield in order that he might make these respectful remarks?

Mr. WILLIAMS. I did not ask the Senator from Idaho to yield. I waited until the Senator took his seat, and then took the floor in my own name——

Mr. HEYBURN. Very well.

Mr. WILLIAMS. And in my own right.

I did not refer to the Confederate cause at all, though as the son of a Confederate soldier who very willingly laid down his life for what he, at least, thought was right, I was not prepared to hear a civilized man in the twentieth century call it "an infamous cause." The men who followed Lee and Jackson may have been wrong, though I find them chiefly right, and that the Union is to-day in existence is a cause of congratulation to the children of the men who followed Lee and Jackson. But they were not "infamous." And but for the parliamentary rules that restrain me here I would have a few words to say about the sort of human being in whose heart could exist the idea or from whose lips could flow the utterance that they were "infamous."

Loyalty and courage and honor are things that are precious to honorable men. There never was a war in the world where one side was not partially right and the other partially right and both partially wrong, I suppose. There may have been causes where one was altogether wrong; but a man who takes his life in his hands and lays it down, and lays it down willingly for a cause, whether the Senator from Idaho honors it historically or not, can not be spoken of as having perpetrated an infamy.

I merely referred to the loyalty of this old darky to his master. I merely referred to the fact that in the course of historical evolution the Nation had emancipated his master from the responsibility of taking care of him in his old age, and in the course of historical events, whether emancipated or not, the master would have been so impoverished he could not have done it.

Is it possible that a man can not pay tribute to the quality of loyalty itself, loyalty to a leader, loyalty to a man, loyalty to a friendship, loyalty to a service, as a tribute to him who entertains it without this sort of a diatribe.

The poor old darky set free meets the contempt of the Senator from Idaho, I suppose, when, with the sunlight of freedom all above him, with the atmosphere of freedom all around him, he chose rather to follow his master, his free and voluntary servant without pay and without hope of it at that time, into the darkness of the dungeon cell and to wait on him and give him sympathy while he was being shackled. If his master had been the veriest traitor who ever existed—and he was never tried for treason, mark that!—certainly the loyalty that actuated the darky should be held in honor in any forum, and it ought to be held in honor by anybody.

The Senator from Idaho seems to have appointed himself a voluntary sentinel to see to it that no good word is ever spoken of the men who wore the gray from the years 1861 to 1865.

Mr. HEYBURN. The Senator——

Mr. WILLIAMS. There has never been an occasion, as far as I can learn, when he has not gone out of his way, not to rebuke disloyalty, not to rebuke disrespect to the Union, not to rebuke insult to those who wore the blue, but to rebuke the man who dared pay honor to the men who wore the gray——

Mr. HEYBURN. Mr. President, I think the Senator ought to yield after a statement like that.

Mr. WILLIAMS. I do yield, undoubtedly.

Mr. HEYBURN. I have been associated for years with men who served in the army of the South as officers and privates. They have been my business associates and my warm personal friends. I have stood by them, as they have by me, through life, and I have followed them to a respectful burial. I have on my memory now men whose names would be familiar to the Senator from Mississippi perhaps, who held high office in that army, and we never quarreled about the South because they did not every once in a while bring it out and undertake to make me indorse it. We were content, each of us, to respect the other and allow him to entertain his own views on it.

Mr. WILLIAMS. Mr. President, nobody has been attempting to prevent the Senator from Idaho from "entertaining his own views." The Senator can not shift his ground.

Mr. HEYBURN. I am not going to.

Mr. WILLIAMS. Why bring it out now? Then he says we seek to procure from him an indorsement of our view. That is simply not true. He has not been requested by anybody to indorse that "storm-cradled nation that rose and fell without a stain," that rose greatly and fell greatly and died heroically, nor any of its citizens, soldiers, or leaders. His indorsement is not needful for them.

But that is not the position he has taken. The position that he has taken is that we, the sons of the heroes who followed the Stars and Bars, rightly or wrongly, mistakenly, wisely, or foolishly, for four years, can not say a kind word about them and the things they did; that we can not even pay tribute to the loyalty of their servants without being attacked and being told that we are paying tribute to "an infamous cause." Oh, ye gods and angels in heaven, whence comes the censorship that gives a right to the Senator from Idaho——

Mr. HEYBURN. It comes from the right of an American citizen.

Mr. WILLIAMS. To call dead men and their cause infamous?

Mr. HEYBURN. I have the right of an American citizen to love his country and stand up for it.

Mr. WILLIAMS. Mr. President, there is no right in the American citizen to insult the dead. There is no constitutional right given to the American citizen to try to trample upon the feelings of the living, even when he thinks that the reverence that the living are paying to the dead is a mistaken reverence.

Mr. HEYBURN. I said nothing about reverence.

Mr. WILLIAMS. The Senator can not shift his ground. He spoke of it as "an infamous cause."

Mr. HEYBURN. Was it a glorious cause?

Mr. WILLIAMS. There was much of glory in it, and there is no man in the United States—there is not a man on the Senate floor except the Senator from Idaho—who does not know that there was much of glory in it.

Mr. HEYBURN. There were glorious deeds.

The VICE PRESIDENT. One moment. Does the Senator from Mississippi yield to the Senator from Idaho?

Mr. WILLIAMS. In one moment. There is not a northern historian, a great northern poet, a great northern statesman, and, above all, there is not a great northern soldier who has not paid tribute to the men who followed Jackson and Lee and the Johnstons and laid down their lives for what they thought was the sacred cause of local self-government and national independence.

Mr. HEYBURN. Mr. President——

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Idaho?

Mr. WILLIAMS. I yield.

Mr. HEYBURN. I join those men.

Mr. WILLIAMS. But you have a queer way of doing it.

Mr. HEYBURN. But the Senator——

The VICE PRESIDENT. One moment. Does the Senator from Mississippi yield further to the Senator from Idaho?

Mr. WILLIAMS. I did not hear the Chair ask me. I heard what the Senator interposed and I answered his interposition. I do yield.

The VICE PRESIDENT. Very well. Then the Senator from Idaho will proceed.

Mr. HEYBURN. I join the Senator, and I have always joined him in lauding the bravery of the American citizen in whatever army he fought. The individual acts of officers and men for bravery was as great on one side as on the other. It is the principle for which they contended that I condemn. I have no

word to say against the bravery and the heroism of the officers and men of the South, and I never have had.

Mr. WILLIAMS. Oh, no, Mr. President. The Senator from Idaho ought to apply to the Patent Office. He ought to get out a patent upon his newly discovered method of paying tribute to the dead. He ought to get out a patent on his newly discovered method of honoring the feelings of the living who reverence the dead. If to pay a tribute to the loyalty of a darky to his master, first his master under the law and afterwards his voluntarily selected master, be treason in the eyes of the Senator from Idaho, and if "the tribute" that he "pays" of which he has just spoken is that the cause which those men followed is "infamous," then in God's name let him take out a patent. That will not be all. It will never be infringed. I doubt if there is a man in the United States, not only in this great senatorial arena, but I doubt if there is anyone anywhere who will ever attempt to infringe that particular patent. He reminds me of the man who stepped up to the other and said, "Here; I do not mean to be personal, I do not mean to be offensive, but you are a liar, and you are a hypocrite, and you are a nuisance."

Mr. HEYBURN. Mr. President——

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Idaho?

Mr. WILLIAMS. I do not want to go into this whole discussion again. I do not want to fight the war over again. I will yield to the Senator.

Mr. HEYBURN. And I do not want to fight it over, and I hope that no other man will ever want to or have to fight it over again. I should like to see it buried and its memories buried, except as affording a lesson to patriotism and patriotic action.

The Senator need not trouble about my patent way of doing things. I have said that I have no objection to this poor old negro receiving the small compensation which he has been receiving because of the service that he performs. But I should like to ask the Senator, Is he proposing to pension him regardless of the service performed merely because he was a slave to a certain man or to any man? Is that the reason?

Mr. WILLIAMS. Mr. President, I am not proposing to keep this old darky on the rolls because of the service he is now performing. I could not honestly take that position. From what the Senator from Massachusetts tells me, he is now performing none. From what the Senator from Oklahoma tells me, he may probably soon be able to perform some; but that is merely problematical. I have expressly said that I wanted an exception made out of him because of his character, and in paying tribute to his character I have paid tribute to his loyalty. I have joined Tom Carlyle in the assertion that the most magnificent trait that man or woman can have is loyalty, reverence for something higher, wiser, and better than oneself—loyalty to a cause, loyalty to a country, loyalty to a theory, loyalty to a religion, loyalty to a man. As for myself, I think with Carlyle that the whole world needs the virtue of loyalty very much more than many modern virtues, and that the chief virtue any human has is the virtue of reverence for something higher and better in the opinion of the man entertaining that sentiment of reverence than himself. This I cited in proof of the nobility of this old darky's character; that he had followed his master out of the sunlight of freedom into the darkness of his cell and had served him there; and there is no greater tribute in the world to a man's character than that he has rendered voluntarily an unselfish and loving service to another man.

Mr. HEYBURN. May I conclude——

The VICE PRESIDENT. Does the Senator from Mississippi yield?

Mr. WILLIAMS. I will not yield to the Senator from Idaho any more, because I do not desire any more——

Mr. HEYBURN. The Senator interrupted me while I was asking him a question. Will the Senator decline to yield?

Mr. WILLIAMS. I will decline, if the Senator from Idaho will permit me, because I regret that so much of the discussion has already been deflected from the line of relevancy to the subject matter in hand. I do not want to argue the war over with anybody. I have my ideas about that, and they differ about as far from the ideas of the Senator from Idaho, I suppose, as one pole differs from the other. But this is not the occasion for me either to express them or to defend them. I could not resist, having warm blood in my veins, resenting a reference to the cause for which a very loving and brave and unselfish and patriotic father, who was when he died my father and mother both, who dressed and undressed me and slept with me, laid down his life as an "infamous cause."

Old Jim Jones may be a very humble individual, and though the Senator from Idaho may see nothing of virtue or nobility in his loyalty, in his "resting contented," as he said, "in a state of slavery," I am inclined to think that whenever in the great hereafter—well, I will not say that. Perhaps I had best conclude instead. I have asked merely, Mr. President, that this man be made an exception. That is the ground I put it on. I do not think it follows that everybody else in the United States ought to be made an exception because he is made one.

Mr. SMITH of Michigan. Mr. President, I rise for the purpose of making a few observations before voting upon the motion of the Senator from Mississippi [Mr. WILLIAMS] to amend the resolution.

I have been in public life in this Capitol for nearly 17 years, during which time I have served with many men who fought in the Rebellion against this Government. During all that time, Mr. President, some of which was spent as a member of the Committee on Pensions, I have never known a southern soldier who fought on the side of the Confederacy to object to a pension for a worthy Union soldier. The most eloquent plea I ever heard for a widow's pension was made by the former Senator from Kentucky, Mr. McCreary, a southern soldier, behind committee doors, where it was not for public effect. I have seen the soldiers of the South come to our rescue again and again on this floor when pensions for our Union veterans of the North were involved.

You on the other side are asked to forget the war, forget what you suffered. Why, Mr. President, I would despise a southern man who would ever forget the loyalty and the bravery and the daring and the heroism and the sacrifices their people made in a cause they believed to be right. That is part of the history of our country, written by the sword and attested by the gallantry of our own countrymen on every battlefield in the South.

I think, sir, it is little less than shameful for this side of the Chamber to undertake at this late day to distinguish between applicants, employees, who have been faithful and who now ask for a mere pittance, because of the issues of the war, long since embalmed in sacred memory, which stirred the world by its bravery and its heroism and its daring on both sides of the line as it was never stirred before.

No, Mr. President, I can not find it in my heart to object to the request of the Senators upon the other side of the Chamber that this old colored man shall be pensioned, as it were, by being retained in his obscure position in the Government service, which he has so faithfully filled for the past 30 years. I respect the men who wore the gray; I honor the men who wore the blue. I honor their intrepidity and skill, attested on a hundred battlefields, from Bull Run to Appomattox. Sir, their daring touched the highest mark ever attained in patriotic devotion to country and the valor displayed on both sides is our richest heritage. But, sir, I do not know a soldier in the North who is not broad and generous and catholic, who does not look upon the southern soldier living with kindness and sympathy and upon the Confederate soldier dead with affection and good will. Their loyal devotion to a principle which they themselves thought dear will excite the admiration of all future generations of men the whole world round, and is the proud legacy of the sons and daughters of the Southland.

Sir, those men have cared for their wounded and suffering; they have asked no pensions from the Government against which they rebelled. With a solicitude which we may well emulate, they have bound up their own wounds and nursed their own sick and dying and cared for their dead and rebuilt their devastated States and voluntarily burdened themselves that we might pension our heroes and house them in comfort in their declining years. I think, as I said a moment ago, that it is little less than shameful to object to a simple recognition for an aged negro such as has been asked by the Senator from Mississippi.

Mr. LODGE. Mr. President, I should like to ask the Senator from Michigan whether he is under the impression that the committee reported in favor of the abolition of this office because the present holder of it was the body servant of ex-President Davis of the Southern Confederacy?

Mr. SMITH of Michigan. Mr. President, I do not know what motive the committee may have had. I assume it was a worthy and honorable one, but I believe that it is a mistaken one, and that if it prevails it will come back to plague not only the committee but this side of the Chamber many times if it withholds this little moiety from a deserving public servant, whose retention is so ardently desired by Senators upon the other side from the South.

Mr. LODGE. Mr. President, the Senator from Michigan must know very well that the fact that this man was the body servant of Jefferson Davis had nothing whatever to do with the action of the committee. It was all explained in the conference of the Republicans, at which the Senator from Michigan was present,

and who voted then and there for adoption of the report of which this is a part.

Mr. SMITH of Michigan. Mr. President——

Mr. LODGE. One moment, Mr. President.

Mr. SMITH of Michigan. That is a pretty direct statement.

Mr. LODGE. The Senator was present in the caucus. I heard him vote and saw him.

Mr. SMITH of Michigan. It is a very direct statement, and I want to take issue with it. I never heard of this man until the Senator from Missouri [Mr. REED] challenged the statement of the Senator from Massachusetts, a few days ago, and then this body-guard service developed. I never heard of it before. It was not referred to in the caucus, and would not have received my approval there, as it will not here.

Mr. LODGE. I have seen——

Mr. WILLIAMS. Before the Senator from Massachusetts goes on I want to say that nobody is more satisfied than I am. I absolutely know the fact that this man held this relationship to Jefferson Davis had nothing under the sun to do with the action of the committee. I know that. That is absolutely certain.

Mr. LODGE. Mr. President, I hold in my hand the report which was read to the Republican conference, and this appears on page 3:

James Jones, $720 a year, a laborer formerly in the stationery room. He has not been in the Capitol for two years and his work is being performed by another man.

That was the statement which was read to the Republican conference. I read it just as it stands here. It was adopted by the conference as to Jones, as it was adopted as to Gaskin. Mr. President, I certainly never should have thought of asking for the removal of this old colored man because he had been the body servant of Mr. Davis. He was not a soldier, as the Senator seems to think; he was simply the body servant of the president of the Confederacy.

Mr. HEYBURN. The Senator did not refer to me, then, when he stated that the Senator seemed to think that?

Mr. LODGE. I did not. I referred to the Senator from Michigan, who appeared to speak of this man as though he were a soldier.

Mr. SMITH of Michigan. No; the Senator from Massachusetts misunderstood me. I do not know anything about the military record of this man; and I do not care whether he had a military record or not.

Mr. LODGE. Mr. President, I have the same feeling in regard to personal loyalty as that expressed by the Senator from Mississippi [Mr. WILLIAMS]. I think it is a noble and most beautiful quality, never more touchingly exhibited than by this poor man, whether in slavery or freedom. Unquestioning, unselfish, unfaltering loyalty is one of the most beautiful, one of the purest emotions of which human nature is capable. It is his blind loyalty which makes the dog dear to man above all other animals. Why, Mr. President, in a novel which we have all read, some of us many times, there is a description of the death of Bill Sykes, the burglar, the ruffian, the murderer, the human brute. When he drops down from the roof of the building and the rope slips over his shoulders and tightens around his neck, his bull dog, an ill-favored, ugly, surly brute, creeps down to the edge of the roof, and seeing his master swinging there at the end of the rope, casts himself after him, and dashes his brains out in the ditch below. I think any man must be devoid of feeling or imagination who, when he reads that description by Dickens, does not have a momentary respect for that poor ill-favored dog, for after all he was loyal to what he alone loved. If we admire this attribute in a dog, how much more must we admire it in a man.

Mr. President, loyalty is a great and noble quality. I should have been surprised if the Senator from Mississippi had not felt about this man exactly as he does; in his place I should have felt in exactly that way myself; but I and those who are on the committee that made this investigation were trying to do our duty to the Senate and to the public as it was presented to us. We went thoroughly into all of these cases, and we found men on the roll who were being paid an annual salary and doing no work. If the Senate chooses to give them a pension, that is for the Senate to say, but no committee had the right to suppress the facts. We brought our report into the conference of the majority party. It was there read; it was discussed for hours; it was voted on; and that portion of the report which I have just quoted remained unamended, unopposed, and went through unanimously.

The committee were doing a hard and disagreeable duty. It seems to me uncalled for to refer to any action of the conference or of Senators as shameful. It demands no great courage to give the public money to those who excite our sympathy. It sometimes requires courage to refuse it. We have done what we thought our duty. I think our action is right, and I think what is proposed is proper as a matter of public accounting; for these reasons the committee has laid the matter before the Senate.

Mr. BORAH. Mr. President, may I ask the parliamentary situation?

The VICE PRESIDENT. The amendment proposed by the Senator from Mississippi [Mr. WILLIAMS] is the pending question, upon which the yeas and nays have been ordered. If no Senator desires to discuss the matter further, the Secretary will call the roll.

Mr. BORAH. I wish to say just a word, Mr. President. I shall vote for the amendment of the Senator from Mississippi. The peculiar turn which the discussion has taken here this morning I think forbids my stating at length why I shall do so. I want to say, however, before I vote, that I do not record my vote at this time as a vote in favor of a pension. There are reasons why to my mind I should vote for the amendment, some of which have been expressed here by other Senators, and while I shall not go into a discussion of it at this time, I only want it understood that it is not a precedent for establishing a permanent pension roll.

Mr. SMOOT. Mr. President, I shall detain the Senate for only a moment. I was a member of the subcommittee which made the investigation in regard to the work being performed by the employees of the Senate. I am heartily in favor of the resolution being adopted to-day with no changes whatever, not because I am opposed to or have any feeling against Mr. Jones. The fact that he was the bodyguard of Jefferson Davis had nothing whatever to do with my action in this matter. This is a question of business policy, and I can only say that I am in full accord with every word that was uttered by the Senator from Iowa [Mr. CUMMINS] respecting the pending resolution. We discussed this matter time and time again, and I believe in the object of the resolution, and it ought to be adopted without an amendment.

Mr. President, it seems to me that if I were a member of the organization of the Sons of the Southern Confederacy the first thing that I would do would be to provide for a man like James Jones. I never would allow him to suffer; I would be loyal to the man that was loyal to the President of the Confederacy; I would see that he was taken care of as long as he lived; and if the organization would not do it, I myself, if a member, would do it if it were in my power. My father was a southern man; southern blood is in my veins; he took his slaves to Utah; they were there at the time they were freed; but so long as they lived and remained loyal to him, and after he died the responsibility of seeing that they did not suffer fell upon me, and I assumed that responsibility with all the pleasure possible. It seems to me that it is a poor organization that would allow a man like James Jones to want for a thing. What is $720 a year to a great organization? I would gladly be one to subscribe to a fund to take care of James Jones the balance of his life.

It is not the question of $720 a year that the committee considered. It was the question whether we should continue a policy of carrying men upon the rolls of the Senate when they were doing no work whatever. It is for that reason that I favored the resolution in the first place, and it is for that reason that I shall vote for it at this time.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. WATSON (when Mr. CHILTON's name was called). My colleague [Mr. CHILTON] is necessarily absent from the Chamber. If he were present, he would vote "yea."

Mr. CULBERSON (when his name was called). I have a general pair with the Senator from Delaware [Mr. DU PONT]. If he were present, I should vote "yea."

Mr. OVERMAN (when Mr. FOSTER's name was called). I am requested to announce that the Senator from Louisiana [Mr. FOSTER] is unavoidably absent from the Senate in attendance upon a committee of the House of Representatives.

Mr. BACON (when Mr. FRYE's name was called). I desire to announce that I have a general pair with the Senator from Maine [Mr. FRYE], but I transfer that to my colleague [Mr. TERRELL]. If my colleague were present, he would vote "yea." I am not informed how the Senator from Maine would vote. I have already voted "yea."

Mr. BURNHAM (when Mr. GALLINGER's name was called). I desire to say that my colleague [Mr. GALLINGER] is absent. He has gone to New Hampshire on account of the death of his son. He is paired, I understand, with the Senator from Arkansas [Mr. DAVIS].

Mr. GUGGENHEIM (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. PAYNTER], who is detained from the Senate. Believing that if present he would vote "yea" on this question, I shall take the liberty of voting. I vote "yea."

Mr. TAYLOR (when Mr. LEA's name was called). My colleague [Mr. LEA] is paired with the senior Senator from South Dakota [Mr. GAMBLE]. If he were present, my colleague would vote "yea."

Mr. OVERMAN (when Mr. SIMMONS's name was called). I am requested by my colleague [Mr. SIMMONS] to announce that he has a general pair with the Senator from Ohio [Mr. BURTON]. If he were present, my colleague would vote "yea."

Mr. SMITH of South Carolina (when his name was called). I have a general pair with the junior Senator from Delaware [Mr. RICHARDSON]. I transfer that pair to the junior Senator from Maryland [Mr. SMITH] and vote. I vote "yea."

Mr. SUTHERLAND (when his name was called). I have a general pair with the Senator from Maryland [Mr. RAYNER]. In his absence I withhold my vote. If he were present and I were permitted to vote, I should vote "nay."

Mr. TAYLOR (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. BRADLEY]. I transfer that pair to the Senator from Alabama [Mr. BANKHEAD] and vote. I vote "yea."

Mr. WARREN (when his name was called). I have a general pair with the senior Senator from Louisiana [Mr. FOSTER], who is absent on duty at another place. He would undoubtedly vote "yea" if he were present, and if at liberty to vote I would vote "nay," to sustain the committee.

The roll call was concluded.

Mr. PAGE. I wish to announce that my colleague [Mr. DILLINGHAM] is detained on the committee examining into the Lorimer matter. I am also requested to say that the Senator from Alabama [Mr. JOHNSTON] is likewise detained on the same committee.

Mr. BACON. I have been requested to announce that the Senator from New York [Mr. O'GORMAN] is paired with the Senator from South Dakota [Mr. CRAWFORD].

Mr. OVERMAN. I am requested to announce that the Senator from Alabama [Mr. JOHNSTON] is absent unavoidably on business of the Senate. I am also requested to announce a general pair between the Senator from Arkansas [Mr. CLARKE] and the Senator from Wisconsin [Mr. STEPHENSON].

Mr. CULBERSON. I transfer my pair with the Senator from Delaware [Mr. DU PONT] to the Senator from Louisiana [Mr. THORNTON], and vote. I vote "yea."

The result was announced—yeas 37, nays 18, as follows:

YEAS—37.

Bacon	Johnson, Me.	Owen	Stone
Borah	Kern	Page	Swanson
Briggs	La Follette	Penrose	Taylor
Brown	McCumber	Poindexter	Watson
Chamberlain	McLean	Pomerene	Wetmore
Culberson	Martin, Va.	Reed	Williams
Dixon	Martine, N. J.	Root	Works
Gronna	Myers	Shively	
Guggenheim	Newlands	Smith, Mich.	
Hitchcock	Overman	Smith, S. C.	

NAYS—18.

Bourne	Crane	Kenyon	Perkins
Brandegee	Cummins	Lippitt	Smoot
Bristow	Curtis	Lodge	Townsend
Burnham	Heyburn	Nixon	
Clark, Wyo.	Jones	Oliver	

NOT VOTING—36.

Bailey	Cullom	Gore	Richardson
Bankhead	Davis	Johnston, Ala.	Simmons
Bradley	Dillingham	Lea	Smith, Md.
Bryan	du Pont	Lorimer	Stephenson
Burton	Fletcher	Nelson	Sutherland
Chilton	Foster	O'Gorman	Terrell
Clapp	Frye	Paynter	Thornton
Clarke, Ark.	Gallinger	Percy	Tillman
Crawford	Gamble	Rayner	Warren

So the amendment of Mr. WILLIAMS was agreed to.

Mr. LODGE. Mr. President, the Senate having taken that action, I think it is only justice to the messenger referred to in the resolution, who is also a colored man of nearly 30 years' service here, I believe, or at any rate of very long and faithful service, that he should be excepted and likewise the clerk referred to by the Senator from Pennsylvania [Mr. PENROSE]. I move, therefore, to strike out the words "clerk, compiling a history of revenue and general appropriation bills, one unemployed messenger and one unemployed laborer," so that the resolution will read:

Resolved, That the offices designated as "superintendent of the folding room," "assistant postmaster and mail carrier," be, and are hereby, abolished.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. In lines 3, 4, and 5 it is proposed to strike out the words "clerk, compiling a history of revenue and general appropriation bills, one unemployed messenger and one unemployed laborer."

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The resolution as amended was agreed to.

INTERNATIONAL EXPOSITIONS.

Mr. PENROSE obtained the floor.

Mr. ROOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Pennsylvania yield to the Senator from New York?

Mr. PENROSE. I yield to the Senator from New York.

Mr. ROOT. I offer the resolution I send to the desk.

The resolution (S. Res. 102) was read, as follows:

Resolved, That the Secretary of State be requested to furnish the Senate a statement showing—

First. What invitations have been received by the United States to attend or be represented in expositions in foreign countries.

Second. What invitations have been accepted in behalf of the United States.

Third. What has been the character of the official representation of the United States at such expositions, whether by commissioners or otherwise; the scope and character of the United States' participation in such expositions, and the amounts expended out of the Treasury of the United States in each case.

And also a statement showing—

First. What invitations have been extended by the United States to foreign countries to attend or participate in or be represented at expositions in the United States.

Second. What foreign countries have accepted such invitations.

Third. What has been the character of the official representation of foreign countries at such expositions in the United States, whether by commissioners or otherwise; the scope and character of the participation by foreign countries in such expositions, and, so far as known to the State Department, the amount expended by each country in each case.

Mr. ROOT. I ask for the present consideration of the resolution.

The VICE PRESIDENT. Is there objection?

Mr. BAILEY. Let me understand what the resolution is. I have just entered the Chamber.

Mr. ROOT. It is a call upon the State Department for information regarding international expositions.

Mr. BAILEY. With a view of having another one?

Mr. ROOT. No, sir; with a view to enabling the Committee on Industrial Expositions to act advisedly upon a number of resolutions now before it.

Mr. BAILEY. If this information is desired for the purpose of committing the Government to another exposition, I would object to it.

Mr. ROOT. On the contrary, it is desired, in order that we may deal with this whole subject of expositions as a whole and act with reference to the general course of international conduct in respect to expositions, instead of taking up each case by itself as a local question.

Mr. BAILEY. I am hopeful that when they have all the information they will find that so much of the public money has been wasted that they will help us to call a halt. I very cheerfully consent to the consideration of the resolution.

There being no objection the resolution was considered and agreed to.

PROPOSED AMENDMENT OF THE RULES.

Mr. BACON. Mr. President, I ask to give notice of an amendment to the rules, and I desire that the notice and the amendment be read.

The VICE PRESIDENT. The Secretary will read, as requested.

The Secretary read as follows:

Notice is hereby given that on Friday, July 14, instant, Mr. BACON will offer an amendment to clause 1 of standing rule 19 of the Senate, by adding thereto the following words, the purpose of said amendment being to secure proper decorum and orderly procedure in the debates of the Senate:

"No Senator having the floor in debate shall permit another Senator to interrupt him without the consent of the Senate, except for the bona fide purpose of asking a question or for the purpose of correcting a misstatement, and not for the purpose of discussion or argument. If any Senator shall interrupt another Senator, except as herein provided, any Senator may call him to order; and when a Senator is thus called to order he shall sit down and not proceed with said interruption without the leave of the Senate, which, if granted, shall be upon motion that he be allowed to proceed with said interruption, which motion shall be decided without debate."

Mr. CLAPP. Who is the author of that?

The VICE PRESIDENT. The Senator from Georgia has given the notice.

Mr. BACON. I personally am the author of it.

Mr. CLAPP. I just wanted to know if there was any penalty prescribed when a Senator obtained the floor on the statement that he simply wanted to ask a question and then proceeded to make a speech.

Mr. BACON. I do not desire now to discuss it, but I think it is a matter of grave importance. It must be evident to everyone that something must be done to correct what is a great evil and a growing evil. The Senate has ceased to be a debating body. It has gotten so that what are called debates in this body are more like the jowering of unorganized men on the street corner.

I know, Mr. President, it is frequently ungracious to refer to the past, and I know that in saying the past has been better, frequently it is a misstatement. But if anyone will refer to the CONGRESSIONAL RECORD in the past—not the very recent past—he will see the vast difference between the methods pursued by the Senate in former days and in the methods pursued now.

I want to say, in order that I may not be construed as in any manner lecturing, that I myself am one of the chief offenders. I do not attribute any irregularity to others that I do not confess for myself. But in contrast with the RECORD and the method of debate as disclosed by the RECORD of the not very distant past, the CONGRESSIONAL RECORD to-day, if a man will look at it, he will find that the pages of it are more like the pages of animated conversation in some racy novel than they are as pages representing the speeches of Senators.

I do not know that this is a proper remedy. But some remedy ought to be applied. It is not the fault of the Chair. The Chair is active in the effort to preserve the rules. It is the fault of Senators, and there ought to be some method by which, not simply the Senator on the floor who is appealed to to yield to another Senator, but by which any Senator may be permitted or given the opportunity to call to order Senators engaged in that kind of discussion, and the Senate itself shall determine whether or not the procedure which is thus had is a proper one and shall be allowed to continue, or whether the Senator who has the floor shall continue to make his speech. When he gets through let the Senator who has something to say in reply take the floor to reply to it.

I can not offer the amendment to-day. I am only permitted to give the notice.

The VICE PRESIDENT. The notice will be printed and lie upon the table.

RECIPROCITY WITH CANADA.

Mr. PENROSE. I move that the Senate proceed to the consideration of the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes.

The motion was agreed to, and the Senate, as in Committee of the Whole, resumed the consideration of the bill.

The VICE PRESIDENT. The pending amendment to the bill is that of the Senator from Texas [Mr. BAILEY]. The amendment was not read last night.

Mr. BAILEY. The amendment, in lieu of being read, was printed in the RECORD.

Mr. CULLOM. It seems to me the amendment ought to be read so the Senate will know what it is voting on.

Mr. STONE. Mr. President, I desire to say that I had intended to address the Senate when this amendment was pending. I do not feel in condition to undertake to do it to-day, nor have I felt well for several days.

I will not ask the Senator from Pennsylvania to delay the final disposition of this amendment on my account. It is more important to proceed with the disposition of amendments than it is to hear or to make speeches. Possibly to-morrow, on some other amendment, if this is disposed of to-day, I will undertake to express the views I have as to why Democrats, Democratic Senators particularly, should not vote for such amendments as the pending one when offered to this particular bill. But for the present I am compelled to delay that address, and at the same time, as I have said, I will not ask the Senator from Pennsylvania to delay the consideration of it on that account.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Texas.

The amendment was rejected.

Mr. BAILEY. Mr. President, I desire to put into the RECORD the same statement about this amendment that I made about the free-list bill amendment. I regard it as a waste of time to have a roll call on it, because it is apparent that the Senate would vote it down.

Mr. LA FOLLETTE. Mr. President, I offer at this time to lie on the table, to be called up later, amendments revising the wool schedule—Schedule K—and also amendments making a revision of the cotton schedule. These amendments cover all the paragraphs of both schedules. I offer them at this time to lie on the table in order that Senators may have an opportunity to examine them.

The VICE PRESIDENT. May the Chair suggest that the Senator present them to be printed and lie on the table? If he offers them, of course they must be disposed of.

Mr. LA FOLLETTE. I do not offer them to be voted upon.

Mr. BAILEY. I desire to ask the Senator from Wisconsin if they are presented as separate amendments. I hope they are. I asked that question to ascertain if it is agreeable to him that they may be presented as two separate amendments.

Mr. LA FOLLETTE. Yes. I will say to the Senator from Texas that they are presented as separate sections to be added to the reciprocity bill, and a division can be called upon them, I would cheerfully acquiesce in a division upon them.

Mr. BAILEY. Would the Senator permit me to volunteer the suggestion that they be printed separately, too, so that any Senator can take one of them without necessarily going over the other, if that can be done?

Mr. LA FOLLETTE. They are printed separately in the document which I hold in my hand, although bound together. But they might as well be printed that way, and I will accept the suggestion of the Senator from Texas that they be printed as two separate amendments—that is, the amendments which I propose to offer later to Schedule K of the present tariff law and the amendments which I propose to offer to Schedule I of the present tariff law.

The VICE PRESIDENT. Without objection, the proposals will be printed and lie on the table, and printed in separate form.

Mr. LA FOLLETTE. I think I will ask, for the convenience of Senators, that they be printed in the RECORD.

The VICE PRESIDENT. Without objection, they will also be printed in the RECORD.

The amendments are as follows:

Amendment intended to be proposed by Mr. LA FOLLETTE to the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes.

Amend by adding after section 3 the following new section, which shall read as follows:

"SEC. 4. The act approved August 5, 1909, entitled 'An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes,' is hereby amended by striking out all of Schedule K thereof, being paragraphs 360 to 395, inclusive, and inserting in lieu thereof the following:

"SCHEDULE K—WOOL AND MANUFACTURES THEREOF.

"360. All wool, hair of the camel, goat, alpaca, and other live animals, shall be divided, for the purposes of this act, into the three following classes:

"361. Class 1, that is to say, merino, mestiza, metz, or metis wools, or other wools of merino blood, immediate or remote, Down clothing wools, and wools of like character with any of the preceding, including Bagdad wool, China lamb's wool, Castel Branco, Adrianople skin wool, or butcher's wool, and such as have been heretofore usually imported into the United States from Buenos Aires, New Zealand, Australia, Cape of Good Hope, Russia, Great Britain, Canada, Egypt, Morocco, and elsewhere, Leicester, Cotswold, Lincolnshire, Down combing wools, Canada long wools, or other like combing wools of English blood and usually known by the terms herein used, and all wools not hereinafter included in class 2.

"362. Class 2, that is to say, Donskoi, native South American, Cordova, Valparaiso, native Smyrna, and all such wools of like character as have been heretofore usually imported into the United States from Turkey, Greece, Syria, and elsewhere, excepting improved wools hereinafter provided for.

"363. Class 3, that is to say, the hair of the camel, Angora goat, alpaca, and other like animals.

"364. The standard samples of all wools which are now or may be hereafter deposited in the principal customhouses of the United States, under the authority of the Secretary of the Treasury, shall be the standards for the classification of wools under this act, and the Secretary of the Treasury is authorized to renew these standards and to make such additions to them from time to time as may be required, and he shall cause to be deposited like standards in other customhouses of the United States when they shall be needed.

"365. Whenever wools of class 2 shall have been improved by the admixture of merino or English blood, from their present character as represented by the standard samples now or hereafter to be deposited in the principal customhouses of the United States, such improved wools shall be classified for duty as class 1.

"366. The duty on wools of the first class shall be 40 per cent ad valorem.

"367. The duty upon wools of class 2 shall be 10 per cent ad valorem.

"368. The duty on wools on the skin shall be as follows: Class 1, 35 per cent ad valorem; class 2, 10 per cent ad valorem; the quantity and value of the wool to be ascertained under such rules as the Secretary of the Treasury may prescribe.

"369. Top waste, slubbing waste, roving waste, ring waste, and garnetted waste, 30 per cent ad valorem.

"370. Shoddy, noils, wool extract, yarn waste, thread waste, and all other wastes composed wholly of wool or of which wool is the component material of chief value, and not specially provided for in this section, 30 per cent ad valorem.

"371. Woolen rags, mungo, and flocks, 30 per cent ad valorem.

"372. Combed wool or tops, and all wools which have been advanced in any manner or by any process of manufacture beyond the washed or scoured condition, not specially provided for in this section, 45 per cent ad valorem.

"373. On yarns made wholly of wool or of which wool is the component material of chief value, the duty shall be 50 per cent ad valorem.

"374. On cloths, knit fabrics, blankets, and flannels for underwear, composed wholly of wool or of which wool is the component material of

chief value, women's and children's dress goods, coat linings, Italian cloths, bunting, clothing, ready made, and articles of wearing apparel of every description, including shawls, whether knitted or woven, and knitted articles of every description made up or manufactured wholly or in part, felts not woven, and not specially provided for in this section, webbings, gorings, suspenders, braces, bandings, beltings, bindings, braids, galloons, edgings, insertings, flouncings, fringes, gimps, cords and tassels, ribbons, ornaments, laces, trimmings, and articles made wholly or in part of lace, embroideries and all articles embroidered by hand or machinery, head nets, nettings, buttons or barrel buttons or buttons of other forms for tassels or ornaments, and manufactures of wool ornamented with beads or spangles of whatever material composed, any of the foregoing made of wool or of which wool is the component material of chief value, whether containing india rubber or not, 60 per cent ad valorem.

"375. Aubusson, Axminster, moquette, and chenille, figured or plain, and all carpets or carpeting of like character or description; Saxony, Wilton, and Tourney velvet carpets, figured or plain, and all carpets or carpeting of like character or description; Brussels carpets, figured or plain, and all carpets or carpeting of like character or description; velvet, and tapestry velvet carpets, figured or plain, printed on the warp or otherwise, and all carpets or carpeting of like character or description; tapestry Brussels carpets, figured or plain, and all carpets or carpeting of like character or description; printed on the warp or otherwise; treble ingrain, three-ply, and all chain venetian carpets; wool Dutch and two-ply ingrain crapets; carpets of every description, woven whole for rooms; oriental, Berlin, Aubusson, Axminster, and similar rugs; druggets and bockings, printed, colored, or otherwise; all the foregoing, made of wool, or of which wool is the component material of chief value, 40 per cent ad valorem.

"376. Carpets and carpeting of wool or of which wool is the component material of chief value, not specially provided for in this section, 40 *per cent ad* valorem.

"377. Mats, rugs for floors, screens, covers, hassocks, bedsides, art squares, and other portions of carpets or carpeting made wholly of wool or of which wool is the component material of chief value, and not specially provided for in this section, shall be subjected to the rate of duty herein imposed on carpets or carpeting of like character or description.

"378. Whenever, in any schedule of this act, the word 'wool' is used in connection with a manufactured article of which it is a component material, it shall be held to include wool of the sheep, whether manufactured by a woolen, worsted, felt, or any other process.

"379. All manufacures of hair of the camel, goat, alpaca, or other like animal, or of which any of the hair mentioned in paragraph 363 form the component material of chief value, shall be subject to a duty of 35 per cent ad valorem.

"Paragraph 583 of the free list of the act of August 5, 1909, is hereby amended to read as follows:

"'583. Hair of the camel, Angora goat, alpaca, and other like animals; hair of horse, cattle, and other like animals, cleaned or uncleaned, drawn or undrawn, but unmanufactured, not specially provided for in this section; and human hair, raw, uncleaned, and not drawn.'"

Amendment intended to be proposed by Mr. LA FOLLETTE to the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes.

Amend by adding after section 3 the following new sections, which shall read as follows:

"SEC. —. The act approved August 5, 1909, entitled 'An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes,' is hereby amended by striking out all of Schedule I thereof, being paragraphs 313 to 332, inclusive, and inserting in lieu thereof the following:

"SCHEDULE I—COTTON MANUFACTURES.

"313. Cotton card laps, roping, sliver, roving, and cotton thread and cotton yarns of all kinds, 20 per cent ad valorem; cotton waste and flocks, manufactured or otherwise advanced in value, 20 per cent ad valorem.

"314. Cloth made of cotton, or of which cotton is the component material of chief value, not bleached, 20 per cent ad valorem; bleached, 25 per cent ad valorem; dyed, colored, stained, painted, or printed, 30 per cent ad valorem.

"315. The term cotton cloth, or cloth, wherever used in the paragraphs of this schedule, unless otherwise specially provided for, shall be held to include all woven fabrics of cotton in the piece, or cut in lengths, and shall not include any article, finished or unfinished, made from cotton cloth.

"316. Cloth, composed of cotton or other vegetable fiber and silk, or artificial silk, whether known as silk-striped sleeve lining, silk stripes, or otherwise, of which cotton or other vegetable fiber is a component material of chief value, 35 per cent ad valorem.

"317. Handkerchiefs, or mufflers composed of cotton, or of which cotton is the component material of chief value, whether in the piece or otherwise, and whether finished or unfinished, hemmed or not hemmed, 30 per cent ad valorem; if embroidered in any manner, or tamboured, appliquéd, or trimmed wholly or in part with lace or with tucking or insertion, 35 per cent ad valorem.

"318. Clothing, ready-made, and articles of wearing apparel of every description, composed of cotton, or other vegetable fiber, or of which cotton or other vegetable fiber is the component material of chief value, 35 per cent ad valorem.

"319. Plushes, velvets, velveteens, corduroys, and all pile fabrics, cut or uncut, composed of cotton, or of which cotton is the component material of chief value, 35 per cent ad valorem.

"320. Curtains, table covers, and all articles manufactured of cotton chenille or of which cotton chenille is the component material of chief value; tapestries, and other Jacquard figured upholstery goods, composed wholly of cotton, or of which cotton is the component material of chief value; any of the foregoing, in the piece or otherwise, 35 per cent ad valorem.

"321. Stockings, hose and half hose, made on knitting machines or frames, composed of cotton or other vegetable fiber, or of which cotton or other vegetable fiber is the component material of chief value, and not otherwise specially provided for in this section, 30 per cent ad valorem.

"322. Stockings, hose and half hose, selvedged, fashioned, narrowed, or shaped wholly or in part by knitting machines or frames, or knit by hand, including such as are commercially known as seamless stockings, hose and half hose, and clocked stockings, hose and half hose, all of the above composed of cotton or other vegetable fiber, or of which cotton or other vegetable fiber is the component material of chief value, finished or unfinished, 35 per cent ad valorem.

"323. Men's and boys gloves, knitted or woven, made of cotton or of which cotton is the component material of chief value, 35 per cent ad valorem.

"324. Shirts and drawers, pants, vests, union suits, combination suits, tights, sweaters, corset covers, and all underwear of every description composed of cotton or of which cotton is the component material of chief value, 35 per cent ad valorem.

"325. Bone casings, garters, tire fabric, or fabric suitable for use in pneumatic tires, suspenders and braces, and tubing, any of the foregoing made of cotton or other vegetable fiber and india rubber, or of which cotton or other vegetable fiber is the component material of chief value; spindle banding, woven, braided, or twisted; lamp, stove, or candle wicking made of cotton or other vegetable fiber, or of which cotton or other vegetable fiber is the component material of chief value; loom harness, healds, or collets made of cotton or other vegetable fiber, or of which cotton or other vegetable fiber is the component material of chief value; boot, shoe, and corset lacings made of cotton or other vegetable fiber, or of which cotton or other vegetable fiber is the component material of chief value; labels for garments or other articles composed of cotton or other vegetable fiber, or of which cotton or other vegetable fiber is the component material of chief value; mats, matting, rugs, carpets, and carpeting made of cotton or other vegetable fiber, or of which cotton or other vegetable fiber is the component material of chief value, 35 per cent ad valorem. Laces, lace window curtains, and all other lace articles; napkins, wearing apparel, and all other articles made wholly or in part of lace or laces, or in imitation of lace; nets, nettings, veils, veilings, neck ruffllings, ruchings, tuckings, flutings, quillings, embroideries, trimmings, braids, featherstitch braids, edgings, insertings, flouncings, galloons, gorings, bands, bandings, belts, belting, bindings, cords, ornaments, ribbons, tapes, webs, and webbing; wearing apparel and other articles or fabrics embroidered in any manner, or tamboured, appliquéed, or scalloped, or from which threads have been drawn, cut, or punched to produce openwork, ornamented or embroidered in any manner herein described; hemstitched or tucked flouncings or skirtings; all of the foregoing, composed of cotton or of whfch cotton is the component material of chief value, 35 per cent ad valorem. Belting for machinery made of cotton or other vegetable fiber, or of which cotton or other vegetable fiber is the component material of chief value, 30 per cent ad valorem.

"326. Cotton table damask and manufactures of cotton table damask, or of which cotton table damask is the component material of chief value, not specially provided for in this section, 35 per cent ad valorem.

"327. All articles made from cotton cloth, whether finished or unfinished, and all manufactures of cotton, or of which cotton is the component material of chief value, not specially provided for in this section, 35 per cent ad valorem.

"328. All artificial or imitation silk or artificial or imitation horsehair, by whatever name known or by whatever process made, and all fabrics and articles composed wholly or in chief value of artificial or imitation silk, or artificial or imitation horsehair, shall be subject to the same rates of duty as like articles or manufactures made of cotton.

"SEC. —. The act approved August 5, 1909, entitled 'An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes,' is hereby amended as follows:

"Strike out the word 'cotton' whenever used in Schedule J, entitled 'Schedule J. Flax, Hemp, and Jute, and Manufactures of.'

"Strike out all of paragraph 350.

"Strike out all of paragraph 405.

"SEC. —. That all acts and parts of acts in conflict with the provisions of sections 4, 5, and 6 of this act be, and the same are hereby, repealed. The provisions of sections 4, 5, and 6 of this act shall take effect and be in force on and after ———."

Mr. LA FOLLETTE. Mr. President, I have had prepared some comparative tables of duties proposed under Schedules I and K and have had printed as committee prints these comparative schedules. They are in the hands of the Secretary. For the convenience of Senators I will ask that this document be printed as a Senate document (S. Doc. No. 65).

The VICE PRESIDENT. Without objection that order will be entered.

Mr. LA FOLLETTE. Mr. President, later in the discussion I shall ask the indulgence of the Senate to consider more especially the bill in detail. For the present, sir, I submit these two propositions.

First. Considered as a measure of reciprocity, I shall undertake to demonstrate later in the debate that the bill violates every principle of reciprocity heretofore expressed in the platform declarations of the Republican Party and recommended by former Republican Presidents.

Second. Considered as a tariff bill, it violates exery tariff principle and platform promise upon which William H. Taft was elected President of the United States.

In the beginning it was heralded as a blessing to the consumer. So was the tariff bill of 1909. It promises to reduce duties for the benefit of the people. It reduces no duties the effect of which can ever reach the people, but it does reduce duties for the millers, the packers, Standard Oil, the brewers, the coal combines, and in some measure for the already overprotected interests. It is nothing that it pretends to be, and professes to be nothing that it is. It is a little brother to the Payne-Aldrich bill, the greatest legislative wrong inflicted upon the American people in half a century.

While it is important, Mr. President, to the proper discharge of our legislative duties, that there should be maintained between the executive and legislative departments that official comity in the absence of which it is impossible to accomplish the largest measure of public good, yet our binding covenant to represent the public interest compels us, in our legislative

capacity, to examine and analyze the recommendations of the Executive with the greatest care and thoroughness at all times. This duty becomes imperative when a President's course has been one of vacillation and contradiction, wanting in steadiness and constancy of purpose and policy.

The pending legislation, based on the Canadian pact, is so important and far-reaching in its consequences, will, in my opinion, ultimately exert under the favored-nation clause of our treaties such an influence upon our trade relations with the great nations of the world, stands so by itself in the exercise of the Executive prerogative, so involves the whole tariff issue, is so related to the strange course of Mr. Taft upon the tariff question and the progressive policies which he was elected to maintain and advance, that the wisdom, the true value, the real, stable worth of his recommendations can not be fairly judged without reviewing the more important issues involved in his election and the more important acts of his administration.

The tariff was the one issue paramount in the presidential contest of 1908. Everywhere, East as well as West, that was the all-absorbing question.

That issue, sir, came with the economic changes in the life of the American people, almost entirely within the decade immediately preceding. Those changes had wrought a revolution in the industrial and commercial conditions of the country. The general business depression following the world-wide financial disturbances in the early nineties prepared the way for the enactment of the high tariff rates written in the Dingley law of 1897. The general suspension of business, unemployed labor, curtailed production in manufacturing were all very generally charged to the lower duties of the Wilson tariff, and the way was open for advancing rates and raising the tariff wall against foreign importations. The avowed purpose of the Dingley law was to exclude foreign-made goods and give to American capital and American labor opportunity to supply the American market.

Mr. President, I have always believed that the statesmanship of that time ought to have been wise enough to discern the gathering forces of trust consolidation, which were then clearly manifest. Indeed, sir, the Dingley rates shut out, in so far as possible, foreign competition. Seizing upon this opportunity, manufacturing combinations of giant proportions immediately formed to suppress domestic competition. Within three years following the enactment of the Dingley law 149 trusts were organized, with a total stock and bond capitalization of $3,784,000,000. Four years later trust control had extended to 8,864 plants, with a total capitalization of $20,379,000,000. By January 1, 1908, the increase in trust consolidation embraced 10,220 plants, with outstanding stocks and bonds aggregating $31,672,000,000 of paper capitalization.

The Dingley law excluded foreign competition. The trusts strangled home competition. The American consumer was completely at the mercy of the over-protected manufacturers of the country. Prices were advanced. The cost of living increased from 40 to 60, 70, and 80 per cent.

The demand for tariff revision was inevitable. It came from almost every home in the land. It increased in volume year by year preceding 1908. Congress was flooded with petitions. Republican county and State conventions adopted resolutions demanding tariff revision. Session after session these appeals were pigeonholed. In Congress after Congress the Committee on Ways and Means was organized to suppress every effort for a revision of the Dingley law. The people demanded a reduction of duty. The trusts resisted, and the answer of Congress to all appeals was, "We stand pat on the present tariff."

But, sir, by the year 1908 standpat Republicans well understood and openly admitted that tariff revision could no longer be resisted. Upon this subject the political situation was acute. Political managers realized that no obscure generalization regarding tariff revision would be safe. If the Republican Party was to succeed in the election of 1908, it was imperative that its platform should declare for tariff revision that would meet the demand in clear and specific terms. Mark what this platform said:

> The Republican Party declares unequivocally for the revision of the tariff by special session of Congress immediately following the inauguration of the next President.

This was a promise for revision, not at some future and indefinite time, but, in deference to the demand that could no longer be denied, that convention said to the voters of America: If you will trust us once more, we will revise the tariff, not at some convenient time in the next four years; we will not ask you to wait even until the meeting of the next regular session, but we will hasten with all possible speed and revise the tariff—

> By special session of Congress immediately following the inauguration of the next President.

That, Mr. President, was a specific promise for a prompt revision of the tariff.

But, sir, the members of that convention likewise realized that it was vital, in view of the temper of the public upon this question, to be equally definite, clear, and specific in their promise as to the kind of revision that would be insured to the American people if they would elect a Republican President and a Republican Congress.

In what terms did they characterize that revision? I quote from the last Republican national platform. They promised revision—

> by the imposition of such duties as will equal the difference between the cost of production at home and abroad.

Nothing vague about that. In good, plain Anglo-Saxon they wrote into the platform of 1908 the most precise declaration of the true principle of protection ever recorded by a Republican national convention.

And then, sir, they named William Howard Taft as the man in the Republican Party best qualified to redeem in letter and spirit the solemn promise made to the American people on that June day, 1908.

And Mr. Taft accepted the trust.

Sir, the selection seemed a wise and fitting one.

The candidate went forth to meet the issue and to satisfy the universal demand for tariff revision. From his first utterance it was made clear that the Republican Party would, as its first and highest obligation, if intrusted with power, revise the Dingley tariff rates generally downward, to the end that trusts and combinations which had formed behind the high-tariff wall should no longer find protection in wrongdoing.

In his speech of acceptance July 28, 1908, he said:

> The tariff in a number of the schedules exceeds the difference between the cost of production of such articles abroad and at home, including a reasonable profit to the American producer. The excess over that difference serves no useful purpose, but offers a temptation to those who would monopolize the production and the sale of such articles in this country to profit by the excessive rate.

Day by day, as the campaign progressed, this paramount issue became more and more the dominant and all-prevailing thought in the speeches of the candidate.

Day by day his declaration for downward revision grew stronger and more emphatic.

On September 22, 1908, in his speech at Cincinnati, he said:

> The Dingley tariff has served the country well, but its rates have become generally excessive. They have become generally excessive because conditions have changed since its passage in 1897.

The American people interpreted this to mean that the candidate clearly understood that trust organization had suppressed competition and was controlling prices at will.

And he gave assurance to the voters that the Republican Party would right the wrongs which had grown to be an abuse and a hardship. For in the same speech he said:

> The movement in favor of revision has arisen within the Republican Party and is pressed forward by the Republican Party. The revision which they desire is a revision which will reduce excessive rates and at the same time preserve the industries of the country.

This speech, made in Cincinnati on the 22d day of September, was practically the opening of the campaign. From Cincinnati Mr. Taft proceeded to Chicago and then came directly into Wisconsin.

He made several speeches in Wisconsin, beginning on the morning of the 24th of September. I spent the day with him. He closed with a speech at Milwaukee in the evening. In discussing the tariff, he said:

> The encouragement which industry receives leads to the investment of capital in it, to the training of labor, to the exercise of the inventive faculty, of which the American has so much; and in practically every case in which adequate protection has been given the price of the article has fallen, the difference in the cost of producing the article abroad and here has been reduced, and the necessity for maintaining the tariff at the former rate has ceased.
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> * * * * * * * *
>
> I can say that our party is pledged to a *genuine revision*, and as temporary head of that party and President of the United States, if it be successful in November, I expect to use all the influence that I have by calling immediately a special session and by recommendations to Congress to secure a *genuine and honest revision*.

He then professed to believe that a genuine and honest revision would result generally in lower tariff rates.

He said most emphatically to that great Milwaukee audience:

> It is my judgment that a revision of the tariff in accordance with the pledge of the Republican platform will be, on the whole, *a substantial revision downward*, though there probably will be a few exceptions in this regard.

This is what the people positively believed, and it is doubtful if the candidate could have made any other statement which would have so commended him to the confidence of the great mass of the voters of the country.

Mark you, this was at the very outset of his campaign. It was the very first of his all-day speech-making appeal for support. Representatives of every great newspaper in the country were with him, and this statement of his views on tariff revision were carried in the dispatches of every newspaper in the Union.

On the following day, at Des Moines, Iowa, he used exactly the same language, declaring that in his judgment a revision of the tariff "in accordance with the pledge of the Republican Party" would be "on the whole, a substantial revision downward."

As the campaign progressed, the tariff issue increased steadily in importance. From the platform of his special trains as he journeyed from coast to coast, and in the great auditoriums of the country where the thousands thronged to hear him, Mr. Taft emphatically and specifically declared that the "tariff ought to be lowered," that the "Dingley rates have become generally excessive," and that "revision of the tariff in accordance with the pledge of the Republican platform" meant "on the whole, a substantial revision downward."

And, Mr. President, upon the pledges of the Republican platform, and his oft-repeated promises as a candidate, William Howard Taft was elected President of the United States by an overwhelming majority.

What, sir, was the meaning of that election as applied to the tariff?

It meant revision downward. But what kind of revision downward? Two plans of revision were presented by the two great political parties in the campaign of 1908. The Republican plan meant revision downward according to the difference in the cost of production between this and competing countries—that is, revision downward along protective lines. The Democratic plan meant revision downward according to the Democratic principle—that is, revision downward to the bare revenue basis.

There is no opportunity for dispute or difference of opinion. The people declared, by an overwhelming majority, their determination that the Dingley duties should be revised everywhere downward until those duties measured the difference in the cost of production at home and abroad. Upon that issue they defeated Col. Bryan and elected Mr. Taft.

Let there be no misunderstanding about that fact. The decision of 1908 has never been reversed or modified. I am not unmindful, sir, of the Republican reverses of 1910, when the Republican majority of 47 was changed to a Democratic majority of 68 in the House of Representatives, and the Republican majority of 27 reduced to a majority of 9 in the United States Senate.

But, Mr. President, that did not signify any change of opinion regarding the Democratic Party and its tariff policy of revision downward to a revenue basis. The Democratic Party of 1910 had not changed its position upon the tariff. It stood for a tariff for revenue, just as it stood for a tariff for revenue in 1908, when a majority of the people determined by their ballots against a tariff on the revenue-only basis.

Where there are two great political parties the voter has but one alternative. If he finds himself betrayed by the party which represents the principles in which he believes, he can only resent the abuse of his confidence and register his protest by voting against the public official—the agent of his party—who has violated his trust. The convictions of the voter, to my mind, Mr. President, are as deep and abiding as the convictions of any Member of this body.

The voters in 1908 voted against standpattism. They did more; by their votes they directed their representatives to revise the tariff downward; but, in the interests of the labor of this country, to fix the duties high enough to measure the difference in production cost. And just as emphatically as they voted for such revision they voted against a revision below that point; against revision as expressed in the Democratic platform and represented by Col. Bryan, the Democratic candidate. There was not the slightest foundation for the claim that the elections of 1910 resulted in a Democratic triumph. It was not a Democratic triumph; it was Republican defeat—not a defeat, Mr. President, of Republican principles.

The Republican Party is not composed solely of Republicans who hold office, but of the millions and millions organized around certain ideas, seeking the crystallization of those ideas in legislation through the agents selected by the party and put forward as its candidates for office. A majority of these agents had betrayed their principal; there was but one way for the principal to punish such agents and warn others that they must not transgress in like manner, and that was to vote for the Democratic opponent of the Republican who served the system. That is what the election of 1910 meant.

Mr. President, a platform promise is a covenant with the voter, upon which he stakes his faith and his interests. He gives the party his support; he invests it with his authority; he makes it possible for the party to control in government. The obligation of the party is made the more binding because it seeks out the citizen, urges acceptance of its pledges, presses them upon his consideration, proclaims again and again its purpose to keep them in letter and spirit. The party makes the citizen its solicitor, secures his good offices to repeat its promises, proclaim its principles, and enlist in its ranks his neighbors and friends. Having secured his support, his influence, his vote, the party is in honor bound to keep its pledged word.

But the political party can only execute its contract with the voter and redeem its pledge to the public through the medium of its candidates when elected to office through the will of the majority. Upon the public official, then, as the custodian of the party honor, falls the full weight of the party obligation. He can not play fast and loose with clearly understood party promises and maintain a semblance of official integrity. He has no more moral right to quibble and evade than he would have to squander trust funds committed to his keeping. If this be counted too exact a standard for public service to-day, be sure that it will not be so regarded to-morrow. The citizen is being rapidly enlightened through disappointment and betrayal. He is fast acquiring definite ideas as to the right relation of the political party to government and of the public official to the public service.

President Roosevelt was so strongly intrenched in the confidence and affections of the American people that they were ready to set aside a tradition that has been preserved since the time of Washington—to elect him for a third term as their President. The man whom he chose as his successor was nominated as the candidate of the Republican Party against William Jennings Bryan, the leader of the Democratic Party, easily the second most popular American living, and the contest promised to be a close and exciting one.

It is an interesting study in political psychology to observe the campaign devotion of Mr. Taft to Roosevelt and the Roosevelt policies.

In his speech of acceptance, delivered at Cincinnati on the 22d day of September, Roosevelt, the idol of the American people, seemed to be uppermost in the mind of Candidate Taft. Around Roosevelt and the record of his administration and the progressive ideals which had begun to take the form of settled policies the candidate builded the chief strength of an otherwise ordinary discussion of issues. In one of his tributes to Roosevelt in this speech he said:

> He demonstrated to the people by what he said, by what he recommended to Congress, by what he did, the sincerity of his efforts to command respect for the law, to secure equality of all before the law, and to save the country from the dangers of a plutocratic government, toward which we were fast tending. In this work Mr. Roosevelt had the support and sympathy of the Republican Party, and its chief hope of success in the present controversy must rest on the confidence which the people of the country have in the sincerity of the party's declaration and its platform that it intends to continue his policies.

The speech covers 28 printed pages in the Republican campaign textbook, and in the course of it President Roosevelt and his policies were referred to 26 times. The candidate then had a very clear conception of these progressive policies, and the high favor in which they stood with the American people. In whatever he said, wherever he spoke, in all that he wrote during that campaign period, he kept the militant figure of Roosevelt always in the center of the stage—steadily in the glare of the spot light. The American people were never allowed for one moment to forget that he was the chosen instrument to fulfill the great purposes of the great man who had committed to his hands the work of his administration, finished and unfinished.

The people elected Mr. Taft in the belief that he would hold fast to all that Mr. Roosevelt had gained for the public, sustain his forces in the field, reenforce and support them, revoke no orders, reverse no action, but apply himself to crystallizing into statute law the public opinion, which President Roosevelt organized as a great creative force throughout the land.

On Thursday, December 2, 1909, President Taft's first message on general legislation was presented to Congress and the country. It was a document of 40 printed pages. The man and his policies so often quoted and discussed in Mr. Taft's speech of acceptance and in his addresses during the campaign were twice referred to in this his first message on general legislation. Once he is mentioned as "my predecessor" who directed attention to the "outrageous condition of the workhouse and jail in the District of Columbia"; and once again, where President Taft, realizing the weakness of his position and the necessity of bolstering his advocacy of a doubtful proposition, leans on

Roosevelt and says that "following the course of my distinguished predecessor, I earnestly recommend to Congress the consideration and passage of a ship-subsidy bill." That was all. Throughout the 40 pages of his first general message he found no space to say a word for the great measures that had made the name of his predecessor revered and loved everywhere in the United States.

Is it to be wondered at, Mr. President, that the Republican voter in 1910 felt that he had several scores to settle? A President, whom he had elected, believing him to be the custodian of the Roosevelt policies, had dismissed the Roosevelt Cabinet and appointed in their places men, in the main, of known hostility to those policies.

With the promises of Candidate Taft for downward revision still sounding in his ears, he had seen President Taft use all the power of his administration to save from defeat a stand-pat Speaker, who appointed a Committee on Ways and Means in deadly opposition to any revision of the tariff in the interest of the ultimate consumer.

And then he had witnessed that same President on March 16, 1909, transmit his first message to Congress on this all-important subject, a message so brief and so perfunctory that it had no room for an explicit word or suggestion for downward revision of the tariff.

And finally, after having been baffled in his struggle to secure tariff revision by a stand-pat Congress, and after having at last secured the promise of tariff revision downward by a national convention and elected a President and a Congress pledged to such revision, the voter had seen his Representatives in Congress pass and his President sign a tariff bill that increased his burdens and left him even more completely at the mercy of the over-protected trusts and combinations.

But, more than this. So completely had the successor of Roosevelt abandoned the progressive principles committed to his keeping that he had selected as his legislative counselor and guide, and in public speech extolled in the most extravagant terms the patriotism and statesmanship of the greatest opponent of all progressive policies, and hence the greatest champion of privilege in the United States Senate.

Following this he journeyed from coast to coast to speak in defense of standpat Senators and Congressmen, who were the bitterest opponents of the progressive policies of his predecessor, and the very men who were chiefly responsible for revision of the tariff upward.

Then, to still further show his disregard for the great body of progressive Republicans, he proclaimed the Payne-Aldrich monstrosity to be the best tariff bill ever enacted by the Republican Party.

In his acceptance speech, Mr. Taft gave the public distinctly to understand that he favored an income tax. Criticizing the Democratic platform, because it recommended a constitutional amendment providing for an income tax, he said:

> In my judgment, an amendment to the Constitution for an income tax is not necessary. I believe that an income tax * * * can and should be devised which, under the decisions of the Supreme Court, will conform to the Constitution.

He was not talking about a corporation tax, but an income tax as commonly understood, the very income tax pledged in the Democratic platform. He realized that the income tax was popular as a campaign issue, and he led the public to believe that he had a plan through which the tax upon incomes could be levied directly through legislation without waiting for the long delay and uncertainty incident to amending the Constitution, as proposed in the Democratic platform.

He well understood that the people very generally favor a tax upon the individual incomes of the rich, and his suggestion of the possibility of accomplishing this at once through legislation placed him in a position of great advantage on this issue.

In other words, the voter had a right to believe that Taft the lawyer, the judge, was strongly in favor of the income tax and had in mind a feasible plan for the enactment of a constitutional law taxing the individual incomes of the enormously rich, and that by voting for the Republican candidate the country would have the benefit of such a tax as soon as Congress could convene and enact the Taft plan into law.

Mark, now, how completely the voter was misled.

Mr. Taft was elected. The tariff bill came to the Senate. The opportunity was offered to add an amendment to tax individual incomes and resubmit this important question to the Supreme Court, which had decided against such an income tax by only one majority.

Senator CUMMINS proposed an amendment providing for a tax on individual incomes of $5,000 and over. Senator BAILEY proposed another. The two were combined, and votes enough pledged to insure the adoption of the amendment. The proposition to tax individual incomes was so strong with the country that Mr. Aldrich, bitterly opposed to it as he was, could not hold all of his followers in line.

Senators BORAH and CUMMINS had discussed the matter fully with the President. They were assured of the President's sympathy with the amendment, and all progressive Senators, remembering his campaign declaration on this subject, believed that he could be relied upon to stand just where he stood in the campaign.

At last it seemed certain that the enormous wealth in the hands of individuals hitherto escaping taxation would be compelled to pay its just share in support of government.

And then just when the people seemed assured of winning a great victory, the Senator from Rhode Island, Mr. Aldrich, without a moment's warning sprung his plan to "tax corporations" as a substitute for the Cummins-Bailey income-tax amendment, and to the utter amazement of the progressives, who had been in conference with and supposed they had the support of the Executive, the Aldrich scheme to substitute the "corporation tax" received the indorsement and approval by a special message of the President of the United States.

A tax on corporations! It was indeed an artful dodge. "Make the corporations pay!" The soulless corporations which had so long exacted excessive profits from the people were at last to be compelled to turn over some of their surplus wealth to support the Government.

Stand-pat Senators with elections pending, who were timid about voting against the income tax, seized upon this opportunity to kill the amendment taxing individual incomes by supporting as a substitute a measure with such a fair-sounding title as a "tax upon corporations." It would be so easy for one when charged with aiding in the defeat of the income tax to answer: "Yes; but I voted to tax the big corporations instead."

These Senators knew what Aldrich and the President knew—that every corporation would add the corporation tax to the fixed charges of the business and exact from the public, through increased rates and prices, every dollar paid as a tax to the Government. Tax corporations indeed! It was an added tax upon the people. It was a tax which the corporations could and did shift to their customers—the public. It was a fit amendment to come from the Senator from Rhode Island. He was always frank and open in support of measures of like character, but what shall be said for the President of the United States, who, in the campaign, has given the voters of this country to understand that he would favor an income tax upon the great wealth of individuals—a tax which once levied upon the individual, after he had received his dividends from Standard Oil, United States Steel, and railroad bonds and stocks, could not then be shifted to the public?

It was, sir, a suitable provision to be coupled with the Payne-Aldrich tariff bill. It harmonized with its whole plan. It increased the burdens upon the people. It added betrayal to betrayal.

In all the record of this administration no more glaring example is presented of the complete surrender to special interests and the complete reversal of Roosevelt's progressive policies than that shown in dealing with the amendments to the interstate commerce act. Under the guise of fulfilling party platform promises for the control of overcapitalization, a bill amending the interstate commerce act was drafted in the Department of Justice with the aid of Wall Street attorneys, expert in all the schemes of railroad finance, and made the subject of a special Executive message.

I wish it were possible to acquit the President of any knowledge of the real character of the administration bill for the amendment of the interstate and antitrust laws, as drafted by the Attorney General, for nothing is more damaging in the record of this administration; but the President not only assumed the full responsiblity for the bill as drafted, but made it clear by special message submitted to Congress on the 7th day of January, 1910, that he was well acquainted with all of its provisions, and recommended its enactment into law. He said in that message, after discussing the provisions of the measure in detail:

> By my direction the Attorney General has drafted a bill to carry out these recommendations.

Mr. President, it would have been difficult to have framed a piece of legislation affecting interstate commerce more harmful to the public interest than this bill, drafted by the Attorney General and recommended to Congress by President Taft.

It is fair to say that the bill contained some provisions in the public interest; but they were barely sufficient to veil thinly the true purpose of the measure.

Much credit has been claimed for the administration because the bill, as finally passed, greatly strengthened the interstate

commerce law. But, sir, it is time to vindicate the truth. It is time that the country should understand. It will help us to weigh at their true value the recommendations of the Executive on the pending legislation if we review in this connection the record of the administration wherever the interests of privilege are in conflict with the interests of the public.

As President Taft's railroad bill was presented to the Senate it covered 44 pages. It was entitled "A bill to create a Court of Commerce." It was especially heralded as a bill to prevent stock watering and overcapitalization. Like the so-called reciprocity bill, it was a sham and was set before the country under false pretenses and with a false title. The Court of Commerce provision was little more than a mask, behind which, concealed in obscure and devious language, lurked the sinister purposes of the measure. For 12 long weeks in this Chamber progressive Republican Senators and progressive Democratic Senators made war upon the provisions of that bill, which were hostile to the public interest. Through their efforts the bill was reconstructed in the face of strong opposition and continued criticism from the White House. As it was finally enacted it was no longer the President's bill; it no longer bore any resemblance to the measure which came from the hands of his Attorney General. Against all the influence of the great railroad corporations of the country, combined with all the power of the administration, the bill which the Executive had caused to be drawn and which he strongly recommended was, excepting as to the provision for the Commerce Court, which was much improved, literally torn to pieces and rewritten on the floor of the Senate. As drawn by the Attorney General, by direction of the President, the bill contained but four provisions that could be construed as conferring any benefit upon the public. Framed in ambiguous phraseology, it contained 12 provisions written solely in the interests of the railroads, the like of which had never been presented in any legislative body in America. It was the boldest raid upon public rights in the form of legislation that the system had ever found any administration willing to adopt and attempt to foist upon the serious consideration of Congress. Never before had it been attempted with the support of a national administration and of party leaders upon the floors of Congress to fasten forever upon the commerce of the country the public burden of transportation charges to pay interest and dividends upon all the watered stocks and bonds which unrestrained corporate greed had set afloat in the financial channels of this country.

Mr. President, against the opposition of reactionary Senators upon both sides of this Chamber, representing the reactionary administration, progressive Republican and Democratic Senators in reconstructing the rate bill in 1910 on this floor rendered the most conspicuous public service to the American public which it has been my privilege to witness since I have been a Member of this body. Day by day through that protracted struggle of three months they fought their way to one achievement after another, until a dozen bad provisions had been forced out and 19 provisions of vital importance to the public interest had been written into the measure, perfecting it for final passage.

The railway-rate legislation of 1910 was a valuable addition to the Federal legislation for the regulation of interstate commerce. The long contest aroused public sentiment, and it was alert and watchful. The administration could not afford to reject the measure as reconstructed by Congress—and to the credit of Congress it passed into statute law.

The Republican national convention recognized, as it was bound to, the great awakening of the American people on the subject of conservation. The American people had witnessed the appropriation of vast timber resources by private interests. They had seen the anthracite coal supply within the United States, every foot of it, pass into the ownership of a few railroad companies. They had awakened suddenly to a realization that it was the settled policy of the system to grab the water powers wherever found on the public domain. And it had inspired them with new hope and courage when the Roosevelt administration had organized to take back these natural resources held in fraud and to sacredly protect the remnant of this precious heritage for all future time.

I say the Republican convention of 1908 was bound to consider—it could not, if it would, have ignored this great work of the Roosevelt administration. And so we find in its platform, among other things on this subject, the following:

> We indorse the movement inaugurated by the administration for the conservation of natural resources.

The Republican candidate, keenly alive to the campaign value of this issue, said, in his speech of acceptance:

> The preservation of our soil and of our forests, the securing from private appropriation the power in navigable streams, the retention of the undisposed of coal lands of the Government from alienation, all will properly claim from the next administration earnest attention and appropriate legislation.

Such, in part, was the platform declaration of the Republican Party on conservation, and such, sir, was the promise of the presidential candidate.

Mr. President, what is his record of performance?

Under President Roosevelt, James R. Garfield had made a remarkable record as Secretary of the Interior. His department had been reorganized; trained men backed by that able and honest Secretary were everywhere guarding the public domain from further encroachment, and hunting down the agents of the "System" who had fraudulently acquired timber and coal lands and water-power sites subject to entry. Garfield had blocked the old game. So long as he remained at the head of the Interior Department the lucrative practice of stealing timber, coal, oil lands, and water-power sites was dangerous business.

Upon his inauguration, March 4, 1909, the first act of President Taft to redeem his promise on conservation was to dismiss Garfield as Secretary of the Interior and appoint in his place Richard Achilles Ballinger. The shock of this change was partially softened by the retention of Gifford Pinchot as Chief Forester.

Mark what followed:

April 30, 1909, in fulfillment of Mr. Taft's promise in his speech of acceptance "to secure from private appropriation the power in navigable streams," Garfield's successor, Secretary Ballinger, began the reversal of the Roosevelt policies by opening to entry 5,000,000 acres of the public domain bordering on or contiguous to navigable streams. Pinchot protested, and certain of those lands were again withdrawn. Ballinger was forced to modify his first order, but not until an opportunity had been given the water-power magnates to get in on the ground.

August 12 Washington correspondents foreshadowed to the country that Ballinger was making plans looking toward Pinchot's ultimate removal.

August 20 Washington correspondents warned the country that the interests were organizing against Pinchot.

August 26 the country was startled by the report that Louis R. Glavis, special investigator in the field, had filed with President Taft a statement disclosing that a monster conspiracy had consummated the seizure of extensive anthracite coal fields in Alaska.

September 5 Ballinger, having announced that he would begin "killing snakes," left Washington for Beverly, Mass., to confer with President Taft regarding the Cunningham and other Alaskan coal-land claims.

September 16 President Taft made public a letter to Ballinger, fully exonerating him and upholding him in the controversy with Pinchot and Glavis. On the same day he dismissed Glavis from the public service.

November 12 Washington correspondents announced that Ballinger, in conference with Mr. Taft, demands Pinchot's head.

December 21 the President's letter of September 16, exonerating Ballinger, having failed to convince the public and having been generally characterized as an "Executive whitewash," the administration resorted to a congressional investigation to vindicate Ballinger, and on December 21 Congress ordered such an investigation.

On the night of January 7, 1910, President Taft dismissed Gifford Pinchot as Chief Forester.

Pinchot had unselfishly devoted himself to the public service. With a foresight that was the genius of constructive work, he had wrought out the great plan for the reclamation and conservation of the natural resources of the country. He had been in advance of all others in fighting waste through neglect and destruction and loss through pillage and plunder of the national wealth belonging to this and future generations. He had gathered about him able, earnest, and enthusiastic young men and raised them and the Forest Service to the same high ideals.

Of Gifford Pinchot and the nine years he had devoted to this service President Roosevelt, on June 10, 1907, said:

> We are doing everything in our power to prevent fraud upon the public lands. * * * So much for what we are trying to do in utilizing our public lands for the public in securing the use of water, oil, coal, and timber for the public. In all four movements my chief adviser, and the man first to suggest to me the courses which have actually proved so beneficial, was Mr. Gifford Pinchot, Chief of the Forest Service.

Again, President Roosevelt said in his opening speech to the conference of governors at the White House, May 13, 1908:

> Especial credit is due to the initiative, the energy, the devotion to duty, and the foresightedness of Gifford Pinchot, to whom we owe so much of the progress we have already made in handling this matter of the coordination and conservation of natural resources. If it had not been for him, this convention never would nor could have been called.

The congressional investigation of the Alaskan coal scandal resulted in many startling revelations. It confirmed the public opinion, which had early reached the stage of conviction, that Ballinger was using his official power to aid the Morgan-Guggenheim interests in wrongfully acquiring control of the Alaskan coal fields.

For weeks before the close of the investigation it was manifest that important disclosures would be forthcoming, but no one was quite prepared for the shocking discoveries finally made.

It was proven that the President's letter exonerating Ballinger and dismissing Glavis was not, in fact, written by the President, but was prepared under the direction of, and approved by, Ballinger himself and then signed by the President. It was proven further that the letter of Attorney General Wickersham upon which the President stated he had based his decision was not written by Wickersham until two months after the President's decision had been rendered and given to the public, and that it was then prepared and dated back in order that it might be made to appear as the opinion of the Attorney General upon which the President had based his decision in the matter.

These facts were established beyond contradiction and finally admitted in the closing days of the congressional investigation. No act of any President ever caused the American people greater regret and mortification for the unfortunate position in which their Chief Magistrate had placed himself. The testimony in the Ballinger case was closed. There was nothing further to add to the facts proven.

The subsequent history of the Alaskan coal-lands scandal simply confirms the bad faith and betrayal of public interest which the earlier testimony so clearly established.

Following the disastrous failure of the administration's case before the Ballinger investigating committee, the public awaited the decision in the Cunningham claims. Month after month passed. The delay was unaccountable.

In the light of recent disclosures all of the facts as they transpired are worthy of being entered on the record.

October 28, 1910, is now known to be an eventful day in the history of the Alaskan case, as will hereafter appear. The public did not know that fact at the time, because what transpired on that day was kept under cover by the administration for many months.

But to proceed with the facts in order as they became known to the public.

November, 1910, Secretary Ballinger publicly declared his intention of recommending that a special act of Congress should be passed, taking the Cunningham claims out of the hands of the President and turning them over to the Court of Appeals of the District of Columbia.

January 9, 1911, a bill was introduced to transfer the decision of the Cunningham claims to the courts.

No action was taken by Congress upon this bill to relieve the administration of the responsibility of deciding the Cunningham claims.

The failure of the administration to take action in the Cunningham claims became a subject of public concern. The Interior Department was as silent as the tomb. The country never suspected that anything involving the future of the Alaskan coal lands was quietly finding its way into the records of the General Land Office.

March 3, 1911, came the threat of Democratic congressional investigation into the Department of the Interior and the impeachment of Ballinger.

March 7 Ballinger resigned as Secretary of the Interior. He took with him to private life the highest encomiums of President Taft upon his patriotic devotion to public duty. Walter L. Fisher was appointed as his successor.

June 27, 1911, Fred Dennett, United States Land Commissioner, announced his decision, holding that the Cunningham coal-land claims were fraudulent.

While the Interior Department was withholding its decision in the Cunningham claims, parties interested in the Alaskan coal fields were active.

Baffled in acquiring the ownership of the coal lands, those in interest planned to secure control of the water front commanding approach and access to the coal lands.

President Roosevelt, fully realizing the importance of this water front to the public, upon discovery of the preliminary moves by R. S. Ryan and the Morgan-Guggenheim syndicate to acquire it, on February 23, 1909, placed it beyond the reach of the land-grabbers by proclamation including it in the Chugach National Forest.

On the 20th of April, 1911, the country was shocked to learn that on the 28th of October, 1910, President Taft had signed an Executive order, reversing the action of President Roosevelt, and throwing open 12,800 acres of land, covering the water front of Controller Bay, the only available natural harbor affording an approach to the coal fields in which were located the fraudulent Cunningham claims.

It was the usual practice of President Roosevelt and of other Presidents, whenever they restored public land to entry and sale, to do so by proclamation, not by Executive order, and to include in such proclamation a provision that the land thus restored to entry and sale should not be subject to entry for 60 days after the date of proclamation restoring it to entry, thus giving ample public notice to all people who might desire to file on such lands.

These Executive precedents were violated in reversing Roosevelt's order and restoring the Controller Bay lands to private entry. This the President did by secret Executive order and not by proclamation.

Mr. Fred Dennett, Commissioner of the General Land Office, testified July 10, 1911, before the House Committee on Expenditures in the Department of the Interior that the Executive order, as originally prepared for the President's signature, contained the usual 60-day notice to prospective settlers, but was omitted from the Executive order when finally signed by the President.

An Executive order is not necessarily published. A proclamation is. An Executive order restoring land to entry is merely transmitted to the land offices and to the heads of various bureaus. In this case the Executive order was issued October 28, 1910. It was not made public. It was five days thereafter before it was put in the mails to be transmitted to the land office at Juneau, Alaska.

This is what was being done in Washington. Turn now to Alaska.

It is now known that on the very day the order was mailed in Washington James J. Ryan, a brother of Richard Ryan, with dummy entrymen, went upon and began a survey of the lands fronting on Controller Bay and filed upon the particular water front which commands practically the one approach, and hence, in effect, constitutes the key to the coal fields in which were located the Cunningham claims.

That he knew in advance that there was a scheme afoot here in Washington to withdraw the Controller Bay lands from the forest reserve and throw them open to entry, that he was advised step by step as the scheme was consummated, and received advice direct from Washington the very day the President signed the order, seems beyond question. The nearest telegraph station is 100 miles from Controller Bay. James J. Ryan must have had all preparations made, his surveyors engaged and in waiting and ready to move when the word came from Washington.

Why the President did not issue a proclamation and make his release of these lands public remains a mystery.

Why there was omitted from his order opening these lands to entry the 60-day provision, within which no filing could be made upon these lands, is not known.

How James J. Ryan secured information far enough in advance to enable him to be on the ground at Controller Bay ready to enter upon those lands as soon as the order was signed may appear later.

Just what may be the relation, if any, of Dick Ryan and James J. Ryan to the Morgan-Guggenheim interests, the real parties back of the Cunningham conspiracy, will doubtless ultimately be proven.

How the President was induced to reverse, set aside, and annul the action of his predecessor, and that, too, by a course of proceeding which excluded the public and opened the way for favored parties to get possession of this strategic position at Controller Bay, may never be known.

Whether the protracted delay of the Cunningham decision had any relation to the successful grabbing of the Controller Bay lands may appear when all the facts have been uncovered by the investigation.

But, Mr. President, there is absolutely no doubt that parties to the coal-land frauds well knew that, next to securing the Cunningham claims, title to the lands on Controller Bay would place them in a commanding position over all the coal fields in question.

Heir to the Roosevelt policies, as a presidential candidate Mr. Taft was a pronounced progressive and the leading and most enthusiastic Roosevelt champion from the first to the last day of the campaign.

Three months before he was inaugurated Roosevelt's Cabinet seemed certain of being retained by Taft. Three months after he was inaugurated he seemed to have forgotten that there ever had been any well-known Roosevelt policies.

He had no sooner taken his oath of office than he sacrificed the progressive cause for the support of Aldrich and Cannon and their reactionary program.

Rebuked at the polls in the election of 1910, he foolishly tried to buy back with post-office appointments the support of the progressives in Congress, which he had lost when he abandoned progressive policies.

In the same spirit he is now seeking to regain the lost confidence of the public by Cabinet changes, in the hope that the people will forget.

The President's course has been vacillating and without definite policy because, apparently, there has been throughout his administration no deep conviction other than the hour makes appear expedient.

His conduct of the pending legislation is of the same kind and quality as that which has marked his whole course as President. Reciprocity is a popular catchword. The President seized upon it.

He made an Executive compact the basis not of a reciprocity treaty but of a tariff bill. Upon this false basis he seeks to force it through Congress without amendment or change.

As a treaty it should have come to the Senate for ratification.

As a tariff bill it should have been considered by the House and Senate with due regard to every industry affected and subject to whatever amendment is required to make it fair and just legislation.

It was thrust upon the last Congress at the close of a short session, when there was absolutely no time for its consideration, followed with the threat of an extra session if it were not jammed through, in obedience to Executive orders.

And now we are again threatened that any amendment of this tariff legislation, any attempt to so change this measure as to make it in some degree more just and equitable, will be met with Executive veto.

Sir, in letter and spirit this measure violates every principle and every promise of the Republican platform, express or implied, and every printed or spoken word and inducement employed to secure the votes necessary to elect William H. Taft President of the United States.

This bill and the Canadian pact upon which it is based are cruelly unjust to 33,000,000 people engaged in and dependent upon agriculture. They are fighting for simple justice, with their backs to the wall. In such a warfare they are entitled to employ every legitimate weapon.

And for whose benefit is agriculture to suffer? Ah, sir, the real beneficiaries are coming into view a little more clearly day by day. Since the President's admission at Indianapolis July 4 that this bill promises nothing for the consumer, the real parties to profit are beginning to be a little more clearly distinguishable. They are all-powerful; call the roll.

Joined with the Executive to force this bill through Congress are the newspapers, having a real grievance and frankly admitting their selfish interest, amounting to many millions of dollars; the railroads; the overprotected manufacturers; and practically every trust and combination backed by Morgan and Morgan influences.

The President allied himself with these same interests in the tariff legislation of 1909; with these same interests when he defeated the tax on individual incomes that session; with these same interests when he proposed and attempted to force through Congress the railway rate bill in 1910; with these same interests in the long and heart-sickening affair in Alaska, the end of which no man knoweth; and with the power greater than all back of these same interests, when he, on June 22, at a meeting of the New York State Bankers' Association, openly announced his support of the Aldrich-Morgan credit-controlling monopoly of all monopolies.

Mr. President, I have reviewed the record of this administration to no good purpose if I have not made it plain that the great issue for which Roosevelt appealed to the public conscience, for which the progressives have been fighting for years, is not the tariff, not railway regulation, not conservation. It is these; but, O sir, it is more than all these combined. It is for justice, eternal and everlasting justice, for every human being against organized selfishness and power.

I will have no quarrel with men. I attack no individual. But, sir, no eminence of position in any party or in government shall protect from deserved criticism the bad record of any public servant.

If we who oppose this legislation were seeking the easier way in public life, with the newspapers arrayed so generally in support of it, we should have quietly acquiesced. But, sir, I have never sought the easy way. Against every attempt to strengthen and entrench special interests, in whatever form it is presented, whether it be a winning or a losing fight, I shall oppose it to the end.

And so I say regarding this bill. No man should mistake the true meaning of the contest involved. It is more than a question of tariff rates. It is bigger than a mere opportunity for party advantage. It is the fight between the plain people and confederated privilege.

Mr. President, I shall on another day address myself more particularly to the provisions of this bill and to the amendments which I shall submit to be incorporated in it.

Mr. BRISTOW. Mr. President, I rise for the purpose of offering an amendment to the pending bill, but before offering the amendment I desire to submit a few general observations upon the measure.

This Canadian bill takes the tariff off of the articles that are not controlled by trusts, and retains the tariff on the articles that are. It removes the duties from the commodities the price of which has never been materially advanced because of such duties and retains them on the articles the prices of which have been increased to the American consumer by the duties. It puts the products of the American farmer on the free list and gives the trusts and combinations, to which he sells his products, the benefit of a high protective duty. It makes the American farmer sell his own products in his own home market in free competition with the Canadian, his great competitor, and refuses to permit that farmer to buy the things which he must have in the freer market which his competitor enjoys. With the exception of the newspapers, which will get free print paper, and the northern railroads that will haul Canadian products into our markets, the interests that receive the greatest benefit from this Canadian agreement are the Meat Trust, the brewers, and the northern millers. These industries are given free raw material, and high duties are still retained on the articles they make from these free raw materials. The packers get free cattle and retain a high duty on dressed meats. The brewer gets free barley and retains a protective duty on the product of his breweries. The miller gets free wheat and still retains his protective duty on flour. The Linseed Oil Trust gets free flaxseed and retains the duty on its linseed oil. The profits of all these concerns are thereby enhanced at the expense of the American farmer, but the price of their manufactured products is not reduced to the American consumer.

The President has said upon various occasions that the treaty would not reduce the price of the farmer's products and that it would decrease the cost of living. A statement coming from the President of the United States is accepted by many people without hesitation as true. The people are loath to scrutinize it with the critical care that they would if it came from a less exalted source. They can not realize that a man holding that high office would utter an absurdity. And while the President, in his Indianapolis speech, modified his former statements, he has never explained how it is that the cost of flour and meat is to be reduced by taking the tariff off of wheat and cattle without reducing the price of the wheat and cattle.

Mr. SMITH of Michigan. Mr. President——

The VICE PRESIDENT. Does the Senator from Kansas yield to the Senator from Michigan?

Mr. BRISTOW. I do.

Mr. SMITH of Michigan. Is the Senator from Kansas quite sure of his quotation from the President? As I have understood the President's remarks, and I have tried to keep pace with them, he said "the immediate effect of the passage of the reciprocity bill will not be to reduce the cost of living."

Mr. BRISTOW. That was his statement in the Indianapolis speech.

Mr. SMITH of Michigan. I have read that statement many times.

Mr. BRISTOW. That is not my recollection.

Mr. SMITH of Michigan. I may be wrong about it. I suppose the Senator from Kansas has examined the matter carefully.

Mr. BRISTOW. Yes; I have. If the President had stated that this agreement of his would reduce the price of the farmer's products, but would not decrease the cost of living, his statement would have been more nearly correct. This legislation will to some extent, in my opinion, reduce the price of the farmer's wheat, but will not reduce the price of the flour which the American consumer buys. It will reduce the price of the barley which the farmer sells to the brewers, and will add that much more to the brewers' profits. It may reduce the price which the packers pay for cattle, but it will not reduce a penny a hundred the price which the consumer pays for the meat that he buys from the packer. The only conclusion that anyone can form from the provisions of this bill is that it is intended to

reduce the price that the packer and the brewer and the miller pay to the farmer for the products of his farm, but is not intended to reduce the price of the commodities that the packer, brewer, and miller sell to the American consumer. This is the only intelligent conclusion that can be drawn from the bill.

Mr. DIXON. Mr. President, I think we ought to have a quorum of the Senate to listen to this speech. I suggest the absence of a quorum.

The VICE PRESIDENT. The Senator from Montana suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Cummins	Martine, N. J.	Shively
Borah	Curtis	Nelson	Smith, Mich.
Bourne	Dixon	Newlands	Smith, S. C.
Briggs	Gore	Nixon	Smoot
Bristow	Gronna	Oliver	Sutherland
Brown	Heyburn	Overman	Swanson
Burnham	La Follette	Page	Taylor
Clapp	Lippitt	Penrose	Warren
Clark, Wyo.	Lodge	Perkins	Watson
Crane	McCumber	Pomerene	Williams
Culberson	McLean	Rayner	Works
Cullom	Martin, Va.	Root	

Mr. BURNHAM. I wish to announce that my colleague [Mr. GALLINGER] is away for the reasons I have already stated, and I wish this announcement to continue for the present.

Mr. PAGE. I again announce that my colleague [Mr. DILLINGHAM] is absent from the Chamber attending the Lorimer investigation. I was also requested to state that the junior Senator from Alabama [Mr. JOHNSTON] is absent from the Chamber for the same reason.

The VICE PRESIDENT. Forty-seven Senators have answered to the roll call. A quorum of the Senate is present. The Senator from Kansas will proceed.

Mr. BRISTOW. It is not my purpose to make an elaborate speech upon the general phases of this proposition. The RECORD has been filled with unanswerable arguments by the Senators from North Dakota and South Dakota and Minnesota; by Mr. BORAH, of Idaho; Mr. CUMMINS, of Iowa; and others. These arguments have not been answered, and I shall not undertake to go over the ground that they have so completely covered. I will not support this bill as it is, because as a revision of the tariff it is a deception and a fraud, as a revenue measure it is a failure, and as a free-trade proposition it is neither equitable nor just. This measure maintains the indefensible duties on certain manufactured articles that were provided in the Payne-Aldrich bill. The purpose, doubtless, of its authors is to satisfy, temporarily at least, the demand of the public for a tariff revision by taking the duties off farm products, though the American people have never complained of those duties, and to leave the great manufacturers, who are the principal beneficiaries not only of the high tariff duties but also of these reductions, to enjoy still the high rates that they now have. If this had been an honest effort to relieve the American people from the burdens of excessive tariff taxation, the high duties on trust-controlled products would have been first attacked. But the Sugar Trust, the American Woolen Co., the Steel Trust, the Smelters' Trust, the Rubber Trust, and all of these great concerns that have monopolized the American market and used high protective duties to charge excessive prices to the American people, are left untouched, while the President of the United States and the Democratic majority in both branches of Congress have joined in an attack on the duties of the agricultural schedule—duties that have never been a burden to the American people because they have never greatly increased the price of the products upon which they were imposed. Democratic leaders have for half a century made violent attacks on the duties that protect the "manufacturing barons" of the East, but now when they have an opportunity to relieve the people of the burdens of which they have so bitterly complained, they refuse to do it. The combination on this floor between certain standpat Republicans representing great manufacturing States and a majority of the Democrats has, we are told, decided that no amendments shall be attached to this Canadian bill, and that soon after it is passed Congress is to adjourn. This combination is to visit its wrath on the farmer and give the trusts a chance to escape any immediate disturbance. If the plan succeeds, the standpatters save their high duties on manufactured articles, the President gets even with the insurgent farmer of the West and makes friends with the newspapers—a friendship which he has sorely needed during the last two years—and the Democrats are given an issue for the campaign next year, which is the thing they most desire. They will point with pride to the record which the House has made; and, incidentally, this proud record of the House may call favorable attention to the qualifications of its Speaker for the Presidency. Against this combination I protest with all the vehemence I can command. It ought not to succeed. Some good men have been drawn into this net. They ought to get out of it. Now is the time to secure some sound, wholesome tariff legislation; and if the Democratic Members of this body are more interested in securing such legislation than in preserving a campaign issue, we will get it. But I fear they are not. The Washington Times on July 10 said:

[From the Washington Times, July 10, 1911.]

TAFT PASSES WORD HE WILL USE VETO—PRESIDENT MAKES IT KNOWN HE WILL SEND BACK ALL BILLS EXCEPT RECIPROCITY.

President Taft has sent word to the Senate that he will veto such separate schedule bills as the Senate may pass this session after it passes the reciprocity agreement.

The President has communicated this to some of the leading Senators on the regular side. The statement that he was taking this position in his talks with leading regulars was made to-day by one of the foremost of the regular Senators.

This statement may be true. You will observe, however, that the article says the President will veto "such separate bills." He does not say, and he never has said, that he would veto his reciprocity bill if it also reduced duties that ought to be taken off of other articles, such as sugar, woolens, and cottons. Yet the only excuse that has been offered for a refusal to amend this bill is that if any amendment, regardless of its merits, is attached to the bill Mr. Taft will veto it. I do not believe the statement, but do believe it is put forth here as an excuse to prevent legislation and thereby preserve the very desirable campaign issue of the tariff. And I predict, now, that as soon as this bill is out of the way there will be some very skillful jockeying to fix the responsibility for the failure of the legislation which our Democratic friends claim so much to desire and which their standpat associates are assured will not be consummated. I await with interest the maneuvers of the allied forces that are now preventing effective reductions of burdensome duties by refusing to amend this bill. The standpatters will be entirely willing for "separate bills" to pass provided there are provisions in them upon which the President can with some consistency base a veto, while their Democratic allies will see that such provisions are in the bills that may pass. I sincerely hope that this conspiracy against desirable legislation will fail. The most likely means of preventing it will be the giving of sufficient publicity to the plan.

Reciprocity is a popular phrase with the American people. The tariff policy which bears that name was first given a prominent place in our political affairs by the late James G. Blaine, and William McKinley also added much to its popularity. Little did these great men dream that this term which they popularized would be used as a weapon by a Republican President to destroy the protective policy to the success of which they had contributed so much. The reciprocity which Blaine and McKinley advocated sought to enlarge the markets for the surplus products of the American farm as well as the American factory, and not to throw open the American markets to the foreign farmer without any compensation whatever. The original idea of reciprocity was that we should open our markets upon favorable terms to noncompetitive articles, in order that we might secure advantageous markets for our surplus with the contracting country. To find markets for our productive energies was the purpose of the fathers of the reciprocity idea. Blaine and McKinley were stanch protectionists. They sought to develop the latent resources of our country. To bring into activity our dormant wealth, high duties were placed on the importation of manufactured articles which could be successfully produced by our own people. To encourage the development of our industries, to bring into activity our latent resources, has been the great purpose of the protective policy.

Mr. NELSON. Will the Senator from Kansas yield to me?

Mr. BRISTOW. Certainly.

Mr. NELSON. Mr. President, it seems to me that we either ought to have a quorum here or we should adjourn. I shall either move an adjournment or ask for a quorum. I move that the Senate adjourn.

The VICE PRESIDENT. The Senator from Minnesota moves that the Senate do now adjourn. [Putting the question.] The "noes" appear to have it.

Mr. DIXON. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). I am paired with the Senator from Missouri [Mr. STONE] who is absent, and I withhold my vote.

Mr. WARREN (when his name was called). I have a pair with the Senator from Louisiana [Mr. FOSTER], and therefore withhold my vote.

The roll call was concluded.

Mr. BACON. I have a general pair with the senior Senator from Maine [Mr. FRYE]. I transfer that pair to my colleague [Mr. TERRELL] and vote. I vote "nay."

Mr. OVERMAN. I desire to announce that my colleague [Mr. SIMMONS] is unavoidably absent. He is paired with the Senator from Ohio [Mr. BURTON].

I also desire to announce that the Senator from Louisiana [Mr. FOSTER] is unavoidably absent on public business, as is also the Senator from Alabama [Mr. JOHNSTON].

Mr. BORAH. I have a pair with the Senator from West Virginia [Mr. CHILTON]. I understand that if he were here he would vote "nay," so I shall vote. I vote "nay."

Mr. PAGE. I announce that my colleague [Mr. DILLINGHAM] is necessarily absent on business of the Senate. He is paired with the senior Senator from South Carolina [Mr. TILLMAN].

Mr. POINDEXTER. I desire to state that my colleague, the senior Senator from Washington [Mr. JONES], is engaged in the Lorimer investigation, and is therefore necessarily absent.

Mr. WARREN. Mr. President, while it is true, as I have stated, that I have a pair with the Senator from Louisiana [Mr. FOSTER], I think in this instance his vote would be the same as mine. I therefore vote. I vote "nay."

The result was announced—yeas 7, nays 42, as follows:

YEAS—7.

Bourne	Dixon	McCumber	Smith, Mich.
Bristow	Gronna	Nelson	

NAYS—42.

Bacon	Gore	Oliver	Smoot
Borah	Guggenheim	Overman	Sutherland
Briggs	Heyburn	Page	Swanson
Brown	Johnson, Me.	Penrose	Taylor
Burnham	La Follette	Perkins	Townsend
Chamberlain	Lippitt	Poindexter	Warren
Crane	Lodge	Pomerene	Watson
Culberson	McLean	Rayner	Wetmore
Cullom	Martin, Va.	Reed	Williams
Cummins	Martine, N. J.	Root	
Curtis	Nixon	Shively	

NOT VOTING—42.

Bailey	Davis	Kenyon	Simmons
Bankhead	Dillingham	Kern	Smith, Md.
Bradley	du Pont	Lea	Smith, S. C.
Bandegee	Fletcher	Lorimer	Stephenson
Bryan	Foster	Myers	Stone
Burton	Frye	Newlands	Terrell
Chilton	Gallinger	O'Gorman	Thornton
Clapp	Gamble	Owen	Tillman
Clark, Wyo.	Hitchcock	Paynter	Works
Clarke, Ark.	Johnston, Ala.	Percy	
Crawford	Jones	Richardson	

So the Senate refused to adjourn.

Mr. BRISTOW. Mr. President, during all the years of our history, the believers in protection have argued with the American farmer that it was to his interest to sustain that policy, because the development of our industrial life and the building up of our manufacturing enterprises would create for him a home market for the products of his farm; and while he was not getting a direct material advantage from protection, he would secure a better price for his products by the creation of a home market. It was pointed out to him that he would not then have to depend upon a foreign market for the sale of his surplus, but would have a market of his own close at hand. This argument has had great weight with the American farmer, and he has been the stanch supporter of the protective tariff. And in this I believe he has been wise. I am a believer in the policy of protection. I have frequently said, and I say now without hesitation, that in my judgment the protective tariff has contributed more to our material prosperity than any other policy our Government has ever adopted. Under its influence our industries have developed with marvelous and unprecedented rapidity. In material progress we are 50 years ahead of what we would have been if protection had not been our national policy. Its success has been due largely to the loyal support of the American farmer, and now, when the market that he has helped create is at hand, it is proposed by those who have been the direct beneficiaries of the protective system to turn that market over to the Canadian. They take from the farmer that which he has helped to create, and which has been held up to him as his future hope and reward, and turn it over to the foreigner. They not only rob him of his rights, but do so with an insulting insolence. There never has been an illustration of grosser political perfidy. I for one will not be a party to it. I am a Republican, and I still believe in protection; but while I believe in the protective tariff, I protest against that policy being made the handmaiden of greed and avarice. And it is a source of great pride to me that when, through the greed and selfishness of men, this great party policy began to be used as a means of promoting monopoly and imposing upon the American people excessive prices for the necessaries of life, the Republican Party, in its national convention, met its responsibility by a new declaration on the tariff question, namely:

> In all tariff legislation the true principle of protection is best maintained by the imposition of such duties as will equal the difference between the cost of production at home and abroad, together with a reasonable profit to American industries.

I believe that to be the wisest declaration ever set forth by a national convention on the tariff question. It preserves and maintains the protective system as advocated by Hamilton, Clay, Lincoln, Blaine, and McKinley, and it will also protect the American people from the extortion of monopoly.

Mr. SMITH of Michigan. Mr. President——

The VICE PRESIDENT. Does the Senator from Kansas yield to the Senator from Michigan?

Mr. BRISTOW. I do.

Mr. SMITH of Michigan. I simply desire to suggest to the Senator from Kansas that when we were preparing the last tariff law a great deal of anxiety was expressed in this Chamber over certain reports that were made by boards of trade and chambers of commerce in Europe bearing upon the wages of the workingmen in the factories and on the farms of Europe and the cost and manner of their living. I have looked over these reports very carefully, and I find that in almost every instance the boards of trade of Germany have said that the manner of living and the standard of living of the American workingman was very much superior to the standard of living of the German in his own home, and that that element should also be considered upon the question of fixing our tariff duties.

Mr. BRISTOW. That would necessarily be covered by the wages, for if the American laborer did not get better wages than the German he could not live better than the German. He must necessarily have more pay. So that element of the cost of production is taken into consideration, and was covered by the Republican national platform declaration.

Mr. SMITH of Michigan. And I suppose it is a part of the political creed of the Senator from Kansas that that high standard of living should be maintained?

Mr. BRISTOW. Certainly.

Mr. SMITH of Michigan. And that is not equaled by any people on the face of the globe.

Mr. BRISTOW. Certainly; and that is the reason I am a protectionist.

Mr. McCUMBER. I wish to learn whether the Senator thinks that he should be bound by his own definition? We will suppose that an article can be produced in this country just as cheaply as it can be produced in China. Would the Senator say, then, that if the cost of production should be the same in each country the article should come in free?

Mr. BRISTOW. But the element of revenue would come in then, of course.

Mr. McCUMBER. Oh, yes; I am speaking of——

Mr. BRISTOW. But if the cost of production, considering the American standard of wages, as suggested by the Senator from Michigan [Mr. SMITH], is more here than in other countries, I think that difference in the cost should be covered by a protective duty. If the cost is no greater here because of the superior efficiency of American workmen or superior advantages due to machinery, and so forth, then that industry needs no protective tariff, and the question of a customs tax for revenue is the only one to be considered.

Mr. McCUMBER. Let us suppose that the cost of producing an article is 100 cents in this country and the actual cost of producing it is 100 cents in China; that the American standard of living requires a profit of 10 cents upon the production of that article that it may be maintained, while the standard of living in China requires only a profit of 1 cent; then the Senator must see and must admit that his standard would not be just in all respects; otherwise we would be forced to the same standard of living that the Chinaman is satisfied with, if we adopted the Senator's rule. Is it not a much better rule to say that the protective tariff should be one that simply protects, that is sufficiently high to give a reasonable profit, and one that is sufficiently low to prevent an exorbitant or excessive charge to the consumer? When we take that as a standard, rather than the cost of production, we have something that we can all understand, and we have something that is applicable to our conditions and which is just and fair.

I want to say to the Senator that I, as a Republican and as a protectionist, have never agreed to that part of the Republican platform, which has been several times referred to here as the standard of Republicanism, that the measure of protection in every instance should be the difference in the cost of producing an article at home and abroad without reference to reasonable profits.

Mr. BRISTOW. I will read that part of the platform again. I think the Senator from North Dakota has forgotten one of the provisions in the national platform which I indorse.

Mr. McCUMBER. That is, plus a reasonable profit?

Mr. BRISTOW. The part with reference to a reasonable profit to American industries. I indorse that provision. That provision has been criticized by tariff revisionists as being unnecessary.

Mr. McCUMBER. Pardon me; the reason that I brought that out was that there are some fairly good Republicans who repudiate the added provision, and I am glad that the Senator agrees with me upon the necessity of that added provision, which recognizes the propriety of maintaining our higher standard of living.

Mr. BRISTOW. And I believe that every industry should have a fair opportunity to thrive and flourish in this country of ours; but I do not believe that any of our laws should operate so as to put that industry in the hands of a few people who can combine and charge excessive and exorbitant prices for their products to the consumer.

I can understand that there may be instances where this rule can not be applied, but in the assertion of a general principle you can not take into consideration every incident that might arise in framing a law under that general principle. It is well known that I am in favor of free lumber. You can not, according to my theory, apply this principle to the lumber production, for the reason—and I think the Senator from North Dakota and myself will agree on this, although many of our associates may disagree with us—that the raw material from which lumber is made is becoming very scarce and ultimately will be exhausted in this country of ours.

Mr. McCUMBER. It will be exhausted.

Mr. BRISTOW. Yes, exhausted; and to prevent the exhaustion of that raw material which can not be reproduced, I believe it ought to be conserved, and, therefore, I think that lumber should be made an exception to the rule. There will be differences of opinion among protectionists as to what exceptions should be made, as there are such differences now, but there should be no differences of opinion as to the soundness of the principle.

I think that plank in our platform the best guide that has ever been set up by a political party in the history of this Republic for the fixing of tariff duties.

Mr. SMITH of Michigan. Mr. President, I should like to say that I think that that declaration at Chicago pleased all the critics of the protective policy and displeased all of those who feel that the policy is essential to the welfare of our country. I always regretted that that declaration was made; I never have been in sympathy with it for a moment since it was made, and I shall not regard it as my cue for such tariff legislation as I feel ought to be undertaken.

Mr. BORAH. We are all insurgents, then, but from a different point of view?

Mr. SMITH of Michigan. I think that may be true of everyone in the Chamber.

Mr. BRISTOW. I am glad to hear the opinions of my Republican associates here on the Republican platform. I have been standing on it since it was issued. I indorsed it during the campaign and fought for its observance two years ago, and I am standing for it and defending it now.

Mr. NELSON. Mr. President, will the Senator yield to me for a moment?

The VICE PRESIDENT. Does the Senator from Kansas yield to the Senator from Minnesota?

Mr. BRISTOW. I do.

Mr. NELSON. Will the Senator from Kansas be kind enough to explain on what part of the tariff plank of that platform Republicans stand who favor the Canadian reciprocity bill?

Mr. SMITH of Michigan. They are on the far end of the teeter.

Mr. BRISTOW. In my opinion——

Mr. NELSON. Did that platform contemplate a farmers' free-list bill?

Mr. SMITH of Michigan. Or a free-wool bill?

Mr. NELSON. Or was the President elected on a pledge to pass a farmers' free-list bill? I should like to hear the Senator's views on these questions.

Mr. BRISTOW. I will undertake to give the Senator my view in rather concrete form as I proceed; but, to answer his question direct at this time, I do not believe that there ever was a declaration made in any Republican platform since the party was organized that would justify a tariff bill such as the one which is now before the Senate. Does that answer the Senator's question fully enough?

Mr. NELSON. No; I want to know what apology the Senator can make for the Republicans who are going to vote for the reciprocity bill?

Mr. BRISTOW. There is no apology for them.

Mr. McCUMBER. If the Senator will yield to me, I understood the question of the Senator from Minnesota was on what plank in that platform those Republicans stood.

Mr. BRISTOW. They are not standing on the platform.

Mr. McCUMBER. Then, the truth of the matter is that they have all crawled under the platform, have they not?

Mr. BRISTOW. I think they are avoiding with great care the Republican platform and every Republican declaration of principles. As I was saying of this platform, which I see I have to defend against some of my Republican associates, it preserves and maintains the protective system as advocated by Hamilton, Clay, Lincoln, Blaine, and McKinley, and it will also protect the American people from the extortion of monopoly.

It takes out the evil that the greed and avarice of men, in these modern times, have injected into the protective system, and preserves its merits and advantages to the American producer. On that platform I stood two years ago, and upon it I stand now. If that declaration had been followed then, and excessive duties reduced to that level, the Republican Party would not now be in the minority in the lower branch of the American Congress and threatened with overwhelming defeat in the next election. Then I stood in this Chamber and protested against the violation of this party declaration and of the campaign pledges that were made following it. And I stand here now and denounce that violation of our party's pledge as vigorously as I did then. But the betrayal of the party platform at that time by refusing to reduce the duties where they were excessive does not justify the men who betrayed it in engaging in this free-trade propaganda upon which the President of the United States has embarked by this Canadian agreement. From an indorsement of the Payne-Aldrich bill, a most ultraprotective measure, as the best tariff law ever enacted by an American Congress, to the ardent advocacy of the free-trade measure now before us, is an example of political gymnastics rarely witnessed in American politics. Eighteen months ago the President, the senior Senators from Pennsylvania and Massachusetts, who I greatly regret are not honoring me with their presence at this time, and others were denouncing the Republicans who voted against the high duties of the Payne-Aldrich bill as traitors to the protective principle and the Republican Party, while now they have joined the Democratic Party in the support of a measure which their Democratic allies declare means the utter annihilation of the protective-tariff system. I leave it to the stand-pat Republicans and their Democratic cohorts to find consistency in the action of the President and his leaders.

Mr. DIXON. Mr. President, I think we ought to have present some of the Senators now being referred to, in order that they may reply to these indictments, and so I suggest the absence of a quorum.

The VICE PRESIDENT. The Senator from Montana suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Cummins	Martine, N. J.	Shively
Borah	Curtis	Nelson	Smith, Mich.
Bourne	Dixon	Nixon	Smoot
Brandegee	Gore	Oliver	Sutherland
Briggs	Gronna	Overman	Swanson
Bristow	Guggenheim	Page	Taylor
Burnham	Heyburn	Penrose	Warren
Clapp	La Follette	Perkins	Watson
Clark, Wyo.	Lodge	Poindexter	Wetmore
Crane	McCumber	Pomerene	Williams
Culberson	McLean	Rayner	Works
Cullom	Martin, Va.	Reed	

Mr. OVERMAN. I again announce that my colleague [Mr. SIMMONS] is absent unavoidably, and I also announce that the Senator from Louisiana [Mr. FOSTER] and the Senator from Alabama [Mr. JOHNSTON] are absent on important business of the Senate, and I desire this statement to stand for the day.

Mr. POINDEXTER. I would like the statement which I formerly made as to the absence of my colleague, the Senator from Washington [Mr. JONES], to stand for the balance of the day.

The VICE PRESIDENT. Forty-seven Senators have answered to their names. A quorum of the Senate is present.

Mr. BRISTOW. The Senator from Montana may bring the Senators representing eastern manufacturing States into the Chamber by a roll call, but he can not compel them to listen

to an indictment to which they know they can make no reply. I realize that it is not within my power to change a word of this Canadian bill. It will pass this body and be signed by the President. But while the Congress is giving the farmer free trade I appeal to the Senate to reduce some of the excessive duties on trust-controlled products which the American people are compelled to buy. I ask the Senate to attach a few paragraphs to the bill—paragraphs that in no way change the provisions of the agreement; that do not change a line, a syllable, or a letter of the President's arrangement with Canada, but that do take off from the manufactured products in this country some of the excessive protective duties that they now enjoy, and duties that are a burden to the American people. I have offered amendments reducing the duties on sugar, lead products, and rubber. I intend to vote for the amendments of the senior Senator from Iowa [Mr. CUMMINS], reducing the duties on iron ore and steel products, and the amendments of the Senator from Wisconsin [Mr. LA FOLLETTE], reducing the duties on woolens and cottons, and any other amendment that seeks to reduce the duties to the measure fixed by the Republican national platform.

So I now offer the following amendment, which I send to the desk and ask the Clerk to read.

The VICE PRESIDENT. The Senator from Kansas offers the following amendment, which the Secretary will report.

The SECRETARY. Add at the end of the bill a new section, as follows:

SEC. 4. That on and after the day following the taking effect of this act there shall be levied, collected, and paid upon the following articles, when imported from any foreign country into the United States or into any of its possessions (except the Philippine Islands and the islands of Guam and Tutuila), the following rates of duty, namely:

Sugars, tank bottoms, sirups of cane juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above 75°, ninety-five one-hundredths of 1 cent per pound, and for every additional degree shown by the polariscopic test up to 98°, thirty-five one-thousandths of 1 cent per pound additional, and fractions of a degree in proportion; and above 98° by the polariscopic test, 1 cent and seven hundred and fifty-five one-thousandths of 1 cent per pound; molasses testing not above 40°, 20 per cent ad valorem; testing above 40° and not above 56°, 3 cents per gallon; testing above 56°, 6 cents per gallon. Sugar drainings and sugar sweepings shall be subject to duty as molasses or sugar, as the case may be, according to polariscopic test.

Mr. BRISTOW. I should like to perfect the amendment by the following additions: At the end of line 11, page 1, after the comma, insert "up to 98°."

The VICE PRESIDENT. The Senator from Kansas modifies his amendment as follows. The Secretary will report.

The SECRETARY. On page 1, line 11, after the word "test," at the end of the line, insert the words "up to 98°."

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. Certainly.

Mr. SMOOT. I followed the reading of the amendment not very carefully, but it seems to me that with the amendment now offered by the Senator it would not conform to the fore part of the amendment.

Mr. BRISTOW. I will explain that it does if the Senator will just give me an opportunity.

Mr. SMOOT. I will listen to the Senator's explanation. But as I caught it from the reading—I have sent for a copy of the amendment, but it has not yet arrived——

Mr. BRISTOW. Very well. I will explain the matter fully, and I do not think the Senator will seriously object; at least, I hope he will not.

Further perfecting the amendment, I ask, in line 13, on page 1, after the semicolon, that the following be inserted:

And above 98° by the polariscope test 1 cent and seven hundred and fifty-five one-thousandths of 1 cent per pound.

The VICE PRESIDENT. The Senator from Kansas further modifies his amendment as follows, which the Secretary will report.

The SECRETARY. On page 1, line 13, after the semicolon following the word "proportion," insert the following:

And above 98° by the polariscope test 1 cent and seven hundred and fifty-five one-thousandths of 1 cent per pound.

Mr. BRISTOW. In explanation I may say I have taken paragraph 216 of the tariff act of 1909 and stricken out of that paragraph the following words: "not above No. 16 Dutch standard in color"; and I have also stricken out the words in the seventh line in the paragraph following the semicolon after the word "proportion," "and on sugar above No. 16 Dutch standard in color and on all sugars which have gone through a process of refining one cent and ninety one-hundredths of 1 cent per pound."

The effect of this amendment is to reduce the duty on refined sugar from $1.90 a hundred to $1.75½ a hundred, and it takes out of the paragraph the provision relating to the Dutch standard.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER (Mr. DIXON in the chair). Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. Yes.

Mr. SMOOT. The differential to-day on sugar is 7½ cents, making the protective part of it $1.82½; or, rather, the revenue and protective part $1.82½. I should like to ask the Senator what the 7 cents reduction is for and what it means?

Mr. BRISTOW. I will be glad to explain to the Senator my view in regard to that.

The duty on raw sugar at the present time is 95 cents per hundred for sugar testing 75° pure by the polariscope, and for each additional degree of purity there is added 3½ cents per hundred pounds, making pure sugar, or 100 per cent sugar, $1.82½. Then, in addition to that, there is another provision making the duty on refined sugar—that is, a sugar which has passed through the refineries that use bone black in the process of refining—$1.90, or 7½ cents more than pure sugar that has not gone through the process of refining.

Mr. SMOOT. I do not think the Senator will quite agree with that definition given when he has carefully considered the matter. The 7½ cents—the difference between one eighty-two and a half and one ninety is a differential that is given to the sugar refiner for the difference of cost between the refining of sugar in Germany or any other foreign country and this. The one eighty-two and a half, if the Senator will figure, is 95 cents for 75 per cent pure sugar, and then if he will figure on 3½ cents for each degree he will find that the amount of protection on sugar pure, 100 per cent, is one eighty-two and a half. But the 7½ cents that the Senator speaks of is a differential that is given to sugar refiners, claimed to be the difference between the cost of refining sugar in this country and refining sugar in a foreign country.

I think what the Senator refers to is the question of the Dutch standard, which does not come into the question of the 7½ cents differential.

Mr. BRISTOW. No; I think——

Mr. SMOOT. I think the Senator has the two mixed. I simply call his attention to the fact that the difference is due to the differential.

Mr. BRISTOW. I am not at all confused between the Dutch standard and the polariscope test. The Dutch standard has nothing to do with that which I am now discussing. The 7½ cents differential to which the Senator from Utah refers is a protective duty which is given the American refiners who use the bone-black process. Now, pure sugar may be produced by the centrifugal process. The bone-black process whitens sugar.

Mr. SMOOT. Mr. President——

Mr. BRISTOW. The centrifugal sugar, if the Senator will excuse me a moment, does not have that degree of whiteness which sugar does that is refined by the refineries that use the bone-black process. But centrifugal sugar that is 100 per cent pure is just as pure sugar, except it has not that whiteness of color, and this 7½ cents is the protection which the refiner gets or would get for refined sugar or sugar passed through bone black and crystallized.

Mr. SMOOT. I dislike to take issue with the Senator. But if he will just let me figure with him a minute he will see just where he is wrong.

Mr. BRISTOW. I shall be glad to have the Senator convince me that I am wrong.

Mr. SMOOT. The present law provides that the rate of duty upon sugar shall be 95 cents for 75 per cent pure sugar.

Mr. BRISTOW. Yes.

Mr. SMOOT. That is, saccharine.

Mr. BRISTOW. Yes.

Mr. SMOOT. That leaves 25 per cent in the sugar; that is, 25 per cent of impurities; does it not?

Mr. BRISTOW. Yes——

Mr. SMOOT. To make it 100 per cent pure.

Mr. BRISTOW. Instead of saying 25 per cent of impurities, I should say 25 per cent of other substances in the sugar that will not crystallize.

Mr. SMOOT. Those are impurities, taking pure sugar into consideration.

Mr. BRISTOW. It is part molasses and part water and low-grade sugars, part dirt and——

Mr. SMOOT. It is not sugar.

Mr. BRISTOW. Certainly it will not crystallize.

Mr. SMOOT. Then we begin with that 95 cents. The duty upon each degree of purity above the 75 per cent is 3½ cents. To make it 100 per cent pure there are 25 degrees to charge for. Three and a half times the 25 degrees is 87½. Is not 3½ times 25 87½?

Mr. BRISTOW. Yes; 87½.

Mr. SMOOT. You take and add the 87½ to the 95 cents and it will give you what is the duty upon pure sugar.

Mr. BRISTOW. The duty on pure sugar is $1.82½.

Mr. SMOOT. That makes $1.82½.

Mr. BRISTOW. Yes.

Mr. SMOOT. That is, pure sugar.

Mr. BRISTOW. Yes.

Mr. SMOOT. One hundred per cent pure sugar is $1.82½.

Mr. BRISTOW. Yes.

Mr. SMOOT. But we say it shall be $1.90, and that 7½ cents is called the differential.

Before the Payne-Aldrich bill went into effect that differential was 12½ cents, making the rate $1.95. That differential is for the purpose, as I stated before, of protecting the sugar refinery in this country against the cheaper labor of a foreign country.

When it comes to the consideration of the Dutch standard, then that is another question and we will discuss that.

Mr. BRISTOW. That is another question entirely.

Mr. SMOOT. I wanted to get this correct.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Iowa?

Mr. BRISTOW. Gladly.

Mr. CUMMINS. I gave this question a little study two years ago. I do not intend, of course, to take up the argument of the Senator from Kansas, but I ask in this connection whether or not it is his purpose in this amendment to strike out both the Dutch standard color and the differential?

Mr. BRISTOW. It is.

Mr. CUMMINS. The Senator intends to destroy the differential, and his amendment is for that purpose.

Mr. SMOOT. I have not read his amendment, but just listening to it being read from the desk I have no doubt that is what it is intended to do. First to take out the Dutch standard clause, and second to take out the 7½ cents differential, making the sugar duty $1.82½, your amendment of 98 per cent may make the 7 cents, which I asked you to explain.

Mr. BRISTOW. I will explain that as soon as I can get to it.

Mr. CUMMINS. I was in doubt whether his amendment would strike out both the Dutch standard of color and the differential of 7½ cents.

Mr. SMOOT. I have no doubt of it. But what about the 7 cents, which I asked the Senator to explain?

Mr. BRISTOW. That is what I am going to explain.

Mr. SMOOT. When the Dutch standard comes up for discussion we must decide whether we want to retain it or not; whether it is the best policy for the American people or American producer.

Mr. BRISTOW. I want to get this clear if I can, because it is very interesting to those of us who have studied it.

Under the law as it would stand with this differential taken off—this differential is just simply a protection to the concern that refines sugar by the bone-black process. The centrifugal producer gets no advantage out of it, because it refers only to that process of refining which is known as the bone-black process of refining. The Senator from Utah of course will admit that.

The $1.82½ is the full duty on pure sugar. But if that pure sugar should be melted, as it would not be of course, and passed through the process of refining—the bone-black process—then it would not be entitled, if the Dutch standard provision was taken out, to come in at a less duty than $1.90. That is admitted now.

Mr. SMOOT. I did not quite understand the statement made by the Senator from Kansas. But if I did, of course, I can not agree with him. The bone black that is used in the bleaching of sugar not only bleaches the sugar if it is 100 per cent pure as to saccharine, but it would bleach sugar that was 95, 96, and 97 per cent pure.

Mr. BRISTOW. Oh, yes; of course.

Mr. SMOOT. And that is one reason why we have the Dutch standard in the bill, because if it is left out Germany could use bone black and bleach 95 per cent sugar, and that sugar could be brought into this country, and there is no consumer who could tell the difference between the 95 per cent sugar and the 100 per cent sugar. But the Dutch standard protects the American consumer against any such action on the part of Germany or any other country.

Mr. BRISTOW. When I get to the Dutch standard I will take care of that and controvert the Senator's position, I think, without much difficulty. However, 95° sugar filtered through bone black would be pure after filtration.

I will just say now and then drop it, because I am not yet at that part of the discussion—that the Dutch standard is a device that is used in the interest of the sugar refiners, and contributes to their profits, and to no other purpose.

Mr. SMOOT. I can not for the life of me see how it contributes to the sugar refiners. The beet-sugar industry has no refining other than simply the manufacturing of pure white sugar.

Mr. BRISTOW. I am not talking about beet sugar.

Mr. SMOOT. I say to the Senator that the Dutch standard is a protection that is given to the beet-sugar raiser, not to the sugar refiner.

Mr. BRISTOW. The beet-sugar raiser has no more interest in the Dutch standard than he has in the laws of the Hottentots.

Mr. SMOOT. That may be the thought and belief of the Senator from Kansas, but you can not make the beet-sugar producer or the man who raises the beets or is interested in the sugar factory believe any such thing.

Mr. BRISTOW. I have talked to a good many of the sugar producers, and they have no interest in the Dutch standard, and they say so to me without hesitation.

Now, I propose to take off not only the differential of 7½ cents, but to limit this advance of 3½ cents per degree in duty to 98 degrees, so as make $1.75½ the maximum duty collected on sugar.

Mr. SMOOT. Or, in other words, the Senator's amendment means this: That if the American sugar manufacturer manufactures his sugar pure or 100 per cent saccharine he would get no more protection than if he manufactured it 98 per cent pure.

Mr. BRISTOW. That is right.

Mr. SMOOT. Or if he manufactured it 100 per cent pure, Germany could manufacture sugar at 98 per cent pure, and it could come in here and be sold upon the same basis as the 100 per cent.

Mr. BRISTOW. Not upon the same basis, but by paying the same duty.

Mr. SMOOT. I mean the basis of the duty.

Mr. BRISTOW. That is correct.

Mr. SMOOT. I can not for the life of me see what justice there is or what reason there is in such a proposition.

Mr. BRISTOW. If the Senator from Utah will think this out a while and is interested in the domestic production, he will very clearly see that it is directly in the interest of the American producer of sugar.

Mr. SMOOT. I will be glad to listen to the Senator explain and tell why, because I am certainly interested in the sugar production of this country. I do not mean financially; I mean that I am interested in laws that will protect it and keep it alive.

Mr. BRISTOW. The Senator from Utah can not be more interested in the promotion of the beet-sugar industry than I am. He can not speak in higher praise of the development of that industry; and before I get through I hope to present reasons why the duty on sugar should be retained at a high figure when the tariff is ultimately revised according to my views, as it will be in time, I hope.

I hold in my hand here a bottle of sugar which is 100 per cent pure, as tested by the polariscope, and it is No. 25 Dutch standard in color. It is a pure sugar. It is a centrifugal sugar, as beautiful a specimen as I have ever seen. Those large crystals——

Mr. SMOOT. It is cane sugar.

Mr. BRISTOW. It is cane, of course; made by the centrifugal process. Under the present law the duty on that is $1.90, but with the Dutch standard taken out the duty on it would be $1.82½.

Mr. SMOOT. No; that is exactly where the Senator is mistaken.

Mr. BRISTOW. If the Dutch-standard provision is removed, it would be $1.82½.

Mr. SMOOT. If the Dutch standard is taken out, beet sugar of that grade would be $1.90.

Mr. BRISTOW. Oh, no.

Mr. SMOOT. That is exactly where the Senator is either sadly mistaken or else I am wofully wrong. I know that under the present tariff act that sugar entering into the United States will pay a duty of $1.90 a hundred.

Mr. BRISTOW. I say under the present tariff, because the Dutch standard controls.

Mr. SMOOT. Under the present bill, if the Dutch standard was out, it would pay $1.90 a hundred.

Mr. BRISTOW. I do not see how it would.

Mr. SMOOT. Certainly, it is above 16 Dutch standard.

Mr. BRISTOW. But with the Dutch standard out, that would not control.

Mr. SMOOT. I will figure it in a minute. First, it is 95 for 75 per cent; that is, 95 cents for 75. There is 25 per cent representing units, at 3½ cents a unit, making 87½ cents, and $1.82½ is the duty on this, and the differential is 7½.

Mr. BRISTOW. No; the differential does not go on, because it has never been refined by the refinery that uses a process of bone-black filtering, and the product of which is commonly known as refined sugar.

Mr. SMOOT. No; beet sugar.

Mr. BRISTOW. This is not beet sugar; it is cane sugar.

Mr. SMOOT. That may be true, and it may have passed and may never have passed through the process of bone-black refining.

Mr. BRISTOW. It has not passed through the process of refining, as known to the law, and therefore the rate of $1.90 would not apply to it.

Mr. SMOOT. As far as the sugar is concerned, the Senator can not tell whether it has passed through that process or not.

Mr. BRISTOW. But this is imported; I got it from the customhouse.

Mr. SMOOT. I say, if it has not passed through the process of refining, that is true; it is $1.82½. If it has passed through under the law of the Dutch standard, it is $1.90 duty. I am free to admit that under the Senator's amendment it would not be that. Under the Senator's amendment the most that it could possibly pay would be $1.75½, and it would be $1.75½ if it were 99 per cent pure, it would be $1.75½ if it were 98 per cent pure, and it would be $1.72 if it were 97 per cent pure.

Mr. BRISTOW. That is true. There is no difference between the Senator from Utah and myself as to that.

Mr. WARREN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Wyoming?

Mr. BRISTOW. Just wait until I answer the Senator from Utah. I want to show him wherein he is wrong. The duty on sugar, as he has stated, is 95 cents a hundred for sugar that is 75 per cent pure, and for each additional degree of purity 3½ cents per hundred is added. So the duty on pure sugar is $1.82½. But there is a provision in the law which says that sugar which is above No. 16 Dutch standard or that has passed through a process of refining shall pay $1.90.

Mr. SMOOT. Mr. President——

Mr. BRISTOW. In just a minute. This is above No. 16 Dutch standard, but it has not passed through the process of refining.

Mr. SMOOT. Mr. President——

Mr. BRISTOW. Now, just a minute. If the Dutch-standard provision was taken out then the duty on that sugar would be $1.82½.

Mr. SMOOT. No; Mr. President.

Mr. BRISTOW. Because it has not passed through the process of refining.

Mr. SMOOT. I tell the Senator it has passed through the process of refining. If that sugar had not been refined it would have come from the tank bottom with all its impurities. I know the whole process of cane-sugar manufacture. You can not tell me that that sugar has not gone through the process of refining. I know that it has gone through a centrifugal process, and 23 per cent of the impurities have been taken from it by that process. It is true, as the Senator has said, that the Dutch standard would leave it that way if it had not gone through the process of refining, but the law says that if it has gone through any process of refining it shall be $1.90.

Mr. BRISTOW. The Senator from Utah knows that of the sugar which comes into New York nine-tenths at least goes through the centrifugal process of refining.

Mr. SMOOT. I know that every particle of sugar that comes from Cuba has gone through the centrifugal process. I know that it is not above 96 per cent pure, and I know that the refiners have been taking it——

Mr. BRISTOW. Yes; and I will explain to the Senator exactly why it comes in below the 96 per cent grade.

Mr. SMOOT. The Senator need not explain it to me. I know why.

Mr. BRISTOW. Then, if the Senator knows, he ought to be a little more frank with the Senate in treating on this subject.

Mr. SMOOT. I take exceptions to that statement, because I want to say that I have nothing whatever to conceal in this whole proposition in any way, shape, or form. I know cane sugar made in Cuba, that there is no process of refining in Cuba whereby it can come into this country 100 per cent pure. I know it.

Mr. BRISTOW. It could not come in 75 per cent pure without some process of refining. Of course, even the old muscovado process is a method of refining.

Mr. SMOOT. But that is exactly what the law says.

Mr. BRISTOW. Then the Senator is entirely mistaken. The Senator must certainly know that if it was not for the provision of the Dutch standard, which makes all sugars above 16, or above the sugar in this bottle, which I hold in my hand, all of a color that is lighter than that, pay as much duty as if it were refined.

Mr. SMOOT. That is true; but——

Mr. BRISTOW. Now, just a minute.

Mr. SMOOT. What the Senator is getting at is not what is the purpose of the Dutch standard.

Mr. BRISTOW. Just hold on a minute.

Mr. SMOOT. The Dutch standard is for this purpose, that a sugar which comes into this country as white or whiter even than that, if the Dutch standard was not in the law, could come in if it were only 92 per cent sugar, and neither the Senator from Kansas nor the Senator from Utah nor any other man in this country would know whether it was 100 per cent or 92 per cent pure. All the Dutch standard is for is to protect the American consumer when he buys white sugar, so that he may know it is 100 per cent and not 96 per cent.

Mr. BRISTOW. That the record may be clear, I will repeat my statement. The sole mission of the Dutch standard is to preserve the exclusive market for all imported sugars to the American sugar refiners and to prevent sugars from going to the public that are of a high degree of centrifugal refinement.

Mr. SUTHERLAND. Mr. President, I do not know that I ought to precipitate myself into this controversy——

The PRESIDING OFFICER. The Chair thought the Senator from Kansas was about to yield to the Senator from Wyoming [Mr. WARREN], who has been on the floor for some time.

Mr. WARREN. I do not wish to occupy a long time.

Mr. SUTHERLAND. I simply want to ask a question for information.

Mr. NELSON. Mr. President, I think we ought to have a quorum. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Cullom	Martin, Va.	Reed
Bourne	Cummins	Martine, N. J.	Root
Brandegee	Curtis	Nelson	Shively
Bristow	Dixon	Oliver	Smith, Mich
Brown	Foster	Overman	Smoot
Bryan	Gronna	Page	Sutherland
Burnham	Guggenheim	Paynter	Swanson
Chamberlain	Heyburn	Penrose	Taylor
Clapp	La Follette	Perkins	Warren
Clark, Wyo.	Lodge	Poindexter	Watson
Crane	McCumber	Pomerene	Wetmore
Culberson	McLean	Rayner	Williams

The PRESIDING OFFICER. Forty-eight Senators have answered to their names. A quorum of the Senate is present. The Senator will proceed. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. I do.

Mr. SUTHERLAND. As I understand the Senator from Kansas, he says that on sugar which will show 100 per cent test and that has gone through the refining process the duty would be $1.90.

Mr. BRISTOW. Yes.

Mr. SUTHERLAND. But that this particular sugar which he exhibits would only pay $1.82, although it shows 100 per cent test.

Mr. BRISTOW. Yes.

Mr. SUTHERLAND. And that is because it has not gone through the bone-black process but has gone through the centrifugal process. Now, I ask the Senator whether the centrifugal process is not itself a refining process?

Mr. BRISTOW. All raw sugar goes through one of two processes of refining or purifying—the old process of settling or the centrifugal process, which is similar to the method employed by the farmer's separator which separates the cream from the milk.

Mr. SUTHERLAND. The question I want to submit to the Senator is whether any process which takes out of the material the impurities is not a refining process?

Mr. BRISTOW. Oh, yes.

Mr. SUTHERLAND. The centrifugal process takes out of the material these impurities and renders the sugar more pure. Therefore, the centrifugal process itself is a refining process and comes within the terms of the law. In other words, the duty would be $1.90 whether it had gone through one refining process or the other.

Mr. BRISTOW. The Senator from Utah is mistaken in that respect, and I will explain to him in a moment just why he is mistaken.

Mr. SMOOT. Mr. President——

Mr. BRISTOW. Wait until I answer the question, please.

Here is a bottle of sugar that tests 97 per cent pure by the polariscope. It is in color No. 16 Dutch standard. It is a centrifugal sugar. It has gone through the process of centrifugal refining. It has not been refined to the degree of purity that the sugar in this bottle, which is No. 25 in color, has. They were both produced by the centrifugal process, which I refer to as a process of refining. This [indicating] is 16 Dutch standard, and, being 97° pure as to saccharine strength, tested by the polariscope, it would come in and pay $1.72 a hundred pounds duty, because it is 97 and not above No. 16 in color.

Mr. SMOOT. If the Senator——

Mr. BRISTOW. The Senator from Utah must admit that is right. This is 97 sugar and it is not above 16 in color.

Mr. SMOOT. Mr. President, that is exactly what I should like to admit, and what I want the Senator from Kansas to admit. There are 3 per cent of impurities in that sugar, are there not?

Mr. REED. Mr. President, we are unable to hear the Senators on the other side. They are close together and talking to each other; we can not hear them.

Mr. SMOOT. I was saying that there are 3 per cent of impurities in that sugar. The man who buys that sugar has to lose the 3 per cent of impurities to get pure sugar, has he not?

Mr. BRISTOW. We are not discussing that. We are discussing the amount of duty that he pays.

Mr. SMOOT. Of course. Why should it pay as much as 100 per cent?

Mr. BRISTOW. It is not a question as to why it should. The question I was discussing with the junior Senator from Utah [Mr. SUTHERLAND] is what duty it does pay.

Mr. SMOOT. I can figure it out in just a minute.

Mr. BRISTOW. It pays $1.72, does it not? It is 97.

Mr. SMOOT. It pays $1.72, and that is a reduction of 18 cents.

Mr. BRISTOW. Just a minute. Let us keep to the question of the Senator's colleague. This sugar has gone through the centrifugal process of refining until it is up to 16 in color and 97 in purity. That is correct, is it not?

Mr. SMOOT. I should judge so, from the looks of it.

Mr. BRISTOW. That is what it is labeled, and it was labeled at the customhouse 16 in color and 97 in purity. Under the present law it would pay $1.72 duty. It has gone through the process of refining up to that point. Now, the reason that this sugar [indicating]——

Mr. SMOOT. I thought the Senator said that it had not gone through any refining process.

Mr. BRISTOW. It has gone through the centrifugal process of refining, but not the bone-black process of refining.

Mr. SMOOT. But does the Senator think that the sugar could come in at a duty of $1.72 if it were not for the Dutch standard?

Mr. BRISTOW. I say so now.

Mr. SMOOT. Not under the present law, because that sugar has been refined. It has gone through a process of refining.

Mr. BRISTOW. It has gone through exactly the same process of refining as this [indicating].

Mr. SMOOT. True, but it is a process of refining.

Mr. BRISTOW. It is a process of refining; and why does this sugar not pay $1.90?

Mr. SMOOT. Because there is 3 per cent of impurities in it.

Mr. BRISTOW. It is because it is not above No. 16. That is the reason, is it not?

Mr. SMOOT. No; that is not the reason; but there is 3 per cent difference in the saccharine in the two sugars. The duty upon every degree is 3½ cents. So that would be 11½ cents with the tariff; and if all the impurities are taken out of it, it would be 18 cents.

Mr. BRISTOW. The Senator is confusing himself and confusing the Senate.

Mr. SMOOT. Oh, no, I am not, Mr. President.

Mr. BRISTOW. If the Senator will listen to me for just a moment, I have some hope at least of convincing his colleagues.

Mr. REED. Mr. President, will the Senator pardon me an interruption, as I am very much interested in this discussion?

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Missouri?

Mr. BRISTOW. I do.

Mr. REED. I wish to make a suggestion to the Senator. In his colloquy he holds up a bottle and refers to it as "this," and then another bottle and refers to it as "this," and that will not mean much in the RECORD. I wanted to suggest, if he would not take it unkindly—and I think this is important—is there no way in which the Senator can more particularly refer to the various exhibits?

Mr. BRISTOW. I will try to refer to the bottles, so that the Senator can understand the difference between them at a distance. As I was saying, in answer to the question of the junior Senator from Utah [Mr. SUTHERLAND], this bottle which I now hold in my hand [indicating] tests 97 by the polariscope, which is the purity of the sugar, its saccharine quality. In color by the test which is known as the Dutch standard it is No. 16. The rate of duty on that sugar if imported would be $1.72, made up in this way: Under the law sugar testing 75 per cent pure by the polariscope pays a duty of 95 cents a hundred, and for each additional degree of purity 3½ cents a hundred is added.

Mr. SMOOT. Three and a half cents a unit.

Mr. BRISTOW. For each additional degree of purity 3½ cents per hundred pounds is added.

The duty on this sugar [indicating] testing 97 or 22 degrees more than 75 is 95 cents, plus 22 times 3½, or $1.72. This sugar has gone through a process of refining known as the centrifugal process. The great majority of sugars which are manufactured now are made by that process, it being a modern process of purifying sugar. There is, however, a provision in the law which requires that when sugar reaches a degree of whiteness above this, which is 16, that then the full duty on refined or granulated sugar shall be assessed.

I hold as a matter of comparison another bottle in my hand [indicating], which in color is No. 17 Dutch standard. That sugar, if imported under the present law, would carry a duty of $1.90 or 18 cents more than this [indicating], which is 16 in color. The degree of purity, tested by the polariscope, of this sugar [indicating], which is 17 in color, is 98.6. If the Dutch standard provisions were taken out of the law this 17 sugar, which is 98.6, would pay $1.79 duty, because the duty would then be assessed on the purity, on the saccharine strength of the sugar, and not on its color.

Mr. SMOOT. Mr. President——

Mr. BRISTOW. To get back to the question—I want to answer this question fully, and then I will yield to the Senator——

Mr. SMOOT. I was going to say——

Mr. BRISTOW. The junior Senator from Utah [Mr. SUTHERLAND] inquires if these sugars have not both gone through a process of refining as has this sugar [indicating], which is 100 per cent pure and 25 per cent in color. That has a perfect color. Under the present law those sugars, dark and white, pay the same duty, because they are both above the 16 Dutch standard.

Mr. SMOOT. Mr. President, I want to say that those same sugars under the present law would pay $1.90 if the Dutch standard was out, because both of those sugars have gone through a process of refining.

Mr. BRISTOW. Let me ask the Senator why this sugar [exhibiting] does not pay $1.90?

Mr. SMOOT. It has gone through a process of refining and would pay $1.90.

Mr. BRISTOW. When 16 in color?

Mr. SMOOT. If it is 16 or under.

Mr. BRISTOW. If 16?

Mr. SMOOT. If it has gone through a process of refinement.

Mr. BRISTOW. Does the Senator mean to say that all centrifugal sugar pays the full duty?

Mr. SMOOT. I do not mean to say that the centrifugal sugar pays the same duty, but I say that washed sugars pay the duty. That is a process of refining, and the Senator said there are only two processes of refining.

Mr. BRISTOW. I did not, except as to raw sugars in the process of manufacturing.

Mr. SMOOT. I understood the Senator to tell my colleague that there were only two processes of refining.

Mr. BRISTOW. I referred to the two processes of manufacturing as processes of refining. There are three processes, considering the bone-black process, but one of them should not be given much consideration now, because it makes the very dark sugars, the muscavado sugars—that is, where the refining is by settling in hogsheads and drainage, but that has largely been discarded, except in the cruder factories. I want to ask the Senator from Utah——

Mr. SMOOT. Let me answer the question about washing sugars.

Mr. BRISTOW. Just a moment. Here is a sugar [indicating] which is No. 16 Dutch standard. It is a centrifugal sugar; it is 97 pure. The Senator agreed with me a few moments ago that that sugar paid a duty of $1.72 when it was imported.

Mr. SMOOT. No, Mr. President; I said that if the duty were paid upon the amount of saccharine in it, without any process of refining, and not taking that into consideration, it would pay $1.72. The Senator is correct in saying that. But, Mr. President, whenever sugar passes through a process of re-

fining under the present law, whether the Dutch standard applies or not, it pays $1.90.

Mr. BRISTOW. Let me ask the Senator a question. Does the Senator consider the centrifugal process a process of refining? I should like the Senator to answer that question, if he will. Does the Senator consider the centrifugal method a process of refining?

Mr. SMOOT. I consider the centrifugal process a process of refining.

Mr. BRISTOW. Does the Senator claim, then——

Mr. SMOOT. And I consider also that the washing of sugar is a process of refining.

Mr. BRISTOW. Just a moment now. The Senator said that he considered the centrifugal process a process of refining. Does the Senator claim that all of the centrifugal sugars pay $1.90 duty?

Mr. SMOOT. Mr. President, I think they do.

Mr. BRISTOW. All centrifugal sugars?

Mr. SMOOT. All centrifugal sugars. There are sugars that come from the Philippine Islands, of course, that now come in here free.

Mr. BRISTOW. Does the Senator think that all centrifugal sugar which comes from Cuba pays $1.90 duty less 20 per cent?

Mr. SMOOT. I think that all centrifugal sugar is in the shape of refined sugar, and all sugar that has gone through that process pays that amount.

Mr. BRISTOW. Through the centrifugal process?

Mr. SMOOT. Through the centrifugal process.

Mr. BRISTOW. Now, the Senator, of course, will consider this to-morrow and say that he was mistaken, because he certainly is.

Mr. SMOOT. Mr. President, I do not know what the Senator is going to say as to what a centrifugal is, but I want to say that wherever sugar is taken from the pan—speaking now of cane sugar—and is refined by any process, it pays $1.90. That is what I say; and I am not going to be drawn into the question of what the Senator is going to call "a centrifugal."

Mr. BRISTOW. I want to make the statement here, and I make it without any hesitation, that the Senator from Utah is absolutely, unqualifiedly, and unequivocally mistaken as to the fact; and if he will inquire at the Treasury Department he will find that he is.

Mr. WARREN. Mr. President——

The VICE PRESIDENT. Does the Senator from Kansas yield to the Senator from Wyoming?

Mr. BRISTOW. The only sugars that pay the full $1.90 are sugars that are above No. 16 Dutch standard. If a sugar is above No. 16 Dutch standard in color, regardless of its purity, it pays $1.90; if it is not above No. 16, then the only test applied is the polariscope test, which is as to its purity; and if it is 97, it pays $1.72; if it is 96, it pays $1.68½; if it is 95, it pays $1.65; and if it is 98, it pays $1.75½.

Mr. SMOOT. I want to say that the Senator from Kansas uses the Dutch standard for an argument in a way that is absolutely contrary to what the Dutch standard is for. The Dutch standard——

Mr. BRISTOW. If the Senator will pardon me, this is not a question of what the Dutch standard is for, but what the Dutch standard does. We are trying to settle a statement of facts.

Mr. SMOOT. Then, I will tell the Senator what the Dutch standard does.

Mr. BRISTOW. Well?

Mr. SMOOT. The Dutch standard does this: As the Senator knows, sugar can be brought in here that is bleached and that is not 100 per cent pure. If it were not for the Dutch standard they could bring in this bleached sugar for less than $1.90 a hundred and sell it to the American people as 100 per cent pure sugar. The Dutch standard will not allow that.

Mr. SMITH of Michigan. Regardless of its purity.

Mr. SMOOT. Regardless of its purity, as the Senator from Michigan suggests. It is a protection to the consumer who buys sugar in this country. If there was a law passed compelling the branding of all sugar so as to show exactly how much saccharine is in it, then the Dutch standard would not be necessary; but there is no such law, and without the Dutch standard the sugar coming in here at 95 per cent, bleached, would cost the same to the customer that a 100 per cent pure sugar would, and the customer would never know it. That is the object of the Dutch standard.

Mr. BRISTOW. Mr. President, in order that the RECORD may be clear I want to state, with all due respect to the Senator from Utah and without in any way impugning his motives, because I know they are good, that the argument he has just made is a device which has been gotten up and which has been exploited by the American Sugar Trust to keep the Dutch standard provision in the law, and it has spent large amounts of money throughout the country in advertising this fiction in order to keep in the law this provision, which gives it practically a monopoly of the purchase of every pound of sugar that comes into the American market.

Mr. SMOOT. The Senator speaks of spending money. The most money I have known as being spent in that regard was the money that was collected by a Mr. Bass, living and owning sugar mills in Porto Rico. I have the correspondence and the circulars signed by him, asking that money be raised and sent to him for the purpose of knocking out the Dutch standard, so that his sugars could come in here in any shape he desired, whether they were 100 per cent pure or not.

Mr. BRISTOW. If he lived in Porto Rico, the sugar could come in here without paying any duty. The Dutch standard is nothing to him, because he has got free sugar if he lives in Porto Rico.

Mr. SMOOT. But the Cuban sugar could not.

Mr. BRISTOW. The Senator stated that the gentleman lived in Porto Rico and owned sugar mills in Porto Rico.

Mr. SMOOT. I am not positive as to whether he owned sugar plantations in Cuba or not.

Mr. WARREN. Mr. President, I think I shall have to make a point of order.

The VICE PRESIDENT. Does the Senator from Kansas yield to the Senator from Wyoming?

Mr. BRISTOW. I yield to the Senator.

Mr. WARREN. I wish to make a point of order. It seems to me that we might proceed with a little more order. We have here a conversation going on, and others who ask for recognition are denied it for long periods of time. It seems to me that a man who rises and addresses the Chair is entitled to be recognized, and that the man who breaks in and answers another without appealing to the Chair should be called to order.

Now, Mr. President, I ask the Senator if he will allow me to ask him a question?

Mr. BRISTOW. I will be very glad to yield to the Senator.

Mr. WARREN. It is not as to the Dutch standard. The discussion on that matter has been very interesting, but we seem to be about where we were when we started a couple of hours ago. I want, however, to ask the Senator if he knows what is the foreign price of sugar per hundred to-day on both of the samples he has of 16 and 17 Dutch standard, upon which he says the duty is $1.90 a hundred?

Mr. BRISTOW. The price, of course, varies in different countries. I have here the English price, which I will be very glad to give to the Senator. The English price on 96 sugars—that is, sugars that are only 96 in purity—in 1910 the average price in London was 2.90\frac{7}{16}$ per hundred, and in New York——

Mr. DIXON. The duty or the price?

Mr. BRISTOW. The price; but that would be with the duty.

Mr. WARREN. I mean entirely without duty, the original wholesale price.

Mr. BRISTOW. Without duty—well, the price in London was $2.90 duty paid, and the duty on 96 sugar would be 39, practically 40 cents—39 and a major fraction. That would be 40 cents less than $2.90, or $2.50; and the price in New York would be 4.18\frac{8}{16}$, less, probably, about $1.68.

Mr. WARREN. What I want to get at is the original cost of sugar at wholesale, the amount of duty added, and about what percentage that duty would be upon the first or original cost of the sugar?

Mr. BRISTOW. About what the per cent of the duty is?

Mr. WARREN. About what percentage the duty is.

Mr. BRISTOW. There are various grades of sugar, and it depends, of course, upon whether the sugar that we import comes from Cuba or from other foreign countries. On 95 Cuban sugar—I have a bottle here of 95 sugar—our ad valorem duty is 49 per cent.

Mr. WARREN. That is less the drawback, of course?

Mr. BRISTOW. Yes; they get a 20 per cent reduction. On sugar from other countries it is 66 per cent on 95 sugar, on 97 sugar it is 62 per cent, and from Cuba it is 36 per cent.

Mr. WARREN. What is the highest percentage from any country the Senator has there?

Mr. BRISTOW. Of course that depends upon the price that is paid for the sugar. The sugar may be impure, and the impurities may consist, possibly, of molasses or dirt.

Mr. WARREN. It might reach 100 per cent in some cases.

Mr. BRISTOW. It does not reach 100 here. The highest that I noticed given by the figures of the Bureau of Statistics of the imports for consumption for the year 1910 is 98 per cent.

Mr. WARREN. I understand the Senator believes in a liberal customhouse tariff upon sugar.

Mr. BRISTOW. Oh, yes.

Mr. WARREN. I believe in that, too. But I wanted to get in the RECORD something as to the percentage, because we so often are attacked on the customs duties on various things on the percentage. It does not seem to me it makes any difference whether it is 10 per cent or 100 per cent if it is necessary in one case and not burdensome to the consumer in the other.

Mr. BRISTOW. I will state for the information of the Senator that about 80 per cent of our importations of sugar comes from Cuba and tests 95 in purity and not above 16 Dutch standard.

Mr. WARREN. I understand the Senator has figures showing this and that they will go into the RECORD with his speech.

Mr. BRISTOW. Yes. We imported last year from Cuba more than 3,000,000,000 pounds of sugar that tested 95 by the polariscope and was not above 16 Dutch standard in color, and that comprises almost 80 per cent of our entire importations of sugar, and the ad valorem duty on that sugar as given here was 49.77 per cent.

Mr. SMITH of Michigan. With the polariscope test the Senator from Kansas would lead us to believe that the Dutch standard is not essential at all to the insurance of pure sugar in our markets.

Mr. BRISTOW. Not in the least.

Mr. SMITH of Michigan. That a sugar may test above 96 and yet be below the Dutch standard, and therefore be excluded or reclassified.

Mr. BRISTOW. Yes. Or it might be below 96, and above 16 in color.

Mr. SMITH of Michigan. On the other hand, is it not true that certain kinds of sugar from Cuba may be so treated that they would pass the Dutch standard test and not pass the polariscope test?

Mr. BRISTOW. Oh, no; the Dutch standard——

Mr. SMITH of Michigan. I mean as to color.

Mr. BRISTOW. No; this process of bleaching which the Senator from Utah complains of is a fiction. I state that without any hesitation. It has no place in a serious consideration of the matter.

Mr. McCUMBER. Mr. President——

The VICE PRESIDENT. Does the Senator from Kansas yield to the Senator from North Dakota?

Mr. BRISTOW. Yes.

Mr. McCUMBER. I desire a little information from the Senator.

Mr. BRISTOW. I will be glad to yield.

Mr. McCUMBER. I want to ascertain whether the Senator believes there is a difference in the construction of the law given by those who pass upon the imports and the law itself. If I understand the argument of the Senator correctly, it makes no difference; whether we have the Dutch standard or not there will be levied ninety-five one-hundredths of 1 cent per pound upon sugar.

If I read the law correctly, there are three bases of estimating the revenues or the duties. The one is without reference to the matter of refinement at all. The other has reference to refinement. The third has reference to the Dutch standard.

For instance, section 216 says:

> Sugars not above No. 16 Dutch standard in color, etc., concentrated, etc., testing by the polariscope not above 75°, ninety-five one-hundredths of 1 cent per pound.

That is without reference to whether or not the sugar has been refined.

Mr. BRISTOW. That sugar is refined, of course, to 75°.

Mr. McCUMBER. But there is nothing in the provision itself that says it shall apply to refined sugar, and that is what I want to get at.

Mr. BRISTOW. Well——

Mr. McCUMBER. Just a moment. Let me follow that. On sugar above No. 16 Dutch standard in color is a second class. That bears 1 cent per pound additional.

Mr. BRISTOW. Above? Oh, no——

Mr. McCUMBER. Let me see. It is not "or"; it is "and." Yes; thirty-five one-thousandths of 1 cent per pound additional, "and on sugar above No. 16 Dutch standard in color"—"and," not "or"—"and on all sugar which has gone through a process of refining."

That would seem therefore to differentiate between simply the Dutch standard in color, and sugar that has been refined. So there are two classes there, and each of them adds 1 cent and ninety one-hundredths of 1 cent per pound. Is that not correct?

Mr. BRISTOW. This is true: If it has passed through the process of refining, or is above No. 16 Dutch standard, it pays $1.90. That process of refining refers to the bone-black process, which is the process used by the American refiners. But the sugar factories now have a process of sugar making known as the "centrifugal" process, which will produce sugar that is very much above 16 Dutch standard in color and is pure in quality.

Being above 16 Dutch standard it carries the full duty just as though it had been refined by the bone-black process, though it has never been refined in that way.

Mr. McCUMBER. Does the Senator claim that there is a difference in the duty, based upon the different methods of refining?

Mr. BRISTOW. Certainly.

Mr. McCUMBER. But there is nothing in the law that recognizes that difference. That is the reason I asked the question.

Mr. BRISTOW. Let me state the facts as given here by the Bureau of Statistics——

Mr. McCUMBER. But what I wanted to get at is why the customhouse officers should make a distinction that is not in the law itself.

Mr. BRISTOW. Because if they do not, all sugars which are imported would carry $1.90 a hundred duty, and it was not intended they should. It is only the refined sugar. This sugar that is contained in this bottle I have here is granulated sugar, which I purchased at a store. This is refined sugar. It has been refined by an American sugar refinery. That is what is referred to in the law, and the centrifugal process of manufacturing and refining sugar is not taken into consideration in the law in using the term "refined."

Mr. McCUMBER. Is that not regarded as a refined process?

Mr. BRISTOW. It is not at the customhouses.

Mr. McCUMBER. Is it or is it not regarded as a refined process at the customhouse?

Mr. BRISTOW. It is not.

Mr. McCUMBER. The centrifugal process——

Mr. BRISTOW. It is not regarded as a process of refining at the customhouse. I will illustrate that by reading from these statistics.

Mr. McCUMBER. That is the point. The Senator had not explained that before.

Mr. BRISTOW. Yes. We imported last year 3,000,000,000 pounds of sugar that was 95° pure by the polariscope. If the Senator from Utah will listen, I will convince him that he is absolutely wrong and will leave it to any customhouse official in the United States—and I am taking the official reports here to convince him right now. We imported last year from Cuba 3,000,000,000 pounds of sugar that was 95° pure and not above 16 Dutch standard, and that sugar paid $1.65 less 20 per cent.

Now, we imported 377,000,000 pounds of sugar from different countries, not above 96° pure, and on that we collected 1.68\frac{5}{10}$ per hundred pounds. Now, that was 96° pure, and not above 16 Dutch standard.

We imported from Cuba 2,369,000 pounds of sugar that was 97° pure, and not above 16 Dutch standard, upon which a duty of $1.72 a hundred was paid less the 20 per cent.

Mr. McCUMBER. Is that refined sugar?

Mr. BRISTOW. That is centrifugal sugar. All of the sugar that I am now referring to is centrifugal sugar.

Mr. SMOOT. But not above 16 Dutch standard.

Mr. BRISTOW. But not above 16 Dutch standard.

Mr. McCUMBER. And not regarded as refined.

Mr. BRISTOW. And not regarded as refined at the customhouses. But it was refined and purified by the centrifugal process.

Mr. SMOOT. But it was under 16 Dutch standard.

Mr. BRISTOW. It was under 16 Dutch standard.

Mr. SMOOT. That is what I wanted to get at.

Mr. BRISTOW. We imported from various countries 15,000,000 pounds that was not above 98 degrees pure, that was not above 16 Dutch standard, and that paid $1.755.

None of that sugar was above the 16 Dutch standard. It paid from $1.65 to $1.75 per 100 pounds, dependent upon its purity. That was all centrifugal sugar or sugar that was made by the centrifugal process. But in the law the word "refined" is applicable only to sugar which has been passed through the process of refining known as the "bone-black process," which is used by the American refiner.

The provision of the Dutch standard limiting this to not above 16 in color makes any sugar that is above 16 pay, instead of what it would pay according to the polariscope test on its purity, the full duty, because it is of a light color regardless of

its purity, and being of a light color and above 16 it has to pay the full duty just the same as though it were refined sugar, such as is contained in this bottle which I now hold in my hand.

So the Senator from Utah, I hope, will now concede that all centrifugal sugars below or not above 16 Dutch standard pay a duty on the polariscope test.

Mr. SMOOT. When they are under No. 16 Dutch standard.

Mr. BRISTOW. When they are under No. 16 Dutch standard. If they are over 16 Dutch standard then they pay the full $1.90 regardless of the polariscopic test.

Mr. SMOOT. That is what I said before, as I understand it.

Mr. BRISTOW. That is what I have been trying to get the Senator from Utah to admit all the afternoon.

Mr. SMOOT. You have not been trying to get me to admit that at all. You have been trying to get me to admit that the Dutch standard was for a purpose it is not for.

Mr. BRISTOW. I have not been trying to get the Senator to admit the Dutch standard was for anything, and any Senator who has followed this argument certainly knows that my contention was that until 16 is reached the only test applied in fixing the duty on sugar is the polariscopic test, and that is as to its purity. And I have exhibited here a bottle of sugar. That [indicating] is 16 Dutch standard.

Mr. SMOOT. I do not want to interrupt the Senator, and I am not going to do it any more this afternoon, but I suppose here is just as good a time as any to call the Senator's attention to this fact: Sugar under 16 Dutch standard could not be sold to the American people. The American people would not buy sugar under the 16 Dutch standard. So it would have no effect whatever upon the market. But when it gets above 16 Dutch standard it can be bleached, and as the purity of the sugar does not show in the color of the sugar, through that means the public can be deceived, and that is why the Dutch standard was adopted.

Mr. REED. I want to ask right in connection——

The VICE PRESIDENT. Does the Senator from Kansas yield to the Senator from Missouri?

Mr. BRISTOW. Just a moment. I want to answer the Senator from Utah.

Mr. REED. I wanted to ask the Senator a question right in connection with that.

Mr. BRISTOW. I want to answer this before I am interrupted. Then I will yield to the Senator from Missouri.

The Senator from Utah has said that the American people would not use a sugar which was below 16 Dutch standard, because of its impurities—the consumer would not.

Mr. SMOOT. No; I did not say that.

Mr. BRISTOW. Will the Senator please repeat what he did say?

Mr. SMOOT. I said the American people would not purchase sugar the color of which came under the 16 Dutch standard. That is what I said. I know just as well as the Senator knows that there is sugar 98 per cent pure which could come under the 16 Dutch standard. There is not a question about that. But you can not take a sugar like that which the Senator holds in his hand and have the American people buy it. There is no danger from a deception of that kind. The people know that it is not pure, and therefore they can not be deceived. But when it is above the 16 Dutch standard in color, then it gets close to where the people may think it is a pure sugar, and through the bleaching or the washing process they can impose upon the American people and have a white sugar only carrying 95 per cent. I do not want to say anything more. That is the absolute truth of the matter.

Mr. BRISTOW. The bottle which I hold in my hand, and which the Senator from Utah has just had, is No. 15 Dutch standard in color, and it tests 99 per cent pure. The reason that can not find a market is because it is too dark, although it is an excellent sugar and is pure, testing 99 per cent by the polariscope, which is as pure as a great deal of the granulated sugar we purchase. It is an excellent sugar, but it is too dark for the people to buy. So when it arrives at this market the maker of that sugar has but one purchaser, and that is the sugar refiners. Therefore, if this 99 per cent sugar, which is pure and which probably was darkened in order to keep it below 16 and thereby avoid the high duty, had come in, it would have paid $1.79 duty. But as it is now there is none of it imported. It is the 95 that is 4 degrees less than this that is imported. The result is that practically the only market for foreign sugars is the sugar refineries, and the No. 16 Dutch standard provision which is in this bill confines that market to these concerns and gives them a monopoly of it. This theory of washing sugar is a fiction, because anyone knows who is familiar with the subject that the loss in the process of washing it is so great that no refiner ever undertakes to purify it that way.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER (Mr. OLIVER in the chair). Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. I do.

Mr. SMOOT. The Senator has now admitted just exactly what I had stated, that that sugar can not be sold to the American people because of its darkness.

Mr. BRISTOW. That has always been my argument.

Mr. SMOOT. Then he complains most bitterly because that sugar pays $1.79 and refined sugar pays $1.90. There are 2 per cent of the impurities that have to come out of that sugar in refining.

Mr. BRISTOW. I want to correct the Senator's statement. I do not complain because the sugar pays $1.79. I complain because the Dutch standard makes it pay $1.90 when it is above 16 in color. It is 99 per cent sugar instead of 98 per cent. There is only 1 degree of foreign substance in it, and much of the granulated sugar that is bought in the stores has a fraction of a degree and sometimes 1 degree of impurities in it.

Mr. SMOOT. That is just what I have stated, only the Senator is trying to make the Dutch standard apply in another way. If the Senate of the United States wants to take the 7½ cents differential off, which is a protection to the American sugar refiner, that is another question. That is in this 11 cents, and all that is left after that is the 3½ cents, which is the amount of duty upon the 1 degree of impurities that are to be taken out.

The American Sugar Refining Co. makes nothing on that. They lose that. Nobody gets that in the refining, because it goes into molasses and the impurities, but the American Sugar Refining Co. has a differential of 7½ cents. If it were not for that, the sugar would be refined in Cuba and come into this country refined, and Cuban labor would have the refining of the sugar rather than the American laborers.

Mr. President, as I stated before, I am not here talking for the sugar refiners or for a 7½-cent differential to them. That is another question. But when it comes to the question of taking out the Dutch standard it means that 95 per cent sugar can come into this country and be sold to the American consumer upon the same basis as sugar of 100 per cent.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Missouri?

Mr. BRISTOW. I do.

Mr. REED. I am sure it will not interrupt the Senator. The Senator from Utah has said with a great deal of force several times—that is, with a great deal of force so far as the tone of voice was concerned—that sugar below 16 Dutch standard would not be used by the American people. I wish to ask the Senator from Kansas kindly to state the amount of it which was actually imported into this country last year, if he has the figures; if not, the figures of the last year that he does have.

Mr. BRISTOW. The amount of sugar below 16 Dutch standard?

Mr. REED. Yes; any kind that is below 16 Dutch standard.

Mr. BRISTOW. In just a moment I will answer the question, if the Senator will have patience with me.

Mr. REED. Certainly. I am sorry to disturb the Senator's line of thought.

Mr. BRISTOW. It is no disturbance. I am glad to answer it, because my line of thought has been somewhat interrupted, and I will have to go back and begin again anyway.

There was imported into the United States last year 2,857,005 tons of sugar not above 16 Dutch standard in color.

Mr. REED. Then practically all of the sugar which was imported into this country last year was below No. 16 Dutch standard; so that it amounts to this, that for practical purposes all of the sugar coming to this country is below 16 Dutch standard. Now, that sugar is ultimately used by the American people?

Mr. BRISTOW. It is.

Mr. REED. And any burden placed upon it is ultimately paid by the American people?

Mr. BRISTOW. It is.

Mr. REED. And instead of the American people consuming it direct, it has to be refined in this country?

Mr. BRISTOW. It does.

Mr. REED. And the refiners who get possession of it, the Senator contends, are those who are ultimately benefited?

Mr. BRISTOW. Practically the only market for this 2,857,005 tons of sugar was to the sugar refiners. Very little of it went to the public, because it is of such a dark color that the public will not use it. So the result of this color standard is that

a sugar which is light enough to be used upon our tables or in our homes, such as that [indicating], would have to pay just as much duty as if it were refined; and if it were put on the market in competition with the refined sugar, of course it would not sell. So it is forced out of the American market. The only purchaser of the sugar when it comes to our country is the refiner. He has a monopoly of the sugar business because of this provision, and the purpose of the provision is to preserve that monopoly. I say it without hesitation.

Mr. REED. I want to say, lest I should be misunderstood, that I fully agree with the Senator, and I simply asked my question in order, if possible, to clear up the situation suggested by the remarks of the Senator from Utah.

Mr. SWANSON. I have been listening to the very interesting speech of the Senator from Kansas, and I should like to ask him a question.

Mr. BRISTOW. I shall be very glad to yield for that purpose.

Mr. SWANSON. The Senator from Utah stated that the reason why they had had this color test and this 16 Dutch standard was to prevent the importation of impure sugar. If I understood the Senator from Utah correctly, those sugars were much adulterated on account of being bleached, but they did not measure up when tested by the amount of saccharine matter in them.

Mr. BRISTOW. Yes.

Mr. SWANSON. I should like to know, if that is true, whether there is any law that is more rigorous for the American refiners in requiring them to have sugar test than there is on the importation of sugars from other countries? What law have you which compels the American Sugar Trust to have a certain amount of saccharine matter or color in their sugar, except the pure-food law, which would apply alike to importations and to the American products?

Mr. BRISTOW. I want to make this statement——

Mr. SWANSON. Is there any law which does that?

Mr. BRISTOW. In answer to the question, I would say the same law would protect the American people from impure sugars and bad sugar being placed upon the markets by a foreigner that would protect them from such sugar produced in Hawaii, Porto Rico, and Louisiana. If there were a cheap process by which sugar could be whitened and put upon the market, is there anyone who believes that the American Sugar Refining Co. would be too honest to take advantage of that process?

The Senator here made a very violent attack upon a Mr. Bass. I heard of this Mr. Bass two years ago, but know little about him. He may be a scoundrel or he may not be; I do not know; but I will venture the statement that he is as honest a man as the men who have been controlling the sugar-refining business in the United States.

Mr. SMOOT. I do not deny that.

Mr. BRISTOW. If you could put impure sugars on the market, whitening them by a cheap process that costs less than the process of refining, the American markets would have been flooded long ago by them. But it is not possible; it is not practicable. This bleaching process, which is a kind of sulphur process that has been tried at times in England, is a failure, because sugar so bleached will darken in a very short time. Standing in a barrel it becomes darker than it was before it was bleached. The bleaching theory is a fiction which is designed to confuse the public and preserve the Dutch-standard provision that gives the American refiners the monopoly of the importers' market.

Mr. SWANSON. Will the Senator permit me to ask him another question?

Mr. BRISTOW. Certainly; I will be very glad to yield for that purpose.

Mr. SWANSON. As I understand from what the Senator from Utah says, there was some law—not a process—which made it impossible to have refined sugar impure, if manufactured in this country, but that if it was imported it could be made impure. I should like to know what law there is on the statute books that requires an American manufacturer of sugar to have it any purer or better than sugar which is imported. If the pure-food law could apply to sugar manufactured in America, it seems to me it would equally apply to sugar imported into this country.

Mr. BRISTOW. It could and does.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. I do.

Mr. SMOOT. As the Senator stated, sugar that is imported into this country is impure. There is not more than a few hundred or at least a few thousand tons of sugar——

Mr. BRISTOW. There were about 800 tons imported last year.

Mr. SMOOT. That come in here pure. The other comes in here impure. But every sack of sugar that is made in the United States is sacked under the supervision of the representative of the Treasury Department, and it must be pure 100 per cent sugar. That is not the case with sugar imported into this country.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Missouri?

Mr. BRISTOW. I do.

Mr. REED. One other question for information. There is a test for the purity of sugar. What is it called?

Mr. BRISTOW. It is the polariscopic test. That is the scientific process which tests the saccharine strength of sugar.

Mr. REED. That test the Senator from Utah says is applied at the factory.

Mr. BRISTOW. And it is also applied at the customhouse.

Mr. REED. I do not know whether the Senator is in the sugar refining business.

Mr. SMOOT. No; not at all.

Mr. REED. The test which is applied at the factories could be applied at the customhouse, whether it is or not.

Mr. BRISTOW. It is applied at the customhouse. The duty is measured by its purity if it is below 16 Dutch standard in color——

Mr. REED. I understand the Senator to say further, as he has studied this question and I have not, that the question of the color of sugar does not at all determine its purity.

Mr. BRISTOW. Not at all.

Mr. REED. So we come to this: If the Government can protect the people upon American refined sugar by inspecting the factory, the Government can in like manner protect them upon any sugar which would be imported in a refined state.

Mr. BRISTOW. Certainly.

Mr. REED. If that is true, the Dutch standard written in the law in no manner protects the American people against impure sugar.

Mr. BRISTOW. Not at all. The Dutch standard serves just one purpose, and that is to confine the market for imported sugars to the refiners.

Mr. SWANSON. It serves two purposes: First to give them an absolute monopoly in the purchase of all raw material known as sugar that comes in; second, it gives them an absolute monopoly against all white sugar being imported in competition with their product.

Mr. BRISTOW. That monopoly is provided by the excessive duty on imported refined sugars; that is $1.90. That is a prohibitive duty.

Mr. SMOOT. I will ask, if there was no Dutch standard in the law, is there anybody but a refiner who could buy the sugar?

Mr. BRISTOW. Yes. Why not?

Mr. SMOOT. Why not now, then?

Mr. BRISTOW. Because the duty is prohibitive.

Mr. SMOOT. Not at all. Any man can buy it in this country at any time if he has the money.

Mr. SMITH of Michigan. We have the Louisiana product.

Mr. BRISTOW. We have the Louisiana product, and the Senator, if he is informed, knows that there is almost a third of the Louisiana product which finds a market direct to the people of this country without ever going to a refinery.

Mr. SMOOT. I know this: I know that all the beet sugar goes direct to the people without ever going to a refinery.

I want to state, so that the Senator from Virginia [Mr. SWANSON] may know, that if there was no Dutch standard in the law the only ones who would buy sugar coming into this country would be a refiner or one who intends to refine it, and that is the case to-day. Anyone in the United States can buy it. The Dutch standard has nothing to do with that. The only question that would effect a monopoly is the 7½ cents differential; that is all. Anyone who wants to start a refinery for sugar would have the same differential, so the Dutch standard has nothing to do with that.

Mr. BRISTOW. This discussion has wandered off on the Dutch standard, which was the second part of my argument. I have had to meet these questions that have come up. I wanted to get to that later in the discussion. But in answer to the Senator from Virginia, I will speak for a moment of the high-grade centrifugal sugars, which are sugars that have been refined at the factory by the centrifugal process, which is a rotary process, exactly similar to the process that is now used in separating cream from milk on the farm. The sugar is thrown into a whirling vat, and the molasses, which is the heavier, is thrown out by a rotary motion of some 1,500 revolutions a minute. So the sugar in the center of the receptacle

gradually whitens as the molasses is thrown out of it by the momentum, the molasses being the heavier, just like cream gathers in the center because it is the lighter, and the milk which is the heavier gets onto the outer side of the separator.

That process, which is a modern process, has been improved, so that there is a great deal of very fine sugar that is produced by these centrifugal factories that will grade 98 and 99 and be 18 and 20 and 22 in color.

Now, that could find a market if it could be offered to the American people at a cheaper price than is our refined granulated sugar. There is no one in the Senate who does not remember years ago that we had different grades of sugar before the Dutch-standard monopoly was perfected. We had what were known as coffee sugars. I remember when I was a boy there was a coffee A and a coffee C. They were light-brown sugars; they had a little molasses in them, and they had a better flavor, indeed, than our refined sugars, because they had the molasses flavor.

Mr. SMITH of Michigan. Does the Senator remember how much they cost?

Mr. BRISTOW. They were much cheaper, probably 50 cents a hundred pounds, and sometimes 75 cents a hundred less than the refined. There was then a market for those sugars, and they would find a market now if the duty was assessed on the purity and not on the color, but they are lighter than 16, and so when a 17 sugar comes in—a sample of which I now hold in my hand—it pays just as high a duty as this granulated sugar [indicating] pays. So there is a penalty against this light-brown sugar coming in at all, a penalty of almost 20 cents a hundred pounds, and that keeps it out. Take that penalty off, and these sugars will find a market with the American public and the Sugar Trust will not get to handle them and add 75 cents a hundred to the price that the American people pay. That is the reason I am contending for taking the Dutch standard out of the sugar tariff.

Mr. SWANSON. Will the Senator permit me to ask him a question just for information? I do not know much about this matter.

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Virginia?

Mr. BRISTOW. Yes.

Mr. SWANSON. Is the process to which the Senator alluded as the centrifugal process for beet sugar mostly?

Mr. BRISTOW. No; beet sugar is a refined sugar in this country. We do not produce any raw beet sugar.

Mr. SWANSON. It is all one process?

Mr. BRISTOW. It is all one process, and they use the bone-black process.

Mr. SWANSON. Germany would be the country from which we would mostly get importations of refined sugar, would it not?

Mr. BRISTOW. We would get cane sugar from Cuba, from Java——

Mr. SWANSON. Cane sugar?

Mr. BRISTOW. It would be all cane sugar.

Mr. SWANSON. Is this process employed in the case of cane sugar?

Mr. BRISTOW. The centrifugal process is applied to cane sugars only. As I understand it, the beet-sugar process is a different process altogether. They take the impurities out of beet sugar, which are different kinds of impurities altogether from those in cane sugar. There is no molasses in beet sugar. Raw beet sugar has a bad flavor which they have to take out. They have to make it absolutely pure or it will not sell, as it would otherwise have a disagreeable taste.

Mr. SWANSON. I understand the contention of the Senator from Kansas is that if the 16 Dutch color standard were eliminated white sugar that has gone through a process of refining could come in here and be sold according to the saccharine matter in it?

Mr. BRISTOW. Yes; for what it is worth.

Mr. SWANSON. But it is eliminated and can not be imported on account of that standard?

Mr. BRISTOW. That is exactly the fact. I regret to take such sharp issue with the Senator from Utah as I have done, but you can not get a law through the American Congress that takes from a monopoly its advantage without a controversy. I have been fighting the Dutch standard provision ever since I have been in the Senate. It has contributed to the profits of as infamous a gang of thieves as was ever sheltered by the American Government, and it is time that the Congrss was taking it out of the law. To try them before the courts, to undertake to convict them of the crime of robbing the Treasury, and still preserve in the law the paragraph that gave them the monopoly is a thing that I hope the American Congress will not continue any longer.

Mr. SMOOT. Mr. President, I would like to call the attention of the Senator from Kansas to the fact that I believe I said a while ago that Mr. Bass, to whom I referred, lived in Porto Rico. I should have said in San Domingo.

Mr. BRISTOW. San Domingo. That can be changed accordingly.

Mr. President, I have not been very well for several days and I have been speaking now for about three hours. I dislike very much to ask the Senate to adjourn, but I can not finish to-night, and I should like to rest. The Senate can proceed with anything else it wishes and I will take this matter up the first thing to-morrow morning.

Mr. PENROSE. Mr. President, in deference to the request of the Senator from Kansas, I move that the Senate adjourn.

The motion was agreed to, and (at 5 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Friday, July 14, 1911, at 11 o'clock a. m.

SENATE.

FRIDAY, *July 14, 1911.*

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

Mr. McLEAN presented a memorial of Local Division No. 1, Ancient Order of Hibernians, of Hartford, Conn., remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

Mr. CULLOM presented a petition of sundry citizens of Providence, R. I., and a petition of the faculty of Lafayette College, of Easton, Pa., praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred ot the Committee on Foreign Relations.

He also presented a memorial of sundry citizens of Elgin, Ill., remonstrating against the passage of the so-called Johnston Sunday rest bill, which was ordered to lie on the table.

He also presented memorials of Laundry Workers' Union No. 109, of Belleville, Ill.; of the Trades and Labor Congress of Dubuque, Iowa; and of the Central Labor Union of Miami, Fla., remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

Mr. POINDEXTER presented a petition of the Water Users' Association of Sunnyside, Wash., praying for the enactment of legislation to amend the act of June 17, 1902, relating to the receipts from the sale and disposal of public lands in certain States and Territories for the construction of irrigation works for the reclamation of arid lands, which was referred to the Committee on Irrigation and Reclamation of Arid Lands.

BOSTON AND CHARLESTOWN COLLECTION DISTRICT.

Mr. LODGE. I am directed by the Committee on Finance, to which was referred the bill (S. 3023) to amend section 2527 of the Revised Statutes, to report it without amendment, and I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to amend the fifth clause of section 2527 of the Revised Statutes, describing the collection district of Boston and Charlestown, by striking out the words "and Charlestown" wherever they occur.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LODGE:

A bill (S. 3027) placing Henry E. Rhoades, assistant engineer, United States Navy, on the retired list with an advanced rank; to the Committee on Naval Affairs.

By Mr. CHAMBERLAIN:

A bill (S. 3028) to prevent floods and freshets originating on forest reserves and Indian reservations; to the Committee on Irrigation and Reclamation of Arid Lands.

By Mr. BRYAN:

A bill (S. 3029) granting an increase of pension to Gomecindo Sallas; to the Committee on Pensions.

By Mr. BRYAN (for Mr. FLETCHER):

A bill (S. 3030) granting a pension to John A. Lovett; to the Committee on Pensions.

By Mr. CULLOM:

A bill (S. 3031) granting an increase of pension to Henry L. Ketcham; and

A bill (S. 3032) granting an increase of pension to William H. Tillson (with accompanying paper); to the Committee on Pensions.

By Mr. McLEAN:

A bill (S. 3033) granting an increase of pension to William L. Norton (with accompanying papers); to the Committee on Pensions.

A bill (S. 3034) to improve the navigation of the Connecticut River between Hartford and Holyoke and to develop water power in connection therewith; to the Committee on Commerce.

By Mr. WETMORE:

A bill (S. 3035) to grant an honorable discharge to William T. Haskins, alias William Thomas (with accompanying paper); to the Committee on Naval Affairs.

SARAH E. EVANS.

Mr. LODGE submitted the following resolution (S. Res. 104), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he is hereby, authorized and directed to pay to Sarah E. Evans, widow of John W. Evans, late a skilled laborer in the United States Senate, a sum equal to six months' salary at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

ASSISTANT CLERKS TO COMMITTEE ON FINANCE.

Mr. PENROSE submitted the following resolution (S. Res. 105), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Finance be, and it is hereby, authorized to appoint two additional clerks at an annual salary of $1,800 each, to be paid from the contingent fund of the Senate until otherwise provided for by law.

RECIPROCITY WITH CANADA.

Mr. LODGE. I desire to ask that the document which I hold in my hand, which is a report of the British tariff commission in regard to the differences of interpretation of the most-favored-nation treaties in relation to the reciprocal agreement here, and which is very brief, may be printed as a document. (S. Doc. No. 66.)

The VICE PRESIDENT. Without objection, that order is entered.

Mr. LODGE. Let me add that this copy belongs to the Senate library and is the only one on the files. I ask that it be not mutilated or destroyed in the printing, as it must be returned to the Senate library.

The VICE PRESIDENT. The Senator's request will be complied with.

QUESTION OF PERSONAL PRIVILEGE.

Mr. HEYBURN. Mr. President, I rise to a question of personal privilege.

The VICE PRESIDENT. The Senator from Idaho will state it.

Mr. HEYBURN. In the Evening Star, published in this city, Washington, on July 13, 1911, on the first page, third column, they have indulged in a misstatement that is inexcusable because they have the record, the official record of the statement, and there was no excuse for misstating it. They say in that misstatement:

Senator HEYBURN precipitated a discussion of the lost cause of the days of 1861 to 1865.

A minute later he began by remarking that he would oppose the employment of a horse by the Government that had hauled cannon for the southern army.

That is a deliberate falsehood. The RECORD would have shown them what I said. I said, and I quote the language:

I would not object to the Government employing an old horse which had been employed on the other side in the war, because the horse was not responsible.

The omission of the word "not" must have been deliberate, and I desire to make the record correct, so that it will always be a reproach for whoever is responsible.

That will be squibbed from one end of the country to the other, and it will result in my mail being increased to an inconvenient burden from all sorts of cranks, and I will have to endure that. But I hope that those who profess to report the proceedings of the Senate may find some reproach in the statement that it was a falsehood without justification.

THE CALENDAR.

The VICE PRESIDENT. The morning business is closed. The calendar is in order under Rule VIII.

Mr. SMOOT. I move that the Senate proceed to the consideration of the reciprocity bill.

Mr. BACON. I ask that the calendar, which is not long, may be allowed to go on for a few minutes, that we may dispose of unobjected matters.

The VICE PRESIDENT. The Senator from Utah moves that the Senate proceed to the consideration of House bill 4412, the reciprocity bill.

Mr. PENROSE. What is the request of the Senator from Georgia?

Mr. SMOOT. The Senator from Georgia has asked that we proceed to the consideration of the calendar, under Rule VIII, for a few minutes.

Mr. BACON. For the consideration of unobjected cases only, of course.

The VICE PRESIDENT. Does the Senator from Utah withdraw his motion?

Mr. SMOOT. I will withdraw the motion and allow the calendar to be considered.

Mr. PENROSE. Only for unobjected cases.

Mr. SMOOT. It is understood that only unobjected cases will be considered.

The VICE PRESIDENT. That is always understood. The first bill on the calendar will be stated.

The bill (S. 237) for the proper observance of Sunday as a day of rest in the District of Columbia was announced as first in order.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Idaho [Mr. HEYBURN].

Mr. SMOOT. Let the bill go over.

The VICE PRESIDENT. It will go over.

The bill (S. 291) providing for the retirement of petty officers and enlisted men of the United States Navy or Marine Corps and for the efficiency of the enlisted personnel was announced as next in order.

Mr. SMOOT. Let the bill go over.

The VICE PRESIDENT. It will go over.

The bill (S. 25) to regulate the business of loaning money on security of any kind by persons, firms, and corporations other than national banks, licensed bankers, trust companies, savings banks, building and loan associations, pawnbrokers, and real estate brokers in the District of Columbia was announced as next in order.

Mr. CURTIS. The junior Senator from Ohio [Mr. POMERENE] has a pending amendment. I think it would be unfair to take up the bill in his absence. I ask that it may go over.

The VICE PRESIDENT. The bill will go over.

The bill (S. 123) to alter the regulations respecting the manner of holding elections for Senators was announced as next in order.

Mr. SMOOT. Let the bill go over.

The VICE PRESIDENT. It will go over.

The bill (S. 1899) to repeal a portion of an act heretofore passed relating to the alienation of the title of the United States to land in the District of Columbia was announced as next in order.

Mr. HEYBURN. Let the bill go over.

The VICE PRESIDENT. It will go over.

The bill (H. R. 2958) to amend an act entitled "An act providing for publicity of contributions made for the purpose of influencing elections at which Representatives in Congress are elected" was announced as next in order.

Mr. HEYBURN. Let the bill go over.

The VICE PRESIDENT. It will go over.

The bill (S. 943) to improve navigation on Black Warrior River, in the State of Alabama, was announced as next in order.

Mr. SMOOT. Let the bill go over.

The VICE PRESIDENT. It will go over.

The bill (S. 2653) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," was announced as next in order.

Mr. CHAMBERLAIN. The junior Senator from Oklahoma [Mr. OWEN] has an amendment which he proposes to offer to this bill, and in his absence I ask that it may go over.

The VICE PRESIDENT. The bill will go over.

The bill (H. R. 4413) to place on the free list agricultural implements, cotton bagging, cotton ties, leather, boots and shoes, fence wire, meats, cereals, flour, bread, timber, lumber, sewing machines, salt, and other articles was announced as next in order.

Mr. SMOOT. Let the bill go over.

Mr. CULLOM. Let it go over.

The VICE PRESIDENT. The bill will go over.

The bill (H. R. 11019) to reduce the duties on wool and manufactures of wool was announced as next in order.

Mr. SMOOT. I make the same request.

The VICE PRESIDENT. The bill will go over.

The bill (S. 1898) providing for the protection of the interests of the United States in lands and waters comprising any part of the Anacostia River, or Eastern Branch, and lands adjacent thereto, and for other purposes, was announced as next in order.

Mr. SMOOT. I make the same request.

The VICE PRESIDENT. The bill will go over.

The bill (H. R. 2983) for the apportionment of Representatives in Congress among the several States under the Thirteenth Census was announced as next in order.

Mr. SMOOT. Let the bill go over.

The VICE PRESIDENT. It will go over.

The bill (S. 2518) to provide for raising the volunteer forces of the United States in time of actual or threatened war was announced as next in order.

Mr. SMOOT. There is an amendment pending to the bill, and the chairman of the committee is not here. So I ask that it may go over.

The VICE PRESIDENT. The bill will go over.

MATTHEW LOGAN.

The bill (S. 270) for the relief of Matthew Logan was considered as in Committee of the Whole. It provides that in the administration of the pension laws and the laws governing the National Home for Disabled Volunteer Soldiers, or any branch thereof, Matthew Logan shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of Battery H, First Regiment Rhode Island Volunteer Light Artillery, on the 25th day of July, 1865. But no pension shall accrue prior to the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

NEW MEXICO AND ARIZONA.

The joint resolution (H. J. Res. 14) to admit the Territories of New Mexico and Arizona as States into the Union upon an equal footing with the original States was announced as next in order.

Mr. HEYBURN. I ask that the joint resolution may go over.

The VICE PRESIDENT. It will go over.

Mr. SMITH of Michigan. I am anxious to have an early vote and had expected to ask unanimous consent to set a day for the consideration of the joint resolution providing for the admission of New Mexico and Arizona, but I understand that some arrangement is being evolved which comprehends a final vote on the measure soon, and I therefore ask that it may go over for the day.

The VICE PRESIDENT. The joint resolution has gone over.

CIRCUIT AND DISTRICT COURT EMPLOYMENT.

The bill (S. 2877) amending section 67 of the act approved March 3, 1911, to codify, revise, and amend the laws relating to the judiciary, was considered as in Committee of the Whole. It proposes to amend section 67 of the act approved March 3, 1911, to codify, revise, and amend the laws relating to the judiciary by adding at the end of the section the following:

Provided, That no such person at present holding a position or employment in a circuit court shall be debarred from similar appointment or employment in the district court succeeding to such circuit court jurisdiction.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CONFEDERATE MONUMENT IN VICKSBURG NATIONAL MILITARY PARK.

The bill (S. 2925) providing for a Confederate naval monument in the Vicksburg National Military Park was announced as next in order.

Mr. HEYBURN. I ask that the bill may go over.

The VICE PRESIDENT. It will go over. This completes the calendar.

PROPOSED AMENDMENT TO THE RULES.

Mr. BACON. Mr. President, in pursuance of the notice given on yesterday I now move an amendment to the rules, with a view to having it referred to the Committee on Rules.

The VICE PRESIDENT. The Senator from Georgia proposes an amendment to the rules, which will be read.

The Secretary read as follows:

No Senator having the floor in debate shall permit another Senator to interrupt him, without the consent of the Senate, except for the bona fide purpose of asking a question, or for the purpose of correcting a misstatement, and not for the purpose of discussion or argument. If any Senator shall interrupt another Senator, except as herein provided, any Senator may call him to order; and when a Senator is thus called to order he shall sit down and not proceed with said interruption without the leave of the Senate which, if granted, shall be upon motion that he be allowed to proceed with said interruption, which motion shall be decided without debate.

Mr. HEYBURN. That is the rule now, is it not? It requires unanimous consent for a Senator to yield to anyone.

Mr. BACON. No, sir; it does not.

Mr. HEYBURN. I think it does, under the rules.

Mr. BACON. I beg the Senator's pardon. I am replying to the Senator's inquiry, and I can not hear him clearly. I understood the Senator from Idaho to inquire if this prevented a Senator's yielding except by unanimous consent. Is that the inquiry of the Senator?

Mr. HEYBURN. Yes. Under the present rules no Senator can yield to another without unanimous consent, or against the objection of anyone.

Mr. BACON. On the contrary, Mr. President, I think Rule XIX contemplates that he can yield with the consent of the Senator.

Mr. HEYBURN. We discussed that two years ago here at some length. I thought the rule was made plain.

Mr. BACON. Mr. President, the purpose of the amendment, as I stated in the notice given on yesterday in compliance with the requirement of the rule that when there is an amendment proposed the purpose of it shall be stated, is to try if possible to restore the Senate to the decorum and methods of debate which up to a very recent past have always characterized the proceedings in this body. It must be apparent to every Senator that we have far departed from the ordinary methods of a deliberative body. No Senator can possibly get up and make a speech with any degree of connectedness, unless perhaps he has a written speech, and in the majority of instances the Senator who has a written speech is permitted to deliver it without interruption because in the majority of instances nobody listens to the speech and consequently nobody interrupts. But in anything which excites any interest at all it is impossible for any Senator, as a general rule, to present a proposition with any degree of continuity. As soon as he has begun to develop his thought some Senator who may have an idea to the contrary, instead of waiting until the Senator has completed his speech and then taking the floor in his own right and endeavoring to answer him, before the sentence can be completed, interrupts him, and not simply with an inquiry or a correction, both of which interruptions are proper, but with an interruption designed to take issue with him and to begin an argument. The interrupting Senator interrupts with a sentence; the Senator who has the floor replies with a sentence; the interrupting Senator rejoins, and page after page of the RECORD is taken up not with the statement or any continuous argument but with these interjected and reciprocal contentions and arguments, which, as I said yesterday, make the CONGRESSIONAL RECORD appear more like the page of a sensational novel, where there are animated conversations, than like the page of the RECORD of the dignified and serious debate of a deliberative body.

I confess, Mr. President, to being myself a sinner, and therefore I do not wish to be understood in any manner as finding any fault with others that I do not confess to myself, though I must say that I frequently restrain myself when I would like to take part in debates because of the fact that they are so irregular, so disjointed, so interjectory that there is no satisfaction in a Senator attempting to participate in the debate.

Mr. McCUMBER. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from North Dakota?

Mr. BACON. I will yield.

Mr. McCUMBER. If I may break the contemplated rule now, may I ask the Senator if he believes that in the practical application of his new rule he will gain anything? If I interrupt the Senator and he consents to the interruption, is it very likely that anyone else will object to it, and will we not have substantially the same conditions that we are now laboring under?

Mr. BACON. Mr. President, of course no rule upon this subject can be efficacious and no reform can be had in what I consider to be an exceedingly unfortunate practice in the Senate unless Senators themselves, by reason of the rule, recognize the propriety of its observance.

Mr. McCUMBER. May I ask the Senator if his rule provides that before an interruption can be had the Chair will have to submit the question of interruption to the Senator to ascertain whether there is objection by any Senator?

Mr. BACON. No; Mr. President——

Mr. McCUMBER. Is that in the rule which the Senator proposes?

Mr. BACON. If the Senator will pardon me, the very questions he is asking me illustrate the necessity of some such rule. I was proceeding, if I be able to do it, to cover the very ground the Senator is now asking about. That is the trouble. It is that no Senator can make any statement upon the floor, even to develop his thought, before a Senator, instead of wait-

ing until he has finished and then presenting his thought, will interrupt him and break it up to an extent that it is absolutely impossible to present any continuity of idea on any subject.

Mr. McCUMBER. That is true. I will not break in on the Senator, if he will make that point clear to us.

Mr. BACON. That is an illustration again of what I was going to say. The practice of the Senate is such that a Senator is not able himself to observe the rule, because the interruptions are so continuous, so insistent, that no Senator can raise the least objection to an interruption but what he has a reply, just such as the Senator from North Dakota has just given me, putting the Senator in a position of either abandoning the observance of the decorum of the Senate, so far as he is concerned, and the observance of the rule which requires him to keep the floor, or else appearing himself to be discourteous, as the Senator has just made me appear. There is an illustration of it; and so it goes all the time.

Mr. PENROSE. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Pennsylvania?

Mr. PENROSE. I am in entire sympathy with the purpose of this rule. I should like to ask the Senator from Georgia whether it would not be well to strike out the words "bona fide," so as to read "except for the purpose of asking a question." It conveys the idea of an imputation, and is not language altogether appropriate to the rules of the Senate. The other is more direct and forcible, it seems to me. If the Senator has no objection, I suggest that the words "bona fide" be stricken out.

Mr. BACON. Mr. President, the matter is not now before the Senate for action. It is only before the Senate for reference.

Mr. PENROSE. I ask unanimous consent that the words I have indicated be stricken out.

The VICE PRESIDENT. The Senator from Pennsylvania asks unanimous consent that the words to which he refers be stricken out.

Mr. BACON. Mr. President, as I have stated, the amendment is not now before the Senate for action. This again illustrates the habit we have grown into that each Senator, as he has an idea presented to his mind on any subject that may be under consideration, is not content to wait until he has an opportunity to take the floor to present it, but he must present it at the instant, and with the consequence that there are scarcely—you may take the RECORD up, Mr. President; you will find that to be the case—there are scarcely 3 inches of any page where any Senator proceeds in continuous expression, but it is interjected with every possible interruption that another Senator may be influenced to make by an idea which occurs to him at the moment.

The present rule is that a Senator shall not interrupt another without his consent. That rule is practically null; the Chair is unable to enforce the rule; the present occupant of the chair has been diligent and active and insistent in the effort to enforce it, and yet the disregard of Senators of that rule is such that it is an impossibility, practically, to enforce it. I think I may call every Senator within the sound of my voice to testify to the correctness of that statement. A Senator gets up to interrupt another Senator, who expresses his indisposition to be interrupted. That ought to be sufficient; but, on the contrary, when a Senator expresses his disinclination to be interrupted, at once the Senator who seeks to interrupt insists upon it, and even with the positive injunction on the part of the Chair that a certain Senator has the floor and has indicated a disinclination to be interrupted, a Senator will persist and say, "I only want to ask the Senator so and so," and persists in asking it, thus, by indirection, violating the rule. So, I say, the rule is absolutely null; you might as well have no such rule as that which is now Rule XIX, because it is so utterly disregarded.

As I said just now, the rule is made null by two influences. First, by the disregard of the interrupting Senator; and, second, by the unwillingness of a Senator who is occupying the floor to be put in the position of being discourteous in refusing to submit to the interruption.

So far as the terms of my proposed rule are concerned, I do not mean to say that this is the rule that should be adopted; I do not know that it is. A better rule may be framed, but even if this were adopted possibly the amendment offered by the Senator from Pennsylvania [Mr. PENROSE] is a proper one, and there may be others. But I thought it proper that the attention of the Senate should be called to this matter, that we should endeavor, if possible, to restore this high body to a habit of decorum and orderly method of debate which is consistent with the dignity and authority and place of this body. I do not propose to go into a discussion in detail now. I only say this with a view, if possible, of having Senators think about it. Let us do something.

The other rule to which I had occasion to refer is this: There is no doubt about the parliamentary rule that when a Senator on the floor yields to another for the purpose of discussing a question he has, in fact, surrendered the floor; that is a parliamentary rule, and yet we see this here continuously. A Senator takes the floor; he submits to an interruption, and another Senator will go on as long as the other Senator will permit, and when he gets through the Senator having the floor holds the floor and some other Senator asks him to yield to him, and he yields to him; and I have seen Senators hold the floor here for an hour, themselves not speaking, but practically farming out the time of the Senate, which is improper.

As to the practical working of this proposed rule, I do not know that it is the proper remedy. I am simply trying to find a remedy; I am simply trying to interest Senators in recognition of the fact that there should be a remedy.

Mr. President, it is a matter of current comment, not simply here but in the country, among men of thought and observation and respect and care and consideration for the dignity of this body, that the CONGRESSIONAL RECORD as it now appears, all hashed up by men engaged not in debate but, as I said yesterday, like men jowering upon a street corner—it is a matter of comment in the country that it is no longer a credit to this body that such should be the case.

We are all of us at fault; I am as much as anybody else, and I am not lecturing anyone; but I realize that something should be done, and I hope that other Senators may take a similar view.

Mr. ROOT. Mr. President, I want to express a feeling of gratitude to the Senator from Georgia for bringing up this subject. For a long time it has been a matter of common conversation in the Senate and in the cloakrooms, and there has been a general expression on the part of Senators, old and young, to the effect that we have gradually fallen into bad habits in our debate and that there has been a progressive deterioration of method. The difficulty of getting out of the habit of substituting mere wrangling for serious debate has been that the burden in every case is thrown upon one individual in his relation to one other individual, and when the request is made for a Senator to yield it is assumed that it would be invidious for him to refuse; and he yielding, which, under the rule, can be only for a question, has gradually come to be assumed to be a yielding for the purpose of making a speech. So that, as has been remarked upon the floor here, the only Senator not entitled to speak is the Senator having the floor.

I think, whether the rule proposed by the Senator from Georgia is new or not, whether or not there now exists substantially the same rule by inference from the language we have in our printed rules, that it is very desirable that the Members of the Senate shall have brought sharply to their attention all at one time the fact that we have been slipping into loose and undesirable habits in the course of our debate, and that we ought to pull ourselves up and get out of it, so that it will not be left for one individual to do something which seems unfriendly or discourteous to another individual. We can not get out of a bad habit in that way. The only way to get out of a bad habit is to get out of it altogether.

I have been watching the progressive character of this habit. It has come now to be so that instead of the speaker exercising the option to yield or not to yield, if he does not yield, he finds the Senator who proposes to enter intervene in his speech complaining that there is a violation of the rules and practices of the Senate against him. I have heard within a few weeks on this floor a Senator complain that because the Senator holding the floor insisted upon going on with his argument and did not assent to have another Senator come in to make an argument the rules and practices of the Senate were being violated to his detriment. I have observed here within a few weeks a Senator rise and interrupt and say the reason why he interrupted was that he thought a different argument that he had had in his mind ought to go to the country with the argument being made by the Senator who had the floor. Certainly that is going far beyond the reasonable rule or the letter of the rule which forbids an interruption except for a question; but we are gradually falling into the habit of thinking that the rule is that whenever a Senator who has the floor has said something which another Senator thinks ought to be answered the other Senator has a right to take the floor and make the answer then and there. Of course that results in the destruction of all deliberate debate. I think we ought to pull ourselves out of the bad habits we have fallen into, and I am grateful to the Senator from Georgia for bringing up the matter in the resolution he has proposed.

Mr. LODGE. Mr. President, the possession of the floor with the right to address the Senate, which is conferred by the recognition of the Chair, is a very valuable and important right. I have watched in the years I have been in the Senate the gradual relaxation of the rule which is designed to protect that right. When I first entered the Senate I recall very well that on the

first occasion when I made a serious and carefully prepared speech, by the advice of an older Senator of long experience in this Chamber, I said when I began that I should be obliged if I might be permitted to proceed without interruption; that after I had finished what I had prepared I should, of course, be very glad to answer any question, if it were within my power to do so. Similar requests were constantly made and were never, so far as I know, otherwise than scrupulously observed. Within a short time I have seen the habit grow up here of an absolute disregard of such a request, even when it was specifically made; and, as the Senator from New York has pointed out, we have so reversed the whole principle on which the rule is based and every theory and doctrine of debate, that we have now come to the point where it appears that if the Senator in possession of the floor declines to yield, he is held by many other Senators to be violating some right of theirs; he is held to be doing something discourteous. He is doing nothing discourteous and nothing invidious. While he is in possession of the floor, it is his privilege to present his views to the Senate in such manner as he sees fit. But no man likes to be subjected to such criticism as that on the part of his associates.

The only way, in my judgment, to restore what I consider the proper methods of conducting debate in the Senate of the United States is in some way to relieve the Senator who holds the floor from what has come almost to be the odium of declining an interruption. It should not rest solely upon his shoulders. It should be possible for any Senator to protect the order and the decorum of debate.

I am certain, Mr. President, that adherence to such a rule as is now proposed will not only improve the character of our debates, but I am certain it will facilitate the transaction of business; and that we shall not, as is now the habit, be drawn off from the subject under discussion to a number of irrelevant matters, which the Senator speaking may have merely alluded to in passing. I hope, Mr. President, that some amendment to the rules of the character of that submitted by the Senator from Georgia will be taken up by the Committee on Rules at once and presented to the Senate, and that we may have action upon it.

The amendment that is proposed by the Senator from Georgia seems to me a very good one, but I am not undertaking now to say just what the new rule should be. There should be, however, some change; and immediate change I think is imperative. I can only join with the Senator from New York in saying that I am very much obliged to the Senator from Georgia for having taken the trouble to bring the matter to the attention of the Senate, and I hope it will receive the immediate attention of the Committee on Rules.

Mr. CLAPP. Mr. President, I am in entire sympathy with the attitude of the Senator from Massachusetts, and I should like to make a suggestion to him. As I understand parliamentary law to-day, the utmost that a Senator who has obtained recognition can do in his own behalf is to yield for a question, and if any other Senator, even with the consent of the Senator having the floor, undertakes to interject a speech or take the time of the Senate, it is now in the power of any Senator to rise to a point of order. Therefore, as I understand the parliamentary law, there is no need of a change in the rule. The only need is, first, self-restraint upon the part of all of us, because, with very rare exceptions, we are all more or less guilty; and, second, for Senators under the present rule, when it is being abused and the Senator having the floor is put in an unfair attitude, to protect him against the suggestion that he is not generous in yielding to interruptions, by themselves making the point of order, if the Senator who interrupts transcends the mere matter of an inquiry. So, I think the remedy is clearly within our own hands.

Mr. WORKS. Mr. President, it seems from what has been said by the Senator from Georgia [Mr. BACON] that this degeneracy on the part of the Senate is of late occurrence. I am afraid it may be inferred from that that the new Senators are responsible for this condition. For myself, I desire to say that as a new Senator I am in entire sympathy with the effort to amend the rules in some way along the lines suggested by the Senator from Georgia. Personally, I have no reason to complain. I have been treated on the floor of the Senate with the utmost courtesy on the part of all members of this body; but I have been utterly amazed since I have been here at the extent to which interruptions have gone. I think I may truthfully say that I have seen Senators take the floor here and more than half of the time they occupied the floor was taken up by speeches of other Senators, and it is almost impossible to follow the continuity of the argument of the Senator who has the floor. There should be some remedy for a condition of this kind. It might very well come from the self-restraint of Senators themselves, but that does not seem to be sufficient; and I simply wanted to say, as a new Senator, that I am in entire sympathy with the effort to overcome the habit which is now very largely controlling the Senate in this respect.

Mr. BACON. I simply want to say that there is no possible suggestion that the unfortunate condition or habit into which we have fallen is due to new Members of the Senate, as the Senator from California terms them. It is a habit which has been growing for years. I will say that some of the worst offenders now in the Senate are among the older Members of the Senate, and I will not exclude myself.

Mr. McCUMBER. I think the Senator from Georgia will find the Senate generally in harmony with the object to be attained by the new rule. But I want to submit to the Senator that I am afraid his exception in his rule is made not only broader than the rule itself, but is made broader than the present rule. Under the rule we have this provision:

> No Senator shall interrupt another Senator in debate without his consent.

Now, there is no exception to that. The purpose for which the interruption may be had is not mentioned, but it is left entirely with the Senator whether he consents to be interrupted for one purpose or another purpose, so far as the rule is concerned.

The Senator's amendment provides that—

> no Senator having the floor in debate shall permit another Senator to interrupt him without the consent of the Senate except—

giving an implied exception, and in that implied exception an implied right to interrupt for the bona fide purpose of asking a question, which is not very pernicious in itself, but also for the further purpose of correcting a mistake.

Now, I submit to the Senator from Georgia that every interruption has as its basis the desire to ask a bona fide question, and also if there is any additional reason, the reason is for the purpose of correcting a mistake. Under the exception there is an implication that a Senator may go into an argument for the purpose of correcting the mistake. And it leaves the Senator who has the floor exactly in the same condition or position that he would be if we had no such rule.

I am going to wait until I can obviate another matter; and that is for the attention of the Senator who is addressed, which I think is also a pretty good rule.

Mr. BACON. I beg the Senator's pardon. It was not a voluntary diversion on my part.

Mr. McCUMBER. I am satisfied of that. But I want to submit to the Senator if it would not be well to amend his own proposition by striking out of it that portion which refers to an interruption for the purpose of correcting a mistake.

The Senator would have ample opportunity in his own time to correct a mistake, and by impliedly giving the right to interrupt for that purpose it impliedly gives the right to go into debate upon that subject.

I further want to suggest to the Senator, in order to secure the end desired, if it would not be better in the first line of his amendment, instead of saying "No Senator having the floor in debate shall permit," because it is an addition; he already has the right to permit it, under certain circumstances—to say that the Chair shall not permit another Senator to interrupt him except for the purpose of a question or for the purpose of correcting what the Senator interrupting might, in his mind, believe to be a misstatement.

Mr. BACON. I think all of these suggestions are most valuable, and I would be very glad if other Senators would also turn the matter in their minds and make suggestions, in order that we may perfect a rule which shall protect the Senate against what I think, in all respect to all of us, is a pernicious habit.

I do not undertake myself now to offer any amendments or to consent to any, because the amendment necessarily goes to the Committee on Rules, and there it will doubtless have very careful attention. I hope Senators will suggest to the Committee on Rules such amendments as they think should be made. I did not myself imagine that the rule as drawn by me was by any means perfect.

I simply drew a rule which should be a basis for action, my main purpose being to bring it to the attention of the Senate and to invoke the most earnest and serious thought and consideration of the Senate to cure what I think is an evil far beyond a mere matter of formality. It goes to the very root of the efficiency of this body. I myself shall be more than happy to conform to any suggestion which shall be made and which shall be shown to be proper.

I think the suggestions made by the Senator from Pennsylvania and the suggestions made by the Senator from North Dakota are most valuable, and I am inclined to think they are both of them correct. But I suppose it would be better to leave it as it is to go to the Committee on Rules, and have the amendments to the proposed amendment put in form by them.

The VICE PRESIDENT. Without objection, the proposed amendment is referred to the Committee on Rules.

RECIPROCITY WITH CANADA.

Mr. LODGE. I move that the Senate proceed to the consideration of the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes.

The motion was agreed to, and the Senate, as in Committee of the Whole, resumed the consideration of the bill.

The VICE PRESIDENT. The Senator from Kansas [Mr. BRISTOW] is entitled to the floor.

Mr. CUMMINS. I ask the indulgence of the Senator from Kansas for a moment while I present certain amendments to the bill under consideration. One of them is a provision of Schedule C, known as the metal schedule. The other is a revision of that paragraph of Schedule J which relates to oilcloth and linoleum. I ask that they be printed and lie on the table, and inasmuch as they are short that they also be printed in the RECORD.

The VICE PRESIDENT. Without objection, that course will be followed.

The amendments referred to are as follows:

Amendment to the amendments proposed by Mr. CUMMINS to the bill H. R. 4412. Add a section, as follows:

"The act approved August 5, 1909, entitled 'An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes,' is hereby amended by striking out paragraph 121 of Schedule C thereof and inserting the following:

"121. Beams, girders, joists, angles, car-truck channels, T. T. columns and posts, or parts or sections of columns and posts, deck and bulb beams and building forms, together with all other structural shapes of iron or steel, whether plain, punched, or fitted for use, or whether assembled and manufactured, three-tenths of 1 cent per pound.

"The said Schedule C in the act aforesaid, being paragraphs 117 to 199, both inclusive, is hereby further amended as follows, to wit:

"From and after the passage of this act there shall be levied, collected, and paid upon the articles mentioned in the several paragraphs of said Schedule C, when imported from any foreign country into the United States, or into any of its possessions (except the Philippine Islands and the islands of Guam and Tutuila), 60 per cent only of the rates of duty which are in and by said paragraphs of said schedule prescribed; but the foregoing shall not apply to paragraph 121, which is hereinbefore repealed and a substitute reenacted therefor."

Amendment to the amendments proposed by Mr. CUMMINS to the bill H. R. 4412. Add a section, as follows:

"The act approved August 5, 1909, entitled 'An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes,' is hereby amended by striking out paragraph 347 of Schedule J of said act and substituting therefor the following, as paragraph 347:

"347. Oilcloth for floors, linoleum, corticene, and all the fabrics or covering for floors made in part of oil or any similar product, whether plain, stamped, painted or printed, or the composition of which forms designs or patterns, whether inlaid or otherwise by whatever name known; and cork carpets, cork mats, oilcloth or corticene mats, waterproof cloth, composed of cotton or other vegetable fiber, whether composed in part of india rubber or otherwise, 40 per cent ad valorem."

Mr. BRISTOW. In the discussion yesterday afternoon the senior Senator from Utah [Mr. SMOOT] referred to a Mr. Bass, stating that he was from Porto Rico. Afterwards the Senator corrected the statement as to his residence and stated, I believe, that he was from San Dqmingo, if I recollect rightly.

The Senator from Utah also stated in the controversy that was going on between him and myself that the centrifugal sugar paid the full duty of $1.90, and I made the remark that after reflection I was confident the Senator would not contend that that statement was correct, and I inquire of him this morning if he now concedes that all centrifugal sugars do not pay the full duty of $1.90?

Mr. SMOOT. I am not going to get into any argument on this point, but since he asks me the question I am going to say this: That where sugars are above 16 Dutch standard, if they have been refined by centrifugal, I think they are refined sugars.

Mr. BRISTOW. And they pay the $1.90.

Mr. HITCHCOCK. I make the point of order that Senators on this side are not able to hear the conversation going on on the other side of the Chamber.

The VICE PRESIDENT. The Chair will say to the Senator that he is unable to do anything to increase the volume of sound or to accentuate the Senator's acuteness of hearing.

Mr. HITCHCOCK. I think it would help matters if Senators would address the Chair instead of each other.

The VICE PRESIDENT. The Chair thinks so, too. The Senator from Kansas will proceed.

Mr. BRISTOW. The Senator stated that centrifugal sugars above 16 Dutch standard in color pay the full duty. He also will admit this morning, I am very confident, that centrifugal sugars not above 16 Dutch standard, regardless of their saccharine purity by the polariscope test, do not pay the $1.90. Am I right about that?

Mr. SMOOT. That is exactly what I stated yesterday, and I have not changed my mind at all.

Mr. BRISTOW. I will read to the Senator, to refresh his mind, just what he stated yesterday. I now read from the reporter's transcript of yesterday's proceedings:

Mr. BRISTOW. Let me ask the Senator a question. Does the Senator consider the centrifugal process a process of refining?—

I should like the attention of the Senator, because I am reading from the reporter's transcript—

I should like the Senator to answer that question, if he will. Does the Senator consider the centrifugal method a process of refining?

Mr. SMOOT. I consider the centrifugal process a process of refining.

Mr. BRISTOW. Does the Senator claim, then——

Mr. SMOOT. And I consider also that the washing of sugar is a process of refining.

Mr. BRISTOW. Just a moment, now. The Senator said that he considered the centrifugal process a process of refining. Does the Senator claim that all of the centrifugal sugars pay $1.90 duty?

Mr. SMOOT. Mr. President, I think they do.

Mr. BRISTOW. All centrifugal sugars?

Mr. SMOOT. All centrifugal sugars. There are sugars that come from the Philippine Islands, of course, that now come in here free.

Mr. BRISTOW. Does the Senator think that all centrifugal sugar which comes from Cuba pays $1.90 duty less 20 per cent?

Mr. SMOOT. I think that all centrifugal sugar is in the shape of refined sugar, and all sugar that has gone through that process pays that amount.

Mr. BRISTOW. Through the centrifugal process?

Mr. SMOOT. Through the centrifugal process.

Mr. BRISTOW. Now, the Senator, of course, will consider this tomorrow and say that he was mistaken, because he certainly is.

Now, I understand the Senator to say centrifugal sugars that are not above 16 Dutch standard do not pay the $1.90?

Mr. SMOOT. If the Senator will remember, we were at the time talking about sugars below 16 Dutch standard. We were discussing that question.

Mr. HITCHCOCK. I renew my point of order.

The VICE PRESIDENT. The Senator from Utah will please speak so that other Senators than the Senator to whom he is directly addressing his remarks can hear.

Mr. SMOOT. We were discussing that question, and after the discussion of it, as has just been read——

Mr. BACON. I am going to make another point of order, at the risk of being disagreeable. I say it is not in order for the Senator from Utah to enter into a discussion with the Senator from Kansas while the Senator from Kansas has the floor.

The VICE PRESIDENT. The Chair sustains the point of order. It can only be done upon the theory of the unanimous consent of the Senate, and in the face of a single objection it can not be done.

Mr. SMOOT. All I wish to say——

The VICE PRESIDENT. The objection is made. The Senator from Utah is out of order. The Senator from Kansas has the floor.

Mr. BRISTOW. I inquire of the Senator from Georgia if he has any objection to the Senator from Utah making a direct answer to the question that I asked him.

The VICE PRESIDENT. The Senator from Kansas has the floor, and objection has been made to farming out his time to others.

Mr. BACON. Mr. President——

Mr. ROOT. I raise the question of order that it is not competent for the Senator from Kansas to have interjected in his remarks any observations by the Senator from Georgia.

The VICE PRESIDENT. The Chair will sustain the point of order.

Mr. CULLOM. Let the Senator from Kansas go on and make his speech.

Mr. BRISTOW. I regret very much that the Senator from Utah has escaped being compelled to admit that he was absolutely wrong yesterday in his declaration.

The VICE PRESIDENT. The Chair hardly thinks that that is a parliamentary statement, although no Senator has raised a point of order. That statement is a violation of the rules of the Senate.

Mr. BRISTOW. I beg the Senator's pardon if I have violated the rules. I stated that the Senator from Utah was absolutely mistaken yesterday. Is that in violation of the rules of the Senate?

The VICE PRESIDENT. The rule of the Senate is that no conduct shall be imputed to any Senator unbecoming a gentleman. It strikes the Chair that imputing to another Senator a statement that is absolutely erroneous is not alleging that he is a gentleman.

Mr. BRISTOW. I certainly think that the Chair misconstrued the statement that I made. My statement was, if I remember it, that the Senator from Utah had been relieved by the objection of the Senators from Georgia and New York from admitting that the statement which he made yesterday was not correct, which I think the Senator from Utah would have done if I had been permitted to pursue the inquiry. I hope

that it is not a violation of the rules of the Senate to make a statement like that, which is a plain statement of fact, and does not impute any dishonorable motive to anybody, but a lack of accurate information.

I will now undertake to discuss the amendment which I have offered and show reasons, if I can, why it should be adopted as a part of this bill.

The amendment first provides for reducing the duty on refined sugar from $1.90 per hundred to $1.75½, first by taking off the differential. As was stated yesterday, the duty on sugar is made up by levying a tax of 95 cents per hundred on sugar that tests 75 degrees pure by the polariscope test, and for each additional degree of purity 3½ cents per hundred is added, making the maximum duty on raw sugar $1.82½.

But there is another provision in the law which provides that sugar which is above No. 16 Dutch standard in color shall pay a duty of $1.90 per hundred regardless of its saccharine purity. So when the sugar in the process of manufacturing becomes whitened until its color is above No. 16, which is the color of the bottle of sugar I hold in my hand [indicating], when the color becomes lighter than that sample, the duty then is assessed at $1.90 regardless of its purity, even if it is only 90 per cent pure by the polariscope test.

If 90 per cent pure the duty, if the Dutch standard provision was taken out, would be 35 cents less than $1.82½, or $1.47½, but being lighter than 16 it is assessed, instead of $1.47½, at $1.90. The difference in the duty is so much that light sugars are barred from coming into the market except in the refined state, and the duty on the refined sugar is so high that it is prohibitive and prevents importation.

So that this device that we discussed so much yesterday is used to prevent light-brown sugar from being sold by the manufacturers to the American public direct, because that which is No. 16 in color is too dark to meet the taste of the American people for their household uses.

Pure sugar refined by the centrifugal process is 100. If it is 100 it is pure; it has no foreign substance. It is as pure as if it was passed through the refineries which use a process known as the bone-black process. The bone-black process takes out all of the molasses and leaves the sugar a blue white in color. The refiners claim that this 7½ cents is the protection they receive for refining as against the foreign refiners.

I want to call the attention of the Senate to the development of the sugar business since the Dingley law was passed, for the present law is the same as the Dingley law, except that the duty on refined sugar was reduced in the Payne-Aldrich bill from $1.95 to $1.90. The duty on raw sugar was left the same. At the time the Dingley law was passed we were receiving full-duty-paid sugar from all countries in the world except Hawaii. Hawaii then had free sugar, but all other sugars that came into the American market paid the duty as prescribed, and the market standard for fixing the value of the sugar is 96° pure by the polariscope test and not above 16 Dutch standard in color. That is, the market quotations on all raw sugars that come to this country are based on 96°, tested by the polariscope, and color not above 16 Dutch standard. Every country, except Hawaii, from which sugar was then purchased by the American refiners paid a duty of $1.68½ on 96° sugar that was not above 16 Dutch standard, and 51 per cent of our consumption of sugar paid that duty—$1.68½ per hundred pounds.

The refineries then had the differential of 12½ cents between pure raw sugar and refined sugar, though there was no difference in the purity of the sugar. The only difference is a slight shade of color, the refined being a bluish white. But the refineries do not import the pure raw sugar to refine it; they import sugars varying in purity from 75 degrees up to 96. Very little of it indeed is purchased at above 96 degrees. The great bulk of our importations test 95 by the polariscope and are not above 16 in color. That is because of a very interesting device adopted by the refiners. If a cargo of sugar should come to New York, and that sugar was 96 in purity and 16 in color, we will say that, including the duty, a price of $3.90 a hundred would be paid for it. The duty would be $1.34½ if it was from Cuba, where most of our sugars come from, and so the price the producer would receive would be $2.55½.

Now, if it was 97 degrees pure instead of 96, the owner of the sugar would receive 3⅛ cents more per hundred than if it had been 96; that is, for each additional degree above 96 the refiners pay him 3½ cents more per hundred pounds, but he would have to pay the 3½ cents additional duty—that is, he would lose three-eighths of a cent per hundred because it was 1 degree above 96 in purity. So the producer would not want his sugar to test above 96. He would not want it to test as this bottle does, which I have now, 98, or as this does [indicating], 99, because it would cost him 3½ cents more per hundred in duty for each additional degree in purity, and he would get only 3⅛ cents per hundred more for his sugar.

If it tested less than 96, down to 94, then he would receive 6¼ cents less per hundred pounds for it for each degree below 96. In order that that may be clear, I will say, if it tested less than 96 there would be deducted from his price 6¼ cents per hundred pounds for each degree down to 94, and if it tested less than 94, then there would be deducted 9⅜ cents per hundred pounds. So you will see that the sugar producer must as nearly as possible make all of his sugars test 96 or 95 and not above 16 in color, because if it tests less than 96 he is penalized for its impurity; if it tests more than 96 he is penalized by an excessive duty; and if it is above 16 in color he is penalized by more than 20 cents additional duty because of its light color. The result has been that all our importations have practically been 95 in purity and not above 16 in color. So that last year of all the sugar imported about 80 per cent tested 95 in purity and not above 16 in color, and less than 1 per cent, as I remember, was above 16 in color and above 96 in purity. Now, the Senate will see that, as a matter of fact, instead of the importers paying a duty of $1.82½——

Mr. GORE. Mr. President——

The VICE PRESIDENT. Does the Senator from Kansas yield to the Senator from Oklahoma?

Mr. BRISTOW. I do.

Mr. GORE. I want to ask the Senator how much that sugar weighed a pound at the customhouse?

Mr. BRISTOW. I am not advised as to that. The result has been that the actual duty paid by the importers is not $1.82½, but about $1.65 a hundred, or 25 cents a hundred less than the present duty on the refiner's product, so that while in theory the refiners have a differential of but 7½ cents, as a matter of fact, under the Dingley law they had a differential of 30 cents and under the present law 25 cents. This is a technical discussion, but I think that as Senators follow it it will become more interesting as we get into the intricacies of the sugar tariff.

Every pound of imported sugar paid the full duty coming from all the countries except Hawaii in 1897, when the Dingley law was passed. Some years after that law was passed—to be accurate, July 25, 1901—Porto Rican sugars were admitted free of duty, so that the refiners had another field in addition to Hawaii from which to buy their raw sugar and pay no duty. March 8, 1902, sugar was admitted from the Philippines at a reduction of 25 per cent from the duty; but that was a matter of little consequence, because very little sugar has come from the Philippine Islands. But whatever the importation, there was that much of a reduction of the duty on raw sugar.

On December 27, 1903, the Cuban reciprocity agreement was entered into by which the Cuban planters were given a reduction of 20 per cent from the duty, reducing the duty on 96° sugar, which is the basis of all purchases, from $1.68¾ to $1.348. So since December 27, 1903, the refiners of this country have purchased Cuban sugar testing 96°, upon which they paid a duty of $1.68¾ when the Dingley law was passed, but now pay only $1.348.

This differential which the sugar refiners then had on pure 100° sugar was the difference between $1.82½, the maximum duty on raw sugar, and $1.95, the duty on refined sugar. By the Cuban treaty this differential was increased by a 20 per cent reduction of the duty on Cugan sugars, thereby reducing the maximum duty on raw sugar from Cuba from $1.82½ to $1.46, making the differential 49 cents per hundred pounds. When the Payne-Aldrich bill became a law the duty on refined sugar was reduced from $1.95 to $1.90, leaving the differential on Cuban sugar since that date 44 cents per hundred. I have shown, however, that the differential, based upon actual importations was, prior to that time, 25 cents—not 12½ cents—and since that time it is the difference between $1.348, the duty actually paid upon importations, and $1.90, or about 55 cents per hundred pounds. That 60 cents a hundred pounds is a great deal more than the entire cost of refining. There is no evidence that it costs as much as 60 cents a hundred pounds to refine sugar, except a statement at one time made by Mr. Havemeyer. The result has been that this 20 per cent reduction in duty has enabled the sugar refiners to buy their sugar in Cuba for about 34 cents a hundred less—that is, the amount of the 20 per cent reduction in duty—than they did before. They have gotten the advantage of the reduction of the duty; the Cuban has not received any more for his sugar; and the American consuming public has not received the advantage of that reduction. I make that statement and challenge any man to contradict it.

So the result of Cuban reciprocity, so far as sugar is concerned, was to take out of the Treasury of the United States about $10,000,000 a year and put it into the profits of the sugar refiners of the United States. In this statement I am not alleging what I think will happen if a pending bill becomes a law; I am not theorizing on what will come to pass or speculating on what will happen to the price of wheat, but I am relating what the records show has happened in the matter of sugar.

I should qualify the remark I have made that the American consumers have not received any advantage at all, for they did receive some. I have gone to the trouble of ascertaining the average price of refined sugar, which is the kind the American people use, in Europe for five years prior to the reciprocity treaty with Cuba and five years subsequent to the reciprocity treaty with Cuba, and I have compared those prices with the prices of refined sugar in the United States five years prior to the Cuban reciprocity treaty and five years after the Cuban reciprocity treaty, and I will give you the differences. The difference between the Hamburg price of refined sugar for the first five-year period and the last five-year period was 3 cents a hundred pounds; that is, the Hamburg price of refined sugar for the five years after the treaty was 3 cents per hundred pounds less than for the five years preceding the treaty, while the New York price of refined sugar for the last five years was 4.7 cents per hundred pounds less, making a net reduction in the price of refined sugar in the United States for the five years after the Cuban reciprocity treaty of 1.7 cents per hundred pounds less than it was during the five years preceding, as compared with the European or world market. This surely demonstrates that the American people got a reduction in the price of their sugar of only 1.7 cents per hundred pounds.

Mr. McCUMBER. The people or the middlemen?

Mr. BRISTOW. It is the wholesale price. Of course ultimately the consumer probably might have gotten some of it. The refiners were able to purchase their sugars for about 34 cents per hundred pounds less from the Cubans—at least 30 cents per hundred pounds less—while the public got, or as the Senator from North Dakota states the wholesalers got, their sugar from the refiners for only 1.7 cents per hundred pounds less.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from Kansas yield to the Senator from Missouri?

Mr. BRISTOW. I do.

Mr. REED. I desire to ask the Senator if he could in this connection give us the difference between the wholesale price of sugar in Europe and in the United States during the period he has just covered by his previous figures?

Mr. BRISTOW. Yes, I can.

Mr. REED. I wish the Senator would do so, if he can do it without interrupting his argument.

Mr. BRISTOW. I can give the details.

Mr. REED. I hope we shall have them before the Senator concludes, at any rate.

Mr. BRISTOW. I shall be glad to include them in my remarks and submit a table which I have here, giving the average price for each year.

For the information of the Senator from Missouri I will now say that for 1899 the New York price was $4.91⅞ per hundred pounds—that is the wholesale price of refined sugar—the Hamburg price was $2.53, a difference of $2.38⅜; and it runs along varying somewhat in the different years:

[Figures taken from Willett & Gray's Sugar Trade Journal, December 26, 1907, page 7, and January 7, 1909, page 8, and from Senate Document 24, Sixty-first Congress, first session, page 4.]

Years.	Average price granulated sugar, New York.	Average price granulated sugar, Hamburg.	Difference.
	Cents.	*Cents.*	*Cents.*
1899	4.919	[1] 2.53	2.389
1900	5.32	[1] 2.64	2.68
1901	5.05	[1] 2.28	2.77
1902	4.455	[1] 1.79	2.665
1903	4.638	[1] 2.12	2.518
1904	4.772	2.49	2.282
1905	5.256	2.97	2.283
1906	4.515	2.29	2.225
1907	4.649	2.39	2.259
1908	4.957	2.64	2.317

[1] Bounty, 0.32 cent. From United States Department of Agriculture, Bureau of Statistics, Bulletin No. 30, p. 27.

	Cents.
Average, New York, 1899–1903	4.876
Average, New York, 1904–1908	4.829
Difference	.047
Average, Hamburg, 1899–1903	2.27
Bounty	.32
Total	2.59
Average, Hamburg, 1904–1908	2.56
Difference	.03
Average, New York, 1899–1903	4.876
Average, Hamburg, 1899–1903, including bounty	2.59
Difference	2.286
Average, New York, 1904–1908	4.829
Average, Hamburg, 1904–1908	2.56
Difference	2.269

Mr. REED. Just one matter further.

The VICE PRESIDENT. Does the Senator from Kansas further yield to the Senator from Missouri?

Mr. BRISTOW. I do.

Mr. REED. Could the Senator give us the difference in the retail price—the price paid by the consumer in each country?

Mr. BRISTOW. The price paid by the consumers in this country is very much less than that paid in European countries. Europe has a very interesting way of taxing sugar. They impose in almost every European country an internal-revenue tax on their sugar similar to our taxes on beer and whisky. The wholesale price of sugar in Spain is 9 cents a pound; in Italy it is over 11 cents a pound. I do not now remember just what the price is in Germany, but I think it is over 5 cents—5 or 6 cents. I do not know what it is retailed for in those countries, but the retailer's profit would be added to the above figures.

Mr. McCUMBER. What is the price in England?

Mr. BRISTOW. England does not levy a consumption tax, as other European countries do, but levies a revenue duty. The price is less than in this country, because the duty on sugar is much less in England than in our country. The maximum English duty is about 44 cents a hundredweight of 112 pounds, or about 40 cents per hundred pounds.

Mr. DIXON. Mr. President——

The VICE PRESIDENT. Does the Senator from Kansas yield to the Senator from Montana?

Mr. BRISTOW. I do.

Mr. DIXON. How is the wholesale price of sugar 5 or 6 cents a pound in Germany and yet in Hamburg only 2.53, as I understood the Senator?

Mr. BRISTOW. I was speaking of the export price in Germany. The Senator from Missouri [Mr. REED] asked me what was the retail price paid by the consumers in Germany.

Mr. REED. The Senator inadvertently used the word "wholesale," I think, instead of "retail" in his last answer.

Mr. ROOT. The Senator said "wholesale" when he meant "retail."

Mr. BRISTOW. I was speaking of the wholesale price in my answer to the Senator from Missouri. I will say to the Senator from Montana that the prices I quoted were export prices. The reason the wholesale price in these European countries is so much more than the export price is because of the internal-consumption tax, and that tax is not levied on exported sugar. The difference in the export price and the domestic wholesale price is, I suppose, approximately the amount of the local-consumption tax.

Now, to proceed, when the Dingley law was passed we were paying duty on a basis of $1.68 for 96 test per 100 pounds on 51 per cent of all the sugar consumed. Last year, 1910, instead of importing 51 per cent paying the full duty, we imported only 5 per cent of our consumption upon which the full duty was paid. For the last fiscal year there were only 213,000 tons of raw sugar imported into the United States that paid the full duty. The remainder of the sugar which we consumed, which was 3,467,000 short tons, was produced at home or imported from the countries where now no duty is paid, or from Cuba, where the duty has been reduced 20 per cent.

So, it clearly appears that during the years that have followed since the Dingley law was passed there has been a gradual reduction in the amount of duty that was required to be paid by the importing refiner, but still the protective duty for their product, the granulated refined sugar, has been maintained at $1.95 until two years ago, when it was reduced to $1.90. In this amendment I not only propose to take off the 7½ cents differential, which is the theoretical differential, but I propose that in the ascending scale of assessing duties we shall

stop at 98° sugar, which is a good, wholesome, light-colored sugar, and make the maximum duty paid $1.75½ per 100 pounds instead of $1.90. I think it ought to be reduced more than that. I believe we ought to stop at 96 degrees, so that the maximum duty paid on any kind of sugar which comes into the United States would not be more than $1.68½.

So far as the refiners are concerned they have a better protection for refining sugar now than they had when the Dingley bill was passed, and, instead of coming here and complaining at the reduction of the duty, they ought not to object to it; and if they were not animated by the same avarice and greed that seems to have inspired their conduct for the last decade at least, they would not enter a protest against this reduction of the duty on refined sugar. The duty on refined sugar fixes the price the American consumer pays for the sugar that he consumes, and I want that duty reduced.

Mr. DIXON. Mr. President——

The VICE PRESIDENT. Does the Senator from Kansas yield to the Senator from Montana?

Mr. BRISTOW. I do.

Mr. DIXON. As I understand, there is no refined sugar imported into this country.

Mr. BRISTOW. Practically none—about 800 tons last year.

Mr. DIXON. What percentage of the 3,000,000 tons of sugar, cane and beet, that we use is raised in the United States?

Mr. BRISTOW. Of the 3,680,000 short tons we consumed last year, something less than 900,000 tons was produced at home.

Mr. DIXON. That was divided about half and half between cane sugar and beet sugar, was it not?

Mr. BRISTOW. The amount of beet sugar produced is now almost twice as much as that of cane sugar. I can give the Senator the figures exactly, I think. We produced last year, 1910, 262,080 tons of cane sugar and 512,469 tons of beet sugar.

The reason why I feel that the duty should be reduced to $1.755 per 100 pounds as the maximum is that I do not believe that $1.755 protection is necessary for the continuous development of the beet-sugar industry. I know it is not necessary for the American refiner; but I should like for this amendment to become a law. I do not want it to encounter a veto, concerning which we hear so much at this time. I am willing that we should reduce the duty to this amount now, and I should like to introduce a resolution, if it is permissible, requiring the Tariff Board to provide us accurate information as to the cost of producing beet sugar in the United States and abroad, and then we can easily ascertain to what extent the duty can be further reduced without injuring the beet-sugar industry.

I want to say here—and I think this is a good time to say it—that I consider the development of the beet-sugar industry of the United States as the strongest evidence in favor of the protective tariff policy that has ever been presented to the American people, and I am going to give the Senate some figures on that subject that I think will be of great interest.

In 1897, when the Dingley law was passed, there were 7 sugar-beet factories in the United States. In 1911, 14 years afterwards, there were 67, and 6 new mills were in course of construction. In 1897 there were invested in these beet-sugar factories $2,250,000; in 1911 there is approximately an investment of $100,000,000. In 1897 there were 41,000 acres planted in beets by American farmers, while in 1911 there were 400,000 acres planted in beets by American farmers. In 1897 there were raised upon the farms 389,000 tons of beets; in 1907, which is the latest date for which I could secure the figures, there were raised upon the farms more than 4,000,000 tons of beets. The amount of beets harvested per acre in 1897 was 9.5 tons, and in 1907, 10.16 tons, showing, as the Senate will observe, an improvement in the growth of the crop, so that there was a larger tonnage per acre. The yield of sugar per ton of beets in 1897 was 232 pounds. In 1911, 250 pounds per ton, showing an improvement in the saccharine strength of the beets approaching gradually the German standard. The yield of sugar per acre in 1897 was 2,192 pounds. In 1907, which are the latest figures I could get on this, 2,540 pounds of sugar per acre.

The amount of sugar produced—I am using short tons all the time in these figures—in 1897 by the beet-sugar factories was 45,255 tons.

In 1911—that is, the fiscal year 1910 and 1911—there was produced 511,000 tons, an increase in the amount of sugar which we produce from beets in the 14 years from 45,000 tons to 511,000 tons. The value of the sugar produced from beets in the United States in 1897 was a little over $4,000,000, while the value of sugar produced from beets in the United States during the last year was more than $50,000,000, an increase in the value of the product of our beet farms and factories from $4,000,000 to $50,000,000, a gain of $46,000,000, or 1,150 per cent.

Now, I want to say to some of our Republican friends, and to my Democratic friends as well, that I believe this marvelous production and development in a most important industry is due more to the high duties that were placed on sugar than to any other cause. In passing I will make this statement, returning to the homely illustration of President Lincoln. The result is that instead of sending last year this $46,000,000 to Cuba or to Europe or to Hayti or the West Indies or to Java for sugar we have produced it upon our own soil. It has been grown from our own farms, and we have kept in our own country the $46,000,000 of additional wealth.

In the 14 years that have passed since the Dingley bill became a law we have added to the wealth of the American people by this provision about $300,000,000. This money has been spent among our own people and has added to the comfort and happiness of hundreds of thousands of them.

Mr. GORE. Mr. President——

The PRESIDING OFFICER (Mr. OLIVER in the chair). Does the Senator from Kansas yield to the Senator from Oklahoma?

Mr. BRISTOW. Yes.

Mr. GORE. I should like to ask the Senator from Kansas if he does not think, without the duty on sugar, instead of having the $46,000,000 we would have gotten about twice as much sugar?

Mr. BRISTOW. I do not.

Mr. GORE. What per cent; at least two-thirds; at least 66 per cent.

Mr. BRISTOW. We would have bought at a less price the sugar we have consumed. There is no doubt about that.

Mr. GORE. About how many per cent?

Mr. BRISTOW. It is hard to estimate it, but it would have been probably a third less. But that is a very crude estimate—probably a quarter or a third less. We would not have spent as much money for sugar. But what we would have spent for sugar, if not the full $46,000,000, would have been a large amount—we will say at least $30,000,000.

Mr. GORE. I am not controverting the amount. I will put my question in this shape. But for the tariff——

Mr. BRISTOW. Instead of paying $46,000,000 for this sugar we would have gotten it probably one-third cheaper and paid something over $30,000,000 for it, and we would have been out the $30,000,000, and what we did pay in addition to the $30,000,000 was not lost, because we paid it into the Treasury as a revenue.

Mr. GORE. It is true that we got a great deal of revenue. But the difference between $46,000,000 and $30,000,000 was a bonus to the sugar-beet factories.

Mr. BRISTOW. I do not say it was. The consumers of sugar——

Mr. ROOT. Mr. President, I raise a question of order upon this discussion. My point of order is it is not competent for the Senator to yield for a discussion.

The PRESIDING OFFICER. The point of order is sustained. The Senator from Kansas will proceed.

Mr. BRISTOW. I will discuss the point that the Senator from Oklahoma was making and advance my views in regard to it.

Mr. GORE. Mr. President——

The PRESIDING OFFICER. The Senator from Kansas has the floor.

Mr. BRISTOW. And of course the Senator can, when an objection is not raised, at any time advance his views.

Mr. GORE. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Oklahoma is out of order.

Mr. GORE. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state the parliamentary inquiry.

Mr. GORE. I ask the Chair to rule whether or not a question is out of order. I think the Senator from New York is hypercritical.

The PRESIDING OFFICER. The Chair holds that a question is not out of order, but discussion is out of order under the circumstances.

Mr. GORE. Then I desire to ask a question.

The PRESIDING OFFICER. Will the Senator from Kansas yield for a question?

Mr. BRISTOW. Yes.

Mr. GORE. I submit to the censor from New York whether or not the $16,000,000, the difference between the thirty and forty-six million indicated, was not a bonus, a gratuity, a gift, or a benefit resulting from the tariff to the producers of beet sugar?

Mr. BRISTOW. I do not think it was. However, I do not concede that the difference would be as much as sixteen mil-

lions. But whatever the amount was, I do not consider it a bonus. I differ from the Senator from Oklahoma on the tariff fundamentally, of course. He understands that. I believe in a protective tariff. I believe it has been a very great advantage to the people of our country. I would regret very much to see any policy inaugurated that would remove that principle from our political affairs. But I am contending as strongly as anyone can contend that that protective duty be no more than is necessary to protect legitimate American enterprises from destructive competition from abroad.

Mr. GORE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Oklahoma?

Mr. BRISTOW. I do.

Mr. GORE. I simply want to ask the Senator if he does not think—and this is a question—that American thrift, American enterprise, American capital, American labor might not have built up beet-sugar factories in the United States without protection——

Mr. BRISTOW. I do not.

Mr. GORE. As they have built up the cottonseed-oil industry in the United States without protection?

Mr. BRISTOW. I will state to the Senator from Oklahoma that I do not think they would have, and give him this as the reason: The first sugar that was made from beets in the United States was in 1870, as near as I have been able to learn, when that industry started. At least, up to 1870, there had been produced but 440 tons of beet sugar in the United States. From 1870 to 1897, a period of 27 years of development, we had been able to produce but 45,000 tons per year. We have been 27 years in developing our capacity to the amount of 45,000 tons, while in the 14 years that have passed since then we have increased the production from 45,000 tons to 510,000 tons per annum. I do not believe that there would have been anything like such a development of the beet-sugar industry without this protective policy. I present here a table of the beet and cane sugar production in this country since 1852.

Beet and cane sugar—Quantities produced in the United States, 1852 to 1910.

[From Statistical Abstract of the United States, 1910, p. 218 (computed).]

Periods.[1]	Cane sugar.	Beet sugar.
	Short tons.	*Short tons.*
1852–1860[2]	165,613.7	.....
1861–1870[2]	66,214.9	[3] 448.0
1871–1880[2]	84,050.3	425.6
1881–1890[2]	141,000.6	1,176.8
1890–91	248,584.9	3,874.1
1891–92	185,289.7	5,998.7
1892–93	249,227.9	13,460.2
1893–94	305,412.8	22,344.0
1894–95	364,696.3	22,503.0
1895–96	271,816.9	32,726.4
1896–97	322,087.7	42,040.3
1897–98	354,125.9	45,245.8
1898–99	284,394.9	36,367.5
1899–1900	161,274.5	81,729.0
1900–1901	311,887.1	86,082.1
1901–2	364,325.2	184,605.9
1902–3	372,902.9	218,405.8
1903–4	262,976.0	240,604.5
1904–5	392,000.0	242,113.2
1905–6	383,040.0	312,920.6
1906–7	272,160.0	483,612.0
1907–8	394,240.0	463,628.2
1908–9	414,400.0	425,884.0
1909–10	262,080.0	512,469.0

[1] The periods relate to sugar-productions years which end with March.
[2] Average for the period.
[3] 1864 to 1870.

I realize that my Democratic friends do not agree with this. I think they are wrong, and of course I think I am right. The fight I have been undertaking to make——

Mr. GORE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Oklahoma?

Mr. BRISTOW. Yes.

Mr. GORE. I will ask the Senator from Kansas if he does not think it is true that there never has been a pound of beet sugar produced in the United States that did not cost more to produce it than it would have brought in the market but for protection?

Mr. BRISTOW. I think that is probably true up to a very recent time.

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Michigan?

Mr. BRISTOW. Yes.

Mr. SMITH of Michigan. I am sorry to hear the Senator from Kansas——

Mr. ROOT. I rise to a question of order.

The PRESIDING OFFICER. The point of order is raised and sustained.

Mr. SMITH of Michigan. What is the point of order?

The PRESIDING OFFICER. That, objection being made, the Senator having the floor can yield only for a question.

Mr. SMITH of Michigan. Can a Senator prevent any information being given on this subject? I know something about it. I should like to state my point.

Mr. ROOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from New York?

Mr. SMITH of Michigan. It is strange if a Senator is not permitted to give any information.

Mr. BRISTOW. I have not the floor. I would yield it if I had.

The PRESIDING OFFICER. The Senator has the floor.

Mr. SMITH of Michigan. The admission will stand, then, and it ought not to stand.

Mr. ROOT. It is the Senator from Kansas's admission.

Mr. SMITH of Michigan. It is not his admission. It is the admission of a protectionist, and I am a protectionist as well as he.

The PRESIDING OFFICER. The Chair will call the attention of the Senator from Michigan to the fact that the Senator from Kansas has the floor.

Mr. BRISTOW. If I understood rightly the question of the Senator from Oklahoma, it was whether it had not cost more to produce beet sugar in the United States than that sugar would have sold for if there had been no protection—no duty. The theory of the Senator from Michigan is that if the duty was taken off the sugar would cost just as much as it does now.

Mr. SMITH of Michigan. It did cost that much before we had the duty on.

Mr. BRISTOW. But I do not agree with the Senator from Michigan. I think that to take the duty off of sugar would reduce the price of sugar, because the price in other markets than ours, where there is not so excessive a duty as ours, is less. And I want to reduce the present duty on sugar just as much as it can be reduced without injuring the beet-sugar industry. I believe it can be reduced the amount I suggest now without the slightest injury. My personal opinion is it can be reduced more. If I thought and was certain that we could reduce it down to $1.68 or $1.50 I would be very glad to vote for it. But what I want to do is to reduce it this amount now and then direct the Tariff Board to ascertain what is the cost of producing beet sugar in our country, and then make another reduction, as I believe it can be made, a liberal reduction, when that cost is ascertained.

But I will never vote to reduce a duty so as to hamper, impede, or injure the development of such an important developing enterprise as the beet-sugar industry in the United States. I believe that the cane-sugar production of our country has reached practically its maximum. We did not produce as much last year as we had produced 15 years ago. But that is not true of beet sugar.

I realize that the position I take here will not be approved by my Democratic friends, who disagree with me on the question of protection, and it is resented very much by a number of my Republican friends, who will not concede that there is a lot of graft in some of these excessive duties that ought to be taken out. I know there is.

I will say this as a Republican, and I want to say it to my Republican friends here in this Chamber. The enemies of the protective system do not sit across the aisle—that is, the dangerous enemies in this Chamber. The arguments which are offered by the junior Senator from Mississippi [Mr. WILLIAMS] on the tariff question we can meet in the forum of public discussions and defeat them at every election. The American people are not for free trade. They do not agree with the Democratic position as outlined by the junior Senator from Mississippi. But the American people will never indorse a tariff policy that operates to make a few men rich at the expense of the public welfare, and this sugar duty, phrased as it is in our present tariff law, has operated to make the sugar refiners immensely rich at the public expense, and that evil can be cured by a rewriting of the law and the protective benefits can be maintained and preserved, and that is the kind of tariff revision I am standing for now.

There has been a good deal said about the Republicans getting together. Of course Republicans would always like to see

the party get together—nobody any more than I. Because if we do not come to an agreement on the tariff our Democratic friends will revise it as they think it ought to be. But we will never get together as long as there lurk in these tariff schedules rates which protect monopoly or give certain concerns unfair advantage. There is no use to have conferences until our ultraprotectionists admit that they are willing that these tariffs shall be rewritten, eliminating such conditions. And when they conclude that they are ready to write our tariff laws in that way, preserving the protective principle with all of its benefits, and cutting out the graft that avarice has injected into it, the Republican Party will be united on the tariff question.

It is always more pleasant to say the agreeable things than the disagreeable things. It is always easier to agree with your friends than to disagree with them. But it always pays to be frank and open in these discussions, and I am trying to be that way.

I will say that as to the provision in the amendment which I have offered, which makes the maximum duty assessed on sugar testing 98°, I got that idea from the English tariff. Of course the English duties are revenue duties solely and much lower than ours. England begins with assessing her duties on sugar by the polariscope at 76°. The Dutch standard she does not use and never did use. Before the polariscopic process was invented she used a color standard of her own.

Mr. DIXON. Will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Montana?

Mr. BRISTOW. I do.

Mr. DIXON. I think many Senators would like to be informed concerning what nations of the world now use the Dutch standard and what do not.

Mr. BRISTOW. If the Senator will permit me, I will answer that fully later on. I expect to approach that point in a short time.

England starts in assessing her duties with 76°, tested by the polariscope, instead of 75° as we do, and she has an ascending scale of duty as the purity of sugar increases, as shown by the following table:

Tariff of the United Kingdom on sugar.

[From the Shipping World Yearbook, 1911, p. 874.]

Articles.	Rates of duty.		Equivalent in United States.
	s.	*d.*	*Cents.*
Sugar:			
Not exceeding 76° polarization.....cwt[1]..	0	10.0	20.0
Exceeding 76° and not exceeding 77°.....do....	0	10.9	21.8
Exceeding 77° and not exceeding 78°.....do....	0	11.2	22.4
Exceeding 78° and not exceeding 79°.....do....	0	11.6	23.2
Exceeding 79° and not exceeding 80°.....do....	0	11.9	23.8
Exceeding 80° and not exceeding 81°.....do....	1	.3	24.6
Exceeding 81° and not exceeding 82°.....do....	1	.6	25.2
Exceeding 82° and not exceeding 83°.....do....	1	1.0	26.0
Exceeding 83° and not exceeding 84°.....do....	1	1.4	26.8
Exceeding 84° and not exceeding 85°.....do....	1	1.8	27.6
Exceeding 85° and not exceeding 86°.....do....	1	2.2	28.4
Exceeding 86° and not exceeding 87°.....do....	1	2.6	29.2
Exceeding 87° and not exceeding 88°.....do....	1	3.0	30.0
Exceeding 88° and not exceeding 89°.....do....	1	3.4	30.8
Exceeding 89° and not exceeding 90°.....do....	1	4.0	32.0
Exceeding 90° and not exceeding 91°.....do....	1	4.5	33.0
Exceeding 91° and not exceeding 92°.....do....	1	5.0	34.0
Exceeding 92° and not exceeding 93°.....do....	1	5.6	35.2
Exceeding 93° and not exceeding 94°.....do....	1	6.1	36.2
Exceeding 94° and not exceeding 95°.....do....	1	6.6	37.2
Exceeding 95° and not exceeding 96°.....do....	1	7.1	38.2
Exceeding 96° and not exceeding 97°.....do....	1	7.7	39.4
Exceeding 97° and not exceeding 98°.....do....	1	8.2	40.4
Exceeding 98°.....do....	1	10.0	44.0

[1] The English hundredweight=112 pounds.

Of course, it is assessed in her own coin. When the purity reaches 98, the duty is 44 cents per English hundredweight under the English tariff. That is the highest duty imposed.

In England the sugar is lower than it is in this country. I do not have the figures just here, but it is not the full amount of the duty; that is, the sugar sells in England at a lower price than it does in the United States, but, as I remember, it is not the full amount of the difference in duty, and demonstrates, as is always the case, I think, that when a duty is taken off the consuming public never gets the full benefit of that reduction. There is always an advance in the price of the commodity coming from the other country, because there is a greater demand for it in that country; and without our protective tariff we would be producing less sugar, and therefore we would have to buy more, and, being in the markets of the world as a much larger purchaser of sugar, the prices would rise.

I believe I have made it clear that our duties can be reduced in amount, as I suggest, without any injury being done to the American refiner or to the American beet-sugar industry.

The Senator from California [Mr. PERKINS] asks me if I would put tea and coffee on the taxable list for revenue purposes. I will say that I would not. I do not think that is necessary, when we can raise our taxes on commodities such as sugar, and we will not only thereby receive the revenue, but also aid in encouraging the development of the latent or dormant resources we may have in our own country that are undeveloped.

Mr. PENROSE. Mr. President——

The PRESIDING OFFICER (Mr. OLIVER in the chair). Does the Senator from Kansas yield to the Senator from Pennsylvania?

Mr. BRISTOW. I do.

BUSINESS OF THE SESSION.

Mr. PENROSE. With the consent of the Senator from Kansas, I ask for the consideration by the Senate of the following order.

The PRESIDING OFFICER. The Secretary will read the order.

Mr. NELSON. Before it is considered, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Curtis	Martine, N. J.	Shively
Bailey	Dixon	Myers	Simmons
Borah	Gamble	Nelson	Smith, Mich.
Bourne	Gore	Newlands	Smoot
Brandegee	Gronna	Nixon	Stone
Bristow	Guggenheim	Oliver	Sutherland
Brown	Heyburn	Overman	Swanson
Bryan	Hitchcock	Page	Taylor
Burnham	Johnston, Ala.	Paynter	Townsend
Chamberlain	Kenyon	Penrose	Warren
Clapp	Kern	Perkins	Watson
Clark, Wyo.	La Follette	Poindexter	Wetmore
Crane	Lippitt	Pomerene	Williams
Cullom	Lodge	Reed	
Cummins	Martin, Va.	Root	

Mr. PAGE. I wish to state that my colleague [Mr. DILLINGHAM] is absent on the Lorimer investigating committee.

Mr. GAMBLE. I desire to state that my colleague [Mr. CRAWFORD] is necessarily absent from the city on important business.

Mr. BURNHAM. I desire to make the same announcement that I made yesterday, that my colleague [Mr. GALLINGER] is absent owing to the death of his son.

Mr. POINDEXTER. I desire to state that my colleague [Mr. JONES] is unavoidably detained on the Lorimer investigation.

The VICE PRESIDENT. Fifty-eight Senators have answered to the roll call. A quorum of the Senate is present. The Senator from Pennsylvania asks unanimous consent for the following agreement.

The Secretary read as follows:

It is agreed by unanimous consent that on Saturday, July 22, 1911, immediately upon the conclusion of the routine morning business, the Senate will proceed to the consideration of the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes; and before adjournment on that day the Senate will vote upon the pending amendment, any amendments that may be offered, and upon the bill—through the regular parliamentary stages—to its final disposition.

Further:

It is agreed by unanimous consent that on Thursday, July 27, 1911, immediately upon the conclusion of the routine morning business, the Senate will proceed to the consideration of the bill (H. R. 11019) to reduce the duties on wool and manufactures of wool; and before adjournment on that day the Senate will vote upon the pending amendment, any amendments that may be offered, and upon the bill—through the regular parliamentary stages—to its final disposition.

Further:

It is agreed by unanimous consent that on Tuesday, August 1, 1911, immediately upon the conclusion of the routine morning business, the Senate will proceed to the consideration of the bill (H. R. 4413) to place upon the free list agricultural implements, cotton bagging, cotton ties, leather, boots and shoes, fence wire, meats, cereals, flour, bread, timber, sewing machines, salt, and other articles; and before adjournment on that day the Senate will vote upon the pending amendment, any amendments that may be offered, and upon the bill—through the regular parliamentary stages—to its final disposition.

Further:

It is agreed by unanimous consent that on Thursday, August 3, 1911, immediately upon the conclusion of the routine morning business, the Senate will proceed to the consideration of the bill (H. R. 2983) for the apportionment of Representatives in Congress among the several States under the Thirteenth Census; and before adjournment on that day the Senate will vote upon the pending amendment, any amendments that may be offered, and upon the bill—through the regular parliamentary stages—to its final disposition.

Further:

It is agreed by unanimous consent that on Monday, August 7, 1911, immediately upon the conclusion of the routine morning business, the Senate will proceed to the consideration of the joint resolution (H. J. Res. 14) to admit the Territories of New Mexico and Arizona into the Union upon an equal footing with the original States; and that before

adjournment upon that legislative day the Senate will vote upon the pending amendment, any amendments that may be offered, and upon the resolution—through the regular parliamentary stages—to its final disposition.

The VICE PRESIDENT. Is there objection to the agreement?

Mr. NEWLANDS. Mr. President, I should like to inquire of the Senator from Pennsylvania whether this order has met with the concurrence of the leading men among the progressive Republicans and the leading men on the Democratic side?

Mr. PENROSE. Mr. President, there has been a very general consultation with all Senators, who had views to express, regarding this matter, and an effort has been made to suit the convenience and the views of every Senator who has expressed them.

Mr. NEWLANDS. Mr. President, I wish to say as to this proposed order——

Mr. MARTIN of Virginia. Mr. President——

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Virginia?

Mr. NEWLANDS. I do.

Mr. MARTIN of Virginia. I will say to the Senator from Nevada that this agreement was made because of the great anxiety which exists in the Senate and the great anxiety which exists in the country that the important measures before the Senate shall be disposed of. It seemed to be very generally conceded that most of these matters have been pretty well debated, and we conferred as far as possible with Senators who were likely to desire to debate the measures further.

We realized, of course, the great difficulty about getting an arrangement of this sort to suit every individual Senator. I conferred with the Senators on this side of the Chamber as far as I possibly could, and I have not found a single dissent. I will be greatly disappointed if there should be a single dissent on this side of the Chamber, as I am sure the Senators on this side of the Chamber very generally concur in what I have said about the exceeding great importance of disposing of the business now before the Senate and adjourning Congress.

I sincerely hope that there will be no objection to the proposed arrangement. We have endeavored to make such an allowance of time as would permit ample further debate. In view of the elaborate debate that has been already had on most of these questions, as the only measures really which have not been debated are the statehood bill and the apportionment bill, and we think we have allowed ample time for both of those measures, I sincerely hope there will be no objection to the unanimous consent which has been asked by the Senator from Pennsylvania.

Mr. NEWLANDS. I would like to ask whether this order has met with the concurrence of the Senator from Wisconsin [Mr. LA FOLLETTE]?

Mr. LA FOLLETTE. I will say to the Senator from Nevada that I have been in conference with the other Senators, and after meeting objections which have been interposed and making adjustments as best we could, it seemed to all those who were conferred with that it would be wise to adopt this plan of disposing of the business; and I have given it my concurrence.

Mr. NEWLANDS. Mr. President, I desire to say regarding this matter that I greatly regret that the progressives in this body, both Republicans and Democrats, have not been able to get together in such an effective organization as to prescribe a definite program of legislation which would embrace not only the reciprocity treaty and the tariff bills which have been sent from the House, but also general tariff legislation providing for a gradual reduction in excessive duties, and also great and important questions regarding interstate commerce, upon which public opinion is made up and with reference to which legislation should be speedily had.

I refer to the valuation of railroads clearly called for by the decision of the Supreme Court as one of the essential factors in rate regulation, and I refer also to the organization of an administrative tribunal of great dignity and character, with powers similar to those of the Interstate Commerce Commission, over trading corporations, such legislation to be not in place of but supplementary to the Sherman Act, and permitting great industrial organizations of the country to conduct business outside of the shadow of the penitentiary.

Mr. STONE. Mr. President——

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Missouri?

Mr. NEWLANDS. I yield for a question.

Mr. STONE. The measure to which the Senator from Nevada refers is important. So he might indicate other important legislation. Other important legislation may be passed by the House and sent to the Senate. I rise only to direct his attention especially to this point, that an agreement to vote upon the bills named in the order proposed does not adjourn Congress, and if it is thought best by the Senate and the House to go on with additional legislation, there is nothing in the way of doing it, even after this order shall have been agreed to and the bills covered by the order disposed of.

Mr. NEWLANDS. I am aware of that, Mr. President; but still we all know that when the matters covered by this order are disposed of there will be an immediate demand for the adjournment of Congress.

For my own part, my judgment has always been that, whilst I am in favor of the abolition of the duty upon print paper, the only way of securing consideration of a general reduction of the oppressive duties of the tariff would be to keep the newspapers under the harrow until such legislation was accomplished. I have no doubt that just as soon as this reciprocity bill is adopted there will be a demand throughout the country upon the part of the newspapers for the immediate adjournment of Congress; that it will be alleged that the continued session of Congress is injuring business; and that a public sentiment will be created that will be powerful in favor of an immediate adjournment. I want to see the general consideration of the oppressive duties of the tariff under fair conditions, and I do not believe that we will have fair conditions for the consideration of all these questions after the newspaper question is disposed of.

So I anticipate that there will be a demand for the immediate adjournment of Congress, and I fear that the adoption of this order means that we will not, as I would wish, adopt a definite program calling for an adjournment of this session until October and a session then for the period of two months during which we can wipe the slate clean of all legislation demanded by public opinion and absolutely imperative.

Mr. President, I fear also that in the haste of this legislation we may not be as prudent in our action regarding the reduction of the tariff as we would be under fair conditions of consideration. I do not believe that the torrid conditions which prevail now are such as to invite fair and moderate consideration of this great question, and I believe the conditions will be worse when the newspapers of the country are demanding an immediate adjournment.

I think, Mr. President, we can have no such opportune time for disposing of tariff legislation as we have now, legislation not upon radical lines but upon gradual lines of reduction, involving no serious readjustments of existing enterprises and no serious disturbance of business. We will not have this opportunity at the next session. We will then have all the appropriation bills under consideration. Other legislation, general legislation, will be pressing. We will be upon the threshold of a campaign when partisans will be engaged rather in party jockeying with reference to a presidential race than in the serious consideration of a great economic question. So far as the Democratic Party is concerned, I fear that in the stress and strain of legislation now at this season intemperate action may be taken which will alarm the industries, and that again we will be compelled to enter into a campaign during a period of depression when the fears of the workingman will be aroused, when exaggeration will abound everywhere regarding disturbance of business conditions, and in which a full dinner pail may be the prevailing argument. We all know how potential that argument has been in the past. Inasmuch as the Progressives have the control of both bodies, I see no reason why we should not be able to agree upon legislation, and upon such legislation as will receive Executive approval, such legislation as will be so sustained by public opinion that the Executive would not feel inclined to withhold his approval.

So, Mr. President, I regret that the progressive forces have been temporarily divided by this contest over the reciprocity treaty; the Democrats, true to their convictions, taking the view that it means freer trade and that nothing should be done to imperil the ultimate triumph of the bill; the progressive Republicans, true to their convictions regarding protection, declaring that this bill means discrimination against the farmer and favoritism to the manufacturer, and insisting upon a protective policy that deals alike with the farmer, the miner, and the manufacturer, both sides equally sincere, and yet unable to stand together upon this proposition, and by reason of that divided and prevented from getting together with reference to the control of this body and the consideration of other important questions.

The old leadership is gone; the old control is gone. We have no longer the dominance of two or three great leaders in this body; we have no longer the tyranny of committees. The Senate to-day is a self-governing body. Composed, as it is, of competent men, I do not see why it should not transact business in a competent way and put upon the record definite statement of the questions which it proposes to take up in legislation and the questions which it proposes to take up through committee consideration, with a view to crystallizing all within a reasonable time in needed legislation.

I can not say that I object; it would be futile for me to object to this order; but I greatly regret that the newly established self-government of the Senate has not been accompanied by an orderly and efficient control of its own business.

The VICE PRESIDENT. Is there objection?

Mr. BORAH. Mr. President, may I ask for a rereading of the portion of the agreement which relates to the statehood bill?

The VICE PRESIDENT. The Secretary, without objection, will again read that portion of the order, as requested by the Senator from Idaho.

The Secretary read as follows:

Further:

It is agreed, by unanimous consent, that on Monday, August 7, 1911, immediately upon the conclusion of the routine morning business, the Senate will proceed to the consideration of the joint resolution (H. J. Res. 14) to admit the Territories of New Mexico and Arizona into the Union upon an equal footing with the original States; and that before adjournment upon that legislative day the Senate will vote upon the pending amendment, any amendments that may be offered, and upon the resolution—through the regular parliamentary stages—to its final disposition.

Mr. KENYON. Mr. President, I should like to inquire of the chairman of the Finance Committee if this agreement—this gentlemen's agreement, or otherwise, whatever it may be—contemplates that these are the only measures to be voted upon, and that after the vote the effort shall be made to adjourn?

Mr. PENROSE. Mr. President, this request for unanimous consent only covers the bills mentioned therein. Of course the Senate and the House of Representatives are free to take up any other measures and to continue here until a date for adjournment is agreed upon. The agreement simply provides for the disposition of these five measures.

Mr. KENYON. I should like to inquire, if it be in order, as to why the bill providing for the publicity of contributions in campaigns has been omitted from this agreement?

Mr. PENROSE. Mr. President, it was very difficult to bring about an agreement on the measures contained in the orders which have been read, and several difficulties were encountered in including that measure or other measures in any unanimous-consent agreement at this time. There will be nothing, however, to prevent the Senator from Iowa asking the Senate to consider the bill to which he refers; in fact, it is more than likely to be reached in due order on the calendar; its position and its prospects, so far from being jeopardized, are rather aided by this unanimous-consent agreement.

Mr. KENYON. Mr. President, not having been here many months, I was a little at a loss to understand whether this agreement might exclude this measure. It was suggested by the Senator from Virginia [Mr. MARTIN] that these important measures were to be voted on. I have thought that the publicity of campaign expenses bill was as important as any bill that was before the Senate. I sat in the gallery at the Chicago convention and saw a plank that came from Wisconsin defeated along this line. The Democratic Party had such a plank in their last platform. It is a bill that both sides ought to be able to agree upon and pass at this session. I am not going to object or to raise any question on the unanimous-consent agreement, but I do give notice that, so far as it may be proper, I shall attempt to call up that bill every day and urge it to a vote at this session of the Senate.

Mr. MARTIN of Virginia. Mr. President, as the Senator from Iowa seems perhaps to have construed my remarks about an adjournment as indicative of an indisposition to consider the publicity bill, I desire to say, if he puts that construction on my remarks, I certainly did not intend it. I have been trying to get that bill considered, and shall continue to try to get it considered, but I think when we get these five very important matters embraced in one unanimous-consent agreement we have made great progress in disposing of important legislation. Those bills will be out of the way and there will be a better chance for considering the bill to which the Senator has referred after those are disposed of than to leave them still in doubt.

Mr. KENYON. The Senator will not urge an adjournment, then, until a vote is had on the publicity bill?

Mr. MARTIN of Virginia. And I shall certainly be very sure to aid the Senator from Iowa in every way possible to get consideration of the publicity bill.

Mr. CUMMINS. Mr. President, I am heartily in accord with the terms of the agreement as proposed, but I want a little light on a parliamentary matter. This agreement being entered into, I take it there can be no vote upon the reciprocity measure or any amendment now pending or to be hereafter proposed until Saturday, the 22d.

Mr. PENROSE. Mr. President——

Mr. CUMMINS. I ask that as a parliamentary question.

The VICE PRESIDENT. The Chair supposes there may be votes on amendments right straight along as the bill is being considered, but that the vote upon the passage of the bill must be upon the day named in the agreement. However, any amendment not theretofore disposed of must then be voted upon.

Mr. CUMMINS. The agreement, however, seemed to me to embrace all amendments pending and all that may be offered.

The VICE PRESIDENT. Not amendments theretofore disposed of, the Chair assumes.

Mr. CUMMINS. I should like to have a clear understanding with regard to that part of the agreement.

Mr. PENROSE. If I may be permitted, if the Senator will yield——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Pennsylvania?

Mr. CUMMINS. Yes.

Mr. PENROSE. Of course amendments can be offered and voted on prior to that date. The unanimous-consent agreement simply provides that all amendments undisposed of or which shall be offered on that day shall be voted on.

The VICE PRESIDENT. May the Chair make this suggestion? The unanimous-consent agreement expressly provides that the vote shall be through the ordinary parliamentary procedure, which means, of course, that the bill must be voted on in Committee of the Whole, and then, when reported to the Senate, the amendments can again be submitted, and the Chair assumes that the bill would not be reported to the Senate until the day named.

Mr. CUMMINS. Will the Secretary please read the terms of the agreement?

The VICE PRESIDENT. The Secretary will once again read the proposition.

The Secretary read as follows:

It is agreed by unanimous consent that on Saturday, July 22, 1911, immediately upon the conclusion of the routine morning business, the Senate will proceed to the consideration of the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes, and that before adjournment on that day the Senate will vote upon the pending amendment, any amendments that may be offered, and upon the bill—through the regular parliamentary stages—to its final disposition.

Mr. CUMMINS. It is very clear, Mr. President, from the reading of the agreement, that the pending amendment can not be voted upon until Saturday, the 22d of July, and, of course, no other amendment could be voted upon prior to the disposition of the pending amendment.

The VICE PRESIDENT. The Chair thinks that the intent—although the Chair did not draw this agreement—was that the then pending amendment should be voted upon.

Mr. CUMMINS. If there can be inserted the word "then" it will remove the obscurity which seemed to me to exist.

The VICE PRESIDENT. By consent of the Senator who suggested the agreement, the Secretary will insert the word "then."

Mr. PENROSE. I accept the suggestion, Mr. President.

Mr. CUMMINS. One further inquiry.

Mr. ROOT. Let the word "then" be inserted in each case.

Mr. CUMMINS. Yes; in each case.

The VICE PRESIDENT. The Secretary will make the suggested change in each case.

Mr. CUMMINS. After the agreement shall have been made, this bill, I understand, remains the unfinished business?

The VICE PRESIDENT. Certainly; until it is displaced.

Mr. CUMMINS. I want to suggest to the Senator from Pennsylvania that we ought to have in the agreement an understanding that if, prior to Saturday, the 22d of July, there shall be no disposition to debate the pending bill, he will be willing to have it laid aside temporarily, in order that the Senate may take up such a bill as has been suggested by my colleague [Mr. KENYON], or any other bill, for debate and disposition.

Mr. PENROSE. Mr. President, of course that would be the intention. As I am advised, the debate on the reciprocity bill is nearly exhausted. There may be two or three Senators who still desire to address the Senate on that measure, and then the unfinished business would be laid aside and the Senate could proceed to the consideration of any of these other measures.

Mr. LA FOLLETTE. I observe that at the last moment the words "without debate" were stricken out of the several proposals, and it occurs to me that they should be reinserted. I put it in the form of a parliamentary inquiry. Take the reciprocity proposition, for instance. It is provided as to that that it shall be voted upon on the 22d instant. Now, the 22d is the full calendar day running up till 12 o'clock midnight of the 22d. Supposing many important amendments were pending, but that the debate consumed all the time up to 12 o'clock of the night of the 22d, at which time the order would require the bill to be voted upon, we might never reach a vote upon the pending amendments.

The VICE PRESIDENT. Does the Senator suggest inserting the words "without further debate"?

Mr. LA FOLLETTE. It seems to me that the last day should be given up to voting and that the words "without further debate" should be inserted in all those orders clear through.

Mr. PENROSE. Mr. President, I accept the suggestion of the Senator from Wisconsin.

Mr. LODGE. That will greatly improve it.

Mr. PENROSE. Those words were in the original agreement, but were stricken out at the suggestion of a Senator. However, in my opinion they ought to be in the agreement.

Mr. LA FOLLETTE. I think the Senator from Pennsylvania is in error about the words "without further debate" being stricken out at my suggestion.

Mr. PENROSE. I did not mean to say at the suggestion of the Senator from Wisconsin, but at the suggestion of a Senator.

The VICE PRESIDENT. The Secretary will insert those words in the several agreements.

Mr. BORAH. Mr. President, I want to hear the last paragraph again read with those words in it, to see what effect it will have. Under that proposition we may not get a chance to debate the question covered by the last paragraph at all.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

It is agreed by unanimous consent that on Monday, August 7, 1911, immediately upon the conclusion of the routine morning business, the Senate will proceed, without further debate, to the consideration of the joint resolution H. J. Res. 14.

Mr. BORAH. Mr. President, I do not think that the Senator from Wisconsin desires that we proceed upon that date to vote upon that matter without any further debate.

Mr. LA FOLLETTE. I do not desire the reinsertion of those words in that particular order. I think so long as——

The VICE PRESIDENT. The Secretary will not insert the words in that portion of the order.

Mr. PENROSE. That is right.

The VICE PRESIDENT. Is there objection to the entry of the order? The Chair hears none, and by unanimous consent the order is entered.

RECIPROCITY WITH CANADA.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes.

The VICE PRESIDENT. The pending question is on the amendment offered by the Senator from Kansas [Mr. BRISTOW].

Mr. BRISTOW. Mr. President——

Mr. STONE. Mr. President, will the Senator from Kansas yield to me for just a moment?

The VICE PRESIDENT. Does the Senator from Kansas yield to the Senator from Missouri?

Mr. BRISTOW. I do.

Mr. STONE. If it does not interfere with the plan of any other Senator or any other announcement that may have been made, I will say that on Tuesday next, when the reciprocity bill is laid before the Senate, I should like at that time to address the Senate upon that bill. I am making this announcement so that if I am interfering with anyone else I may change the date.

Mr. SMOOT. There is no other announcement for speaking upon that day.

Mr. BRISTOW. Mr. President, before proceeding I should like the leader of the Democratic side to remain, if he will.

The VICE PRESIDENT. The Senator from Virginia is present.

Mr. BRISTOW. I want to say, before the Senator from Virginia leaves the Chamber, that if the amendments I am offering, providing for the reduction of duties on these necessities where such duties have been a burden to the people, are not incorporated into the reciprocity bill, I intend to offer them at every opportunity to other tariff bills that may be presented. I will further say to the Senate that the unanimous-consent agreement to vote on a certain day has very wisely been so formed that amendments can be offered on any intervening day to any of the bills that are pending and be voted upon at that time, so that Senators who contemplate escaping from the Chamber or from the city at any time between now and the 7th of August may find some of their bills amended when they get back.

My purpose is to reduce duties that are a burden to the American people. I am not contending for the reduction of duties that never have been complained of, as this reciprocity bill does. It can not be hereafter alleged that opportunity was not given for Senators to reduce excessive duties, such as were referred to by the Senator from Nevada [Mr. NEWLANDS] in his remarks pending the consideration of the unanimous-consent agreement.

Mr. MARTIN of Virginia. Mr. President——

The VICE PRESIDENT. Does the Senator from Kansas yield to the Senator from Virginia?

Mr. BRISTOW. I do.

Mr. MARTIN of Virginia. I simply desire to say to the Senator from Kansas that there is no doubt whatever about his parliamentary right to offer amendments, as he has indicated a purpose to do. So far as I am personally concerned, as the Senator well knows, I shall vote against any amendment to the reciprocity bill, but when his amendments are offered to some other bill they will have my careful attention and consideration. I am as anxious as he is that Senators shall remain, not only to avoid a vote being taken in their absence, but I am anxious that every Senator shall be present in the Senate during the consideration of these very important matters; and, so far as I am concerned, the Senator need not fear that I will escape from the Senate any longer than may be necessary, as I was about to escape a few moments ago to get a little lunch. I will be present and be delighted to hear anything that the Senator from Kansas may have to say, and will be sure to give to all he says and to all his amendments careful consideration.

Mr. BRISTOW. I regret that the Senator from Virginia will not vote to attach these paragraphs to the present bill, because, if so attached, I have not the slightest doubt they would become the law and the reciprocity bill that reduces unimportant duties would then actually carry with it reductions that are of great importance. I fear, if they are not attached to this bill, that there is great danger of such duties not being reduced, and that is the reason that I am appealing to the Senator from Virginia and to Senators on the other side of the Chamber generally to help amend this bill, because it means effective legislation, when, in my judgment, failure to amend it greatly jeopardizes such legislation.

Mr. MARTIN of Virginia. Mr. President——

The PRESIDING OFFICER (Mr. POMERENE in the chair). Does the Senator from Kansas yield to the Senator from Virginia?

Mr. BRISTOW. I do.

Mr. MARTIN of Virginia. If perhaps bills and amendments to bills which will give substantial relief to the great body of the American people can not meet with the approval of the present Chief Executive, I do not think we shall have to wait longer than two years until we shall have both a Congress and a President, so that we can pass laws which will relieve the great body of the people from the burdens which they have been carrying.

Mr. BRISTOW. I gravely fear that that is the uppermost thing in the mind of the Senator from Virginia during this special session, instead of passing the remedial measures at this time.

Mr. MARTIN of Virginia. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield further to the Senator from Virginia?

Mr. BRISTOW. I do.

Mr. MARTIN of Virginia. The uppermost desire in my mind is to have a Congress and a President that will relieve the people from the burdens which they are carrying.

Mr. BRISTOW. And the Senator would a great deal rather postpone any revision of the tariff or any relief of that burden until he has an opportunity to get such a President—that is, he would rather that the legislation I have proposed should not pass than to have taken away an issue that may, in his judgment, be effectively used in the next campaign.

Mr. MARTIN of Virginia. The Senator from Kansas must not measure my corn in his half-bushel measure. It is pretty well understood that that is the game he is playing here, but he has no right to attribute any such purpose to me.

Mr. BRISTOW. Mr. President, the Senator from Virginia is entirely mistaken, for I have not the slightest desire that two years from now there shall be in the White House a Democratic President who will favor the revision of the tariff according to the opinions advanced by the Senator from Virginia. I do not want such a thing to happen. I want the burdensome duties taken off now at this session of Congress, and not delayed for two years.

Mr. MARTIN of Virginia. Opportunity will be given to the Senator to vote for measures which will relieve the burdens of the people, so far as the responsibilities of the Senate are concerned, and he knows that. He is an advocate, as he has stated, of the protective tariff, but this side of the Chamber does not advocate duties in behalf of the great trusts and industrial institutions of the country, which are taxing beyond reasonable measure the resources of the great body of the American people.

Mr. BRISTOW. And the Senator from Virginia knows that the Senator from Kansas does not advocate any such duties; that he is now contending against them; and that he would

repeal them if he had the support of the Democratic side of this Chamber.

Mr. SMOOT. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The Senator from Utah will state his point of order.

Mr. SMOOT. The point of order is that a Senator can not be interrupted without the consent of the Senate. It has been ruled this morning several times that he can only ask a question.

The PRESIDING OFFICER. Under the ruling this morning, the Senator from Kansas has the floor.

Mr. MARTIN of Virginia. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Virginia?

Mr. BRISTOW. I do for a question. I can only yield for a question.

Mr. MARTIN of Virginia. I do not interrupt for the purpose of asking a question, but I interrupt to suggest that the point of order, so far as I am concerned, is hardly applicable. I do not think I proceeded at any time, at least I tried not to do so, until after I was recognized by the Chair.

The PRESIDING OFFICER. It was several times ruled this morning that a Senator who had the floor could only be interrupted for the purpose of a question.

Mr. BRISTOW. Mr. President, the senior Senator from New York [Mr. ROOT], who I regret is not in the Chamber now—doubtless he is in the lunch room, which is entirely proper—made an inquiry when I yielded the floor to the Senator from Pennsylvania [Mr. PENROSE] as to whether or not the Cuban planters and sugar producers had received any advantage as a result of the Cuban reciprocity treaty. I made the statement, as Senators will remember, that the sugar refiners received all of the advantage of the reduction of the duties; that the Cuban planters received none; and that the American consumer received only about 1.7 cents per 100 pounds reduction. In support of that declaration I want to read from the hearings held before the subcommittee of the House of Representatives on June 28, 1911, from the testimony of Mr. Gilmore, a partner of the Arbuckles, who are engaged in the sugar-refining business, on the question whether or not the Cuban planters received any part of this 20 per cent reduction in the duties on imported raw sugar from Cuba:

The CHAIRMAN. What effect, if any, did it have on the market price of raw sugar at New York?

That is, the Cuban reciprocity agreement.

Mr. GILMORE. Well, we had cheaper raw sugar from Cuba.
The CHAIRMAN. Cheaper by the amount of the reduction in duty?
Mr. GILMORE. Well, I do not know that it was that amount fully, and yet I think it was, too.
The CHAIRMAN. You think it was?
Mr. GILMORE. I do; yes.
The CHAIRMAN. That concession was 34.5 cents, was it not?
Mr. GILMORE. Yes, sir.
The CHAIRMAN. And you think it reduced the price of raw sugar that much in New York?
Mr. GILMORE. I believe it did. We commonly believed that the Cubans had not benefited at all, because they had given away the benefit.
The CHAIRMAN. What is that?
Mr. GILMORE. I say we commonly believed that the Cuban planters did not benefit at all by it, that they gave it away, and sold it that much cheaper.
The CHAIRMAN. To whom did they give it?
Mr. GILMORE. To the refiners; and the refiners, of course, gave it to the public.
The CHAIRMAN. Did the consumer of refined sugar in the United States get the benefit of that concession, in your judgment?
Mr. GILMORE. I believe he did get the full benefit of it.

I have demonstrated by conclusive, indisputable figures that the only advantage which resulted to the consumer was a reduction in refined sugar of 1.7 cents per 100 pounds, while the refiners bought it, according to their own statement, for 34½ cents per 100 pounds less.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. I do.

Mr. SMOOT. Does not Mr. Gilmore represent the Arbuckle Refining Co.?

Mr. BRISTOW. He does. I stated that he did.

Mr. SMOOT. Does not Mr. Gilmore testify that the Arbuckle Refining Co. wants free sugar?

Mr. BRISTOW. He did, I think; yes.

Mr. SMOOT. Then if he testified that he wanted free sugar, how is it that this is helping the refineries?

Mr. BRISTOW. I will explain to the Senator gladly, and I thank him for bringing up that point.

The only competitors of any consequence that the American refiners have in this country are the American beet-sugar producers, and free raw sugar from the West Indies would, as the Senator from Utah knows, destroy the beet-sugar industry in the United States and thereby destroy the only competitor that the American sugar refiner has. If he can have free raw sugar, so that he could get it from the West Indies without paying any duty, it would then cost him $1.34 a hundred less than it does now. Having a monopoly of the refining business in the United States, he would be able to crush the beet-sugar industry in this country. Therefore he is now engaged in a propaganda to induce the American Congress to repeal all sugar duties. There is not a beet-sugar producer in the United States who is not in some way connected with the Havemeyer estate or the Sugar Trust who does not know that that is true.

Again, Mr. Atkins, the vice president of the American Sugar Refining Co., said to be the largest purchaser of raw sugars in the world, testified before the committee of the House on Tuesday, June 13, 1911, and I read from his testimony on page 164 of section 2 of the hearings before the House committee.

Mr. ATKINS. You asked me another question that I wanted to explain a little further. That was, what advantage the Cuban has out of this—

Of course, referring to the treaty—

if he makes no dollars and cents out of it. He has the advantage of the United States market against all the world. He can undersell every country in the world in the United States market to the extent of that differential. Porto Rico or any of the free sugars that come in can undersell Cuba to the extent of $1.34 and still get the same money for the sugar that Cuba gets. Now, that is the very greatest advantage—for Cuba to be able to have the control of the United States market.

To-day—and when I say "to-day" I mean at this period—the foreign imports from all other parts of the world have practically disappeared. The rate of duty under the Dingley Act of $1.68½ is a dead letter, and $1.34 is the revenue rate of duty on sugars, because Cuban sugars supply nearly all the demand for foreign imports.

Mr. MADISON. Yes; there is no question about that; but it is also true, as you stated, that during the time that the sugar is really coming to the country that reduction is of no practical benefit to them; they do not get the benefit of the 34 cents reduction.

Mr. ATKINS. No; they get no money out of it.

There is the testimony of officers and representatives of the two greatest refineries in the United States, one of them the greatest refinery in the world, and the gentleman testifying, Mr. Atkins, being, so it is reported, the largest purchaser of raw sugars in the world, states that the Cuban producer gets no part of the 34½ cents reduction in the duty that was given in the Cuban reciprocity bill.

I incorporate this testimony in the RECORD to demonstrate the accuracy of my statement that Cuban reciprocity transferred from the Treasury the amount of 20 per cent of the duty on all Cuban sugar to the pockets of the sugar refiners, less 1.7 cents per hundred pounds, and that that law has in fact given them a differential far greater than was ever contemplated when the Dingley law was passed, and that they have no complaint, and can have no complaint, at the reduction of duties as I propose.

I can not understand why any man should object to reducing the duty on refined sugar very materially. As I have said, I think it ought to be reduced more than I have suggested. But I am very anxious to get what I can now, and hope at an early date to get additional reductions, always maintaining a sufficient duty to encourge and promote the continued development of our beet-sugar industry, which should be the pride of every American citizen.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Idaho?

Mr. BRISTOW. Yes.

Mr. BORAH. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Idaho suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Cullom	McCumber	Pomerene
Bailey	Cummins	McLean	Root
Borah	Curtis	Martin, Va.	Shively
Bourne	Dixon	Martine, N. J.	Smith, Mich.
Brandegee	Gronna	Myers	Smoot
Briggs	Guggenheim	Newlands	Swanson
Bristow	Heyburn	Oliver	Taylor
Brown	Johnson, Me.	Overman	Townsend
Burnham	Kern	Page	Watson
Chamberlain	La Follette	Paynter	Williams
Clapp	Lippitt	Perkins	Works
Clark, Wyo.	Lodge	Poindexter	

Mr. PAGE. I wish to announce that my colleague is necessarily detained on the committee to examine into the Lorimer matter. I wish to make this announcement for the day.

Mr. BURNHAM. I wish to make the same statement as before with reference to my colleague [Mr. GALLINGER].

The VICE PRESIDENT. Forty-seven Senators have answered the roll call. A quorum of the Senate is present.

Mr. BRISTOW. Another result of the amendment I have offered will be to increase the revenue. Now, that is an interesting proposition—to increase the revenues by reducing the duties and still not increase importations. It is not unreasonable to suggest an increase of the revenue by decreasing the duties, if such reductions will result in an increased importation, but this amendment of mine as it is now drawn will reduce duties and still increase the revenues without increasing importation. It does it in this way. The sugar that is imported—that is, 80 per cent of it—tests 95° by the polariscope, and that pays a duty of $1.65 a hundred. If you take out the Dutch standard color test, sugars will be imported that test by the polariscope more than 95. Sugars will come in above 16 in color testing 97 and 98, because there will be a market for sugar of the lighter color. Sugars of that color, for instance [indicating], sugars of this color [indicating], will come in and pay $1.75½, while they would now have to pay $1.90, and that is high enough to keep them out and they do not come in at all. They come in as dark sugar that tests 95, and therefore only pay $1.65.

If the Dutch standard were taken out it would come in as sugar testing 98 or 99, and instead of paying $1.65 it would pay $1.75; and the same hundredweight of sugar that is brought into the country and consumed would cost less to the people, because the duty would be a reduction on refined sugar, which is the protective duty which the refiner has when he sells it; it would be less by 15 cents a hundred than that, while it would pay more duty by 10 cents a hundred than the duty which the refiner pays when he buys it for refining purposes. So the result would be that the importation of sugar for sale to the public instead of to the refiner and the importer would pay $1.75 duty on the high-grade sugar, while otherwise the refiner would purchase the same sugar in a darker color and only pay $1.65 duty.

I will now take up the Dutch standard and discuss that. It has been referred to many times, and the Senator from Utah and myself had an animated discussion concerning it yesterday. The Dutch standard is a device for testing the purity of sugar, that was adopted more than a century ago by the Dutch merchants of Holland. It was a color test. At that time the color test was the only test known for the purity of sugar.

It consisted of 17 bottles of this type [indicating], representing grades of sugar from 8, which was the lowest, to 25, which was the highest. This is No. 8. That was the lowest in commercial use—all cane sugar, of course.

The Dutch standard was never used to measure the saccharine qualities of beet sugar. It was first devised something over a hundred years ago. Then there was an ascending scale from 8 up to 25. That is No. 12 [exhibiting], the bottle I now hold in my hand. This one is No. 14 [indicating]; this one is No. 15; this is No. 17; this is 25. This 25 is pure sugar [exhibiting]. Before the centrifugal process of refining or purifying sugar was invented or devised sugars never were manufactured as white as that, because the old process of cleansing and purifying sugars by settling was the only one known. That is, a hogshead would be provided with holes in the bottom of it and the sugar would be dumped from the boiling pan into the hogshead and the molasses would settle to the bottom and drain out of it and the sugars on top were the purest sugars. That process was used until it was made as pure as it was possible to make it under that process. Those sugars are called now muscovado sugars, and that process is used in the crude form in many countries. It is almost exclusively used in the Philippines, where the sugars are very crude up to this time, some improvement having been made in recent years, I believe.

For a long time this Dutch standard was the only process known to commerce for testing the purity of sugar. If I remember rightly, about 30 years ago—I may not be accurate in my statement as to the exact number of years—a scientist discovered a process known as the polariscope process, by which rays of light were passed through the melted sirup, and any impurity, such as water or molasses, in the sugar deflected the rays, so that it would measure with absolute accuracy the saccharine strength of the sugar. That has been substituted by every organized government on the earth for the color test, with the exception of seven. All the countries never adopted the Dutch standard absolutely. The English Government, as I said this morning, had a sugar test of its own. It has discarded that now and follows the polariscope test exclusively.

I have examined the tariffs of 117 nations, or I should say organized governments, on sugar, and 110 of the 117 do not use a color test. A large number of those that formerly used the color test and the Dutch standard as the prevailing test have discarded it. I want to read a number of the principal nations which have discarded and no longer use the color test: The United Kingdom of Great Britain, Australia, the Bahamas, Barbados, British Guiana, Jamaica, Newfoundland, the South African Customs Union, the Argentine Republic, Austria-Hungary, Belgium, Brazil, Bulgaria, Chile, Colombia, Cuba, Denmark—I will say that Denmark discarded it within the last two years; three years ago Denmark was one of the countries that used it; at that time there were eight; there are now only seven—Ecuador, Egypt, France, Germany, Greece, Italy, Mexico, the Netherlands, Norway, Roumania, Russia, Spain, Switzerland, Turkey, Venezuela, British Central Africa, British East Africa, Bermuda, British North Borneo, Dominica, Servia, Persia, Danish West India Islands, Algeria, French West Africa, Martinique, Guatemala, Salvador, Nicaragua, Honduras, French Oceanica, German West Africa, German East Africa, Holland—the Hollanders have abandoned it and no longer use the standard which her merchants established—Dutch West Indies, Dutch Guiana, Montenegro, Portuguese Southwest Africa and Southeast Africa, Costa Rica, Bolivia, Paraguay, Peru, Uruguay, Haiti, and the Dominican Republic.

The countries that use the Dutch standard at this time are Canada, Portugal, Sweden, British India, China, Japan, and the United States.

Mr. McCUMBER. And Germany?

Mr. BRISTOW. No; Germany discarded it several years ago.

It is an interesting observation, in examining the tariff, that none of the countries use it in the same way we do, because they have an ascending scale in assessing duty when tested by the color as well as by the polariscope. That is, Portugal permits sugar to come in that is not above No. 20 Dutch standard before the maximum is assessed, which makes a very light sugar, while we assess the maximum duty if it is only 16 in color. I do not happen to have at present a sample of 20, but it is slightly darker than this [indicating]. Sweden has 18 as the maximum. British India varies from 16 to 22, grading the duty as the sugar becomes purer, so that the maximum duty is not assessed until the sugar tests 22 in color. Japan has 4 grades, 11, 15, 18, and 21. The United States fixes 16 as the sole grade and makes all sugars above that color pay the highest duty, and it is the only Government that uses the Dutch standard, with the exception of China, that fixes the maximum so low. China fixes it at 10, and refined sugar is almost an unknown quantity in China. The only place where they sell the black sugar of the Philippines, a sample of which I am sorry I have not here, is really in China. That is the reason why we do not get any more Philippine sugar than we do. It is because there is so much impurity in it that the refiners here do not want the trouble of taking the impurities out of it.

Canada has an interesting use of the Dutch standard, and it is much more favorable to the public than ours is. Canada fixes in her laws a color test as well as the polariscope test, the same as we do. All sugars not above 16 Dutch standard in color and testing not more than 88° pay $1.08 per hundred pounds. A sugar as low as 88 in purity is a dark-colored sugar. So there is no difficulty in the Canadian consumer purchasing the light-brown sugar at a reasonable duty. A sugar of that kind [indicating], which is the old brown sugar we used to see in our markets, that tests 96, and is above 16, in Canada the importer would pay a duty of $1.08 plus a cent and a half a degree in purity for every degree above 88. So the duty in Canada on sugar like that sample, which is above No. 16 in color and tests 96 in purity, would be $1.20 a hundred. It is not barred by the Dutch standard there, because the saccharine purity still regulates the amount of the duty after No. 16 in color is reached, while our tariff requires that after 16 is reached the maximum duty is assessed, regardless of the saccharine strength or purity. So that sugar which tests 88 or 90 and is above 16 pays $1.90 instead of $1.40½, or $1.475, as it should. In Canada it would pay exactly what it ought to pay, measured by the polariscope test as to its purity.

If this Dutch-standard provision of ours required that No. 16 in color sugar testing 96 should pay $1.68½, and that for every degree above 96 it should pay 3½ cents a hundred, it would correspond with the Canadian duty and would not give the refiners the monopoly that the Dutch standard does in our tariff, because it could not be used as a means of forcing all sugars to the refiners for a market. Light-brown sugars could then come in and pay a duty on their purity. I herewith submit a statement from a well-known scientific authority, Dr. Harvey W. Wiley.

WHAT DR. WILEY SAYS.

Dr. Wiley, in an article in The Forum, written some years ago, in speaking of the Dutch standard, says:

From a strictly scientific point of view, the only objectionable feature of the sugar schedule is the Dutch standard of color.

In *former times*, when the Dutch merchants dealt only in Java sugars, and the polariscope was not in commercial use, the color standard was a useful method of discriminating between sugars of different saccharine strength. Now it is possible to make a nearly white sugar which will not give a polariscopic reading of above 85, and a very dark one—below No. 16, in fact—which will polarize nearly 100.

It is a pitiable spectacle to see a great nation, the largest sugar consumer in the world, confiding the standard of its revenue from this great staple to an irresponsible foreign broker. The makers of sugar the world over will fill the orders received from the importers of this country with a product over or under No. 16, as may be desired. The grade of color will have no constant relation to saccharine strength. It is easy to see that there will be no burning desire among our importers to pay the differential of 12.5 cents per hundred pounds, when, by dumping a little molasses or lime into the kettle during manufacture, the same saccharine grade of sugar can be secured with a dark color, and that amount of duty saved.

It is not claimed that the differential duty is for the benefit of the sugar growers in this country. Any protection afforded to them is properly given in the direct tariff, as determined by the polariscope. The injection of the Dutch color standard into the tariff bill was either a case of heredity—it having existed in former bills—or else it was due to some influence brought to bear upon our legislators. It is not probable that a company consisting mostly of lawyers, sitting in a star chamber to determine the methods of levying duties, would think of the abuses to which the Dutch standard could be subjected.

If our people understood the unfair and unscientific discriminations imposed by the Dutch color standards, they would soon find means of abolishing them.

This paper, having been written from a scientific point of view, has nothing to do with a differential duty. The latter is solely an economic question. But we have a right to protest against an unfair, partial, and false standard for ascertaining the grade of sugars on which the differential is paid.

Dr. Wiley, as we all know, is an eminent scientist, and stands for the best things in our economic and scientific affairs, and his word should have some weight with us upon a question of this kind. Dr. Wiley, in another article in The Forum, in volume 23, says:

By retaining the obsolete system of valuing sugars according to the Dutch standard of color, however, this difficulty is only increased.

One hundred years ago, when the Dutch colonies produced cane sugar in a uniform manner by the same process of manufacture, the character of the sugar was rather definitely determined by its color, but modern systems of manufacture have rendered such tests absolutely worthless. The retention of this standard in our customs duties is the open sesame to favoritism and every conceivable fraud.

DAVID A. WELLS'S VIEWS.

David A. Wells, a well-known authority, in referring to the Dutch standard, says:

What is of one color in cloudy weather may be another in sunshine, and the simple process of drying alone may cause a difference of one or more numbers in grade in any given sample of sugar. There have undoubtedly been cases where the delay contingent on holding a cargo of sugar for reexamination and resampling has, from drainage and drying, subjected the importer to a very considerable additional amount of duty.

I hope I have made that clear to the Senators who are attempting to follow me, and if I have not, I shall welcome any questions, of course.

The allegation is made that the Dutch standard is intended to protect the American consumer from the importation of impure sugar, and the senior Senator from Utah [Mr. SMOOT] stated yesterday that that was its purpose. In that the senior Senator from Utah is mistaken. It is not intended for that purpose, and it does not serve that purpose. There is no process of purifying sugars that is so cheap as the centrifugal process. It is the cheapest process of purifying and refining sugars known to men. On this subject I read a statement made by Mr. A. Given, of the Agricultural Department:

DEPARTMENT OF AGRICULTURE,
Bureau of Chemistry.

There are no methods by which raw sugar can be bleached white or nearly white known to this office, other than by steam washing, which will make it nearly white. The sirup can be white and the crystals obtained therefrom are white by bone-black filtering, but this process is as expensive as refining the sugar and making it perfectly white, even more expensive, as filters will not last as long with impure sirup as with pure sirup.

A. GIVEN, *Scientific Assistant.*

The old process of draining is of course cheaper, but it does not purify; it leaves the sugar very dark; the molasses will not seep out; but the rapid revolutions of the centrifugal machine—1,500 times a minute——

Mr. SMOOT. Mr. President——

Mr. BRISTOW. In just a moment. Will throw out the molasses the same as the rapid revolutions of the cream separator will throw the milk—the heavier of the ingredients—to the outer edge of the receptacle.

The PRESIDING OFFICER (Mr. BRANDEGEE in the chair). Does the Senator from Kansas yield to the Senator again?

Mr. BRISTOW. In just a moment. It is the same principle exactly. Molasses, which is heavier than the sugar crystals, is thrown to the outer edge of the revolving receptacle and the inner part of the crystals are thereby freed from the impurities, which are not anything that is foul or unwholesome; it is simply not sugar; it is either water or sirup. This sugar [indicating], which is sugar testing 98, is just as pure and wholesome and healthful as refined granulated sugar, but there is some molasses and water moisture in it which is not sugar. That is called impurity, not because it is impure, but because it is a substance foreign to the saccharine.

I yield to the Senator from Utah.

Mr. SMOOT. Did not the Senator on yesterday say that the pure-food law would protect the American consumer on that class of sugar?

Mr. BRISTOW. Certainly; if there were anything unwholesome in it, it would.

Mr. SMOOT. There is not. The Senator has just so stated that. That is what I wanted the Senator to admit. Then another thing, Mr. President. Did not the Senator yesterday say that the centrifugal process was not a refining process?

Mr. BRISTOW. He did not. The centrifugal process is a refining process.

Mr. SMOOT. Is not every pound of sugar that comes here——

Mr. BRISTOW. Just wait a moment.

The PRESIDING OFFICER. The Senator from Kansas declines to yield at present.

Mr. BRISTOW. I will yield in a moment. The centrifugal process is a process of refining. The Senator from Kansas never has said anything else. He contended yesterday that it was, and he so states now.

Mr. SMOOT. Mr. President, did not the Senator from Kansas yesterday say that every pound of sugar that came from Cuba went through a centifugal process?

Mr. BRISTOW. No; I do not think I said that every pound. I will answer the question.

Mr. SMOOT. Well, 96——

Mr. BRISTOW. Mr. President, I demand the floor until I answer the question. If the Senator will wait until I get through, I will yield to him for as many questions as he wants to ask.

The PRESIDING OFFICER. The Senator from Kansas declines to yield.

Mr. BRISTOW. I do not want any street-corner debate, such as we had here yesterday.

Mr. SMOOT. I will not ask anything but questions.

The PRESIDING OFFICER. The Senator from Kansas has the floor.

Mr. BRISTOW. The Senator from Kansas does not think he said yesterday that every pound that comes from Cuba went through the centrifugal process, but he did say that a very large percentage of the sugars that come from Cuba go through the centrifugal process of refining.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield further to the Senator from Utah?

Mr. BRISTOW. I do.

Mr. SMOOT. The Senator now has admitted that the centrifugal process is a refining process of sugar.

Mr. BRISTOW. Certainly. I never denied it. I always stated it.

Mr. SMOOT. Then yesterday the Senator stated that under the law all sugars refined by any process would pay $1.90.

Mr. BRISTOW. I never said that. I never made such a statement, and the Senator from Utah knows it.

Mr. SMOOT. Well——

Mr. BRISTOW. Mr. President——

Mr. SMOOT. Mr. President, the law says, "on sugar above No. 16 Dutch standard in color and on all sugar which has gone through a process of refining," $1.90. If the Cuban sugar has gone through a process of refining, why does not all Cuban sugar pay $1.90.

Mr. BRISTOW. Because it does not, and if the Senator from Utah has examined the imports he knows it does not.

Mr. SMOOT. Mr. President——

Mr. BRISTOW. Just wait until I get through, please. Just remain quiet now; do not get excited.

The customs officials in interpreting that law and collecting duties construe the word "refined" to refer to sugars that have passed through the process of refining used by the American sugar refiners, the bone-black process of refining; and the cus-

toms officials do not consider that language to mean that sugars which are refined or purified by the centrifugal process are to pay the full $1.90 per 100 pounds. The customs officials therefore assessed a duty, as the Senator from Utah knows, of $1.68½ per 100 for sugars that test 96 and are not above No. 16 Dutch standard in color. Nine-tenths of those sugars, I should judge, at least, are sugars that have been refined or purified by the centrifugal process, and the customs officials do not assess the $1.90 per 100 pounds duty on that sugar unless in color it is more than 16 Dutch standard. If above 16 Dutch standard they assess $1.90, regardless of its saccharine purity.

Now, I have answered the question of the Senator and in order——

Mr. SMOOT. Mr. President——

Mr. BRISTOW. In just a minute. I desire to complete the answer. In order to fortify my statement as to the facts I will read from the imports entered for consumption for the year ending June 30, 1910, as given by the Bureau of Statistics. I am reading from the figures that are provided by the Bureau of Statistics——

Mr. SMOOT. We do not disagree in that.

Mr. BRISTOW. As to the amount of duty that is paid on sugars that are below 16 Dutch standard regardless of their saccharine purity.

We imported over 3,000,000,000 pounds of sugar that tested not above 95 degrees from Cuba, and that sugar paid $1.65 per hundred pounds duty less 20 per cent. That was not above 16 in color and not above 95 in saccharine purity.

We imported from Cuba 296,000,000 pounds of sugar that tested 96 by the polariscope and that was not above 16 Dutch standard, and that paid at the customhouse a duty of $1.68¾ per hundred, less of course the 20 per cent, which applies to all these quotations.

We imported from Cuba last year 2,369,000 pounds of sugar not above 16 Dutch standard, that tested 97° by the polariscope, and the customs officials collected on that importation $1.72 a hundred pounds, less the 20 per cent. This is centrifugal sugar refined or purified by the centrifugal process, in color not above 16 Dutch standard, testing by the polariscope 97, and the customhouse officers collected $1.72 and not $1.90.

We imported from Cuba 1,611,000 pounds of sugar not above 16 Dutch standard testing 98° by the polariscope, and the customs officials collected on that sugar $1.75½ per hundred pounds duty, less 20 per cent. If any of the sugars to which I have referred, testing from 95 up to 98, had been above 16 in color they would have paid $1.90 per hundred pounds, but since none of them were above 16 in color none of them paid $1.90, though they were all centrifugal sugars refined in Cuba by the centrifugal process.

I think I have answered the question of the Senator.

Mr. SMOOT. Mr. President, the Senator and I do not disagree as to the figures he has quoted, but I want to ask the Senator now in all seriousness if a sugar that is 95 per cent has not gone through a process of refining?

Mr. BRISTOW. Certainly.

Mr. SMOOT. Then, Mr. President, the law says:

> And on all sugar which has gone through a process of refining, 1 cent and ninety one-hundredths of 1 cent per pound.

The Senator also, as I understood him, said that they had decided that the only case of refining was where a bone black had been used in the refining of sugar that would pay $1.90.

Mr. BRISTOW. If the Senator will allow me, let me state exactly what I did say. I said the customs officials in assessing the duty interpreted the word "refining" to refer only to that process of refining used by American refiners, who use the bone-black process.

Mr. SMOOT. Is it not a fact that many of the beet-sugar refiners of Germany do not use the bone-black process, and is it not a fact that the beet-sugar industry in the United States does not use the bone-black process of refining? Therefore, under the statement made by the Senator that such sugars would not be refined sugars, German beet sugar could come into this country as unrefined sugar. I will not again interfere with the Senator to ask him any more questions; but if I have time, I shall discuss that question. I want Senators to know just what the truth is under the law.

Mr. BRISTOW. Mr. President, referring to the Senator's question, the beet-sugar factories in the United States may use another process in refining their sugars.

Mr. SMOOT. For the information of the Senator, I will say they do.

Mr. BRISTOW. Upon reflection, I believe that many of our beet-sugar factories refine by the use of lime and centrifugals. I am aware that there is in Germany a sugar known as "crude beet," I believe.

Mr. SMOOT. "Beet root" is the name by which they call it.

Mr. BRISTOW. That is an impure sugar that would not find a market here, and could not, except to refiners; it does not come to this country, and there has never been any effort to export it to this country. The Germans can refine it there just as cheaply, but our duty on the refined sugar is so excessive that the Germans never have made any attempt at all to invade our sugar market.

The only competitor that the beet-sugar industry in the United States has is the cane sugar from the Tropics. Anyone familiar with the beet-sugar business knows that the German beet-sugar producer is not a competitor of the American beet-sugar producer. He can not meet the American in this market with the duty on refined sugar that now exists, and to ship to this country his crude sugar known, as the Senator suggests, as "beet root," is not practicable, because it would not find a market; it would not be fit to use; it would have to be sold to the refiners, and no one would export crude beet sugar from Germany to be refined here when he could refine it in Germany. It would be an impracticable thing to do, and therefore it is of no use to consider such a proposition.

The truth is that the beet-sugar producer in this country has but one competitor, and that is the sugar of the Tropics, and the sugar of the Tropics has no market here now except to the refiners. They are the only purchasers of tropical sugar, because the Dutch standard of color keeps it so dark that it can not find a market with the general public. Therefore, the American refiner, using tropical cane sugar in its raw state, purifies it, refines it, and puts in on the market as refined granulated sugar. That meets in the American market the product of the beet-sugar factory, which only produces the refined granulated sugar. The beet-sugar manufacturer produces only refined sugar, and he can meet in successful competition any tropical cane sugar or centrifugal sugar, that has not gone through the process of bone-black refining, with a duty of $1.75 or less. He can meet that competition successfully, and being able to meet that competition successfully, there is not the slightest occasion for any duty in excess of that to give him the necessary protection.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from North Dakota?

Mr. BRISTOW. I do.

Mr. McCUMBER. I asked the Senator from Kansas a question yesterday which, I think, was not very clearly answered, and which, as it has been again brought up to-day in this portion of his discussion, I should like to have him now make clear. I asked him yesterday under what authority the customhouse officials, in passing upon the admission of Cuban sugars, would allow less than a duty of $1.90 per hundred pounds, and assume that it must reach the 16 Dutch standard in order that that assessment might be levied upon it, when the law clearly declares that the duty of $1.90 a hundred pounds shall apply where the sugar measures up to No. 16 Dutch standard, and also—although the word "also" is not used, it is clearly understood—also where the sugar has gone through a refining process? Now, as the centrifugal process is a method of refining, where do they get the basis for the construction that sugar which has gone through the centrifugal process and is a refined sugar, but is not in color the Dutch standard, should not have assessed against it a duty of $1.90 per hundred pounds? That seems to me to be the whole crux of this question.

Mr. BRISTOW. I am very glad the Senator has put that question in that way. I might say that, possibly, I have used the word "refining" in a sense that the customs officials would not recognize. I have said that any process of purifying sugar was a process of refining. The purifying of sugar and the refining of sugar, to my mind, are identical terms. Evidently the customs officials do not so consider them. Any process that cleanses sugar from impurities or from foreign substances, to my mind, is a process of refining.

Mr. McCUMBER. Does not the law mean that?

Mr. BRISTOW. I do not think it does. I will give the Senator from North Dakota my views on it as I proceed.

To my mind, that is a process of refining. The first was the old process of settling, which produces what is known to the trade as muscavado sugar—that is, the dark, moist, sugars, the best of which rarely grade above 89 in saccharine strength. That is a process of refining. It is that process which was the earliest known to men.

The centrifugal process was subsequently discovered, and it is a very great improvement, just the same as the cream separator is an improvement over the old system of permitting the

cream to rise to the top of the jar and skimming it off. We have made progress in gathering the cream as well as in gathering the sugar crystals out of the cane juice. I have treated that process as a process of purifying or refining. I have used the terms as synonymous. Evidently the Treasury Department does not consider the term "refining" as used in the law to refer to either of those processes of purifying sugars. I think the Treasury Department is right, because if it did, if the word "refining" in the law referred to any process of purifying in the technical use of it, they would have to assess $1.90 on any kind of sugar that came in, for there is no sugar that has not been purified to some extent by some process, and I might say refined to some extent by some process. But I think the confusion probably arises from my use of the terms "purifying" and "refining" as synonymous, while technically the Treasury officials would probably consider them to be terms referring to different processes—one a process used by the refiners, who take what is know as raw sugar and produce from it granulated sugar, and the other a process which takes the cane juice and produces from it the lighter brown sugars and, in the most perfected form, the white sugars by the centrifugal process.

That is the only explanation that I can make. I have taken it for granted that that is the distinction they make. I do not give this as authoritative at all, but it is my explanation of the fact that they do not consider centrifugal sugars as refined sugars as so described in the statute.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from North Dakota?

Mr. BRISTOW. I do.

Mr. McCUMBER. I think the Senator now is clearing up that which was the bone of contention between him and the Senator from Utah [Mr. SMOOT], and which some other Senators, including myself, did not very thoroughly understand. The process of refining under the bone-black process is simply eliminating from the bulk of the sugar the water and the sirup, or those things which we call impurities.

Mr. BRISTOW. That is right.

Mr. McCUMBER. And the process known as centrifugal is eliminating the water and the sirup. Both of them secure exactly the same end, both eliminate from the bulk of the sugar the same ingredients; but as the law does not mention the bone-black process or any other process, why should the customhouse officials adopt the standard they have if some better standard can be obtained, even though it might bring in much more sugar, very much cheaper, or even at a higher rate?

I want in this connection to suggest to the Senator that if he is going to differentiate between these processes and denominate one as "a purifying process" and the other as "a refining process," then his amendment, in order to get the benefit of these provisions, ought to refer to the purifying as well as to the other process, and give us the benefit of that, so that there can not be the same mistake again, or what I, at least, regard as a mistake by the customs officials.

Mr. BRISTOW. The Senator's suggestion might remedy what apparently on its face appears to be an inconsistency in the ruling of the Treasury Department; but I do not think the Treasury Department could consider anything else as the intention of Congress, because we provide, first, that the duties shall be 95 cents a hundred pounds on sugar that tests 75 degrees, and for each additional degree of purity the duty shall be 3½ cents additional. Of course we could not help but mean 3½ cents for each additional degree of purity, and the impurity or foreign substance must be taken out by some kind of a process. Therefore Congress meant that if there was 25 per cent of sirup or foreign substance in sugar other than the saccharine crystals, there should be a duty of 95 cents levied on it. Now, to get out, degree by degree, these foreign substances, it must be done by some process of refining; and we go on and refine and purify until we get 90 degrees, we will say, and on the 90-degree sugar the duty is $1.47½, if I calculate it correctly. The difference between 95 and $1.47½ is assessed, because impurities have been taken out by this process of refining.

If Congress did not mean that those impurities should be taken out in some way, that provision should not have been in the law; and so the Treasury Department could come to no other conclusion than that Congress meant that the sugar should be assessed on the degrees of purity up until the color reached 16; and the color having reached 16, then a different method of assessing duties is adopted; that is, the polariscope is then set aside and the color method is adopted. The color method being adopted, then the department has concluded that the process of refining meant what is commonly known as refined or granulated sugar. It came to the only conclusion to which it could have come under the circumstances.

Mr. McCUMBER. Then, Mr. President, to make it absolutely clear, this bottle [indicating] has been refined—or, rather, purified—by the centrifugal process.

Mr. BRISTOW. Yes; so I am advised.

Mr. McCUMBER. And not by the bone-black process?

Mr. BRISTOW. No.

Mr. McCUMBER. And that bears a duty of $1.90 per hundred pounds?

Mr. BRISTOW. Because of its color.

Mr. McCUMBER. Not because it has been refined, but because it is above No. 16 Dutch standard?

Mr. BRISTOW. Yes.

Mr. McCUMBER. The sugar in this bottle [indicating] I understand has been refined by another process?

Mr. BRISTOW. Yes.

Mr. McCUMBER. By the bone-black process?

Mr. BRISTOW. Yes.

Mr. McCUMBER. And it bears a duty of $1.90?

Mr. BRISTOW. It does.

Mr. McCUMBER. Not because it is above the No. 16 Dutch standard at all, but because it is refined and, of course, it absolutely is above any color.

Mr. BRISTOW. Just a moment. If it were not above 16 it would not carry the duty of $1.90. If it were below 16 in color, it would carry a duty on its saccharine strength by the polariscope test.

Mr. McCUMBER. After it has been refined by the bone-black process, will it not always be above No. 16?

Mr. BRISTOW. It will always be above that; yes.

Mr. McCUMBER. Therefore, the $1.90 has no reference whatever to the Dutch standard in this sample, because it necessarily must be above No. 16 Dutch standard.

Mr. BRISTOW. As to that sample; yes.

Mr. McCUMBER. That duty is upon the refinement and not upon the Dutch standard. I think we understand the Senator's position pretty well now.

Mr. BRISTOW. Now, Mr. President, I have a number of statements and tables here that I would like permission to insert in the RECORD at the proper place, as I have quoted from them frequently.

The PRESIDING OFFICER. Without objection, leave is granted.

Mr. BRISTOW. I desire also to incorporate into the RECORD a statement from Mr. David Stetson as to the cost of refining sugar—and, of course, when I refer to "refining sugar" I refer to the process used by the American refiners and not to the centrifugal process. In a letter which he wrote to Mr. W. B. Thomas, of Boston, Mass., published in No. 16 of the hearings before the committee of the House of Representatives which were had June 30, 1911, he makes the statement that at 50 cents for refining sugar the margin would be small, yet there is a paying profit in refining at one-half cent per pound.

The difference in price of raw and refined sugar in the United States varies from 75 cents a hundred to 90 cents a hundred, and sometimes it is more than 90 cents a hundred; and this gentleman, who says that he knows, states that there is a good profit in refining sugars at 50 cents a hundred pounds, showing that the margin of profit to the refiner above 50 cents per hundred pounds is an excessive profit for their business; and since the high duty on refined sugars shuts out foreign competition it is too high; it prevents any importation; it is prohibitive; it ought to be reduced; and it can be reduced in excess of the amount that I suggest in this amendment, because such reduction can be made without in the slightest degree harming the legitimate profits of the American refiner, and the reduction can be made without jeopardizing in any way the success of our beet-sugar industry.

Mr. LODGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Massachusetts?

Mr. BRISTOW. I yield to the Senator from Massachusetts.

Mr. LODGE. The sugar duties may be too high or too low, but I do not think the Senator meant to say that they were prohibitive——

Mr. BRISTOW. They are on refined sugar.

Mr. LODGE. Because we have to import an immense amount.

Mr. BRISTOW. But it is all raw sugar. We import very little refined sugar.

Mr. LODGE. I misunderstood the Senator.

Mr. BRISTOW. I am not saying that the duties on raw sugars in the coarser state—that is, in a condition such as this [indicating] or that [indicating]—are too high. They would be too high if we were not getting practically all of the sugar that we import from Cuba upon which a reduced duty is paid. We imported last year from Cuba, in round numbers, 1,750,000

tons of raw sugar, upon which there was a reduced duty of 20 per cent from the duty provided in the law; and we only imported 213,000 tons from all other countries upon which duty was paid. I would say that if it were not for the Cuban treaty, that gives a reduction of 20 per cent on the raw sugars we actually import, the duty on raw sugar ought to be reduced; but I am not asking for the reduction of the duty on raw sugar, because it is a very fruitful source of revenue; and, in addition to being a fruitful source of revenue, it provides a very desirable protection for our beet-sugar industry; but the duty on refined sugars, on the high-grade sugars, can be reduced without jeopardizing the interests of the refiners and without jeopardizing the interests of the beet-sugar industry. The reduction will result in a lowering of the price which the people pay for their sugar, and not result in a loss of revenue, because the high-grade sugars are not imported in appreciable quantities, and we derive little revenue from them.

Mr. LODGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield further to the Senator from Massachusetts?

Mr. BRISTOW. I do.

Mr. LODGE. Do not the sugars that are produced by our American beet-sugar factories come out of those factories as refined sugars?

Mr. BRISTOW. They do; yes. They are all refined.

Mr. LODGE. The best refined sugar?

Mr. BRISTOW. Oh, yes.

Mr. McCUMBER. Not bone-black refined?

Mr. BRISTOW. Oh, yes; I think it is.

Mr. LODGE. The sugars supplied to the market by the beet-sugar factories are perfectly refined for use, are they not?

Mr. BRISTOW. Oh, yes.

Mr. LODGE. Why is it, then, that the removal of the duty the Senator speaks of would not affect the beet-sugar industry?

Mr. BRISTOW. Because the American beet-sugar industry can meet German competition with a less protection than it now has. The competition which the beet-sugar industry has—and I am just as much interested in preserving that industry as anybody can be—is not the German beet-sugar producer, but the tropical cane-sugar producer, whom he meets in competition through the American refiner. The truth is that the American refiner, whose supply of sugar for his refineries comes from the Tropics, is the real competitor of the beet-sugar producer, because he takes the raw sugars, refines them, and puts them on the market, where they meet the beet sugar, and the refiners are only paying a duty of $1.34 a hundred pounds, while they have got a protection on their product of $1.90.

The beet-sugar factory can meet the German competition, because, first, the German has got to pay freight and insurance from Hamburg, which is about 20 cents a hundred; and then he does not make as good sugar as does the American, or as is the American cane sugar. It will not sell for as much; indeed, beet sugar does not sell for as much as does American cane sugar. Beet sugar always sells at slightly less than the American refined cane sugar.

It sells for from 10 to 40 cents a hundred less than the cane sugar is sold for. In order to get a market for this new sugar, the beet-sugar producer has got to crowd out the cane sugar, which is staple sugar and has been for centuries, and he has got to underbid a little to do it. He is not afraid to meet the product of any German beet-sugar factory with a duty of $1.68 or $1.75 per 100 pounds. He can do it with ease.

Mr. LODGE. Is it not true, as a general proposition applying to sugar everywhere, that beet sugar can not compete with cane sugar? Suppose all duties and all bounties were cut away, the beet sugar could not compete with the cane sugar?

Mr. BRISTOW. It could not possibly do so.

Mr. LODGE. It has been, I know, for many years bounty fed in Europe.

Mr. BRISTOW. It was until a few years ago.

Mr. LODGE. Yes; until a few years ago, beginning away back in the time of the first Napoleon.

Mr. BRISTOW. Yes.

Mr. LODGE. And ours, of course, is protected. It is the cane sugar that would put all beet sugar out of the market.

Mr. BRISTOW. Germany developed her wonderful sugar-producing resources by paying a bounty to the sugar producers. To-day Germany is the largest producer of refined sugar in the world. I think I can turn without any great delay to the statistics showing the amount of sugar produced in the various countries. I will, for the information of the Senate, give some of the figures. I read from a table headed "Production of sugar." It is for the year 1909–10 and gives the amount in long tons. In all the statistics I have put into the RECORD this morning I have used short tons, because that is more commonly used in our country, and the Treasury Department uses it, though the statisticians in New York use the long ton.

Germany produced last year 2,020,000 long tons and exported 778,000 tons of sugar. The next largest producer of sugar outside of Cuba was Russia. All her sugar was beet sugar, and of that sugar Russia produced last year 1,171,000 tons, but she exported only 98,000 tons, consuming the rest. I herewith submit a table on European production and consumption:

Production of sugar—Total statistics from Sept 1, 1909, to Aug. 31, 1910, according to Otto Licht.

[From Willett & Gray's Sugar Trade Journal, Jan. 19, 1911, p. 30.]

Countries.	Production.	Imports.	Exports.	Consumption.
	Long tons.	*Long tons.*	*Long tons.*	*Long tons.*
Germany	2,020,215	5,518	778,703	1,278,002
Austria-Hungary	1,230,755	.....	690,838	583,198
France	792,132	145,719	271,886	677,786
Russia	1,171,420	27,675	98,006	1,330,157
Belgium	247,435	9,352	132,699	108,850
Holland	198,456	51,211	126,657	114,761
Sweden	126,680	914	6,011	134,243
Norway	.....	44,608	.....	44,608
Denmark	65,090	33,553	5,216	95,427
Italy	110,795	4,023	3,019	145,612
Spain	103,502	41	.....	127,761
Roumania	30,775	12	40	29,547
Finland	.....	43,807	.....	43,807
England	.....	1,861,826	36,643	1,783,562
Other countries	14,750	299,391	.....	314,141
Total Europe	6,112,005	2,527,660	2,149,718	6,809,462

These European countries—Germany, Austria-Hungary, France, Russia, Belgium, Holland, and Sweden—all export beet sugar. They produce not only all the sugar which they themselves use, but they export very large amounts, and Germany encouraged her sugar production by a bounty up until a few years ago, and then it was removed.

Mr. LODGE. It was removed a few years ago. Perhaps the Senator knows what those sugar duties are.

Mr. BRISTOW. I have not the German duties on sugar now, but she has a duty on cane sugar, I know.

Mr. LODGE. Yes.

Mr. BRISTOW. But I do not happen to have the statistics convenient. They are in a pamphlet here, and it would take me some time to find them.

Mr. LODGE. As the Senator has cited those figures of production, has he there the total production of the United States, including Porto Rico and Hawaii, including cane?

Mr. BRISTOW. I have, and I will put that into the RECORD. I have the production and our importations from these countries.

Mr. LODGE. It would be very useful to have them together.

Mr. BRISTOW. Last year—that is, 1910—we imported from Hawaii 555,000 tons. That is the largest importation we have ever had from the Hawaiian Islands. We imported from Porto Rico 284,000 tons, which is the largest importation in the history of the island. We imported from Cuba 1,734,000 tons, which is the largest importation from Cuba in the history of the island. We imported from the Philippines last year 87,000 tons, which is not nearly all the sugar that is produced in the Philippines, but it is the largest amount that we have imported from the Philippines, I think, in the history of the country. We imported from other countries, upon which the full duty was paid, only 216,000 tons.

Now, the production of sugar in Hawaii last year was 543,000 tons, or slightly less than we imported from there, because evidently the planters held over some of the sugar that had been formerly produced.

There was produced in Cuba last year 1,792,000 tons, and of that we got 1,734,000 tons—all but about 60,000 tons.

Porto Rico produced last year 330,000 tons, and we imported from there 284,000 tons—about 40,000 tons less than the production. I will remark here that when the Porto Rican sugars were first admitted free the entire production of Porto Rico was 89,000 tons. That was in 1901. The entire production of the island when it came into our possession was 89,000 tons, while the production last year was 330,000 tons, an increase of almost 300 per cent in the 10 years since the island became an American possession. It may be a source of interest to know that the Philippine production last year was 179,000 tons, which is more than has been produced in the islands during any other year.

Sugar imported into the United States from Hawaii, Porto Rico, Cuba, the Philippines, and all other countries.

Fiscal years.	Hawaii.	Porto Rico.	Cuba.	Philippines.	All other countries.
	Short tons.	*Short tons.*	*Short tons.*	*Short tons.*	*Short tons.*
1898	249,883	49,209	220,113	14,745	811,009.99
1899	231,149.94	53,601.3	331,771.83	25,812.64	1,347,789.58
1900	252,356.55	36,279.09	352,727.96	24,745.27	1,392,934.4
1901	345,440.42	68,600.9	549,702.18	2,346.67	1,435,454.07
1902	360,276.68	91,908.52	492,107.54	5,712	1,515,957.94
1903	387,412.71	113,076.75	1,197,963.89	9,386.67	900,703.49
1904	368,246.05	129,615.8	1,409,778.86	23,514.95	967,842.47
1905	416,360.69	135,659.99	962,421.16	27,499.99	774,705.86
1906	373,301.32	205,272.3	1,261,295.25	26,362.34	578,675.63
1907	410,507.41	204,074.99	1,583,081.99	35,253.15	548,183.12
1908	538,785.32	234,602.54	1,231,031.95	14,731.4	524,279.6
1909	511,431.96	244,226.37	1,324,514.89	47,476.41	617,333.43
1910	555,297.24	284,519.94	1,734,303.21	87,766.35	216,229.03

NOTE.—From Senate Document No. 15, Sixty-first Congress, first session, pages 2–3, letter from Assistant Secretary Commerce and Labor.

Figures, 1898, compiled from Statistical Abstract, 1907, page 719, also 1904; figures for 1901, Porto Rico, Statistical Abstract, 1907, page 719; Porto Rico, 1899–1900, Statistical Abstract, 1904, page 351; Cuba, 1899–1905, Statistical Abstract, 1904, page 351; Philippines, 1899–1903, Statistical Abstract, 1904, page 353; other countries, 1899–1904, Statistical Abstract, 1907, page 719; all figures for 1909 from Foreign Commerce and Navigation of the United States, 1909, pages 965, 1092, 1214, 1236; all figures for 1910 from Foreign Commerce and Navigation of the United States, 1910, pages 1093, 1117, 1136, 1137, 1387, 1407.

Sugar production.

Years.	Hawaii.	Cuba.	Porto Rico.	Philippines.
	Short tons.	*Short tons.*	*Short tons.*	*Short tons.*
1898-99	283,806.72	385,091.20	60,285	104,100
1899-1900	289,543.52	345,568.16	39,200	70,319
1900-1901	360,037.44	712,158.72	89,600	62,048
1901-2	355,610.08	952,202.72	95,200	88,073
1902-3	437,989.44	1,118,743.36	95,200	100,800
1903-4	367,476.36	1,165,055.36	145,600	94,080
1904-5	426,245.12	1,302,848.96	162,400	119,700
1905-6	429,212	1,320,198.88	238,560	162,998
1906-7	440,015.52	1,598,993.76	235,200	162,960
1907-8	521,122.56	1,344,000	243,040	168,000
1908-9	535,155	1,695,212	274,400	144,497
1909-10	518,127	2,020,871	344,960	142,076
1910-11[1]	543,200	1,792,000	330,400	179,200

[1] Estimated.

Hawaii.—Figures, 1898 to 1902–3, compiled from Willett & Gray, December 10, 1903, page 3; 1902–3 to 1908, compiled from Willett & Gray, November 25, 1908, page 409.

Cuba.—Figures, 1898 to 1903–4, compiled from Farmers' Bulletin No. 30, 1904, page 80; 1903–4 to 1908, compiled from Farmers' Bulletin No. 52, 1908, page 46.

Porto Rico.—Figures, 1898 to 1903–4, compiled from Senate Document No. 250, Fifty-ninth Congress, first session, pages 11–12; 1903–4 to 1908, compiled from Farmers' Bulletin No. 52, 1908, page 46.

Philippines.—Figures prior to 1903–4 are exports. (Figures compiled from Willett & Gray's Sugar Journal.)

Figures for 1908–9 and later compiled from Willett & Gray, May 18, 1911.

Mr. LODGE. As the Senator has the figures there, what was the total production in the United States of beet sugar and Louisiana cane?

Mr. BRISTOW. I gave that this morning, but I will be very glad to give it to the Senator again.

The total production of cane sugar in the United States last year was 262,000 tons, which is a very much smaller amount than we have produced in any year in the last few years. It was a bad year. The usual production of cane sugar is about 375,000 tons. The production of beet sugar last year was 512,000 tons, which was the largest in the history of the country.

The Senator from North Dakota [Mr. MCCUMBER] inquires of me as to our percentage of the consumption of sugar of the entire supply of sugar for the world. Eliminating the India sugar, which is a very crude kind and all consumed in India, there are about 12,000,000 tons produced per annum.

Of course these statistics are not absolutely accurate, but that is in round numbers the amount that is given by the most reliable statisticians. We consumed of the 12,000,000, 3,330,000 tons, more than one-fourth of all of the sugar, except the India sugars, and more than one-fifth, including all the sugar produced on the earth and consumed by its people. In this I have given the amounts in long tons.

Mr. LODGE. Do we now consume more than England?

Mr. BRISTOW. I think I have England's consumption here. England's consumption last year was 1,783,000 tons, so that our consumption is almost double that of England.

Mr. LODGE. Far ahead.

Mr. BRISTOW. Mr. President, I had hoped that the Senate would adopt this amendment to the reciprocity bill. When I say I know it will not jeopardize the passage of the bill, that it will not jeopardize the signing of the bill, I do not mean to say that I have any assurance whatever from the President that he would or would not veto it if this amendment were made a part of it. But I know that no sane man who has the interest of the American people at heart, who believes in justice and equity to the citizens of his country, would refuse to sign a bill which he thought ought to become a law because there was incorporated in it this reduction in our present sugar tariff; and knowing that, I do not believe that there is any excuse or justification for any Senator in this Chamber who believes that these duties should be reduced to vote against this as an amendment to this bill.

To vote against this amendment is to jeopardize the prospect of securing this legislation, because the President has said, as I read yesterday, or the newspapers say that he has said and it has not been denied, that he intends to veto separate bills, but he has never said, and I defy any Senator to say that he has said, that he will veto this reciprocity bill if it carries with it the reduction of duties that ought to be made on commodities used by the people. No Senator can evade the responsibility of preventing this legislation by getting behind the imaginary and unreal excuse that it may endanger the reciprocity agreement. I know it will not as well as I know that I am alive.

You do not have to have any assurance from the President of the United States that he would not veto a bill of this kind because it carried this as an amendment. I make the statement now and I make it not in an offensive sense, that the Senators in this Chamber who say they want duties reduced and who refuse to vote for this amendment certainly do not want the duties reduced at this time. They want to keep the duties as they are, to have something to talk about in the next campaign, and for no other purpose, and the responsibility for holding these duties that are indefensible is with the Democratic Senators who refuse to permit this bill to be amended. The duties can not be defended—no man will stand on this floor and defend them, unless it is the Senator from Utah [Mr. SMOOT], and he will have very little company. Attaching this amendment to this bill means legislation, to refuse to do so means that the Senators on the Democratic side of this Chamber prefer a campaign issue next year to relieving excessive duties now. It can mean nothing else.

Mr. President, when this amendment is voted upon I would like a yea-and-nay vote.

The PRESIDING OFFICER (Mr. BRANDEGEE in the chair). The Senator from Kansas asks for a yea-and-nay vote on the amendment.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Kansas, which will be stated.

The SECRETARY. It is proposed to add as a new section the following:

SEC. —. That on and after the day following the taking effect of this act there shall be levied, collected, and paid upon the following articles, when imported from any foreign country into the United States or into any of its possessions (except the Philippine Islands and the islands of Guam and Tutuila), the following rates of duty, namely:

Sugars, tank bottoms, sirups of cane juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above 75 degrees, ninety-five one-hundredths of 1 cent per pound, and for every additional degree shown by the polariscopic test up to 98 degrees, thirty-five one-thousandths of 1 cent per pound additional, and fractions of a degree in proportion; and above 98 degrees by the polariscope one and seven hundred and fifty-five one-thousandths of 1 cent per pound; molasses testing not above 40 degrees, 20 per cent ad valorem; testing above 40 degrees and not above 56 degrees, 3 cents per gallon; testing above 56 degrees, 6 cents per gallon. Sugar drainings and sugar sweepings shall be subject to duty as molasses or sugar, as the case may be, according to polariscopic test.

The PRESIDING OFFICER. The Secretary will call the roll on agreeing to the amendment of the Senator from Kansas.

The Secretary proceeded to call the roll.

Mr. CULBERSON (when his name was called). I have a general pair with the Senator from Delaware [Mr. DU PONT]. If he were present, I would vote "nay."

Mr. SHIVELY (when Mr. KERN's name was called). I ask leave to announce that my colleague is necessarily absent from the Senate engaged in the business of the Senate.

Mr. MCCUMBER (when his name was called). I have a general pair with the senior Senator from Mississippi [Mr. PERCY]. I understand if he were present he would vote "nay" and I should vote "yea." I therefore withhold my vote.

Mr. SUTHERLAND (when his name was called). I have a general pair with the senior Senator from Maryland [Mr. RAYNER]. In his absence I withhold my vote.

The roll call was concluded.

Mr. CULBERSON. I am informed by the Senator from Massachusetts [Mr. LODGE] and others that the Senator from Delaware [Mr. DU PONT], with whom I am paired, if present, would vote "nay" on this proposition. I therefore feel at liberty to vote, and I vote "nay."

Mr. BURNHAM. I desire to announce that my colleague [Mr. GALLINGER] is paired with the junior Senator from Arkansas [Mr. DAVIS]. My colleague is necessarily absent, as I before stated.

Mr. BORAH (after having voted in the affirmative). I voted in error. I forgot my pair. I am paired with the junior Senator from West Virginia [Mr. CHILTON] and therefore withhold my vote.

Mr. PERKINS (after having voted in the negative). I am paired with the junior Senator from North Carolina [Mr. OVERMAN]. In his absence I withdraw my vote.

Mr. POINDEXTER. My colleague, the senior Senator from Washington [Mr. JONES] is unavoidably detained in the Lorimer investigation. If present, he would vote "yea."

Mr. SIMMONS. I desire to announce that the senior Senator from Arkansas [Mr. CLARKE] is absent and is paired with the junior Senator from Wisconsin [Mr. STEPHENSON]. I have a general pair at the present with the senior Senator from Ohio [Mr. BURTON].

Mr. SUTHERLAND. I transfer my pair to the Senator from Nevada [Mr. NIXON], and will vote. I vote "nay."

Mr. PAGE. I wish to announce that my colleague [Mr. DILLINGHAM] is unavoidably detained in connection with the Lorimer investigation, and is paired with the senior Senator from South Carolina [Mr. TILLMAN].

Mr. SIMMONS. I desire also to announce that my colleague [Mr. OVERMAN] is absent, and he is paired with the Senator from California [Mr. PERKINS]. I do not know whether the Senator from California has made that announcement or not, but I want to make it if he has not.

Mr. TOWNSEND. The senior Senator from Michigan [Mr. SMITH], not knowing that there was going to be a vote and having a matter of business down town, is unavoidably absent at this time. If he were present, he would vote "nay."

Mr. MARTIN of Virginia. I desire to announce that the junior Senator from Tennessee [Mr. LEA] is detained from the Senate by reason of illness in his family.

Mr. WARREN. I have a pair with the senior Senator from Louisiana [Mr. FOSTER]; but I am informed he would vote the same way as I would, and I will vote. I vote "nay."

Mr. GUGGENHEIM (after voting in the negative). I desire to withdraw my vote. I did not observe that my general pair was not in the Chamber.

Mr. CHAMBERLAIN. I desire to announce that the junior Senator from New York [Mr. O'GORMAN] is paired with the junior Senator from South Dakota [Mr. CRAWFORD].

Mr. SMOOT. I ask that the names of the absentees be called.

The Secretary called the names of absent Senators.

Mr. WATSON. I desire to announce that my colleague [Mr. CHILTON] is necessarily absent from the Chamber. He is paired with the junior Senator from Idaho [Mr. BORAH].

Mr. GUGGENHEIM. I have a general pair with the senior Senator from Kentucky [Mr. PAYNTER]. Understanding that the Senator from Kentucky would vote "nay" on this question, I will vote. I vote "nay."

Mr. PERKINS. I have a general pair with the junior Senator from North Carolina [Mr. OVERMAN]. I am informed by his colleague that if present he would vote "nay," and I am at liberty to vote. I will therefore vote, in order to make a quorum. I vote "nay."

Mr. STONE (after having voted in the negative). I have a general pair with the Senator from Wyoming [Mr. CLARK], who has not voted; and unless my vote is necessary to make a quorum, I desire to withdraw it.

The PRESIDING OFFICER. The Senator's vote is necessary to make a quorum.

Mr. STONE. I will transfer my pair to the Senator from Maryland [Mr. SMITH] and let my vote stand.

The result was announced—yeas 8, nays 39, not voting 44, as follows:

YEAS—8.

Bourne	Brown	Cummins	Gronna
Bristow	Clapp	Dixon	Nelson

NAYS—39.

Brandegee	Heyburn	Oliver	Stone
Briggs	Johnson, Me.	Page	Sutherland
Burnham	Kern	Penrose	Swanson
Chamberlain	Lippitt	Perkins	Townsend
Crane	Lodge	Poindexter	Warren
Culberson	McLean	Pomerene	Watson
Cullom	Martin, Va.	Reed	Wetmore
Curtis	Martine, N. J.	Root	Williams
Foster	Myers	Shively	Works
Guggenheim	Newlands	Smoot	

NOT VOTING—44.

Bacon	Davis	Kenyon	Rayner
Bailey	Dillingham	La Follette	Richardson
Bankhead	du Pont	Lea	Simmons
Borah	Fletcher	Lorimer	Smith, Md.
Bradley	Frye	McCumber	Smith, Mich.
Bryan	Gallinger	Nixon	Smith, S. C.
Burton	Gamble	O'Gorman	Stephenson
Chilton	Gore	Overman	Taylor
Clark, Wyo.	Hitchcock	Owen	Terrell
Clarke, Ark.	Johnston, Ala.	Paynter	Thornton
Crawford	Jones	Percy	Tillman

So Mr. BRISTOW's amendment was rejected.

ADJOURNMENT TO MONDAY.

Mr. PENROSE. I move that when the Senate adjourns today it be to meet on Monday morning next at 11 o'clock.

The motion was agreed to.

SENATE POST-OFFICE EMPLOYEES.

Mr. BRIGGS, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 75, submitted by Mr. LODGE June 19, 1911, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the clerk in the post office be hereafter designated as "chief clerk of the post office," and receive an annual salary of $1,800, and that the person now holding the office of assistant postmaster be appointed messenger at the card door and receive an annual salary of $1,600.

DEFICIENCY APPROPRIATIONS.

Mr. WARREN submitted the following report:

CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12109) to supply a deficiency in the appropriations for contingent expenses of the House of Representatives for the fiscal year 1911, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6 and 8.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 4, 5, 9, 10, 11, 12, 13, 14, 15, 16, and 17, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In line 5 of said amendment, after the word "Congress," insert the following: "being for the fiscal year 1912"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: At the end of line 6 of said amendment strike out the word "herewith" and insert in lieu thereof the word "hereby"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "For compiling and editing the edition of the Congressional Directory for the first session of the Sixty-second Congress, to be expended under the direction of the Joint Committee on Printing, $800"; and the Senate agree to the same.

F. E. WARREN,
ROBERT J. GAMBLE,
C. A. CULBERSON,
Managers on the part of the Senate.
JOHN J. FITZGERALD,
C. L. BARTLETT,
J. G. CANNON,
Managers on the part of the House.

The report was agreed to.

CALUMET RIVER BRIDGE, INDIANA.

Mr. MARTIN of Virginia. I am directed by the Committee on Commerce, to which was referred the bill (S. 2878) to authorize the Chicago, Lake Shore & Eastern Railway Co. to construct a bridge across the Calumet River, in the State of Indiana, to report it favorably, with amendments, and I submit a report (No. 102) thereon.

Mr. SHIVELY. I ask unanimous consent for the present consideration of the bill just reported by the Senator from Virginia.

The Secretary read the bill, and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendments were, on page 1, line 8, after the word "River," to insert the words "at a point suitable to the inter-

ests of navigation," and, on page 2, line 2, before the word "third," to insert "twenty," so as to make the bill read:

Be it enacted, etc., That the Chicago, Lake Shore & Eastern Railway Co., a corporation organized under the laws of the States of Indiana and Illinois, its successors and assigns, be, and they are hereby, authorized to construct, maintain, and operate a railroad bridge and approaches thereto across the Calumet River at a point suitable to the interests of navigation in the northeast quarter of section 3, township 36 north, range 8 west of the second principal meridian, in Lake County, in the State of Indiana, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was reported to the Senate as amended and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EX-SOLDIERS IN EMPLOY OF SENATE.

Mr. CUMMINS. From the Committee on Rules I report, with amendments, Senate resolution No. 72, submitted by the Senator from Idaho [Mr. HEYBURN] June 19, 1911, and I ask for its present consideration.

The Senate, by unanimous consent, proceeded to consider the resolution.

The amendments were, in line 5, before the word "satisfactory," to insert "necessary and," and, after the word "satisfactory," to insert, "who are not otherwise provided for," so as to make the resolution read:

Resolved, That the Secretary of the Senate and the Sergeant at Arms of the Senate are hereby directed to retain in the employ of the Senate those persons who served in the Union Army during the late Civil War, and whose service in the Senate is necessary and satisfactory, who are not otherwise provided for, and to continue such persons in their positions until cause for their removal shall have been reported to and approved of by the Senate and their removal directed.

The PRESIDING OFFICER. The question is on agreeing to the amendments of the committee.

The amendments were agreed to.

Mr. SMITH of Michigan. I should like to suggest that the word "present" ought to go into the resolution before the word "positions," so as to read "in their present positions." The detail from the Sergeant at Arms' office was abolished, according to the action of the caucus, and if a soldier holding a detail is to be continued he is to be continued in his present position, notwithstanding the abolishment of the detail. All I care is to have it understood.

Mr. LODGE. I hope that will not be agreed to. The desire is to put these soldiers on the roll.

Mr. CUMMINS. There has been no action of the Senate with regard to the detail.

Mr. SMITH of Michigan. Very well, I withdraw the suggestion.

The PRESIDING OFFICER. The question is on agreeing to the resolution as amended.

The resolution as amended was agreed to.

ELECTION OF SENATORS BY DIRECT VOTE.

Mr. BORAH. Mr. President, several weeks ago the Senate passed the joint resolution (H. J. Res. 39) proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States. The matter went back to the House, owing to an amendment, and afterwards came here, and upon motion we asked for a conference and appointed conferees.

There seems to have arisen in the situation a very grave and profound question, and that is whether the House conferees shall notify the Senate conferees or the Senate conferees notify the House conferees. So far there has been no meeting of the conferees, owing to the fact that this very difficult and very grave constitutional problem, I suppose, is undetermined. Everyone will recognize at once that it presents a very serious question, undoubtedly one of the most serious questions with which this body has ever had to deal, as to whether the House conferees shall appear at our door or we appear at their door.

Owing to the seriousness of this matter, I do not desire this afternoon to urge it. I want to give the Senate full time to consider it in all its grave import. But unless the conferees are able to get together some time during the coming week I will ask the Senate to direct the Senate conferees as to how they shall get in touch with the House conferees.

Mr. NELSON. Mr. President——

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

Mr. NELSON. I trust the Senator from Illinois will yield to me for a minute.

Mr. CULLOM. I will yield to the Senator.

Mr. NELSON. I feel that the criticism of the Senator from Idaho, as far as it reflects on the Senate conferees, is wholly unwarranted. My associates, the chairman of the conference committee, the Senator from Wyoming [Mr. CLARK], and the senior Senator from Georgia [Mr. BACON], are not here. The joint resolution is in the possession of this committee. It has always been my experience in matters of conference—and, I think, that of every Senator here who has had experience in such matters is to the same effect—that when the House conferees are ready to act they call upon the Senate conferees. We have the joint resolution in our possession, and we have been ready at all times to meet with the House conferees, but they have manifested no disposition to do so up to this time; and we are certainly not to blame.

We have simply, in this case, followed the course that has been pursued in every instance since I have been here, and I have been on a number of conference committees; and there are many Senators who have been here longer than I have who have been on conference committees and have had the same experience. We have simply, in this case, followed the practice that has occurred in the Senate all along. We have been ready to meet with the House conferees whenever they indicated that they were ready to meet with us. I would ask older Senators who have had experience on conference committees to give their experience in this matter. I am sure the Senate conferees are not in fault. We have been ready at any time to meet with the House conferees.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Missouri?

Mr. CULLOM. For any further explanation I am entirely willing to yield, as far as I am concerned.

Mr. REED. My attention has just been called to this situation by a Member of the House of Representatives. It seems that the chairman of the House committee, Congressman RUCKER, was called to Kansas to attend the funeral of former Representative MITCHELL, who died in the service a few days ago, and that Mr. RUCKER was delayed a day or two longer than he expected, but the advice from his office is that he will be here tomorrow. I say that in justice to the chairman of the committee of the House and probably it will throw some light on the delay.

Mr. BORAH. It was not my purpose——

Mr. REED. I have just been informed by the Senator from Louisiana [Mr. FOSTER] that his information is that Judge RUCKER has actually arrived in the city. If that is true, I am sure Judge RUCKER will not willingly delay the matter.

Mr. BORAH. I only wish to say, Mr. President, that I was not intending to criticize the committee. I thought a situation had arisen which ought to be discussed. Possibly it was a different situation than I thought it was. It seems to have simplified itself, and it may not be necessary to call it up again.

EXECUTIVE SESSION.

Mr. CULLOM. I renew my motion that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 7 minutes in executive session the doors were reopened, and (at 4 o'clock and 27 minutes p. m) the Senate adjourned until Monday, July 17, 1911, at 11 o'clock a. m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate July 14, 1911.

EXECUTIVE COUNCIL OF PORTO RICO.

Member of the Executive Council of Porto Rico, Manuel Camunas, of Porto Rico.

APPOINTMENTS IN ALASKA FISHERIES.

Harry C. Fassett to be assistant agent, Alaska salmon fisheries.
Harry J. Christoffers to be warden.
Claude J. Roach to be deputy warden.
Lee R. Dice to be deputy warden.

APPOINTMENTS IN THE ARMY.

Maj. Edwin R. Stuart to be professor of drawing at the United States Military Academy.

CAVALRY ARM.

Squadron Sergt. Maj. Romney T. Jewell, Eleventh Cavalry, to be second lieutenant of Cavalry, with rank from June 30, 1911.

MEDICAL RESERVE CORPS.

To be first lieutenants.

Thomas Henry Watkins.
Clark David Brooks.
Warfield Theobald Longcope.
Charles Aaron Hull.
Albert Ernst Taussig.
Edwin Clyde Henry.

Louis Barth.
Park Weed Willis.
Horace Russel Allen.
Mark Marshall.
James Fleming Breakey.
Reuben Peterson.
Hermann Johannes Boldt.
Marcus Claude Terry, jr.
Francis St. Clair Reilly.
Arthur Ernest Lane.
Lester Laurens Roos.
Will Garrison Merrill.
Frank Wilburn Dudley.
Almon Pliny Goff.
James Walker Smith.
Howard White Seager.
Elwin Witt Ames.
Lewis Francis Bleazby.
Michael Manley Waterhouse.

PROMOTIONS IN THE NAVY.

Commander Albert L. Key to be a captain.
Commander Harry A. Field to be a captain.
Lieut. Commander Montgomery M. Taylor to be a commander.
Lieut. Commander Milton E. Reed to be a commander.
Lieut. Ralph E. Pope to be a lieutenant commander.
Lieut. Willis G. Mitchell to be a lieutenant commander.
Lieut. (Junior Grade) Lloyd W. Townsend to be a lieutenant.
Lieut. (Junior Grade) Grafton A. Beall, jr, to be a lieutenant.
Lieut. (Junior Grade) William L. Calhoun to be a lieutenant.
Ensign Matthias E. Manly (junior grade) to be a lieutenant.
Paymasters Edward T. Hoopes and Cecil S. Baker, with the rank of lieutenant, to be paymasters.
Naval Constructors William McEntee, William B. Ferguson, jr., and John A. Spilman, with the rank of lieutenant, to be naval constructors.
Asst. Naval Constructor Lew M. Atkins, with the rank of lieutenant (junior grade), to be an assistant naval constructor.
The following-named midshipmen to be ensigns:
Eric L. Ellington and
Wallace L. Lind.
Passed Asst. Paymaster Chester G. Mayo to be a paymaster.

POSTMASTERS.

ILLINOIS.

Eugene S. Coddington at National Stock Yards.
Merritt J. Platt at East Dubuque.

MISSOURI.

C. W. Culley at Bunceton.

NEBRASKA.

John W. Steinhart at Nebraska City.

NEW YORK.

George A. Duck at Great Neck Station.
Arthur J. Wilson at Downsville.

OKLAHOMA.

Walter Ferguson at Cherokee.

TENNESSEE.

Henry F. Ferguson at Centerville.

WASHINGTON.

Willis R. Hulett at Twisp.

WEST VIRGINIA.

Richard A. Hall at Weston.

HOUSE OF REPRESENTATIVES.

SATURDAY, *July 15, 1911.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Lord, our God and our Father, be graciously near to us as individuals and as a people, and lead us by Thy spirit into green pastures and by the side of still waters. "Surely our lines have fallen into pleasant places." Thou hast possessed us of a land flowing with milk and honey. Our riches are almost beyond compare; but we realize that riches do not constitute the greatness of any people. Our schools and institutions of learning are turning out thousands of educated men and women; but education does not constitute the greatness of any people. It is the moral and spiritual fiber woven into the warp and woof of the Nation's heart. So we pray for the heavenly gifts more abundantly that we may be great and glorious. For Thine is the kingdom, and the power, and the glory, forever. Amen.

The Journal of the proceedings of Wednesday, July 12, 1911, was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had insisted upon its amendments to the bill (H. R. 12109) to supply a deficiency in the appropriations for contingent expenses of the House of Representatives for the fiscal year 1911, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. WARREN, Mr. GAMBLE, and Mr. CULBERSON as the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 2878. An act to authorize the Chicago, Lake Shore & Eastern Railway Co. to construct a bridge across the Calumet River in the State of Indiana;

S. 3023. An act to amend section 2527 of the Revised Statutes;

S. 270. An act for the relief of Matthew Logan; and

S. 2877. An act amending section 67 of the act approved March 3, 1911, to codify, revise, and amend the laws relating to the judiciary.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12109) to supply a deficiency in the appropriations for the contingent expenses of the House of Representatives for the fiscal year 1911, and for other purposes.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 2878. An act to authorize the Chicago, Lake Shore & Eastern Railway Co. to construct a bridge across the Calumet River in the State of Indiana; to the Committee on Interstate and Foreign Commerce.

S. 3023. An act to amend section 2527 of the Revised Statutes; to the Committee on Ways and Means.

S. 270. An act for the relief of Matthew Logan; to the Committee on Military Affairs.

S. 2877. An act amending section 67 of the act approved March 3, 1911, to codify, revise, and amend the laws relating to the judiciary; to the Committee on the Judiciary.

ADJOURNMENT UNTIL WEDNESDAY NEXT.

Mr. UNDERWOOD. Mr. Speaker, I move that when the House adjourns to-day it adjourn to meet on Wednesday next.

The SPEAKER. The gentleman from Alabama moves that when the House adjourns to-day it adjourn to meet on Wednesday next.

Mr. CANNON. Mr. Speaker——

Mr. UNDERWOOD. I will state to the gentleman from Illinois that I recognize that there is not a quorum here, and if an objection comes from that side I will withdraw the motion.

Mr. CANNON. I suggest that the gentleman withdraw his motion.

Mr. UNDERWOOD. I withdraw the motion, Mr. Speaker. Of course, if there is objection, I know that we can not adopt the motion without a quorum.

DEFICIENCY APPROPRIATIONS.

Mr. FITZGERALD. Mr. Speaker, I present the following conference report on the bill (H. R. 12109) to supply a deficiency in the appropriations for contingent expenses of the House of Representatives for the fiscal year 1911, and for other purposes, which I send to the Clerk's desk and ask to have read.

The SPEAKER. The gentleman from New York presents a conference report (No. 62), which the Clerk will read.

The Clerk read as follows:

CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12109) to supply a deficiency in the appropriations for contin-

gent expenses of the House of Representatives for the fiscal year 1911, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6 and 8.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 4, 5, 9, 10, 11, 12, 13, 14, 15, 16, and 17, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In line 5 of said amendment, after the word "Congress," insert the following: "being for the fiscal year 1912"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: At the end of line 6 of said amendment strike out the word "herewith" and insert in lieu thereof the word "hereby"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "For compiling and editing the edition of the Congressional Directory for the first session of the Sixty-second Congress, to be expended under the direction of the Joint Committee on Printing, $800"; and the Senate agree to the same.

JOHN J. FITZGERALD,
C. L. BARTLETT,
J. G. CANNON,
Managers on the part of the House.
F. E. WARREN,
ROBERT J. GAMBLE,
C. A. CULBERSON,
Managers on the part of the Senate.

The accompanying statement was read, as follows:

STATEMENT.

The managers on the part of the House at the conference on the bill (H. R. 12109) to supply urgent deficiencies in appropriations for the fiscal year 1911, submit the following written statement in explanation of the action recommended in the accompanying report upon each of the Senate amendments:

On amendments Nos. 1, 2, 3, 4, and 5: Appropriates for certain expenditures of the Senate as follows:

For compensation of session employees from July 1, 1911, during the remainder of the present session, $3,680;

For miscellaneous items, exclusive of labor, $15,000;

For additional amount for the assistant clerk to the Committee on Immigration during the fiscal year 1912, $420;

Makes the unexpended balance of the appropriation for inquiries and investigations ordered by the Senate for the fiscal year 1911 available during the fiscal year 1912.

On amendment No. 6: Strikes out the appropriation of $250 proposed by the Senate to pay for extra services for compiling eulogies and statuary proceedings for the Sixty-first Congress.

On amendment No. 7: Makes a specific appropriation of $800 for compiling the Congressional Directory for the present session of Congress, instead of authorizing the payment of an indefinite sum out of the contingent fund, as proposed by the Senate.

On amendment No. 8: Strikes out the provision for an attorney at $3,000 for the Government Printing Office.

On amendment No. 9: Inserts the provision, proposed by the Senate, re-ceding to the State of Georgia jurisdiction over the site on which is located the old Federal building recently sold to the city of Atlanta.

On amendments Nos. 10, 11, and 12: Authorizes the payment of existing indebtedness for the completion of a chapel building at Fort Sam Houston, Tex., in the sum of not exceeding $5,000; and appropriates $150,000 to complete the construction of an Army supply depot at Fort Mason, Cal.

On amendment No. 13: Inserts the provision, proposed by the Senate, amending legislation of the last session of Congress on the naval appropriation act, concerning clerks to general storekeepers of the Navy.

On amendments Nos. 14, 15, and 16: Appropriates, as proposed by the Senate, $1,750 for work at the Capitol and repairs thereof on account of the fiscal year 1911, and $7,000 for the care and improvement of the grounds surrounding the Capitol and the Senate and House Office Buildings, to continue available during the fiscal year 1912.

On amendment No. 17: Appropriates $281 for special emergency repairs to the Court of Claims Building.

JOHN J. FITZGERALD,
C. L. BARTLETT,
J. G. CANNON,
Managers on part of the House.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent that this report be considered at this time. The report has been printed in the RECORD, but the statement, which has just been read, has not been printed. But it is a unanimous report, and I hope there will be no objection.

The SPEAKER. The gentleman from New York asks unanimous consent that this conference report be considered now.

Mr. NORRIS. Mr. Speaker, reserving the right to object——

The SPEAKER. Does the gentleman from New York yield?

Mr. FITZGERALD. Yes.

Mr. NORRIS. I would like to ask the gentleman from New York if there is any particular reason why this should be considered now and not go over until we could get an opportunity to read the report?

Mr. FITZGERALD. There is a reason that is urged in behalf of the consideration of the report at this time. This bill carries the money for the House contingent fund, out of which certain mileage is to be paid to certain witnesses. I am informed that certain witnesses have been brought to the city of Washington from California. The committee has finished with them, and has been for sometime, and the witnesses wish to leave the city and would rather take the money to which they are entitled away with them.

Mr. NORRIS. I would like to suggest to the gentleman that——

Mr. FITZGERALD. I suggest to the gentleman from Nebraska that the conference report is printed in the RECORD to-day, and there is nothing in it about which there would be any controversy. If the gentleman will see fit to withhold his right to object, I am willing to run through the various items and explain them.

Mr. NORRIS. The idea struck me that this same appropriation bill that we passed contained only two or three items, as I remember, and as it comes back now it carries a lot of Senate amendments. And unless there is some reason for it, I do not think we should rush into the consideration of it without giving every Member the right to examine and consider it.

Mr. FITZGERALD. Everyone has had an ample opportunity to investigate the amendments.

Mr. NORRIS. Under the rule——

Mr. FITZGERALD. If the gentleman will permit me, if he will allow a statement about these amendments, I have no doubt he would not object. The bill when it passed the House appropriated $31,606. As it passed the Senate it carried $210,581.

Of the amount added by the Senate, however, $150,000 is for the completion of the Fort Mason supply depot in California. In 1907 contracts were authorized up to $1,500,000, and $1,350,000 had heretofore been appropriated.

It appears that the work will be completed about September 1, and that the contractors will be entitled to their money at that time.

The esimate for the current year was $200,000 of the $350,000 required to complete the work. In the transmission of this estimate of $150,000, which reached the House the day after this bill passed the House, it was stated that when the estimates were made for the current fiscal year it was believed that $200,000 would be sufficient. That, however, was a misstatement, because Gen. Aleshire, the Quartermaster General, testified before the Committee on Appropriations, when the sundry civil bill was under consideration, that the work would be completed by the 1st of October, 1911; that he had prepared an estimate for $350,000 to be incorporated in the sundry civil bill, but had been directed to revise the estimate and submit an estimate for $200,000 instead. If the estimate for the amount actually required had been transmitted at the last session, the money would have been appropriated.

Outside of this item of $150,000, the other items added by the Senate aggregate $28,531, of which amount the sum of $20,181 is appropriated for the Senate.

The Senate has attached to this bill the items required for the payment of its session employees during the months of July and August. It has reappropriated the unexpended balance of an appropriation which was made for investigations by Senate committees, available during the past fiscal year, and as there is a balance of about $12,000 unexpended of the $25,000 that sum has been reappropriated. Otherwise they would require a

new appropriation. Investigations are being conducted by the Senate in certain well-known matters, which are costing a considerable sum of money, and they have reappropriated this unexpended balance.

There were two Senate items to which the House conferees did not agree. One re-created the position of attorney in the Government Printing Office at $3,000 a year and the other was the payment of $250 for services in connection with the preparation of eulogies—a statutory proceeding. Those were not agreed to.

Outside of the items of which I have already given an explanation, there is an item which proposes to permit the application of $5,000 of an appropriation of $10,000 made for the Fort Sam Houston chapel. An enthusiastic clergyman offered to raise $50,000 for the purpose of building a chapel at Fort Sam Houston, Tex. After he had obtained about $40,000 it was found that it was impossible for him to raise the balance of the amount. Congress at its last session appropriated $10,000 in the Army appropriation bill to complete this chapel.

Prior to the 1st of July, the beginning of the present fiscal year, certain indebtedness had been incurred in connection with the work, which it was intended that this appropriation should cover, to the amount of $5,000. The Comptroller of the Treasury has held that while the department can expend the $10,000 this year to complete the chapel it can not apply any of that appropriation to the indebtedness which was incurred prior to the 1st of July, and which it was intended that this appropriation should be available for.

Mr. NORRIS. Does this item increase the appropriation $10,000?

Mr. FITZGERALD. No; it does not increase the appropriation at all, but it makes a part of the appropriation of $10,000 available for work done prior to the 1st of July, and, of course, the remainder of the appropriation will be available for work done after the 1st of July.

Mr. NORRIS. Take that item. What is the particular hurry? Why should we pass on that now without having it printed in the RECORD under the rule, and having an opportunity to examine into it and take it up in the regular way?

Mr. FITZGERALD. No particular hurry as to this item.

Mr. NORRIS. Were any of these amendments brought to the attention of the Committee on Appropriations in the House before the gentleman reported this bill originally?

Mr. FITZGERALD. These items which are now in the bill?

Mr. NORRIS. They have been placed in the bill by the Senate.

Mr. FITZGERALD. Some of them were.

Mr. NORRIS. The gentleman's committee failed to report them to the House.

Mr. FITZGERALD. None of these items which asked for deficiency appropriations were submitted to the committee, but before the conferees met the conferees on the part of the House met and went over the various items and determined what, in their judgment, the House desired done, and proceeded to act in that way.

Mr. NORRIS. I want to ask the gentleman if he does not think that since appropriations ought to originate in the House, the men who are interested in these appropriations ought to appear before the House committee originally and ask the Appropriations Committee to consider them there rather than to take them up in this way?

Mr. FITZGERALD. Oh, appropriations must not, I regret to say, originate in the House. There is no requirement that appropriations should originate in the House. A long practice growing out of the fact that originally the Committee on Ways and Means handled both the revenue and the appropriation bills, has made the House take the position that it would originate all general appropriation bills, but there has never been any law to that effect.

Mr. NORRIS. But that has been the practice always, I think, that all appropriations originate in the House.

Mr. FITZGERALD. The Senate has not at all exceeded any of its prerogatives in submitting these amendments.

Mr. NORRIS. If it is right that appropriation bills should originate in the House, I do not believe this should be done in this way. That has been the custom. We have an instance here where practically all of the appropriations in the bill have originated in the Senate, never having been considered in the House and never having been considered by the Committee on Appropriations of the House.

Mr. FITZGERALD. Well, that is neither an unusual nor an extraordinary thing. It is the common, ordinary practice of this House. Appropriation bills go to the Senate, and the Senate in the exercise of its powers adds numerous amendments.

Mr. NORRIS. Very well; suppose they do, but the gentleman knows they have not passed the House after the ordinary and usual procedure.

Mr. FITZGERALD. These amendments have been considered in the ordinary and usual manner.

Mr. NORRIS. I am not disputing that; but the procedure now would be to have this report printed in the RECORD and then let it lie over under the rule.

Mr. FITZGERALD. The report has been printed in the RECORD, but the House rule requires that the report be accompanied by a written statement by the managers on the part of the House.

Mr. NORRIS. That appears this morning for the first time.

Mr. FITZGERALD. It does, but the items are so few and so simple that if the gentleman read the report he would not require the assistance of the statement.

Mr. NORRIS. Ordinarily a Member does not look for the report until it has been made here, because he knows under the rule it is going to go over and be printed, and that then he would have an opportunity to examine it. I confess that I have not read it.

Mr. FITZGERALD. I will say to the gentleman that it does not convenience me in any way to dispose of this matter now. I present it and ask for its disposition because of the desire of a number of gentlemen who are familiar with the report, who are familiar with the matters in it, who desire to have it disposed of to-day, rather than to have the House meet Monday and dispose of it. This report has been scrutinized by those who are familiar with the items, and I will say to the gentleman that there is no item——

Mr. NORRIS. Mr. Speaker, I would like to say that I have not reserved this right to object because I knew of any item that was in this appropriation bill which was objectionable, or that I thought ought to be defeated. I have not read the report. I reserved the right because it seemed to me that the attention of the House ought to be called to the fact that unless there is some particular reason for it——

Mr. FITZGERALD. There is a particular reason.

Mr. NORRIS (continuing). We ought not to take up appropriations in this way. Most of the items, and by far the largest in amount, are before the House now for the first time. They have never even been before the Committee on Appropriations of the House. I am not going to object now, having called the attention of the House to the situation, but it seems to me we ought not to have this done as a precedent.

Mr. FITZGERALD. The gentleman's statement is hardly accurate about these amendments having been before the Committee on Appropriations. These Senate amendments have received the same full consideration as every Senate amendment that has ever been added to an appropriation bill, and the gentleman's statement is misleading.

Mr. NORRIS. Mr. Speaker, I will admit that I have not denied that, or at least I have not indicated it. The gentleman now is seeking to take a course he will admit is different from the ordinary course, and that is the reason——

Mr. FITZGERALD. No; I will state to the gentleman from Nebraska this is not an unusual proceeding.

Mr. NORRIS. The usual proceeding is for it to lie over under the rule.

Mr. FITZGERALD. During an extra session of Congress when tariff legislation was alone being considered these bills have been considered in exactly the same way. No items that are controverted have remained in the bill. The ones that the House objected to went out upon the insistence of the House conferees.

Mr. NORRIS. The gentleman's own request shows it is not the usual procedure because he asked unanimous consent to consider it now and it comes up in this way. Ordinarily it would go over until the House met on Monday or Wednesday.

Mr. FITZGERALD. I call the gentleman's attention to the fact that heretofore when Congress has convened in extraordinary session for the purpose of revising the tariff, bills of this character have been enacted without the existence of an Appropriations Committee in the House.

Mr. NORRIS. I think that has occurred, but I think the gentleman will not contend that unless there is some extraordinary reason that that is a good way to legislate.

Mr. FITZGERALD. No; I do not believe as a rule it is, and I will state this to the gentleman——

Mr. NORRIS. I concede readily there may be conditions where even that would be necessary, but it is not the right way to legislate unless there is some reason for doing so.

Mr. FITZGERALD. If there were anything in this report that in my opinion would arouse the antagonism of the Mem-

bers of the House on either side I should call attention to the matter at once so they would have an opportunity to express themselves.

Mr. NORRIS. I think the gentleman would do that.

Mr. FITZGERALD. And I will say that the large item of this bill is $150,000, for the purpose already specified——

Mr. NORRIS. But bad legislation, however, comes from the fact that even when there is nothing wrong a precedent is established by which undesirable legislation is often put through.

Mr. GARNER. It is a unanimous report.

Mr. NORRIS. I understand that, but there is no particular urgency. However, I do not object, Mr. Speaker.

Mr. MACON. Mr. Speaker, I have tried to listen to what the gentleman from New York has been saying, but on account of the confusion and talk around me I have been unable to do so. This bill is of importance. Congress is not really to be considered in session for the purpose of making appropriations at this time, and inasmuch as we are to have a session of the House on Monday it looks to me as if this matter ought to go over so that Members of the House could have an opportunity of reading the report of the conferees and reading the remarks of the gentleman from New York in the RECORD, so we can all thoroughly understand this measure. If it is right I will offer no objection to it, but I do want to see that it is right so far as I am able to ascertain, and I am sure other Members of the House are in the same boat with me along that line, and for that reason I will have to object to its consideration at this time.

The SPEAKER pro tempore (Mr. SIMS). Objection is heard.

Mr. CANNON. Mr. Speaker, if the gentleman will withhold his objection——

Mr. MACON. Mr. Speaker, I reserve my objection.

Mr. CANNON. I want to suggest to the gentleman from Arkansas——

Mr. MACON. Arkansas (saw).

Mr. CANNON. I said Arkansas (sas); I do not know what is the correct pronunciation of Arkansas.

Mr. MACON. Arkansaw is the correct pronunciation, I will state to the gentleman.

Mr. CANNON. The late Senator Oglesby once, when in the chair at the other end of the Capitol and a Senator from Arkansas rose, used an entirely different pronunciation. He said, "The Senator from Arkan-sass." I am glad to be corrected.

Mr. MACON. If the gentleman will permit me, Mr. Speaker, I will say that the Legislature of Arkansas, having observed these different pronunciations, deliberately passed a concurrent resolution declaring the pronunciation of the State to be "Arkansaw."

Mr. CANNON. Mr. Speaker, I want to state to the gentleman that this bill has received very careful consideration. First, the House disagreed to the Senate amendment. The bill was printed with a Senate amendment and disagreed to by unanimous consent, when, in point of fact, a quorum was not present, although the RECORD shows a quorum, the point not being made. There was a very thorough conference, every item of the bill being considered.

I have no doubt but that every item is correct, and for the reason stated by the gentleman from New York [Mr. FITZGERALD], it does seem to me that it is proper that the bill should be passed to-day. Of course, it can only be done by unanimous consent. That is the only way that we can avoid the absence of a quorum, and it is the only way under the rule by which this bill can be considered to-day. I indorse everything that the gentleman from New York has said about it. I suggest to the gentleman, as a member of the minority, that in this hot weather——

Mr. ANDERSON of Minnesota. It is cool now.

Mr. CANNON. The gentleman says it is cool; but for the convenience of Members, it seems to me that the gentleman, on second thought, might at least consider whether it is not well enough to pass this bill, as there is no doubt about the propriety of all the items in it, and therefore withhold his objection.

Mr. MACON. I can not see any material harm that can come to anyone by withholding this matter two days longer. We are to meet on Monday because we can not adjourn over without a quorum——

Mr. BARTLETT. Can I ask the gentleman from Arkansas a question?

Mr. MACON (continuing). And for that reason I will insist on my objection.

Mr. BARTLETT. Will the gentleman tell me what good is going to be accomplished?

Mr. MACON. This good, sir: Each Member will have an opportunity of reading this conference report, which they have not yet had an opportunity of doing.

Mr. BARTLETT. It is printed in the RECORD of this morning.

Mr. MACON. The conference report?

Mr. BARTLETT. Yes, sir.

Mr. MACON. I do not know how it got there. It was only made this morning.

Mr. BARTLETT. It was made in the Senate yesterday and is in the RECORD this morning.

Mr. MACON. I will say that I was not aware of the fact. I have not read the CONGRESSIONAL RECORD this morning, and I prefer that the matter shall go over until Monday, so that we can not only read the report of the conference committee, but also read the statement of the gentleman from New York [Mr. FITZGERALD], which I am sure was very intelligent, but which I could not hear on account of the confusion caused by the conversation of Members around me, and I think every other Member of the House would like to read what the gentleman said in regard to the conference report, also.

Mr. CANNON. It has been suggested to me that the gentleman speaks about the session on Monday next. I do not know whether the House will adjourn until Wednesday next or not. It certainly will not if the point of no quorum is made, because it would require a quorum; and evidently there is not a quorum in the city, and evidently there will not be a quorum on Monday.

So far as I am concerned, I do not intend to make the point of no quorum. I would make a point of no quorum if motion should be made to adjourn until Wednesday next, provided it would be a point that would bear fruit; but we all know that there will be no quorum on Monday, and, I apprehend, even not on Wednesday. So, following the suggestion that may have been made, I have no intention of making a point of no quorum unless some matter of legislation should be proposed where I thought a quorum ought to be present.

Mr. MACON. Mr. Speaker, this House has proceeded a thousand times without a quorum in the matter of enacting proper legislation, and I do not see why it should not do so again if the legislation were understood. I certainly would not raise a point of no quorum to legislation which I thought was proper, if I understood it, and it is not my purpose to do that now, unless improper legislation, or legislation that is not properly understood by Members of the House, is urged for its consideration. And I can see no harm, if the House is to adjourn over until Wednesday, in allowing this matter to go over until that time, so that every Member can have an opportunity, if he desires, to read the conference report, together with the statement of the gentleman from New York [Mr. FITZGERALD] in support of it, which, I am sure, is good. For that reason I insist upon my objection.

The SPEAKER pro tempore. The gentleman from Arkansas objects. The conference report and accompanying statement will be printed in the RECORD.

INVESTIGATION OF THE SUGAR TRUST.

Mr. HARDWICK. Mr. Speaker, I offer the following resolution, and ask unanimous consent for its present consideration.

The SPEAKER pro tempore. The gentleman from Georgia offers a resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 239.

Resolved, That the special committee created under the provisions of House resolution No. 157 be authorized to sit, as a whole or by subcommittee, at such places as it may deem necessary.

Mr. HARDWICK. Mr. Speaker, just in brief explanation of this resolution——

Mr. CANNON. Mr. Speaker, what did the gentleman state? I did not catch the resolution.

Mr. HARDWICK. The resolution authorizes the special committee appointed under resolution 157, commonly known as the Sugar Investigating Committee, to sit at such places, either as a whole or as a subcommittee, as it sees proper.

Mr. CANNON. The resolution has the approval of the committee?

Mr. HARDWICK. Yes; it has the approval of every member of the committee, every Democrat and every Republican on it.

Mr. Speaker, we have reached that point in our investigation where we have two very important witnesses to examine who are sick in New York. We think we will have to go there to take their testimony and also to examine a voluminous mass of records and papers and books and correspondence, which might require, maybe, a freight car to bring down here. The expense to which the committee will be subjected to on account of this

will not be considerable, and in addition to that the amount of expenses which the committee can incur has already been limited by the House. I think this is only a formal resolution, and I hope no gentleman will interfere with it.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

There was no objection.

Mr. HARDWICK. Mr. Speaker, I move the adoption of the resolution.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The question was taken, and the resolution was agreed to.

ELECTION OF SENATORS BY DIRECT VOTE.

Mr. RUCKER of Missouri. Mr. Speaker, I ask unanimous consent to consume six or seven minutes in making a personal statement.

The SPEAKER pro tempore. The gentleman from Missouri asks unanimous consent to consume six or seven minutes in making a personal statement. Is there objection? [After a pause.] The Chair hears none.

Mr. RUCKER of Missouri. Mr. Speaker, before making the statement which I desire to make, I send to the Clerk's desk and ask that he read from the CONGRESSIONAL RECORD a colloquy that occurred on the 12th of this month.

The Clerk read as follows:

Mr. BORAH. Mr. President, I desire to call attention to another matter for a moment. I should like to ask, if proper to do so, and I presume it is, whether the conference committee on House joint resolution 39 can advise me if there is likely to be a report from that committee soon?

The VICE PRESIDENT. The chairman of the conference committee is not in the Senate Chamber at the present time.

Mr. DALZELL. Mr. Speaker, I make the point of order that it is not proper to discuss in the House anything that took place at the other end of the Capitol.

Mr. RUCKER of Missouri. What is the point of order?

Mr. DALZELL. The point of order is that it is out of order to discuss anything that takes place at the other end of the Capitol.

Mr. RUCKER of Missouri. To read from the CONGRESSIONAL RECORD?

Mr. DALZELL. I think so.

Mr. RUCKER of Missouri. I do not think so, Mr. Speaker.

Mr. JAMES. Mr. Speaker, the gentleman obtained unanimous consent.

Mr. DALZELL. There can be no unanimous consent in violation of the rules of the House.

Mr. RUCKER of Missouri. It is not my purpose to reflect on anybody or to criticize anybody, but I merely desire to lay a foundation for the statement I want to make. If there is objection, however, I will forego the reading of the RECORD and also the reading of the RECORD of the 12th, which I expected to have read. But I will state, Mr. Speaker, for the benefit of my friend from Pennsylvania [Mr. DALZELL] and others who may be interested, that the colloquy which has occurred elsewhere than in this Chamber is somewhat misleading.

Mr. DALZELL. Mr. Speaker, I do not want to be misunderstood. I have no interest in the matter at all. I am simply anxious that a precedent shall not be established.

Mr. RUCKER of Missouri. I only wanted to make my statement more intelligible and more clearly understood.

Mr. DALZELL. I do not think we ought to establish the precedent.

The SPEAKER pro tempore. The Chair would prefer not to rule on the point of order.

Mr. RUCKER of Missouri. If the gentleman makes the point of order, I will withdraw the RECORD which I desired to have read.

Mr. DALZELL. I make the point of order.

The SPEAKER pro tempore. The point of order is sustained.

Mr. RUCKER of Missouri. Mr. Speaker, on the 12th of this month there was a colloquy somewhere, not in this Chamber, referring to the failure of the conferees of two bodies to meet and consider House joint resolution No. 39, relating to the election of Senators by direct vote.

In a colloquy which occurred, not here but elsewhere, it was stated that the universal custom had been for members of a certain body having many members to appear at the door of another body having a much smaller number and let it be known that the conferees of this other body were ready to confer with the conferees of the smaller body, and that certain gentlemen appointed on a conference committee had been resting quietly for 10 days or such a matter waiting for the members from the larger body to go somewhere and make such an announcement.

I want to say, Mr. Speaker, that immediately after the Speaker of this House appointed conferees on the resolution referred to I myself went to another body, and I violated no rule of the House in going into that body, and announced to one member of that conference committee that the House conferees were ready to meet with them then, at any time, and to confer; and I was told by that member with whom I was talking that the chairman of the conferees appointed in the other legislative body was then temporarily absent, but that when he returned he would be advised and we would be notified of a time and place to meet.

I want to say further that following that up, I appeared in a distant portion of this Capitol every day, where gentlemen were assembled and transacting business until I left town on a committee appointed by the Speaker, and sat around there hoping that some Senator would advise me they were ready; but I have not until this day, until I read the RECORD this morning, found that they were waiting upon us.

Now, I want to say, Mr. Speaker, that the conferees on the part of the House, my colleague, the gentleman from New York [Mr. CONRY], and the gentleman from Pennsylvania [Mr. OLMSTED] are both absent from the city, and have been probably most of the time since the conferees were appointed; but in justice to them, I want to say further that before leaving town they conferred with me, advised me where they would be, so that they could be reached by wire, and assured me they would return here immediately upon telegraphic notice that the conference had been set, so they are practically in attendance.

I want to make one other statement, in order that it may not be understood that the House conferees are derelict in duty. I want to say that the House conferees, all of them, are ready now, and will be ready each and every day from 9 o'clock in the morning until 6 o'clock in the evening, to meet with gentlemen in some other body to confer upon this bill and report back here, if they will agree to it, a resolution which will meet with the approval of this House and of the entire country.

I want it distinctly understood, Mr. Speaker, that the House has not been derelict, but, on the contrary, has been somewhat persistent in its efforts to secure a conference, and before nightfall I shall take occasion to advise each of the conferees of another body that the conferees of this body are ready to meet with them whenever they consent to meet. [Applause.]

CERTAIN HOUSE EMPLOYEES.

Mr. FITZGERALD. Mr. Speaker, I wish to make a request for unanimous consent and to preface it with a brief statement.

I have introduced House joint resolution 130, to provide for the payment of the compensation of pages, telephone operators, employees of the House, and temporary messengers for the post office for the months of July and August, and, in addition, $2,000 for the folding of speeches.

We have provided for these employees until the 30th of June last. As it is a matter that is largely formal in some respects, and as a quorum of the Committee on Appropriations is not in the city, I wish to ask unanimous consent to discharge that committee from the consideration of the resolution and to consider it at this time. Provision for the Senate employees was made by the Senate upon the bill which was reported a short time since from the conferees. I first ask that the bill may be read, and then that the request may be submitted.

The SPEAKER pro tempore. The Clerk will read the joint resolution.

The Clerk read as follows:

House joint resolution 130, making appropriations for certain expenses of the House of Representatives incident to the first session of the Sixty-second Congress.

Resolved by the Senate, etc., That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the following purposes:

HOUSE OF REPRESENTATIVES.

For the following employees for the month of July, 1911, and until the adjournment of the first session of the Sixty-second Congress, namely:

For 46 pages, including 2 riding pages, 4 telephone pages, 1 press gallery page, and 10 pages for duty at the entrances to the Hall of the House, at $2.50 per day each;

Seven messengers in the post office, at the rate of $100 per month each;

Three telephone operators, at the rate of $75 per month each;

In all, $8,750, or so much thereof as may be necessary.

For folding speeches and pamphlets, at a rate not exceeding $1 per thousand, to continue available during the fiscal year 1912, $2,000.

Mr. FITZGERALD. I now ask unanimous consent that the Committee on Appropriations be discharged from the further consideration of the joint resolution and that it be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York, that the Committee on Appropriations be discharged from further consideration of House joint resolution 130, and that it be considered in the House at

this time as in Committee of the Whole House on the state of the Union.

There was no objection.

The SPEAKER pro tempore. The Clerk will read the resolution.

The Clerk again reported the resolution.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the joint resolution.

The question was taken; and the joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FITZGERALD a motion to reconsider the last vote was laid on the table.

TREATMENT OF CITIZENS OF UNITED STATES IN RUSSIA.

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to address the House.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. MURRAY. Mr. Speaker, I have received from the secretary of the Commonwealth of Massachusetts a copy of a joint resolution passed by the great and general court of that Commonwealth, which I beg the indulgence of the House to read at this time, and which is as follows:

THE COMMONWEALTH OF MASSACHUSETTS,
House of Representatives, June 22, 1911.

Ordered, That the general court of the Commonwealth of Massachusetts, speaking for the people of the Commonwealth, does hereby express its sense that uniform treatment and protection should be accorded to every American citizen, regardless of race, color, creed, or religious faith, and that every earnest and peaceful effort should be made by the executive department of this Government to secure from the Governments of all other countries uniformity of treatment and protection to American citizens holding passports duly issued by the authorities of the United States, in order that all American citizens shall have guaranteed freedom of travel and sojourn, without regard to race, color, creed, or religious faith, in all countries holding friendly relations with the United States, and that in every country, at least equal rights and privileges be granted to all such American citizens as are granted to the citizens of any other country; and be it further

Ordered, That the United States Government be, and hereby is, strongly urged to exert all possible means to procure either an amendment to the present treaty with Russia or a new treaty with that country by which American citizens, regardless of race, color, creed, or religious faith, resorting to that country for peaceful and legitimate purposes of travel, business, or domicile, shall no longer be treated with discrimination; and be it further

Ordered, That our Senators and Representatives in Congress be requested to use their efforts to bring about this highly desirable result; and be it further

Ordered, That the secretary of the Commonwealth be requested to transmit a copy of these orders to the President of the United States, to each member of his Cabinet, and to each of our Senators and Representatives in Congress.

Sent up for concurrence.

JAMES W. KIMBALL, *Clerk.*

—

SENATE, *June 27, 1911.*

Adopted, in concurrence.

HENRY D. COOLIDGE, *Clerk.*

—

THE COMMONWEALTH OF MASSACHUSETTS,
SECRETARY'S OFFICE,
Boston, June 30, 1911.

A true copy.
Attest:

ALBERT P. LANGTRY,
Secretary of the Commonwealth.

Mr. Speaker, in accordance with the order of the senate and house of representatives, the Great and General Court of Massachusetts, I have introduced the following joint resolution:

A resolution terminating the treaty between the United States of America and Russia concluded at St. Petersburg December 18, 1832, and directing the attention of the State Department to certain resolutions of the Great and General Court of the Commonwealth of Massachusetts.

Resolved, etc., That the treaty of 1832 between the Governments of the United States of America and Russia be, and the same hereby is, terminated, because of the discrimination by the Government of Russia in the administration of said treaty between American citizens, and that the attention of the State Department is respectfully directed to the resolution of the Great and General Court of the Commonwealth of Massachusetts in relation to the matter of discrimination between American citizens traveling in Russia.

Mr. Speaker, in the limited time now allotted to me I may simply say I rejoice that the great and general court of that illustrious Commonwealth has taken notice of a condition of affairs which, in my judgment, should no longer be tolerated in the matter of the treatment of American citizens in Russia.

I sincerely hope that this Government, following the lead of the Commonwealth of Massachusetts again, as it has with such great advantage followed her in the past, may hear the voice of the great and general court in its expression of the views of the people of the State in this matter to the end that these outrages may soon be ended. [Applause.]

Mr. FOCHT. Mr. Speaker, I heard a gentleman awhile ago refer to "some other body." I assume he meant the Senate, but he did not say the Senate. Now, the gentleman from Massachusetts speaks about "some citizens." What citizens? Does the gentleman mean the Jews, who are reported as being persecuted? I assume so, but the gentleman does not say so.

Mr. MURRAY. In the equality of citizenship which we have in the great Commonwealth of Massachusetts, I make no distinction between American citizens. [Applause.]

Mr. FOCHT. Let us know who they are. I quite agree with the gentleman's purpose.

Mr. MURRAY. The gentleman comes from Pennsylvania, and I may say to him that not only are American citizens who adhere to the Jewish faith excluded by the Russian Government but less than two years ago the Roman Catholic bishop of Scranton, Pa., was also insulted in the same way. [Applause.] Let me read to the House part of a letter from Bishop Hoban's secretary to Mr. Louis Marshall, of New York:

The right reverend bishop wishes me to say that he is in hearty accord with the movement started by your committee. It was only a year and a half ago that he himself was prohibited from entering Russia for only a two days' visit. As you no doubt know, Catholic priests in general are prohibited from entering Russia. He wishes your movement every success.

Mr. Speaker, the statesmen who sat before us in the Congress of this country were successful in their struggle to establish here a government that guarantees to its citizens equality before the law and freedom of religious worship. I know I need not quote in this presence those sections of our Constitution that were written to incorporate in the law of our land the American idea of complete independence for every person in the matter of religion.

The mention of the subject must bring to the mind of every Member the absolute prohibition of the Constitution that "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof," and other provisions that are equally clear.

The treaty of 1832 with Russia is as much a part of the law of the land as any provision of the Constitution, as any law of the United States, because the Constitution expressly says that a treaty made under the authority of the United States shall be so. We know that under this treaty discriminations are made between American citizens by Russia, and some of us insist that the time has come to call a halt.

I have therefore introduced my resolution, and I sincerely hope that its adoption may be added to the list of legislative achievements of this Sixty-second Congress.

ASTORIA CENTENNIAL.

Mr. LAFFERTY. Mr. Speaker, I ask unanimous consent to address the House for 20 minutes.

The SPEAKER pro tempore. The gentleman from Oregon asks unanimous consent to address the House for 20 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. LAFFERTY. Mr. Speaker, the city of Astoria, Oreg., will celebrate in a fitting manner, by a centennial, to open on August 10 and to close on September 9, 1911, the one hundredth anniversary of its settlement.

This is the first time within my knowledge where any city has held an exposition of national importance without calling upon Congress for some financial assistance, but in this case the city of Astoria is going to hold such a celebration without asking the Federal Government for any aid of that character; but there is a bill which has passed the Senate donating the use of some Army tents to the city to help accommodate the large crowds that are expected, and when that bill comes up on the floor of the House in a few days I trust there will be no objection to it.

CAUSE FOR CELEBRATION.

Ordinarily when a city grows to be 100 years old the event is of special interest only to its inhabitants. But sometimes such an anniversary reminds the Nation of an important and happy period in its history, and results in general felicitation and rejoicing. That will be true of the one hundredth birthday of the city of Astoria.

The reason for the celebration is that the founding of Astoria by an American colony in 1811 marked the first white settlement in the Oregon country, and later contributed materially toward the confirmation of the title of the United States to that territory over the rival claims of Great Britain.

Both Great Britain and the United States claimed Oregon from 1792 to 1846, when the title was definitely and finally vested in the latter. Both countries claimed priority of discovery and priority of settlement.

DISCOVERY OF THE COLUMBIA AND THE LEWIS AND CLARK EXPEDITION.

In 1792 Capt. Gray, of Boston, discovered and christened the Columbia River, giving it the name of his ship. A little later during the same year Capt. Vancouver, of a British ship, having been told by Capt. Gray of his discovery, also crossed the

Columbia bar and explored the river to a point near where Vancouver, Wash., is now located. In 1804 and 1805 Lewis and Clark headed the famous American expedition sent out by President Jefferson, and they explored thoroughly the heart of the Oregon country, coming in by way of the headwaters of the Missouri, crossing the Rockies, and going down the Snake River to the Columbia, and thence along the Columbia to the Pacific Ocean.

The great achievement of Lewis and Clark will live in history, and its one hundredth anniversary has already been celebrated by the Lewis and Clark Exposition, which was held at Portland in 1905. That exposition, it may be said in passing, was one of the most successful ever held in the United States.

SETTLEMENT AND CAPTURE OF ASTORIA.

The settlement of Astoria in 1811 by the American colony sent there from New York by John Jacob Astor and his associates did not prove a financial success. Two years later Mr. Astor's partners at Astoria sold out to his rival, the Northwest Fur Trading Co., of Canada. This company was shortly afterwards absorbed by the Hudson Bay Co., also a British corporation. During the War of 1812 the British dispatched a ship to Astoria and went through the form of capturing the post from the United States, but as it was already under the control of the Canadian company the only ceremony consisted in running up the British flag and renaming the post Fort George. The issues of the war of 1812 having been decided in favor of the United States, it became necessary under the treaty of Ghent for the British to restore Astoria to the Americans, which was done in 1818, and it was thereupon renamed Astoria.

During the 28 years following, or until 1846, Oregon was jointly occupied by the Americans and the Canadians. The powerful influence of the Hudson Bay Co. was exerted in favor of permanent British occupancy. The Americans were reenforced by occasional immigrants and missionaries from the Eastern and border States.

HISTORIC MEETING AT CHAMPOEG.

The white inhabitants of the disputed territory held a public meeting in an open field at Champoeg, in the Willamette Valley, on May 2, 1843, for the purpose of deciding whether they would organize a provisional government and declare allegiance to the United States. Had the meeting decided otherwise, it would have been construed as meaning that the inhabitants of the Territory were more friendly to Canada than to this country. A committee had been previously appointed to consider the matter and report at this meeting. The committee had prepared a report declaring in favor of organization. The Hudson Bay Co. had its employees at the meeting, and all were instructed to vote against organization. Immediately after the meeting was called to order a motion was made to adopt the report of the committee. The question being put, the chairman declared the motion lost. Old Joe Meek, a former Missourian, demanded a division, and stepping off to one side called upon all who were in favor of the United States to line up with him. The result of that vote was 52 for organization and only 50 against it. [Applause.] F. X. Matthieu, a French Canadian, who is still living in Oregon, was present and voted in favor of the United States. The provisional government was organized.

STATES CARVED FROM "OREGON COUNTRY."

Out of the "Oregon country" we have carved the States of Oregon, Washington, and Idaho, and parts of Montana and Wyoming. Had it not been for Joe Meek and F. X. Matthieu at Champoeg, the delegations in this Congress from the Northwest might now be at Toronto serving as members of the Canadian Parliament from the Province of Oregon. In that case it is safe to say that they would all be heartily in favor of Canadian reciprocity. [Laughter.] Joe Meek was a native of Virginia. He went to Missouri in 1829 and to Oregon in 1840. Matthieu went from Canada to Missouri in 1839 and to Oregon in 1840.

To fully realize the benefits this Nation derived by the acquisition of Oregon it is necessary to see that country. It is the most delightful part of the United States in which to live. East of the Cascade Mountains are the rolling prairies, the irrigated and irrigable areas, the expansive wheat and fruit belt, the cattle and sheep ranches, and the yellow-pine forests. Between the summit of the Cascades and the Pacific Ocean lies the Switzerland of America. The mighty surf beats upon the west coast both winter and summer and sends into the interior balmy breezes, mixed with salt air, to invigorate and make happy the fortunate residents. Snowcapped mountains are always in view, and the evergreen forests and crystal rivers form a picture that is truly "a thing of beauty and a joy forever." Astoria invites the country to see and enjoy all of these things during the present year.

OREGON'S INDIAN LEGENDRY.

I must add here a word about the Indian romance and legendry of the old Oregon country, even a slight knowledge of which will add to the pleasure of a visit there. In the city park at Portland stands a beautiful statue of Sacajawea, the Indian woman, who, bearing her child in her arms, acted as guide and interpreter for the Lewis and Clark expedition.

A hundred and fifty miles east of Astoria, on the Columbia River, may be seen the evidences of what was once a natural bridge. The Indians called it the "Bridge of the Gods." Their legend recites that when the bridge fell into the river the gods could no longer cross to help them in their battles.

A few hundred years ago a proud and powerful tribe, in what is now western Oregon, was the Willamettes. Though they are practically extinct to-day, the river by that name, flowing through the most populous section of the State and through the heart of the city of Portland, will serve better than any monument to keep fresh in the minds of the people the fact that the Willamettes once resided there. The names of many other tribes are preserved in a similar manner.

The greatest character of Oregon during the prehistoric days was Chief Multnomah. He was tall, sinewy, and brave. He was made head chief over all the tribal chiefs of western Oregon. It is also said that Multnomah had a daughter, named Wallulah, and that she was famed for her grace and beauty. The name of Multnomah is safely embalmed in history. The county in which Portland is located is named for him. The Multnomah Amateur Athletic Club, one of the largest and finest organizations of the kind in the world, also chose its name in recognition of the courage and feats of endurance of this departed chieftain.

OREGON THE ONLY PORTION OF THE UNITED STATES ACQUIRED BY RIGHT OF DISCOVERY.

It is a singular fact, worthy of note, that the Oregon country is the only part of the United States that was acquired by discovery and settlement. When Capt. Gray, on May 7, 1792, sailing up the west coast of this continent, sighted through the breakers from the masthead of his ship the placid waters of the Columbia River, destiny had decreed that Oregon should become a part of the territory of the United States. Under full sail Capt. Gray crossed the Columbia bar and planted the stars and stripes near the present site of Astoria. It had been 300 years since the discovery of America, and during all that time this portion of the continent had remained unknown. During all that time the mighty Columbia had rolled on to the sea, unseen and unadmired by any member of the white race.

The alluring charm of a new country will always cling to Oregon. Her gentle rainfall will keep fresh and green her magnificent forests throughout the ages. An everpresent longing in the human breast to commune with primitive nature caused the pioneers of America to push forward till civilization, with every modern convenience, was established upon the Pacific coast. There is no longer any "new country" to go to. But God, in His supreme wisdom, has decreed that Oregon, with her snowcapped mountain peaks, and her rugged coast with its miles of hard sand beach, washed by the foaming surf of the Pacific, shall remain young and beautiful and romantic, to gratify the loftiest desires of humanity so long as the world shall last. [Applause.]

OREGON & CALIFORNIA LAND GRANT SUIT.

Mr. LAFFERTY. Mr. Speaker, the biggest real estate suit ever filed is the case of the United States against the Oregon & California Railroad Co., now pending in the Federal court at Portland, Oreg.

The lands involved, aggregating 2,300,000 acres, were granted by Congress upon the express provision that the railroad company would sell the same to actual settlers.

The language of the act of April 10, 1869 (16 Stat. L., 47), by which most of these lands were granted, reads:

And provided further, That the lands granted by the act aforesaid shall be sold to actual settlers only, in quantities not greater than one-quarter section to one purchaser, and for a price not exceeding $2.50 per acre.

The act of May 4, 1870 (16 Stat. L., 94), by which the remaining lands were granted, reads:

Said alternate sections of land granted by this act * * * shall be sold by the company only to actual settlers in quantities not exceeding 160 acres, or a quarter section, to any one settler, and at prices not exceeding $2.50 per acre.

There is no reason, moral or legal, why the terms of these acts should not be enforced to the letter.

PROSPECTIVE SETTLERS SHOULD BEWARE OF GRAFTERS.

It should be plainly understood, however, by prospective purchasers that the term "settler," under all the public-land laws, means a person actually residing on a given tract of

land and making it his home. Those so-called "locators" throughout the country who have been filing applications on this land for nonsettlers are simply defrauding their victims out of the fees paid and they ought to be prosecuted by the Federal authorities for violation of the postal laws.

No person who has not gone upon a tract of this railroad land and built a house and moved in with the bona fide intention of making the land a home has any right to apply to the company to sell to him.

If the company should accept the application and tender of a person not an actual settler on the land, it would be violating the acts of Congress which require plainly that the lands shall be sold to actual settlers only.

The very law that requires the company to sell to actual settlers prohibits it from selling to anyone who is not an actual settler.

It is plain that no rights can be acquired by the presentation of an application to purchase by a nonsettler. Such an application would amount to nothing more nor less than a request upon the railroad company to violate the law.

CLEAR RIGHT OF SETTLERS TO GO UPON THE LANDS.

By necessary implication the acts of Congress making these grants confer the right upon any citizen who may so desire to go upon the lands, and to take up a tract not greater than a quarter section, and to establish a home thereon, without let or hindrance from the railroad company.

In the Senate, on February 2, 1870, when the bill which passed May 4, 1870, was under discussion, the following statement was made by Senator Williams, of Oregon, in reply to objections to the bill, which were urged by Senator Thurman, of Ohio:

Mr. WILLIAMS. The objection which the Senator makes to this bill is not available, for the reason that the bill provides expressly that every foot of the land shall be sold to actual settlers. The lands granted are as open, under the provisions of this bill, to actual settlers as they are under the preemption laws of the country.

February 19, 1870, when the bill was again under discussion, Senator Casserly, of Vermont, said:

Mr. CASSERLY. What is the theory of this bill? Its theory and its distinguishing feature, as I understood all along, is this: That notwithstanding the grant of this aid to this railroad company, the settlement of the lands by actual settlers shall proceed as if the grant had not been made. If that is not the theory of this bill, I have not understood it, and the Senator from Oregon will correct me if I am wrong.

In the House, on April 1, 1870, when the same bill was under consideration, the following statements were made:

Mr. SMITH of Oregon. The bill, I will state, is one in which the interests of the Government have been carefully guarded. There has never been a land grant in which those interests have been so carefully guarded as in this bill.

Mr. LAWRENCE. Does the bill make any provision in regard to actual settlers?

Mr. SMITH of Oregon. It provides that the land shall be sold only to actual settlers, in quantities not exceeding 160 acres to each person, and at a price not exceeding $2.50 per acre. It is the most carefully guarded bill ever presented to this House.

The bill was again considered in the House on April 29, 1870, and the following extracts from the debate will show that Congress understood exactly what it was doing when it passed the bill, and that it intended that the law should not be violated by the railroad company.

Mr. SARGENT. One word in regard to the policy of land grants for railroads in the future. If they can be carefully guarded, as this bill is, so that while they construct roads the lands shall also go to the settlers in limited quantities at small prices, then I am in favor of them. * * * The fault of the system heretofore has been that the grants have been made without restrictions to the companies, which could hold them indefinitely for a rise in value. By this means monopolies have been created and the settlers kept from the lands except on the even sections. But we propose to change all that, and do so by this bill. We compel the company to sell the lands only to actual settlers at not more than $2.50 per acre, and in lots of not more than 160 acres.

The only difference it makes to the settler is that he pays double the minimum for his land; but the proximity of a railroad is certainly an advantage that counterbalances the price. The gentleman's blind rage does not discriminate between this system and that which was unrestricted, and would leave the vast West that needs development a wilderness for the long future.

The gentleman from Indiana [Mr. Holman] also says that the lands along the Union Pacific now sell for $10 per acre. The lands that bring that price must be of a very limited quantity, but if they are worth that it is the road that has given the value, for without it they would be worthless. Under this bill the lands can never realize but $2.50 per acre to the company, even if the road makes them worth $100 per acre.

* * * * * * *

Mr. LAWRENCE. Does this bill contain any provision that the lands granted shall be sold to actual settlers only?

Mr. FITCH. Yes, sir; the bill is carefully guarded in that respect.

* * * * * * *

Mr. MCCORMICK of Missouri. I do not, Mr. Speaker, propose to occupy more than a very few minutes. I wish to call the attention of the House to the land policy of the country, and the policy which is now governing the Committee on the Public Lands in this House. There seems to me no reason for that fear of landed monopolies which the gentleman from Indiana [Mr. Holman] seems to entertain. This bill secures to the use of all actual settlers all the lands granted to the road, and the price is limited to $2.50 per acre, the lands to be sold in quantities not exceeding 160 acres to any one individual. It is impossible for any monopoly to grow up under such a system. * * *

ORIGIN OF MOVEMENT TO ENFORCE THE LAW.

Four years ago a movement was started in Oregon to compel the Oregon & California Railroad Co. to live up to the terms of the acts of Congress making the grant. The Oregon Legislature, in February, 1907, memoralized the President and Congress to take some action to break up this land monopoly, which was refusing to sell to settlers, and which had always refused to be bound by the terms of the acts of Congress under which it received the land. The company had previously sold 800,000 acres of the land to timber companies and others without regard to the terms of the acts of Congress. It had sold in large tracts and for such prices as it could get.

But the company had 2,300,000 acres of the original grant remaining unsold and subject to all the terms of the acts of Congress making the grant, and the object of the movement referred to was to compel the company to comply with the law as to these unsold lands or to forfeit the unsold lands to the Government.

SETTLERS START FIRST SUITS.

Sixty-five settlers went upon the lands in question in 1907. After building their houses and moving in they applied to the company's secretary at Portland to buy their claims in accordance with the acts of Congress. The company refused to sell, claiming, among other things, that the acts of April 10, 1869, and May 4, 1870, in so far as they required sales to settlers, were so vague, indefinite, and uncertain as to be unenforceable. Thereupon the settlers brought suits in the Federal court at Portland, in the fall of 1907, to compel the company to sell to them at $2.50 per acre. April 30, 1908, Congress, by joint resolution, authorized and directed the Attorney General to institute a suit on behalf of the Government. September 4, 1908, the Government filed a bill of complaint, asking that the 2,300,000 acres of unsold lands be forfeited to the Government, or that receivers be appointed to sell the lands in accordance with the terms of the grant.

The railroad company demurred to the complaints of the 65 settlers and to the Government's complaint. Several thousand applicants, who were nonsettlers, also filed a joint complaint, and this was demurred to by the company and very properly sustained by the court.

On April 24, 1911, the court overruled the railroad company's demurrer to the Government's complaint, but sustained the same as to the complaints of the 65 actual settlers. These settlers will appeal. I know whereof I speak, because I am their attorney. I filed the first suits that were ever brought to enforce the terms of this land grant, and I shall fight the case in behalf of the settlers with all the ability that I possess till it is decided by the Supreme Court. It does not matter much to my clients or to the people of Oregon whether the lands be forfeited to the Government or a decree entered requiring that they shall be sold to the settlers. We assume that in either case the lands will be sold to settlers eventually.

CONGRESS SHOULD WATCH LITIGATION.

The important thing for Congress to decide is whether the Department of Justice is pursuing the proper course in demanding a forfeiture or nothing, and in completely abandoning the alternative prayer in the Government's bill of complaint asking for the enforcement of the grant in terms in the event that a forfeiture shall be denied.

If the Department of Justice continues to pursue the course of "forfeiture or nothing," it will probably get nothing. But if it will urge the milder remedy of enforcement of the terms of the grant it will undoubtedly win. Therefore the people of Oregon want the Department of Justice to put forward with some force that view of the case, which, if adopted by the court, would result in a decree for enforcement of the terms of the grant. The special assistant to the Attorney General, who at present has sole charge of the litigation, has no faith in this view of the case. He abandoned the same at the hearing upon the demurrers.

Mr. NORRIS. Will the gentleman yield at that point?

Mr. LAFFERTY. Gladly.

Mr. NORRIS. I desire to say to the gentleman I am very much interested in what the gentleman has said, because I have had occasion to look into that particular grant. I want to ask this question, Whether or not the action pending on behalf of the settlers will not fully protect their rights in case the Government should lose on its contention wherein it wants to have the grant set aside or nullified?

If the Government wins, then it becomes Government land, as I understand it, subject to any action that Congress may take

in regard to its disposition. If the Government, however, should proceed on the alternative, as the gentleman suggests, would not the Government be proceeding exactly along the same line that the individual settlers are proceeding, and if that be true then the individual settlers, if they carry their case up, would protect that phase of it, would they not? Personally, I never could understand, although I did not see the brief or even the pleadings, but from just reading the law, how a court could hold that this railroad company would not be compelled to deed this land to actual settlers upon tender of the money when they established beyond any question of doubt that they were actual settlers.

Mr. LAFFERTY. In answer to the gentleman's suggestion, which I am very glad he made, I will say if it is true that these 65 settlers, nearly all of whom are without money, shall manage to find sufficient funds to prosecute this litigation on the theory of enforcement, and I shall continue to live and retain my health and strength to prosecute the case for them until it is decided six or eight years from now in the Supreme Court of the United States, that both theories will be presented. But the Government of the United States should not abandon the theory of enforcement and be permitted by Congress to pursue a false theory for six or eight years, until the railroad company has done exactly what it is expecting to do under this program—build up an equitable defense by the payment of taxes.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. NORRIS. Mr. Speaker, I ask unanimous consent that the gentleman may conclude his remarks.

Mr. LAFFERTY. Ten minutes will be sufficient.

The SPEAKER pro tempore. The gentleman from Nebraska asks unanimous consent that the gentleman from Oregon may proceed for 10 minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. NORRIS. I want to say to the gentleman that I fully agree with him that the Government ought to have protected every interest possible. I do not want to be understood as saying anything else.

Mr. LAFFERTY. I realize the gentleman from Nebraska is on the right side of this case.

Mr. NORRIS. But I want to ask the gentleman now this question: Suppose the Government should have proceeded on the alternative line as well as the one upon which it did proceed and should have succeeded, still I take it the railroad company, if they wanted to do so, could refuse to give a settler a deed upon tender of money and proof of settlement. They would have to go into court anyway to get it. I do not see any way of avoiding that, as bad as it may appear, and hard for the settlers, too.

Mr. LAFFERTY. If these lands were granted to the railroad company by Congress in trust, as they undoubtedly were, the proper way of proceeding is to bring a bill of equity in the Federal court in Oregon and have receivers, or trustees, appointed, which are the same thing, to go ahead and dispose of that land in accordance with the law. In that way every one would be protected. The rules and regulations for the order in which settlement should be made would be provided for, and all that sort of thing. I make no objection to the special assistant to the Attorney General including the claim of forfeiture in his bill of complaint; but when that was put in, and I insisted that the other theory of enforcement be included, he did so, but at the trial he abandoned that theory. And I want to call your attention to some other things the Department of Justice has been doing for the past two or three years.

Mr. CANNON. Will the gentleman yield for a moment?

Mr. LAFFERTY. Certainly.

Mr. CANNON. Before the gentleman concludes his remarks, will he have the kindness to state what legislation he desires as the attorney—what legislation he desires, not only as the Representative of the people of his district but as the attorney for his clients, namely, these settlers?

Mr. LAFFERTY. I desire legislation on the part of this Congress that will secure the appointment of additional special counsel to aid in prosecuting this case in court, and the reasons therefor I will give you.

In view of the facts that I have stated I have introduced a resolution directing the Attorney General to employ at least one resident attorney of the State of Oregon as associate counsel in behalf of the Government to aid in the further prosecution of this land-grant suit. I hope the resolution will be reported favorably by the Committee on the Judiciary and that it will be passed.

There are other reasons for employing an Oregon attorney to assist in the case aside from the fact that the enforcement theory, as well as the forfeiture theory, ought to be presented to the court. The case involves too much work for one man. The case is dragging. That is putting it mildly, I will say, for the benefit of the gentleman from Illinois.

Mr. CANNON. Why for my benefit more than for anybody else's benefit?

Mr. LAFFERTY. Because the gentleman intimated that I might be here for selfish reasons in addition to official reasons in representing the people.

Mr. CANNON. Oh, no. I asked my question in perfect good faith.

Mr. LAFFERTY. Then I beg the gentleman's pardon.

The demurrers were argued in March, 1909, and the Government did not file its brief upon that argument till December, 1910, nearly two years later, although only four months were allowed by the order of the court for filing briefs. When I was in Washington in April, 1910, I drafted a resolution directing the Attorney General to file his brief, and the same was introduced in the House April 28, 1910 (H. J. Res. 129), by the gentleman from Oklahoma [Mr. FERRIS], and was introduced in the Senate, with a slight amendment, the following day by Senator CHAMBERLAIN, of Oregon.

The case ought not to be delayed. The litigation should not proceed upon the single theory of forfeiture. The enforcement theory should be carried along through the courts, for that is the theory the Supreme Court may adopt. If the Supreme Court shall be limited to a decision either for an absolute forfeiture or a decision in favor of dismissing the bill of complaint it may dismiss the bill.

ENFORCEMENT, NOT FORFEITURE, PROPER REMEDY.

Under my view of the law there can be no forfeiture in this case, but the Government can enforce the terms of the grant, if it chooses to do so. There can be no forfeiture unless the grant was one of an estate upon condition. If the grant was one in trust, for the benefit of settlers, the only remedy is enforcement.

The grant created one of two things—an estate upon condition or a trust. If an estate upon condition, then the proper remedy for breach of the condition is forfeiture. But is this an estate upon condition? In the very nature of things it can not be. An estate upon condition is one where the land is granted upon a condition subsequent, which the grantee agrees to obey as one of the considerations of his right to hold and enjoy the estate. So long as the grantee refrains from violating the condition subsequent he holds and enjoys the estate. But here we find a provision in the grant that the grantee shall sell the lands. It shall part with all the lands. That could not be an estate upon condition. To so hold would be to take the novel position that the grantee could have the lands upon condition, but that such condition was one requiring the grantee to part with the lands.

Moreover, if this was a conveyance in trust there was no obligation on the part of the railroad to pay taxes. But the holder of an estate upon condition pays taxes in full. There is no presumption of law that a condition will ever be violated resulting in the forfeiture of the lands. For this same reason the holder of an estate upon condition may cut all the timber off the land. There is no reversioner who can claim waste, because there is no presumption that the land will ever revert. But in the case of a trust requiring that the land shall be passed on, the law contemplates that it shall be passed on in the same state in which it was vested in the trustee, and there could be no lawful cutting of timber.

If it be claimed that this grant created an estate upon condition in the railroad company, then the ridiculous anomaly must be admitted that as soon as the company would comply with the "condition" upon which it was to hold its estate it would have no estate left to hold. The answer is that the conveyance was one in trust and was not a conveyance of an estate upon condition.

RAILROAD COMPANY WAS MADE SALES AGENT FOR THE GOVERNMENT.

The railroad company was merely made the sales agent of the Government to sell these lands to settlers, as fast as they go upon the lands, at the Government price. The only interest that was granted to the railroad company was the right to collect the $2.50 per acre that otherwise would have been paid to the Government. The railroad company accepted this trust, and it has failed to comply with it. A court of equity can enforce the trust.

Personally I wish that a bona fide settler was on every quarter section of the unsold railroad lands that is fit for settlement. If settlers should go upon these lands and either the railroad company or the Government should try, by legal process, to put them off, it would bring to a test in court immediately the question as to whether those Senators and Congressmen knew what they were talking about when this grant was

made who said that settlers would have a perfect right to go upon the lands.

If no settlers shall go upon the lands until the case is finally decided, and the decision should be in favor of enforcement of the terms of the grant, there would probably be a rush for the lands at that time that would be very unpleasant. It would be much better for the lands to be settled gradually. Yet no one wants to go out on one of these railroad claims and spend his money and his time for five or six years awaiting a decision of the case and then lose out, which he would do if the decision should be adverse. In view of these considerations it will be difficult for any lawyer to advise prospective settlers in this regard.

However, one thing would be safe. If any citizen can find a quarter section of this land that would afford him a pleasant home during the pendancy of the litigation, and upon which he could make a living, he would be fully justified in moving upon the same, for, in such case, the use of the land would be worth its occupancy, and if a final adverse decision should be rendered the settler would only have to vacate.

If the Supreme Court shall decide in favor of enforcement, it will probably direct the lower court to formulate rules and regulations providing for an orderly sale of the lands to settlers. Such rules would doubtless provide, among other things, that no settlements could lawfully be made after the promulgation of the court's decree, except in accordance with the rules to be so prescribed, and one of these rules would likely be that applicants should draw lots, under the supervision of the receivers of the court, and that they should be allowed to select lands to settle upon in the order of such drawing.

COUNTY COURTS SHOULD REFUSE TO ACCEPT TAXES.

During the pendancy of this litigation the various county courts of Oregon, for the counties wherein the lands are situated, should refuse to accept taxes from the railroad. The railroad company hopes, by delaying the case for several years, and by the payment of large sums in taxes during that time, to build up an equitable defense. When the first suits were filed four years ago the company had paid in taxes only between 25 and 50 cents an acre. The company had made no improvements on the land. The company had no defense when this litigation was started. Congress should not permit the Department of Justice to pursue a false theory and drag the case along for years, while the railroad company is building up a defense. Nor should the county courts of Oregon become parties to the building up of this defense by accepting taxes from the company.

MERITS OF THE CONTROVERSY.

The railroad company claims that any citizen would be exhibiting a lot of nerve who would now go upon a quarter section of these lands and ask the company to sell to him at $2.50 per acre when the lands are worth on an average $25 per acre. But it must be remembered that the settler would be giving far more than the $2.50 per acre for his land. He would in time and labor pay practically all the land is worth. The latter is the principal consideration that Congress intended should pass from the settler to the Government in acquiring the land. The $2.50 per acre to go to the railroad company was merely incidental. But if the settler is exhibiting nerve in seeking to acquire a home by giving for it practically all it is worth in time and money, what must be said of the railroad company which now refuses to be satisfied with the $2.50 per acre donated to it by Congress, but insists upon appropriating unto itself the entire fee-simple title to the land?

LENGTH OF RESIDENCE REQUIRED.

The law does not say how long a settler shall remain on a tract of this land after becoming an actual settler in order to be entitled to it under the acts of Congress. But the law can mean nothing less than that the settler shall take his claim in good faith for the purpose of making a home. A residence of sufficient length to appropriate the claim for a home and to improve it as such would be necessary. The shortest period of residence that has ever been required by any of the other public-land laws was 6 months, under the preemption law, and the shortest period of residence required by any of the public-land laws of the present day is 14 months, under the commutation clause of the homestead law. Under the homestead law itself 5 years' residence is necessary, but no cash payment is required under that law. The courts will construe the period of residence necessary on the railroad lands to mean a reasonable time, provided they enforce the terms of the grant, and in deciding what would be a reasonable time it is certain that the courts will not fix the period at less than what was required under the preemption law nor at more than that now required under the homestead law.

SETTLEMENT MUST BE IN GOOD FAITH.

A settler who is willing to meet these conditions and who can find a tract of the land that is worth his effort will, in my opinion, win out and get title, provided he shall settle upon the land in good faith and make it his home. No prospective settler should pay out a dollar for location fees. A man who can not go out and find a quarter section of this land by his own efforts would not have sufficient ability to make a home out of a claim that some locator had shown him. A description of the unsold railroad lands within any of the counties of western Oregon may be had on inspection of the records in the county clerks' offices. It will not matter how many "applications" may have been previously filed for any given tract by would-be settlers. The first man to actually settle in good faith on any particular tract is the man who will get the land, provided the law shall be enforced, and I hope and believe that it will be.

LANDS DISTRIBUTED THROUGH 18 COUNTIES.

While these lands are mostly timbered, rough, and mountainous, they are situated in the delightful climate of western Oregon, and are very rich and fertile. They are distributed among 18 counties, and extend from the Columbia River to the California line. This area contains water power to run trolley lines into every township, and some day that will be an accomplished fact. There is no reason why the timber should ever be entirely removed from these lands. From 20 to 40 acres would be ample out of each 160 acres for actual cultivation and orchard, while the other 120 or 140 acres could and should remain a natural park for the enjoyment of the owner and his family, only the ripe trees being cut from time to time, under modern methods of forestry, to allow the young timber to grow up and mature. A country home in this region would be ideal. It would contribute more to the happiness of any man than a life membership in Congress. Snow-capped mountains are in view every clear day, both winter and summer. The invigorating salt air of the Pacific is wafted inland by the balmy breezes of the Japan current. It is a country like that of which the poet wrote:

Where lavish nature in her best attire,
Gives forth sweet odors and alluring sights.

[Applause.]

Mr. CANNON. Will the gentleman allow me a question?

Mr. LAFFERTY. Yes, sir.

Mr. CANNON. These land grants seem to have been made in 1870. The whole matter is entirely new to me; there is so much in the world to get outside of. I ask the question in good faith. Now since 1870 or at any other time, has the State of Oregon levied taxes on these lands, and if so, have they been paid, and how much have they amounted to per acre?

Mr. LAFFERTY. It amounted at the time these suits were instituted to less than 50 cents an acre.

Mr. CANNON. Annually or altogether?

Mr. LAFFERTY. Altogether. I will explain that.

Mr. CANNON. Yes; I would be glad if the gentleman would.

Mr. LAFFERTY. The lands were granted in April, 1869, and in May, 1870, to aid in the building of two lines of railroad. But the last railroad was not completed until 1887. The railroad company did not file its applications to have its title to the greater part of the land certified until about 1895, and most of the lands have been patented within the last 16 years. But the patents recite that the lands were conveyed to the company in accordance with these acts of Congress. The Congress of the last generation in making this grant provided for the protection of the poor people of this country seeking homes, and the Congress of the present generation should see to it that the law is carried out in good faith. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NORRIS. Mr. Speaker, I ask that the gentleman may be allowed time sufficient to enable him to conclude his remarks.

Mr. UNDERWOOD. I shall have to object to that.

Mr. NORRIS. I would like to ask the gentleman some questions. It is a very interesting subject, and one which gentlemen will follow here with a great deal of interest.

Mr. UNDERWOOD. I will consent to an extension of five minutes.

Mr. CANNON. I think that is right. It is a very interesting subject.

The SPEAKER pro tempore. Is there objection to the gentleman from Oregon proceeding for five minutes more?

There was no objection.

Mr. STERLING. Will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman from Oregon yield to the gentleman from Illinois?

Mr. LAFFERTY. Yes, sir.

Mr. STERLING. I desire to ask the gentleman if most of this land is now occupied by settlers?

Mr. LAFFERTY. There are not over 65 settlers on the land. Immediately after the 65 settlers went on this land in 1907 the Government started out on this forfeiture theory, and has discouraged settlers from going on the land from that day until this, and the Attorney General's office gave out a statement through the Associated Press to the effect that settlers going on these lands would be regarded as trespassers, and the Southern Pacific Railroad Co., which owns the stock of the Oregon & California Railroad Co., gave out the same specific notice to the country, so that there are no settlers on this land except a portion of the original 65.

Mr. STERLING. The few that are there have title from the railroad?

Mr. LAFFERTY. No; they are trying to compel the railroad company to give them deeds under these acts of Congress. They are proceeding as joint plaintiffs with the Government——

Mr. STERLING. If the Government should succeed——

Mr. LAFFERTY. But they are being held back. The suit is being delayed. It is being dragged along at a snail-like pace. There was a motion made that the suits be consolidated. In that way they linked us up with this slow-moving process of the Department of Justice, and if this case goes along at its present rate we will not reach the Supreme Court within the next 18 years. If the case had been properly pushed from the start it would be in the Supreme Court now.

Mr. STERLING. If the Government should succeed in this suit for forfeiture, what would become of the claims of these settlers who are there? Would their claims be forfeited too?

Mr. LAFFERTY. The decree of the court might provide for protecting any settler, or it might not; but that part of it is not a serious question, only a few settlers being on the land.

Mr. NORRIS. If the court should decree a forfeiture, the land would then be Government land.

Mr. LAFFERTY. Subject to disposition by Congress the same as any other Government land.

Mr. NORRIS. And there is no doubt that Congress would protect those actual settlers who went on prior to these proceedings.

Mr. LAFFERTY. I do not think there is any doubt about that; but the danger to which I am trying to call the attention of the House is this: Not that I fear a forfeiture. If I knew they could get a forfeiture, or if I had any idea that they could get a forfeiture, I would say, "Go ahead with your forfeiture, I am with you." But that is a false theory. It is a theory that is being proposed upon the idea that this is a grant by Congress of an estate upon condition. Now you who are lawyers will so understand by a very brief explanation of that, which will convince you that the Government is pursuing a false theory. In an estate upon condition, where the condition is broken, the proper remedy is to proceed in court, if it is a private individual, by ejectment to recover. The grantor or his heirs may claim a forfeiture if they so elect, and reenter the land. They may do it by ejectment; or, if it is the Government, it can bring a suit in the Federal court to get possession. But such a suit must be based upon a condition subsequent in a grant, if it is an estate created upon condition. If this be held to be an estate upon condition—which the Supreme Court will never hold—the ridiculous position will have to be taken that Congress granted land to a railroad company as an estate upon condition, and that the condition inserted was one which, when it was complied with, would leave the railroad company without any estate. I tried to bring that up before the Federal court at Portland when the the special assistant to the Attorney General was presenting his argument. I said, "Why, Mr. Townsend, do you mean to say that this grant created an estate upon condition, and that you are therefore entitled to a forfeiture?" "Why, certainly, Mr. Lafferty." I said, "Here is an affirmative requirement that the railroad company shall part with the land, that it shall sell the land. Could that in heaven's name be a condition subsequent, when the very performance of the condition would annihilate the estate, would cause the grantee to be entirely divested of the land?"

He replied to me in this way: "Do you mean to say, Mr. Lafferty, that a restraint upon the power of alienation may not properly be made a condition subsequent?" I said, "Certainly it may." He said, "That is what this is. The law says, Thou shalt not—and he turned his attention to the court—Thou shalt not sell to anyone except an actual settler, and they have violated that."

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NORRIS. I ask unanimous consent that the gentleman may have five minutes more.

Mr. HAMLIN. I object.

Mr. CANNON. I hope the gentleman may have more time.

Mr. LAFFERTY. One minute, to complete the sentence.

Mr. HAMLIN. I will consent to one minute, but I think we should have the House here when so important a matter is being discussed.

Mr. NORRIS. The gentleman knows that he will not have the House here.

Mr. LAFFERTY. I appeal to my fellow-Missourian [Mr. HAMLIN]—I was originally from Missouri—to allow me one minute more.

The SPEAKER pro tempore. The gentleman from Oregon asks unanimous consent for one minute more. Is there objection?

There was no objection.

Mr. LAFFERTY. Then in regard to his answer that this was a restraint upon the power of alienation, my reply to that was this: If this be a restraint upon the power of alienation only, if it be in the negative, where would the Government be if the railroad company had not sold an acre of this land up to the present time? Being in the negative, you could never compel them affirmatively to do anything or to ever sell an acre of the land. They would have a land monopoly here which you have been talking against for two days and a half.

Mr. NORRIS. Mr. Speaker, I will repeat my request. I ask unanimous consent that the gentleman may have five minutes more.

The SPEAKER pro tempore. The gentleman from Nebraska asks unanimous consent that the time of the gentleman from Oregon be extended for five minutes. Is there objection?

There was no objection.

Mr. CANNON. Mr. Speaker, I would be very glad if the gentleman would tell us the present value of this land.

Mr. LAFFERTY. These lands are rough, mountainous, and most of them timbered. They are in the alternate, the odd numbered sections, on either side of the railroad, running from Portland to the California line, and along the line of another smaller railroad running west from Portland. The present value at a conservative estimate is $25 an acre.

Mr. RAKER. Will the gentleman yield for a question?

Mr. LAFFERTY. Certainly.

Mr. RAKER. Isn't there a great deal of that land valuable as agricultural land between the California line and Portland, up through the valley?

Mr. LAFFERTY. There is quite a bit of the land that is only covered with thin stands of timber. Some of it is valley land, but it is all very rich and fertile.

Mr. BOWMAN. Mr. Speaker, will the gentleman yield?

Mr. LAFFERTY. Certainly.

Mr. BOWMAN. Has the general opinion that this was company land delayed the settlement of the country more or less?

Mr. LAFFERTY. Well, the fact that there was so much public land in Oregon has also had a tendency in that direction. Furthermore, the railroad company never at any time offered the lands for sale for settlement, but as soon as it got title, and in advance of getting its certificate of title, it made contracts with large timber companies to sell forty and fifty thousand acres in a tract, and it did sell lands as high as $15 an acre, and on the west side grant, the railroad company has received for that portion of its land sold what would amount to more than $2.50 an acre for the entire west side grant, as well as all taxes paid.

Mr. NORRIS. Will the gentleman yield?

Mr. LAFFERTY. Certainly.

Mr. NORRIS. I understand from the investigation that I have been able to make of it, that the only reason why settlers did not go upon the land was that they knew in advance that they were going into a lawsuit if they went. The railroad company refused to accept everybody's money; in fact, gave everybody notice that they would not sell the land. Is that not true?

Mr. LAFFERTY. They have always held the position that these clauses requiring sales to settlers, inserted after eight hours' debate in this House and after being debated upon two occasions in the Senate, were so vague and uncertain and indefinite as not to be enforceable as a trust estate.

Mr. RAKER. Is it not a fact that the railroad company has assumed, even when they had the certificate, and then when they got the patent, that they owned the title, and that they ejected all those who entered upon these lands and hence no one could enter?

Mr. LAFFERTY. No one went on the lands until 1907.

Mr. NORRIS. Will the gentleman tell us briefly where these suits are pending now, and I would like to know, if the gentleman can give it to us, what ground the court took in sustaining the demurrer against the petition of these 65 settlers. What reason did the court give?

Mr. LAFFERTY. The case is now pending in the Federal court at Portland, awaiting the answer of the railroad company to the bill of complaint upon the merits. The agitation was started in 1907. The suit was filed in 1908. The demurrers were argued in 1909. On April 24, 1911, the court overruled the railroad company's demurrer to the Government's complaint. The court sustained the demurrer to the petition of the 65 settlers upon the theory advanced by the Government counsel that this was a grant of an estate upon a condition subsequent, for the breach of which only the grantor has a right to complain. Therefore the court held that the settlers, although admittedly on the land in good faith, had no standing in court to compel the company to sell to them at $2.50 an acre in the manner that the law provides the company shall sell. In other words the court adopted the theory of the Government counsel, which I claim is a false theory, and represents a program that will jeopardize the case if it is not changed by suggestion from Congress. The idea of saying that settlers have no right to go upon the lands, but that the company shall forfeit its interest for refusing to sell to settlers is absurd. The railroad then took 90 days in which to file an answer to the merits of the Government's bill of complaint, which will be due the 24th of this month.

The company will probably get an extension of time if the Government proceeds in the future as it has in the past, and will file its answer to the merits in about 12 or 18 months from now, and, going on at the same gait, the case will be tried upon its merits some five or six years from now in Portland; will be tried in the court of appeals in San Francisco some 10 years from now, and in the Supreme Court at the city of Washington some 15 or 20 years from now. That is what I am objecting to. This suit having been brought under authority of Congress, and Congress having the right to watch the litigation and direct the course of action of the Attorney General in this matter, I say an additional counsel ought to be employed. Moreover, the single and solitary Government attorney in charge of the case at the present time is being sent all over the country on other errands. He is going this summer to Alaska on the order of the Attorney General——

Mr. RAKER. Will the gentleman yield for a question?

Mr. LAFFERTY. Yes, sir.

Mr. RAKER. Has there been any application made for an assistant to the Department of Justice during this time?

Mr. LAFFERTY. No, there has been no suggestion of it anywhere, except the resolution I have introduced here, which, if passed, will require the Attorney General to employ at least one Oregon lawyer in the case. This certainly ought to be done. Oregon is more interested than any other State. Congress should give some impetus to this matter and push it along. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Oregon has again expired.

Mr. LAFFERTY. I thank the House for its courtesy.

APPENDIX.

List of unsold lands of the Oregon & California Railroad Co. received by it under the acts of April 10, 1869, and May 4, 1870, as the same appear in the Government's bill of complaint.

EAST SIDE GRANT.

[Act of Apr. 10, 1869.]

All of the lands of said east side grant are situated in the State of Oregon; the respective counties are indicated in the schedule.

The counties are arranged in the order in which they occur in the grant from west to east, commencing at the north. Thus arranged, they appear in the following order. For convenience, the total number of acres in each county is here stated:

	Acres.
Washington County	2,452.18
Multnomah County	8,120.00
Yamhill County	27,120.20
Clackamas County	89,162.07
Polk County	37,017.79
Marion County	30,256.00
Lincoln County	15,906.00
Benton County	53,626.99
Linn County	61,966.23
Lane County	299,606.00
Douglas County	616,843.14
Coos County	106,563.36
Curry County	7,844.64
Josephine County	167,480.98
Jackson County	441,791.15
Klamath County	43,015.00
Total east side grant	2,008,771.73

WASHINGTON COUNTY.

[South of base line and west of Willamette meridian.]

	Acres.
Township 1, range 1:	
W. ½ of SE. ¼ of SW. ¼, sec. 19	20.00
Township 3, range 1:	
NE. ¼ of NW. ¼, sec. 3	41.00
Township 1, range 2:	
Lot 1, sec. 31	20.00
Township 2, range 2:	
SW. ¼ of SW. ¼, sec. 17	40.00
Township 1, range 3:	
Lot 1, sec. 7	.18
SW. ¼ of SW. ¼, sec. 21	40.00
Lot 1, sec. 25	11.00
Township 2, range 3:	
S. ½ of NE. ¼; SE. ¼ of NW. ¼; NE. ¼ of SW. ¼; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 11	280.00
NW. ¼ of SW. ¼; E. ½ of SW. ¼; SW. ¼ of SE. ¼, sec. 13	160.00
Township 1, range 4:	
NW. ¼ of NE. ¼; NW. ¼; SE. ¼, sec. 15	360.00
Township 1, range 5:	
NE. ¼ of NE. ¼; E. ½ of SE. ¼, sec. 1	120.00
NE. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 3	280.09
SW. ¼ of SW. ¼; SE. ¼ of NW. ¼, sec. 11	80.00
E. ½ of NE. ¼; SE. ¼, sec. 15	240.00
All sec. 33	640.00
NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 35	120.00
Total Washington County	2,452.18

MULTNOMAH COUNTY.

[South of base line and east of Willamette meridian.]

Township 1, range 4:	
SE. ¼ of SW. ¼; N. ½ of SW. ¼, sec. 11	120.00
SW. ¼ of NE. ¼, sec. 13	40.00
W. ½ of NE. ¼; SE. ¼ of NE. ¼; NE. ¼ of NW. ¼, sec. 15	160.00
S. ½ of NE. ¼; N. ½ of NW. ¼; SE. ¼ of NW. ¼; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 23	320.00
Township 1, range 5:	
All sec. 1	646.00
All sec. 3	623.00
SE. ¼ of NW. ¼; NW. ¼ of SW. ¼; SE. ¼ of SE. ¼, sec. 5	120.00
S. ½ of NW. ¼; NW. ¼ of SW. ¼; S. ½ of SW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 7	317.00
NE. ¼ of NE. ¼; S. ½ of N. ½; NW. ¼ of NW. ¼; S. ½, sec. 9	560.00
All sec. 11	640.00
All sec. 13	640.00
N. ½; N. ½ of SE. ¼, sec. 15	400.00
N. ½ of NE. ¼; SW. ¼ of NE. ¼, sec. 17	120.00
S. ½, sec. 21	320.00
NE. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼; N. ½ of SW. ¼; NW. ¼ of SE. ¼, sec. 23	400.00
Township 1, range 6:	
NW. ¼ sec. 3	118.00
All sec. 5	664.00
All sec. 7	632.00
All sec. 9	640.00
All sec. 17	640.00
Total Multnomah County	8,120.00

YAMHILL COUNTY.

[South of base line and west of Willamette meridian.]

Township 3, range 2:	
Lot 1, sec. 19	.50
Township 2, range 3:	
NE. ¼ of NW. ¼; SE. ¼ of NE. ¼, sec. 23	80.00
Township 5, range 3:	
Lots 10, 11, 12, sec. 3	74.64
Lot 1, sec. 9	3.90
Lot 1, sec. 11	15.06
Lot 4, sec. 13	15.82
Lot 6, sec. 21	.97
NE. ¼ of SE. ¼ sec. 23	40.00
Lots 7, 8, sec. 25	72.70
Township 2, range 4:	
Lot 1, sec. 31	1.30
Township 3, range 4:	
Lot 1, sec. 9	1.48
Lot 4, sec. 33	.11
Township 4, range 4:	
Lot 1, sec. 13	2.94
Township 5, range 4:	
Lot 2, sec. 9	.31
Lot 1, sec. 27	13.00
Lot 1, sec. 35	25.44
Township 2, range 5:	
SW. ¼ of NE. ¼; SE. ¼ of NW. ¼; NE. ¼ of SW. ¼; NW. ¼ of SE. ¼, sec. 1	160.00
N. ½ of NE. ¼; NE. ¼ of NW. ¼; SW. ¼ of NW. ¼; SW. ¼; S. ½ of SE. ¼, sec. 3	400.70
SE. ¼ of NE. ¼; S. ½, sec. 5	360.00
All sec. 7	645.60
NE. ¼ of NE. ¼; W. ½ of E. ½; W. ½; SE. ¼ of SE. ¼, sec. 9	560.00
All sec. 17	640.00
W. ½ of NE. ¼; NE. ¼ of NW. ¼; SW. ¼ of NW. ¼; W. ½ of SW. ¼; NE. ¼ of SE. ¼, sec. 19	283.60
NW. ¼ of NE. ¼; N. ½ of NW. ¼; NW. ¼ of SW. ¼; NW. ¼ of SE. ¼, sec. 21	200.00
Lot 2, N. ½ of N. ½ of SW. ¼, sec. 27	57.05
NE. ¼ of NE. ¼, sec. 29	40.00
SE. ¼ of NW. ¼; S. ½, sec. 31	363.97
Township 3, range 5:	
S. ½ of SW. ¼, sec. 5	80.00
NE. ¼ of NE. ¼; N. ½ of NW. ¼; SW. ¼ of NW. ¼; NW. ¼ of SW. ¼; W. ½ of SE. ¼, sec. 7	284.20
S. ½ of N. ½; S. ½, sec. 19	488.10
Lots 1, 2, sec. 23	41.20
N. ½ of NE. ¼; SW. ¼ of NE. ¼; NW. ¼; E. ½ of SW. ¼; SW. ¼ of SW. ¼; SE. ¼, sec. 29	560.00
SW. ¼; W. ½ of SE. ¼, sec. 31	248.21
W. ½ of NE. ¼; E. ½ of NW. ¼; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 33	280.00
E. ½ of NE. ¼, sec. 35	80.00

	Acres.
Township 4, range 5:	
N. ½, sec. 7	324.51
NW. ¼; N. ½ of SW. ¼; NW. ¼ of SE. ¼, sec. 19	285.70
Lot 4; SW. ¼ of NW. ¼, sec. 21	79.06
S. ½ of S. ½ of SE. ¼ of SE. ¼, sec. 31	10.40
Township 5, range 5:	
Lot 7 (or NW. ¼ of NW. ¼), sec. 5	30.05
Lot 8, sec. 15	12.00
Lot 8, sec. 25	.10
Lots 1, 5, 6, sec. 31	15.91
Lot 1, sec. 35	8.00
Township 2, range 6:	
N. ½; N. ½ of S. ½, sec. 13	480.00
W. ½ of NW. ¼, sec. 25	80.00
SW. ¼; S. ½ of SE. ¼, sec. 27	240.00
S. ½; E. ½ of NE. ¼, sec. 33	421.36
All sec. 35	640.00
Township 3, range 6:	
All sec. 1	641.84
N. ½ of NW. ¼; SW. ¼ of NW. ¼; SW. ¼ of SW. ¼; SE. ¼ of SE. ¼, sec. 3	202.11
S. ½, sec. 5	320.00
W. ½ of NW. ¼; N. ½ of SW. ¼; S. ½ of SE. ¼, sec. 9	240.00
N. ½ of NE. ¼; SW. ¼ of NE. ¼; NE. ¼ of NW. ¼; W. ½ of NW. ¼; SE. ¼ of SW. ¼; SE. ¼, sec. 11	440.00
All sec. 13	640.00
NW. ¼ of NE. ¼; NW. ¼ of NW. ¼; NW. ¼ of SW. ¼; S. ½ of SW. ¼; SE. ¼, sec. 15	360.00
All sec. 17	640.00
W. ½ of E. ½; W. ½, sec. 21	480.00
E. ½; E. ½ of NW. ¼; SE. ¼ of SW. ¼, sec. 23	440.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 33	640.00
All sec. 35	640.00
Township 4, range 6:	
NE. ¼; N. ½ of SE. ¼, sec. 1	239.85
N. ½; N. ½ of SW. ¼; SE. ¼, sec. 3	560.62
N. ½ of NE. ¼; SW. ¼ of NE. ¼; NW. ¼; S. ½, sec. 5	605.47
All sec. 9	640.00
N. ½ of NE. ¼, sec. 11	80.00
E. ½ of NE. ¼, sec. 13	80.00
All sec. 17	640.00
All sec. 19	662.96
All sec. 21	640.00
NE. ¼ of NE. ¼; S. ½ of NE. ¼; SE. ¼ of SW. ¼, sec. 23	160.00
N. ½; W. ½ of SW. ¼; N. ½ of SE. ¼, sec. 29	480.00
E. ½ of NE. ¼; SW. ¼ of NE. ¼; W. ½ of NW. ¼; SE. ¼ of NW. ¼; N. ½ of S. ½, sec. 31	415.78
NW. ¼ of NE. ¼; NW. ¼; N. ½ of SW. ¼, sec. 33	280.00
Lots 1, 2, sec. 35	4.00
Township 5, range 6:	
E. ½ of NW. ¼, sec. 3	78.23
Township 4, range 7:	
SE. ¼ of NE. ¼; W. ½ of NW. ¼; S. ½, sec. 21	440.00
All sec. 23	640.00
NE. ¼; E. ½ of NW. ¼; S. ½, sec. 25	560.00
All sec. 27	640.00
E. ½; N. ½ of NW. ¼; S. ½ of SW. ¼, sec. 29	480.00
E. ½, sec. 31	320.00
S. ½ of NE. ¼; N. ½ of NW. ¼; S. ½ of SW. ¼; SE. ¼, sec. 33	400.00
W. ½ of E. ½; NW. ¼; N. ½ of SW. ¼, sec. 35	400.00
Township 5, range 7:	
E. ½ of NE. ¼; N. ½ of NW. ¼; SE. ¼ of NW. ¼; NE. ¼ of SE. ¼, sec. 3	243.40
N. ½ of NW. ¼; SE. ¼, sec. 9	240.00
SW. ¼; SW. ¼ of SE. ¼, sec. 11	200.00
N. ½; N. ½ of SE. ¼; SW. ¼; SW. ¼ of SE. ¼, sec. 15	600.00
SW. ¼; N. ½ of SE. ¼, sec. 21	240.00
NE. ¼ of NE. ¼; S. ½ of NW. ¼; lot 1, sec. 27	121.20
SW. ¼, sec. 33	160.00
Township 6, range 7:	
NW. ¼, sec. 3	156.85
Total Yamhill County	27,120.20

CLACKAMAS COUNTY.

[South of base line and east of Willamette meridian.]

Township 3, range 1:	
Lot 1, sec. 19	2.23
Township 4, range 1:	
Lot 1, sec. 21	.49
Township 6, range 1:	
NE. ¼ of NW. ¼; S. ½ of NW. ¼; N. ½ of SW. ¼; SE. ¼ of SW. ¼, sec. 13	240.00
Township 1, range 2:	
Lot 4, sec. 35	2.80
Township 3, range 2:	
Lots 1, 2, sec. 3	14.55
Lot 1, sec. 7	.87
SE. ¼ of SE. ¼ sec. 11	40.00
Township 4, range 2:	
SE. ¼ of NW. ¼; E. ½ of SW. ¼, sec. 3	120.00
NW. ¼ of SW. ¼ sec. 5	40.00
SE. ¼ of NE. ¼; E. ½ of SW. ¼; NE. ¼ of SE. ¼, sec. 11	160.00
NW. ¼ of SE. ¼ sec. 13	40.00
SW. ¼ of NE. ¼; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 15	160.00
NE. ¼ of NW. ¼ sec. 21	40.00
SW. ¼ of NW. ¼ sec. 23	40.00
Lots 1, 2, sec. 33	1.80
Township 5, range 2:	
Lots 1, 2, sec. 3	42.66
Lot 2, sec. 5	4.47
S. ½ of NE. ¼; lot 2, sec. 13	125.55
E. ½ of NE. ¼; NE. ¼ of SE. ¼; lot 2, sec. 25	147.50
S. ½ of NE. ¼; E. ½ of W. ½; SE. ¼, sec. 35	400.00
Township 6, range 2:	
NE. ¼; N. ½ of NW. ¼; SE. ¼ of NW. ¼; SE. ¼ of SW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 1	440.20
NW. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼; E. ½ of SW. ¼; SE. ¼, sec. 5	552.55
N. ½; SW. ¼ of SW. ¼; W. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 7	475.99
SW. ¼ of NE. ¼; NW. ¼; NW. ¼ of SE. ¼, sec. 9	240.00
SW. ¼ of NE. ¼, sec. 11	40.00
E. ½ of NE. ¼; SW. ¼ of NW. ¼; SW. ¼; W. ½ of SE. ¼, sec. 13	360.00
N. ½ of NE. ¼; SW. ¼ of NE. ¼; NW. ¼, sec. 15	280.00
NW. ¼ of NE. ¼; N. ½ of NW. ¼, sec. 17	120.00
Township 6, range 2—Continued.	Acres.
NW. ¼ of NE. ¼; E. ½ of NW. ¼; N. ½ of SW. ¼; SW. ¼ of SW. ¼; NW. ¼ of SE. ¼; SE. ¼ of SE. ¼, sec. 19	315.36
W. ½ of NW. ¼, sec. 21	80.00
S. ½ of NW. ¼, sec. 23	80.00
W. ½; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 25	440.00
SW. ¼ of NE. ¼; NE. ¼ of NW. ¼; S. ½ of NW. ¼, sec. 27	160.00
NE. ¼; N. ½ of NW. ¼; SE. ¼ of NW. ¼; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 29	400.00
N. ½; SE. ¼, sec. 33	480.00
N. ½; SW. ¼; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 35	600.00
Township 7, range 2:	
All sec. 1	640.00
E. ½; E. ½ of W. ½; NW. ¼ of NW. ¼, sec. 3	516.38
NE. ¼; NE. ¼ of SE. ¼, sec. 5	198.65
SE. ¼ of NE. ¼; E. ½ of SE. ¼, sec. 9	120.00
N. ½; SW. ¼; E. ½ of SE. ¼, sec. 11	560.00
All sec. 13	640.00
E. ½; E. ½ of W. ½; NW. ¼ of NW. ¼, sec. 15	520.00
All sec. 23	640.00
N. ½; N. ½ of SW. ¼; SE. ¼ of SW. ¼; SE. ¼, sec. 25	600.00
Township 1, range 3:	
NE. ¼ of NE. ¼, sec. 29	40.00
Township 2, range 3:	
Lot 5, sec. 21	.55
Lots 5, 6, 8, sec. 23	11.25
Township 3, range 3:	
Lots 3, 11, sec. 1	45.19
SW. ¼ of NE. ¼; NW. ¼ of SW. ¼; lot 2, sec. 7	99.51
Lot 5, sec. 13	36.34
Lots 1, 2, 3, 6, 7, 8, sec. 15	75.27
NW. ¼ of NE. ¼; NE. ¼ of NW. ¼, sec. 19	80.00
Lots 3, 4, 5, 6, 7, 8, sec. 25	71.26
SE. ¼ of NE. ¼; SW. ¼ of SE. ¼; lots 1, 2, 3, sec. 27	101.95
Lot 4; SE. ¼ of SW. ¼; W. ½ of SE. ¼, sec. 29	146.65
NW. ¼, sec. 33	160.00
N. ½, sec. 35	320.00
Township 4, range 3:	
S. ½ of NE. ¼; NW. ¼; N. ½ of SW. ¼; lots 1, 2; SE. ¼, sec. 1	525.45
SW. ¼ of SE. ¼, sec. 3	40.00
E. ½ of NW. ¼; NW. ¼ of SW. ¼; S. ½ of SW. ¼, sec. 5	200.16
SW. ¼ of NE. ¼, sec. 9	40.00
NE. ¼ of NW. ¼; S. ½ of NW. ¼; SW. ¼, sec. 13	280.00
SW. ¼ of SW. ¼, sec. 19	47.31
E. ½ of NE. ¼; SW. ¼ of NW. ¼; N. ½ of SW. ¼, sec. 21	200.00
NW. ¼ of NW. ¼; S. ½ of NW. ¼; SW. ¼, sec. 23	280.00
NW. ¼ of NE. ¼; S. ½ of NE. ¼; S. ½ of NW. ¼, sec. 25	200.00
N. ½ of NE. ¼; SW. ¼ of NE. ¼; SE. ¼ of NW. ¼; NE. ¼ of SW. ¼; S. ½ of SW. ¼; NW. ¼ of SE. ¼, sec. 27	320.00
NE. ¼ of NE. ¼; S. ½ of NE. ¼, sec. 29	120.00
S. ½ of NE. ¼; SE. ¼, sec. 31	240.00
N. ½ of NE. ¼; NW. ¼ of SW. ¼, sec. 33	120.00
Township 5, range 3:	
S. ½ of NE. ¼; E. ½ of SE. ¼, sec. 1	160.00
SW. ¼ of NW. ¼; NW. ¼ of SW. ¼; S. ½ of SW. ¼, sec. 5	160.00
NE. ¼ of NE. ¼; SE. ¼ of NW. ¼; NE. ¼ of SW. ¼; lot 3; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 7	290.02
E. ½; SE. ¼ of NW. ¼; E. ½ of SW. ¼, sec. 11	440.00
N. ½; NW. ¼ of SW. ¼; S. ½ of SW. ¼; SE. ¼, sec. 13	600.00
N. ½ of NW. ¼, sec. 17	80.00
NE. ¼; E. ½ of NW. ¼, sec. 21	240.00
N. ½; E. ½ of SW. ¼; SE. ¼, sec. 23	560.00
Township 6, range 3:	
S. ½ of NW. ¼; N. ½ of SW. ¼, sec. 17	160.00
Township 7, range 3:	
N. ½; SW. ¼; N. ½ of SE. ¼, sec. 1	559.12
All sec. 3	637.28
All sec. 5	638.00
SW. ¼ of NE. ¼; W. ½; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 7	455.60
All sec. 9	640.00
N. ½; SW. ¼; NW. ¼ of SE. ¼, sec. 11	520.00
All sec. 13	640.00
NE. ¼; S. ½ of SW. ¼; SW. ¼ of SE. ¼, sec. 15	280.00
N. ½ of NE. ¼; SW. ¼ of NW. ¼; SW. ¼; S. ½ of SE. ¼, sec. 17	360.00
All sec. 19	612.40
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
N. ½, sec. 27	320.00
Township 1, range 4:	
NW. ¼ of NE. ¼; S. ½ of NE. ¼; NE. ¼ of NW. ¼, sec. 25	160.00
Township 2, range 4:	
W. ½ of NE. ¼; NE. ¼ of NW. ¼; E. ½ of SW. ¼, sec. 1	198.49
Lot 4, sec. 19	18.67
S. ½ of NE. ¼; S. ½ of S. ½, sec. 25	240.00
SW. ¼ of NW. ¼, sec. 29	40.00
N. ½ of NE. ¼; W. ½; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 35	520.00
Township 3, range 4:	
S. ½ of S. ½, sec. 1	160.00
E. ½; E. ½ of W. ½; NW. ¼ of NW. ¼; SW. ¼ of SW. ¼, sec. 11	560.00
N. ½ of N. ½; SE. ¼ of NE. ¼; SE. ¼ of NW. ¼, sec. 13	240.00
SE. ¼, sec. 25	160.00
SE. ¼ of SE. ¼, sec. 29	40.00
Lot 5; NW. ¼ of NW. ¼, sec. 31	57.66
Lot 1, sec. 33	16.00
Township 4, range 4:	
NW. ¼ of SW. ¼; S. ½ of SW. ¼, sec. 1	120.00
Lot 1; NW. ¼ of NE. ¼; E. ½ of NW. ¼, sec. 7	145.50
Lots 7, 8, 10, 11, sec. 9	60.11
SW. ¼ of NE. ¼, sec. 11	40.00
E. ½, sec. 13	320.00
S. ½ of NE. ¼; lot 4; SE. ¼ of SW. ¼, except 2 acres in SW. corner, sec. 15	153.42
Lots 1, 4, 5, 7, and 8; SW. ¼ of NW. ¼; N. ½ of SW. ¼; SE. ¼ of SW. ¼; S. ½ of SE. ¼, sec. 17	364.16
SW. ¼; SW. ¼ of SE. ¼, sec. 21	200.00
NW. ¼ of NE. ¼; E. ½ of SW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 23	240.00
All sec. 25	640.00
All sec. 27	640.00
NE. ¼ of NW. ¼; NE. ¼ of SW. ¼; NE. ¼ of SE. ¼; SW. ¼ of SE. ¼, sec. 29	160.00
NE. ¼ of NE. ¼; NE. ¼ of NW. ¼; S. ½ of SW. ¼; E. ½ of SE. ¼, sec. 31	241.83
All sec. 33	640.00
W. ½, sec. 35	320.00

	Acres.
Township 5, range 4:	
All sec. 1	626.12
All sec. 3	561.91
All sec. 5	634.88
All sec. 7	648.38
All sec. 9	640.00
All sec. 11	640.00
All sec. 13	640.00
N. ½; SW. ¼; N. ½ of SE. ¼, sec. 15	520.35
All sec. 17	629.76
All sec. 19	577.90
N. ½, sec. 21	320.00
All sec. 23	640.00
All sec. 25	640.00
Township 6, range 4:	
All sec. 1	750.36
All sec. 3	751.48
All sec. 9	640.00
All sec. 11	640.00
S. ½, sec. 33	320.00
Township 7, range 4:	
N. ½; SW. ¼; NW. ¼ of SE. ¼, sec. 5	428.60
S. ½ of N. ½; S. ½, sec. 7	537.19
All sec. 9	640.00
N. ½; N. ½ of S. ½, sec. 15	480.00
All sec. 17	640.00
All sec. 19	714.52
N. ½; W. ½ of SW. ¼, sec. 21	400.00
N. ½; SW. ¼, sec. 29	480.00
Township 8, range 4:	
E. ½; lots 1, 2, 3, and 4, sec. 7	462.84
Township 1, range 5:	
N. ½ of NE. ¼; NW. ¼, sec. 25	240.00
NW. ¼ of NE. ¼; NE. ¼ of NW. ¼; SW. ¼ of SW. ¼, sec. 29	120.00
S. ½ of SW. ¼, sec. 33	80.00
S. ½ of NE. ¼; S. ½, sec. 35	400.00
Township 2, range 5:	
NE. ¼; SE. ¼ of SW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 1	319.37
Lot 5, sec. 7	38.52
NE. ¼, E. ½ of SE. ¼, sec. 13	240.00
NE. ¼; N. ½ of NW. ¼; SW. ¼ of NW. ¼; NW. ¼ of SW. ¼; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 15	440.00
SW. ¼ of NE. ¼; E. ½ of NW. ¼, sec. 19	120.00
NW. ¼ of NE. ¼; N. ½ of NW. ¼; SW. ¼ of NW. ¼, sec. 23	160.00
N. ½ of NE. ¼; S. ½ of SW. ¼; SE. ¼ of SE. ¼, sec. 27	200.00
NW. ¼ of NW. ¼; S. ½ of NW. ¼, sec. 31	113.11
N. ½ of NW. ¼; SE. ¼ of NW. ¼; SE. ¼, sec. 33	280.00
Township 3, range 5:	
All sec. 1	641.73
All sec. 3	645.10
SE. ¼ of NW. ¼; S. ½, sec. 7	357.00
E. ½; S. ½ of NW. ¼; N. ½ of SW. ¼, sec. 9	480.00
All sec. 11	640.00
All sec. 13	640.00
NE. ¼ of NE. ¼; S. ½ of NE. ¼; N. ½ of SW. ¼; SE. ¼, sec. 15	360.00
N. ½ of NE. ¼; SE. ¼ of SE. ¼, sec. 17	120.00
NW. ¼ of SW. ¼; S. ½ of SW. ¼; SW. ¼ of SE. ¼, sec. 19	154.12
N. ½ of NE. ¼; SW. ¼ of NE. ¼; SE. ¼ of NW. ¼; NE. ¼ of SW. ¼; SW. ¼ of SW. ¼; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 21	360.00
E. ½; E. ½ of W. ½; NW. ¼ of NW. ¼; SW. ¼ of SW. ¼, sec. 23	560.00
All sec. 25	640.00
All sec. 27	640.00
S. ½ of N. ½; NW. ¼ of NW. ¼; N. ½ of SW. ¼; SE. ¼ of SW. ¼; S. ½ of SE. ¼, sec. 29	400.00
N. ½ of NW. ¼; SW. ¼ of NW. ¼; SW. ¼ of SW. ¼; S. ½ of SE. ¼, sec. 31	236.59
N. ½; N. ½ of SW. ¼; SE. ¼, sec. 33	560.00
All sec. 35	640.00
Township 4, range 5:	
All sec. 1	640.22
NE. ¼; N. ½ of SW. ¼; SW. ¼ of SW. ¼; NW. ¼ of SE. ¼, sec. 3	319.84
E. ½ of NE. ¼; E. ½ of NW. ¼; S. ½ of S. ½, sec. 5	321.69
All sec. 7	639.26
All sec. 9	640.00
W. ½ of NE. ¼; W. ½ of NW. ¼; SE. ¼ of NW. ¼; S. ½, sec. 11	520.00
All sec. 13	640.00
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	637.98
All sec. 21	640.00
All sec. 23	640.00
NE ¼, sec. 27	160.00
S. ½ of N. ½; NW. ¼ of NW. ¼, sec. 29	200.00
All sec. 31	659.66
E. ½, sec. 35	322.98
Township 1, range 6:	
All sec. 29	640.00
All sec. 31	624.80
SW. ¼, sec. 33	160.00
Township 2, range 6:	
All sec. 1	640.00
All sec. 3	639.42
All sec. 5	638.22
N. ½; N. ½ of SW. ¼; SW. ¼ of SW. ¼; SE. ¼, sec. 7	597.22
All sec. 9	640.00
All sec. 11	640.00
All sec. 13	640.00
All sec. 15	640.00
N. ½; E. ½ of SW. ¼; SE. ¼, sec. 17	560.00
S. ½ of N½; NW. ¼ of SW. ¼; N. ½ of SE. ¼, sec. 19	282.99
S. ½ of NE. ¼; S. ½ of SW. ¼; SE. ¼, sec. 21	320.00
N. ½; N. ½ of S. ½; SW. ¼ of SW. ¼, sec. 23	520.00
N. ½ of NE. ¼; SW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 25	360.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	642.82
All sec. 33	640.00
All sec. 35	640.00
Township 4, range 6:	
N. ½; SW. ¼, sec. 1	480.00
All sec. 3	640.00
All sec. 5	644.21
All sec. 7	639.39
All sec. 9	640.00
Township 4, range 6—Continued.	Acres.
All sec. 11	700.21
W. ½, sec. 13	320.00
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	640.54
All sec. 21	640.00
NW. ¼, sec. 23	195.68
NW. ¼, sec. 27	160.00
All sec. 29	621.83
Lots 3, 4, 5, 6, 7; NE. ¼ of SW. ¼; N. ½ of SE. ¼, sec. 31	327.52
Lots 1, 2; NW. ¼; N. ½ of SW. ¼, sec. 33	303.04
Township 2, range 7:	
All sec. 7	638.41
All sec. 19	638.42
All sec. 31	639.59
Township 3, range 7:	
W. ½, sec. 7	323.32
W. ½, sec. 19	321.78
South of base line and west of Willamette Meridian, township 3, range 1:	
NE. ¼ of SW. ¼, sec. 19	40.00
Total Clackamas County	89,162.07

POLK COUNTY.

[South of base line and west of Willamette meridian.]

Township 6, range 3:	
Lot 1, sec. 5	2.00
Lot 4, sec. 21	.63
Township 8, range 4:	
Lot 3, sec. 3	4.00
Township 9, range 4:	
Lot 5, sec. 1	4.00
Lot 5, sec. 9	1.16
Township 9, range 5:	
Lot 9, sec. 13	6.00
Township 6, range 6:	
Lot 1, sec. 35	28.00
Township 7, range 6:	
Lots 1, 2, 3, 4, sec. 3	94.00
SW. ¼ of NE. ¼; S. ½; lot 1, sec. 5	405.00
All sec. 7	655.00
SE. ¼ of NE. ¼; S. ½ of SW. ¼; SE. ¼; lot 3, sec. 9	318.00
E. ½ of NE. ¼; NE. ¼ of SW. ¼; S. ½ of SW. ¼; SE. ¼, sec. 17	360.00
E. ½ of SW. ¼; NE. ¼ of SE. ¼; SW. ¼ of SE. ¼, sec. 21	160.00
SE. ¼ of SE. ¼, sec. 27	40.00
All sec. 29	640.00
All sec. 31	662.00
N. ½ of NE. ¼; NW. ¼; SE. ¼, sec. 33	400.00
Township 8, range 6:	
N. ½, sec. 5	324.00
NW. ¼ of NW. ¼; S. ½ of N. ½; N. ½ of S. ½; SE. ¼ of SE. ¼, sec. 7	415.00
W. ½ of NE. ¼; S. ½ of NW. ¼; N. ½ of SW. ¼; SW. ¼ of SW. ¼, sec. 9	280.00
NW. ¼ of NE. ¼; NW. ¼, sec. 17	200.00
NE. ¼ of NE. ¼; SW. ¼ of NE. ¼; NW. ¼ of NW. ¼; S. ½ of NW. ¼; SW. ¼; S. ½ of SE. ¼, sec. 31	440.00
W. ½ of NW. ¼, sec. 33	80.00
Township 9, range 6:	
N. ½ of NE. ¼; NW. ¼, sec. 5	246.00
N. ½; N. ½ of SE. ¼, sec. 7	407.00
SE. ¼ of NW. ¼, sec. 9	40.00
SW. ¼ of NE. ¼, sec. 17	40.00
Township 7, range 7:	
S. ½ of NE. ¼; NW. ¼; S. ½, sec. 1	610.00
All sec. 3	739.00
All sec. 5	736.00
All sec. 7	643.00
All sec. 9	640.00
N. ½; N. ½ of S. ½; SW. ¼ of SW. ¼; SE. ¼ of SE. ¼, sec. 11	560.00
N. ½; SW. ¼; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 13	600.00
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	642.00
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	640.00
All sec. 33	641.00
N. ½ sec. 35	320.00
Township 8, range 7:	
S. ½ of NW. ¼; SW. ¼; NW. ¼ of SE. ¼; SE. ¼ of SE. ¼, sec. 1	320.00
W. ½; NE. ¼, sec. 3	481.00
All sec. 5	641.00
N. ½ of N. ½; SW. ¼ of NW. ¼; NW. ¼ of SW. ¼; S. ½ of S. ½, sec. 9	400.00
SE. ¼ of SE. ¼, sec. 15	40.00
N. ½ of NE. ¼; NE. ¼ of NW. ¼, sec. 17	120.00
SE. ¼ of NW. ¼, sec. 23	40.00
N. ½ of NE. ¼; SW. ¼ of NE. ¼; SE. ¼ of SE. ¼, sec. 25	160.00
All sec. 31	641.00
N. ½ of NE. ¼; SW. ¼ of NE. ¼, sec. 35	120.00
Township 9, range 7:	
NE. ¼; E. ½ of NW. ¼; S. ½, sec. 1	561.00
NW. ¼; S. ½, sec. 3	480.00
Lots 3, 4; SW. ¼ of NW. ¼, sec. 5	136.00
N. ½; SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 9	600.00
All sec. 11	640.00
All sec. 13	640.00
W. ½ of NE. ¼; W. ½; NW. ¼ of SE. ¼, sec. 15	440.00
Lots 9, 10, 11, 14, 15, 16, sec. 17	245.00
NW. ¼; NW. ¼ of SW. ¼, sec. 21	200.00
E. ½ of NE. ¼; NE. ¼ of SE. ¼, sec. 23	120.00
N. ½; SW. ¼, sec. 29	480.00
All sec. 31	662.00
SE. ¼ of NW. ¼; S. ½, sec. 33	360.00
NE. ¼ of NE. ¼; W. ½ of NW. ¼; NW. ¼ of SW. ¼; S. ½ of SW. ¼; SW. ¼ of SE. ¼, sec. 35	280.00
Township 10, range 7:	
N. ½ of N. ½, sec. 1	190.00
NW. ¼; N. ½ of SW. ¼, sec. 3	248.00
Lots 1, 2, 3, 4, sec. 5	184.00

	Acres.
Township 7, range 8:	
All sec. 1	780.00
E. ½; E. ½ of W. ½, sec. 3	569.00
All sec. 11	640.00
All sec. 13	640.00
E. ½; E. ½ of W. ½, sec. 15	480.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 35	640.00
Township 8, range 8:	
N. ½; SW. ¼, sec. 1	479.00
E. ½; E. ½ of W. ½, sec. 3	458.00
N. ½; SW. ¼, sec. 11	480.00
E. ½ of E. ½, sec. 15	160.00
S. ½ sec. 23	320.00
All sec. 25	640.00
N. ½ sec. 35	320.00
Township 9, range 8:	
N. ½ of NW. ¼; SW. ¼ of NW. ¼; W. ½ of SW. ¼, sec. 11	200.00
NE. ¼ sec. 15	160.00
S. ½ of NE. ¼; NW. ¼; S. ½, sec. 27	560.00
All sec. 35	640.00
Total Polk County	37,017.79

MARION COUNTY.

[South of base line and west of Willamette meridian.]

Township 9, range 1:	
Lot 9, sec. 13	29.00
Township 9, range 2:	
Lot 3, sec. 29	17.00
Township 6, range 3:	
Lot 2, sec. 1	9.00
Lots 8, 9, 10, sec. 21	58.00
Township 8, range 4:	
Lot 9, sec. 1	7.00

[South of base line and east of Willamette meridian.]

Township 6, range 1:	
NE. ¼; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 25	280.00
Township 7, range 1:	
SE. ¼ of NW. ¼; W. ½ of SE. ¼, sec. 1	120.00
Lots 1, 5, 6, sec. 7	36.00
S. ½ sec. 11	320.00
W. ½ of NE. ¼; W. ½ of W. ½; NE. ¼ of SE. ¼, sec. 13	280.00
NE. ¼ of NE. ¼; E. ½ of SE. ¼, sec. 23	120.00
Township 8, range 1:	
NE. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼; NE. ¼ of SW. ¼; SE. ¼, sec. 1	481.00
N. ½ of NE. ¼; SW. ¼ of NE. ¼; W. ½; S. ½ of SE. ¼, sec. 3	524.00
Lots 1, 2, sec. 7	17.00
N. ½; W. ½ of SW. ¼; NE. ¼ of SE. ¼, sec. 11	440.00
NE. ¼; NE. ¼ of SW. ¼; N. ½ of SE. ¼, sec. 12	280.00
NE. ¼; E. ½ of SE. ¼, sec. 13	240.00
E. ½ of SW. ¼; S. ½ of SE. ¼, sec. 15	160.00
All sec. 25	640.00
SE. ¼ of NW. ¼; N. ½ of SW. ¼; SW. ¼ of SE. ¼, sec 27	160.00
N. ½ of NE. ¼; NW. ¼ of NW. ¼; S. ½, sec. 35	440.00
Township 9, range 1:	
Lot 1, sec. 23	22.00
Township 6, range 2:	
SW. ¼ of SW. ¼, sec. 29	40.00
E. ½ of NE. ¼; NW. ¼; NE. ¼ of SW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 31	396.00
Township 7, range 2:	
W. ½; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 5	440.00
SW. ¼ of NW. ¼; NW. ¼ of SW. ¼; SE. ¼ of SW. ¼, sec. 7	118.00
SW. ¼ of NE. ¼; W. ½; W. ½ of SE. ¼, sec. 9	440.00
SW. ¼ of NW. ¼; W. ½ of SW. ¼, sec. 15	120.00
NE. ¼; S. ½ of NW. ¼, sec. 17	240.00
SE. ¼ of NW. ¼; E. ½ of SW. ¼; SE. ¼, sec. 19	280.00
W. ½ of W. ½; SE. ¼ of NW. ¼; SE. ¼, sec. 21	360.00
SW. ¼ of SW. ¼, sec. 25	40.00
All sec. 27	640.00
S. ½ of NE. ¼; NW. ¼; E. ½ of SW. ¼; SE. ¼, sec. 33	480.00
All sec. 35	640.00
Township 8, range 2:	
All sec. 1	636.00
All sec. 3	636.00
All sec. 5	645.00
S. ½ of NE. ¼; NW. ¼; S. ½, sec. 7	562.00
All sec. 9	630.00
All sec. 11	640.00
NW. ¼ of NE. ¼; N. ½ of NW. ¼, sec. 13	120.00
E. ½; NW. ¼ of NW. ¼; S. ½ of NW. ¼; SW. ¼, sec. 17	600.00
S. ½ of NE. ¼; SE. ¼ of NW. ¼; S. ½, sec. 19	441.00
W. ½, sec. 29	320.00
N. ½; N. ½ of SW. ¼; SE. ¼ of SW. ¼; SE. ¼, sec. 31	601.00
Township 9, range 2:	
All sec. 1	642.00
NE. ¼; N. ½ of NW. ¼; N. ½ of SE. ¼, sec. 3	328.00
NE. ¼; N. ½ of NW. ¼; S. ½, sec. 5	575.00
NW. ¼ of NE. ¼; NE. ¼ of NW. ¼, sec. 7	80.00
NW. ¼ of SE. ¼; north 23 acres of SW. ¼ of SE. ¼, sec. 9	63.00
NE. ¼; S. ½ of NW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 11	364.00
NW. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼; S. ½, sec. 13	600.00
S. ½ of NE. ¼; SE. ¼ of NW. ¼; W. ½ of SW. ¼, sec. 15	200.00
NE. ¼; NE. ¼ of NW. ¼; E. ½ of SE. ¼, sec. 23	280.00
E. ½ of NE. ¼; SW. ¼ of NW. ¼; E. ½ of SW. ¼, sec. 25	200.00
Township 8, range 3:	
E. ½ of NE. ¼; SW. ¼ of NW. ¼; S. ½; lots 1, 2, 3, 4, sec. 13	536.00
S. ½ of SE. ¼, sec. 23	80.00
All sec. 25	640.00
NE. ¼; E. ½ of NW. ¼; S. ½, sec. 27	560.00
S. ½ of SW. ¼; SE. ¼, sec. 29	240.00
All sec. 31	637.00
All sec. 33	640.00
All sec. 35	640.00
Township 9, range 3:	
E. ½ of NE. ¼; NE. ¼ of SW. ¼; S. ½ of SW. ¼; SE. ¼, sec. 1	360.00
All sec. 7	643.00
N. ½; E. ½ of SW. ¼; NW. ¼ of SW. ¼; NW. ¼ of SE. ¼, sec. 9	480.00
N. ½ of NW. ¼; NE. ¼; S. ½ of SE. ¼, sec. 11	320.00
Township 9, range 3—Continued.	Acres.
All sec. 13	640.00
NE. ¼; E. ½ of NW. ¼; S. ½, sec. 15	560.00
NE. ¼; S. ½ of NW. ¼; N. ½ of SW. ¼; SW. ¼ of SW. ¼, sec. 17	360.00
N. ½; N. ½ of SW. ¼; SE. ¼, sec. 21	560.00
SE. ¼ of SW. ¼, sec. 23	40.00
Township 8, range 4:	
W. ½, sec. 17	320.00
E. ½; lots 1, 2, 3, 4, sec. 19	466.00
NW. ¼; S. ½, sec. 29	473.00
NW. ¼ of NE. ¼; lots 1, 2, 3, 4, 5, 6, sec. 31	315.00
Township 9, range 4:	
All sec. 5	642.00
All sec. 7	614.00
All sec. 17	640.00
All sec. 19	613.00
NW. ¼, sec. 29	160.00
Total Marion County	30,256.00

LINCOLN COUNTY.

[South of base line and west of Willamette meridian.]

Township 12, range 8:	
SW. ¼; S. ½ of SE. ¼, sec. 3	240.00
SW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 5	280.00
NE. ¼; E. ½ of NW. ¼, sec. 7	240.00
N. ½; E. ½ of SW. ¼; SE. ¼, sec. 9	560.00
S. ½ of NE. ¼; NW. ¼; S. ½, sec. 11	560.00
All sec. 13	640.00
W. ½ of NE. ¼; W. ½, sec. 15	400.00
NE. ¼ of NE. ¼; S. ½ of NE. ¼; S. ½, sec. 17	440.00
N. ½ of NE. ¼; SW. ¼ of NE. ¼; W. ½; W. ½ of SE. ¼, sec. 19	518.00
All sec. 21	640.00
SE. ¼ of NW. ¼; S. ½, sec. 23	360.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	639.00
All sec. 33	640.00
All sec. 35	640.00
Township 13, range 8:	
All sec. 1	678.00
All sec. 3	657.00
All sec. 5	658.00
All sec. 7	635.00
All sec. 9	640.00
All sec. 11	640.00
All sec. 13	640.00
All sec. 15	640.00
All sec. 17	640.00
Township 13, range 9:	
E. ½ of E. ½, sec. 13	160.00
E. ½ of E. ½, sec. 25	160.00
Township 14, range 9:	
E. ½ of NE. ¼; SE. ¼, sec. 1	240.00
NW. ¼ of NE. ¼; NE. ¼ of NW. ¼; SE. ¼ of SW. ¼; S. ½ of SE. ¼, sec. 13	200.00
NE. ¼; E. ½ of W. ½; SE. ¼, sec. 25	480.00
Township 15, range 9:	
E. ½ of NW. ¼; NE. ¼ of SE. ¼, sec. 1	121.00
Total Lincoln County	15,906.00

BENTON COUNTY.

[South of base line and west of Willamette meridian.]

Township 10, range 4:	
Lot 6, sec. 15	1.14
Lot 1, sec. 21	.16
Township 13, range 4:	
Lot 5, sec. 19	52.40
Township 10, range 5:	
NW. ¼ of NE. ¼; S. ½ of NE. ¼; W. ½, sec. 19	440.00
Lot 4, sec. 23	.79
NE. ¼ of NE. ¼; SW. ¼; N. ½ of SE. ¼, sec. 29	280.00
Township 11, range 5:	
Lot 1, sec. 1	2.76
Township 13, range 5:	
Lots 1, 2, sec. 7	2.00
Lot 1, sec. 29	.84
Township 14, range 5:	
Lot 1, sec. 25	.26
Lots 1, 2, 3, sec. 31	5.88
Township 13, range 6:	
S. ½ of SW. ¼, sec. 5	80.00
All sec. 7	681.60
Lot 5, sec. 13	11.34
S. ½ of NE. ¼; W. ½; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 17	520.00
N. ½; SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 19	651.39
S. ½ of N. ½; SW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 21	440.00
SE. ¼ of NW. ¼; W. ½ of SW. ¼, sec. 23	120.00
N. ½, sec. 25	320.00
N. ½ of NE. ¼; NE. ¼ of NW. ¼; SW. ¼ of NW. ¼; NW. ¼ of SE. ¼; SE. ¼ of SE. ¼, sec. 27	240.00
NE. ¼; S. ½ of NW. ¼; SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 29	520.00
All sec. 31	701.65
NE. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼ of NW. ¼; SE. ¼ of NW. ¼; SE. ¼ of SW. ¼; N. ½ of SW. ¼; W. ½ of SE. ¼, sec. 33	400.00
NW. ¼ of NE. ¼; S. ½ of NE. ¼; N. ½ of NW. ¼; NW. ¼ of SW. ¼; E. ½ of SE. ¼, sec. 35	320.00
Township 14, range 6:	
N. ½; NE. ¼ of SE. ¼, sec. 3	362.66
All sec. 5	642.82
All sec. 7	638.60
W. ½ sec. 9	320.00
Lot 1, sec. 11	43.35
All sec. 17	640.00
NE. ¼; NE. ¼ of NW. ¼; S. ½ of NW. ¼; S. ½, sec. 19	602.82
All sec. 29	640.00
All SW. ¼, sec. 31	641.16
Township 15, range 6:	
W. ½ of SW. ¼; SW. ¼ of SE. ¼, sec. 3	120.00
NW. ¼; S. ½, sec. 5	481.31
N. ½ of N. ½, sec. 7	159.40
N. ½ of NW. ¼, sec. 9	80.00

	Acres.
Township 12, range 7:	
S. ½ of S. ½, sec. 7	158.87
NW. ¼ of SW. ¼; S. ½ of SW. ¼; SW. ¼ of SE. ¼, sec. 15	160.00
All sec. 17	640.00
All sec. 19	639.62
N. ½; SE. ¼, sec. 21	480.00
SW. ¼ of NW. ¼; W. ½ of SW. ¼, sec. 23	120.00
All sec. 27	640.00
NW. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼; S. ½, sec. 29	600.00
All sec. 31	634.78
All sec. 33	640.00
All sec. 35	640.00
Township 13, range 7:	
All sec. 3	705.64
All sec. 5	680.38
All sec. 7	645.40
All sec. 9	640.00
All sec. 11	640.00
All sec. 13	640.00
E. ½; N. ½ of NW. ¼; SW. ¼ of NW. ¼; SE. ¼ of SW. ¼, sec. 15	480.00
All sec. 17	640.00
All sec. 19	644.38
W. ½ of NE. ¼; NW. ¼, sec. 21	240.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
Lots 7, 8, sec. 29	1.88
W. ½ of NE. ¼; NW. ¼; NE. ¼ of SW. ¼; NW. ¼ of SE. ¼, sec. 31	318.49
All sec. 33	640.00
All sec. 35	640.00
Township 14, range 7:	
All sec. 1	635.34
All sec. 3	643.92
S. ½ of NE. ¼; W. ½ of SW. ¼; SE. ¼, sec. 5	320.00
Lot 4, sec. 7	34.84
All sec. 9	663.68
All sec. 11	640.00
All sec. 13	631.12
NE. ¼; E. ½ of NW. ¼; S. ½, sec. 15	560.00
All sec. 17	649.99
All sec. 19	651.99
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	665.60
All sec. 33	640.00
All sec. 35	640.00
Township 15, range 7:	
All sec. 1	596.62
All sec. 3	605.08
All sec. 5	595.60
N. ½ of N. ½, sec. 7	157.69
N. ½ of N. ½, sec. 9	160.00
N. ½ of N. ½, sec. 11	160.00
Township 13, range 8:	
All sec. 19	637.68
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	637.19
All sec. 33	641.80
N. ½; SW. ¼; NW. ¼ of SE. ¼, sec. 35	520.00
Township 14, range 8:	
N. ½ of NE. ¼; NW. ¼, sec. 3	244.36
N. ½; SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 5	607.68
NW. ¼ of NE. ¼; S. ½ of NE. ¼; N. ½ of NW. ¼; E. ½ of SW. ¼; SE. ¼, sec. 7	439.01
SE. ¼ of SE. ¼, sec. 9	40.00
E. ½; S. ½ of SW. ¼, sec. 11	400.00
All sec. 15	640.00
SE. ¼ of NE. ¼; S. ½ of NW. ¼; SW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 19	394.81
All sec. 21	640.00
SW. ¼ of NE. ¼; W. ½; NW. ¼ of SE. ¼, sec. 23	400.00
NE. ¼; S. ½ of SW. ¼; E. ½ of SE. ¼, sec. 25	320.00
All sec. 27	640.00
All sec. 29	640.00
N. ½; NE. ¼ of SW. ¼; S. ½ of SW. ¼; SE. ¼, sec. 31	590.00
NE. ¼; E. ½ of NW. ¼; N. ½ of SW. ¼; SW. ¼ of SW. ¼; NE. ¼ of SE. ¼, sec. 33	400.50
NW. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼; S. ½, sec. 35	603.66
Township 15, range 8:	
All sec. 1	774.06
Lots 1, 3, 4, 5, 6, 8, 9, 10, 11, 12; S. ½, sec. 3	659.00
N. ½ of N. ½; SW. ¼ of NE. ¼; SW. ¼ of NW. ¼; S. ½ of SE. ¼, sec. 5	352.00
NE. ¼ of NE. ¼, sec. 7	40.00
N. ½ of N. ½, sec. 9	160.00
N. ½ of N. ½, sec. 11	160.00
Total Benton County	53,626.99

LINN COUNTY.

[South of base line and east of Willamette meridian.]

Township 9, range 1:	
Lot 4, sec. 17	16.00
Township 10, range 1:	
NE. ¼; NE. ¼ of NW. ¼; lots 2, 5, sec. 1	227.00
N. ½ of N. ½; SW. ¼ of NE. ¼; N. ½ of SW. ¼; SE. ¼ of SW. ¼; SE. ¼, sec. 19	478.00
SW. ¼, sec. 21	160.00
S. ½ of N. ½; S. ½, sec. 23	480.00
NW. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼; S. ½, sec. 25	600.00
NW. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼; S. ½, sec. 27	600.00
W. ½ of NE. ¼; NW. ¼; S. ½, sec. 29	560.00
N. ½ of N. ½; lot 2, sec. 31	198.00
All sec. 33	640.00
All sec. 35	640.00
Township 11, range 1:	
All sec. 1	641.00
Lots 1, 2, 3, 4; S. ½ of NE. ¼; SE. ¼ of NW. ¼; S. ½, sec. 3	601.00
N. ½ of NE. ¼; NE. ¼ of SW. ¼, sec. 5	120.00
W. ½, sec. 9	320.00
All sec. 15	640.00
NE. ¼; S. ½ of NW. ¼; S. ½, sec. 17	560.00
N. ½ of N. ½, sec. 21	160.00
N. ½; N. ½ of S. ½; SE. ¼ of SE. ¼, sec. 23	520.00
E. ½; E. ½ of W. ½; NW. ¼ of SW. ¼, sec. 27	520.00
SE. ¼ of SW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 29	160.00
Lot 3, sec. 31	4.00
All sec. 33	640.00
All sec. 35	640.00
Township 12, range 1:	
W. ½ of NW. ¼; SW. ¼, sec. 1	239.00
N. ½; SW. ¼; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 3	596.00
All sec. 5	643.00
N. ½ of N. ½, sec. 9	160.00
All sec. 11	640.00
All sec. 13	640.00
All sec. 15	640.00
All sec. 21	640.00
NE. ¼; S. ½ of NW. ¼; S. ½, sec. 23	560.00
All sec. 25	640.00
All sec. 27	640.00
Township 14, range 1:	
E. ½ of SE. ¼, sec. 29	80.00
N. ½ of SE. ¼, sec. 33	80.00
All sec. 35	640.00
Township 15, range 1:	
N. ½; SW. ¼ of SW. ¼; NE. ¼ of SE. ¼, sec. 1	409.00
Township 9, range 2:	
SW. ¼ of SW. ¼, sec. 25	40.00
Lot 1, sec. 27	4.00
NW. ¼ of SW. ¼; S. ½ of S. ½, sec. 29	200.00
S. ½ of NW. ¼; S. ½, sec. 31	409.00
NW. ¼ of NE. ¼; S. ½ of NE. ¼; E. ½ of W. ½; SE. ¼, sec. 35	440.00
Township 10, range 2:	
NW. ¼; S. ½, sec. 1	479.00
N. ½; NW. ¼ of SW. ¼; E. ½ SE. ¼, sec. 5	440.00
NE. ¼, sec. 7	160.00
E. ½; NE. ¼ of NW. ¼; S. ½ of NW. ¼, sec. 9	445.00
E. ½ of NE. ¼; SW. ¼ of NW. ¼; S. ½, sec. 11	440.00
E. ½, sec. 13	320.00
SE. ¼ of NE. ¼; W. ½ of NW. ¼; S. ½, sec. 15	440.00
S. ½ of N. ½; N. ½ of SE. ¼, sec. 17	240.00
W. ½, sec. 19	348.00
N. ½ of NW. ¼, sec. 21	80.00
NE. ¼; S. ½ of NW. ¼; S. ½, sec. 23	560.00
NE. ¼, sec. 25	160.00
All sec. 31	658.00
SW. ¼ of SW. ¼, sec. 33	40.00
Township 11, range 2:	
S. ½, sec. 3	320.00
All sec. 5	935.00
E. ½, sec. 7	320.00
All sec. 9	640.00
SE. ¼, sec. 13	160.00
Township 12, range 2:	
S. ½, sec. 1	320.00
SE. ¼, sec. 3	160.00
All sec. 11	640.00
All sec. 13	640.00
All sec. 15	640.00
E. ½; S. ½ of SW. ¼, sec. 21	400.00
All sec. 23	640.00
All sec. 27	640.00
All sec. 29	640.00
Township 14, range 2:	
All sec. 35	640.00
Township 15, range 2:	
Lots 3, 4; SE. ¼ of SW. ¼; SW. ¼ of SE. ¼, sec. 19	156.00
Township 10, range 3:	
SW. ¼ of SW. ¼; SE. ¼, sec. 1	200.00
SE. ¼ of NW. ¼; S. ½ of SE. ¼, sec. 3	120.00
SW. ¼ of NE. ¼; S. ½ of NW. ¼; NE. ¼ of SW. ¼; S. ½ of SW. ¼; lot 4, sec. 5	277.00
N. ½ of N. ½, sec. 7	163.00
N. ½ of N. ½, sec. 11	160.00
S. ½ of NW. ¼; NE. ¼ of SW. ¼; SW. ¼ of SW. ¼; SE. ¼ of SE. ¼, sec. 19	202.00
Township 11, range 3:	
S. ½, sec. 1	320.00
All sec. 7	539.00
All sec. 9	640.00
NE. ¼; NE. ¼ of NW. ¼; S. ½ of NW. ¼; S. ½, sec. 11	600.00
All sec. 13	640.00
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	543.00
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 33	691.00
N. ½; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 35	440.00
Township 12, range 3:	
NW. ¼, sec. 1	160.00
All sec. 3	637.00
All sec. 5	628.00
All sec. 7	630.00
All sec. 9	640.00
W. ½ of E. ½; W. ½, sec. 11	480.00
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	632.00
All sec. 21	640.00
W. ½ of NW. ¼, sec. 27	80.00
E. ½; SE. ¼ of NW. ¼; NE. ¼ of SW. ¼; S. ½ of SW. ¼, sec. 29	480.00
N. ½ of NE. ¼, sec. 31	80.00
NW. ¼, sec. 33	160.00
Township 14, range 3:	
Lots 1, 2, 3, 4; E. ½ of W. ½, sec. 31	310.00

	Acres.
Township 9, range 4:	
S. ½ of NW. ¼; N. ½ of SW. ¼; SE. ¼, sec. 31	306.00
Township 10, range 4:	
NE. ¼ of NW. ¼; S. ½ of NW. ¼; W. ½ of SE. ¼, sec. 17	200.00
E. ½ of E. ½, sec. 19	160.00
W. ½ of E. ½; W. ½, sec. 29	480.00
[South of base line and west of Willamette meridian.]	
Township 9, range 1:	
NW. ¼ of NE. ¼; lot 6, sec. 21	79.00
Township 10, range 1:	
NW. ¼ of SE. ¼; W. ½ of SW. ¼, sec. 13	120.00
NE. ¼ of SW. ¼, sec. 23	40.00
N. ½ of SW. ¼; SE. ¼ of SW. ¼; SE. ¼, sec. 25	280.00
Township 14, range 1:	
S. ½ of S. ½, sec. 25	160.00
S. ½ of S. ½, sec. 27	160.00
All sec. 31	646.00
S. ½ of NE. ¼; W. ½ of SW. ¼; NE. ¼ of SE. ¼; SW. ¼ of SE. ¼, sec. 33	240.00
All sec. 35	640.00
Township 15, range 1:	
All that part situated in Linn County, sec. 1	601.00
NE. ¼ of NE. ¼; S. ½ of NE. ¼; SW. ¼ of NW. ¼; S. ½, sec. 3	482.00
E. ½; N. ½ of NW. ¼; SW. ¼ of SW. ¼, sec. 5	441.00
All that part situated in Linn County, sec. 7	160.00
N. ½, sec. 9	320.00
All that part of NW. ¼ of NW. ¼ situated in Linn County, sec. 11	15.00
Township 13, range 2:	
NE. ¼ of NW. ¼, sec. 19	40.00
NW. ¼ of NE. ¼, sec. 21	40.00
Township 14, range 2:	
Lots 4, 5, 6, 7, sec. 13	75.00
Lots 1, 2, 3, 4, 5, sec. 15	103.00
NW. ¼ of SE. ¼, sec. 21	40.00
N. ½ of NE. ¼; SW. ¼ of NE. ¼; SE. ¼, sec. 25	280.00
N. ½ of NE. ¼, sec. 29	80.00
E. ½ of SE. ¼, sec. 33	80.00
S. ½, sec. 35	320.00
Township 15, range 2:	
All sec. 1	642.00
E. ½, sec. 3	320.00
SW. ¼ of NW. ¼; SW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 9	320.00
All sec. 11	640.00
All sec. 13	640.00
All sec. 15	640.00
NE. ¼ of NE. ¼, sec. 17	40.00
NE. ¼; S. ½, sec. 21	480.00
All sec. 27	640.00
All sec. 29	640.00
NE. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼; S. ½, sec. 31	621.00
All sec. 33	640.00
Township 16, range 2:	
All sec. 5	638.00
Township 14, range 3:	
Lots 3, 4, sec. 3	48.00
Township 16, range 3:	
E. ½; SE. ¼ of NW. ¼, sec. 1	361.00
Township 15, range 4:	
SW. ¼ of SW. ¼, sec. 35	40.00
Township 12, range 5:	
Lot 3, sec. 1	.23
Township 14, range 5:	
Lot 1, sec. 23	10.00
Total, Linn County	61,966.23
LANE COUNTY.	
[South of base line and east of Willamette meridian.]	
Township 16, range 1:	
SW. ¼ of SW. ¼ (or lot 4), sec. 7	40.00
SE. ¼ of SW. ¼; SE. ¼, sec. 13	200.00
W. ½ of NE. ¼; NW. ¼ of SE. ¼; SE. ¼ of SE. ¼, sec. 17	160.00
SW. ¼; SW. ¼ of SE. ¼, sec. 21	200.00
E. ½ of NE. ¼; S. ½ of SW. ¼; SE. ¼, sec. 23	320.00
All sec. 25	640.00
NW. ¼ of NE. ¼; N. ½ of NW. ¼, sec. 29	120.00
W. ½ of NW. ¼, sec. 31	76.00
All sec. 33	640.00
All sec. 35	640.00
Township 17, range 1:	
NW. ¼, sec. 3	159.00
NW. ¼ of NE. ¼; lots 1, 2, sec. 9	114.00
NE. ¼, sec. 13	160.00
SE. ¼ of SW. ¼, sec. 15	40.00
Lots 10, 11; W. ½ of SE. ¼, sec. 19	161.00
NW. ¼ of NE. ¼; NE. ¼ of NW. ¼, sec. 21	80.00
Township 18, range 1:	
All sec. 7	634.00
S. ½ of S. ½, sec. 13	160.00
N. ½ of NE. ¼; SW. ¼ of NE. ¼; NW. ¼; N. ½ of SW. ¼; SE. ¼, sec. 19	522.00
NE. ¼; S. ½, sec. 21	480.00
All sec. 23	640.00
N. ½; SE. ¼, sec. 25	480.00
N. ½; SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 29	600.00
S. ½ of NE. ¼; NW. ¼; N. ½ of S. ½, sec. 31	400.00
Township 19, range 1:	
All sec. 1	639.00
All sec. 3	642.00
All sec. 11	640.00
All sec. 13	640.00
Township 20, range 1:	
S. ½ of NE. ¼; SE. ¼ of NW. ¼; E. ½ of SW. ¼; lots 1, 2, 3, 4; SE. ¼, sec. 7	435.00
SW. ¼ of NE. ¼; W. ½; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 17	480.00
All sec. 19	552.00
NW. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼; S. ½, sec. 21	600.00
SW. ¼ of SW. ¼, sec. 23	40.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	615.00
All sec. 33	670.00
NW. ¼, sec. 35	160.00
Township 22, range 1:	
All sec. 5	640.00
All sec. 7	579.00
Township 22, range 1—Continued.	Acres.
NW. ¼, sec. 9	160.00
N. ½; SW. ¼, sec. 17	480.00
All sec. 19	578.00
Township 16, range 2:	
SW. ¼; S. ½ of SE. ¼, sec. 15	240.00
SW. ¼ of NE. ¼; NW. ¼; S. ½, sec. 17	520.00
S. ½ of NE. ¼; NW. ¼; S. ½, sec. 19	559.00
N. ½ of NE. ¼; SW. ¼ of NE. ¼; W. ½; NW. ¼ of SE. ¼, sec. 21	480.00
Lots 2 to 10, inclusive, 12, 13, sec. 23	428.00
NE. ¼; E. ½ of NW. ¼; S. ½, sec. 25	560.00
S. ½ of SE. ¼, sec. 27	80.00
W. ½ of NE. ¼; NW. ¼; NW. ¼ of SW. ¼; lot 1, sec. 29	315.00
NW. ¼ of NE. ¼; S. ½ of N. ½; S. ½, sec. 33	520.00
Lot 5, sec. 35	27.00
Township 17, range 2:	
All sec. 1	643.00
All sec. 3	644.00
All sec. 5	636.00
NE. ¼; NE. ¼ of NW. ¼, sec. 7	200.00
N. ½ of NW. ¼, sec. 9	80.00
All sec. 11	640.00
Township 15, range 3:	
SW. ¼, sec. 33	160.00
Township 16, range 3:	
Lots 1, 2, 3, 4, 5, 6; NE. ¼; E. ½ of NW. ¼, sec. 31	429.00
Township 17, range 3:	
W. ½ of NW. ¼; NE. ¼ of SW. ¼; lots 1, 2, sec. 3	181.00
S. ½ of NW. ¼; lots 1, 4, 5; S. ½, sec. 5	507.00
All sec. 7	642.00
SW. ¼ of NE. ¼; S. ½ of NW. ¼; S. ½; lots 3, 4, 5, sec. 9	517.00
All sec. 17	640.00
[South of base line and west of Willamette meridian.]	
Township 15, range 1:	
All that part situated in Lane County, sec. 1	40.00
All that part situated in Lane County, sec. 7	497.00
N. ½ of SW. ¼; SE. ¼, sec. 9	240.00
SW. ¼, and that part of NW. ¼ of NW. ¼ situated in Lane County, sec. 11	185.00
N. ½; N. ½ of SW. ¼; NW. ¼ of SE. ¼, sec. 13	440.00
NE. ¼; N. ½ of NW. ¼; S. ½, sec. 15	560.00
All sec. 17	640.00
All sec. 19	660.00
NW. ¼ of NW. ¼; S. ½ of NW. ¼; N. ½ of SW ¼; SE. ¼ of SW. ¼; S. ½ of SE. ¼, sec. 21	320.00
NW. ¼ of NE. ¼; NW. ¼, sec. 23	200.00
SE. ¼ of SW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 27	160.00
All sec. 29	640.00
All sec. 31	653.60
Township 16, range 1:	
All sec. 3	643.00
NW. ¼ of NW. ¼; lots 7, 8, sec. 5	39.00
N. ½; N. ½ of SW. ¼, sec. 9	400.00
NW. ¼; SW. ¼ of SW. ¼; SE. ¼ of SE. ¼, sec. 11	240.00
S. ½ of SW. ¼, sec. 13	80.00
S. ½ of NE. ¼; NW. ¼ of NW. ¼; S. ½ of NW. ¼; N. ½ of S. ½; SE. ¼ of SE. ¼, sec. 15	400.00
Lots 3 and 4; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 17	181.00
Lots 5, 6, 7, and 8; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 19	241.00
S. ½ of S. ½, sec. 25	160.00
S. ½ of S. ½, sec. 27	160.00
All sec. 29	640.00
N. ½ of NE. ¼; SE. ¼ of NE. ¼; NW. ¼; NW. ¼ of SW. ¼; S. ½ of SW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 31	566.00
E. ½; SE. ¼ of NW. ¼; N. ½ of SW. ¼; SW. ¼ of SW. ¼, sec. 33	480.00
All sec. 35	640.00
Township 17, range 1:	
E. ½, sec. 1	320.00
N. ½; N. ½ of SW. ¼; SE. ¼ of SW. ¼; SE. ½, sec. 3	602.00
N. ½ of N. ½; SW. ¼ of NW. ¼; lots 1, 2, 3, 4, and 5, sec. 5	345.00
W. ½ of NE. ¼; NW. ¼; lots 1, 2, 4, and 5, sec. 7	339.00
E. ½; lots 1, 2, 3, 4, and 5; E. ½ of SW. ¼, sec. 9	487.00
SW. ¼ of NE. ¼; NW. ¼ of NW. ¼; S. ½ of NW. ¼; S. ½, sec. 11	480.00
N. ½; SW. ¼; N. ½ of SE. ¼, sec. 15	560.00
SE. ¼ of NE. ¼; S. ½; lot 1, sec. 17	399.00
NW. ¼ of NE. ¼, sec. 19	40.00
NW. ¼ of NW. ¼, sec. 21	40.00
NW. ¼ of SW. ¼; lots 3 and 4, sec. 25	110.00
S. ½ of SW. ¼; SW. ¼ of SE. ¼, sec. 31	126.00
S. ½ of N. ½; S. ½, sec. 35	521.00
Township 18, range 1:	
All sec. 1	682.00
N. ½ of NE. ¼; SW. ¼ of NE. ¼; NW. ¼; S. ½ of SW. ¼; SE. ¼ of SE. ¼, sec. 3	454.00
N. ½; N. ½ of S. ½; SW. ¼ of SW. ¼; SE. ¼ of SE. ¼, sec. 5	627.00
NE. ¼; E. ½ of NW. ¼; NW. ¼ of SW. ¼; NW. ¼ of SE. ¼; SE. ¼ of SE. ¼, sec. 7	361.00
N. ½ of NE. ¼; SW. ¼ of NE. ¼; E. ½ of NW. ¼; S. ½, sec. 9	520.00
All sec. 11	640.00
All sec. 13	640.00
All sec. 15	640.00
N. ½; E. ½ of SW. ¼; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 17	520.00
NE. ¼ of SE. ¼, sec. 19	40.00
NE. ¼; N. ½ of NW. ¼; SE. ¼ of NW. ¼, sec. 21	280.00
All sec. 23	640.00
SE. ¼ of SE. ¼, sec. 25	40.00
Township 19, range 1:	
S. ½ of NE. ¼; NW. ¼; S. ½, sec. 31	567.00
S. ½ of SW. ¼, sec. 33	80.00
SW. ¼; S. ½ of SE. ¼, sec. 35	240.00
Township 20, range 1:	
NW. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼; S. ½, sec. 1	600.00
NE. ¼; NE. ¼ of NW. ¼; NE. ¼ of SE. ¼, sec. 3	242.00
All sec. 5	618.00
All sec. 7	768.00
SE. ¼ of NE. ¼; SE. ¼ of NW. ¼; S. ½, sec. 9	400.00
NE. ¼; S. ½, sec. 11	480.00
All sec. 13	640.00
All sec. 15	640.00
All sec. 17	640.00
All sec. 21	640.00
All sec. 23	640.00

	Acres.
Township 20, range 1—Continued.	
All sec. 25	640.00
All sec. 27	640.00
Lots 7 to 12, inclusive; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 31	353.00
N. ½, sec. 35	320.00
Township 21, range 1:	
Lots 2 to 7, inclusive, 11, 12, 13, 14, sec. 5	348.00
Lots 1 to 10, inclusive, 15, 16, sec. 7	470.00
W. ½ of SW. ¼, sec. 9	80.00
Lots 1, 7, 9, 13, sec. 17	156.00
NE. ¼ of NE. ¼; E. ½ of SE. ¼; lot 6, sec. 19	151.00
Lots 3, 4, 6, 7, 8, 10, 11, 12, sec. 29	314.00
SW. ¼ of NE. ¼; NW. ¼; S. ½, sec. 31	520.00
N. ½ of NE. ¼; NW. ¼; SE. ¼ of SE. ¼, sec. 33	280.00
N. ½ of NE. ¼; SW. ¼ of NE. ¼; NW. ¼; S. ½ of SW. ¼; SE. ¼, sec. 35	520.00
Township 22, range 1:	
Lot 4, sec. 1	47.00
NE. ¼ of NW. ¼; W. ½ of W. ½; SE. ¼ of SW. ¼; N. ½ of SE. ¼, sec. 5	320.00
Lots 1, 17, sec. 7	55.00
NE. ¼; NE. ¼ of NW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 9	320.00
S. ½ of NW. ¼, sec. 13	80.00
W. ½ of NE. ¼; SE. ¼; lots 1, 2, 3, 4, 6, 7, 8, 10, 11, sec. 15	603.00
NW. ¼ of NE. ¼; SE. ¼ of NE. ¼; SW. ¼ of SE. ¼; lots 1, 4, sec. 17	201.00
SE. ¼ of SE. ¼, sec. 19	40.00
Lots 1, 2, 7, 8, 9, 10, 11, sec. 21	241.00
W. ½ of NE. ¼; NW. ¼; S. ½, sec. 23	560.00
All sec. 25	640.00
E. ½ of NE. ¼; SW. ¼ of SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 27	240.00
S. ½ of SW. ¼, sec. 29	80.00
E. ½; lots 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 20, sec. 31	740.00
SE. ¼ of SE. ¼, sec. 33	40.00
NW. ¼ of NW. ¼; N. ½ of SW. ¼; SE. ¼ of SW. ¼; SE. ¼, sec. 35	320.00
Township 23, range 1:	
N. ½; SE. ¼, sec. 1	492.00
S. ½ of NW. ¼; N. ½ of SW. ¼; SE. ¼ of SW. ¼; NW. ¼ of SE. ¼, sec. 3	240.00
S. ½ of NE. ¼; SE. ¼ of NW. ¼; S. ½, sec. 5	440.00
NE. ¼; E. ½ of SE. ¼; lots 1, 2, 3, 4, 6, 9, 10, 11, 12, 15, 16, sec. 7	635.00
All sec. 9	640.00
S. ½ of SW. ¼; E. ½ of SE. ¼, sec. 11	160.00
All sec. 13	640.00
All sec. 17	640.00
Lots 3, 4, 5, 6, 7, 8, 9, 14, 15, 16, 17, 19, 20, sec. 19	463.00
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	1,065.00
All sec. 33	640.00
N. ½; SE. ¼, sec. 35	480.00
Township 24, range 1:	
Lots 1, 2, 3, 4; SW. ¼ of NW. ¼, sec. 1	198.00
N. ½; SW. ¼; NW. ¼ of SE. ¼, sec. 5	518.00
NE. ¼, sec. 7	160.00
Township 15, range 2:	
All sec. 23	640.00
All sec. 25	640.00
N. ½; N. ½ of SE. ¼, sec. 35	400.00
Township 16, range 2:	
All sec. 7	659.00
All sec. 17	640.00
All sec. 19	659.00
All sec. 21	640.00
NW. ¼ of SW. ¼, sec. 23	40.00
E. ½ of NE. ¼; lots 5, 6; SE. ¼, sec. 25	268.00
NW. ¼, sec. 27	160.00
S. ½ of NE. ¼; NW. ¼; S. ½, sec. 29	560.00
All sec. 31	655.00
W. ½; lots 1, 2, 3, sec. 33	367.00
Township 17, range 2:	
N. ½ of N. ½, sec. 5	171.00
NW. ¼ of NE. ¼; S. ½ of NE. ¼; W. ½; N. ½ of SE. ¼; lots 1, 2, 3, sec. 7	618.00
Lots 1, 2, 3, 5, 9; NW. ¼ of NW. ¼; NW. ¼ of SW. ¼, sec. 13	216.00
NE. ¼; S. ½ of NW. ¼; lots 1, 2, sec. 15	316.00
NE. ¼ of NE. ¼, sec. 23	40.00
Township 18, range 2:	
N. ½ of N. ½; SW. ¼ of NW. ¼, sec. 1	271.00
Lot 9, sec. 15	20.00
Township 19, range 2:	
S. ½ of SW. ¼; SW. ¼ of SE. ¼, sec. 15	120.00
S. ½ of SE. ¼; lot 4, sec. 19	100.00
SE. ¼ of NE. ¼; lots 3, 4, sec. 21	67.00
SW. ¼ of NE. ¼; SE. ¼ of NW. ¼; S. ½, sec. 23	400.00
W. ½ of E. ½; W. ½; SE. ¼ of SE. ¼, sec. 25	520.00
N. ½ of NE. ¼; SE. ¼ of NE. ¼; N. ½ of NW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 27	320.00
S. ½ of NE. ¼; SE. ¼ of NW. ¼; NE. ¼ of SW. ¼; S. ½ of SW. ¼; SE. ¼, sec. 29	400.00
E. ½ of NE. ¼; W. ½ of SW. ¼; NE. ¼ of SE. ¼, sec. 31	205.00
All sec. 33	640.00
All sec. 35	640.00
Township 20, range 2:	
All sec. 1	592.00
S. ½ of NE. ¼; SE. ¼ of NW. ¼; E. ½ of SW. ¼; SE. ¼; lots 1, 2, 3, 4, 5, sec. 3	526.00
N. ½ of NE. ¼; SE. ¼ of NE. ¼, sec. 11	120.00
All sec. 13	628.00
S. ½ of NE. ¼; SE. ¼ of NW. ¼; E. ½ of SW. ¼; SE. ¼, sec. 15	360.00
NW. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼; S. ½, sec. 19	608.00
S. ½ of N. ½; W. ½ of SW. ¼; E. ½ of SE. ¼, sec. 21	320.00
NE. ¼; N. ½ of NW. ¼; SW. ¼ of NW. ¼; S. ½, sec. 23	600.00
W. ½, sec. 25	320.00
NW. ¼ of NE. ¼; SE. ¼ of NE. ¼; NW. ¼; NW. ¼ of SW. ¼; E. ½ of SE. ¼, sec. 27	360.00
N. ½; N. ½ of S. ½, sec. 29	480.00
Lots 6, 7, 9; W. ½ of SE. ¼; E. ½ of SW. ¼, sec. 31	193.00
NE. ¼ of NE. ¼, sec. 33	40.00
N. ½; N. ½ of SW. ¼; SE. ¼ of SW. ¼; SE. ¼, sec. 35	600.00
Township 21, range 2:	
N. ½; N. ½ of SW. ¼; SE. ¼ of SW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 1	561.00
SW. ¼ of SW. ¼, sec. 3	40.00
Lots 1, 2, 3; SE. ¼ of SW. ¼; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 5	211.00
Township 21, range 2—Continued.	
SW. ¼ of NW. ¼; E. ½ of SW. ¼; S. ½ of SE. ¼, sec. 7	202.00
N. ½; N. ½ of SW. ¼; SE. ¼ of SW. ¼; SE. ¼, sec. 9	600.00
E. ½ of NE. ¼; lot 1, sec. 13	103.00
All sec. 15	640.00
NE. ¼; E. ½ of NW. ¼; NW. ¼ of NW. ¼; N. ½ of S. ½; SW. ¼ of SW. ¼, sec. 17	480.00
SE. ¼ of SE. ¼, sec. 19	40.00
All sec. 21	640.00
NW. ¼ of SE. ¼, sec. 23	40.00
All sec. 25	640.00
All sec. 27	651.00
N. ½; SW. ¼; W. ½ of SE. ¼, sec. 29	576.00
All sec. 33	640.00
All sec. 35	640.00
Township 22, range 2:	
All sec. 1	856.00
SE. ¼; lots 1 to 11, inclusive, sec. 3	631.00
Lots 1, 2, 4, 8, sec. 5	166.00
SE. ¼ of NE. ¼; NE. ¼ of NW. ¼; NE. ¼ of SE. ¼, sec. 7	120.00
W. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 9	120.00
NE. ¼; N. ½ of NW. ¼; S. ½ of SW. ¼; NW. ¼ of SE. ¼, sec. 11	360.00
SW. ¼ of NE. ¼; SW. ¼ of NW. ¼; SW. ¼ of SW. ¼; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 15	240.00
W. ½ of NE. ¼; NE. ¼ of NW. ¼; SE. ¼ of SW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 21	280.00
N. ½ of NW. ¼; SW. ¼ of NW. ¼, sec. 23	120.00
S. ½ of S. ½, sec. 29	160.00
All sec. 31	641.00
All sec. 33	640.00
S. ½ of SW. ¼; SE. ¼, sec. 35	240.00
Township 23, range 2:	
S. ½ of NW. ¼; SW. ¼; NW. ¼ of SE. ¼; S. ½ of SE. ¼; lots 2, 3, 4, sec. 1	388.00
All sec. 3	520.00
All sec. 5	525.00
All sec. 7	541.00
All sec. 9	640.00
All sec. 11	640.00
NE. ¼ of NW. ¼; W. ½ of W. ½; SE. ¼ of SW. ¼; SE. ¼, sec. 13	400.00
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	545.00
All sec. 21	640.00
All sec. 23	640.00
W. ½ of NW. ¼, sec. 25	80.00
All sec. 27	640.00
All sec. 29	640.00
N. ½, sec. 33	320.00
N. ½, sec. 35	320.00
Township 16, range 3:	
Lots 3, 4, 5, sec. 9	12.00
N. ½; N. ½ of S. ½; SW. ¼ of SW. ¼; SE. ¼ of SE. ¼, sec. 13	560.00
Township 17, range 3:	
E. ½ of SE. ¼, sec. 1	80.00
Lot 4, sec. 5	18.00
W. ½ of NW. ¼, sec. 11	80.00
NE. ¼ of NE. ¼, sec. 13	40.00
Township 19, range 3:	
W. ½; SW. ¼ of SE. ¼, sec. 19	376.00
Lot 3, sec. 35	3.00
Township 20, range 3:	
E. ½ of NE. ¼; NW. ¼ of NW. ¼; E. ½ of SE. ¼, sec. 1	199.00
NW. ¼ of NE. ¼; NW. ¼; W. ½ of SW. ¼, sec. 7	292.00
SW. ¼ of SW. ¼, sec. 9	40.00
Lot 4, sec. 13	39.00
N. ½; N. ½ of SE. ¼; E. ½ of SW. ¼, sec. 17	480.00
Lot 1, sec. 19	12.00
SW. ¼ of NW. ¼; S. ½ of SW. ¼, sec. 31	117.00
Township 21, range 3:	
W. ½ of NE. ¼; SE. ¼ of NE. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 3	241.00
Lot 1, sec. 9	20.00
S. ½ of NW. ¼; W. ½ of SW. ¼; S. ½ of SE. ¼, sec. 11	240.00
SW. ¼ of NE. ¼; NE. ¼ of NW. ¼; S. ½ of NW. ¼; W. ½ of SW. ¼; NW. ¼ of SE. ¼, sec. 13	280.00
NE. ¼; E. ½ of NW. ¼; E. ½ of SE. ¼, sec. 15	320.00
Lot 5; S. ½, sec. 17	343.00
E. ½; E. ½ of W. ½, sec. 19	480.00
N. ½; NE. ¼ of SW. ¼; S. ½ of SW. ¼; SE. ¼, sec. 23	600.00
All sec. 25	640.00
E. ½; NE. ¼ of NW. ¼; S. ½ of NW. ¼; N. ½ of SW. ¼; SE. ¼ of SW. ¼, sec. 27	560.00
SW. ¼ of NE. ¼; NW. ¼; N. ½ of SW. ¼; lot 2, sec. 29	298.00
All sec. 31	654.00
Lot 1, sec. 33	19.00
All sec. 35	640.00
Township 22, range 3:	
W. ½, sec. 1	333.00
All sec. 3	641.00
NE. ¼; N. ½ of NW. ¼; S. ½, sec. 7	576.00
All sec. 9	640.00
All sec. 11	640.00
All sec. 15	640.00
NW. ¼ of SE. ¼; SE. ¼ of SE. ¼, sec. 17	80.00
Lot 2; W. ½, sec. 19	383.00
All sec. 21	640.00
All sec. 23	640.00
NW. ¼; S. ½, sec. 25	417.00
All sec. 27	640.00
S. ½ of NE. ¼; N. ½ of SE. ¼, sec. 29	160.00
SW. ¼ of NE. ¼; W. ½; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 31	502.00
All sec. 33	649.00
All sec. 35	650.00
Township 23, range 3:	
All sec. 1	645.00
NE. ¼; NE. ¼ of NW. ¼; NW. ¼ of SW. ¼, sec. 3	240.00
W. ½ of NW. ¼; NW. ¼ of SW. ¼; S. ½ of SW. ¼, sec. 5	199.00
W. ½ of NE. ¼; NW. ¼; N. ½ of S. ½, sec. 9	403.00
SE. ¼ of SW. ¼; lots 6, 7, sec. 11	122.00
All sec. 13	640.00
All sec. 15	640.00
SE. ¼ of NE. ¼; W. ½ of NW. ¼; SW. ¼, sec. 17	280.00
All sec. 23	640.00

	Acres.
Township 18, range 4:	
Lot 5, sec. 19	20.00
NE. ¼ of SW. ¼; S. ½ of SW. ¼, sec. 27	120.00
E. ½ of NE. ¼; SW. ¼ of NW. ¼, sec. 33	120.00
E. ½ of NE. ¼, sec. 35	80.00
Township 19, range 4:	
NE. ¼ of NE. ¼; SE. ¼ of NW. ¼; SW. ¼; SW. ¼ of SE. ¼, sec. 3	282.00
S. ½ of NE. ¼; N. ½ of SE. ¼, sec. 5	160.00
S. ½ of NE. ¼; NE. ¼ of SW. ¼; S. ½ of SW. ¼; SE. ¼, sec. 7	362.00
E. ½ of NE. ¼; W. ½; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 9	520.00
NW. ¼ of NW. ¼, sec. 11	40.00
SE. ¼ of SW. ¼; S. ½ of SE. ¼, sec. 13	120.00
NW. ¼ of SW. ¼; S. ½ of SW. ¼; SW. ¼ of SE. ¼, sec. 15	160.00
E. ½ of E. ½; W. ½ of NW. ¼; SE. ¼ of SW. ¼; SW. ¼ of SE. ¼, sec. 17	320.00
SE. ¼ of NE. ¼; SE. ¼, sec. 19	200.00
All sec. 21	640.00
NE. ¼ of NE. ¼; SW. ¼ of NE. ¼; SE. ¼ of NW. ¼; N. ½ of SE. ¼, sec. 23	200.00
NW. ¼; S. ½, sec. 25	480.00
S. ½ of NE. ¼; NW. ¼; S. ½, sec. 27	560.00
E. ½; N. ½ of NW. ¼; NE. ¼ of SW. ¼; S. ½ of SW. ¼, sec. 29	520.00
NE. ¼ of NE. ¼; NW. ¼ of SW. ¼, sec. 31	81.00
All sec. 33	640.00
NW. ¼, sec. 35	160.00
Township 20, range 4:	
W. ½ of E. ½; SE. ¼ of NE. ¼; W. ½; NE. ¼ of SE. ¼, sec. 1	558.00
All sec. 3	637.00
N. ½ of NE. ¼; SW. ¼ of NE. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 5	238.00
Lots 1, 2, 3, sec. 7	11.00
NE. ¼; S. ½ of NW. ¼; SW. ¼; W. ½ of SE. ¼, sec. 9	480.00
NE. ¼; N. ½ of NW. ¼, sec. 11	240.00
SE. ¼ of NE. ¼; N. ½ of NW. ¼; SE. ¼ of NW. ¼; N. ½ of SW. ¼; SW. ¼ of SW. ¼; NE. ¼ of SE. ¼, sec. 15	320.00
S. ½ of N. ½; E. ½ of SW. ¼; SE. ¼, sec. 17	400.00
NE. ¼; E. ½ of W. ½; N. ½ of SE. ¼; lot 2, sec. 19	425.00
N. ½; SW. ¼; NE. ¼ of SE. ¼, sec. 21	520.00
W. ½ of NW. ¼, sec. 23	80.00
NW. ¼; N. ½ of SW. ¼; NE. ¼ of SE. ¼, sec. 27	280.00
N. ½; SW. ¼, sec. 29	480.00
SW. ¼ of NW. ¼; SW. ¼; lot 2, sec. 31	229.00
NE. ¼; W. ½ of NW. ¼; SW. ¼ of SW. ¼; SE. ¼ of SE. ¼, sec. 33	320.00
SE. ¼ of NE. ¼; S. ½ of SW. ¼; SE. ¼, sec. 35	280.00
Township 21, range 4:	
N. ½ of NE. ¼; NW. ¼ of NW. ¼, sec. 1	120.00
N. ½; N. ½ of SW. ¼, sec. 3	365.00
NE. ¼; N. ½ of NW. ¼, sec. 5	236.00
W. ½ of NE. ¼; NW. ¼; S. ½, sec. 23	560.00
All sec. 25	640.00
E. ½; E. ½ of SW. ¼, sec. 35	400.00
Township 22, range 4:	
NW. ¼ of NW. ¼; S. ½ of NW. ¼; SW. ¼ of NE. ¼; S. ½, sec. 1	480.00
E. ½; E. ½ of W. ½, sec. 11	480.00
NE. ¼; N. ½ of NW. ¼; SW. ¼ of NW. ¼; S. ½, sec. 13	600.00
SE. ¼; W. ½ of NE. ¼, sec. 23	240.00
N. ½; SE. ¼, sec. 25	480.00
Township 23, range 4:	
NE. ¼, sec. 1	160.00
SE. ¼ of SE. ¼, sec. 13	40.00
Township 16, range 5:	
NW. ¼; W. ½ of SW. ¼, sec. 7	268.00
Lots 4, 5, 6, sec. 27	12.00
SW. ¼ of NW. ¼; lot 8, sec. 29	65.00
NE. ¼ of SW. ¼, sec. 31	40.00
Lot 2, sec. 33	13.00
Township 17, range 5:	
Lots 2, 3, sec. 27	1.00
Township 18, range 5:	
SW. ¼ of SE. ¼, sec. 7	40.00
Lot 4, sec. 13	11.00
NW. ¼ of NW. ¼, sec. 15	40.00
SW. ¼ of SE. ¼, sec. 17	40.00
SW. ¼ of NW. ¼; W. ½ of SW. ¼, sec. 23	120.00
SW. ¼ of NW. ¼, sec. 25	40.00
NE. ¼ of SE. ¼, sec. 27	40.00
SW. ¼ of NW. ¼, sec. 29	40.00
E. ½ of NE. ¼, sec. 33	80.00
NE. ¼ of SE. ¼; S. ½ of SE. ¼; lots 4, 5, 6, sec. 35	180.00
Township 19, range 5:	
N. ½ of NE. ¼; W. ½; W. ½ of SE. ¼, sec. 1	481.30
All sec. 5	630.00
All sec. 7	641.00
NW. ¼ of NE. ¼; NE. ¼ of NW. ¼; W. ½ of W. ½; SE. ¼ of SW. ¼; S. ½ of SE. ¼, sec. 9	360.00
N. ½ of NE. ¼; SE. ¼ of NE. ¼; N. ½ of SE. ¼, sec. 11	200.00
Lot 7, sec. 13	2.00
W. ½ of W. ½; SE. ¼ of SW. ¼; SW. ¼ of SE. ¼, sec. 15	240.00
N. ½; SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 17	600.00
All sec. 19	640.00
N. ½; SW. ¼; W. ½ of SE. ¼, sec. 21	560.00
SW. ¼ of NW. ¼; SW. ¼; W. ½ of SE. ¼, sec. 27	280.00
All sec. 29	640.00
All sec. 31	645.00
All sec. 33	640.00
Township 20, range 5:	
All sec. 3	635.00
All sec. 5	644.00
E. ½; N. ½ of NW. ¼; SE. ¼ of NW. ¼; S. ½ of SW. ¼, sec. 7	525.00
All sec. 9	640.00
W. ½; lots 2, 3, 4, 5, sec. 11	412.00
Lots 1, 6; W. ½ of NE. ¼; NW. ¼; N. ½ of SW. ¼; SW. ¼ of SW. ¼, sec. 15	419.00
NE. ¼; E. ½ of NW. ¼; S. ½, sec. 17	560.00
All sec. 19	648.00
N. ½ of NE. ¼; SW. ¼; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 21	360.00
W. ½ of NW. ¼; SE. ¼ of NW. ¼; SW. ¼; S. ½ of SE. ¼, sec. 23	360.00
N. ½; SW. ¼; N. ½ of SE. ¼, sec. 27	560.00
NE. ¼; N. ½ of NW. ¼; SW. ¼ of NW. ¼; SW. ¼; NE. ¼ of SE. ¼, sec. 29	480.00
All sec. 31	647.00
All sec. 33	640.00
All sec. 35	640.00
Township 21, range 5:	
N. ½; N. ½ of SW. ¼; SE. ¼ of SW. ¼; SE. ¼, sec. 1	600.00
Lots 2, 3, 4, sec. 3	122.00
Lot 1, sec. 5	41.00

	Acres.
Township 15, range 6:	
S. ½ of N. ½; S. ½, sec. 7	481.00
S. ½ of NW. ¼; S. ½, sec. 9	400.00
NE. ¼ of NE. ¼; S. ½ of NW. ¼; SW. ¼, sec. 15	280.00
All sec. 17	640.00
All sec. 19	644.00
All sec. 21	640.00
W. ½ of NW. ¼, sec. 23	80.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	637.00
All sec. 33	640.00
N. ½ of N. ½; SE. ¼ of SE. ¼, sec. 35	200.00
Township 16, range 6:	
NW. ¼ of NE. ¼; W. ½, sec. 1	366.00
NE. ¼ of NE. ¼; S. ½ of N. ½; N. ½ of SW. ¼; SE. ¼ of SW. ¼; SE. ¼, sec. 3	483.00
E. ½; N. ½ of NW. ¼; SE. ¼ of NW. ¼; NE. ¼ of SW. ¼, sec. 5	496.00
N. ½; SW. ¼; NW. ¼ of SE. ¼, sec. 7	534.00
All sec. 9	640.00
NE. ¼; E. ½ of NW. ¼; SW. ¼ of SW. ¼; NE. ¼ of SW. ¼; N. ½ of SE. ¼, sec. 11	400.00
NE. ¼; E. ½ of NW. ¼; SW. ¼ of SW. ¼; E. ½ of SE. ¼, sec. 13	360.00
NW. ¼ of NE. ¼; S. ½ of NE. ¼; S. ½, sec. 15	440.00
E. ½; N. ½ of NW. ¼; SW. ¼ of SW. ¼, sec. 17	440.00
All sec. 19	664.00
NW. ¼; SE. ¼ of SE. ¼, sec. 21	200.00
All sec. 23	640.00
E. ½ of SE. ¼, sec. 25	80.00
N. ½ of NE. ¼; NW. ¼; N. ½ of SW. ¼, sec. 27	320.00
N. ½; SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 29	600.00
All sec. 31	654.00
SW. ¼ of NW. ¼; NW. ¼ of SW. ¼; S. ½ of S. ½, sec. 33	240.00
All sec. 35	640.00
Township 17, range 6:	
N. ½ of N. ½; SW. ¼ of NW. ¼; N. ½ of SW. ¼; NW. ¼ of SE. ¼; lots 2, 3, 4, sec. 1	402.00
SW. ¼, sec. 3	160.00
N. ½, sec. 5	326.00
SE. ¼ of NE. ¼; N. ½ of NW. ¼; SW. ¼ of NW. ¼; NE. ¼ of SE. ¼, sec. 7	202.00
SE. ¼ of NE. ¼; S. ½, sec. 9	360.00
N. ½; N. ½ of SW. ¼; E. ½ of SE. ¼, sec. 11	480.00
Lots 2, 3, sec. 13	36.00
N. ½, sec. 15	320.00
NW. ¼ of NE. ¼; E. ½ of W. ½; NW. ¼ of SE. ¼; lot 2, sec. 17	278.00
Lots 2, 3; W. ½; NW. ¼ of SE. ¼, sec. 19	391.00
N. ½ of NE. ¼; SE. ¼ of NE. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 21	240.00
E. ½ of SE. ¼; lots 4, 5, 6, sec. 23	106.00
NW. ¼ of NE. ¼; E. ½ of NW. ¼; NW. ¼ of SW. ¼; lots 2, 3, 4, 5, 6, 7, sec. 29	258.00
NW. ¼ of NE. ¼; N. ½ of NW. ¼; SW. ¼ of NW. ¼; N. ½ of SW. ¼; S. ½ of SE. ¼; SW. ¼ of SW. ¼, sec. 31	365.00
E. ½ of SW. ¼; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 35	200.00
Township 18, range 6:	
W. ½ of NW. ¼; lot 7, sec. 1	115.00
N. ½; N. ½ of S. ½; SE. ¼ of SE. ¼, sec. 3	570.00
N. ½; N. ½ of SW. ¼; SE. ¼ of SW. ¼; SE. ¼, sec. 5	668.00
S. ½ of NE. ¼; NW. ¼; S. ½, sec. 7	584.00
NW. ¼ of SW. ¼; S. ½ of SW. ¼; SE. ¼, sec. 9	280.00
E. ½; SE. ¼ of NW. ¼; E. ½ of SW. ¼, sec. 11	440.00
NW. ¼ of NE. ¼; S. ½ of NE. ¼; N. ½ of NW. ¼; SE. ¼ of NW. ¼; NE. ¼ of SW. ¼, sec. 13	280.00
N. ½ of NW. ¼; SW. ¼ of NW. ¼; NW. ¼ of SW. ¼, sec. 15	160.00
All sec. 17	640.00
All sec. 19	665.00
All sec. 21	640.00
Lots 3, 4; NE. ¼ of SW. ¼; S. ½ of S. ½, sec 23	248.00
N. ½; N. ½ of SW. ¼; SW. ¼ of SW. ¼; SE. ¼, sec. 25	600.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	665.00
All sec. 33	646.00
W. ½ of E. ½; W. ½; SE. ¼ of SE. ¼, sec. 35	525.00
Township 19, Range 6:	
All sec. 1	639.00
All sec. 3	637.00
All sec. 5	644.00
All sec. 7	638.00
N. ½; SW. ¼; S. ½ of SE. ¼, sec. 9	560.00
N. ½; N. ½ of SW. ¼; SW. ¼ of SW. ¼; E. ½ of SE. ¼, sec. 11	520.00
All sec. 13	640.02
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	640.00
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	640.00
All sec. 33	640.00
All sec. 35	640.00
Township 20, range 6:	
N. ½; N. ½ of SW. ¼; SE. ¼, sec. 1	564.00
N. ½; N. ½ of SW. ¼; SE. ¼ of SW. ¼; SE. ¼, sec. 3	607.00
All sec. 5	640.00
All sec. 7	636.00
All sec. 9	640.00
N. ½ of NE. ¼; SW. ¼ of NE. ¼; E. ½ of W. ½; SW. ¼ of SW. ¼; SE. ¼, sec. 11	480.00
All sec. 13	640.00
All sec. 15	640.00
All sec. 17	640.00
NE. ¼; N. ½ of NW. ¼; SE. ¼ of NW. ¼; N. ½ of SE. ¼, sec. 19	360.00
All sec. 21	640.00
All sec. 23	640.00
N. ½, sec. 25	320.00
Township 15, range 7:	
S. ½ of NE. ¼; SE. ¼ of NW. ¼; NE. ¼ of SW. ¼; S. ½ of SE. ¼; lots 2, 3, sec. 7	315.00
S. ½ of N. ½; S. ½, sec. 9	480.00
S. ½ of N. ½; S. ½, sec. 11	480.00
All sec. 13	612.00
All sec. 15	640.00

Township 15, range 7—Continued.	Acres.
All sec. 17	640.00
All sec. 19	633.00
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	639.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	758.00
NW. ¼; lots 1 to 12, inclusive, sec. 33	549.00
NE. ¼; SE. ¼ of NW. ¼; NE. ¼ of SW. ¼; N. ½ of SE. ¼; lot 2, sec. 35	366.00
Township 16, range 7:	
All sec. 1	614.00
S. ½; lots 1, 2, 3, 4, sec. 3	513.00
SE. ¼; N. ½ of SW. ¼; SE. ¼ of SW. ¼; lots 1, 2, 3, 4, sec. 5	388.00
N. ½ of NW. ¼; SW. ¼; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 7	377.00
NE. ¼; SE. ¼ of NW. ¼; N. ½ of SE. ¼, sec. 11	280.00
All sec. 13	640.00
Lots 1 to 12, inclusive, sec. 15	502.00
S. ½, sec. 19	329.00
All sec. 21	774.00
All sec. 23	628.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
NE. ¼; S. ½, sec. 31	489.00
All sec. 33	753.00
All sec. 35	627.00
Township 17, range 7:	
N. ½; SW. ¼, sec. 1	480.00
All sec. 3	640.00
All sec. 5	617.00
All sec. 7	642.00
All sec. 9	640.00
All sec. 11	640.00
SW. ¼ of NW. ¼; S. ½, sec. 13	360.00
All sec. 15	640.00
All sec. 17	640.00
NW. ¼ of NE. ¼; NW. ¼; S. ½ of S. ½, sec. 19	362.00
All sec. 21	640.00
N. ½ of N. ½; SE. ¼ of NE. ¼; SW. ¼ of NW. ¼, sec. 23	240.00
NE. ¼; S. ½, sec. 25	480.00
NW. ¼ of NW. ¼; S. ½ of SW. ¼; SE. ¼, sec. 27	280.00
E. ½ of NE. ¼; W. ½ of W. ½; SE. ¼, sec. 29	400.00
NE. ¼; W. ½, sec. 31	482.00
All sec. 33	640.00
All sec. 35	640.00
Township 18, range 7:	
All sec. 1	696.00
N. ½; SE. ¼, sec. 3	533.00
N. ½, sec. 7	313.00
All sec. 9	640.00
NE. ¼ of NE. ¼; NW. ¼ of NW. ¼; S. ½ of NW. ¼; S. ½, sec. 11	480.00
All sec. 13	640.00
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	633.00
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	638.00
All sec. 33	640.00
All sec. 35	640.00
Township 19, range 7:	
All sec. 1	641.00
All sec. 3	646.00
Lots 1, 4; SE. ¼ of NE. ¼; S. ½, sec. 5	402.00
E. ½; lots 1, 2, 3, 4, sec. 7	391.00
All sec. 9	630.00
All sec. 11	640.00
All sec. 13	640.00
All sec. 15	640.00
All sec. 17	640.00
NE. ¼; lot 1, sec. 19	182.00
Lots 1, 2, 6, 7, 8, 9, 10, 11, 12, 15, 16, sec. 21	428.00
All sec. 23	640.00
N. ½ of NE. ¼; S. ½ of SE. ¼, sec. 25	160.00
All sec. 27	640.00
All sec. 35	640.00
Township 20, range 7:	
All sec. 1	727.00
All sec. 3	746.00
All sec. 11	640.00
N. ½, sec. 13	320.00
N. ½ of NE. ¼, sec. 15	80.00
Township 15, range 8:	
S. ½ of N. ½; S. ½, sec. 7	468.00
SW. ¼ of NE. ¼; S. ½ of NW. ¼; SW. ¼; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 9	400.00
S. ½ of N. ½; S. ½, sec. 11	480.00
All sec. 13	640.00
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	622.00
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	627.00
All sec. 33	640.00
All sec. 35	640.00
Township 16, range 8:	
All sec. 1	656.00
All sec. 3	681.00
All sec. 5	729.00
E. ½; SE. ¼ of SW. ¼; lots 1, 2, 4, sec. 7	456.00
All sec. 9	640.00
All sec. 11	640.00
All sec. 13	656.00
All sec. 15	651.00
Township 16, range 8—Continued.	Acres.
All sec. 17	640.00
NE. ¼ of NE. ¼; NE. ¼ of NW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼; lots 1, 2, 3, sec. 19	303.00
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	659.00
All sec. 27	656.00
NE. ¼; NE. ¼ of NW. ¼; S. ½ of NW. ¼; S. ½, sec. 29	600.00
E. ½, sec. 31	320.00
All sec. 33	640.00
N. ½; NW. ¼ of SE. ¼, sec. 35	360.00
Township 17, range 8:	
All sec. 1	644.00
N. ½; NW. ¼ of SW. ¼; S. ½ of SW. ¼; SW. ¼ of SE. ¼, sec. 3	485.00
All sec. 5	646.00
E. ½; N. ½ of NW. ¼; SE. ¼ of NW. ¼; NE. ¼ of SW. ¼, sec. 9	480.00
All sec. 11	640.00
All sec. 13	640.00
N. ½; SE. ¼, sec. 17	480.00
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
E. ½ of E. ½, sec. 33	160.00
All sec. 35	640.00
Township 18, range 8:	
NW. ¼ of NE. ¼; NW. ¼; W. ½ of SW. ¼, sec. 1	281.00
All sec. 3	642.00
All sec. 9	640.00
N. ½; SW. ¼; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 11	600.00
S. ½ of NE. ¼; W. ½ of NW. ¼; E. ½ of SW. ¼; SE. ¼, sec. 13	400.00
N. ½; S. ½ of SW. ¼; NE. ¼ of SE. ¼, sec. 15	440.00
W. ½; NE. ¼, sec. 17	480.00
All sec. 19	636.00
NE. ¼; W. ½ of NW. ¼; SW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 21	520.00
SE. ¼ of NE. ¼; SW. ¼ of NW. ¼; S. ½, sec. 23	400.00
All sec. 25	640.00
All sec. 27	640.00
W. ½ of NE. ¼; NW. ¼; S. ½, sec. 29	560.00
All sec. 31	640.00
All sec. 33	640.00
N. ½; SW. ¼; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 35	600.00
Township 19, range 8:	
All sec. 1	844.00
Lots 10, 11; W. ½ of SE. ¼, sec. 3	160.00
All sec. 5	785.00
N. ½ of N. ½; SE. ¼ of NE. ¼; SE. ¼ of SE. ¼, sec. 11	240.00
NE. ¼; N. ½ of NW. ¼; SE. ¼ of NW. ¼; NE. ¼ of SE. ¼, sec. 13	320.00
Township 15, range 9:	
E. ½; SE. ¼ of NW. ¼; E. ½ of SW. ¼, sec. 13	440.00
E. ½; E. ½ of W. ½, sec. 25	480.00
Township 18, range 9:	
SE. ¼, sec. 23	160.00
All sec. 25	640.00
S. ½ of SE. ¼, sec. 33	80.00
All sec. 35	640.00
Township 19, range 9:	
SW. ¼; lots 1 to 11, inclusive, sec. 1	585.00
Lots 1, 2, 3, 4; NE. ¼ SW. ¼; SE. ¼ sec. 3	353.00
Total, Lane County	299,606.00

DOUGLAS COUNTY.

[South of base line and west of Willamette meridian.]

Township 23, range 1:	
SW. ¼ sec. 35	160.00
Township 24, range 1:	
S. ½ NE. ¼; SE. ¼ NW. ¼; S. ½ sec. 1	440.00
All sec. 3	640.60
NE. ¼ SE. ¼; S. ½ SE. ¼ sec. 5	120.00
Lots 1 to 20, inclusive; SE. ¼ sec. 7	913.08
All sec. 9	640.00
All sec. 11	640.00
All sec. 13	640.00
All sec. 15	640.00
All sec. 17	640.00
Lots 1 to 20, inclusive; E. ½ sec. 19	1,144.45
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
Lots 1 to 20, inclusive; E. ½ sec. 31	1,198.15
All sec. 33	640.00
All sec. 35	640.00
Township 25, range 1:	
All sec. 1	641.84
All sec. 3	642.48
All sec. 5	643.08
Lots 1 to 20, inclusive; E. ½ sec. 7	1,085.04
All sec 9	640.00
All sec. 11	640.00
All sec. 13	640.00
All sec. 15	640.00
All sec. 17	640.00
Lots 11, 12, 13, 14, 16, 17, 18, 19, 20; SE. ¼ sec. 19	511.61
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
Lots 1 to 20, inclusive; E. ½ sec. 31	1,088.60
All sec. 33	640.00
All sec. 35	640.00
Township 30, range 1:	
All sec. 1	639.52
All sec. 7	639.58
NE. ¼; SW. ¼; N. ½ of SE. ¼, sec. 9	400.00
All sec. 11	640.00
All sec. 13	640.00
NW. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼; S. ½, sec. 15	600.00
All sec. 17	640.00
All sec. 19	641.12

	Acres.
Township 30, range 1—Continued.	
All sec. 21	640.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	640.26
All sec. 33	640.00
All sec. 35	640.00
Township 31, range 1:	
All sec. 5	633.62
N. ½ of NE. ¼; W. ½ of NW. ¼; SW. ¼; N. ½ of SE. ¼, sec. 7	392.48
SW. ¼, sec. 17	160.00
NE. ¼; NE. ¼ of NW. ¼; S. ½ of NW. ¼; S. ½, sec. 19	595.71
N. ½; SE. ¼, sec. 21	480.00
NW. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼; S. ½, sec. 29	000.00
All sec. 31	640.00
NE. ¼ of NE. ¼; S. ½ of NE. ¼; S. ½, sec. 33	440.00
Township 32, range 1:	
Lots 1, 2, 3, 4, 5, 6, and 12, sec. 1	199.80
Lots 1 to 16, inclusive; S. ½, sec. 3	872.86
Lots 1 to 12, inclusive; S. ½, sec. 5	825.02
All sec. 7	616.64
All sec. 9	640.00
W. ½, sec. 11	320.00
All sec. 15	640.00
All sec. 17	640.00
N. ½, sec. 19	306.71
NE. ¼ of NE. ¼, sec. 21	40.00
Township 23, range 2:	
NW. ¼, of SW. ¼; SE. ¼, sec. 33	200.00
S. ½, sec. 35	320.00
Township 24, range 2:	
All sec. 1	638.40
All sec. 3	639.40
All sec. 11	640.00
All sec. 13	640.00
E. ½, sec. 15	320.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 33	638.68
All sec. 35	640.00
Township 25, range 2:	
Lots 1 to 20, inclusive; S. ½, sec. 1	1,036.32
Lots 1 to 20, inclusive; S. ½, sec. 3	1,065.48
Lots 1 to 20, inclusive; S. ½, sec. 5	1,067.60
All sec. 7	510.56
All sec. 9	640.00
SW. ¼, sec. 11	160.00
NW. ¼ of NW. ¼; SE. ¼ of SW. ¼; SW. ¼ of SE. ¼, sec. 13	120.00
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	533.12
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	612.37
All sec. 33	617.48
All sec. 35	626.04
Township 26, range 2:	
All sec. 1	642.84
All sec. 3	638.84
All sec. 5	635.18
All sec. 7	636.80
All sec. 9	640.00
All sec. 11	640.00
All sec. 13	640.00
N. ½ of NE. ¼; SW. ¼ of NE. ¼; NW. ¼; S. ½, sec. 15	600.00
N. ½ of NE. ¼; SE. ¼ of NE. ¼; NW. ¼; N. ½ of SW. ¼; SW. ¼ of SW. ¼; SE. ¼ of SE. ¼, sec. 17	440.00
NE. ¼; NE. ¼ of NW. ¼; S. ½ of NW. ¼; S. ½, sec. 23	600.00
All sec. 25	640.00
SE. ¼, sec. 35	160.00
Township 27, range 2:	
All sec. 1	647.60
N. ½; NW. ¼ of SW. ¼; SE. ¼ of SW. ¼; S. ½ of SE. ¼, sec. 3	488.28
All sec. 5	649.34
NW. ¼, sec. 7	156.80
Township 30, range 2:	
All sec. 13	640.00
S. ½, sec. 15	320.00
E. ½, sec. 21	320.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
NE. ¼ of NE. ¼; S. ½ of NE. ¼; S. ½ of NW. ¼; S. ½, sec. 33	520.00
All sec. 35	640.00
Township 31, range 2:	
NE. ¼; NE. ¼ of NW. ¼; S. ½ of NW. ¼; W. ½ of SW. ¼, sec. 1	361.35
NE. ¼ of NE. ¼; NW. ¼, sec. 3	201.06
SW. ¼, sec. 9	160.00
NW. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼; N. ½ of SW. ¼; SW. ¼ of SW. ¼; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 11	520.00
NE. ¼; N. ½ of NW. ¼; SE. ¼ of NW. ¼; NE. ¼ of SW. ¼; S. ½ of SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 13	520.00
SE. ¼, sec. 15	160.00
All sec. 23	640.00
E. ½; N. ½ of NW. ¼; S. ½ of SW. ¼, sec. 25	480.00
Township 24, range 3:	
W. ½ of NE. ¼; W. ½, sec. 5	408.34
All sec. 7	633.00
W. ½ of W. ½, sec. 9	160.00
E. ½ of NE. ¼; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 15	200.00
E. ½ of NE. ¼; W. ½ of SE. ¼, sec. 17	160.00
W. ½, sec. 19	317.28
SE. ¼ of NW. ¼; N. ½ of SW. ¼, sec. 21	120.00
NW. ¼ of NW. ¼, sec. 23	40.00
N. ½ of N. ½; SW. ¼ of NE. ¼; SE. ¼ of NW. ¼; S. ½ of SE. ¼, sec. 31	321.23
Township 25, range 3:	
SW. ¼ of NE. ¼; NW. ¼ of NW. ¼; S. ½ of NW. ¼, sec. 3	157.18
S. ½ of SE. ¼, sec. 5	80.00
E. ½; E. ½ of W. ½; SW. ¼ of SW. ¼, sec. 7	510.52
NW. ¼; SW. ¼ of SW. ¼, sec. 9	200.00

	Acres.
Township 25, range 3—Continued.	
All sec. 13	640.00
W. ½, sec. 17	320.00
All sec. 19	630.51
NE. ¼; S. ½, sec. 23	480.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
SW. ¼ of NE. ¼; S. ½ of NW. ¼ N; E. ½ of SW. ¼; NW. ¼ of SE. ¼, sec. 31	197.99
All sec. 33	640.00
All sec. 35	640.00
Township 26, range 3:	
E. ½; N. ½ of NW. ¼; SE. ¼ of NW. ¼; S. ½ of SW. ¼, sec. 1	521.54
N. ½ of NE. ¼; NW. ¼, sec. 3	233.98
SE. ¼ of SW. ¼; SE. ¼, sec. 9	200.00
S. ½, sec. 11	323.32
All sec. 13	643.60
All sec. 15	640.00
E. ½ of NE. ¼, NE. ¼ of SE. ¼, sec. 21	120.00
All sec. 23	640.00
All sec. 25	640.00
N. ½; NE. ¼ of SW. ¼; N. ½ of SE. ¼, sec. 27	440.00
NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 33	120.00
All sec. 35	640.00
Township 27, range 3:	
N. ½; E. ½ of SW. ¼; SE. ¼, sec. 1	554.44
W. ½ of NE. ¼; E. ½ of NW. ¼; S. ½ of SW. ¼; SE. ¼, sec. 3	401.42
NE. ¼; E. ½ of NW. ¼; S. ½, sec. 7	561.90
All sec. 9	648.00
Lots, 4, 5, 6, 9, 11, 12, 13, 14, 15, 16, sec. 11	407.79
All sec. 13	640.00
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	635.20
All sec. 21	640.00
E. ½; W. ½ of W. ½, sec. 23	480.00
All sec. 25	640.00
W. ½ of NE. ¼; NW. ¼; N. ½ of SW. ¼; SW. ¼ of SW. ¼; SE. ¼, sec. 27	520.00
All sec. 29	640.00
All sec. 31	637.99
E. ½; SE. ¼ of NW. ¼; E. ½ of SW. ¼, sec. 35	440.00
Township 28, range 3:	
NW. ¼, sec. 19	152.80
SW. ¼, sec. 31	160.00
Township 29, range 3:	
All sec. 1	631.89
All sec. 3	591.12
All sec. 5	572.88
All sec. 7	606.56
Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, sec. 9	616.11
All sec. 11	640.00
All sec. 13	640.00
Lots 1, 2, 3, 5 6, 7, 9, 10, 11, 13, 15, 16, sec. 15	492.03
N. ½; NW. ¼ of SE. ¼; SE. ¼ of SE. ¼, sec. 17	400.00
NE. ¼ of NE. ¼; S. ½ of NE. ¼; SE. ¼ of NW. ¼; S. ½, sec. 21	480.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	624.48
All sec. 29	640.00
All sec. 31	634.23
Lots 1, 3, 4, 5, 6, 7, 8, 9, 10, 14, 15, 16, sec. 33	490.22
All sec. 35	640.00
Township 30, range 3:	
Lots 1, 2, 3, 4; S. ½, sec. 1	398.72
Lots 1, 2, 3, 4; S. ½, sec. 3	401.00
Lots 1, 2, 5; NE. ¼ of SE. ¼; S. ½ of S. ½, sec. 5	251.34
Lots 1, 2, 3, 4, 5, 6; E. ½ of SW. ¼; SE. ¼, sec. 7	449.54
All sec. 9	625.20
All sec. 11	640.00
All sec. 13	640.00
All sec. 15	640.00
All sec. 17	640.00
N. ½ of NE. ¼; SE. ¼ of NE. ¼; NE. ¼ of SW. ¼; S. ½ of SW. ¼; SE. ¼, sec. 19	401.63
All sec. 21	640.00
All sec. 23	640.00
NE. ¼ of NE. ¼; S. ½ of NE. ¼; SE. ¼ of NW. ¼; S. ½, sec. 25	480.00
N. ½; N. ½ of SW. ¼, sec. 27	400.00
N. ½ of NE. ¼; lots 1, 2, 3, 4, 5, 6, 7, 8, 9; S. ½ of S. ½, sec. 29	343.88
All sec. 31	598.74
N. ½ of NE. ¼; NW. ¼; S. ½, sec. 33	493.56
NE. ¼; S. ½ of NW. ¼; S. ½, sec. 35	495.80
Township 31, range 3:	
All sec. 1	799.73
All sec. 3	806.20
All sec. 5	814.78
All sec. 7	654.84
All sec. 9	610.26
All sec. 11	640.00
All sec. 13	640.00
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	657.28
All sec. 21	609.09
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
Lots 1, 2, 3, sec. 31	128.40
N. ½; N. ½ of SW. ¼; SE. ¼ of SW. ¼; SE. ¼, sec. 33	600.00
All sec. 35	640.00
Township 32, range 3:	
All sec. 3	640.00
All sec. 5	640.00
All sec. 7	644.18
All sec. 9	640.00
All sec. 11	640.00
All sec. 15	640.00
All sec. 17	640.00
Township 21, range 4:	
S. ½ of NW. ¼; S. ½, sec. 5	400.00
All sec. 7	642.20
NE. ¼ of NE. ¼; NW. ¼; NE. ¼ of SW. ¼; NW. ¼ of SE. ¼, sec. 17	280.00

	Acres.
Township 21, range 4—Continued.	
W. ½ of NE. ¼; E. ½ of NW. ¼; NW. ¼ of SE. ¼, sec. 19	200.00
SW. ¼; N. ½ of SE. ¼, sec. 21	240.00
N. ½; N. ½ of SW. ¼; SE. ¼ of SW. ¼; SE. ¼, sec. 27	660.00
N. ½ of SW. ¼, sec. 29	80.00
N. ½ of SW. ¼; SW. ¼ of SW. ¼; S. ½ of SE. ¼, sec. 31	204.04
E. ½; S. ½ of SW. ¼, sec. 33	400.00
NW. ¼; W. ½ of SW. ¼, sec. 35	240.00
Township 22, range 4:	
SW. ¼, sec. 3	160.00
NE. ¼ of NE. ¼; S. ½ of N. ½; W. ½ of SW. ¼; SE. ¼ of SE. ¼, sec. 5	316.24
All sec. 7	677.44
E. ½; N. ½ of NW. ¼; S. ½ of SW. ¼, sec. 9	480.00
W. ½ of W. ½, sec. 11	160.00
All sec. 15	640.00
NE. ¼ of SW. ¼; NW. ¼ of SE. ¼, sec. 17	80.00
N. ½; N. ½ of SW. ¼; SE. ¼, sec. 21	560.00
E. ½ of SW. ¼; E. ½ of NE. ¼; NW. ¼, sec. 23	320.00
S. ½ of NW. ¼; SW. ¼, sec. 27	240.00
SE. ¼ of NE. ¼; N. ½ of S. ½, sec. 29	200.00
W. ½ of NW. ¼, sec. 31	99.60
S. ½ of SE. ¼, sec. 33	80.00
N. ½; N. ½ of SW. ¼; SE. ¼, sec. 35	560.00
Township 23, range 4:	
NW. ¼; SE. ¼; N. ½ of SW. ¼; SE. ¼ of SW. ¼, sec. 1	440.62
N. ½ of NW. ¼; S. ½ of SW. ¼, sec. 3	160.06
NE. ¼ of NE. ¼; S. ½ of S. ½; NW. ¼ of SE. ¼, sec. 7	230.52
NW. ¼ of NE. ¼; S. ½ of NE. ¼; E. ½ of NW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 9	320.00
NE. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼ of SE. ¼, sec. 11	160.00
NE. ¼; S. ½ of NW. ¼; SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 13	520.00
SE. ¼ of SE. ¼, sec. 15	40.00
All sec. 17	640.00
NE. ¼; S. ½ of NW. ¼; N. ½ of SW. ¼; SW. ¼ of SW. ¼, sec. 19	366.69
All sec. 23	640.00
All sec. 27	640.00
NE. ¼ of SW. ¼; SW. ¼ of SW. ¼; N. ½ of NW. ¼; SE. ¼ of NW. ¼, sec. 29	200.00
S. ½, sec. 23	320.00
All sec. 35	647.75
Township 24, range 4:	
All sec. 1	651.91
All sec. 3	636.40
SW. ¼ of NE. ¼; W. ½ of SE. ¼; lots 3, 4, 5, 6, 7, sec. 5	307.53
N. ½; N. ½ of SW. ¼; SW. ¼ of SW. ¼; SE. ¼, sec. 9	600.00
All sec. 11	641.32
All sec. 13	636.52
E. ½ of NE. ¼; W. ½ of NW. ¼; lots 4, 5, sec. 15	198.00
S. ½ of SE. ¼; lot 4, sec. 23	94.50
N. ½; NW. ¼ of SW. ¼; SE. ¼, sec. 25	520.00
NE. ¼; S. ½ of NW. ¼; NE. ¼ of SW. ¼; N. ½ of SE. ¼, sec. 29	360.00
SE. ¼, sec. 33	160.00
W. ½ of NE. ¼; NE. ¼ of NW. ¼; S. ½ of NW. ¼; SW. ¼, sec. 35	360.00
Township 25, range 4:	
N. ½ of NE. ¼; SW. ¼ of NE. ¼; NW. ¼; NE. ¼ of SW. ¼; NW. ¼ of SE. ¼, sec. 3	366.26
SE. ¼ of SW. ¼, sec. 11	40.00
S. ½ of NE. ¼; SE. ¼, sec. 13	240.00
NW. ¼ of NW. ¼; S. ½ of NW. ¼; SW. ¼; lots 3, 5, sec. 17	329.34
NE. ¼ of NE. ¼; S. ½ of NE. ¼; S. ½ of S. ½; NE. ¼ of SE. ¼, sec. 19	319.79
S. ½ of SW. ¼, sec. 21	80.00
All sec. 23	640.00
N. ½; W. ½ of SW. ¼; E. ½ of SE. ¼, sec. 25	480.00
All sec. 27	640.00
NE. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼ of NW. ¼; NW. ¼ of SW. ¼; S. ½ of SW. ¼; SE. ¼, sec. 29	440.00
All sec. 35	640.00
Township 26, range 4:	
N. ½ of NE. ¼, sec. 3	80.80
Lot 5, sec. 7	46.83
Lots 9, 10, sec. 17	11.56
SW. ¼ of SW. ¼, sec. 23	40.00
NW. ¼ of SE. ¼, sec. 35	40.00
Township 27, range 4:	
Lots 3, 4; W. ½ of W. ½, sec. 1	217.42
NE. ¼ of NE. ¼; lot 2, sec. 7	43.96
E. ½ of NE. ¼; NW. ¼ of NW. ¼; SW. ¼ of SW. ¼; SW. ¼ of SE. ¼, sec. 11	200.00
NE. ¼; N. ½ of NW. ¼; SE. ¼ of NW. ¼; N. ½ of S. ½; SW. ¼ of SW. ¼, sec. 13	480.00
NE. ¼ of NE. ¼; SW. ¼ of SE. ¼, sec. 21	80.00
NE. ¼ of NE. ¼; S. ½ of NE. ¼; E. ½ of SE. ¼, sec. 23	200.00
All sec. 25	640.00
NW. ¼ of NE. ¼; SE. ¼ of NE. ¼; S. ½ of NW. ¼; N. ½ of SW. ¼; lots 1, 2, sec. 29	294.14
NW. ¼ of NW. ¼; NE. ¼ of SE. ¼; lot 8, sec. 31	96.50
N. ½ of NE. ¼; SE. ¼ of NE. ¼, sec. 33	120.00
SW. ¼, sec. 35	160.00
Township 28, range 4:	
All sec. 1	658.36
S. ½ of N. ½; S. ½; lot 1, sec. 3	524.04
Lots 1, 2, 3, 4; SW. ¼; E. ½ of SE. ¼, sec. 5	286.52
NE. ¼ of NE. ¼; SE. ¼ of NW. ¼; lots 1, 2; E. ½ of SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 7	360.80
All sec. 9	640.00
All sec. 11	640.00
N. ½ of NE. ¼; SE. ¼ of NE. ¼; SW. ¼ of SW. ¼; NW. ¼; NW. ¼ of NW. ¼ of SW. ¼; S. ½ of NW. ¼ of SW. ¼; SE. ¼, sec. 13	510.00
N. ½; SW. ¼; lots 1, 2, 3, 4, 5, sec. 15	602.20
NE. ¼; S. ½, sec. 17	480.00
E. ½; N. ½ of NW. ¼; S. ½ of SW. ¼, sec. 19	481.13
N. ½; SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼; W. ½ of SE. ¼ of SE. ¼, sec. 21	620.00
S. ½ of SW. ¼ of SE. ¼; SE. ¼ of SE. ¼, sec. 23	60.00
All sec. 25	640.00
W. ½ of NW. ¼; N. ½ of SW. ¼; SE. ¼ of SW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼; SE. ¼ of NW. ¼ of SE. ¼, sec. 27	330.00
E. ½ of NE. ¼; NW. ¼; W. ½ of SW. ¼, sec. 29	320.00
NW. ¼; S. ½, sec. 31	480.32
W. ½ of E. ½; W. ½, sec. 33	480.00
All sec. 35	640.00
Township 29, range 4:	
S. ½ of NW. ¼; SW. ¼; lots 1, 2, 3, 4, 5, 6, sec. 1	527.51
Lots 1 to 16, inclusive, sec. 3	721.38
SW. ¼ of NW. ¼; E. ½ of SE. ¼; lots 3, 4, sec. 5	196.14
Township 29, range 4—Continued.	Acres.
NW. ¼ of NE. ¼; NW. ¼ of NW. ¼; E. ½ of W. ½; W. ½ of SE. ¼, sec. 7	319.12
Lots 1 to 16, inclusive, sec. 9	612.64
All sec. 11	650.64
All sec. 13	640.00
N. ½; SW. ¼; N. ½ of SE. ¼, sec. 15	560.00
SW. ¼ of NE. ¼; N. ½ of SW. ¼; NW. ¼ of SE. ¼; lots 1 to 10, inclusive, sec. 17	493.94
NE. ¼; N. ½ of NW. ¼; E. ½ of SE. ¼; lot 3, sec. 19	358.60
SE. ¼ of SW. ¼; S. ½ of SE. ¼; lots 1, 3, 4, 5, 6, sec. 21	268.05
SW. ¼ of SW. ¼; SE. ¼; lot 4, sec. 23	249.74
E. ½ of E. ½; NW. ¼; W. ½ of SW. ¼, sec. 25	400.00
All sec. 27	640.00
S. ½ of SW. ¼; SE. ¼, sec. 29	240.00
N. ½ of NE. ¼; SW. ¼ of NW. ¼; fractional W. ½ of NW. ¼ of NW. ¼; NW. ¼ of SW. ¼; S. ½ of SW. ¼, sec. 31	248.80
All sec. 33	640.00
N. ½; SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 35	600.00
Township 30, range 4:	
Lots 1, 4, 9, sec. 1	64.00
Lots 2, 3, 4, 5, 6, 7, 10, 11, 12, 14, 15, sec. 3	510.41
Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 15, 16, sec. 5	635.58
Lots 1, 2, 7, 8, sec. 7	113.19
Lots 2, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, sec. 11	433.49
Lots 1, 2, 3, 4, 5, 6, sec. 13	223.20
Lots 1, 2, 7, 8, 9, 15, 16, sec. 15	267.45
Lots 10, 11, 14, 15, sec. 17	118.94
Lots 7, 8, 9, 10, 11, 14, 15, 16, sec. 19	303.56
Lots 2, 3, 4, 6, 15, sec. 21	199.08
Lots 13, 14, 15, 16, sec. 23	161.95
Lots 1, 2, 4, 5, 7, 8, sec. 25	143.05
All sec. 27	640.00
All sec. 29	625.27
NE. ¼; E. ½ of NW. ¼; lots 1, 2, 3, 4, 5, 6, sec. 31	369.36
N. ½; lots 1, 2, 3, 4, sec. 33	368.20
W. ½ of NE. ¼; NW. ¼; lots 1, 2, 3, 4, 5, 6, sec. 35	357.61
Township 31, range 4:	
All sec. 1	825.16
All sec. 3	824.08
All sec. 5	811.08
All sec. 7	631.96
All sec. 9	622.88
All sec. 11	631.64
All sec. 13	640.00
All sec. 15	640.00
All sec. 17	620.00
All sec. 19	631.68
All sec. 21	627.56
All sec. 23	631.20
All sec. 25	640.00
NE. ¼; N. ½ of NW. ¼; SE. ¼ of NW. ¼; SW. ¼ of SW. ¼; E. ½ of SE. ¼ sec. 27	400.00
All sec. 29	613.55
All sec. 31	644.49
E. ½ of NE. ¼; W. ½ of NW. ¼; NW. ¼ of SW. ¼; NE. ¼ of SE. ¼, sec. 33	240.00
All sec. 35	632.80
Township 32, range 4:	
E. ½ of NE. ¼; S. ½, sec. 1	400.00
N. ½; lots 1, 2, 3, 4, 5, 6, 7, 8, sec. 3	636.08
N. ½ of N. ½; S. ½ of S. ½; sec. 5	320.00
E. ½ of E. ½; SW. ¼ of SE. ¼; lot 1, sec. 7	239.40
All sec. 9	566.04
All sec. 11	638.92
All sec. 13	640.00
All sec. 15	640.00
E. ½; E. ½ of NW. ¼; lots 1, 2, 3, sec. 17	442.39
All sec. 19	475.30
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
E. ½ of E. ½; E. ½ of W. ½ of NE. ¼; W. ½ of E. ½ of NW. ¼; W. ½ of NW. ¼; SW. ¼; E. ½ of SW. ¼ of SE. ¼, sec. 29	500.00
All sec. 31	692.93
E. ½ of NE. ¼; E. ½ of NW. ¼ of NE. ¼; NW. ¼ of NW. ¼; lots 3, 4, 6, 7, 9, 10, 11, 13, 17, sec. 33	406.13
Township 33, range 4:	
S. ½ of N. ½; SW. ¼; N. ½ of SE. ¼; lots 1, 2, 3, 4, sec. 5	515.68
All sec. 7	632.96
Township 21, range 5:	
Lot 1; S. ½ of N. ½; SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 3	480.54
NW. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼, sec. 5	281.96
All sec. 7	646.20
NW. ¼ of NE. ¼; SE. ¼ of NE. ¼; E. ½ of NW. ¼; W. ½ of SE. ¼; E. ½ of SW. ¼, sec. 13	320.00
All sec. 19	650.20
NW. ¼ of NW. ¼, sec. 21	40.00
S. ½ of NE. ¼; E. ½ of NW. ¼; NE. ¼ of SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 25	320.00
E. ½ of NE. ¼; NE. ¼ of SW. ¼, sec. 27	120.00
E. ½ of NW. ¼; NE. ¼ of SW. ¼, sec. 29	120.00
W. ½ of NW. ¼, sec. 33	80.00
Township 22, range 5:	
All sec. 1	633.99
SW. ¼ of NE. ¼; lots 1, 2, 3; S. ½ of NW. ¼; NE. ¼ of SW. ¼; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 3	396.37
NW. ¼ of NE. ¼; N. ½ of NW. ¼; SW. ¼ of NW. ¼; NW. ¼ of SW. ¼, sec. 5	205.40
W. ½ of NE. ¼; NW. ¼; W. ½ of SW. ¼, sec. 7	338.31
All sec. 11	640.00
E. ½ of NE. ¼, sec. 13	80.00
N. ½; NE. ¼ of SW. ¼; N. ½ of SE. ¼, sec. 15	440.00
SE. ¼ of NE. ¼, sec. 19	40.00
E. ½ of SE. ¼, sec. 23	80.00
NE. ¼ of NE. ¼; S. ½ of N. ¼; S. ½, sec. 25	520.00
NW. ¼ of NE. ¼; S. ½ of N. ¼; SE. ¼; NE. ¼ of SW. ¼, sec. 27	397.66
SE. ¼ of SW. ¼; SW. ¼ of SE. ¼, sec. 29	80.00
NE. ¼ of SE. ¼, sec. 31	40.00
W. ½ of NE. ¼; NW. ¼, sec. 33	240.00
N. ½; lot 1, sec. 35	340.36
Township 23, range 5:	
N. ½ of NE. ¼; W. ½; NW. ¼ of SE. ¼, sec. 5	431.36
W. ½ of NE. ¼; E. ½ of NW. ¼; W. ½ of SW. ¼; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 7	353.75
E. ½ of NE. ¼; SE. ¼, sec. 13	240.00

Township 23, range 5—Continued.	Acres.
W. ½ of SW. ¼, sec. 17	80.00
N. ½; SW. ¼; N. ½ of SE. ¼, sec. 19	546.70
SW. ¼ of NW. ¼, sec. 21	40.00
S. ½ of NW. ¼; N. ½ of SW. ¼, sec. 29	160.00
NW. ¼ of NE. ¼, sec. 31	40.00
Township 24, range 5:	
SE. ¼ of NW. ¼; NE. ¼ of SW. ¼, sec. 3	80.00
Lot 5, sec. 29	23.41
SW. ¼ of NW. ¼; SW. ¼; SW. ¼ of SE. ¼, sec. 31	236.73
S. ½ of SE. ¼, sec. 35	80.00
Township 25, range 5:	
NE. ¼ of SW. ¼; S. ½ of SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 9	240.00
NE. ¼ of NE. ¼; NW. ¼ of NW. ¼; S. ½ of NW. ¼, sec. 17	160.00
NE. ¼ of SW. ¼; S. ½ of SE. ¼, sec. 23	120.00
NE. ¼; S. ½, sec. 25	480.00
N. ½; N. ½ of SW. ¼; SE. ¼, sec. 27	560.00
S. ½ of NE. ¼, sec. 29	80.00
N. ½ of NE. ¼; NW. ¼ of NW. ¼, sec. 35	120.00
Township 27, range 5:	
S. ½ of SE. ¼, sec. 25	80.00
Township 28, range 5:	
NE. ¼; S. ½, sec. 13	480.00
N. ½ of NE. ¼; NW. ¼; SE. ¼ of NE. ¼, sec. 23	280.00
E. ½; NE. ¼ of NW. ¼; SW. ¼ of NW. ¼; N. ½ of SW. ¼; SE. ¼ of SW. ¼, sec. 25	520.00
N. ½ of NE. ¼, sec. 27	80.00
E. ½ of NE. ¼, sec. 29	80.00
N. ½ of NE. ¼; NW. ¼; N. ½ of SW. ¼; SW. ¼ of SW. ¼; NE. ¼ of SE. ¼, sec. 31	408.32
NW. ¼ of SW. ¼; S. ½ of SW. ¼, sec. 33	120.00
NE. ¼; E. ½ of NW. ¼; S. ½, sec. 35	560.00
Township 29, range 5:	
N. ½ of NE. ¼; NE. ¼ of SW. ¼; S. ½ of SW. ¼; SE. ¼, sec. 3	362.66
SE. ¼ of NW. ¼; N. ½ of SW. ¼, sec. 5	120.00
NE. ¼ of NE. ¼; S. ½ of NE. ¼; SE. ¼ of NW. ¼; SE. ¼, sec. 9	320.00
N. ½ of NW. ¼; SW. ¼ of NW. ¼; NW. ¼ of SW. ¼; W. ½ of SE. ¼, sec. 11	240.00
E. ½ of NE. ¼; W. ½ of NW. ¼, sec. 15	160.00
E. ½ of NE. ¼; SE. ¼, sec. 17	240.00
N. ½; W. ½ of SW. ¼, sec. 21	400.00
SE. ¼ of NE. ¼; SW. ¼ of NW. ¼; N. ½ of SW. ¼; SE. ¼ of SW. ¼; SE. ¼, sec. 25	360.00
E. ½ of NE. ¼; W. ½ of SE. ¼; lot 1, sec. 29	199.53
NW. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼; N. ½ of SW. ¼; SW. ¼ of SW. ¼, sec. 31	418.72
E. ½ of E. ½, sec. 35	160.00
Township 30, range 5:	
All sec. 1	654.10
N. ½; SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 3	623.36
Lots 1, 2, 3, 4; SE. ¼, sec. 9	311.20
NE. ¼; NE. ¼ of NW. ¼; S. ½ of NW. ¼; S. ½, sec. 11	600.00
NW. ¼ of NE. ¼; NW. ¼; N. ½ of SW. ¼; lots 1, 3, sec. 13	308.50
N. ½; NW. ¼ of SW. ¼; N. ½ of SE. ¼, sec. 15	440.00
N. ½; lots 4, 5, sec. 17	370.63
NE. ¼ of NW. ¼; S. ½ of NW. ¼; lots 1, 5, 6, sec. 19	192.75
NE. ¼ of NE. ¼; lot 1, sec. 21	49.20
S. ½ of SE. ¼, sec. 25	80.00
Lot 7, sec. 27	.57
Lot 1; W. ½ of NW. ¼; SE. ¼ of SW. ¼; S. ½ of SE. ¼, sec. 29	217.32
SE. ¼ of SE. ¼, sec. 31	40.00
S. ½ of N. ½; NE. ¼ of NW. ¼; S. ½, sec. 35	520.00
Township 31, range 5:	
All sec. 1	645.38
All sec. 3	715.22
E. ½ of SE. ¼ of SE. ¼ of NE. ¼; SW. ¼ of NW. ¼; NW. ¼ of NE. ¼ of SW. ¼; S. ½ of NE. ¼ of SW. ¼; NW. ¼ of SW. ¼; S. ½ of SW. ¼; S. ½ of N. ½ of SE. ¼; E. ½ of NE. ¼ of NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 5	320.00
All sec. 7	638.66
All sec. 9	640.00
NW. ¼ of NE. ¼; NW. ¼; S. ½, sec. 11	520.00
All sec. 13	640.00
All sec. 15	640.00
All sec. 17	664.32
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 35	640.00
Township 32, range 5:	
N. ½; N. ½ of SW. ¼; SE. ¼ of SW. ¼; SE. ¼, sec. 1	600.00
E. ½, sec. 3	319.60
N. ½; SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 9	600.00
NW. ¼; NW. ¼ of SW. ¼, sec. 11	200.00
SW. ¼ of NE. ¼; SE. ¼ of NW. ¼; S. ½, sec. 13	400.00
All sec. 17	640.00
N. ½ of N. ½, sec. 19	165.86
E. ½; N. ½ of SW. ¼; SE. ¼ of SW. ¼, sec. 23	440.00
N. ½, sec. 25	320.00
W. ½ of NE. ¼; SE. ¼, sec. 27	240.00
E. ½ of SW. ¼; S. ½ of SE. ¼, sec. 29	160.00
NW. ¼; NE. ¼ of SW. ¼; NW. ¼ of SE. ¼ of SW. ¼; E. ½ of SE. ¼ of SW. ¼, sec. 35	230.00
Township 33, range 5:	
E. ½; NE. ¼ of NW. ¼; NW. ¼ of SW. ¼; S. ½ of SW. ¼, sec. 1	483.89
N. ½; E. ½ of SE. ¼, sec. 3	398.94
N. ½; N. ½ of S. ½, sec. 5	487.32
E. ½ of E. ½; N. ½ of NW. ¼; lots 1, 2, 3, sec. 11	332.43
N. ½ of N. ½; SW. ¼ of NE. ¼; SE. ¼ of NW. ¼, sec. 13	240.00
Township 20, range 6:	
SW. ¼ of NW. ¼; SW. ¼; S. ½ of SE. ¼, sec. 19	282.58
S. ½, sec. 25	320.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	643.01
N. ½; E. ½ of SW. ¼; SE. ¼, sec. 33	560.00
N. ½; N. ½ of SW. ¼; SE. ¼, sec. 35	560.00
Township 21, range 6:	
N. ½; SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 1	606.40
All sec. 3	680.00
All sec. 5	729.02
All sec. 7	584.80
All sec. 9	640.00
All sec. 11	640.00
All sec. 13	640.00

Township 21, range 6—Continued.	Acres.
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	601.80
All sec. 21	640.00
All sec. 23	640.00
W. ½, sec. 25	316.64
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	616.38
All sec. 33	640.00
NE. ¼; N. ½ of NW. ¼, sec. 35	240.00
Township 22, range 6:	
NW. ¼ of NW. ¼; S. ½ of SW. ¼; lots 5, 6, 7, sec. 1	167.74
All sec. 5	643.84
N. ½ of NE. ¼; NW. ¼; NE. ¼ of SW. ¼, sec. 7	265.04
N. ½ of NE. ¼, sec. 11	80.00
Lots 3, 4; SE. ¼ of SW. ¼; SE. ¼, sec. 15	205.72
SE. ¼ of NE. ¼; S. ½; lot 3, sec. 17	390.72
All sec. 19	633.25
All sec. 21	640.00
W. ½ of NW. ¼; SW. ¼; S. ½ of SE. ¼, sec. 23	320.00
W. ½ of NE. ¼, sec. 25	80.00
All sec. 27	640.00
All sec. 29	633.96
All sec. 31	664.80
All sec. 33	694.58
S. ½ of NE. ¼; S. ½ of SW. ¼; SE. ¼, sec. 35	320.00
Township 23, range 6:	
NW. ¼ of NE. ¼; N. ½ of NW. ¼; SE. ¼ of NW. ¼; S. ½ of SW. ¼; SE. ¼ of SE. ¼, sec. 1	280.83
All sec. 3	637.60
All sec. 5	655.56
All sec. 7	601.60
All sec. 9	640.00
All sec. 11	640.00
All sec. 13	640.00
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	622.88
All sec. 21	640.00
N. ½; W. ½ of SW. ¼; SE. ¼, sec. 23	560.00
N. ½; SW. ¼; NW. ¼ of SE. ¼, sec. 25	520.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	633.48
All sec. 33	640.00
All sec. 35	640.00
Township 24, range 6:	
NE. ¼ of SW. ¼; NW. ¼ of SE. ¼; SE. ¼ of SE. ¼, sec. 1	120.00
All sec. 3	640.80
All sec. 5	635.40
All sec. 7	654.72
N. ½; SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 9	600.00
N. ½ of NW. ¼; S. ½ of SE. ¼, sec. 11	160.00
N. ½ of NE. ¼; NE. ¼ of NW. ¼, sec. 13	120.00
E. ½ of NW. ¼, sec. 15	80.00
All sec. 17	640.00
Lots 2, 3, 4; SE. ¼ of SW. ¼; NW. ¼ of SE. ¼; NE. ¼, sec. 19	370.44
S. ½ of SW. ¼; SW. ¼ of SE. ¼, sec. 21	120.00
W. ½; SW. ¼ of SE. ¼, sec. 27	360.00
All sec. 31	653.26
E. ½ of W. ½; NW. ¼ of NW. ¼; SW. ¼ of SW. ¼; SE. ¼, sec. 33	400.00
S. ½ of SE. ¼; SW. ¼, sec. 35	240.00
Township 25, range 6:	
NE. ¼; S. ½ of NW. ¼; N. ½ of SW. ¼; SW. ¼ of SW. ¼; NE. ¼ of SE. ¼, sec. 3	404.65
NW. ¼, sec. 5	165.33
N. ½; W. ½ of SW. ¼, sec. 7	404.09
Lot 10, sec. 15	2.00
SE. ¼ of NW. ¼; SW. ¼ of SW. ¼, sec. 17	80.00
Lots 2, 3, sec. 21	1.20
Lots 1, 2, 3; S. ½ of NE. ¼; SE. ¼ of NW. ¼; SE. ¼, sec. 25	324.75
SE. ¼ of SE. ¼, sec. 33	40.00
Township 26, range 6:	
N. ½ of N. ½; SE. ¼ of NE. ¼; NE. ¼ of SW. ¼; S. ½ of SW. ¼; NE. ¼ of SE. ¼, sec. 3	361.44
SE. ¼ of SE. ¼, sec. 5	40.00
NW. ¼ of NE. ¼; N. ½ of NW. ¼; SW. ¼ of NW. ¼; lots 3, 4, 5, 6, sec. 7	267.20
W. ½ of NE. ¼; SE. ¼ of NW. ¼; SW. ¼, sec. 9	280.00
NE. ¼; E. ½ of W. ½; N. ½ of SE. ¼; SW. ¼ of SE. ¼; lot 2, sec. 17	445.86
Township 27, range 6:	
Lots 3, 4; E. ½ of SE. ¼, sec. 7	96.27
NE. ¼ of NE. ¼; NE. ¼ of NW. ¼; W. ½ of W. ½; SE. ¼ of SW. ¼, sec. 19	267.24
Township 28, range 6:	
S. ½ of SE. ¼; SW. ¼, sec. 25	240.00
NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 31	120.00
Lot 9, sec. 33	21.50
Lot 4, sec. 35	5.60
Township 29, range 6:	
N. ½ of NE. ¼; SW. ¼ of NE. ¼, sec. 1	120.54
S. ½ of NE. ¼; N. ½ of SE. ¼; lots 4, 5, 6, 7, sec. 3	223.55
All sec. 5	645.80
E. ½ of E. ½; W. ½ of W. ½; SE. ¼ of SW. ¼; SW. ¼ of SE. ¼, sec. 7	416.38
NE. ¼ of NE. ¼; W. ½ of E. ½; S. ½ of SW. ¼; lots 1, 2, 3, 4, 5, 6, 7, sec. 9	446.91
SW. ¼; lot 4, sec. 11	195.32
NE. ¼; NE. ¼ of NW. ¼; S. ½ of NW. ¼; S. ½, sec. 13	600.00
NE. ¼; SW. ¼; lot 3, sec. 15	345.18
E. ½ of E. ½; NW. ¼ of NW. ¼; SW. ¼ of SE. ¼; lots 1, 2, 3, 5, sec. 17	309.80
NW. ¼ of NE. ¼; NW. ¼; NW. ¼ of SW. ¼; SW. ¼ of SE. ¼, sec. 19	292.87
E. ½; lots 1, 2, 3, 4, 5, 6, 7, 8, sec. 21	492.05
NE. ¼ of NE. ¼; S. ½ of N. ½; NW. ¼ of NW. ¼; NE. ¼ of SW. ¼; S. ½ of SW. ¼; SE. ¼, sec. 23	520.00
NW. ¼ of NE. ¼; SE. ¼ of NE. ¼; NW. ¼; N. ½ of SW. ¼; E. ½ of SE. ¼, sec. 25	400.00
NE. ¼; E. ½ of NW. ¼; S. ½, sec. 27	560.00
NE. ¼, sec. 29	160.00
E. ½, sec. 33	320.00
N. ½ of NW. ¼; N. ½ of SW. ¼; S. ½ of SE. ¼, sec. 35	240.00
Township 30, range 6:	
E. ½ of E. ½; W. ½, sec. 1	464.55
NE. ¼; S. ½, sec. 3	470.39

	Acres.
Township 30, range 6—Continued.	
NE. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼ of NW. ¼; SE. ¼ of NW. ¼; NE. ¼ of SW. ¼; S. ½ of SW. ¼; SE. ¼, sec. 5	476.67
NE. ¼; NW. ¼ of NW. ¼; S. ½ of NW. ¼; S. ½, sec. 7	622.30
N. ½; SE. ¼, sec. 9	480.00
SW. ¼ of NE. ¼; W. ½; NW. ¼ of SE. ¼, sec. 11	400.00
NW. ¼ of NW. ¼; S. ½ of SE. ¼, sec. 15	120.00
NW. ¼ of NE. ¼; SE. ¼ of NE. ¼; N. ½ of NW. ¼; SW. ¼ of NW. ¼; NE. ¼ of SW. ¼; S. ½ of SW. ¼; SE. ¼, sec. 19	495.20
NW. ¼ of NE. ¼; S. ½ of NE. ¼; NE. ¼ of NW. ¼; SW. ¼ of NW. ¼; W. ½ of SW. ¼; SE. ¼, sec. 21	440.00
SW. ¼ of NW. ¼, sec. 23	40.00
SW. ¼ of SW. ¼; SE. ¼ of SE. ¼; lot 5, sec. 25	111.82
N. ½ of NE. ¼; SW. ¼ of NE. ¼; NW. ¼; NW. ¼ of SW. ¼, sec. 29	320.00
W. ½ of NW. ¼; SW. ¼ of SW. ¼, sec. 31	131.90
SE. ¼ of NE. ¼, sec. 35	40.00
Township 31, range 6:	
All sec. 1	646.02
All sec. 3	651.62
E. ½ of NE. ¼; NW. ¼ of NW. ¼; S. ½ of NW. ¼; S. ½, sec. 5	526.24
All sec. 7	665.76
All sec. 9	640.00
All sec. 11	640.00
All sec. 13	640.00
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	666.34
All sec. 21	640.00
All sec. 23	640.00
N. ½; SW. ¼; SW. ¼ of SE. ¼, sec. 25	520.00
S. ½, sec. 27	320.00
SE. ¼ of NW. ¼; NE. ¼ of SW. ¼; N. ½ of SE. ¼, sec. 29	160.00
All sec. 31	664.00
S. ½, sec. 33	320.00
Township 32, range 6:	
N. ½; N. ½ of SE. ¼, sec. 3	394.14
All sec. 5	636.80
NW. ¼, sec. 13	160.00
NE. ¼; NE. ¼ of NW. ¼; SW. ¼ of SW. ¼; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 15	360.00
E. ½, sec. 17	320.00
NE. ¼ of NW. ¼; lots 1, 2, 3, 4, sec. 19	244.48
All sec. 21	640.00
NW. ¼; SE. ¼ of SW. ¼; SW. ¼ of SE. ¼, sec. 23	240.00
N. ½ of NW. ¼, sec. 25	80.00
SE. ¼ of NE. ¼; SE. ¼, sec. 27	200.00
All sec. 29	640.00
Lot 1, sec. 35	15.42
Township 33, range 6:	
N. ½, sec. 1	321.20
SE. ¼ of SW. ¼; SE. ¼, sec. 3	200.00
S. ½ of SE. ¼, sec. 5	80.00
NW. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼; S. ½, sec. 7	605.84
NW. ¼ of SW. ¼, sec. 9	40.00
Township 19, range 7:	
NE. ¼ of SE. ¼; S. ½ of SE. ¼; lot 4, sec. 19	143.02
Lots 3, 4, 5, 13, 14, sec. 21	197.06
All sec. 29	640.00
E. ½; lots 1, 2, 3, 4, sec. 31	418.82
All sec. 33	631.60
Township 20, range 7:	
All sec. 5	773.98
E. ½; lots 1, 2, 3, 4, sec. 7	371.98
All sec. 9	640.00
S. ½, sec. 13	320.00
S. ½ of NE. ¼; NW. ¼; S. ½, sec. 15	560.00
All sec. 17	640.00
E. ½; lots 1, 2, 3, 4, sec. 19	395.20
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
N. ½; SW. ¼, sec. 27	480.00
All sec. 29	640.00
E. ½; lots 1, 2, 3, 4, sec. 31	423.58
All sec. 33	640.00
NE. ¼; S. ½, sec. 35	480.00
Township 21, range 7:	
All sec. 1	789.60
All sec. 3	785.83
S. ½ of SW. ¼; N. ½ of SE. ¼; lots 1 to 12, inclusive, sec. 5	630.81
All sec. 7	600.00
All sec. 9	640.00
All sec. 11	640.00
All sec. 13	640.00
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	610.60
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	629.98
All sec. 33	640.00
All sec. 35	640.00
Township 22, range 7:	
All sec. 1	668.38
S. ½ of NE. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼; SE. ¼ of NW. ¼; E. ½ of SW. ¼; lots 1 to 7, inclusive, sec. 3	661.32
All sec. 5	645.13
NE. ¼; E. ½ of NW. ¼; NE. ¼ of SW. ¼; N. ½ of SE. ¼; SE. ¼ of SE. ¼; lots 1, 3, 4, sec. 7	470.67
All sec. 9	631.97
NE. ¼; S. ½, sec. 11	480.00
NE. ¼; SE. ¼ of NW. ¼; NE. ¼ of SW. ¼; S. ½ of SW. ¼; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 13	440.00
E. ½; NE. ¼ of SW. ¼, sec. 15	360.00
NE. ¼ of NE. ¼; W. ½ of NW. ¼, sec. 17	120.00
Lots 8, 9, sec. 19	29.93
NE. ¼; NE. ¼ of NW. ¼; S. ½ of NW. ¼; S. ½, sec. 23	600.00
All sec. 25	582.56
All sec. 27	640.00
Lots 1, 2, 3, sec. 31	17.52
Lots 1, 2, 7, 8; E. ½ of SW. ¼; NE. ¼ of SE. ¼, sec. 35	293.14

	Acres.
Township 23, range 7:	
S. ½ of N. ½; S. ½; Lots 1, 2, 3, sec. 1	656.40
S. ½ of NE. ¼; N. ½ of NW. ¼; N. ½ of SW. ¼; NW. ¼ of SE. ¼, sec. 3	281.26
Lots 2, 3, sec. 7	49.10
Lots 7, 8, sec. 9	41.70
Lots 4, 16, sec. 11	76.13
All sec. 13	640.00
Lots 4, 5, 6; NE. ¼ of SE. ¼, sec. 15	137.00
W. ½ of W. ½; lots 1, 2, 3, 4, 5, 6, sec. 17	358.97
Lots 6, 7, 8, 9; NE. ¼ of NW. ¼; SW. ¼ of NW. ¼; NW. ¼ of SW. ¼, sec. 19	239.06
NW. ¼ of NE. ¼; NW. ¼ of NW. ¼; SE. ¼ of NW. ¼; W. ½ of SE. ¼; SE. ¼ of SE. ¼; lots 1, 3, 4, sec. 21	352.95
Lots 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, sec. 23	526.07
All sec. 25	640.00
Lots 5, 6, 7, 8, 10, 11, sec. 27	133.17
S. ½ sec. 31	320.00
Lot 3; S. ½ of SW. ¼, sec. 33	118.20
Lots 1, 2, 3, 4, 7, 8, 9, 10, 11, 14, 15, 16, sec. 35	482.95
Township 24, range 7:	
Lots 1, 4; SE. ¼ of NE. ¼; SW. ¼ of NW. ¼; E. ½ of SE. ¼, sec. 1	235.67
Lots 9, 10, 11, 12, sec. 3	146.05
SW. ¼ of NW. ¼; SW. ¼; W. ½ of SE. ¼, sec. 5	280.00
All sec. 7	661.52
Lots 1 to 12, inclusive, 14, 15, 16, sec. 9	608.91
Lots 3, 4, 9; S. ½ of NW. ¼; SW. ¼; SW. ¼ of SE. ¼, sec. 11	386.32
Lots 1, 2, 3, 6, 7, 8; S. ½ of SE. ¼, sec. 13	206.76
Lots 4, 5, 6, 7, 8, 9, 10, 11, 12; W. ½ of SW. ¼, sec. 15	390.59
Lots 1, 2, 3, 4, 5, 6; SE. ¼ of NW. ¼; E. ½ of SW. ¼; N. ½ of SE. ¼; NE. ¼, sec. 17	600.60
W. ½ of NE. ¼; NW. ¼; S. ½, sec. 19	566.76
SE. ¼ of SE. ¼; lots 1, 4, 5, 7, 11, sec. 21	188.88
All sec. 23	639.52
All sec. 25	640.00
All sec. 27	609.96
NE. ¼; NE. ¼ of NW. ¼; E. ½ of SE. ¼; lots 4, 5, sec. 29	322.60
W. ½ of NW. ¼; S. ½ of SW. ¼, sec. 31	162.03
N. ½ of NE. ¼; SE. ¼ of NW. ¼; N. ½ of S. ½; lots 1, 3, 4, 5, 6, 7, sec. 33	494.56
All sec. 35	640.00
Township 25, range 7:	
All sec. 1	659.68
All sec. 3	649.96
NE. ¼; NE. ¼ of NW. ¼; S. ½ of NW. ¼; SE ¼ of SW. ¼; SE. ¼ of SE. ¼, sec. 5	355.40
N. ½ of NE. ¼; lots 1, 2, 3, 4, 7, 8, 11, sec. 7	384.54
NE. ¼; lots 1, 2, 3, 4, sec. 9	238.40
NE. ¼; S. ½ of NW. ¼; S. ½, sec. 11	560.00
NE. ¼; N. ½ of NW. ¼; SE. ¼ of NW. ¼; SW. ¼, sec. 13	440.00
N. ½ of NE. ¼; SE. ¼ of NE. ¼; N. ½ of SE. ¼; lot 3, sec. 15	213.33
All sec. 17	625.36
All sec. 19	640.64
Lots 5, 6; NE. ¼ of SW. ¼; NW. ¼ of SE. ¼; S. ½ of S. ½, sec. 21	327.74
E. ½ of NE. ¼; NE. ¼ of SW. ¼; NW. ¼ of SE. ¼, sec 23	100.00
SW. ¼ of NE. ¼; NW. ¼; N. ½ of SW. ¼; SW. ¼ of SW. ¼; lot 6, sec. 27	356.30
NE. ¼ of NE. ¼; S. ½ of NE. ¼; NE. ¼ of SW. ¼; S. ½ of SW. ¼; SE. ¼, sec. 29	400.00
E. ½; E. ½ of SW. ¼, sec. 31	400.00
Lots 1, 2, 3, 4, 5, 6, 7; SW. ¼; NW. ¼ of SE. ¼, sec. 33	491.74
Township 26, range 7:	
Lot 6, sec. 3	4.90
All sec. 5	643.04
All sec. 7	646.02
NE. ¼; S. ½ of NW. ¼; S. ½, sec. 9	560.00
S. ½ of SW. ¼; NE. ¼ of SE. ¼, sec. 11	120.00
W. ½ of NW. ¼, sec. 15	80.00
All sec. 17	640.00
All sec. 19	644.32
W. ½ of NE. ¼; W. ½; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 21	520.00
N. ½ of NW. ¼, sec. 27	80.00
All sec. 29	640.00
All sec. 31	636.00
W. ½, sec. 33	320.00
Township 27, range 7:	
NE. ¼; SE. ¼ of SW. ¼; W. ½ of SE. ¼, sec. 5	278.72
All sec. 7	633.60
SE. ¼ of NW. ¼; E. ½ of SW. ¼; SE. ¼, sec. 15	280.00
NE. ¼; W. ½, sec. 17	480.00
All sec. 19	639.90
NE. ¼; S. ½, sec. 23	480.00
NW. ¼ of NE. ¼; SW. ¼ of NW. ¼; N. ½ of NW. ¼, sec. 25	160.00
N. ½; SW. ¼; W. ½ of SE. ¼, sec. 27	560.00
N. ½ of NW. ¼, sec. 31	82.48
NE. ¼; E. ½ of NW. ¼; S. ½ of SW. ¼, sec. 33	320.00
Township 29, range 7:	
All sec. 1	639.40
Lot 1; E. ½ of SW. ¼; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 3	229.81
NE. ¼ of NW. ¼; S. ½ of NW. ¼; NW. ¼ of SW. ¼, sec. 5	162.28
S. ½ of NE. ¼; N. ½ of SW. ¼; SE. ¼ of SW. ¼; SE. ¼; lots 1, 4, 5, sec. 9	458.67
All sec. 11	640.00
All sec. 13	640.00
All sec. 15	640.00
SE. ¼ of NW. ¼; NE. ¼ of SW. ¼; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 17	200.00
NE. ¼; NE. ¼ of NW. ¼; S. ½ of NW. ¼; S. ½, sec. 19	617.30
NE. ¼; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 21	280.00
N. ½; N. ½ of SE. ¼; SE. ¼ of SE. ¼; lots 1, 2, 3, 4, 5, 6, 7, sec. 27	598.68
NW. ¼; N. ½ of SW. ¼, sec. 29	240.00
All sec. 31	664.41
All sec. 33	640.00
Township 30, range 7:	
S. ½ of NE. ¼; N. ½ of NW. ¼; W. ½ of SW. ¼; SE. ¼ of SW. ¼; SE. ¼, sec. 1	420.07
All, sec. 3	643.08
Lots 1, 2, 4; S. ½ of NE. ¼; SW. ¼ of NW. ¼; SE. ¼ of SW. ¼; S. ½ of SE. ¼, sec. 5	339.11
SW. ¼ of NE. ¼; W. ½; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 7	521.99
All sec. 9	640.00
N. ½ of NE. ¼; SE. ¼ of NE. ¼; W. ½, sec. 11	440.00
N. ½; SE. ¼, sec. 13	480.00
All sec. 15	688.23
All sec. 17	640.00
All sec. 19	680.71
All sec. 21	640.00
All sec. 25	640.00

	Acres.
Township 30, range 7—Continued.	
W. ½ of E. ½; W. ½; SE. ¼ of SE. ¼, sec. 27	520.00
All sec. 29	640.00
All sec. 31	681.60
N. ½; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 33	440.00
N. ½; SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 35	600.00
Township 31, range 7:	
NE. ¼; NE. ¼ of NW. ¼; S. ½ of NW. ¼; S. ½, sec. 1	605.69
NW. ¼ of NE. ¼; S. ½ of N. ½; NE. ¼ of NW. ¼; S. ½, sec. 3	560.00
S. ½ of N. ½; N. ½ of SW. ¼; SE. ¼ of SW. ¼; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 5	400.00
N. ½; SW. ¼; W. ½ of SE. ¼; W. ½ of SE. ¼ of SE. ¼; N. ½ of NE. ¼ of SE. ¼; SW. ¼ of NE. ¼ of SE. ¼, sec. 7	603.52
N. ½ of NE. ¼; SE. ¼ of NE. ¼; NW. ¼ of SW. ¼; S. ½ of S. ½; NE. ¼ of SE. ¼, sec. 9	369.20
All sec. 11	649.20
All sec. 13	640.00
All sec. 15	640.00
E. ½; N. ½ of NW. ¼; W. ½ of SW. ¼ of NW. ¼; NE. ¼ of SW. ¼ of NW. ¼; E. ½ of SE. ¼ of NW. ¼; NW. ¼ of SE. ¼ of NW. ¼; S. ½ of SW. ¼; E. ½ of NE. ¼ of SW. ¼; W. ½ of NW. ¼ of SW. ¼, sec. 17	580.00
All sec. 19	636.40
All sec. 21	640.00
All sec. 23	640.00
N. ½; N. ½ of SW. ¼; SE. ¼ of SW. ¼, sec. 25	440.00
All sec. 27	640.00
NW. ¼; S. ½, sec. 29	480.00
All sec. 31	647.68
All sec. 33	640.00
W. ½ of NE. ¼; S. ½, sec. 35	400.00
Township 32, range 7:	
All sec. 1	653.76
All sec. 3	657.52
N. ½, sec. 5	328.48
NE. ¼; SE. ¼ of NW. ¼; S. ½ of SW. ¼; SW. ¼ of SE. ¼, sec. 7	324.33
NE. ¼; S. ½, sec. 9	480.00
All sec. 11	640.00
All sec. 13	640.00
All sec. 15	640.00
All sec. 17	640.00
NE. ¼; NW. ¼ of NE. ¼ of NW. ¼; SE. ¼ of NW. ¼; W. ½ of NE. ¼ of SW. ¼; SE. ¼ of SW. ¼; NE. ¼ of SE. ¼; E. ½ of NW. ¼ of SE. ¼; S. ½ of SE. ¼; lots 2, 3, 4, sec. 19	537.58
N. ½; SW. ¼; S. ½ of SE. ¼, sec. 21	560.00
All sec. 23	640.00
N. ½; SW. ¼; W. ½ of SE. ¼, sec. 25	560.00
E. ½; E. ½ of SW. ¼, sec. 27	400.00
S. ½ of NE. ¼; NW. ¼ of NE. ¼; NW. ¼; S. ½, sec. 29	600.00
All sec. 31	642.40
NW. ¼ of NE. ¼ of NW. ¼; NW ¼ of NW. ¼; S. ½ of NW. ¼; NW. ¼ of NE. ¼ of SW. ¼; SW. ¼ of NW. ¼ of SW. ¼; NW. ¼ of SW. ¼ of SW. ¼; S. ½ of NE. ¼ of SE. ¼; E. ½ of SW. ¼ of SE. ¼; SE. ¼ of SE. ¼, sec. 33	260.00
N. ½; N. ½ of S. ½; SW. ¼ of SE. ¼; SW. ¼ of SW. ¼, sec. 35	560.00
Township 33, range 7:	
Lots 3, 4; S. ½ of N. ½; S. ½, sec. 1	564.56
SW. ¼ of NE. ¼; SW. ¼; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 3	320.00
All sec. 11	640.00
N. ½, sec. 13	320.00
Township 19, range 8:	
All sec. 7	777.16
W. ½, sec. 9	320.00
SW. ¼ of SW. ¼, sec. 11	40.00
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	776.80
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	779.58
All sec. 33	640.00
All sec. 35	640.00
Township 20, range 8:	
All sec. 1	640.39
All sec. 3	639.20
All sec. 5	639.30
All sec. 7	788.39
All sec. 9	640.00
All sec. 11	640.00
All sec. 13	640.00
All sec. 15	640.00
NE. ¼ of NW. ¼; SE. ¼ of SW. ¼, sec. 17	80.00
E. ½; lots 1, 6, 7, 8, 9, 10, 11, 12, sec. 19	634.05
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	788.59
All sec. 33	640.00
All sec. 35	640.00
Township 21, range 8:	
All sec. 1	637.99
All sec. 3	634.60
All sec. 5	635.76
All sec. 7	789.80
All sec. 9	640.00
All sec. 11	640.00
All sec. 13	640.00
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	793.60
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	797.04
All sec. 33	640.00
All sec. 35	640.00

	Acres.
Township 22, range 8:	
All sec. 1	724.92
Lots 1, 2, 3, 4, 5, 6, 7, 10, 11, 14, 15, sec. 3	462.44
Lots 2, 3, 4, 5, 6, 9, 10; SW. ¼ of NW. ¼, sec. 5	257.06
N. ½ of NW. ¼; SW. ¼ of NW. ¼; NW. ¼ of SW. ¼; lots 3, 6, 7, 8, 9, 10, 11, sec. 7	301.60
SW. ¼ of NW. ¼; NW. ¼ of SW. ¼; lots 9, 10, 11, 12, 16, sec. 9	180.79
Lots 1, 2, 3, 7, 8, 9, 10, 11, 14, 15, 16, sec. 11	463.50
Lots 9, 10, sec. 15	25.30
Lots 1, 2, 3; N. ½ of NE. ¼; SW. ¼ of NE. ¼; W. ½; W. ½ of SE. ¼, sec. 17	566.77
All sec. 19	679.45
Lots 7, 14, sec. 21	2.42
Lots 8, 9, 10, 11, sec. 23	11.00
NE. ¼; W. ½ of NW. ¼, sec. 25	240.00
Lots 2 to 12, inclusive, sec. 27	459.65
W. ½ of W. ½; lots 1, 2, 3, sec. 29	206.89
All sec. 31	692.69
Lot 1; S. ½ of NE. ¼; NW. ¼; NE. ¼ of SW. ¼; S. ½ of SW. ¼, sec. 33	395.20
Township 23, range 8:	
Lots 7, 9, sec. 1	5.30
Lots 1, 2, 3; S. ½ of N. ½; S. ½, sec. 3	613.67
All sec. 5	669.48
E. ½; lots 7, 10, 11, 12, sec. 7	473.41
All sec. 9	640.00
Lots 1, 5, 7; W. ½ of W. ½; SE. ¼ of SW. ¼; S. ½ of SE. ¼, sec. 11	376.36
Lots 2, 3, 4; S. ½ of N. ½; S. ½, sec. 13	604.39
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	772.00
All sec. 21	640.00
N. ½ of N. ½; SE. ¼ of NW. ¼; S. ½, sec. 23	520.00
SE. ¼ of NE. ¼; NW. ¼ of NW. ¼; SW. ¼; S. ½ of SE. ¼, sec. 25	320.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	775.98
All sec. 33	640.00
All sec. 35	640.20
Township 24, range 8:	
All sec. 1	653.74
All sec. 3	650.46
All sec. 5	644.94
Lots 1, 2, 3, and 4; E. ½, sec. 7	484.38
All sec. 9	640.00
All sec. 11	640.00
All sec. 13	640.00
All sec. 15	640.00
All sec. 17	640.00
Lots 1, 2, 3, and 4; E. ½, sec. 19	490.40
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
Lots 1, 2, 3, and 4; E. ½, sec. 31	493.18
All sec. 33	640.00
All sec. 35	641.92
Township 25, range 8:	
All sec. 1	636.80
All sec. 11	640.00
All sec. 13	640.00
All sec. 15	640.00
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 33	640.00
All sec. 35	640.00
Township 26, range 8:	
SE. ¼ of NE. ¼; S. ½ of NW. ¼; SW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼; lots 3 and 4, sec. 1	477.75
All sec. 3	639.92
All sec. 5	642.40
All sec. 7	640.80
All sec. 9	640.00
All sec. 11	640.00
All sec. 13	640.00
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	641.04
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	640.92
All sec. 33	640.00
All sec. 35	640.00
Township 27, range 8:	
All sec. 1	633.84
All sec. 3	639.80
All sec. 5	639.68
All sec. 7	639.36
All sec. 9	640.00
All sec. 11	640.00
All sec. 13	640.00
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	639.68
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	639.60
All sec. 33	640.00
All sec. 35	640.00
Township 29, range 8:	
E. ½ of NE. ¼; W. ½ of NW. ¼; NW. ¼ of SW. ¼; S. ½ of SW. ¼; SE. ¼, sec. 13	440.00
SE. ¼, sec. 15	160.00
SE. ¼ of SE. ¼, sec. 17	40.00
All sec. 21	640.00

	Acres.
Township 29, range 8—Continued.	
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
E. ½; E. ½ of SW. ¼, sec. 29	400.00
S. ½ of N. ½; S. ½; lots 1, 2, 3, 4, sec. 31	607.73
All sec. 33	640.00
All sec. 35	640.00
Township 30, range 8:	
All sec. 1	606.20
All sec. 3	622.63
All sec. 5	644.72
All sec. 7	700.44
All sec. 9	640.00
All sec. 11	640.00
S. ½ of N. ½; S. ½, sec. 13	480.00
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	704.00
All sec. 21	640.00
All sec. 23	640.00
E. ½; N. ½ of NW. ¼; E. ½ of SW. ¼, sec. 25	480.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	707.74
All sec. 33	640.00
All sec. 35	640.00
Township 31, range 8:	
All sec. 1	639.96
All sec. 5	606.01
All sec. 7	744.84
All sec. 9	640.00
All sec. 11	640.00
All sec. 13	640.00
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	751.84
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	743.20
All sec. 33	640.00
All sec. 35	640.00
Township 32, range 8:	
N. ½; SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 1	600.80
All sec. 3	645.41
All sec. 5	653.08
All sec. 7	631.62
All sec. 9	640.00
All sec. 11	640.00
All sec. 13	640.00
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	637.79
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
N. ½ of NE. ¼, sec. 31	80.00
All sec. 33	640.00
All sec. 35	640.00
Township 19, range 9:	
All sec. 9	640.00
All sec. 11	640.00
All sec. 13	800.80
All sec. 15	640.00
E. ½; E. ½ of W. ½; SW. ¼ of SW. ¼, sec. 17	520.00
E. ½; E. ½ of W. ½, sec. 19	480.00
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	800.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	640.00
All sec. 33	640.00
All sec. 35	640.00
Township 20, range 9:	
S. ½ of NW. ¼; W. ½ of SW. ¼; lots 1 to 14, inclusive, sec. 1	717.47
N. ½ of NE. ¼; SW. ¼ of NE. ¼; NW. ¼; NW. ¼ of SW. ¼; NE. ¼ of SE. ¼, sec. 11	360.00
E. ½ of NW. ¼; SW. ¼; lots 1 to 12, inclusive, sec. 13	712.38
NW. ¼ of NE. ¼; NW. ¼; N. ½ of SW. ¼; E. ½ of SE. ¼, sec. 15	360.00
All sec. 17	640.00
All sec. 19	640.00
W. ½; SE. ¼ of SE. ¼, sec. 21	360.00
All sec. 23	640.00
NW. ¼; lots 1 to 12, inclusive, sec. 25	628.92
NE. ¼; N. ½ of NW. ¼; SE. ¼ of NW. ¼, sec. 27	280.00
N. ½ of NW. ¼, sec. 29	80.00
S. ½ of NE. ¼; E. ½ of NW. ¼; NE. ¼ of SW. ¼; lot 2, sec. 31	239.19
NE. ¼ of NE. ¼; SW. ¼; SW. ¼ of SE. ¼, sec. 33	240.00
NE. ¼ of NE. ¼; S. ½ of N. ½; S. ½, sec. 35	520.00
Township 21, range 9:	
All sec. 1	906.19
S. ½ of SW. ¼; NW. ¼ of SE. ¼; lots 1, 2, 3, 4, 6, 7, 8, 9, 10, 15, 16, sec. 3	472.08
E. ½ of E. ½; NE. ¼ of SW. ¼; SW. ¼ of SW. ¼, sec. 5	240.00
All sec. 7	828.40
All sec. 9	898.36
All sec. 11	640.00
All sec. 13	657.20
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	645.88
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	650.55
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	642.78
Township 21, range 9—Continued.	
All sec. 33	640.00
All sec. 35	640.00
Township 22, range 9:	
All sec. 1	626.33
All sec. 3	629.94
S. ½ of NE. ¼; SE. ¼ of NW. ¼; NE. ¼ of SW. ¼; N. ½ of SE. ¼; lots 1, 2, 3, 4, 5, 6, 9, 10, sec. 5	468.86
Lots 6 to 16, inclusive, sec. 7	525.88
S. ½ of NE. ¼; SE. ¼ of NW. ¼; SE. ¼; lots 3, 4, 5, 6, 7, 8, 9, sec. 9	509.60
N. ½; SW. ¼; N. ½ of SE. ¼, sec. 11	560.00
S. ½ of SE. ¼; lots 5, 6, sec. 13	149.00
N. ½ of NE. ¼; SW. ¼ of SW. ¼; lots 8, 9, sec. 15	100.31
NW. ¼ of SW. ¼; SW. ¼ of SE. ¼; lot 7, sec. 17	112.20
NE. ¼ of NE. ¼; NE. ¼ of SW. ¼; E. ½ of SE. ¼; lots 1, 2, 3, sec. 19	328.25
SE. ¼ of NE. ¼; E. ½ of SW. ¼; W. ½ of SE. ¼; lots 4, 5, 6, sec. 21	328.44
N. ½; SW. ¼; W. ½ of SE. ¼, sec. 23	560.00
All sec. 25	640.00
All sec. 27	610.56
All sec. 29	593.44
N. ½; SW. ¼, sec. 31	481.76
N. ½ of NE. ¼; SW. ¼ of NE. ¼; NW. ¼; N. ½ of SW. ¼; SW. ¼ of SW. ¼; SE. ½ of SE. ¼, sec. 33	440.00
All sec. 35	678.38
Township 23, range 9:	
All sec. 1	640.60
Lot 4; S. ½ of N. ½; S. ½, sec. 5	520.40
NE. ¼ of SW. ¼; lots 5, 6, 7, 10, 11, 12, 13, 14, 15, 17, 18, sec. 7	492.51
SW. ¼ of SW. ¼, sec. 9	40.00
SW. ¼ of NE. ¼, sec. 11	40.00
SW. ¼ of SE. ¼; lots 9, 10, 16, 17, 18, sec. 13	233.02
SW. ¼, sec. 17	160.00
S. ½, sec. 19	317.55
E. ½; lots 1, 2, 3, 4, sec. 21	380.52
NW. ¼, sec. 23	160.00
All sec. 25	640.00
All sec. 27	640.00
NW. ¼; N. ½ of SW. ¼; lots 1, 2, 3, 4, 5, 6, sec. 29	334.67
All sec. 31	633.56
All sec. 33	654.40
All sec. 35	643.84
Township 24, range 9:	
All sec. 1	635.88
All sec. 3	629.89
All sec. 5	638.96
All sec. 11	640.00
All sec. 13	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 35	640.00
Township 26, range 9:	
All sec. 1	654.28
All sec. 3	653.20
All sec. 11	640.00
All sec. 13	640.00
All sec. 15	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 35	640.00
Township 29, range 9:	
NW. ¼ of SE. ¼, sec. 1	40.00
NE. ¼; S. ½ of NW. ¼; W. ½ of SW. ¼, sec. 13	320.00
N. ½; SW. ¼; NW. ¼ of SE. ¼, sec. 23	520.00
All sec. 27	640.00
NW. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼ of NW. ¼; S. ½ of NW. ¼; S. ½, sec. 35	560.00
Township 30, range 9:	
All sec. 3	630.22
All sec. 5	626.32
All sec. 7	650.12
All sec. 9	640.00
All sec. 13	640.00
S. ½ of N. ½; S. ½, sec. 17	480.00
All sec. 19	652.78
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	655.64
All sec. 33	640.00
All sec. 35	640.00
Township 31, range 9:	
All sec. 1	561.84
All sec. 3	567.00
N. ½; SE. ¼, sec. 5	409.44
S. ½ of NE. ¼; E. ½ of NW. ¼; lot 1, sec. 7	200.33
All sec. 9	640.00
All sec. 11	640.00
E. ½ of E. ½; W. ½, sec. 13	480.00
All sec. 15	640.00
E. ½; N. ½ of NW. ¼; SE. ¼ of NW. ¼; S. ½ of SW. ¼, sec. 17	520.00
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
NE. ¼; S. ½, sec. 29	480.00
All sec. 35	640.00
Township 19, range 10:	
SE. ¼, sec. 25	160.00
Township 20, range 10:	
All sec. 1	709.96
E. ½ of NE. ¼; S. ½, sec. 11	400.00
All sec. 13	640.00
N. ½; NE. ¼ of SW. ¼; SE. ¼, sec. 23	520.00
N. ½ of NW. ¼; SW. ¼ of NW. ¼; W. ½ of SW. ¼, sec. 25	200.00
N. ½ of NE ¼; SW. ¼ of NE. ¼; E. ½ of NW. ¼; W. ½ of SE. ¼, sec. 27	280.00
W. ½ of NE. ¼; N. ½ of NW. ¼; SE. ¼ of NW. ¼; lots 1, 2, 3, 4, sec. 35	361.32
Township 21, range 10:	
E. ½ of NE. ¼; SE. ¼ of SE. ¼, sec. 9	120.00
NE. ¼; E. ½ of NW ¼; S. ½, sec. 15	560.00
NE. ¼, sec. 21	160.00

	Acres.
Township 22, range 10:	
All sec. 1	745.76
S. ½; lots 1 to 12, inclusive, sec. 3	745.00
All sec. 9	640.00
All sec. 11	640.00
N. ½ of NE. ¼; SW. ¼ of NE. ¼; NW. ¼; NW. ¼ of SW. ¼; lot 6, sec. 13	356.66
SW. ¼ of NE. ¼; SE. ¼ of NW. ¼; NW. ¼ of SW. ¼; SE. ¼ of SE. ¼; lots 1, 11, 12, 13, 14, 15, sec. 15	401.07
All sec. 21	594.28
SW. ¼ of NE. ¼; E. ½ of NW. ¼; NE. ¼ of SW. ¼; N. ½ of SE. ¼; lots 5 to 11, inclusive, sec. 23	494.56
NE. ¼ of NW. ¼; W. ½ of W. ½; SE. ¼ of SW. ¼, sec. 25	240.00
All sec. 27	640.00
E. ½; E. ½ of W. ½, sec. 33	480.00
Lots 1, 2, 3, 4; S. ½ of N. ½; W. ½ of SW. ¼; N. ½ of SE. ¼, sec. 35	479.20
Township 23, range 10:	
All sec. 1	952.09
Lot 1; SE. ¼, sec. 11	164.42
NE. ¼, sec. 13	160.00
All sec. 23	640.00
All sec. 35	640.00
Total Douglas County	616,843.14

COOS COUNTY.

[South of base line and west of Willamette meridian.]

Township 26, range 9:	
All sec. 5	647.00
All sec. 7	612.00
All sec. 9	640.00
All sec. 17	640.00
All sec. 19	614.00
All sec. 21	640.00
All sec. 29	640.00
N. ½; SE. ¼ of SW. ¼; SE. ¼, sec. 31	507.00
All sec. 33	640.00
Township 27, range 9:	
All sec. 1	664.00
All sec. 3	672.00
All sec. 5	684.00
N. ½, sec. 7	322.00
All sec. 9	640.00
All sec. 11	640.00
All sec. 13	640.00
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	641.36
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	641.00
All sec. 33	640.00
All sec. 35	640.00
Township 24, range 10:	
All sec. 1	623.00
All sec. 3	587.00
Lot 1; SE. ¼ of NE. ¼; E. ½ of SE. ¼, sec. 5	145.00
All sec. 9	640.00
All sec. 11	640.00
All sec. 13	640.00
All sec. 15	640.00
E. ½, sec. 17	320.00
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
E. ½, sec. 29	320.00
All sec. 33	640.00
All sec. 35	640.00
Township 25, range 10:	
All sec. 1	637.00
All sec. 3	634.00
NE. ¼; NE. ¼ of NW. ¼; S. ½ of NW. ¼; S. ½, sec. 5	597.00
E. ½, sec. 7	320.00
N. ½ of NE. ¼; SE. ¼ of NE. ¼; NE. ¼ of SW. ¼; S. ½ of SW. ¼; SE. ¼, sec. 9	400.00
All sec. 11	640.00
All sec. 13	640.00
All sec. 15	640.00
E. ½; NE. ¼ of NW. ¼; NW. ¼ of SW. ¼; S. ½ of SW. ¼, sec. 17	480.00
All sec. 19	821.00
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
NE. ¼ of NE. ¼; W. ½ of E. ½; W. ½, sec. 27	520.00
All sec. 29	640.00
All sec. 31	834.00
All sec. 33	640.00
All sec. 35	640.00
Township 26, range 10:	
All sec. 1	681.00
All sec. 3	683.00
All sec. 5	678.00
All sec. 7	690.00
All sec. 9	640.00
All sec. 11	640.00
All sec. 13	640.00
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	687.00
N. ½, sec. 21	320.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	692.00
All sec. 33	640.00
N. ½; SW. ¼, sec. 35	480.00
Township 27, range 10:	
E. ½ of NE. ¼; SE. ¼, sec. 1	240.00
All sec. 3	644.00
Township 27, range 10—Continued.	
All sec. 5	640.00
All sec. 7	717.00
N. ½, sec. 9	320.00
All sec. 11	640.00
All sec. 13	640.00
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	744.00
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	777.00
All sec. 33	640.00
All sec. 35	640.00
Township 29, range 10:	
Lots 6, 7, 10, 11, sec. 7	160.00
All sec. 13	640.00
All sec. 15	640.00
All sec. 17	640.00
All sec. 21	640.00
N. ½, sec. 23	320.00
NE. ¼, sec. 25	160.00
NW. ¼; NE. ¼ of SW. ¼; S. ½ of SW. ¼, sec. 27	280.00
All sec. 29	640.00
All sec. 31	781.00
NW. ¼ of SW. ¼; S. ½ of S. ½, sec. 33	200.00
SW. ¼, sec. 35	160.00
Township 30, range 10:	
All sec. 1	625.00
Lots 1, 2; NW. ¼ of SW. ¼; NE. ¼ of SE. ¼; S. ½ of S. ½, sec. 3	313.00
All sec. 5	621.00
All sec. 7	798.00
N. ½; SW. ¼; E. ½ of SE. ¼, sec. 9	560.00
N. ½ of N. ½; NE. ¼ of SW. ¼; S. ½ of SW. ¼; SE. ¼, sec. 11	440.00
N. ½ of N. ½; NE. ¼ of SE. ¼, sec. 13	200.00
S. ½ of SW. ¼; SW. ¼ of SE. ¼, sec. 15	120.00
All sec. 17	640.00
All sec. 19	801.00
SE. ¼ of SW. ¼; E. ½, sec. 21	360.00
SE. ¼ of SW. ¼; SW. ¼ of SE. ¼, sec. 23	80.00
N. ½ of NE. ¼; SE. ¼ of NE. ¼; SE. ¼ of SE. ¼, sec. 25	160.00
E. ½; S. ½ of NW. ¼; NE. ¼ of SW. ¼; S. ½ of SW. ¼, sec. 27	520.00
NW. ¼ of SW. ¼; S. ½ of SW. ¼; NW. ¼ of NE. ¼; SE. ¼ of NE. ¼; E. ½ of SE. ¼; NW. ¼, sec. 29	440.00
NE. ¼ of NE. ¼; S. ½ of NE. ¼; SE. ¼; lots 1, 2, 3, 4, 6, 7, sec. 31	519.00
NE. ¼; E. ½ of NW. ¼; S. ½, sec. 33	560.00
NW. ¼ of NE. ¼; S. ½ of N. ½; S. ½, sec. 35	520.00
Township 31, range 10:	
SE. ¼ of NW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 1	160.00
Lots 1, 2; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 3	165.00
SE. ¼ of SW. ¼, sec. 5	40.00
NE. ¼; W. ½ of SE. ¼; lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 12, sec. 7	651.00
SE. ¼ of NE. ¼; NE. ¼ of S.E ¼, sec. 9	80.00
SE. ¼ of NE. ¼; S. ½ of SW. ¼; W. ½ of SE. ¼, sec. 13	200.00
SE. ¼ of SW. ¼, sec. 17	40.00
Lots 4, 5, 7, 8, 9, sec. 19	206.00
NW. ¼ of NE. ¼; NE. ¼ of NW. ¼; SW. ¼ of SW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 21	240.00
N. ½ of NE. ¼; SE. ¼ of NE. ¼; NE. ¼ of NW. ¼, sec. 23	160.00
E. ½ of NE. ¼; NE. ¼ of SW. ¼; S. ½ of SW. ¼; SE. ¼, sec. 27	360.00
S. ½ of NE. ¼, sec. 29	80.00
Lots 8, 11, sec. 31	80.00
E. ½; N. ½ of NW. ¼; SW. ¼ of NW. ¼; NW. ¼ of SW. ¼; S. ½ of SW. ¼, sec. 33	560.00
E. ½ of NE. ¼, sec. 35	80.00
Township 26, range 11:	
Lots 1, 2; S. ½ of NE. ¼, sec. 1	123.00
SE. ¼, sec. 23	160.00
All sec. 25	640.00
All sec. 35	640.00
Township 27, range 11:	
All sec. 13	672.00
Lots 1, 2, 3, 4, 7, 8, 9, 10, 11, 14, 15, 16, sec. 15	433.00
All sec. 23	616.00
All sec. 25	651.00
Lots 1, 2, 3, 4, 5, 6, 7, 10, 11, 12, 13, 14, sec. 27	452.00
All sec. 35	625.00
Township 29, range 11:	
All sec. 7	644.00
All sec. 9	645.00
Lots 1, 2, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, sec. 13	536.00
All sec. 15	640.00
All sec. 17	640.00
N. ½; SW. ¼ of SW. ¼ (or lot 4); NE. ¼ of SE. ¼; SW. ¼ of SE. ¼, sec. 19	444.00
All sec. 21	640.00
E. ½ of NE. ¼; SW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 23	360.00
Lots 1, 2, 5, 8, 9, 15, 16, sec. 25	292.00
NE. ¼ of NE. ¼; S. ½ of NE. ¼; SE. ¼ of NW. ¼; NE. ¼ of SW. ¼; S. ½ of SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 27	400.00
S. ½, sec. 29	320.00
All sec. 31	633.00
NW. ¼ of SW. ¼; NE. ¼ of SE. ¼; S. ½ of S. ½; W. ½ of NW. ¼, sec. 33	320.00
NE. ¼ of SW. ¼; S. ½ of SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 35	240.00
Township 30, range 11:	
E. ½ of SW. ¼; SE. ¼, sec. 3	240.00
N. ½; SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 5	600.00
N. ½; SW. ¼; N. ½ of SE. ¼, sec. 7	554.00
W. ½; NE. ¼ of SE. ¼; SW. ¼ of SE. ¼, sec. 9	400.00
NW. ¼ of SW. ¼, sec. 11	40.00
SE. ¼ of NW. ¼; S. ½; NE. ¼ of NE. ¼, sec. 15	400.00
S. ½ of NE. ¼; SE. ¼ of NW. ¼; NE. ¼ of NE. ¼, sec. 17	160.00
SE. ¼ of SW. ¼; SE. ¼, sec. 19	200.00
NE. ¼ of NE. ¼; S. ½ of NE. ¼; SE. ¼ of SW. ¼; SE. ¼, sec. 21	320.00
N. ½ of N. ½; SE. ¼ of NE. ¼; SW. ¼ of NW. ¼; SE. ¼ of SW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 27	400.00
S. ½ of N. ½; S. ½, sec. 29	480.00
N. ½; SE. ¼, sec. 31	479.00
NW. ¼, sec. 33	160.00
Township 31, range 11:	
SW. ¼ of NE. ¼; W. ½, sec. 1	359.00
All sec. 3	641.00

Township 31, range 11—Continued.	Acres.
Lot 1, sec. 5	40.00
SW. ¼ of NE. ¼; E. ½ of NW. ¼; NE. ¼ of SW. ¼; NW. ¼ of SE. ¼, sec. 7	200.00
E. ½; SE. ¼ of SW. ¼, sec. 9	360.00
All sec. 11	640.00
N. ½ of N. ½, sec. 13	160.00
NE. ¼; N. ½ of NW. ¼; S. ½ of SW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 15	440.00
NW. ¼ of NE. ¼; S. ½ of NE. ¼; SE. ¼, sec. 19	280.00
NE. ¼ of NE. ¼; S. ½ of NE. ¼; SE. ¼ of NW. ¼; S. ½ of S. ½, sec. 21	320.00
NW. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼; S. ½, sec. 23	600.00
NW. ¼ of NE. ¼; NW. ¼; NW. ¼ of SW. ¼, sec. 25	240.00
SE. ¼ of NW. ¼; NE. ¼ of SW. ¼; S. ½ of SW. ¼, sec. 27	160.00
NE. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼; SE. ¼ of SW. ¼; W. ½ of SE. ¼, sec. 29	400.00
N. ½ of NW. ¼; SW. ¼ of NW. ¼, sec. 33	120.00
NE. ¼ of NE. ¼; W. ½ of SW. ¼, sec. 35	120.00
Township 28, range 12:	
NW. ¼; N. ½ of S. ½; SE. ¼ of SW. ¼; SW. ¼ of SE. ¼, sec. 35	400.00
Township 29, range 12:	
SE. ¼ of SE. ¼, sec. 1	40.00
SE. ¼ of SW. ¼; SE. ¼ of SE. ¼, sec. 11	80.00
NE. ¼; NW. ¼ of NW. ¼; NW. ¼ of SW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 13	200.00
E. ½ of SE. ¼, sec. 15	80.00
E. ½; E. ½ of SW. ¼, sec. 23	400.00
NE. ¼ of NE. ¼; S. ½ of NE. ¼; SE. ¼ of NW. ¼; NE. ¼ of SW. ¼; NW. ¼ of SE. ¼, sec. 25	240.00
NW. ¼ of SE. ¼; SE. ¼ of SE. ¼, sec. 27	80.00
NW. ¼ of SW. ¼, sec. 29	40.00
NW. ¼ of NE. ¼; SE. ¼ of NW. ¼; E. ½ of SW. ¼; S. ½ of SE. ¼, sec. 35	240.00
Township 30, range 12:	
All sec. 1	652.00
E. ½ of SW. ¼; SE. ¼, sec. 3	240.00
Lot 6, sec. 5	2.00
NW. ¼, sec. 7	160.00
NE. ¼ of NE. ¼, sec. 9	40.00
E. ½; N. ½ of NW. ¼, sec. 11	400.00
N. ½, sec. 13	320.00
SE. ¼ of SE. ¼, sec. 19	40.00
SW. ¼ of NE. ¼; N. ½ of SW. ¼; SW. ¼ of SW. ¼; NW. ¼ of SE. ¼, sec. 25	200.00
W. ½ of E. ½; W. ½, sec. 29	480.00
Lots 2, 3, 4; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 31	243.00
E. ½ of NW. ¼, sec. 35	80.00
Township 31, range 12:	
Lots 1, 2, 5; S. ½ of NW. ¼, sec. 3	146.00
SE. ¼ of NE. ¼; NW. ¼; N. ½ of SW. ¼; SE. ¼ of SW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 5	439.00
S. ½ of NE. ¼; SW. ¼ of NW. ¼; SW. ¼; N. ½ of SE. ¼, sec. 7	356.00
SW. ¼ of NW. ¼; NW. ¼ of SW. ¼, sec. 9	80.00
Lots 2, 3, sec. 11	52.00
SE. ¼ of NE. ¼; lots 10, 11, 12, 14, 15, 16, 17, 18, 19, sec. 13	110.00
NE. ¼ of NW. ¼; NE. ¼ of SW. ¼; S. ½ of SW. ¼; SE. ¼, sec. 15	320.00
E. ½; N. ½ of SW. ¼; SE. ¼ of SW. ¼, sec. 17	440.00
All sec. 21	640.00
Lots 2, 3, 4, 6, 9, 10, 11, 12, 13, 14, 15, 16, sec. 23	485.00
Lots 4, 5, 12, sec. 25	126.00
All sec. 27	640.00
N. ½ of NE. ¼; NE. ¼ of NW. ¼, sec. 33	120.00
N. ½ of NE. ¼; SE. ¼ of NE. ¼; W. ½ of NW. ¼; N. ½ of SW. ¼; SE. ¼ of SW. ¼; S. ½ of SE. ¼, sec. 35	400.00
Township 30, range 13:	
N. ½ of NW. ¼; SW. ¼; SW. ¼ of SE. ¼, sec. 25	280.00
SW. ¼ of NE. ¼; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 35	160.00
Township 31, range 13:	
Lots 1, 2, 3, 4; SE. ¼, sec. 1	318.00
Total Coos County	106,563.36

CURRY COUNTY.

[South of base line and west of Willamette meridian.]

Township 34, range 11:	
All sec. 3	618.05
N. ½; SW. ¼; NE. ¼ of SE. ¼, sec. 7	518.40
All sec. 9	540.77
All sec. 11	640.00
All sec. 15	640.00
SE. ¼ of NE. ¼; NE. ¼ of SW. ¼; S. ½ of SW. ¼; SE. ¼; lots 1, 4, 5, 7, sec. 17	384.07
All sec. 19	571.38
All sec. 31	607.81
Township 35, range 11:	
SE. ¼ of NE. ¼; NE. ¼ of NW. ¼; E. ½ of SE. ¼; lots 1, 2, 3, 7, 8, 9, 10, 11, 12, 13, sec. 7	455.78
All sec. 17	640.00
NE. ¼ of NW. ¼; NE. ¼ of SW. ¼; lots 1, 2, sec. 19	147.07
NE. ¼; E. ½ of SE. ¼; lot 5, sec. 29	268.70
Township 31, range 12:	
N. ½ of NW. ¼; SW. ¼ of NW. ¼; SW. ¼; W. ½ of SE. ¼, sec. 19	356.00
SE. ¼ of NW. ¼; E. ½ of SW. ¼; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 29	240.00
Township 35, range 12:	
E. ½ of SE. ¼; lots 4, 5, 6, sec. 13	136.61
Township 31, range 13:	
N. ½ of NE. ¼; SW. ¼ of NE. ¼, sec. 11	120.00
NE. ¼ of NE. ¼; SW. ¼ of NW. ¼; NW. ¼ of SW. ¼; SE. ¼ of SW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 13	280.00
W. ½ of NE. ¼; NW. ¼; NE. ¼ of SW. ¼; S. ½ of SW. ¼; SE. ¼, sec. 23	520.00
SE. ¼ of NE. ¼; S. ½ of SW. ¼; SW. ¼ of SE. ¼, sec. 25	160.00
Total Curry County	7,844.64

JOSEPHINE COUNTY.

[South of base line and west of Willamette meridian.]

Township 33, range 5:	
W. ½ of SE. ¼; SW. ¼, sec. 3	240.00
S. ½ of S. ½, sec. 5	160.00
N. ½ of NE. ¼; NW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 7	338.68
N. ½ of NE. ¼; N. ½ of SW. ¼ of NE. ¼; N. ½ of S. ½ of SW. ¼ of NE. ¼; NW. ¼; N. ½ of SE. ¼ of NE. ¼; W. ½ of SW. ¼; S. ½ of SE. ¼; S. ½ of NE. ¼ of SE. ¼; S. ½ of N. ½ of NE. ¼ of SE. ¼; S. ½ of NW. ¼ of SE. ¼, sec. 9	500.00
Township 33, range 5—Continued.	Acres.
SW. ¼ of NW. ¼; SW. ¼ of SW. ¼; SW. ¼ of SE. ¼; lots 4, 5, sec. 11	140.15
SE. ¼ of NE. ¼; SW. ¼ of NW. ¼; S. ½, sec. 13	480.00
E. ½ of SE. ¼; E. ½ of SW. ¼ of NE. ¼; W. ½ of SW. ¼; NW. ¼ of NE. ¼ of NW. ¼; E. ½ of NE. ¼ of NW. ¼; S. ½ of S. ½ of SW. ¼ of NW. ¼; SW. ¼ of SE. ¼ of NW. ¼; E. ½ of SE. ¼ of NW. ¼; SE. ¼ of NE. ¼; E. ½ of NE. ¼ of NE. ¼, sec. 15	310.00
All sec. 17	640.00
N. ½ of NE. ¼; SE. ¼ of NE. ¼; E. ½ of NW. ¼; N. ½ of SE. ¼; lots 1, 2, 8, sec. 19	352.81
SE. ¼ of NE. ¼; NW. ¼; NW. ¼ of SW. ¼; lots 1, 3, sec. 21	314.13
All sec. 23	640.00
N. ½; SW. ¼; W. ½ of NE. ¼ of SE. ¼; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 25	620.00
NE. ¼; N. ½ of NW. ¼; SE. ¼ of NW. ¼; S. ½, sec. 27	596.09
All sec. 31	593.82
All sec. 35	640.00
Township 34, range 5:	
N. ½; N. ½ of SE. ¼, sec. 3	407.20
N. ½ of NW. ¼; SW. ¼ of NW. ¼, sec. 5	126.38
S. ½ of NE. ¼; SE. ¼, sec. 9	240.00
N. ½ of NE. ¼; SW. ¼ of NE. ¼; S. ½ of SE. ¼ of NW. ¼; NE. ¼ of SW. ¼; SE. ¼, sec. 17	340.00
All sec. 19	612.00
All sec. 21	640.00
NE. ¼; NW. ¼ of NW. ¼; W. ½ of SW. ¼; N. ½ of SE. ¼; E. ½ of SE. ¼ of NW. ¼, sec. 29	380.60
SW. ¼; S. ½ of SE. ¼, sec. 31	224.76
E. ½; N. ½ of NW. ¼; SE. ¼ of NW. ¼; NE. ¼ of SW. ¼, sec. 33	480.00
W. ½ of NE. ¼; NW. ¼; S. ½, sec. 35	560.00
Township 35, range 5:	
NW. ¼ of NE. ¼; S. ½ of NE. ¼; W. ½; SE. ¼, sec. 1	622.50
NE. ¼ of NE. ¼; S. ½ of N. ½; N. ½ of SE. ¼; N. ½ of S. ½ of SE. ¼; SW. ¼, sec. 3	479.98
W. ½ of NE. ¼; W. ½; NW. ¼ of SE. ¼, sec. 5	439.52
All sec. 7	654.81
All sec. 9	640.00
All sec. 11	666.76
All sec. 13	640.00
All sec. 15	664.20
All sec. 17	645.61
NE. ¼; NW. ¼ of NW. ¼; S. ½ of NW. ¼; W. ½ of SW. ¼; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 19	481.39
NE. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼; N. ½ of SW. ¼; N. ½ of SW. ¼ of SW. ¼; SE. ¼ of SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼; N. ½ of SE. ¼ of SE. ¼, sec. 21	580.34
All sec. 23	640.00
All sec. 25	640.00
N. ½ of NE. ¼; N. ½ of SW. ¼ of NE. ¼; SE. ¼ of NE. ¼; NE. ¼ of NW. ¼; SW. ¼; N. ½ of SE. ¼ of NW. ¼; SW. ¼ of SE. ¼, sec. 27	400.00
S. ½ of NE. ¼ of NE. ¼; S. ½ of NE. ¼; W. ½ of E. ½ of NE. ¼ of NW. ¼; W. ½ of NE. ¼ of NW. ¼; NW. ¼ of NW. ¼; S. ½ of NW. ¼; S. ½, sec. 29	570.00
SE. ¼ of NW. ¼; SW. ¼; W. ½ of SE. ¼; SE. ¼ of NE. ¼; SE. ¼ of SE. ¼, sec. 31	360.20
N. ½; SE. ¼; N. ½ of SW. ¼; SE. ¼ of SW. ¼, sec. 33	624.36
NE. ¼; E. ½ of NW. ¼; S. ½, sec. 35	560.00
Township 36, range 5:	
All sec. 1	638.40
All sec. 3	637.92
SE. ¼ of NE. ¼; N. ½ of SE. ¼; SW. ¼ of NE. ¼, sec. 5	160.00
NW. ¼ of NE. ¼; SW. ¼ of SW. ¼; NW. ¼ of SE. ¼, sec. 7	122.00
W. ½ of E. ½; W. ½, sec. 9	480.00
NW. ¼ of NE. ¼; SE. ¼ of SW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 11	200.00
All sec. 13	640.00
N. ½ of SE. ¼ of NE. ¼, sec. 15	20.00
S. ½ of SE. ¼, sec. 19	80.00
Lot 8; SE. ¼ of SE. ¼; N. ½ of NE. ¼, sec. 21	150.80
Lot 8; SE. ¼ of SW. ¼, sec. 23	78.58
S. ½ of SW. ¼; NW. ¼ of SE. ¼, sec. 29	120.00
NE. ¼; N. ½ of NW. ¼; SE. ¼ of NW. ¼; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 31	464.14
SW. ¼ of NE. ¼; NE. ¼ of SE. ¼, sec. 33	80.00
Township 37, range 5:	
NW. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼; S. ½, sec. 1	598.23
SE. ¼ of NE. ¼; N. ½ of NW. ¼; SW. ¼ of NW. ¼; S. ½, sec. 5	477.63
NE. ¼; W. ½, sec. 7	500.74
N. ½; SW. ¼; E. ½ of SE. ¼; E. ½ of NW. ¼ of SE. ¼, sec. 9	580.00
All sec. 13	640.00
N. ½; SW. ¼; N. ½ of NE. ¼ of SE. ¼; SW. ¼ of NE. ¼ of SE. ¼; W. ½ of SE. ¼; W. ½ of SE. ¼ of SE. ¼, sec. 15	610.00
All sec. 17	640.00
N. ½ of SW. ¼; SW. ¼ of SW. ¼, sec. 19	129.84
NW. ¼ of NE. ¼; NE. ¼ of NW. ¼, sec. 21	80.00
All sec. 23	640.00
SW. ¼ of NE. ¼; E. ½ of NE. ¼ of NW. ¼; NW. ¼ of NW. ¼; NE. ¼ of SW. ¼ of NW. ¼; W. ½ of W. ½ of SW. ¼, sec. 25	150.00
E. ½ of NE. ¼, sec. 27	80.00
E. ½ of NE. ¼; NW. ¼ of NW. ¼; S. ½ of NW. ¼; SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 29	480.00
All sec. 31	657.20
N. ½ of NE. ¼; S. ½ of SW. ¼, sec. 33	160.00
Township 38, range 5:	
All sec. 3	647.40
All sec. 9	640.00
N. ½ of NE. ¼; NW. ¼ of NW. ¼; NE. ¼ of SW. ¼; SW. ¼ of SW. ¼, sec. 11	200.00
E. ½ of NW. ¼; NE. ¼ of SW. ¼; SE. ¼, sec. 13	280.00
SE. ¼ of NE. ¼; N. ½ of NW. ¼; SE. ¼ of NW. ¼; E. ½ of SW. ¼ of SW. ¼; E. ½ of SE. ¼ of SW. ¼; NE. ¼ of SE. ¼; NW. ¼ of SE. ¼, sec. 15	280.00
NW. ¼ of NE. ¼ of NE. ¼; S. ½ of NE. ¼ of NE. ¼; NW. ¼ of NE. ¼; S. ½ of NE. ¼; SW. ¼ of SW. ¼; W. ½ of NW. ¼ of SW. ¼; W. ½ of E. ½ of NW. ¼ of SW. ¼; NE. ¼ of SE. ¼, sec. 21	260.00
NE. ¼ of NE. ¼; S. ½ of SW. ¼; SE. ¼ of SE. ¼, sec. 25	160.00
All sec. 29	640.00
All sec. 31	658.60
N. ½ of NW. ¼; SE. ¼ of NW. ¼; NE. ¼ of SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 33	280.00
E. ½, sec. 35	320.00
Township 39, range 5:	
All sec. 1	640.00
NW. ¼ of NE. ¼; W. ½; SE. ¼ of SE. ¼, sec. 7	412.38
All sec. 9	640.00
S. ½ of NE. ¼; SE. ¼ of NW. ¼; E. ½ of SW. ¼; SE. ¼, sec. 11	360.00
All sec. 13	640.00

	Acres.
Township 39, range 5—Continued.	
SE. ¼ of NE. ¼; NW. ¼ of NW. ¼; S. ½ of NW. ¼; S. ½, sec. 15	480.00
All sec. 17	640.00
All sec. 19	654.12
All sec. 21	640.00
N. ½; SW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 23	600.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	634.64
All sec. 33	615.62
All sec. 35	618.02
Township 33, range 6:	
SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 1	280.00
S. ½ of S. ½, sec. 9	160.00
N. ½ of NW. ¼; W. ½ of SE. ¼, sec. 11	160.00
S. ½ of NE. ¼; NE. ¼ of SW. ¼; S. ½ of SW. ¼; SE. ¼, sec. 13	360.00
N. ½; NW. ¼ of SW. ¼, sec. 15	360.00
All sec. 17	640.00
N. ½; SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 19	593.48
S. ½ of NE. ¼; NW. ¼ of NW. ¼; S. ½ of SW. ¼; SE. ¼, sec. 21	360.00
NE. ¼; S. ½ of NW. ¼; S. ½ of SE. ¼, sec. 23	320.00
SE. ¼ of NW. ¼; NE. ¼ of SW. ¼; SE. ¼ of SW. ¼; W. ½ of SE. ¼, sec. 25	200.00
W. ½ of NE. ¼; W. ½; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 27	522.92
All sec. 29	640.00
N. ½ of NE. ¼; NE. ¼ of NW. ¼, sec. 31	120.00
N. ½; N. ½ of SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 33	520.00
E. ½ of NE. ¼; SW. ¼ of NW. ¼; W. ½ of SW. ¼; E. ½ of SE. ¼, sec. 35	280.00
Township 34, range 6:	
N. ½; N. ½ of SE. ¼, sec. 1	402.64
N. ½ of NE. ¼; SW. ¼ of NE. ¼; NW. ¼; N. ½ of SW. ¼, sec. 3	364.65
S. ½ of NE. ¼; W. ½, sec. 7	394.04
SE. ¼ of SE. ¼ sec. 9	40.00
SE. ¼ of SW. ¼; SE. ¼, sec. 11	200.00
W. ½ of E. ½; SE. ¼ of SE. ¼; W. ½, sec. 13	521.71
E. ½; E. ½ of SW. ¼, sec. 15	400.00
NW. ¼ of NE. ¼; W. ½, sec. 17	360.00
All sec. 19	634.60
NE. ¼ of NE. ¼; S. ½ of N. ½; NW. ¼ of SW. ¼; N. ½ of SE. ¼, sec. 21	320.00
E. ½; S. ½ of SW. ¼, sec. 23	400.00
All sec. 25	640.00
SE. ¼ of NE. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 27	160.00
N. ½ of NE. ¼; SW. ¼ of NE. ¼; NW. ¼; SW. ¼ of SW. ¼; NE. ¼ of SW. ¼, sec. 29	360.00
All sec. 31	636.40
E. ½ of NE. ¼; NE. ¼ of SW. ¼; S. ½ of SW. ¼; SE. ¼, sec. 33	360.00
Lots 1, 2, 5, sec. 35	95.47
Township 35, range 6:	
E. ½; N. ½ of NW. ¼; SE. ¼ of NW. ¼; NE. ¼ of SW. ¼; S. ½ of SW. ¼, sec. 1	573.98
SW. ¼ of NE. ¼; NW. ¼; E. ½ of SW. ¼; SW. ¼ of SW. ¼; SW. ¼ of SE. ¼, sec. 3	371.10
S. ½ of NE. ¼; NW. ¼ of SW. ¼; SE. ¼ of SW. ¼; SE. ¼, sec. 5	320.00
N. ½; N. ½ of S. ½; SW. ¼ of SW. ¼, sec. 7	517.22
N. ½; NW. ¼ of SE. ¼; SE. ¼ of SE. ¼, sec. 9	400.00
NE. ¼; NE. ¼ of SW. ¼; S. ½ of SW. ¼; NE. ¼ of SE. ¼, sec. 11	320.00
E. ½; N. ½ of NW. ¼; SE. ¼ of NW. ¼; E. ½ of SW. ¼, sec. 13	520.00
NE. ¼ of NE. ¼; NW. ¼ of NW. ¼; S. ½ of N. ½; SE. ¼, sec. 15	400.00
NW. ¼ of NW. ¼; SE. ¼ of SE. ¼, sec. 17	80.00
E. ½; N. ½ of NW. ¼; NE. ¼ of SW. ¼, sec. 19	439.94
NE. ¼ of NE. ¼; NW. ¼ of SW. ¼; S. ½ of SW. ¼; SW. ¼ of SE. ¼, sec. 21	200.00
S. ½ of NE. ¼ sec. 23	80.00
NE. ¼ of NE. ¼; SE. ¼ of NW. ¼; SE. ¼ of SW. ¼, sec. 25	120.00
SW. ¼ of NE. ¼; NW. ¼ of NW. ¼; S. ½ of NW. ¼; S. ½, sec. 27	480.00
N. ½; SE. ¼, sec. 29	480.00
NE. ¼ of NE. ¼; SW. ¼ of NE. ¼; W. ½; NW. ¼ of SE. ¼, sec. 31	443.96
NE. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼; SE. ¼ of SW. ¼; SE. ¼, sec. 33	480.00
Township 36, range 6:	
N. ½; N. ½ of SW. ¼; SE. ¼ of SW. ¼; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 1	560.14
N. ½; SW. ¼; S. ½ of SE. ¼, sec. 3	561.88
S. ½ of N. ½; NE. ¼ of NW. ¼; S. ½, sec. 5	521.08
N. ½ of NE. ¼; W. ½ of NW. ¼; W. ½ of SW. ¼; S. ½ of SE. ¼, sec. 7	310.90
N. ½; W. ½ of SW. ¼; E. ½ of SE. ¼, sec. 9	480.00
NW. ¼ of NE. ¼; NW. ¼, sec. 11	200.00
N. ½ of NE. ¼; NW. ¼, sec. 17	240.00
N. ½ of SW. ¼; SE. ¼; lots 5, 10, 11, sec. 21	277.07
SW. ¼ of NE. ¼; W. ½; SW. ¼ of SE. ¼, sec. 23	400.00
W. ½ of NE. ¼; W. ½ of NW. ¼; SE. ¼ of NW. ¼; S. ½, sec. 25	520.00
NW. ¼ of NE. ¼; SE. ¼ of NE. ¼; W. ½ of NW. ¼; S. ½, sec. 27	480.00
NW. ¼ of NE. ¼; S. ½ of NE. ¼; NE. ¼ of NW. ¼; E. ½ of SE. ¼, sec. 29	240.00
NW. ¼ of NW. ¼; S. ½ of NW. ¼, sec. 31	114.64
NE. ¼; N. ½ of NW. ¼; NE. ¼ of SE. ¼, sec. 33	280.00
E. ½ of NE. ¼ sec. 35	80.00
Township 37, range 6:	
E. ½ of NE. ¼; NW. ¼ of NW. ¼; S. ½ of NW. ¼; W. ½ of SW. ¼; NE. ¼ of SE. ¼, sec. 1	319.16
E. ½; S. ½ of SW. ¼, sec. 3	398.30
SW. ¼ of NW. ¼; E. ½ of SW. ¼; SW. ¼ of SE. ¼, sec. 5	160.00
NW. ¼ of NW. ¼; S. ½ of NW. ¼; SW. ¼; SW. ¼ of SE. ¼, sec. 7	301.00
N. ½; SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 9	600.00
N. ½ of NW. ¼; S. ½ of SW. ¼; E. ½ of SE. ¼; NW. ¼ of SW. ¼, sec. 11	280.00
NE. ¼ of SE. ¼; S. ½ of SE. ¼; NW. ¼ of NE. ¼; SW. ¼ of NW. ¼, sec. 13	200.00
N. ½; SE. ¼, sec. 15	480.00
NW. ¼ of NW. ¼; NW. ¼ of SE. ¼; SE. ¼ of SE. ¼, sec. 17	120.00
NW. ¼; S. ½, sec. 21	480.00
W. ½ of NE. ¼; W. ½; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 23	520.00
NE. ¼; NW. ¼ of NW. ¼; NE. ¼ of SW. ¼; S. ½ of SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 25	440.00
All sec. 35	640.00
Township 38, range 6:	
All sec. 1	742.40
All sec. 3	732.48
All sec. 5	732.44
All sec. 7	644.92
All sec. 9	640.00
All sec. 11	640.00
All sec. 13	640.00
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	643.08
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	645.36
All sec. 33	640.00
All sec. 35	640.00
Township 39, range 6:	
All sec. 1	656.00
All sec. 3	679.40
Lots 1, 2, 3, 4, sec. 5	197.60
S. ½ of S. ½, sec. 7	181.15
All sec. 9	640.00
All sec. 11	640.00
All sec. 13	636.72
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	726.00
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	729.28
All sec. 33	640.00
All sec. 35	640.00
Township 33, range 7:	
S. ½, sec. 13	320.00
All sec. 15	640.00
All sec. 21	640.00
All sec. 23	640.00
NE. ¼; W. ½; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 25	600.00
NE. ¼ of NE. ¼; S. ½ of NE. ¼; E. ½ of SW. ¼; SE. ¼, sec. 27	360.00
All sec. 29	640.00
NE. ¼; W. ½ of W. ½; E. ½ of SE. ¼, sec. 31	399.20
NE. ¼ of NE. ¼; W. ½ of NW. ¼; N. ½ of SW. ¼; SE. ¼, sec. 33	360.00
S. ½ of NE. ¼; W. ½; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 35	520.00
Township 34, range 7:	
N. ½ of N. ½ of NE. ¼ of NE. ¼; W. ½ of E. ½; W. ½, sec. 1	493.05
All sec. 3	648.80
W. ½ of NE. ¼; NW. ¼; S. ½, sec. 5	568.10
All sec. 7	652.92
All sec. 9	640.00
All sec. 11	640.00
All sec. 13	640.00
All sec. 15	640.00
All sec. 17	640.00
E. ½; NE. ¼ of NW. ¼; S. ½ of NW. ¼; NE. ¼ of SW. ¼; S. ½ of SW. ¼, sec. 19	561.33
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	632.60
All sec. 33	640.00
All sec. 35	640.00
Township 35, range 7:	
All sec. 1	666.63
N. ½; SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 3	621.88
NE. ¼; N. ½ of NW. ¼; SE. ¼ of NW. ¼; NE. ¼ of SW. ¼; lots 7, 9; N. ½ of lot 8, sec. 5	422.36
SE. ¼ of NE. ¼; NW. ¼; S. ½, sec. 7	519.20
All sec. 9	632.24
NE. ¼; N. ½ of NW. ¼; SE. ¼ of NW. ¼; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 11	400.00
N. ½, sec. 13	320.00
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	640.28
All sec. 21	640.00
W. ½ of NE. ¼; SE. ¼ of SE. ¼; lot 8, sec. 25	138.80
NE. ¼ of NE. ¼; W. ½ of E. ½; SE. ¼ of SE. ¼; W. ½, sec. 27	560.00
All sec. 29	640.00
All sec. 31	641.99
N. ½; SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 33	600.00
NW. ¼ of NE. ¼; NW. ¼; lots 1, 8, 9, sec. 35	283.27
Township 36, range 7:	
N. ½ of NE. ¼; S. ½ of NW. ¼; SE. ¼; N. ½ of SW. ¼; SE. ¼ of NE. ¼, sec. 1	439.99
Lots 3, 6, 7, 8; W. ½ of NW. ¼ of NW. ¼; NE. ¼ of SW. ¼, sec. 11	153.12
Lots 11, 12, sec. 13	4.72
SW. ¼ of NW. ¼; SW. ¼, sec. 23	200.00
SW. ¼ of NW. ¼; S. ½, sec. 25	360.00
Township 37, range 7:	
NW. ¼ of NE. ¼; N. ½ of NW. ¼; S. ½ of SW. ¼; SW. ¼ of SE. ¼, sec. 1	240.10
All sec. 3	640.72
N. ½; SW. ¼; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 5	607.04
N. ½; N. ½ of SW. ¼; SE. ¼, sec. 7	561.41
N. ½; N. ½ of S. ½; SE. ¼ of SW. ¼; SE. ¼ of SE. ¼, sec. 9	560.00
NE. ¼; SE. ¼ of NW. ¼; SW. ¼; W. ½ of SE. ¼, sec. 11	440.00
All sec. 13	660.48
W. ½ of NE. ¼; NW. ¼; S. ½, sec. 15	568.92
E. ½ of NE. ¼; NW. ¼ of NW. ¼; E. ½ of SW. ¼; SE. ¼, sec. 17	360.00
S. ½ of NE. ¼; W. ½; SE. ¼, sec. 19	561.16
All sec. 21	640.40
All sec. 23	640.00
All sec. 27	640.00
All sec. 29	640.00
E. ½; NE. ¼ of SW. ¼; S. ½ of SW. ¼, sec. 31	439.54
N. ½; SW. ¼; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 33	600.00
All sec. 35	640.00
Township 38, range 7:	
All sec. 3	641.56
All sec. 5	643.92
N. ½ of N. ½; SE. ¼ of NW. ¼; NE. ¼ of SW. ¼; NW. ¼ of SE. ¼; lot 4, sec. 7	313.48
W. ½ of NW. ¼; lots 1, 2, 3, 4, 5, sec. 9	241.13
All sec. 11	640.00
E. ½ of NE. ¼; lots 2, 3, 4; S. ½, sec. 13	432.86
N. ½ of NE. ¼; S. ½, sec. 15	400.00
Lots 1, 2, 5; SW. ¼; E. ½ of SE. ¼, sec. 17	298.41
W. ½; lots 1, 2, 3, 4, 5, 6, 7, 8, sec. 19	443.23
NE. ¼; NE. ¼ of NW. ¼; W. ½ of SW. ¼; E. ½ of SE. ¼, sec. 21	360.00

Township 38, range 7—Continued.	Acres.
All sec. 27	640.00
N. ½ of SW. ¼; SE. ¼ of SW. ¼, sec. 29	120.00
All sec. 31	649.26
Township 39, range 7:	
NW. ¼, sec. 19	166.83
NE. ¼ of NE. ¼; S. ½ of NE. ¼; W. ½ of NW. ¼; NW. ¼ of SW. ¼; N. ½ of SE. ¼, sec. 21	320.00
E. ½; E. ½ of W. ½, sec. 27	480.00
N. ½ of NE. ¼; NE. ¼ of NW. ¼; S. ½ of NW. ¼, sec. 29	200.00
Township 40, range 7:	
N. ½, sec. 3	319.01
N. ½ of SW. ¼; SW. ¼ of SW. ¼; N. ½ of SE. ¼ of SW. ¼; SW. ¼ of SE. ¼ of SW. ¼, sec. 5	150.00
W. ½ of NW. ¼; N. ½ of SW. ¼; NW. ¼ of SE. ¼; lots 1, 2, sec. 7	245.91
NE. ¼; S. ½, sec. 11	480.00
Township 32, range 8:	
S. ½ of NE. ¼; NW. ¼; S. ½, sec. 31	560.42
Township 37, range 8:	
All sec. 1	681.64
All sec. 3	677.00
NE. ¼; N. ½ of NW. ¼; N. ½ of SE. ¼, sec. 5	351.80
All sec. 7	630.40
All sec. 9	640.00
All sec. 11	640.00
NW. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼; S. ½, sec. 13	600.00
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	633.20
All sec. 21	640.00
All sec. 23	640.00
E. ½ of NE. ¼; W. ½ of NW. ¼; E. ½ of SW. ¼; W. ½ of SE. ¼, sec. 25	320.00
All sec. 27	629.64
All sec. 29	640.00
All sec. 31	630.41
All sec. 33	640.00
W. ½ of NW. ¼; E. ½ of SE. ¼, sec. 35	160.00
Township 38, range 8:	
S. ½ of SE. ¼, sec. 1	80.00
W. ½ of NE. ¼; W. ½, sec. 3	403.73
NW. ¼ of NE. ¼; NW. ¼; SW. ¼; W. ½ of SE. ¼, sec. 9	440.00
S. ½ of N. ½; SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 13	440.00
W. ½ of W. ½; E. ½ of SE. ¼, sec. 15	240.00
W. ½ of NE. ¼; S. ½ of SW. ¼; SE. ¼, sec. 23	320.00
All sec. 25	640.00
E. ½; E. ½ of NW. ¼; SW. ¼, sec. 27	560.00
Lot 1, sec. 33	29.72
All sec. 35	640.00
Township 39, range 8:	
All sec. 1	641.52
All sec. 3	645.28
N. ½ of NE. ¼; SW. ¼ of NE. ¼; NW. ¼ of SE. ¼; W. ½, sec. 5	486.20
All sec. 7	614.84
NE. ¼ of SW. ¼; lots 5, 6, sec. 9	80.02
All sec. 11	640.00
All sec. 13	640.00
SE. ¼ of NE. ¼; NW. ¼ of NW. ¼; NE. ¼ of SE. ¼; N. ½ of NE. ¼, sec. 15	200.00
N. ½ of NE. ¼; SE. ¼ of NE. ¼; SW. ¼ of SE. ¼; W. ½, sec. 17	480.00
All sec. 19	618.02
N. ½ of NE. ¼; SW. ¼ of NE. ¼; SW. ¼ of NW. ¼; SW. ¼; E. ½ of SE. ¼, sec. 21	400.00
N. ½; S. ½ of SW. ¼; NE. ¼ of SE. ¼; SW. ¼ of SE. ¼, sec. 23	480.00
NW. ¼ of NE. ¼; N. ½ of NW. ¼, sec. 25	120.00
N. ½ of NW. ¼; SW. ¼ of NW. ¼; NE. ¼ of SE. ¼; NW. ¼ of NE. ¼; SE. ¼ of NE. ¼, sec. 27	240.00
All sec. 29	640.00
NE. ¼ of NE. ¼; W. ½ of E. ½; W. ½, sec. 31	502.26
E. ½; E. ½ of W. ½, sec. 33	480.00
SW. ¼ of SW. ¼; lots 6, 7, 8, 9, 10, sec. 35	148.68
Township 40, range 8:	
SE. ¼ of SW. ¼; SW. ¼ of SE. ¼; lots 1, 7, 8, 9, sec. 1	131.25
All sec. 3	640.70
NE. ¼; E. ½ of SE. ¼; lots 1, 2, 3, 4, 5, 6, 7, sec. 5	338.03
E. ½ of NE. ¼; SW. ¼ of NW. ¼; S. ½; lots 1, 2, 3, 4, 5, sec. 7	536.12
N. ½; SW. ¼; W. ½ of NE. ¼ of SE. ¼; W. ½ of SE. ¼; W. ½ of SE. ¼ of SE. ¼, sec. 9	600.00
E. ½ of E. ½; SW. ¼ of NW. ¼; W. ½ of SW. ¼, sec. 11	280.00
Lot 3; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 13	129.77
NE. ¼; E. ½ of NW. ¼; E. ½ of W. ½ of NW. ¼; E. ½ of SE. ¼, sec. 15	360.00
W. ½ of E. ½; SE. ¼ of NE. ¼; W. ½, sec. 17	520.00
NW. ¼, of NE. ¼; W. ½ of SW. ¼; E. ½ of SE. ¼ of SE. ¼, sec. 21	140.00
S. ½ of SE. ¼ of NE. ¼; W. ½ of W. ½; lots 1, 7, sec. 23	221.64
Township 40, range 9:	
N. ½; SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼; lot 1, sec. 1	630.76
NE. ¼, sec. 13	160.00
Total Josephine County	167,480.98

JACKSON COUNTY.

[South of base line and east of Willamette meridian.]

Township 32, range 1:	
All sec. 3	641.80
All sec. 5	637.88
All sec. 7	675.00
All sec. 9	640.00
All sec. 11	640.00
All sec. 13	640.00
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	674.28
All sec. 21	640.00
E. ½ of NE. ¼; N. ½ of NW. ¼; SW. ¼ of NW. ¼; SE. ¼, sec. 23	360.00
All sec. 25	640.00
E. ½ of NE. ¼; NW. ¼ of NW. ¼; SE. ¼ of NW. ¼; E. ½ of SW. ¼; SE. ¼, sec. 27	400.00
All sec. 29	640.00
N. ½ of NE. ¼; NW. ¼ of SW. ¼; NE. ¼ of NW. ¼, sec. 31	168.17
NW. ¼; W. ½ of SW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 33	360.00
All sec. 35	640.00
Township 33, range 1:	
All sec. 1	639.40
All sec. 3	641.28
SW. ¼ of NE. ¼; W. ½; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 5	477.42
E. ½ of NE. ¼; S. ½ of NW. ¼; NE. ¼ of SW. ¼; S. ½ of SW. ¼; SE. ¼, sec. 7	446.63
NE. ¼; E. ½ of NW. ¼; S. ½, sec. 9	560.00
All sec. 11	640.00
N. ½ of N. ½; SE. ¼ of NE. ¼; SW. ¼ of NW. ¼; NW. ¼ of SW. ¼; S. ½ of S. ½, sec. 13	440.00
All sec. 15	640.00
SW. ¼ of NE. ¼; NW. ¼; N. ½ of SW. ¼; SW. ¼ of SW. ¼; NW. ¼ of SE. ¼, sec. 17	360.00
NE. ¼; W. ½; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 19	607.58
All sec. 21	640.00
W. ½ of E. ½; SE. ¼ of SE. ¼; W. ½, sec. 23	520.00
NE. ¼; W. ½; N. ½ of SE. ¼, sec. 27	560.00
All sec. 29	640.00
NE. ¼; S. ½ of NW. ¼; S. ½, sec. 31	561.47
E. ½; N. ½ of NW. ¼; S. ½ of SW. ¼, sec. 33	480.00
All sec. 35	640.00
Township 34, range 1:	
E. ½ of NE. ¼; W. ½ of NW. ¼; S. ½, sec. 3	479.85
All sec. 5	636.54
All sec. 7	637.48
All sec. 9	640.00
E. ½; N. ½ of NW. ¼; S. ½ of SW. ¼, sec. 11	480.00
N. ½ of NE. ¼; NW. ¼; W. ½ of SW. ¼, sec. 13	320.00
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	636.20
N. ½ of NE. ¼; SW. ¼ of NE. ¼; NW. ¼; SE. ¼ of SW. ¼; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 21	440.00
NE. ¼ of NE. ¼; S. ½ of NE. ¼; N. ½ of NW. ¼; SE. ¼ of NW. ¼; SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 23	520.00
E. ½; E. ½ of NW. ¼; SW. ¼ of SW. ¼, sec. 25	440.00
N. ½; E. ½ of SW. ¼; SW. ¼ of SE. ¼, sec. 27	440.00
W. ½ of E. ½; NE. ¼ of SE. ¼; W. ½, sec. 29	520.00
All sec. 31	640.44
NE. ¼; SE. ¼ of NW. ¼; SW. ¼; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 33	480.00
All sec. 35	640.00
Township 35, range 1:	
N. ½ of N. ½; SE. ¼ of NE. ¼; SW. ¼ of NW. ¼; NW. ¼ of SW. ¼; S. ½ of SW. ¼; E. ½ of SE. ¼, sec. 1	440.04
All sec. 3	643.60
All sec. 5	642.86
N. ½ of NE. ¼; SW. ¼ of NE. ¼; NW. ¼; N. ½ of SW. ¼; SW. ¼ of SW. ¼; SE. ¼, sec. 7	565.80
All sec. 9	640.00
NE. ¼ of NW. ¼; W. ½ of W. ½; NE. ¼ of SW. ¼; S. ½ of SE. ¼, sec. 11	320.00
N. ½; SW. ¼; E. ½ of SE. ¼, sec. 13	560.00
NE. ¼; NE. ¼ of NW. ¼; S. ½ of NW. ¼; SW. ¼, sec. 15	440.00
All sec. 17	640.00
N. ½; NE. ¼ of SE. ¼, sec. 19	363.20
All sec. 21	640.00
SW. ¼ of NE. ¼; W. ½; SW. ¼ of SE. ¼, sec. 23	400.00
All sec. 25	640.00
N. ½; N. ½ of SW. ¼; SE. ¼ of SW. ¼; SE. ¼, sec. 27	600.00
NE. ¼, sec. 29	160.00
SW. ¼ of NW. ¼; lot 2, sec. 31	77.74
E. ½ of NE. ¼; W. ½ of NW. ¼; SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 33	440.00
NW. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼; S. ½, sec. 35	600.00
Township 36, range 1:	
E. ½; NW. ¼ of NW. ¼; SE. ¼ of SW. ¼, sec. 1	399.94
NE. ¼; N. ½ of SE. ¼, sec. 3	240.69
N. ½ of NE. ¼, sec. 5	79.44
E. ½ of NE. ¼; lot 3, sec. 7	102.08
W. ½ of NE. ¼; S. ½ of NW. ¼; SW. ¼, sec. 9	320.00
E. ½ of NE. ¼; NE. ¼ of SW. ¼; NW. ¼ of SE. ¼, sec. 11	160.00
S. ½ of SW. ¼, sec. 13	80.00
NW. ¼ of NE. ¼; SW. ¼ of NW. ¼; NW. ¼ of SW. ¼; S. ½ of SE. ¼, sec. 15	200.00
E. ½; E. ½ of NW. ¼; NE. ¼ of SW. ¼; SW. ¼ of SW. ¼, sec. 17	480.00
E. ½ of E. ½; SW. ¼ of SE. ¼; NW. ¼ of NE. ¼; W. ½, sec. 21	560.00
NE. ¼; NE. ¼ of NW. ¼; S. ½ of NW. ¼; S. ½, sec. 23	600.00
NE. ¼; W. ½ of NW. ¼; S. ½, sec. 25	560.00
NW. ¼ of NW. ¼; S. ½ of N. ½; N. ½ of S. ½; SW. ¼ of SW. ¼; SE. ¼ of SE. ¼, sec. 27	440.00
SW. ¼ of NW. ¼; N. ½ of SW. ¼; SE. ¼ of SW. ¼; S. ½ of SE. ¼, sec. 29	240.00
N. ½; W. ½ of SW. ¼; NE. ¼ of SE. ¼, sec. 33	440.00
All sec. 35	640.00
Township 37, range 1:	
N. ½ of NE. ¼; NW. ¼; SE. ¼ of SW. ¼; W. ½ of SE. ¼, sec. 1	359.26
N. ½ of NE. ¼; SE. ¼ of NE. ¼; NE. ¼ of NW. ¼; SW. ¼ of NW. ¼; SW. ¼, sec. 3	359.31
N. ½ of NE. ¼; SW. ¼ of NW. ¼; SW. ¼; SW. ¼ of SE. ¼, sec. 5	320.19
NE. ¼; NE. ¼ of NW. ¼; NE. ¼ of SW. ¼, sec. 7	240.00
E. ½ of NE. ¼; W. ½ of NW. ¼; NW. ¼ of SW. ¼; S. ½ of SW. ¼; NE. ¼ of SE. ¼, sec. 9	320.00
All sec. 11	640.00
All sec. 13	640.00
SE. ¼ of NW. ¼; NE. ¼ of SE. ¼, sec. 15	80.00
E. ½; E. ½ of W. ½, sec. 17	480.00
SW. ¼ of NE. ¼; NW. ¼; W. ½ of SW. ¼, sec. 19	288.06
E. ½; NW. ¼ of SW. ¼; S. ½ of SW. ¼, sec. 21	440.00
NE. ¼; SW. ¼ of NW. ¼; SW. ¼; NE. ¼ of SE. ¼, sec. 23	400.00
NE. ¼ of NE. ¼; NW. ¼; N. ½ of SW. ¼; NW. ¼ of SE. ¼, sec. 25	320.00
N. ½ of NE. ¼; NW. ¼; SE. ¼ of SW. ¼; SE. ¼ of SE. ¼, sec. 27	320.00
SW. ¼ of NE. ¼; NW. ¼ of SW. ¼; S. ½ of SW. ¼; NE. ¼ of SE. ¼; SW. ¼ of SE. ¼, sec. 31	246.19
W. ½ of NE. ¼; E. ½ of NW. ¼; NE. ¼ of SW. ¼; W. ½ of SE. ¼, sec. 33	280.00
NE. ¼; E. ½ of NW. ¼; W. ½ of SW. ¼; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 35	440.00
Township 38, range 1:	
NW. ¼; S. ½ of SW. ¼; W. ½ of SE. ¼, sec. 1	319.11
NE. ¼ of NW. ¼; SW. ¼ of NW. ¼, sec. 3	79.08
NW. ¼ of NE. ¼; SE. ¼ of NE. ¼; NE. ¼ of NW. ¼; S. ½ of NW. ¼; N. ½ of SW. ¼; SW. ¼ of SW. ¼, sec. 5	318.83
NE. ¼ of NE. ¼; S. ½ of NE. ¼; SE. ¼ of NW. ¼; NE. ¼ of SW. ¼; N. ½ of SE. ¼, sec. 11	280.00
E. ½; E. ½ of W. ½, sec. 13	480.00
SW. ¼ of NE. ¼; NW. ¼ of SE. ¼, sec. 15	80.00
SW. ¼ of NW. ¼, sec. 31	43.32

	Acres.
Township 39, range 1:	
W. ½ of NE. ¼, sec. 7	80.00
W. ½ of NW. ¼; NW. ¼ of SW. ¼, sec. 17	120.63
All sec. 19	642.40
NE. ¼; E. ½ of NW. ¼; E. ½ of SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼; W. ½ of SE. ¼ of SE. ¼, sec. 21	460.00
SW. ¼ of SW. ¼, sec. 25	40.00
NE. ¼ sec. 27	160.00
Township 40, range 1:	
Lot 3, sec. 1	37.27
All sec. 19	682.12
All sec. 21	640.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	687.20
Township 41, range 1:	
All sec. 1	640.76
Lot 1, sec. 13	38.20
Township 32, range 2:	
All sec. 19	633.38
E. ½ of NE. ¼; W. ½ of NW. ¼; S. ½, sec. 29	480.00
All sec. 31	629.44
SW. ¼ of NE. ¼; W. ½ of SE. ¼; W. ½, sec. 33	440.00
Township 33, range 2:	
SW. ¼ of SW. ¼, sec. 1	40.00
N. ½; N. ½ of SW. ¼; SW. ¼ of SW. ¼; SE. ¼, sec. 3	602.68
All sec. 5	644.70
NW. ¼ of NW. ¼; S. ½ of NW. ¼; SW. ¼; SW. ¼ of SE. ¼, sec. 7	314.40
N. ½; NE. ¼ of SW. ¼; S. ½ of SW. ¼; NW. ¼ of SE. ¼, sec. 9	480.00
S. ½; S. ½ of NE. ¼, sec. 11	400.00
All sec. 13	640.00
NE. ¼; NE. ¼ of NW. ¼; S. ½ of NW. ¼; S. ½, sec. 15	600.00
N. ½ of NE. ¼; SE. ¼ of NE. ¼; NE. ¼ of NW. ¼; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 17	280.00
NW. ¼ of NE. ¼; S. ½ of NE. ¼; N. ½ of NW. ¼; SE. ¼ of NW. ¼; SE. ¼ of SW. ¼; SW. ½ of SE. ¼, sec. 19	320.28
NE. ¼; N. ½ of S. ½; SE. ¼ of SE. ¼, sec. 21	360.00
All sec. 23	640.00
All sec. 25	640.00
N. ½; N. ½ of SW. ¼; SE. ¼ of SW. ¼; SE. ¼, sec. 27	600.00
SE. ¼ of NW. ¼; NE. ¼, sec. 29	200.00
NW. ¼ of NE. ¼; S. ½ of NE. ¼; E. ½ of NW. ¼; NE. ¼ of SW. ¼; N. ½ of SE. ¼; lots 3, 4, 5, 6, 7, sec. 31	531.07
E. ½ of NE. ¼; SE. ¼, sec. 33	236.07
All sec. 35	625.00
Township 34, range 2:	
N. ½ of NE. ¼; SE. ¼ of NE. ¼; NW. ¼; N. ½ of SW. ¼, sec. 5	364.22
S. ½ of SW. ¼; SW. ¼ of SE. ¼, sec. 7	121.19
All sec. 9	640.00
N. ½ of NE. ¼; SE. ¼ of NE. ¼; SW. ¼ of NW. ¼; NW. ¼ of SW. ¼; S. ½ of S. ½; NE. ¼ of SE. ¼, sec. 17	400.00
All sec. 19	640.58
All sec. 21	640.00
NE. ¼ of NE. ¼; N. ½ of NW. ¼; SW. ¼ of NW. ¼; N. ½ of SW. ¼; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 29	360.00
SW. ¼ sec. 31	159.78
N. ½ of NE. ¼; SE. ¼ of NE. ¼; E. ½ of SW. ¼, sec. 33	200.00
All sec. 35	640.00
Township 35, range 2:	
N. ½; N. ½ of SW. ¼; SE. ¼ of SW. ¼; SE. ¼, sec. 1	584.35
N. ½; N. ½ of S. ½, sec. 3	469.74
SW. ¼ of NE. ¼; W. ½; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 7	477.60
SE. ¼ of NW. ¼; W. ½ of SW. ¼, sec. 9	120.00
NE. ¼; NW. ¼ of NW. ¼; S. ½ of NW. ¼; S. ½, sec. 13	600.00
NE. ¼ of NE. ¼; S. ½ of N. ½; S. ½, sec. 15	520.00
All sec. 17	640.00
N. ½; SE. ¼, sec. 19	475.09
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
SE. ¼ of NE. ¼; NW. ¼; S. ½, sec. 29	520.00
All sec. 31	621.92
NE. ¼; N. ½ of NW. ¼; SE. ¼ of NW. ¼; S. ½, sec. 33	600.00
All sec. 35	640.00
Township 36, range 2:	
All sec. 1	640.96
All sec. 3	642.52
N. ½ of NE. ¼; SW. ¼ of NE. ¼; E. ½ of NW. ¼; S. ½ of SE. ¼, sec. 5	280.89
W. ½ of NE. ¼; NW. ¼; N. ½ of SW. ¼, sec. 7	319.50
N. ½; SW. ¼; S. ½ of SE. ¼, sec. 9	560.00
All sec. 11	640.00
All sec. 13	640.00
E. ½ of NE. ¼; SE. ¼; W. ½ of NW. ¼; N. ½ of SW. ¼; SE. ¼ of SW. ¼, sec. 15	440.00
N. ½ of N. ½, sec. 17	160.00
S. ½ of SW. ¼; SW. ¼ of SE. ¼, sec. 19	120.05
NW. ¼ of NW. ¼, sec. 21	40.00
N. ½; NE. ¼ of SW. ¼; NW. ¼ of SE. ¼, sec. 23	400.00
All sec. 25	640.00
S. ½ of NW. ¼; SW. ¼, sec. 29	240.00
NW. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼; S. ½, sec. 31	601.26
All sec. 35	641.24
Township 37, range 2:	
All sec. 1	640.48
N. ½ of NE. ¼; SE. ¼ of NE. ¼; NE. ¼ of SE. ¼, sec. 3	165.57
All sec. 5	653.92
NE. ¼ of NE. ¼; S. ½ of NE. ¼; SE. ¼ of NW. ¼; S. ½, sec. 7	479.41
NW. ¼ of NW. ¼; S. ½ of NW. ¼; S. ½, sec. 9	440.00
N. ½ of NE. ¼; NE. ¼ of NW. ¼; SW. ¼ of SW. ¼; SE. ¼ of NE. ¼, sec. 11	200.00
S. ½, sec. 13	320.00
N. ½ of NE. ¼; SE. ¼ of NE. ¼; NE. ¼ of NW. ¼; SE. ¼ of SW. ¼; SE. ¼, sec. 15	360.00
All sec. 17	640.00
E. ½; E. ½ of W. ½; lot 4, sec. 19	521.06
E. ½ of NE. ¼; W. ½ of NW. ¼; S. ½, sec. 21	480.00
All sec. 23	640.00
All sec. 25	640.00
N. ½; SE. ¼ of SW. ¼; SE. ¼, sec. 27	520.00
All sec. 29	640.00
Township 37, range 2—Continued.	Acres.
E. ½; NE. ¼ of NW. ¼, sec. 31	360.00
NE. ¼ of NE. ¼; S. ½ of N. ½; S. ½, sec. 33	520.00
All sec. 35	640.00
Township 38, range 2:	
NW. ¼; S. ½, sec. 1	479.23
All sec. 3	639.92
N. ½; SW. ¼ of SW. ¼; SE. ¼ of SE. ¼, sec. 5	403.84
All sec. 7	641.03
All sec. 9	640.00
N. ½ of NE. ¼; SW. ¼ of NE. ¼; W. ½; S. ½ of SE. ¼, sec. 11	520.00
All sec. 13	640.00
All sec. 15	640.00
N. ½; SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 17	600.00
SW. ¼, sec. 19	161.28
NW. ¼ of NE. ¼; SW. ¼ of SW. ¼; W. ½ of SE. ¼, sec. 21	160.00
E. ½ of NE. ¼; N. ½ of NW. ¼, sec. 23	160.00
NW. ¼ of NE. ¼; S. ½ of N. ½; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 25	320.00
NW. ¼ of NE. ¼; NW. ¼; SE. ¼ of SW. ¼, sec. 27	240.00
SW. ¼, sec. 29	160.00
SE. ¼ of NW. ¼; NE. ¼ of SW. ¼; NW. ¼ of SE. ¼, sec. 31	120.00
E. ½ of W. ½; NW. ¼ of SW. ¼; SW. ¼ of NW. ¼; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 33	360.00
E. ½ of SW. ¼, sec. 35	80.00
Township 39, range 2:	
W. ½ of E. ½; S. ½ of NW. ¼; SW. ¼, sec. 1	400.50
All, sec. 3	641.86
SW. ¼ of NW. ¼, sec. 5	40.00
Lot 8, sec. 7	3.00
NE. ¼ of NE. ¼; S. ½ of NE. ¼; NE. ¼ of SE. ¼, sec. 9	100.00
NE. ¼ of NE. ¼; NW. ¼ of NW. ¼; S. ½ of N. ½; N. ½ of SW. ¼; SE. ¼ of SW. ¼; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 11	480.00
NW. ¼ of NE. ¼; S. ½ of NE. ¼; W. ½; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 13	560.00
NE. ¼ of NE. ¼; S. ½ of NE. ¼; N. ½ of NW. ¼; SE. ¼ of NW. ¼; W. ½ of SW. ¼, sec. 15	320.00
W. ½ of SE. ¼; SE. ¼ of SW. ¼, sec. 21	120.00
N. ½ of NE. ¼; SE. ¼ of NE. ¼; NE. ¼ of SW. ¼; SW. ¼ of SW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 25	320.00
N. ½ of NE. ¼; NW. ¼; NE. ¼ of SE. ¼, sec. 27	280.00
Lot 1, sec. 31	9.58
E. ½ of SW. ¼; SE. ¼; NE. ¼ of NW. ¼, sec. 33	280.00
N. ½ of N. ½; SE. ¼ of NE. ¼; NE. ¼ of SE. ¼, sec. 35	240.00
Township 40, range 2:	
SW. ¼ of NE. ¼; SE. ¼ of NW. ¼; E. ½ of SW. ¼; SE. ¼, sec. 1	320.00
SE. ¼ of NE. ¼; NE. ¼ of SE. ¼, sec. 7	80.00
NE. ¼; NE. ¼ of NW. ¼; NE. ¼ of SW. ¼; W. ½ of W. ½; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 13	520.00
NE. ¼; NE. ¼ of NW. ¼; E. ½ of SE. ¼, sec. 17	297.12
S. ½, sec. 19	318.20
E. ½ of NE. ¼, sec. 23	80.00
All sec. 25	640.00
E. ½ of E. ½; SW. ¼ of SE. ¼; lots 2, 3, sec. 31	293.92
Township 41, range 2:	
All sec. 1	648.56
All sec. 3	642.52
All sec. 5	645.12
All sec. 7	648.00
All sec. 9	640.00
All sec. 11	640.00
N. ½ of N. ½, sec. 13	85.86
N. ½, sec. 15	181.70
N. ½, sec. 17	248.26
Township 33, range 3:	
Lots 3, 4, sec. 7	117.31
All sec. 19	715.52
W. ½ of NE. ¼; NW. ¼; S. ½, sec. 29	560.00
All sec. 31	721.28
NW. ¼ of NW. ¼; S. ½ of N. ½; S. ½, sec. 33	520.00
Township 34, range 3:	
W. ½ of SE. ¼; SW. ¼, sec. 3	240.00
All sec. 5	562.79
All sec. 7	733.48
N. ½, sec. 9	320.00
S. ½ of NW. ¼; SW. ¼, sec. 11	240.00
W. ½ of SW. ¼, sec. 13	80.00
NE. ¼; NE. ¼ of NW. ¼; S. ½ of NW. ¼; N. ½ of S. ½; SW. ¼ of SW. ¼, sec. 15	480.00
All sec. 19	734.58
N. ½ of N. ½; SW. ¼ of NW. ¼; SW. ¼; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 21	480.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
SE. ¼ of NE. ¼; SE. ¼ of NW. ¼; NE. ¼ of SE. ¼; lots 1, 2, 3, 4, 5, 6, 7, 8, 9, sec. 31	631.06
All sec. 33	640.00
All sec. 35	640.00
Township 35, range 3:	
All sec. 1	628.92
N. ½ of NE. ¼; NW. ¼, sec. 3	236.06
All sec. 5	631.26
SW. ¼, sec. 7	162.15
E. ½; N. ½ of NW. ¼, sec. 11	400.00
All sec. 13	640.00
NE. ¼; NW. ¼ of SE. ¼; SE. ¼ of SE. ¼, sec. 15	240.00
SW. ¼ of NW. ¼; W. ½ of SW. ¼; SE. ¼, sec. 17	280.00
N. ½ of NE. ¼; SE. ¼ of NE. ¼; W. ½ of W. ½; SE. ¼ of SW. ¼; S. ½ of SE. ¼, sec. 19	403.36
W. ½ of NE. ¼; E. ½ of NW. ¼; N. ½ of SE. ¼, sec. 21	240.00
E. ½ of NE. ¼; W. ½ of NW. ¼; SW. ¼; NW. ¼ of SE. ¼, sec. 23	360.00
W. ½ of NW. ¼; SW. ¼, sec. 25	240.00
S. ½, sec. 27	320.00
SE. ¼, sec. 29	160.00
All sec. 31	637.28
N. ½ of NE. ¼; SW. ¼ of NE. ¼; NW. ¼; S. ½, sec. 33	600.00
All sec. 35	640.00
Township 36, range 3:	
All sec. 1	572.36
S. ½ of NE. ¼; W. ½ of W. ½; SE. ¼ of SW. ¼; SE. ¼, sec. 3	422.49
All sec. 5	596.20
All sec. 7	629.40
All sec. 9	640.00

Township 36, range 3—Continued.	Acres.
All sec. 11	640.00
All sec. 13	640.00
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	626.96
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
N. ½ of NE. ¼; SE. ¼ of NE. ¼; NE. ¼ of NW. ¼; S. ½ of SW. ¼; SE. ¼, sec. 31	396.00
All sec. 33	640.00
N. ½; NE. ¼ of SW. ¼; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 35	480.00
Township 37, range 3:	
All sec. 1	639.20
N. ½; E. ½ of SW. ¼; SE. ¼, sec. 3	559.20
All sec. 5	636.21
All sec. 7	634.83
All sec. 9	640.00
All sec. 11	640.00
All sec. 13	640.00
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	633.76
E. ½ of NE. ¼; W. ½ of NW. ¼; S. ½, sec. 21	480.00
All sec. 23	640.00
All sec. 25	640.00
N. ½ of N. ½; SE. ¼ of NE. ¼; SW. ¼ of NW. ¼; S. ½, sec. 27	560.00
All sec. 29	640.00
All sec. 31	631.20
NE. ¼; NW. ¼ of NW. ¼; S. ½, sec. 33	520.00
All sec. 35	640.00
Township 38, range 3:	
All sec. 1	640.38
N. ½; N. ½ of SW. ¼; SE. ¼, sec. 3	561.88
N. ½ of NE. ¼; NW. ¼; S. ½, sec. 5	563.50
N. ½; NE. ¼ of SW. ¼; S. ½ of SW. ¼; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 7	556.31
N. ½; SW. ¼, sec. 9	480.00
NE. ¼; NE. ¼ of NW. ¼; S. ½ of NW. ¼; S. ½, sec. 11	600.00
N. ½; SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 13	600.00
N. ½ of NE. ¼; NW. ¼, sec. 15	240.00
All sec. 17	640.00
N. ½; NE. ¼ of SW. ¼; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 19	479.33
W. ½ of E. ½; SE. ¼ of SE. ¼; W. ½, sec. 21	520.00
NE. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼; S. ½, sec. 23	600.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
E. ½; E. ½ of NW. ¼; NW. ¼ of SW. ¼, sec. 31	441.22
N. ½; SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 33	600.00
All sec. 35	640.00
Township 39, range 3:	
All sec. 1	640.16
All sec. 3	639.12
All sec. 5	646.50
All sec. 7	636.00
All sec. 9	640.00
All sec. 11	640.00
All sec. 13	640.00
S. ½ of NE. ¼; W. ½ of NW. ¼; E. ½ of SW. ¼; SE. ¼, sec. 15	400.00
All sec. 17	640.00
All sec. 19	645.18
NE. ¼; NE. ¼ of NW. ¼; S. ½ of NW. ¼; S. ½, sec. 21	600.00
All sec. 23	640.00
All sec. 25	640.00
NW. ¼, sec. 27	160.00
SE. ¼ of NE. ¼; NE. ¼ of NW. ¼; W. ½ of W. ½; SE. ¼ of SW. ¼; NE. ¼ of SE. ¼; SW. ¼ of SE. ¼, sec. 29	360.00
All sec. 31	648.80
N. ½; SE. ¼, sec. 33	480.00
SE. ¼, sec. 35	160.00
Township 40, range 3:	
N. ½; N. ½ of SW. ¼; SE. ¼, sec. 1	560.52
All sec. 3	641.98
NE. ¼ of NW. ¼; W. ½ of W. ½; SE. ¼ of SE. ¼, sec. 5	241.53
N. ½; SW. ¼; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 7	596.38
All sec. 9	653.56
NW. ¼; S. ½, sec. 11	480.00
NE. ¼; SE. ¼ of NW. ¼; S. ½, sec. 13	520.00
All sec. 15	640.00
NW. ¼ of NW. ¼; S. ½ of NW. ¼; lots 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, sec. 17	565.73
All sec. 19	707.22
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	682.88
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	686.81
All sec. 33	640.00
All sec. 35	640.00
Township 41, range 3:	
All sec. 1	643.60
All sec. 3	650.00
All sec. 11	640.00
Lots 1, 2, 3, 4, sec. 13	53.84
Lots 1, 2, 3, 4, sec. 15	66.38
Lots 1, 2, 3, 4, sec. 17	69.66
Township 37, range 4:	
All sec. 7	617.20
All sec. 17	640.00
All sec. 19	619.24
All sec. 21	640.00
N. ½, sec. 29	320.00
Township 38, range 4:	
N. ½ of N. ½; S. ½, sec. 1	480.66
All sec. 3	638.40
NE. ¼; N. ½ of NW. ¼; SW. ¼ of SW. ¼; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 5	402.34
N. ½ of N. ½; SE. ¼ of NE. ¼; SW. ¼ of NW. ¼; SW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 7	516.62

Township 38, range 4—Continued.	Acres.
All sec. 9	640.00
All sec. 11	640.00
All sec. 15	640.00
All sec. 17	640.00
SW. ¼ of NE. ¼; S. ½ of NW. ¼; SW. ¼; W. ½ of SE. ¼, sec. 19	358.47
All sec. 21	640.00
All sec. 27	640.00
All sec. 29	640.00
E. ½ of NE. ¼; SW. ¼ of NW. ¼; N. ½ of SW. ¼; SW. ¼ of SW. ¼; SE. ¼ of SE. ¼, sec. 31	279.81
All sec. 33	640.00
All sec. 35	640.00
Township 39, range 4:	
E. ½ of SE. ¼; NE. ¼, sec. 1	240.40
All sec. 3	632.04
All sec. 5	640.61
All sec. 7	638.98
All sec. 9	640.00
E. ½ of SW. ¼, sec. 11	80.00
SW. ¼ of NE. ¼; N. ½ of SE. ¼, sec. 13	120.00
All sec. 15	640.00
All sec. 17	645.40
All sec. 19	641.60
All sec. 21	640.00
All sec. 23	640.00
NW. ¼ of NE. ¼; W. ½, sec. 27	360.00
All sec. 29	643.24
NW. ¼ of NE. ¼; E. ½ of E. ½; NW. ¼ of SW. ¼; S. ½ of SW. ¼, sec. 31	320.52
N. ½; N. ½ of SW. ¼; SE. ¼ of SW. ¼; SE. ¼, sec. 33	600.00
Township 40, range 4:	
NE. ¼; SE. ¼ of NW. ¼; S. ½, sec. 5	532.96
All sec. 7	562.62
NW. ¼; N. ½ of SW. ¼; SE. ¼ of SW. ¼, sec. 9	280.00
All sec. 17	639.92
All sec. 19	566.04
All sec. 21	640.00
S. ½, sec. 25	320.00
NE. ¼ of NW. ¼; E. ½ of SW. ¼, sec. 27	120.00
All sec. 29	640.00
All sec. 31	565.82
N. ½; SW. ¼; SW. ¼ of SE. ¼, sec. 33	520.00
All sec. 35	640.00
Township 41, range 4:	
All sec. 1	638.64
N. ½; SW. ¼; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 3	595.42
All sec. 5	637.12
NE. ¼ of NE. ¼; W. ½ of E. ½; W. ½, sec. 7	521.28
All sec. 9	640.00
NE. ¼; W. ½ of W. ½; SE. ¼ of SW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 11	480.00
Lots 1, 2, 3, and 4, sec. 13	59.46
Lots 1, 2, 3, and 4, sec. 15	35.80
Lots 1, 2, 3, and 4, sec. 17	22.56

[South of base line and west of Willamette meridian.]

Township 32, range 1:	
Lots 7, 8, 9, 10, 11, 13, 14, 15, 16; S. ½, sec. 1	680.00
E. ½, sec. 11	320.00
All sec. 13	640.00
S. ½, sec. 19	306.21
NW. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼; S. ½, sec. 21	600.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	615.80
All sec. 33	640.00
All sec. 35	640.00
Township 33, range 1:	
All sec. 5	639.31
All sec. 7	644.16
All sec. 9	640.00
All sec. 17	640.00
NE. ¼; NE. ¼ of NW. ¼; S. ½ of NW. ¼; S. ½, sec. 19	599.67
N. ½; SW. ¼; N. ½ of SE. ¼, sec. 21	500.00
All sec. 23	640.00
N. ½; NE. ¼ of SW. ¼; N. ½ of SE. ¼; SE ¼ of SE. ¼, sec. 25	480.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	639.20
NE. ¼; S. ½ of NW. ¼; SW. ¼; W. ½ of SE. ¼, sec. 33	480.00
N. ½ of NE. ¼; SW. ¼ of NE. ¼; NW. ¼; W. ½ of SW. ¼; SE. ¼ of SE. ¼; NE. ¼ of SW. ¼, sec. 35	440.00
Township 34, range 1:	
All sec. 1	638.86
E. ½ of SE. ¼; lots 1, 2, 7, 8, 9; W. ½ of NW. ¼, sec. 3	320.23
W. ½ of NE. ¼; E. ½ of NW. ¼, sec. 5	158.54
NE. ¼; N. ½ of NW. ¼; SE. ¼ of NW. ¼; NE. ¼ of SW. ¼; N. ½ of SE. ¼, sec. 7	402.15
N. ½; SW. ¼; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 9	600.00
All sec. 11	640.00
All sec. 13	640.00
SE. ¼ of NE. ¼; SE. ¼; lots 1, 3, sec. 15	274.88
N. ½; SE. ¼; N. ½ of SW. ¼; SW. ¼ of SW. ¼, sec. 17	600.00
All sec. 19	650.60
W. ½; lot 8, sec. 21	356.37
All sec. 23	640.00
All sec. 25	640.00
E. ½; E. ½ of W. ½; NW. ¼ of NW. ¼, sec. 27	520.00
N. ½ of NE. ¼; SW. ¼ of NE. ¼; W. ½; W. ½ of SE. ¼, sec. 29	520.00
NE. ¼ of NW. ¼; SW. ¼; S. ½ of SE. ¼, sec. 31	284.20
All sec. 33	640.00
Township 35, range 1:	
NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 1	120.00
SW. ¼ of SW. ¼, sec. 3	40.00
NE. ¼ of NE. ¼, sec. 5	40.02
SE. ¼ of SW. ¼; SW. ¼ of SE. ¼, sec. 7	80.00
NW. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼; E. ½ of SW. ¼; SE. ¼, sec. 9	520.00
E. ½ of SW. ¼, sec. 11	80.00
E. ½ of NE. ¼; S. ½ of sec. 13	400.00
NW. ¼ of NE. ¼; S. ½ of NE. ¼; E. ½ of NW. ¼; NE. ¼ of SW. ¼; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 15	360.00
W. ½ of NE. ¼; NW. ¼ of SE. ¼, sec. 19	120.00

Township 35, range 1—Continued.	Acres.
NW. ¼ of NW. ¼, sec. 21	40.00
SE. ¼ of SW. ¼, sec. 23	40.00
SW. ¼ of SW. ¼, sec. 25	40.00
Township 36, range 1:	
Lots 4, 5, sec. 9	29.61
SW. ¼ of NE. ¼; SE. ¼ of NW. ¼, sec. 11	80.00
NW. ¼ of NW. ¼, sec. 15	40.00
NW. ¼ of NE. ¼, sec. 25	40.00
NE. ¼ of SE. ¼, sec. 27	40.00
NW. ¼ of NE. ¼; N. ½ of NW. ¼, sec. 35	120.00
Township 37, range 1:	
SW. ¼ of SE. ¼, sec. 1	40.00
NE. ¼; NE. ¼ of NW. ¼; S. ½ of NW. ¼; S. ½, sec. 11	600.00
NW. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼; S. ½, sec. 13	600.00
NE. ¼; NW. ¼ of SE. ¼; SE. ¼ of SE. ¼, sec. 15	240.00
NW. ¼ of SW. ¼, sec. 17	40.00
NE. ¼ of SW. ¼; S. ½ of SW. ¼; lot 1, sec. 21	147.04
E. ½ of NE. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼; SE. ¼ of SW. ¼, sec. 29	240.00
SW. ¼ of NE. ¼; NE. ¼ of NW. ¼; S. ½ of NW. ¼; SW. ¼; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 31	452.09
NW. ¼ of NE. ¼; NW. ¼ of NW. ¼; S. ½ of NW. ¼, sec. 33	160.00
SE. ¼ of NE. ¼; E. ½ of SE. ¼, sec. 35	120.00
Township 39, range 1:	
NE. ¼ of NE. ¼; NW. ¼ of NW. ¼; S. ½ of NW. ¼; E. ½ of SW. ¼, sec. 1	240.46
E. ½ of SE. ¼, sec. 3	80.00
N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 5	120.00
W. ½ of NE. ¼; NW. ¼; S. ½, sec. 7	638.48
N. ½; SW. ¼; NW. ¼ of SE. ¼, sec. 9	520.00
NW. ¼ of NW. ¼; S. ½ of NW. ¼; SW. ¼; SW. ¼ of SE. ¼, sec. 11	320.00
NE. ¼ of SE. ¼, sec. 13	40.00
All sec. 17	640.00
N. ½; SW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 19	682.68
All sec. 21	640.00
NW. ¼ of SE. ¼; S. ½ of SE. ¼; SW. ¼ of SW. ¼; lots 1, 2, 3, 4, 5, 6, 7, 11, 12, 13, sec. 23	415.01
NE. ¼ of NE. ¼; W. ½ of E. ½; W. ½, sec. 27	520.00
NE. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼; S. ½, sec. 29	600.00
All sec. 31	722.68
NE. ¼; S. ½ of NW. ¼; S. ½, sec. 33	560.00
All sec. 35	640.00
Township 40, range 1:	
All sec. 3	623.68
All sec. 5	635.60
All sec. 7	704.56
All sec. 11	640.00
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	705.76
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	707.28
All sec. 33	640.00
All sec. 35	640.00
Township 33, range 2:	
Lots 3, 4, 5, 6, 11, 12, 13, 14, 15, 16, sec. 1	420.95
All sec. 3	636.80
All sec. 5	634.64
NW. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼; S. ½, sec. 7	633.16
All sec. 9	640.00
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	675.16
S. ½ of SW. ¼; NW. ¼ of NE. ¼, sec. 21	120.00
N. ½; N. ½ of SW. ¼; SE. ¼ of SW. ¼; SE. ¼, sec. 23	600.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	672.28
N. ½ of NE. ¼; SE. ¼ of NE. ¼; NW. ¼; NW. ¼ of SW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 33	440.00
All sec. 35	640.00
Township 34, range 2:	
All sec. 1	636.76
NE. ¼ of NE ¼; SE. ¼ of SE ¼; W. ½ of E. ½; W. ½, sec. 3	551.88
W. ½ of NE. ¼; NW. ¼; S. ½, sec. 5	560.79
All sec. 7	646.40
E. ½; W. ½ of NW. ¼, sec. 9	400.00
NE. ¼; NE. ¼ of NW. ¼; SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 11	480.00
NE. ¼; NW. ¼ of NW. ¼; S. ½ of NW. ¼; S. ½, sec. 13	600.00
N. ½ of NE. ¼; SW. ¼ of NE. ¼; NW. ¼; S. ½, sec. 15	600.00
NW. ¼; S. ½, sec. 17	480.00
NE. ¼; S. ½ of NW. ¼; S. ½, sec. 19	561.24
N. ½ of NE. ¼; SE. ¼ of NE. ¼; SE. ¼ of NW. ¼; W. ½ of SW. ¼; NE. ¼ of SE. ¼, sec. 21	280.00
All sec. 23	640.00
NE. ¼; NE. ¼ of NW. ¼; W. ½ of SW. ¼; NE. ¼ of SE. ¼; W. ½ of NW. ¼, sec. 25	400.00
NE. ¼ of NE. ¼; S. ½ of NE. ¼; E. ½ of W. ½; SW. ¼ of SW. ¼; SE. ¼, sec. 27	480.00
N. ½ of SE. ¼, sec. 29	80.00
NW. ¼ of NE. ¼; S. ½ of NE. ¼; E. ½ of SE. ¼; W. ½ of NW. ¼; E. ½ of SW. ¼, sec. 31	360.00
NE. ¼; S. ½ of NW. ¼; S. ½ of SW. ¼; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 33	440.00
NE. ¼; N. ½ of NW. ¼; SW. ¼ of NW. ¼; N. ½ of SE. ¼, sec. 35	360.00
Township 35, range 2:	
NE. ¼; NE. ¼ of NW. ¼, sec. 1	199.64
NW. ¼ of NE. ¼; N. ½ of NW. ¼; SW. ¼ of NW. ¼; SW. ¼; W. ½ of SE. ¼, sec. 3	398.77
S. ½ of NE. ¼; NW. ¼ of SE. ¼, sec. 5	120.00
E. ½, sec. 7	320.00
NE. ¼ of NE. ¼; SW. ¼ of NE. ¼; S. ½ of NW. ¼; SW. ¼; N. ½ of SE. ¼, sec. 9	400.00
SW. ¼ of NW. ¼; NE. ¼ of SW. ¼, sec. 15	80.00
S. ½ of N. ½; S. ½, sec. 17	480.00
N. ½ of NE. ¼; SW. ¼ of NE. ¼, sec. 19	120.00
NW. ¼ of NE. ¼; SE. ¼ of NE. ¼; SW. ¼ of SW. ¼; E. ½ of SE. ¼, sec. 21	200.00
SE. ¼ of SE. ¼, sec. 23	40.00

Township 35, range 2—Continued.	Acres.
SE. ¼ of NE. ¼, sec. 25	40.00
NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 29	120.00
S. ½ of NE. ¼; NW. ¼; S. ½, sec. 35	560.00
Township 36, range 2:	
NE. ¼ of NE. ¼; S. ½ of NW. ¼; SW. ¼; W. ½ of SE. ¼, sec. 1	359.92
E. ½, sec. 3	320.78
SW. ¼ of NE. ¼; SE. ¼ of NW. ¼; NE. ¼ of SW. ¼; S. ½ of SW. ¼; SE. ¼, sec. 5	360.00
N. ½ of NE. ¼; NE. ¼ of NW. ¼; S. ½ of NW. ¼; SE. ¼, sec. 7	360.51
W. ½, sec. 9	320.00
NW. ¼ of NE. ¼; lot 4, sec. 11	79.26
Lot 7, sec. 13	23.39
Lots 9, 10, sec. 15	22.88
NW. ¼ of NW. ¼; SW. ¼; S. ½ of NE. ¼ of NW. ¼, sec. 19	224.51
Lots 4, 5, 6, 7, sec. 21	123.29
NW. ¼ of SE. ¼, sec. 29	40.00
Township 37, range 2:	
Lot 5; S. ½ of SW. ¼, sec. 5	81.97
E. ½ of E. ½; S. ½ of NW. ¼; N. ½ of SW. ¼; SW. ¼ of SW. ¼; NW. ¼ of NW. ¼, sec. 7	413.06
W. ½ of NE. ¼; E. ½ of NW. ¼; NW. ¼ of SW. ¼, sec. 17	200.00
N. ½ of SW. ¼ of NE. ¼; NE. ¼ of SW. ¼, sec. 31	60.00
Township 38, range 2:	
Lot 6; SW. ¼ of SW. ¼, sec. 3	47.52
NE. ¼ of NW. ¼; E. ½ of NW. ¼ of NW. ¼; S. ½ of SW. ¼, sec. 7	144.26
SE. ¼, sec. 17	160.00
NE. ¼ of NE. ¼; SW. ¼; W. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 19	326.23
W. ½ of NE. ¼; SE. ¼ of NW. ¼; NE. ¼ of SW. ¼; S. ½ of SW. ¼, sec. 21	240.00
NW. ¼ of SE. ¼; NE. ¼ of SW. ¼, sec. 23	80.00
N. ½ of N. ½; S. ½ of S. ½, sec. 27	320.00
E. ½; NW. ¼ of NW. ¼; W. ½ of SW. ¼, sec. 29	440.00
All sec. 31	660.16
N. ½ of NW. ¼; SE. ¼ of NW. ¼; E. ½ of SE. ¼; NW. ¼ of SW. ¼, sec. 33	240.00
Township 39, range 2:	
N. ½ of NE. ¼; SE. ¼ of NE. ¼; NW. ¼ of SE. ¼; NW. ¼; N. ½ of SW. ¼; SW. ¼ of SW. ¼, sec. 5	446.84
NE. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼; S. ½, sec. 7	630.94
NE. ¼; E. ½ of NW. ¼; S. ½ of S. ½; NE. ¼ of SE. ¼, sec. 9	440.00
NE. ¼ of NE. ¼; S. ½ of NE. ¼; SW. ¼ of NW. ¼ of NE. ¼; E. ½ of NW. ¼ of NE. ¼; SW. ¼ of NE. ¼ of NW. ¼; E. ½ of NE. ¼ of NW. ¼; S. ½ of NW. ¼; S. ½, sec. 17	580.00
E. ½ of NE. ¼; NE. ¼ of NW. ¼; S. ½ of SW. ¼; NE. ¼ of SE. ¼, sec. 19	246.54
All sec. 21	640.00
W. ½ of NE. ¼; NW. ¼; N. ½ of SW. ¼; SW. ¼ of SW. ¼; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 23	480.00
S. ½ of NE. ¼; SE. ¼ of NW. ¼; S. ½, sec. 27	440.00
S. ½ of NW. ¼; SW. ¼; SE. ¼ of SE. ¼, sec. 29	280.00
All sec. 31	668.42
All sec. 33	640.00
Township 40, range 2:	
All sec. 1	638.84
All sec. 3	640.99
All sec. 5	640.58
All sec. 7	647.42
All sec. 9	640.00
All sec. 11	640.00
All sec. 13	640.00
All sec. 15	640.00
N. ½; SW. ¼; W. ½ of SE. ¼, sec. 17	560.00
All sec. 19	640.93
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	639.01
All sec. 33	640.00
All sec. 35	640.00
Township 33, range 3:	
All sec. 1	630.40
All sec. 3	627.68
All sec. 5	625.39
All sec. 7	624.64
All sec. 9	640.00
All sec. 11	640.00
All sec. 13	640.00
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	626.35
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	627.20
N. ½; N. ½ of SW. ¼; SW. ¼ of SW. ¼; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 33	560.00
All sec. 35	640.00
Township 34, range 3:	
All sec. 1	641.80
All sec. 3	643.50
All sec. 5	644.42
All sec. 7	610.48
All sec. 9	640.00
All sec. 11	640.00
All sec. 13	640.00
N. ½; SW. ¼; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 15	600.00
All sec. 17	640.00
All sec. 19	608.00
All sec. 21	640.00
N. ½ of NW. ¼; SW. ¼ of NW. ¼; SW. ¼; W. ½ of SE. ¼; NE. ¼, sec. 23	520.00
NE. ¼; E. ½ of NW. ¼; S. ½, sec. 25	560.00
All sec. 27	640.00
NE. ¼; E. ½ of NW. ¼; NE. ¼ of SW. ¼; SW. ¼ of SW. ¼; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 29	440.00
All sec. 31	615.00
N. ½; N. ½ of S. ½; SE. ¼ of SE. ¼, sec. 33	520.00
NE. ¼; NE. ¼ of NW. ¼; S. ½ of NW. ¼; S. ½, sec. 35	600.00
Township 35, range 3:	
N. ½; SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 1	600.20
NE. ¼; NE. ¼ of NW. ¼; S. ½ of NW. ¼; S. ½, sec. 3	597.51
SE. ¼ of SW. ¼; S. ½ of SE. ¼, sec. 5	120.00

Township 35, range 3—Continued.	Acres.
NE. ¼ of SW. ¼; S. ½ of SW. ¼; SE. ¼, sec. 7	275.40
All sec. 9	640.00
W. ½ of NE. ¼ of NE. ¼; SE. ¼ of NE. ¼ of NE. ¼; NW. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼ S. ½, sec. 11	630.00
NE. ¼ of NW. ¼; W. ½ of NW. ¼; N. ½ of SW. ¼; E. ½ of SE. ¼, sec. 13	280.00
All sec. 15	640.00
N. ½; N. ½ of SE. ¼; SW. ¼ of SE. ¼; N. ½ of SW. ¼; SE. ¼ of SW. ¼; E. ½ of SW. ½ of SW. ¼, sec. 17	580.00
All sec. 19	631.74
N. ½ of NE. ¼; SW. ¼ of NE. ¼; NW. ¼; W. ½ of E. ½ of SW. ¼; W. ½ of SW. ¼; E. ½ of W. ½ of SE. ¼, sec. 21	440.00
N. ½; SW. ¼; W. ½ of SE. ¼, sec. 23	560.00
All sec. 27	640.00
NE. ¼; W. ½ of E. ½ of SW. ¼; W. ½ of SW. ¼; N. ½ of SE. ¼; E. ½ of SW. ¼ of SE. ¼; SE. ¼ of SE. ¼, sec. 29	420.00
N. ½ of NE. ¼; NW. ¼; S. ½, sec. 31	557.02
E. ½; NW. ¼ of NW. ¼; S. ½ of NW. ¼; NE. ¼ of SW. ¼, sec. 33	480.00
W. ½ of E. ½; SE. ¼ of SE. ¼; W. ½, sec. 35	520.00
Township 36, range 3:	
W. ½ of NW. ¼, sec. 1	78.97
N. ½ of NE. ¼; SW. ¼ of NE. ¼; W. ½ of SE. ¼ of NE. ¼; N. ½ of NW. ¼; SW. ¼ of NW. ¼; NW. ¼ of SW. ¼; SW. ¼ of SE. ¼; W. ½ of NW. ¼ of SE. ¼; lots 1, 2, 3, 4, 5, sec. 3	438.00
NW. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼; NW. ¼ of SE. ¼, sec. 5	314.76
N. ½; N. ½ of SW. ¼; SE. ¼, sec. 7	564.97
All sec. 9	640.00
NW. ¼ of NW. ¼; N. ½ of SE. ¼; SE. ¼ of SE. ¼; lot 3, sec. 11	188.73
Lot 7, sec. 13	48.75
W. ½ of NW. ¼, sec. 15	80.00
N. ½ of NW. ¼; SE. ¼ of NW. ¼; lot 3, sec. 17	127.05
SW. ¼; W. ½ of SE. ¼, sec. 19	245.40
Lot 5; NE. ¼ of SW. ¼, sec. 21	58.87
SE. ¼ of NE. ¼, sec. 23	40.00
NE. ¼; S. ½ of NW. ¼; SW. ¼; N. ½ of SE. ¼, sec. 29	480.00
All sec. 31	656.42
Lots 2, 3; SW. ¼ of SW. ¼, sec. 33	102.78
NE. ¼ of NE. ¼; SW. ¼ of SW. ¼; W. ½ of SE. ¼ of SE. ¼, sec. 35	100.00
Township 37, range 3:	
SW. ¼; W. ½ of SE. ¼, sec. 1	234.84
N. ½; E. ½ of SW. ¼; SE. ¼, sec. 3	561.30
N. ½ of NE. ¼ of NE. ¼; S. ½ of N. ½ of SE. ¼ of NE. ¼; S. ½ of SE. ¼ of NE. ¼; NW. ¼ of SW. ¼; S. ½ of SW. ¼; SE. ¼; S. ½ of SW. ¼ of SW. ¼ of NE. ¼; lot 1; south 10 acres of lot 5, sec. 5	360.23
E. ½; SE. ¼ of NW. ¼; NE. ¼ of SW. ¼, sec. 7	400.00
W. ½ of NE. ¼; W. ¼; E. ½ of SE. ¼, sec. 9	480.00
W. ½ of E. ½; SW. ¼, sec. 11	320.00
N. ½ of NE. ¼; NW. ¼, sec. 13	240.00
All sec. 15	640.00
All sec. 17	640.00
All sec. 21	640.00
S. ½ of NW. ¼; SW. ¼; NW. ¼ of SE. ¼, sec. 23	280.00
S. ½ of NE. ¼, sec. 25	80.00
S. ½ of NE. ¼; NW. ¼; SE. ¼, sec. 27	400.00
NE. ¼ of NE. ¼; NW. ¼ of NW. ¼; S. ½ of N. ½; S. ½, sec. 31	555.10
All sec. 33	640.00
SW. ¼ of SW. ¼; NE. ¼ of NE. ¼ of SE. ¼; NW. ¼ of SE. ¼ of SE. ¼; N. ½ of SW. ¼ of SE. ¼; N. ½ of S. ½ of SW. ¼ of SE. ¼, sec. 35	90.00
Township 38, range 3:	
NW. ¼ of NE. ¼; SE. ¼ of NE. ¼; E. ½ of SW. ¼, sec. 1	159.96
N. ½; E. ½ of SE. ¼, sec. 3	400.76
E. ½ of SW. ¼; SE. ¼, sec. 5	240.00
N. ½; N. ½ of SW. ¼; SW. ¼ of SW. ¼; N. ½ of SE. ¼ of SW. ¼; SW. ¼ of SE. ¼ of SW. ¼; N. ½ of N. ½ of SE. ¼; N. ½ of S. ½ of NE. ¼ of SE. ¼; SE. ¼ of SW. ¼ of SE. ¼; S. ½ of SE. ¼ of SE. ¼, sec. 11	550.00
SW. ¼, sec. 13	160.00
W. ½ of NW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 21	200.00
NE. ¼ of NE. ¼; W. ½ of W. ½ of NW. ¼; SE. ¼ of SE. ¼; lots 4, 5, sec. 23	160.67
NW. ¼ of NW. ¼, sec. 29	40.00
All sec. 31	637.76
SW. ¼ of NW. ¼; W. ½ of SW. ¼; lots 1, 7, sec. 33	168.58
W. ½, sec. 35	320.00
Township 39, range 3:	
E. ½; E. ½ of W. ½; NW. ¼ of NW. ¼; SW. ¼ of SW. ¼, sec. 1	562.00
NE. ¼; SW. ¼ of SW. ¼, sec. 3	201.49
N. ½ of NE. ¼; SE. ¼ of NW. ¼; SW. ¼; S. ½ of SE. ¼, sec. 9	360.00
NE. ¼; E. ½ of NW. ¼; lot 1, sec. 11	284.42
N. ½ of NE. ¼; SE. ¼ of NE. ¼; NE. ¼ of NW. ¼; SW. ¼, sec. 13	320.00
E. ½, sec. 15	320.00
All sec. 21	640.00
N. ½, sec. 23	320.00
NE. ¼, sec. 25	160.00
NE. ¼; S. ½; SE. ¼ of SW. ¼ of NW. ¼; NE. ¼ of SE. ¼ of NW. ¼; S. ½ of SE. ½ of NW. ¼, sec. 27	520.00
E. ½; SW. ¼ of NW. ¼; N. ½ of SW. ¼; SE. ¼ of SW. ¼, sec. 33	480.00
Township 40, range 3:	
All sec. 1	639.33
All sec. 3	640.36
S. ½ of N. ½; lots 1, 3, 4; S. ½, sec. 5	597.90
E. ½; N. ½ of NE. ¼ of NW. ¼; N. ½ of NW. ¼ of NW. ¼; SW. ¼ of NW. ¼; SW. ¼; S. ½ of SE. ¼ of NW. ¼, sec. 7	582.83
All sec. 9	640.00
All sec. 11	640.00
All sec. 13	640.00
All sec. 15	640.00
All sec. 17	640.00
E. ½; E. ½ of E. ½ of SE. ¼ of SW. ¼, sec. 19	330.00
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	640.84
All sec. 33	640.00
N. ½; SW. ¼; N. ½ of SE. ¼, sec. 35	560.00
Township 41, range 3:	
N. ½; S. ½ of S. ½, sec. 1	480.00
N. ½; SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 3	600.00
All sec. 5	640.00
All sec. 7	643.64
All sec. 9	640.00
NE. ¼; NE. ¼ of NW. ¼; S. ½ of NW. ¼; S. ½, sec. 11	600.00
N. ½ of N. ½; lots 1, 2, 3, 4, sec. 13	273.25
Township 41, range 3—Continued.	Acres.
N. ½ of N. ½; lots 1, 2, 3, 4, sec. 15	274.67
N. ½ of N. ½; lots 1, 2, 3, 4, sec. 17	268.58
Township 32, range 4:	
Lots 5, 12, sec. 33	78.19
All sec. 35	791.92
Township 33, range 4:	
All sec. 1	639.68
All sec. 3	599.20
S. ½ of SE. ¼, sec. 5	80.00
All sec. 9	640.00
All sec. 11	640.00
All sec. 13	639.76
NE. ¼; E. ½ of NW. ¼; S. ½, sec. 15	560.00
All sec. 17	640.00
All sec. 19	629.18
N. ½; N. ½ of SW. ¼; NW ¼ of SE. ¼; SE. ¼ of SE. ¼, sec. 21	480.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
NW. ¼; N. ½ of SW. ¼; SW. ¼ of SW. ¼, sec. 29	280.00
All sec. 31	626.84
All sec. 33	640.00
All sec. 35	640.00
Township 34, range 4:	
All sec. 1	648.44
N. ½; SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 3	615.32
NE. ¼ of SW. ¼; S. ½ of SW. ¼; E. ½, sec. 5	448.10
All sec. 7	623.44
All sec. 9	640.00
NE. ¼; NE. ¼ of NW. ¼; S. ½ of NW. ¼; S. ½, sec. 11	600.00
All sec. 13	640.00
NW. ¼ of NE. ¼; W. ½ of SW. ¼; W. ½ of E. ½ of SE. ¼ of SW. ¼; W. ½ of SE. ¼ of SW. ¼; N. E. ¼ of SE. ¼, sec. 15	190.00
All sec. 17	640.00
All sec. 19	624.80
NE. ¼; W. ½, sec. 21	480.00
All sec. 23	640.00
All sec. 25	640.00
NE. ¼ of NE. ¼; NE. ¼ of NW. ¼; S. ½ of N. ½; S. ½, sec. 27	560.00
N. ½; SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 29	600.00
E. ½; E. ½ of W. ½, sec. 31	480.00
NE. ¼ of NW. ¼; SW. ¼ of SW. ¼; SW. ¼ of SE. ¼, sec. 33	120.00
NE. ¼ of NE. ¼; S. ½ of NE. ¼; N. ½ of NW. ¼; E. ½ of SW. ¼ of NW. ¼; SW. ¼; SE. ¼ of NW. ¼; NE. ¼ of SE. ¼; SW. ¼ of SE. ¼; NE. ¼ of SE. ¼, sec. 35	510.00
Township 35, range 4:	
NE. ¼ of NE. ¼; SW. ¼ of NW. ¼; W. ½ of SW. ¼, sec. 1	160.02
N. ½ of NE. ¼; SE. ¼, sec. 3	241.76
N. ½; NW. ¼ of SW. ¼; S. ½ of SW. ¼; NW. ¼ of SE. ¼, sec. 5	493.56
All sec. 7	640.08
NE. ¼ of NE. ¼; N. ½ of NW. ¼; SE. ¼ of SW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 11	280.00
All sec. 13	640.00
SE. ¼, sec. 15	160.00
N. ½ of NE. ¼; SE. ¼ of NE. ¼; W. ½; SE. ¼, sec. 17	600.00
NW. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼; S. ½, sec. 19	598.20
SW. ¼ of SW. ¼, sec. 21	40.00
N. ½; N. ½ of SW. ¼; SE. ¼ of SW. ¼; SE. ¼, sec. 23	600.00
N. ½ of NE. ¼, sec. 27	80.00
All sec. 29	640.00
All sec. 31	638.56
NE. ¼ of NE. ¼; W. ½ of E. ½; SE. ¼ of SE. ¼; W. ½, sec. 33	560.00
N. ½; N. ½ of SW. ¼; SE. ¼ of SW. ¼; SE. ¼, sec. 35	600.00
Township 36, range 4:	
N. ½; N. ½ of SW. ¼; N. ½ of SW. ¼ of SW. ¼; SE. ¼ of SW. ¼; E. ½ of SE. ¼, sec. 1	539.16
S. ½ of NE. ¼; E. ½ of SW. ¼; SE. ¼, sec. 3	320.00
NE. ¼; S. ½ of NW. ¼; S. ½, sec. 5	539.52
All sec. 7	653.22
NW. ¼; N. ½ of SW. ¼; W. ½ of SE. ¼; SE. ¼ of SW. ¼, sec. 9	360.00
NE. ¼; NW. ¼ of NW. ¼; S. ½ of NW. ¼; S. ½, sec. 11	600.00
NE. ¼ of NE. ¼; S. ½ of NE. ¼; SE. ¼ of NW. ¼; SW. ¼; W. ½ of SE. ¼, sec. 13	400.00
NE. ¼; NE. ¼ of NW. ¼, sec. 15	200.00
W. ½ of NE. ¼; S. ½ of SE. ¼ of NE. ¼; NW. ¼; S. ½, sec. 17	580.00
N. ½; N. ½ of S. ½; lots 3, 4, sec. 19	598.52
SW. ¼ of NE. ¼; S. ½ of S. ½; NW. ¼ of SE. ¼; lots 3, 7, 8, 9, 10, sec. 21	376.63
N. ½ of NE. ¼; SE. ¼ of NE. ¼; W. ½, sec. 23	440.00
E. ½ of NE. ¼; SE. ¼ of SW. ¼; NE. ¼ of SE. ¼; Lots 1, 7, 9, 10, sec. 25	225.88
NE. ¼ of NE. ¼; S. ½ of SW. ¼; lots 9, 12, 14, sec. 27	177.16
NE. ¼ of NE. ¼; NE. ¼ of NW. ¼; S. ½ of N. ½; S. ½, sec. 29	560.00
E. ½; NW. ¼ of NW. ¼; S. ½ of SW. ¼; SE. ¼ of NW. ¼, sec. 31	489.50
N. ½; SW. ¼; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 33	600.00
SE. ¼ of NE. ¼; W. ½ of SW. ¼; lots 1, 5, sec. 35	166.70
Township 37, range 4:	
N. ½ of N. ½; SE. ¼ of NE. ¼; SW. ¼ of NW. ¼; SE. ¼ of SE. ¼, sec. 1	277.32
SE. ¼ of NE. ¼; S. ½, sec. 3	360.00
All sec. 5	642.24
All sec. 7	654.40
All sec. 9	640.00
W. ½ of NE. ¼ of NE. ¼; S. ½ of NE. ¼; E. ½ of SE. ¼, sec. 11	180.00
W. ½ of NW. ¼, sec. 13	80.00
W. ½, sec. 15	320.00
All sec. 17	640.00
E. ½ of NE. ¼; E. ½ of NW. ¼ of NE. ¼; E. ½ of E. ½ of SW. ¼ of NE. ¼; SE. ¼; S. ½ of NE. ¼ of NW. ¼; W. ½ of NW. ¼; W. ½ of SE. ¼ of NW. ¼; NW. ¼ of SW. ¼; W. ½ of SW. ¼ of SW. ¼, sec. 19	458.86
N. ½; SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 21	600.00
W. ½ of E. ½; N. ½ of NW. ¼; SE. ¼ of NW. ¼; SW. ¼, sec. 23	440.00
NE. ¼ of NE. ¼; S. ½ of N. ½; S. ½, sec. 27	520.00
NE. ¼; NE. ¼ of NW. ¼; S. ½ of NW. ¼; S. ½, sec. 29	600.00
E. ½ of W. ½ of NE. ¼ of NE. ¼; E. ½ of NE. ¼ of NE. ¼; W. ½ of NW. ¼ of NE. ¼; W. ½ of E. ½ of NW. ¼ of NE. ¼; S. ½ of NE. ¼; NE. ¼ of NW. ¼; NE. ¼ of SE. ¼; lots 1, 3, 4, 5, sec. 31	281.33
N. ½; N. ½ of SW. ¼; SE. ¼; SE. ¼ of SW. ¼, sec. 33	600.00
N. ½; SW. ¼; W. ½ of SE. ¼, sec. 35	560.00
Township 38, range 4:	
All sec. 1	638.40
All sec. 3	638.64
S. ½ of NW. ¼; S. ½, sec. 5	400.00
NE. ¼ of NE. ¼; SW. ¼ of NE. ¼, sec. 7	80.00
All sec. 9	640.00

	Acres.
Township 38, range 4—Continued.	
E. ½ of E. ½; SW. ¼ of SE. ¼; SW. ¼, sec. 11	360.00
N. ½; E. ½ of SW. ¼; SE. ¼, sec. 13	580.92
N. ½; SE. ¼, sec. 15	480.00
NE. ¼ of NE. ¼, sec. 17	40.00
N. ½ of NE. ¼; SW. ¼ of NE. ¼; W. ½; W. ½ of SE. ¼; lot 3, sec. 19	535.79
NW. ¼ of SW. ¼; S. ½ of SW. ¼; SW. ¼ of SE. ¼, sec. 21	160.00
NE. ¼; SE. ¼ of NW. ¼; NE. ¼ of SW. ¼; S. ½ of SW. ¼ of SW. ¼; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 23	380.00
W. ½ of SW. ¼; lots 1, 2, 5, sec. 25	116.56
All sec. 27	640.00
N. ½; SW. ¼; NW. ¼ of SE. ¼, sec. 29	520.00
N. ½; SW. ¼; NW. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 31	603.92
N. ½ of NE. ¼; SE. ¼ of NE. ¼; E. ½ of NW. ¼; S. ½, sec. 33	520.00
All sec. 35	646.00
Township 39, range 4:	
All sec. 1	697.40
All sec. 3	639.77
S. ½ of NW. ¼; W. ½ of SW. ¼; E. ½ of SE. ¼; lots 1, 3, 4, sec. 5	358.95
N. ½ of NE. ¼; SE. ¼ of NW. ¼; SE. ¼ of SE. ¼; lots 2, 4, sec. 7	240.06
All sec. 9	640.00
All sec. 11	640.00
All sec. 13	697.96
All sec. 15	640.00
All sec. 17	640.00
NE. ¼; S. ½ of NW. ¼; S. ½, sec. 19	559.36
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	699.64
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	662.42
All sec. 33	665.94
All sec. 35	671.66
Township 40, range 4:	
N. ½; N. ½ of SW. ¼; S. ½ of S. ½ of SW. ¼; SE. ¼, sec. 1	602.02
NE. ¼, sec. 3	159.36
SW. ¼, sec. 7	162.84
All sec. 11	640.00
All sec. 13	640.00
SE. ¼, sec. 15	160.00
N. ½; SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 17	600.00
All sec. 19	641.04
N. ½; N. ½ of SW. ¼, sec. 21	400.00
All sec. 23	640.00
All sec. 25	640.00
E. ½; W. ½ of SW. ¼, sec. 27	400.00
All sec. 29	640.00
All sec. 31	642.04
All sec. 33	640.00
N. ½; SW. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼, sec. 35	600.00
Township 41, range 4:	
SW. ¼ of NE. ¼; SE. ¼ of NW. ¼; S. ½, sec. 1	400.00
N. ½; N. ½ of SW. ¼; SW. ¼ of SW. ¼; SE. ¼, sec. 3	600.00
All sec. 5	640.00
All sec. 7	644.36
All sec. 9	640.00
NE. ¼; E. ½ of NW. ¼; S. ½, sec. 11	560.00
N. ½ of N. ½; lots 1, 2, 3, 4, sec. 13	203.72
N. ½ of N. ½; lots 1, 2, 3, 4, sec. 15	259.88
N. ½ of N. ½; lots 1, 2, 3, 4, sec. 17	256.12
Total Jackson County	441,791.15

KLAMATH COUNTY.

[South of base line and east of Willamette meridian.]

Township 38, range 5:	
All sec. 1	643.00
All sec. 3	655.00
All sec. 9	640.00
N. ½; W. ½ of SW. ¼; lots 1, 2, 3, 4, sec. 11	485.00
Lots 1, 2, sec. 13	31.00
All sec. 15	640.00
All sec. 21	640.00
SW. ¼ of NE. ¼; S. ½ of NW. ¼; S ½; lots 1, 2, 3, 4, sec. 23	542.00
All sec. 25	640.00
Township 39, range 5:	
All sec. 1	641.00
All sec. 3	645.00
All sec. 11	640.00
All sec. 13	640.00
NE. ¼ of NW. ¼; SW. ¼ of NW. ¼; NW. ¼ of SW. ¼, sec. 17	120.00
SW. ¼ of SW. ¼, sec. 21	40.00
NW. ¼, sec. 29	160.00
N. ½, sec. 31	322.00
W. ½ of SW. ¼, sec. 33	80.00
Township 40, range 5:	
W. ½, sec. 7	322.00
S. ½, sec. 23	320.00
All sec. 25	640.00
NE. ¼ of NW. ¼; SE. ¼ of SW. ¼; S. ½ of SE. ¼; lots 1, 2, 3, 4, sec. 31	319.00
All sec. 35	640.00
Township 41, range 5:	
All sec. 1	641.00
All sec. 3	639.00
All sec. 5	642.00
All sec. 7	632.00
E. ½, sec. 11	320.00
Lots 1, 2, sec. 13	31.00
Lots 1, 2, 3, 4, sec. 15	93.00
Lots 1, 2, 3, 4, sec. 17	87.00
Township 38, range 6:	
All sec. 5	642.00
All sec. 7	646.00
All sec. 9	640.00
All sec. 17	640.00
All sec. 19	641.00
W. ½; W. ½ of SE. ¼, sec. 21	400.00
S. ½ of SW. ¼, sec. 27	80.00
All sec. 29	640.00
All sec. 33	640.00
NE. ¼ of NE. ¼; SE. ¼ of NW. ¼; S. ½ of SW. ¼; SE. ¼, sec. 35	320.00
Township 39, range 6:	
All sec. 5	627.00
All sec. 7	647.00
W. ½, sec. 9	320.00
Lots 1 to 12, inclusive, sec. 15	485.00
All sec. 17	645.00
E. ½; E. ½ of W. ½; lots 1, 2, 3, 4, sec. 19	643.00
W. ½, sec. 21	320.00
Township 40, range 6:	
SW. ¼; NW. ¼ of SE. ¼; lots 3, 4, 5, 6, 7, 8, sec. 1	385.00
S. ½ of NW. ¼; lots 2, 3, 4, sec. 3	187.00
SE. ¼ of NE ¼; SW. ¼ of NW. ¼; lots 3, 4, sec. 5	152.00
All sec. 11	640.00
All sec. 13	606.00
All sec. 23	618.00
All sec. 27	639.00
All sec. 31	746.00
SE. ¼ of NE. ¼; E. ½ of SE. ¼, sec. 33	120.00
All sec. 35	633.00
Township 41, range 6:	
All sec. 1	640.00
N. ½ of NE. ¼; SE. ¼ of NE. ¼; NW. ¼; W. ½ of SW. ¼; NE. ¼ of SE. ¼; S. ½ of SE. ¼, sec. 3	480.00
N. ½; SW. ¼; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 5	600.00
NE. ¼; N. ½ of SE. ¼; SW. ¼ of SE. ¼; lots 2, 3, 4, 9, 10, 11, 12, sec. 7	513.00
NW. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼; SE. ¼, sec. 9	440.00
W. ½ of NE. ¼; NW. ¼; N. ½ of SW. ¼; NW. ¼ of SE. ¼; SW. ¼ of SW. ¼; S. ½ of SE. ¼, sec. 11	480.00
Lots 1, 2, 3, 4, sec. 13	194.00
Lots 1, 2, 3, 4, sec. 15	181.00
Lots 1, 2, 3, sec. 17	123.00
Township 40, range 7:	
All sec. 3	639.00
All sec. 5	634.00
N. ½; NE. ¼ of SW. ¼; N. ½ of SE. ¼; SE. ¼ of SE. ¼, sec. 7	476.00
All sec. 9	660.00
All sec. 11	641.00
NW. ¼; S. ½, sec. 15	480.00
All sec. 17	644.00
All sec. 19	632.00
All sec. 21	642.00
W. ½ of E. ½; W. ½, sec. 23	480.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	633.00
All sec. 33	640.00
W. ½ of NE. ¼; W. ½; NW. ¼ of SE. ¼, sec. 35	443.00
Township 41, range 7:	
All sec. 3	642.00
All sec. 5	641.00
All sec. 7	643.00
N. ½; E. ½ of SW. ¼; SE. ¼, sec. 9	560.00
NW. ¼; N. ½ of SW. ¼, sec. 11	240.00
N. ½ of N. ½; lots 1, 2, 3, 4, sec. 15	257.00
N. ½ of N. ½; lots 1, 2, 3, 4, sec. 17	224.00
Total Klamath County	43,015.00

WEST SIDE GRANT.

[Act of May 4, A. D. 1870.]

Of the lands of said west side grant, 292.50 acres are situated in the State of Washington; with this exception all of said lands are situated in the State of Oregon.

The counties are arranged in the same order as in the case of the east side grant. Thus arranged, they appear in the following order. For convenience, the total number of acres in each county is here stated:

	Acres.
Clarke County, Wash.	292.50
Columbia County, Oreg.	17,678.83
Tillamook County, Oreg.	29,741.00
Washington County, Oreg.	15,480.00
Multnomah County, Oreg.	927.00
Yamhill County, Oreg.	1,563.11
Total west side grant	65,682.44

CLARKE COUNTY, WASH.

[North of base line and west of Willamette meridian.]

Township 2, range 1:	
Lot 1, sec. 1	7.00

[North of base line and east of Willamette meridian.]

Township 3, range 1:	
W. ½ of SW. ¼, sec. 3	80.00
E. ½ of NE. ¼; NW. ¼ of NE. ¼, sec. 21	120.00
Lot 1, sec. 31	5.50
N. ½ of SE. ¼, sec. 33	80.00
Total Clarke County	292.50

COLUMBIA COUNTY, OREG.

[North of base line and west of Willamette meridian.]

Township 3, range 1:	
Lot 2, sec. 21	12.98
Township 4, range 1:	
Lots 6, 7, sec. 17	54.90
Lot 3, sec. 19	22.96
Township 3, range 2:	
N. ½ of N. ½; SW. ¼ of NW. ¼; N. ½ of SW. ¼; SW. ¼ of SW. ¼; NW. ¼ of SE. ¼, sec. 3	362.58
All sec. 5	635.90
N. ½; W. ½ of SW. ¼, sec. 7	400.20
NE. ¼; N. ½ of NW. ¼; SE. ¼ of NW. ¼; NE. ¼ of SW. ¼; N. ½ of SE. ¼, sec. 9	400.00
NW. ¼ of NE. ¼; NE. ¼ of NW. ¼, sec. 11	80.00
W. ½ of SW. ¼, sec. 15	80.00
E. ½ of SW. ¼, NE. ¼ of SE. ¼, sec. 17	120.00
Township 4, range 2:	
All sec. 7	612.96
N. ½ of SE. ¼; SE. ¼ of NE. ¼, sec. 27	120.00
All sec. 29	640.00
All sec. 31	621.42
SE. ¼ of NW. ¼; NE. ¼ of SW. ¼; S. ½ of SW. ¼, sec. 33	160.00
Township 5, range 2:	
All sec. 31	636.90

	Acres.
Township 3, range 3:	
All sec. 1	637.86
All sec. 11	640.00
Township 4, range 3:	
Lots 1, 2, 3, 4; S. ½, sec. 1	512.36
All sec. 3	660.81
All sec. 5	667.00
E. ½, sec. 7	320.00
All sec. 9	640.00
All sec. 11	640.00
All sec. 15	640.00
All sec. 17	640.00
E. ½, sec. 19	320.00
All sec. 21	640.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
E. ½, sec. 31	320.00
All sec. 33	640.00
All sec. 35	640.00
Township 5, range 3:	
E. ½, sec. 31	320.00
All sec. 33	640.00
All sec. 35	640.00
Total Columbia County	17,678.83

TILLAMOOK COUNTY, OREG.

[South of base line and west of Willamette meridian.]

Township 1, range 6:	
NE. ¼; SE. ¼ of NW. ¼; S. ½, sec. 19	531.00
Township 2, range 6:	
N. ½ of SW. ¼; SE. ¼ of SW. ¼; W. ½ of SE. ¼, sec. 19	200.00
Township 3, range 6:	
All sec. 7	667.00
All sec. 19	666.00
All sec. 31	665.00
Township 4, range 6:	
All sec. 7	662.00
Township 1, range 7:	
S. ½ of SW. ¼, sec. 23	80.00
NE. ¼; SE. ¼ of NW. ¼; N. ½ of SE. ¼, sec. 25	280.00
E. ½, sec. 27	320.00
S. ½ of SW. ¼, sec. 31	70.00
Township 3, range 7:	
S. ½, sec. 5	320.00
All sec. 7	646.00
All sec. 9	682.00
All sec. 11	640.00
All sec. 13	640.00
All sec. 15	640.00
All sec. 17	640.00
All sec. 19	645.00
All sec. 21	660.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 29	640.00
All sec. 31	644.00
All sec. 33	640.00
All sec. 35	640.00
Township 4, range 7:	
All sec. 1	642.00
All sec. 3	644.00
All sec. 5	642.00
All sec. 7	641.00
All sec. 9	640.00
All sec. 11	640.00
All sec. 13	640.00
N. ½; N. ½ of SW. ¼; SE. ¼ of SW. ¼; SE. ¼, sec. 15	600.00
N. ½ of N. ½, sec. 17	160.00
Township 1, range 8:	
Lot 3, sec. 1	24.00
W. ½ of W. ½, sec. 23	160.00
W. ½ of NE. ¼; SW. ¼ of SW. ¼; NW. ¼ of SE. ¼, sec. 25	160.00
SW. ¼ of NE. ¼; SE. ¼ of NW. ¼; E. ½ of SW. ¼; W. ½ of SE. ¼, sec. 27	240.00
Township 2, range 8:	
W. ½ of NW. ¼, sec. 13	80.00
E. ½ of SW. ¼; S. ½ of SE. ¼, sec. 21	160.00
W. ½ of W. ½, sec. 27	160.00
NE. ¼; NE. ¼ of NW. ¼; S. ½ of NW. ¼; S. ½, sec. 33	600.00
Township 3, range 8:	
SW. ¼; S. ½ of SE. ¼, sec. 1	240.00
All sec. 3	650.00
All sec. 9	640.00
All sec. 11	640.00
All sec. 13	640.00
S. ½ of NE. ¼; NW. ¼; S. ½, sec. 21	560.00
All sec. 23	640.00
All sec. 25	640.00
All sec. 27	640.00
All sec. 33	640.00
All sec. 35	640.00
Township 4, range 8:	
N. ½ of N. ½; SE. ¼ of NE. ¼; SW. ¼ of SW. ¼; SE. ¼, sec. 1	400.00
N. ½ of N. ½; NE. ¼ of SW. ¼; S. ½ of S. ½, sec. 3	360.00
E. ½; E. ½ of W. ½, sec. 9	480.00
All sec. 11	640.00
N. ½ of N. ½, sec. 13	160.00
N. ½ of N. ½, sec. 15	160.00
Total Tillamook County	29,741.00

WASHINGTON COUNTY, OREG.

[North of base line and west of Willamette meridian.]

	Acres.
Township 2, range 2:	
SE. ¼ of SE. ¼, sec 5	40.00
N. ½ of NW. ¼; SW. ¼ of NW. ¼, sec. 7	123.00
N. ½ of SW. ¼, sec. 9	80.00
N. ½ of NE. ¼; NE. ¼ of NW. ¼, sec. 19	120.00
SE. ¼ of NE. ¼; N. ½ of SW. ¼, sec. 21	120.00
SW. ¼ of NE. ¼, sec. 29	40.00
Township 3, range 2:	
E. ½ of NE. ¼; NW. ¼ of NW. ¼; S. ½ of NW. ¼; S. ½, sec. 19	520.00
All sec. 21	640.00
N. ½; N. ½ of SW. ¼; SW. ¼ of SW. ¼; SE. ¼, sec. 29	600.00
NW. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼; S. ½, sec. 31	601.00
SE. ¼ of SE. ¼, sec. 33	40.00
Township 2, range 3:	
W. ½ of NE. ¼; NW. ¼; N. ½ of SW. ¼; SE. ¼ of SW. ¼; SE. ¼, sec. 1	523.00
SW. ¼ of NE. ¼; NW. ¼; NE. ¼ of SW. ¼; NW. ¼ of SE. ¼, sec. 3	284.00
All sec. 5	662.00
W. ½ of SW. ¼, sec. 9	80.00
NE. ¼ of NE. ¼; SW. ¼ of NW. ¼; SW. ¼ of SW. ¼, sec. 11	120.00
NE. ¼ of NE. ¼; NE. ¼ of NW. ¼; SE. ¼ of SW. ¼, sec. 13	120.00
W. ½ of NE. ¼; SE. ¼, sec. 17	240.00
S. ½ of NE. ¼; N. ½ of SE. ¼, sec. 21	160.00
SE. ¼ of SE. ¼, sec. 23	40.00
Township 3, range 3:	
All sec. 3	639.00
All sec. 5	640.00
E. ½, sec. 7	320.00
All sec. 9	640.00
N. ½; SW. ¼; N. ½ of SE. ¼, sec. 13	560.00
E. ½ of NE. ¼; N. ½ of SW. ¼, sec. 15	160.00
NW. ¼ of NE. ¼; S. ½ of NE. ¼; NW. ¼; S. ½, sec. 17	600.00
E. ½, sec. 19	320.00
E. ½; N. ½ of NW. ¼; SW. ¼ of NW. ¼; E. ½ of SW. ¼, sec. 21	520.00
N. ½; N. ½ of SW. ¼; SW. ¼ of SW. ¼, sec. 23	440.00
W. ½; E. ½ of SE. ¼, sec. 25	400.00
All sec. 27	640.00
E. ½ of NE. ¼; NW. ¼; W. ½ of SW. ¼, sec. 29	320.00
E. ½, sec. 31	320.00
NE. ¼ of NE. ¼; S. ½ of NE. ¼, sec. 33	120.00
NE. ¼; NE. ¼ of NW. ¼; S. ½ of NW. ¼; S. ½, sec. 35	600.00

[South of base line and west of Willamette meridian.]

Township 1, range 5:	
W. ½, sec. 3	320.00
S. ½ of NE. ¼; N. ½ of SE. ¼, sec. 5	160.00
E. ½ of E. ½; N. ½ of SW. ¼, sec. 9	240.00
N. ½ of NW. ¼, sec. 15	80.00
NE. ¼; S. ½, sec. 19	482.00
All sec. 29	640.00
N. ½ of NE. ¼; W. ½, sec. 31	400.00
Township 1, range 6:	
E. ½ of NE. ¼; NE. ¼ of SE. ¼, sec. 25	120.00
All sec. 29	640.00
Total Washington County	15,480.00

(None of the above described lands in township 1 south, range 5 west, have ever been patented, with the exception of those described as situated in section 15; but all of said lands are listed in the annual tax return made by the defendant Oregon & California Railroad Co., and are therefore included in this schedule.)

MULTNOMAH COUNTY, OREG.

[North of base line and west of Willamette meridian.]

	Acres.
Township 2, range 2:	
N. ½ of NE. ¼; W. ½ of NW. ¼, sec. 3	167.00
SE. ¼ of SW. ¼, sec. 15	40.00
Township 3, range 2:	
S. ½ of NE. ¼; N. ½ of NW. ¼; S. ½ of SW. ¼; SE. ¼, sec. 27	400.00
N. ½, sec. 35	320.00
Total Multnomah County	927.00

YAMHILL COUNTY, OREG.

[South of base line and west of Willamette meridian.]

Township 2, range 6:	
All sec. 21	642.47
E. ½; NE. ¼ of NW. ¼, sec. 29	360.00
NW. ¼; W. ½ of NE. ¼, sec. 33	240.00
Township 3, range 6:	
N. ½, sec. 5	320.64
Total Yamhill County	1,563.11

REPORT OF MINORITY, COMMITTEE ON EXPENDITURES IN THE STATE DEPARTMENT.

Mr. WEDEMEYER. Mr. Speaker, I rise to ask unanimous consent of the House to the extension to next Wednesday of the time to file, if desired, minority views (H. Rept. 59, pt. 2) of the Committee on Expenditures in the State Department. Might I add that I have consulted the chairman of the committee [Mr. HAMLIN], who has kindly remained here, and Mr. UNDERWOOD, the majority leader, and found them both agreeable to this request.

The SPEAKER pro tempore. Is there objection to the request submitted by the gentleman? [After a pause.] The Chair hears none, and the request is granted.

Mr. HAMLIN. I understood the request is to next Wednesday?

Mr. WEDEMEYER. It is just exactly as I showed you. I wrote it out and showed you so that there would be no question about it.

Mr. HAMLIN. I did not catch the gentleman's statement.

Mr. WEDEMEYER. It is an extension of time to file views of the minority until next Wednesday. I wrote it out and showed it to the gentleman. I think it is perfectly clear.

Mr. CARTER. What bill is it?

Mr. WEDEMEYER. It is minority views of the Committee on Expenditures in the State Department.

Mr. UNDERWOOD. Mr. Speaker, I understand the gentleman from Washington [Mr. HUMPHREY] desires to submit a request.

Mr. HUMPHREY of Washington. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. The gentleman from Washington asks unanimous consent to address the House for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. HUMPHREY of Washington. Mr. Speaker, I do not intend to make a speech, and will probably not occupy the five minutes that the House has granted me. In 1836 Congress authorized one of the greatest exploring expeditions in the history of the world. This expedition set sail from Norfolk under the command of Lieut. Charles Wilkes, United States Navy, on the 10th of August, 1838. It was composed of eight vessels. It was the first undertaking of this character to which the Government had given assistance. It went out into what was then practically an unknown land and explored approximately one-fifth of the globe before its return. Lieut. Wilkes was selected to command this expedition on account of his scientific knowledge and other unusual attainments.

Among other things accomplished by this expedition was the discovery of the Antarctic Continent. One of the most interesting things accomplished by this expedition was the exploration of what was then known as the Oregon country. The rivers and mountains and the whole coast of North America, from Alaska to San Francisco, were thoroughly explored and mapped. The maps prepared by the expedition were so accurate that they are to-day the standard throughout much of the country explored. Not only did Lieut. Wilkes explore the Oregon country as to its rivers and mountains, but its inhabitants, and gave a description of the various Indian tribes and their customs and the number belonging to each tribe. He gave particular attention to the question that was then agitating this country, the boundary between the United States and the British possessions on the north. Upon this particular question Lieut. Wilkes made a most interesting and comprehensive report, consisting of some 44 closely written pages. This report, although the most interesting and in many respects the most valuable document resulting from this wonderful expedition, has never been published, although over 20 volumes were printed by Congress as the result of the knowledge gained upon this expedition. Lieut. Wilkes strongly objected to making the forty-ninth parallel the boundary between this country and Canada. He gave very convincing reasons why our Government should never consent that the boundary should be south of the Fraser River. He also prophesied that England would claim all the territory north of the mouth of the Columbia River, a prophecy that proved to be true. He also pointed out the great value and richness of the Oregon country. When the matter of the settlement of the boundary was under discussion, many men in Congress took the position that this country was of little value. Even the great Daniel Webster described it as a land of deserts and eternal snows, of shifting sands and sagebrush, fit to be inhabited only by the jack rabbit and the coyote. One southern Senator declared that he would not give a pinch of snuff for the entire Oregon country.

These public men could not have been ignorant of the report made by Lieut. Wilkes, and as we now read that report we are forced to the conclusion that some of the statesmen of that day were not more frank than are some at present and that they did not always give the true reasons for their actions. In the light of this Wilkes report these speeches must be accepted as largely pretense and a method of concealing the real reason for their action. I quote upon this particular point the closing paragraphs of Lieut. Wilkes's report:

To conclude, few portions of the globe, in my opinion, are to be found so rich in soil, diversified in surface, or capable of being rendered the happy abode of an industrious and civilized community.

For beauty of scenery and salubrity of climate it is not surpassed. It is peculiarly adapted for an agricultural and pastoral people, and no portion of the world beyond the Tropics is to be found that will yield so readily to the wants of man with moderate labor.

Certainly with this report on file in the Navy Department there was little excuse for the men of that day in declaring that the Oregon country was of no value.

The Hon. Thomas Prosch, of Seattle, one of the leading historians of the Northwest and one who has taken a great interest in all things relating to the history of that country, has gone to the expense of securing a copy of this report furnished me.

Congress in the past, during the time of the dispute over the question of the boundary between this country and Canada, several times demanded a copy of this report, but it was always refused upon the ground that the best interests of the country demanded that it be not made public. This was undoubtedly due to the opinions that Lieut. Wilkes expressed with regard to the attitude of England in reference to the boundary question, although it is stated in most diplomatic language. And I am constrained to believe that the suppression of its publication was due to some extent to the fact that at that time it was not deemed advisable to let the public know of what immense value this Oregon country was.

I now ask to extend my remarks by having published in the RECORD after almost 70 years this remarkable report by this remarkable man upon this most interesting question. This report is not only of interest to the Northwest, but it is a valuable historical contribution to the whole country. I also wish to publish with it a statement in regard to Lieut. Wilkes and this expedition and a letter from the librarian of the Navy Department, Mr. Charles W. Stewart.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

Mr. UNDERWOOD. Mr. Speaker, reserving the right to object, I would like to inquire how large that report is?

Mr. HUMPHREY of Washington. It is not a very long report.

Mr. UNDERWOOD. Does the gentleman know how much it will cost to publish the report?

Mr. HUMPHREY of Washington. I wish to publish it by extending my remarks in the RECORD.

Mr. UNDERWOOD. I have no objection to that.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington [Mr. HUMPHREY]? [After a pause.] The Chair hears none.

No. 104.

U. S. S. VINCENNES,
New York, June, 1842.

SIR: I have the honor to inclose herewith a report upon the Territory of Oregon, together with the maps referred to therein.

I am, very respectfully, your obedient servant,

CHARLES WILKES,
Commander of Exploring Expedition.

To the Hon. A. P. APSKIN,
Secretary of the Navy, Washington.

OREGON TERRITORY.

The Territory embraced under the name of Oregon, and represented on the accompanying map, extends from latitude 42° north to that of 54° 40′ north and west of the Rocky Mountains.

Its natural boundaries, were they attended to, would confine it within the above geographical limits. On the east it has the range of Rocky Mountains along its whole extent; on the south those of the Klamet Range running on the parallel of 42° and dividing it from upper California; on the west the Pacific Ocean; and on the north the western trend of the Rocky Mountains and the chain of lakes near and along the parallels of 54° and 55′ north dividing it from the British Territory, and it is remarkable that within these limits all the rivers that flow through the Territory take their rise.

The Territory is divided into three natural belts or sections, viz:

First. That between the Pacific Ocean and Cascade Mountains, or western section.

Second. That between the Cascade Mountains and the Blue Mountain Range, or middle section.

Third. That between the Blue and Rocky Mountain chains, or eastern section, and this division will equally apply to the soil, climate, and productions.

The mountain ranges run for the most part in parallel lines with the coast, and rising in many places above the snow line (here found to be 6,500 feet) would naturally produce a difference of temperatures between them and also affect their productions.

Our surveys and explorations were confined for the most part to the two first, claiming more interest, being less known and more in accordance with my instructions.

MOUNTAINS.

The Cascade Range, or that nearest the coast, runs from the southern boundary on a parallel with the seacoast the whole length of the Territory, north and south, rising in many places in high peaks from 12,000 to 14,000 feet above the level of the sea in regular cones. Their distance from the coast line is from 100 to 150 miles, and they almost interrupt the communication between the sections except where the two great rivers, the Columbia and Fraser, force a passage through them.

There are a few mountain passes, but they are difficult and only to be attempted late in the spring and in the summer.

A smaller range (the Classic) lies to the north of the Columbia between the coast and the waters of Puget Sound and along the Strait of Juan de Fuca.

This has several high peaks which rise above the snow line, but from their proximity to the sea they are not at all times covered.

Their general direction is north and south, but there are many spurs or offsets that cause this portion to be very rugged.

The Blue Mountains are irregular in their course and occasionally interrupted, but generally trend from north by east to northeast and from south to southwest. In some parts they may be traced as spurs or offsets of the Rocky Mountains. Near the southern boundary they unite with the Klamet Range, which runs east and west from the Rocky Mountains.

The Rocky Mountains are too well known to need description. The different passes will, however, claim attention hereafter. North of 48° the ranges are nearly parallel and have the rivers flowing between them.

ISLANDS.

Attached to the territory are groups of islands bordering its northern coast. Among these are the large islands of Vancouver and Washington or Queen Charlotte, the former being 260 miles in length and 50 in breadth, containing about 15,000 square miles, and the latter 150 miles in length and 30 in breadth, containing 4,000 square miles. Though somewhat broken in surface their soil is said to be well adapted to agriculture.

They have many good harbors, and have long been the resort of those engaged in the fur trade. They enjoy a mild and salubrious climate, and have an abundance of fine fish frequenting their waters, which are taken in large quantities by the natives.

Coal of good quality is found here, specimens of which I obtained. The Hudson Bay Co. have made a trial of it, but owing to its having been taken from near the surface it was not very highly spoken of. Mines of mineral are also said to exist by those acquainted.

They both appear to be more densely inhabited than other portions of the territory. The natives are considered a treacherous race, particularly those in the vicinity of Johnstons Strait, and are to be closely watched when dealing with them.

At the southeast end of Vancouver there is a small archipelago of islands through which the Canal de Arro runs; they are for the most part inhabited, well wooded, and composed of granite and pudding stone, which appears to be the prevailing rock to the north of a line east and west of the Strait of Juan de Fuca. They are generally destitute of fresh water, have but few anchorages, and strong currents render navigation among them difficult.

The islands near the mainland, called on the maps Pitts Banks on the Prince Royal Islands, are of the same character and are only occasionally resorted to by the Indians for the purposes of fishing.

The coast of the mainland north of the parallel of 49° is broken up by numerous inlets, called canals, having perpendicular sides and very deep water in them, affording no harbors and but few commercial inducements to frequent.

The land is equally cut up by spurs from the Cascade Range, which here intersects the country in all directions, and prevents its adaptation to agriculture.

Its value is principally in its timber, and it is believed that few, if any, countries can compare with it in this respect.

There is no point on the coast where a settlement could be formed between Frazers River or 49° north and the northern boundary of 54° 40′ north that would be able to supply its own wants.

The Hudson Bay Co. have two posts within this section of the country, Fort McLaughlin in Mill Bank Sound, in latitude 52° 10′ north, and Fort Simpson, in latitude 54° 30′ north, within Dundas Island, and at the entrance of Chatham Sound, but they are solely posts for the fur trade of the coast, and are supplied twice a year with provisions, and so forth.

It is believed that the company has yet no establishment on any of the islands, but I understood it was in contemplation to make one on Vancouver Island in the vicinity of Nootka Sound or that of Clysquot.

Owing to the dense fogs the cost is extremely dangerous, and they render it at all times difficult to approach and navigate upon.

The interior of this portion of the territory is traversed by these ranges of mountains, with the several rivers which take their rise in them, and is probably unequaled for its ruggedness, and from all accounts incapable of anything like cultivation.

The Columbia in its trend to the westward under the parallel of 48° cuts off the central or Blue Mountain Range, which is not again met with until on the parallel of 45°. From 45° they trend away to the south and afterwards to the south and west until they fall into the Klamet Range. They are partially wooded.

RIVERS.

The Columbia claims the first notice. Its northern branch takes its rise in the Rocky Mountains in latitude 50° north, longitude 116° west; from thence it pursues a northern route to near McGillivarys Pass through the Rocky Mountains. At the boat encampment it is 2,300 feet above the level of the sea, where it receives two small tributaries—the Canoe River and that from the Committee's Punch Bowl; from thence it turns south, having some obstruction through its safe navigation, and receiving many tributaries in its course to Colville, among which are the Kootanie, or Flat Bow, and the Flat Head, or Clarke River, from the east, and that of Colville from the west.

It is bounded in all its course by a range of high mountains, well wooded, and in places expands into a line of lakes before it reaches Colville, where it is 2,200 feet above the level of the sea, having a fall of a little over 100 feet in 220 miles.

To the south of this it trends to the west, receiving the Spokane River from the east, which is not navigable, and takes its rise in the Lake of Cœur d'Alene. Thence it pursues a westerly course for about 60 miles, receiving several smaller streams, and at its bend to the south it is joined by the Okanogan, a river that has its source in a line of lakes, affording canoe and boat navigation of considerable extent to the north.

The Columbia thence passes to the south until it reaches Walla Walla, or the latitude of 45°, a distance of 160 miles, receiving the Piscous Yakaman and Point de Bois, or Entiyatecombe, from the west, which take their rise in the Cascade Range; and also its great southeastern branch, the Saptin, or Lewis, which has its source in the Rocky Mountains near our southern boundary, and brings a large quantity of water to increase its volume.

The Lewis is not navigable even for canoes, except in reaches. The rapids are extensive and of frequent occurrence, it generally passing between the Rocky Mountain spurs and the Blue Mountains.

It receives the Kooskooske, Salmon, and several other rivers from the east and west, the former from the Rocky Mountains, the latter from the Blue Mountains, and were it navigable would much facilitate the intercourse with this part of the country. Its length to its junction with the Columbia is 520 miles.

The Columbia at Walla Walla is 1,286 feet above the level of the sea and about 3,500 feet wide; it now takes its last turn to the westward, receiving the Uniattila, Quisnels, John Days, and Chates Rivers from the south and Cathlatses from the north, and pursuing its rapid course for 80 miles previous to passing through the range of Cascade Mountains in a series of falls and rapids that obstruct its flow and form insurmountable barriers to the passage of boats by water during the flood; these difficulties are, however, overcome by portages. From thence is had still-water navigation for 40 miles, where its course is again obstructed by rapids; then to the ocean, 120 miles, it is navigable for vessels of 12 feet draft of water at the lowest state of the river, though obstructed by many sand bars.

In this part it receives the Willamette from the south and the Cowlitz from the north. The former is navigable to the mouth of the Klackamus 20 miles, 3 miles below its falls, for small boats; the latter can not be called navigable except for a small part of the year during the flood, and then only for canoes and barges.

The width of the Columbia within 20 miles of its mouth is much increased, and it joins the ocean between Cape Disappointment and Point Adams, forming a sand spit from such by deposit and causing a dangerous bar, which greatly impedes its navigation and entrance.

Frazer River next claims attention. It takes its rise in the Rocky Mountains near the source of Canoe River, taking a westerly course of 80 miles. It then turns to the south, receiving the waters of Stuarts River, which rises in a chain of lakes near the northern boundary of the Territory.

It then pursues a southerly course, receiving the waters of the Chilestin, Pinkslitsa, and several small streams from the west, and those of Thompsons River, Quisnels, and other streams from the east (these take their rise in lakes, and a few may be navigated in canoes by making portages), and under the parallel of 49° it breaks through the Cascade Range in a succession of falls and rapids, and after a westerly course of 70 miles it empties into the Gulf of Georgia in the latitude of 49° 07′ north. This latter portion is navigable for vessels that can pass its bar drawing 12 feet of water; its whole length being 350 miles.

The Chikiles is next in importance. It has three sources among the range of hills that intersect the country north of the Columbia River. After a very tortuous course and receiving some smaller streams issuing from the lakes in the high ground near the headwaters of Hoods Canal and Puget Sound, it disembogues in Greys Harbor. It is not navigable except for canoes; its current is rapid and the stream much obstructed.

To the south of Columbia there are many small streams, but three of which deserve the name of rivers, the Ampqua, Too-

too-tut-na (or Rouges River), and the Klamet, which latter empties into the ocean south of the parallel of 42°. None of these form harbors capable of receiving a vessel of more than 8 feet draft of water, and the bars for the most part of the year are impassable from the surf that sets in on the coast.

The character of the great rivers is peculiar, rapid and sunken much below the level of the country, with perpendicular banks; indeed, they are, as it were, in trenches, it being extremely difficult to get at the water in many places owing to the steep basaltic walls, and during their rise they are in places confined by walls, which back the water some distance, submerging islands and tracks of low prairie, having the appearance of extensive lakes.

LAKES.

There are in the various sections of the country many large and small lakes. The largest of these are the Okanogan Chain, Stuarts, Quisnells, and Kamloops in the northern section; the Flat Bow, Cœur d'Alene, and Kallushelm in the middle section; and those forming the headwaters of the large rivers in the eastern section.

The country is well watered, and there are but two places where an abundance, either from rivers, springs, or rivulets, can not be obtained.

The smaller lakes add much to the picturesque beauty of the country. They are generally at the headwaters of the smaller streams. The map will point out more particularly their extent and locality.

HARBORS.

All the harbors formed by the rivers on the seacoast are obstructed with extensive sand bars, which make them difficult to enter, and they are continually changing. The rivers bring down large quantities of sand, which on meeting with the ocean is deposited, causing a gradual increase of the impediment which already exists at their mouths. None of them can be deemed safe ports to enter.

The entrance to the Columbia is impracticable two-thirds of the year, and the difficulty of leaving equally great.

The north sands are rapidly increasing and extending farther to the south.

In the memory of several of those who have been longest in the country, the cape has been encroached upon some hundred feet by the sea and the north sand much extended to the south, and during my short experience nearly half an acre of the middle sand was washed away in the course of a few days. These are known to change every season.

The exploration of the Clatsop, or south channel, it is believed, will afford more safety to vessels capable of entering the river. The depth of water on the bar seems not to have changed, though the passage has become somewhat narrower.

Greys Harbor will admit of vessels of light draft of water (10 feet), but there is but little room in it on account of the extensive mud and sand flats. A survey was made of it, to which I refer for particulars.

This, however, is not the case with the harbors found within the Strait of Juan de Fuca, of which there are many, and no part of the world affords finer inland sounds or a greater number of harbors than can be found here capable of receiving the largest class of ships, and without a danger to them that is not visible. From the rise and fall of the tide (18 feet) all facilities are afforded for the erection of works for a great maritime nation. For further information our extensive surveys of these waters are referred to.

CLIMATE.

That of the western section is mild throughout the year, neither experiencing the cold of winter nor the heat of summer. By my experiments the mean temperature was found to be 54° F.

The prevailing winds in the summer are from northwest, and in the winter from southwest and southeast, which are tempestuous.

The winter is supposed to last from December to February; the rains usually begin to fall in November and last until March, but they are not heavy though frequent. Snow sometimes falls, but it seldom lays over three days.

The frosts are early, occurring in the latter part of August; this, however, is to be accounted for by the proximity of the mountains. A mountain or easterly wind invariably causes a great fall in the temperature. These winds are not frequent. During the summer of our operations I find but three days noted of easterly winds having occurred.

The nights are cold and affect the vegetation so far that corn will not ripen.

Fruit trees blossom early in April at Nisqually and Vancouver, and at the former on the 12th of May peas were a foot high and strawberries were in full blossom, and salad has already gone to seed 3 feet high.

The mean height of the barometer during our stay at Nisqually was 30.046 inches, and of the thermometer 66° 58′ F.

The greatest heat was 98° F. at 2 p. m. July 4, and at 4 a. m. of the same day it was 50° F. The lowest degree was 39° at 4 a. m. May 22, and at 5 p. m. of the same day the temperature was 72° F.

From June to September at Vancouver the mean height of the barometer was 30.32 inches and of the thermometer 66° 33′ F. Out of 160 days 96 were fair, 19 cloudy, and 11 rainy.

The rains are light. This is evident from the hills not being washed, but having a sward to their top although at great declivity.

The second or middle section is subject to droughts; during the summer the atmosphere is much dryer and warmer, and the winter much colder than in the western section. Its extremes of heat and cold are more frequent and greater, the mercury at times falling as low as 18° F. in the winter and rising to 108° F. in the shade in the summer, and a daily difference of temperature of about 40° F. It has been, however, found extremely salubrious, possessing a pure and healthy air.

The stations of the missionaries and posts of the Hudson Bay Co. have afforded one the means of obtaining information relative to the climate; although they have not kept full data, yet their observations afford a tolerably good knowledge of the weather.

In summer it is cooled by the strong westerly breezes to replace the vacuum produced by the heated prairie grounds. No dew falls in this section.

The climate of the third or easterly section is extremely variable; the temperature during the day, ranging from 50° to 60°, renders it unfit for agriculture, and there are but few places in its northern part where the climate would not effectually put a stop to its ever becoming settled.

In each day, from the best account, one has all the changes incident to spring, summer, autumn, and winter. There are places where small farms might be located, but they are few in number.

SOIL.

That of the first, or western, section varies in the northern part from a light-brown loam to a thin vegetable earth, with gravel and sand as the subsoil; in the middle parts, from a rich, heavy loam and auctious clay to a deep, heavy black loam on a trap rock; and in the southern the soil is generally good, ranging from a black vegetable loam to decomposed basalt, with stiff clay and portions of loose, gravelly soil. The hills are generally basalt, sandstone, and slate.

Between the Umpqua and the boundary the rocks are primitive, consisting of talcose, hornblende, and granite, and produce a gritty and poor soil. There are, however, some portions with rich prairies covered with oaks.

The soil of the second, or middle, section is for the most part a light, sandy loam, in the valleys rich alluvial, and the hills are generally barren.

The third, or eastern, section is a rocky, broken, and barren country, stupendous mountain spurs in all directions, and affording little level ground, with snow lying on the mountains nearly, if not quite, the whole year through.

AGRICULTURAL PRODUCTIONS, ETC.

The first section, for the most part, is a well-timbered country. It is intersected with the spurs or offsets from the Cascade Mountains, which render its surface much broken up; these are covered with a dense forest. It is well watered, and communication between the northern, southern, and middle parts is difficult on account of the various rivers, spurs of mountains, and so forth.

The timber consists of pines, firs, spruce, oaks (red and white), ash, arbutus, arbor vitæ, cedar, poplar, maple, willow, cherry, and yew, with a close undergrowth of hazel, rubus, roses, and so forth.

The richest and best soil is found on the second, or middle, prairie, and is best adapted for agriculture, the high and low being excellent for pasture land.

The line of woods runs on the east side and near the foot of the Cascade Range.

The climate and soil are admirably adapted for all kinds of grain—wheat, rye, oats, barley, peas, and so forth. Corn does not thrive in any part of this territory where it has been tried. Many fruits appear to succeed well, particularly the apple and pear. Vegetables thrive exceedingly well and yield most abundantly.

The surface of the middle section is about 1,000 feet above the level of the lower or western section, and is generally a rolling prairie country. That lying to the north of the parallel

of 48° is very much broken, with mountain chains and rivers; consequently barren and very rugged. From the great and frequent changes in its temperature it is totally unfitted for agriculture, but is well filled with game of all kinds that are found in the country.

The mountain chains on the parallel of 48° are cut off by the Columbia, as before stated, leaving an extensive rolling country in the center of the territory, which is well adapted for grazing.

The southern part of this section is destitute of timber or wood, unless the worm wood, Artimesia, may be so called. To the north of the parallel of 49° it is covered with forests. Wheat and other grains grow well in the bottoms where they can be irrigated.

The soil in such places is rich and capable of producing most anything.

The missionaries have succeeded in getting good crops. Stock succeeds here even better than in the lower country, and, notwithstanding the severe cold, their cattle are not housed, nor is provender laid in for them, the country being sufficiently supplied with fodder in the natural hay that is abundant everywhere on the prairie, and is preferred by the cattle to the fresh grass of the bottoms.

No attempts at agriculture have been made in this section except at Fort Hall. The small grains thrive tolerably well, together with vegetables, and a sufficient quantity has been obtained to supply the wants of the post.

The ground is well adapted for grazing in the prairies, and, despite its changeable climate, stock is found to thrive well and endure the severity of the winters without protection. This section is exceedingly dry and arid, rains seldom falling and but little snow. The country is partially timbered and the soil much impregnated with salts. The missionary station on the Kooscoske, near the western line of this section, is thought by the missionaries to be a wet climate.

The soil along the river bottoms is generally alluvial, and would yield good crops were it not for the overflowings of the river, which check and kill the grain. Some of the finest portions of the land are thus unfitted for cultivation; they are generally covered with water before the banks are overflown in consequence of the quicksands that exist in them and through which the water percolates.

The rivers of this territory afford no fertilizing properties to the soil, but, on the contrary, are destitute of all substances, being perfectly clear and cold. The temperature of the Columbia in the latter part of May was 42° and in September 68°.

The rise of the streams from the Cascade Mountains usually takes place twice a year—in February and November from the rains; that of the Columbia in May and June from the melting of the snows. Sometimes it is very sudden, if heavy rains occur at that period, but usually it is gradual in reaching its greatest height about the 6th to the 15th of June.

Its perpendicular rise is from 18 to 20 feet at Vancouver, where a line of embankment has been thrown up to protect the lower prairie, but it has been gradually flooded, although the water has not risen within a few feet of its top, and has in most cases destroyed the crops; it is the intention to abandon its cultivation and devote it to pasturage.

The greatest rise in the Willamette takes place in February, and I was informed that it rose sometimes 20 to 25 feet, and quite suddenly in some places, but soon subsides. It occasionally causes much damage. Both the Willamette and Cowlitz in their lower sections are much swollen by the backing of their waters during the height of the Columbia and all their lower ground submerged. This puts an effectual bar to their being used for anything but pasturage, which is fine throughout the year, and used excepting in the season of the floods, when the cattle are driven to the high grounds.

My knowledge of the agriculture of this territory, it will be well to mention, is derived from visits being made to the various settlements, except Fort Langley and Fort Hall. That of the Indians on the different islands in Puget Sound and the Admiralty Inlet consists of potatoes principally, which are extremely fine and raised in great abundance, and now constitute a large portion of their food.

At Nisqually the Hudson Bay Co. had fine crops of wheat, oats, peas, potatoes, and so forth. The wheat, it was supposed, would yield 15 bushels to the acre. The farm has been two years under cultivation, and is principally intended for a grazing farm and dairy. They have now 70 milch cows, and make butter, and so forth, to supply their contract with the Russians.

The Cowlitz farm is also in the western section; the production of wheat is good, about 20 bushels to the acre; the ground, however, has just been brought under cultivation. They have here 600 acres, which are situated on the Cowlitz River, about 30 miles from the Columbia. The company is about to erect a saw and grist mill. This farm is finely situated, and the harvest of 1841 produced 7,000 bushels of wheat.

Several Canadians are also established here, who told me that they succeeded well with but little work. They have erected buildings, live comfortably, and work small farms of 50 acres.

I was told that the stock on this farm does not thrive so well as elsewhere. There are no low prairie grounds on that side of the river in the vicinity, and it is too far for them to resort to the Kamass plains, a fine grazing country a few miles distant, where the wolves would make sad depredations with the increase if not well watched.

The hilly portions of the country, although the soil in many parts is very good, yet it is so heavily timbered as to make it in the present state of the country valueless. This is also the case with many fine portions of level grounds, but there are large tracts of fine prairie suitable for cultivation and ready for the plow.

The Willamette Valley is supposed to be the finest portion of the country, though I am of opinion that many portions of it will be found far superior in the southern part of it. It is the largest settlement and is included within a distance of some 15 miles in the northern part of the valley. About 60 families are settled there, the industrious of whom appear to be thriving.

They are composed of American missionaries and the trappers and Canadians who were formerly servants of the Hudson Bay Co. All of them appear to be in good condition, but I was, on the whole, disappointed from the reports that had been made to me, not to find it in a state of greater forwardness, considering the advantages the missionaries have had.

In comparison with our own country, I should say that the labor required in this Territory for subsistence and to acquire wealth is in the proportion of one to three, or, in other words, a man must work through the year three times as long in the United States to gain the like completion. All the care of stock which occupies so much time with us requires no attention here, and on their rapid increase he would alone support himself.

The wheat of this valley yields 35 to 40 bushels for one town, or 20 to 30 bushels to the acre, its quality is superior to that grown in the United States, and its weight near 4 pounds to the bushel heavier. The above is the yield of new land, but it is believed that it will greatly exceed this after the third crop, when the land has been broken up and well tilled.

After passing into the middle section the climate undergoes a decided change; in place of the cool and moist atmosphere, one that is dry and arid is entered, and the crops suffer from drought. The only wood or bush seen is the wormwood (Artimesia), and this only in the neighborhood of the streams. All cultivation has to be more or less carried on by irrigation.

The country bordering the Columbia above the hills to the north and south, is the poorest in the Territory, and has no doubt lead many to look upon the middle section as perfectly useless to man. Twenty or 30 miles on either side of the river is so, but beyond that a fine grazing country exists, and in very many places there are portions of it that might be advantageously farmed.

On the banks of the Walla Walla, a small stream running into the Columbia, about 25 miles from the company's post, a missionary is established, who raises very fine wheat on its low bottoms and is enabled to use its waters for the purpose of irrigation. This is also the case at the mission establishment at Lapwai, on the Kooscooske, where fine crops are raised; grains and vegetables thrive remarkably well, and some fruits are raised.

In the northern part of this section, at Chimekaine, there is another missionary station near the Spokane, and at Colville the country is well adapted for agriculture, and it is successfully carried on.

Colville supplies all the northern posts, and the missionaries are doing well. The northern part of this section will be able to supply the whole with wood. Here also the changes of temperature are great during the 24 hours, but are not injurious to the small grain. The cultivation of fruits has not been successful.

FISHERIES.

It will be almost impossible to give an idea of the extensive fisheries in the rivers and on the coast; they all abound in salmon of the finest flavor, which run twice a year, from May until October, and appear inexhaustible; the whole population live upon them.

The Columbia produces the finest and probably affords the greatest numbers. There are some few of the branches of the Columbia that the spring fish do not enter, but they are plentifully supplied in the fall.

The great fishery of the Columbia is at The Dalles, but all the rivers are well supplied; the last one on the northern branch

of the Columbia is near Colville, at the Kettle Falls, but they are found above this in the river and its tributaries.

In Fraser River they are said to be very numerous, but not so large; they are unable to get above the falls, some 80 miles from the sea.

In the rivers and sounds are found several kinds of salmon, salmon trout, sturgeon, cod, carp, sole, flounders, ray, perch, herring, lampery eels, and a kind of smelt called sprow, in great abundance; also large quantities of shellfish, viz, crabs, clams, oysters, mussels, and so forth, which are all used by the natives and constitute the greater proportion of their food.

Whales in numbers are found along the coast, and are frequently captured by the Indians in and at the north of the Strait of Juan de Fuca.

GAME.

Abundance of game exists, such as elk, deer, antelopes, bears, wolves, foxes, muskrats, martins, beavers, a few grizzly bears, and sifflines, a kind of rat which are eaten by the Canadians.

In the middle section, or that designated as the rolling prairie, no game is found. In the eastern section the buffalo is met with.

The fur-bearing animals are decreasing in number yearly, particularly south of the parallel of 48°. Indeed it is very doubtful whether they are sufficiently numerous to return the expenses of hunting them.

The Hudson Bay Co. have almost the exclusive monopoly on this business. They have decreased owing to being hunted without regard to season. This is not, however, the case to the north; there the company have been left to exercise their own rule and prevent the indiscriminate slaughter of the old and young and out of the proper season.

In the spring and fall the rivers are literally covered with geese, ducks, and so forth.

In the eastern section the buffalo abound and are hunted by the Oregon Indians, as well as the Blackfeet. Wolves are troublesome to the settlers, but they are not so numerous as formerly.

From the advantages this country possesses it bids fair to have an extensive commerce on advantageous terms with most parts of the Pacific.

It is well calculated to produce the following, which certainly in a few years after its settlement would become its staples, viz, furs, salted beef and pork, fish, grain, flour, wool, hides, tallow, lumber, and perhaps coal. A ready market for all these is now to be found in the Pacific, and in return for them sugars, coffee, and other tropical productions may be had at the Sandwich Islands—advantages that few new countries possess, viz, the facilities of a market and one that in time must become of immense extent.

MANUFACTURING POWER.

This country, it is believed, affords as many sites for water power as any other, and in many places within reach of its navigable waters.

The timber of the western section to the south of 49° is not so good as that of the north; this is imputed to the climate being milder and more changeable. A great difference is found between the north and south sides of the trees, the one being a hard and close grain, while the other is open and spongy.

To the north of the parallel of 49°, on Frazer River, an abundance of fine timber for spars of any dimensions is easily obtained.

There will always be a demand for the timber of this country at high prices throughout the Pacific. The oak is well adapted for ship timber, and abundance of ash, cedar, cypress, and arbor-vitæ may be had for fuel, fencing, etc.; and although the southern part of the middle section is destitute of timber it may be supplied from the eastern and northern parts by water carriage.

Intercommunication would at first appear to be difficult between the different parts of the country, but I take a different view of it. Stocks of all kinds thrive exceedingly well, and they will in consequence always abound in the Territory. The soil affords every advantage for the making of good roads, and in process of time transportation must be comparatively cheap.

SETTLEMENTS.

They consist principally of those belonging to the Hudson Bay Co., and where the missionaries have established themselves. They are as follows: In the western section Fort Simpson, Fort McLaughlin, Fort Langley, Nisqually, Cowlitz, Fort George, Vancouver, and Ampqua; Fort St. James, Barbine, Alexandria, Chilcothin, Kamloops (on Thompson River), Okanogan, Colville, and Walla Walla in the middle; and in the eastern Kootenni and Fort Hall. Fort Boise has been abandoned, as has also Kaima, a missionary settlement on the Kooscooske.

These are all small settlements, consisting of a palisade or picket with bastions at their corners around the houses and stores of the company, sufficient to protect them against the Indians, but in no way to be considered as forts. A few Indians have lodges near them who are dependent on the fort for their food and employment.

These forts, being situated for the most part near the great fisheries, are frequented by the Indians, who bring their furs to trade for blankets, and so forth, at the same time they come to lay in their yearly supply of salmon. Vancouver is the principal depot from which all supplies are furnished and returns made. At Vancouver the village is separated from the fort and near the river. In addition to its being the depot of the Hudson Bay Co., there is now attached to it the largest farm of the Puget Sound Co., the stockholders in which are generally the officers and servants of the Hudson Bay Co. They have now farms in successful operation at Vancouver, Cowlitz, Nisqually, Colville, Fort Langley, and the Fualtine Plains, about 10 miles from Vancouver, all of which are well stocked. They supply the Russian post at Sitka, under contract, with the variety of articles raised on them.

They have introduced large herds and flocks into the Territory from California, and during our stay there several thousands were imported. In this they are doing incalculable good to the Territory and rendering it more valuable to the future settlers; at the same time it exerts an influence in domesticating the Indians, not only by changing their habits, but food, and attaching them to a locality.

The Indians of this Territory are not a wandering race, as some have asserted, but change for food only, and each successive season will generally find them in their old haunts seeking it.

The settlements established by the missionaries are at the Willamette Falls and Valley; it is Nisqually and Clatsop in the western section, and at The Dalls, Walla Walla, Lakwai, and Chimekaine on the Spokane in the middle.

Those of the middle section are succeeding well, and, although little progress has been made in the conversion of Indians to Christianity, yet they have done much good in reforming some of their vices and teaching them some of the useful arts, particularly that of agriculture, which has had the effect, in a measure, to attach them to the soil, construct better houses, exchanging their corn, and so forth, with those who hunt, for Buffalo meat.

The men now rear and tend their cattle, plant their corn and potatoes, and the squaws attend to their household and employ themselves in knitting and weaving, which they have been taught.

They raise on their small patches corn, potatoes, melons, and so forth, irrigating the land for that purpose. There are many villages of Indians still existing, though greatly reduced in number from former estimates.

POPULATION.

It is extremely difficult to ascertain with accuracy the amount of population in the Territory, particularly of Indians, who change to their different abodes as the fishing seasons come around, and if not attended to would produce very erroneous results.

The following is believed to be very nearly the truth. If anything, it is overrated:

Vancouver and Washington Island	5,000
From the parallel of 50° to 54° 40′ north	2,000
Penns Cove, Whidbegs Island, and mainland opposite (Scatchat)	650
Hoods Canal (Suguamish and Toando)	500
At and about Okanogan	300
About Colville, Spokane, etc	450
Willamette Falls and Valley	275
Pillar Rock, Oak Point, and Col. R	300
Clallams:	
Port Discovery	150
Port Townshead	70
New Dangerness	200
Walla Walla, including the Nezperces, Snakes, etc	1,100
Killamouks, north of Ampqua	400
Closset tribe: Cape Flattery, Queen Agthe, to Point Greenville	1,250
Blackfeet tribes that make excursions west of the Rocky Mountains	1,000
Birch Bay	300
Frazers River	500
Chenooks	200
Clatsops	220
At the Cascades	150
At The Dalles	250
Yakaman River	100
Chutes River	125
Ampquas	400
Rogues River	500
Klamets	300
Shastys	500
Kalapuyas	600
Nisqually	200
Chikilis and Puget Sound	700
Cowlitz Klackatacs	350
Port Orchard Suquamish	150
Total	19,204

The whole Oregon territory may be estimated as containing 20,000. Of whites, Canadians, and half-breeds there are between 700 and 800, of whom about 150 are Americans; the rest are settlers and the officers and servants of the company.

The Indians are rapidly decreasing in all parts of the country. The causes are supposed to be their rude treatment of diseases and the dissipated lives they lead.

The white American population, as far as I have been able to judge of them, are orderly, and some industrious, although they are, with the exception of the missionaries, men who have led for the most part dissolute lives.

The absence of spirits as long as it continues will probably secure them from other excesses. Very much to their credit, they have abandoned the use of spirituous liquors by consent of the whole community. I can not but view this territory as peculiarly liable to the vice of drunkenness. The ease with which the wants of man are obtained, the little labor required, and consequent opportunities of idleness will render it so. The settlers of the Willamette Valley have with a praiseworthy spirit engaged to prevent the establishment of distilleries, and there are yet no places where spirits can be bought, to my knowledge, in the territory.

It is highly creditable to the H. B. Co. that on a vessel arriving on the coast with spirits on board, in order to prevent its introduction they have purchased the whole, while at the same time their storehouses were filled with it. They have with praiseworthy zeal interdicted its being an article of trade, being well satisfied that it is contrary to their interests and demoralizing in its effects on all the tribes and people with whom they have to deal, rendering them difficult to manage, quarrelsome among themselves, and preventing their success in hunting.

Endeavors have likewise been made by the officers of the company to induce the Russians, on their side, to adopt their example and do away with it as an article of trade, but hitherto without success.

It no doubt has been one of the causes effecting the decrease of the native tribes, as it was formerly almost the only article of trade.

In the event of this territory being taken possession of, the necessity of circumscribing the use and sale of spirits can not be too strongly insisted upon by legal enactment, both to preserve order and avoid expense.

As far as the Indians have come under my notice, they are an inoffensive race, except perhaps those in the northern part; but the depredations committed on the whites may be traced to injuries received or from superstitious motives.

MISSIONARIES.

Little has yet been effected by them in Christianizing the natives. They are principally engaged in the cultivation of the mission farms and in the care of their own stock, in order to obtain flocks and herds for themselves, most of them having selected lands. As far as my personal observation went, in the part of the country where the missionaries reside there are very few Indians, and they seem more occupied with the settlement of the country and in agricultural pursuits than missionary labors.

When there, I made particular inquiries whether laws were necessary for their protection, and I feel fully satisfied that they require none at present. Besides the moral code it is their duty to inculcate, the Catholic portion of the settlement, who form a large majority of the inhabitants, are kept under control by their priest, who is supposed to act in mission with the others in the proper punishment of all bad conduct.

The boundary will next claim my attention.

In a former report to the honorable Secretary of the Navy I stated that the boundary formerly proposed, viz, that of the 49° latitude, ought not to be adopted, and the following are my reasons for it, viz:

First. That it affects the value of all that portion of the middle and eastern section south of that parallel.

Second. That it places the whole territory south of that parallel completely under the control and at the mercy of the nation who may possess the northern by giving the command of all the water and a free access into the heart of the territory at any moment.

Third. Giving up what must become one of the great highways into the interior of the territory altogether, viz, Frazers River.

Fourth. And also, to all intents and purposes, possession of the fine islands of Vancouver, thereby surrendering an equal right to navigate the waters of the Strait of Juan de Fuca, and by its possession the whole command of the northern waters.

Fifth. Giving rise to endless disputes and difficulties after the location of the boundary and in the execution of the laws after it is settled.

Sixth. Affording and converting a portion of the territory which belongs to us into a resort and depot for a set of marauders and their goods, who may be employed at any time in acting against the laws and to the great detriment of the peace not only of this territory but of our Western States by exciting and supplying the Indians on our borders.

The boundary line on the 49° parallel would throw Frazers River without our territory, cut off and leave seven-eighths of the fine island of Vancouver in their possession, together with all the harbors, including those of Nootka, Clyoquet, and Natinat, which afford everything that could be desired as safe and good ports for naval establishment. They would not only command the Strait of Juan de Fuca and the inlets and sounds leading from it, but place the whole at any moment under their control by enabling them to reach and penetrate to the heart of the territory with a comparatively small force and destroy it and lay it waste.

The whole middle and part of the eastern section would be cut off from their supplies of timber by losing its northern part, from which it can only be supplied with an article of the first necessity both for fuel and building, rendering it dependent on a foreign state.

We should also give up what may be considered a storehouse of wealth in its forests, furs, and fisheries, containing an inexhaustible supply of the first and last of the best quality.

Endless difficulties would be created in settling the boundary, for Great Britain must or does know that the outlet from Frazers River by way of Johnstons Strait, between Vancouvers Island and the mainland, is not only difficult but dangerous to navigate from the rapidity of the currents and can not be made use of. She will, therefore, probably urge her claim to the southern line, say, the Columbia, as the boundary which they are desirous of holding, and are now doing all in their power to secure its permanent settlement through the Hudson Bay Co., and extending the laws by which she governs the Canadas over her own citizens settled in the territory; and by the delays of our Government hope to obtain such a foothold as will make it impossible to set aside their sovereignty in it. This, as far as I was enabled to perceive, is evidently their intention, being extremely desirous to appear as the larger claimants of the territory and to assert their right to the soil to the north of the Columbia River.

This boundary would subject the island of Vancouver to two sovereignties and, of course, their laws. It never could be surrendered by us without abandoning the great interest and safety of the territory. And it will be perceived how very prejudicial it would be if the British in possession of the northern section should establish free ports, and thus be enabled to counteract all our revenue laws, and so forth.

The contract for supplies with the Russians now enables the Hudson Bay Co. to purchase the grain and produce from the Willamette settlers, but in a short time it will be supplied by themselves through their great farms, and consequently the produce of settlers can obtain no market whatever, all trade being in the hands of that company.

The Puget Sound Co. are enabled to compete with and undersell all others from the low price of labor—£17 per annum—absence from duties, and the facilities of sending their products to market by the ships of the Hudson Bay Co., which hitherto have returned almost empty, the furs occupying but a small part of the vessel, which will hereafter be filled with hides and tallow; this must operate very prejudicially to the settlement and increase their hold on the territory.

I have stated these views in order to show the necessity of prompt action on the part of the Government in taking possession of the country in order to obviate difficulties that a longer delay will bring about and prevent many persons from settling advantageously.

For the military occupation of the country I conceive that it would be necessary to establish a post at some central point, viz, Walla Walla, and I herewith inclose you a topographical sketch of the surrounding country within 30 miles. As respects its position with reference to the country, you will be well informed by the map.

It appears to me to be peculiarly adapted to the general defense of the territory in order to preserve peace and quietness among the Indian tribes.

The Nez Percés, Snakes, and Blackfeet are those generally engaged in committing depredations on each other and requiring more looking after than those of the other tribes. They are in and around this section of country.

The facilities for maintaining a post and at a moderate expense are great; the river abounds with salmon during a greater part of the year and the herds thrive exceedingly well. Cattle are numerous, particularly horses, which are the best

that the country affords. Grains of all kind flourish, and at about 25 miles distant the missionaries have an establishment from which I have but little doubt the troops could be supplied.

The climate is remarkably fine and healthy. There is, perhaps, no point from which operations could be carried on with so much facility to all parts of the territory as this, it being situated, as it were, at the forks of the two principal branches of the Columbia. Any number of horses could be kept at little or no expense, and a force could reach almost any part of the lower territory with the least possible delay.

The permanent land force I conceive necessary to keep this territory quiet and peaceable would be one company of dragoons and one of infantry, say, 200 men.

The only Indians of the country south of 49° who are disposed to make war upon the whites are the Klamets, residing on the southern borders of the territory along the Rouges and Klamet Rivers and in the passes of the Shasty Mountains. The show of a small force would, I am sure, have a good tendency in preventing their depredations on the whites who pass through the country, their hostility to whom, in a great measure, is to be ascribed to the conduct of the whites themselves, who leave no opportunity unimproved of molesting them. Cases have frequently occurred of white men shooting a poor, defenseless Indian without any provocation whatever.

A friendly disposition, with sufficient force to prevent any attack, could not fail to bring about the desired disposition on their parts.

The country they inhabit is a very rich one and would afford all the necessaries as well as the comforts of life.

A steamer having a light draft of water, a small fort on Lake Disappointment, and a few guns on Point Adams to defend the south channel with its dangerous bar, would be all sufficient for the defense of Columbia River.

Some points within the Strait of Juan de Fuca, Admiralty Inlet, or Puget Sound might be settled, where supplies, and so forth, could be had and depots established.

Two Government steamers would be able to protect our trade and territory and prevent disturbances among the northern tribes; they would be a more efficient force than stationary forts, and much more economical.

In case of difficulties, steamers would be enabled to reach any part of the coast from these points in two days.

In the event of hostilities in this country, the posts, so called, of the Hudson Bay Co. are not to be considered of strength against any force but Indians; they are mere stockades, and all their buildings, granaries, and so forth, are situated without the palisades.

They could offer but little resistence to any kind of armed force and their supplies could readily be cut off, both by sea and land.

The occupation of the north of the Columbia River, together with some point in the Strait of Juan de Fuca or the waters and sounds leading from it, I view as highly necessary in any event, and there is no force so well adapted for the security of this territory as that of steamers.

The waters of Puget Sound might be effectually defended from a naval force by occupying the narrows leading to it through which vessels must enter; at all times a dangerous narrow path, with strong current, no anchorage, and the winds almost always variable. I refer you to the charts which show this point distinctly.

Much has been said of the effective force of the Hudson Bay Co.; this, in my opinion, is an entire mistake and exaggeration of it.

It is true that the servants of the company are bound to bear arms during their term of servitude, but they are without any sort of discipline, few in number, generally of the class of farmers, worn-out Canadians, some few Iroquois Indians, and other tribes from the Canadas, and illy adapted to bear arms; about 100 at all the posts could be raised.

With regard to the natives, they are so distributed in small tribes that I am confident they would only be looked to as scouts and messengers, and those of the northern tribe would be too unruly to meddle with.

I am decidedly of opinion that the company would do everything to avoid the territory becoming a scene of war, particularly its officers.

They are now for the most part bound up with its peaceful occupation, being largely engaged in agriculture and grazing, which must all in a measure be sacrificed. And there would also be great difficulty, if not a total interruption, in their carrying on their fur trade.

It is not very probable that they would make any very strenuous endeavors to retain their interests under the British authority, as they well know that they may come in for the preservation of their property under the preemption right by transferring it to citizens of the United States, some of whom are well known to be interested and active partners in the business.

There are four passes through the Rocky Mountains. The one known as McGillivarys Pass, by the Committee's Punch Bowl is very difficult, and can only be used during the summer months, at which time the parties of the Hudson Bay Co. pursue this route.

Proceeding south we come to the great depth through which Lewis and Clarke found their way; and, finally, the two southern routes, which are preferable, susceptible of being used at almost all seasons, and a good wagon road may be constructed with little expense.

This leads to the first post of the Hudson Bay Co., viz, Fort Hall, established by Capt. Weyth, and has since been transferred to the company, so that it is readily to be perceived that the difficulties of communication with the territory is far less for us than the British.

I can not close this report without doing justice to the officers of the Hudson Bay Co.'s service for their kind and gentlemanly treatment to us whilst in the territory, and to bear testimony that during all my intercourse with them they seemed to be guided by one rule of conduct, highly creditable to them not only as men of business but to their feelings as gentlemen.

They afforded us every assistance that lay in their power, both in supplies and means of accomplishing our duties.

There are many persons in the country who bear testimony to the aid and kindness rendered to them in their outset, and of their hospitality it is needless to speak, for it has become proverbial.

To conclude, few portions of the globe, in my opinion, are to be found so rich in soil, diversified in surface, or capable of being rendered the happy abode of an industrious and civilized community.

For beauty of scenery and salubrity of climate it is not surpassed. It is peculiarly adapted for an agricultural and pastoral people, and no portion of the world beyond the Tropics is to be found that will yield so readily to the wants of man with moderate labor.

Respectfully submitted.

CHARLES WILKES,
Commanding Exploring Expedition.

REAR ADMIRAL CHARLES WILKES, UNITED STATES NAVY.

Born in New York City, 1801; died, 1877; entered the Navy January 1, 1818, and served through various grades. In 1829 he was ordered to prepare for explorations, and was later placed in charge of the chart depot at Washington, D. C., where he set up the first fixed astronomical instruments used in the United States, and was himself the first in this country to observe with them. Wilkes was selected to command the exploring expedition of 1838–1842 by reason of his energy and his scientific attainments. The expedition located many islands of the Pacific, the shores of the Antarctic Continent, determined the position of the south magnetic pole, added greatly to our knowledge of terrestrial magnetism, meteorology, hydrography and geography, and various sciences. In addition to his naval officers there were with him a corps of civilian scientists, consisting of Horatio Hale, philologist; J. P. Couthouy, conchologist; Charles Pickering and T. R. Peale, naturalists; J. D. Dana, geologist; William Rich, botanist; J. D. Brackenridge, horticulturist.

Wilkes sailed from Norfolk August 18, 1838, with the squadron composed of the *Vincennes*, *Peacock*, *Porpoise*, *Sea Gull*, *Flying Fish*, and *Relief*. After crossing the Atlantic to Madeira and recrossing to Rio de Janeiro he reached the Strait of Magellan in February, 1839, and surveyed to the southward to 70° S. The *Sea Gull* was lost and the *Relief* was ordered home by way of the Hawaiian Islands, to leave stores at Sydney and to make geographical explorations on the way. This expedition entered an almost unknown field, covering 10,000,000 square miles, a fifth of the earth's surface. In three years Wilkes's command visited and described the Tuamoto Archipelago, Society Islands, Samoan, Sandwich, Friendly, Ellice, Mulgrave, Gilbert, and Philippine Islands; Columbia River, Puget Sound, New Zealand, and Australia; charted more than 500 islands and harbors and gave sailing directions for them. So well was this work done that the charts of a large part of the islands of the Pacific are prepared to-day from his surveys. Magnetic observations were made at 57 stations. At important points latitude and longitude were determined by observations.

Passing from the Samoan Islands, Wilkes left Sydney December 26, 1839, and sailed south with the *Vincennes*, *Peacock*,

and *Porpoise*. On January 16 he met with land at 64° S., 158° E., and skirted the shores of a new continent to 97° E. He reported:

It affords me much gratification to report that we have discovered a large body of land within the Antarctic Circle, which I have named the Antarctic Continent, and refer you to the report of our cruise and accompanying charts inclosed herewith for full information relative thereto.

By the summer of 1841 Wilkes again had worked his way through the Pacific and through the waters which now separate British Columbia from Washington to San Francisco, Cal., and thence crossed to the Philippines via the Hawaiian Islands, little thinking that he was traversing the route which was to become within the lifetime of his children the great highway between the holdings of his country in the Pacific. From Manila he turned homeward, sailed through the Indian and Atlantic Oceans, bearing not only the greatest single contribution that America ever made to geography, but also researches out of which grew Chronological History of Plants, Races of Men, Comparative Grammar of the Polynesian Dialects, and splendid volumes on geology, botany, ethnology, and philology, which have laid the foundation for all subsequent researches concerning the languages and migrations of the Polynesians and the peopling of the islands of the Pacific Ocean. Wilkes arrived at New York in June, 1842, after which his principal work was the preparation of his volumes for publication.

During the Civil War, on November 8, 1861, while in command of the U. S. S. *San Jacinto*, Wilkes took J. M. Mason and John Slidell, Confederate commissioners to England, from the English mail steamer *Trent*, for which he received the commendation of his Government, although the commissioners were later released. Wilkes commanded the James River Flotilla in 1862, the West India Squadron in 1863, and was retired on account of age in 1864. He died a rear admiral in Washington, D. C., in 1877.

Wilkes received the gold medal of the Geographical Society of London. He is the author of several works, among them Western America, including California and Oregon, and Theory of the Winds.

(The foregoing is condensed from an article by Mr. G. W. Littlehales in bulletin of the American Geographic Society, 1890, pp. 124–129, title "The Navy as a motor in geographical and commercial progress.")

NAVY DEPARTMENT,
LIBRARY AND NAVAL WAR RECORDS,
Washington, D. C., July 11, 1911.

MY DEAR CONGRESSMAN: In regard to the reason that Wilkes's detailed report on the areas near the northwest boundary was not furnished to Congress on demand, it seems probable that the real reason may be found in the fact that at that time its publication or any public comment upon it would have been incompatible with our national interests.

In the various negotiations which took place between the United States and Great Britain for the settlement of the Oregon boundary, the United States proposed the forty-ninth parallel as a compromise to the conflicting claims west of the Rocky Mountains between 42° north and 54° 40′ north. For a long period the British Government asserted claim to all territory west of the Columbia River, and this claim was adhered to until a short time before the conclusion of the treaty in 1846.

Wilkes, in his report, gave American names to places and islands which were in the territory claimed by Great Britain, and this fact alone might have led to serious protest on the part of Great Britain.

The armed forces of the two nations concerned were drawn up within sight of each other in the fifties, but fortunately did not come to battle. The Civil War ended negotiations for a time, and later the present boundary was settled definitely.

Faithfully, yours,

CHARLES W. STEWART,
Superintendent Library and Naval War Records.

Hon. W. E. HUMPHREY, M. C.,
House of Representatives.

ADJOURNMENT UNTIL WEDNESDAY.

Mr. UNDERWOOD. Mr. Speaker, I move that when the House adjourns to-day it adjourn to meet on Wednesday next.

Mr. KENDALL. Mr. Speaker, I understand that motion is not debatable. I was about to suggest the absence of a quorum, but I do not want to do that. I ask unanimous consent to proceed very briefly to make a statement.

The SPEAKER pro tempore. How much time does the gentleman desire?

Mr. KENDALL. Two or three minutes.

The SPEAKER pro tempore. The Chair will recognize the gentleman for five minutes.

Mr. KENDALL. The only purpose I have, Mr. Speaker, in suggesting the absence of a quorum is that the House may be in session on Monday for the transaction of business that I believe it ought to dispose of at this session of Congress. We have been assembling here on Saturday and adjourning until the following Wednesday, convening again on Wednesday and adjourning until the following Saturday, without the transaction of any business except such incidental matters as may by the grace of unanimous consent be considered in the House. We have a calendar here on motions to discharge, embracing about 70 bills, each one relating to a subject of some importance to the people of this country. I am going to refer to one of them. It is a bill (H. R. 4416) introduced by me on April 12, 1911, and referred to the Committee on Invalid Pensions. No report having been made, the motion to discharge that committee is now on file. The bill provides for pensions for volunteer soldiers of the Civil War who served 90 days or more and were honorably discharged. It allows a pension of $15 a month at 60 years of age, $20 a month at 65 years of age, $25 a month at 70 years of age, and $30 a month at 75 years of age. It is a bill almost identical with one which passed this House at the last Congress by almost a two-thirds vote. I believe it is a bill that has practically the unanimous indorsement of the people of this country. That bill is on the calendar and it must be considered by this House. It is strikingly similar to the Sulloway bill, which was favorably considered here last February, but which expired with the old Congress because of opposition which it encountered in the Senate. Now, what ought we to do here in these days and weeks that we are idling away, with nothing to engage our attention? That bill must be acted upon by this House, because the just public sentiment of the country will command some disposition of it.

Why can not we take that bill up here next Monday, consider it, pass it, and transfer it to the Senate, together with the responsibility for its future disposition, in the ordinary way?

Mr. FITZGERALD. Will the gentleman yield for a question?

Mr. KENDALL. I will; certainly.

Mr. FITZGERALD. Did not the President request that no legislation be enacted here except the reciprocity bill?

Mr. KENDALL. I am frank to say that perhaps some gentlemen on the other side of the House may enjoy more fully the confidence of the President than I do. [Laughter on the Republican side.] But I have understood that the reason for refusing the consideration of this pension bill was because the Democratic caucus resolved that no legislation of that character should be discussed at this session of Congress. However, even conceding what the gentleman from New York suggests—conceding that the President has said that no legislation ought to be considered except the reciprocity bill—I want to submit the query: Has that side of the House observed faithfully the suggestions of the Chief Magistrate? [Applause on the Republican side.] And whether that may or may not be true, have we become so subservient to extraneous influence that we have lost our independence and our initiative with respect to legislation?

Mr. FITZGERALD. Will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman from Iowa yield to the gentleman from New York?

Mr. KENDALL. Yes.

Mr. FITZGERALD. The gentleman is very anxious to have some pension legislation enacted?

Mr. KENDALL. I have expressed a deep anxiety in that direction. To that extent I think the gentleman has interpreted my attitude correctly.

Mr. FITZGERALD. The gentleman's anxiety now is not very well taken, because if it were, why did not the gentleman show some anxiety in the last 16 years, during the time when his party was in control?

Mr. KENDALL. My anxiety was just as earnest in the last House, when the Republicans were in control, as it is at this moment. We passed the bill then. I ask the gentleman, Will you now, while your party controls the House, take similar action?

Mr. FITZGERALD. We on this side are not required to follow the action of that side of the House. Why did you not have the Republican Senate act when the House passed the bill before?

Mr. KENDALL. The responsibility is now with your side of the House, and it denies any relief whatever to the old veterans of the country.

Mr. FITZGERALD. The gentleman from Iowa is not responsible for what this side of the House does or omits to do.

Mr. KENDALL. No; God be thanked for that. We were advised at the last session by eloquent speeches made by prominent gentlemen on that side of the House of the solicitude experienced by the Democratic Party for the disabled soldiers of the Civil War. Some of those gentlemen have voted consistently all through this session to defer indefinitely any consideration of such legislation as this, so far as the House is concerned. We of the Republican minority want action on this subject now, and we charge on the Democratic majority here that by refusing to consider pension bills of this character on the first and third Mondays of each month, as the rules of the House provide, it is throttling all legislation for the benefit of the defenders of the Union. [Applause on the Republican side.]

Mr. UNDERWOOD. Mr. Speaker, I have no objection to the gentleman stating his case from his viewpoint, but I wish to consume a few minutes in stating why I think it is worth while to adjourn over until Wednesday.

The SPEAKER pro tempore. How much time does the gentleman desire?

Mr. UNDERWOOD. Only a few moments.

The SPEAKER pro tempore. The gentleman asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. UNDERWOOD. I want to say to the gentleman from Iowa that we adopted a program at the beginning of this session to limit the legislation at this session largely to tariff legislation, in order to expedite the business of this extra session. The President of the United States requested that we should do so. The President of the gentleman's party did that. It is nothing unusual.

Mr. KENDALL. Do I understand the gentleman to say that the President of the United States, being a Republican, requested certain action of the Democratic caucus?

Mr. UNDERWOOD. Well, he announced that in the papers—that he desired no action should be taken except as to reciprocity, and the papers published it at the time.

Mr. KENDALL. Was it not understood that the President desired that action be confined entirely to reciprocity?

Mr. UNDERWOOD. Certainly.

Mr. KENDALL. Why did you adopt his suggestion as to pension legislation and refuse to adopt it as to other things?

Mr. UNDERWOOD. We did not refuse to adopt it as to pension legislation. It is just the other way.

I want to say to the gentleman from Iowa that I understand that the Democratic Members on the Pension Committee have agreed on a pension bill, which they intend to report to this House when the proper time comes. They object to the bill that you have got on the calendar and from the consideration of which you want to discharge the committee before the committee has had a chance to bring its report into this House, because your bill taxes the American people in order to pension deserters who have had the charge of desertion removed by this House; to pension men who never were within 500 miles of a firing line; men who did not serve over 30 days in the Army.

Mr. KENDALL. Will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman from Alabama yield to the gentleman from Iowa?

Mr. UNDERWOOD. Certainly.

Mr. KENDALL. I am sure the gentleman from Alabama does not intend to misrepresent the provisions of the act.

Mr. UNDERWOOD. That is my understanding.

Mr. KENDALL. That demonstrates that the gentleman has not read the terms of the bill. The bill provides that every honorably discharged soldier or sailor, I think it is, who served 90 days, shall receive the benefit of this legislation.

Mr. UNDERWOOD. Yes; it says 90 days, instead of 30 days.

Mr. KENDALL. But of course I agree, Mr. Speaker, that if this bill should be enacted the money necessary to pay the disbursements must come from some source of taxation. If the gentleman has discovered some plan by which pensions can be paid otherwise, I would be very glad to have him elucidate that.

Mr. UNDERWOOD. I have no objection to doing that. The gentleman will find that in my remarks.

Mr. KENDALL. I ask unanimous consent that the time of the gentleman may be extended if this takes too much of the gentleman's time. Is it proposed that taxation shall be extended to meet the disbursements under this imaginary bill of yours?

Mr. UNDERWOOD. I will say to the gentleman, that——

Mr. KENDALL. Does not your bill—this imaginary bill of yours—propose to tax the people?

Mr. UNDERWOOD. Of course it does; but you propose to pass through this House, without a report from a committee, without due consideration by a committee, by discharging the committee on the floor of the House, a bill that will pension a man who served 90 days, who was never within 500 miles of the firing line, who was never injured in any way. Some of them served after the war was practically over. You make no discrimination between the real veteran and the man who never went on the firing line.

Mr. CANNON. Will the gentleman yield?

Mr. UNDERWOOD. Certainly.

Mr. CANNON. The motion that is on the calendar, to discharge the committee from further consideration of the bill, will, if agreed to, merely bring the bill before the House for consideration, amendment, or any disposition that a majority of the House may seek to make of it. [Applause on the Republican side.]

Mr. UNDERWOOD. I am surprised that the distinguished gentleman from Illinois should contend before this House, after his many, many years of experience, that a great bill, carrying $40,000,000 or $50,000,000 of appropriations, should be brought before this House, right or wrong, and then perfected in the House instead of in a committee, when I have seen him stand on this floor for more than 15 years and contend that legislation should be perfected in the committees before being reported to this House. [Applause on the Democratic side.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CANNON. I ask unanimous consent that the gentleman may have 5 or 10 minutes if he desires it.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CANNON. Will the gentleman from Alabama yield?

Mr. UNDERWOOD. Certainly.

Mr. CANNON. I want to say to the gentleman that the one-man power, the power of a minority, the power of a czar, has been worn and worn in the press and by the gentleman's side when it was in the minority, until they say czarism has been abolished and that the representatives of the people have the intelligence and the patriotism and the power to mature legislation, and you believe in the rule of a majority. I want to say to the gentlemen now in the minority that I believe a majority of this House is perfectly competent to amend any pension bill intelligently. [Applause.]

Mr. UNDERWOOD. Mr. Speaker, I am delighted that the gentleman from Illinois has at last been converted to the doctrine that has been preached on this side of the House—that the will of the majority should govern. [Applause on the Democratic side.] I am not objecting to the gentleman from Illinois becoming a Republican progressive. [Laughter.] I am not objecting to his joining the movement with this side of the House; but what I do say is that our system on this side of the House is to have all legislation first perfected by a committee and then submitted without gag rule, without unreasonable limitation on debate, and with a full and free latitude of amendment, to a majority of this House to pass upon; but that the committee should have the opportunity to report the bill it desires to bring before the House first, and then the House be given full opportunity to consider it.

Mr. NORRIS. Will the gentleman yield?

Mr. UNDERWOOD. Certainly.

Mr. NORRIS. I want to ask the gentleman if the committee has not had ample time to report this particular bill, or any other?

Mr. UNDERWOOD. Undoubtedly.

Mr. NORRIS. The very object of the rule, and the very object of the Motion to Discharge, is to bring these matters before the House when the committee has failed to act or has not acted.

Mr. UNDERWOOD. Oh, Mr. Speaker, there is no dispute between the gentleman and myself.

Mr. NORRIS. They have had ample time to act.

Mr. UNDERWOOD. Undoubtedly. We do not deny that. We have taken the responsibility on this side of the House, by a resolution passed in our caucus, that we would not legislate on anything but a certain number of questions, the election of the United States Senators by the people, publicity of campaign funds, statehood, and tariff legislation. Now, we have taken that responsibility, and we are going to legislate on this other subject when we get to it next winter, but we have refused to do it this summer. We are not dodging our responsibility. I was about to say to the gentleman from Iowa [Mr. KENDALL] that he does not place the responsibility any more on us by forcing this House to come here Monday and adjourn, because it will not have a quorum, than we acknowledge we have to-day. We do not deny our responsibility.

Mr. KENDALL. I understood the gentleman tried to shift the responsibility to the President.

Mr. UNDERWOOD. Oh, no; I did not. I said that the President of the United States——

Mr. KENDALL. I withdraw that suggestion. That really relates to the gentleman from New York [Mr. FITZGERALD].

Mr. FITZGERALD. Oh, no. [Laughter.]

Mr. UNDERWOOD. Just one minute. I want to say this to that side of the House. Of course, if you want to come back here on Monday and adjourn on Monday, very well; we can do it. There are a lot of Members who want to be away. If the gentleman wants to know it, we do not deny our responsibility for not acting on this bill.

Mr. KENDALL. If the gentleman from Alabama will say that he, as the responsible leader of the Democratic majority, will adjourn the House on Monday without allowing us to take any action on this bill, then I will not insist at this time.

Mr. UNDERWOOD. Undoubtedly I will, because I will have to on the very first roll call. Let me call the gentleman's attention to the fact that under this rule for the discharge of committees, in order for the House to take it up, you would have to have a roll call. It would not be on the pension bill, because that is not the first bill on the calendar, but the moment you got your roll call it would disclose that there is not a quorum in Washington, and there would be nothing on earth left for me to do but to move that the House adjourn. That is the condition. If you desire to make the point of no quorum on this vote, why, of course, we must adjourn the House and come back and then adjourn on Monday, as I say I will do.

The SPEAKER pro tempore. The time of the gentleman from Alabama has expired.

Mr. KENDALL. Mr. Speaker, I ask unanimous consent to proceed for one minute in response to what the gentleman has said.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. KENDALL. In view of the suggestion of the gentleman from Alabama, the leader of the Democratic majority of the House, that even if the House should be in session on next Monday he would not permit any pension legislation to be considered, I think I would not be justified in insisting upon the absence of a quorum this afternoon. Also, in further view of what the gentleman has said with reference to the character of the bill which I desire should be considered on that day, I ask unanimous consent that I may include that bill in the RECORD.

Mr. UNDERWOOD. I have no objection to that.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The bill referred to is as follows:

A bill granting pensions to honorably discharged volunteer soldiers who served three months or more between the 1st day of April, 1861, and the 1st day of August, 1865, in the Army of the United States.

Be it enacted, etc., That from and after the passage of this act every volunteer soldier who served three months or more in the Army of the United States between the 1st day of April, 1861, and the 1st day of August, 1865, and who has been honorably discharged from said Army, shall be entitled, upon establishing such facts in accordance with regulations to be prescribed by the Secretary of the Interior, to a pension of $15 per month if 60 years of age, $20 per month if 65 years of age, $25 per month if 70 years of age, and $30 per month if 75 years of age: *Provided*, That no person shall receive a pension under any other law at the same time or for the same period that he is receiving a pension under the provisions of this act: *And provided further*, That no person who is now receiving or shall hereafter receive a greater pension under any other general or special law than he would be entitled to receive under the provisions herein shall be pensionable under this act.

SEC. 2. That no pension attorney, claim agent, or other person shall be entitled to receive any compensation for services rendered in presenting any claim to the Bureau of Pensions or securing any pension under this act.

SEC. 3. That all acts or parts of acts inconsistent with the provisions hereof are hereby repealed.

Mr. UNDERWOOD. Now, Mr. Speaker, I ask for a vote on my motion.

The SPEAKER pro tempore. The gentleman from Alabama moves that when the House adjourns to-day it adjourn to meet on Wednesday next.

The question was taken, and the motion was agreed to.

LEAVES OF ABSENCE.

By unanimous consent—

Mr. MAGUIRE of Nebraska was granted leave of absence for 10 days, on account of death in family.

Mr. LEVER was granted leave of absence indefinitely, on account of sickness.

RESIGNATION FROM COMMITTEE.

The SPEAKER pro tempore. The Clerk will read a communication to the Speaker of the House.

The Clerk read as follows:

Hon. CHAMP CLARK,
The Speaker of the House of Representatives, Washington.

DEAR MR. SPEAKER: I hereby respectfully resign as a member of the House Committee on Expenditures in the Interior Department, and ask that my resignation be accepted.

Respectfully, THERON E. CATLIN.

JULY 12, 1911.

The SPEAKER pro tempore. Without objection, the gentleman from Missouri will be excused from further service on the committee named in the letter.

There was no objection.

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 9 minutes p. m.) the House adjourned to meet on Wednesday, July 19, 1911, at 12 o'clock noon.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 12500) granting a pension to Joshua Bear; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 5742) granting an increase of pension to Margaret J. Harvey; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 5757) granting a pension to Ella M. Gaines; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 12427) granting a pension to Anna Smith; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. RODDENBERY: A bill (H. R. 12528) to provide penalty for drunkenness on railway and street cars in the District of Columbia; to the Committee on the District of Columbia.

Also, a bill (H. R. 12529) to provide penalty for use of obscene language in public places in the District of Columbia; to the Committee on the District of Columbia.

By Mr. AIKEN of South Carolina: A bill (H. R. 12530) for improving Otis Street NE., in Brookland, D. C., and for other purposes; to the Committee on the District of Columbia.

By Mr. WOODS of Iowa: A bill (H. R. 12531) to enable the Secretary of Agriculture to conduct experiments and determine the practicability of making paper material out of cornstalks and to erect buildings and purchase apparatus therefor; to the Committee on Agriculture.

By Mr. HUMPHREY of Washington: A bill (H. R. 12532) to establish Mount Olympus National Park in the Olympic Mountains, in the State of Washington, and for other purposes; to the Committee on the Public Lands.

By Mr. HUGHES of New Jersey: A bill (H. R. 12533) providing for change of venue in civil and criminal causes in the District of Columbia; to the Committee on the Judiciary.

By Mr. MORGAN: A bill (H. R. 12534) to extend time of payment of balance due for lands sold under act of Congress approved June 17, 1910; to the Committee on Indian Affairs.

By Mr. STERLING: A bill (H. R. 12535) to renew and extend certain letters patent; to the Committee on Patents.

By Mr. CLARK of Florida: A bill (H. R. 12536) to prevent heads of departments of the United States Government and all other Federal officials issuing any order or promulgating any rule which tends in any way to prohibit Government employees petitioning the Congress with relation to any matter relating to the public service, and prescribing penalties for its violation; to the Committee on the Judiciary.

Also, a bill (H. R. 12537) providing that no order or rule of any department of the Government of the United States shall have the force and effect of a law of the United States; to the Committee on the Judiciary.

By Mr. McGUIRE of Oklahoma: A bill (H. R. 12538) authorizing the Ottawa Tribe of Indians of Oklahoma to submit claims to the Court of Claims; to the Committee on Indian Affairs.

By Mr. KINKAID of Nebraska: A bill (H. R. 12539) to prevent floods and freshets originating on forest reserves and In-

dian reservations; to the Committee on Irrigation of Arid Lands.

By Mr. DENT: Resolution (H. Res. 240) approving report No. 59 of the Committee on Expenditures in the State Department; to the Committee on Expenditures in the State Department.

By Mr. KINKEAD of New Jersey: Resolution (H. Res. 241) proposing an investigation into certain violations of the anti-trust law; to the Committee on Rules.

By Mr. COX of Indiana: Resolution (H. Res. 242) calling for certain data from the Secretary of Agriculture and the Attorney General; to the Committee on Expenditures in the Department of Agriculture.

By Mr. CARY: Memorial from the Legislature of Wisconsin memorializing Congress to take such action as may be necessary to compel all interstate railroads to engage directly in the business of carrying and delivering express; to the Committee on Interstate and Foreign Commerce.

Also, memorial from the Legislature of Wisconsin memorializing Congress to enact a law imposing a suitable license or other fee upon crafts navigating the Great Lakes and contiguous waters; to the Committee on the Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred, as follows:

By Mr. BOWMAN: A bill (H. R. 12540) granting an increase of pension to William Jessop; to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 12541) granting an increase of pension to Alfred Bennett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12542) granting an increase of pension to James H. Hogue; to the Committee on Invalid Pensions.

By Mr. COX of Indiana: A bill (H. R. 12543) granting a pension to Mary E. Snyder; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12544) granting a pension to Anthony Humbert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12545) granting an increase of pension to John W. Hammond; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12546) granting an increase of pension to William M. Ramsey, alias William M. Trout; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12547) for the relief of Henry C. Morrison, administrator of Thomas G. Morrison, deceased; to the Committee on War Claims.

By Mr. DALZELL: A bill (H. R. 12548) granting a pension to May Pennington; to the Committee on Invalid Pensions.

By Mr. DYER: A bill (H. R. 12549) granting a pension to Thomas Paine; to the Committee on Pensions.

By Mr. FRENCH: A bill (H. R. 12550) granting an increase of pension to Alexander Roe; to the Committee on Invalid Pensions.

By Mr. GOULD: A bill (H. R. 12551) granting an increase of pension to Louisa A. Atherton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12552) granting an increase of pension to Charles Thurston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12553) to correct the military record of James M. McKenney; to the Committee on Military Affairs.

By Mr. GUDGER: A bill (H. R. 12554) granting an increase of pension to Elizabeth Leopord; to the Committee on Pensions.

By Mr. HARRISON of New York: A bill (H. R. 12555) granting an increase of pension to Louis Schoenfeld; to the Committee on Invalid Pensions.

By Mr. HARTMAN: A bill (H. R. 12556) granting an increase of pension to John A. Felton; to the Committee on Invalid Pensions.

By Mr. HUMPHREY of Washington: A bill (H. R. 12557) granting an increase of pension to Chauncey G. Slayton; to the Committee on Invalid Pensions.

By Mr. LITTLEPAGE: A bill (H. R. 12558) for the relief of H. A. Shirkey; to the Committee on Claims.

By Mr. LLOYD: A bill (H. R. 12559) granting a pension to William H. Alexander; to the Committee on Invalid Pensions.

By Mr. McDERMOTT: A bill (H. R. 12560) granting a pension to John Johnson; to the Committee on Pensions.

By Mr. McGILLICUDDY: A bill (H. R. 12561) granting an increase of pension to Milton W. Burnham; to the Committee on Invalid Pensions.

By Mr. McKINLEY: A bill (H. R. 12562) to remove the charge of desertion against Clark W. Cottrell; to the Committee on Military Affairs.

By Mr. MANN: A bill (H. R. 12563) granting an increase of pension to William Hanger; to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: A bill (H. R. 12564) granting a pension to Joseph Clyde Shadden; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12565) granting an increase of pension to James Shaw; to the Committee on Invalid Pensions.

By Mr. MORGAN: A bill (H. R. 12566) granting a pension to Maggie A. Reynolds; to the Committee on Invalid Pensions.

By Mr. MORRISON: A bill (H. R. 12567) granting a pension to Rebecca J. Shy; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 12568) granting an increase of pension to Susan E. Keating; to the Committee on Invalid Pensions.

By Mr. PADGETT: A bill (H. R. 12569) granting an increase of pension to James Adams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12570) granting an increase of pension to Blandy M. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12571) for the relief of Gilbert Barndt; to the Committee on Military Affairs.

By Mr. RAKER: A bill (H. R. 12572) for the relief of the Hydro-Electric Co., of California; to the Committee on the Public Lands.

By Mr. RUCKER of Colorado: A bill (H. R. 12573) granting an increase of pension to William L. Switzer; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 12574) granting an increase of pension to Maston G. Strong; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12575) granting an increase of pension to William H. Paine; to the Committee on Invalid Pensions.

By Mr. SABATH: A bill (H. R. 12576) granting a pension to Daniel Henry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12577) granting a pension to Anton Slama; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12578) granting a pension to Mary Petrik; to the Committee on Pensions.

Also, a bill (H. R. 12579) granting a pension to Israel Buckowsky; to the Committee on Pensions.

Also, a bill (H. R. 12580) granting a pension to August Fick; to the Committee on Pensions.

Also, a bill (H. R. 12581) granting a pension to Joseph Truka; to the Committee on Pensions.

Also, a bill (H. R. 12582) granting a pension to John Harrington; to the Committee on Pensions.

Also, a bill (H. R. 12583) granting a pension to Mary Kuchar; to the Committee on Pensions.

Also, a bill (H. R. 12584) granting a pension to Clara E. Jordan; to the Committee on Pensions.

Also, a bill (H. R. 12585) granting an increase of pension to Elizabeth Denver; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12586) granting an increase of pension to Rudolph Novotny; to the Committee on Pensions.

Also, a bill (H. R. 12587) granting an increase of pension to Joseph A. Paul; to the Committee on Pensions.

Also, a bill (H. R. 12588) granting an increase of pension to Frank G. Cook; to the Committee on Pensions.

Also, a bill (H. R. 12589) for the relief of Peter Clark; to the Committee on Military Affairs.

Also, a bill (H. R. 12590) for the relief of heirs of Adele Fowler, deceased; to the Committee on War Claims.

By Mr. SHERWOOD: A bill (H. R. 12591) granting a pension to Peter L. Burkard; to the Committee on Pensions.

Also, a bill (H. R. 12592) granting a pension to Eliza A. Hite; to the Committee on Invalid Pensions.

By Mr. SIMS: A bill (H. R. 12593) granting an increase of pension to Mathew P. Henry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12594) granting an increase of pension to Susan H. Butler; to the Committee on Invalid Pensions.

By Mr. STEDMAN: A bill (H. R. 12595) for the relief of Nancy E. Stewart; to the Committee on War Claims.

By Mr. STEPHENS of California: A bill (H. R. 12596) granting an increase of pension to Abner Wiseman; to the Committee on Invalid Pensions.

By Mr. SWITZER: A bill (H. R. 12597) granting a pension to Francis M. Snead; to the Committee on Invalid Pensions.

By Mr. TOWNER: A bill (H. R. 12598) granting an increase of pension to Willis Lake; to the Committee on Invalid Pensions.

By Mr. UTTER: A bill (H. R. 12599) granting an increase of pension to Andrew Burns; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12600) granting an increase of pension to Peter Shover; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12601) granting an increase of pension to Albert C. Church; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12602) granting an increase of pension to Jerry B. Foster; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12603) granting an increase of pension to Annie M. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12604) granting an increase of pension to Harriet E. Kelly; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12605) granting an increase of pension to Nancy Carolin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12606) granting an increase of pension to Carder H. Sherman; to the Committee on Invalid Pensions.

By Mr. WILLIS: A bill (H. R. 12607) to correct the military record of John D. Rex; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. AYRES: Petition of citizens of the Bronx, in favor of a parcels post; to the Committee on the Post Office and Post Roads.

By Mr. BURKE of South Dakota: Petitions of numerous residents of South Dakota, requesting that the duty on raw and refined sugars be reduced; to the Committee on Ways and Means.

Also, petition of numerous citizens of Ramona, S. Dak., asking for the adoption of House resolution 166; to the Committee on Immigration and Naturalization.

By Mr. FOCHT: Petition of F. S. Coulter, of Swineford, Pa., favoring a reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

Also, papers to accompany House bill 12472, a bill for the relief of Samuel Musselman; to the Committee on Invalid Pensions.

By Mr. FORNES: Petition of numerous residents of New York City, asking that the duty on lemons be repealed; to the Committee on Ways and Means.

By Mr. GOULD: Petition of Guy W. Lord, of Pittsfield, and numerous other residents of Maine, requesting a reduction in the duty on sugar; to the Committee on Ways and Means.

By Mr. HARRISON of New York: Petition of numerous residents of New York City and other portions of New York and of California, Illinois, and Pennsylvania, asking that the duty on lemons be repealed; to the Committee on Ways and Means.

By Mr. KENDALL: Petition of citizens of Melrose, Iowa, protesting against the parcels post; to the Committee on the Post Office and Post Roads.

By Mr. LEGARE: Resolutions from Socialist Party, the Retail Clerks' International Protective Association, and the International Association of Machinists, all of Charleston, S. C., favoring the passage of House bill 10863; to the Committee on the Judiciary.

By Mr. LLOYD: Petition of 90 citizens of Lancaster, Mo., against the parcels post; to the Committee on the Post Office and Post Roads.

By Mr. McGILLICUDDY: Papers to accompany bill granting a pension to May Pennington; to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: Papers to accompany a bill granting a pension to Joseph Clyde Shadden and a bill granting an increase of pension to James Shaw; to the Committee on Invalid Pensions.

By Mr. MORGAN: Petition signed by citizens of Seiling, Okla., protesting against the passage of a parcels post; to the Committee on the Post Office and Post Roads.

By Mr. O'SHAUNESSY: Resolutions by the Workmen's Sick and Death Benefit Fund of the United States of America, condemning the lawless manner of the arrest of the McNamaras and urging passage of Congressman BERGER's resolution for an investigation of the McNamara affair and requesting that it be passed by the House; to the Committee on the Judiciary.

By Mr. PADGETT: Papers to accompany bill for relief of Gilbert Barndt; to the Committee on Military Affairs.

Also, papers to accompany bill granting an increase of pension to Blandy M. Brown; to the Committee on Invalid Pensions.

Also, papers to accompany bill granting an increase of pension to James Adams; to the Committee on Invalid Pensions.

By Mr. SIMS: Papers to accompany a bill granting an increase of pension to Mathew P. Henry and Susan H. Butler; to the Committee on Invalid Pensions.

By Mr. SWITZER: Petition of J. R. Kerr and 10 other citizens of Bidwell, Ohio, in favor of bill introduced granting pensions to members of the military organization known as the "Squirrel Hunters"; to the Committee on Invalid Pensions.

By Mr. TUTTLE: Resolutions of the New Jersey State Board of Agriculture, requesting that the efforts of President Taft and of the State Department to secure justice to American users of potash should be supported in every possible way; to the Committee on Foreign Affairs.

By Mr. UTTER: Papers to accompany bills granting an increase of pension to Albert C. Church, Jerry B. Foster, and Peter Shover; to the Committee on Invalid Pensions.

Also, resolutions of the Business Men's Association of Pawtucket, R. I.; the New England Manufacturing Jewelers and Silversmiths' Association; the Rhode Island Business Men's Association; and the Real Estate Exchange of Providence, R. I., in favor of deepening the channel of Providence River; to the Committee on Rivers and Harbors.

By Mr. WILLIS: Papers to accompany House bills to correct the military record of John D. Rex and Ira Gwynn; to the Committee on Military Affairs.

SENATE.

MONDAY, *July 17, 1911.*

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Journal of the proceedings of Friday last was read and approved.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented resolutions adopted at a mass meeting of citizens of Hyde Park, Chicago, Ill., remonstrating against any further investigation being made into the election of WILLIAM LORIMER as a Senator from Illinois, which were referred to the Committee on Privileges and Elections.

He also presented a petition of the New York Yearly Meeting of the Religious Society of Friends, praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

Mr. CULLOM presented petitions of the committee on peace propaganda and international relations of the National German-American Alliance of the United States, praying for the ratification of a treaty of arbitration between the United States and Germany, which were referred to the Committee on Foreign Relations.

Mr. KERN presented resolutions adopted by Group 3, Indiana Bankers' Association, indorsing the plan for monetary legislation as suggested by the National Monetary Commission, which were referred to the Committee on Finance.

He also presented resolutions adopted by Polish Turners' Union No. 1, of South Bend, Ind., favoring the adoption of the so-called Sulzer resolution providing for an investigation into the present conditions existing at Ellis Island, and also for a revision of the immigration laws, which were referred to the Committee on Immigration.

Mr. BRISTOW presented a memorial of sundry citizens of Arkansas City, Lewis, Jasper, and Wichita, all in the State of Kansas, remonstrating against the passage of the so-called Johnston Sunday rest bill, which was ordered to lie on the table.

He also presented a memorial of sundry citizens of Fort Scott, Kans., remonstrating against the establishment of a rural parcels-post service, which was referred to the Committee on Post Offices and Post Roads.

Mr. McLEAN presented a memorial of the Gaelic Athletic Club, of Hartford, Conn., and a memorial of the United Irish League of Hartford, Conn., remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

Mr. HITCHCOCK presented memorials of sundry citizens of Whitney, Chadron, Crawford, Lisco, and Oshkosh, all in the State of Nebraska, remonstrating against the passage of the so-called Johnston Sunday rest bill, which were ordered to lie on the table.

Mr. HEYBURN presented a memorial of the congregation of the Seventh-day Adventists Church of Viola, Idaho, and a memorial of sundry citizens of Forest, Idaho, remonstrating against the enforced observance of Sunday as a day of rest in the District of Columbia, which were ordered to lie on the table.

Mr. STEPHENSON. I present a joint resolution adopted by the Legislature of the State of Wisconsin, which I ask may be printed in the RECORD and referred to the Committee on Interstate Commerce.

There being no objection, the joint resolution was referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

Joint resolution (J. Res. 149, A.) memorializing Congress of the United States to take such action as may be necessary to compel all interstate railroads to engage directly in the business of carrying and delivering express.

Whereas the present system of carrying on the express business of this country by companies which enter into private contract with railroads for the transportation of goods is an economic waste, in that such system requires and necessitates to a considerable extent duplicate equipment and investment, and earnings necessary to insure a reasonable return on such duplicate investment; and

Whereas it is one of the paramount functions of both Nation and State to enact laws which will compel all businesses affected with a public interest to be so conducted as to afford to the people the best possible service at the lowest possible rate; and

Whereas to compel railroads to engage in the business of carrying and delivering express will obviate the necessity for duplicate investment and duplicate profit now existing; and

Whereas other countries, with success both economically and financially, have combined the railroad and express business: Therefore be it

Resolved by the assembly (the senate concurring), That we respectfully request the Congress of the United States to take such action as may be necessary to compel all interstate railroads to engage directly in the business of carrying and delivering express; and be it further

Resolved, That certified copies of this resolution be forwarded to the Chief Clerks of the two Houses of Congress and to the United States Senators and Congressmen from Wisconsin.

C. A. INGRAM,
Speaker of the Assembly.
H. C. MARTIN,
Acting President of the Senate.
C. E. SHAFFER,
Chief Clerk of the Assembly.
F. M. WYLIE,
Chief Clerk of the Senate.

Mr. STEPHENSON. I present a joint resolution adopted by the Legislature of the State of Wisconsin, which I ask may be printed in the RECORD and referred to the Committee on Foreign Relations.

There being no objection, the joint resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

Joint resolution (J. Res. 135, A.) memorializing Congress to initiate or participate in a general world-wide movement through The Hague Tribunal, or otherwise, for international peace and general disarmament and the international policing of the high seas.

Whereas during the last two-year period, in a time of profound peace, our Federal Government expended for military and naval purposes over $555,000,000.

Wisconsin's share of this enormous expenditure, on the basis of population, exceeds $14,000,000, and by reason of the high economic, industrial, and social development of this State its contribution undoubtedly far exceeds the above amount.

The total amount of taxes levied directly by this State during the two-year period was less than $2,000,000, and the total of income and of disbursements of this State for all general purposes was less than $13,000,000.

The people of Wisconsin therefore pay for the military and naval expenditures of the Federal Government more than seven times the amount paid in taxes to the State and a sum far in excess of the receipts or of the disbursements of the State.

This enormous expenditure for war purposes does not include any part of the expenditure during the same period of over $322,000,000 for pensions and over $43,000,000 for interest on indebtedness incurred in time of war.

Whereas the progress of civilization and of science has relegated war as a settlement of international disputes to a thing of the past, and the growing control of the Government by the people who must bear its burdens has practically rendered future war impossible, and the present military and naval expenditures constitute wholly an economic loss, which expenditure, in view of our scientific progress, is not even justified for war purposes, benefiting only the great trusts and combinations which fatten on contracts for construction and supplies, robbing the great body of the people of the higher economic plane which is justly theirs.

Whereas any movement for peace, to insure success, must be placed upon a broad basis, and recent attempts to place the burden or responsibility of this movement upon the people of any race or language must fail.

Civilization is not confined to English-speaking people, and the population of our country and of our State has come largely from other than English-speaking countries, making signal contribution to the cause of peace.

Resolved by the assembly (the senate concurring), That we respectfully memorialize the Congress of the United States to initiate or participate in a general world-wide movement through The Hague Tribunal, or otherwise, for the establishment of international peace and for a general disarmament by all nations and the international patroling of the high seas and of territory exposed to or inhabited by savage tribes.

Resolved, That a copy of this resolution be immediately transmitted to the President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and to each of the Senators and Representatives of this State in Congress.

C. A. INGRAM,
Speaker of the Assembly.
H. C. MARTIN,
Acting President of the Senate.
C. E. SHAFFER,
Chief Clerk of the Assembly.
F. M. WYLIE,
Chief Clerk of the Senate.

Mr. STEPHENSON. I present a joint resolution adopted by the Legislature of the State of Wisconsin, which I ask may be printed in the RECORD and referred to the Committee on Commerce.

There being no objection, the joint resolution was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

Joint resolution (J. Res. 65, S.) memorializing Congress to enact a law imposing a suitable license or other fee upon crafts navigating the Great Lakes and contiguous waters.

Whereas it is impracticable for the several States bordering upon the Great Lakes and contiguous waters to levy and collect taxes upon the vessels and crafts navigating thereon because of the inability of the several States to enact uniform laws respecting the taxation of such crafts and vessels; and

Whereas the great majority of such vessels and crafts practically escape taxation by any jurisdiction; and

Whereas it has thus far been the policy of the Federal Government to leave the inner harbor improvements to the several States or local political units: Therefore be it

Resolved by the senate (the assembly concurring), That the Congress of the United States be memorialized to enact a law or laws regulating commerce on the Great Lakes and contiguous waters and imposing a suitable license, registration, or other fee on vessels and other crafts engaged in commerce on said waters, the same being commonly designated by the Federal Government as the northwestern waters, together with all contiguous lakes, rivers, sounds, and bayous, and that the Federal Government improve the inner harbors of the several ports of entry on said waters with the proceeds of said fees; be it further

Resolved, That the governor be, and he hereby is, requested to transmit a copy of this resolution to the President of the Senate and to the Speaker of the House of Representatives at Washington and to each of the Senators and Representatives in Congress for this State.

H. C. MARTIN,
Acting President of the Senate.
C. A. INGRAM,
Speaker of the Assembly.
F. M. WYLIE,
Chief Clerk of the Senate.
C. E. SHAFFER,
Chief Clerk of the Assembly.

Mr. STEPHENSON. I present a joint resolution adopted by the Legislature of the State of Wisconsin, which I ask may be printed in the RECORD and referred to the Committee on Post Offices and Post Roads.

There being no objection, the joint resolution was referred to the Committee on Post Offices and Post Roads and ordered to be printed in the RECORD, as follows:

Joint resolution (J. Res. 30, A.) memorializing Congress in regard to the establishment of a parcels post.

Whereas parcels post, where established in foreign countries, has proven to be promotive of the best interests of the people, and at the same time financially advantageous to the country: Therefore be it

Resolved by the assembly (the senate concurring), That we respectfully memorialize Congress to enact such a law as will remedy the evils of the present system of mail classification and mail carrying, and which shall provide for the ownership by the Federal Government of its own mail cars for the carrying of mail and express, and that compensation to the railroads therefor be fixed by the Interstate Commerce Commission upon the basis of mileage for hauling of such mail and express cars instead of upon the basis of weight of the mails, and providing for the carrying of mail and express thereby under a complete parcels-post system; and be it further

Resolved, That a copy of this resolution be sent by the secretary of state to the President of the United States, the Postmaster General, and to each Senator and Representative in Congress from this State.

C. A. INGRAM,
Speaker of the Assembly.
ISAAC T. BISHOP,
Acting President of the Senate.
C. E. SHAFFER,
Chief Clerk of the Assembly.
F. M. WYLIE,
Chief Clerk of the Senate.

Mr. STEPHENSON. I present a joint resolution adopted by the Legislature of the State of Wisconsin, which I ask may be printed in the RECORD and referred to the Committee on Territories.

There being no objection, the joint resolution was referred to the Committee on Territories and ordered to be printed in the RECORD, as follows:

Joint resolution (J. Res. 76, S.) relating to the ownership and operation of railroads, docks, and steamship lines necessary for the opening up of the Alaskan Territory and the coastwise trade.

Resolved by the senate (the assembly concurring), That the Members of the House of Representatives and the United States Senators from Wisconsin are requested to introduce such measures and to take such action as shall bring about the construction, ownership, and operation of the railroads, docks, and steamship lines by the United States, necessary to the opening up of the Alaskan coal fields and other natural resources in the Territory of Alaska: Be it further

Resolved, That a copy of this resolution be transmitted by the secretary of state to each Member of the House of Representatives and each United States Senator from Wisconsin.

THOMAS MORRIS,
President of the Senate.
C. A. INGRAM,
Speaker of the Assembly.
F. M. WYLIE,
Chief Clerk of the Senate.
C. E. SHAFFER,
Chief Clerk of the Assembly.

Mr. ROOT presented resolutions adopted by the New York Yearly Meeting of the Religious Society of Friends, favoring

the adoption of the proposed treaties of arbitration between the United States and Great Britain and the United States and France, which were referred to the Committee on Foreign Relations.

Mr. SHIVELY presented resolutions adopted by Group 3, Indiana Bankers' Association, at Marion Ind., July 3, 1911, favoring the plan for monetary legislation as suggested by the American Bankers' Association, which were referred to the Committee on Finance.

RECIPROCITY WITH CANADA.

Mr. SMITH of Michigan. I present a communication from the Ancient Order of Gleaners, which is one of the most important agricultural organizations in the State of Michigan. I ask that it be read for the information of the Senate.

There being no objection, the communication was read and ordered to lie on the table, as follows:

ANCIENT ORDER OF GLEANERS,
SUPREME ARBOR,
Detroit Mich., June 30, 1911.

Hon. WILLIAM ALDEN SMITH,
United States Senate, Washington, D. C.

MY DEAR SENATOR: You will, I am sure, pardon me for writing you again with reference to the ratification of the so-called reciprocity treaty with Canada.

As the time approaches for a vote in the Senate on this very important measure, interest among the farmers has grown to fever heat, and a flood of letters reaches my office every day, asking if it is not possible to do something more to prevent the ratification of this treaty; if in some way the attention of the Senate can not be called to the far-reaching effects of the proposed legislation; if the farmers' side of the question can not in some manner be presented so that their interests may be seriously considered. The past few days have brought so many requests that I can not refrain from writing you, and I do so, not with the hope of suggesting anything new, but to conscientiously present, so far as I am able, the attitude of the farmers on this very important question.

You will remember, Senator SMITH, that the organized farmers of this State sent a special messenger to Washington during the closing hours of the last Congress, bearing petitions signed by more than 40,000 farmers, asking that the reciprocity agreement be not ratified. You will be interested to know that these signatures were secured within 48 hours by farmers who went among their neighbors, through snow banks and over almost impassable roads, explaining the treaty and securing the signatures of their brother farmers.

From that day to this interest in the proposed treaty has increased, and as the farmer has studied its provisions he has become convinced that the treaty in its present form is unfair to the agriculturist; that its adoption will disturb existing satisfactory conditions, readjust farm values, and place the farmer in a position where he must of necessity be prepared to accept the result, whatever it may be, and calmly await the final adjusting of the balances before he can reach out and again lay hold of something tangible.

You have heard from several different interests in Michigan, and it has been stated that the farmers who have signed the petitions to be presented to the Senate and written thousands of letters to their Representatives have not read the bill and therefore do not understand its provisions.

You are sufficiently familiar with the cost of producing crops in the State of Michigan to know that for 13 of the 18 years referred to in the accompanying schedule the farmers of Michigan and adjoining States could not, through any plan save soil robbery, make a living, to say nothing of striving to make a profit. You will find that during the past 18 years the farmers of Michigan have seen but 5 profitable years. Is it possible the people's representatives have forgotten that within the period mentioned the farmers of Iowa and Illinois burned their corn for fuel, finding this course more profitable than to sell it at the market price and buy coal?

Will you please consider the following schedule, which will give you the actual prices paid to the farmers, at a point 98 miles from the city of Detroit, on six commodities, during the past 18 years:

Years.	Wheat.	Oats.	Pork, dressed.	Poultry.	Butter.	Eggs.
1894	$0.51½	$0.30⅜	$6.06	$0.05½	$0.15	$0.12½
1895	.60	.27	5.10	.05⅜	.13	.13⅜
1896	.66½	.18	4.27	.05½	.10½	.11½
1897	.82½	.18⅜	3.83	.05	.11	.10
1898	.77	.26½	4.04½	.04⅜	.13	.11
1899	.65½	.25½	4.36¼	.05⅜	.14½	.13⅜
1900	.66½	.24¼	5.77	.05½	.16	.13
1901	.69½	.35½	6.52	.05½	.14¼	.13½
1902	.74½	.37⅜	7.60½	.06¼	.16⅜	.16⅜
1903	.72½	.34½	7.27½	.07	.16½	.15⅜
1904	.99½	.35⅜	5.56⅜	.06½	.15⅜	.17½
1905	.92	.30⅜	5.65½	.06⅜	.17½	.17
1906	.74½	.31¾	7.45	.07¼	.17⅜	.16⅜
1907	.81½	.42	7.56	.07½	.20½	.17½
1908	.90½	.49	6.54⅜	.07½	.19½	.17½
1909	1.13	.46½	8.56½	.09	.21⅜	.21½
1910	1.15	.42⅜	10.87½	.11⅜	.22½	.21
1911	.84	.31	7.50	.09	.15	.15

The prices quoted are the actual prices paid by the local dealers, and represent in each instance the whole amount received by the farmer for the different commodities.

You will note that during the last five years the farmer made a profit, and that profit went into needed improvements about the farm; better buildings, better farm implements, and some of the home comforts and conveniences. Men returned to the farms, and the problem of the high cost of living was soon solved.

During these five years of prosperity on the farms the wealth found its way to the cities. Thousands of people in the city of Detroit and in every other city of Michigan and hundreds living in the little villages are riding in their gasoline cars, which are more luxurious than the golden chariots of the kings of old.

The wives and families of hundreds of thousands of workingmen in the cities enjoy luxuries that the farmer could not, and even now can not, afford.

All of these people are beneficiaries of the prosperity which springs from the soil at the bidding of the 9,000,000 men and women of the farms who have worked on and on uncomplainingly, aiding in building the magnificent industries of this country, protecting the manufacturers against the so-called unfair foreign competition, and the men who labored from the pauper labor of the Old World.

Did it ever occur to you that the city laboring man actually spends less than one-sixth of his wage for the foodstuffs which come from the farm?

And did you know that of the workingman's dollar less than 40 cents goes to the farmer?

Such, my dear Senator, is the case, and you can verify the statement by a half hour's visit to the workingman's home in any city and a journey of 5 miles into the adjoining country, where you can learn just what the farmer receives and what the workingman has to pay for the products of the farm.

No less an authority than James Wilson, Secretary of Agriculture, said in his last report:

"From the details that have been presented with regard to the increase of the prices of farm products between farmer and consumer the conclusion is inevitable that the consumer has no well-grounded complaint against the farmer for the prices that he pays.

"After consideration of the elements of the matter it is plain that the farmer is not getting an exorbitant price for his products and that the cost of distribution from the time of delivery at destination by the railroad to delivery to the consumer is the feature of the problem of high prices which must present itself to the consumer for treatment."

And yet this same gentleman now has not a word of encouragement for the farmer; no suggestion as to how the problem may be solved. He simply favors opening American markets to Canada and letting the farmer care for himself and his problems.

I will admit that for a brief period during 1909 and 1910 prices reached a higher level, and the wise ones said that now consumption had reached the normal production in the United States; that no more new land was available, and that we should never see low prices on farm produce again. But the industrious farmers, encouraged by better prices, soon solved the problem, and the prices quoted on the markets of the United States to-day for all farm commodities have knocked the theory of the "theorists" into smithereens.

But it is now proposed, through the Canadian treaty, to invite the farmers of Canada to participate in the benefits of the American market. Thus the farmers of the United States are expected to cooperate with the farmers of a foreign country, with farmers whose interests are not identical with those of the farmers of the United States, with the people of a foreign nation who have sworn allegiance to a foreign government. I tell you, Mr. SMITH, those who are expecting a solution of the problem through such channels are going to be disappointed, because such cooperation is absolutely impossible.

A hundred million dollars' worth of farm produce was shipped from the Dominion of Canada last year to England; $9,000,000 worth to the United States.

If the treaty is ratified, the $100,000,000 worth of produce comes this way if we have as good a market, carrying charges, of course, considered.

A country larger than the United States, with its 9,000,000 people and room on its tillable land for millions more, will be invited to participate in the American markets, and as the years increase the increased production will be equally welcome.

Yet should the American farmer journey over to Windsor, Ontario, and there dispose of his load of produce and desire to take the money received from his Canadian neighbor and purchase needed farm implements or clothing for his family, he would be halted by the customs officers of his own State and made to pay from 20 to 45 per cent duty on his purchases. And yet some choose to call this "reciprocity."

We have been an extravagant people; the forests have been plundered and the soil robbed. It costs money and time and toil to replace what nature gave us with a lavish hand. It costs more to produce a given crop than it did two decades ago; fertilizer must be used; crops must be rotated. Let's not talk about the farmers of the United States not being able to supply the demand for products of the farm so long as we are among the third-rate nations, so far as production per acre is concerned.

Shall we open up another vast territory of virgin soil by opening the gates and sending a million farmers of the United States across the border to usher in another era of rented farms and the attendant evils in the United States?

Or shall we give the farmers a chance, by making farm life attractive, through making farming profitable? You will not need a country-life commission; you will not need additional legislation in the farmer's behalf. Just give him a square deal and a fair chance; that is all he asks.

If the Senate could but adjourn for a week and each Senator visit his home State and note the unsettled conditions as they exist to-day, the uncertainty of farm values, the unstable markets; if they could only realize that the agitation of this reciprocity agreement has already cost the farmers of the United States millions of dollars, they would return to Washington satisfied with present conditions and willing to wait until a real demand existed for a reciprocal agreement with Canada.

The Canadian Government is encouraging agriculture by furnishing the farmer financial assistance, not by putting unsurmountable barriers in its way. Does the United States stand ready to loan money to buy elevators, that the farmer may be able to elude the greedy elevator combine? Will our Government loan money to the farmer in order that he may develop his farm and add to its productiveness? These questions must be considered, my dear Senator, lest the charge stand that a Judas has betrayed the farmers' interests and placed the advantage in the hands of the loyal subjects of King George.

They will tell you, Senator, that farmers are in favor of this treaty. I have attended meetings in four States; I have met thousands of "real" farmers, and heard from thousands more, and I have not found a single man who earns his bread by the sweat of his brow who favors this pact.

In conclusion, I have only to say that the farmers have done all they could do under existing conditions. Practically unorganized, they have rallied and presented their petitions and prayed for a hearing as never before. Yet it seems that they have been crying as one in a wilderness.

And still, believing that right will finally triumph, I feel that they will be heard; that their petitions will not go unanswered; that strong men who believe in a square deal for the whole people will arise in the Senate and demand for the men and women of the farms of this country every privilege granted to the men and women of every other calling.

Sincerely, yours, GRANT SLOCUM,
Supreme Secretary Ancient Order of Gleaners.

AMENDMENT OF TARIFF LAW.

Mr. SMOOT, from the Committee on Finance, to which was referred the bill (H. R. 12312) to amend paragraph 500 of the act approved August 5, 1909, entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, reported it without amendment and submitted a report (No. 103) thereon.

BILLS AND A JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KERN:

A bill (S. 3036) granting a pension to Lewis C. Jones (with accompanying papers); and

A bill (S. 3037) granting an increase of pension to Spencer N. Preston (with accompanying papers); to the Committee on Pensions.

By Mr. McLEAN:

A bill (S. 3038) granting an increase of pension to David L. Gaines (with accompanying papers); to the Committee on Pensions.

By Mr. HEYBURN:

A bill (S. 3039) granting an increase of pension to Thomas J. Fields (with accompanying papers); to the Committee on Pensions.

By Mr. CLAPP:

A bill (S. 3040) granting an increase of pension to Susan Berfield (with accompanying paper); to the Committee on Pensions.

By Mr. JOHNSON of Maine:

A bill (S. 3041) for the relief of Michael Burns; to the Committee on Military Affairs.

By Mr. SHIVELY:

A bill (S. 3042) granting an increase of pension to Francis Fisher;

A bill (S. 3043) granting an increase of pension to Henry M. Endsley (with accompanying paper); and

A bill (S. 3044) granting an increase of pension to Daniel W. Roan (with accompanying paper); to the Committee on Pensions.

By Mr. GORE:

Joint resolution (S. J. Res. 41) authorizing the Secretary of the Interior to make certain payments to the Chickasaw, Choctaw, Cherokee, and Seminole Tribes of Indians; to the Committee on Indian Affairs.

TEXAS STATE CLAIM (S. DOC. NO. 67).

Mr. CULBERSON. I submit an amendment intended to be proposed to the deficiency appropriation bill, which I ask may be printed, and that it be printed in the RECORD without reading, and referred to the Committee on Appropriations. It is intended to discover what expenditures may have been made by the State of Texas to protect its frontier during certain years prior to the Civil War against Mexican and Indian marauders, with the view to reimburse the State.

There being no objection, the amendment was ordered to be printed and referred to the Committee on Appropriations, and it was ordered to be printed in the RECORD, as follows:

Amendment intended to be proposed by Mr. CULBERSON to the bill (H. R. ——) to supply a deficiency in appropriations, and for other purposes.

Add the following paragraph:

"The Secretary of War is hereby directed to inquire and report to Congress for its consideration what sum or sums of money were actually expended by the State of Texas during the period of time between January 1, 1856, and March 5, 1861, in payment of State volunteers or rangers called into service by authority of the governor of Texas in defense of the frontier of that State against Mexican marauders and Indian depredations, for which reimbursement has not heretofore been made out of the Treasury of the United States."

Mr. CULBERSON. In connection with the proposed amendment I ask to have printed as a Senate document certain papers which I have, consisting of a brief statement of the claim of Texas presented by the amendment, and a letter from the governor of Texas, with accompanying papers, which explain the claim in detail.

The VICE PRESIDENT. Without objection, the order therefor will be entered, and the papers will be referred to the Committee on Appropriations to accompany the amendment.

AMENDMENT TO FARMERS' FREE-LIST BILL.

Mr. WATSON submitted an amendment intended to be proposed by him to the bill (H. R. 4413) to place on the free list agricultural implements, cotton bagging, cotton ties, leather, boots and shoes, fence wire, meats, cereals, flour, bread, timber, lumber, sewing machines, salt, and other articles, which was ordered to lie on the table and be printed.

SENATOR FROM GEORGIA.

The VICE PRESIDENT. The Chair presents a communication from Hon. J. M. TERRELL, Senator from Georgia, transmitting a copy of a letter from him to the governor of Georgia resigning his seat in the Senate.

Mr. BACON. Mr. President, I suggest the absence of a quorum before the letter is read.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Culberson	Martin, Va.	Smoot
Borah	Cullom	Martine, N. J.	Stephenson
Brandegee	Curtis	Myers	Stone
Briggs	Dixon	Nelson	Sutherland
Bristow	Foster	Oliver	Swanson
Brown	Gronna	Overman	Taylor
Bryan	Heyburn	Page	Townsend
Burnham	Johnson, Me.	Paynter	Watson
Burton	Kern	Perkins	Wetmore
Chamberlain	Lippitt	Pomerene	Williams
Chilton	Lodge	Root	Works
Clapp	McCumber	Smith, Mich.	
Crawford	McLean	Smith, S. C.	

Mr. BURNHAM. I desire to state that my colleague [Mr. GALLINGER] is unavoidably absent for reasons well known to the Senate. He is paired with the Senator from Arkansas [Mr. DAVIS]. I desire this statement to stand without repetition.

Mr. PAGE. I wish to announce the absence of my colleague [Mr. DILLINGHAM] attending the Lorimer investigation. I should like to have this announcement stand for the day so far as all questions of a quorum are concerned.

The VICE PRESIDENT. Fifty Senators have answered to the roll call. A quorum of the Senate is present.

The Chair desires to lay before the Senate a communication, which he asks the Secretary to read in full. The Chair thinks that the letter also had better be read in full. Without objection, the Secretary will read, first, the letter, and then the other communication.

The Secretary read as follows:

UNITED STATES SENATE,
July 14, 1911.

Hon. JAMES S. SHERMAN,
Vice President of the United States, Washington, D. C.

MY DEAR SIR: Inclosed herewith I hand you a copy of my letter of resignation, addressed to Gov. Smith, of Georgia, and which I have just sent him.

With best wishes, I am, yours, very truly,

J. M. TERRELL.

—

ATLANTA, GA., *July 14, 1911.*

Hon. HOKE SMITH,
Governor, Atlanta, Ga.

DEAR SIR: The Constitution of the United States, Article I, section 3, paragraph 2, provides that "the executive thereof [the State] may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies." My commission as United States Senator from Georgia appointed me "until the next meeting of the general assembly of this State."

So far as I am informed, this question has not been authoritatively determined by the United States Senate, although by sufferance or physical precedent a Senator so commissioned might retain his position for a limited time at the pleasure of his successor.

The Legislature of Georgia has elected my successor and chosen him to represent the sovereignty of the State in the United States Senate, thus filling such vacancy. There are pending before that body at this time measures of the greatest importance to the people, votes upon which will be demanded in the immediate future. Georgia should be represented by two Senators, supported by all of the power that the fullest confidence of the State can give. That expression of confidence having been given you by the general assembly, you are the only man whose vote on any matter now pending in the Senate can be said to have the official authority of the State back of it.

By the action of the general assembly you have been offered the commission to represent the State in my place. I can not, therefore, in justice to myself nor to the State whose credentials have been placed in your hands, undertake to assume a responsibility nor to wear an honor that belongs to you and which you specifically have been asked to take instead of me. Any other course on my part would be undignified and unworthy.

I believe that my term of office as United States Senator has expired under my commission, but in order to remove all possible doubt that may arise in the minds of anyone I respectfully resign the office of United States Senator from Georgia, to take effect this day.

Wishing you success and congratulating you upon the honor that has been conferred upon you, I am,

Very truly, yours, J. M. TERRELL.

—

[Telegram.]

ATLANTA, GA., *July 17.*

Hon. JAMES S. SHERMAN,
Vice President, Senate Chamber, Washington, D. C.:

My successor as United States Senator elected by the Legislature of Georgia last Wednesday. It is my opinion that this election termi-

nated my term of office, but to remove all doubt I sent my resignation last Friday afternoon to Gov. Smith and mailed you copy of same. This resignation is irrevocable and I have so notified Gov. Smith. I will be glad for you to instruct the Secretary to strike my name from the roll of Senators. Please wire me whether further action is necessary upon my part.

J. M. TERRELL.

The VICE PRESIDENT. The Chair desires to say in this connection that, of course, the Chair would not assume the responsibility, without the action of the Senate, of directing the Secretary to strike any Senator's name from the roll. But the Chair assumes that the Senate will acquiesce in the resignation presented to the governor of Georgia by the Senator from Georgia, and the Chair assumes that the Senate would acquiesce in the Senator's desire to have his name stricken from the roll. Unless there be objection on the part of some Senator, the Chair will instruct the Secretary to strike Mr. TERRELL's name from the roll of the Senate. No objection is heard, and the Secretary will so act. The letter and accompanying papers will be placed on the files.

PURE-FOOD LAW—DEFINITION OF WHISKY.

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read:

To the Senate:

In compliance with the following resolution of the Senate of June 7, 1911—

Resolved, That the President be, and he is hereby, requested, if not incompatible with the public interest, to transmit to the Senate all the documents and data, including the official opinions and regulations of the Department of Agriculture or bureau heads thereof and of the Department of Justice or officers thereof, together with all printed briefs, arguments, and reports of counsel representing the various interests connected therewith in the matter of the controversy generally known under the caption or question, "What is whisky," accompanying the same with the decision or decisions rendered by the President in relation thereto.

I transmit herewith the documents and data referred to, together with letters from the Secretary of the Treasury, the Attorney General, and the Secretary of Agriculture.

The Senate is requested to return the documents and data transmitted herewith for the files of the departments when they have served the purpose of the Senate.

WM. H. TAFT.

THE WHITE HOUSE, *July 13, 1911.*

The VICE PRESIDENT. If there be no objection, the message and accompanying papers will be referred to the Committee on Printing rather than have the Chair order it printed, as a large part of it has already been once printed. If there be no objection that order will be followed.

RECIPROCITY WITH CANADA.

Mr. WORKS. Mr. President, I desire to give notice that on Wednesday morning next, immediately after the conclusion of the morning business, I will submit some remarks on the reciprocity bill. As the time for the discussion of that bill is limited, I think I should state to Senators who desire to speak on the subject that my remarks will be very brief, probably not exceeding half an hour in length.

THE CALENDAR.

The VICE PRESIDENT. Morning business is closed, and the calendar, under Rule VIII, is in order. The Secretary will state the first bill on the calendar.

The bill (S. 237) for the proper observance of Sunday as a day of rest in the District of Columbia was announced as first in order.

Mr. HEYBURN. I ask that the bill go over.

The VICE PRESIDENT. The bill will go over.

The bill (S. 291) providing for the retirement of petty officers and enlisted men in the United States Navy or Marine Corps, and for the efficiency of the enlisted personnel, was announced as next in order.

Mr. BURTON. Mr. President, the Senator from Wyoming [Mr. WARREN], who is a member of the Committee on Military Affairs, I think desires to be here when that bill is taken up for consideration. I therefore ask that it may go over.

The VICE PRESIDENT. The bill will go over.

The bill (S. 25) to regulate the business of loaning money on security of any kind by persons, firms, and corporations other than national banks, licensed bankers, trust companies, savings banks, building and loan associations, pawnbrokers, and real-estate brokers in the District of Columbia, was announced as next in order.

Mr. POMERENE. Mr. President, that is a bill to which I have offered an amendment. The Senator from New Hampshire [Mr. GALLINGER], the chairman of the Committee on the District of Columbia, who has taken considerable interest in the bill, is absent. Perhaps I ought to ask, therefore, to have the bill go over until he may be here or until we know whether he will be here this session.

The VICE PRESIDENT. The bill will go over.

The bill (S. 123) to alter the regulations respecting the manner of holding elections for Senators was announced as next in order.

Mr. HEYBURN. I ask that that bill go over.

The VICE PRESIDENT. The bill will go over.

The bill (S. 1899) to repeal a portion of an act heretofore passed relating to the alienation of the title of the United States to land in the District of Columbia was announced as next in order.

Mr. HEYBURN. I ask that that bill go over.

The VICE PRESIDENT. The bill will go over.

PUBLICITY OF CAMPAIGN CONTRIBUTIONS.

The bill (H. R. 2958) to amend an act entitled "An act providing for publicity of contributions made for the purpose of influencing elections at which Representatives in Congress are elected" was announced as next in order.

Mr. HEYBURN. I ask that the bill go over.

Mr. LODGE. Mr. President, I do not know who objected to that bill, but it seems to me——

Mr. HEYBURN. I objected to it.

Mr. LODGE. Then I move that the bill be taken up, notwithstanding the objection.

The VICE PRESIDENT. The Senator from Massachusetts moves that the bill be considered, the objection of the Senator from Idaho to the contrary notwithstanding.

Mr. BURTON. Mr. President, if it is in order, I suggest that the chairman of the Committee on Privileges and Elections and other members of that committee are absent.

Mr. LODGE. I am aware of that fact.

Mr. BURTON. Several amendments have been presented to this bill which will lead to somewhat extended discussion, and when they are considered those members of the committee would probably desire to be present. If I thought the bill would go over for the session, I would interpose no possible question or objection, but I think it is safe to say that the bill will pass during this session.

Mr. LODGE. I desire to say that I am aware that the chairman of the committee is absent, but I have also been informed by members of the committee that it is his desire that the Senate should dispose of this bill. That was stated here when we came to our general agreement on the other matters. The junior Senator from Iowa [Mr. KENYON], who is not here this morning, spoke about it at the time when that agreement was made.

The VICE PRESIDENT. The motion is not debatable.

Mr. LODGE. And I therefore have made the motion to proceed to consideration of the bill.

The VICE PRESIDENT. It is not a debatable question.

Mr. LODGE. I know that; and I am aware that I was out of order in discussing the matter.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Massachusetts.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 2958) to amend an act entitled "An act providing for publicity of contributions made for the purpose of influencing elections at which Representatives in Congress are elected."

The Secretary proceeded to read the bill which had been reported from the Committee on Privileges and Elections with amendments.

The first amendment of the committee was, on page 1, line 3, after the word "five," to strike out "and," and in the same line, after the word "six," to insert the words "and eight," so as to read:

That sections 5, 6 and 8 of an act entitled "An act providing for publicity of contributions made for the purpose of influencing elections at which Representatives in Congress are elected," approved June 25, 1910, be, and the same are hereby, amended to read as follows:

The amendment was agreed to.

The next amendment was, on page 2, line 4, after the word "each," to strike out "third" and insert "sixth," so as to read:

SEC. 5. That the treasurer of every such political committee shall, not more than 15 days and not less than 10 days next before an election at which Representatives in Congress are to be elected in two or more States, file in the office of the Clerk of the House of Representatives at Washington, D. C., with said Clerk, an itemized detailed statement; and on each sixth day thereafter until such election said treasurer shall file with said Clerk a supplemental itemized detailed statement.

The amendment was agreed to.

The next amendment was, on page 4, after line 3, to insert the following:

SEC. 8. That any person may in connection with such election incur and pay from his own private funds for the purpose of influencing or

controlling, in two or more States, the results of an election at which Representatives to the Congress of the United States are elected, all necessary personal expenses for his traveling, for stationery, and postage, and for telegraph and telephone service without being subject to the provisions of this act.

The amendment was agreed to.

Mr. BURTON. Is the bill open to further amendment?

The VICE PRESIDENT. The bill is still open to amendment, but the committee amendments have not all been disposed of as yet.

Mr. HITCHCOCK. Before section 8 is passed I should like to inquire whether those personal expenses must be reported.

Do I understand that that provision in section 8 makes it unnecessary for the candidate or committee to report the amount of those personal expenses?

Mr. BORAH. It would seem from reading the section that those items which are covered by this section would not need to be reported at all.

The section says:

SEC. 8. That any person may in connection with such election incur and pay from his own private funds for the purpose of influencing or controlling, in two or more States, the results of an election at which Representatives to the Congress of the United States are elected, all necessary personal expenses for his traveling, for stationery, and postage, and for telegraph and telephone service without being subject to the provisions of this act.

That would necessarily mean, I suppose, that he would not have to report those at all, as they would not be subject to this act. I do not know what the understanding of the committee is, but the language seems to imply that.

The VICE PRESIDENT. The Secretary will report the next amendment.

The next amendment of the Committee on Privileges and Elections was, on page 4, after line 11, to insert as a new section, section 2, the following:

SEC. 2. That section 8, as above amended, and sections 9 and 10 of said act be renumbered as sections 9, 10, and 11, and that a new section be inserted after section 7 of the said original act, to read as follows:

"SEC. 8. Every person who shall be a candidate for nomination at any primary election, or for election at any general election, as Representative in the Congress of the United States, shall, not less than 10 nor more than 15 days before the day for holding such primary election, and not less than 10 nor more than 15 days before the day of the general election at which candidates for Representatives are to be nominated or elected, file with the Clerk of the House of Representatives at Washington, D. C., a full, correct, and itemized statement of all moneys and things of value received by him, or by anyone for him with his knowledge, from any source, in aid or support of his candidacy, together with the names of all those who have furnished the same in whole or in part; and such statement shall contain a true and itemized account of all moneys and things of value disbursed or used by such candidate, or by his agents or representatives, so far as known or understood by such candidate to have been so disbursed or used, in any manner whatsoever, together with the names of all those to whom any and all such disbursements were made for the purpose of securing his nomination or election.

"Every person who shall be a candidate for nomination at any primary election, or for indorsement at any general election, or election before the legislature of any State, as Senator in the Congress of the United States, shall, not less than 10 nor more than 15 days before the day of holding such primary election, and not less than 10 nor more than 15 days before the day of the general election at which he is seeking indorsement, and not less than 5 nor more than 10 days before the day upon which the first vote is to be taken in the two houses of the legislature before which he is a candidate for election as Senator, file with the Secretary of the Senate at Washington, D. C., a full, correct, and itemized statement of all moneys and things of value received by him, or by anyone for him with his knowledge, from any source, in aid or support of his candidacy, together with the names of all those who have furnished the same in whole or in part; and such statement shall contain a true and itemized account of all moneys and things of value disbursed or used by such candidate, or by his agents or representatives, so far as known or understood by such candidate to have been so disbursed or used, in any manner whatsoever, together with the names of all those to whom any and all such disbursements were made for the purpose of securing his nomination or election.

"Every such candidate for nomination at any primary election, for indorsement or election at any general election, or for election by the legislature of any State, shall, within 15 days after any such primary election, and within 15 days after any such general election, and within 15 days after the day upon which the legislature shall have elected a Senator, file with the Clerk of the House of Representatives, or with the Secretary of the Senate, as the case may be, a full, correct, and itemized statement of all moneys and things of value received by him, or by anyone for him with his knowledge, from any source, in aid or support of his candidacy, together with the names of all those who have furnished the same in whole or in part; and such statement shall contain a true and itemized account of all moneys and things of value disbursed or used by such candidate, or by his agents or representatives, so far as known or understood by such candidate to have been disbursed or used, in any manner whatsoever, up to, on, or after the day of such primary election, general election, or election by the legislature, together with the names of all those to whom any and all such disbursements were made for the purpose of securing his nomination, indorsement, or election.

"Every such candidate shall include therein a statement of every promise or pledge made by him, directly or indirectly, or by anyone for him with his knowledge, before the completion of any such primary or general election, or election by the legislature, relative to the appointment or recommendation for appointment of any person to any position of trust, honor, or profit, either in the county, State, or Nation, or in any political subdivision thereof, or in any private or corporate employment, and if any such promise or pledge shall have been made, the name or names, the address or addresses, and the occupation or occupations, of the person or persons to whom such promise or pledge shall have been made, shall be stated, together with a description of the position relating to which such promise or pledge has been made. In the event that no such promise or pledge has been made by such candidate, that fact shall be distinctly stated.

"Every such statement hereinbefore referred to shall be verified by the oath of the candidate, taken before an officer authorized to administer oaths under the law of the State in which he is a candidate, and shall be sworn to by the candidate in the district in which he is a candidate for Representative, or the State in which he is a candidate for Senator, in the Congress of the United States: *Provided*, That if at the time of such primary or general election or election by the State legislature said candidate shall be in attendance upon either House of Congress as a Member thereof he may at his election verify such statement before any officer authorized to administer oaths in the District of Columbia."

Mr. SUTHERLAND. Mr. President, on page 7, line 8, after the word "knowledge," I move to insert the words "or authority," so that it will read:

Or by anyone for him, with his knowledge or authority.

The VICE PRESIDENT. The Secretary will report the amendment to the amendment.

The SECRETARY. On page 7, line 8, after the word "knowledge," insert "or authority."

Mr. BURTON. Will the Senator from Utah yield for a suggestion?

Mr. SUTHERLAND. Certainly.

Mr. BURTON. I introduced an amendment to the effect that those words "or authority" should be inserted, but concluded on considering the subject somewhat more fully that that was hardly sufficient, and I suggest this phraseology:

Or to whom he has given authority to make any such promise or pledge.

Of course the object of it is obvious enough. A candidate for office at the beginning of a contest might say to some friend, "I will make no promises, but you may make promises, and I will stand by what you say," and the law might be evaded.

Will the Senator from Utah consent to that substitution which I ask?

The VICE PRESIDENT. Does the Senator from Utah accept that in lieu of the amendment he has heretofore offered?

Mr. SUTHERLAND. I do.

The VICE PRESIDENT. The Secretary will report the amendment.

The SECRETARY. On page 7, line 8, after the word "knowledge," insert:

Or to whom he has given authority to make any such promise or pledge.

Mr. REED. Mr. President, this is proceeding so fast that I have not got the import of the amendment. I wish the Senator from Ohio would explain what the amendment is.

Mr. BURTON. The object of this amendment is this—the Senator from Utah has the floor, if he will yield to me——

Mr. SUTHERLAND. Certainly.

Mr. BURTON. The bill as reported requires every candidate to include in his sworn statement—

a statement of every promise or pledge made by him, directly or indirectly, or by anyone for him with his knowledge, before the completion of any such primary or general election, or election by the legislature, relative to the appointment or recommendation for appointment of any person to any position of trust, honor, or profit, either in the county, State, or Nation, or in any political subdivision thereof.

The manifest aim is to destroy the corrupt influence of promises for appointment or recommendation to office. But it seemed to the Senator from Utah and to myself that the phraseology was hardly complete. First, it includes "a promise or pledge made by him directly or indirectly"; second, "or by anyone for him with his knowledge."

That second clause contemplates that another person might make the promise for the candidate, and he would confirm his action. But this promise might be made by another person without his knowledge, in pursuance of a general authority to act for him in matters of patronage.

The Senator from Missouri [Mr. REED] will readily understand that at the beginning of a campaign a candidate for office might give power to make promises over to another person.

Mr. REED. Certainly.

Mr. BURTON. And the promises made by that other person would be effective, although without the candidate's knowledge, and he could file this affidavit with the utmost good faith, and say "I have made no promises," when, in truth and in fact, he had brought to bear an influence on his behalf just as potent by allowing another person to promise for him.

Mr. REED. What is the Senator's amendment?

Mr. BURTON. "Or to whom he has given authority."

Mr. REED. It is a very good amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

Mr. SUTHERLAND. Mr. President, before we get too far away from this subject, I did not quite understand the inquiry which was made by the Senator from Nebraska [Mr. HITCHCOCK]. But I desire to put into the RECORD the statement that section 8, as proposed to be amended by the Committee on Privileges and Elections, strengthens the existing section 8 upon that subject.

Section 8 of the existing law provides:

SEC. 8. That any person may, in connection with such election, incur and pay from his own private funds for the purpose of influencing or controlling, in two or more States, the result of an election at which Representatives to the Congress of the United States are elected all personal expenses for his traveling and for purposes incidental to traveling, for stationery and postage, and for telegraph and telephone service without being subject to the provisions of this act.

It will be noted that in section 8 as reported by the committee, which intends to amend section 8 of the original act, the word "necessary" is written in before the words "personal expenses," so that it reads "all necessary personal expenses," and the limitation in the existing law "and for purposes incidental to traveling" are stricken out in the proposed amendment, so that it applies only to expenses for traveling and excludes purposes incidental to travel.

The committee thought that the law would be strengthened by the insertion to which I have called attention and also by the elimination to which I have called attention.

The VICE PRESIDENT. The question is on agreeing to the amendment as amended.

Mr. WARREN. I should like to have the Senator's construction of the word "necessary." Of course, it is a question whether it is necessary to travel at all. To one who is before the people as a candidate the matter of necessity is a question of his own creation. He goes out to travel or to assist himself in obtaining votes, and the question is, How would you apply the word "necessary?"

Mr. SUTHERLAND. The word "necessary" qualifies "expenses" and not "traveling." The language is, the Senator will observe, "all necessary personal expenses for his traveling." The word "necessary" qualifies "expenses;" it does not qualify "traveling."

Mr. WARREN. The question is whether it would be necessary for him to travel at all. One of our distinguished Members said, in a private way, the other day to one of his coiaborers in the Senate that he does not propose to make any campaign in his State.

Mr. SUTHERLAND. Then he would not have any necessary personal expenses of travel.

Mr. WARREN. In the meantime, a Senator who may be in the State next to him might consider it necessary to travel. I want to get the Senator's idea of the application of the word "necessary."

Mr. SUTHERLAND. I think each individual would be the judge of his own case.

Mr. WARREN. The necessary traveling expenses would then be a matter in the mind of the candidate.

Mr. SUTHERLAND. I think so. That is for traveling.

Mr. WARREN. It is a very liberal construction, surely. I want to ask the Senator in charge of the bill, who, I presume, is the Senator from Utah, whether in considering the bill the State laws have been taken into consideration?

I notice on page 5, commencing at line 12, it is proposed that between 5 and 15 days before a primary there shall be a report made here to the Clerk of the House of Representatives or the Secretary of the Senate, then that there shall be, between 5 and 15 days before the election, another report made; and then there is to be another report made between 5 and 15 days when the action of the legislature comes. I should assume that the more important time to get at the expenses of a candidate would be after it was all over; but there are three times in which he has to report before his election expenses may have ended, and it is presumed another report must be made afterwards as a finality. In some of the States it is prescribed that he shall file certain reports at certain times, and it would probably be a matter of some convenience and lessen his force of clerks, accountants, auditors, and so forth, if these times could be made to tally with the reports to the State and if the bill would require that he should make a report at the same time he is required by the State laws to make a report to the State.

Mr. LODGE. The report subsequent to election is already provided for by law.

Mr. WARREN. But this distinctly states at what date the reports shall be made.

Mr. LODGE. The only things not provided for are the reports of expenses prior to the election. The reports of expenses subsequent to election are covered in the previous act.

Mr. WARREN. That point has been considered well, but if those reports are made on the date that reports are made for the State in each State, the clerical duty will be lightened.

Mr. SUTHERLAND. This law is intended to apply to three different conditions. Wherever there is a primary law in a State it will apply to that. Then the candidate for United States Senator before the primary election is required under this law——

Mr. WARREN. Excuse me a moment. I understand the Senator to say that it applies to the primary, and when the election takes place it applies there, and when the legislature acts upon it it applies again.

Mr. SUTHERLAND. If the Senator will bear with me——

Mr. WARREN. In the line of economy I think it would be better to frame it so that the Member of Congress or the Senator would not have to have a corps of clerks occupied 15 or 20 times with a copy of expenses and the various reports.

Mr. SUTHERLAND. If the Senator will follow the language of the law, he will see that his construction is not quite accurate.

Mr. WARREN. I am seeking information.

Mr. SUTHERLAND. In the first place, wherever in a State there is a primary law the candidate for United States Senator is required to make his report within not less than 10 nor more than 15 days before the day of holding the primary. Then in that same State he must make his report, if he still continues to be a candidate at the time of the election, before the legislature.

Mr. WARREN. No; but before that.

Mr. SUTHERLAND. Before that, if he is a candidate for indorsement at the general election, he shall make a report before that election is held. If he still continues to be a candidate before the legislature, then he shall make his report at the time specified in the law before the action of the legislature, and then, after the whole thing is over, he is to make reports covering his expenses that are not included in the prior reports.

Mr. WARREN. Then I am right in supposing that he has also to make additional reports in some of the States under the law? Where States have similar laws and the dates differ, then must he make a report to the State?

Mr. SUTHERLAND. I am inclined to think not. I think when the laws conflict the Federal law would supersede the State law upon that subject.

Mr. WARREN. Where the State requires that a man who becomes a candidate must make his report it would supersede, but where as a condition precedent the certificate of election——

Mr. REED. Mr. President, we want to hear.

The VICE PRESIDENT. Senators will speak so that Senators on the other side may hear.

Mr. WARREN. Where he is required by law before he can receive his certificate of election, say, as a Senator, to satisfy the secretary of state of his State as to his expense account, I hardly think that this law would entirely supersede the State law.

Mr. SUTHERLAND. I do not state it positively, but I think it would. The constitutional provision is that the legislature in each State shall regulate the time, place, and manner of holding these elections; but the Constitution provides that Congress may from time to time make and alter such regulations. When Congress has either made a regulation covering the subject which has not been covered by State law or made a law which conflicts with the State law, then it has altered the State law in that particular, and it would supersede the State law. At any rate, that occurs to me as being the proper construction of the constitutional provision.

Mr. WARREN. Let me ask the Senator, then, what would be the condition where the State law provided that a United States Senator could not receive the certificate of election of the governor until he had had his election accounts passed upon? What would be the Senator's modus operandi of getting the matter before the United States Senate that we might act upon it here?

Mr. SUTHERLAND. If I were the United States Senator, I would comply with the State law, so as to avoid any question about it. It does not seem to me that any great hardship would be entailed.

Mr. WARREN. Then make an additional report——

Mr. SUTHERLAND. The candidate would file exactly the same account. There is no particular hardship in doing that.

Mr. WARREN. Of course, it is no matter of personal interest to me, and perhaps to no one else present, but it strikes me that in legislation of this kind, where we all seem to be in a red-hot breathless run each to excel the other in the purity with which we are to clothe ourselves hereafter, it might be

well to hesitate as we go along and take breath while we read the State laws and consider just how this proposed national law is going to apply, and how the national and State laws may harmonize.

Mr. SUTHERLAND. The Senator recognizes the fact that the State laws are not uniform.

Mr. WARREN. They are not.

Mr. SUTHERLAND. It is very desirable that this matter shall be regulated and governed by a uniform law. That is what we have undertaken to do by this law.

Mr. BURTON. Mr. President, I overlooked the fact that the Senator from Utah was a member of this committee. I should like to ask whether those supplemental statements provided in section 6 require that there be repeated in each successive statement all the data included in each proceeding, or does it stand by itself?

Mr. SUTHERLAND. There is a distinct provision that in a subsequent statement it is not necessary to repeat the former statement.

Mr. WARREN. Perhaps I overlooked that.

Mr. SUTHERLAND. The bill provides that—

> Each of said statements shall conform to the requirements of the following section of this act, except that the supplemental statement herein required need not contain any item of which publicity is given in a previous statement.

Mr. BURTON. I desire to introduce another amendment, which I desire to have read.

Mr. HEYBURN. Mr. President——

Mr. BURTON. I yield to the Senator from Idaho, who desires, I understand, to express himself on the pending question.

Mr. HEYBURN. Before another amendment is taken up.

The VICE PRESIDENT. The Senator from Ohio temporarily withholds his amendment.

Mr. HEYBURN. I have but a very few remarks to make. This proposes to authorize a man to spend money to be elected as a United States Senator; in other words, it merely limits the amount of the infamy. I thought the people elected the Senators. This might be termed "A bill providing a method by which men may elect a man to the United States Senate or secure his election." It is about as immoral a piece of legislation, or proposed legislation, as I have ever come in contact with. It provides in express terms that a man may expend money for his own election. I suppose if a man spent $5 for his own election it would be about as penal an offense or act as to spend $5,000. The bill provides on page 5:

> And such statement shall contain a true and itemized account of all moneys and things of value disbursed or used by such candidate * * * for the purpose of securing his nomination or election.

Now, there is a legislative license to do it. It is an affirmative proposition. The density even of the public mind at times is astonishing. We seem to be acting upon the assumption that men in the Congress of the United States are naturally vicious and unregenerate, and that they must be watched in every particular for fear that they will come in here through corrupt means. If I thought that there was a necessity for legislation to prevent me from getting here or staying here because of corrupt methods, I would walk out. I say that without any hesitation. I would not come. I noticed on Saturday that some one whose name was mentioned as a candidate, some man of consequence, said he would decline to enter into a contest with the conditions that surround it. Is it not apparent to Senators that this is a self-defamation? As a Senator suggested, each one seems to vie with the other in providing restrictions that shall prevent him from committing a crime. Each one is trying to outdo the other in saying "Hold me; if you do not, I am liable to do something bad." Does it not appeal to the people? If I were a constituency, with the exercise of the right of a constituency, I would not consider for a moment a man who would suggest the necessity of restraint against his violating the law of common honesty and decency. But for the body itself to propose that a man may spend money for his own election is beyond the beyond. What difference whether it is $5 or 5 cents or $5,000? No man should be authorized or seek to be authorized to spend money for his own election.

Mr. HITCHCOCK. Mr. President——

Mr. HEYBURN. It is the people who are going to elect him. I yield to the Senator from Nebraska.

Mr. HITCHCOCK. I suggest also to the Senator from Idaho that his statement could be made even stronger by reference to the part of section 8, on page 7, which not only contemplates that the candidate may expend money to secure his office, but that he may make promises of political appointment, providing he afterwards reports them to the Congress.

Mr. HEYBURN. Certainly; by——

Mr. HITCHCOCK. I should think it quite possible it is a fact that there are legitimate expenditures of money for carrying on campaigns, but it is hardly to be contemplated that there is much that is legitimate in the promise of the distribution of patronage.

Mr. HEYBURN. That is a crime now. That has always been an offense against the law. But this law legalizes it. You may do it hereafter, if this legislation is enacted. You will be authorized to say, "I promise John Smith that he shall be postmaster." I am raising the point with an attempt at probably some little sarcasm. You will say, "Yes, oh yes; I will appoint a certain man to office"; and then in the report say, "On a certain day I declared to So-and-so that I would not appoint a certain man to office." It is pretty difficult to express a legitimate criticism on this kind of legislation. That is not the only criticism along that line. In other words, it authorizes men to buy office. That is what it authorizes. In our States we have a provision that a man must pay an admission fee before he enters the race and then at a certain wicket he must pay a further fee before he can go into the race.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to his colleague?

Mr. HEYBURN. Are we losing sight of the ordinary morals in Government? Yes; I yield.

Mr. BORAH. I wish to ask in what respect and to what language this applies, found on page 7:

> Every such candidate shall include therein a statement of every promise or pledge made by him.

It does not do anything more than to require him to report whether he did such a thing.

Mr. HEYBURN. Yes; whether he has committed a crime.

Mr. BORAH. That is exactly what we are trying to do.

Mr. HEYBURN. Under oath?

Mr. BORAH. That is the design of the bill.

Mr. HEYBURN. I will agree to anything that the Senator says in regard to the design of this bill. I think its designs are so numerous, so obscure, and so plain that it is open to any charge that may be made against it.

Mr. BORAH. The statement has been made that this legalizes that kind of a promise or pledge. I ask, as a matter of information, how does it do it?

Mr. HEYBURN. It requires him to set it out in writing.

Mr. BORAH. Exactly; but it does not legalize the act itself.

Mr. HEYBURN. Does it say when he sets it out he shall thereafter be disqualified as a candidate?

Mr. BORAH. That is for this body to determine after he gets here.

Mr. HEYBURN. That presupposes he will eventually be elected.

Mr. BORAH. It does not presuppose that he will eventually be seated. The very object of the bill is to have information. The proper body will determine whether he shall be seated or not.

Mr. HEYBURN. Then he must state that he has violated the law or committed a crime, and lines 18, 19, and 20 come in. Notwithstanding the fact that the people of the State may have vouched for him at the election he has got to come down here and swear, before he is charged with the fact, that he has not committed a crime. He does not have to wait until he is charged. That is a most unusual circumstance under modern conditions. But he comes in here and says, "I will come in here and file a pleading that I am not charged with any crime." The reply could be made, "Nobody has charged you with any crime; why plead before you are indicted?"

Mr. SUTHERLAND. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Utah?

Mr. HEYBURN. I yield to any Senator. I want some light on this subject to see what excuse can be made for it.

Mr. SUTHERLAND. If I understand the Senator he complains about this bill because he says in effect it is a reflection upon the body itself.

Mr. HEYBURN. That may be an interpretation. Now, I do not complain of the bill. The word "complain" does not express it at all. I merely express my unqualified disgust at it.

Mr. SUTHERLAND. Perhaps I did not understand the Senator. Why does the Senator feel disgusted about it?

Mr. HEYBURN. At this legislation?

Mr. SUTHERLAND. Yes; because it requires a candidate to make a statement as to the money he spent in bringing about his own election?

Mr. HEYBURN. On the basis that man is his own candidate. If the man is the people's candidate the people vouch for him, but for the man who is his own candidate I would not take all the vouchers and guaranties on earth, if that is all he has got to say for himself—"I want an office." I have always based the nomination or the selection of a man for the reason that he wanted the place in this Government as a very good reason with me for not giving it to him.

Mr. SUTHERLAND. The Senator will concede that sometimes men who are not absolutely perfect aspire to office and sometimes money is improperly expended in the election.

Mr. HEYBURN. I have never known it; I never came in contact with it in my life.

Mr. SUTHERLAND. There are several cases in the history of the Senate where it has not only been charged, but has been proven beyond any question whatever. I think the Senator knows enough about the history of this country to know that money has frequently been spent improperly.

Mr. HEYBURN. Was not the law sufficient at that time to deal with the question?

Mr. SUTHERLAND. I do not think so, Mr. President.

Mr. HEYBURN. It dealt with them.

Mr. SUTHERLAND. It has dealt with one or two cases, but I think where there were one or two cases that have been reached under the old law a score have escaped.

Mr. HEYBURN. In the Senate?

Mr. SUTHERLAND. I will not say in the Senate, but in the Senate and House of Representatives together.

Mr. HEYBURN. In the Congress of the United States?

Mr. SUTHERLAND. I think so.

Mr. HEYBURN. Scores of men have corruptly entered Congress.

Mr. SUTHERLAND. There have been scores of cases in the history of the Government, I have no doubt.

Mr. HEYBURN. I should like to know upon what information the argument was based. The presumption is that they came here honestly.

Mr. SUTHERLAND. Yes; the presumption——

Mr. HEYBURN. The fact has to be established under the rules of evidence that pertain in courts before I am going to convict him.

Mr. SUTHERLAND. The presumption of law is that every man is innocent when charged with a crime, and yet men do commit crimes.

Mr. HEYBURN. No man is charged, outside of Congress or official life, with the necessity of defending himself until he is charged with a crime, and here you propose that a man shall defend himself before anybody charges him with an offense.

Mr. SUTHERLAND. Does the Senator object to laws which make it a criminal offense for a public official to embezzle public money?

Mr. HEYBURN. No; I would put such an official in jail and disfranchise him, but I would not make him prove his innocence until some responsible person charged him with an offense.

Mr. SUTHERLAND. And yet, according to the Senator's logic, that is more or less an insult to all people engaged in the public service.

Mr. HEYBURN. No.

Mr. SUTHERLAND. We require public officers to make reports of their accounts——

Mr. HEYBURN. Yes.

Mr. SUTHERLAND. So that we may know what they are about and so that we may see whether they are committing offenses. What earthly reason is there that we should require other public officials to make stated accounts of their doings and exonerate Members of the Senate and House of Representatives from doing the same thing?

Mr. HEYBURN. They are not public officers when they are required to make the statements; they are only either voluntary candidates or persons whom somebody else has nominated for office, and it is a very serious question whether you have any jurisdiction over them at all. The only jurisdiction that you could exercise, in my judgment, would be at the bar of either House of Congress, and you would have to say to the one presenting himself, "Before you pass this bar you have got to prove that you are innocent of charges that have not yet been made against you, but that somebody may make." That is my idea of it. I doubt the jurisdiction of Congress to undertake to penalize the acts of a private citizen in regard to running for an office that he may never reach.

I am not going further into this. I do not expect to defeat the bill; it will be passed; but I do not intend, if anyone should ever read the history of congressional proceedings hereafter, to be classed among those who could not see that this attempt to penalize the acts of men in private life, who may never reach public life, is not the highest wisdom.

Mr. LODGE. Mr. President, I merely desire to say a word or two as to the purpose and theory of this legislation. It is that money spent in elections, if publicly accounted for, will only be properly expended; that a publicity law will put an end to the improper expenditure of money. Some States have gone further than that. They have limited the amount of money which a candidate may spend. My State passed legislation to that effect last winter. In England the corrupt-practices act limits the total amount of money that any candidate for Parliament can spend, as well as requiring publicity. The candidates have to show what the money was spent for, and they are limited in the amount they may expend. I never got the impression on account of that legislation that it was any particular reflection on the House of Commons or that it was a very corrupt body.

Mr. HEYBURN. I should like to ask the Senator a question.

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Idaho?

Mr. LODGE. Certainly.

Mr. HEYBURN. Would the Government have authority to punish or reach the man who failed of election who may have expended money in violation of this law?

Mr. LODGE. Certainly. This requires a statement of expenditure from all candidates at an election, whether elected or defeated.

Mr. HEYBURN. Very well. Then suppose there are five candidates, or any other number, for election, and the man who is elected is perfectly immune from any charge, are we to be required to sit here and try the defeated candidates? If so, would we do it?

Mr. LODGE. The body to which the candidate is elected has nothing to do with carrying out these laws; they would be carried out by the law officers of the United States, as State laws are carried out by the law officers of the State. In my own State, under the corrupt-practices act, if a man is charged with the improper expenditure of money, whether he be a defeated candidate or an elected candidate, it becomes the duty of the State's attorney to enforce the law, and that is the case here. This is not a question of a contested election that is to come before us, but it is by means of publicity to get rid of the improper expenditure of money.

Mr. HEYBURN. It was just to that point that I directed my question. Those who are unsuccessful, who are not elected, may be tried in the courts. Does that suspend the right of the one declared to have been elected to take his seat until the question is determined?

Mr. LODGE. Oh, no, Mr. President; that has nothing to do with the matter.

Mr. HEYBURN. Would it not be invoked against the seating of a man, in passing upon his papers, to charge him in a court somewhere with having been guilty of violating the law? And would we not have to wait until the court passed judgment on that?

Mr. LODGE. You mean if the case were brought against the candidate who was elected?

Mr. HEYBURN. Yes. Would we have to wait until the court had passed upon it?

Mr. LODGE. I take it that that would be a matter for the Senate to decide.

Mr. HEYBURN. Then, some little county court might tie up the Senate of the United States indefinitely.

Mr. LODGE. In the States, of course, the man would have to defend his title, I suppose, if the body to which he was elected saw fit to so direct.

Mr. HEYBURN. The Constitution says we shall be the sole judges.

Mr. LODGE. Of course, we are the sole judges of elections to Congress, and can seat a candidate if he has the proper certificate.

Mr. HEYBURN. And then have the State afterwards find, through its supreme court, and render judgment, that he was not entitled to his seat, probably a year after he had been sitting here.

Mr. LODGE. I do not understand that it would render a judgment of that kind. It would render judgment whether he had violated the corrupt-practices act.

Mr. HEYBURN. But the judgment must take some form. A jury does not simply find a verdict that a man has run away, for instance.

Mr. LODGE. Ours is a penal statute in Massachusetts. I do not recall the general statute that we have here, but I assume it is a penal statute.

Mr. HEYBURN. The cases involving a violation of the proposed law are subject to appeal, and the appeal would be from the United States court. The court sits probably once or twice a year, according to the jurisdiction of the cases tried. Then it would be appealed to the circuit court of appeals and there tried, and we would be waiting for a judgment that would authorize us to seat the representative of a State.

Mr. LODGE. I do not think that would be particularly bad, even if it were so. In England contested elections have been tried for years in the courts and decided. I think it has been a much better practice than the practice of trying a contested election in the body, as I have seen it.

Mr. HEYBURN. If the situation is as bad as has been suggested by the Senator from Utah [Mr. SUTHERLAND], we might lose a quorum while waiting for the courts to act.

Mr. LODGE. I think, Mr. President, there is no possible objection of that kind.

Mr. SUTHERLAND. Mr. President, this bill in no manner affects the existing power of Congress under the Constitution to judge of the qualifications and returns of its own Members; it in no manner extends or alters the State laws upon the subject of punishing for crime. If a man, after this law shall go into effect, should improperly expend money to bribe a voter, or do anything else that under the State law was corrupt, he would still be amenable to the law of the State, and he could be tried before the courts of the State and punished. If found guilty, he could be imprisoned under the law of the State. That is the case now; and this bill in no manner or form interferes with that power of the State or with the existing powers of the Congress of the United States.

Mr. WARREN. Mr. President, I do not wish to be understood as opposing any workable legislation to purify elections; on the contrary, I would go as far in that direction as anyone. I realize that wiser hands and wiser minds than mine have framed this proposed legislation, but it seems to me it is rather clumsy legislation when taken in conjunction with the fact that certain States have passed laws on this subject which are very complete. The State which I have the honor to represent in part has passed a very complete law without, as I understand, any objection from any quarter. It is a good law. That law provides not only that there shall be reports made very frequently as to expenses, but there is a limit to them. The Senator from Utah is of the opinion that this law will take the place of the State law and abrogate that law where the two are in conflict. How does the Senator construe this law as to a limit or no limit on expenditures?

Mr. SUTHERLAND. I do not think it would affect the State law. It does not deal with that subject.

Mr. WARREN. Is there any limit in this proposed law?

Mr. SUTHERLAND. None whatever.

Mr. WARREN. Why not have one?

Mr. SUTHERLAND. The committee considered that question. They found that they were dealing with a problem that they could not work out at this time. I think myself that one of the most wholesome laws which we could pass, if we could devise one, would be a law limiting the amount of expenditure that should be made by a candidate for the House of Representatives or for the Senate, but we have 46 States to deal with, and the conditions are different in the different States; the voting strength is different in the different States; and when we undertook to deal with it we found that we were confronted with so many practical difficulties that we abandoned the attempt to incorporate such a provision in the law. It is true, as the Senator has said, that in his State there is a provision which limits the expenditure, and there is such a provision in other States. I think it would be an excellent thing if every State in the Union would adopt such a law as that, but this legislation will not in any manner interfere with such laws. It does not cover that field.

Mr. WARREN. Then, as I understand the Senator, while in some cases it does interfere—that is, it abrogates the State law—in this particular he believes the State law would be observed. Does not that bring about a peculiar situation. If this law puts no limit whatever, and one State puts a limit, we will say, of $50,000 and another of $500, what is to be the attitude of this body in that respect if it is to be the court? The Senator from Idaho, for instance—of course there is no personal reflection in this—may spend $50,000 out of his large wealth, and his State does not debar him from so doing, while I come in with a tag on my neck that I have disregarded the State law in that I have spent $506, or $6 more than the amount allowed.

Mr. BORAH. The Senator refers to the senior Senator from Idaho?

Mr. WARREN. I was looking at the senior Senator [Mr. HEYBURN] but really referring to the junior Senator [Mr. BORAH]. I am only bringing these questions up for some explanation. Although I have no opposition to offer to this bill and do not propose to vote against it, I believe that it is not workable, and I think it will be so found. It seems to me the better way is to try out one of these things in our minds, at least to see where we are coming out. I can see where in the ordinary time of, say, 60 days, in which are to occur primaries and elections and all of that, that it is going to be a pretty hard matter for an honest and careful man to keep up with these statements in his State and in Washington also, especially if his home is a long way from Washington, as the homes of some of us are. According to the bill, as I read it—and the Senator from Utah agrees with me—there are three statements to be made before the final statement, making four in all. There are probably about three to be made in the State. That makes seven statements altogether. Does the Senator think that all those statements are necessary, and does he think that it is entirely proper to put men in that position?

Mr. SUTHERLAND. I think so, Mr. President. These statements are not going to be onerous. In the first place——

Mr. WARREN. Well, Mr. President, one will have to make the statements for himself and for all his friends.

Mr. SUTHERLAND. Let me finish what I was saying. In the first place, there are certain expenditures that are eliminated altogether. You are not obliged to state what you spend for postage; you are not obliged to state what you spend for stationery or for telegraph or for telephone service or for necessary traveling expenses. Those are legitimate expenses, but are not required to be stated. The other expenses are the only ones necessary to be stated, and it seems to me that there is going to be no great burden, if a man is a candidate for United States Senator, in making a statement 10 days before an election and within the time specified after the election.

Mr. ROOT. Mr. President, honest men must sometimes submit—and they ought to be willing to submit—to inconvenience in order that adequate regulations may curb dishonest men. Honest men must often be subjected to regulations which, critically considered, may carry a certain imputation of possible dishonesty in order that dishonest men may be regulated. It seems to me that the objection to this bill amounts to no more than that.

The bill may not be a perfect one. The subject as a legislative subject in this country is still in a tentative stage. We do know that there has been much corruption in many places in this country. We know that not merely through the newspapers or by ordinary conversation, but we know it by what has appeared in the Senate. We know that it is desirable that there should be legislation which will establish regulations in order that honest men may have their own, and not have their rights taken away from them by dishonest men through corruption. This bill is a movement in that direction and in the right direction. We probably shall have in the future to amend and perfect it, as we are now trying to amend and perfect the legislation already passed; and we ought to be willing to subject ourselves to the inconveniences that may be imposed upon us in order that rules may be established that will curb the dishonest. For that reason, I am in favor of the passage of the bill.

Mr. REED. Mr. President, I regret that the bill came up this morning, or, perhaps, to state it more properly, I regret that I did not know that it was coming up this morning, and did not give it as careful thought and study as its importance deserves. I agree with the statement just made by the Senator from New York [Mr. ROOT], but I go further and I say that it is no reflection upon any honest man when he is required to state to the public body, membership in which he seeks, every step that he took in order to secure that position, because these positions are not our positions.

Mr. HEYBURN. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Idaho?

Mr. REED. In a moment. They do not belong to the men that happen to fill the positions now or who may fill them in the future. These positions belong to the public, and the public has the right to make the rules and regulations and to lay down and to specify just what each man shall do to give assurance to the public that every step that he has taken has been a proper step.

I do not agree to the doctrine that when we pass a law against larceny, applying to every citizen of the State, we thereby have cast a reflection upon the citizens of the State and denominate them as thieves. I do not agree to the doctrine that when we

require a county treasurer or a State treasurer to file his accounts or when we provide for an examination of those accounts, we cast any reflection upon the honor or integrity of the man who happens to hold that position. So I do not and can not agree with the Senator from Idaho in the position he takes that these laws are reflections.

But if I have the import of this bill in my mind correctly, it seems to me there is one defect in it which at least we could to some extent remedy. The bill contemplates the filing of expense accounts, and in that respect I think it most commendable. But the bill does not undertake to limit, as I understand—and I wish I might have the attention of the Senator in charge, because if I am wrong I want to be put right—the kind of things of the classes of things for which you can expend money. Neither does it limit, as has been suggested, the amount of money which may be expended.

Mr. President, the suggestion has been made that those defects are cured by the legislation of certain of the States. I undertake to say that while a State legislature can pass a law making it a criminal offense for a candidate for the Senate of the United States to do certain things, which are in their nature wrong, and could punish him criminally therefor, the legislature of no State can pass a law which would affect the right of the man to sit in this body.

That is a question which must be determined by the laws of the United States and not by the laws of the State. I may be wrong in that, but I say this question is presented here to me rather abruptly. But I am asking Senators to consider that proposition, and if it be true that the Legislature of New York, for instance, has no power to pass any law which would provide the conditions or terms upon which a Senator might receive a certificate of election, or upon which he might take his seat here—perhaps they might control the certificate of election—then it seems to me this body ought at this time to go one step further than it has in this bill. I think we can properly provide for the uses to which money can be put. We can provide the legitimate uses and we can limit the amount.

Senators, I put it to you, will we be in any better position when this bill is passed than we are now with reference to one matter?

Documents have been placed in the hands of Senators, I take it—I received one—showing that in one of the States in the last election, in the primary contest, one of the Senators now sitting in this body expended $2 for every vote he received in that primary. Another candidate, if my recollection serves me right, expended $1.50 for every vote he received in the primary. Some other candidate expended a considerable sum—I have forgotten what; and one Senator sits here to-day having expended $107,000 to secure a nomination in the primaries.

I submit if that is not a bar to a seat in this body, then it ought to be a bar. I am not saying this to criticize the Senator who sits here now or to bring that matter now to the attention of this body.

But I do say that the Senate being the judge of the qualifications of its own Members and their right to sit here ought to provide by law now and here that no man can expend sums of money of that kind and gain a seat in this body by that means. And if you do not do it, all that you have succeeded in doing is simply to compel a man to make a statement of the amounts. There is too much truth in the statement that this bill almost apparently recognizes the right to spend money.

Now, we know money is spent. We must take a practical view of this question. There are certain legitimate campaign expenses that we have the right to incur. But we ought, in view of the development of matters now, to say at this time, and to say by law, that no man can occupy a seat here who expends $2 a vote or $1 a vote or 50 cents a vote for the votes he received.

I know it is difficult to solve this question, and I believe this committee has made an honest effort to draw a good bill. The bill has much of good in it.

Mr. LODGE. Mr. President——

Mr. REED. Just one second, and then I will yield. But I believe we can go further and ought to go further in regard to this matter. I now yield to the Senator from Massachusetts.

Mr. LODGE. The Senator from Missouri referred to the committee drawing this bill. The Senator knows that this is not a Senate bill. It is a House bill.

Mr. REED. I mean the amendment.

Mr. LODGE. The amendment simply extends to the primaries what the House placed on the general election. The House determined this bill and its scope.

Mr. REED. As far as my point goes, the committee have undertaken to amend the bill, and they have amended it in a large number of respects, and I commend them for having added the things they did add. But I do say we ought to go further, and if this bill is not disposed of to-day—and I trust it will not be—I think amendments covering the matters I have suggested ought to be added, and I think they ought to be added by the committee.

Mr. TOWNSEND. Mr. President, while I am in perfect sympathy with the plan for the utmost publicity in all matters affecting the nomination and election of Representatives and Senators, I should like to ask the Senator from Utah what would be the result if the candidate for the Senate refuses to make this report?

Mr. SUTHERLAND. My attention was distracted for a moment. Will the Senator please repeat his question?

Mr. TOWNSEND. The amendment which has been proposed here on page 7 provides that a report shall be made of any promise of any official position, and so forth. What would be the result if the candidate for Senator refused to make the report?

Mr. SUTHERLAND. There is a penal provision in the law.

Mr. TOWNSEND. What is the penalty proposed in the law?

Mr. SUTHERLAND. Well, I will have to look over the bill. I have forgotten it just at present.

Mr. BORAH. Another result would be, I presume, that a Senator would be asking admission here without having complied with the laws of his country.

Mr. SUTHERLAND. The penal provision is:

That every person willfully violating any of the foregoing provisions of this act shall, upon conviction, be fined not more than $1,000 or imprisoned not more than one year, or both.

That is the penal provision in the existing law. This is simply an amendment to the existing law, and the penal provision applies to it.

Mr. TOWNSEND. On page 7 of the bill, then, you propose that the Senator who offends against the existing law shall make such declaration——

Mr. SUTHERLAND. He shall make a statement of the fact whether or not he has given a promise or a pledge. If he does that, then so far as this law is concerned he is not amenable to punishment, but only in case he fails to make a statement.

Mr. TOWNSEND. It occurs to me this is rather an unusual provision. It compels under penalty a man to make declarations that he has violated the law.

Mr. SUTHERLAND. No. It is not a statement that he has violated the law. He is required to make a statement of the money he has expended.

Mr. TOWNSEND. I am talking about——

Mr. SUTHERLAND. I understand. I was illustrating. He is required to make a statement of the money he has expended in the election. It may be perfectly honestly expended. But he is required to make the statement in any event. If he fails to make the statement, then he is amenable to the punishment of the law.

If he has made a promise or a pledge, even though he may not be amenable to any criminal punishment for having made the promise or pledge, he is required to make a statement of it. The language is: "relative to the appointment or recommendation for appointment."

Mr. TOWNSEND. I can readily understand why in the case of the expenditure of money it would be perfectly proper for us to pass a law requiring the candidate to make a statement of the money he had expended.

Mr. SUTHERLAND. The Senator from Michigan will recognize that sometimes it is quite as vicious, and sometimes it is more vicious, for a man to make a pledge or a promise to another that in case he will support him for election to an office he will reward him with some appointment——

Mr. TOWNSEND. I quite agree with that.

Mr. SUTHERLAND. And sometimes far worse than if he had promised to give him money.

Mr. TOWNSEND. I quite agree with the Senator, and I want to reach that evil.

Mr. SUTHERLAND. My idea about this law, not only with reference to that, but also with reference to the statement about money, is that its chief virtue will lie in its deterrent effect. A man knowing that he must put upon paper under oath a statement of the amount of money he has expended is not so likely to expend money improperly; and knowing that he must state under oath any pledge or promise he has made relative to an appointment, he will be less likely to make any.

Mr. TOWNSEND. But this is the situation, if the Senator please. There is a law prohibiting the making of such a promise. It is illegal in many of the States for a man to make a promise, and it ought to be.

Mr. SUTHERLAND. Yes.

Mr. TOWNSEND. That is true.

Now, shall we say in a Federal statute that a man shall swear that he did or did not make such a promise? In other words, can we compel him under penalty possibly to convict himself? I doubt if such a law is good, so far as that is concerned—to compel him. For instance, we insist that a man who is charged with crime need not swear that he committed the crime. You can not compel him to do that. What I am speaking about is the peculiar condition which arises here which compels a man to say either that he did or did not violate a Federal statute, and by saying that he did perhaps he will incur also the other penalty of the State law which prevents him or prohibits him from doing that particular thing.

Mr. SUTHERLAND. It seems to me we ought not to decline to pass a law out of tenderness for a man who has committed an offense of that kind.

Mr. TOWNSEND. It is not a question of tenderness——

Mr. SUTHERLAND. The simple thing for the man to do who wants to avoid that difficulty is not to make any promises.

Mr. TOWNSEND. Surely; I realize that. But I doubt if by a Federal statute you can compel a man to say under oath that he has made a promise, if by so saying he incriminates himself.

Mr. ROOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from New York?

Mr. TOWNSEND. I do.

Mr. ROOT. May I ask the Senator from Michigan whether he would repeal all of the internal-revenue statutes which require returns because some States pass laws making it a criminal offense to deal in spirits?

Mr. TOWNSEND. Oh, no; not at all.

Mr. ROOT. You can not regulate your Federal statutes by the variety of legislation in the States, can you?

Mr. TOWNSEND. I recall but one Federal statute—I may not be well informed—which compels a man to make a statement of a crime or an offense which he has committed, and that is the so-called white-slave law that was passed by the last Congress.

I realize that this Congress has the right to compel a report, but I doubt the propriety, if not the legality, of a provision which compels a candidate for office by threat of penalty to disclose a crime committed by him. To me this seems most unusual.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Idaho?

Mr. TOWNSEND. I do.

Mr. BORAH. It does not compel him to make admission of the crime; it only compels him to make a report of what he has done. If he has committed a crime in getting here, then it only compels him to give up his office.

Mr. TOWNSEND. To do what?

Mr. BORAH. It only compels him in other words to clarify his record so that he may get this office. If he has committed the crime it is presumed he will not make the affidavit.

Mr. TOWNSEND. Is not that a part of the penalty?

Mr. BORAH. Certainly not. But if he does not make his report then it is in our power to judge whether he shall be entitled to his seat.

We make this a matter of public record in order to give us power to pass upon the question whether he shall be seated here.

Mr. TOWNSEND. In this connection I am reminded by the senior Senator from Oregon that it might make the law a little more effective if we were really seeking to clean up this body, to make it pure and clean, to incorporate as a part of the penalty the loss of the seat here if the candidate shall violate any provision of the law.

Mr. BORAH. That is completely in our hands without incorporating it here at all. We are the sole judges. It is absolutely within our power to unseat anyone for any reason which appeals to our conscience and our judgment.

Mr. TOWNSEND. So it is also within our power to determine whether a man has committed a crime against the election law without the passage of this law.

Mr. BORAH. Exactly. But this requires him to furnish proof of his record.

Mr. TOWNSEND. That is, for him to convict himself?

Mr. BORAH. No; the presumption is he has offended, and the presumption is that a man will not offend——

Mr. TOWNSEND. It may be this is usual, but, as I said, it occurs to me that it is not.

Mr. SUTHERLAND. A public officer charged with the collection and disbursement of public moneys is compelled to give an accounting, a statement of the moneys received and what he has done with them.

Now, the fact that that public officer may have embezzled a part of the funds is no reason why we should fail to provide a law by which he shall make a statement, even though in making the statement he may incriminate himself.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Missouri?

Mr. TOWNSEND. Yes.

Mr. REED. I beg the Senator's indulgence a moment.

Mr. TOWNSEND. Do you desire to ask me a question?

Mr. REED. It is a part of this general running talk.

Mr. TOWNSEND. I yield the floor.

Mr. REED. I do not want to take the floor. I do not desire that.

But the statement has been made, in response to the Senator who has the floor, that the object of this law and that the effectiveness of this law consist in this: That men—candidates for the Senate—knowing that they will have to file these statements, will be deterred by the mere fact of the publicity from doing wrong.

I did not mean to take the floor from the Senator.

Mr. TOWNSEND. All right.

Mr. REED. We ought to settle this matter right. I call the attention of Senators who have taken that view to this, that it is already the law in the State of Wisconsin that every candidate for the Senate must file a statement showing the amount of money he has expended. That did not deter the candidates in the last election. One of them sits here to-day, who filed a statement showing that he had expended—I think it is $107,000 by actual figures—$2 a vote. That did not prevent him from spending money.

Mr. BORAH. Mr. President——

Mr. REED. Now, just a moment, before I am interrupted. Another candidate spent $1.50, if my recollection serves me right, for each vote he received. That did not deter him. The fact that he had to make a sworn statement of it did no deter him. They did make these sworn statements. Therefore, manifestly, that does not stop it.

Now, just to conclude what I was going to say and then I will yield—I am asking questions.

RECIPROCITY WITH CANADA.

The VICE PRESIDENT. The hour of 1 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. The bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes.

Mr. LODGE. I do not know whether there is anyone who desires to go on with the debate on reciprocity. If there is no one who desires to speak on the unfinished business, I ask unanimous consent that it may be laid aside.

The VICE PRESIDENT. Temporarily?

Mr. LODGE. Temporarily.

The VICE PRESIDENT. The Senator from Massachusetts asks unanimous consent that the unfinished business be temporarily laid aside in order that House bill 2958 may be proceeded with. Is there objection? The Chair hears none.

Mr. JONES. Mr. President, I simply desire to give notice that on Thursday, after the routine morning business, I shall submit some remarks on the reciprocity measure.

Mr. BAILEY. In order that there may be no conflict, I desire to give notice that at the conclusion of the remarks of the Senator from Washington I will address the Senate on the same subject.

Mr. President, while on my feet I want to say that I left the Senate Friday owing to an injury to my eye, and I was not here when the vote was taken on the amendment of the Senator from Kansas [Mr. BRISTOW]. Had I been here I would have voted for his amendment. I have always voted to extract from the sugar schedule the peculiar protection to the Sugar Trust afforded by what is known as the differential duty, and while I have heretofore believed, and I now believe, in levying a revenue tariff on sugar, I am free to say that if the farmers of the West and the Northwest, and other sections of this country, are to have their products put on the free list, I intend to live up to the philosophy of my tariff opinion and put the agricultural products of the South likewise on the free list.

While I should have voted for the amendment of the Senator from Kansas, had that amendment been adopted I would then have voted against putting sugar and all the other products of the farmer on the free list.

Mr. BROWN. I desire to give notice that, following the remarks of the Senator from California [Mr. WORKS], on Wednesday next I will address the Senate on the reciprocity bill.

PUBLICITY OF CAMPAIGN EXPENDITURES.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 2958) to amend an act entitled "An act providing for publicity of contributions made for the purpose of influencing elections at which Representatives in Congress are elected.

The VICE PRESIDENT. The Senator from Missouri will proceed.

Mr. REED. Now, I put this to the Senators, who I think are very earnest and sincere in this matter. It being true that the fact that State laws have required publicity, and that that publicity has not deterred the expenditure by candidates of these large sums of money, it is manifestly a fact that the idea has not worked. Is it not true to-day that a man could come to this body under this law as you contemplate it and say that he had spent $500,000 to secure his nomination and election, that he had expended a million dollars to secure his nomination and election, and yet if you could not trace the use of that to some corrupt, felonious purpose he would under this bill still be entitled to his seat? It seems to me that you have a bill here with a great many regulations in it which are wholesome and proper, but that you ought to go further and provide the uses for which men can employ money and limit the amount, and then provide that upon evidence of a violation being laid before this body no applicant could take his seat.

I submit that in all good faith, trusting that we may get some light on the subject.

Mr. SUTHERLAND. If I understand the first part of what the Senator from Missouri has been saying, it is to deny the proposition which has been made here, that this law will have a deterrent effect upon people spending large sums of money or spending money improperly, because he cited some instances that he says exist—whether they do or not I do not know—where money has been expended in great amounts and improperly. No criminal statute deters everybody from committing a crime, but it does deter a good many. The statute against larceny is not universally obeyed. It does not deter every man, but it does deter a good many. So that will be the case with this statute. This statute will not deter every man from doing the wrong thing; it will not deter every man from making extravagant expenditures, but it will have, in my judgment, and very largely, a deterrent effect upon expenditures of that character.

Mr. REED. Mr. President, the Senator, who usually is very keen and lucid, in my opinion has used an unhappy illustration. It is true that statutes against larceny do not completely stop stealing, but every statute against larceny in the world provides a penalty for larceny; and if it did not provide a penalty for larceny other than that a man must admit how much he has stolen, thieving would go on in this world without let or hindrance.

The difficulty is this: I want to do the same thing here that we do when we pass a statute aimed at larceny. We not only prohibit the act, but we provide pains and penalties which are effective as far as human law can be effective. But we have here a statute which amounts to this: You are solemnly required to come in and say how much money you expended. This much of it, of course, is effective, that I am about to mention. You can say to whom and for what purposes. If there was a disclosure of corruption, of course the Senate could act when it came to admit a man.

But suppose an applicant for admission to the Senate lays down a certificate of election, and also lays down with it an affidavit stating that he expended a million dollars, that he hired a thousand men to go over the State and solicit votes, that he expended a very large sum of money for the purpose of having every voter in the State seen. Suppose that condition was disclosed, and it was manifest that the power and force of money had been the controlling and determining factor in the contest; there is in this law no limit to that amount of money. There is upon the statute books to-day no limit to the amount of money which can be so used.

I say, while we are legislating with reference to this matter let us go a step further. Let us provide a limit of the amount of money which can be expended, based upon the number of voters in a State, and let us provide what are legitimate or at least let us provide what are illegitimate uses for money.

The Senator states that an isolated instance makes no difference. Nevertheless, we can not afford to overlook the fact that it is a matter of public knowledge, although we had a law framed like this in the State of Wisconsin, and although that law provided that each candidate must file a statement showing the amount of money he had expended, it did not hinder the expenditure of $107,000 by one candidate, amounting to $2 for each vote he obtained. Neither did it deter the other candidates.

I take it that if that is all that is shown, regardless of the amount of money which has been expended, the Senate, under no precedent that has ever been laid down, would be warranted on that alone in acting to the ousting of a Member or refusing admission to an applicant for membership.

Now, is it possible that we can not go as far as they have gone in State after State. In State after State in this Union they have provided a limit that can be expended by the candidates for State offices. I think the States do not have that authority when it comes to a candidate for this body, at least they could not prevent his having a seat.

Why can not the Senate at this time at least go this far, and say that no man shall be permitted to take his seat in this body who had expended more than a given amount of money per voter in his campaign? Thus, if I may have the attention of the chairman of the committee one moment, you will do by this statute what you do in the States against the crimes to which the Senator referred. You will not only prohibit the crime, but you will visit a penalty that will be effective and deterring upon those who commit it.

Mr. SUTHERLAND. Mr. President, Congress at one time undertook to deal with this subject of bribery in elections in a very comprehensive statute, which had a very wholesome effect and was in operation in this country for a number of years, but the party to which the Senator from Missouri belongs repealed it. Would the Senator be in favor of enacting the provisions of that statute again?

Mr. REED. I am not familiar with the statute the Senator refers to.

Mr. SUTHERLAND. I refer to the enforcement act of 1872.

Mr. REED. Well, sometimes an act that was aimed at a section of the country——

Mr. SUTHERLAND. The act was not aimed at any section of the country.

Mr. REED. I do not care at this moment to discuss what has been done, because I frankly say I am unfamiliar with the terms of that act. I do not care whether mistakes have been made or have not been made. I say that now we are dealing with this question, the responsibility is upon us, and it would not help the cause of the Senator a bit even if he demonstrated that the Democratic Party had made a mistake—for we have made many—no more than it would help me to show that the Senator's party had made mistakes, for I believe that even the Senator will admit that it is not infallible.

But this question ought to be settled, and I appeal to Senators to settle it upon the broad and fundamental principle that we desire to make it impossible for any man to acquire a seat in the American Congress who does not come here with clean hands and a clean record.

Mr. SUTHERLAND. Mr. President, it is a very simple thing for any man to stand here or elsewhere and outline a general policy as to what should have been done; but we are practical men, dealing with a practical question. I called the attention of the Senator from Missouri to the fact that we had at one time a somewhat comprehensive statute upon this subject, which had been repealed by a Democratic Congress, and I called attention to it not for the purpose of reflecting upon that Democratic Congress, but for the purpose of showing him the practical difficulty of dealing with details of this character. We have brought in a bill here which goes as far as we think it is practicable to go just now. We have brought in a bill which we think nearly everyone on both sides of the Chamber could agree upon. If we had undertaken to devise the other things indicated by the Senator from Missouri, the committee would have involved itself in practical difficulties, and would have involved the Senate and House in practical difficulties as well.

The Senator speaks of providing for a limitation of the expenditures which shall be made. If such a law as that could be devised, nobody would favor it more heartily that I would, because I believe it would be, without question, a wholesome law, and many of the States have adopted such laws. The committee discussed that question, but we found there were so many difficulties in the way we thought this was all we could do. We could not provide for the same expenditures, for example, in some State like New York that we could in a small State like my own. We could not provide for the same expenditures in a farming State of broad area, where the traveling expenses are great, as in a small, compact State. I think there will readily occur to the Senator from Missouri the impracticability of undertaking to deal with this question now.

Now, let us take this step: The Senator agrees with me that this bill is right and we ought to pass it, notwithstanding the

fact that the Senator may believe that his ingenuity is sufficient to cope with other questions and devise a law going still further.

Mr. REED. I trust the Senator will not give this debate any personal caste. I do not claim that my ingenuity is greater than the ingenuity of the members of this committee, nor greater than the ingenuity of the humblest Member of this body. I have spoken in the most complimentary way of the work of the committee. I have said that I believe they made an honest effort to improve this bill. I say so now. I trust the Senator does not mean that I am claiming to possess great ingenuity.

But I can suggest this as to the first difficulty the Senator named, which was that you could hardly place the same limit in amount upon the candidate for the Senate from a populous State that you would place upon the candidate who had to canvass only a small State with a small population. The answer to that is that you could fix a per capita expenditure so that you may say that a candidate for the Senate in a State per capita would be allowed to expend the same amount per capita—that a candidate for the Senate in the State of Delaware would be allowed to expend the same amount per capita that a candidate from the great State of New York would be permitted to expend.

I do not think that the graver difficulty. There is, however, more in the second observation the Senator makes as to the difference in canvassing a sparsely settled State for voters and canvassing a State where the population is condensed. There is difficulty in that.

I am not here to say that standing upon my feet at this moment I can devise a perfect plan. I am here appealing to the Senator as a great lawyer and as a great legislator—and I say that meaningly, for I entertain a very profound admiration for his ability—I am here appealing to him and the other members of the committee to see if they can not at least place some penalty on the use of an excessive amount of money, and within some kind of a limit regulate the expenditure. I trust my observations will be treated in the spirit in which they are offered.

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER (Mr. WARREN in the chair). Does the Senator from Missouri yield to the Senator from Utah?

Mr. REED. I do.

Mr. SUTHERLAND. I will say to the Senator from Missouri that I myself suggested to the subcommittee, and I think the Senator from Indiana [Mr. KERN], who sits near me and was a member of the subcommittee, will bear me out, that we ought to write into this law some provision limiting the amount of the expenditures, and the other members of the committee agreed with me.

Mr. WORKS. Mr. President——

Mr. SUTHERLAND. In just a moment. We began to think over the subject and we, all of us, came against these practical difficulties. Now, if the Senator from Missouri will sit down and undertake to draw such a law as that he will then discover, I think, the practical difficulties. It is a good deal easier to tell a man how to paint a picture than it is to paint it. You can tell what you want done in a general way, but it is much more difficult to devise the details of a measure.

Mr. REED. But the only way——

The PRESIDING OFFICER. To whom does the Senator from Utah yield?

Mr. REED. I just wanted to say——

Mr. SUTHERLAND. I will yield first to the Senator from California and then I will yield to the Senator from Missouri.

Mr. REED. I was only afraid after what had been said—but I will not pursue it.

Mr. WORKS. I wish to suggest to the Senator from Utah that at least in a great many of the States there is a direct limitation upon the amount which may be expended by a Senator in his campaign. That is so in my own State, including the primary election. I merely wanted to suggest whether it might not be provided in this bill that a Senator should not expend more than he is allowed by the law of his own State. It would certainly meet the condition in those States where there is a limitation.

Mr. SUTHERLAND. I would see no objection to that, except that it occurs to me that it would be superfluous, because the proposed law does not attempt to cover that, and I think the State law would be sufficient without repeating it in the Federal law.

Mr. WORKS. I want to say further in connection with this matter, and in response partly to what has been said by the Senator from Missouri [Mr. REED], that it appears to me where a State places a limitation upon the amount to be expended by a Senator in his campaign, and his statement should disclose the fact to the Senate that he had expended a greater amount than that, that of itself might be a good reason for refusing him a seat in this body.

The contrary seems to be conceded by the Senator from Utah. I had supposed that this law was rather cumulative in its effect and that it does not take the place of the State laws upon the subject. For example, this law provides for certain statements to be made at certain times. A great many of the States have the same provision. It is suggested that that would be a great burden upon the candidate for office. Notwithstanding, I think both those laws, if they should be enacted, would have to be obeyed by any candidate. In other words, he would have to make a statement as provided for in the State law as well as the statements that are provided for in the law that might pass Congress. It might require three or it may require four statements.

Now, suppose the Senate, in considering the question as to whether an applicant is entitled to a seat, should find that he had violated the State law in any respect, and done it willfully, that, it seems to me, should be ample reason for refusing him a seat in this body. Therefore, there is no reason for fixing a limit to the expenditures here, as seems to be supposed by the Senator from Missouri. I do not know just how many of the States have these provisions. I know my own has and I know a great many other States have. Certainly it would leave open the right on the part of the States themselves to determine in each State how much is a legitimate amount to expend as a candidate for office, either here or in the other body of Congress. I was only suggesting this to the Senator from Utah, in view of what was said by the Senator from Missouri, as to that sort of a provision being necessary. I do not think it is myself. I am very much in favor of the bill as it stands.

Mr. BOURNE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Oregon?

Mr. SUTHERLAND. I do.

Mr. BOURNE. I should like to ask the Senator from Utah the reason for the qualification as to two or more States, which is placed in section 8, page 4:

> That any person may in connection with such election incur and pay from his own private funds for the purpose of influencing or controlling, in two or more States—

Mr. SUTHERLAND. Because that portion of the bill has reference only to the committee.

Mr. BOURNE. It does not apply to the individual expenditure?

Mr. SUTHERLAND. No; it is a subsequent part of the section which applies to the individual Representative and the individual Senator.

Mr. BOURNE. What is the purpose of placing any qualification on two or more States?

Mr. SUTHERLAND. Because any dealing with the committee is a jurisdictional matter. We are dealing with congressional committees. We would not deal with a State committee, because a State committee has to do with the election of a governor and the various State officers.

Mr. BOURNE. It is the national committee you are trying to reach rather than the State committee?

Mr. SUTHERLAND. Yes; we are dealing with the national committee in that part of the bill. The subsequent part of the bill covers the case of the Representative and the Senator individually. In dealing with committees we can only deal with national committees or committees which have jurisdiction over two or more States.

Mr. BOURNE. Then I understand it is the Senator's contention that any legislation which the States may enact will be operative and prohibitive as far as it affects Members of the United States Senate and Members of the House of Representatives regardless of legislation that we may enact here; in other words, that the laws now on the statute book will still hold.

Mr. SUTHERLAND. I think undoubtedly unless——

Mr. BOURNE. Unless they should be in conflict?

Mr. SUTHERLAND. Unless they should be in conflict with some provision.

Mr. BOURNE. But where there is a 15 per cent limitation of expenditure in the primary and a 10 per cent limitation in the general election in the State law, would there be any conflict under this bill, if enacted?

Mr. SUTHERLAND. I think undoubtedly not. This law would not in any manner affect the State law in that respect.

Mr. BURTON. Mr. President, this proposed statute certainly does not make valid any improper or illegal practice. The mere filing of a statement, though such a statement may include an account of evil doing, does not condone the wrong.

It would seem unnecessary to speak on this subject, but some statements have been made in the debate which might lead to the conclusion that by merely filing an account of his transaction a candidate is exempted from punishment for whatever may be illegal in those transactions. This is not true.

What does this statute do? First, it recognizes the existence of certain facts. What are those facts? Large expenditures of money by candidates for office or by committees selected to promote the interests of those candidates and the party to which they belong.

Second, the statute provides that the facts shall be known. It is a very strained argument to insist that, although the incumbents of many offices must, under the laws now on our statute books, file statements of all their transactions to the very last dollar or penny which they may disburse, it is nevertheless a hardship upon them in the all-important question of their election to compel them to file a similar statement which must throw light on the means employed for their selection.

Certainly, if it is proper that transactions in the administration of an office must be made public, it is equally and even more proper that the methods employed by a candidate in seeking election—by making promises or by the expenditure of money—should be published to the country.

Mr. President, I think it is inevitable that as a supplement to this statute either the States acting in unison or this Congress will pass a law limiting the amount that a Senator or a Representative may expend in a campaign for election.

But let us look at the pending proposition carefully and dispassionately. The proposed statute is a great advance over any existing legislation. The last Congress passed a law compelling campaign committees having jurisdiction extending over the Nation or even over two or more States, as well as individuals and corporations, to file a statement of the amount of money subscribed or expended with a view to influencing national elections.

The statement provided by that legislation was to be filed after election. It was based upon the theory that in the present temper of the public mind any statement filed before the election would unduly prejudice the chances of the candidate. Therefore it was limited to a statement to be filed after the election.

Let us see how much further this proposed statute goes. First, the House of Representatives in the bill sent over to us required statements to be filed before as well as after the election. The Senate has gone much further. The committee reporting this measure has taken account of the fact that the best way to prevent or punish delinquency is to regard it as personal. Consequently the committee framed a further requirement that the candidate must file a statement. This was done with the conviction that he who was first and primarily responsible, the one whose qualifications were to be tested by the House or the Senate, should himself be made subject to the law.

Next to that, by a sweeping provision, primary elections as well as final elections are included, and very properly, too, Mr. President, because in a great many States, both North and South, the primary election practically determines the result.

Then the Senate committee, recognizing a fruitful source of corruption, has added a still further provision that a candidate must file a statement of any promise that he has made involving appointments to office. Nothing could be more demoralizing to the electorate than widespread promises for the distribution of patronage.

Mr. President, I recognize the force of the argument made by the Senator from Utah [Mr. SUTHERLAND] regarding difficulty in framing a Federal statute which will limit the amount that may be spent by a candidate.

First, there is to be borne in mind the difference in the size and population of the different States. The Senator from Missouri [Mr. REED] answers that by saying you can allow the expenditure of a certain amount per capita, but, in addition to inequality of population, there is marked inequality in density of population. Still further, in some States it is customary to hold large rallies and enormous meetings, which cost a very considerable sum of money. In other States where customs are different, no such expenditure is incurred. In some sections of the country, according to present ideas, the candidate is expected to respond generously to a great multitude of demands upon his purse, and he is regarded as mean and penurious if he does not make generous response. In other States it is very properly a misdemeanor to make such a demand.

But, Mr. President, I suggest a stronger objection to placing any limit in this bill. In any movement calculated to inaugurate reforms the legislator must conform his methods to the sentiment of the people; he must govern his course with constant reference to the good which he can actually accomplish. Here are evils, to wit, the use of money in elections and the promise of offices, both deep-seated and of long standing. The offense of spending money is condoned in many localities; it is regarded as an act that is not malum in se, but malum prohibitum. As I said a minute ago, in some places when a man is nominated for office he is expected to respond liberally to the importunities of churches, societies, and lodges, and to be a liberal contributor to any and all causes whose agents may approach him. The expenditure of considerable sums is regarded as a perfectly proper thing for any candidate.

The legislator may readily cross a narrow brook, but he can not leap across a broad chasm. He may depend upon the educating and punitive force of law to accomplish certain results, but he can not depend upon it to work a revolution or to create a millennium. What is always the first step toward reform? It is to cast the electric light of publicity upon existing evils. This bill accomplishes all that.

Mr. President, I have great faith in the fairness of the American people. I do not believe that we place enough confidence in the beneficent effects of publicity. To use an illustration, compulsory arbitration has been opposed most strenuously by labor unions as well as by employers; it seems to deny the freedom of contract; but if a board enjoying public confidence will examine critically into the facts in a labor dispute, then make them public so that the side which is in the wrong will be revealed, I believe that will be almost as effective as a mandatory law, because public sentiment will do the rest. You can always rely upon the sense of justice innate in the American people.

So if it is made public that in an election a candidate has expended $100,000 the people are going to inquire what that means. Perhaps they will ask another question: Is it not about time that we should call a halt and establish the ideal that a man of limited means who can spend only a few hundred dollars is entitled to our suffrage rather than the man who can spend $100,000?

I do not say this, Mr. President, as an argument against placing a limit, because I believe that in due time that will follow; but this is a great advance over our present statutes, and we must leave until a later day the rest of this salutary reform, which I trust will do away with corrupt influences in elections.

It is with a sense of regret that I mention certain instances to show that over considerable areas of our country popular sentiment has not in the past approved a corrupt-practices law. In one of the cities of the Middle West, with a population of thirty or forty thousand, it was proven that the mayor elect had expended more money than he was by law allowed to expend in obtaining his election——

Mr. REED. Does the Senator mean more than his salary?

Mr. BURTON. More than the law allowed for election expenses. The law in that State allowed him to spend in his campaign for election a certain per cent of the salary of the office. The question was taken into the courts and a decree was entered ousting him from the office. Under the statute another election was held to elect a successor. The candidate first successful was not disqualified by the fact that he had been ousted, and he again entered the contest. "Yes, my fellow citizens," he said, "I did spend more than the law allowed. Why should I not be generous with my money? I suspect that my opponent spent a great deal more than I did, but he did not swear to his expenditures as I did." What was the result? After he had been ousted, he was again elected, and this time by a majority three times as large as he had before received.

In my own State of Ohio, about the year 1896, I took some part in framing a corrupt-practices act, limiting the amount that a candidate might spend. In two consecutive elections I most cordially complied with the provisions of that law, which allowed a congressional candidate to spend, I believe, about $700 for nomination and election. I believe the ideals relating to corruption in elections are just as high in Ohio as anywhere else, notwithstanding Adams County, but the impression became prevalent that that statute helped the dishonest man; that when a man was a candidate for office his brother or his uncle or some friend might spend money for him, or that he might actually spend it himself and conceal the facts in his affidavit. So, after a trial of some three or four years, the law was repealed. There was not sufficient popular sentiment behind it to retain it on the statute books. Last winter the Legislature of Ohio, I am glad to say, framed a drastic law on this subject. I think this Ohio statute marks as advanced a step as has been taken in any State.

So, Mr. President, I believe in this bill practically as it stands. I shall offer an amendment on another subject, requiring the candidate who has made any promise to an association,

a committee, or a corporation as to how he will vote on any question to make that promise public. I think such an amendment aims at a serious evil. Everyone acquainted with politics is familiar with that evil—how, in the heat of a campaign, those who are seeking to promote the interest of some association or committee or corporation or some large body of voters will interview a candidate or write him a letter asking him, "What do you promise to do on this point? What are your views on this subject?" The candidate returns an answer, and that answer is more or less secretly circulated among those who wish him to vote one way or the other.

Last fall I saw two illustrations of letters of that kind which were sent to candidates for office. One demanded from him a promise to vote a certain way on a specific schedule or item of the tariff law; another was this question, "If you are elected to Congress, will you support such an employers' liability law as association so-and-so shall present for your support?" No doubt those who sent that request had no wrong intent. Doubtless they thought everybody else was doing the same thing and that they, too, might do it with the utmost propriety. Yet the answer in both cases would not have been known to the general public.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Idaho?

Mr. BURTON. Certainly; I am always glad to yield to my friend from Idaho.

Mr. BORAH. Would the reply to a request contained in that kind of a letter, to state the candidate's position upon the question asked, come within the inhibition of the Senator's proposed amendment?

Mr. BURTON. It is included.

Mr. BORAH. I think constituents have a right to know how the candidate feels.

Mr. BURTON. That is just what I am aiming at.

Mr. BORAH. That they shall not know?

Mr. BURTON. No; that they shall know. If a request for a promise as to his attitude on a matter of legislation is presented to a candidate, and the candidate answers the question, both the question and the answer must be filed, so that they may be made public. That is the object of the provision. Everyone knows how it is in a contest in which the liquor question is involved. The friends of prohibition will go to a candidate and ask, "How do you view this subject?" Those who are interested in the liquor traffic will go to him and say, "How do you stand on this question?" Perhaps there may be involved no immediate issue on that subject, but everybody knows that a large number of voters will be influenced in their suffrage by the candidate's personal opinion on that question.

In the electorate we have a great many people who have fads, who care more about some subject entirely outside the domain of a legislator's duty than they do about his views on the tariff or upon the election of a President or any of the great national issues that are before the people. It is perfectly proper that all the views of a candidate upon pending or prospective legislation should be known, and such a provision as I desire to present is in line with the object of this bill—to insure publicity. Let every man know just where the candidate stands, not only how much money he has spent, not only whether he has made any promises of offices and patronage, and if so to whom, but also has he made more important promises, namely, how he stands on certain subjects of legislation?

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Idaho?

Mr. BURTON. Certainly.

Mr. BORAH. Has the Senator the amendment before him?

Mr. BURTON. I have it here. I am frank to admit it sounds at first flush a trifle drastic, and at first I included in it something that I have since erased. Mr. President, the amendment is pending, and I ask that it be now read at the desk, as I want to make some general remarks upon it.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 7, line 21, after the word "stated," it is proposed to insert:

> And every such candidate shall also include therein a sworn statement of any request soliciting or demanding any promise or expression of opinion relating to any pending or proposed legislation, which shall have been made of him by any corporation, committee, or association, or any official or agent thereof, together with his answer thereto and a a copy thereof; and any official or agent of such corporation, committee, or association, or anyone acting on their behalf, who shall request of any candidate for election to the House of Representatives a promise or expression of opinion upon any pending or proposed legislation shall, at the same time, transmit a copy thereof to the Clerk of the House of Representatives, or in the event that such request be made of a candidate for election to the United States Senate, then such copy shall be filed with the Secretary of the Senate.

Mr. GRONNA. Why limit it to the Senate?

Mr. BURTON. It includes the House of Representatives; both the House and the Senate are included.

Mr. BORAH. Mr. President, the principle covered by this amendment seems to be a good one, but do I understand that the Senator has stricken out the word "individual"?

Mr. BURTON. Yes; because I thought that impracticable.

Mr. BORAH. The difficulty with the entire amendment, it seems to me, is the fact that it might be very difficult to comply with the proposition during a campaign in which numerous letters were written to the candidate regarding the issues involved. It would seem that the public would be entitled to know any specific promise that was made or any view that a candidate might entertain.

I believe that to be so; but in the way the amendment is drawn will not the candidate probably have to file every letter and answer covering any subject which has been discussed between himself and his constituents in the campaign?

Mr. BURTON. To guard against that as far as possible it it provided that the one who makes the request shall also transmit it. I recognize, Mr. President, the possible difficulty, but is the fact that it is difficult to comply with a requirement a sufficient reason for excluding it? The Senator from Idaho and all of us recognize the substantial evil aimed at. A man is sometimes elected to office by obtaining a large amount of support through secret promises that ought to have been subjected to the light of day when he made them——

Mr. BORAH. I agree with that proposition.

Mr. BURTON. On the other hand, he very often makes promises hastily and injudiciously, and when he comes to Congress finds that he is not a free man. It is about time that we promulgated the idea that not only shall expenditures and promises with regard to office see the light of day, but the more important promises with regard to legislation.

Mr. BORAH and Mr. CRAWFORD addressed the Chair.

The PRESIDING OFFICER. To whom does the Senator from Ohio yield?

Mr. BURTON. To the Senator from Idaho [Mr. BORAH].

Mr. BORAH. Mr. President, suppose a situation should arise wherein certain constituents should write and ask you to give them a promise and you should decline to do so?

Mr. BURTON. Then that fact would naturally be made public.

Mr. BORAH. That constitutes your position just the same.

Mr. BURTON. I do not know that that would be included under the phraseology of the amendment, except in the requirement that the person making the request would have to file it.

Mr. SMITH of Michigan. Say, for instance, on reciprocity with Canada.

Mr. BORAH. Silence upon a subject in a campaign would be part of a man's platform or of his position with the people, if he were asked to define his position and failed to do so.

Mr. BURTON. Yes; on a good many questions I am inclined to think that silence would be the very best platform he could adopt—that is, he ought not to make too many promises.

Mr. BORAH. But the difficulty is that the constituency is entitled to know not only what you are willing to promise, but the constituency is entitled to know whether or not you have any views at all upon a certain question.

Mr. BURTON. Yes.

Mr. BORAH. For instance, take some issues which are now before the Senate—say, Canadian reciprocity. As to that, I think in some localities some of our comrades here would want to be entirely silent, which would constitute their declaration in a measure. I agree with the Senator from Ohio as to the principle which is covered by his amendment. I was only suggesting these considerations as matters which, if they could be, ought to be covered by a practical provision in the amendment. I do not know that they can be, but you are going to require of the candidate the publication of practically his entire political correspondence during the campaign.

Mr. BURTON. I do not think so, Mr. President. I have had a good deal of experience, having been a candidate for office 10 or 12 or even more times, and I think I could count on the fingers of my two hands the number of requests I have received in each campaign that would come under this provision. Some of these requests were very important, but they were not numerous.

Mr. BORAH. I should think it would be sufficient to require that they should send a copy of your letter to the opposition campaign committee.

Mr. BURTON. That is exactly what the candidate would naturally do.

Mr. CRAWFORD. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from South Dakota?

Mr. BURTON. Certainly.

Mr. CRAWFORD. I want to find out whether the only purpose of this provision is to have the public know the position of a candidate on a public question, or whether it is not also to have the public know whether or not the candidate in some secret manner has pledged himself so that he was compromised beforehand?

Mr. BURTON. Both would be included.

Mr. CRAWFORD. Well, if the latter is included, why should the amendment be confined to formal inquiries made of the candidate in writing and answers made in writing? If he placed himself in a compromising attitude toward some great corporation, would it not be more likely for them to get him into the secrecy and privacy of their office, and in the presence of a witness exact a promise from him of which there is no written evidence whatever, and, having secured such a promise, ought he not to be required to make a statement whether or not he had made such a promise or committed himself in such a manner, even though there was no written evidence of it, but it was an oral transaction?

Mr. BURTON. This amendment is broad enough to include oral requests. It provides that there must be made:

> A sworn statement of any request soliciting or demanding any promise or expression of opinion relating to any pending or proposed legislation, which shall have been made of him by any corporation, committee, or association, or any official or agent thereof, together with his answer thereto and a copy thereof.

Mr. CRAWFORD. But his answer is not written.

Mr. BURTON. Only by implication can you say it is not written.

Mr. CRAWFORD. It seems to me, to get the full purpose for which the Senator is striving, it ought to be clear that the candidate should be required to divulge a secret agreement of that sort, even though orally made, as well as written statements.

Mr. BURTON. I concede that; but I have the same opinion about that as about the provision requiring a limit on expenditures. You can not go too far at one step. I think this would be a very advanced reform and would virtually cure the evil and any refinements, any methods of evasion, which might develop, can be treated as they arise.

Mr. WORKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from California?

Mr. BURTON. I do.

Mr. WORKS. I am quite sure that the Senator from Ohio does not desire to take any step in the way of an amendment that would imperil the final passage of this bill. He has himself suggested that we had better not undertake to go too far, but leave some of these important matters to be looked after in the future. It seems to me that this is one of them. I agree with the principle for which the Senator is contending. I think I should be willing to go quite as far as he would go in an attempt to purify elections, but this is certainly going a long way, as the Senator must concede, and the result of it may be that if the suggestion is carried into the bill in the shape of an amendment the bill may finally be defeated on that account. I think we ought to content ourselves by securing, if we can, a reasonable measure at the present time, and not undertake to load it down with amendments that might have the effect I have suggested. I only suggest this to the Senator from Ohio for his consideration.

Mr. BURTON. Mr. President, by no means do I wish to imperil this bill, but I do rank side by side these three sources of corruption: First, the expenditure of money; second, promises, presumably secret, controlling appointments to office; third—and I think it is worse than the second—promises, again presumably secret, relating to the stand which the candidate will take on some matter of legislation.

Mr. WORKS. Mr. President, I hope the Senator from Ohio will understand that I am not antagonizing his views on that subject.

Mr. BURTON. Yes; I understand that.

Mr. WORKS. The difficulty that occurs to me is that of covering this matter by any provision that could be carried out. It is certainly a very difficult matter as it suggests itself to me, and therefore it must, just for that very reason, imperil the passage of the bill. But it is not because I do not agree with the principle at all that I make the suggestion.

Mr. BURTON. I should like to have a full expression from the members of the committee who considered this bill. I want to make this suggestion: Suppose this amendment goes into the bill. It could be either yielded in conference or else perfected there. I have no pride of authorship in regard to it; only it seems to me that it is an important provision and should be incorporated in the bill.

Mr. SUTHERLAND. Mr. President, I entirely agree with what the Senator from Ohio has said about promises of this character. They sometimes are quite as corrupt, as he very well says, as promises to reward a person with an office or the payment of money; but we are making a good deal of an advance with the bill we have got. It is extended far beyond the provisions of the House bill. This is a matter of detail, to which I have not myself been able to give any consideration, and I hope the Senator from Ohio will not press the amendment to this bill. Let us pass this bill as it is.

Mr. BURTON. The amendment forbidding anyone to give another authority to make promises has already gone in.

Mr. SUTHERLAND. Yes. That amendment, of course, is in, and it is entirely proper, but I hope that the Senator will not at this time press this amendment.

Mr. BURTON. What I fear, Mr. President, is that it will be some years before this question will again come before us. Should the bill pass in its present form it might well be regarded by both Congress and the country as a most excellent bill and a great advance in a much-needed reform, and in that event it would be a considerable time before this proposed amendment could again be presented to the Senate with any chance of success.

Mr. SUTHERLAND. That may be, but of course the Senator can offer it as an amendment at any time, and it will be considered by the committee, I have no doubt, and fully considered by it.

Mr. BURTON. I want to ask the Senator from Utah a question. Suppose this goes on as an amendment. It might be possible that the House and the House committee would like it better than some of your other amendments, and would desire to have it remain in the bill.

Mr. SUTHERLAND. That may be.

Mr. BURTON. I certainly do not want to embarrass the passage of the bill. I would not for a moment think of that. What would the Senator from Utah say to allowing it to be adopted with the understanding that if it is antagonized by the House, it shall not for a moment endanger the bill?

Mr. SUTHERLAND. I think if we had a full attendance of the Senate it might meet with some antagonism here. The bill as it is drawn and presented certainly is now very well understood and has been considered. The amendment now suggested by the Senator from Ohio has not received very thorough consideration by the membership of the Senate, and I think—and I am very frank with the Senator from Ohio, and I hope he will not understand that I am antagonizing the principle of his amendment—it may prove embarrassing to the bill. I would prefer, speaking for myself, that the bill might be passed as it is now before the Senate.

Mr. BURTON. Under the circumstances I do not feel like pressing the amendment, and I withdraw it. But it is possible the Senate may again at some future time hear from this amendment or something more carefully drawn along the same line.

I recognize very keenly the difficulty involved in drawing a provision which will be in proper legal form and at the same time correct the evil at which we are aiming. I have the utmost confidence in the judgment of the Senator from Utah, and, on his suggestion and the modified suggestion of the Senator from California, I will not, as I say, press my amendment.

I desire to say just a few words in regard to this whole question of corrupt practices and legislation pertaining to the conduct of legislators. I think it is due to the House and the Senate to say that the evils at which we aim in this proposed law are not primarily or principally the fault of candidates for office.

It is a prevalent opinion that he who offers himself as a candidate for popular suffrage is, as it were, like a colporteur or circulator of tracts; that he goes around distributing $2 bills or $5 bills among the electors as though he enjoyed it.

Quite to the contrary, no one so much abhors the expenditure of money in an election contest as the candidate himself. But it is a system which has developed with time.

In the first place, the candidate finds that the average voter is entirely indifferent. He does not like to take off his slippers, put aside his cigar, and go out in the evening to register. And when a person comes around and reminds him that he must register in order to vote, though otherwise a very intelligent citizen, he displays oftentimes a woeful ignorance of the issues of the day.

He needs education. He says, "What are we electing in this year—1910?" "Oh, it is a Congressman, is it?" "Yes." "Last time I voted was two years ago. I believe I voted for

McKinley for President. No; it was not McKinley I voted for for President. It was Roosevelt, I guess." And he shows also an utter lack of familiarity with the issues of the day. Thus, literature is necessary; brass bands are needed to bring audiences together and to arouse enthusiasm.

No evil so deep-seated as this corrupt use of money in elections could exist and exist so long as it has unless the great body of the people were responsible for it.

When a man is a candidate for Congress or the Senate there are some idealists who think he ought to pursue that course which would surely lead to defeat. That is not human nature. A man desires to be elected, and if it is necessary to spend money he is liable to do so, and if he is not able to spend it himself, he is liable to call upon others to spend it for him or furnish it to him, and thereby put himself under an obligation that is most dangerous to his impartiality and efficiency as a legislator.

But let the average citizen, the "composite citizen," as some call him, recognize his responsibility; let him realize that he must register and vote regularly; and, again, that he must not make up his mind on public questions by studying a few headlines and cartoons, but that he must devote to them the same careful attention that he gives to his private business, then the necessity for any considerable use of money will disappear.

So we are seeking in this bill not to reform the candidate alone, but to reform the great body of the people as well.

Some one who had experience and who enjoyed that most satisfying pleasure of having his experience crystallized into law framed a statute which is now a part of the law of the State of New York:

> Any person who solicits from a candidate for an elective office money or other property, or who seeks to induce such candidate who has been placed in nomination to purchase any ticket, card, or evidence of admission to any ball, picnic, fair, or entertainment of any kind, is guilty of a misdemeanor.

I understand my own State has incorporated virtually this provision in a statute passed a few weeks ago, though I have not yet seen the final copy of that law:

> But this section shall not apply to a request for a contribution of money by an authorized representative of the political party, organization, or association to which such candidate belongs.

That is a law to prevent imposition upon or cruelty to the candidate, and we need such statutes just as acutely as we need statutes prohibiting him from spending money.

Some of these requests bear a very peculiar form. One of the humorists of New York declared in what he vouched for as a correct statement that once when he was mayor of a town not far out of New York City a message came to him in about this language:

> The cause of tariff reform will be very greatly benefited if the Fourth Ward Democratic Club should receive a keg of beer.

And so it has become customary to make these claims upon a candidate, to regard him as one who is under the very greatest obligations to the people.

Mr. President, if there is any one thing that we should aim at in our legislation, it is to stimulate, to sustain, to secure the independence of the candidate for office and the incumbent in office, so that he shall come here not only with clean hands, but untouched by those things which besmirch, free from those associations which tend to lower him and his ideals of public life.

This bill I regard as a most important step in the right direction. I trust it will serve to educate public opinion. Probably it is not the last word in statutes governing the use of money in elections. I believe that before very long we will have stringent laws in State, and alike if necessary and valid in Nation, limiting the amount of money which candidates for Congress can spend.

That is necessary because it gives to the candidate for office that equality of opportunity of which we all boast as a characteristic of American citizenship, so that the man of limited means is put on the same plane with the millionaire.

I trust, Mr. President, that not only will this bill pass, but that its salutary effects may become apparent, and that it may receive such further amendments and support in State and in Nation as will make it thoroughly effective and certain to purify our politics.

The PRESIDING OFFICER. The Chair understands that the Senator from Ohio has withdrawn the amendment.

Mr. BURTON. I withdrew the amendment in view of the statement of the Senators from Utah and California.

The PRESIDING OFFICER. The question recurs on agreeing to the amendment of the committee as amended.

Mr. REED. Mr. President, if this is the proper time, I desire to offer an amendment to the amendment, to be added at the end of the committee amendments as before.

I had to draw it hastily, and it may be imperfect, but in a measure at least it expresses my thought. The amendment is as follows:

> No such candidate shall expend, or cause to be expended, a sum in the aggregate exceeding 10 cents for each voter in his district of State. No candidate for the Senate shall directly or indirectly contribute any money or thing of value to assist in procuring the nomination or election of any member of the legislature of his State. No candidate for the Senate or House of Representatives shall promise any office, or his influence or support for office, to any person, for the purpose of procuring the support of such person. No person guilty of violating the provisions of this act shall be seated in either the House of Representatives or the Senate, and if any person shall be seated he may be removed if found guilty of such violation.

The PRESIDING OFFICER. The Senator from Missouri offers this as an amendment to the amendment of the committee.

Mr. REED. Yes, sir.

Mr. SUTHERLAND. I hope the Senator from Missouri will not insist upon the amendment. As I have already said to the Senator, the committee is in entire sympathy with the principle expressed there. But I suggest to the Senator that on a matter so far reaching and so important as the one he is suggesting we ought not to undertake to make an amendment in a moment of time here. The conditions in the various States differ so radically that an amendment of that character must be drawn with the utmost care.

Here is one State, for example, like the State of Texas, which is as large—larger than all New England put together. The population is scattered. What may be a proper expenditure in thickly settled Massachusetts, thickly settled New York, or little and thickly settled Rhode Island may be entirely inadequate in Texas; and it is a matter that ought to receive very careful consideration and very careful analysis of the whole situation.

While I am in hearty sympathy with the principle behind this amendment, and myself suggested to the committee when the matter was being considered that the bill should contain some such provision as that, we met with so many practical difficulties in attempting to formulate it that we deemed it wise not to encumber or embarrass this bill with an amendment of that kind.

While I know that this is not in any manner the object of the Senator, I say to him that an amendment of that character may prevent the final adoption of this bill at this session.

Mr. REED. Of course I do not know why the adoption of an amendment which will breathe the breath of life into this bill should prevent its passage. I am not prepared to say that the amendment I have hastily drawn here, and of which I have but the pencil memoranda, is either the perfection of reason or that it is as good an amendment as could be prepared.

But, Mr. President, if I had not been convinced of the necessity of such an amendment as this before this morning, the remarks of the Senator from Ohio would have thoroughly convinced me. And I say that with the most profound respect for the Senator from Ohio.

The Senator from Ohio insists that we are likely to get our legislation in advance of public sentiment, and states that it is taken for granted and is expected in many localities of the country that candidates shall submit themselves as victims for that class of people who believe it is right to levy a sort of tribute of some kind upon them.

Mr. President, that affords the best reason I know of, or one of the best, for the passage of this bill. If there be communities in this country where by a simple practice the candidate is expected to be held up—if I may use a slang or semislang expression—if that be true, the inevitable effect of it is to bar from aspiration to either the Senate or the House of Representatives any and every man who is not financially able to withstand that kind of onslaught.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Idaho?

Mr. REED. Certainly.

Mr. BORAH. Under this amendment a man in some of the States of the Union could expend $150,000 or $200,000.

Mr. REED. Yes.

Mr. BORAH. It seems to me that while the principle, the philosophy which lies at the basis of the Senator's contention, is correct, the rule which is sought to be established is not the proper rule. That is to say, we ought not to measure it by the number of people in the State; there ought to be, it seems to me, a fixed sum. If you say so much per head, it gives a man in certain States of the Union an opportunity to spend all the money any man would want to spend in an election.

Mr. REED. Is the Senator through?

Mr. BORAH. I am through for the present.

Mr. REED. I prefer to answer that a moment later——

Mr. BORAH. Very well.

Mr. REED. After discussing it. Mr. President, if the sentiment does exist to a large extent in different States that a candidate must submit to this plucking process, then, as I said at the moment the Senator from Idaho interrupted me, it bars the aspiration to the House of Representatives or to the Senate of any man who does not possess the means to enable him to submit to that sort of practice, or else it compels the candidate to *accept contributions* from those institutions which may be interested in legislation, and therefore are interested in having candidates who are favorable to them. If this sentiment exists, how long will we wait for that same hungry and thirsty crowd who make up that sentiment to demand that we shall legislate against them. If you have a community or a sentiment of that kind, the people who make these demands will be the last people to demand legislation that they shall not make the demand.

Mr. BORAH. Mr. President——

Mr. REED. I am going to answer the Senator's question in a moment. I prefer, rather, to proceed in this way, but of course will yield at any time. I should like to just elucidate this thought, if it be worthy of it.

So that for the protection of the candidate as well as for the protection of the public officer against those very communities where that bad condition exists, a protection against all classes of people who may be inclined to indulge in it regardless of what community they live in, some such provision as is now offered ought to be enacted.

Mr. President, it has been suggested here upon the one hand that it takes more money per voter to reach the voters in sparsely-settled States than it does in congested communities, and I grant that is true. If you have a limited amount of money and if the limit is placed low, while it does deprive each candidate perhaps of the chance to do all he would like to do, still each of them has an equal opportunity and the right to expend an equal sum of money. Therefore I can see no objection if we place the amount low enough.

I concede to the Senator from Idaho that the amount at 10 cents would probably be too much in a State, for instance, like New York. It would admit of the expenditure of too much money. Yet I undertake to say that plenty of senatorial contests in that State have cost more than 10 cents per capita, but I am willing to accept an amendment that in no event shall any candidate expend more than $25,000.

Mr. President, I do appeal to this body to look at the question regardless of the committee's standpoint or the standpoint that the committee has produced something, and therefore it should not be amended.

There is no question about this fact: Money has been playing too great a part in every election in this country for many years. There is no man who can deny the fact that it has come to be used to such an extent that we have almost begun to believe it is legitimate. Yet I will undertake to say, sir, that outside of the mere matter of a candidate traveling from one portion of the State to another in order that he may visit the voters, outside of the mere expenses necessarily incident to the hiring of a hall in which to meet them, and outside of the writing of letters and sending out of addresses, not one penny can be legitimately expended in politics.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Idaho?

Mr. REED. Yes.

Mr. BORAH. What is the voting population, for instance, of the State which the Senator represents?

Mr. REED. It is about 700,000, and I concede to the Senator no such amount as $70,000 ought to be used. As I said, I drew my amendment with great haste, and it probably is entirely too high.

Mr. BORAH. That is the objection I make to considering it at this time. I think the Senator will concede that whatever unanimity there may be as to the principle which is covered by his amendment, the manner of reaching it is one very difficult to determine upon, and it does seem to me we ought not to adopt a rule which would permit the expenditure of $150,000 in one State and of $3,000 in another State or a thousand dollars in another State.

While the principle for which the Senator is contending may be entirely correct, and I am inclined to think it is, yet we must adopt some different rule from that in order to accomplish what we desire to accomplish. We certainly do not want to say by an act of legislation that you may spend $150,000 in New York legitimately. That would not be in accordance with our theory of this legislation at all.

Mr. REED. The criticism of the Senator is, I think, well taken; but as I understood the matter this bill was coming on now for a vote. I had no time to prepare an amendment upon a sliding scale. But the difficulty suggested by the Senator can easily be met, without treading on new ground at all, because it is already provided in the laws of at least one State that I know of that a candidate is permitted to spend a certain number of cents for the first 10,000 votes, a smaller sum for the next 50,000, and it is a very, very low sum for the number in excess of that.

What I should like to see done is to let this measure lay over until to-morrow at least, and I will at that time have an amendment that I think will meet the objection of the very distinguished Senator from Idaho.

Mr. SUTHERLAND. Will the Senator yield to me?

Mr. REED. I will.

Mr. SUTHERLAND. When the Senator undertakes to reframe his amendment, he will find other difficulties arising. I can assure him of that.

But I wanted to ask the Senator this question: Under the amendment which is proposed by the Senator fixing the amount of expenditure upon a basis of 10 cents for each voter, in the State of New York the expenditure would reach over $150,000. In the State of Nevada the expenditure would be about or a little less than $1,000. In the State of Rhode Island, over which a man can drive almost in a day, which has only four counties, the expenditure would be four or five or six thousand dollars. Does not the Senator see that in Nevada, for example, a man must legitimately spend very much more than he is required to spend in Rhode Island?

The traveling expenses alone for a thorough campaign in that State, much of which has to be driven over by team and wagon, at great expense, will exceed a thousand dollars, and the Senator will find difficulties of that kind coming up all the time just as the committee found them. The committee was not idle in this matter. It was thoroughly considered; and I venture to say to the Senator from Missouri that after 14 or 15 men were considering this matter day after day the Senator in dealing with it alone is quite likely to find difficulty also. I hope, for the success of this bill, which the Senator agrees with me is a great step in advance, he will not press his amendment, and if it is pressed I hope it will be voted down.

Mr. OWEN. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Oklahoma?

Mr. REED. Certainly.

Mr. OWEN. I wish to suggest to the Senator from Missouri that in Oklahoma the maximum expenditure by a candidate for the United States Senate is $3,000, and in Nebraska I believe it is $650.

Mr. REED. Mr. President, if I may have the attention of the manager of the bill——

Mr. SUTHERLAND. I beg the Senator's pardon.

Mr. REED. I have no doubt his conversation was more interesting than anything I can say, but some of these objections urged by the Senator seem to me to be unsound. First, there is excluded from the bill now the traveling expenses of which the Senator speaks.

Mr. SUTHERLAND. Not from the Senator's amendment.

Mr. REED. It is in the bill excluded; and I undertake to say that they are not required to make any accounting for them. Therefore, my amendment applies and was intended to apply only to those other expenditures which are outside of personal traveling expenses. So that meets the first objection of the Senator.

The next one is that if there are only 10,000 voters in the State of Nevada and a man is permitted to expend only $1,000 in expenses, that is no harder upon Candidate A than it is upon Candidate B, and if there is a limit upon the one that same limit operates upon the other. If there are only 10,000 voters in the State of Nevada, I say that $1,000 is enough to appeal to the reason of every one of them, and if you want to do more than appeal to the reason, then you come within the principles of corrupt practices.

If granted that to expend 10 cents per capita in a State like New York would be wrong, therefore I say I desire to modify the amendment so as to provide that in no event shall more than $25,000 be expended by any such candidate.

But the Senator again speaks of the State of Delaware, where, with the dense population, he says $6,000 might be used, and that you can travel over the State in a day. I grant you that, but, Mr. President, if you limit it to $6,000 in the State of Delaware, will you not do better than they have been doing in that State?

Mr. SUTHERLAND. Rhode Island was the State I referred to.

Mr. REED. Well, Rhode Island; for heaven's sake in Rhode Island, then, of all the States in the Union, if you could limit it

to $6,000 or $60,000, I have no doubt it would be a great step in advance.

You may sit here until the hair grows white upon your head and until it falls down about you like the snow, and you can make objections of that kind to every measure that is proposed which intends to limit these expenditures. It is better to have a law that would allow a little too much to be expended in one way and a little too small an amount possibly in another than to have no limitation and come in here with a bill which amounts to this. I can come to the Senate under this bill; I can lay down my affidavit that I expended $500,000 in my primary election; I can say that I employed a thousand men and sent them throughout the State as my personal agents; I can say that I put advertisements into newspapers and bought what space of the country newspapers of the State I could. They do not sell that space much in Missouri, I thank God, but they do some there, and they do in many States. I can go on under this bill as it now stands and admit all these expenditures. I can admit that I hired teams at every voting precinct in my great State and that I expended $100,000 in doing it. I can come here with a sworn certificate that I used so much money that no poor man dared run against me, and, Mr. President, it affords no reason for barring me from this high tribunal. In fact, the bill almost by its language admits the right to use money in that way. But if you will add a few simple phrases at the end of it, such as I have attempted to draw here, you will have a corrupt-practices act that has a soul in it.

Now, gentlemen say wait. How long shall we wait? The Senator from Ohio has said to us that these practices have existed for years in this country. He tells us that there are communities where they absolutely wink at matters of this kind; and it is too true that that is the case. He tells us that conditions are bad and that there has been a general public demand for this reform, and after telling us there is a public demand for this reform he says to us the people are not ready for a real reform. We are not really ready to cut the cancer out or to open the ulcer and remove it from the body, but we are going to tickle it with a feather.

Mr. BURTON. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Ohio?

Mr. REED. Certainly.

Mr. BURTON. I trust the Senator will not misrepresent what I said. I know he does not intend to. Does he believe that a provision requiring the filing of an itemized statement of every dollar expended prior to the election is not a real reform?

Mr. REED. I believe that that will help. I believe it would help to pass a law that said that every man who stole a horse would have to go and post a notice of it, but it will not stop horse thieving half as quickly as it will if you add, "and the man who steals a horse shall go to the penitentiary."

Mr. BURTON. Does the Senator from Missouri think that this extension of the requirement relating to statements so that it applies to the primary elections is not a substantial reform and far greater than has ever been contemplated before?

Mr. REED. I have said—and the Senator from Ohio and myself can not be at variance on this—that the bill brings some measure of relief. It is a step in the right direction; but, Mr. President, if ahead of me is the proper goal that I know I am to arrive at some years hence, and if I know that public opinion and the lash of public condemnation is going to drive me there if I have to be driven, if I intend to go there ultimately and I have legs under my body that will carry me there to-day, I propose to go there to-day, because that is where I ought to go.

Mr. BURTON. Mr. President, one other question or two. The Senator from Missouri will concede that this provision requiring an affidavit relating to promises for office is a very distinct advance, far away in advance of anything that was proposed in the House of Representatives. Indeed, the provision in regard to primaries was voted down there, was it not?

Mr. REED. I do not know.

Mr. SMITH of Michigan. By the present House?

Mr. BURTON. By the present House.

One other question. Does the Senator from Missouri for a minute believe that if anyone should file a certificate showing that he had expended $500,000 in the State of Missouri or in any other State, that he had engaged wagons all over the State in connection with the election, he would be elected? Does he believe it for a minute? Does he not believe it is best to take a reform that makes public and brings to light of day every corrupt practice, every undue expenditure of money, rather than to go rainbow chasing after something that will bring him into conflict with the laws of the States and that is very difficult of application in any event?

Mr. REED. Ah, Mr. President, every time any man has ever stood up in this world and asked to have something done that ought to be done, somebody has been there with that same old rainbow. It has been the means of excusing more men for bad arguments than all the other manifestations of nature. The rainbow always comes into play. Now, let us see if it is rainbow chasing. Will these amendments kill this bill in the Senate? What Senator will arise and say that he will vote against the spirit of them; and if so, what is the reason?

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Idaho?

Mr. REED. I do.

Mr. BORAH. I do not hesitate a moment to say that I will vote against any bill which will legalize the expenditure of $15,000 to elect a Senator. I think it would be corruption contained within the statute itself.

Mr. REED. The Senator is not as fair as he generally is, because the language of the amendment, as I drew it, would not legalize it. If it is legalized, it is found in the body of the amendments that were offered by the committee. But the Senator knows, as I have said not once nor twice but thrice within the last 15 minutes, that I offered the modification that in no event should more than $25,000 be expended in any State.

Mr. BORAH. That amendment has not been offered yet.

Mr. REED. I thought I had offered it, and I think the Senator will find it. But the Senator interrupted me here, it seems to me, almost without purpose. I was discussing the question whether amendments carrying out these ideas would kill this bill, and whether the Senator from Ohio was correct when he said we had better take that which we can get instead of chasing rainbows.

I have never been much of a rainbow chaser in my life, and I hope I am not chasing any now when I say that I do believe that amendments embracing the thought, at least, that is contained in these I have offered will not kill the bill here. If it will not kill the bill here, will it kill it in the House of Representatives? Who has the temerity to stand and speak for the House of Representatives and say that that body will not vote for a limit of some kind and a penalty of some kind? And if not there, then where else is the influence that could transform the effort to obtain these wholesome measures into rainbow chasing? Is it to be found in the White House?

Mr. BURTON. Will the Senator from Missouri still further yield for a question?

Mr. REED. Certainly.

Mr. BURTON. I would call the attention of the Senator from Missouri to the fact that he has not answered my question. Does he believe that if any candidate in Missouri or any State in the Union should file before a primary or regular election a statement that he has expended, as suggested by the Senator from Missouri, the sum of $500,000, including large sums for hire of wagons, and so forth, having spent that or any inordinately large sum, he could be nominated or elected to the Senate from Missouri or elsewhere?

Mr. REED. Mr. President, if every voter in the State knew that a candidate for the Senate had expended so enormously large a sum as the Senator states, I believe in the State of Missouri it would beyond question defeat him if the voters knew it. I do not know how it would operate in Adams County, Ohio, but I am afraid it might greatly increase the popularity of the candidate.

Mr. BURTON. Of course I recognize, Mr. President, if the Senator will yield, that I have the very great disadvantage of explaining that one county in my State—not without a large infusion of population from outside the State, and handicapped by lack of ready communication with the outside world—displayed rather crude conditions in recent elections, but I most decidedly shall defend the State of Ohio in its standards relating to elections against any State in the Union. I trust the Senator from Missouri will not give too much emphasis to Adams County.

Mr. REED. I will not.

Mr. BURTON. I will say one thing about the residents of that county, that they are doing what many counties have not done. They are taking care of their own delinquencies; they are sentencing their own criminals or those guilty of misdemeanor; and they are going on their way in the path of reform as many other counties have not.

Mr. REED. I want to say so I can not be misunderstood, that the Senator put his pointed question to me with reference to my own State, seeing fit to select Missouri, and I simply

in kind came to a small part of his own State. But to reflect upon the State of Ohio, to reflect upon any great State of this Union, is something I trust I never will seek to do.

Mr. President, I have written out here, by the kindness of the Senator from Oklahoma [Mr. OWEN] while I was speaking this addition to my amendment.

Mr. SUTHERLAND. Will the Senator permit me to ask him another question before he offers his amendment?

Mr. REED. Certainly.

Mr. SUTHERLAND. The Senator recognizes the fact that in some of the States there are primary elections and general elections following and in some of the States there is only one general election. Does the Senator not think that the candidate for office before a primary election and also before a general election should be permitted to spend in the aggregate more than one who is simply a candidate before the general election? The Senator's amendment makes no distinction of that kind.

Mr. REED. No, Mr. President; and I should not undertake to make such an amendment. I live in a State where we have senatorial primaries. I passed through one myself. I not only live in a State where we have senatorial primaries but I live in a very populous State, in a State where we have great cities and where we also have a great rural population. I live in a State moreover that is so divided by its physical conditions that it is probably as hard for a candidate to canvass that State as any other State of the Union.

I say to you, Mr. President, and to the Senator, that the greatest thing you have to contend with is when somebody enters the political arena who can hire men to go over the State and who can buy space in newspapers, and there are only a few of them that will sell it, thank the Lord, and who can by virtue of their money obtain an advantage. Yet I say that $25,000 is the utmost limit that any man has any right to expend even in that State, and if it is put to that limit it is too high for the State of Missouri.

But when the Senator undertakes to say that because we have a primary election and some other State does not have a primary election, and another State has some other system of election, and a fourth State differs a little bit more, and that we can not pass any act here until we can evolve some plan or scheme that will fit every one of them to an exact nicety, he undertakes to say that we ought not to legislate until we can legislate in absolute consistency with what we might call perfect reason.

Now, the act of legislation is a perfect act. We have to face it every day here in this body. It has been faced in every session of Congress since we have had Congresses. What is the practical solution of this? If you can not get to an ideal condition let us get as near as we can. Let us pass a law that limits the amount per capita, and let us make it high enough to cover those States which have limited populations, and let us put an aggregate limit upon the amount that can be used in any State under any circumstances.

I wanted to say a moment ago that I offered this addition to my pending amendment, which was written for me through the kindness of the Senator from Oklahoma [Mr. OWEN]:

Provided, however, That no candidate for the United States Senate shall expend exceeding $25,000, and no candidate for the House of Representatives shall expend exceeding $7,500 in any campaign for nomination and election.

The VICE PRESIDENT. The Senator from Missouri modifies his amendment in the form he has just read.

Mr. BURTON. What is the amount for a Member of the House of Representatives?

Mr. REED. I am going to make it $3,000.

Mr. MARTINE of New Jersey. Make it $2,000.

Mr. REED. I will make it $2,000.

Mr. BURTON. If the Senator from Missouri will yield, I will say that, according to the law of the State of Ohio, which was passed on this subject, the amount that a candidate for Congress could spend both for nomination and for election was approximately $750. You will see what confusion we will create by such a provision. The national law will provide one figure, perhaps very materially larger than the State law allows and to which candidates have already adjusted themselves. I would feel some degree of reconcilement to the amendment if it referred only to States which have not yet adopted a law on this subject, but in any event I think it is premature; we are going as far as is best in the bill as it came from the Senate committee.

The VICE PRESIDENT. Will the Senator from Missouri be good enough to send the entire amendment to the Secretary's desk?

Mr. REED. As soon as I can write it. I do not think the objection of the Senator from Ohio is good. I do not think that because the State of Missouri limits, as she does limit, the expenditure of a Congressman, and it is limited by the per capita regulation to something like six or seven hundred dollars, the fact we say here that nobody shall be seated who expends more than $2,000 militates against that Missouri or that Ohio law. I think that law still is operative, and this one simply provides a penalty to be fixed. But what I say in this matter could go further. I think it is easy enough to reconcile that and to provide that in no event should any candidate expend more money than was lawful under the laws of his own State.

The VICE PRESIDENT. The Secretary will state the amendment of the Senator from Missouri as modified.

Mr. SUTHERLAND. I suggest that the Senator from Missouri might read his amendment.

The VICE PRESIDENT. The Senator from Missouri is prompting the Secretary, so that the Secretary will by no possibility make a mistake in the record. The Senator from Missouri is putting in form his amendment. In the meantime, if any other Senator desires to discuss the bill, the Chair will recognize him.

Mr. OWEN. Mr. President, I have read this bill as proposed to be amended with some interest and attention.

On June 25, 1910, the Congress of the United States passed an act providing for the publicity of campaign committees operating in two or more States for the purpose of influencing elections at which Representatives in Congress are elected. The substance of this act was to define the meaning of the words "political committee" and to define them as organizations "which shall in *'two or more States'* influence the result, or attempt to influence the result, of an election at which Representatives in Congress are to be elected."

The purpose of this act obviously was to avoid interfering with the conduct of committees in individual States, as State committees who were engaged in influencing the result of an election in which Representatives in Congress are to be elected.

The present bill retains this definition of the "political committee" which is required to make public its campaign receipts and expenditures as a committee operating in two States or more, and thus excludes a committee engaged in one State in influencing the election of Representatives in Congress. A committee therefore organized by the Republican Party in Pennsylvania or by the Democratic Party in Georgia can expend any amount of money and the law will require no publicity at all.

I regard such a bill as almost worthless. It seems to protect the public interest and will abate the public demand for publicity, but it is merely a "sop to Cerberus"—merely a grossly defective compliance with a sincere, righteous demand for full publicity.

I think the limitation of this publicity of contributions, as proposed in the pending measure, is much too narrow, and that where a committee or an individual (whoever they are and whether operating in "two or more States" or in one State) undertakes to influence the result of an election in which Representatives in Congress are to be elected such committee or individual should be subject to a corrupt-practices act as well as complete publicity. Such committee or such individual who attempts to influence the result of an election at which Representatives in Congress are to be elected should not only be subject to a corrupt-practices act, but where such committee or individual attempts to influence the result of an election at which United States Senators or presidential electors are to be elected or nominated a thorough corrupt-practices act should apply.

The proposed bill providing for publicity of contributions is obviously too narrow. If to enlarge it means to defeat it, I should not venture to demand its present amendment. I do not know whether it represents the view of the Senate or not, but we have at least a convenient parliamentary situation by which the bill may be made efficient in the highest degree. I think the substance of the English corrupt-practices act ought now to be made a part of the law of the United States. It was for that reason that on a recent occasion I submitted that law to the Senate and called the attention of the Senate to the provisions of the English law.

I trust the Senate will agree to add a corrupt-practice prevention amendment to apply to the nomination of Senators and of Members of the House of Representatives and presidential electors, as well as providing for complete publicity of all committees whether operating "in two or more States" or in only one State.

It is absurd to lock the front door and leave the back door wide open. Such an act is essentially a mere "joker." It reminds me of the lines of Macbeth—

> Then be these juggling fiends no more believed
> That keep the word of promise to the ear
> And break it to the hope.

I think the bill is too narrow in dealing only with the elections of Representatives. It should involve also the election of Senators and presidential electors. It should not only deal with the election of Representatives, Senators, and presidential electors, but should deal with the nominations of Representatives, Senators, and presidential electors for the obvious reason that nomination in many States is equivalent to election, and it is as of great importance to have clean nominations in such instances as to have clean elections. It is of more importance, in such instances, to have honest nominations, because the election is a matter of course when the nomination has been made in certain States.

I think the Congress of the United States should adopt a thoroughgoing corrupt-practices act that would invalidate the election of any Representative or any Senator or of any presidential elector where such election was obtained by obvious fraud.

Such an act as the English corrupt-practices act should be in full force in the United States in its application to both Representatives and Senators, both as to their elections and as to their nominations.

The first question is:

HAVE WE THE POWER UNDER THE CONSTITUTION OF THE UNITED STATES?

Under the Constitution of the United States, I am of opinion Congress has the power not only to amend this bill as proposed by the committee, but to pass a thoroughgoing corrupt-practices act which shall assure the integrity of the National Government.

It is generally agreed that the Government of the United States is a government of delegated powers. It is not, however, a confederacy. It is a nation, and the Constitution was interpreted by the Civil War, and under the issues determined thereby the United States is a nation and not a federation. It is an indivisible union of indestructible States. The Nation has citizens of its own who are not necessarily citizens of any State. The Constitution was established by "the people of the United States." The Constitution prescribes that Represenatives shall have attained the age of 25 years, been 7 years citizens of the United States, and shall be an inhabitant of the State in which he is chosen as a Representative; and that a Senator shall be over 30 years of age, 9 years a citizen of the United States, and shall be an inhabitant when elected of that State in which he is chosen, thus designating certain qualifications of age and residence for Senators and Representatives.

These qualifications can not be changed by law, but the law may add other qualifications under the power of self-government. It might provide, for example, that no one ever convicted of an infamous crime should be qualified as Senator or Member. The Senate and the House would then judge of the qualification, as authorized by law, and determine for itself, without review, "the qualifications" of its own Members under section 5.

Section 4, Article I, provides that—

> The times, places, and manner of holding elections of Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time, by law, make or alter such regulations except as to the places of choosing Senators. * * *

Section 5 provides:

> Each House shall be the judge of the elections, returns, and qualifications of its own Members, and a majority of each shall constitute a quorum to do business.

The Constitution provides that each House may determine the rules of its proceedings, punish its Members for disorderly behavior, and, with the concurrence of two-thirds, expel a Member. It provides that Senators and Representatives shall be paid their compensation out of the Treasury of the United States, and so forth. It gives Congress the broadest powers to conduct all of the necessary functions of a National Government, to lay and collect taxes, to provide for the common defense and general welfare of the United States, to borrow money, to regulate commerce, to coin money and fix the standard of weights and measures, to establish post offices and post roads, to grant patents in the arts and sciences, to establish the Supreme Court and courts inferior to the Supreme Court, to define and punish piracy and felonies on the high seas and offenses against the law of nations, to declare war, to support armies and navies, and—

> To make all laws which shall be necessary and proper for carrying into execution the foregoing powers and all other powers vested by this Constitution in the Government of the United States or in any department or officer thereof.

If each House has the power to be the judge of the elections, returns, and qualifications of its own membership, and if Congress has the power to make all laws which shall be necessary and proper for carrying into execution the powers of the Constitution and the powers vested in the Government or in any department or officer thereof—it seems to me that Congress has the power to pass a thoroughgoing corrupt-practices act. Certainly Congress has the right, under section 4, to determine the manner of holding elections for Senators and Representatives, and if this be true, it can declare what manner of holding elections would be corrupt, dishonest, and unfair, and therefore invalid.

Is it possible that Congress, having the right to determine the manner of holding elections for Senators and Representatives, is denied the power of declaring what would be a dishonest and void method and manner of holding such elections?

I am strongly opposed to the Federal Government interfering with the State elections, but I believe that if a State election of a Representative or of a Senator is grossly corrupt, Congress not only has the power, but that the power carries with it the duty of rejecting a Representative or a Senator elected by corrupt practices, even without any statute declaring an election void because of corrupt practice, but I also think it would be a sound moral and ethical statute to plainly forbid corrupt practice and penalize it.

For that reason I give my adherence to the proposal of the Senator from Missouri [Mr. REED] in amendment of the pending bill. I had intended to submit such an amendment myself, and was only prevented from doing so by unavoidable absence.

Section 5, which gives each House the right to *judge* of the elections and qualifications of its own Members, and section 4, which authorizes Congress to *make* or alter any State *regulation affecting the manner of holding elections for Senators and Representatives*, obviously contemplated the right of Congress to determine the integrity of such elections. It is a most modest exercise of the power of Congress over elections to limit the expenditure of money and forbid the election of Federal officers by corrupt practices.

Mr. President, the fundamental right of self-preservation is involved in this question of the power of the Government of the United States to assure and require the integrity of the nomination and election of Senators, Representatives, and presidential electors.

If Congress is powerless to prevent the corrupt nomination and election of Senators and Representatives and presidential electors—if these vital officials of the Federal Government can be bought with money by open bribery, and the Congress of the United States is powerless to make such bribery and purchase of seats in the Senate and in the House of Representatives a crime—then this Government has no constitutional right to protect its own life.

The fundamental proposition that the Government of the United States has a right to protect its own life in this way can not be denied.

There is no answer to that proposition; there can be no answer to it. It is fundamental and it is conclusive. No man of intellectual integrity, I believe, will find himself able to deny the right of any government to protect its own life by such a fundamental provision as this.

Such a denial would be monstrous, contrary to sound reason and common sense. Every individual recognizes that self-preservation is the first law of nature, and it is inconceivable to imagine a government, intended by its framers to endure, having no right to protect its own life.

The Congress of the United States, in my judgment, has the power, both under the letter and the spirit of the Constitution, to pass a corrupt-practices act and to pass a bill providing for complete publicity not only of receipts and expenditures of committees engaged in influencing the election of Representatives "in two or more States," but engaged in the "nomination" as well as election "in a single State," of Representatives and also of Senators and of presidential electors.

All the money in the world can be used without publicity under this bill if you leave a committee "*in one State*" at liberty to use secretly such funds. Of what avail is your inhibition on a committee dealing with *two or more States* if you leave a committee operating in individual States free to act without publicity, to spend money contributed by the special interests of this country in buying Senators and in buying Members of the other House? I object to the narrow manner in which this bill is drawn—

In so far as it relates to committees only which operate in "two or more States";

In so far as it relates to elections and not to nominations;

In so far as it relates to "Representatives" and not to "Senators" and "presidential electors";

In so far as it fails to describe and forbid corrupt practices;

In so far as it fails to declare void any nomination and election procured by corrupt practices.

Mr. SUTHERLAND. Mr. President——

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Utah?

Mr. OWEN. I yield to the Senator from Utah.

Mr. SUTHERLAND. The Senator must criticize the existing law and not this bill.

Mr. OWEN. I criticize the existing bill, because this bill proposes to make law, and we are here for the purpose of making law. I am not criticizing existing or past law, excepting so far as may be of interest and of service in writing a law now, by correcting and improving the pending bill.

Mr. SUTHERLAND. If the Senator from Oklahoma will permit me——

Mr. OWEN. I will yield to the Senator, with pleasure.

Mr. SUTHERLAND. I will get to the point of my suggestion. The suggestion I make is that the thing to which the Senator from Oklahoma objects is in the existing law, in the statute law, and is not in this bill. The existing law provides—that is, the law passed June 25, 1910——

Mr. OWEN. Does the existing bill provide for the control of a committee in individual States?

Mr. SUTHERLAND. No; the existing law does not.

Mr. OWEN. Does the existing bill provide for publicity of the receipts and expenditures of an individual committee in the States?

Mr. SUTHERLAND. The existing bill does not, because it is simply an amendment to the existing law.

Mr. OWEN. That is what I am complaining of, that the existing bill is not drawn properly in that respect.

Mr. SUTHERLAND. This is a House bill sent over to us, and it simply proposes to amend the existing law by adding to it certain provisions.

Mr. OWEN. That House bill is before the Senate of the United States, and I have a right to suggest or to propose an amendment to it.

Mr. SUTHERLAND. Certainly.

Mr. OWEN. I have a right to suggest an amendment to it, and I have a right to point out its deficiencies in that particular. It does not avail the Senator to say that my objection relates to something else and omit to point out that my objection is well founded against the amended bill as brought in by the committee.

Mr. SUTHERLAND. I was simply directing the attention of the Senator to the fact that he was criticizing the bill for not——

Mr. OWEN. The Senator is entirely mistaken. I am not criticizing the past bill; I am criticizing the present deficiency in the pending bill.

Mr. SUTHERLAND. I quite understand that, but what I was suggesting to the Senator was that his criticism applied not to the bill, but to the existing law.

Mr. OWEN. It applies to the bill; and the observation of the Senator from Utah, which applies to the act of June 25, 1910, which is not before the Senate, is immaterial and irrelevant. This bill ought to be made complete now. Now is a good time. If not, why not? We have two Senators here on the floor now whose seats are assailed on the ground of corrupt practices. The whole world is looking at us, and here we sit as a great legislative body failing in our duty to make thoroughly efficient a law which we have now the opportunity of making efficient. I will not agree that this matter shall pass without my protest and without an earnest effort, so far as I can make it, to have a thoroughgoing corrupt-practices act now made a part of the bill. The parliamentary opportunity is here. Whether the will of the Senate of the United States is clear on this question will speedily be known.

I favor an amendment enlarging the publicity of campaign contributions. I should favor a much more drastic amendment and provide for a thoroughgoing corrupt-practices act. It will not require a long act. An act of 20 lines will suffice. All that is necessary is to make void any election of a Senator or a Member of the House of Representatives who uses money in excess of a reasonable limit. That will suffice. It will be a substantial advance, at all events. My State limits the expenditures of a Senator to $3,000. That is not very large, but it will suffice.

Mr. SUTHERLAND. Mr. President, may I ask the Senator a question?

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Utah?

Mr. OWEN. Yes, with pleasure.

Mr. SUTHERLAND. The Senator suggests that the law should make void the election of a Senator or of a Representative brought about by corruption. What would the Senator say to the provision in the Constitution which makes each House the judge of the qualifications, elections, and returns of its own Members? Would the Senator think that, in view of that provision——

Mr. OWEN. I should say that that gives constitutional warrant for that which I now propose.

Mr. SUTHERLAND. But the Constitution says "each House." The Senate has no right to judge of the qualifications, elections, and returns——

Mr. OWEN. Each House will determine the question of qualifications, elections, and returns if we pass this bill amended as I propose.

Mr. SUTHERLAND. The Senator does not let me finish.

Mr. OWEN. I shall be glad to hear what the Senator has to say.

Mr. SUTHERLAND. If you make provision that the election of Representatives, for example, shall be void under certain circumstances, then the House alone is not the judge of the qualifications of its own Members. The Senate has participated in it. As I understand the constitutional provision, it was intended that each House, acting separately and alone, should be the judge of the qualifications, and so on, of its Members.

Mr. OWEN. Mr. President, the argument of the Senator from Utah is too ingenious. It is more ingenious, in my judgment, than sound. If this provision becomes a law and a statute of the United States, it becomes a rule of law under which the constitutional right of each House to determine the qualifications of its own Members shall be exercised.

Mr. SUTHERLAND. But, if the Senator will permit me, suppose we pass a law of that kind and a case arose under it involving the election of a Representative, and two-thirds of the membership of the House concluded that he ought to be seated, could the Senate do anything about it, could anybody do anything to enforce the law? Would it not all depend upon each House to do as it pleased with the matter, the matter having been committed to each House by the Constitution?

Mr. OWEN. Mr. President, of course each House would pass upon the qualifications of its own Members, but they would pass on them under the light of the rule which is laid down by the statute law of the United States in pursuance of constitutional authority.

I most thoroughly approve the bill which has passed the House providing for the publicity of contributions before the election, but I believe the whole bill should be amended so that it should apply to every committee which undertakes to influence in any way the election of Representatives in Congress or of Senators, whether "in two or more States" or in a single State.

I hesitate somewhat to offer such an amendment for fear that it may bring about the defeat of the bill, but if it be acceptable and it can pass, I should like to see it done, and, with a view to testing this matter, I shall offer such an amendment at the proper time. If Senators do not want to adopt it, that is for them to determine. If they do not like the form of the amendment and object only to the form, another form can be easily contrived and arranged. If they object to the principle proposed, they must indicate that by their vote.

Mr. President, the committee amendment set forth in the new section 8 covers the expenses of primary or nominating elections for Representatives and Senators. I cordially acquiesce in this proposal, for the reason that in many States, my own included, a nomination is practically equivalent to an election. In my own State, we put a limit on the amount of money which a citizen can expend as a candidate for nomination. I think this limit would be a wise provision to apply to the whole United States, and that an amendment to this bill would be reasonable and just, providing that no candidate should expend in a campaign exceeding $7,500, including the primary and the election.

It has been suggested that the Federal Government has no right to "invade" the State by this requirement of publicity of campaign contributions and expenditures in the nominating primaries. This suggestion of "invading" the State seems to me to be the use of terms intended to arouse the prejudice of those who feel strongly on the so-called "States' rights issue." Such an argument stirs up ancient prejudice. In point of fact, there is no "invasion" of State rights in requiring persons who seek to become officers of the United States to make public the amount of money which they expend in having themselves nominated or elected to a Federal office. The nomination of Federal officers and the election of Federal officers is Federal business and not State business.

Every citizen of the State of Oklahoma is a citizen of Oklahoma indeed, but he is also a citizen of the United States, and as a citizen of the United States he has a distinct relation to the Federal Government that should not be ignored or lost sight of. It is true that citizens of States are also citizens of the United States, and have a double function. Citizens of the State pay taxes to the State and as citizens of the United States they pay taxes to the United States. Citizens of the State may render military and other duty to the State and as United States citizens may render military duty to the United States, but the nomination and election of Federal officers by United States citizens is Federal business, and it is of vital importance to the Federal Government that the nomination and election of Senators and Representatives should be honestly made and not bought with money in the open market.

I have no sympathy with the strained arguments and forced construction of the Constitution which Senators squeeze into their interpretations of our national organic laws that prevent the Nation from putting an end to the devilment and corrupt practice that has degraded our Government.

Mr. President, I understand perfectly well that men of the best intentions may use money on a large scale for publicity during a campaign in having brass bands and flambeau torchlight processions and in buying uniforms for a thousand men at a time to stir up enthusiasm. It is a very bad practice. It is bogus; it is mischievous; it has a bad effect upon the public mind. It causes a large expenditure of money. We have not been in this country led to regard such conduct as such corrupt practices; yet it would be far better to class such expenditure of money as a corrupt practice, to confine the expenditure of money in elections to legitimate purposes, and not subject the voter to the hypnotic effect of brass bands, flambeaux clubs, and the hurrah that confuses his judgment and excites his loyalty for one faction or the other.

It would be far better to give no such artificial and grossly unfair advantage to a rich candidate over a poor candidate.

The Federal Government has the power and the plain duty to see to it that its officers should be honestly nominated and honestly elected. Some have suggested that the election by a State of its own Senators is a State function, and that such State should not be interfered with in the choice of its own Senators. The answer to this is that the Senators chosen from Illinois vote upon the taxation of Oklahoma and of every other State in the Union. The Senators from Rhode Island vote upon the business of California as a part of the Republic. They vote upon the taxation of Massachusetts and of Michigan and of Utah and of Pennsylvania, and the Senators chosen from Oklahoma in like manner vote upon the interests of every other State in the Union, and undertake to determine what shall be the policy of the law in relation to Michigan and Utah and Massachusetts.

I am strongly opposed to the lumber interests buying the right to a vote on the floor of the United States Senate by which they can vote a tax on the people of Oklahoma who must buy lumber.

Mr. LODGE. Mr. President——

Mr. OWEN. I yield to the Senator——

Mr. LODGE. I have been listening with much interest to what the Senator has said about the point of a committee operating in two States; that it makes a sort of restriction on getting what we want to get at by this bill. The Senator has observed, of course, that the first part of the bill—that is, the bill which came from the House—reiterates that, and is drawn in conformity with existing law; that is, it is confined——

Mr. OWEN. I have no doubt of that.

Mr. LODGE. It is confined to committees. But in what the Senator said it seems to me that he omitted to point out that the section proposed by the Senate no longer confines it to a committee operating in more than one State, but requires returns from candidates, which, in my judgment, is the proper way to reach the matter. It requires returns of the amounts expended by candidates for Representative in Congress and candidates for Senator; and no matter whether the money be spent in one State or in part of one State, under section 8 he has to make a return of his expenses.

Mr. OWEN. If the committee were forbidden to expend any money at all except through the candidate, then the bill as drawn being so amended, I should think it would suffice.

Mr. LODGE. The proposed amendment of the section is all right on that point, I think.

Mr. OWEN. I think so, as far as it goes.

Mr. LODGE. But, then, of course, the House bill is simply a slight enlargement of the old law.

Mr. OWEN. I think that if the committee were forbidden to spend money, and it were left solely in the hands of the candidate and his agents, and the bill so amended, it would suffice.

Mr. LODGE. If we were to require that the returns called for in the amended section 5 should be made by the candidates, as we require in the section relating to primaries, then we should get a full return, of course.

Mr. OWEN. And in that contingency we should forbid anybody else expending any money.

Mr. LODGE. I should like to see that done, but I will say to the Senator that I am anxious to see the bill passed, and I do not feel as if I at least—perhaps others may be able to do so—ought to attempt materially to change the bill which might endanger its passage here by causing long-continued delay and debate. That is what I am afraid of.

Mr. OWEN. Is there anyone who will oppose such an amendment?

Mr. LODGE. I think if we were to make section 5 correspond to section 8 we should improve the bill; but I do not want to offer any amendment, because I want the bill to pass.

Mr. OWEN. I also want the bill to pass.

Mr. LODGE. We can perfect it in the future, just as we are improving and perfecting the existing law.

Mr. OWEN. I want the bill passed, and I shall not insist upon anything that would cause the defeat of what is proposed. I would rather have something than nothing, but I should like to know who it is that proposes to deny full relief. I want to know the cause, and if I can not get the cause, I should like to see who it is that will oppose by dilatory action. That is all. There is a way of ascertaining things without open confession in court.

The Senators from Pennsylvania are not the representatives of Pennsylvania alone; they are Senators of the United States, paid by the United States, and vote upon the affairs of 46 States, besides sundry Territories, and upon the affairs of millions of human beings in the islands of the sea controlled by the United States.

In my judgment, the Congress of the United States has the constitutional power to pass this act as amended.

In my judgment, it is the solemn duty of the Congress of the United States not only to pass this act as amended, but to go much further and to pass a thoroughgoing corrupt-practices act as a part of this bill and to amend it to cover the deficiencies I have pointed out, that is:

First. Make it apply to all committees influencing the elections of Members of the House, whether operating in two or more States or in only one State.

Second. Make it apply to nominations as well as elections.

Third. Make it apply to Senators and presidential electors.

Fourth. Limit the amount of money to be expended and forbid in terms corrupt practice and penalize it.

The VICE PRESIDENT. The Secretary will state the amendment offered by the Senator from Missouri [Mr. REED].

The SECRETARY. At the end of the bill it is proposed to insert the following:

No such candidate for the Senate or House of Representatives shall expend, or cause to be expended, a sum in the aggregate exceeding 10 cents for each voter in his district or State. No candidate shall expend more money than it is lawful to expend under the laws of the State in which he resides. No candidate for the Senate shall, directly or indirectly, contribute any money or thing of value to assist in procuring the nomination or election of any member of the legislature of his State. No candidate for the Senate or House of Representatives shall promise any office or his influence or support for office to any person for the purpose of procuring the support of such person. No person guilty of violating the provisions of this act shall be seated in either the House of Representatives or the Senate, and if any person shall be seated he may be removed if found guilty of such violation: *Provided, however*, That no candidate for the United States Senate shall expend exceeding $5,000 and no candidate for the House of Representatives shall expend exceeding $1,500 in any campaign for nomination and election.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Missouri.

Mr. SUTHERLAND. Mr. President, the amendment now proposed by the Senator from Missouri is very much broader than that first proposed. I notice that he has introduced an entirely new feature, namely, the provision that under certain circumstances—I do not recall the exact expression—members shall not be seated.

I ask the Senator from Missouri what he says to the constitutional provision that each House shall be the judge of the elections, returns, and qualifications of its own members. Suppose we pass this law; suppose we declare that the election shall be void; that a man under such circumstances shall not be seated, and a Representative is elected in spite of these provisions of the law. The matter comes up before the House.

No court can deal with it, because the Constitution has submitted the question to the House of Representatives. The majority of the House of Representatives vote to seat the Member. What are you going to do about it? Is this a matter for legislation, or is it not a matter that must be left under the Constitution to each House to deal with separately?

Mr. REED. Beyond any doubt if this bill was passed it would be a law. Beyond any doubt if the Senate saw fit to seat a man who had violated the law there would be no power in our Government to withhold the hand of the Senate if it saw fit to do that act. But if we had such a law on the statute books to-day and men came here admitting that they had expended $107,000, or $2 a vote for every vote they got in their State, it would not take us very long, I think, to get a vote in this body to oust the gentleman who had been guilty of that sort of conduct.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Idaho?

Mr. REED. Yes.

Mr. BORAH. May I ask to have that provision of the amendment read.

The VICE PRESIDENT. Without objection, the Secretary will again read the portion of the amendment.

The Secretary read as follows:

No candidate for the Senate or House of Representatives shall promise any office or his influence or support for office to any person for the purpose of procuring the support of such person. No person guilty of violating the provisions of this act shall be seated in either the House of Representatives or the Senate, and if any person shall be seated he may be removed if found guilty of such violation.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri further yield to the Senator from Idaho?

Mr. REED. Yes.

Mr. BORAH. Does not the Senator from Missouri think that that provision if enacted would be void on its face?

Mr. REED. I do not think it is void upon its face.

Mr. BORAH. The Constitution says that each House shall be the judge of the elections, returns, and qualifications of its own members.

Mr. WORKS. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield, through the Senator from Idaho, to the Senator from California?

Mr. REED. When the Senator from Idaho is through I will be glad to yield to the Senator from California.

Mr. BORAH. Did the Senator from California desire to address me?

Mr. WORKS. I desire to address my inquiry to the Senator from Idaho.

Mr. BORAH. I yield to the Senator from California if the Senator from Missouri yields to him through me.

Mr. WORKS. I should like to ask the Senator from Idaho what difference there would be in this disqualification of one elected a Member of the House, for example, and a provision of law that would disqualify him if he were under a certain age.

Mr. SUTHERLAND. That is a constitutional provision.

Mr. WORKS. I understand it is a constitutional provision as the Senator suggests. But while the House of Representatives may determine the qualifications of its own Members, certainly we could determine by law what those qualifications are, and it is hardly fair to presume that the House of Representatives will violate a law which is enacted by both Houses and approved by the President.

Mr. BORAH. I do not agree with the Senator from California. I contend that the House and Senate together, in other words, Congress, can not pass a law which will take it out of the power of each House, acting for itself and alone, to determine who shall sit as its Members. Each House judges of the qualifications of its Members, and we by law can not deprive each or either House of that power. We can not control it by statute. If we should pass a law adding any qualification that is not found in the Constitution itself in other provisions of it as a prerequisite to a seat, the law would be void upon its face, because it would be an attempt to take from each House the power to determine who shall sit as Members of either House, and put the power in both Houses to determine who may or who may not sit as Members of each House. There can not be any question, in my judgment, about that legal proposition.

Mr. REED. Is the Senator through?

Mr. BORAH. I am for the present.

Mr. REED. I am surprised at that objection coming from the source it does. I have understood that the Senator is a great advocate of the principle of direct elections and direct primaries now, before the Constitution is amended, and that he has been properly so, and yet every lawyer knows that the laws which exist in two or three States providing that the people shall express their choice in a primary and that the members of the legislature shall obey that primary vote have no potentiality whatever because the Constitution vests the entire control in the State legislatures. Nevertheless these laws have been passed and these laws have been found to work satisfactorily, for their moral force.

But I go further than that. While Congress alone can pass upon the election and the qualification of its Members—each House of its own Members—while that is the constitutional provision, does that mean to say that by public law we can not prescribe what the qualifications of membership shall be or the method by which a man shall arrive here?

The Constitution then comes in and undertakes to say that Congress shall have the power to decide on the qualification of the Member under the law. In other words, the Constitution, instead of allowing a court to determine who shall sit in this body, said that this body should be its own court, and should decide the question itself. But that is to decide the question of fact. Does that deprive Congress of the power to legislate at all with reference to how men shall come here—how their elections shall be held? I think not. We have already gone into that ground. We have already passed——

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Idaho?

Mr. REED. I want to finish my sentence. Then I will yield, of course.

We have already passed many laws relating to elections for Congressmen; we have already passed laws relating to many matters of that kind, and when a man comes to Congress, Congress does judge of his election and of his qualifications. Congress is presumed to obey that public law of the land. If it does not obey it, then the law simply is rendered nugatory, a thing it is not to be presumed Congress will do.

So whatever law we pass in this land may be rendered null and void by the courts if they refuse to enforce it. But we do not presume the courts will do that.

Now, I put it to the Senator in all candor and in all fairness: Does he believe, first, that Congress has no power to provide how an election shall be held——

Mr. BORAH. I will answer that.

Mr. REED. To limit the expenditure of candidates; and if he does believe that—I put the second question—whether the enactment of such a law as this—placing a limit—would not have a good moral effect at least? And then I put a third question to him: If Congress can not limit the expenses, certainly a legislative body could not limit the expenses of a Member of this Senate and make it valid and binding and compel the Senate to obey it? Would it not be true, then, that our country is in the unfortunate situation where neither the Federal legislative authorities nor the State legislative authorities can protect the elections of Senators from the abuse of money?

Mr. BORAH. I do not know whether I can remember the several questions, but I think I can answer them all by answering the first.

Section 5 of the Constitution, Article I, provides that—

Each House shall be the judge of the elections, returns, and qualifications of its own members, and a majority of each shall constitute a quorum, etc.

Now, the Senator says that Congress may do so and so with reference to the election, providing against the use of money, and such matters.

I agree with that proposition, and if the amendment of the Senator from Missouri went no further than that I would not raise the objection I have raised from a legal standpoint.

But the Senator from Missouri goes further, and I think upon a moment's reflection he will see that he goes too far, because by law he undertakes to say that certain disqualifications shall unseat a Member of the lower House of Congress, for instance. We can not do that. We can provide for the manner and the method of elections and we can go a certain distance with reference to prescribing what the parties shall file or what they shall not, or what showing they shall make when they come here for the purpose of asking for a seat.

But, Mr. President, when those things are presented and when those facts are before this body, this body alone will say whether or not it unseats him or disqualifies him for this position, and the House of Representatives alone will say whether its Member is entitled to a seat or is disqualified.

We can not as a joint body, we can not as Congress, say that a man having spent $100,000 shall not have a seat in the lower House of Congress. We can say that, upon having ex-

pended that amount, he must file his certificate with the proper officer, and then the House itself may say whether or not that shall unseat him.

Mr. WORKS. Mr. President, I have great respect for the opinions of the Senator from Idaho on questions of law, particularly as to the construction of the Constitution. But I think he is absolutely and entirely wrong on this proposition. Undoubtedly, as he says, each House must determine the qualifications of its Members. That is to say, the power to determine the question of qualifications is placed in the two bodies. But that does not prevent the Congress of the United States from determining in advance what those qualifications are——

Mr. BORAH. Mr. President——

Mr. WORKS. Just one moment—except where the provision conflicts with the Constitution, as I think this does not.

Mr. CULBERSON. Mr. President, doubtless the provision of the Constitution to which I shall refer has already been called to the attention of the Senate in this connection. But I will read it.

> No person shall be a Senator who shall not have attained to the age of 30 years, and been 9 years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen.

The rule is that when the Constitution prescribes the qualifications for office the mention of those qualifications is exclusive of all others, and they can not be added to or subtracted from by legislative enactment. That is the point to which I invite the attention of the Senator from California.

Mr. WORKS. I was about to refer to a similar provision with respect to Members of the House of Representatives. The Senator from Texas will observe that these provisions are negative in their character——

Mr. OWEN. Sure.

Mr. WORKS. That no one shall be a Senator except he has certain qualifications; but it does not provide that there may not be other limitations of his rights to serve, by any means.

Mr. CULBERSON. Except by implication, and the mention affirmatively of the qualifications in the Constitution is exclusive of all others. That is the uniform rule both in the construction of statutory law and constitutional law, I think.

Mr. WORKS. Certainly so, if the provision is an affirmative one, that the party having certain qualifications shall be entitled to hold the office. But that is not the provision here. It is not an affirmative provision. It simply negatives the right under certain conditions, and there may be other qualifications added without infringing upon the provisions of the Constitution at all.

The provision with respect to Representatives is that—

> No person shall be a Representative who shall not have attained the age of 25 years and been 7 years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

Now, undoubtedly there could be no provision which could conflict with those negative provisions, but there is nothing in the Constitution which prevents the Congress of the United States from imposing a disqualification such as is now proposed in addition to those provided by the Constitution.

Mr. BORAH and Mr. LODGE addressed the Chair.

The VICE PRESIDENT. To whom does the Senator from California yield?

Mr. WORKS. I yield to the Senator from Idaho.

Mr. BORAH. I want to ask the Senator from California, suppose we should pass an act of Congress, a law, providing that a Member should not be entitled to a seat in either House of Congress, or he should be disqualified if it should be ascertained he had expended $100,000 in his election. Then we would have fixed a disqualification which would deny him a seat, which would make it impossible for him to take his seat——

Mr. WORKS. If the House of Representatives determined that that disqualification existed. It would be left to it to determine that question.

Mr. BORAH. Then the Senator from California and I do not disagree at all. What I have been contending for all the time is that the House and the Senate each must determine for itself what that disqualification shall be——

Mr. WORKS. Certainly.

Mr. BORAH. And whether or not it exists.

Mr. OWEN. Under the law.

Mr. BORAH. Not under the law. The law can not erect a standard or fix a disqualification binding upon either branch of Congress. Each House may seat or unseat, regardless of any such law. Each House is the sole judge of the qualification of its Members, and Congress can not take away that power.

Mr. WORKS. There can be no question that the House determines the question of disqualification, but if the Congress of the United States determines it is a disqualification, then it is the duty of the House to declare it when it comes to investigate the question. We can not pass a law here which would prevent a Member taking his seat in the House of Representatives, but Congress may pass an act by which the House of Representatives should be guided in determining that question.

Mr. BORAH. It would only be persuasive. It would only have a moral effect. It would not have any binding legal effect. In other words, if the House saw fit to seat the man, the law would not unseat him.

Mr. WORKS. That would be conclusive, because it is made the sole judge of that. But the Senator is assuming that the House of Representatives would violate the law by admitting him.

Mr. BORAH. Then the Senator and I do not disagree. My contention is that each House must determine at last for itself. I do not think the Senator from California and I disagree.

Mr. LODGE. Mr. President, I merely wanted to say a word in connection with what was said by the Senator from Texas [Mr. CULBERSON], who I think laid down the correct rule, that these qualifications, as stated in the Constitution, whether stated negatively or not, are conclusive. I do not now recall the case, but I am very sure there is a case where an attempt was made by one of the States to require residence of a Representative in the district from which he was chosen. It was held that the Constitution required only residence in the State, and that qualification could not be extended or added to.

I think there is a direct case on that point, that the State—in that case it was a State—could not add to the qualifications. I think it was stated broadly that no qualification of that sort could be added.

Mr. SUTHERLAND. I call the attention of the Senator from Massachusetts to a statement, which bears out what he has just said, in Willoughby on the Constitution, page 526, which reads:

> It is plain that no State may add qualifications to those required by the Constitution of Members of Congress. Thus in 1856 the governor of a State having refused to issue credentials to the rival claimants because they were disqualified under provisions of the State constitution to membership in the House, the House seated the one shown prima facie by official statement to have a majority of votes. Similar action was taken by the Senate the same year.

He refers to Hinds' Precedents and to Story's Commentaries as authority.

Mr. WORKS. The case cited by the Senator from Massachusetts is in no sense a parallel case. There was an attempt to change the direct qualification provided in the Constitution as to residence, and it would, therefore, come directly in conflict with the Constitution.

Mr. OWEN. Section 5 provides that—

> Each House shall be the judge of the elections, returns, and qualifications.

Judge means one thing and authority to predetermine what the qualifications are is another thing.

If the constitutional provision providing for the age and residence should be violated it might be held void, of course, but, as the Senator from California well pointed out, those provisions are negative. You may not pass a law which would change the age fixed by the Constitution. But there is not only nothing in the Constitution to prevent other qualifications being added by law, but there is in the Constitution, outside of the warrant of common sense, a plain warrant which provides that the Congress may at any time make or alter such regulations relating to the times, places, and manner of holding elections for Senators and Representatives. This is now proposed to be a change in the manner of elections and proposing to impose a suitable penalty. It is authorized by the Constitution and is not denied by the Constitution.

The House of Representatives may judge the qualifications under the law, but the House of Representatives can not pass a law by itself to fix the qualifications of Members or to change it, except in the manner provided for the making of the laws of the United States by act of the House and Senate, with the approval of the President of the United States.

Mr. BORAH. I want to read just a paragraph from Mr. Willoughby on the Constitution, which is also supported by a paragraph from Mr. Story, which I will not take time to read:

> Though essentially a judicial function, the conclusive determination as to whether the constitutional qualifications for membership have been met is, by the Constitution, placed in the hands of each of the two Houses of Congress. It thus happens that though neither House may formally impose qualifications additional to those mentioned in the Constitution or waive those that are mentioned, each may in practice do either of these things.

In other words, both Houses together can not add any qualifications other than those which are found in the Constitution. Each House may, in the exercise of its power to determine who shall be a Member of it, add any qualification it sees fit—that is, may judge—and there is no power to review its judgment.

Mr. REED. Mr. President, I do not intend to weary the Senate by repeating the argument on this question. In view of this language of the Constitution—

> No person shall be a Senator who shall not have attained to the age of 30 years and been 9 years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen—

No one will claim that a State legislature or that Congress could provide that a man must be admitted who was 29 years of age. That would be in the face of that section.

But the question is this: Does that language providing the qualifications of the Members bar both Congress and the States from adding any other qualifications? I think it will hardly be contended that it goes to the extent of barring Congress from legislating with reference at least to the manner of election.

What is sought to be done here is to provide a manner or a method or a portion of the manner by which a Senator can be elected.

We might turn this measure around and say that no candidate for the Senate shall proceed in any other or different manner than this and prescribe certain rules. What we are trying to do is to map out the rule and point the path which must be traveled by every man who comes to this Senate; and I think we find the warrant for that in the language that the Senator from Oklahoma [Mr. OWEN] quoted:

> The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

When, therefore, we say, as I am insisting we should say by this amendment, that no candidate in seeking to be elected shall expend more than certain sums of money, when the bill amended by the committee undertakes to say that certain things shall not be done, we are simply undertaking to regulate the manner of the election; and if that which is sought to be done by the amendment can not be done because of the Constitution, then no thing that is sought to be done by the committee amendments or by the bill itself can be done under the Constitution. All these provisions are in the same boat, and they must go over the same constitutional Niagara at the same moment of time, for if the Constitution inhibits and bars one, it bars them all.

Now, will any Senator claim that we could not pass a public statute? I ask the Senator from Idaho—I am appealing to his candor, and I have the utmost respect for his ability as a lawyer—would the Senator claim that we could not pass a law which would provide that any man who was guilty of bribery and the buying of his way into the Senate should be guilty of a felony and upon conviction of that felony that he should be sent to the penitentiary?

Mr. BORAH rose.

Mr. REED. In just a moment. You say that is not regulating the election, that is punishing an act. Will the Senator say that you could not add to that "and such person shall be disqualified to sit in the Senate of the United States"? I think it is drawing the line pretty strong to say that could not be added as a penalty.

Mr. BORAH. Mr. President, I have not drawn the line. I am simply reading the Constitution, which drew the line before I reached the arena of action. The Constitution reserves that judging power to another tribunal and places it in that body alone; not in this body and the other body acting jointly under the law, but each acting for itself and exercising its judgment whenever the matter comes before it.

The only effect of such a law, if you would call a void act a law, would be simply its persuasive force or its moral force. I have no doubt as a matter of law but what if Congress should pass an act saying that a man who spent money in a certain way should be guilty of felony, and added thereto that he should also be denied his seat—that as matter of law it would be void?

Mr. REED. Would not a court have the right to add that as a part of the judgment?

Mr. BORAH. If the court should enter judgment that a man should not sit in this body under certain conditions, we would not be under constitutional obligations to pay any attention to the judgment whatever. The courts can not determine who shall sit in this body; and the Congress of the United States can not make a law conferring jurisdiction upon the courts to determine who shall sit here.

Mr. REED. The Senator and I are in agreement on that.

Mr. OWEN. I suggest to the Senator from Missouri that, if Congress has a right to pass an act declaring a certain course of conduct to be a felony on the part of a candidate, the candidate, being guilty, would be barred from his seat on the floor of the House of Representatives as having been guilty of a felony; and having therefore violated the law which Congress has the constitutional right to pass, it removes him from the House. So the very instance proposed by the Senator would serve to show that Congress has the power to remove him from within the qualified list.

Mr. BORAH. Permit me to ask the Senator from Oklahoma a question.

Mr. REED. I yield for that purpose.

Mr. BORAH. Suppose all the Senator says has taken place and he has been convicted of a crime, but suppose the House of Representatives should say that in its judgment it will not unseat him; that he is entitled to sit; how would we review their act and how would we get him out?

Mr. OWEN. We would not review it at all. They are the judges of his qualifications, but it is not to be presumed that the House of Representatives will fail to judge properly and truly the cases brought before them.

Mr. BORAH. That is a pure matter of the moral effect of the so-called law, but as a legal proposition, suppose the House should say that, notwithstanding this verdict of the jury, we do not think this man is guilty of corruption and we will not exclude him, would the Senator from Oklahoma review that action?

Mr. OWEN. The action would not be reviewable.

Mr. BORAH. You would have to go back to the constituency and review it in another election, and, as has been many times said, that is the only way you can review it.

Mr. OWEN. That does not at all affect the real proposition.

Mr. WORKS. I should like to ask the Senator from Idaho what would be the effect of the House of Representatives determining that an applicant was qualified for a seat when he was under the age provided by the Constitution? Would there be any remedy?

Mr. BORAH. There would not be any remedy as far as we are concerned.

Mr. WORKS. As far as anybody is concerned?

Mr. BORAH. That is exactly the contention which I have been making, that the House is the sole judge and the Senate is the sole judge of the qualifications and the election of its Members.

Mr. WORKS. Then there is no difference between myself and the Senator from Idaho, that the House of Representatives or the Senate in any case is the sole judge of the qualifications, but it is fair to presume that if the qualifications were imposed the House of Representatives would rightly decide.

Mr. BORAH. With respect to those qualifications they might not, but even if they decided wrongly their decision would be conclusive.

Mr. CULBERSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Texas?

Mr. REED. Certainly.

Mr. CULBERSON. In hearing the proposed amendment of the Senator from Missouri read from the desk I understood it to provide that in a certain contingency not mentioned in the Constitution of the United States the person should be excluded from the right to a seat in the Senate. I expressed the opinion offhand that the mention of the qualification of a Senator in the Constitution thereby excluded the Congress from adding to or subtracting from the qualifications mentioned in the Constitution. If the Senator from Missouri will permit me——

Mr. REED. Certainly.

Mr. CULBERSON (continuing). I will read from Cooley on Constitutional Limitations the rule, as I announced it from recollection:

> Another rule of construction is that when the Constitution defines the circumstances under which a right may be exercised or a penalty imposed, the specification is an implied prohibition against legislative interference to add to the condition or to extend the penalty to other cases. On this ground it has been held by the supreme court of Maryland that where the Constitution defines the qualifications of an officer it is not in the power of the legislature to change or superadd to them unless the power to do so is expressly or by necessary implication conferred by the Constitution itself. Other cases recognizing the same principle are referred to in the note.

Among which cases is the St. Joseph, and so forth, Railroad Co. *v.* Buchanan County Court, Thirty-ninth Missouri, page 485.

Mr. REED. Mr. President, the very distinguished Senator from Texas has read us some law that nobody disputes. No one claims that we can change the Constitution with reference to the qualification of a Member. What is contended for here is that Congress does have the right to provide the time and

the place and the manner of electing Senators, and having that right it has the right to provide that an election shall be held in a certain way, and that the men who are running for office shall proceed in a certain way, and under that authority we can limit the amount of money that is used in a general campaign for purposes that would not be felonious, just the same as we could provide by law that no man should be seated in the Senate of the United States or in Congress who had procured his seat by bribery.

The Senator from Idaho [Mr. BORAH] undertakes to meet that objection by saying that if we pass such a law and the House of Representatives does not enforce it, but sees fit to seat the Member, there is no appeal from that action. That is true. If the House of Representatives or the Senate refuse to obey any law there is no power on earth that will make either body obey the law. But because the House is the judge of its own Members, because it is the judicial tribunal in which the question is settled, it does not mean to say that it is not bound in its decision as a matter of law and as a matter of conscience to obey a law which has been passed.

It is true if we do not obey it nobody can send us to jail for it, nobody can commit the Senate, and nobody can appeal from the action of the Senate; but it is equally true that if any legal question comes before the Supreme Court of the United States and it happens to decide it wrong, that is an end of the matter, there is no appeal from it. It is true to-day that if the Senate saw fit to seat a man here who was 21 years of age, there is no power on earth which could interfere with that gentleman occupying the seat, because the Constitution has reserved to this body the right to decide. When the distinguished Senator from Idaho argues that because we can not appeal from the Senate, therefore we have no right to pass the law, he might just as well argue against the constitutional provision for a wise, a prudent, or a proper measure, because if the Senate does not obey the Constitution there is no power to make it obey it.

Mr. BORAH. Mr. President——

Mr. REED. The question, therefore, is not to be determined by whether there is any power to compel the Senate to obey a law or not; but the question comes back to us, Do we have any power to prescribe the conditions upon which a man shall arrive here? Does the Senator maintain that we can not pass a valid and binding law providing that no man shall be guilty of bribery in order to secure a seat in Congress?

Mr. BORAH. I did not understand the question of the Senator.

Mr. REED. I say, would the Senator claim that we could not pass a law providing that no man should be guilty of bribery in order to secure a seat in Congress? Have we the power to pass it?

Mr. BORAH. Yes; no doubt——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Idaho?

Mr. REED. Certainly.

Mr. BORAH. I maintain that we could not pass a law which would say that a man who had been guilty of bribery should not be seated in this Chamber. The Senate will determine for itself when a man shall be seated and when he shall not be seated.

Mr. REED. In other words, then, the difference between the Senator from Idaho and myself is this: He does not object to limiting the amount of money which shall be expended and saying that a man shall not expend more than that, but he maintains that we ought to stop at that point and leave it to the Senate to say on its own motion whether or not it will seat him.

Mr. BORAH. In other words, Mr. President, the difference between the Senator and myself is as to what constitutes a legal enactment. The Senator thinks that we can go so far as to say that when a party has spent so much money he can thereby be deprived of his seat here. If I thought we could do that I would not have any objection at all. But if it turns out that we have not the power to say he shall be seated then our act would be futile and we would not have accomplished what the Senator desires to accomplish. What I say is that we can require a Member of the House of Representatives—or I had better say of the Senate—to file a certificate disclosing the amount of money which has been expended; but we can not add that he shall be disqualified from holding a seat in either branch by reason of that fact, because that judgment is reserved for another tribunal. We must abide by the judgment of either House when the facts are before either House as to the violation or compliance with the law.

The Senator referred to the fact that I said if the House of Representatives and the Senate should not see fit to obey the law—but, Mr. President, we differ right there. I claim it is not a law; that being in conflict with the terms of the Constitution it never becomes a law; that it is void from the beginning, and it is not a violation of the law at all.

Mr. REED. What constitutional provision does it violate?

Mr. BORAH. That each House shall be the judge of the qualifications of its own Members. It does not say both Houses shall be the judges of the qualifications of its Members, and when we fix a qualification which unseats a Member we make the Houses jointly the judges of the qualifications of the Members of each House.

Mr. REED. Would that not also be true of that provision of the Constitution which provides the age? Would you say that because one section of the Constitution provides the age of a Senator that that section is in conflict with the section which gives to the Senate the right to determine the qualifications of its Member?

Mr. BORAH. The provision to which the Senator is now referring is in the Constitution itself.

Mr. REED. It is in the Constitution itself, and it certainly does not conflict. There is one provision of the Constitution which declares that a man must be 30 years of age. Here is another provision of the Constitution which makes the Senate the judge of the qualifications of its own Members. Those two are not inconsistent. The second provision simply means that the Senate shall judge as to the facts under the provision as to whether the man has arrived at the age of 30 years. If the Senate does not judge it right, of course that is the end of it; there is no appeal. But that is a provision that is put in here in order to protect the legislative branch of the Government and preserve its independence from all other branches.

If the Senate can unseat a man who comes here and who has paid bribe money to secure his place here, then it is under its general power, it is true, to judge of his qualifications. There is no such provision in the Constitution. Yet the Senate has always exercised the right to oust a man who comes here wrongfully; and I can not understand why, if Congress has the right to make laws providing for the time, manner, and place of an election of Senators, it can not prescribe as a part of that manner that money shall not be used, and can not provide further, by the action of both bodies, that the man shall not be entitled to his seat. But that still allows the Senate to decide the question of fact as to whether he shall sit here or not, and from that there is no appeal.

Mr. President, I have prolonged this controversy far beyond my intention and I ask for a yea-and-nay vote.

Mr. BORAH, Mr. CRAWFORD, and Mr. SUTHERLAND addressed the Chair.

The VICE PRESIDENT. The Senator from Missouri asks for the yeas and nays on the amendment.

Mr. BACON. I make the point of order that when a Senator calls for the yeas and nays and another Senator addresses the Chair for the purpose of continuing the debate, the demand for the yeas and nays can not be entertained.

Mr. REED. I withdraw it.

Mr. BACON. Very well.

The VICE PRESIDENT. The Senator from Missouri withdraws the demand for the yeas and nays.

Mr. REED. Mr. President, so that the RECORD may be right, I simply apologize for taking so much time, and I really meant to notify the Senate that when we voted I wanted a yea-and-nay vote. I did not, however, have the slightest thought of cutting off any Senator who wanted the floor.

The VICE PRESIDENT. Under the circumstances, the Senator's request would not have cut off any Senator who desired to speak.

Mr. REED. I was not trying to do so.

Mr. CRAWFORD. I call for the reading of the proposed amendment or for the reading of that portion of it referring to the exercise of influence in the election of members of the legislature. There is something of that sort in the amendment, and I want to hear it.

The VICE PRESIDENT. Without objection, the Secretary will read the portion of the amendment to which the Senator from South Dakota refers.

Mr. OVERMAN. Let the whole amendment be read, Mr. President.

The VICE PRESIDENT. Without objection, the Secretary will read the entire amendment.

The SECRETARY. It is proposed to add at the end of the bill the following words:

No such candidate for the Senate or House of Representatives shall expend, or cause to be expended, a sum in the aggregate exceeding 10 cents for each voter in his district or State. No candidate shall expend more money than it is lawful to expend under the laws of the State in which he resides. No candidate for the Senate shall, directly or indirectly, contribute any money or thing of value to assist in pro-

curing the nomination or election of any member of the legislature of his State. No candidate for the Senate or House of Representatives shall promise any office or his influence or support for office to any person for the purpose of procuring the support of such person. No person guilty of violating the provisions of this act shall be seated in either the House of Representatives or the Senate, and if any person shall be seated, he may be removed if found guilty of such violation. *Provided, however*, No candidate for the United States Senate shall expend exceeding $5,000 and no candidate for the House of Representatives shall expend exceeding $1,500 in any campaign for nomination and election.

Mr. OWEN. I suggest to the Senator from Missouri that the amount named in the amendment is very small, and that, if he would consent to it, I believe it would be better if he would put the amount permitted to be expended by a Senator at $10,000 and by a Member of the House of Representatives at $5,000.

Mr. REED. I think that is pretty large; but I would rather have it $10,000 and $5,000, respectively, and have the amendment supported than to have no limit at all, as the present bill proposes; and if that is the desire I shall accept the suggestion.

The VICE PRESIDENT. The Senator from Missouri modifies his amendment in the manner which will now be stated by the Secretary.

The SECRETARY. It is proposed to modify the last proviso in the amendment, so that it will read:

Provided, however, No candidate for the United States Senate shall expend exceeding $10,000 and no candidate for the House of Representatives shall expend exceeding $5,000 in any campaign for nomination and election.

The VICE PRESIDENT. The question is on agreeing to the amendment.

Mr. REED. I ask for the yeas and nays.

The yeas and nays were not ordered.

The amendment was rejected.

The VICE PRESIDENT. The bill is still before the Senate as in Committee of the Whole, and open to amendment.

Mr. BACON. Mr. President, there was a little discussion about this matter some weeks ago, and in it I expressed the opinion that, as the primary election in some States amounted to an election, the same reasoning which made it important that there should be publicity as to regular elections would naturally apply to primary elections. I still adhere to that opinion. There is one consideration, however, Mr. President, which is a very serious one to my mind, and that is, were the amendment to be adopted, one who fails to comply with the requirements of its provisions will be subject to the penalties prescribed in the original act. It gives the Federal courts the jurisdiction to try any violation of the provisions of this amendment, with penalties of fine and imprisonment in the penitentiary. I do not mean to say that I think the violator of this law should go free of punishment, or that the violator of this proposed amendment should go free of punishment, but I myself am unwilling that the Federal courts should have the greatly and the immensely enlarged criminal jurisdiction which would necessarily follow for any violation in any of the almost innumerable primary elections which would be affected by this proposed law, in any of which the violation of the law would give to the Federal court a criminal jurisdiction. I can not bring myself to the point of consenting that there shall be in the administration of this law the immense increase and extent of the jurisdiction of the Federal courts in the punishment of the alleged offenses specified in this provision.

I think there ought to be publicity as to expenses in primary elections; I am ready to go further and say that there ought to be a way to enforce the making of such publication as may be required of such expenses, but I think that that had better be left to the States. In my own State we now have such a law. Every candidate for Congress, every candidate for the Senate, every candidate for the legislature, every candidate for governor, is required under the law of my State to make the publication which is here proposed to be required. While there may be some reasons why it would be desirable that the matter should be under the control of the Federal Government, I think the consequences of that would be too far-reaching; and I am not myself willing to vote, and can not vote, for this amendment unless the amendment is still further amended to the effect that the criminal jurisdiction of the Federal courts shall not be extended to apply to cases of that kind.

It may be said that a law which can not be enforced would be of no avail, but there are beneficial results that would flow from the enactment of the law even in the absence of the criminal feature. If publicity were required, of course the man who would deliberately violate it would necessarily place himself at a disadvantage; and the fact that there is such a requirement would make men careful in the use of money and confine them to its proper use, knowing that there must be publicity of it, or such a refusal to make publicity as would necessarily impute to the candidate a failure not only to comply with the law, but the consciousness of imputation of the violation of the law.

But however that may be, whether that would be a sufficient safeguard or not in the absence of a direct criminal penalty to be inflicted by a judgment of a Federal court, I am unwilling to extend the Federal criminal jurisdiction to that extent. It would be very wide; it would reach into almost every nook and corner of every judicial district. The great trouble is not simply that it would extend the Federal criminal jurisdiction—to which I am opposed, for I do not think the Federal Government was organized with a view to having an extension of criminal jurisdiction of its courts to be exercised with regard to the citizen—but it puts an immense power in the hands of any irresponsible party to institute criminal proceedings in the Federal courts upon allegations of what occurred during an election, because the amendment as reported by the committee is not confined to the manner of the publication of expenses, but it extends to the smallest promise that any man has made to another while he was a candidate as to what he would do for him in case he should be elected. It opens too wide a door to the entire irresponsible class of any community to put men in a position where, however innocent they may be, there will be very great hardship and very great embarrassment and very great injustice.

Therefore, Mr. President, while I believe that the expenses of a primary election should be made public, I prefer that it should remain as it is in my own State, where now we have such a law, which is observed, rather than that there should be such a change in the law as would give this very wide increase to the criminal jurisdiction of the Federal courts and put in the hands of irresponsible and improper persons the opportunity to avenge themselves, if you please, or to do injustice, or even, in some instances, to go still further, perhaps, and to attempt to levy blackmail. I think that the possibilities under it are entirely too serious to justify the support of the amendment if the criminal jurisdiction is attached.

The VICE PRESIDENT. Without objection, the amendment as amended is agreed to.

Mr. BAILEY. Mr. President, do I understand that the amendment conferring jurisdiction on the Federal Government or asserting its jurisdiction with respect to primary elections has been agreed to?

The VICE PRESIDENT. The committee amendment as amended has been agreed to.

Mr. BAILEY. Well, Mr. President, I want a roll call on that amendment. I agree with the Senator from Georgia [Mr. BACON] in the opinion that this is a wholesome and proper provision of law if adopted by the proper jurisdiction. If we were members of a State legislature I should vote for the amendment, and I would not only vote for it, but I would vote for the amendments proposed a moment ago by the Senator from Missouri [Mr. REED]; but under my conviction that the General Government under its authority to regulate elections has no power to regulate a primary election, I am compelled to vote against the amendment.

The VICE PRESIDENT. The Senator from Texas, then, objects to the amendment being agreed to by unanimous consent?

Mr. BAILEY. Yes.

The VICE PRESIDENT. And asks for a yea-and-nay vote?

Mr. BAILEY. I will not ask for a roll call, Mr. President, but I will ask that the amendment as amended be submitted to a vote.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee as amended.

Mr. REED. Will that put the bill beyond amendment?

The VICE PRESIDENT. No; it can be further amended. Does the Senator from Missouri desire to offer a further amendment?

Mr. REED. I do, Mr. President. I have not had the time to write it, but I can state it literally, so that the reporter will get it exactly. I desire to offer the same amendment I did before, with the following lines stricken out:

No person guilty of violating the provisions of this act shall be seated in either the House of Representatives or the Senate; and if any person shall be seated, he may be removed if found guilty of such violation.

It simply leaves the prohibitive clauses.

The VICE PRESIDENT. If the Senator will send the amendment to the desk, the Secretary will state it.

Mr. BACON. Do I understand that is offered as an amendment to the amendment or an amendment to the bill?

The VICE PRESIDENT. It is a new amendment, to come in at the end of the bill, as the Chair now understands. The Chair understood, when the Senator from Missouri asked recognition, that he desired to present an amendment to the amendment.

The Chair thinks the vote should be first taken upon the amendment of the committee as amended. The amendment of the Senator from Missouri would follow the disposition of the amendment as amended. It does not amend it. The question is on agreeing to the amendment of the committee as amended. By the sound, the "ayes" appear to have it.

Mr. LODGE. What is the question?

Mr. BURTON. I do not think we clearly understood what we were voting on.

The VICE PRESIDENT. The question is on agreeing to the committee amendment as amended.

Mr. BACON. If that is the question, I would be glad if the Chair would have the Secretary state what is the amendment which has been agreed to to the committee amendment.

The VICE PRESIDENT. The amendment to the amendment has been agreed to, and now the question is on agreeing to the amendment as amended. Does the Senator from Georgia ask what is the amendment that has been agreed to to the amendment of the committee?

Mr. BACON. I should like to have it stated before the bill is finally passed.

The VICE PRESIDENT. Without objection the Secretary will state the amendment to the amendment.

Mr. CRAWFORD. Mr. President, did not the Senator from Missouri just offer an amendment?

The VICE PRESIDENT. That was an amendment to the bill, not to the amendment of the committee. That will come in after the pending question is disposed of. The Secretary will report the amendment which has been already agreed to to the amendment of the committee.

The SECRETARY. The Senate has agreed to an amendment to the proposed committee amendment as follows:

On page 7, line 8, after the word "knowledge," insert a comma and the words "or to whom he has given authority to make any such promise or pledge."

The VICE PRESIDENT. That is the only amendment to the amendment which has been agreed to.

Mr. BACON. Do I understand that the amendment that is found in italics on pages 4, 5, 6, 7, and 8 has been agreed to?

The VICE PRESIDENT. That amendment as amended by the amendment which the Secretary has just read is what the Senate is now about to vote upon.

Mr. BACON. The amendment to the amendment has been agreed to?

The VICE PRESIDENT. The amendment to the amendment has been agreed to, and the Senate is now asked to vote upon agreeing to the amendment as amended.

Mr. LODGE. The amended committee amendment?

The VICE PRESIDENT. The committee amendment as amended.

Mr. SUTHERLAND. Upon that, Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). I have a general pair with the senior Senator from Missouri [Mr. STONE]. In his absence I will withhold my vote. If he were present, I would vote "yea."

Mr. CRAWFORD (when his name was called). I have a general pair with the junior Senator from New York [Mr. O'GORMAN]. If he were present, I would vote "yea." I am not certain how he would vote on this particular amendment, but he being absent, I will withhold my vote.

Mr. CULBERSON (when his name was called). I have a general pair with the Senator from Delaware [Mr. DU PONT]. In his absence, not knowing how he would vote, I will withhold my vote. But if I were at liberty to vote, I would vote "nay."

Mr. CLARK of Wyoming (when Mr. CURTIS's name was called). The Senator from Kansas desired me to announce that he was called away from the Chamber on business connected with the District of Columbia.

Mr. BRYAN (when Mr. FLETCHER's name was called). My colleague is absent from the Senate, engaged in the Lorimer investigation.

Mr. JOHNSON of Maine (when his name was called). I have a pair with the junior Senator from Nevada [Mr. NIXON]. I transfer that pair to the senior Senator from Nevada [Mr. NEWLANDS], and vote. I vote "yea."

Mr. TOWNSEND (when Mr. JONES's name was called). The senior Senator from Washington is detained on the Lorimer investigation and is therefore necessarily absent. If he were present, he would vote "yea."

Mr. CUMMINS (when Mr. KENYON's name was called). My colleague is unavoidably absent. He has authorized me to say that if he were present he would vote "yea."

Mr. McCUMBER (when his name was called). I have a pair with the senior Senator from Mississippi [Mr. PERCY]. He not being present and I having no information as to how he would vote on the question, I will withhold my vote. If I were at liberty to vote, I would vote "yea."

Mr. TOWNSEND (when Mr. POINDEXTER's name was called). The junior Senator from Washington is unavoidably detained. He is paired, however, with the senior Senator from Arkansas [Mr. CLARKE].

Mr. SMITH of Maryland (when his name was called). I am paired with the junior Senator from Massachusetts [Mr. CRANE], and therefore I withhold my vote.

Mr. SMITH of South Carolina (when his name was called). I have a general pair with the junior Senator from Delaware [Mr. RICHARDSON]. I transfer that to the Senator from Alabama [Mr. JOHNSTON] and vote. I vote "nay."

Mr. SUTHERLAND (when his name was called). I have a general pair with the senior Senator from Maryland [Mr. RAYNER]. I transfer that to the junior Senator from Iowa [Mr. KENYON] and vote. I vote "yea."

Mr. WATSON (when his name was called). I have a general pair with the senior Senator from New Jersey [Mr. BRIGGS]. I am not advised how he would vote, and I therefore withhold my vote.

Mr. WILLIAMS (when his name was called). I should like to announce that I have a pair with the senior Senator from Pennsylvania [Mr. PENROSE]. I do not know how he would vote upon this matter, and I expect it will be better for me not to vote. If I were not paired I would vote "nay" upon the amendment.

The roll call was concluded.

Mr. PAYNTER. I am paired with the Senator from Colorado [Mr. GUGGENHEIM]. If he were present, I would vote "nay."

Mr. GAMBLE. I am paired with the junior Senator from Tennessee [Mr. LEA]. If he were present and I were privileged to vote, I would vote "yea."

Mr. BACON. I have a general pair with the senior Senator from Maine [Mr. FRYE]. By arrangement with the Senator from Vermont [Mr. DILLINGHAM], who is paired with the senior Senator from South Carolina [Mr. TILLMAN], we have transferred those pairs so that each of us may vote. My vote has already been cast and will stand.

Mr. GAMBLE. I am informed that the senior Senator from Washington [Mr. JONES] has not voted, and I will transfer the pair of the junior Senator from Tennessee [Mr. LEA] to the senior Senator from Washington and vote. I vote "yea."

Mr. LODGE. I desire to announce that the senior Senator from New Hampshire [Mr. GALLINGER] is paired with the junior Senator from Arkansas [Mr. DAVIS]. If present, the Senator from New Hampshire would vote "yea."

Mr. SMITH of South Carolina (after having voted in the negative). I announced a moment ago that I have a general pair with the junior Senator from Delaware [Mr. RICHARDSON] and that I transferred it to the Senator from Alabama [Mr. JOHNSTON] and voted. The Senator from Alabama [Mr. JOHNSTON], I was informed, was not present. He is now present, and I announce my pair and withdraw my vote, so as to allow him to vote.

Mr. CRAWFORD. I find, on consulting the agreement that the junior Senator from New York and I had with reference to a pair, that we are both on the same side of this question, and that being so, I am at liberty to vote. I vote "yea."

The result was announced—yeas 50, nays 7, as follows:

YEAS—50.

Borah	Cummins	Lodge	Shively
Bourne	Dillingham	McLean	Simmons
Bradley	Dixon	Martin, Va.	Smith, Mich.
Brandegee	Foster	Martine, N. J.	Smoot
Bristow	Gamble	Myers	Sutherland
Brown	Gore	Nelson	Swanson
Burnham	Gronna	Oliver	Thornton
Burton	Heyburn	Owen	Townsend
Chamberlain	Hitchcock	Page	Warren
Chilton	Johnson, Me.	Perkins	Wetmore
Clapp	Kern	Pomerene	Works
Crawford	La Follette	Reed	
Cullom	Lippitt	Root	

NAYS—7.

Bacon	Bankhead	Johnston, Ala.	Taylor
Bailey	Bryan	Overman	

NOT VOTING—33.

Briggs	Frye	Nixon	Smith, S. C.
Clark, Wyo.	Gallinger	O'Gorman	Stephenson
Clarke, Ark.	Guggenheim	Paynter	Stone
Crane	Jones	Penrose	Tillman
Culberson	Kenyon	Percy	Watson
Curtis	Lea	Poindexter	Williams
Davis	Lorimer	Rayner	
du Pont	McCumber	Richardson	
Fletcher	Newlands	Smith, Md.	

So the amendment as amended was agreed to.

The VICE PRESIDENT. The Senator from Missouri offers an amendment, which the Senate will state.

The SECRETARY. Add at the end of the bill the following:

No such candidate for the Senate or House of Representatives shall expend, or cause to be expended, a sum in the aggregate exceeding 10 cents for each voter in his district or State. No candidate shall expend more money than it is lawful to expend under the laws of the State in which he resides. No candidate for the Senate shall directly or indirectly contribute any money or thing of value to assist in procuring the nomination or election of any member of the legislature of his State. No candidate for the Senate or House of Representatives shall promise any office, or his influence or support for office, to any person for the purpose of procuring the support of such person: *Provided, however,* No candidate for the United States Senate shall expend exceeding $10,000 and no candidate for the House of Representatives shall expend exceeding $5,000 in any campaign for nomination and election.

Mr. SUTHERLAND. I have already stated that I am in entire sympathy with the principle involved in this amendment. The only difficulty is to draft an amendment which will properly cover the ground. So far as I am able to do so I will accept it as suggested by the Senator and will undertake to deal with it in conference and see if we can redraft it so as to cover the principle involved.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Missouri.

The amendment was agreed to.

Mr. CHILTON. I offer the amendment I send to the desk.

The VICE PRESIDENT. The Senator from West Virginia offers an amendment, which the Secretary will report.

The SECRETARY. Add after the amendment just agreed to the following:

Provided further, That the depositing of any such statement in a regular post office, directed to the Clerk of the House of Representatives or to the Secretary of the Senate, as the case may be, and duly stamped and registered within the time required herein, shall be deemed a sufficient filing of any such statement under any of the provisions of this act.

Mr. SUTHERLAND. That amendment should come in, not after the amendment which has just been adopted, but at the end of the present bill, after the words "District of Columbia," on page 8, line 8.

The VICE PRESIDENT. It will be understood that the amendment will be inserted at that point.

Mr. SUTHERLAND. Inserted there, I think the amendment is entirely proper.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from West Virginia to the amendment.

The amendment to the amendment was agreed to.

Mr. OWEN. I should like to present an amendment. It is to be section 1 of the bill, so as to read, "That sections 1, 5, 6, and 8 shall read," and so forth. It amends section 1 of the original act to read as follows:

That the term "political committee" under the provisions of this act shall include the national committees of all political parties and the national congressional campaign committees of all political parties and all committees, associations, or organizations which shall in one or more States influence the result or attempt to influence the result of an election at which Representatives in Congress or Senators of the United States are to be elected.

The purpose of that is to enlarge the act to apply to committees in States and not to confine it to those in two or more States. It provides also that it shall apply to the election of Senators as well as Members of the House.

The VICE PRESIDENT. The Secretary will report the amendment.

The SECRETARY. On page 1, line 3, after the word "sections," insert "one," with a comma following it; and on page 1, after line 8, insert:

That the term "political committee" under the provisions of this act shall include the national committees of all political parties and the national congressional campaign committees of all political parties and all committees, associations, or organizations which shall in one or more States influence the result or attempt to influence the result of an election at which Representatives in Congress or Senators of United States are to be elected.

Mr. SUTHERLAND. As I understand the amendment suggested, it is a part of the original act not attempted in any manner to be covered by the pending bill, and it undertakes to add to existing law a provision bringing the State committees under the jurisdiction of Congress.

The State committees are concerned in the election of the various State officers, the governor of the State, the secretary of state, and the other State officers. They are purely voluntary oganizations.

While I have not a fixed opinion on the subject, it occurs to me that the power of Congress to deal with such a committee is extremely doubtful.

Mr. OWEN. I do not think the Senator from Utah understood the language of the proposed amendment. It does not say "State committee," but it says committees attempting to influence the election of Senators or Members of the House.

Mr. SUTHERLAND. It goes farther, then, than I thought. It would include county committees and district committees.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Oklahoma. [Putting the question.] By the sound the "noes" have it.

Mr. OWEN. I ask for a vote by yeas and nays.

The VICE PRESIDENT. Is the demand seconded? [After counting.] Nine Senators have seconded the demand. The yeas and nays are not ordered.

Mr. BAILEY. Let us have the other side.

The VICE PRESIDENT. The Chair knows of no proceeding in the Senate by which that can be done.

Mr. BAILEY. It might be that when the other side held up their hands it would develop that there was not a quorum present.

The VICE PRESIDENT. The present occupant of the Chair has never known that proceeding to be followed.

Mr. BACON. If the Senator from Texas will pardon me a minute, before the Chair announced that the demand had not been seconded but after he counted those on this side, I raised my hand, which made 10.

The VICE PRESIDENT. Even that would be insufficient. The last vote was 57.

Mr. BACON. That is more than the fifth of a quorum.

The VICE PRESIDENT. The Constitution does not require the fifth of a quorum, but one-fifth of those present. The last vote was 57.

Mr. BACON. I respectfully submit that does not indicate——

The VICE PRESIDENT. The Chair will be glad to put the question again.

Mr. OWEN. Before the question is put again, I make the point of no quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Culberson	McLean	Smith, Mich.
Bailey	Cullom	Martin, Va.	Smith, S. C.
Bankhead	Cummins	Martine, N. J.	Smoot
Borah	Dillingham	Myers	Stone
Bourne	Dixon	Nelson	Sutherland
Bradley	Foster	Newlands	Swanson
Brandegee	Gamble	Overman	Taylor
Bristow	Gore	Owen	Thornton
Brown	Gronna	Page	Townsend
Bryan	Heyburn	Paynter	Warren
Burnham	Johnson, Me.	Perkins	Watson
Burton	Johnston, Ala.	Pomerene	Wetmore
Chamberlain	Jones	Reed	Williams
Chilton	La Follette	Root	Works
Clapp	Lippitt	Shively	
Clark, Wyo.	Lodge	Simmons	
Crawford	McCumber	Smith, Md.	

The VICE PRESIDENT. Sixty-five Senators have answered to the roll call. A quorum of the Senate is present. The Senator from Oklahoma asks for the yeas and nays. Is the demand seconded? [After counting.] Eleven Senators have raised their hands; not a sufficient number. The yeas and nays are refused. The amendment is lost.

Mr. SUTHERLAND. I want to suggest an amendment to the title of the bill, but I presume that should be done after the bill is passed.

The VICE PRESIDENT. The title should be amended after the bill is passed.

Mr. HEYBURN. Mr. President, I am confronted with rather an unpleasant situation. This is not the first time I have been confronted with a proposition on which I am to decide between what I should like to do and what I think we may do. I do not believe that Congress has any power over political committees, the personnel of which may change every hour, and for which there is no legal manner provided for the appointment or selection. Congress can not say that a committee shall exist, and if Congress can not say that a committee shall exist, and if no other law can say that men in the exercise of their individual rights as citizens in the selection of candidates for office may not organize committees, or disorganize them in a minute, then Congres can not act so as to control the action of committees.

However desirable it may be to legislate upon this subject had we the power, the first question is, Have we the power? It is proposed here that Congress shall reach out its hand and determine the action of an organization or body of men that is not contemplated by law. It can not determine the size of the committee and it can not determine its membership, or that one shall exist at all. Thus I can not bring my mind to legislating upon a subject so entirely outside of the powers.

Then again, Mr. President, on page 5 of the bill as it is now amended, in line 12, it reads:

Every person who shall be a candidate for nomination—

Now, a nomination is not an election. There are times when doubtless the nominee would like it to be equivalent to an election, but it is not, nevertheless.

Every person who shall be a candidate for nomination at any primary election or for indorsement at any general election.

There is no such situation existing to-day either in contemplation of law or at all. There may be some States that have that kind of freak legislation, but it is not recognized as a part of any existing law, because the Constitution says that the elections of Senators shall be by the legislature, not by nomination, not at primary elections. Of course I presume that this was originally drawn by some who favored the amendment to the Constitution and in their zeal overlooked the fact that the amendment had not been adopted.

I can not vote on the assumption that Congress has power in any manner to control or direct that which does not exist or that which may exist perhaps in isolated cases but is not of general application.

Then again, on line 17, the words "primary election" occur. Congress does not recognize primary elections. The Constitution does not recognize primary elections. They exist by virtue of the laws of a State. Congress could not under any circumstances provide for a primary election in a State. Congress does not pay the expenses of a primary election nor provide for or control the payment of the expenses of a primary election. They are purely a matter of local government.

Then on line 18 it provides for the filing of a statement "at which he is seeking indorsement." That is going a long ways. There is no recognized or definite method by which a man may seek an indorsement. That goes away beyond the man who seeks to prevail in a primary election. An indorsement has no recognized existence under any law, even the law of a State, and we could not take notice of that, and it is, of course, not general.

I am pointing these out as purely legal objections to me that I can not waive.

Mr. BACON. Mr. President——

The VICE PRESIDENT. Will the Senator from Idaho yield to the Senator from Georgia?

Mr. HEYBURN. Certainly.

Mr. BACON. I should like to inquire of the learned Senator if he does not think this law is made to apply to primary elections owing to the possibility that we will be confronted by certain conditions arising in the future?

Mr. HEYBURN. I can not hear the Senator.

Mr. BACON. Does not the Senator think we ought to amend it and make it apply to an election that will occur under the initiative and referendum and recall?

Mr. HEYBURN. I think the Senator from Georgia is thoroughly acquainted with my views in regard to that kind of a procedure.

Mr. BACON. I was asking the Senator in good faith.

Mr. HEYBURN. I understand.

Mr. BACON. If it is made to apply to such a thing as a primary election, ought it not to be made also to apply to any election which may occur under the initiative, referendum, and recall?

Mr. HEYBURN. I do not think it is desirable or necessary to emphasize a wrong or to amend legislation proposing to do that which we have no power to do. It is better to strike right at the act itself.

At which he is seeking indorsement.

This, of course, relates to the primary election. He is seeking indorsement. That is not an election.

I am referring now only to the provisions of the bill as they relate to the United States Senate. The Constitution provides that a Senator shall be elected by the legislature. It does not give authority to Congress to provide how a legislature may be elected. It might be appointed. The constitution of the State deals with that question, not the Constitution of the United States. Suppose we enact legislation here that is entirely antagonistic to the legislation of the State upon the same subject over which the State has undoubted jurisdiction; it does not appeal to me as a legal proposition.

Then, again, on page 6, it is stated that—

Every such candidate for nomination at any primary election, for indorsement or election at any general election, or for election by the legislature of any State, shall, within 15 days after any such primary election, and within 15 days after any such general election—

file certain statements. What would be the result in a State where they have no primary elections? We would have one rule in one jurisdiction and another rule in another jurisdiction. There are many States where they have no primaries, where members of the legislature are nominated at a convention of the county or district and elected throughout the State. Members of the legislature are not State officers; they are county and district officers. Have Senators thought of that? They are not State officers, but county and district officers. Does anybody challenge the proposition? Is Congress going to exercise control over the election of county officers? I would hardly think so.

Then turn to page 7, line 12, leading up to it in regard to making pledges. It provides that the candidate for the United States Senate shall not make any pledges "for appointment of any person to any position of trust, honor, or profit, either in the county, State, or Nation." Well, there is no such thing recognized by law as a candidate for the United States Senate. The law does not deal with candidates in providing for the election of a Senator. A man need not be a candidate. A man may be elected upon ballot whose name had not been mentioned or thought of a moment before the ballot was taken. Can he be said to be a candidate? Many men are elected to the Senate who are not candidates. Can you put a burden upon a man thus elected and say that he shall file a statement five days before when he is not then a candidate and does not know that he will be voted for or receive a vote?

Then again, many men are candidates who do not receive a single vote in the legislature. I have known of such a case. Can that man file a statement five days before and so many days afterwards who did not receive a vote, when the only person who knew or suspected him of being a candidate was the man himself? In other words, this measure goes far beyond any possible power that Congress can have.

If we have not the power, will we legislate upon it without power? Does not the responsibility resting upon Senators appeal to them not to attempt legislation beyond their powers? I do not believe that they would have the power under the Constitution as it exists, and I know they would not have it under the Constitution as it is proposed to amend it, because the provision as to section 4 of Article I of the Constitution proposes to repeal the law under which you are proposing to enact this measure. If section 4 is to be repealed, if I may use the word "repealed" with reference to the elimination of a provision from the Constitution, then under what power would Congress deal with the question at all? The proposed amendment of the Constitution leaves it entirely to the States to provide for the time and manner of the election of Senators. So you can get no comfort there out of the Constitution as it is proposed to amend it or out of the Constitution as it is now, and I hope it never will be amended. It looks as if it would not.

On page 8, in lines 2 and 3, we find this expression in regard to the filing of statements:

and shall be sworn to by the candidate in the district in which he is a candidate for Representative, or the State in which he is a candidate for Senator, in the Congress of the United States.

No law, either State or Federal, recognizes canvassing for Senators. There is no such thing in the contemplation of law as being a candidate for Senator. In the days when we had conventions everywhere, a man might be a candidate by reason of the action of the convention, but we have no such condition now, and a man can not be a candidate for the United States Senate at a primary, because the law does not recognize such candidacy.

Mr. President, waiving the question of sympathy, waiving every question except that of power, I can not undertake to participate in the exercise of an assumed power because of some sentiment. I must be convinced that we have the power to legislate upon this question; and I am convinced that we have no such power.

Then, again, take the amendments that have been offered as a test. Senators have proceeded on the assumption that Congress could take some action that would determine who should be a Member of either House of Congress. The House can not participate in proceedings affecting the seat of a Senator, and the Senate can not participate in proceedings affecting the seat of a Member of the House, because those rights are fixed by the Constitution.

The Senator from North Dakota [Mr. McCUMBER] suggests that that proposition was eliminated, but it is an indication of how far a fallacy of this kind may take hold upon the minds of men. I raised these objections in the committee, and I have seen no reason since to change my views in regard to the power of Congress. I know the reasons that are urged for this legislation, and, as a matter of sentiment, I might be induced to vote for such a provision were I convinced that we had the power; but without the power I can not cast my vote here or elsewhere to

legislate upon this question so far as it is applied through the provisions that I have pointed out.

Mr. BACON. Mr. President, I understand the question is now on the passage of the bill and that we are about to have a vote. Before that action is taken I simply desire to say that I am in favor of a law which shall require the publication of election expenses. I am in favor of a law which shall amend the existing law in a vital particular. The existing law requires the publication of such expenses, but requires them to be made after the election. I am in favor of amending the law to the extent that these publications shall be made prior to the election, because it is an idle thing to publish them after the election. I should vote for the bill as it came from the House. I can not vote for the bill as it has been amended in the Senate. I will not repeat the reasons which I have already given why I oppose the amendment further than to say that I think the opportunity for tyranny and oppression, especially if there should be a partisan judiciary, in extending the provisions of this bill to the primary elections, and at the same time giving criminal jurisdiction to the Federal courts, will be almost unlimited. I think it will be absolutely destructive of the peace of the section of the country from which I come, and, therefore, with this amendment in the bill, I shall vote against it, although without the amendment I should vote for it.

Mr. WILLIAMS. Mr. President, I would say nothing, but being paired, I take this opportunity of stating my position. I voted against the amendment which makes the law applicable to primary elections because I thought that an election might be perfectly honest and fair and a man might be elected beyond all challenge, although there had been fraud in the primary wherein he was nominated. It seemed to me that if that were the case all that either the Senate or the House could have to do with the case under their constitutional power to sit as judges on the qualifications, elections, and returns of their Members was as regarded the election itself. But the amendment having been adopted, and coming, as I do, from a State where at present, at any rate, the result of a primary is equivalent to the result of an election, it has seemed to me that possibly somebody somewhere might believe that we were not willing for the primaries to be investigated, if necessary; were not willing to see the full sunlight of publicity shed upon them; and although I think the amendment cripples the bill and seeks to confer upon the Federal Government a power that has nothing to do with the subject matter committed to the Federal Government, yet thinking that there is some slight doubt about the question, because possibly the primary might be regarded as one of the instrumentalities of the election, I should vote for the bill as amended if I were not paired.

The VICE PRESIDENT. If there be no further amendments offered to the bill as in Committee of the Whole, the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

On motion of Mr. SUTHERLAND, the title was amended so as to read: "A bill to amend an act entitled 'An act providing for publicity of contributions made for the purpose of influencing elections at which Representatives in Congress are elected' and extending the same to Senators in Congress and to primary elections."

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, July 18, 1911, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate July 17, 1911.

COLLECTOR OF INTERNAL REVENUE.

Walter Y. Kemper, of Louisiana, to be collector of internal revenue for the district of Lousiana, in place of Edward I. Seyburn, resigned.

ASSISTANT ATTORNEY GENERAL.

William L. Wemple, of New York, to be Assistant Attorney General, as provided by the act of Congress approved August 5, 1909, vice D. Frank Lloyd, deceased.

MEMBER OF CALIFORNIA DÉBRIS COMMISSION.

Lieut. Col. Thomas H. Rees, Corps of Engineers, United States Army, for appointment as a member of the California Débris Commission, provided for by the act of Congress approved March 1, 1893, entitled "An act to create the California Débris Commission and regulate hydraulic mining in the State of California," vice Col. John Biddle, Corps of Engineers, United States Army, to be relieved.

PROMOTIONS IN THE ARMY.

CORPS OF ENGINEERS.

Lieut. Col. Harry F. Hodges, Corps of Engineers, to be colonel from July 11, 1911, vice Col. Walter L. Fisk, retired from active service July 10, 1911.

Maj. Francis R. Shunk, Corps of Engineers, to be lieutenant colonel from July 11, 1911, vice Lieut. Col. Harry F. Hodges, promoted.

COAST ARTILLERY CORPS.

Capt. Arthur S. Conklin, Coast Artillery Corps, to be major from July 7, 1911, vice Maj. Mervyn C. Buckey, detailed as paymaster on that date.

First Lieut. Charles H. Patterson, Coast Artillery Corps, to be captain from July 7, 1911, vice Capt. Arthur S. Conklin, promoted.

SUBSISTENCE DEPARTMENT.

Capt. Jacob E. Bloom, commissary, to be commissary with the rank of major from July 14, 1911, vice Maj. Charles P. Stivers, who died July 13, 1911.

APPOINTMENTS IN THE ARMY.

MEDICAL RESERVE CORPS.

To be first lieutenants with rank from July 13, 1911.

Mary Dohm Kneedler, of Missouri.
Lucius Edward Burch, of Tennessee.
Albert Paul Condon, of Nebraska.
Walter Gellhorn, of Washington.
Marion Sims Souchon, of Louisiana.
James Clinton Willis, of Louisiana.
William John Stapleton, jr., of Michigan.
Samuel Meredith Strong, of New York.
Benjamin Oscar Thrasher, of Texas.
Leon Mitchell Wilbor, of New York.

APPOINTMENTS, BY TRANSFER, IN THE ARMY.

FIELD ARTILLERY ARM.

Second Lieut. Harvey M. Hobbs, Twenty-second Infantry, to be second lieutenant of Field Artillery, with rank from June 14, 1911.

Second Lieut. Joseph Andrews, Twenty-second Infantry, to be second lieutenant of Field Artillery, with rank from June 15, 1911.

PROMOTIONS IN THE NAVY.

Lieut. Ulysses S. Macy to be a lieutenant commander in the Navy from the 7th day of November, 1910, to fill a vacancy.

Lieut. Paul B. Dungan to be a lieutenant commander in the Navy from the 4th day of March, 1911, to fill a vacancy.

Lieut. (Junior Grade) Laurance N. McNair to be a lieutenant in the Navy from the 14th day of January, 1911, to fill a vacancy.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 13th day of February, 1911, upon the completion of three years' service as ensigns:

Henry M. Jensen,
Frank J. Fletcher, and
Robert W. Cabaniss.

Commander John C. Leonard to be a captain in the Navy from the 1st day of July, 1911, to fill a vacancy.

Ensign Joe R. Morrison to be a lieutenant (junior grade) in the Navy from the 13th day of February, 1911, upon the completion of three years' service as an ensign.

John C. Parham, a citizen of Alabama, to be an assistant surgeon in the Navy from the 7th day of July, 1911, to fill a vacancy.

POSTMASTERS.

COLORADO.

Frederick E. Cole to be postmaster at Arriba, Colo. Office became presidential July 1, 1911.

GEORGIA.

George E. Ricker to be postmaster at Fitzgerald, Ga., in place of William H. Marston, deceased.

IDAHO.

Cecil E. Mason to be postmaster at Shelley, Idaho. Office became presidential July 1, 1909.

IOWA.

Thomas M. Atherton to be postmaster at Osage, Iowa, in place of Frank G. Atherton. Incumbent's commission expired May 31, 1910.

Benjamin F. Paul to be postmaster at Blairstown, Iowa. Office became presidential July 1, 1911.

LOUISIANA.

Daniel Crowe to be postmaster at Vivian, La. Office became presidential July 1, 1911.

Alexander F. Leonhardt to be postmaster at New Orleans, La., in place of W. J. Behan, resigned.

MICHIGAN.

Milo B. Halliwell to be postmaster at Flushing, Mich., in place of Milo B. Halliwell. Incumbent's commission expired February 5, 1910.

MINNESOTA.

Joseph Maertz to be postmaster at New Prague, Minn., in place of John F. Wrabek. Incumbent's commission expired February 28, 1911.

NEW JERSEY.

John Merritt to be postmaster at Weehawken, N. J., in place of William O. Armbruster. Incumbent's commission expired June 5, 1910.

Elmer B. Ramsey to be postmaster at High Bridge, N. J., in place of William G. Simpson, resigned.

NEW YORK.

Cornelia W. Wood to be postmaster at Locust Valley, N. Y. Office became presidential July 1, 1911.

NORTH DAKOTA.

J. E. Nelson to be postmaster at Litchfield, N. Dak., in place of J. E. Duncan, resigned.

PENNSYLVANIA.

Elenore Lloyd Crouse to be postmaster at Wyoming, Pa., in place of Charles Crouse, deceased.

Charles D. Weaver to be postmaster at Republic, Pa., in place of Edwin R. Miller, resigned.

TEXAS.

Norton A. Baker to be postmaster at Spur, Tex. Office became presidential April 1, 1911.

William N. Fowler to be postmaster at Fort Stockton, Tex. Office became presidential July 1, 1911.

Bassett R. Miles to be postmaster at Luling, Tex., in place of Bassett R. Miles. Incumbent's commission expired February 13, 1911.

WISCONSIN.

Sidney A. Clark to be postmaster at Marathon, Wis. Office became presidential January 1, 1911.

O. K. Hawley to be postmaster at Baldwin, Wis., in place of Charles Settergren. Incumbent's commission expired January 23, 1909.

Egbert Marks to be postmaster at Menominee, Wis., in place of Egbert Marks. Incumbent's commission expired January 10, 1911.

CONFIRMATIONS.

Executive nominations confirmed by the Senate July 17, 1911.

PROMOTIONS IN THE NAVY.

Lieut. Commander Cleland Davis to be a commander.

Lieut. Walter G. Roper to be a lieutenant commander.

Lieut. (Junior Grade) Edward L. McSheehy to be a lieutenant.

The following-named lieutenants (junior grade) to be lieutenants:

Leigh Noyes and

Walter B. Decker.

Ensign Walter F. Jacobs (junior grade) to be a lieutenant.

Passed Asst. Surg. Howard F. Strine to be a surgeon.

Lieut. Commander Henry H. Hough to be a commander.

Passed Asst. Surg. Louis W. Bishop to be a surgeon.

Asst. Surg. Earle P. Huff to be a passed assistant surgeon.

Asst. Surg. Lawrence M. Schmidt to be a passed assistant surgeon.

Asst. Surg. Ralph W. McDowell to be a passed assistant surgeon.

The following-named assistant surgeons to be passed assistant surgeons:

Lindsay C. Whiteside and

George C. Thomas.

Richmond Bryant, a citizen of Texas, to be a second lieutenant.

Chief Gunner Arthur A. Phelps to be a chief gunner, to rank with, but after, lieutenant (junior grade) on the retired list.

POSTMASTERS.

CONNECTICUT.

Marshall Emmons, East Haddam.

Grace W. Goddard, Essex.

IDAHO.

Edmond M. Merrell, Soda Springs.

IOWA.

Frank Kreamer, Exira.

KANSAS.

Philip G. Kopplin, Hoisington.

MICHIGAN.

Jacob Erb, Royal Oak.

Joseph O. Prosser, Palatka.

William H. Whittle, Painesdale.

MISSOURI.

George Kells, Elvins.

MONTANA.

Howard M. Cosier, Poplar.

Ingeborg Jacobson, Cut Bank.

Edwin C. Spencer, Hardin.

Charles Weber, Thompson.

NEW JERSEY.

Charles Eichhorn, West Hoboken.

John M. Onderdonk, Montvale.

William H. Pfeiffer, Perth Amboy.

OKLAHOMA.

William R. Cowan, McCurtain.

Allas M. Gingrich, Marshall.

George W. Merrill, Stratford.

PENNSYLVANIA.

Peter W. Triebele, Willow Grove.

TEXAS.

Jack Alley, Tahoka.

Tolbert Hannon, Richmond.

May Harrison, Rising Star.

Andrew G. Hershner, Angleton.

Gustave A. Pannewitz, Shiner.

SENATE.

TUESDAY, *July 18, 1911.*

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. HEYBURN, and by unanimous consent, the further reading was dispensed with, and the Journal was approved.

RECIPROCITY WITH CANADA.

Mr. LA FOLLETTE. Mr. President, I give notice that on Friday, July 21, after the morning business, I will address the Senate on the reciprocity bill.

Mr. SMITH of Michigan. I give notice that on Saturday I shall address the Senate on the reciprocity bill.

The VICE PRESIDENT. No debate is in order on Saturday under the unanimous-consent agreement.

Mr. SMITH of Michigan. Are we to vote immediately after the morning business?

The VICE PRESIDENT. The agreement expressly provides that the bill is to be voted upon without further debate, following the routine morning business.

Mr. SMITH of Michigan. I will then give the notice for Friday, following the address of the Senator from Wisconsin [Mr. LA FOLLETTE].

Mr. HEYBURN. I assume that under the rule the time is open to any Senator to speak, notwithstanding Senators have given notice covering all the time between the present and Saturday morning. I observe on this morning's calendar that every day is engaged, I think, but that does not exclude others.

The VICE PRESIDENT. The giving of a notice is simply a matter of comity between Senators.

Mr. HEYBURN. It would be very unfair if five Senators could mortgage all the time between now and the time for voting.

The VICE PRESIDENT. No mortgage is acquired by a notice other than whatever lien it may be upon the accustomed courtesy of the Senate.

Mr. SMITH of Michigan. Ordinarily I would not give any notice at all of my intention. I am not quite sure that I shall desire to address the Senate, but as the Senator from Idaho has observed, the time is being appropriated by notices of this kind, and in order that I may not be foreclosed against the privilege, if I so desire, I gave the notice a moment ago.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a joint resolution (H. J. Res. 130) making appropriations for certain expenses of the House of Representatives incident to the first session of the Sixty-second Congress, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. MYERS presented a memorial of sundry citizens of Butte, Mont., remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

Mr. CULLOM presented a petition of the Young People's Society of Christian Endeavor of the South Broadway Christian Church, of Denver, Colo., and a petition of the Christian Endeavor Society of the Presbyterian Church, of Timnath, Colo., praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

Mr. LODGE presented resolutions adopted by the National Council, Junior Order United American Mechanics, praying for the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration.

He also presented resolutions adopted by the National Council, Junior Order United American Mechanics, remonstrating against the adoption of the so-called Sulzer resolution providing for an investigation into the present conditions existing at Ellis Island and also for a revision of the immigration laws, which were referred to the Committee on Immigration.

REPORTS OF COMMITTEE ON MILITARY AFFAIRS.

Mr. CHAMBERLAIN (for Mr. JOHNSTON of Alabama), from the Committee on Military Affairs, to which was referred the bill (S. 2246) to amend the military record of John P. Fitzgerald, reported it without amendment and submitted a report (No. 104) thereon.

Mr. OLIVER, from the Committee on Military Affairs, to which was referred the bill (S. 2883) to correct the military record of David C. Stewart, asked to be discharged from its further consideration and that the bill and accompanying papers be referred to the Committee on Naval Affairs, which was agreed to.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 3045) to provide for agricultural entries on oil lands; to the Committee on Public Lands.

By Mr. CHILTON:

A bill (S. 3046) for the relief of the trustees of the Methodist Episcopal Church, of Malden, W. Va.; to the Committee on Claims.

A bill (S. 3047) granting a pension to Lucinda Traub; to the Committee on Pensions.

By Mr. CULLOM:

A bill (S. 3048) granting an increase of pension to John W. Groesbeck; to the Committee on Pensions.

By Mr. SMITH of Michigan:

A bill (S. 3049) granting an increase of pension to John E. Comstock (with accompanying paper); to the Committee on Pensions.

By Mr. OLIVER:

A bill (S. 3050) to correct the naval record of David C. Stewart; to the Committee on Naval Affairs.

By Mr. SWANSON:

A bill (S. 3051) for the relief of Henry W. Carpenter; to the Committee on Claims.

LEAVE OF ABSENCE TO HOMESTEADERS.

Mr. WARREN. I introduce a bill and I would be glad to have it read for this reason: I have been receiving a great many letters from the drought-stricken portion of the West—from my own State and other States. I have included a number of States in the bill and wish to have it appear in the RECORD, so that Senators from those States may either indorse or refrain from indorsing the measure.

The bill (S. 3052) granting leave of absence to certain homesteaders was read the first time by its title and the second time at length and referred to the Committee on Public Lands, as follows:

Be it enacted, etc., That all persons who have heretofore made homestead entries in the States of North Dakota, South Dakota, Nebraska, Idaho, Montana, Colorado, Utah, Wyoming, Minnesota, Washington, and Oregon, and the Territories of Arizona and New Mexico, are hereby relieved from the necessity of residence upon their lands from the date of the approval of this act to April 15, 1912: *Provided*, That the time of actual absence during the period named shall not be deducted from the full time of residence required by law.

RECIPROCITY WITH CANADA.

Mr. McCUMBER submitted an amendment intended to be proposed by him to the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes, which was ordered to lie on the table and be printed.

APPORTIONMENT OF REPRESENTATIVES UNDER THIRTEENTH CENSUS.

Mr. McCUMBER submitted an amendment intended to be proposed by him to the bill (H. R. 2983) for the apportionment of Representatives in Congress among the several States under the Thirteenth Census, which was ordered to lie on the table and be printed.

DEFICIENCY APPROPRIATIONS.

Mr. McCUMBER submitted an amendment intended to be proposed by him to the joint resolution (H. J. Res. 130) making appropriations for certain expenses of the House of Representatives incident to the first session of the Sixty-second Congress, which was referred to the Committee on Appropriations and ordered to be printed.

WITHDRAWAL OF PAPERS.

On motion of Mr. CHILTON, it was

Ordered, That leave be granted to withdraw from the files of the Senate the several petitions presented to the Senate in the Sixty-first Congress praying for a monument to the memory of the late James Rumsey, no adverse report having been made thereon.

HOUSE JOINT RESOLUTION REFERRED.

H. J. Res. 130. Joint resolution making appropriations for certain expenses of the House of Representatives incident to the first session of the Sixty-second Congress, was read twice by its title and referred to the Committee on Appropriations.

THE CALENDAR.

The VICE PRESIDENT. The morning business is closed and the calendar is in order under Rule VIII.

Mr. BRISTOW. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Crawford	Martine, N. J.	Stephenson
Bankhead	Cullom	Myers	Sutherland
Borah	Dixon	Nelson	Swanson
Brandegee	Foster	Newlands	Taylor
Briggs	Gore	Nixon	Thornton
Bristow	Gronna	Oliver	Townsend
Brown	Heyburn	Overman	Warren
Bryan	Johnson, Me.	Page	Watson
Burnham	La Follette	Perkins	Wetmore
Burton	Lippitt	Pomerene	Williams
Chamberlain	Lodge	Reed	Works
Chilton	McCumber	Smith, Mich.	
Clapp	McLean	Smith, S. C.	
Clark, Wyo.	Martin, Va.	Smoot	

Mr. BRYAN. My colleague [Mr. FLETCHER] is absent in attendance on the Lorimer investigation committee. I will let this announcement stand for the day.

Mr. PAGE. I wish to announce the temporary absence of my colleague [Mr. DILLINGHAM], who is engaged on the Lorimer investigating committee. I will let this announcement stand for the day, so far as calls for a quorum are concerned.

I was also requested to announce that the Senator from Alabama [Mr. JOHNSTON] is absent on the same committee.

Mr. REED. I wish to announce that my colleague [Mr. STONE] has been unavoidably detained in his office on official business.

The VICE PRESIDENT. Fifty-three Senators have answered to the roll call. A quorum of the Senate is present.

The first bill on the calendar will be stated.

The bill (S. 237) for the proper observance of Sunday as a day of rest in the District of Columbia was announced as first in order on the calendar.

Mr. HEYBURN. I ask that the bill may go over, and that it be transferred to the calendar under Rule IX.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the bill is transferred under Rule IX.

Mr. BACON. I would suggest that possibly a motion to transfer the bill to the calendar under Rule IX ought to be postponed until the author of the bill is present. He is not here.

Mr. HEYBURN. I think all these bills that have been called daily and objected to ought to go under Rule IX. It seems to me that they are just as well off under Rule IX as under Rule VIII.

Mr. BACON. I myself have no special objection. I simply made the suggestion in the interest of an absent colleague. He will be here in a little while, and may agree to it himself.

Mr. HEYBURN. There are a number of members of the committee here. It had been my intention to ask that all these objected bills go to Rule IX. I was not selecting any particular bills at all.

The bill (S. 291) providing for the retirement of petty officers and enlisted men of the United States Navy or Marine Corps and for the efficiency of the enlisted personnel was announced as next in order.

Mr. SMOOT. Let the bill go over.

Mr. HEYBURN. I ask that it may go to the calendar under Rule IX.

The VICE PRESIDENT. Without objection, the bill will be transferred to the calendar under Rule IX.

The bill (S. 25) to regulate the business of loaning money on security of any kind by persons, firms, and corporations other than national banks, licensed bankers, trust companies, savings banks, building and loan associations, pawnbrokers, and real-estate brokers in the District of Columbia was announced as next in order.

Mr. SMOOT. Let the bill go over.

Mr. HEYBURN. I ask that it go to the calendar under Rule IX.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is transferred to the calendar under Rule IX.

Mr. PAGE. Mr. President, I should not care to object to the transfer of this bill to Rule IX were the Senator in charge of it not absent. In his absence, I do object to such action.

Mr. HEYBURN. I can not see why the Senator should object. This is not a question of courtesy, but it is a question of legislative proceeding. The bill can be called up under Rule IX just as readily as under Rule VIII. The only object in transferring bills to Rule IX is that we may not be continually kept on the watch here on the call of bills under Rule VIII.

Mr. PAGE. If the Senator from Idaho wishes to make a general motion that all such bills be transferred to Rule IX, I have no objection.

Mr. HEYBURN. Such a motion can only be made as the bills are called on the calendar.

Mr. PAGE. But in the absence of the Senator from Kansas [Mr. CURTIS], who reported the bill, I feel it is only fair that it be allowed to go over.

Mr. HEYBURN. As I have said, I am not doing this in violation of any rule of courtesy. We are proceeding regularly under Rule VIII; and it is in order under Rule VIII to move to transfer these bills to Rule IX, whether the Senator in charge of them is present or not. When a bill goes to the calendar every Senator here is in charge of it. There are present a number of members of the Committee on the District of Columbia, and it is only a question of having these bills so placed in the legislative procedure that we may not be continually kept on watch here for them on the call of the calendar.

The VICE PRESIDENT. Does the Senator from Idaho request that the bill go to the calendar under Rule IX?

Mr. HEYBURN. Yes.

The VICE PRESIDENT. The Senator from Idaho moves that the bill be transferred to the calendar under Rule IX.

Mr. PAGE. Mr. President——

The VICE PRESIDENT. It is not a debatable question.

Mr. PAGE. I beg pardon.

The VICE PRESIDENT. The question is on the motion of the Senator from Idaho to transfer the bill to the calendar under Rule IX.

The motion was agreed to.

The bill (S. 123) to alter the regulations respecting the manner of holding elections for Senators was announced as next in order.

Mr. SMOOT. Let that bill go over.

Mr. HEYBURN. I ask that that bill go over under Rule IX.

The VICE PRESIDENT. Without objection, that order will be made.

The bill (S. 1899) to repeal a portion of an act heretofore passed relating to the alienation of the title of the United States to land in the District of Columbia was announced as next in order.

Mr. HEYBURN. I ask that that bill go over under Rule IX.

The VICE PRESIDENT. Without objection, the bill will be transferred to the calendar under Rule IX.

The bill (S. 943) to improve navigation on Black Warrior River, in the State of Alabama, was announced as next in order.

Mr. SMOOT. Let that go over, Mr. President.

Mr. HEYBURN. If the bill goes over, I ask that it go over under Rule IX.

Mr. SMOOT. I hope the Senator will not ask that that bill go to the calendar under Rule IX.

The VICE PRESIDENT. Is there objection?

Mr. HEYBURN. I withdraw the request that the bill go to the calendar under Rule IX.

The VICE PRESIDENT. The request is withdrawn. The bill goes over.

CIRCUIT JUDGES.

The bill (S. 2653) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," was announced as next in order.

Mr. HEYBURN. I ask that that bill go over under Rule IX.

Mr. SUTHERLAND. I hope the Senator from Idaho will not insist on that.

Mr. HEYBURN. I will not insist on it if the Senator from Utah is ready to have the bill now considered.

Mr. SUTHERLAND. The bill ought to be now taken up, considered, and passed.

Mr. HEYBURN. Well, let us take it up.

The Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to amend section 118 of the act of March 3, 1911, entitled "An act to codify, revise, and amend the laws relating to the judiciary," so as to read as follows:

SEC. 118. There shall be in the second, seventh, and eighth circuits, respectively, four circuit judges; in the fourth circuit, two circuit judges; and in each of the other circuits, three circuit judges, to be appointed by the President, by and with the advice and consent of the Senate. They shall be entitled to receive a salary at the rate of $7,000 a year each, payable monthly. Each circuit judge shall reside within his circuit. The circuit judges in each circuit shall be judges of the circuit court of appeals in that circuit, and it shall be the duty of each circuit judge in each circuit to sit as one of the judges of the circuit court of appeals in that circuit from time to time according to law.

Mr. CHILTON. Mr. President, I want to call the attention of the Senate to the fact that a bill has already passed the Senate increasing the number of judges in the fourth circuit. Might it not be advisable to have this bill conform to what the Senate has already done?

Mr. SUTHERLAND. I dislike very much to object to the request made by the Senator from West Virginia. The bill to which he refers, although it has passed the Senate, has not become a law. This bill simply deals with a defect in existing law; it makes it clear that the circuit judges shall constitute the circuit court of appeals. It is very necessary that this bill should be enacted into law before the judiciary code goes into effect next January. If we add to it an amendment such as is suggested by the Senator from West Virginia, it may operate to tie it up and prevent its adoption. I think it would be far better to deal with the proposition of the Senator from West Virginia in the separate bill which he has introduced. Let that take its course. It is now pending in the House of Representatives. If the House of Representatives are in favor of it, they will pass it; if they are not in favor of it and we add it to this bill, then they will defeat this bill in order to defeat the Senator's bill.

Mr. CHILTON. Mr. President, my only purpose in making the suggestion was to call the attention of those in charge of the bill to the situation produced by the bill which has already passed the Senate. In view of what the Senator has said, I shall not insist upon an amendment.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER.

The bill (H. R. 4413) to place on the free list agricultural implements, cotton bagging, cotton ties, leather, boots and shoes, fence wire, meats, cereals, flour, bread, timber, lumber, sewing machines, salt, and other articles, was announced as next in order.

The VICE PRESIDENT. That bill, being a special order for Tuesday next, will be passed over.

The bill (H. R. 11019) to reduce the duties on wool and manufactures of wool was announced as next in order.

The VICE PRESIDENT. That bill being a special order for Thursday, July 27, will be passed over.

The bill (S. 1898) providing for the protection of the interests of the United States in lands and waters comprising any part of the Anacostia River, or Eastern Branch, and lands adjacent thereto, and for other purposes, was announced as next in order.

Mr. HEYBURN. I ask that that bill go over under Rule IX.

The VICE PRESIDENT. Is there objection to the request of the Senator from Idaho? The Chair hears none, and the bill will be transferred to the calendar under Rule IX.

The bill (H. R. 2983) for the apportionment of Representatives in Congress among the several States under the Thirteenth Census was announced as next in order.

The VICE PRESIDENT. That bill being a special order, it will go over.

The bill (S. 2518) to provide for raising the volunteer forces of the United States in time of actual or threatened war was announced as next in order.

Mr. WARREN. Let that bill go over.

The VICE PRESIDENT. The bill goes over.

The joint resolution (H. J. Res. 14) to admit the Territories of New Mexico and Arizona as States into the Union upon an equal footing with the original States was announced as next in order.

Mr. SMOOT. Let that joint resolution go over, Mr. President.

The VICE PRESIDENT. The joint resolution goes over.

CONFEDERATE NAVAL MONUMENT, VICKSBURG NATIONAL MILITARY PARK.

The bill (S. 2925) providing for a Confederate naval monument in the Vicksburg National Military Park was announced as next in order.

Mr. HEYBURN. I ask that that go over under Rule IX.

The VICE PRESIDENT. Is there objection?

Mr. WILLIAMS. I hope that bill may be now considered. It is recommended by the War Department——

Mr. HEYBURN. I object to its consideration.

Mr. WILLIAMS. It is also unanimously recommended by the Vicksburg Military Park Commission, and is reported favorably by the Military Affairs Committee.

The VICE PRESIDENT. Is there objection to the bill going over under Rule IX?

Mr. WILLIAMS. What is the request, Mr. President?

The VICE PRESIDENT. The request is that the bill be transferred to the calendar under Rule IX.

Mr. WILLIAMS. What is the effect of that?

The VICE PRESIDENT. That the bill would not be called up every time the calendar under Rule VIII was being considered. It practically has no other effect.

Mr. WILLIAMS. I shall object to that.

The VICE PRESIDENT. Objection is made to the transfer of the bill to the calendar under Rule IX. The bill will go over.

Mr. WILLIAMS. Mr. President, I wish to make a motion to proceed to the consideration of that bill.

The VICE PRESIDENT. The Senator from Mississippi moves to proceed to the consideration of the bill, the objection of the Senator from Idaho to the contrary notwithstanding. [Putting the question.] The "noes" appear to have it.

Mr. WILLIAMS. I should like to have a division upon that question, and, if it be in order, I should like to explain what the bill is.

The VICE PRESIDENT. A motion to proceed to the consideration of a bill is not a debatable question. The Senator asks for a division.

Mr. GORE. Will the Chair kindly state the proposition?

The VICE PRESIDENT. The question is on the motion of the Senator from Mississippi [Mr. WILLIAMS] to proceed to the consideration of Calendar No. 88, which the Secretary will again report by title.

The SECRETARY. A bill (S. 2925) providing for a Confederate naval monument in the Vicksburg National Military Park.

The VICE PRESIDENT. On the motion to proceed to the consideration of the bill the Senator from Mississippi asks for a division.

The question being put, there were on a division—ayes 18, noes 17.

The VICE PRESIDENT. A quorum has not voted.

Mr. SMOOT. I suggest the absence of a quorum.

The VICE PRESIDENT. The Senator from Utah suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Cullom	Martine, N. J.	Stephenson
Bankhead	Cummins	Myers	Stone
Borah	Curtis	Nelson	Sutherland
Brandegee	Dixon	Newlands	Swanson
Briggs	Foster	Nixon	Taylor
Bristow	Gore	Oliver	Thornton
Brown	Gronna	Overman	Townsend
Bryan	Heyburn	Page	Warren
Burnham	Johnson, Me.	Perkins	Watson
Burton	La Follette	Pomerene	Wetmore
Chamberlain	Lippitt	Root	Williams
Chilton	Lodge	Shively	Works
Clark, Wyo.	McCumber	Smith, Mich.	
Crawford	McLean	Smith, S. C.	
Culberson	Martin, Va.	Smoot	

The VICE PRESIDENT. Fifty-seven Senators have answered to the roll call. A quorum of the Senate is present. The question is on agreeing to the motion of the Senator from Mississippi.

Mr. WILLIAMS. Now, Mr. President, I ask unanimous consent before the vote is taken to explain the bill and the reason for my desire to have it taken up and passed at this time.

The VICE PRESIDENT. The Senator from Mississippi asks unanimous consent to address the Senate upon the motion to take up the bill, which is not a debatable motion. Is there objection?

Mr. LODGE. Mr. President, is the request to address the Senate on a motion to take up a bill?

The VICE PRESIDENT. To address the Senate upon the merits of the bill which the Senator from Mississippi has moved to take up.

Mr. HEYBURN. I object.

The VICE PRESIDENT. Objection is made. The question is on agreeing to the motion of the Senator from Mississippi, upon which a division has been asked.

The question being put, there were on a division—ayes 29, noes 19.

So the motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Military Affairs with an amendment.

Mr. WILLIAMS. Mr. President, this bill, which is Senate bill 2925, appropriates now $50,000 for a memorial not to cost exceeding $125,000, commemorative of the services of the Confederate Navy on the Mississippi River and its tributaries during the Civil War. There has already been appropriated $200,000 for a memorial to commemorate the services of the Union Navy during that same campaign. There is a movement on foot to have a great national reunion of the Blue and the Gray at the semicentennial of the surrender of Vicksburg, on the 4th of July, 1913, and Maj. Rigby, chairman of the Vicksburg National Military Park Commission has made the request, which has been put in the form of a bill, so that the Union memorial having been virtually completed, the Confederate memorial may be completed at the same time, and the military park at Vicksburg will be in the condition of having the memorials of both sides finished so that the great reunion may see them both.

Mr. President, this bill was reported unanimously by the Committee on Military Affairs; it is recommended by the Secretary of War. Maj. Rigby was one of the most gallant officers of the Federal Army. The other commissioners are agreed with him upon the project, and I think it would be a nice thing to be able to have this memorial finished—the other one being finished—and have everything ready for this great reunion of the gallant men upon both sides who will fraternize with one another upon this great semicentennial occasion. I thought it well to make the report which accompanies the bill consist simply of Maj. Rigby's letter and the recommendation of the War Department.

The VICE PRESIDENT. The amendment reported by the Committee on Military Affairs will be stated.

The SECRETARY. It is proposed to strike out section 1, as follows:

That the sum of $125,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the construction, with the designs approved by the Secretary of War, including all necessary expenses connected therewith, of a naval memorial to be erected upon the site in the Vicksburg National Military Park selected by the Vicksburg National Military Park Commissioners and approved by the Secretary of War, commemorative of the services of the Confederate Navy in the operations of the Vicksburg campaign, March 29 to July 4, 1863, and in commemoration of naval operations upon the Mississippi River and its tributaries.

And in lieu thereof to insert:

That for the construction of a memorial to cost not to exceed $125,000, commemorative of the service of the Confederate Navy on the Mississippi River and its tributaries during the Civil War, at the site and in accordance with the design approved by the Secretary of War, the sum of $50,000 is hereby appropriated out of any money in the Treasury not otherwise appropriated.

Mr. CUMMINS. Mr. President, I earnestly hope that this bill will pass. I have a peculiar interest in it, arising out of the fact that Capt. Rigby, the superintendent of the National Military Park at Vicksburg, is a soldier of my own State; a gallant, brave man, who for years has devoted himself to the service in which he is now employed.

I think there must be a misapprehension upon this side of the Chamber with regard to the subject of the bill. It has been a policy of the Government of the United States—and I think it is a worthy and prudent policy—to perpetuate the memory of the events of the Civil War, it matters not what we may believe with regard to the justice of the cause upon one side or the other.

The Civil War was the greatest event that occurred within the century. I think it is the greatest event in the annals of the human kind during the Christian era. The Government of the United States, recognizing the vast influences this war has had upon the civilization and upon the thought of man, has long ago entered upon the task or duty of perpetuating its great and principal days and times and events, and so we have established a series of military parks all over that part of the country in which the war raged, and among these parks is the one at Vicksburg. There is another at Shiloh; there is another at Chickamauga; and there is another at Chattanooga; and another at Gettysburg, and so on.

With respect to each of these parks the Government has invited the several States having soldiers in the Civil War, whether upon the side of the North or the side of the South, it matters not, to erect monuments to their soldiery, to the heroism of their dead, to the heroism of their living, who fought upon these battle fields. And so at Vicksburg, every State in the South, as well as every State in the North, was invited to erect monuments to signify the valor of the men who fought upon that battle field, it matters not whether they fought for the North or for the South. There was in the invitation thus extended no expression of opinion as to the justice of the cause for which either side fought. It was intended merely to make the world understand the greatness of the event itself, and so many States of the Union, including my own, have erected monuments upon the battle field of Vicksburg, and many States of the South have erected monuments for the Confederate dead and the Confederate living on the battle field of Vicksburg.

The Government has already appropriated money to erect a monument to signify the valor of its Navy in the warfare on the Mississippi River. Now it is asked that the Government appropriate a less sum to erect a monument to perpetuate the bravery of the Confederate Navy; and it seems to me that it is a beautiful sentiment. I can not understand how anyone who loves courage and who reveres the hero, either of the North or the South, can object to this evidence of a Nation's appreciation of the vastness of the event itself.

The commission having control over the Vicksburg Park, as well as every other park, is composed partly of northern soldiers and partly of southern soldiers. When a few years ago it became my duty as well as very great pleasure to dedicate monuments which had been erected upon this battle field in honor of the soldiers of Iowa, the chairman of the commission was that gallant soldier, a man whose memory is dear to every loyal and patriotic heart, even though he fought upon the other side, Gen. Stephen D. Lee. I am sure his heart was just as full of love for the Union and love for the old flag as either of his associates upon the commission. I know that a citizen of my own State, Capt. Rigby, who has been there for many years, could not and would not suggest the erection of a monument that would in anywise reflect upon the cause of the Union during the Civil War, nor would the commission which has the larger control, nor would the War Department which finally passes upon all these recommendations.

I very earnestly hope that the Senate will pass this bill.

Mr. DIXON obtained the floor.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Mississippi?

Mr. DIXON. Yes.

Mr. WILLIAMS. Will the Senator from Montana pardon me a second for just an interruption?

Mr. DIXON. Yes.

Mr. WILLIAMS. I understand that there is some objection to the word "service" in line 8 on page 2. I did not word that myself. It came as a suggestion from Maj. Rigby and from the commission. In order to obviate an objection that may flow out of the use of that word, there probably being those who think it is not the proper word, I shall move that the word "service" be stricken out and the words "courage and constancy" substituted for it, so that it will read "commemorative of the courage and constancy of the Confederate Navy." I have no objection in the world to that.

Mr. DIXON. Mr. President, it is much easier at times to vote in accordance with your feelings of sentiment than it is in accordance with a strict sense of public duty, and I confess that this bill raises a question in my mind which makes me somewhat halt between two opinions. I am a member of the Committee on Military Affairs, and this is the first time I knew that this bill had ever been reported to the Senate. That probably is on account of my dereliction of duty in not attending at all times every meeting of the committee.

It is a little difficult for me personally to express my real feelings regarding a matter of this kind. I am a southerner born, Mr. President. My mother's people served in the Confederate Army, while my father's kinsmen, some of them, served in the Army for the Preservation of the Union. I think, without a feeling of egotism, that I can therefore look on the period of the Civil War with as broad and catholic a spirit as any patriotic American citizen can do.

Personally, I have only the greatest feeling of admiration for the heroic men who laid down their lives for the lost cause of the Confederacy. I doubt whether in all history there is any more superb example of devotion to what they believed to be a principle than that which inspired the people of the South from 1861 to 1865. At the same time the principle for which they contended was eternally wrong. It was one of the questions which rise from a great disturbance of men's minds, not questioning any man's feeling of right or wrong in the matter. But looking back 45 years to that period, we know that the principle for which the South contended was wrong, that it would have been fatal to the very existence of republican institutions.

I further want to supplement that by referring to something the Senator from Iowa [Mr. CUMMINS] said a few moments ago. I remember two years ago this summer visiting the battle field of Gettysburg in company with the Senator from Iowa [Mr. CUMMINS] and the Senator from Nebraska [Mr. BROWN]. I do not believe I have ever spent a day where my feelings of pure patriotism were so enlightened and ennobled as the 12 hours that we spent on that battle field that morning and afternoon. I remember when we reached the point on Cemetery Ridge where Pickett's charge broke through the Union lines I was telling the Senator from Iowa the story of the Twenty-sixth North Carolina Regiment, that was recruited in my own county, and in which charge some of my own kinsmen laid down their lives. It was with a feeling of pride that I told him the story of the record of the Twenty-sixth North Carolina Infantry, which held the record of both armies, Federal and Confederate, for loss in battle during the Civil War; and when we reached the point where the big bronze book lay open at the little clump of trees, with the line underneath on the pedestal "High tide at Gettysburg," telling on one side the story of the valor and bravery and the heroism of the men who wore the gray and on the opposite page of the bronze book the valor and heroism and devotion of the men who wore the blue, I took off my hat—not metaphorically, but physically—for it seemed to me that we stood on holy ground.

At that point, in passing, I want to correct a little error that has crept into the school histories and magazine and newspaper history of this country relating to that phase of the Civil War.

The ordinary school history and magazine article refer to that heroic charge of heroic men as the charge of Pickett's Virginians. Gen. George Pickett was himself a Virginian. But as a matter of cold fact and actual history the majority of the men who constituted Pickett's division that charged across that mile of open ground in the face of 150 Federal cannon and 80,000 rifles were North Carolinians; and as I called the attention of the Senator from Iowa to the record in the bronze book that lay open there, it recurred to me that the majority of those regiments that made for themselves names on the page of history were North Carolina regiments—not that it detracted from the bravery of the Virginians on that occasion—but I merely at this time diverge from what I am about to say to give public utterance to that fact, that the men of my own native State may not be robbed of their part in that heroic struggle.

In saying what I have, Mr. President, I have only done so in order to give some conception of my own feeling in this matter. I recognize the bravery and the courage of the men who were connected with the Confederate Navy on the Mississippi River and her tributaries during and before the Vicksburg campaign. I should personally be willing to contribute my own small share toward the erection of a monument to their heroism and their courage. I have in the past made cheerful contribution to the Confederate monument at the county seat of my own county in

North Carolina, and I did it with a feeling that I was in a small way contributing to the perpetuation of the memory of those brave and heroic men.

But, Mr. President, is this the proper time for us to appropriate money from the Federal Treasury to perpetuate by Federal law the acts of those who sought to destroy the very Government from which this appropriation is now sought? Seventy-five years after the War of the Roses had terminated in England no one inquired on which side their ancestors fought, except as a matter of pure historic investigation. The English people were alike proud of the men who fought on both sides in that great epoch in English history, whether under the banner of York or of Lancaster.

Probably 45 years from to-day, maybe 30 years from to-day, it might be in good taste. It may then be meet and proper for the Federal Government to appropriate the money to perpetuate in bronze the memory of Confederate sailors and soldiers that served during the Civil War.

There are probably half a million Federal soldiers still living. I doubt, Mr. President, the wisdom that would take money from the Federal Treasury at this time to perpetuate by official act of this Government during the lifetime of the half million men who wore the blue and who by their own heroic sacrifices perpetuated this Republic to build a monument—I read—

commemorative of the service of the Confederate Navy on the Mississippi River and its tributaries during the Civil War.

Mr. WILLIAMS. If the Senator will pardon me——

Mr. DIXON. I notice the Senator from Mississippi has withdrawn that, I think, most unfortunate use of words.

I do not believe, Mr. President, the time has yet come for this Government to do these things officially. In a private capacity, in the capacity of a Southern State, in the capacity of an organization of Confederate veterans, I think they are eminently proper. I think the men of the North, with perfect consistency, would gladly contribute their personal funds for the erection of this monument; but I do not believe at this time the Government should enter on this plan, which is merely the entering wedge. A monument at Vicksburg to the Confederate Navy is merely a prelude to a hundred other appropriations for a hundred other battle fields.

The valor of Confederate soldiers can not be told in one bronze column at Vicksburg. By the same rule of action and applying the same yardstick, if it is right to appropriate $150,000 for this monument at Vicksburg, then we ought also to dot the battle fields of the Civil War with bronze monuments to the men who died in the cause that they believed to be right.

With this feeling, Mr. President, and with a feeling of regret that my judgment and my conscience do not allow me to vote for this measure, and wishing only to make my own sentiment plain, I am compelled by what I conceive to be my duty to all the country, at this time to cast my vote in opposition to the appropriation.

Mr. WORKS. Mr. President, I join in the hope expressed by the Senator from Iowa [Mr. CUMMINS] that this bill may pass. I had the honor when a mere boy to render some modest and inconspicuous service to my country as a private soldier in the Union Army. I am always pleased and gratified to hear of the reunions that are held between the boys in blue and the boys in gray. I should like very much to see these reunions exemplified and typified in the monuments that are proposed to be erected if this bill shall pass.

To my mind there is no question here as to whether the people of the South in those dark days were right or wrong. The battle has been fought, this country has been reunited, and we are here as a body representing the whole country, North and South. The Senators from the South have joined time and again in passing laws appropriating money for the purpose of commemorating the acts and deeds of the soldiers of the Union Army.

I think in the minds of the Union soldiers there is no animosity left for the soldiers of the Confederate Army. They mean just what they say, good will to the boys in gray, when they hold these reunions. There is no reason, it seems to me, why the Government might not commemorate in this way not the fact that these men were right but that they were brave, courageous men, fighting, as I believe, for what they believed to be right.

I do hope that the Senate may pass this bill. I think it is just and right, and that it will bring nearer together the people of the North and South.

The VICE PRESIDENT. The Senator from Mississippi offers an amendment to the amendment, which the Secretary will read.

The SECRETARY. On page 2, in the proposed committee amendment, line 8, strike out the word "service" and in lieu insert the words "courage and constancy."

The VICE PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee as amended.

Mr. HEYBURN. Mr. President, I regret more than I can express the occasion which calls for the consideration of this question or any kindred question. A few days ago a matter was before the Senate for consideration in which was involved something of the spirit of this proposed legislation. On that occasion I felt it my duty to oppose the measure.

I do not understand, I am incapable of understanding, how a man loyal in his heart to his country can remain silent while it is proposed to build at the expense of the Government of the United States a monument commemorating the services of those who tried to destroy the country. If it were a monument to them personally, and did not involve in express terms the acts of attempted destruction of the country, it might be subject to such a construction as would make it tolerable. But to recite in an act of the Congress of the United States that the Public Treasury should be called upon to pay for the erection of a monument commemorating the acts of attempted destruction is intolerable.

It might be imagined from the squibs of the newspapers that I found a pleasure in discussing or speaking of or thinking of these questions. I do not. The newspapers evidently are in sympathy with this kind of legislation. The mail has been bringing to me day after day, since a few days ago, expressions from newspapers, garbled, untrue, intended to deceive as to what I said and as to what I meant. If the preservation of this country depended upon the newspapers, God save it, for no other power could. They are not all disloyal. Some are loyal but silent. Some are disloyal but blatant. Some of them delight to express their disloyalty and to criticize unfairly men who dare to be loyal or to express loyal sentiments. The press has ceased to have an influence upon great questions. The people of the United States have lost confidence in it because it threw away the right to claim their confidence.

My mail is bringing to me daily and hourly unsigned letters of abuse and criticism; cowardly letters; letters threatening to come to Washington and destroy my features and my life, unsigned, probably written in the back room of some barroom, and, instead of being on the way to Washington, they were probably on the way to get another drink. They are not printable because of their indecency, and they remain tied together as a relic of barbarism.

Mr. President, when this question came before the highest tribunal in the United States it was dealt with by one of the ablest and most conservative men who ever sat on that bench, a man who was honored not only by his position upon that bench, but by his designation outside of those duties to perform great international duties. I refer to Mr. Justice Swayne. He deals with this question. I feel inclined to revivify the record of this body by some citations from the decision in the case of Hickman against Jones, in Ninth Wallace's Reports of the Supreme Court of the United States, at page 197 and following. I do this because it seems that the only sentiment, or practically the only sentiment, that is considered entitled to consideration on this occasion is one against the cause of the Union.

Men are silent in regard to the cause of the Union. That is what brought on the Rebellion. Men sat in the Congress of the United States whose sworn duty it was to stand up and defend with their voice and their vote against the proposed disunion, and their silence did more to bring about that condition than any words which were spoken by any man. It was assumed that there was no word to be said; that there were no grounds upon which to defend against the claimed right of disruption and secession. Those men sat in the Congress of the United States silent when the claims of treason were being pictured in eloquent and stirring phrase. The result was that those who were proposing to disrupt the Union took it for granted that the Union had but few friends who dared to speak for it, and the result was that war, that great war for which these men in that age of plain speaking called "dough faces" were responsible.

There are times when a man has no right to be silent. Their silence, their cowardice cost the lives of millions of men on both sides; it cost thousands of millions of treasure; it cost four years of practical stagnation in the domestic business of the country; it cost to the growing generation during those four

years the opportunity and the attainment of training and education that have marked their career since that day. Boys who would have been equipped but for this terrible condition for the active and intelligent walks of life went through the world in the lines of uneducated, untrained, and unequipped manhood. I am in doubt as to which loss was greatest, the loss by death or the loss by destroyed opportunity during that time. It was not all in the North; it was in the country, because it was all one country.

And this awful appalling condition is to be celebrated! Those responsible for it are to be pictured in marble and on canvas at the expense of the Government they tried to destroy! It is a shame.

They have coined a few pet phrases with which to defend themselves, and the phrases of defense are equally flimsy. I notice in many papers, because of my true statements of a few days ago—they are referring to me by name—that I am waving the bloody flag. That is a silly statement, and it is about on a par with the people who use it; they are silly people and that is a silly statement. They have not the intelligence and they have not the dignity nor the manhood nor the bravery to discuss it fairly and openly without epithet, so they resort to that. I have here in my desk—they are coming in every mail; they are laid on my desk while I am talking—squibs from newspapers that profess to be molders of public opinion; that profess to be representatives of intellectual thought. They start out with headlines calling me by name, and saying, "He waves the bloody flag in the United States Senate." Such things are only worthy of notice in order that they may be properly characterized. They do not bother me any. Gracious! If I were so constituted that I were bothered by that kind of thing I would have been worn out a lifetime ago. I remember when that element used to point to me and others as we went along the streets and roads, and say "Woolly head! Woolly head!" That was the argument they had to justify their sympathy with treason and rebellion—a great argument, just about on a par with this cry of waving the bloody flag.

There is no newspaper reporter in the gallery who is brave enough to report a discussion of this matter fairly and truthfully—not one of them. It would be curious, if one were of a curious turn of mind, to see the garbled, untruthful statements they make about it.

The other day when the Washington Evening Star left out the word "not," so as to make me appear to have said just the opposite of what I did say, when I called their attention to it here from the floor on the next morning and they had the official RECORD to go to for the truth, they were too cowardly to mention it. They never take back a lie when they have printed it; it is against their policy to do it, because they are cowards; that is all.

Mr. President, we are to a large extent confronted with that condition of affairs to-day. Men stop to consider when they are determining whether they will do right what the cost of it will be. Not all men; there are more good men, brave men, and true men in this country than there are of the opposite kind; but, unfortunately, they do not always attend on these occasions.

I did not bring on this discussion this morning; I did not come into the doors of this Chamber with a bloody flag in my hand nor a bloody garment of any kind. I came in here and found men boasting that they were in possession of it. I shall be just as impersonal and moderate in the treatment of this question as it is possible for me to be. It is a very difficult and trying situation, but I trust that I shall be able to deal with it fairly. I repeat, I am not responsible for its being here. It refers to a period in the history of this country between the 13th day of April, 1861, and a corresponding day in 1865—four years of political conditions that have been characterized as conditions of war. The generations that have been born since that time smile at it. To them it is history; to some it is a memory. It is a history of murder by the hundreds of thousands, but it does not seem to appall them, because they were not then born. Let us see if it was. Mr. Justice Swayne says:

> During the late Civil War the rebel government established a court known as the District Court of the Confederate States of America for the Northern District of Alabama.

That is quoted, and it is in the body of Justice Swayne's opinion, an opinion which is concurred in by the whole court.

> In that court the plaintiff in error was indicted for treason against the Confederate States. The indictment alleged that troops of the United States were in the northern district of Alabama engaged in a hostile enterprise against the Confederate States, and that Hickman "did traitorously then and there assemble and continue with the said troops of the said United States in the prosecution of their said expedition against the Confederate States; and then and there, with force and arms and with the traitorous intention of cooperating with the said troops of the United States in effecting the object of the said hostile expedition, did array and dispose himself with them in a hostile and warlike manner against the said Confederate States; and then and there, with force and arms, in pursuance of such his traitorous intentions, he, the said James Hickman, with the said persons, so as aforesaid assembled, armed, and arrayed in manner aforesaid, wickedly and traitorously did levy war against the said Confederate States."

That is the quotation.

> Upon this indictment a warrant was issued for the arrest of Hickman. He was arrested and imprisoned accordingly. He applied to the defendant, Jones, who assumed to act as judge of the court, to be allowed to give bail. Jones rejected the application and remanded him to prison. He was subsequently tried, acquitted, and discharged. He alleges that the proceeding was without probable cause and malicious. Moore was the clerk of the pretended court. The name of Regan is signed to the indictment as district attorney, and he conducted the trial.
>
> Robert W. Coltart was deputy marshal, and Clay was the editor and publisher of the Huntsville Confederate, a newspaper through which it was alleged he incited the prosecution by means of malicious attacks upon Hickman designed to produce that result. The other defendants were members of the grand jury by which the indictment was found. Testimony was given tending to show that the plaintiff sympathized with the rebellion and participated in it while the rebel power predominated in north Alabama, both before and after its first invasion by the forces of the United States. The court instructed the jury, among other things, as follows:
>
> "If, in the case at the bar, you believe that the acts and speeches of the plaintiff, upon which the defendants rely to prove his complicity with the rebellion, were the result of anything less than a fear that if he did not so speak and act, his life or his liberty or his property would be sacrificed to his silence or his omission, you will find a verdict for the defendants.
>
> "If, on the other hand, you believe that these acts of apparent complicity with the rebellion were performed by the plaintiff under the influence of an honest and rational apprehension that to do otherwise would expose him to persecution or prosecution, or to loss of life, liberty, or property, and that notwithstanding these acts of affiliation with the rebel community in which he lived, he was always at heart honestly and truly loyal to the Government of his country, he is entitled to your verdict."

That is the end of the instruction.

> The jury were further instructed that it was their duty to acquit the defendants, R. W. Coltart and Clay. Exceptions were duly taken by the plaintiff, and the case is brought here for review.
>
> We have to complain in this case, as we do frequently, of the manner in which the bill of exceptions has been prepared.

I will pass the criticism of the court upon the record.

Mr. DIXON. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Montana?

Mr. HEYBURN. Certainly.

Mr. DIXON. I am a little puzzled to know how this case came on appeal from the Confederate district court of Alabama to the United States Supreme Court.

Mr. HEYBURN. I think there will be no difficulty in understanding that if the Senator will patiently listen.

Mr. DIXON. I do not understand how an appeal lay from that court to the United States court.

Mr. HEYBURN. This was a proceeding in damages afterwards.

Mr. DIXON. Oh, after the war.

Mr. HEYBURN. A proceeding to recover damages for these acts. Now, the court says, getting down to the case:

> The rebellion out of which the war grew was without any legal sanction. In the eye of the law it had the same properties as if it had been the insurrection of a county or smaller municipal territory against the State to which it belonged. The proportions and duration of the struggle did not affect its character. Nor was there a rebel government de facto in such a sense as to give any legal efficacy to its acts.

I call the attention of Senators to this statement in determining the status and character of the organization called "the Confederacy":

> It was not recognized by the national nor by any foreign government. It was not at any time in possession of the capital of the Nation. It did not for a moment displace the rightful Government. That Government was always in existence, always in the regular discharge of its functions, and constantly exercising all its military power to put down the resistance to its authority in the insurrectionary States. The Union of the States, for all the purposes of the Constitution, is as perfect and indissoluble as the union of the integral parts of the States themselves; and nothing but revolutionary violence can in either case destroy the ties which hold the parts together. For the sake of humanity certain belligerent rights were conceded to the insurgents in arms. But the recognition did not extend to the pretended Government of the Confederacy. The intercourse was confined to its military authorities. In no instance was there intercourse otherwise than of this character. The rebellion was simply an armed resistance to the rightful authority of the sovereign. Such was its character in its rise, progress, and downfall. The act of the Confederate Congress creating the tribunal in question was void. It was as if it were not. The court was a nullity, and could exercise no rightful jurisdiction. The forms of law with which it clothed its proceedings gave no protection to those who, assuming to be its officers, were the instruments by which it acted. In the case before us trespass would have been the appropriate remedy, but the authorities are clear that case also may be maintained. Each form of action is governed by its own principles. It is needless to consider them, as none of the exceptions taken relate to that subject. Our opinion will be confined to those which have been specifically mentioned.

The court then proceeds to consider the evidence and the instructions to the jury. It reversed the judgment and remanded the cause to the court below, with an order to issue a venire de novo.

There is the legal status of this great, much lauded, highly praised organization that undertook to destroy this great country. The acts characterized by Mr. Justice Swayne as acts of disturbance and riot are sought to be made the basis of a raid upon the Treasury of the United States to commemorate those acts. When that may be done with the sanction of the Congress of the United States and of the people of the United States, I want my life to end right there, and I care not how it ends, because a man without a country has nothing to live for. If we have no country, let us know it. A country can not exist without patriotism, and patriotism must be in control of the affairs of the people, and patriotism and treason must not be confused. They are not interchangeable terms.

I have a letter from a man who says he is on the way here now with a gun, and he describes how he is going to shoot me to pieces. If you start in to tear down the sentiment of loyalty in this country, he can not get here too quickly for me. Of course he will not come. He is some miserable coward who does not sign his name.

Mr. President, that case does not stand alone in its expression of principle as the law of this land. We have it again in White against Hart, in 13 Wallace, on page 646. The statement of the doctrine grows stronger as the courts have considered it. We have it in the First National Bank against Texas, in 20 Wallace, 87; we have it in Dewing against Perdicaries, in 96 United States, 195; we have it in Daniels against Tearney, in 102 United States, 418; we have it in a line of cases—I will not place them all in the RECORD, but there are more than 20 of them—in which that tribunal, that has always stood fair for the Union and the preservation of our country, has characterized this act that is now sought to be deified as merely a rebellion, and they have characterized it as treasonable.

Mr. President, there is an unholy haste about this proposition. A member of the Committee on Military Affairs has stated from his seat this morning that his attention had not been called to the fact that such a measure was even proposed, and yet that committee reports it as though it were the unanimous action of the committee. The report does not indicate that it is not the unanimous report of the committee, and my memory may be at fault, but I think it was stated here that it was the unanimous report, and had I time and opportunity I think I would inquire of other members of the committee. I do not believe that the Senate of the United States is in the hands of a Committee on Military Affairs who will sympathize with that proposed legislation. It is a sorry day for the country and for the Senate if that is true.

The time has come to speak plainly of this matter and dispassionately. There is no more important matter before the Senate than this. Send out the message to the children of this country that treason has been made respectable and will be marked by monuments, and then you can have recall and direct primaries and initiative and referendum and all of the other destructive bacteria in the system of the Government. You will have them there. You will have them. You will have them in the minds of the children, and the minds of children will be the minds of the statesmen some day.

It is a long time since I saw such a smiling look of gladness upon the faces on the other side of this Chamber when they realize that they have found among men who were supposed to stand for the principles of our Government enough to enable them to project upon the consideration of this body on this especial occasion a proposition of this kind. I can imagine their hearts are smiling. They forget the price paid to preserve this Union from destruction. It is a matter of jest. Why, the other day they placed upon the pension roll in idleness and inefficiency a man because he had been loyal to treason. Why not speak plainly? That is what the courts say it is. Why not speak plainly? Why not be plain about it? That was the beginning. I will show you where it began a little further back. Let me read this for the edification of some of the patriots. I read an article from the Dallas Morning News of Monday, February 21, 1910. I will read this into the RECORD. It will be good history:

OBJECT TO PORTRAIT OF LINCOLN—CONFEDERATES INQUIRE OF SCHOOL BOARD WHY HIS PICTURE IS HUNG AT COLONIAL HILL SCHOOL.

[The Dallas Morning News, Monday, Feb. 21, 1910.]

At a meeting of Sterling Price Camp, United Confederate Veterans, yesterday afternoon resolutions were passed authorizing the historical committee to ascertain by what authority the portrait of Abraham Lincoln was hung on the walls of the Colonial Hill School.

The following resolution was adopted:

"Whereas this camp is reliably informed that the picture of Abraham Lincoln has, at the suggestion of the Mothers' Club of Colonial Hill School, in this city, been placed on the wall of said school building, much to the mortification and chagrin of the majority of the patrons of the school: Be it

"*Resolved*, 1. That the historical committee of this camp call upon the school board of the city of Dallas and ascertain if said picture was placed there by consent of said board.

"2. That said school board be requested to enact such regulations as will prevent the introduction, use, or honoring of the picture of any person, living or dead, being placed on the walls of any public building where our children assemble, or the reading or recitation of any literary production which magnifies and honors those who sought our humiliation or ignores and abuses the virtue and honor of those who have made the Southland the synonym of patriotism and loyalty to constitutional liberty, and that the committee report at the next meeting."

Commander Gen. R. M. Gano presided at the meeting and Asst. Adjt. George W. Blair kept the minutes.

The relief committee reported a number of comrades sick, but none of them seriously so. Notification was given the camp of the death of Comrade John W. Carroll at 647 Commerce Street and of the funeral services to be held this afternoon at 2 o'clock at the Confederate Cemetery.

I read it all because I wanted the complete article to go in.

Now, I have seen that same class of thing repeated a great many times. I read this as a fair sample of such proceedings had throughout various parts of the South. And yet they come here and ask us that the Government Treasury of the United States shall be used for the purpose of erecting monuments to them, living or dead. Where is the spirit of patriotism of those who, when the traitor's hand was reached out to destroy the Union, left their homes and their families, abandoning everything, in order that they might go down into this poetic Southland, of which its inhabitants are so fond of speaking, and save the Union? What is that spirit? There was a time in this body when every seat on this side would have been filled with men whose patriotic impulses would have made them impatient to answer "aye" to the roll call. There never would have been a war except for just that kind of inert, flabby, unappreciative men. I do not wonder that the South thought they had an easy game when they started.

Mr. President, there were back in the fields, on the farms, in the villages and the towns and the cities in every household millions of men who, without compensation in dollars, were willing to go to the front and redeem the country against the result of the inaction and lack of patriotism of their representatives. And they went, and they redeemed it, thank God! But the generation has almost passed away.

There are a few hundred thousand old veterans left who this morning are weeping and praying that the spirit of patriotism that actuated them and their comrades may be called up from the realms of the memory of the past. They are waiting. I can see them, waiting to see whether or not there is in this hour any remnant of the patriotism that actuated them when they went to the field of battle. How do you suppose they feel? I do not mean all of them. There are some men who never did understand the cause for which they were supposed to stand. I will not be personal on this occasion. But to hear a man stand up anywhere and say that he enlisted to preserve the Union against an armed foe and that to-day he is ready to honor that foe puts me upon inquiry.

Mr. OLIVER. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Pennsylvania?

Mr. HEYBURN. I do.

Mr. OLIVER. I suggest the absence of a quorum.

Mr. HEYBURN. I would not have yielded for that purpose.

The VICE PRESIDENT. The Senator from Pennsylvania suggests the absence of a quorum.

Mr. HEYBURN. I am, of course, foreclosed.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Crawford	McCumber	Smith, Mich.
Bailey	Curtis	McLean	Smith, S. C.
Bankhead	Davis	Martin, Va.	Smoot
Bourne	Dillingham	Martine, N. J.	Stephenson
Brandegee	Dixon	Nixon	Stone
Briggs	Foster	Oliver	Sutherland
Brown	Gore	Overman	Swanson
Bryan	Gronna	Page	Taylor
Burnham	Heyburn	Paynter	Thornton
Burton	Hitchcock	Perkins	Townsend
Chamberlain	Johnson, Me.	Pomerene	Watson
Chilton	Johnston, Ala.	Reed	Williams
Clapp	Kern	Root	Works
Clark, Wyo.	Lodge	Shively	

The VICE PRESIDENT. Fifty-five Senators have answered to the roll call. A quorum of the Senate is present.

Mr. HEYBURN. Mr. President, the roll call afforded me the opportunity to read some more very choice literature, received since I have been on my feet—Richmond, Va., I think, is the postmark. I have here an envelope that came to me through the mails. I merely call attention to this to show how insidiously these things creep up on the Government. Here it is:

Go to Little Rock in 1911 and get a glimpse of heaven.

There is the flag that was borne by these rebellious armies in the hour they were trying to destroy the Union. It goes through the United States mail side by side with the stamp that bears

the face of Franklin or Washington and with the mark of the Government's mailing clerk on it—beside it. We have reached that stage. The Post Office Department of the United States says they know of no law to prevent that. There ought to be no necessity for a law. Taking those of the South at their word, that they acquiesce in the result of that strife and are glad the Union was saved, they ought not to want to do that. The fact that they want to do it is one of those things that needs explanation, and is in itself a question as to their sincerity. There is but one flag in this country that any man has a right to recognize, and that is the Stars and Stripes.

RECIPROCITY WITH CANADA.

The VICE PRESIDENT. Will the Senator from Idaho suspend for a moment? The hour of 1 o'clock having arrived, the Chair lays before the Senate the unfinished business, House bill 4412.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes.

The VICE PRESIDENT. The Senator from Idaho will proceed.

Mr. STONE. Mr. President——

Mr. HEYBURN. I yield the floor in order that the Senator from Missouri may discuss the unfinished business.

The VICE PRESIDENT. The Senator from Missouri is recognized.

Mr. STONE. No; I will say I rose merely to state that I am not physically in a condition to address the Senate to-day, as I had given notice I would do. I have not been well for several days, and I do not feel that I should undertake to speak now. I will find an opportunity before the vote is taken—at least, I hope to do so—when I say what I have in mind to say. I do desire to give some reasons why I favor the reciprocity bill, so called, and why I am opposed to amendments to it, with some miscellaneous observations.

If it does not interfere with the plans of other Senators, I think now I will address the Senate on Friday morning after the routine business, and I will state that it is not my intention to detain the Senate very long. I am quite sure that I can conclude what I have to say within an hour or an hour and a half.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Utah?

Mr. STONE. I do.

Mr. SMOOT. I simply desire to call the Senator's attention to the fact that the Senator from Wisconsin [Mr. LA FOLLETTE] gave notice this morning that he would address the Senate immediately at the close of the routine morning business on Friday.

Mr. STONE. I will simply try to find an opportunity, which I have no doubt I will, without giving any particular notice.

The VICE PRESIDENT. The bill is before the Senate as in Committee of the Whole and open to amendment. If no amendment be offered, the bill will be reported to the Senate.

The bill was reported to the Senate without amendment.

The VICE PRESIDENT. The bill is in the Senate and open to amendment.

Mr. SMOOT. Mr. President, there are a number of Senators who have already given notices to speak on the bill. If there is no one present who desires to address the Senate on the bill, I move that the Senate do now adjourn.

Mr. SHIVELY. Mr. President——

The VICE PRESIDENT. The Senator from Utah moves that the Senate adjourn. It is not a debatable question.

Mr. SHIVELY. I am not going to debate it. I ask the Senator to withhold the motion for a moment.

Mr. SMOOT. Very well; I will withhold the motion.

The VICE PRESIDENT. The Senator from Utah withholds his motion.

Mr. SHIVELY. I wish to ask the Senator from Utah about a document which was ordered printed early in the session. An order was made one morning here to incorporate in the document the proceedings of Congress in reference to the Walker tariff of 1846 and the tariff of 1857, and there was also an order—it may not have been all in one document—to incorporate the proceedings with reference to the Canadian agreement of 1854. It does seem that those documents should be before the Senate. We are to vote on this question in a few days, and it would be useless to have them printed after the debate is over.

Mr. SMOOT. I remember well the order of the Senate, and it was also ordered that the document should be printed under the direction of the Committee on Finance. All those documents have been gathered together. I will say to the Senator that it was rather hard to obtain a number of them, and one or two members of the Finance Committee made requests for other documents. The work has gone on as fast as possible. I wish to say to the Senator also that all the matter is in print, and we expect that it will be ready to-morrow for distribution to Senators.

Mr. SHIVELY. I am glad to hear the Senator make that statement.

Mr. McCUMBER. Mr. President——

Mr. SMOOT. I will withhold the motion further.

Mr. McCUMBER. I offer the following amendment to the bill, and ask that it be printed and lie on the table.

The VICE PRESIDENT. The amendment will be printed and lie on the table.

Mr. SMOOT. I move that the Senate adjourn.

The VICE PRESIDENT. The Senator from Utah moves that the Senate adjourn.

Mr. CULBERSON. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BURTON (when his name was called). I have a general pair for the day with the senior Senator from North Carolina [Mr. SIMMONS]. Consequently I will withhold my vote.

Mr. CULBERSON (when his name was called). I have a general pair with the Senator from Delaware [Mr. DU PONT]. If he were present, I should vote "nay."

Mr. CRAWFORD (when his name was called). I have a general pair with the junior Senator from New York [Mr. O'GORMAN]. I do not know how he would vote on this question, and I withhold my vote.

Mr. DAVIS (when his name was called). I am paired with the senior Senator from New Hampshire [Mr. GALLINGER]. I will transfer that pair to the junior Senator from Tennessee [Mr. LEA] and vote. I vote "nay."

Mr. McCUMBER (when his name was called). I have a general pair with the senior Senator from Mississippi [Mr. PERCY]. Not knowing what his vote would be on this question, I withhold my vote.

Mr. PAYNTER (when his name was called). I have a general pair with the Senator from Colorado [Mr. GUGGENHEIM]. He is not present, and I therefore withhold my vote.

Mr. SMITH of South Carolina (when his name was called). I have a general pair with the junior Senator from Delaware [Mr. RICHARDSON]. If he were present, I would vote "nay."

Mr. SUTHERLAND (when his name was called). I have a general pair with the senior Senator from Maryland [Mr. RAYNER]. I will transfer that pair to the junior Senator from Iowa [Mr. KENYON] and vote. I vote "yea."

Mr. WILLIAMS (when his name was called). I am paired with the Senator from Pennsylvania [Mr. PENROSE]. If he were present, I would vote "nay."

The roll call was concluded.

Mr. LODGE. I desire to announce the pair of my colleague [Mr. CRANE] with the Senator from Maryland [Mr. SMITH].

Mr. BACON. I have a general pair with the senior Senator from Maine [Mr. FRYE]. I will transfer that pair to the senior Senator from Florida [Mr. FLETCHER] and vote "nay."

Mr. DAVIS (after having voted in the negative). I am informed by the Democratic whip that some one has already used the pair of the Senator from Tennessee [Mr. LEA]. So I will transfer my pair to the Senator from Oklahoma [Mr. OWEN] and allow my vote to stand.

Mr. PAGE. I wish to announce that my colleague [Mr. DILLINGHAM] is absent, engaged on the Lorimer investigating committee, and is paired with the senior Senator from South Carolina [Mr. TILLMAN].

Mr. McCUMBER. I should like to ask if the senior Senator from Washington [Mr. JONES] has voted.

The VICE PRESIDENT. He has not.

Mr. McCUMBER. I will then transfer my pair with the senior Senator from Mississippi [Mr. PERCY] to the senior Senator from Washington [Mr. JONES] and vote. I vote "yea."

Mr. CRAWFORD. I desire the RECORD to show that my colleague [Mr. GAMBLE] is necessarily absent on the Lorimer investigating committee.

Mr. TAYLOR. My colleague [Mr. LEA] is paired with the Senator from South Dakota [Mr. GAMBLE].

The result was announced—yeas 24, nays 27, as follows:

YEAS—24.

Bourne	Burnham	Heyburn	Page
Bradley	Clark, Wyo.	Lippitt	Root
Brandegee	Cullom	Lodge	Smoot
Briggs	Curtis	McCumber	Sutherland
Bristow	Dixon	Nixon	Warren
Brown	Gronna	Oliver	Wetmore

NAYS—27.

Bacon	Foster	Martine, N. J.	Stone
Bankhead	Gore	Myers	Swanson
Bryan	Hitchcock	Overman	Taylor
Chamberlain	Johnson, Me.	Perkins	Thornton
Chilton	Johnston, Ala.	Pomerene	Watson
Clapp	Kern	Reed	Works
Davis	Martin, Va.	Shively	

NOT VOTING—39.

Bailey	Fletcher	McLean	Richardson
Borah	Frye	Nelson	Simmons
Burton	Gallinger	Newlands	Smith, Md.
Clarke, Ark.	Gamble	O'Gorman	Smith, Mich.
Crane	Guggenheim	Owen	Smith, S. C.
Crawford	Jones	Paynter	Stephenson
Culberson	Kenyon	Penrose	Tillman
Cummins	La Follette	Percy	Townsend
Dillingham	Lea	Poindexter	Williams
du Pont	Lorimer	Rayner	

So the Senate refused to adjourn.

The VICE PRESIDENT. Are there amendments to be offered to the bill?

Mr. TAYLOR. Mr. President, I do not propose to speak with reference to the pending bill, but with reference to the remarks of the distinguished Senator from Idaho [Mr. HEYBURN]. I think it is rather late in the day for Senators of the United States to stand upon this floor and reopen the wounds of the Civil War. Like the Senator from Idaho, I belonged to the "infantry" during the war.

Mr. HEYBURN. I will ask if the Senator is asking me a question?

Mr. TAYLOR. I did not ask the Senator any question.

Mr. HEYBURN. It was merely a passing remark?

Mr. TAYLOR. I decline to ask the Senator a question. I think all informed men know that the Civil War did not begin in 1861. It began when this Republic was born. It crept into the Constitution and lay hidden there like some invisible cobra. It was fought out for 60 years in every forum, in the columns of the press, and everywhere, until it finally culminated in the clash of arms. It was a struggle between the doctrine of Federal supremacy on the one hand and the doctrine of State sovereignty on the other. It culminated at last in 1861. It was the conflict that Webster foresaw when he exclaimed upon this floor:

> When my eyes shall be turned to behold for the last time the sun in heaven, may I not see him shining on the broken and dishonored fragments of a once glorious Union; on States dissevered, discordant, belligerent; on a land drenched with civil feuds, or drenched, it may be, in fraternal blood!

It was the struggle that Clay put off for a quarter of a century with his great compromise measures. It was the struggle that Andrew Jackson delayed when he held up his bony hand toward heaven and swore:

> By the Eternal, the Union must and shall be preserved!

But neither Webster, nor Clay, nor Jackson, nor any other power under the sun could prevent it. It finally broke upon the land, and death stood grim and terrible on a hundred battle fields, beckoning a million men to the opening grave.

The North came out of that war the victor, but the men who wore the gray did not sulk. They laid down the musket and canteen and entered in good faith all the armies of industry.

I do not believe that a man can be a good citizen who will now stand anywhere under the flag and attempt to keep the sections of this Union apart.

Mr. President, I am an American. I believe in American ideals and American institutions. Every State in the Union is as much my State as Tennessee is my State, and the deeds of every great American soldier in that war are my heritage and the heritage of my children.

Many times I have stood out there in the rotunda before the statue of Ulysses S. Grant, the leader of the Union Armies, and my heart thrilled with pride that he was an American, and I admired him for his genius in war and his generosity to the South in peace, and when I have turned away from him and looked upon the statue of another great American soldier, standing there silent in the Hall of Fame in his Confederate uniform, I have wondered how any American, whether in the North or in the South, could be so oblivious to those noble and God-like qualities of brain and heart which make men truly great as to sneer at the name of Lee.

Mr. President, the war is over. Time has pulled down the forts and leveled the trenches. Time has healed and comforted, until now there is nothing left but precious memories. The men who wore the gray delight to honor the brave men who wore the blue and who met them in battle for the settlement of a controversy that began with the Republic. But they do not love the men who never smelt gunpowder and who now fight the war over again and unlimber their batteries of bitterness on the cemeteries of the South and upon the statues and monuments to her heroic dead.

The South has struggled to the front in all the elements of industry. The men who wore the gray are as true to the flag to-day as the men who wore the blue. Their sons have fought under the Stars and Stripes since that Civil War. I was governor of my State when the Spanish War came on, and when President McKinley called for volunteers I was one of the first governors to put my quota in the field. I came here to beg the President to let me have more regiments. They joined the sons of the men who wore the blue to fight for their country.

During that war I was down in Mississippi. I went into a little town and found a coterie of young men bitterly protesting against the sons of Confederate soldiers marching under the Federal flag and wearing that blue uniform. I saw an old man sitting among them. Finally he said, "Young men, I do not wish to engage in your discussion, but I followed the stars and bars four long weary years. I surrendered at Appomattox. I went home barefooted and in rags, to find my country desolate and my home in ashes. I swore eternal vengeance against that flag and against that uniform. But one day not long ago I saw a Mississippi regiment marching up the street under that flag and in that uniform, and I saw my boy in the ranks. I rushed to the colonel and said to him, 'Make these boys take off that uniform and let them wear the gray in this war, and show to the world how the sons of Confederate veterans can fight.' But the colonel smiled and said, 'No; they must wear the blue and march under the old flag.' I went to my home, still nursing my revenge more than ever. But when they brought my boy home in his coffin and I bent over him and looked upon him there in his blue uniform and wrapped in his country's flag, in a moment all the animosities of the past vanished, and I said, 'Henceforth that is my flag, that uniform is my uniform, and henceforth this whole country is my country.'"

Mr. President, this is the spirit that must now animate the people of this country. The men of the South for 40 years have contributed their part to build monuments to the Federal dead. They have contributed their part in pensions to the men who wore the blue. Now, after 46 years have come and gone, while we are building a monument in the South to commemorate the deeds of the brave men who followed the Federal flag, is it asking too much to build a monument to the brave men who met them face to face on the battle field and upon the water?

Why not build it? The southern people were not guilty of treason. They fought for what they believed was right. No man will die for a cause which he does not believe is right.

Mr. President, it is the best way in the world to wipe out the sectional lines. It is the best way in the world to make us truly one people, with common hopes, common fears, and a common destiny. I appeal to the Senate, especially to the men of the North, to vote for this pittance to honor the courage and the bravery of the men who fought under the stars and bars, and we will stand there under Old Glory and say to the men who followed it, "Unfurl it to the breezes, for it is the flag of our reunited country," and the men who wore the gray will stand under it with uncovered heads and acknowledge it as their flag. But who will chide them if they sometimes bring to light that other flag, the blood-stained stars and bars, to look upon it and weep over it and press it to their bosoms, for it is hallowed with memories of the blessed past? And they know that it is furled forever.

Mr. President and Senators, I have but little patience with the man either in private or in public life who awakens the passions of the past. I do not believe it is good patriotism or good Americanism. So far as I am concerned, I have sat upon the Committee on Pensions and for four years voted pensions to the men who wore the blue, and ex-Confederate soldiers have sat there by me.

What the South wants is peace, and I stand here to-day, as a representative of the generation that came on after the war, to declare to Senators who represent the States of the North that if there is ever another war in this country it will not come from the South, but her sons will be ever ready to march shoulder to shoulder and heart to heart with the men who wore the blue for the preservation of our Union forever. This is the sentiment of the southern people.

The PRESIDING OFFICER (Mr. BRANDEGEE in the chair). The unfinished business is still before the Senate. What is the pleasure of the Senate?

Mr. LODGE. Mr. President, we can not, of course, take action on the unfinished business owing to the agreement to vote on Saturday next. The committee had hoped that some of the Senators who desire to speak on the reciprocity agreement would be ready to go on, because, as the committee is informed, there are a great many speeches to be made, and they hoped

that the time would be occupied in that way. I do not know whether there are any Senators who desire to speak this afternoon. If not, Mr. President, I move that the Senate adjourn.

Mr. WILLIAMS. Mr. President, will the Senator withhold his motion for a moment?

The PRESIDING OFFICER. Does the Senator from Massachusetts withhold his motion?

Mr. LODGE. Yes; I withhold it.

Mr. WILLIAMS. I wanted, if it were in order and if the Senator will withhold the motion, to move that the unfinished business be temporarily laid aside.

Mr. LODGE. It can not be set aside temporarily, except by unanimous consent.

Mr. WILLIAMS. Then I ask unanimous consent for that purpose.

The PRESIDING OFFICER. Does the Senator from Massachusetts yield for that purpose?

Mr. LODGE. As representing the committee, I do not think I ought to consent to that. It seems to me it is an implied part of the unanimous-consent agreement that the reciprocity bill should be kept before the Senate; and if Senators are not ready to go on and no amendments are to be offered, it seems to me that we ought not to set it aside.

Mr. WILLIAMS. I only desire that it be temporarily set aside.

Mr. LODGE. I should not be willing to do that in the absence of Senators who have been discussing the bill that was under consideration this morning, if it is the Senator's purpose to secure the consideration of that bill. I know the Senator from Idaho [Mr. HEYBURN] has not concluded.

Mr. WILLIAMS. That will give them an opportunity to come into the Chamber, perhaps, and go on.

Mr. LODGE. I do not know whether or not they wish to go on. I know the Senator from Idaho has not concluded.

The PRESIDING OFFICER. Does the Senator from Massachusetts move that the Senate adjourn?

Mr. LODGE. I make that motion.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Massachusetts. [Putting the question.] By the sound the "ayes" seem to have it.

Mr. OVERMAN. I ask for a division.

The PRESIDING OFFICER. A division is demanded.

Mr. LODGE. Let us have the yeas and nays, Mr. President.

The PRESIDING OFFICER. The Senator from Massachusetts demands the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CULBERSON (when his name was called). I have a general pair with the Senator from Delaware [Mr. DU PONT]. If he were present I should vote "nay."

Mr. DAVIS (when his name was called). I have a pair with the senior Senator from New Hampshire [Mr. GALLINGER]. I transfer that pair to the Senator from Oklahoma [Mr. OWEN] and vote. I vote "nay."

Mr. McCUMBER (when his name was called). I have a pair with the senior Senator from Mississippi [Mr. PERCY]. I transfer that pair to the senior Senator from Washington [Mr. JONES] and vote. I vote "yea."

Mr. SMITH of South Carolina (when his name was called). I have a general pair with the junior Senator from Delaware [Mr. RICHARDSON]. If he were present I should vote "nay."

Mr. SUTHERLAND (when his name was called). I again announce my pair with the senior Senator from Maryland [Mr. RAYNER]. I transfer that pair to the junior Senator from Iowa [Mr. KENYON] and vote. I vote "yea."

Mr. WATSON (when his name was called). I transfer my general pair with the senior Senator from New Jersey [Mr. BRIGGS] to the senior Senator from Nevada [Mr. NEWLANDS], and vote. I vote "nay."

Mr. WILLIAMS (when his name was called). I have a pair with the senior Senator from Pennsylvania [Mr. PENROSE]. I transfer that pair to the junior Senator from Indiana [Mr. KERN] and vote. I vote "nay."

The roll call was concluded.

Mr. BACON (after having voted in the negative). I have a general pair with the senior Senator from Maine [Mr. FRYE]. I transfer that pair to the senior Senator from Florida [Mr. FLETCHER] and will permit my vote, which I have already announced, to stand.

Mr. SMITH of Maryland (after having voted in the negative). When I voted I was not aware that the junior Senator from Massachusetts [Mr. CRANE] is absent. I have a pair with him. However, I transfer that pair to the Senator from Alabama [Mr. JOHNSTON] and will allow my vote to stand.

Mr. BURTON. I have a general pair for to-day with the senior Senator from North Carolina [Mr. SIMMONS]. I transfer that pair to the junior Senator from Michigan [Mr. TOWNSEND] and vote. I vote "yea."

Mr. CLARK of Wyoming. I have a general pair with the senior Senator from Missouri [Mr. STONE]. I transfer that pair to the senior Senator from Michigan [Mr. SMITH] and vote. I vote "yea."

Mr. PAGE. I again announce the necessary absence of my colleague [Mr. DILLINGHAM]. He is paired with the senior Senator from South Carolina [Mr. TILLMAN]. I will allow this announcement to stand for the day.

Mr. CULBERSON. I transfer my pair with the Senator from Delaware [Mr. DU PONT] to the Senator from Nebraska [Mr. HITCHCOCK] and vote. I vote "nay."

The result was announced—yeas 26, nays 25, as follows:

YEAS—26.

Bourne	Clark, Wyo.	McCumber	Smoot
Bradley	Cullom	McLean	Stephenson
Brandegee	Curtis	Nelson	Sutherland
Bristow	Dixon	Nixon	Warren
Brown	Heyburn	Oliver	Wetmore
Burnham	Lippitt	Page	
Burton	Lodge	Root	

NAYS—25.

Bacon	Davis	Overman	Thornton
Bankhead	Foster	Perkins	Watson
Borah	Gore	Pomerene	Williams
Bryan	Johnson, Me.	Reed	Works
Chamberlain	Martin, Va.	Smith, Md.	
Chilton	Martine, N. J.	Swanson	
Culberson	Myers	Taylor	

NOT VOTING—39.

Bailey	Frye	La Follette	Rayner
Briggs	Gallinger	Lea	Richardson
Clapp	Gamble	Lorimer	Shively
Clarke, Ark.	Gronna	Newlands	Simmons
Crane	Guggenheim	O'Gorman	Smith, Mich.
Crawford	Hitchcock	Owen	Smith, S. C.
Cummins	Johnston, Ala.	Paynter	Stone
Dillingham	Jones	Penrose	Tillman
du Pont	Kenyon	Percy	Townsend
Fletcher	Kern	Poindexter	

So the motion was agreed to, and (at 1 o'clock and 43 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, July 19, 1911, at 11 o'clock a. m.

SENATE.

WEDNESDAY, *July 19, 1911.*

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. SMOOT, and by unanimous consent, the further reading was dispensed with.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12109) to supply a deficiency in the appropriations for contingent expenses of the House of Representatives for the fiscal year 1911, and for other purposes.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented resolutions adopted by the American Medical Association at Los Angeles, Cal., June 26, 1911, praying for the enactment of legislation to prohibit the placing of false statements on food and drug labels, which were referred to the Committee on Manufactures.

Mr. SHIVELY presented resolutions adopted by Polish Turners' Union No. 1, of South Bend, Ind., praying for the passage of the so-called Sulzer resolution providing for an investigation into the present conditions existing at Ellis Island, and also for a revision of the immigration laws, which were referred to the Committee on Immigration.

Mr. BRISTOW presented an affidavit in support of the bill (S. 2180) granting a pension to Mildred Rhodes, which was referred to the Committee on Pensions.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GAMBLE:

A bill (S. 3053) granting an increase of pension to Josiah McKirahan (with accompanying papers); and

A bill (S. 3054) granting an increase of pension to Josiah H. Gordon (with accompanying papers); to the Committee on Pensions.

By Mr. GAMBLE (by request):
A bill (S. 3055) to establish in the Department of Commerce and Labor a bureau to be called the bureau of credit reporting; to the Committee on the Judiciary.
By Mr. KERN:
A bill (S. 3056) granting an increase of pension to Sarah E. Cunningham (with accompanying papers); to the Committee on Pensions.
By Mr. PENROSE:
A bill (S. 3057) granting an increase of pension to John X. Eichel (with accompanying paper); to the Committee on Pensions.
By Mr. SUTHERLAND:
A bill (S. 3058) granting an increase of pension to Henry H. Kinsman; to the Committee on Pensions.
By Mr. HITCHCOCK:
A bill (S. 3059) granting an increase of pension to Margaret Shamp; and
A bill (S. 3060) granting an increase of pension to John F. Early; to the Committee on Pensions.
By Mr. BRADLEY:
A bill (S. 3061) for the relief of the estate of Peter C. Brashear, deceased; to the Committee on Claims.
A bill (S. 3062) granting an increase of pension to James M. Ard (with accompanying paper); to the Committee on Pensions.
By Mr. NEWLANDS:
A bill (S. 3063) granting a pension to Daniel Callahan; to the Committee on Pensions.
By Mr. GORE:
A bill (S. 3064) granting an increase of pension to John Edwards (with accompanying paper); to the Committee on Pensions.
By Mr. PENROSE:
A bill (S. 3065) granting an increase of pension to Robert McIntosh; to the Committee on Pensions.
By Mr. FOSTER:
A bill (S. 3066) for the relief of John Burrows; to the Committee on Claims.

RECIPROCITY WITH CANADA.

Mr. BRISTOW submitted an amendment intended to be proposed by him to the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes, which was ordered to lie on the table and be printed.

ADDRESS OF HON. FRANKLIN MACVEAGH.

Mr. KERN. I have here an interesting address delivered by the present Secretary of the Treasury, Hon. Franklin MacVeagh, at Chicago, September 1, 1894, concerning the Wilson bill in connection with the panic of 1893. I should like to have it printed as a Senate document. (S. Doc. No. 69.)
The VICE PRESIDENT. Without objection, that order will be entered. The Chair hears none.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 12109) to supply a deficiency in the appropriations for contingent expenses of the House of Representatives for the fiscal year 1911, and for other purposes, and it was thereupon signed by the Vice President.

CALLING OF THE ROLL.

Mr. BRISTOW. Mr. President, I suggest the absence of a quorum.
The VICE PRESIDENT. The Secretary will call the roll.
The Secretary called the roll, and the following Senators answered to their names:

Bacon	Curtis	Martine, N. J.	Simmons
Bankhead	Davis	Myers	Smith, S. C.
Borah	Foster	Nelson	Smoot
Brandegee	Gamble	Nixon	Stephenson
Bristow	Gronna	Oliver	Stone
Brown	Guggenheim	Overman	Sutherland
Bryan	Heyburn	Page	Swanson
Burnham	Hitchcock	Paynter	Thornton
Burton	Johnson, Me.	Penrose	Townsend
Chilton	Kern	Perkins	Warren
Clark, Wyo.	Lippitt	Pomerene	Williams
Crawford	Lodge	Reed	Works
Culberson	McLean	Root	
Cullom	Martin, Va.	Shively	

Mr. PAGE. I wish to announce the necessary absence of my colleague [Mr. DILLINGHAM] in attendance on the Lorimer investigation. I make this announcement for the day.
Mr. BRYAN. I desire to announce that my colleague [Mr. FLETCHER] is engaged in the Lorimer investigating committee. I make this announcement for the day.
Mr. TOWNSEND. The senior Senator from Washington [Mr. JONES] is detained on the Lorimer investigation.
Mr. CHILTON. My colleague [Mr. WATSON] is necessarily detained from the Senate.
Mr. PAGE. I have been requested to announce the absence of the Senator from Alabama [Mr. JOHNSTON], who is engaged on the Lorimer investigating committee. I make the announcement for the day.
The VICE PRESIDENT. Fifty-four Senators have answered to the roll call. A quorum of the Senate is present.

TARIFF DUTIES ON WOOL.

Mr. SMOOT. I offer a substitute for House bill 11019, known as the wool bill. I ask that it be printed and lie on the table.
The VICE PRESIDENT. The proposed amendment will be printed and lie on the table.
Mr. SMOOT. Mr. President, it would be just as well at this time for me to make an explanation of the provisions of the proposed substitute.
In the first place, I maintain the classification of the three grades of wool as now provided for in the present tariff law.
Instead of a rate of 11 cents per pound on first-class wool in the grease and 12 cents per pound on second-class wool in the grease, the substitute provides a rate of 9 cents per pound on both classes.
In the present law there is no provision made for washed wools of the second class to carry a rate of duty of twice the rate of wool in the grease. The substitute corrects this so that the rates upon wool of the second class shall be the same as on wool of the first class, whether in the grease, washed, or scoured. Wool in the grease, 9 cents per pound; washed wool, 18 cents per pound; and scoured wool, 27 cents per pound, instead of the present rates which are: First-class wool in the grease, 11 cents per pound; washed wool, 22 cents per pound; and scoured wool, 33 cents per pound; second-class wool in the grease, 12 cents per pound; washed wool, 12 cents per pound; and scoured wool, 36 cents per pound. This is to eliminate one of the complaints of the carded woolen manufacturers against the present tariff law, which they claim favors the worsted manufacturers.
On third-class wools, valued at 12 cents per pound or less, the substitute provides a rate of 3 cents per pound instead of 4 cents per pound, the present rate; valued over 12 cents per pound, 6 cents per pound instead of 7 cents per pound.
The "skirting clause," of which so much complaint has been made by the woolgrowers, is eliminated. The woolgrowers claim that 9 cents per pound without the "skirting clause" is as great a protection to wool as 11 and 12 cents per pound is with the "skirting clause," as provided in the present law.
Garnetted waste is removed from paragraph 372, with a rate of 30 cents per pound, to paragraph 373, with a rate of 25 cents per pound.
In the proposed substitute the compensatory duties are levied upon the same principle as in the present law, with many reductions in the additional protective ad valorem duties.
The provision in the present law assessing blankets over 3 yards in length has been eliminated in the proposed substitute.
On women's and children's dress goods, Italian cloths, coat linings, buntings, and goods of similar description the specific duties have been reduced from 11 cents per square yard to 9 cents per square yard.
On clothing, ready-made, and articles of wearing apparel of every description, the specific rate of duty is 36 cents per pound in the proposed amendment, instead of 44 cents per pound, as in the present law, while the additional protective ad valorem duty is 50 per cent instead of 60 per cent, as in the present law.
Webbings, gorings, suspenders, braces, bandings, beltings, bindings, braids, galloons, edgings, insertings, flouncings, fringes, gimps, cords, cords and tassels, ribbons, ornaments, laces, trimmings, and so forth, carry a specific duty of 36 cents per pound, instead of a specific duty of 50 cents per pound, as provided in the present law.
The specific duty per square yard in the proposed substitute on all grades of carpets is reduced one-half, while the protective ad valorem duty remains the same as in the present law. The rate on carpets, woven whole for rooms, oriental, Berlin, and similar rugs is reduced from 10 cents per square foot, the present rate, to 8 cents per square foot.
On druggets and bockings the specific duty per square yard is reduced from 22 cents, present law, to 11 cents.
The rate on mats and matting is reduced from 50 per cent ad valorem, present law, to 40 per cent ad valorem.
Paragraph 395½ is new, which provides that in no case shall any of the articles or fabrics enumerated in this schedule pay a duty greater than is equivalent to an ad valorem duty of 80 per cent. This paragraph prevents any equivalent ad valorem duty of Schedule K exceeding 80 per cent. This provision may be the means of making it very difficult for the manufacturers of exceedingly fine and high-priced cloth to compete with similar foreign-made goods, but it will prevent the enemies of

Schedule K from having a chance to point to a few imported cheap, shoddy blankets, carrying an equivalent ad valorem duty under the present law of 165 per cent, and claiming that the blankets which the poor people keep themselves warm with are burdened with that excessive duty.

I was in hopes that a revision of Schedule K would not be undertaken until the Tariff Board had made its report, but it is evident that the Democrats of the House and the Democrats of the Senate, together with a sufficient number of Republican Senators to make a majority of the Senate, have concluded to revise Schedule K at this extra session of Congres without the necessary information that the report of the Tariff Board is intended to furnish. The conclusions as to what the revision should be are before the Senate in the shape of a Democratic House bill and an amendment to the reciprocity bill by Senator LA FOLLETTE. I have no hesitancy in saying that if the Democratic wool bill which passed the House becomes law practically every woolen mill in the United States will be closed. Senator LA FOLLETTE's amendment to the Canadian reciprocity bill will, in my opinion, have the same effect. The Wilson bill gave manufacturers of woolens in this country free wool and a protective duty on manufactured goods but slightly lower than provided for in the amendment offered by Senator LA FOLLETTE. Under the Wilson bill the woolen industry of this country was brought almost to a standstill. Under the La Follette amendment manufacturers of wool are to pay a 40 per cent duty on wool in the grease, with but little advance over the ad valorem rates on manufactured goods provided in the Wilson bill; and I take it that anyone familiar at all with the business will conclude that the result can not be anything but disastrous to the business. If the American woolen mills are closed, the American woolgrower will find that his 40 per cent protection avails him nothing.

The woolen industry of this country is more badly frightened to-day than it was during the passage of the Wilson Act, and the following table will show why:

Tariff measures.	1910—Free wool value at United States custom-house.	Ad valorem or percentage duty on wool.	Ad valorem or percentage duty on cloth.	Net protection to manufacturer, i. e., less the wool duty.
	Cents.		*Per cent.*	*Per cent.*
Wilson Act	.....	Free	50	50
Dingley and Payne Acts	$0.186	44.31 per cent	97.11	52.80
Underwood bill	.186	20 per cent	40	20
La Follette bill	.186	40 per cent, first-class wools, including those formerly classified as second-class wools.	60	20

If Senators will examine this table they will find that under the Wilson Act there was 50 per cent net protection to the manufacturer; under the Payne Act there is 52.80 per cent net protection to the manufacturer; under the Underwood bill there would be only 20 per cent net protection to the manufacturer; and under the La Follette amendment there would be only 20 per cent net protection to manufacturers on goods made from first-class wools, and under his reclassification these wools comprise the great bulk of the American production.

The rates in my proposed substitute are as low as I believe it is possible for the American woolen business to exist under, judging from the information that I have in my possession. It may be that in some instances the rates are a little high, and in others the 80 per cent limitation may be a little too low. I shall reserve the right to support changes in any of the rates proposed in my substitute if the Tariff Board produces evidence that would justify the same.

Mr. CLARK of Wyoming. Mr. President, does the Senator from Utah believe that it is wise at this time to attempt legislation in regard to Schedule K?

Mr. SMOOT. Mr. President, I do not believe that it is wise to attempt such legislation at this time, and I do not propose to press this substitute, unless it is found necessary to substitute it for some wool bill that has or appears to have a chance of passage at this session of Congress.

Mr. CLARK of Wyoming. I understood the Senator to say that he was convinced that there were enough Republican votes to join with the Democratic vote in this Chamber to enact wool legislation, so far as this Chamber is concerned.

Mr. SMOOT. Mr. President, I did not say that there were enough votes to enact such legislation; I said that it was evident that there were a sufficient number of Senators who had the idea of having some such law passed at this extra session.

Mr. CLARK of Wyoming. If the Senator has the information, I wish he would give it to the rest of his Republican colleagues, so that they may be equally informed. Personally, I had hoped that, so far as the Republican side of this Chamber was concerned, legislation in regard to the wool schedule might await the action of the investigation of our Tariff Board, and I had hoped that that was the view of all the Republicans in this Chamber. It appears, however, that I have been mistaken.

Mr. SMOOT. If the Senator had followed the discussion of the Canadian reciprocity bill, I think he would admit that there have already enough Republicans announced their position upon this very important matter to insure that a majority of the Senators in this body desire a reduction in the wool schedule. I do not think it is necessary to name the Senators; but they have announced their position on the floor.

Mr. CLARK of Wyoming. Will the Senator yield to me?

Mr. SMOOT. Certainly.

Mr. CLARK of Wyoming. I suppose there may be some Republican Senators who might think it wise to reduce the duties in Schedule K, but I doubt very much if there are many of them who deem it wise to reduce the duties in that schedule until they have some scientific evidence as to the details of the reduction.

Mr. SMOOT. I am only judging from statements made upon the floor of the Senate.

Mr. NELSON. Will the Senator yield to me?

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Minnesota?

Mr. SMOOT. Certainly.

Mr. NELSON. I want to ask the Senator from Utah and the Senator from Wyoming if they do not think that it was an oversight of the President in omitting wool from the other agricultural products in the reciprocity bill?

Mr. SMOOT. Mr. President, I want to say that the substitute which I have introduced is not an administration measure, but is a substitute that I have offered on my own initiative. I have adhered to specific duties rather than ad valorem duties because ad valorem duties always provide the lowest protection to the woolgrower at the time when the price of wool is lowest and when he most needs protection.

Mr. NELSON. Will the Senator from Utah yield to me further for a moment?

The VICE PRESIDENT. Does the Senator from Utah further yield?

Mr. SMOOT. Yes.

Mr. NELSON. The Senator used the expression that this was not an administration measure. I should like to have the Senator explain the difference between an administration measure and one that is not so.

Mr. SMOOT. Mr. President, the only reason why I made that statement was that in the press this morning I noticed the statement that my proposed substitute to the Underwood wool bill was to be an administration measure. I wish to correct that statement, because, so far as the President is concerned, he knows nothing whatever about the substitute. I state now that I have taken the responsibility myself for the introduction of my proposed substitute.

Mr. WARREN. I ask the Senator from Utah if he will not request that his amendment be printed in the RECORD? He has gone into an explanation of the amendment at some length, which, of course, will be in the RECORD, and, naturally enough, there will be requests made for this amendment, together with other matters. I therefore hope the Senator will request that his amendment may be printed in the RECORD. I myself have not before seen or heard of the amendment. Of course, I should like to have it where I can not only see it myself, but where I can send it out to others who are interested.

Mr. SMOOT. Mr. President, I ask that my amendment be printed in the RECORD.

The VICE PRESIDENT. Without objection, the amendment submitted by the Senator from Utah will be printed in the RECORD. The Chair hears none.

The amendment is as follows:

Amendment intended to be proposed by Mr. SMOOT to the bill (H. R. 11019) to reduce the duties on wool and manufactures of wool, viz: Strike out all after line 9 of the bill, page 1, and insert the following:

SCHEDULE K.—WOOL, AND MANUFACTURES OF.

360. All wools, hair of the camel, goat, alpaca, and other like animals shall be divided, for the purpose of fixing the duties to be charged thereon, into the three following classes:

361. Class 1, that is to say, merino, mestiza, metz, or metis wools, or other wools of merino blood, immediate or remote, down clothing wools, and wools of like character with any of the preceding, including Bagdad wool, China lamb's wool, Castel Branco, Adrianople skin wool, or butcher's wool, and such as have been heretofore usually imported into the United States from Buenos Aires, New Zealand, Australia, Cape of Good Hope, Russia, Great Britain, Canada, Egypt, Morocco, and elsewhere, and all wools not hereinafter included in classes 2 and 3.

362. Class 2, that is to say, Leicester, Cotswold, Lincolnshire, down combing wools, Canada long wools or other like combing wools of English blood, and usually known by the terms herein used, and also hair of the camel, Angora goat, alpaca, and other like animals.

363. Class 3, that is to say, Donskoi, native South American, Cordova, Valparaiso, native Smyrna, Russian camel's hair, and all such wools of like character as have been heretofore usually imported into the United States from Turkey, Greece, Syria, and elsewhere, excepting improved wools hereinafter provided for.

364. The standard samples of all wools which are now or may be hereafter deposited in the principal customhouses of the United States, under the authority of the Secretary of the Treasury, shall be the standards for the classification of wools under this act, and the Secretary of the Treasury is authorized to renew these standards and to make such additions to them from time to time as may be required, and he shall cause to be deposited like standards in other customhouses of the United States when they may be needed.

365. Whenever wools of class 3 shall have been improved by the admixture of merino or English blood from their present character as represented by the standard samples now or hereafter to be deposited in the principal customhouses of the United States, such improved wools shall be classified for duty either as class 1 or as class 2, as the case may be.

366. The duty on wools of the first and second classes which shall be imported washed shall be twice the amount of the duty to which they would be subjected if imported unwashed; and the duty on wools of the first and second classes which shall be imported scoured shall be three times the duty to which they would be subjected if imported unwashed. The duty on wools of the third class, if imported in condition for use in carding or spinning into yarns, or which shall not contain more than 8 per cent of dirt or other foreign substance, shall be three times the duty to which they would otherwise be subjected.

367. Unwashed wools shall be considered such as shall have been shorn from the sheep without any cleansing—that is, in their natural condition. Washed wools shall be considered such as have been washed with water only on the sheep's back or on the skin. Wools of the first and second classes washed in any other manner than on the sheep's back or on the skin shall be considered as scoured wool.

368. The duty upon wool of the sheep or hair of the camel, Angora goat, alpaca, and other like animals, of class 1 and class 2, which shall be imported in any other than ordinary condition, or which has been sorted or increased in value by the rejection of any part of the original fleece, shall be twice the duty to which it would be otherwise subject. The duty upon wool of the sheep or hair of the camel, Angora goat, alpaca, and other like animals of any class which shall be changed in its character or condition for the purpose of evading the duty, or which shall be reduced in value by the admixture of dirt or any other foreign substance, shall be twice the duty to which it would be otherwise subject. When the duty assessed upon any wool equals three times or more that which would be assessed if said wool was imported unwashed, the duty shall not be doubled on account of the wool being sorted. If any bale or package of wool or hair specified in this act invoiced or entered as of any specified class, or claimed by the importer to be dutiable as of any specified class, shall contain any wool or hair subject to a higher rate of duty than the class so specified, the whole bale or package shall be subject to the highest rate of duty chargeable on wool of the class subject to such higher rate of duty, and if any bale or package be claimed by the importer to be shoddy, mungo, flocks, wool, hair, or other material of any class specified in this act, and such bale contain any admixture of any one or more of said materials, or of any other material, the whole bale or package shall be subject to duty at the highest rate imposed upon any article in said bale or package.

369. The duty upon all wools and hair of the first and second classes shall be 9 cents per pound.

370. On wools of the third class and on camel's hair of the third class the value whereof shall be 12 cents or less per pound, the duty shall be 3 cents per pound. On wools of the third class and on camel's hair of the third class the value whereof shall exceed 12 cents per pound, the duty shall be 6 cents per pound.

371. The duty on wools on the skin shall be 1 cent less per pound than is imposed in this schedule on other wools of the same class and condition, the quantity and value to be ascertained under such rules as the Secretary of the Treasury may prescribe.

372. Top waste, slubbing waste, roving waste, ring waste, 30 cents per pound.

373. Shoddy and garnetted waste, 25 cents per pound; noils, wool extract, yarn waste, thread waste, and all other wastes composed wholly or in part of wool, and not specially provided for in this section, 20 cents per pound.

374. Woolen rags, mungo, and flocks, 10 cents per pound.

375. On combed wool or tops, made wholly or in part of wool or camel's hair, valued at not more than 20 cents per pound, the duty per pound shall be two and one-fourth times the duty imposed by this schedule on 1 pound of unwashed wool of the first class; valued at more than 20 cents per pound, the duty per pound shall be three and one-third times the duty imposed by this schedule on 1 pound of unwashed wool of the first class; and in addition thereto, upon all the foregoing, 30 per cent ad valorem.

376. Wool and hair which have been advanced in any manner or by any process of manufacture beyond the washed or scoured condition, not specially provided for in this section, shall be subject to the same duties as are imposed upon manufactures of wool not specially provided for in this section.

377. On yarns made wholly or in part of wool, valued at not more than 30 cents per pound, the duty per pound shall be two and one-half times the duty imposed by this section on 1 pound of unwashed wool of the first class, and in addition thereto 35 per cent ad valorem; valued at more than 30 cents per pound, the duty per pound shall be three and one-half times the duty imposed by this section on 1 pound of unwashed wool of the first class, and in addition thereto 40 per cent ad valorem.

378. On cloths, knit fabrics, and all manufactures of every description made wholly or in part of wool, not specially provided for in this section, valued at not more than 40 cents per pound, the duty per pound shall be three times the duty imposed by this section on a pound of unwashed wool of the first class; valued at above 40 cents per pound and not above 70 cents per pound, the duty per pound shall be four times the duty imposed by this section on 1 pound of unwashed wool of the first class, and in addition thereto, upon all the foregoing, 50 per cent ad valorem; valued at over 70 cents per pound, the duty per pound shall be four times the duty imposed by this section on 1 pound of unwashed wool of the first class and 55 per cent ad valorem.

379. On blankets and flannels for underwear composed wholly or in part of wool, valued at not more than 40 cents per pound, the duty per pound shall be the same as the duty imposed by this section on 2 pounds of unwashed wool of the first class, and in addition thereto 30 per cent ad valorem; valued at more than 40 cents and not more than 50 cents per pound, the duty per pound shall be three times the duty imposed by this section on 1 pound of unwashed wool of the first class, and in addition thereto 35 per cent ad valorem. On blankets composed wholly or in part of wool, valued at more than 50 cents per pound, the duty per pound shall be three times the duty imposed by this section on 1 pound of unwashed wool of the first class, and in addition thereto 40 per cent ad valorem. Flannels composed wholly or in part of wool, valued at above 50 cents per pound, shall be classified and pay the same duty as women's and children's dress goods, coat linings, Italian cloths, and goods of similar character and description provided by this section.

380. On women's and children's dress goods, coat linings, Italian cloths, and goods of similar description and character of which the warp consists wholly of cotton or other vegetable material, with the remainder of the fabric composed wholly or in part of wool, valued at not exceeding 15 cents per square yard, the duty shall be 5 cents per square yard; valued at more than 15 cents per square yard, the duty shall be 6 cents per square yard; and in addition thereto on all the foregoing valued at not above 70 cents per pound, 50 per cent ad valorem; valued above 70 cents per pound, 55 per cent ad valorem: *Provided*, That on all the foregoing, weighing over 4 ounces per square yard, the rates of duty shall be 5 per cent less than those imposed by this schedule on cloths.

381. On women's and children's dress goods, coat linings, Italian cloths, bunting, and goods of similar description or character composed wholly or in part of wool, and not specially provided for in this section, the duty shall be 9 cents per square yard; and in addition thereto on all the foregoing valued at not above 70 cents per pound, 50 per cent ad valorem; valued above 70 cents per pound, 55 per cent ad valorem: *Provided*, That on all the foregoing, weighing over 4 ounces per square yard, the duty shall be the same as imposed by this schedule on cloths.

382. On clothing, ready-made, and articles of wearing apparel of every description, including shawls whether knitted or woven, and knitted articles of every description made up or manufactured wholly or in part, felts not woven, and not specially provided for in this section, composed wholly or in part of wool, the duty per pound shall be four times the duty imposed by this section on 1 pound of unwashed wool of the first class, and in addition thereto 50 per cent ad valorem.

383. Webbings, gorings, suspenders, braces, bandings, beltings, bindings, braids, galloons, edgings, insertings, flouncings, fringes, gimps, cords, cords and tassels, ribbons, ornaments, laces, trimmings, and articles made wholly or in part of lace, embroideries and all articles embroidered by hand or machinery, head nets, nettings, buttons or barrel buttons or buttons of other forms for tassels or ornaments, and manufactures of wool ornamented with beads or spangles of whatever material composed, any of the foregoing made of wool or of which wool is a component material, whether containing india rubber or not, 36 cents per pound and 60 per cent ad valorem.

384. Aubusson, Axminster, moquette, and chenille carpets, figured or plain, and all carpets or carpeting of like character or description, 30 cents per square yard, and in addition thereto 40 per cent ad valorem.

385. Saxony, Wilton, and Tournay velvet carpets, figured or plain, and all carpets or carpeting of like character or description, 30 cents per square yard, and in addition thereto 40 per cent ad valorem.

386. Brussels carpets, figured or plain, and all carpets or carpeting of like character or description, 24 cents per square yard, and in addition thereto 40 per cent ad valorem.

387. Velvet and tapestry velvet carpets, figured or plain, printed on the warp or otherwise, and all carpets or carpeting of like character or description, 20 cents per square yard, and in addition thereto 40 per cent ad valorem.

388. Tapestry Brussels carpets, figured or plain, and all carpets or carpeting of like character or description, printed on the warp or otherwise, 14 cents per square yard, and in addition thereto 40 per cent ad valorem.

389. Treble ingrain, three-ply, and all chain Venetian carpets, 11 cents per square yard, and in addition thereto 40 per cent ad valorem.

390. Wool Dutch and two-ply ingrain carpets, 9 cents per square yard, and in addition thereto 40 per cent ad valorem.

391. Carpets of every description, woven whole for rooms, and Oriental, Berlin, Aubusson, Axminster, and similar rugs, 8 cents per square foot and 40 per cent ad valorem: *Provided*, That in the measurement of all mats, rugs, carpets, and similar articles, of whatever material composed, the selvage, if any, shall be included.

392. Druggets and bockings, printed, colored, or otherwise, 11 cents per square yard, and in addition thereto 40 per cent ad valorem.

393. Carpets and carpeting of wool, flax, or cotton, or composed in part of any of them, not specially provided for in this section, and mats, matting, and rugs of cotton, 40 per cent ad valorem.

394. Mats, rugs for floors, screens, covers, hassocks, bedsides, art squares, and other portions of carpets or carpeting, made wholly or in part of wool, and not specially provided for in this section, shall be subjected to the rate of duty herein imposed on carpets or carpetings of like character or description.

395. Whenever, in any schedule of this act, the word "wool" is used in connection with a manufactured article, of which it is a component material, it shall be held to include wool or hair of the sheep, camel, goat, alpaca, or other animal, whether manufactured by the woolen, worsted, felt, or any other process.

395½. In no case shall any of the articles or fabrics enumerated in this schedule pay a duty more than is equivalent to an ad valorem duty of 80 per cent.

LOANS IN THE DISTRICT OF COLUMBIA.

Mr. CURTIS. I ask unanimous consent that the bill (S. 25) to regulate the business of loaning money on security of any kind by persons, firms, and corporations other than national banks, licensed bankers, trust companies, savings banks, building and loan associations, pawnbrokers, and real-estate brokers in the District of Columbia, now on the calendar under Rule IX, be restored to the calendar under Rule VIII.

The VICE PRESIDENT. Without objection, that order will be made. The Chair hears none.

RECIPROCITY WITH CANADA.

Mr. PENROSE. I move that the Senate proceed to the consideration of the reciprocity bill.

The motion was agreed to, and the Senate resumed the consideration of the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes.

Mr. WORKS. Mr. President, I desire to submit a few remarks on the pending measure, the reciprocity bill, not so much to discuss the merits of the bill as to state my own position with respect to it.

I am not a tariff expert. If I am forced to depend for my information upon what I hear in this Chamber, I am afraid I never will be. I listen to an able and ingenious speech on the other side of the Chamber in favor of a tariff for revenue only or for free trade, and I think my teachings on the tariff may have been all wrong. Then I hear an equally able and ingenious speech on this side of the Chamber in favor of a protective tariff and I am reassured again. I am startled at the vehement, not to say tumultuous, asseveration of the Senator from New Jersey [Mr. MARTINE] that a protective tariff is a fraud and a delusion and that the farmers have been hoodwinked into the belief that it is beneficial to them, and I am led to think that maybe a protective tariff is a horrid thing after all. But the Senator from Minnesota [Mr. NELSON] comes to the rescue, backed by all the other Senators from the Northwest, and indignantly protests that to take off the protective tariff, as between us and Canada only, on farm products will ruin the farmers of America, and I begin to be persuaded again that a protective tariff is the greatest thing on earth. Again I hear the pathetic and earnest appeal of my good friend the Senator from Montana [Mr. DIXON] for the protection of his constituents from the dire effects of taking off this tariff, and I am torn with conflicting emotions. I follow a running debate between the Senator from Kansas [Mr. BRISTOW] and the Senator from Utah [Mr. SMOOT] on the sugar schedule and think that possibly they may know what they are talking and differing about so sharply, and what it all means, and that probably no one else does. But when the Senator from North Dakota [Mr. MCCUMBER] can figure out to a mathematical certainty and to a cent just how much the American farmers will lose by reciprocity with Canada, I begin to hope that sometime I, even I, might be able to accomplish that seemingly impossible feat, and that some day a tariff commission will not be necessary to fix tariff duties just and equitable to all parties.

But through it all and notwithstanding these varied and different opinions, all sincere, I still believe in such a protective tariff as will really protect all industries needing protection, and the protection of wage earners in their right to full and reasonable compensation for their labor.

Mr. President, I am not a politician. I took hope from this that I might make, if not a good Senator, at least a better one on that account. In my innocence I believed that the United States Senate was a place for making laws and not an arena where opposing forces were contending for political advantage.

Even that faith has been somewhat shaken, and I am wondering if I had not better take a course of instruction in practical politics.

Mr. President, in the beginning this was a very simple question. While the action took the form of a bill, to be enacted as a law, it was essentially an agreement between this Nation and Canada. Being a contract or agreement, naturally it could not be changed without the consent of both the parties to it. For this reason the President announced, very properly, that to change it would be to defeat it entirely. That this would be the effect of an amendment is too obvious to need argument to support it. With this knowledge numerous amendments have been offered, changing, taking from, or adding to the bill. By whom are these amendments offered? Why, by the enemies of the measure. What for? Obviously to defeat it. I say obviously, because most if not all of them were proposed amendments, not to this bill, and not as to our relations with Canada only, but of existing general laws affecting our commercial relations with the whole world. They were not appropriate here. They should, it seems to me, be offered as separate bills to amend such existing laws. They were not offered with any hope or expectation that they would be adopted. I say this because, in every instance, I believe, the Senator offering the amendment said in so many words that he knew his amendment would not be adopted. If any such Senator did not say so he knew it to be a fact. Then, why were these amendments offered if not to have them enacted as a part of the law There are but two reasons that I am able to conceive of. One is to discredit and finally defeat the bill; the other to make a record in favor of some party or individual Senators who might vote for them, or against some party or individual Senators who might vote against them.

Mr. President, it is this situation, forced into this controversy by amendments of this kind, that has made it seem necessary for me to make known my attitude toward this measure by something more than a mere vote upon it. I have voted against these amendments because I am in favor of the bill, and the amendments, if adopted, can do nothing more than jeopardize its finally becoming an agreement between this country and Canada. I have opposed the amendments, also, because this is not the place for such amendments. Most of them are in no sense proper or appropriate as an amendment to the pending bill. If some of them were offered as separate bills to amend existing laws, dealing with the tariff, generally, or as substitutes for existing laws, I have no doubt I would support some if not all of them. But it is not only inappropriate, but I think distinctly unfair, to urge them as amendments to the pending bill.

There is another reason against these amendments at this time that should appeal to Senators on this side of the Chamber. The platform of the Republican Party declares in favor of a tariff equal to the difference between the cost of production here and abroad and a reasonable profit to the producer. State platforms generally, including my own, have declared in favor of a permanent nonpartisan tariff commission to determine, as near as may be, what this difference is as a basis for fixing tariff rates. It is true a permanent tariff commission has not yet been provided for, but we have such a temporary commission. It is at work now, I am informed, on some of the schedules, and we are promised a report on at least one of the important schedules by the meeting of the regular session of Congress, in December next. Nothing can be gained by the Republican Party or by any individual Republican by breaking these pledges. It seems to me, Mr. President, that to press these amendments to the general tariff laws at this time is inconsistent with the pledges of the party if they are offered with the view of having them adopted and passed.

Mr. President, I said in the beginning that it was not my purpose so much to discuss the merits of the reciprocity agreement as to state my own position. The main question has been fully discussed by Senators much more familiar with the immediate question and with tariff laws and their effects generally than I am. I expect to vote for the bill because I believe it will bring us just this much nearer to a free and untrammeled trade with this near neighbor of ours, which, I believe, will be beneficial to the people of this country as a whole. The relations of the two countries are so close and intimate in all other respects, separated, as they are, by an imaginary line only, that it seems natural and for the best interests of all concerned that mutual and reciprocal trade relations should be established between them. This bill is a step in that direction. I am only sorry that it does not go further than it does. I should regret exceedingly to see this bill passed if it is going to work any permanent injury to the farmers of this country or of any of the States. I do not believe that it will have any such effect. It may possibly cause some temporary disturbance of trade in States bordering on the Canadian line, but I do not believe it will do more than that. I think the supposed injury to the American farmer has, in the zeal of opposition, been greatly exaggerated.

Mr. President, it has been attempted to cast discredit upon the bill by the assertion that the Democrats of Congress are supporting it for purely partisan or political reasons and not from conviction that it is a just or righteous measure. If this be so it does not concern me. If the bill is a just one and should pass I am only glad that the political exigencies of the occasion have drawn members of the Democratic Party to support it. They are welcome to all the political advantage that they assume will accrue to their party by their support of a measure that originated with a Republican President.

On the other hand, it is asserted that Senators on this side of the Chamber are supporting the bill not from conviction but because the President desires to have it become a law and is using his influence and the power of his office to secure its passage. I am just as little concerned with the motives of Senators on this side for giving the measure their support. The question that controls me is whether the measure is right or not and that alone. In that I may be mistaken. In the face of the conflicting and varied views of Senators as to this question I can only exercise my best judgment.

If the President of the United States were in fact using the power of his great office beyond the mode and means provided by the Constitution to influence the Senate or any Member of it to support this bill it would be a matter of the gravest concern.

The President has the right and it is his duty to recommend to Congress by message the enacting of such legislation as he deems

to be for the public good, and to veto such enactments as he believes to be wrong or detrimental. There, in my judgment, his right and his duty ceases. This is so clear to me that I can not conceive of the President doing more than this to secure the passage of any bill. The independence of the legislative department of the Government is absolutely necessary if our form of government is to be preserved. Any violation of this independence or encroachment upon its rights, privileges, and obligations as an independent branch of the Government should be promptly resented by Congress and its prerogatives strictly and jealously guarded and protected. This is so clear that I can not conceive of the President encroaching upon these prerogatives of an independent branch of the Government. When the time comes, if it ever does, when a bill can be passed in this body through the influence of the executive department and without the independent assenting judgment of a majority of its Members, the time will have come when the Senate of the United States should be abolished.

I have no desire or disposition to condemn or criticize the President. To do so would not injure him, but would inevitably react upon me. I attribute to him the same honesty and sincerity of purpose that I claim for myself, whether we agree or not. Nothing can be gained by personal attacks on individuals. Personal abuse or criticism is not argument. Any reform movement founded on malice or hatred can not long stand. The attempt to sustain any movement or measure by attacking individuals or imputing wrong motives to others is bound to bring weakness and not strength. Injustice toward one's opponents can not advance any cause or measure, however just and right it may be. The thing to do is to prove that it is just and right. Nothing else is necessary and nothing else will succeed. If we are going to preserve this Nation as a free and independent Government and establish and maintain the principles upon which it was founded, we must get above the influence of petty personal or partisan spite or malice and consider this and all other questions on the broad ground of right and justice.

The President of the United States, as an American citizen, has the right to express his views, unofficially, on any matter of public interest, the same as any other citizen. If he should go beyond that and attempt to use the power of his great office to influence legislation, his act would be a dangerous and unwarranted encroachment upon the Constitution in its letter and spirit. No such charge should be made against him except upon the clearest and most convincing proof. The present incumbent of the office of President is too good a lawyer not to recognize these constitutional limitations upon his power, and I assume he is too good a citizen to overstep them. When he expresses his views on any question, as a citizen, they should have just the same weight as the expressed views of any other equally well informed and equally reliable citizen—no more, no less. For myself, I am trying to consider this bill on its merits as it appeals to my judgment. Whether the President wants it or does not want it enacted has nothing whatever to do with my actions. Whether its passage shall help or hurt any political party or branch of any party or the political aspirations of any individual is of just as little consequence to me and carries just as little weight. I have voted against the amendments offered for the same reason and upon the same principle.

I shall vote for this bill because I believe it is right and just and for the public good.

Mr. BROWN. Mr. President, I am admonished by Senators this morning that they desire to be heard upon this measure before the vote, which by agreement will be taken Saturday, and they are fearful lest they be crowded out of that opportunity. I desire to be governed somewhat by their wishes in the matter, and I shall therefore confine myself very closely to the notes I have prepared upon this bill.

Mr. President, there may be some doubt as to whether a man is justified at this stage in the debate in taking any of the time of the Senate in discussing the bill, but I feel that there has been so much conversation in the Senate already against the bill that I owe to myself, and to those people whom I am trying to represent, to undertake to keep some of my Republican brethren from making a mistake. I want to tell them the truth about the provisions of this bill, so that if they do go wrong they can not have the excuse afterwards of saying they did not know any better. And, Mr. President, in my short discussion I expect to discuss the bill. I will not have time to go out and abuse and denounce people; I will not have time to quarrel with my erring colleagues here; but I intend, if I can, in a simple and direct fashion, to get down to the meat in the pending proposition and to find out what it will do for the American people.

To reach that result it is necessary to reflect for a moment that the American people have been in the habit for a century and more of making a fight to improve their Government, of making a fight to make successful a republican form of government. They have never been satisfied with the progress they have attained. It is an American trait to struggle always to make things better.

This bill is simply one of the steps in the struggle of the American people to obtain a better governmental policy, a fairer arrangement under which the industries of this country may operate, an effort to give fuller and fairer justice to all the people of this country.

That struggle has been maintained for a century and more, and a good share of it has been taken up with this phase of it—that is, the tariff phase.

I do not intend to go into the discussion of the tariff proposition—the relative merits of protection and free trade—because I do not think it is necessary at this time, but I desire to call to the attention of the Senate a few facts, in order that we may understand this bill, why it is here, and what relation it bears to recent political history and recent congressional legislation on this subject.

Mr. President, the American people profit from experience. They have been engaged in the struggle of making successful a republican form of government for more than a century. While they may have made mistakes and short periods may have elapsed when there was little to show for improvement and progress, the fact remains that their fight through all the decades has resulted on the whole in wonderful and permanent progress. Every State in the Union has better laws than it had during the first 10 years of its statehood. The Nation to-day has better laws on its statute books than it ever had before. Notwithstanding all this progress and this advance, the American people have never for a moment been, nor are they to-day, satisfied and contented with either past or present achievements. In other words, American people are determined to continue the struggle for better things and higher standards. It would be a dark day for America if her people ever became so satisfied with their conditions that they refused to make any further effort to improve or better them. To my mind the fact that they have achieved so much is due largely to this trait of the American character to move upward as well as onward.

The measure before us is a tariff bill pure and simple. It is more than that; it is a progressive tariff bill—it leads the way to lower duties. It is not general as to all countries, because it applies to but one; it is not general as to all articles of commerce, because it applies to comparatively few articles of commerce. In giving it our consideration, it seems to me we have a right to profit from the testimony and from the facts presented during the consideration of the tariff act of 1909. Without regard to the merits of the law passed in that year by Congress convened in extraordinary session, it must be conceded that the enactment of the Payne-Aldrich tariff law taught the American people one great and enduring lesson. That act is a general tariff law. It applies to all countries and touches all articles of commerce. I remember as if it were yesterday the heat and the intensity and the learning exhibited in the consideration of that measure in this body. You will recall with me in a general way the difficulties we had. Here was the President at the White House, who in public speech and in print and in message to Congress had taken the position that revision of tariff duties was needed, because, generally speaking, they were too high, and that the American people were entitled to a reduction of those duties. During that session the President of the United States contented himself with a formal recommendation to Congress on the subject. He was indeed so jealous in behalf of the prerogatives of the legislative branch of the Government that during the pendency of the bill before it passed the Senate he studiously avoided interfering with the work of Congress on the subject before it.

Indeed, those who criticize him now for asserting his own judgment with respect to the pending bill must concede that he was not a usurper of legislative functions during that session, a charge which they lay at his door now. At that time he assumed, apparently, as he had a right to do, that Congress would do its full duty toward the American people and would pass a law in conformity with the demands of the public welfare and in harmony with the promises of the party which had elected him. At any rate, he left Congress unmolested and alone while that bill was under consideration. Here in the Senate, after the bill came to us, as you remember, it was discussed at great length and with great detail and with great liberty by Senators representing conflicting views as to what the particular rates of duty should be. You will remember the amendments that were offered to reduce the cotton and woolen schedules by the late distinguished and much beloved Senator from Iowa, Mr. Dolliver—amendments all designed, so I thought at that time and believe now, to reduce the duties to a reasonable basis. I

was glad to vote for them all You will remember the series of amendments offered by the present distinguished Senator from Iowa [Mr. CUMMINS] on the iron and steel schedules—amendments all designed to remove the excesses contained in the old law and to put that industry on a sane and reasonable and just tariff basis. I was glad to vote for those amendments. You will remember the amendments offered by the distinguished Senator from Wisconsin [Mr. LA FOLLETTE] touching the woolen schedule, as well as many other amendments on other schedules. All of which appeared to me to be right and to do no injury to any industry, and to all of which I was very glad to lend the support of my vote.

It is unnecessary to particularize at length; it is sufficient to recall that these and other Senators offered amendments, all designed to reduce duties, on the theory that the duties proposed by the committee and the duties contained in the old law were excessive, and therefore unnecessary; extortionate, and therefore unjust; and in supporting all these amendments no Senator in this body enjoyed greater satisfaction than I. I believed then, as I do to-day, that whenever a duty is unnecessary it should be removed, and whenever a duty is excessive it should be reduced. I shall never give my consent to the doctrine which demands a duty that is either unnecessary or excessive.

And yet in that struggle here in the Senate you will recall that scarcely a single one of those proposed amendments received the votes to which it was entitled; not because votes were not in this body sufficient to carry some, or all of them, if they had been standing on their own merits, but because some Senators did not feel at liberty to vote for those reductions on those schedules for fear it would result in lowering the duties on a schedule in which their particular State or locality or people was interested. In other words, it was impossible to command the support of a lumber State for a reduction on the woolen or cotton schedule, because the lumber State was interested in the lumber industry, and she could not afford—at least her delegation seemed to act on that assumption—to strike the woolen schedule for fear of the effect it might have on the lumber schedule. And so, in States where iron ore is paramount, some men hesitated about voting for reductions of duties on some other article for fear it might result in the reduction of the duty on iron ore.

The final result was that when the bill finally passed the Senate it did not represent in all particulars the conviction of a single Senator who voted for it; not one. The bill when finished was the result not of the steam-roller process, but of the logroller process, the worst and most constant menace in every legislative body, whether State or national. If the American people can not have laws enacted which will be able to stand or fall on their own merits, but are compelled to take such laws as shall result from a logrolling combination of different factions or different interests, the time is not far distant when a heavy penalty must be paid by those who are now responsible to the people of the United States.

Now, this was the lesson—to my mind of greater value than all else learned by the American people and ought not to be forgotten by the American Senate—the lesson that tariff duties should be fixed in accordance with what is right and just as to each duty and not as decreed by logrolling combinations of conflicting interests. It was out of this lesson that grew the suggestion that the scientific and sensible way to fix tariff duties which should be just was to fix them a schedule at a time and let each duty stand on its own merits unaffected by any other duty clamoring for favorable consideration.

But, as I said before, the bill finally passed the Senate. I am glad it passed the Senate and was sent to the House, so far as I am individually concerned, with my vote recorded against it, because I did not believe then and do not believe now that it was as good a bill as it was the duty of the Senate to pass. But the Senate thought differently and passed it, and it went to the House and to conference. You will recall the President of the United States undertook to use his influence with the conference committee to win the fight for lower duties which we had fought and lost in the United States Senate. He did not succeed, unfortunately, to the fullest extent, but he did succeed to some extent.

It will be remembered that the debate and the struggle of that session of the Senate hovered around the lumber schedule, the iron schedule, the oil schedule, the woolen schedule, and the cotton schedule—chiefly around those great industries. The President was not able in the conference to reduce the cotton and woolen schedules, but he was able to reduce the lumber schedule from $1.50 to $1.25 a thousand; he was able to reduce the boot and shoe schedule materially; he was able to reduce the duty on leather and harness. He was able to revise downward my good friend from Kansas [Mr. BRISTOW], my good friend from Iowa [Mr. CUMMINS], and myself on the hide schedule, for, as I remember it, we all voted for the duty on hides when it was before the Senate. We were a unit on putting lumber on the free list—none of our States produce lumber—but we were a unit in keeping the duty on hides; that was the chief manufacturing industry we had. He reduced the duty on boots and shoes, leather and harness, and iron ore; he effected many other reductions, and the bill came back from conference. I voted for the conference report because I believed where we had wholly failed he had partially succeeded. The American people were entitled to have these reductions which were made from the old law, and I shall never raise my voice in this Chamber to vote against a bill which affords the least possible help to my people, whether the bill is entirely satisfactory or not. I will do all I can with my colleagues here to get the bill right, but after the bill is made, if it is an improvement on the old law, although it is not right in all its parts, I expect to vote for it rather than to keep the old law.

But, Mr. President, I did not rise to discuss the Payne-Aldrich tariff bill. The only point I want to make in referring to it is the fact that out of that law grew the determination of many people and of many Senators to embrace the first opportunity which should present itself to fix tariff duties by schedule or by subject rather than by the old logrolling plan which has been in vogue ever since the country has been doing business. With this notion firmly fixed in my own mind and heart I welcomed the resolution introduced by the distinguished Senator from Iowa [Mr. CUMMINS] last winter looking to an amendment of the rules which should provide that method for revising the tariff, and I listened enthusiastically and patiently to his earnest and elaborate argument in support of it. I did not need to be convinced, because I was already convinced; but if I had been in doubt there was no escape from the logic of his argument that the American people are entitled to have these duties fixed separately and independently and on the basis of fact, on the basis of the cost of production, on the basis of the public welfare, and not on the basis of logrolling through a measure which would help an aggregation of friendly but different interests. I regret that the Committee on Rules did not report his amendment, but it was not reported, and we are here to-day without it to control and help us.

But, in the meantime, after the Payne-Aldrich tariff law went into effect there was a provision in the statute, you will remember, that made it the duty of the President to determine whether the maximum or minimum rate fixed in the law should go into effect in the different countries. By that law he was not only authorized, but commanded, to investigate the conditions of trade and the conditions of commerce between the countries, so that he might determine under the provisions of the law whether this or that country was entitled to the high or low rate.

He proceeded under this provision of law to adjust these different rates, and I am glad to know to-day that in the adjustment on his investigation and on his motion the mimimum rate fixed in the law was applied to every country doing business with the United States. The American people were saved the burden of the maximum rate as to any country on the globe. In his investigation it appears from communications sent to Congress and communications from experts authorized to assist him that as to Canada there is practically and substantially no difference in the cost of production. When that fact appeared he had a right to confer with the Canadian authorities and to negotiate a tentative agreement, which he did, under and through which unnecessary duties might be in a measure removed. He reported the tentative agreement to Congress and recommended it to our favorable consideration. He did not report the agreement to one Congress; he reported it to two Congresses. The Congress preceding the present one had this agreement before it, had it for days and weeks, and discussed it at great length. The newspapers, periodicals, and magazines all discussed it. Its provisions were in detail given to the American public and the people knew just what the proposed contract as recommended by the President was. It was given full publicity. The House was Republican when it was first recommended to Congress, and a Republican House, after debate and consideration, passed it by a vote of about 3 to 1. It came to the Senate of the United States on the 15th day of last February, about three weeks before adjournment.

I will not recall the tragedy of its burial in the Senate of the United States at that time, except to remark that, in my judgment, there was no excuse for the Senate of the United States refusing at the last session to vote on the bill. If it was a bad measure we had the power and the opportunity to kill it; if it was a good measure, we had the power and opportunity to pass it. Why did we refuse to do either?

You criticize the President of the United States because he called this extraordinary session to consider the bill. You ought not to criticize him; it is the Senate that deserves the criticism. The President of the United States is not responsible for the extra session. It was a stubborn and a loquacious Senate that was responsible for the extra session. He had a right to negotiate the agreement, and those who contend to the contrary forget the provision in the Constitution which expressly empowers him and makes it his duty to recommend to Congress such measures as he shall judge necessary and expedient. Does anyone here contend that the power to recommend does not include the power to urge? Does anyone here contend that the power to recommend does not include an obligation to stand by the recommendation? I apprehend no Senator here will make any such contention, but it will be contended, as it already has been, that the Chief Executive encroached on the prerogatives and powers of the legislative branch of the Government when he negotiated the agreement with Canada in the first place, and since its negotiation has taken so active an interest in its journey through Congress. Again these critics forget the provision of the Constitution which makes the Executive a very large part of the legislative branch of the Government, and when we extol our own greatness and emphasize the exclusiveness of our legislative powers we forget that under the Constitution we are without power to pass by a majority vote a single statute.

We might pass laws here from sunup till sundown by a majority vote and they are as though they had never been written if the President of the United States disapproves them. Under our form of government the legislative powers are not exclusively in the hands of Congress. For one I want to say here and now that I honor the day when any President of the United States asserts his legislative as well as his executive power. Instead of condemning the Executive for his assertion of legislative prerogative, which the Constitution gives him, he ought to be condemned for his failure to assert it. In this connection permit me to call your attention to the fact that among all the great Presidents of this Republic, from the time of Washington to the present date, those Presidents were greatest who exercised to the fullest their legislative as well as their executive power. The reason for that is the legislative branch of the Government, for some reason or other, has been the one branch of our Government which has been a disappointment to the people who own the Government. The people of the country have depended in every emergency, and most times without disappointment, upon the force and the character and the initiative of the Executive. You can read the records of Congress, that we print at public expense, containing our speeches and a record of other minor incidents, and you will seldom find—there may be some exceptions—a single Congress which on adjournment day deserved or received the applause and the appreciation of the people. It seems to me that now in considering this measure, which affects all the people of the United States, that we could well afford to give more attention to the measure itself, as suggested by the distinguished Senator from California [Mr. WORKS], who preceded me, and less attention to denouncing its author, the President. This is not the proper time nor place to play either personal or party politics.

With the suggestion of the Senator from California upon that subject I agree entirely. We do discredit to our institutions when we stop in considering legislative matters to inject the party fortunes of any organization or of any man into the debate.

I wish to say while I am on this subject that the Senator from California and myself are not alone in taking this view. I hold in my hand an editorial from one of the prominent and very highly respected magazines of the country. It is not a newspaper, and therefore it will not be subject to the wave of the hand that is made by some Senators that the newspapers are supporting the bill purely out of selfish motives, because under the provisions of this act magazines of this class do not get the benefit of the provisions with reference to paper. Here is the editorial. I will not have time to read it all. It was published under date of July 1 of this year.

Mr. WARREN. In what magazine?

Mr. BROWN. In the Outlook. After discussing the vote in the Senate where, it will be remembered, a number of Republicans joined our Democratic friends in instructing the Committee on Finance to report the other tariff measures by July 10, the Outlook comes to the point to which I desire to call your attention:

> But if the coalition—
>
> Referring to the vote I have just mentioned—
>
> means that the insurgents are either playing a political game for their own advantage or are trying to defeat Canadian reciprocity by putting the purely Democratic tariff-revision measures to the front, the country will not be slow to disapprove. The plain duty of the Senate is to put the Canadian reciprocity bill first in order of importance, and either to put it also first in the time order or at least to make sure that it is not held back seriously by other legislation. We do not mean by this that Republican Senators are bound to vote for the bill as a party measure regardless of their own beliefs. But they are bound in political good faith to give a full hearing and prompt action on a measure resulting from the efforts of a Republican administration, a measure to consider which was the prime object in the calling of the present special session. Moreover, the present feeling as to tariff revision is that one thing should be done at a time, and, logically, the reciprocity bill, having advanced to its present stage, should be disposed of one way or the other—and that it should be passed is the earnest conviction of the Outlook—before the several schedules are taken up one by one.

Now, listen to this:

> To attach the wool tariff bill or the so-called farmers' free-list bill to the reciprocity bill as amendments would be a palpable attempt to avoid precisely that responsibility which is directly facing the Senate. Fortunately, it seems not at all unlikely that the sentiment of Democratic Senators will be opposed to that course, even if it is urged upon them by their insurgent Republican colleagues.

Mr. BORAH. Mr. President, is that a signed editorial?

Mr. BROWN. No; it is not.

Mr. BORAH. I regret that it is not. It might have been different if signed by a certain one of their special editors.

Mr. BROWN. I suppose that the management of the magazine would not disown the editorial. It simply emphasizes the point which was made by the Senator who preceded me and the one I was trying to make, that we are here to-day and have been here for months at this session and had an opportunity for weeks at the last session to consider and pass upon this measure, which relates to a few schedules and to one country, and we ought to do it like men. We ought to look the provisions squarely in the face. If those provisions are inimical to the public interest, let us defeat them; and if they are right and would result in the public good, let us pass them.

The bill is here, and it may be proper to observe and to remember—even though some of our friends say the President has no power to negotiate the treaty or agreement—the pending bill which is before us, and which we must pass or defeat, was introduced by a Member of the House of Representatives in the present Congress. It may be well to remember that it took the usual course in that body; it went to the Committee on Ways and Means, was reported back, was discussed by the legislative body, and was passed by an overwhelming majority. It came here in the usual and constitutional course of legislation. It was not met at the threshold by a denial of admission on the ground that the President had suggested the law. It met the same recognition that every other law from the House receives. It was sent to the Committee on Finance; the committee had hearings. It came back from the committee with an amendment written into the body of the bill. No reason was given by the committee why the amendment should be adopted—not one—nor was any reason given why the bill should be either passed or rejected—not one.

Before considering in detail the pending measure, I want to express my grief, my profound grief, because it does not have the support of some of my friends in this body whom I know at heart are in favor of lower duties. I do not complain of them. I do not charge them with insincerity, because I know them to be sincere.

But, Mr. President, I simply can not understand them. It is beyond my comprehension to appreciate how in one session of Congress I could vote for lower duties and in the next session of Congress I could favor a revision of the tariff a schedule at a time, and at a third session of Congress be against this proposition, which, while it is not a revision of a single schedule, it is a revision of a few schedules, not with all the countries of the world, but with one country; a plan that I firmly believe marks the beginning of the end of extortionate tariff duties in this country. In my judgment, Mr. President, the moment this bill becomes a law the fight which was begun in 1909 for lower duties has been won in 1911. No man with candor, no man with his eyes open, face to face with events present and pending, can escape the conviction that with this bill passed other bills will follow which materially will lessen the burdens that the public carry. In this connection, Mr. President, I desire to congratulate Democracy. I have had a somewhat personal acquaintance with that party for more than 20 years, but during that time, from my point of view, I have found it uniformly and consistently and constantly on the wrong side of nearly every public question. It is with the deepest pleasure that I congratulate the Democratic Party in the year 1911 on having the moral courage and patriotism to support and to sustain a Republican President in passing a bill which means much for the people of the United States. I am glad it is able to rise above the consideration of party expediency in an effort to promote the public welfare.

Mr. President, I am convinced that the enactment of the pending bill will result in larger trade with Canada in all the

products produced and manufactured in the United States, thereby stimulating American industry to the great advantage of both the agricultural and manufacturing classes. I understand perfectly well how easy it is to dispute this proposition by simply joining in the chorus that it takes the duty off of all the products the farmer sells and leaves the duty on the things he buys. I understand perfectly well how easy it would be for me to oppose the removal of any duty on the things that the farmers of my State produce. Indeed, the temptation to do the easy thing instead of the right thing is sometimes very great. I contend that if some men would think more of the farmer's welfare and less of the farmer's vote their criticism of the bill would be less acrimonious.

This bill, as you know, removes the duty on farm products. If I believed the duties on farm products were in any measure, however slight, protective in their character, I should oppose their removal. But it seems to me that the duty on corn, for example, is not a protective duty. It does not affect in any way the prosperity of the corn industry in this country. It has not affected it, because we are on an export basis when we come to market our corn products. So long as the corn raiser is compelled to meet in competition the corn of the world no duty on corn can be any protection to him against the corn raiser of the world. The American and foreign producers of corn are in competition now and always will be so long as this country raises more corn than it consumes. To my mind the question is not debatable with reference to corn, and I think the same rule applies and the same law governs, generally speaking, all the other agricultural products.

The duty on wheat, like the duty on corn, is not protective in character at all, and no one to my knowledge in the debates on the tariff question has ever argued until recently that the duty on wheat was directly to the advantage of the wheat grower.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER (Mr. REED in the chair). Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. BROWN. Yes.

Mr. BORAH. Does the Senator say the duty on wheat is not indirectly beneficial to the wheat raiser?

Mr. BROWN. I said it was not directly beneficial.

Mr. BORAH. I know it has been contended that it was not directly beneficial, but does the Senator contend that it is not indirectly beneficial to the wheat raiser?

Mr. BROWN. The duty on wheat?

Mr. BORAH. Yes.

Mr. BROWN. Not at all. The duty on wheat is not protective in character in the slightest degree, and I will undertake to demonstrate that if the Senator will be patient.

Mr. BORAH. I am possessed of patience; but does the Senator contend that it has never had any beneficial effect to the farmer?

Mr. BROWN. I contend that the duty on wheat has never been protective at any season when we have had a surplus of wheat in this country, and for decades we have always had a surplus.

Mr. BORAH. Well, then——

Mr. BROWN. During the political life of my friend and myself there has never been the slightest advantage to the wheat grower of America on account of the duty on wheat.

Mr. BORAH. And that has been true as to all other farm products, I presume?

Mr. BROWN. I beg the Senator's pardon.

Mr. BORAH. Am I to understand, then, that the Senator contends that that is true with reference to all farm products?

Mr. BROWN. All farm products, generally speaking.

Mr. BORAH. Of course, if the Senator does not want to be interrupted, I will allow him to go on.

Mr. DIXON. Will the Senator permit me to ask him a question?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Montana?

Mr. BROWN. With pleasure, I yield to the Senator from Montana.

Mr. DIXON. When the Senator says that the tariff on wheat has had no appreciable difference in the American wheat market, I desire to ask did the Senator hear the speeches of the senior Senator from North Dakota [Mr. MCCUMBER] and of his colleague, the junior Senator from North Dakota [Mr. GRONNA], and the speech of the Senator from Minnesota [Mr. NELSON] on that phase of this question?

Mr. BROWN. Yes; I heard those speeches.

Mr. DIXON. Did the Senator ever read the actual market reports showing a difference of 10 cents a bushel——

Mr. BROWN. I have read the market reports, and I have some of the market reports here.

Mr. DIXON. Showing a difference of 10 cents a bushel between the Minneapolis and the Winnipeg markets?

Mr. BROWN. I have the market reports showing a difference in favor of Winnipeg, as well as against Winnipeg at the time——

Mr. DIXON. Not in recent years.

Mr. BROWN. Yes; for this year; and that is quite recent.

Mr. DIXON. Since the reciprocity bill has been pending, I admit the Winnipeg market has gone up about 5 cents a bushel as compared with the Minneapolis market, but that was not the case before that time.

Mr. BROWN. I will demonstrate this proposition by the best authority, if Senators will give me an opportunity to do so.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. BROWN. With pleasure.

Mr. BORAH. What does the Senator think has been the object of the organization of which he is a leading member in putting these duties upon farm products ever since we have been a party?

Mr. BROWN. That can be answered in several ways. The fact is that when the original tariff law was enacted there was a duty put on everything. We let no industry escape. It was put there and left there. The present duty on wheat is a relic of the Dark Ages.

Mr. BORAH. Does the Senator think that Alexander Hamilton's report was the beginning of the Dark Ages?

Mr. BROWN. I think Alexander Hamilton's tariff notions were the beginning of the tariff system.

Mr. BORAH. And Hamilton recommended a duty upon farm products.

Mr. BROWN. I think he did; yes.

Mr. BORAH. And the Republican Party has advocated the policy from the time of its organization until now.

Mr. BROWN. The Republican Party has advocated a protective-tariff system which should provide a duty which would protect every industry that needed protection.

Mr. BORAH. Mr. President, the Republican Party has advocated——

Mr. BROWN. Mr. President, I shall object to the Senator, during my time, putting in another day of the speech he has already made.

Mr. BORAH. Let me ask one more question.

Mr. BROWN. I will be glad to answer any question.

Mr. BORAH. Let me ask one more question and I will not again interrupt the Senator. Is the Senator, during the course of his speech, going to discuss the attitude of the Republican Party toward duties upon farm products in the past?

Mr. BROWN. I am going to discuss the attitude of the Republican Party toward the entire system.

Mr. BORAH. And toward farm products in particular?

Mr. BROWN. Including farm products.

Mr. BORAH. And why the Republican Party has advocated these duties during the past?

Mr. BROWN. Exactly.

Mr. BORAH. Very well.

Mr. BROWN. Mr. President, the duty on wheat, as I remarked before, like the duty on corn, is not protective in character at all. The wheat of our country is to-day in competition with the wheat of the world, including not Canada alone, but Russia and every other wheat-producing country. It matters not where the point of competition is so long as the wheat growers of our country are compelled to be in competition with wheat growers of other countries. Our surplus, whether it be great or small, is forced to seek a foreign market, and so long as any surplus remains the foreign and the home market must always be approximately on the level. The logic of this is unanswerable. If the price at home for a bushel of wheat is higher than it is abroad, every sane man knows that no bushel of wheat will go abroad. Its owner will take the home price and save the transportation charges of sending it out of the country, and there would be no surplus. This is the natural law of business, which the farmers of the country recognize and which every candid and sane man must concede to exist. There never has been and never will be a bushel of wheat exported if the American home price is higher than the foreign price. When you accept this law and admit the fact, which must be admitted, that there has not been a year for decades when we did not export wheat, we must conclude that our wheat growers are on an export basis, and therefore the duty

on wheat does not directly affect its price and is in no degree protective in character.

But, Mr. President, I am not compelled to rely on the logic of these facts alone to sustain the conclusion that the price of wheat is not affected by the duty on wheat. I purpose to sustain the conclusion by distinguished and illustrious precedent and authority. I shall quote no authority but that of the highest character; and I challenge my Republican colleagues on the floor who differ with me about the merits of this bill to point to a single public utterance ever made by a Republican President, or a declaration of the Republican Party ever made in national convention, or any statement ever made during the last 40 years up to 2 years ago by a Republican statesman wherein it is claimed or hinted that a duty on any agricultural product of which America has an annual surplus was ever protective in the slightest degree. The farmer of this country has never entertained the notion, and does not now entertain the notion, that a duty on the commodities which he produces and which are produced in excess of the demands of our people, and are thereby forced to a foreign market to compete with the products of the world, is protective or has anything to do with fixing the price of his commodity at the elevator where he sells and delivers his grain.

Let me read you the testimony and the judgment of experts on the question as to whether or not the duty on wheat and agricultural products generally affects the price of those products.

The first witness I want to put upon the stand is the Secretary of Agriculture, Mr. Wilson.

Mr. BORAH. Mr. President——

Mr. BROWN. Will the Senator permit me to proceed now, and afterwards I will be glad to yield to him? Secretary Wilson in his communication, which is now Senate document 820, in speaking of this question said:

The United States produce surplus wheat above domestic requirements. This surplus production is sold in foreign countries. The price of our exported surplus is governed by the world's requirements, being regulated by the law of supply and demand, and the price of wheat in the United States while we are exporting is governed by the price at which the surplus is sold, as a general proposition. Occasionally wheat corners may interfere with the law of supply and demand and temporarily affect the price.

Mr. President, Secretary Wilson ought to be competent authority on this question. Of course, he does not enjoy the distinction of being a Member of the Senate, and therefore perhaps is not entitled to quite so much consideration; but, Mr. President, I propose now to call a few witnesses from the body of the Senate on this question.

Mr. BORAH. Mr. President——

Mr. BROWN. Will the Senator permit me to finish this point before I leave it?

Mr. BORAH. I wanted to read a statement that Mr. Wilson made during the campaign, so that it might be placed side by side with that statement. They would look well together.

Mr. OLIVER. I make the point of order against that, Mr. President.

Mr. BROWN. I would be glad to have the Senator from Idaho make the statement in his own time.

The PRESIDING OFFICER. The Senator from Nebraska declines to yield.

Mr. BROWN. I read first from the CONGRESSIONAL RECORD of the Sixty-first Congress, first session, page 3636. This is a record of the proceedings of the Senate on the 22d day of June, 1909. In the course of the debate on that day on the tariff bill, among other things, the distinguished Senator from North Dakota [Mr. MCCUMBER] said:

The wheat acreage to-day is producing a surplus of wheat which must be thrown into the world's market, thereby keeping down the price of the home product, tariff or no tariff.

The testimony of the Senator from North Dakota, it seems to me, sustains Secretary Wilson and sustains the point I am making, that so long as we have a surplus the tariff can not affect the price. But that is only one senatorial witness. I have another here. In the same RECORD I find a discussion between the senior Senator from Idaho and the present senior Senator from Iowa. The Senator from Idaho addressed the following question to the Senator from Iowa [Mr. CUMMINS]:

Does the Senator believe that the duty on wheat affects the price of wheat?

The answer of the Senator from Iowa was clear and distinct and was given in the three words:

I do not.

Further along in the debate the distinguished Senator from Iowa tendered the following observation:

We are as firmly wedded to the doctrine of protection as is the Senator from Idaho. We believe that the system of protection does have a great deal to do with the price of everything sold in this country, but we do not believe that the duty on bacon and ham has anything to do with the price of hogs, because we—I am speaking now of Iowa—are the largest exporters of the products of hogs of any State of the Union. Therefore I want to know whether the Senator, down in his heart, believes that this duty on bacon and ham has affected or can affect in any way the market value of hogs, because I am sure the farmers of my State have never been deluded by any such notion.

On the 11th day of June, 1909, the distinguished witness, whom I now have on the stand, expressed himself again on the subject. He said:

I do not believe that we in Iowa receive any direct benefit for the 400,000,000 bushels of corn that we raise every year. I do not believe that we receive any direct benefit from the duty on the eight or ten million hogs that we market every year. I do not believe that of the $700,000,000 of agricultural products that we pour every year into the channels of trade protection advances the price of a tithe of them.

I want Senators to remember that I come from a State which probably put more in value into the channels of trade every year than any State in the Union in agricultural products. We will this year supply the people of the United States and the people of the world with a product that will surpass in value $700,000,000, and it is idle for even an enthusiast to assert that the price of these products is directly affected by the protective tariff.

We are benefited, however, and I want, in passing, to acknowledge the benefit, for I am just as firm a believer in the policy of saving our markets as one who may live in New England, New York, or California; we are benefited because protection creates a great prosperous multitude of men and women and children in America who buy our products, who are able to buy them, and who are able to pay for them.

Mr. President, this testimony comes from a distinguished Senator, representing one of the greatest agricultural States out of our splendid sisterhood of States, with an annual product of agricultural products worth nearly $1,000,000,000 poured annually into the channels of trade, much of it shipped out of the State, and some of it to other countries. This champion of his people—and he is a faithful and able representative and defender of his people's interests—two years ago told the American people, as well as this Senate, that the duty on these products was of no substantial value in affecting the price.

But there are other witnesses. I will not be able to read from them all, but they are of such high character and so unimpeachable that I am constrained to read from one or two more.

Mr. President, permit me to offer another authority to sustain my contention that any article produced in this country in excess of the home demand is not affected in price by the duty on the article.

On the 10th day of May, 1909, the senior Senator from Minnesota [Mr. NELSON], in reply, I think, to an interrogatory from the junior Senator from Idaho [Mr. BORAH], said:

I do not recall the millions of bushels produced in the State of Minnesota, but I desire to tell the Senator that the tariff on wheat which is on the statute books has not done us a particle of good. It would be like a tariff on cotton, because up to this time we have been exporting from 150,000,000 to 250,000,000 bushels of wheat a year. The price of our wheat is fixed by the Liverpool price—the export price—and no duty up to this time has helped us.

Mr. President, I am going to call one more witness, and then I am going to leave the testimony.

On the 2d day of August, 1909, the junior Senator from Kansas [Mr. BRISTOW], just before the roll was called on the Payne-Aldrich bill, testified as follows:

And for this Senator I have the fondest personal regard and the profoundest respect. His words are certain, definite, and easily understood.

Schedule G—relating to agricultural products—has been increased about 2 per cent. There should have been reductions in this schedule. They could have been made without the slightest injury to American agriculture. High duties are placed on semitropical fruits, such as lemons and raisins, and on pineapples and rice, and on flour biscuits made by the Cracker Trust, for the benefit of a few individuals in limited sections of the country; and a high duty is placed on corn and wheat to make the great mass of farmers believe that they are being favored. But it is an insult to the intelligence of the American farmer to place a protective duty on corn when we are producing more corn than all the other nations combined. We sell our wheat and corn and the products thereof in the markets of the world, and no duty which might be imposed can affect the price which the farmer receives for them.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Kansas?

Mr. BROWN. I do.

Mr. BRISTOW. The Senator, I believe, is reading from an address I delivered a few years ago?

Mr. BROWN. Yes. Two years ago.

Mr. BRISTOW. I approve of that address now.

Mr. BROWN. I am very glad to hear the Senator say that he approves it.

Mr. BRISTOW. Except that occasionally——

Mr. OLIVER. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The Senator from Pennsylvania will state his point of order.

Mr. OLIVER. The Senator from Nebraska can not yield to any other Senator except for the purpose of having a question asked.

Mr. BROWN. I hope the point of order will not be insisted upon. The Senator from Kansas is on the stand by my invitation, and I should like to hear what exception he makes to this statement.

Mr. OLIVER. I am not making the point of order in behalf of the Senator from Nebraska, but in behalf of the membership of the Senate. I do not believe in interruptions in debate, and I insist upon my point of order that the Senator can only be interrupted by consent of the Senate.

The PRESIDING OFFICER. The point of order appears to be well taken. The Senator from Kansas has yielded the floor. The Senator from Nebraska will proceed.

Mr. BROWN. Mr. President, I was interrupted in the midst of a sentence. I will read the sentence over.

We sell—

Said the Senator from Kansas—

our wheat and corn and the products thereof in the markets of the world, and no duty which might be imposed can affect the price which the farmer receives for them. We raise far more wheat, corn, cattle, and hogs than we consume, and the result is that the farmer can not be protected by a tariff because the price of his produce is fixed by the world market.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. BROWN. I will yield for a question.

Mr. BORAH. With the permission of the Senator from Nebraska, and also of the Senator from Pennsylvania, I will ask if it is a fact that the duty does not affect farm products, what effect will this measure have upon the cost of living? Will the consumer get any benefit?

Mr. BROWN. The distinguished Senator from Idaho has taken occasion to ask that question of every Senator who has said anything in favor of the bill. I am glad to answer it. I do not think it will have any effect at all. I am not voting for the bill on the theory that I think it will reduce the cost of living. While it has been insisted and asserted on the floor here that the President bases his favor of the law on that proposition, his message to the Congress states distinctly the opposite. It does not rest on that ground.

Mr. BORAH. One more question: Then, I understand, the Senator states that so far as this treaty is concerned it will not affect the consumer at all beneficially?

Mr. BROWN. I think it will affect consumers and producers in this country beneficially to a very great extent.

Mr. BORAH. May I ask, if it does not reduce the cost of farm products and the farm products are the only products put upon the free list, how will it reduce the price to the consumer?

Mr. BROWN. I have not said it will reduce the price to the consumer. I have said it will benefit the consuming and the producing public.

Mr. BORAH. I understand that benefit arises out of the hallucination which we will all enjoy by reason of supposing ourselves to be on more friendly relations with Canada.

Mr. BROWN. The Senator from Idaho is an expert on hallucinations, and I will not disturb his reverie for a moment.

I have established by testimony, if you can prove anything here by testimony, that a duty on corn and wheat and farm products, whenever we have a surplus, is not a protective duty. If it is not a protective duty it is in violation of the Republican doctrine of protection, which stands for a protective duty when one is necessary and against it when it is not necessary.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Kansas?

Mr. BROWN. With pleasure.

Mr. BRISTOW. I will ask the Senator if he does not remember that the position I took in addressing the Senate a few days ago on this bill was that my opposition to it was based largely on the fact that it undertakes to take duties off that are not a burden to the American people and had not materially increased the price of the product, and leaves undisturbed the duties that do increase the price to the American consumer and that had been a shelter for monopoly?

Mr. BROWN. I think that was the statement and testimony of the Senator the other day, when he made his speech. I am not reading this statement of the Senator made two years ago with the purpose of finding fault with him. I am simply undertaking to show, if I can, by good authority, by experts on the question, that the duty on these articles does not affect the price—that it is not protective in character. If that is true, it is an unnecessary duty, and it ought to be taken off. There is no difference in the morality of a duty that is unnecessary and the morality of a duty that is extortionate and excessive. Neither has any merit in it; and whenever it is unnecessary it should be removed, and when it is excessive it should be reduced.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield further to the Senator from Kansas?

Mr. BROWN. I yield for a question.

Mr. BRISTOW. I should like to inquire of the Senator if I have ever made any statement he has any knowledge of wherein I claimed that these duties might not be beneficial to the farmer in the event that we did not have a surplus of agricultural products?

Mr. BROWN. I have no quarrel with the Senator on that proposition. I have demonstrated here already by the Secretary of Agriculture that we are on an export basis now. This law, as I understand it, is to apply to present conditions. If I recollect correctly, one of the Senators from one of the Dakotas two years ago, in arguing for the duty on wheat, said that in 10 years from now we would have to have a duty on wheat; but at the present time, being on a surplus basis, an export basis, a duty on wheat was not protective. Now, if that was true two years ago it is true to-day. There has been no changed conditions in reference to the wheat industry, except to raise a little more of it every year. Our surplus may not be as large this year as it was last, but the surplus is there. It does not matter whether the surplus is much or little, so long as there is a surplus; it goes out of the country, and the wheat is not going out of the country if it can get a higher price in the country. That seems to me to be so absolutely indisputable that to state the proposition is to prove it. You never would have a bushel of wheat exported if the American price were higher than the foreign price, because the American farmer would not only get a better price at home if it is higher than the foreign price, but he would save the transportation charge across the water in order to get the low price.

It is ridiculous to dispute it. If my good friends whose testimony I have read, than whom there are no better men serving the American people anywhere, were right two years ago, and the Senator from Kansas says he agrees with the same doctrine now, they ought to support this bill now.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Kansas?

Mr. BROWN. With pleasure.

Mr. BRISTOW. May I inquire of the Senator from Nebraska if he believes that the President was justified in calling Congress together to remove duties that were not necessary and in no way a burden to the American people?

Mr. BROWN. Mr. President, it is quite immaterial whether I think the President was justified in calling Congress in extra session or not. That is his business and not mine. I had as much to do about it and I have as much responsibility about it as the Senator from Kansas. Neither of us has any. But I will say to the Senator from Kansas that I think the President is always justified in calling an extra session to take up a great question like this, and doubly justified when the Senate of the United States turned its back on the proposition and refused to vote for it one way or the other at the last regular session. The necessity for the extra session was created by us. If it had not been for our stubbornness, and perhaps for our cowardice, we would have disposed of this matter at the last session and saved this extra session.

Mr. BRISTOW. May I inquire of the Senator if he does not think that since Congress is called in extra session we should remove the duties that are a burden instead of spending so much time in an effort to remove duties that are not a burden?

Mr. BROWN. I am in favor of spending all the time that is necessary in removing the duties that are burdensome and, as well, the duties that are unnecessary. As I said a moment ago, there can be no difference in the morality of a duty if it is unnecessary and if it is excessive, because there is no excuse for the existence of it at all; and we ought to be men enough to say so and to vote so at every opportunity.

Mr. BRISTOW. Does not the Senator think it is far more important, however, to remove the duties that are actually burdensome to the people than to spend so much time in trying to remove duties that are not a burden and that are of no consequence whatever to either producer or consumer?

Mr. BROWN. I think both are important; and are the strongest reasons why the Senator from Kansas and myself, who believe in lower duties based on the cost of production, ought to welcome this the first great opportunity afforded us to begin the work which will end in fair and reasonable duties where needed.

It occurs to me, Mr. President, that it is not necessary for me to read any additional authority on the subject. These distinguished statesmen were right two years ago when they planted their feet upon the doctrine that the price of agricul-

tural products in this country was not fixed by the duty on the products, and that whatever benefit the agricultural class received from protection was an indirect benefit. In other words, that the duties on manufactured goods which were of direct benefit to the manufacturers and to the laboring men were an indirect benefit to the farmer because the manufacturing classes became purchasers of the products of the farmer. And again I assert that it is a new and a novel doctrine in this country that a duty on any article produced in excess of home demand and which must find a market in Europe has anything to do with the price of the article. The wheat grower of Nebraska is in competition with the wheat grower of Canada and Russia now. The wheat grower of Nebraska is in competition also with the wheat grower of Kansas. There is no less competition with one than with the other. All three—Canada, Kansas, and Nebraska—must meet in the markets of the world and must accept the price fixed at that point. The mere fact that for local reasons—transportation, facilities for handling, demand for manufacturing, warehouse capacity, or other cause—the price of grains differs on the two sides of the Canadian line does not prove that the tariff duty has anything to do with the different prices, because the price of the same commodities in different States at the same time on this side of the line has differed fully as much.

Let it be remembered that in the comparison of prices on wheat, for example, that the prices have often been higher in Winnipeg than on this side of the line. For instance, in 1907 May wheat sold in Winnipeg for 78 cents and in Kansas City for 70 cents. Reciprocity did not scare wheat up in Winnipeg in 1907, although the Senator from Montana [Mr. DIXON] suggests that it scared wheat up in Winnipeg this year.

Mr. DIXON. Will the Senator yield for a question?

Mr. BROWN. For a question.

Mr. DIXON. Why quote the Kansas City market, 1,500 miles away? Why not quote the corresponding market on that day at Minneapolis, which would correspond to Winnipeg? The Senator's quotation is not fair.

Mr. BROWN. They are all fair. I intend to quote them all. The quotations will show that the prices in Minneapolis, the prices in Chicago, in Kansas City, and in St. Louis on the same day for the same commodity have differed very widely, and demonstrated what? That the duty on wheat in America has absolutely nothing to do with fixing its price, because if the duty on wheat was at work in St. Paul, why should it not be at work on the same day in Kansas City? If the duty on wheat affected the price in Chicago one day, why would it not be effective to cut the price of wheat the same day in Omaha or in Kansas City?

I want to finish reading these quotations.

And the same year December wheat sold in Winnipeg for $1.01 and in Kansas City for 90 cents; and this year May wheat sold in Winnipeg for 93 cents and in Kansas City for 87 cents, and July wheat has sold in Winnipeg for 95 cents and in Kansas City for 84½ cents.

The Nebraska farmer needs just as much protection against the North Dakota and Minnesota wheat grower as he does against the Canadian wheat grower, but he needs no protection against either. The cost of production in Minnesota, Dakota, Nebraska, and Canada is substantially the same, and on this question, aside from the report of the Tariff Commission to the same effect, I desire to read the testimony of another senatorial expert to sustain me in my contention that the wage scale in Canada and America is substantially the same.

On the 24th day of May, 1909, during the tariff debate, the junior Senator from Minnesota [Mr. CLAPP], among other things, said:

> There is another thing to be considered. Along this Canadian border, with nothing but an imaginary line across, it is idle in my judgment, and idle in my experience and observation, to talk about any great difference in wages on one side or the other.

You will observe that this testimony is made up from "experience and observation." Living in one of the border States, evidently the Senator from Minnesota had means of information which must have been accurate.

> When a man by a day's walk can go from a mill on that side to a mill on this side, from a field on that side to a field on this side, that imaginary international boundary line will not maintain any very different scale of wages long upon one side or the other. And they are the same class of men. When we talk about a protective tariff and think of the overcrowded countries of Europe, of the cheap wage scale of Europe—when we realize that the wage earner in Europe must and oftentimes has to borrow and incur a great expense to come to this country—there may be wisdom in attempting to maintain an artificial wall between his country and ours, but when we look to sparsely settled Canada, when we look to a class of men enjoying a wage scale practically the equal of our own wage scale, it seems to me that sooner or later the American people have got to recognize the impossibility of forever maintaining an artificial wall where there is no natural reason for the establishment or maintenance of that wall. Sooner or later, Mr. President, we shall have to recognize on a broader plane this natural relation to Canada. I predict here in the Senate to-day that the time will come when, even with the protective policy as firmly implanted as it is to-day in our general policy, yet in our tariff relation to Canada we will recognize that it must be limited largely upon the basis of revenue as required by that country and this.

I think the Senator from Minnesota is right. He is certainly corroborated by the report of the Tariff Board, which made a somewhat extended investigation into the relative wage scale of Canada and this country. If it be true, Mr. President, as it is, that the cost of production of farm products is substantially the same in the two countries, what can be the justification for a duty?

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. BROWN. For a question.

Mr. BORAH. Has the Senator any report showing the cost of production in Canada of farm products?

Mr. BROWN. I have the Tariff Board report, which speaks of wages generally, and I have some statistics on the subject that I want to put in in one moment.

Mr. BORAH. That report covers the question of certain wages?

Mr. BROWN. Farm wages.

Mr. BORAH. Is that the only item of production?

Mr. BROWN. No; I have testimony here with reference to the cost of farm products and the cost of work horses, and the cost is much higher in Canada than in this country on all these articles.

Mr. BORAH. From what report does the Senator quote?

Mr. BROWN. I will quote from the report of the Secretary of State when I reach it. If the Senator desires to have it in my speech now, I can put it in now, but I would rather put it in at the place I intended.

Mr. BORAH. I do not desire to disturb the harmony and the symmetry of the Senator's speech. I am seeking information.

Mr. BROWN. I believe tariff duties ought to be fixed by the measure of production cost. If it costs more to produce in this country, the duty should be high enough to measure the difference; if it costs no more to produce in this country than it does in the foreign country, there should be no duty at all. That is the doctrine I believe in. I contended for it and voted for it in the session of 1909, and I am still for it. Applying that doctrine to Canada, no duty on agricultural products is necessary, and if levied is of no advantage or profit to the farmer in the smallest degree.

Now, when it is admitted that the wage scale in agricultural pursuits is about the same between the two countries, and when it is remembered that the Canadian farmer is compelled to pay more for his horses, more for his feed, and more for his farm implements than the American farmer, and when it is remembered that the Canadian farmer is tilling soil that will produce substantially but one grain—either wheat, or barley, or oats—and that he is unable to diversify his crop, and that he lives in a climate where the frost comes early and stays late, every advantage is in favor of the American farmer. It is undisputed that barley and wheat, the two chief products of Canada, are grains which rob the soil more surely and more quickly than any other crop, and that the lifetime of the soil producing those grains, without artificial recuperation, is less than 10 years. It is no wonder Canadian land is cheap.

But, Mr. President, with these facts in mind I desire to direct the attention of the Senate to the different provisions of the law before us. Its condemnation by Senators has been so general, as a rule, and their words of criticism so denunciatory and indefinite that I think it proper to recite in detail and have in the RECORD in connection with my remarks what the terms of the bill are—the exact and specific terms.

I ask leave to insert without reading a synopsis of the rates in the law, containing the articles affected, the rates of duty now in force by the laws both of Canada and the United States, and the rates proposed in the pending bill, together with the imports and exports to and from each country, and also the customs duties collected by each country.

The PRESIDING OFFICER. Without objection, the request is granted.

Mr. BROWN. I want the American people to know in detail the provisions of the act under consideration. It is noticeable, and I think remarkable indeed, that the strongest criticism—that is to say, those made in the loudest tone of voice—against this bill have been generally diligent in keeping away from the details of the law. Generalities have been the safest as well as

the longest suit of those who to me seem to have an unreasoning and delirious antipathy to the bill. The provisions of this law can not be accurately and fully understood unless we keep in mind the commercial relationship at present existing between the two countries. Canada has a population of about seven and a half million, while our census shows the population of the United States to be about 12 times as large.

The total annual trade of Canada with all the people of the earth approximates $660,000,000. Of this amount last year her total imports were in round numbers $375,000,000, and of these $225,000,000 came from the United States. The rest of the world sold her the balance, or about $150,000,000 worth of merchandise. Canada has been a constant and a growing consumer and purchaser of American goods. She has purchased largely our manufactured products. It is a remarkable fact that in her efforts to build up and maintain her manufacturing industries by erecting a high tariff wall against the United States and all other countries except Great Britain, she has failed to protect her own manufacturers against the competition of the American manufacturers. As stated by the distinguished junior Senator from Minnesota [Mr. CLAPP] the other day in his somewhat heated and convulsive denunciation of the pending bill, the American manufacturer is now in possession of a very large share of the Canadian market. Our manufacturer is able—and he has demonstrated his ability by performance—to manufacture his goods, pay the freight on them to the Canadian border, pay the duty levied at the Canadian customhouse and undersell the Canadian manufacturer in the Canadian market. This demonstrates two things: First, that our manufacturer needs no protection against the Canadian manufacturer; second, it demonstrates conclusively that to remove the duty on manufactured articles now levied against the Canadian manufacturer when he enters the United States would bring no relief to the American consumer, because the Canadian manufacturer is unable to compete with the American manufacturer in his own market, and he is therefore unable to compete in the American market with the American manufacturer. That was the reason, it seemed to me, the amendments of the distinguished Senator from Iowa reducing the duties as against Canada on the manufactured articles, aside from the one affecting lumber, offered no compensation at all, except compensation on paper, to the American farmer or the American consumer.

I was glad to vote for his amendment taking the duty off of lumber in all its forms, because Canada is already paying the American duty on lumber and is in competition with the American manufacturer in the American market, and I am in favor of free lumber with Canada and with the world for two reasons: First, no duty is necessary; and, second, I believe that the free entry of lumber tends to conserve the timber supply of our own country.

In this connection permit me to call the attention of the Senate to the fact that the head and front of the opposition to the pending measure is and has been the Lumber Trust of this country, aided and assisted by the International Paper Co., commonly known as the Paper Trust, which is in fact the most selfish and impudent trust of the age. To sustain this suggestion permit me to call your attention to a recent speech of Mr. Edward Hines—the Senate has some acquaintance with Mr. Hines—in which he said some most significant and remarkable things. When I find this man Hines, for years at the head of the lumber lobby and the lumber combination of the country, appearing before the Ways and Means Committee of the House and the Finance Committee of the Senate, speaking by and with the authority of the lumber interests, interviewing Senators, and incidentally, according to testimony that is very slightly disputed, electing a Senator now and then to the United States Senate, when I find him leading the assault—a personal assault—against the President of the United States, and opposing this law in the name of and for the sake of the farmers of this country, I begin to think that there must be something in this bill which ought to command the respect and support of every honest man in this country.

Here is the speech made in Chicago to the National Lumber Dealers. I find it published in the Chicago Daily News under date of Wednesday, May 24, 1911. Here are the headlines in the first column on the front page:

HINES IS EXONERATED BY LUMBER DEALERS—MEMBERS OF THE NATIONAL BODY HERE CHEER LORIMER AID AND PASS RESOLUTIONS.

The first column is given to a recital of the fact that more than 300 members of the National Lumber Manufacturers' Association were in that city holding a convention and extending the right hand of fellowship to Edward Hines, their president and the head of the Edward Hines Lumber Co. I find this report on page 3 of the edition:

The President (Edward Hines) then proceeded with his address. The matter of Canadian reciprocity was gone into at considerable length, the speaker declaring that if the bill becomes a law that not one of the northern border States will support President Taft should he be renominated for the Presidency.

But what I have quoted are the words of the reporter. Let me quote the words of Mr. Hines himself. Among other things he said:

We protest against the duty on lumber, which is justified under either tariff policy, and is in the interest of the public because it is in the interest of forest conservation, being made the football in the struggle for mere political advantage.

Now, that bill is in the Senate under discussion in the Finance Committee. The lumber industry has made an extremely favorable impression on that committee.

Mr. Hines certainly knew what he was talking about; he certainly had inside information when he informed the public that the lumber industry had made an extremely favorable impression on that committee, because the bill putting the lumber industry practically on the free list was returned by that committee without its approval.

But Mr. Hines continued:

And it is believed that not to exceed 3 of its membership of 15 are really in favor of the bill, and that a similar situation prevails in the Senate as a whole.

Now, mark what Mr. Hines said about what would happen. Mr. Hines seems to have had inside information on what the committee would do, for he informs his audience a week before the bill comes out of the Senate committee just what would happen. This is his language:

The bill will be reported out of the committee, but probably with material amendments designed to introduce into it some genuine reciprocity. Possibly it may be reported out simply without recommendation; but this is certain, that if no member of the committee felt himself bound by party ties or obligations or was under no pledge to the administration the bill as it stands would be adversely reported by a vote of about 11 to 4.

When did Edward Hines, the head of the Lumber Trust and the manipulator of legislatures, according to his own statement, in two different States, have access to or make a poll of our Committee on Finance, so that he could speak with authority to his associates when addressing them and tell them just what the vote would be? It is most significant and most remarkable.

Mr. Hines continued as follows:

When it was seen that its reciprocity was confined largely to the title and that in its provisions it was nonreciprocal and in many respects inequitable—

These are Hines's words. How often have we heard this language on the floor of the Senate in this debate in opposition to the pending measure.

Hines continues, and I repeat:

And that in its provisions it was nonreciprocal and in many respects inequitable. Public opinion rapidly changed, until now it is freely predicted that if the bill becomes a law not one of the border States from ocean to ocean, in which the farmers control, will give its support to the sponsor of the bill in the next national election if he should be renominated for the presidency. This is the report that comes especially from the farming interests, who have been thoroughly aroused to the discrimination shown against that great industry.

When we take into consideration this speech of Mr. Hines, in connection with the letter that he addressed to members of the Lumber Dealers' Association, calling on them to help defeat the reciprocity agreement, in which he said—

the agreement which, chiefly because of our efforts, failed to become a law at the last session of Congress—

it is clear that the head and front, the force and venom of the opposition to this bill is to be found in the Lumber Trust, aided and abetted by the Paper Trust, and every other lawless combination in the United States.

In line with this remarkable and significant utterance, coming as it does from Hines, a man of known occupation and known tendencies, permit me to call your attention to the fact that in the hearings had before our Finance Committee, now contained in a printed volume of something like 1,400 pages, more than 350 pages are taken up by the Lumber Dealers' Association and the Paper Trust combination in their efforts to show to the committee that for the sake of the dear farmer of the land this law should be defeated.

Let me read you from the testimony of Mr. Bronson, the successor of Edward Hines, now president of the National Lumber Dealers' Association. On page 799 this witness says:

But we have shown to you, I think, that our prices are very low; that this treaty discriminates against the lumber industry, among a few others, and that there is absolutely no reciprocity in it, so far as the lumber industry is concerned—we give all and get nothing. We ask that certain amendments be made; that if we are to give Canada the benefit of free access to the rough-lumber market of our country that Canada in return shall give us access to her forests, which she does not do; that if rough lumber is to be admitted free into each country that dressed lumber shall be admitted on equal terms into each country.

Senators will recall that as the treaty leaves the lumber duties, Canada will have the American manufactured lumber entering her ports at a duty of 25 per cent, and under the pend-

ing bill there this duty is reduced to 7 per cent on Canadian manufactured lumber coming into American ports. This man Bronson, the successor of Hines, suggests that they ought to have equal terms.

His testimony continues:

We object to the whole bill as being nonreciprocal and inequitable, not only to us but to others.

The others referred to Bronson specifically names later on in his testimony, when he says:

And it has already had a serious effect on farm-land values, and it is lessening the borrowing power of the farmer and consequently his buying power, threatening him by what he sees ahead of him, not only in one line but in all lines. It has affected bank loans, and it threatens for an indefinite period to destroy the very basis of any possible activity.

How good it is to know that the Lumber Trust of the country is, like a watchman on the tower, guarding the interests of the farmer!

Another witness before the committee, Mr. Griggs, of the State of Washington, a lumber dealer, testified on page 812 of the hearings as follows:

We say, "Protect the farmer; save him!" If there is any argument we can put up, we want you to save him.

How safe the farmer ought to feel when he knows that these men who have been combining to rob him for 20 years have now taken up the fight to save him and to protect him.

I could read from the testimony of many other witnesses, those in the lumber business and those in the business of manufacturing paper, who supplemented the arguments in their own favor with the final appeal to the committee that above everything else Congress ought to defeat the bill, not so much to save the Lumber and Paper Trusts as to save the poor and distressed farmer.

Mr. President, permit me to say that no man in this body has or could have any prejudice against the American farmer. My constituents are farmers. I know them. They are good men; they are good citizens; they earn far more than they receive for their labor. They deserve and shall have fair treatment from their Government which they have so constantly and loyally supported.

I could have no possible motive and could get no possible satisfaction in seeing a law passed which might in any possible event work to their injury. Nebraska is not a manufacturing State; Nebraska has no timber lands, no oil lands, no coal beds, no iron or zinc ore. Her chief industry is agriculture; and if I had the remotest fear that this law would injure her people, who are my neighbors, in the slightest degree, I should feel it my duty to resolve the fear or the doubt in their favor. But, Mr. President, the farmers of Nebraska want a square deal; that is all. They believe, as I do, that protection as a system has been of great advantage to them, because it has directly built up manufacturing industries which have employed thousands and millions and furnished a multitude of wage earners, who have been good consumers and have had purchasing power and have become customers for the products which the farmer has raised.

Mr. BORAH. Mr. President——

Mr. BROWN. In just a moment.

They believe in that protection which gives to the manufacturer whatever duty is necessary for him to keep his factory open and to keep his labor employed, and to keep it employed at a fair wage and not at the level of wages in some of the foreign countries. The Nebraska farmer is in favor of that sort of a duty. He believes and he knows that many of the duties on manufactured articles to-day under the existing law are unnecessary, excessive, and extortionate. He is in the struggle determined to do what he can to lower those duties to a square level, and the Nebraska farmer welcomes this opportunity to demonstrate his good faith in his fight for lower duties where they are excessive and for the removal of duties where they are unnecessary by consenting to have the duties taken off of the products he raises so long as he knows those duties are not protective in character and are not necessary to maintain his present prices.

The time will come when the American farmer in other States as well as in Nebraska will find that these criticisms leveled against this bill in his name are all criticisms which are born of necessity in an effort either to stop tariff revision downward or to discredit and humiliate the President of the United States. The Nebraska farmer believes that the only way, the only plan, which is feasible and logical and which will result in a substantial and decent tariff revision downward is to have duties fixed by Congress, proceeding a subject or a schedule or a country at a time. He knows, as all men will know within 18 months after this reciprocity law is passed and approved, his fight for equitable tariff duties has been won.

But to return to the bill under consideration, the total value of the imports from Canada of the articles contained in the free list of the pending bill for the year ending June 30, 1910, was, in round numbers, $40,000,000.

Of these, agricultural products aggregated, in round numbers, $8,000,000. Of these, the timber and lumber of all kinds imported that year but which are in this bill put on the free list aggregated the value, in round numbers, of $19,000,000, on which Americans paid a total tariff duty, in round numbers, of $1,500,000. The provision of the law which remits these lumber duties, together with that provision contained in the bill which remits the duties paid on wood products for paper purposes, aggregating in all almost one and three-quarters millions of dollars, commends itself to me as a most valuable concession to the people of this country.

Here we find the motive which actuates Mr. Hines. This law takes away lumber tariffs collected last year of a million and a half dollars the people had to pay. Is it any wonder that Hines rebels when the opportunity is taken away from him to collect it?

Mr. BORAH. Mr. President——

The PRESIDING OFFICER (Mr. MARTINE of New Jersey in the chair). Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. BROWN. In just a moment, if the Senator will permit me to finish this paragraph.

Mr. BORAH. The Senator is stating as a fact something which, in my judgment, is not a fact.

Mr. BROWN. I am willing to have the Senator's fact go into the RECORD, but I should like to pursue this paragraph to its end.

The PRESIDING OFFICER. The Senator from Nebraska declines to yield.

Mr. BROWN. When I speak of the people of this country I speak of all the people of this country. Farmers are interested no more and no less than other people in having these duties on lumber and wood products removed. All classes are consumers of these products, and all classes will share alike in the benefits of the provision. When you weigh the benefits of free lumber and free pulp against the losses of the duty on corn and the duty on wheat and the duty on any other agricultural product, which are of no actual benefit to the producer of these products, the balance is all in favor of our country and our people.

Now, I will yield to the Senator if he desires to make a correction of my figures.

Mr. BORAH. The Senator states that this duty, amounting to a million and a half, had been paid by the consumers, the people of this country. Has the price of lumber been reduced any?

Mr. BROWN. I do not think so.

Mr. BORAH. Mr. President, it is very easily demonstrated, and it is conceded by those who have investigated this matter on both sides of the question, that this million and a half dollars has gone into the hands of the Canadian lumber dealers.

Mr. BROWN. Of course, the Senator is against the removal of the duty on lumber; I am in favor of it; and so we can not agree on what is the best provision in regard to it. I have emphasized the fact that no industry is entitled to a duty unless it is necessary, and I think the duty on lumber is unnecessary.

Mr. BORAH. Mr. President——

Mr. BROWN. And I think that an unnecessary duty is morally wrong, and that it ought to be taken off.

The PRESIDING OFFICER. Does the Senator from Nebraska yield further?

Mr. BROWN. I yield for a question.

Mr. BORAH. The duty on lumber may be unnecessary, but the question which I asked was, Has the price of lumber been reduced to the consumer by reason of the reduction of the duty on lumber?

Mr. BROWN. I do not think so. I do not think it has been reduced. I think the price is kept up by Mr. Hines and his associates without regard to the duty. I think they have a combination, a part of which is now under indictment——

Mr. STONE. There ought not to be any duty at all on lumber.

Mr. BROWN. And which absolutely fixes the price, duty or no duty.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield further?

Mr. BROWN. I yield.

Mr. BORAH. The point I desired to make was, that the reduction of the duty did not benefit the purchaser of lumber, but it did lose to the Treasury of the United States a million and a quarter dollars of revenue, which we might just as well have had, because, according to the argument of the Senator, that million and a quarter dollars has gone into the pockets of Mr. Hines and his friends. The American consumer did not get it. My opinion is it went into the pockets of the Canadian lumber dealer.

Mr. BROWN. The generally accepted doctrine is that the combination which controls our market, regardless of the tariff, has an opportunity, and always improves the opportunity, to absorb whatever protection is levied at the customhouse.

Mr. BORAH. Well, Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield further?

Mr. BROWN. Yes.

Mr. BORAH. If we reduced the duty so as to deprive the Treasury of a million and a quarter dollars of revenue, if the consumer did not get it, and if the lumber combines and trusts did get it, who was benefited by the reduction of the duty?

Mr. BROWN. Is the Senator in favor of a duty as a revenue duty or as a protective duty?

Mr. BORAH. I maintain that the duty on lumber is a revenue duty, and it was a revenue duty when it was $2.

Mr. BROWN. You are for a tariff-for-revenue-only on lumber—is that it?

Mr. BORAH. No; I am not for that. I am for a protective duty, even upon lumber; but the fact is that that duty was not protective. The fact is that the duty was already reduced to a revenue basis. We reduced it more and lost a million and a quarter dollars, and thereby deprived the Government of a million and a quarter dollars of revenue, and that million and a quarter dollars went into the hands of those who control the lumber interests, and, in my opinion, on the other side of the line.

Mr. BROWN. The Senator is in discord with the lumber people who testified that the present duty on lumber is a protective duty; and in the hearings before the Finance Committee they demanded that the duty be kept upon lumber for protective purposes. I refer the Senator to page 847 of the hearings.

Mr. BORAH. Mr. President, I am not seeking to be either in accord or discord. I am speaking as to the fact, as shown by the figures and by the record. I am taking the Senator's own argument—that is, that we reduced the duty on lumber; that we thereby deprived ourselves of a million and a quarter dollars' revenue; that the consumer did not get it; and that the combines of which he speaks took it up. I leave the record as he has made it.

Mr. BROWN. I understand the position of the Senator is that the duty on lumber must be saved. I suppose that the men who testified before the committee, who were in the lumber business, knew as much about their own business as any of us; and they testified that it was a protective duty. That was the reason they were advocating its retention.

But, Mr. President, there are other advantages in the bill which are directly and emphatically in the interests of the agricultural classes. Clover and timothy seed, which has heretofore cost the farmers a duty of 10 per cent in order to get it into the Canadian market, under this law are permitted to enter that market free. We sold last year to Canada about $700,000 worth of these seeds and had to pay a 10 per cent duty in order to get into the market. Under this law fresh vegetables, including potatoes, are admitted into the Canadian market free.

Last year we exported to Canada more than 215,000 bushels of potatoes, but before we could get into the Canadian market with our potatoes we paid the Canadian Government a duty of 20 cents on every bushel. Under this law potatoes will have free entrance into the Canadian market. More than 37,000 bushels American sweet potatoes were sold to Canadians last year, upon which the Canadian Government charged the American farmer 10 cents on every bushel. Under reciprocity this product will have free entry into the Canadian market. Take apples, for example. We sold to Canada last year 59,000 barrels, and on each barrel paid the Canadian duty of 40 cents. Under the proposed law the American apple has free entry into the Canadian market. And so with other fruits, such as peaches and berries. We shipped last year into Canada millions of pounds and thousands of barrels of fruit, but on every shipment we paid a high Canadian duty, in order to enter the market at all. Last year we sold to Canada 750,000 dozen eggs, but on every dozen the Canadian Government collected from the American farmer 3 cents. This duty the proposed law removes. Then there is cottonseed oil, which under the Payne-Aldrich Act comes into this country free, but when it seeks a market in Canada we pay a 17½ per cent duty. Last year we sold to Canada more than 2,000,000 gallons of this American commodity, a commodity in which the southern farmer has a very large interest. But we were compelled to pay a high duty in order to sell it to the Canadian consumer.

I might go on through the list and name the articles one after another wherein it is provided that the tariff wall heretofore raised and now in existence by Canada against the entry of the products of the farmer is by this law taken down, but I will not take the time.

Can anyone doubt that the farmer of Iowa and Illinois and Wisconsin and Minnesota and the Dakotas and Kansas and Nebraska, indeed the farmers of all the country, who live in a climate which permits them to diversify their crops from year to year, and thereby sustain and conserve the soil of their land from year to year, doing business in a climate where a small per cent of their profits is expended in shelter against the snows and the frosts and the ices of long winter, with these concessions which I have named all in his favor, and with his opportunity to raise the corn with which to fatten his live stock—can anyone seriously doubt he will be able to compete with the Canadian farmer, whose only concession in this bill is a free American market for the limited kinds of grain which he can produce? When you tell the Nebraska farmer, who enjoys the advantages of climate, of a diversity of crops, of the power to raise corn to fatten his hogs and his steers and his sheep, where the winters are short and mild compared to the winters of Canada, that he can not compete with the Canadian farmer, who is unable to raise corn, and therefore can not fatten his own hogs or his own cattle or his sheep, and who has from five to six months winter every year, he is likely to laugh at your contention. The truth is that the American farmer, like the American manufacturer, in a free field can overproduce and undersell and overcome his neighbor across the line.

Mr. President, this bill is the corner stone of a new tariff system which will contain honest protective duties, and which will put an end forever, I hope, to unnecessary and excessive duties. I believe in fair and just protective duties. So believing, I welcome this, the first opportunity, to begin the destruction of unfair and unjust duties. If we refuse to take the first step, everybody knows the second step never will be taken. By removing duties now from the agricultural schedule against our country which are unnecessary and unprotective in point of fact and principle, no power on earth can stay the march against excessive duties on manufactured articles against the world. Tremendous effort has been made to mislead and deceive the American farmer by making him think he would be compensated if manufactured articles from Canada by this bill were admitted free into this country, and that because the bill fails to remove the duty on those articles from Canada he will be compelled to buy in a protected market while he is compelled to sell in a free market. The argument is unsound and specious, if not deliberately a pretense. For everybody knows the farmer now sells his produce in a free market with all the grain-producing countries of the world, and, so far as that feature of the bill is concerned, his status is the same under the present law as it will be under this law.

Not only that. Everybody knows that to remove the duty against Canada on manufactured articles would not bring a single Canadian manufactured article into this country for the farmer to buy, because already Canada is unable to supply her own people with manufactured articles, and the American manufacturer is in possession of the Canadian market. After paying the freight, after paying the duty which Canada lays on American manufactured goods, the American manufacturer has taken a large share of the Canadian market away from the Canadian manufacturer in his own home and in his own country. The American farmer will get no relief from excessive duties on the things he buys until we remove or lower the duty on articles coming from other countries than Canada and which are able to compete with our manufacturers. What we want is lower duties, protective and necessary—not unnecessary and extortionate—on manufactured goods, and to get them from the world. I favor the bill which leads the way eventually and inevitably to that result.

Mr. President, I have numerous tables and statistics here, which I ask permission to insert in my remarks.

The PRESIDING OFFICER. If there be no objection, permission is granted.

The matter referred to follows.

TABLE A.—*Articles included under the reciprocal trade agreement imported into the Dominion of Canada from the United States during the fiscal year ended Mar. 31, 1910.*

[Compiled by the Bureau of Trade Relations, Department of State, from "Trade and Navigation, 1910," issued by the Canadian Department of Customs.]

SCHEDULE A.

ARTICLES THE GROWTH, PRODUCT, OR MANUFACTURE OF THE UNITED STATES TO BE ADMITTED INTO CANADA FREE OF DUTY WHEN IMPORTED FROM THE UNITED STATES, AND RECIPROCALLY ARTICLES THE GROWTH, PRODUCT, OR MANUFACTURE OF CANADA TO BE ADMITTED INTO THE UNITED STATES FREE OF DUTY WHEN IMPORTED FROM CANADA.

(The word "Ex." prefixed to a tariff number indicates that only a portion of the rates included under that number are affected by the proposed reciprocity legislation.)

United States tariff No.	Canadian tariff No.	Articles.	United States rates.	Canadian general rates.	Proposed reciprocal rates.	Imports into Canada from the United States.		Customs duties.	
						Quantity.	Value.	Now levied by Canada.	To be remitted by Canada.
225	Ex. 5	Cattle, less than 1 year old.	$2 each	25 per cent	Free				
.....	.....	Cattle, other, worth not over $14.	$3.75 each	....do	....do	1,012 head	$25,150	$6,287.50	$6,287.50
.....	.....	Cattle, other, worth $14 or over.	27½ per cent	....do	....do				
227	Ex. 4	Horses over 1 year old, worth $50 or less.	30 each	$12.50 each	....do	86 head	3,600	1,075.00	1,075.00
.....	Ex. 5	Horses, other, worth $150 or less.	....do	25 per cent	....do				
.....	.....	Horses, other, worth over $150.	25 per cent	....do	....do	6,518 head	397,903	99,475.75	99,475.75
226	6	Hogs	$1.50 each	1½ cents per pound	....do	2,760 pounds	2,140	41.40	41.40
228	Ex. 5	Sheep, 1 year old or over	....do	25 per cent	....do	35,844 head	131,492	32,873.00	32,873.00
.....	.....	Sheep, less than 1 year old	75 cents each	....do	....do				
229	Ex. 5	All other live animals	20 per cent	....do	....do		88,886	22,221.50	22,221.50
289	Ex. 9	Poultry, dead	5 cents per pound	20 per cent	....do		52,597	10,519.40	10,519.40
.....	.....	Poultry, alive	3 cents per pound	....do	....do				
242	60	Wheat	25 cents per bushel	12 cents per bushel	....do	54,964 bushels	55,139	6,595.68	6,595.68
Ex. 241	58	Rye	10 cents per bushel	10 cents per bushel	....do	1,306 bushels	1,399	130.60	130.60
238	56	Oats	15 cents per bushel	....do	....do	23,361 bushels	13,833	2,336.10	2,336.10
230	52	Barley	30 cents per bushel	15 cents per bushel	....do	164,532 bushels	99,810	24,679.80	24,679.80
Ex. 234	49	Buckwheat	15 cents per bushel	....do	....do	444 bushels	426	66.60	66.60
Ex. 262	Ex. 48	Edible dried peas	25 cents per bushel	....do	....do	12,875 bushels	35,406	1,931.25	1,931.25
249	47	Edible dried beans	45 cents per bushel	25 cents per bushel	....do	23,157 bushels	55,806	5,789.25	5,789.25
235	55	Maize, not for distillation	15 cents per bushel	Free	....do	6,583,893 bushels	4,636,133	.....	.....
258	Ex. 69	Hay	$4 per ton	$2 per ton	....do	7,680 tons	141,956	15,360.00	15,360.00
267	Ex. 69	Straw	$1.50 per ton	....do	....do	89 tons	1,880	178.00	178.00
Ex. 262	Ex. 48	Cowpeas	25 cents per bushel	15 cents per bushel	....do				
265	83	Potatoes	....do	20 cents per bushel	....do	215,228 bushels	179,849	43,045.60	43,045.60
.....	84	Sweet potatoes and yams	....do	10 cents per bushel	....do	37,235 bushels	33,705	3,723.50	3,723.50
254	Ex. 87	Cabbages	2 cents each	30 per cent	....do				
261	Ex. 87	Onions	40 cents per bushel	....do	....do		652,009	195,602.70	195,602.70
Ex. 269	85	Tomatoes, fresh	25 per cent	....do	....do				
.....	Ex. 87	All other fresh vegetables	....do	....do	....do				
Ex. 274	92	Apples, fresh	25 cents per bushel	40 cents per barrel	....do	59,071 barrels	261,792	23,628.40	23,628.40
.....	Ex. 95	Cherries, fresh	....do	2 cents per pound	....do	318,680 barrels	40,376	6,373.60	6,373.60
.....	102	Peaches, fresh	....do	$1 per 100 pounds	....do	4,797,066 pounds	155,139	47,970.66	47,970.66
.....	Ex. 95	Edible berries, fresh	1 cent per quart	2 cents per pound	....do	2,503,594 pounds	210,796	50,071.88	50,071.88
276	100	Grapes	25 cents per cubic foot	....do	....do	2,137,500 pounds	112,218	42,750.00	42,750.00
Ex. 274	Ex. 96	Cranberries	25 per cent	25 per cent	....do	40,854 bushels	91,754	22,938.50	22,938.50
.....	97a	Plums, fresh	25 cents per bushel	30 cents per bushel	....do	69,529 bushels	158,756	20,858.70	20,858.70
.....	Ex. 95	Currants, fresh	1 cent per quart	2 cents per pound	....do	505 pounds	42	10.10	10.10
.....	97	Quinces, apricots, pears, and nectarines.	25 cents per bushel	50 cents per 100 pounds.	....do	4,941,487 pounds	170,346	24,707.51	24,707.51
Ex. 571	Ex. 96	All other fresh fruits	Free	25 per cent	....do		4,369	1,092.25	1,092.25
.....	98	Melons	....do	3 cents each	....do	704,766 (number).	65,717	21,142.98	21,142.98
Ex. 274	93	Dried apples	2 cents per pound	25 per cent	....do	79,705 pounds	6,461	1,615.25	1,615.25
		Other dried fruits	....do	....do	....do	3,805,712 pounds	235,549	58,887.25	58,887.25
Ex. 245	18	Butter	6 cents per pound	4 cents per pound	....do	61,081 pounds	16,163	2,443.24	2,443.24
Ex. 246	17	Cheese	....do	3 cents per pound	....do	215,681 pounds	45,287	6,470.43	6,470.43
247	Ex. 43	Fresh milk	2 cents per gallon	3½ cents per pound	....do				
.....	Ex. 43	Fresh cream	5 cents per gallon	....do	....do				
256	16	Eggs	5 cents per dozen	3 cents per dozen	....do	750,476 dozen	177,577	22,514.28	22,514.28
259	108	Honey	20 cents per gallon	3 cents per pound	....do	160,322	20,615	4,809.66	4,809.66
Ex. 639	Ex. 711	Cottonseed oil	Free	17½ per cent	....do	2,092,732 gallons	895,693	179,138.60	179,138.60
Ex. 266	70	Flaxseed	25 cents per bushel	10 cents per bushel	....do	1,806 bushels	4,124	180.60	180.60
Ex. 668	71	Clover and timothy seed	Free	10 per cent	....do		748,742	74,874.20	74,874.20
Ex. 266	74	Seed of beet, carrot, parsnip, turnip, etc.	4 cents per pound or free.	Free	....do	325,394 pounds	24,660	.....	.....
.....	72	Seed of cabbage, kale, kohl-rabi.	8 cents per pound	10 per cent	....do		250,919	25,091.90	25,091.90
.....	.....	Other garden seeds and field seeds. (All seeds under Canadian 72 being in packages weighing over 1 pound each.)	10 cents per pound	....do	....do				
Ex. 273	Ex. 118	Cod, haddock, ling, and pollock, fresh, imported otherwise than in barrels.	¾ cent per pound	1 cent per pound	....do	692,685 pounds	27,163	6,926.85	6,926.85
.....	.....	Cod, haddock, ling, and pollock, dry salted.	....do	....do	....do	87,655 pounds	5,409	876.55	876.55
.....	Ex. 119	Cod, haddock, ling, and pollock, smoked.	....do	....do	....do	5,150 pounds	40	51.50	51.50
.....	Ex. 118	Halibut, fresh, not in barrels.	1 cent per pound	....do	....do	1,152,138 pounds	53,769	11,521.38	11,521.38
Ex. 272	.....	Herrings, fresh, not in barrels.	½ cent per pound	....do	....do	2,150 pounds	101	21.50	21.50
.....	116	Herrings, pickled or salted.	½ cent per pound	50 cents per 100 pounds.	....do	114,468 pounds	5,706	572.34	572.34
Ex. 273	115	Mackerel, fresh or pickled	1 cent per pound	1 cent per pound	....do	6,642 pounds	646	66.42	66.42
.....	Ex. 118	Sea fish, other, except preserved.	¾ cent per pound	....do	....do	44,631 pounds	3,607	446.31	446.31
Ex. 270	Ex. 123	Sea fish, other, preserved	30 per cent	30 per cent	....do	1,245 pounds	113	33.90	33.90
Ex. 273	117	Salmon, fresh, pickled, or salted.	1 cent per pound	1 cent per pound	....do	873,270 pounds	21,149	8,732.70	8,732.70
.....	Ex. 119	Salmon, smoked	¾ cent per pound	....do	....do	8,503 pounds	1,438	85.03	85.03
Ex. 270	Ex. 123	Salmon, canned, prepared, or preserved.	30 per cent	30 per cent	....do	641 pounds	80	24.00	24.00

TABLE A.—*Articles included under the reciprocal trade agreement imported into the Dominion of Canada from the United States during the fiscal year ended Mar. 31, 1910*—Cont'd.

SCHEDULE A—Continued.

ARTICLES THE GROWTH, PRODUCT, OR MANUFACTURE OF THE UNITED STATES TO BE ADMITTED INTO CANADA, ETC.—continued.

United States tariff No.	Canadian tariff No.	Articles.	United States rates.	Canadian general rates.	Proposed reciprocal rates.	Imports into Canada from the United States.		Customs duties.	
						Quantity.	Value.	Now levied by Canada.	To be remitted by Canada.
Ex. 273	Ex. 119	Fish, smoked	¾ cent per pound	1 cent per pound	Free	17,930 pounds	$1,391	$179.30	$179.30
.....	.....	Fish, boneless	1¼ cents per pound	....do	....do				
.....	Ex. 118	Fish, all other, not in barrels or half barrels, fresh.	¾ cent per pound	....do	....do	226,298 pounds	13,605	2,262.98	2,262.98
.....	.....	Fish, all other, not in barrels or half barrels, pickled.	....do	....do	....do	49,901 pounds	2,941	409.01	409.01
.....	.....	Fish, fresh or dried, imported in barrels or half barrels.	....do	....do	....do	271,533 pounds	15,857	2,715.33	2,715.33
.....	.....	Fish, all other, pickled or salted, in barrels.	....do	....do	....do	49,673 pounds	1,455	496.73	496.73
Ex. 270	Ex. 123	Fish, prepared or preserved (canned).	30 per cent	30 per cent	....do	170,513 pounds	17,793	5,337.90	5,337.90
.....	133	Other articles the produce of fisheries.	.....	25 per cent	....do	.....	27,904	6,976.00	6,976.00
Ex. 671	128	Oysters, fresh, in shell	Free	....do	....do	4,150 barrels	25,047	6,261.75	6,261.75
.....	124	Oysters, shelled, in bulk	....do	10 cents per gallon	....do	226,104 gallons	284,282	22,610.40	22,610.40
.....	125	Oysters in cans not over 1 pint.	....do	3 cents per can	....do	419,234 cans	41,917	12,577.02	12,577.02
.....	126	Oysters in cans over 1 pint and not over 1 quart.	....do	5 cents per can	....do	14,816 cans	7,595	740.80	740.80
.....	127	Oysters in cans over 1 quart.	....do	5 cents per quart	....do	745 quarts	321	37.25	37.25
.....	Ex. 123	Oysters prepared or preserved, n. o. p.	....do	30 per cent	....do	31,346 pounds	3,189	956.70	956.70
.....	Ex. 128	Lobsters, fresh (not alive)	....do	25 per cent	....do	32 barrels	675	168.75	168.75
.....	Ex. 123	Lobsters, canned	....do	30 per cent	....do	120 pounds	31	9.30	9.30
Ex. 40	Ex. 265	Fish oil, whale and spermaceti.	8 cents per gallon	22½ per cent	....do	5,281 gallons	3,100	697.54	697.54
34	.....	Cod-liver oil	15 cents per gallon	....do	....do	3,135 gallons	1,601	360.22	360.22
Ex. 40	.....	Fish oil, other	8 cents per gallon	....do	....do	4,104 gallons	1,585	356.66	356.66
295	41	Salt, in bags, barrels, and other packages.	11 cents per 100 pounds.	7½ cents per 100 pounds.	....do	108,539 hundredweight.	40,978	8,140.60	8,140.60
.....	42	Salt, in bulk	7 cents per 100 pounds.	5 cents per 100 pounds.	....do	232,743 hundredweight.	41,017	11,637.15	11,637.15
Ex. 312	154	Mineral waters, natural, not bottled.	8 cents per gallon	Free	....do	2,890 gallons	423	.....	.....
Ex. 200	Ex. 500	Timber, hewn or sawn, squared or sided, or creosoted.	½ cent per cubic foot	....do	....do	.....	53,178	.....	.....
Ex. 201	Ex. 503	Planks and deals, not further manufactured than sawed:							
		Of cherry, chestnut, gumwood, hickory, and whitewood.	$1.25, or 50 cents per M feet.	....do	....do	11,660,797 feet	518,034	.....	.....
		Of oak	$1.25 per M feet	....do	....do	50,556,226 feet	2,146,359	.....	.....
		Of pitch pine	....do	....do	....do	42,340,756 feet	1,028,483	.....	.....
		Of redwood	....do	....do	....do	28,130 feet	1,252	.....	.....
		Of walnut	....do	....do	....do	511,998 feet	26,556	.....	.....
		Of white ash	....do	....do	....do	1,246,219 feet	65,146	.....	.....
		Pine and spruce clapboards.	....do	....do	....do	118 M feet	1,296	.....	.....
Ex. 565 / Ex. 204	Ex. 500	Fence posts and railroad ties. / Telephone and telegraph poles, etc.	10 per cent	....do	....do	.....	663,825	.....	.....
Ex. 208	Ex. 502	Staves, not further manufactured than listed or jointed.	....do	....do	....do	4,782 M	149,553	.....	.....
Ex. 206	Ex. 500a	Stave bolts (shingle bolts, etc.).	20 per cent	20 per cent	....do	.....	73,536	.....	.....
Ex. 208	Ex. 503	Pickets and palings	10 per cent	Free	....do	.....	.....	.....	.....
Ex. 88	292	Gypsum, crude	30 cents per ton	....do	....do	3,736 hundredweight.	11,562	.....	.....
Ex. 91	Ex. 711	Mica, unmanufactured	5 cents per pound + 20 per cent.	17½ per cent	....do	.....	.....	.....	.....
Ex. 626	Ex. 296	Feldspar, crude	Free	Free	....do	.....	.....	.....	.....
Ex. 95	.....	Feldspar, ground	35 per cent	....do	....do	.....	92,418	.....	.....
501	.....	Asbestos not further manufactured than ground.	Free	.....	....do	.....	.....	.....	.....
Ex. 90	Ex. 296	Fluorspar, crude, not ground.	$3 per ton	Free	....do	.....	[1] 20,000	.....	.....
Ex. 24	Ex. 711	Glycerin, crude, not purified.	1 cent per pound	17½ per cent	....do	294,670 pounds	50,625	8,859.34	8,859.34
Ex. 95	Ex. 296	Talc, ground or bolted, not for toilet.	35 per cent	Free	....do	.....	.....	.....	.....
77	Ex. 210	Sulphate of soda, or salt cake.	$1 per ton	....do	....do	.....	.....	.....	.....
Ex. 75	Ex. 210	Soda ash	¼ cent per pound	....do	....do	7,407,863 pounds	74,967	.....	.....
Ex. 22	Ex. 203	Extract of hemlock bark	½ cent per pound	....do	....do	.....	.....	.....	.....
Ex. 95	315	Carbon electrodes	30 per cent	....do	....do	.....	.....	.....	.....
Ex. 199	349 / 717	Brass in bars and rods, in coil, etc.	45 per cent	10 per cent or free	....do	.....	19,867	1,986.70	1,986.70
Ex. 199	459	Cream separators and parts of.	....do	Free	....do	.....	487,261	.....	.....
Ex. 130 / Ex. 127-8	Ex. 384	Tin plates, etc.	1.2 cents per pound, or various.	5 per cent	....do	59,685 hundredweight.	195,126	9,756.30	9,756.30
Ex. 135	403	Crucible cast-steel wire	Not less than 35 per cent.	....do	....do	51,989 pounds	8,425	421.25	421.25
Ex. 135	404	Galvanized iron or steel wire.	1.2 cents per pound, or not less than 35 per cent.	Free	....do	641,413 hundredweight.	1,267,953	.....	.....

[1] Estimated.

TABLE A.—*Articles included under the reciprocal trade agreement imported into the Dominion of Canada from the United States during the fiscal year ended Mar. 31, 1910*—Cont'd.

SCHEDULE A—Continued.

ARTICLES THE GROWTH, PRODUCT, OR MANUFACTURE OF THE UNITED STATES TO BE ADMITTED INTO CANADA, ETC.—continued.

United States tariff No.	Canadian tariff No.	Articles.	United States rates.	Canadian general rates.	Proposed reciprocal rates.	Imports into Canada from the United States.		Customs duties.	
						Quantity.	Value.	Now levied by Canada.	To be remitted by Canada.
Ex. 197	441	Typecasting and typesetting machines.	30 per cent	20 per cent	Free	65 (number)	$296,662	$59,332.40	$59,332.40
Ex. 135	Ex. 480	Barbed fencing wire	¾ cent per pound	Free	do	326,817 hundredweight.	708,800		
Ex. 428	Ex. 586	Coke	20 per cent	do	do	700,081 tons	1,689,938		
Ex. 134	471	Rolled round wire rods, iron or steel:							
		Valued at 4 cents or less per pound.	$\frac{4}{10}$ cent per pound	do	do	483,850 hundredweight.	652,335		
		Valued at over 4 cents per pound.	$\frac{6}{10}$ cent per pound	do	do				
406	Ex. 200	Wood pulp, mechanically ground.	Free or $\frac{1}{12}$ cent per pound.	25 per cent	do				
		Wood pulp, chemical, unbleached.	Free or $\frac{1}{8}$ cent per pound.	do	do		30,627	7,656.75	7,656.75
		Wood pulp, chemical, bleached.	Free or $\frac{1}{4}$ cent per pound.	do	do				
Ex. 409	196	Print paper, valued at not more than 2½ cents per pound.	$\frac{4}{10}$ cent per pound	15 per cent	do	2,300 pounds	41	6.15	6.15
	Ex. 197	Print paper, other:							
		Valued above 2½ cents and not above 2⅔ cents per pound.	$\frac{4}{10}$ cent per pound	24 per cent	do	3,615,881 pounds	234,699	58,674.75	58,674.75
		Valued above 2⅔ cents and not above 4 cents per pound.	$\frac{4}{10}$ cent per pound	25 per cent	do				
Ex. 415		Wrapping paper	35 per cent	do	do	1,611,080 pounds	57,706	14,426.50	14,426.50
Ex. 409		Paper, all kinds, "n.o.p."	do	do	do		[1] 350,000	[1] 87,500.00	[1] 87,500.00
Ex. 415	Ex. 192	Cardboard, not pasted or coated.	do	do	do		22,866	5,716.50	5,716.50
		Totals, Schedule A.					21,957,605	1,476,129.13	1,476,129.13

[1] Estimated.

SCHEDULE B.

ARTICLES THE GROWTH, PRODUCT, OR MANUFACTURE OF THE UNITED STATES TO BE ADMITTED INTO CANADA AT THE UNDERMENTIONED RATES OF DUTY WHEN IMPORTED FROM THE UNITED STATES, AND RECIPROCALLY THE SAME ARTICLES THE GROWTH, PRODUCT, OR MANUFACTURE OF CANADA TO BE ADMITTED INTO THE UNITED STATES AT IDENTICAL RATES OF DUTY WHEN IMPORTED FROM CANADA.

United States tariff No.	Canadian tariff No.	Articles.	United States rates.	Canadian general rates.	Proposed reciprocal rates.	Imports into Canada from the United States.		Customs duties.	
						Quantity.	Value.	Now levied by Canada.	To be remitted by Canada.
285	7	Mutton and lamb, fresh	1½ cents per pound	3 cents per pound	1½ cents per pound	716,753 pounds	$68,606	$21,502.59	$12,543.18
		Other fresh meats	do	do	do	276,654 pounds	38,400	8,299.62	4,841.44
284	10	Bacon and hams	4 cents per pound	2 cents per pound	do	5,453,257 pounds	816,042	109,065.14	40,899.42
Ex. 286		Shoulders and sides	25 per cent	do	do				
		Beef, salted, in barrels	do	do	do	1,445,272 pounds	75,815	28,905.44	10,839.54
		Pork, barreled, in brine	do	do	do	8,900,138 pounds	930,049	178,002.76	66,751.04
		Dried or smoked meats and meats preserved in any other way than salted or pickled.	do	do	do	583,956 pounds	85,914	11,679.12	4,379.67
		Other meats, salted	do	do	do	411,864 pounds	50,101	8,237.28	3,088.98
	Ex. 8	Canned meats and canned poultry.	do	27½ per cent	20 per cent	278,058 pounds	44,985	12,371.30	3,374.30
287	Ex. 8	Extract of meat, not fluid	35 cents per pound	27½ cents per pound	do		53,690	14,764.81	4,026.81
		Extract of meat, fluid	15 cents per pound	25 per cent	do				
288	Ex. 13	Lard	1½ cents per pound	2 cents per pound	1½ cents per pound	10,915,679 pounds	1,347,887	218,313.58	81,867.59
Ex. 3		Lard compound and similar substances, cottolene and animal stearine.	25 per cent	do	do	634,315 pounds	62,919	12,686.30	4,757.36
Ex. 290	14	Tallow	½ cent per pound	20 per cent	40 cents per 100 pounds.	145,561 pounds	12,636	2,527.20	1,944.96
Ex. 257	207	Egg yolk	25 per cent	10 per cent	7½ per cent		13,437	1,343.70	335.92
		Egg or blood albumen	3 cents per pound	do	do				
Ex. 270	120	Sardines, anchovies, and other fish packed in oil, in tin boxes or cans:							
		(a) Packages over 20 ounces and not over 36 ounces.		6 cents per package	5 cents per package	34 packages	10	2.04	.34
		(b) Packages over 12 ounces and not over 20 ounces.		4½ cents per package	4 cents per package	3,003 packages	625	135.13	15.02
		(c) Packages over 8 ounces and not over 12 ounces.		3½ cents per package	2 cents per package	6,019 packages	899	210.66	90.28
		Packages 8 ounces or less.		2½ cents per package	do	121,111 packages	9,337	3,027.77	605.56
	121	(d) Fish in oil, other		35 per cent	30 per cent		315	110.25	15.75
Ex. 252	86	Canned vegetables	40 per cent	1½ cents per pound	1½ cents per pound	991,313 pounds	69,585	14,869.72	2,478.28
243	61	Wheat flour and semolina	25 per cent	60 cents per barrel	50 cents per barrel	31,398 barrels	156,001	18,838.80	3,139.80
Ex. 241	59	Rye flour	½ cent per pound	50 cents per barrel	do	2,921 barrels	11,249	1,400.50	
Ex. 239	57	Oatmeal and rolled oats	1 cent per pound	60 cents per 100 pounds.	50 cents per 100 pounds.	9,260 pounds	403	55.56	9.26
236	53	Corn meal	40 cents per 100 pounds.	25 cents per barrel	12½ cents per 100 pounds.	33,291 barrels	106,322	8,322.75	166.45

TABLE A.—*Articles included under the reciprocal trade agreement imported into the Dominion of Canada from the United States during the fiscal year ended Mar. 31, 1910*—Cont'd.

SCHEDULE B—Continued.

ARTICLES THE GROWTH, PRODUCT, OR MANUFACTURE OF THE UNITED STATES TO BE ADMITTED INTO CANADA, ETC.—continued.

United States tariff No.	Canadian tariff No.	Articles.	United States rates.	Canadian general rates.	Proposed reciprocal rates.	Imports into Canada from the United States.		Customs duties.	
						Quantity.	Value.	Now levied by Canada.	To be remitted by Canada.
231	Ex. 167	Barley malt	45 cents per bushel	45 cents per 100 pounds.	45 cents per 100 pounds.	2,184,463 pounds.	$57,306	$9,829.97	
232	Ex. 51	Barley, pot, pearled, etc.	2 cents per pound	30 per cent	½ cent per pound	47,575 pounds	1,399	419.70	$181.82
Ex. 234	50	Buckwheat flour or meal	25 per cent	50 cents per 100 pounds.	do	1,529 hundredweight.	5,051	764.47	
Ex. 262	Ex. 48	Split peas	45 cents per bushel	15 cents per bushel	7½ cents per bushel				
Ex. 480	Ex. 45	Prepared cereal foods, packages not over 25 pounds.	20 per cent	25 per cent	17½ per cent	3,170,957 pounds.	212,021	53,005.25	15,901.58
	46	Prepared cereal foods, other.	do	20 per cent	do		28,841	5,768.20	721.03
Ex. 480	Ex. 711	Bran, mill feed, and middlings.	do	17½ per cent	12½ cents per 100 pounds.		218,222	43,644.40	16,366.65
237	67	Macaroni and vermicelli	1½ cents per pound	$1.25 per 100 pounds.	1 cent per pound	794,253 pounds	37,641	9,923.16	1,985.63
Ex. 244	66	Biscuits, sweetened, worth 15 cents per pound or less.	3 cents per pound plus 15 per cent.	27½ per cent	25 per cent				
		Biscuits, sweetened, worth over 15 cents per pound.	50 per cent	do	do	70,196 pounds	7,840	2,156.60	196.00
Ex. 244 Ex. 274	141	Biscuits, cakes, etc., combined with chocolate, nuts, confectionery, etc.:							
		Worth 15 cents per pound or less.	3 cents per pound plus 15 per cent.	35 per cent	32½ per cent				
		Worth over 15 cents per pound.	50 per cent	do	do				
Ex. 278		Candied lemon or orange peel.	2 cents per pound	do	do				
		Candied citron peel	4 cents per pound	do	do	878,941 pounds	130,676	45,736.60	3,266.90
219		Confectionery:							
		Worth 15 cents per pound or less.	4 cents per pound plus 15 per cent.	do	do				
		Worth over 15 cents per pound.	50 per cent	do	do				
Ex. 217	138	Maple sugar and maple sirup.	4 cents per pound	20 per cent	1 cent per pound	7,057 pounds	717	143.40	72.83
253	88	Pickles, in bottles, jars, etc.	40 per cent	35 per cent	32½ per cent	18,738 gallons	17,188	6,015.80	439.70
		Pickles, in bulk	do	do	do	58,061 gallons	8,187	2,865.45	204.68
		Sauces and catsups, in bottles.	do	do	do	39,810 gallons	48,023	16,808.05	1,200.58
		Sauces and catsups, in bulk.	do	do	do	20,905 gallons	6,292	2,202.20	157.36
		Soy	do	do	do	277 gallons	123	43.05	3.08
Ex. 310	152	Fruit juices, nonalcoholic	70 cents per gallon	20 per cent	17½ per cent	14,990 gallons	18,229	3,645.80	455.72
Ex. 312	Ex. 711	Mineral waters and aerated waters:							
		In bottles not over 1 pint.	20 cents per dozen	17½ per cent	do				
		In bottles over 1 pint, but not over 1 quart.	30 cents per dozen	do	do		66,031	13,206.20	
		In bottles over 1 quart.	24 cents per gallon	do	do				
Ex. 3	264	Essential oils	25 per cent	10 per cent	7½ per cent	163,644 pounds	128,442	12,844.20	3,211.05
Ex. 264	Ex. 82	Grapevines	do	20 per cent	17½ per cent	26,736 (number)	809	161.80	20.22
		Gooseberry bushes	do	do	do	99,717 (number)	6,004	1,200.80	150.10
		Raspberry bushes	do	do	do	183,031 (number)	2,360	472.00	59.00
		Currant bushes	do	do	do	119,645 (number)	2,807	561.40	70.18
Ex. 215	Ex. 591	Farm wagons	35 per cent	25 per cent	22½ per cent	5,379 (number)	217,670	54,417.50	5,441.75
Ex. 476	Ex. 446	Plows	15 per cent	20 per cent	15 per cent	26,657 (number)	952,660	190,532.00	47,633.00
		Harrows	do	do	do	8,982 (number)	113,814	22,762.80	5,690.70
	Ex. 445	Harvesters	do	17½ per cent	do	1,481 (number)	165,759	29,007.89	4,143.98
		Reapers	do	do	do	161 (number)	8,350	1,461.28	208.75
	Ex. 446	Seed drills	do	20 per cent	do	5,423 (number)	218,480	43,696.00	10,924.00
	Ex. 445	Mowers	do	17½ per cent	do	1,431 (number)	62,978	11,021.27	1,574.45
	Ex. 446	Horserakes	do	20 per cent	do	1,252 (number)	30,758	6,151.60	1,537.60
		Cultivators	do	do	do	10,066 (number)	54,251	10,850.20	2,712.55
Ex. 199	Ex. 447	Thrashing-machine separators.	do	do	do	1,198 (number)	628,218	125,643.60	31,410.90
		Thrashing-machine parts—baggage, weighers, etc., and repair parts.	15 per cent or 45 per cent.	do	do		344,329	68,865.80	17,216.45
	Ex. 445	Parts of, for repair	45 per cent	17½ per cent.	do		280,983	49,170.80	7,023.35
Ex. 197	Ex. 447	Portable engines, and traction engines.	30 per cent	20 per cent	20 per cent	1,210 (number)	1,799,880	359,976.00	
		Horse powers for farm use	do	do	do	48 (number)	3,912	782.40	
Ex. 199	Ex. 448	Hay loaders	45 per cent	25 per cent	do	460 (number)	25,119	6,279.75	1,255.95
		Potato diggers	do	do	do	748 (number)	31,228	7,807.00	1,561.40
		Fodder or feed cutters	do	do	do	180 (number)	1,713	428.25	85.65
		Grain crushers	do	do	do	49 (number)	661	165.25	33.05
		Fanning mills	do	do	do	831 (number)	10,854	2,713.50	542.70
		Hay tedders	do	do	do	14 (number)	736	184.00	36.80
		Farm or field rollers (and road rollers).	do	do	do	47 (number)	29,322	7,330.50	1,466.10
		Manure spreaders	do	20 per cent	do	246 (number)	21,695	4,339.00	
		Windmills	do	do	do	1,036 (number)	48,310	9,662.00	
	Ex. 446	Parts for repair	do	do	do		492,793	98,731.60	
Ex. 115	303 Ex. 304	Grindstones, not mounted, 30 inches or more in diameter.	$1.75 per ton	15 per cent	5 cents per 100 pounds.	2,903 tons[1]	50,801	7,620.15	3,251.35
Ex. 114	305	Flagstone, granite, rough sandstone, and all building stone, not hammered, sawn, or chiseled.	10 cents per cubic foot.	do	12½ per cent	23,314 tons	108,176	16,226.40	2,704.40

[1] Estimated.

TABLE A.—*Articles included under the reciprocal trade agreement imported into the Dominion of Canada from the United States during the fiscal year ended Mar. 31, 1910*—Cont'd.

SCHEDULE B—Continued.

ARTICLES THE GROWTH, PRODUCT, OR MANUFACTURE OF THE UNITED STATES TO BE ADMITTED INTO CANADA, ETC.—continued.

United States tariff No.	Canadian tariff No.	Articles.	United States rates.	Canadian general rates.	Proposed reciprocal rates.	Imports into Canada from the United States.		Customs duties.	
						Quantity.	Value.	Now levied by Canada.	To be remitted by Canada.
Ex. 116	309	Roofing slates	20 per cent	75 cents per 100 square feet.	55 cents per 100 square feet.	1,871,500 square feet.	$72,501	$14,036.25	$3,743.00
Ex. 84	Ex. 282	Vitrified paving blocks	35 per cent	22½ per cent	17½ per cent		[1] 25,000	[1] 5,625.00	[1] 625.00
Ex. 114	Ex. 306	Paving blocks of stone	10 cents per cubic foot.	20 per cent	do		58,247	11,649.40	1,456.18
Ex. 56	Ex. 246	Oxide of iron	30 per cent	22½ per cent	22½ per cent		[1] 2,000	[1] 450.00	
Ex. 462	312	Asbestos, woven fabrics of	40 per cent	25 per cent	do		173,622	43,405.50	4,340.55
		Asbestos, other manufactures of	25 per cent	do	do				
Ex. 26	256	Printing ink	do	20 per cent	17½ per cent		86,763	17,352.60	2,169.08
Ex. 152	Ex. 426	Pocketknives and penknives:							
		Worth not over 40 cents per dozen.	40 per cent	30 per cent	27½ per cent				
		Worth over 40 cents, but not over 50 cents per dozen.	1 cent each plus 40 per cent.	do	do				
		Worth over 50 cents, but not over $1.25 per dozen.	5 cents each plus 40 per cent.	do	do		983	294.90	24.58
		Worth over $1.25, but not over $3 per dozen.	10 cents each plus 40 per cent.	do	do				
		Worth over $3 per dozen.	20 cents each plus 40 per cent.	do	do				
		Scissors and shears:							
		Worth not more than 50 cents per dozen.	15 cents per dozen plus 15 per cent.	do	do				
		Worth over 50 cents, but not over $1.75 per dozen.	50 cents per dozen plus 15 per cent.	do	do				
		Worth over $1.75 per dozen.	75 cents per dozen plus 25 per cent.	do	do		117,513	35,253.90	2,937.82
Various.		Other cutlery (excluding knives and forks of steel, plated or not).	Various	do	do				
Ex. 154		Knives and forks of steel, plated or not.	Not less than 40 per cent.	do	do		30,792	9,237.60	769.80
Ex. 199	Ex. 352	Bells and gongs	45 per cent	do	do		33,194	9,958.20	829.85
		Brass rules and corners for printers.	do	do	do		[1] 5,000	[1] 1,500.00	[1] 125.00
Ex. 94 Ex. 95 Ex. 199	289	Basins, urinals, bathtubs, laundry tubs, etc.	35 per cent, 45 per cent, or 55 per cent.	35 per cent	32½ per cent		198,540	69,489.00	4,963.50
Ex. 467	Ex. 598	Brass band instruments	45 per cent	25 per cent	22½ per cent		15,792	3,948.00	394.80
Ex. 93 Ex. 94 Ex. 192	368	Clocks, watches, time recorders, clock and watch keys, clock cases, and clock movements.	40 per cent (average).	30 per cent	27½ per cent		294,442	88,332.60	7,361.05
Ex. 215	Ex. 519	Printers' wooden cases or cabinets for holding type.	35 per cent	do	do		[1] 25,000	[1] 7,500.00	[1] 625.00
Ex. 215	Ex. 506	Wood flour	do	25 per cent	22½ per cent		[1] 10,000	[1] 2,500.00	[1] 250.00
Ex. 215	Ex. 590	Canoes and small boats of wood, not power boats.	do	do	do		[1] 12,500	[1] 3,125.00	[1] 312.50
Ex. 438	633	Feathers, crude, in their natural state.	20 per cent	15 per cent	12½ per cent		28,773	4,315.95	719.32
Ex. 332 Various.	236	Antiseptic surgical dressings, such as absorbent cotton, lint, etc.	45 per cent or various	20 per cent	17½ per cent		69,785	13,957.00	1,744.62
Ex. 452 Ex. 464 Ex. 463		Surgical trusses, pessaries, and suspensory bandages of all kinds.	45 per cent, 40 per cent, or 35 per cent.	do	do		27,018	5,403.60	675.45
Ex. 102	321	Plate glass, not beveled, in sheets over 7 square feet but not over 25 square feet.	22½ cents per square foot.	27½ per cent	25 per cent	12,016 square feet.	2,615	719.20	65.38
Ex. 141	Ex. 438	Automobiles and motor vehicles, all kinds, except for railways or tramways.	45 per cent	35 per cent	30 per cent	1,317 (number)	1,569,227	549,229.45	78,461.35
		Automobiles and motor vehicles, parts of (excluding tires).	do	do	do		254,862	89,201.70	12,743.10
Ex. 199	Ex. 454	Digesters for pulp mills	do	30 per cent	27½ per cent		[1] 60,000	[1] 18,000.00	[1] 1,500.00
Ex. 452 Ex. 467	Ex. 623	Pocketbooks, musical-instrument cases, portfolios, etc., wholly or in chief value of leather.	40 per cent, 45 per cent, or 50 per cent.	35 per cent	30 per cent		[1] 225,000	[1] 78,750.00	[1] 11,250.00
		Fancy cases or boxes wholly or in chief value of leather.	40 per cent or 50 per cent.	do	do		[1] 50,000	[1] 17,500.00	[1] 2,500.00
		Totals, Schedule B					14,111,955	3,142,716.91	577,876.81

[1] Estimated.

SCHEDULE C.

ARTICLES THE GROWTH, PRODUCT, OR MANUFACTURE OF CANADA TO BE ADMITTED INTO THE UNITED STATES AT THE UNDERMENTIONED SPECIAL RATES OF DUTY WHEN IMPORTED FROM CANADA.

Altered tariff rates carried by Schedule C do not affect imports into Canada from the United States.

TABLE A.—*Articles included under the reciprocal trade agreement imported into the Dominion of Canada from the United States during the fiscal year ended Mar. 31, 1910*—Cont'd.

SCHEDULE D.

ARTICLES THE GROWTH, PRODUCT, OR MANUFACTURE OF THE UNITED STATES TO BE ADMITTED INTO CANADA AT THE UNDERMENTIONED SPECIAL RATES OF DUTY WHEN IMPORTED FROM THE UNITED STATES.

United States tariff No.	Canadian tariff No.	Articles.	United States rates.	Canadian general rates.	Proposed special Canadian rates.	Imports into Canada from the United States.		Customs duties.	
						Quantity.	Value.	Now levied by Canada.	To be remitted by Canada.
88	290	Cement, Portland, hydraulic, etc.:							
		In packages	8 cents per 100 pounds.	12½ cents per 100 pounds.	11 cents per 100 pounds.	152,607 hundredweight.	$48,977	$19,076.24	$2,289.10
		In bulk	7 cents per 100 pounds.	do	do				
Ex. 423	588	Coal, bituminous, round and run of mine, such as will not pass through a ¾-inch screen.	45 cents per ton	53 cents per ton	45 cents per ton	5,690,576 short tons.	11,441,129	3,016,005.28	455,246.08
Ex. 264	81	Apple trees	$2 per 1,000	3 cents each	2½ cents each	212,529 (number)	19,562	6,375.87	1,062.69
		Cherry trees	$1 per 1,000	do	do	47,503 (number)	8,165	1,425.09	237.52
		Peach trees and June buds.	25 per cent	do	do	175,841 (number)	12,072	5,275.23	879.21
		Pear trees	$2 per 1,000	do	do	38,890 (number)	4,623	1,166.70	194.45
		Plum trees, Myrobolan	$1 per 1,000	do	do	49,856 (number)	5,612	1,495.68	249.28
		Plum trees, St. Julien	$2 per 1,000	do	do				
		Quince trees	do	do	do	1,499 (number)	286	44.97	7.45
248	43	Condensed milk	2 cents per pound	3½ cents per pound	2 cents per pound	237,643 pounds	17,168	7,723.33	2,070.54
Ex. 274	105	Canned fruits	do	2½ cents per pound	do	966,831 pounds	54,952	21,753.95	2,417.06
Ex. 244	65	Biscuits, not sweetened	20 per cent	25 per cent	20 per cent	165,545 pounds	18,689	4,672.25	934.45
282	Ex. 109	Peanuts, shelled	1 cent per pound	3 cents per pound	1 cent per pound	[1] 754,000 pounds	[1] 40,576	[1] 22,566.75	[1] 15,080.12
	Ex. 112	Peanuts, unshelled	½ cent per pound	2 cents per pound	½ cent per pound	[1] 1,667,000 pounds	[1] 86,588	[1] 49,808.81	[1] 25,065.13
		Totals, Schedule D					11,758,399	3,157,390.15	506,573.10

[1] Estimated.

RECAPITULATION.

	Imports into Canada from the United States.	Customs duties.	
		Now levied by Canada.	To be remitted by Canada.
Schedule A	$21,957,605	$1,476,129.13	$1,476,129.13
Schedule B	14,111,955	3,142,716.91	577,876.81
Schedule D	11,758,399	3,157,390.15	506,573.10
Grand total	47,827,959	7,776,236.19	2,560,579.04

TABLE B.—*Articles included under the reciprocal trade agreement imported into the United States from the Dominion of Canada during the fiscal year ended June 30, 1910.*

[Compiled from advance sheets of Tables 3 and 15 of Commerce and Navigation, fiscal year 1910, by the Bureau of Trade Relations, Department of State.]

SCHEDULE A.

ARTICLES THE GROWTH, PRODUCT, OR MANUFACTURE OF THE UNITED STATES TO BE ADMITTED INTO CANADA FREE OF DUTY WHEN IMPORTED FROM THE UNITED STATES, AND RECIPROCALLY ARTICLES THE GROWTH, PRODUCT, OR MANUFACTURE OF CANADA TO BE ADMITTED INTO THE UNITED STATES FREE OF DUTY WHEN IMPORTED FROM CANADA.

Tariff number.		Articles.	Rate of duty.			Imports into the United States from Canada.		Customs duties.	
United States.	Canadian.		United States.	Canadian, general.	Proposed reciprocal.	Quantity.	Value.	Levied at present.	To be remitted by the United States.
		Live animals:							
225	Ex. 5	Cattle, less than 1 year old.	$2 each	25 per cent	Free	5,168	$109,772	[1] $27,443	[1] $27,443
		Cattle, other, valued not more than $14 per head.	$3.75 each						
		Cattle, valued more than $14 per head.	27½ per cent						
227	Ex. 4	Horses and mules, valued at $150 or less per head.	$30 each	$12.50 each, or 25 per cent.	do	2,615	484,560	[1] 121,140	[1] 121,140
	Ex. 5	Horses and mules, valued at over $150 per head.	25 per cent	25 per cent	do				
226	6	Swine	$1.50 each	1½ cents per pound	do	[2] 205	[2] 6,088	308	308
228	Ex. 5	Sheep, 1 year old or over.	do	25 per cent	do	103,519	527,687	[1] 103,519	[1] 103,519
		Sheep, less than 1 year old (lambs).	75 cents each	do	do				
229	Ex. 5	All other live animals.	20 per cent	do	do		118,682	[1] 23,736	[1] 23,736
239	Ex. 9	Poultry, live	3 cents per pound	20 per cent	do				
239	Ex. 9	Poultry, dead	5 cents per pound	20 per cent or 27½ per cent.	do		[2] 3,576	[1] 894	[1] 894
242	60	Wheat	25 cents per bushel	12 cents per bushel	do	152,383 bushels	135,441	38,096	38,096
Ex. 241	58	Rye	10 cents per bushel	10 cents per bushel	do	[3] 46 bushels	[3] 42	5	5
238	56	Oats	15 cents per bushel	do	do	946,479 bushels	356,637	141,972	141,972
230	52	Barley	30 cents per bushel	15 cents per bushel	do	[3] 2,420 bushels	[3] 1,221	726	726
Ex. 234	49	Buckwheat	15 cents per bushel	do	do	[2] 163,971 bushels	[2] 90,820	24,596	24,596
Ex. 262	Ex. 48	Peas, dried	25 cents per bushel	do	do	[2] 232,560 bushels	[2] 273,956	58,140	58,140
249	Ex. 47	Beans, edible, dried	45 cents per bushel	25 cents per bushel	do	8,501 bushels	15,857	3,825	3,825

[1] Estimated.

[2] Canadian export figures for the fiscal year ended Mar. 31, 1910.

[3] Figures for fiscal year 1909. Not stated separately in 1910.

TABLE B.—*Articles included under the reciprocal trade agreement imported into the United States from the Dominion of Canada during the fiscal year ended June 30, 1910*—Cont'd.

SCHEDULE A—Continued.

ARTICLES THE GROWTH, PRODUCT, OR MANUFACTURE OF THE UNITED STATES TO BE ADMITTED INTO CANADA, ETC.—continued.

Tariff number.		Articles.	Rate of duty.			Imports into the United States from Canada.		Customs duties.	
United States.	Canadian.		United States.	Canadian, general.	Proposed reciprocal.	Quantity.	Value.	Levied at present.	To be remitted by the United States.
235	55	Corn, sweet corn or maize (except into Canada for distillation).	15 cents per bushel..	Free.....	Free.....	[1] 4,357 bushels...	[1] $4,835	$654	$654
258	Ex. 69	Hay.....	$4 per long ton.....	$2 per short ton.....	.....do.....	96,507 tons.....	771,350	386,028	386,028
267	Ex. 69	Straw.....	$1.50 per long ton.....	.....do.....	.....do.....	6,695 tons.....	31,206	10,043	10,043
Ex. 262	Ex. 48	Cowpeas.....	25 cents per bushel..	15 cents per bushel..	.....do.....	([2]).....	([2])	.....	.....
		Fresh vegetables:							
Ex. 265	84	Sweet potatoes and yams.	.....do.....	10 cents per bushel..	.....do.....	97,138 bushels...	36,770	24,285	24,285
Ex. 265	83	Potatoes.....	.....do.....	20 cents per bushel..	.....do.....				
Ex. 261	Ex. 87	Onions.....	40 cents per bushel..	30 per cent.....	.....do.....	2,439 bushels....	3,404	976	976
Ex. 269	Ex. 87	Turnips.....	25 per cent.....	.....do.....	.....do.....				
254	Ex. 87	Cabbages.....	2 cents each.....	.....do.....	.....do.....	.....	642,281	[3] 160,570	[3] 160,570
Ex. 269	Ex. 87	All others, not elsewhere specified.	25 per cent.....	.....do.....	.....do.....				
		Fresh fruits:							
276	100	Grapes, green or ripe.	25 cents per cubic foot.	2 cents per pound...	.....do.....	3,473 cubic feet..	2,802	868	868
Ex. 274	92	Apples, green or ripe..	25 cents per bushel..	40 cents per barrel..	.....do.....	43,613 bushels...	29,323	10,903	10,903
Ex. 274	102	Peaches, green or ripe	.....do.....	$1 per 100 pounds...	.....do.....				
Ex. 274	Ex. 97	Pears, green or ripe...	.....do.....	50 cents per 100 pounds.	.....do.....				
Ex. 274	Ex. 96	Berries, cranberries..	25 per cent.....	25 per cent.....	.....do.....				
.....	Ex. 90	Berries, other edible..	1 cent per quart.....	2 cents per pound or free.	.....do.....	.....	200,653	[3] 40,131	[3] 40,131
.....	Ex. 95								
Ex. 274	Ex. 95	All other edible fruits in their natural state (except citrus fruits and pineapples).	25 cents per bushel, 2 cents per pound, or free.	2 cents per pound, or 25 per cent.	.....				
571	Ex. 96								
		Dried fruits:							
Ex. 274	Ex. 93	Apples, peaches, pears, and apricots, dried, desiccated or evaporated.	2 cents per pound...	25 per cent.....	.....do.....	[4] 1,209,098 pounds.	[4] 88,344	24,182	24,182
		Dairy products:							
Ex. 245	18	Butter.....	6 cents per pound...	4 cents per pound...	.....do.....	980,036 pounds..	192,171	58,802	58,802
Ex. 246	17	Cheese.....	.....do.....	3 cents per pound...	.....do.....	163,350 pounds..	27,942	9,801	9,801
Ex. 247	Ex. 43	Fresh milk.....	2 cents per gallon....	3½ cents per pound..	.....do.....	11,700 gallons....	1,779	234	234
Ex. 247	Ex. 43	Fresh cream.....	5 cents per gallon....	.....do.....	.....do.....	731,761 gallons...	577,698	36,588	36,588
256	16	Eggs of barnyard fowl, in the shell.	5 cents per dozen....	3 cents per dozen ...	.....do.....	39,810 dozen.....	12,596	1,991	1,991
259	Ex. 108	Honey.....	20 cents per gallon...	3 cents per pound...	.....do.....	510 gallons.....	643	102	102
Ex. 639	Ex. 711	Cottonseed oil.....	Free.....	17½ per cent.....	.....do.....	([2]).....	([2])	.....	.....
		Seeds:							
Ex. 266	70	Flaxseed or linseed...	25 cents per bushel..	10 cents per bushel..	.....do.....	1,410,398 bushels.	2,641,256	352,600	352,600
Ex. 668	Ex. 72	Cotton seed.....	Free.....	10 per cent.....	.....do.....				
Ex. 266	Ex. 72	Other oil seeds.....	Free, or 25 cents per bushel.	Free, or 10 per cent..	.....do.....	([2]).....	([2])	.....	.....
Ex. 668	Ex. 74								
	Ex. 75								
Ex. 668	71	Grass seed, including timothy and clover seed.	Free.....	10 per cent.....	.....do.....	3,711,155 pounds.	420,618	.....	.....
Ex. 266	Ex. 72	Garden, field, and other seed not herein otherwise provided for, when in packages weighing over 1 pound each (not including flower seeds).	Free, or 15 cents per bushel to 20 cents per pound.	....do.....	.....do.....	.....	[5] 169,638 [6] 2,792	[3] 558	[3] 558
Ex. 668									
		Fish of all kinds:							
Ex. 271	Ex. 118	Fresh-water fish.....	½ cent per pound....	1 cent per pound....	.....do.....	31,841,153 pounds	1,291,845	79,603	79,603
Ex. 272	Ex. 118	Herring, fresh.....	.....do.....	.....do.....	.....do.....	13,341,921 pounds	758,188	[1] 100,065	[1] 100,065
Ex. 273	Ex. 115	Mackerel, halibut, or salmon, fresh, frozen, or packed in ice.	1 cent per pound....	.....do.....	.....do.....				
	Ex. 117								
	Ex. 118								
Ex. 272	Ex. 118	Eels and smelts, fresh or frozen.	¾ cent per pound....	.....do.....	.....do.....				
Ex. 273	Ex. 118	All other fish, fresh, frozen, or packed in ice.	.....do.....	.....do.....	.....do.....				
Ex. 273	Ex. 118	Cod, haddock, hake, and pollock, dried, smoked, salted, and pickled.	....do.....	.....	.....do.....	17,085,091 pounds	759,882	128,138	128,138
	Ex. 119								
	Ex. 122								
Ex. 272	Ex. 116	Herring, pickled or salted, smoked or kippered.	½ cent per pound....	50 cents per 100 pounds, or 1 cent per pound.	.....	7,720,165 pounds.	149,835	38,601	38,601
	Ex. 119								
Ex. 273	Ex. 115	Mackerel, pickled or salted.	1 cent per pound....	1 cent per pound....	Free.....	3,256,042 pounds.	190,480	32,560	32,560
Ex. 273	Ex. 117	Halibut or salmon, pickled or salted.	....do.....	.....do.....	.....do.....				
	Ex. 118								
Ex. 273	Ex. 119	Fish, skinned or boned.	1½ cents per pound..	.....do.....	.....do.....				
Ex. 273	Ex. 118	Fish, all other, smoked, dried, salted, pickled, or otherwise prepared for preservation, not specially provided for.	¾ cent per pound....	.....do.....	.....do.....	.....	338,784	[3] 84,696	84,696
	Ex. 119								
	Ex. 122								
Ex. 270	Ex. 123	Fish in tin cans, barrels, etc.	30 per cent.....	30 per cent.....	.....do.....				
Ex. 270	Ex. 123	Caviar, and other preserved fish roe.	.....do.....	.....do.....	.....do.....				

[1] Figures for fiscal year 1909. Not stated separately in 1910.
[2] Statistics not available, negligible amount.
[3] Estimated.
[4] Canadian export figures for fiscal year ended Mar. 31, 1910.
[5] Free.
[6] Dutiable.

TABLE B.—*Articles included under the reciprocal trade agreement imported into the United States from the Dominion of Canada during the fiscal year ended June 30, 1910*—Contd.

SCHEDULE A—Continued.

ARTICLES THE GROWTH, PRODUCT, OR MANUFACTURE OF THE UNITED STATES TO BE ADMITTED INTO CANADA, ETC.—continued.

Tariff number.		Articles.	Rate of duty.			Imports into the United States from Canada.		Customs duties.	
United States.	Canadian.		United States.	Canadian, general.	Proposed reciprocal.	Quantity.	Value.	Levied at present.	To be remitted by the United States.
Ex. 671	Ex. 123, 124, 125, 126, 127, 128, Ex. 133	Shellfish of all kinds, including oysters, lobsters, and clams in any state, fresh or packed, and coverings of foregoing.	Free	3 cents per can, 5 cents per quart, 10 cents per gallon, 25 per cent or 30 per cent.	Free		$1,311,461		
40	Ex. 265	Seal, herring, whale, and other fish oil, including sod oil.	8 cents per gallon	22½ per cent	do	478,189 gallons	119,911	[1] $47,819	[1] $47,819
34	Ex. 265	Cod liver oil	15 cents per gallon	do	do				
295	41	Salt, in bags, sacks, barrels, or other packages.	11 cents per 100 pounds.	7½ cents per 100 pounds.	do				
		Salt, in bulk	7 cents per 100 pounds.	5 cents per 100 pounds.	do	1,926,205 pounds.	6,173	[1] 1,734	[1] 1,734
Ex. 312	154	Mineral waters, natural, not in bottles or jugs.	8 cents per gallon	Free	do	[1] 700 dozen quarts.	715	168	168
200	Ex. 500, Ex. 503	Timber, hewn, sided or squared otherwise than by sawing, and round timber used for spars or in building wharves.	½ cent per cubic foot.	do	do		23,431	586	[1] 586
		Sawed boards, planks, deals, and other lumber, not further advanced than sawed:							
Ex. 201	Ex. 503	Of white wood, sycamore, and basswood.	50 cents per M feet	do	do	7,307 M feet	133,328	3,654	3,654
		Of other woods	$1.25 per M feet	do	do	975,975 M feet	17,808,793	1,219,970	1,219,970
204	Ex. 500	Paving posts, railroad ties, and telephone, trolley, electric-light, and telegraph poles of cedar or other woods.	10 per cent	do	do				
Ex. 206	Ex. 500a	Wooden staves of all kinds, not further manufactured than listed or jointed, and stave bolts.	10 per cent or 20 per cent.	Free or 20 per cent	do		994,201	[1] 99,420	[1] 99,420
Ex. 208	Ex. 502								
Ex. 208	Ex. 503	Pickets and palings	10 per cent	Free	do				
Ex. 88	292	Plaster rock or gypsum, crude, not ground.	30 cents per ton	do	do	338,309 tons	404,880	101,493	101,493
		Mica:							
Ex. 91	Ex. 711	Unmanufactured, or rough trimmed only.	5 cents per pound and 20 per cent.	17½ per cent	do	867,489 pounds	333,196	110,013	110,013
Ex. 91	Ex. 711	Ground or bolted	10 cents per pound and 20 per cent ad valorem.	17½ per cent ad valorem.	do				
		Feldspar:							
Ex. 626	Ex. 296	Crude	Free	Free	do	[2] 11,494 tons	[2] 35,975	[1] 3,598	3,598
Ex. 480	Ex. 296	Powdered or ground.	20 per cent	do	do				
501		Asbestos, crude	Free		do	47,322 tons	1,087,098		
Ex. 90	Ex. 296	Fluorspar, crude, not ground.	$3 per ton	Free	do				
Ex. 24	Ex. 664, Ex. 711	Glycerin, crude, not purified.	1 cent per pound	Free or 17½ per cent	do	[3]	[3]		
Ex. 95	Ex. 296	Talc, ground, bolted or precipitated, naturally or artificially, not for toilet use.	35 per cent	Free	do	[3]	[3]		
Ex. 77	Ex. 210	Sulphate of soda, or salt cake.	$1 per ton	do	do	[3]	[3]		
Ex. 75	Ex. 210	Soda ash	½ cent per pound	do	do				
Ex. 22	Ex. 203	Extract of hemlock bark.	⅛ cent per pound	do	do				
Ex. 95	315	Carbon electrodes	30 per cent ad valorem.	do	do		[1] 1,824	547	547
Ex. 199	349, 717	Brass in bars and rods, in coil or otherwise, not less than 6 feet in length, or brass in strips, sheets, or plates, not polished, planished, or coated.	45 per cent ad valorem.	10 per cent ad valorem, or free.	do	[3]	[3]		
Ex. 199	459	Cream separators of every description, and parts thereof imported for repair of the foregoing.	do	Free	do	[3]	[3]		
Ex. 127	Ex. 384, Ex. 386	Rolled iron or steel sheets or plates, No. 14 gauge or thinner, not galvanized or coated with zinc, tin, or other metal.	1/10 cent per pound to 1/7 cent per pound.	5 per cent ad valorem.	do	155,039 pounds	4,933	[1] 1,085	[1] 1,085
Ex. 128	Ex. 384	Rolled iron or steel sheets, or plates, No. 14 gauge or thinner, galvanized or coated with zinc, tin, or other metal.	1/10 cent per pound to 1 2/10 cents per pound.	do	do	367,596 pounds	15,088	[1] 3,308	[1] 3,308
Ex. 130	Ex. 386								

[1] Estimated. [2] Canadian export figures for fiscal year ended Mar. 31, 1910. [3] Statistics not available, negligible amount.

TABLE B.—*Articles included under the reciprocal trade agreement imported into the United States from the Dominion of Canada during the fiscal year ended June 30, 1910*—Cont'd.

SCHEDULE A—Continued.

ARTICLES THE GROWTH, PRODUCT, OR MANUFACTURE OF THE UNITED STATES TO BE ADMITTED INTO CANADA, ETC.—continued.

Tariff number.		Articles.	Rate of duty.			Imports into the United States from Canada.		Customs duties.	
United States.	Canadian.		United States.	Canadian, general.	Proposed reciprocal.	Quantity.	Value.	Levied at present.	To be remitted by the United States.
Ex. 135	403	Crucible cast-steel wire, valued at not less than 6 cents per pound.	35 per cent ad valorem (minimum rate).	5 per cent ad valorem.	Free	[1]	[1]		
Ex. 135	404	Galvanized iron or steel wire, curved or not, Nos. 9, 12, and 13 gauge.	1 3/10 cents per pound (minimum 35 per cent ad valorem).	Free	do	[1]	[1]		
Ex. 197	441	Type-casting and type-setting machines and parts thereof, adapted for use in printing offices.	30 per cent ad valorem.	20 per cent ad valorem.	do	[1]	[1]		
Ex. 135	Ex. 480	Barbed fencing wire of iron or steel, galvanized or not.	3/4 cent per pound	Free	do	[1]	[1]		
Ex. 428	Ex. 586	Coke	20 per cent ad valorem.	do	do	43,498 tons	$219,529	$43,906	$43,906
Ex. 134	471	Rolled round wire rods in the coil, or iron or steel, not over 3/8 of an inch in diameter, and not smaller than No. 6 wire gauge.	1/10 cent per pound, or 4/10 cent per pound.	do	do	[1]	[1]		
		Pulp of wood:							
Ex. 406	Ex. 200	Mechanically ground	Free, or 1/12 cent per pound.	25 per cent ad valorem.	do	157,347,856 lbs.	1,203,153		
						160,217,659 lbs.	1,320,130	133,515	133,515
Ex. 406	Ex. 200	Chemical, unbleached	1/8 cent per pound	do	do	75,446,109 lbs.	1,241,179	125,744	125,744
Ex. 406	Ex. 200	Chemical, bleached	1/4 cent per pound	do	do	19,345,312 lbs.	460,038	48,363	48,363
Ex. 409 Ex. 415	Ex. 192, 196 and Ex. 197	News print paper and other paper, and paper board, manufactured from mechanical wood pulp, or of which such pulp is the component material of chief value, colored in the pulp, or not colored, and valued at not more than 4 cents per pound, not including printed or decorated wall paper.	1/16 cent per pound, 1/10 cent per pound, 1/10 cent per pound, or 35 per cent ad valorem.	15 per cent ad valorem, or 25 per cent ad valorem.	do	86,766,027 pounds	1,615,100	[2] 164,686	[2] 164,686
		Total Schedule A					39,811,560	4,236,988	4,236,988

[1] Statistics not available, negligible amount.

[2] Estimated.

SCHEDULE B.

ARTICLES THE GROWTH, PRODUCT, OR MANUFACTURE OF THE UNITED STATES TO BE ADMITTED INTO CANADA AT THE UNDERMENTIONED RATES OF DUTY WHEN IMPORTED FROM THE UNITED STATES; AND RECIPROCALLY THE SAME ARTICLES THE GROWTH, PRODUCT, OR MANUFACTURE OF CANADA TO BE ADMITTED INTO THE UNITED STATES AT IDENTICAL RATES OF DUTY WHEN IMPORTED FROM CANADA.

Tariff number.		Articles.	Rate of duty.			Imports into the United States from Canada.		Customs duties.	
United States.	Canadian.		United States.	Canadian, general.	Proposed reciprocal.	Quantity.	Value.	Levied at present.	To be remitted by the United States.
Ex. 285	7	Fresh meats, viz, beef, veal, mutton, lamb, pork, and all other fresh or refrigerated meats, excepting game.	1½ cents per pound	3 cents per pound	1½ cents per pound				
284	Ex. 10	Bacon and hams, not in tins or jars.	4 cents per pound	2 cents per pound	do				
Ex. 286	Ex. 10	Meats of all kinds, dried, smoked, salted, in brine, or prepared or preserved in any manner, not otherwise herein provided for.	25 per cent ad valorem.	do	do				
Ex. 286	Ex. 8	Canned meats and canned poultry.	do	27½ per cent ad valorem.	20 per cent ad valorem.		[1] $84,704	[1] $16,941	[1] $4,236
		Extract of meat:							
Ex. 287	Ex. 8	Fluid	15 cents per pound	do	do				
Ex. 287	Ex. 8	Not fluid	35 cents per pound	do	do				
288	Ex. 13	Lard	1½ cents per pound	2 cents per pound	1½ cents per pound				
Ex. 3	Ex. 13	Lard compounds	25 per cent ad valorem.	do	do				
Ex. 3	Ex. 13	Cottolene, and cotton stearine, and animal stearine.	do	do	do				
Ex. 290	14	Tallow	½ cent per pound	20 per cent ad valorem.	40 cents per 100 pounds.				
Ex. 257	Ex. 207	Egg yolk	25 per cent ad valorem.	10 per cent ad valorem.	7½ per cent ad valorem.				

[1] Estimated.

TABLE B.—*Articles included under the reciprocal trade agreement imported into the United States from the Dominion of Canada during the fiscal year ended June 30, 1910*—Cont'd.

SCHEDULE B—Continued.

ARTICLES THE GROWTH, PRODUCT, OR MANUFACTURE OF THE UNITED STATES TO BE ADMITTED INTO CANADA, ETC.—continued.

Tariff number.		Articles.	Rate of duty.			Imports into the United States from Canada.		Customs duties.	
United States.	Canadian.		United States.	Canadian, general.	Proposed reciprocal.	Quantity.	Value.	Levied at present.	To be remitted by the United States.
Ex. 257	Ex. 207	Egg albumen and blood albumen.	3 cents per pound...	10 per cent ad valorem.	7½ per cent ad valorem.	(1).....	(1)	.....	.....
		Fish (except shellfish) by whatever name known, packed in oil, in tin boxes or cans, including the weight of the package:							
Ex. 270	Ex. 120	(a) When weighing over 20 ounces and not over 36 ounces each.	1½ cents, 2½ cents, 5 cents, or 10 cents per package, according to capacity of the package.	6 cents per package..	5 cents per package..	.....	[2] $2,145	[2] $590	[2] $61
.....	Ex. 120	(b) When weighing over 12 ounces and not over 20 ounces.		4½ cents per package.	4 cents per package..				
.....	Ex. 120	(c) When weighing 12 ounces each or less.		3½ cents per package or 2½ cents per package.	2 cents per package..				
.....	121	(d) When weighing 36 ounces each or more, or when packed in oil in bottles, jars, or kegs.		35 per cent ad valorem.	30 per cent ad valorem.				
Ex. 252	86	Tomatoes and other vegetables, including corn, in cans or other air-tight packages, and including the weight of the package.	40 per cent ad valorem.	1½ cents per pound..	1½ cents per pound..	.....	6,566	[2] 14,602	[2] 8,898
243	61	Wheat flour and semolina.	25 per cent ad valorem.	60 cents per barrel...	50 cents per barrel of 196 pounds.	143,830 barrels...	676,366	169,092	97,177
Ex. 241	59	Rye flour.....	½ cent per pound....	50 cents per barrel...	.....do.....	(1).....	(1)	.....	.....
Ex. 239	57	Oatmeal and rolled oats, including the weight of paper covering.	1 cent per pound....	60 cents per 100 pounds.	50 cents per 100 pounds.	[3] 56,989.....	[3] 1,450	570	285
236	53	Corn meal.....	40 cents per 100 pounds.	25 cents per barrel...	12½ cents per 100 pounds.	.....	.....	.....	.....
231	Ex. 167	Barley malt.....	45 cents per bushel..	45 cents per 100 pounds.	45 cents per 100 pounds.	.....	.....	.....	.....
232	Ex. 51	Barley, pot, pearled, and patent.	2 cents per pound...	30 per cent ad valorem.	½ cent per pound....	(1).....	(1)	.....	.....
Ex. 234	50	Buckwheat flour or meal.	25 per cent ad valorem.	50 cents per 100 pounds.	.....do.....	49,481 pounds [3]..	[3] 1,061	265	18
Ex. 262	Ex. 48	Split pease, dried.....	45 cents per bushel..	15 cents per bushel..	7½ cents per bushel..	47,971 bushels [4]..	[4] 73,352	21,587	17,989
Ex. 480	Ex. 45	Prepared cereal foods, not otherwise provided for herein.	20 per cent ad valorem.	20 per cent ad valorem or 25 per cent ad valorem.	17½ per cent ad valorem.	.....	[4] 17,870	3,574	447
.....	46								
Ex. 480	Ex. 711	Bran, middlings, and other offals of grain used for animal food.	.....do.....	17½ per cent ad valorem.	12½ cents per 100 pounds.	.....	[2] 323,487	64,697	[2] 24,261
237	67	Macaroni and vermicelli..	1½ cents per pound..	$1.25 per 100 pounds.	1 cent per pound....	6,083 pounds....	313	91	30
Ex. 244	66	Biscuits, wafers, and cakes, when sweetened with sugar, honey, molasses or other material.	3 cents per pound and 15 per cent ad valorem, or 50 per cent ad valorem.	27½ per cent ad valorem.	25 per cent ad valorem.	.....	[4] 1,041	[2] 312	[2] 52
Ex. 244	Ex. 141	Biscuits, wafers, cakes, and other baked articles composed in whole or in part of eggs or any kind of flour or meal when combined with chocolate, nuts, fruits, or confectionery.	3 cents per pound and 15 per cent, or 50 per cent ad valorem.	35 per cent ad valorem.	32½ per cent ad valorem.	(1).....	(1)	.....	.....
Ex. 274	Ex. 141	Candied peel, candied popcorn, candied nuts, candied fruits.	1 cent per pound and 35 per cent, or 2 cents per pound.	.....do.....	.....do.....	(1).....	(1)	.....	.....
Ex. 278									
Ex. 219	Ex. 141	Sugar candy and confectionery of all kinds.	4 cents per pound and 15 per cent or 50 per cent ad valorem.	.....do.....	.....do.....	1,594 pounds....	517	[2] 200	[2] 32
Ex. 217	138	Maple sugar and maple sirup.	4 cents per pound...	20 per cent ad valorem.	1 cent per pound....	1,782,637 pounds. [2]	[2] 136,268	71,305	53,479
253	88	Pickles, including pickled nuts, sauces of all kinds, and fish paste or sauce.	40 per cent ad valorem.	35 per cent ad valorem.	32½ per cent ad valorem.	.....	226	90	17
Ex. 310	152	Cherry juice and prune juice, or prune wine, and other fruit juices, and fruit sirup, non-alcoholic.	70 cents per gallon...	20 per cent ad valorem.	17½ per cent ad valorem.	.....	.....	.....	.....
Ex. 312	Ex. 711	Mineral waters and imitations of natural mineral waters, in bottles or jugs.	20 cents per dozen bottles, 30 cents per dozen bottles, or 24 cents per gallon.	17½ per cent ad valorem.	.....do.....	6,295 dozen quarts. [2]	[2] 6,431	[2] 1,889	764
Ex. 3	264	Essential oils.....	25 per cent ad valorem.	10 per cent ad valorem.	7½ per cent ad valorem.	.....	656	164	115
Ex. 264	Ex. 82	Grape vines, gooseberry, raspberry, and currant bushes.	.....do.....	20 per cent ad valorem.	17½ per cent ad valorem.	(1).....	(1)	.....	.....

[1] Statistics not available, negligible amount.
[2] Estimated.
[3] Figures for fiscal year 1909. Not stated separately in 1910.
[4] Canadian export figures for fiscal year ended Mar. 31, 1910.

TABLE B.—*Articles included under the reciprocal trade agreement imported into the United States from the Dominion of Canada during the fiscal year ended June 30, 1910*—Cont'd.

SCHEDULE B—Continued.

ARTICLES THE GROWTH, PRODUCT, OR MANUFACTURE OF THE UNITED STATES TO BE ADMITTED INTO CANADA, ETC.—continued.

Tariff number.		Articles.	Rate of duty.			Imports into the United States from Canada.		Customs duties	
United States.	Canadian.		United States.	Canadian, general.	Proposed reciprocal.	Quantity.	Value.	Levied at present.	To be remitted by the United States.
Ex. 199 Ex. 215	Ex. 591	Farm wagons, and finished parts thereof.	45 per cent or 35 per cent.	25 per cent ad valorem.	22½ per cent ad valorem.	[1].....	[1]	.....	.....
Ex. 476 Ex. 199	Ex. 445 Ex. 446 Ex. 447	Plows, tooth and disk harrows, harvesters, reapers, agricultural drills and planters, mowers, horserakes, cultivators, thrashing machines, including windstackers, baggers, weighers, and self-feeders therefor, and finished parts thereof imported for repair of foregoing.	15 per cent or 45 per cent.	17½ per cent or 20 per cent.	15 per cent ad valorem.	....	[2] $74,618	[2] $16,789	$5,596
Ex. 197	Ex. 447	Portable engines with boilers, in combination, horsepower and traction engines, for farm purposes.	30 per cent ad valorem.	20 per cent ad valorem.	20 per cent ad valorem.	[1]	[1]	.....	.....
Ex. 199	Ex. 448	Hay loaders, potato diggers, fodder or feed cutters, grain crushers, fanning mills, hay tedders, farm or field rollers, manure spreaders, weeders, and windmills, and finished parts thereof imported for repair of foregoing, except shafting.	45 per cent ad valorem.	25 per cent ad valorem.	.....do.....	.....	[3] 10,000	4,500	2,500
Ex. 115	303 Ex. 304	Grindstones of sandstone, not mounted, finished or not.	$1.75 per ton.....	15 per cent or 25 per cent.	5 cents per 100 pounds.	.....	[4] 13,451	1,345	[1] 575
Ex. 114	Ex. 305	Freestone, granite, sandstone, limestone, and all other monumental or building stone, except marble, breccia, and onyx, unmanufactured or not dressed, hewn, or polished.	10 cents per cubic foot.	15 per cent ad valorem.	12½ per cent ad valorem.	.....	[3] 46,379	9,276	[3] 3,473
Ex. 116	309	Roofing slates.....	20 per cent ad valorem.	75 cents per 100 square feet.	55 cents per 100 square feet.				
Ex. 114	Ex. 306	Paving blocks of stone...	10 cents per cubic foot.	20 per cent.....	17½ per cent.....				
Ex. 84	Ex. 282	Vitrified paving block, not ornamented or decorated in any manner.	35 per cent.....	20½ per cent.....	.....do.....	[1]	[1]	.....	.....
Ex. 56	Ex. 246	Oxide of iron, as a color..	30 per cent ad valorem.	22½ per cent ad valorem.	22½ per cent ad valorem.	846,486 [4].....	[4] 6,696	201	50
Ex. 402	Ex. 312	Asbestos further manufactured than ground; manufactures of asbestos, or articles of which asbestos is the component material of chief value.	25 per cent ad valorem.	25 per cent ad valorem.	.....do.....	.....	118	30	3
Ex. 402	Ex. 312	Woven fabrics wholly or in chief value of asbestos.	40 per cent ad valorem.	.....do.....	.....do.....				
Ex. 20	256	Printing ink.....	20 per cent ad valorem.	20 per cent ad valorem.	17½ per cent ad valorem.	.....	[3] 50	13	4
Ex. 152 Ex. 154	Ex. 426	Cutlery, plated or not, viz, pocketknives, penknives, scissors and shears, knives and forks for household purposes, and table steels.	40 per cent ad valorem and upward.	30 per cent ad valorem.	27½ per cent ad valorem.	.....	1,035	414	129
Ex. 199	Ex. 352	Bells and gongs.....	45 per cent ad valorem.	.....do.....	.....do.....	[1]	[1]	.....	.....
Ex. 199	Ex. 352	Brass corners and rules for printers.	.....do.....	.....do.....	.....do.....	[1].....	[1]	.....	.....
Ex. 95 Ex. 199	289	Basins, urinals, and other plumbing fixtures for bathrooms and lavatories, bathtubs, sinks, and laundry tubs of earthenware, stone, cement, or clay, or other material.	35 per cent ad valorem; 45 per cent ad valorem.	35 per cent ad valorem.	32½ per cent ad valorem.	[1].....	[1]	.....	.....
Ex. 467	Ex. 508	Brass band instruments..	45 per cent ad valorem.	25 per cent ad valorem.	22½ per cent ad valorem.	[1].....	[1]	.....	.....
Ex. 192 Ex. 93 Ex. 94	368	Clocks, watches, time recorders, clock and watch keys, clock cases, and clock movements.	40 per cent ad valorem (average).	30 per cent ad valorem.	27½ per cent ad valorem.	.....	1,090	436	136
Ex. 215	Ex. 519	Printers' wooden cases and cabinets for holding type.	35 per cent ad valorem.	.....do.....	.....do.....	[1]	[1]	.....	.....

[1] Statistics not available, negligible amount.
[2] Estimated.
[3] Figures for fiscal year 1909. Not stated separately in 1910.
[4] Canadian export figures for fiscal year ended Mar. 31, 1910.

TABLE B.—*Articles included under the reciprocal trade agreement imported into the United States from the Dominion of Canada during the fiscal year ended June 30, 1910*—Cont'd.

SCHEDULE B—Continued.

ARTICLES THE GROWTH, PRODUCT, OR MANUFACTURE OF THE UNITED STATES TO BE ADMITTED INTO CANADA, ETC.—continued.

Tariff number.		Articles.	Rate of duty.			Imports into the United States from Canada.		Customs duties.	
United States.	Canadian.		United States.	Canadian, general.	Proposed reciprocal.	Quantity.	Value.	Levied at present.	To be remitted by the United States.
Ex. 215	Ex. 506	Wood flour	35 per cent ad valorem.	25 per cent ad valorem.	22½ per cent ad valorem.	(1)	(1)		
Ex. 215	Ex. 590	Canoes and small boats of wood, not power boats.	do	do	do	(1)	(1)		
Ex. 438	633	Feathers, crude, not dressed, colored, or otherwise manufactured.	20 per cent ad valorem.	15 per cent ad valorem.	12½ per cent ad valorem.		$1,317	$263	$98
Ex. 65	Ex. 236	Antiseptic surgical dressing, such as absorbent cotton, cotton wool, lint, lamb's wool, tow, jute, gauze, and oakum, prepared for use as surgical dressings, plain or medicated.	25 per cent ad valorem.	20 per cent ad valorem.	17½ per cent ad valorem.	(1)	(1)		
Ex. 199, Ex. 452, Ex. 463, Ex. 464	Ex. 236	Surgical trusses, pessaries, and suspensory bandages of all kinds.	35 per cent, 40 per cent, or 45 per cent ad valorem.	do	do	(1)	(1)		
Ex. 102	321	Plate glass, not beveled, in sheets or panes exceeding 7 square feet each, and not exceeding 25 square feet each.	22½ cents per square foot.	27½ per cent ad valorem.	25 per cent ad valorem.				
Ex. 199, Ex. 141	Ex. 438	Motor vehicles, other than for railways and tramways.	45 per cent ad valorem.	35 per cent ad valorem.	30 per cent ad valorem.	(1)	(1)		
Ex. 141	Ex. 438	Automobiles and parts of, not including rubber tires.	do	do	do	36	69,737	31,382	10,461
Ex. 199	Ex. 454	Iron or steel digesters for the manufacture of wood pulp.	do	30 per cent ad valorem.	27½ per cent ad valorem.	(1)	(1)		
Ex. 452, Ex. 467	Ex. 623	Musical instrument cases, fancy cases or boxes, portfolios, satchels, reticules, card cases, purses, pocketbooks, fly books for artificial flies, all the foregoing composed wholly or in chief value of leather.	40 per cent or 45 per cent.	35 per cent ad valorem.	30 per cent ad valorem.		[2] 32,731	[2] 13,911	4,092
		Total Schedule B					1,619,675	444,529	234,984

[1] Statistics not available, negligible amount.

[2] Estimated.

SCHEDULE C.

ARTICLES THE GROWTH, PRODUCT, OR MANUFACTURE OF CANADA TO BE ADMITTED INTO THE UNITED STATES AT THE UNDERMENTIONED SPECIAL RATES OF DUTY WHEN IMPORTED FROM CANADA.

United States tariff number.	Articles.	Rate of duty.		Imports into the United States from Canada.		Customs duties.	
		United States.	Proposed special United States rate.	Quantity.	Value.	Levied at present.	To be remitted by the United States.
Ex. 172	Aluminum in crude form	7 cents per pound	5 cents per pound	4,175,100 pounds [1]	$625,476	[2] $292,257	[2] $83,502
Ex. 172	Aluminum in plates, sheets, bars, and rods	11 cents per pound	8 cents per pound				
207	Laths	20 cents per M pieces	10 cents per M pieces	721,823 M pieces	1,802,144	144,364	72,182
209	Shingles	50 cents per M	30 cents per M	762,798 M	1,759,397	381,398	152,559
Ex. 201	Sawed boards, planks, deals, and other lumber, planed or finished on one side.	$1 per M feet, or $1.75 per M feet.	50 cents per M feet				
	Planed or finished on one side and tongued and grooved, or planed or finished on two sides.	$1.25 per M feet, or $2 per M feet.	75 cents per M feet				
	Planed or finished on three sides, or planed and finished on two sides and tongued and grooved.	$1.62½ per M feet, or $2.37½ per M feet.	$1.12½ per M feet	60,541 M feet	1,104,716	[2] 105,947	[2] 68,108
	Planed and finished on four sides	$2 per M feet, or $2.75 per M feet.	$1.50 per M feet				
Ex. 117	Iron ore, including manganiferous iron ore, and the dross or residuum from burnt pyrites.	15 cents per ton	10 cents per ton	32,205 tons	97,984	4,831	1,610
Ex. 428	Coal slack or culm of all kinds, such as will pass through a half-inch screen.[7]	15 cents per ton, or 45 cents per ton.	15 cents per ton	263,414 tons	512,206	39,512	
	Total Schedule C				5,901,923	968,309	377,961

[1] Canadian export figures for fiscal year ended Mar. 31, 1910.

[2] Estimated.

TABLE B.—*Articles included under the reciprocal trade agreement imported into the United States from the Dominion of Canada during the fiscal year ended June 30, 1910*—Cont'd.

SCHEDULE D.

ARTICLES THE GROWTH, PRODUCT, OR MANUFACTURE OF THE UNITED STATES TO BE ADMITTED INTO CANADA AT THE UNDERMENTIONED SPECIAL RATES OF DUTY WHEN IMPORTED FROM THE UNITED STATES.

Altered tariff rates carried by Schedule D do not affect imports into the United States from Canada.

RECAPITULATION.

	Customs duties.		
	Value.	Levied at present.	To be remitted by the United States.
Schedule A	$39,811,500	$4,236,988	$4,236,988
Schedule B	1,619,675	444,529	234,984
Schedule C	5,901,923	968,309	377,961
Grand total	47,333,158	5,649,826	4,849,933

TABLE C.—*Percentages of reduction.*

[Computed by the Bureau of Trade Relations, Department of State.]

SCHEDULE B.

ARTICLES THE GROWTH, PRODUCT, OR MANUFACTURE OF THE UNITED STATES TO BE ADMITTED INTO CANADA AT THE UNDERMENTIONED RATES OF DUTY WHEN IMPORTED FROM THE UNITED STATES, AND RECIPROCALLY THE SAME ARTICLES THE GROWTH, PRODUCT, OR MANUFACTURE OF CANADA TO BE ADMITTED INTO THE UNITED STATES AT IDENTICAL RATES OF DUTY WHEN IMPORTED FROM CANADA.

Articles.	United States rates.	Canadian, general rates.	Proposed rates.	Reduction by United States.	Reduction by Canada.
				Per cent.	*Per cent.*
Fresh meats	1½ cents per pound	3 cents per pound	1½ cents per pound	16.67	58.33
Bacon and ham	4 cents per pound	2 cents per pound	do	68.75	37.5
Meats of all kinds, dried, smoked, etc	25 per cent	do	do	66.5	37.5
Canned meats and canned poultry	do	27½ per cent	20 per cent	20.00	27.3
Extract of meat	35 cents per pound	do	do	9.1	27.3
Lard	1½ cents per pound	2 cents per pound	1½ cents per pound	16.67	37.5
Lard compounds and cottolene	25 per cent	do	do	50.0	37.5
Tallow	½ cent per pound	20 per cent	40 cents per 100 pounds	20.0	75.0
Egg yolk	25 per cent	10 per cent	7½ per cent	70.0	25.0
Egg and blood albumen	3 cents per pound	do	do	33.3	25.0
Sardines, and other fish in oil[1]					
Canned vegetables	40 per cent	1½ cents per pound	1½ cents per pound	55.6	16.67
Wheat flour	25 per cent	60 cents per barrel	50 cents per barrel	60.0	16.67
Rye flour	½ cent per pound	50 cents per barrel	do	50.0	
Oatmeal and rolled oats	1 cent per pound	60 cents per 100 pounds	50 cents per 100 pounds	50.0	16.67
Cornmeal	40 cents per 100 pounds	25 cents per barrel	12½ cents per 100 pounds	68.75	2.0
Barley malt	45 cents per bushel	45 cents per 100 pounds	45 cents per 100 pounds	50.0	
Barley, pot, pearled, etc	2 cents per pound	30 per cent	½ cent per pound	75.0	43.3
Buckwheat flour	25 per cent	50 cents per 100 pounds	do	7.0	
Split peas	45 cents per bushel	15 cents per bushel	7½ cents per bushel	83.3	50.0
Prepared cereal foods	20 per cent	20 per cent or 25 per cent	17½ per cent	12.5	12.5 or 30.0
Bran, mill feed, etc	do	17½ per cent	12½ cents per 100 pounds	37.5	28.6
Macaroni and vermicelli	1½ cents per pound	$1.25 per 100 pounds	1 cent per pound	33.3	20.0
Biscuits, wafers, etc., sweetened	3 cents per pound plus 15 per cent or 50 per cent.	27½ per cent or 35 per cent.	25 per cent or 32½ per cent.	7.0, 50.0, 28.6, or 35.0	7.0 or 9.0
Candied fruits, etc	1 cent per pound plus 35 per cent.	35 per cent	32½ per cent	33.3	7.14
Sugar, candy, and confectionery	4 cents per pound plus 15 per cent or 50 per cent.	do	do	18.75 or 35.0	7.14
Maple sugar and sirup	4 cents per pound	20 per cent	1 cent per pound	75.0	50.0
Pickles, sauces, etc	40 per cent	35 per cent	32½ per cent	18.75	7.14
Fruit juices, nonalcoholic	70 cents per gallon	20 per cent	17½ per cent	70.0	12.5
Mineral waters, bottled, etc	30 cents per dozen quarts	17½ per cent	do	41.6	
Essential oils	25 per cent	10 per cent	7½ per cent	70.0	25.0
Grape vines, currant bushes, etc	do	20 per cent	17½ per cent	30.0	12.5
Plows, harrows, harvesters, reapers, mowers, threshing machines, drills and planters, horserakes, cultivators, etc.	15 per cent	17½ per cent or 20 per cent	15 per cent		14.3 or 25.0
Parts of threshing machines	45 per cent	20 per cent	do	75.0	25.0
Portable and traction engines	30 per cent	do	20 per cent	33.3	
Hay loaders, potato diggers, etc., and parts	45 per cent	25 per cent	do	55.5	20.0
Grindstones, not mounted	$1.75 per ton	15 per cent or 25 per cent	5 cents per 100 pounds	36.0	65.0
Building stone, etc., not dressed	10 cents per cubic foot	15 per cent	12½ per cent	33.5	16.67
Roofing slates	20 per cent	75 cents per 100 square feet	55 cents per 100 square feet	29.0	26.6
Vitrified paving blocks	35 per cent	22½ per cent	17½ per cent	50.0	22.2
Paving blocks of stone[1]					
Oxide of iron, as a color	30 per cent	22½ per cent	22½ per cent	25.0	
Asbestos, woven fabrics of	40 per cent	25 per cent	do	43.8	10.0
Asbestos, other manufactures of	25 per cent	do	do	10.0	10.0
Printing ink	do	20 per cent	17½ per cent	30.0	12.5
Cutlery	40 per cent and upward	30 per cent	27½ per cent	31.25	8.33
Bells and gongs	45 per cent	do	do	38.8	8.33
Brass corners and rules	do	do	do	38.8	8.33
Sanitary fixtures	35 per cent, 45 per cent, or 55 per cent.	35 per cent	32½ per cent	7.14, 27.7, or 41.0	7.14
Brass band instruments	45 per cent	25 per cent	22½ per cent	50.0	10.0
Clocks, watches, etc	40 per cent (average)	30 per cent	27½ per cent	31.25	8.33
Printers' wooden cases	35 per cent	do	do	21.42	8.33
Wood flour	do	25 per cent	22½ per cent	35.73	10.0
Canoes and small boats	do	do	do	35.73	10.0
Feathers, crude, in their natural state	20 per cent	15 per cent	12½ per cent	37.5	16.67
Surgical dressings, antiseptic, etc	45 per cent or various	20 per cent	17½ per cent	61.0	12.5

[1] Data for computation not available.

TABLE C.—*Percentages of reduction*—Continued.

SCHEDULE B.—Continued.

ARTICLES THE GROWTH, PRODUCT, OR MANUFACTURE OF THE UNITED STATES TO BE ADMITTED INTO CANADA, ETC.—continued.

Articles.	United States rates.	Canadian, general rates.	Proposed rates.	Reduction by United States.	Reduction by Canada.
				Per cent.	*Per cent.*
Surgical trusses, etc.	35 per cent, 40 per cent, or 45 per cent.	20 per cent.	17½ per cent.	50.0, 56.25, or 61.0	12.5
Plate glass not beveled	22½ cents per square foot.	27½ per cent.	25 per cent.	75.0	9.1
Automobiles and motor vehicles, and parts	45 per cent.	35 per cent.	30 per cent.	33.3	14.3
Digesters for pulp mills	do.	30 per cent.	27½ per cent.	38.8	8.33
Leather cases, pocketbooks, etc.	40 per cent, 45 per cent, or 50 per cent.	35 per cent.	30 per cent.	25.0, 33.3, or 40.0	14.3

SCHEDULE C.

ARTICLES THE GROWTH, PRODUCT, OR MANUFACTURE OF CANADA TO BE ADMITTED INTO THE UNITED STATES AT THE UNDERMENTIONED SPECIAL RATES OF DUTY WHEN IMPORTED FROM CANADA.

Articles.	United States rates.	Canadian, general rates.	Proposed rates.	Reduction by United States.	Reduction by Canada.
				Per cent.	*Per cent.*
Aluminum, in crude form	7 cents per pound.		5 cents per pound.	28.6	
Aluminum, in plates, sheets, bars, etc.	11 cents per pound.		8 cents per pound.	27.3	
Laths	20 cents per M pieces		10 cents per M pieces	50.0	
Shingles	50 cents per thousand.		30 cents per thousand.	40.0	
Sawed boards, planks, deals, etc.:					
Planed or finished on one side only	$1 or $1.75 per M feet.		50 cents per M feet.	50.0 or 71.5	
Planed or finished on one side and tongued and grooved, or planed or finished on two sides.	$1.25 or $2 per M feet.		75 cents per M feet.	40.0 or 62.5	
Planed or finished on three sides, or planed or finished on two sides and tongued and grooved.	$1.62½ or $2.375 per M feet.		$1.125 per M feet.	30.8 or 52.65	
Planed and finished on four sides	$2 or $2.75 per M feet.		$1.50 per M feet.	25.0 or 45.45	
Iron ore	15 cents per ton.		10 cents per ton.	33.33	
Coal slack or culm	do.		15 cents per ton.		

SCHEDULE D.

ARTICLES THE GROWTH, PRODUCT, OR MANUFACTURE OF THE UNITED STATES TO BE ADMITTED INTO CANADA AT THE UNDERMENTIONED SPECIAL RATES OF DUTY WHEN IMPORTED FROM THE UNITED STATES.

Articles.	United States rates.	Canadian, general rates.	Proposed rates.	Reduction by United States.	Reduction by Canada.
				Per cent.	*Per cent.*
Cement, Portland, etc.	7 cents or 8 cents per 100 pounds.	12½ cents per 100 pounds.	11 cents per 100 pounds.		12.0
Coal, bituminous, round and run of mine	45 cents per long ton.	53 cents per short ton.	45 cents per short ton.		15.1
Apple trees, peach trees, etc.	$1 or $2 per 1,000	3 cents each	2½ cents each		16.67
Condensed milk	2 cents per pound.	3½ cents per pound.	2 cents per pound.		38.46
Canned fruits	do.	2½ cents per pound.	do.		11.11
Biscuits, not sweetened	20 per cent.	25 per cent.	20 per cent.		20.0
Peanuts:					
Shelled	1 cent per pound.	3 cents per pound.	1 cent per pound.		66.67
Unshelled	½ cent per pound.	2 cents per pound.	½ cent per pound.		75.0

Mr. McCUMBER. Mr. President, before the Senator resumes his seat I should like to ask him a question rather general in its nature. After this bill becomes a law, I should like to ask the Senator from Nebraska to tell me what reason there will be for the farmers of the State of Nebraska to vote the Republican ticket and vote for the Republican policy of protection?

Mr. BROWN. The same reason that has always existed.

Mr. McCUMBER. Mr. President, the reason the farmer has heretofore voted for protection was on the assumption that he was getting a benefit more or less direct, or upon the assumption that he was building up a home market for his products, not a home market for the products of some competing country, but for his own. Under this bill, after it becomes a law, the farmer is not building up a home market for himself, but he is also building up a market by paying the increased prices that follow protection for the things that he buys and allowing those who compete with him equal benefits in that market without compelling them to pay equally for the benefits of that market.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Iowa?

Mr. KENYON. I thought the Senator had yielded the floor.

Mr. BROWN. I have yielded the floor.

Mr. McCUMBER. I have not got the answer that I would like to get from the Senator from Nebraska. I want to know now why a farmer should be a protectionist?

Mr. BROWN. The farmer has the same reason for being a protectionist to-day that he has always had, and he will have the same reason for being a protectionist after this bill is passed that he has always had.

Mr. McCUMBER. But, Mr. President, it does not seem to me that that answers the question, because, if the Senator will pardon me, it seems to me by the Senator's own argument the farmer has not now and he never has had any reason for being a protectionist.

Mr. BROWN. He has had every reason to be a protectionist.

Mr. McCUMBER. Will the Senator tell me what the reason is?

Mr. STONE. Mr. President——

Mr. BROWN. And he is in favor to-day of protection and of duties that are protective.

Mr. STONE. I was simply going to say that the farmer never had any reason for being a protectionist. That is the correct answer.

Mr. McCUMBER. I think the argument of the Senator from Missouri is equally as good as the argument of the Senator from Nebraska.

Mr. BROWN. The Senator from North Dakota did not hear my argument with reference to the farmer, but he comes in at this stage and asks me to go over it again, and I can not do that.

Mr. McCUMBER. Oh, no, Mr. President.

Mr. BROWN. The American farmer stands, I think, just where every candid man ought to stand—I will not say that; but from my viewpoint where every reasonable man believing in protection has the right to stand, and that is upon the doctrine that a duty should be levied whenever a duty is necessary to equalize the difference between an industry at home and in other countries. If there is substantially no difference, any duty that is imposed is unnecessary, and therefore wrong. The farmers of this country who are protectionists are protectionists because they believe in that principle of equalizing conditions of production, and they are willing to have that doctrine applied to their industry just as they insist on applying it to the industries of others.

From the State Department report I submit the following table, showing cost of farm implements in Canada and the United States:

Comparative prices of agricultural implements in the United States and Canada, as shown by letters of retail dealers in both countries.

Implements.	United States.		Canada.	
	Locality.	Price.	Locality.	Price.
14-inch steel-beam walking plow.	North Dakota.....	$22.00	Manitoba...	$25.00
13-inch combination walking plow.	Ohio and Michigan..	16.00	Ontario.....	16.50
14-inch combination sulky plow with lift.	Ohio.....	40.00	.....do.....	55.00
14-inch steel sulky plow with lift.	Ohio and Michigan..	42.00	.....do.....	45.00
16-inch North Dakota sulky plow.	North Dakota.....	52.00	Manitoba...	60.00
14-inch gang plow with extra shares.	.....do.....	80.00	.....do.....	88.00
24-inch steel gang plow.....	Ohio and Michigan..	60.00	Ontario.....	60.00
12-16 disk harrow with fore carriage.	Ohio.....	30.00	.....do.....	32.50
17-tooth spring tooth harrow..	Ohio and Michigan..	17.00	.....do.....	22.00
8 foot 16 inch disk harrow....	North Dakota.....	38.00	Manitoba...	45.00
2-row corn planter, check row and fertilizer attachments.	Ohio and Michigan..	51.00	Ontario.....	57.00
Common or ordinary planter.	Michigan.....	40.00	.....do.....	48.00
10-foot 20 single disk Kentucky drill.	North Dakota.....	125.00	Manitoba...	140.00
Riding cultivator, portable axle.	Ohio and Michigan..	28.00	Ontario.....	38.00
Common or ordinary cultivator.	Michigan.....	28.00	.....do.....	36.00
Hay loader, rake bar.....	Ohio and Michigan..	60.00	.....do.....	70.00
Farm wagon, 3½ by 10½ first grade wagon, 14 by 12 box and seat.	North Dakota.....	95.00	Manitoba...	105.00

Mr. KENYON and Mr. McCUMBER addressed the Chair.

The PRESIDING OFFICER (Mr. MARTINE of New Jersey in the chair). The Senator from Iowa is recognized.

Mr. KENYON. I simply want to hold the floor. I will yield to the Senator from North Dakota.

Mr. McCUMBER. Mr. President, with the permission of the Senator from Iowa [Mr. KENYON], I wish to answer the last proposition of the Senator from Nebraska [Mr. BROWN].

It would be impossible for anyone acquainted with the conditions along the border line of Canada and the United States to assert that the cost of production is the same in each section. It is possible that the cost of producing dairy products may be very similar in one country and the other as to the older and eastern sections, but the Senator must take into consideration in estimating his cost of production the value of the lands and the improvements. If it requires, under the present conditions, as it does require, practically twice as much capital to be invested in lands in Minnesota or North Dakota as compared with capital invested in Canadian lands—and I am speaking now of wheat lands—on which to raise their crops, and if it is demonstrated, as it has been in all of the evidence given before us, that in the Saskatchewan, in the Manitoba, and in the Alberta country just as valuable crops are raised, and, in fact, under present conditions, crops of considerably more value are raised on the Canadian side, the Senator can easily see that the cost of production on this side must be materially greater than it is on the other side, even though wages should be just as high or even higher on the other side, and even though farm machinery might be just as high or even higher.

Mr. BROWN. If the Senator will permit me to interrupt him, as a matter of fact farm machinery is very much higher across the line.

Mr. McCUMBER. It is somewhat higher.

Mr. BROWN. Very much higher.

Mr. McCUMBER. But the cost of farm machinery, in estimating profits of the farming industry, is so small, at least the difference between the American and Canadian price is so small in considering it as capital invested, that it could hardly be taken into consideration. I presume that freight charges in the northwestern Provinces are considerably more than in Minnesota and North Dakota, nearer the place where the machines are manufactured, and therefore the price must necessarily be higher in those northwestern Provinces; but suppose the reaper, which is estimated to last 10 years, costs $15 or $20 more, that would mean $10 or $15 more spread over a period of 10 years as an investment, and that would be so small that the Senator would scarcely take it into consideration as a basis in the computation of profits. But when you buy a half section of land in my State at $45 and $50 an acre, whereas the Canadian farmer can buy a half section in Saskatchewan at $20 and $25 an acre, and he produces in value just as much off of the Saskatchewan land as you do off of the North Dakota land, then production in Saskatchewan costs very much less than it does in my State. So you are not equalizing conditions, because the cost of labor is practically the same and the cost of the machinery is practically the same. The evidence showed—and there was a great deal of it taken before the Committee on Finance—and I think both sides, Democrats and Republicans, agreed that, considering the capital employed, it does cost considerably more in this country to raise wheat, barley, oats, and flax than it does in Canada; and to that extent we are asking protection.

Mr. President, I can not see how a farmer in my State can be asked to support the Republican policy of protection if he is to have no protection whatever. We have clearly demonstrated the fact that we are receiving a protection of from 10 to 15 cents a bushel upon our wheat in that section—I am not saying they are receiving it down in Kansas or in Nebraska, but we are——

Mr. BROWN. Let me ask the Senator there——

Mr. McCUMBER. Just a moment; let me finish the sentence—and we are receiving a protection of from 20 to 25 cents a bushel on barley, and this year, though not every year, about 30 cents a bushel on flax. Having demonstrated that we have received that benefit, we are going to lose that benefit the moment wheat or any of these grains can pass free over the line.

I have argued with the people in the State of North Dakota, in Minnesota, in Montana, and wherever I have spoken upon the subject, that it was their duty to support the Republican policy of protection—first, because they were receiving a direct benefit, and, secondly, because by building up the home industries they were creating a market which would give them a special benefit—and they would get in all cases a direct benefit the moment that our consumption and our production equalized or nearly equalized each other. If I now say to those farmers, "Still stand by the Republican doctrine of protection for the purpose of building up your home industries, for the purpose of building up your home markets, so that you may increase the demand at home," will not the intelligent farmer of my State reply to me, "I am not building up that home market for myself; I am building up that home market at my exclusive expense for the benefit of those who are equally near that market and who can have the advantage of that market without having to pay for it; that being the case, then it seems to me that I should go to the Democratic idea of a tariff for revenue only and let it be levied fairly"? That seems to me the logical position in which we are placed, and I would scarcely be in a position to ask the Republicans of my State to vote for the protective policy right along and they at the same time to receive no protection upon their products. I would rather be forced to tell them, if they get no protection, if they are not building up a market for themselves, but for foreigners, that then they should vote for a policy which will bring in everything that they purchase just as reasonably and as cheaply as it is possible for them to get it.

That seems to be the logical position that the farmers of the Northwest must occupy if this bill goes through, unless we, as Republicans, can still hold out to them the hope that when the Republicans themselves get back to the good old commonsense idea of a universal protection, and not a protection of manufacturers at the expense of the farming public, they may then get their honest protection and grant honest protection in return for it.

Mr. KENYON. Mr. President, I have no desire to occupy the time of the Senate in discussing at length this already much-discussed bill, but this is rather a quiet and meditative

hour when the usual enthusiasm over the discussion seems to have somewhat abated, and I am desirous of submitting a few brief observations. To a beginner at least the debates in this Senate are of great interest.

On legislative questions I believe we should, as suggested by the senior Senator from Idaho [Mr. HEYBURN] a few days ago, approach debate with an open mind, free from prejudice, with no preconceived notions if possible, and with a desire only to seek the truth and the right. Otherwise, what is the use of debate; why waste all this time? I have tried to approach in this way this very important question.

I have attended the hearings of the Finance Committee religiously and listened to nearly all of this extended debate, although not at all times so religiously, trying to get all the light possible. Sometimes the light has seemed to shine rather dimly. I am not convinced that the proposed reciprocity agreement will work injury to the agricultural interests of the country; but inasmuch as there is a doubt in my mind on that question, I have deemed it my duty, as a representative of a great agricultural State whose prosperity is entirely dependent on agriculture, to cast my vote against the bill.

The Republican Party is committed to the doctrine of a protective tariff—a tariff which shall equal the difference in the cost of production at home and abroad and no more. It is not committed as a party, in my judgment, to the high duties as set forth in the woolen schedule, the cotton schedule, or the steel schedule of the Payne-Aldrich bill.

My great predecessor, Jonathan P. Dolliver, in my humble judgment one of the most brilliant statesmen who ever sat in this body, gave the best energy of his life, and, in my opinion, practically life itself, in the great fight he made for cheaper clothing for the American people in his attack on the high woolen duties of the Payne-Aldrich bill, and went to his death fighting a battle for the people as much as any soldier on the battle field ever did. As to this schedule, it has been conceded in our party from the President down that the rates on woolen goods were too high; that the woolen schedule was indefensible. Why, then, should they not be lowered, and why not now? Why should further tribute be exacted from the laborer and the farmer and all the American people by these excessive duties on the clothes they must have? Ordinarily it would be wise to wait a reasonable time for information from the Tariff Board as to the difference in cost of production at home and abroad. It would seem, however, that the Republican majority in the Senate has light enough on this subject to formulate a bill reducing the tariff on woolen goods in conformity with the Republican doctrine. Why is this not fully as important as the reciprocity bill?

The farmer has stood by the Republican Party and its tariff policy loyally and with steadfastness, in storm and in sunshine. The returns from the farm precincts after supper on election night have always been consoling to the Republican Party and enabled the Republican candidate to enjoy a restful night. The farmer is willing that the tariff be revised along the lines of Republican policy, farm products as well as manufactured products, but he is not agreeable to the proposition that the doctrine of protection shall not be of equal application; that it shall apply only to the manufacturer. He believes that if it is to exist for the manufacturer, it should also exist for the farmer. If the tariff is to be taken off of what he sells, he believes it should also be taken off of what he buys. He believes in an equitable application of this doctrine or no application at all.

The farmer is entitled to exactly the same consideration as the manufacturer, and the manufacturer the same as the farmer. Neither has any particular right to tariff duties. They are given as a part of a supposedly wise policy to develop our industries and preserve our market for our own people.

We now have a Tariff Board investigating the difference in the cost of production at home and abroad. I trust we may soon have a permanent tariff commission, eliminating the question entirely from politics. It is a business, a commercial question, and should have no place in politics. What strange bedfellows it makes in politics! It partakes somewhat of the amusing to see the free-trade Senator from Mississippi [Mr. WILLIAMS] and the high-tariff Senator from Pennsylvania [Mr. PENROSE] blowing out the gas and crawling under the same political counterpane.

The complaint of the day is the high cost of living. It has been argued by some that the purpose of the present bill was to reduce the high cost of living. The President, as I understand it, has not claimed that it will reduce the cost of living, but that, in his judgment, it will prevent further increase, at least for a while.

We are living in an extravagant age. We are money mad and racing through life at a neck-breaking pace, piling up fortune on fortune; men worth millions striving for more, never stopping to think that there is no pocket in the shroud. The rich are flaunting their riches in the faces of the poor. We see some of our citizens at the coronation of a King endeavor to outdo the aristocracy of Europe, even to the wearing of knee breeches, if necessary to properly ape royalty.

We see a hundred and twenty thousand dollar organ at the opening of a millionaire's home in New York and a long line of hungry men at midnight in the same city, constituting the bread line. Girls working in stores for $5 a week, and the proprietor of such stores dying and leaving millions to museums. Is it any wonder that the people of the country are restless? The problem of the control of great wealth is the most important problem of the hour and the one that should receive our attention. Would that we might get away from the racking, never-ceasing, wearying commercialism of the day and think less of acquiring wealth.

But the farmer is not attending coronations or paying for hundred-thousand-dollar organs. He is not spending the summer in yachting and is not starting on tours to Europe. It is true he takes the family and goes to the circus once in a while, but he does not indulge in vulgar displays of wealth. The farmer is not growing rich outside of the increase in the value of his land. He is not responsible for the high cost of living. He is not giving away libraries or museums or endowing colleges with millions. He is working from early morn till late at night in the sun and in the rain. His is a life of hardship, trial, and toil, but nevertheless full of the good things of life, and his toil and labor and hardship make for the best citizenship. Free rural-mail delivery and the telephone have eased somewhat the life of the farmer and the farmer's wife. Men from manufacturing States are legislating concerning him, many of whom do not know whether a hydraulic ram is used to pump water or whether its activities are directed toward propagating a better grade of sheep.

But the farmer is not a complaining man. Though the heat may burn up his crops at times, though floods may come and devastate his fields, he goes on contentedly, persevering, improving his home, educating his children, making the world better. He is the backbone of the Nation and saves it in every crisis. The senior Senator from Massachusetts has paid a glowing tribute to the farmer in his fascinating book of the story of the Revolution, in which he speaks of the farmer at the bridge at Concord and the shot that echoed far, and also the farmer at Bennington. It is true that the farmer has always saved the Nation in its hour of peril. It was true in the Revolutionary War, and it was true in the Civil War, and will always be true in every crisis in our national life.

Trusts and combinations are responsible for the high cost of living; not the farmer. Let us grapple with them if we want reduction in the cost of living. The farmer has stood for a protective tariff all these years; has believed in planting the factory beside the farm, and thought in doing this he was helping to build up a great home market and benefiting the entire Nation; and all he asks now, and all he ever will ask, is that the protective tariff laws be of equal operation. He is not asking for governmental favors—merely equal treatment. This, he insists, is justice, and this he will have. When trusts and combinations are controlled, when the law of competition shall again be enthroned, the cost of living will be reduced, and not till then. I am one of those who do not believe we should be in a hurry to adjourn. I do not understand the cry that business is disturbed by Congress remaining in session. It must be peculiar business that is disturbed by the exercise of governmental constitutional rights. Many important matters demand attention. I believe that Congress should remain in session and grapple with the trust problem. I have been strongly in hopes that we might enact some adequate pension laws for the relief of the men who freely offered their lives for their country, and I would gladly stay here until December to secure pension legislation.

We must get back to more simple living in this country. We have forgotten how to practice economy; have forgotten it in the Government. I have thought that the Senate might well commence to teach to the country a lesson in economy by abolishing a lot of useless commissions. We are surrounded on every hand by commissions; commissions to the right of us; commissions to the left of us. Canadian Boundary Commission, Mexican Boundary Commission, Monetary Commission, filled for the most part by those who have been repudiated by their constituencies.

Mr. President, I am honored by representing, in part, a great agricultural State, in many respects the greatest State in the Union. In 1910 it stood third in the value of crops raised, exceeded only by the empire of Texas and the great Commonwealth of Illinois. Mr. Blaine, when he was Secretary of State, upon being asked by some friends from England, who were making a tour of the United States, what was the most essential

thing for them to see, promptly responded that no matter what else they missed that they must not neglect to ride across Iowa in the day time, and, if possible, in the harvest season.

The production of Iowa farm crops at the farm last year was, according to the estimate of the Agricultural Department, in round numbers, $328,677,500. The value of domestic animals on the farms the same year was $392,589,190, making a total value of farm crops and domestic animals on the farms of Iowa last year of $721,266,690.

A corn crop of 343,870,000 bushels, worth at the farm $123,792,000, ranking second in production of corn, or 11 per cent of all corn raised in the United States.

Milch cows, valued at $56,520,000, ranking second in the number and value of milch cows, 7.2 per cent of all cows in the United States.

Cattle other than milch cows, value $180,164,000, ranking second in the value of cattle, exceeded only by Texas.

Hogs, $73,280,000, ranking first in hog production, producing 16.8 per cent of all hogs produced in the United States.

Hay, $36,188,000, ranking fourth among the States.

Horses, $173,640,000, ranking second in value among the States.

Oats, value $48,889,000, ranking first among the States and raising 16½ per cent of all oats raised in the United States.

Potatoes, $7,344,000, ranking eighth among States in this.

Poultry, $12,270,000, near if not in first place.

The value of the gold production in the United States, including Alaska, in 1909 was $99,232,000, almost equaled by the value of the hogs raised in Iowa in a single year.

The value of pig-iron production in 1909 was $254,000,000, about the value of corn and hogs in Iowa.

Copper production, $124,000,000, about equal to the corn crop of Iowa.

Lumber production of the United States, $510,576,000, two hundred million less than the combined value of Iowa crops and domestic animals.

Our agricultural college is the greatest in the world, and the Iowa State fair has no peer.

It is not only in agricultural products that our State is great, but also in the quality of her citizenship. "In all that is good, Iowa affords the best." "Iowa, the affections of her people, like the rivers of her borders, flow on to an inseparable union." We have assisted in populating California, Nebraska, the Dakotas, Kansas, Oklahoma, and other Western States, and Louisiana, Mississippi, and other Southern States are indebted to us for large numbers of their best citizens.

No industry within the borders of Iowa can prosper if the farmer does not.

I have been charged with giving ear to the voice of my State on this question. To this I plead guilty and offer no apology. I will cease to be a true representative of my State when I cease to consult the wishes of my people on legislative matters. I have made an earnest effort to ascertain on this question the real interests of my State and to keep in touch with the best sentiment of the highest grade citizenship of which any State can boast—a citizenship which shares with Nebraska the honor of having the least per cent of illiteracy of any State in the Union.

This question is merely one of barter and trade—a commercial agreement. It does not involve any great moral issue. Therefore, if there is a doubt as to its effect upon the agricultural interests of my State, it is my duty, as I see it, to resolve that doubt in favor of those interests and vote against the pact, and I shall do so.

Mr. HEYBURN. Mr. President——

Mr. THORNTON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Louisiana raises the question of the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Cullom	McCumber	Shively
Bourne	Curtis	McLean	Smoot
Bradley	Davis	Martin, Va.	Stone
Brandegee	Dixon	Martine, N. J.	Sutherland
Briggs	Foster	Myers	Swanson
Bristow	Gore	Nelson	Taylor
Bryan	Gronna	Newlands	Thornton
Burnham	Guggenheim	Oliver	Townsend
Burton	Heyburn	Overman	Warren
Chamberlain	Hitchcock	Page	Wetmore
Chilton	Johnson, Me.	Paynter	Williams
Clark, Wyo.	Kenyon	Penrose	Works
Crawford	Lippitt	Perkins	
Culberson	Lodge	Pomerene	

The PRESIDING OFFICER. Fifty-four Senators have responded to their names. A quorum of the Senate is present.

Mr. STONE obtained the floor.

Mr. BRISTOW. Will the Senator yield to me for a moment while I ask for the publication of a document?

Mr. STONE. I yield.

Mr. BRISTOW. On the 14th instant the senior Senator from Iowa [Mr. CUMMINS] submitted an amendment to the bill relating to paragraph 347 of Schedule J. He left with me some tables which he desires shall be printed. The tables show a comparison of the duties under his amendment with the present law. I ask that they be printed.

The PRESIDING OFFICER. Does the Senator from Kansas desire to have the tables printed as a document, or in the RECORD?

Mr. BRISTOW. To be printed as a document for the use of the Senate pending the discussion of the amendment which the Senator from Iowa offered. (S. Doc. No. 68.)

The PRESIDING OFFICER. If there is no objection, the order to print will be entered. The Chair hears none.

Mr. HEYBURN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Idaho?

Mr. STONE. Certainly.

Mr. HEYBURN. I think it is not a question of yielding, but I do not desire to interfere with the Senator from Missouri taking the floor at this time. I had the floor when the question of a quorum was raised, but I yield to the Senator from Missouri.

Mr. STONE. I am obliged for the courtesy of the Senator.

The PRESIDING OFFICER. The Senator from Missouri will proceed.

Mr. STONE. Mr. President, it has been asked why a Democrat should support this reciprocity bill. It is said that the agreement made between the chief executive officials of the United States and Canada is a measure proposed by the President, and that it is therefore a Republican administration measure, and because of that the question is asked, Why should a Democrat support it?

In answering that I begin by saying that that view is exceedingly narrow and partisan. I am happy to say that I have lived long enough and been long enough identified with public affairs to have passed beyond the point when I will refuse to support a measure which I believe to be in itself wise and beneficent simply and only because it is supported or has even been proposed by some man or men with whom I am not politically affiliated. I am free to admit that when a measure comes to me approved by any responsible Republican authority I receive it under suspicion and subject it to the closest scrutiny. I do that as a matter of precaution, having learned from a long experience that it is wise to be wary and cautious in handling whatever comes from that source. However, I have reached the point when I am no longer prepared to say with absolute confidence that nothing good can come out of even this political Nazareth. American statesmanship has indeed fallen to a low plane when men elevated to great official stations, and who are supposed by their constituencies to be big enough to hold the commissions with which they are honored, decide all questions on purely partisan lines, and do this without regard to the merits of any question before them and in spite of the fact that they may believe that some particular proposition submitted to them would promote the general welfare. That is enough to say in that behalf.

But, Mr. President, in this particular instance the most partisan of Democrats need not have any scruple about supporting this measure, for in its essential features it embodies an old and well-recognized Democratic policy. The other day the able and discriminating Senator from Wyoming [Mr. CLARK] declared that this bill before the Senate was a Democratic measure, not a Republican measure; and other Republican Senators have made like declarations with equal emphasis. I will not stop to discuss the accuracy of these declarations—by which I mean I will not stop to debate with any Senator whether this reciprocity agreement is more expressive of Democratic Party policy than of Republican Party policy. I do not think that that is of sufficient importance to waste time upon. I do know that great Republican leaders and Republican national conventions in recent years have declared in favor of making reciprocal trade agreements with other countries, and especially with other countries on the Western Hemisphere, and I do know that the Democratic Party has stood against the idea of commercially isolating this country or of unduly circumscribing its commercial opportunities, and has stood for wider and freer trade relations with the balance of the world than we now enjoy or have enjoyed for many years. The Democratic Party has always stood for promoting, within every reasonable limit, the easy interchange of our industrial products with those of other countries, and for that reason, among other reasons, the Democratic Party has opposed levying duties upon imports so high as un-

necessarily to embarrass this interchange of products, and has always advocated such trade agreements, especially with American nationalities, as would be reciprocally beneficial. That is an old Democratic doctrine. And so viewing this measure from the standpoint of a Democrat I am bound to say that any effort made by our Government to extend and liberalize the trade relations between this country and Canada or between this country and any of the Republics to the south of us, through the instrumentality of treaties or commercial agreements, or by any legitimate means, would be strictly in line with Democratic policy and precedent. I could not therefore secure my own consent to antagonize any well-considered movement in this direction simply because that particular movement was originated and put in form by a Republican President.

Moreover, Mr. President, I wish to say that in my opinion the question now before the Senate—that is, the Canadian reciprocity agreement—is as nearly a nonpartisan question as we have had before Congress for a long time, and we ought to treat it from that standpoint. In the name of heaven, can we have no question here of a nonpartisan character? If I should speak as a partisan I might say I would have been pleased if this whole matter had been postponed until after the next election, so that it might have been taken up by a Democratic President, and thus had behind it the prestige of a party known to have been always heartily and honestly in favor of the policy of real and wide-reaching commercial reciprocity. If that had been done, I think that an agreement far wider in scope and of far greater meaning and import than the one now before us would have been entered into and submitted to the Congress. However, we have this agreement before us, and although it is imperfect in some respects and falls short of what it should be, I hold that it would be the height of unwisdom to reject it and thus put obstacles in the way and add to the difficulty of future negotiations. I am in favor of unrestricted free trade between Canada and the United States, and I indulge the belief that within the next few years, under a Democratic administration, we will have unrestricted free trade between the Provinces of Canada and the States of this Union. This agreement, negotiated by President Taft, is a step in the right direction, and I congratulate him that, considering his environments, he had the courage and wisdom to take that step. The Democrats of the Senate, acting in harmony with the Democrats of the House of Representatives, will do their part in approving this work of the President. Later on, when we have greater power and opportunity, we will take up the work where the President is compelled to leave it and carry it forward to a fuller and better fruition.

Mr. President, there ought to be absolute freedom, unhampered by burdensome trade restrictions, in the exchange of all things produced in Canada and in the United States. The commercial and trade relations between these States and the Canadian Provinces should be in no essential particular different from that which obtains between our States themselves. Lying there to the north of us is that great empire, rich in natural resources and possessing wonderful industrial possibilities. It is a new country for the most part, but it is growing apace with marvelous rapidity. Good people—industrious, law-abiding, home-loving people—are pouring into Canada from the best countries of Europe and from the United States. Their people and ours are homogeneous and congenial. But Canada is not moving forward unaccompanied. We still have in our Western States vast areas of unsettled and undeveloped territory, and millions of good people are coming to us as well as to Canada from the best countries of the world, and among them thousands are coming from Canada. We grow and grow right along by the side of each other, having the same habits of life, pursuing the same industries in the same way, speaking the same language, akin by blood and fellowship, and having the same civilization upon the same high scale.

Why should we therefore erect arbitrary and unnatural trade barriers between these two peoples? Let Canada grow and grow as fast as possible, and cheer her on, so long as her progress is sound and sane. So will we grow even faster as a whole, even though the per cent of our increase in population and wealth can not be so great. As the tide of Canadian development swells and advances, so will her demand for our products increase. The millions who will come to people her plains and build her towns and cities must buy horses, cattle, and other live stock; must buy farm machinery; must buy structural material; must buy all kind of things from somebody somewhere. It is evident from the very nature of the situation that with free trade between the two countries Canadians would not go across the sea to purchase supplies if they could buy them substantially as cheap almost at the very threshhold of their homes. Nor would we go across the sea to buy what we could better buy in Canada. Free trade between our own States has been one of the boasted and, in fact, one of the greatest blessings of our governmental, economic, and industrial system. We have 46 sovereignties, with 90,000,000 of people, but we are so organized that industrially and commercially we are as one. The rapid development of the newer States of the great West has not retarded the development of the older States. On the contrary this marvelous western development of ours has served to stimulate and accelerate the industrial development of the older Eastern States. So it will be when Canada and the United States clasp hands and move together in the onward march of commercial and industrial achievement. I believe when that day comes it will mark an era of progress that will be set down in history as one of the greatest in the annals of time, and I believe it will, from the start to the end, be equally beneficial to both countries.

When this movement is worked out and this commercial alliance between these two nations consummated there will be a power, and an ever-growing power, here in North America that will stand potential, aye, and dominant, for the advancement of all things most promotive of the world's well-being. This is a great step we are taking in the march of human progress. The Republican President has put himself on the right side of this great progressive movement; the Democratic House of Representatives has put itself in the most emphatic way on the same side; and it would be pitiful indeed if the Senate—and worse than pitiful if the Democrats of the Senate—should stand as a stumbling block across the pathway of this mighty and far-reaching movement.

Mr. President, this is a most inviting theme for discussion and much could be said about it, but in the interest of economizing time I will not further pursue the general and greater aspects of the subject. I turn now to another phase of the question.

It has been asked why a Democratic Senator should vote against the amendments which have been offered to the pending bill, since Democrats almost unanimously agree to the essential features of many of these amendments. Why do Senators on this side stand against such amendments? I will answer that question. In the first place, the House of Representatives, which is the only Democratic body in the whole Government, made a legislative program for this session which we think a wise program. The House of Representatives has taken a course which so far, in our judgment, has received the approval of the country. This is a House bill, and the House refused to amend the bill and passed it unamended by a large majority. Many of the same amendments which have been here proposed were, at least in their essential features, offered in the House—amendments embodying the principal features of bills afterwards separately enacted by the House itself—but were voted down by that body as amendments to this bill.

Mr. President, no one can doubt that a majority of the House of Representatives favored an enlargement of the free list, for the House passed a bill of that kind. No one can doubt that the House of Representatives favored a substantial downward revision of the woolen schedule, for the House passed that kind of a bill. No one can doubt that the House of Representatives favors a downward revision of the cotton schedule and a downward revision of other schedules. Yet that body refused to attach amendments covering those schedules to the reciprocity bill, and in so doing did wisely.

We have thought upon this side—and I believe that to be the general judgment of Democratic Senators—that we should adhere to the program adopted by the Democratic House of Representatives in this particular, because we believe it to be a wise program, and because we believe it has the approval of the American electorate—at least of the Democratic part of the American electorate. Moreover, Mr. President, as the Senator from California [Mr. WORKS] said this morning, the amendments proposed have been offered by the enemies of this bill, not one amendment being offered by a friend of the bill. Long ago we were taught to "Beware of Greeks bearing gifts." I do not mean to say that Senators opposed to the measure have offered amendments in bad faith, but, without questioning motives, I think it wise to adhere to the view that it is ordinarily dangerous in legislative procedure to follow the lead of those who desire to defeat the thing you desire yourself to accomplish.

Mr. President, this is a tentative international agreement. The bill before us is not ordinary legislation and does not come before us as such. A tentative agreement has been made between these two countries, and that agreement is submitted in the exact form in which it was made to the legislative bodies of both countries for ratification. It was asked by the representatives of both countries that the agreement as made should in both countries be crystallized into the form of law. To be sure,

the legislative body of either Government can modify it, can take from or add to it, and can do that in more ways than one. For instance, we could, on our part, amend it so as to make and require some additional reciprocal concession; and we might, on our part, give to Canada as a gratuity and without consideration something that Canada has not and does not ask *for, and this* latter, in fact, is what most of these amendments offered by the enemies of the bill propose to do. But, Mr. President, when we once break the line that has stood here in favor of this agreement upon its merits we open the door to a flood of amendments that may pour in and destroy all hope of the agreement being ratified, either by the Congress or the President of the United States or by the Parliament of Canada.

All know that every amendment made to this bill by the Senate must go to the House of Representatives and that the concurrence of the House must be had. If we enter upon the work of adding tariff revision to this reciprocity bill, who knows where it will lead to; and what assurance have we that the House of Representatives will consent to the amendments or that an agreement respecting them could be reached in conference? If we add amendments such as have been proposed and such as would probably follow, what assurance have we that the President, who is a part of the lawmaking power, would consent? Who knows whether he would approve or veto such a bill? If we make wholesale amendments, what assurance have we that the Parliament of Canada will consent to them?

All three of these must agree—that is, the House of Representatives, the President of the United States, and the Government of Canada—or else the agreement falls.

Nor is that all. It has been proposed by some of these amendments to add to this bill some general revision of our tariff laws. It has been proposed to grant to Canada, without consideration, additional trade benefits that Canada did not ask for and which were not embodied in the agreement as made. It has been proposed to grant to Canada the right to bring numerous other articles not covered by the agreement into the United States free or at a reduced rate of duty, and we have been asked why Canada should object to that. For example, under the agreement as made a lower rate of duty is put upon meat than that prescribed by the general law, and a lower rate of duty is put upon flour than that prescribed by the general law, and the same is true with respect to numerous other articles produced in both countries; and the question has been asked why Canada should object to the United States now conceding to her the unrequited privilege of bringing in free of duty these productions of the Dominion upon which the agreement merely lowers the duty. If we saw proper by an additional section to the bill to offer to Canada free entry into our markets for such of her productions as under the agreement are made taxable, it might be that Canada would not object; but it might be that some other country would object if not accorded the same right as to the particular things covered by such concession.

We have commercial agreements or treaties with other nations in which are written what is known as the favored-nation clause—by which I mean we have agreements with other nations to the effect that they shall have the same rights of entry into our markets and of trade with our people that are accorded to the most favored nation. If, without consideration, without a quid pro quo, we should concede to Canada the privilege of entering our markets for this, that, or the other production of that country, entirely outside of this agreement, it seems to me that other nations having commercial treaties with us of the character of which I have spoken, not only could complain, but could charge us with bad faith and with an effort to evade our obligation unless we accorded like concessions to them, and that would lead to endless confusion and to all kinds of international complications.

Mr. President, all such things as these are involved, and those of us who have voted against these amendments have voted in that way, not because in many, perhaps in most, instances we were opposed to the amendments themselves—or opposed to what on their face they proposed to accomplish—but because we were opposed to encumbering this bill with these complications, and thus imperiling not only the passage of this bill, but probably the passage of any and all remedial tariff legislation by this Congress. That was the position taken by the House, and that has been the position of practically all Democratic Senators. Of course we may be mistaken, but we think we are right.

Mr. President, I am for this bill whether we get any other legislation at this session or not. If I knew at this moment that the Senate would refuse to pass the House free-list bill or any free-list bill, or the House woolen bill or any woolen bill, or any other bill revising any tariff schedule, I would still be for this measure on its own merits. I am therefore opposed to saddling this measure with other legislative suggestions or propositions, however seemingly meritorious in themselves, which would, in my opinion, endanger not only the passage of the measure before the Senate, but probably endanger the passage by the Senate of any remedial tariff legislation whatever. When this bill is out of the way we can then take up these other measures and dispose of them. That has been our view on this side of the Chamber. We Democrats who have taken the course I have indicated, and with which the Senate is familiar, will take up these other measures as soon as we have disposed of the one now in hand, and then we will challenge the good faith of those who have manifested such acute anxiety to reform our domestic tariff laws by tacking amendments on to this bill to which they are confessedly opposed. The Democrats of the Senate and the progressive or insurgent Republicans, who profess to be ardently in favor of tariff reductions, are in control of this Senate, if they care to exercise their joint power. We can stay here as long as we want to stay, even if need be until the Christmas bells shall ring, and longer, too; and I am in favor of staying here until legislation such as the country demands, and upon which this great Democratic House of Representatives was chosen, has been enacted. It is said the President called us here for one purpose—to pass this reciprocity bill. That may be, and, if so, it was a good purpose, and I approve what he did; but since we are here I am in favor of staying until we are ready to leave. [Laughter.] We will pass this bill; but we will take our own time, without reference to the wish or the pleasure of the Executive or anybody else, and stay here until we think the time has come to adjourn. The will and welfare of the people are more important than that of the President. It is now up to our insurgent—I beg pardon, I mean our progressive—Republican friends.

I have been accused, along with my friend the Senator from Mississippi [Mr. WILLIAMS] and others, with being in some sort of alliance with the White House. Well, I do not deny it; it is not worth denying.

Mr. WILLIAMS. I presume the Senator from Missouri means in a Pickwickian sense.

Mr. STONE. The Senator says we were accused in a Pickwickian sense. Well, it is this sort of an alliance: I am for this bill—for this reciprocity agreement—and in supporting it I am with the President. I approve of what he has done, and I am supporting, not the President, but the measure, and would be for it whether he were for it or against it. I think the fact that he is for it is a cause for congratulation, and if his great influence can sway some of his Republican brethren to vote for this wise measure, which is essentially a Democratic measure, promotive of a great international movement of inestimable value to the English-speaking race, so much the better; but as soon as this bill is disposed of I apprehend that my "alliance with the President" will terminate. [Laughter.] Of course I hope not. I am taunted with the charge that this is the President's bill. If so, then, since I am supporting "his bill" so ardently, I shall be delighted if the President, reciprocally, shall support some of the Democratic House bills reducing the excesses of tariff duties under the present law and lend his great influence to secure their passage.

Mr. President, the most persistent objection I have heard urged against this bill has come from such Senators as my friend from North Dakota [Mr. MCCUMBER], who have expressed the fear that the passage of this bill is going to be detrimental to the farmers of the country. I do not agree with that view. I do not believe this bill will injure the farmers. On the contrary, I think it will be generally helpful. In a speech I delivered here several weeks ago I showed so conclusively as to close that phase of the controversy that in two of the three particulars in which it was at first claimed the agricultural interests of the country would be harmed the claim was absolutely groundless. It had been contended that if this agreement passed the wages of farm laborers in the United States would be forced down by sharp competition with the cheaper labor of Canada; but in the speech to which I have alluded I showed so clearly that it has not since been denied that farm labor in Canada, taken as a whole, is higher than it is in the United States. The wages paid in the three eastern Provinces, as compared with the wages paid in our extreme Eastern States, taken as a whole for the entire year, are somewhat lower; but from Ontario on westward to the Pacific the average wage paid in Canada is greater than that paid in the United States, or even in the States bordering on Canada.

At the beginning of this debate it was also contended that if this reciprocity agreement should be ratified it would injure the

farmers by reducing the selling value of their live stock, resulting from the free admission into our markets of the cheaper horses, cattle, and so forth, of Canada. That was the argument. But in the speech to which I have referred I disposed of that bugaboo by showing that all kinds of live stock, taken as a whole, command higher prices in Canada than in the United States. I showed that so conclusively that the contrary contention has been abandoned by the opponents of this bill.

But it has been also insisted that this agreement, if ratified, will injure the farmers by letting Canadian cereals, wheat in particular, into our markets free of duty; and that contention is still maintained. I believe I can demonstrate that there is no more danger from this reciprocity agreement to the wheat raiser than there is danger from it to the cattle raiser or the farm laborer; but I hardly feel able to go into that to-day, for it would involve the consideration of the production and consumption of wheat—supply and demand, exports and imports—and it would require considerable time to cover the ground satisfactorily.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER (Mr. BRANDEGEE in the chair). Does the Senator from Missouri yield to the Senator from North Dakota?

Mr. STONE. It also involves a consideration of the different markets, foreign and domestic, and the effect of those markets upon our prices, and I do not believe that I have the strength to undertake that task to-day. It would necessarily prolong my speech for an hour or more, and as I am not well to-day, I fear the effort would overtax my vitality.

Mr. McCUMBER. Mr. President——

Mr. STONE. I beg the Senator's pardon.

Mr. McCUMBER. I appreciate the fact that the Senator from Missouri has already indicated that he is making this address under difficulties, not being well, and I would not interfere for the purpose of getting into any discussion with him over any proposition.

I only wish to suggest to the Senator from Missouri, inasmuch as he has referred to the Senator from North Dakota and then controverted a proposition which might be taken to be a proposition that had emanated from the Senator from North Dakota, that the Senator from North Dakota has never contended either that the price of machinery or that the cost of labor was less in western Canada than it is in the western United States; but, on the contrary, he agrees with the Senator from Missouri that those prices are slightly greater in Canada than in the United States. Neither have I ever contended that Canadian horses and cattle would come down into our country; but in my address upon the subject, as the Senator from Missouri would have noted had he been present, I stated that for a number of years we will be exporting horses into Canada and undoubtedly cattle into Canada also, because that western country is developing rapidly and the demand for horses is growing more rapidly than colts will grow into horses.

The situation is somewhat similar to that in the State of North Dakota 20 years ago. At that time we imported an immense number of horses, but to-day we are exporting them. So, in the development of the Canadian northwest there will be a constant market, in my opinion, for the importation of some American horses; but while those horses will go there to open up the country, that which will come as a result from the opening up of the country will not stay there, but must find a market, and the greater the development and the more the demand for our horses to develop the country the greater will be the product of that great northwest which must find a market.

The only respect in which the Senator and I differ, so far as his argument relates to the Canadian northwest, is in the statement which, as I have said, I have demonstrated with mathematical accuracy, that the prices are very much higher on the American side in places equally distant from the great terminal markets than on the Canadian side, and that as soon as this reciprocity agreement goes into effect the Canadian northwest must be a heavy exporter in comparison with her population, in that our prices must meet the Canadian prices and that they will both go down to an export basis. While we agree upon the first two propositions, I want to say to the Senator that we part only upon the third proposition.

Mr. STONE. Yes; I know we are parted there. I know that the Senator believes that the passage of this bill and the acceptance of the agreement by the Canadian Parliament will result in harm to the wheat growers of North Dakota. That is a subject, as I have said, I had intended to enter upon to-day, but I do not now feel as if I should undertake it. Before the tariff debate is ended, possibly when we take up the free-list bill, I will take occasion to present my view of this wheat question to the Senate, and I shall then hope to have the honor of the presence of the Senator from North Dakota.

I do not believe, Mr. President, that most of the Senators who are opposing this bill themselves believe that it will result in any substantial injury to the farmers of the country. The junior Senator from Iowa made a statement substantially to that effect in his address here to-day; and yet he is going to vote against the bill because he says he is afraid it might do some harm. Some Senators seem to be afflicted with a nightmare, and reciprocity appears in their distempered dreams as some gaunt ghost-wolf stalking around in moonless nights hunting farmers to devour. I wish I could awaken them and scatter these disturbing visions.

The Senator from North Dakota says that as we send more and more of our horses and cattle and farm machinery into Canada we but supply the means of increasing the production of Canadian wheat, which must find a market somewhere. All that is true, but then we will be at the same time increasing our own production of wheat also and relatively in like proportion. Have no fear but that there will be markets for all the wheat produced. North Dakota is directly tributary to the greatest milling center of the world, Minneapolis. North Dakota raises a fine, high grade of wheat, but her finest and highest grades of wheat are only a part of her production. No. 1 northern, for example, represents only a part of the production of the great wheat fields of North Dakota. North Dakota produces, as do many other States, some high-grade wheat, some medium-grade wheat, and some low-grade wheat. The mills of Minneapolis alone are capable of consuming about 100,000,000 bushels of wheat per year; and the other mills of the Northwest, tributary and contiguous to Minneapolis, have an almost equal consuming capacity. The mills of that section alone can more than consume every bushel of wheat raised in Minnesota and the two Dakotas, and yet there are vigorous competitors elsewhere for the higher grades of wheat produced in those States. Milwaukee is a great milling center; Buffalo is a milling center; New York is a milling center; and all these and other centers want and must have the best grades of hard northern spring wheat. They must have it, and they compete with each other for it. Minneapolis, however, is the greatest flour-milling center of this country and of the world, and the Minnesota mills have succeeded in establishing a reputation for their flour above every other flour produced in the United States, and it commands a higher price in Glasgow and other European markets than any other American flour. But, Mr. President, this flour is not made wholly of the highest grades of wheat raised in the Dakotas and Minnesota. It is made of mixed wheat. It is the product of a blend. All of the great millers at Minneapolis and of that region employ chemists—expert chemists—to study out and discover the best possible mixtures of wheat that will produce the highest and best grades of flour. They take the lower grades and mix them with the higher grades, and, by scientific experiments, work out the best results. The Milwaukee mills buy the hard winter wheat of Kansas and other Middle States for mixing purposes. Therefore, every additional bushel of hard northern wheat that can be furnished to the mills of Minneapolis, Milwaukee, and other great milling centers will call for an additional amount of other wheat of different grades and lower price for mixing purposes; and so when you create an opportunity for a larger absorption of the highest grade of wheat raised in our Northwestern States and in the northwestern Provinces of Canada, you also create a wider market for other wheat—such wheat as we raise in Missouri, Kansas, Nebraska, and other States.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from North Dakota?

Mr. STONE. Pardon me just a moment, and then I will yield.

Mr. President, they raise spring wheat in Iowa, in Wisconsin, and in other States, but that wheat is not, as the Senator knows, in grade and quality up to the level of the high-grade wheat produced in a part of Minnesota and in the two Dakotas; it is below the standard of the more northern product. Nevertheless it is a wheat that goes into these great milling centers and is there mixed with the other higher grades. The more of the best quality of this northern wheat there is to grind in our mills, the greater will be the demand for the other kinds of wheat to mix with it.

Mr. McCUMBER. Will the Senator from Missouri allow me to ask him a question?

Mr. STONE. Yes.

Mr. McCUMBER. Does the Senator contend that a better grade of flour is obtained by mixing grain from the more

southern States with the northern wheat? Is it the purpose of the mixture to get a better grade of flour?

Mr. STONE. I assume it to be; or rather it is to produce substantially as good flour at less expense.

Mr. McCUMBER. No; let me correct the Senator right there.

Mr. STONE. What is the purpose?

Mr. McCUMBER. The reason for it is that they can not get enough of the higher grade of No. 1 northern in that section and therefore in order to keep the mills going fully, they must mix a certain percentage of the wheat they get farther south. When Canada has free trade with this country the mills of Minneapolis then, without paying any tariff, can supply their entire demand for No. 1 northern or northern, whether it is No. 1 or No. 2, and they will not use any of this other grain for mixing purposes. The chemists of whom the Senator speaks are employed simply to examine that wheat and see how much of the grain raised farther south, in Iowa and other States, can be mixed with the higher grade wheat without lowering the grade of the flour; but the millers would not take a bushel of that wheat if they could get high-grade grain from Canada to supply their needs.

Mr. STONE. Mr. President, I am almost tempted to open up this matter and go into it.

Mr. McCUMBER. I shall not ask the Senator to do that.

Mr. STONE. The Senator from North Dakota says that expert chemists are employed to examine different wheats, apply tests, and find out how much of the wheat raised in States farther south can be mixed with the higher-grade northern wheat without lowering the grade of the flour. Undoubtedly that is true, and my information is that the blending of these different wheats—blended scientifically and after most careful study and experiment—produces a flour as good as the unmixed northern wheat itself will produce. The Minneapolis flour has a higher reputation, both at home and abroad, than any other American flour, but it is made of mixed wheat. Will the millers of Minneapolis cease to make that kind of flour? Why should these millers give up what they have been doing and start into making flour exclusively out of No. 1 northern wheat at a much higher cost to them when they could make as good a flour out of the mixed wheat at less cost? They will not stop making the same kind of flour they are making now. As the supply of wheat is increased the grinding capacity of the mills will be increased, and there is no danger that the supply will ever exceed the demand. The world must have bread. What good reason would a miller have for paying a dollar a bushel for wheat and separately grinding the whole of that into flour when he might mix it with other wheat costing, say, 90 cents per bushel, and thus produce a flour practically as good and worth as much? My figures as to the price of wheat—$1 for one grade and 90 cents for another grade—are, of course, arbitrary, and are used merely for purposes of illustration. The rule and the argument would apply whether the prices per bushel should be stated at one sum or another.

Mr. McCUMBER. I simply say that there will be no occasion for his getting any of the lower-grade wheat after this bill passes, because the Canadian grain will then supply his market and he will be able to buy the one grade practically as low as the other.

Mr. STONE. That is impossible, for wheat then, as now, will be valued according to its grade. Quality will always be an important element in determining value. This reciprocity agreement can not at least change that omnipotent rule. As well might you say that if we had free trade in horses between the United States and Mexico the free introduction of Mexican bronchos would bring American thoroughbreds down to their level. The Senator's position is untenable.

But, Mr. President, I am not now going further into that subject. I simply can not do so. Moreover, if it were possible to convince the Senator from North Dakota that the farmers would not be hurt by this reciprocity bill, I would hesitate to do so at this juncture. I think he is under a delusion, but may be it is better to leave him in his present mental state, at least for the time being, for he has said if this bill passes he will stay here until the ides of November, and later if necessary, and do his best to take off some of the tariff duties on the things the farmer buys and consumes. I would not shake him in that purpose if I could, for in doing that he would render the farmers a real service. I shall wait anxiously until next week and the week after to see the manifestation of that bold spirit in action. I would not, if I could, stand in the way of this onward movement of the Senator in favor of tariff reduction on the things the farmer buys.

Mr. President, I have never believed, and do not now believe, that the tariff has ever been or can be of benefit to the American farmers taken as a whole. I am happy to be confirmed in that view by several distinguished Republican Senators. I will at this point read some extracts from speeches made by the Senator from New York [Mr. ROOT] and by the Senator from Minnesota [Mr. NELSON], in which they declare in the most emphatic terms that the tariff has never been a source of profit or benefit to the American farmer. I shall read these merely as striking manifestations of progressive thought even among stalwart protection Republicans. Here is what the Senator from Minnesota said only two years ago during the debate on the Payne-Aldrich bill:

I desire to tell the Senator—

Answering a question propounded to him by Senator BORAH—

I desire to tell the Senator that the tariff on wheat which is on the statute books has not done us a particle of good. It would be like a tariff on cotton. Up to this time we have been exporting some 150,000,000 to 250,000,000 bushels of wheat a year. The price of our wheat is fixed by the Liverpool price—the export price—and no duty up to this time has helped us.

And during this session of Congress, and during this very debate, the Senator from New York [Mr. ROOT] made this enlightening confession:

* * * I never have thought that the duties which were imposed upon farm products were of any real general benefit to the farmer. They have been quite indifferent, affecting only several localities here and there, so long as our production ran far ahead of our consumption. But, with the increase of our cities as compared with our farming population and the using up of our waste lands and the fencing in of old cattle ranges and the reduction of the productive power of our land, we have about come to the point where the continuance of those duties, instead of being a matter of indifference to the people of the country, would result in putting up the cost of food.

Mr. President, this is what we Democrats have been preaching for lo, these many years; and I want to say here and now that when leading Republicans are beginning to talk this way I dislike to see any Democratic Senator or Democratic Member of the House take up the old Republican slogan, when Republicans themselves are beginning to cast it off. I do not like to see Democrats rush in to renew a battle for protection at any point from which Republicans themselves are retreating.

Mr. President, during the course of this debate on Canadian reciprocity I have heard much said by opponents of the measure about the farmers. The farmers are put forward and an effort is made to use them by other interests to defeat this legislation. It has been assumed by some that this reciprocity agreement is in the nature of an assault upon the prosperity and well-being of the American farmer; and some have been so intemperate as almost to charge the President with a deliberate purpose to promote the prosperity of Canadian agriculture at the expense of the American farmer, and with charging the House of Representatives with being privy to that arrangement and particeps criminis in carrying it out. I have been astounded to hear an occasional Democrat join in this hue and cry and labor with might and main to make our farmers believe that if they would prosper they must lean upon and depend upon a protective tariff. Strange Democratic doctrine that! In fact, Mr. President, during the progress of this debate I have heard and read many remarkable utterances, and some of the most remarkable have come from most unexpected sources. As a rule I do not agree with the political views of the President or his party, but in negotiating this Canadian reciprocity agreement I feel that the President performed an act of wise and farseeing statesmanship—an act that will link his name with a policy which, successfully carried out, will constitute one of the brightest pages in our history. For the part done by the President and for the part done by the Democratic House of Representatives I extend to both my hearty congratulations.

Mr. President, how can any sane man declare, much less believe, that the President of the United States or that the House of Representatives would deliberately concoct a scheme or connive at a policy intended to promote the welfare of a foreign state at the expense of our own people or of any large class or number of our own people? How can any man dare to say a thing like that? I will not defend the President or the House or myself against a charge or insinuation of that character. I prefer to pass it by as the distempered vaporing of men bereft of reason, or of men who have allowed some sudden upheaval of passion, some vaulting ambition, some gnawing envy, or some other unworthy thing to sweep them off their feet and away from the base of good judgment and common justice. Why, sir, this idea, so sedulously propagated, that the President or the House or the Senate would conspire to promote any scheme, or would tolerate any scheme, intended to advance the well-being of another people at the expense of our own is so preposterous as to be worse than ludicrous. Why should I, for instance, give aid to anything I had reason to believe was calculated to work an injury to American farmers? And yet, because during the hearings of the Senate Finance Committee I presumed to ask some questions and inquire into some mysterious and shady-

looking performances, I have been accused of insulting the farmers by a few men assuming especial authority to represent them. I have been referred to by these men as the enemy of the farmers, and have been threatened with their displeasure. Again I ask, why would I want to offend or injure the farmers? I was born and reared on a farm. My ancestors for generations back and most of my kindred on both sides were farmers—not theoretical and fanciful farmers, but real farmers, who lived and worked on their farms and personally superintended them. I married a country girl in the house where she was born and reared on a Missouri farm. Her ancestors on both sides for generations, like my own, were farmers. During the greater part of my life my estate has been chiefly represented in farms I owned and upon which I lived a good part of the time. My whole life has been intimately identified with farms and with agriculture. I am bound to that class of our people above all others by ties of blood, interest, gratitude, and affection. I know the farmers better than I know any other people, because I was raised among them, bone of their bone and flesh of their flesh, and have lived by far the greater part of my life in their midst. They have been among my best friends, and from their hands I have received my greatest honors. No, Mr. President, the farmers are the last people at whom I would strike a blow, and, God being my judge, they are the last people I will permit others to delude, deceive, or injure, so far as I have power to prevent it. Mr. President, there has been an effort made to delude and mislead them, as well as to delude and mislead other people. A strenuous and long-continued attempt has been made to convince the Senate, the House, and the President that the farmers of the country are in revolt, in widespread and vehement opposition, to the reciprocity agreement. I do not believe it.

The senior Senator from Minnesota [Mr. NELSON] has been misled by this manufactured clamor, and has shown a disposition to back away from his former and better position. The other day he brought in here and had laid on his desk a pile of petitions as big as a small haystack. It was the same pile of petitions Mr. Collins and his associates laid before the Finance Committee. These petitions were in the nature of protests made by Minnesota farmers, and presented by Mr. Collins, against the passage of this bill. They were brought from the Finance Committee room to the Senate Chamber. The same bundle of petitions or protests was lugged into the Finance Committee room and there displayed, so far as the staging would permit, with the same dramatic and theatrical effect as was attempted on this floor. The Senator from Minnesota [Mr. NELSON] had two men put the bundle on their shoulders and bring it here into the Senate Chamber and solemnly lay it on his desk. We were told that the names of 30,000 Minnesota farmers were affixed to those protests. But, Mr. President, before we stampede, suppose we open up that bundle of protests and examine it. Minnesota is a great State. Thirty thousand farmers constitute but a comparatively small per cent of all the farmers of that Commonwealth. The movement to get up these petitions was projected and the work was principally done by one man in Minnesota, Mr. P. V. Collins, editor of the Northwestern Agriculturist, published at Minneapolis. Mr. Collins is a nice gentleman, a man of culture, a good citizen. He is also a fine editor of a fine paper, and, as he declared, is a farmer, too—a farmer who works his farm with his brain rather than with his hands." He took it upon himself as a great civic duty to stir up the farmers of Minnesota against reciprocity. He testified that he had done everything he could to promote in Minnesota this outburst of agricultural protest against reciprocity. His paper, he said, is taken by one-third of all the farmers of that State—that is to say, between 50,000 and 60,000—and he appealed to them through his paper week after week to wage war against Canadian reciprocity. Supplementing these appeals he got up petitions or remonstrances against reciprocity and circulated them broadcast through the State, using the secretaries of every agricultural organization in the State, and using other agencies also, to circulate them. After weeks of strenuous effort he got, so he says, 30,000 farmers out of 155,000 Minnesota farmers to sign his petitions. That bundle of petitions is the bundle Mr. Collins lugged into the Finance Committee room, and the same which the senior Senator from Minnesota piled up as a formidable display on his desk here the other day. Thirty thousand—one out of between five and six of the farmers of Minnesota. But even these 30,000 were not all farmers; in fact a great many were not farmers. Mr. President, there were some amusing things about this performance. Mr. Collins organized a delegation and brought it here to voice the indignant protests of the farmers of Minnesota. I will ask Senators to read Mr. Collins's testimony, which I will print as part of these remarks. This delegation was composed of nine men, with Mr. Collins at the head. After his mighty effort to arouse the farmers of Minnesota and induce them to sign a protest against this trade agreement, and after appointing a delegation to present the protests, he then undertook the task of raising money to pay the expenses of the delegation to Washington. According to his own admission he spent $98.10 for postage, and so forth, in sending out circulars and working up sentiment and in appealing to the farmers for contributions to pay the expenses of a delegation to come here to impress the Finance Committee of the Senate, and the Senate itself, with the hostile view of the farmers of Minnesota respecting this agreement. After spending nearly $100 in spreading these supplications among the farmers for financial aid he succeeded in raising the gross sum of $389.25. The net proceeds of his energetic labors in this behalf amounted to about $280 or $290, or an average of less than one one-hundredth of 1 per cent of the amount raised was paid by each of the 155,000 farmers of the State, or about one-fourth of a cent per head. Some one, I do not know who, sent me a copy of Mr. Collins's publication, The Northwestern Agriculturist, in which he printed a report he made to the delegation he had selected to come to Washington showing how much money he had been able to collect to pay the expenses of the delegation, and showing who the generous contributors were to this patriotic fund, and he printed that report in his paper so that everybody would know just what had been done. Among other things the report showed who had contributed to the fund. It might be interesting to read a little of the testimony of Mr. Collins on that point. I will print it more in extenso, but I will read a part of it for the present edification of the Senate. I read as follows from my examination of him on that subject:

Senator STONE. Mr. Collins, I understood you to say that the farmers of Minnesota are very enthusiastic in opposition to this reciprocity agreement.

Mr. COLLINS. More than that, they are vehement.

Senator STONE. I did not understand you.

Mr. COLLINS. They are more than that; they are vehement in opposition—they are bitter.

Senator STONE. And practically unanimous?

Mr. COLLINS. Yes, sir.

Senator STONE. Enthusiastic, vehement, and unanimous.

Mr. COLLINS. Yes, sir.

Senator STONE. Enthusiastic, vehement, and unanimous?

Mr. COLLINS. And bitter.

Senator STONE. And bitter. I have here before me a sheet taken from The Northwestern Agriculturist of May 6, 1911. The Northwestern Agriculturist is the paper you publish?

Mr. COLLINS. Yes, sir.

Senator STONE. On this sheet I find a rather interesting statement showing the responses that were made on an appeal sent out by you for contributions to pay the expenses of this delegation down to Washington to protest against this reciprocity agreement. It appears from this statement that the total amount you were able to collect up to May the 6th was $389.25, and that you paid out $98.10 for collecting that.

Mr. COLLINS. Yes, sir.

Senator STONE. Leaving a net collection of $291.15.

Mr. COLLINS. We divided the boodle last night, gentlemen, and each of us received $50 out of the funds that had been collected so far. That $98 had not yet borne fruit. It takes a little time for fruit to ripen, especially on farms. The funds will come in. We have faith in the farmers behind us; but if they do not, we will pay our own bills.

Senator STONE. It seems that $111 of this sum was contributed by bankers?

This question was based on his published report. Here is the answer:

Mr. COLLINS. Bankers, country banks owned by farmers.

Senator STONE. Ninety-seven dollars and twenty-five cents was contributed by creameries, $41.25 by elevators, and $50 by a fire insurance company.

Mr. COLLINS. That is a farmers' fire insurance company. The Farmers' Cooperative Fire Insurance Co.

Senator STONE. Ninety-eight dollars by individuals, running from $5 down to 25 cents each; $5 by a market company, and the remainder by societies of equity.

Now, the point I desire to call your attention to is that if the farmers of Minnesota contributed practically nothing to this $389 fund, the response from the farmers was not very liberal to send a delegation down here to protest against the reciprocity treaty.

Mr. COLLINS. That is an unfair statement.

Senator STONE. Neither enthusiastic, vehement, unanimous, nor bitter.

Mr. COLLINS. I want to call the Senator's attention to the fact that all of that came from farmers. The farmers are the bankers; the farmers are behind the Cooperative Fire Insurance Co.; the farmers are the men that run the creameries.

These contributions, then, were from organizations of farmers, not individual farmers, even if all Mr. Collins says were true. They were directly made by banks, insurance companies, creameries, societies of equity, and so forth, in which farmers—at least some farmers—are interested. But the great body of the real farmers individually contributed nothing.

Senator STONE. These 30,000 men, out of 155,000 farmers, who signed this petition, were willing to take their lead pencils and attach their names to a petition, but were not willing to contribute to pay the expenses of your delegation.

Mr. COLLINS. They will be equally willing to put their cross on the ballot.

That is the answer. It is a great answer, and so let it stand.

But—

I said—

it would seem to me, I submit to you, Mr. Collins, that if the farmers of Minnesota were so unanimously and vehemently opposed to this agreement, that they would have contributed something toward paying the expenses of a delegation which they had appointed, according to this newspaper of yours, to send down here to represent them in opposing this agreement before the Senate Finance Committee.

And especially so as he had expended a hundred dollars for postage in making appeals for contributions in addition to the appeals he made week after week through his newspaper. Quoting from the record he answered me as follows:

Mr. COLLINS. There is not any question, Senator, but that every penny I have paid out will be reimbursed by the farmers by voluntary subscriptions; they are slow, but they are reliable, and this very situation, gentlemen, answers the report that was conveyed to me from the editor of the American Economist.

Senator STONE. It is a kind of slow enthusiasm. [Laughter.]

Mr. COLLINS. The report was circulated here in Washington that P. V. Collins is being backed by the robber barons, whoever they are. Those are the robber barons.

Senator BAILEY. I want to ask you if it is a fair way to measure the enthusiasm of farmers by the size of their contributions?

Mr. COLLINS. It is absolutely ridiculous.

Senator STONE. You say that it is absolutely ridiculous, and yet you, as the spokesman and head of this movement, prepared and sent out petitions to the farmers to sign, and to make contributions to pay these expenses, and urged them to do so in your newspaper?

Mr. COLLINS. Yes, sir.

Mr. President, I do not wonder that the farmers hesitated to put up. Their contributions were practically nil. In fact these meager contributions came from the banks, the elevator companies, the market places, and others of that kind, but Mr. Collins says that all these are in fact owned by the farmers. The 30,000 farmers out of the 155,000 farmers of Minnesota who signed their names to these petitions contributed nothing, or practically nothing, to the delegation expense fund. It was, indeed, a slow kind of enthusiasm, although, according to Mr. Collins and those who accompanied him, it was nevertheless vehement, bitter, and unanimous.

I am not surprised that the farmers were slow in contributing. I asked Mr. Collins concerning the personnel of the delegation he brought down here. I asked if there were any bankers among them? He answered that there was no banker on the delegation. I asked if Mr. Meaghen, a member of the delegation, was not a banker, and he then answered that he was; and Mr. Meaghen himself broke in to say, "I will have my inning on that question a little later. I am a bank president." Another delegate was a State official who had been a long time in the public service. Another was an ex-general attorney of the Northern Pacific Railroad, and Collins himself was an editor. It is no wonder that the farmers were slow to contribute.

Mr. President, I do not believe that the farmers of Minnesota are generally opposed to this reciprocity agreement. I have too high an estimate of their intelligence and patriotism to believe that. Moreover, the information I have is to the contrary. I believe what sentiment there is against it in Minnesota has been worked up by mistaken and misguided men. What I am saying about Minnesota is equally true of Michigan. I say this in the presence of the junior Senator from that State, who honors me with his attention. There has been some display made here in regard to Michigan, not dissimilar to that made with respect to Minnesota.

The senior Senator from that State [Mr. SMITH] has been having occasional antireciprocity letters received by him read and put in the RECORD. I heard the governor of that State say before the Committee on Finance that he had recently been traversing the State, and said he thought he was familiar with the public sentiment there, and then said he did not agree that the majority of the farmers of Michigan were against reciprocity. I am stating the substance of what he said as I recall it. I saw a letter the other day from the speaker of the House of Representatives of the Michigan Legislature, who is himself a farmer and a high officer of the State grange of Michigan. He declared in that letter that the farmers of Michigan are in favor of this reciprocity agreement, and not against it. If I may venture to make the suggestion, I would like to hear the opinion of the junior Senator from Michigan [Mr. TOWNSEND] on that subject.

Mr. TOWNSEND. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Michigan?

Mr. STONE. I will be delighted to hear what the Senator has to say.

Mr. TOWNSEND. I am very well satisfied that a great many farmers of Michigan are sincerely opposed to reciprocity. I am not at all satisfied that a majority of them are opposed to it. I know that the speaker of the Michigan House of Representatives, Mr. Baker, a Republican and a protectionist, and one of the executive officers of the grange of our State, insists that a majority of the farmers of Michigan are in favor of the bill now before the Senate. He has a better opportunity for knowing the sentiment than I have, although I have heard from many in opposition to the measure. I might say also that recently I received a letter from a gentleman who is an inspector in the employ of the Michigan State Tax Commission, and he reports that he has made a canvass in the counties where he has been at work among the people—farmers and other taxpayers—and he advises me that an overwhelming majority of the farmers he has seen are in favor of the Canadian reciprocity bill now under consideration.

Mr. STONE. That is excellent. And now, Mr. President, there is one other thing I desire to say about this working up of public sentiment among farmers against reciprocity, and that has relation to the firm of Allen & Graham, of New York City. Do you know who Allen & Graham are? They have had charge and control of the National Grange campaign against reciprocity, under the employment of and in conjunction with ex-Gov. Bachelder, of New Hampshire, master of the National Grange, and of Mr. Aaron Jones, of Indiana, master of the Indiana State Grange and a former master of the National Grange—of these two in particular and of two or three others cooperating with them. Who are Allen & Graham? They are professional lobbyists residing in New York City—legislative lobbyists. They have been frequently engaged by numerous interests to put legislation through Congress or to defeat it. They have, or, at least, Mr. Allen, the senior member of the firm, has had, among his clientele the Standard Oil Co., the Cottonseed Oil Trust, and the Whisky Trust, and other clients of like kind and character. They have been frequently employed by large manufacturing interests to come to Washington to promote legislative ends. These men seem in some way to have hypnotized National Master Bachelder and ex-National Master Aaron Jones and others, who are now, and for a long time have been, at the head of the national organization of the Grange. I have had a suspicion for a good while that Mr. Bachelder and Mr. Jones were trying to misuse the National Grange for political purposes. That is a bold statement, perhaps, but I believe it to be true, and I take the full responsibility of making it. I think they have been trying covertly to use the grange organization to teach the farmers of the country who are connected with it that protection is best for them, and to indoctrinate them with protectionism and Republicanism. These men are intense protectionists and Republicans, and all their environments are of that kind. For years they have headed a coterie that has successfully schemed to control the organization of the National Grange. Their political connections and their course of conduct show that they have been using the power and opportunity their positions in the grange give to them to make Republicans and protectionists out of the American farmers. Nevertheless I was surprised, in fact astounded, that this firm of New York lobbyists should have worked themselves so deeply into the confidence of these high grange officials as to seem to direct the legislative policy of that great and honorable organization.

Mr. TOWNSEND. Are either of them lawyers?

Mr. STONE. No; they are not lawyers. I asked them the question when they were before the Finance Committee, and each of them confessed that he was not a lawyer. They never even pretended to be lawyers.

Mr. WILLIAMS. They said they were simply legislative promoters.

Mr. STONE. Yes; they said they were legislative promoters.

Mr. President, often while using the name of the Grange to further their ends they were in the employ of other people—that is, great interests on the outside had them hired to come here to get through legislation—and they were permitted by National Master Bachelder and his official associates to come here and use the name of the grange in the promotion of their legislative work and to shelter themselves under the name of that great farmers' organization.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Mississippi?

Mr. STONE. I do.

Mr. WILLIAMS. If I am not mistaken—the Senator from Missouri has been over the testimony since I have been, as is evident——

Mr. STONE. I have it right here.

Mr. WILLIAMS. In one part of the testimony I think Mr. Bachelder confessed, and that they themselves confessed, that

in some cases where they came down ostensibly to represent the grange they were paid by some other interests.

Mr. STONE. Yes; more than once. For example, they came here to promote what is known as "good roads legislation." Gov. Bachelder said it was legislation in which the grange was interested, and that they had employed this firm to come here to promote that legislation; and yet Bachelder admitted and Graham admitted that the grange had never paid them a penny for their service, but Graham also confessed that his firm had received munificent compensation from other sources. From whom? From the manufacturers of automobiles and other vehicles. They were being paid by such interests as these to induce Congress to appropriate money to make great highways, not for farmers or for the benefit of the general public, but for the great motoring cars that go hissing and screaming along our highways. I am not objecting to the automobile; it is a great invention and is all right in its way. What I object to is that the officials of the National Grange would allow men employed by these great manufacturing interests to use the name of the grange to cover up what they were doing and to conceal the real source of their employment.

The denatured-alcohol bill furnishes another example of like kind. Again Allen & Graham used the name of the grange to get this bill through, and they got it through. Graham admitted on the stand that he did not receive a dollar from the grange—that is, from the Bachelder and Jones organization—but that his firm did receive a large fee from manufacturers and others interested in that bill, among them being the Whisky Trust. The Whisky Trust was a generous contributor to the fund raised to pay Allen & Graham for their lobby service, but the grange did not pay a cent. Bachelder and Jones only permitted Allen & Graham to use the name of that honorable organization to advance the ends of the Whisky Trust and other opulent and potent interests.

I have not time to read the testimony of Bachelder, Allen, and Graham before the Finance Committee, but I ask, Mr. President, that I may insert the essential features of it as a part of my remarks.

The VICE PRESIDENT. Without objection, such permission is granted.

Mr. STONE. I will insert the testimony of the gentlemen named, and also that of Mr. Collins, at the end of my remarks. I will do this so that Senators may read this very interesting and instructive lesson as to the different ways of accelerating public opinion.

Mr. President, who managed this grange propaganda against reciprocity? I wonder if the farmers of the country, when they received package after package of literature against reciprocity, knew that that literature was prepared by Allen & Graham in their offices in William Street, New York, and within 100 feet of Wall Street. Well, it was. Not only did they get it up, but much of it was untrue and misleading. It was developed during the hearings that some of the statistics they sent out were absolutely unreliable—so unreliable, in fact, that the Senator from Utah [Mr. SMOOT], who wanted to save the face of these people as well as he could, admitted the inaccuracy of some of their statements, and Allen himself admitted they were wrong. And yet these false statistics were sent out under the name of the National Grange and under the prestige of its authority. On February 11, 1911, Mr. Aaron Jones, ex-master of the National Grange, and present master of the Indiana State Grange, appeared before the Ways and Means Committee of the other House and read a speech in opposition to reciprocity. Let me read an extract from that address:

I appear on behalf of the National Grange, the principal farm organization of the country, with local branches in 30 States, to record our emphatic protest against the proposed reciprocity arrangement with Canada. I have been a working farmer all my life; have been actively identified with the Grange or Patrons of Husbandry for more than 20 years, and was for 8 years master of the National Grange. I have gone among the farmers in every State of the Union, and have met thousands of them at various State and National Grange meetings. I am thoroughly familiar with their views on this and other public questions, and I am here to declare that the farmers of the country are unalterably opposed to the reciprocity bill which you are now considering, and that they believe it would inflict a serious and permanent injury to their industry.

The principle on which the protective policy has been defended during the past 20 years is that all classes and interests of the country should receive equal protection against the competition of foreign products. It was to carry out this principle that the duties on farm products were imposed by the McKinley law, and reimposed by the Dingley and Payne Tariff Acts. Had it not been for the tariff on farm products the protective system would long ago have been abolished.

I wonder if the Ways and Means Committee knew when they sat listening to those eloquent utterances of Mr. Jones that they had been prepared for him by a couple of noted legislative lobbyists within a step of the Stock Exchange of New York? This speech was afterwards circulated by Allen, Graham and Bachelder throughout the country under inspiring headlines set in display type and prepared by Allen & Graham. I wonder if the farmers to whom this speech was sent were acquainted with its authorship when they received it?

Mr. President, since the Senate hearings were concluded several weeks ago, Mr. Graham has bobbed up again; this time in Canada. Having exhausted his efforts to arouse the American farmers, he seeks now to stir the Canadian electorate into mutiny. "No pent-up Utica confines his powers." He is ubiquitous and universal. I have here a letter that he recently addressed to the Montreal Star, and I desire to read an extract from that letter. I read as follows:

* * * * * * *

I have long been an advocate of free-trade relations between Canada and the United States, and would welcome free trade between both countries. The pending bill, however, is not an honest reciprocal arrangement, but merely a political scheme, intended to secure the support and indorsement of the newspapers of this country for the Taft administration, which was repudiated, and deservedly repudiated, by an immense majority at the election last November.

* * * * * * *

I have been a resident of New York for more than 20 years, and have been actively engaged during a part of that time in newspaper work, but in all my experience I have never known of such a bare-faced conspiracy by the great and wealthy newspapers to promote their own financial interests.

While the reciprocity movement in this country is therefore purely a newspaper conspiracy for free print paper, I am satisfied that the real object in the minds of the President's advisers in this matter is the creation of a sentiment that will ultimately lead to the annexation of Canada to the United States.

I have been, as you are aware, closely identified with political matters, and was at one time in the service of the Department of State. I have known for a long time of the strong sentiment among public men in favor of the annexation of Canada, and you will doubtless remember the organization called the Continental Union, which was started in this city a few years ago, of which many prominent public men were members, the avowed object being the creation of a sentiment favorable to Canadian annexation.

The belief that Canada must ultimately be annexed is everywhere talked of in certain financial circles, particularly among the great financial interests which realize Canada's immense natural resources and the great opportunity for exploitation along the lines which have built up the gigantic trusts and monopolies in this country.

Speaker CLARK, of the House of Representatives, one of the leading Democrats in the country, who may be the Democratic candidate for President next year, simply told the truth in his speech in Congress when he said that he favored reciprocity because he looked forward to the time when the Stars and Stripes would wave over both countries.

Gov. Osborne, of Michigan, testified before the Senate Committee on Finance that he was in favor of reciprocity because he thought it would lead to the annexation of Canada, and numerous other witnesses before that committee expressed the same idea. There is not the slightest doubt in my mind that the real purpose of the reciprocity scheme is to weaken the influence of Great Britain in Canada and to bring about closer relations with this country that will result in political union.

Before leaving Nova Scotia I was inclined to favor annexation, but my long residence in this country has given me knowledge of the corrupt political methods which prevail both in State and National Legislatures and has caused me to change my views, so that I am now convinced that the Canadians are far better off under their own Government than they would be as a part of the United States. * * * I know the people of Nova Scotia pretty well, and I do not believe that they are ready to sacrifice their political independence for the sake of some slight benefits which this country will be forced to give them in any case in the near future.

The reciprocity scheme, in so far as the United States was concerned, was conceived in sin and born in iniquity. It is a fraud and a sham, intended to bolster up the discredited Taft administration, and I sincerely trust that the Canadian people will not assist in carrying out this deal between the sensational newspapers and a corrupt political party.

Thus does Mr. Graham denounce reciprocity to the Canadians. He strives to generate a prejudice among them against the United States by maligning his adopted country and to excite in their minds a false alarm as to the ultimate purpose and intention of the United States with reference to annexation. Having been exposed and beaten at Washington, he turns now to serve his employers by trying to defeat reciprocity in Canada. Who is paying him to do this work in Canada? Certainly not the Grange; and if not the Grange, then who is footing the bills?

During our hearings it was shown that Allen & Graham had had numerous conferences with leading manufacturers opposed to reciprocity. Allen admitted conferences with Mr. Hastings, president of the Paper and Pulp Association; with Mr. Lyman, secretary and general manager of what is known as the Print Paper Trust; with Mr. Bronson, representing the Lumber Trust; with Mr. Wood, of the American Woolen Co.; and with others; and he admitted that he talked to those manufacturers about contributing to a fund to pay his firm for the work they were doing in opposition to reciprocity.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Mississippi?

Mr. STONE. Certainly.

Mr. WILLIAMS. Merely for a suggestion. If I remember accurately, no literature went out from the office on William Street opposing reciprocity on the ground that it would hurt the Paper Trust or on the ground that it would hurt the Sawmill Association or upon the ground that it would hurt the woolen manufacturers. All that went thence went in the name of the farmer, and all the protests made from their office were upon the ground that the farmer would be hurt while the manufacturer would be benefited.

Mr. STONE. I think that is so.

Mr. WILLIAMS. And that, too, while they were receiving money or asking money from these very people who were engaging them and with whom they were holding conferences.

Mr. STONE. Yes; they admitted that they had already received money from at least one manufacturer.

Mr. President, all this is easy to understand. This New York firm was employed to "work up" the farmers and get delegations appointed to come to Washington and create the impression that the farmers would resist and resent this legislation, but behind the movement and footing the bills were numerous great protected industrial interests. Have these same interests put Allen & Graham at work in Canada with the hope of accomplishing there what they failed to accomplish in the United States? Graham was born in Canada and lived there the greater part of his life. It may be he thinks he can turn the trick up there he so signally failed to turn in this country. We will see. At all events Allen and Graham are very interesting characters, and I shall watch their efforts in Canada with great interest, whatever the outcome may be.

Mr. President, I feel too much fatigued to continue longer. I will here insert as an appendix to these remarks the testimony the Senate has given me leave to print. And now I close, after apologizing for consuming so much of the Senate's time.

APPENDIX.

(From the testimony of P. V. Collins, given before the Senate Finance Committee.)

Senator SIMMONS. The petition that we had read here yesterday from Michigan sets forth the idea that the signers would not vote for anybody in favor of this treaty.

Mr. COLLINS. Up to this time we have not gone that far, but I want to say they signed the petitions with their eyes open. On the back of every petition which went out was the full schedule. They knew what they were signing. These farmers said—

I will not read this whole petition, as it is too long. I will read the concluding clause of it, and to that I call the particular attention of my Democratic colleagues—

"The farmers have been the last to feel any direct benefit from protective tariffs. Why should the protective party expect the farmers to be the first to suffer the loss of that protective tariff policy?

"We, the undersigned farmers, therefore earnestly appeal to our Senators and Representatives in Congress to defend the agricultural interests of the Northwest against this unfair and misnamed species of reciprocity, at least until the same principle of free trade can be applied to what the American farmers have to buy that is now proposed on what American farmers have to sell."

* * * * * * *

Senator STONE. This petition that you have exhibited there, you say contains the names of 35,000 farmers?

Mr. COLLINS. Yes, sir.

Senator STONE. Thirty thousand of them, I understood you to say, live in Minnesota?

Mr. COLLINS. Yes, sir.

Senator STONE. Where do the other 5,000 live?

Mr. COLLINS. The other 5,000 live in the adjoining States, mostly in the Dakotas.

* * * * * * *

Senator STONE. Did you prepare this petition?

Mr. COLLINS. Yes, sir.

Senator STONE. And circulated it?

Mr. COLLINS. Yes.

* * * * * * *

Senator STONE. You say there are 150,000 farmers in the State of Minnesota?

Mr. COLLINS. One hundred and fifty-five thousand farms, not farmers. Of course each represents, perhaps, a farmer.

* * * * * * *

Senator STONE. Was this petition signed by any person other than a farmer?

Mr. COLLINS. Not that I know of. Of course it would be impossible to check up and absolutely know that each individual is a farmer.

Senator STONE. Were the petitions circulated in the towns and cities?

Mr. COLLINS. No, sir.

Senator STONE. Wholly on the farms?

Mr. COLLINS. Wholly on the farms. We published them in the paper. The paper does not circulate in the towns and cities. We also sent them to the secretaries of all of the farmers' organizations, so that they might circulate them among their members.

Senator STONE. Circulated through the State of Minnesota and in adjoining States?

Mr. COLLINS. Yes.

Senator STONE. But in Minnesota you got 30,000 farmers out of 150,000?

Mr. COLLINS. Yes; out of 155,000.

Senator STONE. You got about 20 per cent of the farmers in Minnesota to sign that petition?

Mr. COLLINS. Yes, sir; I did. We think that is remarkably significant for seeding time. Remember, the farmers are scattered over a wide expanse of territory.

Senator STONE. Of course, they are not all in a bunch.

Mr. COLLINS. That does not mean that the other 80 per cent refused by any means. It means that every farmer to whom that petition was offered signed it, with the exception of 20 or 30 altogether.

Senator GALLINGER. On that point, so that I may be sure of your position. You sent these to your subscribers more particularly?

Mr. COLLINS. Yes.

Senator GALLINGER. You did not send them broadcast to all the farmers?

Mr. COLLINS. Only to secretaries of the farmers' organizations that we could reach.

Senator STONE. I understood that your paper reached one out of every three of the farmers in Minnesota?

Mr. COLLINS. Yes.

Senator STONE. In other words, one-third of the farmers in Minnesota are readers of your paper?

Mr. COLLINS. Yes, sir.

Senator STONE. They have been protesting very earnestly in your paper against this reciprocity agreement, and yet, under your guidance and direction, you are able to get only one-fifth?

Mr. COLLINS. Practically one-half of our subscribers.

Senator STONE. Able to get only one-fifth of the farmers of the State to sign that petition?

Mr. COLLINS. One-sixth—between one-fifth and one-sixth.

Senator STONE. Between one-fifth and one-sixth, although you have been weekly appealing to one-third of them to sign it.

Mr. COLLINS. Yes; but if the Senator had ever dealt with the mass of farmers he would realize, perhaps, more than we do how apathetic are the farmers, how slow they are to respond, how slow they are to grasp any crisis. They will come along next fall; they will sign that petition next fall and send the rest of them in. They are coming in every day.

Senator STONE. How many Minnesota farmers came down with this delegation?

Mr. COLLINS. Nine.

Mr. FEIG. We are all farmers. Every man on our delegation is a farmer. I, as chairman, happen to occupy an official position. I went from my farm into that office. I have held it for nine years, and if I quit to-day or to-morrow I am going back to the farm. I am a farmer in every sense of the word.

Senator STONE. I am not imputing that you are not a farmer.

Mr. FEIG. Every man on our delegation here is a farmer.

Senator STONE. Well, I understood that Mr. Collins was the editor of a newspaper.

Mr. FEIG. He also runs three farms. Does not that make him a farmer?

Senator STONE. I desire to address myself to Mr. Collins, if he will give me his attention. I understood that you were the editor of an agricultural newspaper in Minnesota?

Mr. COLLINS. Yes, sir.

Senator STONE. And you are managing a farm?

Mr. COLLINS. Yes, sir.

Senator STONE. Well, you are then what Mr. Bryan calls himself—an "editor and agriculturist" rather than a farmer.

Mr. COLLINS. An agriculturist is a man who conducts his farm with brains and a farmer is usually a tenant, according to Webster's Dictionary.

Senator STONE. Are you one of the nine delegates?

Mr. COLLINS. Yes, sir.

Senator STONE. Are there some bankers in your delegation?

Mr. COLLINS. No, sir.

Senator STONE. None?

Mr. COLLINS. No, sir.

Senator STONE. Is Mr. Meaghen a member of the committee?

Mr. COLLINS. Yes, sir; let him speak for himself.

Senator STONE. Is he a bank president?

Mr. COLLINS. He is a bank president.

Mr. MEAGHEN. I will have my inning on that question a little later. I am a bank president.

Senator STONE. Mr. Feig is chairman, and he is a State official. Is that a fact?

Mr. COLLINS. He is directly connected with agricultural administration—inspection of grain elevators.

Senator STONE. J. R. Moreley and W. J. Shilling, are they members of your delegation?

Mr. COLLINS. Mr. Moreley is; Mr. Shilling is not here.

Senator STONE. Is he also a State official?

Mr. COLLINS. No, sir.

Senator STONE. He is not connected officially with the dairy department of Minnesota?

Mr. COLLINS. No, sir; he is the president of the Creamery Association, an association of farmers, and a leading dairyman of the State.

Senator STONE. Is Mr. R. A. Wilkinson, of Lake Elmo, a member of the delegation?

Mr. COLLINS. Yes, sir; does he not look like a farmer?

Senator STONE. Is he not a lawyer?

Mr. COLLINS. He used to be counsel for the Great Northern Railroad. He is a real farmer.

* * * * * * *

Senator STONE. Mr. Collins, I understood you to say that the farmers of Minnesota were very enthusiastic in opposition to this reciprocity agreement.

Mr. COLLINS. More than that; they are vehement.

Senator STONE. I did not understand you.

Mr. COLLINS. They are more than that. They are vehement in opposition—they are bitter.

Senator STONE. And practically unanimous?

Mr. COLLINS. Yes, sir.

Senator STONE. Enthusiastic, vehement, and unanimous.

Mr. COLLINS. Yes, sir.

Senator STONE. Enthusiastic, vehement, and unanimous?

Mr. COLLINS. And bitter.

Senator STONE. And bitter. I have here before me a sheet taken from the Northwestern Agriculturist of May 6, 1911. The Northwestern Agriculturist is the paper you publish?

Mr. COLLINS. Yes, sir.

Senator STONE. On this sheet I find a rather interesting statement showing the responses that were made on an appeal sent out by you for contributions to pay the expenses of this delegation down to Washington to protest against this reciprocity agreement. It appears from this statement that the total amount you were able to collect up to May 6 was $389.25, and that you paid out $98.10 for collecting that.

Mr. COLLINS. Yes, sir.

Senator STONE. Leaving a net collection of $291.15.

Mr. COLLINS. We divided the boodle last night, gentlemen, and each of us received $50 out of the funds that had been collected so far; that $98 had not yet borne fruit. It takes a little time for fruit to ripen, especially on farms. The funds will come in. We have faith in the farmers behind us; but if they do not, we will pay our own bills.

Senator STONE. It seems that $111 was contributed by bankers.

Mr. COLLINS. Bankers, country banks owned by farmers.

Senator STONE. Ninety-seven dollars and twenty-five cents was contributed by creameries, $41.25 by elevators, and $50 by a fire-insurance company.

Mr. COLLINS. That is a farmers' fire-insurance company—the Farmers' Cooperative Fire Insurance Co.

Senator STONE. Ninety-eight dollars by individuals, running from $5 down to 25 cents each; $5 by a market company, and the remainder by Societies of Equity.

Now, the point I desire to call your attention to is that if the farmers of Minnesota contributed practically nothing to this $389 fund the response from the farmers was not very liberal to send a delegation down here to protest against the reciprocity treaty.

Mr. COLLINS. That is an unfair statement.

Senator STONE. Neither enthusiastic, vehement, unanimous, nor bitter.

Mr. COLLINS. I want to call the Senator's attention to the fact that all of that came from farmers. The farmers are the bankers; the farmers are behind the Cooperative Fire Insurance Co.; the farmers are the men that run the creameries.

Senator STONE. These 30,000 men out of 155,000 farmers who signed this petition were willing to take their lead pencils and attach their names to a petition, but were not willing to contribute to pay the expenses of your delegation.

Mr. COLLINS. They will be equally willing to put their cross on the ballot.

Senator STONE. It would seem to me, I submit to you, Mr. Collins, that if the farmers of Minnesota were so unanimously and vehemently opposed to this agreement they would have contributed something toward paying the expenses of a delegation which they had appointed, according to this newspaper of yours, to send down here to represent them in opposing this agreement before the Senate Finance Committee.

Mr. COLLINS. There is not any question, Senator, but that every penny I have paid out will be reimbursed by the farmers by a voluntary subscription. They are slow, but they are reliable, and this very situation, gentlemen, answers the report that was conveyed to me from the editor of the American Economist.

Senator STONE. It is a kind of slow enthusiasm. [Laughter.]

Mr. COLLINS. The report was circulated here in Washington that P. V. Collins is being backed by the robber barons, whoever they are. Those are the robber barons.

Senator BAILEY. I want to ask you if it is a fair way to measure the enthusiasm of farmers by the size of their contributions?

Mr. COLLINS. It is absolutely ridiculous.

Senator STONE. You say that it is absolutely ridiculous, and yet you, as the spokesman and head of this movement, prepared and sent out petitions to the farmers to sign and to make contributions to pay these expenses, and urged them to do so in your newspaper?

Mr. COLLINS. Yes, sir.

Senator STONE. And yet you say you were urging them to do a ridiculous thing?

Mr. COLLINS. No; the fact that they have not done it by return mail—they will get there, but they come by slow freight. They do not come by telegraph.

Senator STONE. I am now referring to your answer to the question of the Senator from Texas.

Mr. COLLINS. I say it is ridiculous to expect them to come by return mail. We know too much through getting subscriptions from farmers; time is no object to the farmer.

Senator STONE. Now, I wish to ask you this question: Do the farmers of Minnesota oppose the reciprocity agreement for the fear that it would reduce the price of farm labor in that State?

Mr. COLLINS. Indirectly it will, by closing the mills all over the country. You will see farmers and laborers hungry for their jobs. Labor will be reduced, and the effect of this will be felt on the mills before it will be on the farmers.

Senator STONE. I would like to ask you, Mr. Collins, if it is not a fact that farm labor in Saskatchewan, and I will say in Manitoba, where it is lower than it is in Saskatchewan; that in Manitoba farm labor is higher than it is in Minnesota to-day?

Mr. MEAGHEN. Not higher.

Senator STONE. Higher, I say.

Mr. MEAGHEN. I say not.

Senator STONE. I am asking Mr. Collins, not you. Let us have one at a time.

Mr. COLLINS. I have no personal knowledge, but it was testified here yesterday by a Saskatchewan farmer that it was not. That is, as far as I know——

At this point I call attention to Senator MCCUMBER's admission made here to-day that farm labor was as high or higher in the northwestern Provinces of Canada than in the Northwestern States.

Senator STONE. I find it reported by the Tariff Board, which report I have here before me, that the average monthly wage in Manitoba is higher than that in Minnesota, and the monthly wage in Saskatchewan still higher than that in Manitoba, and the exact figures are given in the tariff report.

Mr. COLLINS. Is it 50 per cent higher, Senator?

Senator STONE. No, sir.

Mr. COLLINS. But the yield of the acres there is 50 per cent greater than it is in the United States.

Senator STONE. I am talking now about labor, not about yield.

Mr. COLLINS. How many months in the year is it higher?

Senator STONE. For the whole farming season; 8 months.

Mr. MEAGHEN. There is no whole year up north. They only pay for 6 months, and we pay them for the 12 months in Minnesota.

Senator STONE. At page 86, I am referring to now; and I will call the attention of Mr. Collins, if I can have his attention—I want to call his attention to this statement that in 1910 the wage per month on season hiring—running from 7 to 8 months, beginning April 1—in Minnesota was $30 to $35, and in Saskatchewan $35.

Mr. COLLINS. But in Minnesota during the harvest time the harvest hands are paid $2 and $3 a day. In Saskatchewan they are not.

Senator STONE. I have it by the hands also; take it by the hands, the individual. Take spike pitchers, in Manitoba they receive $2.50 to $2.75 a day and in Saskatchewan $3 and in North Dakota $3. Field pitchers, in Manitoba $3 a day, Saskatchewan $3 a day, and in Minnesota $2.50.

Separator men in Saskatchewan $5 to $7; Minnesota is not given there, but North Dakota is $5 to $6, and so on down the line. Now, if those figures are correct, I would like to ask what the danger is to the farm laborer as a result of this reciprocity agreement?

Mr. COLLINS. The danger to the American farm laborer?

Senator STONE. Yes.

Mr. COLLINS. By the closing of the American mills. He will have millions more competitors after his job.

Senator STONE. The closing of the American flouring mills?

Mr. COLLINS. I mean factories all over the country, which means panic.

Senator WILLIAMS. Do you think the reciprocity bill will close the factories?

Mr. COLLINS. Yes, sir. If I had time I could prove it.

Senator STONE. Do you mean woolen mills, cotton mills, and steel factories?

Mr. COLLINS. Yes, sir. If you look at the bank clearings to-day you will find we are already in a state of panic by reason of this reciprocity. The mills are to-day on the verge of closing down.

Senator WILLIAMS. I thought their complaint was that the Canadian reciprocity discriminated against the American farmer in favor of the manufacturer, and now you state that the American manufacturer is going to close his mills.

Mr. COLLINS. He is going to cut off his own head.

(From the testimony of N. J. Bachelder.)

Senator STONE. How long has the firm of Allen & Graham been in the employ of the National Grange?

Mr. BACHELDER. Since about the time I became master, in 1905.

Senator STONE. Had they served the grange in any capacity under Mr. Aaron Jones's administration?

Mr. BACHELDER. I am not sure about that; I am not positive about that.

Senator STONE. Are they members of the grange?

Mr. BACHELDER. They are not.

Senator STONE. How long had you known these gentlemen before you employed them?

Mr. BACHELDER. Why, perhaps a couple of years.

Senator STONE. How did you become acquainted with them?

Mr. BACHELDER. I became acquainted with them through the efforts to pass the bill providing for denatured alcohol.

Senator STONE. Were they interested otherwise than for the grange in the denatured alcohol bill?

Mr. BACHELDER. I do not know, but I presume they were.

Senator STONE. Did you pay them for that service?

Mr. BACHELDER. Am I required to go into the details in regard to that?

Senator STONE. You are not under oath, Governor, and you can exercise your own judgment and privileges as to whether you answer.

Mr. BACHELDER. I will say that we did not pay them.

Senator STONE. Do you know who did pay them?

Mr. BACHELDER. No; I do not.

Senator STONE. Have you had any information as to who were cooperating with you through Allen & Graham?

Mr. BACHELDER. I have not.

Senator STONE. Have you been informed that they received a large fee from other large interests in connection with that bill——

Mr. BACHELDER. I never have.

Senator STONE. For work on that bill?

Mr. BACHELDER. I never had any information upon that subject.

Senator STONE. What was the next matter about which you conferred with them and upon which you employed them?

Mr. BACHELDER. I think the next matter was the good roads proposition.

Senator STONE. Was legislation pending here in Washington to promote good roads, and was that the matter about which you engaged them?

Mr. BACHELDER. That was the matter.

Senator STONE. Did you pay them for the service they rendered you here in Washington in promoting that enterprise?

Mr. BACHELDER. I do not think I will answer that question, unless I am obliged to.

Senator STONE. You are not obliged to, at least I shall not insist upon it. Do you know whether other interests paid them large fees for their services in this——

Mr. BACHELDER. I do not.

Senator STONE. The automobile interest?

Mr. BACHELDER. I think they paid them something.

Senator STONE. Who paid them something? The manufacturers of automobiles?

Mr. BACHELDER. I think the manufacturers of automobiles. The campaign was carried along in the name of the grange. It was the grange campaign, and the grange accepted the funds to help meet the expenses wherever they came legitimately.

Senator STONE. In other words, the grange was used as a shield for the manufacturers who were prosecuting this enterprise?

Mr. BACHELDER. No. On the contrary, the manufacturers helped finance the grange campaign for good roads.

Senator STONE. That is another way of stating it. Did you make a contract with the automobile manufacturers for compensating Allen & Graham, or did Allen & Graham make their own financial arrangements?

Mr. BACHELDER. They made the arrangement, if any was made.

Senator STONE. Did the manufacturers of automobiles pay anything to your treasury to be paid to Allen & Graham?

Mr. BACHELDER. No, sir.

* * * * * * *

Senator STONE. Do you not know that Allen & Graham are not attorneys at law?

Mr. BACHELDER. No; I do not know it.

Senator STONE. Have you been laboring under the impression that they are?

Mr. BACHELDER. I supposed they were.

Senator STONE. Have you been to their offices to confer with them?

Mr. BACHELDER. I have.

Senator STONE. On legal matters?

Mr. BACHELDER. On matters pertaining to legislation.

Senator STONE. Did you ever see anything on their doors in the way of a sign, or on the heading of their letters to you, or anything else, indicating that they were pretending to practice law?

Mr. BACHELDER. I think there is nothing on the letterhead but their name, "Allen & Graham," and their address.

Senator STONE. You spoke of several other things in the paper you read in which you had them employed other than the two to which I have referred?

Mr. BACHELDER. Yes.

Senator STONE. Did you pay them for any service on those other things?

Mr. BACHELDER. I do not think I will answer.

Senator STONE. Have you ever paid Allen & Graham on behalf of the National Grange a penny?

Mr. BACHELDER. We have agreed to pay them for the work on the reciprocity bill.

Senator STONE. When was that agreement made?

Mr. BACHELDER. When we first met in New York—the legislative and the executive committees.

Senator STONE. And that is the only agreement you ever made to pay them anything?

Mr. BACHELDER. I am speaking of this agreement. We have agreed to pay them in this matter. They are in our employ.

* * * * * * *

Senator STONE. How much are you to pay them?

Mr. BACHELDER. The amount is not agreed upon. We do not know how long it will take.

Senator STONE. You have simply agreed to pay them?

Mr. BACHELDER. We have simply agreed to pay them their price.

Senator STONE. Whatever they charge. You exhibited some papers which you said had been circulated in opposition to this reciprocity agreement?

Mr. BACHELDER. Yes, sir.

Senator STONE. Who prepared these papers?

Mr. BACHELDER. The legislative and executive committees, with the assistance of Allen & Graham.

Senator STONE. With the assistance of Allen & Graham. Well, did not Allen & Graham prepare them with the assistance of the legislative committee?

Mr. BACHELDER. No, sir.

Senator STONE. Who prepared them in the first instance?

Mr. BACHELDER. Well, some of them the legislative committee prepared in the first instance and some Allen & Graham; they were always submitted to the legislative committee and revised. They went out under the responsibility of the National Grange, over their signatures. Allen & Graham assisted in the preparation.

Senator STONE. When Allen & Graham prepared a document, did they send it to you?

Mr. BACHELDER. Yes.

Senator STONE. Sent it to you in New Hampshire?

Mr. BACHELDER. Yes.

Senator STONE. And you passed on it?

Mr. BACHELDER. I passed on it or revised it; and if it was of enough importance to submit to the members of the legislative committee I sent it around to them frequently and got their signatures on it.

Senator STONE. Now, after you had approved it, or after the legislative committee had approved it, what was done with it?

Mr. BACHELDER. It was printed and mailed.

Senator STONE. Who printed it?

Mr. BACHELDER. I think it was printed in New York.

Senator STONE. Who had it printed?

Mr. BACHELDER. Allen & Graham.

Senator STONE. What legal matters did you ever consult Allen & Graham about?

Mr. BACHELDER. I do not recall that I ever did. It was in relation to legislative matters that we employed them.

Senator STONE. Promoting or preventing legislation?

Mr. BACHELDER. Promoting or preventing legislation that the National Grange stood for or against.

Senator STONE. Governor, you consulted them about aiding you in promoting or preventing legislation?

Mr. BACHELDER. Absolutely.

Senator STONE. What did you consult them about—the best way of proceeding?

Mr. BACHELDER. The best way of securing the passage of the bill or defeating it.

Senator STONE. You considered they were experts in that particular line?

Mr. BACHELDER. I considered they were skillful along that line.

Senator STONE. Then you were hunting men who knew how to manipulate legislative bodies?

Mr. BACHELDER. We hunted for men who knew how to do the things that we wanted done.

Senator STONE. So you, as I understand it, Gov. Bachelder, were employing two men who you considered experts in securing the passage of legislation or preventing its passage; in other words, men who are generally called "lobbyists"?

Mr. BACHELDER. No.

Senator STONE. In other words, men who are generally termed "lobbyists," and who, at the same time, were in the employ and receiving compensation from other large interests; and you permitted them to use the National Grange to accomplish things that the other interests were as much concerned in as you were?

Mr. BACHELDER. We did not ask them what other interests they were working for, providing they did the work we wanted done in the way that we thought it should be done, to prevent the passage of this reciprocity matter.

Senator STONE. And you were lending the assistance of the grange to prevent or to secure the passage of legislation in which other large interests were concerned, and for which other large interests were paying and footing the bills?

Mr. BACHELDER. No; we were not lending assistance to them; we were borrowing their assistance.

Senator STONE. Put it that way, if you desire. Were Allen & Graham, or either of them, at the last meeting of the National Grange?

Mr. BACHELDER. I think they were.

Senator STONE. And at previous meetings?

Mr. BACHELDER. Why, I can not remember about that.

Senator STONE. Well, try to remember.

Mr. BACHELDER. I think they were at some sessions previous to the last.

Senator STONE. What were they there for, not being members of the grange?

Mr. BACHELDER. They were there to assist us in advising in legislative matters; they were our legislative advisers.

Senator STONE. What legislative matter was pending at the meeting of 1909?

Mr. BACHELDER. Why, the "parcels post," the "antioleomargarine law." The "good roads" was very prominent at that time and the election of Senators by the people.

Senator STONE. Were Allen & Graham employed by the National Grange to promote that legislation?

Mr. BACHELDER. They were not.

Senator STONE. If they were not employed to do it, what were they at that meeting in 1909 for?

Mr. BACHELDER. I do not know if I can give any specific reason, except to advise us as we needed advice on legislative matters.

Senator STONE. Have Allen & Graham done any work for the grange in promoting legislation for the popular elections of Senators?

Mr. BACHELDER. I do not recall that they have. The National Grange has.

Senator STONE. And you never paid them a cent for all their services?

Mr. BACHELDER. I did not testify about that. I said we did not pay for anything in the denatured-alcohol matter.

Senator STONE. Have you paid anything for services up to date?

Mr. BACHELDER. We expect to.

Senator STONE. On the reciprocity bill?

Mr. BACHELDER. On the reciprocity bill.

Senator STONE. But outside of and before the reciprocity bill, for all these services, running through several years, have you ever paid them a cent?

Mr. BACHELDER. I said I thought I would not answer that question.

Senator MCCUMBER. You declined to answer some questions as to what fees you had paid for services. Did you consider the question of what fees you may have paid for services not to have any bearing on this subject?

Mr. BACHELDER. That is the reason I did not answer them.

Senator MCCUMBER. You did not desire to go into private affairs that had no connection with this?

Mr. BACHELDER. That is just it.

Senator STONE. The question I asked was whether he had paid anything, even a penny, and he declined to answer.

Senator MCCUMBER. Would you have answered if your answer would have elucidated this question in any manner?

Senator KERN. That would be a matter of opinion.

Senator MCCUMBER. It is a matter of opinion for him to exercise.

Mr. BACHELDER. I stated plainly and emphatically that Messrs. Graham and Allen were in our employ and were detailed for work on this account.

(From the testimony of Whidden Graham.)

Senator STONE. What is your name?

Mr. GRAHAM. Whidden Graham.

Senator STONE. A member of the firm of Allen & Graham?

Mr. GRAHAM. I am.

Senator STONE. Where are your offices?

Mr. GRAHAM. 11 William Street, New York City.

Senator STONE. Where is William Street; what part of New York?

Mr. GRAHAM. It is quite close to the New York Stock Exchange, which has petitioned for reciprocity.

Senator STONE. How near is it to Wall Street?

Mr. GRAHAM. I should say about 100 feet.

* * * * * * *

Senator STONE. Are you a lawyer?

Mr. GRAHAM. I am not, have never pretended to be, and have never held myself out to be. We were employed as writers on legislative matters. * * *

Senator STONE. Is Mr. Allen a lawyer?

Mr. GRAHAM. He is not, has never pretended to be, and has never held himself out to be.

Senator STONE. In addition to writing articles to promote or develop legislation, you often give publicity to the propaganda?

Mr. GRAHAM. We do not, except very incidentally. As a matter of fact in certain cases the only publicity was through the letters and petitions sent out, because the newspapers have been inspired by the Associated Press or the Newspaper Publishers' Association, and I will furnish proof of that, not to give any space to the side of antireciprocity, and to pull for reciprocity strong. That proof will be filed with the committee. We prepare arguments and briefs.

Senator STONE. I will ask you if in your clientele you have had the Standard Oil Co.?

Mr. GRAHAM. We have not.

Senator STONE. Never?

Mr. GRAHAM. Never, in any capacity. In this connection my partner was formerly engaged years ago in the business of customs-drawback broker, which means the collection of drawbacks. He was formerly engaged in the customs-drawback business collecting drawbacks on tin plates imported, and represented the Standard Oil Co. in the collection of drawbacks.

Senator STONE. Your partner represented them?

Mr. GRAHAM. Yes, sir.

Senator STONE. You represent the American Cotton Oil Co.?

Mr. GRAHAM. I do not. My partner did long ago.

Senator GALLINGER. In the matter of drawbacks?

Mr. GRAHAM. In the matter of drawbacks; not in connection with any legislation or any legislative or publicity matters.

Senator STONE. Were you paid anything for the good-roads service you rendered?

Mr. GRAHAM. By whom?

Senator STONE. Anybody.

Mr. GRAHAM. Yes. I was asked to come to Washington, and I did come.

Senator STONE. Did either of you come to Washington when that denatured-alcohol bill was pending?

Mr. GRAHAM. Mr. Allen came; I did not. In connection with the rebate on domestic alcohol, a different subject, the Senator from Mississippi was at that time a member of the Committee on Ways and Means, and I appeared before that committee. That was the only time that I went before the committee.

Senator STONE. Did you receive any compensation for your services in connection with the denatured-alcohol legislation?

Mr. GRAHAM. We certainly did. Let me explain there what Gov. Bachelder did not. We received that compensation from a committee of manufacturers of all kinds using alcohol. There was a committee formed, and they employed us and paid us to write these articles.

Senator STONE. Did the grange pay you anything for it?

Mr. GRAHAM. Absolutely not a cent.

Senator STONE. You were carrying the work on in the name of the grange?

Mr. GRAHAM. We were not. We were carrying it on the name of the committee of manufacturers. The grange was merely giving assistance.

Senator STONE. Did you receive any compensation for your services in the oleomargarine legislation?

Mr. GRAHAM. I did not. It was simply a matter of writing one letter. Mr. Bachelder said he was coming down to Washington to appear, and asked me if I would draft a letter for him to send out to the members of the grange. I did that.

Senator STONE. Did you receive compensation for your services in the good-roads campaign?

Mr. GRAHAM. We did.

Senator STONE. From whom?

Mr. GRAHAM. From manufacturers of automobiles and carriages and other people interested in good roads.

Senator STONE. You carried on that campaign in the name of the grange?

Mr. GRAHAM. We did not, entirely. It was carried on in the name of different organizations—various interests. They sent out literature.

Senator STONE. Gov. Bachelder was mistaken, then, in what he said about it?

Mr. GRAHAM. He did not say it was the National Grange entirely.

Senator STONE. Have you brought with you lists of all the papers which you prepared or your firm prepared?

Mr. GRAHAM. I have. They are exactly the same papers as those produced here by Gov. Bachelder.

Senator STONE. Did you prepare those which Gov. Bachelder handed in?

Mr. GRAHAM. We assisted in their preparation. One is a statement by Aaron Jones before the Committee on Ways and Means——

Senator STONE. Did you prepare the statement that Aaron Jones made to the committee?

Mr. GRAHAM. Mr. Jones and I were at the Manhattan Hotel, along with Mr. Atkeson; Gov. Bachelder; Mr. Godfrey, of New York; Mr. Raine, of Missouri; and Mr. Messick, of Delaware. We talked over this matter and drafted a resolution to be adopted by the grange. We drafted the resolutions and took them upstairs. They said, "That will not do; that is not right; you want to make it stronger. Put it right up to them good and strong." They talked it over that way and we gradually evolved these resolutions.

Senator STONE. Then you either drafted or aided in the preparation of the papers?

Mr. GRAHAM. Practically all these.

Senator STONE. You prepared most of them, did you not?

Mr. GRAHAM. I should say that we personally assisted in preparing most of them.

And here is some of this literature:

FARMERS PROTEST AGAINST CANADIAN RECIPROCITY BILL—NATIONAL GRANGE REPRESENTATIVE SHOWS THAT IT PROVIDES FOR FREE TRADE IN FARM PRODUCTS AND HIGH TARIFF FOR ALL MANUFACTURED ARTICLES THE FARMER BUYS.

(Address by Aaron Jones, master Indiana State Grange, and member of National Grange legislative committee, before Committee on Ways and Means, February 9, 1911.)

I appear on behalf of the National Grange, the principal farm organization of the country, with local branches in 30 States, to record our emphatic protest against the proposed reciprocity arrangement with Canada. I have been a working farmer all my life; have been actively identified with the Grange or Patrons of Husbandry for more than 20 years, and was for 8 years master of the National Grange. I have gone among the farmers in every State of the Union, and have met thousands of them at various State and National Grange meetings. I am thoroughly familiar with their views on this and other public questions, and I am here to declare that the farmers of the country are unalterably opposed to the reciprocity bill which you are now considering, and that they believe it would inflict a serious and permanent injury to their industry.

The principle on which the protective policy has been defended during the past 20 years is that all classes and interests of the country should receive equal protection against the competition of foreign products. It was to carry out this principle that the duties on farm products were imposed by the McKinley law, and reimposed by the Dingley and Payne Tariff Acts. Had it not been for the tariff on farm products the protective system would long ago have been abolished.

And here is some more of it—a table of statistics:

	Canadian tariff.	United States tariff.
Tableware	15 per cent.	60 per cent.
Tin plate	Free.	45 per cent.
Tinware	15 per cent.	Do.
Wire, some kinds free, none over	10 per cent.	75 cents per 100 pounds.
Hats	20 per cent.	55 per cent.
Sugar	35 per cent.	80 per cent.
Carpets	25 per cent.	60 per cent.
Oilcloth	do.	45 per cent.
Furniture	20 per cent.	35 per cent.
Cotton cloth	25 per cent.	50 to 60 per cent.
Gloves and mitts	22½ per cent.	60 per cent.
Hosiery	25 per cent.	45 to 65 per cent.
Automobile farm trucks	22 per cent.	45 per cent.
Pianos	20 per cent.	Do.
Celluloid goods, some kinds free, none over.	25 per cent.	60 per cent.
Underclothing	22½ per cent.	45 to 60 per cent.
Salt in bags	Free.	11 cents per 100 pounds.
Axes	15 per cent.	45 per cent.
Shovels	20 per cent.	Do.
Scythes	15 per cent.	Do.
Stoves	do.	Do.
Chains (iron)	5 per cent.	45 per cent and up.
Knives and forks	20 per cent.	50 to 65 per cent.
Agateware	22½ per cent.	40 per cent.
Sewing machines	20 per cent.	30 per cent.
Oranges	Free.	1 cent per pound and 30 per cent on the package.
Lemons	do.	1½ cents per pound and 30 per cent on the package.
Window glass	7½ per cent.	60 to 75 per cent.
Rice	50 cents per 100 pounds.	$2 per 100 pounds.
Figs	40 cents per 100 pounds.	$1 per 100 pounds and 35 per cent.
Jute bags	15 per cent.	45 per cent.
Cotton thread	17½ per cent.	Do.
Glassware	15 per cent.	60 to 100 per cent.
Lamp chimneys	20 per cent.	60 per cent.
Brass goods	do.	45 per cent.
Lamps	do.	45 to 60 per cent.
Rubber coats	22½ per cent.	35 per cent.
Rubber boots and shoes	15 per cent.	Do.
Books	do.	25 per cent.
Lead	10 per cent.	80 per cent.
Clocks and watches	20 per cent.	40 to 60 per cent.
Bicycles	do.	45 per cent.

Senator WILLIAMS. You say you are not a lobbyist?

Mr. GRAHAM. I am not.

Senator WILLIAMS. And yet you received fees to promote the enactment or the defeat of legislation?

Mr. GRAHAM. To write articles about them. Is the newspaper man a lobbyist who is paid a salary of $40 or $50 a week to write editorials?

Senator WILLIAMS. I do not want to go into that dissertation with you. I am simply asking you a question.

Mr. GRAHAM. And I answer, I am not.

Senator WILLIAMS. But you did receive fees?

Mr. GRAHAM. Yes, sir.

Senator WILLIAMS. Upon an agreement to promote the enactment of or to promote the defeat of legislation?

Mr. GRAHAM. We do not.

Senator WILLIAMS. And you are not attorneys?

Mr. GRAHAM. No. We do not receive fees for that purpose. I am paid for writing articles. I was not a lobbyist when I wrote for the national Democratic committee and was paid a salary to do it.

Senator WILLIAMS. But you did receive fees?

Mr. GRAHAM. Payment for writing articles.

Senator WILLIAMS. For writing articles, preparing briefs, and preparing material for the purpose of securing the enactment, or securing the defeat of legislation, and you did not receive those fees as a legal adviser, because you are not a lawyer.

Mr. GRAHAM. I am not a lawyer, and I have never pretended to be. The editor of a newspaper who is paid $50 a week to write editorials in a paper on which he is employed may influence legislation, but he is not a lobbyist for that reason.

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Senator CLARK. You stated in answer to the Senator from Missouri that you received a fee for advocating or opposing legislation by the articles which you wrote.

Mr. GRAHAM. Yes, sir.

Senator CLARK. Is that fee contingent upon the success or the failure of the legislation?

Mr. GRAHAM. No, sir; not at all—not in any sense of the word.

Senator STONE. When is it to be paid?

Mr. GRAHAM. When the work is wound up. We can not tell how long it will last. We thought it would only last a month, that everything was greased, and it was going to be slipped through the House and Senate and everything was to be all right, but there were a few farmers who woke up to the situation.

Senator STONE. And you helped wake them up?

Mr. GRAHAM. I did; and I also wake some other people once in a while.

Senator STONE. That is what you are paid to do?

Mr. GRAHAM. Exactly; and I did it well.

Senator STONE. How were you paid by the manufacturers of automobiles?

Mr. GRAHAM. They contributed to a general fund, as do the carriage builders, manufacturers of road-making material, and all sorts of people interested in good roads—automobilists and individuals.

Senator STONE. How much did they contribute?

Mr. GRAHAM. I do not care to go into the private details of this matter, and unless the chairman insists I shall not do so. I do not think it has any bearing on reciprocity.

Senator STONE. Did they contribute to pay the expenses, such as postage, printing, etc., as well as to pay your fee?

Mr. GRAHAM. They did.

Senator STONE. Did you handle the funds?

Mr. GRAHAM. I appeal to you, Mr. Chairman, whether or not I have to go into the details of these matters with which I have been connected—the financial details.

Senator STONE. I have not asked you for the financial details. I asked you whether you handled the funds.

Mr. GRAHAM. Whether we handle the funds? I do not. They are handled by the treasurer in Detroit.

Senator STONE. Did you have any control over that fund, or any part of it?

Mr. GRAHAM. Not at all. It was paid to us.

Senator STONE. Was any part of it paid out on your order?

Mr. GRAHAM. No; it was paid to us. There was a central good-roads committee composed of several gentlemen of Detroit—the Packard and other manufacturers and manufacturers of accessories—and the money was put in by various people who thought they were interested, and they paid——

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Senator STONE. While we are talking about the people you represent I will ask you if you ever represented the Distillers' Security Co.?

Mr. GRAHAM. We do not, Senator Stone, never. The contributions were made to the committee of manufacturers by the distillers. They contributed a large amount to get the denatured-alcohol law passed, and they stated that they have contributed because of the increase in their business. They contributed in their proportion; also the hat manufacturers of Danbury and the furniture manufacturers of Grand Rapids. They wanted this legislation.

Senator STONE. Then the Distillers' Security Co., or those who belonged to it, did contribute?

Mr. GRAHAM. They contributed to the fund of this committee of manufacturers; they did that.

Senator STONE. How do you know it?

Mr. GRAHAM. Because the committee of manufacturers kept a record of all that was paid.

Senator STONE. Did you see it?

Mr. GRAHAM. I did not see the money, but I presume they did. I did not see the checks. The Senator has asked me the question whether we were employed by the Distillers' Security Co. We were not. The Distillers' Security Co. contributed to the fund that was raised for the purpose of paying the legitimate expenses of printing and postage and other expenses.

Senator STONE. I am asking how you know that the Distillers' Security Co., known as the Whisky Trust, contributed. How do you know it?

Mr. GRAHAM. From the committee of manufacturers. Mr. Allen was the Secretary of that committee——

Senator STONE. You mean your partner?

Mr. GRAHAM. Mr. Allen was secretary of the committee of manufacturers which had entire charge of the work of securing the passage of the denatured-alcohol law.

Senator STONE. Was Mr. Allen a manufacturer?

Mr. GRAHAM. He was not. He was secretary of the committee of manufacturers.

Senator STONE. And representing them in that legislation?

Mr. GRAHAM. In the same way that he is employed by the grange now.

Senator STONE. Did you ever represent the International Harvester Co. in any way?

Mr. GRAHAM. Never, except that Mr. Allen's former firm, which was engaged in the collection of drawbacks, they collected——

Senator STONE. For the International Harvester Co.?

Mr. GRAHAM. To collect drawbacks. This was 10 or 12 years ago, and I do not see why I should have to go into ancient history about customhouse brokers' fees, and anything of that kind. However, if the committee thinks it is material, I am perfectly willing to waste your time in answering these questions.

Senator STONE. You represented a good many large enterprises on drawbacks, and in other ways, did you not?

Mr. GRAHAM. My partner's firm did formerly. He is not in that business now and has not been for 10 years.

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Senator STONE. Do you object to stating the fee that you received for the denatured-alcohol matter?

Mr. GRAHAM. I decidedly do. I am not brought here to tell my private business for the last 10 years. I do not see what bearing it has on the question of reciprocity.

Senator STONE. If you object I shall not press the question.

Mr. GRAHAM. I do object most decidedly.

Senator STONE. A pretty large fee, was it not?

Mr. GRAHAM. Yes; but I am not inquiring about other large fees that have been paid to other gentlemen.

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Senator WILLIAMS. You have confessed, have you not——

Mr. GRAHAM. I have not confessed to anything, because I am not here to confess.

Senator WILLIAMS. Then you have admitted, or you have stated, or have enunciated—you can use your own language—that you have received payment for preparing articles, letters, briefs, etc., to promote the success of or to defeat legislation.

Mr. GRAHAM. Yes.

Senator WILLIAMS. Now, then, I want to ask you another question. What is your other business, or have you any other business?

Mr. GRAHAM. I have no other business employment except as a writer. I am a writer on economic, financial, and commercial questions of any kind.

* * * * * * *

Senator STONE. Have you been in conference with representatives of other industries opposed to this reciprocity agreement?

Mr. GRAHAM. What does the Senator mean by representatives of other industries?

Senator STONE. I mean just what I say. You know whether you have been in conference with men who represent other interests?

Mr. GRAHAM. I have not.

Senator STONE. Have you had any correspondence with them?

Mr. GRAHAM. I have not. I met yesterday a gentleman for the first time at the hotel—I was introduced to him for the first time—who represents another industry; I never met him before. He was brought up and introduced to me by a friend.

Senator STONE. Have you had any conference or correspondence with representatives of news-paper manufacturers?

Mr. GRAHAM. I have had no correspondence with them.

Senator STONE. You have administered rather severely on the newspapers.

Mr. GRAHAM. Yes, sir.

Senator STONE. Now, I will ask you about the men who make paper. Have you had any conferences with them?

Mr. GRAHAM. I have not.

Senator STONE. Has your partner?

Mr. GRAHAM. My partner is present, and will testify about that.

Senator STONE. Do you know whether he has?

Mr. GRAHAM. My partner is here, and can testify to anything in regard to what has been promised by any other outside interest, so called. We are employed by the National Grange, and paid at a rate that is satisfactory to ourselves, and if any outside interest chooses to appreciate our services by paying us, we are entitled to such payment, and I do not think it is a matter for this honorable body to inquire into, and I shall decline to answer any further questions on that line.

Senator STONE. Are you accepting payment from outside interests?

Mr. GRAHAM. I decline to answer that question, as to what I expect or what I might get.

Senator STONE. Have you or your firm any arrangement with other interests for pay or for compensation for these services against reciprocity?

Mr. GRAHAM. I decline to answer that question.

Senator STONE. You decline to answer?

Mr. GRAHAM. I do.

Senator STONE. Why?

Mr. GRAHAM. Because I do not think that is a matter pertinent to the investigation by this honorable committee. That is a matter, however, for your committee to decide.

Senator STONE. You are representing the grange?

Mr. GRAHAM. I am not representing the grange.

Senator STONE. I asked you a while ago if you were also representing some other interests, and you said no.

Mr. GRAHAM. We are not.

Senator STONE. If you are accepting compensation, you are representing them.

Mr. GRAHAM. We are employees of the grange. We are not representing them.

Senator STONE. Do you expect to receive compensation from other interests to fight this legislation if you do not intend to render them any service?

Mr. GRAHAM. I decline to answer that.

Senator STONE. How many interests are you accepting pay from outside of the grange?

Mr. GRAHAM. I make the same answer.

Senator STONE. You decline to answer?

Mr. GRAHAM. I decline to answer.

Senator STONE. Are you acquainted with Mr. Chester W. Lyman?

Mr. GRAHAM. I am not; I do not know him; I never saw him.

Senator STONE. Do you know whether Mr. Allen has had any conference with him?

Mr. GRAHAM. That is a matter with regard to which I will give the same answer. I decline to answer. You are inquiring into our private business.

Senator STONE. He is secretary and assistant to the president of the International Paper Co., is he not?

Mr. GRAHAM. I do not know. I know that I do not remember ever having seen him, and I do not know him, and I have had no correspondence with him.

Senator STONE. Have you conferred or talked with your partner about any conference that he has had with Mr. Lyman?

Mr. GRAHAM. I appeal to you, Mr. Chairman, whether I have to answer these questions as to my private business?

The CHAIRMAN. Mr. Graham, you need not answer any questions about your private business unless you desire to do so. You can use your own judgment. The committee have entered on the subject, and might as well conclude it as briefly as possible.

Mr. GRAHAM. As I understood the very kind words of the Senator from Texas, who has expressed the view that there has been nothing improper in the action of the grange, I want to say here that the action of the National Grange has been backed up and indorsed by every individual member in the remotest corner of Maine, Oregon, or Washington, and that if any reflection is to be cast on the National Grange because we may have been promised compensation from other interests which were working to the same end, I say that is something of which the grange knew nothing, could know nothing, and which had not the slightest effect on their action. They took action before they communicated with us, sent out word to the granges, and members started to send in petitions and letters and protests before they had any communication with us; and it can not have, directly or indirectly, any relation to the matter which your committee is considering, which, as I understand it, is this: Is the sentiment of the farmers of North Dakota, Minnesota, Michigan, and Pennsylvania genuine, or is it instigated or accelerated?

Senator STONE. Is that your answer?

Mr. GRAHAM. My answer is, whatever relations we may have had, the grange knew nothing about it at all. We have no arrangements about anything, but we do expect or hope that any manufacturer who is interested in this matter and appreciates the work that we have been able to do will pay us for our work. If they do, I shall be very glad to take it, and I have a right to take it.

Senator STONE. It may stand at that, so far as I am concerned, when you are through.

Mr. GRAHAM. I am through, just for the present.

(From the testimony of Joseph H. Allen.)

My name is Joseph H. Allen, of No. 11 William Street, New York.

Senator STONE. When did you begin to be connected with this campaign against the reciprocity agreement with Canada?

Mr. ALLEN. Why, we commenced the campaign immediately after our conference at the Manhattan Hotel with the legislative committee of the grange.

Senator STONE. What was the date of that?

Mr. ALLEN. Why, I could not state specifically. It was within three or four or five days, I think, after the publication of the treaty.

Senator STONE. After the President's message upon it?

Mr. ALLEN. Yes, sir.

Senator STONE. Have you had frequent consultations since that with Gov. Bachelder?

Mr. ALLEN. Yes, sir; I think that we met not less than three or four times after that at the Manhattan Hotel, and I am very certain that we had not less than four meetings in Washington.

Senator STONE. Did you go to his own town in New Hampshire?

Mr. ALLEN. No, sir; I have never been to Concord. I have not met him except at New York and Washington; I had occasion to go to Albany to see the commissioner of highways, and I think I met Gov. Bachelder there; but with the exception of that the only places that we have conferred have been New York and Washington.

Senator STONE. Did you confer with any of the manufacturers respecting the reciprocity treaty, with a view of interesting them in the noise you were making on it?

Mr. ALLEN. I am pausing for an answer, because I can not recollect that I approached any manufacturers. Some manufacturers did come and talk to me, but I can not remember that I approached any manufacturers.

Senator STONE. Did you ask any manufacturer at any time or suggest to him that he should contribute to the expenses of the campaign?

Mr. ALLEN. I think to such manufacturers as came to me I did suggest that they ought to contribute. I said it would be a pretty hard fight, probably, and it was not right that all the expenses should be borne by the National Grange. But up to the present time we have received nothing except from one manufacturer, and I have no objection to giving his name except that he asked me to keep it from the committee; but I can assure you that he does not manufacture paper or pulp and has nothing to do with the lumber industry. This subscription was made through the National Grange.

Senator STONE. Do you mean to say that that manufacturer contributed some money to the National Grange?

Mr. ALLEN. No; he approached Gov. Bachelder and asked the governor if it would be in harmony with the ideas of the National Grange to make a subscription to us, and the governor told him that it would be.

Senator STONE. Did you ask anyone, any manufacturer, or any other interested person outside of the grange to contribute or suggest that a contribution should be made to the campaign?

Mr. ALLEN. I can not say that I did. There were several manufacturers who offered to contribute, and I said we would be very glad to receive them.

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Senator STONE. What kind of manufacturers were they—what lines of business?

Mr. ALLEN. Well, I met Mr. Bronson, of the lumber company; I met Mr. Hastings.

Senator STONE. Mr. Bronson, of Chicago?

Mr. ALLEN. Yes, sir. I had never met him before, but he introduced himself to me.

Senator STONE. And did he contribute?

Mr. ALLEN. He did not.

Senator STONE. He offered to contribute, or did you merely suggest that he should?

Mr. ALLEN. No; I think the suggestion came from him.

Senator STONE. That he would contribute?

Mr. ALLEN. He said that he would; or, rather, he said he thought they ought to.

Senator STONE. And you agreed with him that they should?

Mr. ALLEN. Why, certainly; I would have taken a contribution if he had given it.

Senator STONE. He did not give it?

Mr. ALLEN. He did not give it; no, sir.

Senator STONE. What did he say about contributing?

Mr. ALLEN. I can hardly recollect so as to give an accurate answer to that question. I might remark that this work we are doing for reciprocity is distasteful to me. It has never appealed to us as a business proposition; it certainly has never appealed to me. I was probably more disappointed than anybody else when the President summoned Congress in special session, and I would be very glad to have it over with now; and I told the legislative committee of the grange so at the last meeting. I told them I should be very glad if we could get out of this, after giving all of our time, with a loss of two or three thousand dollars.

Senator STONE. I repeat my question. What did Mr. Bronson say to you about contributing to the expenses of this antireciprocity campaign?

Mr. ALLEN. He asked me if we would receive it. I said we would. He said he would have to take the matter up when he went to Chicago, and I said nothing more about it; and I do not think that I mentioned the subject to him, although I have seen him since, and I say that it was immaterial to me whether he contributed or not.

Senator STONE. Immaterial?

Mr. ALLEN. Yes; I was not very anxious to receive it.

Senator STONE. You were not anxious, but you would be glad to get it.

Mr. ALLEN. Oh, I would not have refused the subscription. I think he had a perfect right to offer it, and I had a perfect right to take it. I do not see that I did not.

Senator STONE. How many other manufacturers did you confer with on that subject here in Washington?

Mr. ALLEN. I did not confer with any, except those who mentioned the subject to me. I would like to make it clear in my answer that I did not approach these manufacturers; they spoke to me.

Senator STONE. I am asking who they were?

Mr. ALLEN. Oh, I saw Mr. Hastings, of the American Pulp & Paper Association.

Senator STONE. He is president of the——

Mr. ALLEN. The American Pulp & Paper Association.

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Senator STONE. Did Mr. Hastings think he ought to contribute, too?

Mr. ALLEN. He certainly did.

Senator STONE. And you thought he ought?

Mr. ALLEN. Well, I did not express any opinion. I said I would be very glad to receive it. He has not contributed. We have no agreement with him that he will contribute, and I have no way to compel him to contribute; but if he does contribute, I shall gladly take it.

Senator STONE. You will keep it?

Mr. ALLEN. Well, I expect there will be a deficit anyway in our expenses, so that we would apply it to that.

Senator STONE. Now, we have Mr. Bronson and Mr. Hastings, with whom you have talked upon the subject of compensation for your services.

Mr. ALLEN. Rather they talked with me, Senator. I did not approach them. I think that is very important.

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Senator STONE. Now, any others?

Mr. ALLEN. I can not remember. I can not think of any. There may have been. I can not remember at the moment.

Senator STONE. Do you know Chester W. Lyman?

Mr. ALLEN. I have known Mr. Lyman for 12 or 15 years socially. I have played golf with him. I had never known him in a business way. I have met him here in Washington.

Senator STONE. Did you ever talk with him about this fight against reciprocity?

Mr. ALLEN. Oh, I have talked with him more or less about it, and sympathized with him; I think he is right.

Senator STONE. Have you been to his office at 30 Broad Street?

Mr. ALLEN. I have.

Senator STONE. And have talked with him there about it?

Mr. ALLEN. Yes; I called on him there and talked with him about it.

Senator STONE. Talked with him about it over the phone?

Mr. ALLEN. Possibly I did.

Senator STONE. Did he say anything to you about contributing?

Mr. ALLEN. I think Mr. Lyman did, but my understanding was that if we had any contribution from that interest it would come from the American Pulp & Paper Association.

Senator STONE. Mr. Lyman is the secretary and assistant president of the International Paper Co., is he not?

Mr. ALLEN. Yes, sir.

Senator STONE. That is a company interested in the manufacture of print paper; they have some 40 or 50 companies merged into the one holding, have they not?

Mr. ALLEN. I do not know; they may have. I do not know anything about the company.

Senator STONE. It is frequently referred to as the Paper Trust?

Mr. ALLEN. I suppose it has been, and is, and will be. I have no knowledge about how many mills they have or whether their mills are antiquated or whether they will be. I have not paid any attention whatever to that side of the question.

Senator STONE. How much force did you have in your employ to send out this literature?

Mr. ALLEN. Not very large; I think two girls for addressing envelopes and two stenographers. We do not require a very large force, because this literature is often sent to the State masters of the various granges for distribution. Then, too, the State masters frequently prepare their own circulars; get up their own literature.

Senator STONE. You had two girls and two or three stenographers in addition——

Mr. ALLEN. That is our regular staff, Senator. We employed no extra help.

Senator STONE. You used your regular staff in distributing this literature?

Mr. ALLEN. Yes.

Senator HEYBURN. I did not understand that he said they distributed it, except to send it to the local granges.

Senator STONE. You send it to the masters of the State granges?

Mr. ALLEN. Yes; it was sent to Gov. Bachelder. Under his order we also sent literature to the various State masters, by express, for distribution. In that way the work has been carried on very cheaply.

Senator STONE. You mean when literature was prepared you would express a package of it to a State master or to some individual for distribution in that State?

Mr. ALLEN. No; they all go to the State masters.

Senator STONE. Well, to State masters; you did not send any to any State where there was no State master?

Mr. ALLEN. Not unless Gov. Bachelder forwarded to us a letter from some outside farm organization asking for some of the grange literature.

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Senator STONE. Do you know William M. Wood, president of the American Woolen Co.?

Mr. ALLEN. No, sir; I do not know him.

Senator STONE. Did you send any communication or your firm send any communication to him?

Mr. ALLEN. Absolutely not; he called me up on the phone.

Senator STONE. You had a talk about this over the phone?

Mr. ALLEN. I think it was about the reciprocity bill.

Senator STONE. About this antireciprocity campaign?

Mr. ALLEN. Yes.

Senator STONE. What was that conversation?

Mr. ALLEN. I can not remember exactly.

Senator STONE. The substance of it and exactly what it was, as nearly as you can remember.

Mr. ALLEN. I think he said that the American Woolen Co. or the National Association of Woolen Manufacturers would help financially in this campaign; he thought they would; and I said we would be very glad to receive any amount that he contributed, but he failed to make good.

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Senator SMOOT. Mr. Chairman, I would like to ask a question. Mr. Allen, did you prepare the list of articles showing the rate of duty into Canada and into the United States that was presented by Gov. Bachelder?

Mr. ALLEN. He asked us to have those rates prepared for him. We asked somebody to do it for us, and when these rates were called in question Mr. Graham and I looked them over, and I think an explanatory note was written to the chairman of the Finance Committee by Gov. Bachelder.

Senator SMOOT. Then you admit that there were a great many of them that were quoted wrong?

Mr. ALLEN. They were probably incorrect, and they were only intended to be indicative of the different rates prevailing between Canada and this country.

Senator SMOOT. Mr. Chairman, so that there will be no mistake and that all of the rates may be absolutely as recorded by the Canadian Statistical Abstract and also the Statistical Abstract of our country, I would like to file this and have put in the record the rates as they really are, if there is no objection.

The CHAIRMAN. The statement will be put into the record.

Mr. SMITH of South Carolina. Mr. President, I had intended to make some remarks on this bill to-day, but I give notice now that after the speech of the Senator from Texas [Mr. BAILEY] to-morrow, if time permits, I shall submit some remarks on this question.

THE STANDARD OIL AND AMERICAN TOBACCO COS.

Mr. POMERENE. Mr. President, I desire to give notice that to-morrow after the close of the routine morning business I shall call up the resolution known as Senate concurrent resolution No. 4, relative to the Standard Oil Co. and the American Tobacco Co. prosecutions, and ask for action thereon.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 25 minutes spent in executive session the doors were reopened, and (at 5 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Thursday, July 20, 1911, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate July 19, 1911.

SURVEYOR OF CUSTOMS.

Andrew Fyfe, of Michigan, to be surveyor of customs for the port of Grand Rapids, in the State of Michigan, in place of Sheridan F. Master, whose term of office expired by limitation July 1, 1910.

COLLECTOR OF INTERNAL REVENUE.

George Clapperton, of Michigan, to be collector of internal revenue for the fourth district of Michigan, in place of Samuel M. Lemon, resigned.

RECEIVER OF PUBLIC MONEYS.

Thomas H. Dawson, of Michigan, to be receiver of public moneys at Marquette, Mich., vice John Jones, term expired.

REGISTER OF LAND OFFICE.

Ozro A. Bowen, of Michigan, to be register of the land office at Marquette, Mich., vice James J. Donovan, term expired.

PROMOTION IN THE NAVY.

Lieut. (Junior Grade) Henry M. Jensen to be a lieutenant in the Navy from the 4th day of March, 1911, to fill a vacancy.

POSTMASTERS.

ILLINOIS.

Frank E. Hurless to be postmaster at Mount Carroll, Ill., in place of William E. Nipe, deceased.

KENTUCKY.

Edwin B. Linney to be postmaster at Danville, Ky., in place of Edwin B. Linney. Incumbent's commission expired February 7, 1911.

Wilbur R. Smith to be postmaster at Lexington, Ky., in place of Thomas L. Walker. Incumbent's commission expired February 7, 1911.

MASSACHUSETTS.

Llewellyn E. Pulsifer to be postmaster at Natick, Mass., in place of Charles J. Wood, deceased.

Fred C. Small to be postmaster at Buzzards Bay, Mass. Office became presidential July 1, 1911.

MINNESOTA.

Jennie M. Gordon to be postmaster at Brown Valley, Minn., in place of Samuel Y. Gordon, jr., resigned.

MISSOURI.

Bert Sumpter to be postmaster at Leadwood, Mo., in place of Moses Elvins, deceased.

MONTANA.

Joseph Appolonio to be postmaster at Victor, Mont. Office became presidential January 1, 1911.

WEST VIRGINIA.

W. B. Hines to be postmaster at White Sulphur Springs, W. Va. Office became presidential July 1, 1911.

CONFIRMATIONS.

Executive nominations confirmed by the Senate July 19, 1911.

UNITED STATES DISTRICT JUDGE.

Paul Charlton to be district judge for the district of Porto Rico.

SURVEYOR OF CUSTOMS.

Andrew Fyfe, surveyor of customs, Grand Rapids, Mich.

COLLECTOR OF INTERNAL REVENUE.

George Clapperton, collector of internal revenue, fourth district, Michigan.

RECEIVER OF PUBLIC MONEYS.

Thomas H. Dawson, receiver of public moneys at Marquette, Mich.

REGISTER OF THE LAND OFFICE.

Ozro A. Bowen, register of the land office at Marquette, Mich.

ASSISTANT DIRECTOR OF CENSUS.

Roland P. Falkner, of the District of Columbia, to be Assistant Director of the Thirteenth Decennial Census, in the Department of Commerce and Labor, vice W. F. Willoughby.

POSTMASTERS.

FLORIDA.

Belle Booth, Panama City.

WISCONSIN.

Frank H. Marshall, Kilbourn.

INJUNCTION OF SECRECY REMOVED.

The injunction of secrecy was removed from a special agreement for the submission to arbitration of pecuniary claims outstanding between the United States and Great Britain, signed at Washington on August 18, 1910. (July 19, 1911.)

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *July 19, 1911.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal God, our Father, teach us the simplicity, beauty, and sublimity of the religious life apart from the creeds and dogmas of men, that we may walk together with Thee in faith, hope, and love; each for all and all for each; in the spirit of Him who taught us to pray:

Our Father which art in heaven, hallowed be Thy name. Thy kingdom come. Thy will be done in earth, as it is in heaven.

Give us this day our daily bread.

And forgive us our debts, as we forgive our debtors.

And lead us, not into temptation, but deliver us from Evil: For Thine is the kingdom, and the power, and the glory, forever. Amen.

The Journal of the proceedings of Saturday, July 15, 1911, was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 2653. An act to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary."

The message also announced that the Senate had passed with amendments bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 2958. An act to amend an act entitled "An act providing for publicity of contributions made for the purpose of influencing elections at which Representatives in Congress are elected."

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. 2653. An act to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary"; to the Committee on the Judiciary.

ORDER OF BUSINESS.

The SPEAKER. The Chair desires to announce to the House that this is Calendar Wednesday.

Mr. UNDERWOOD. Mr. Speaker, I move that the proceedings under the calendar set for to-day be dispensed with.

The SPEAKER. The gentleman from Alabama moves that the proceedings under Calendar Wednesday be dispensed with for to-day.

Mr. MANN. Mr. Speaker, may I inquire of the gentleman from Alabama what business is coming up in the House?

Mr. UNDERWOOD. I understand there is a conference report on an appropriation bill.

The question was taken; and in the opinion of the Chair two-thirds having voted therefor, the motion was agreed to.

ADJOURNMENT UNTIL SATURDAY.

Mr. UNDERWOOD. Mr. Speaker, I move that when the House adjourns to-day it adjourn to meet on Saturday next.

The question was taken, and the motion was agreed to.

The SPEAKER. The Chair will designate Mr. ROBINSON, of Arkansas, to preside on Saturday.

ELECTION TO COMMITTEE ON EXPENDITURES IN THE INTERIOR DEPARTMENT.

Mr. UNDERWOOD. Mr. Speaker, at the request of the gentleman from Illinois, the leader of the minority, I move the election of Mr. CHARLES H. BURKE, of South Dakota, as a member of the Committee on Expenditures in the Interior Department, to fill a vacancy caused by the resignation of a Member.

The SPEAKER. At the request of the gentleman from Illinois [Mr. MANN], the minority leader, the gentleman from Alabama moves the election of Mr. BURKE of South Dakota to a place on the Committee on Expenditures in the Interior Department.

The question was taken, and the motion was agreed to.

LEAVE OF ABSENCE.

By unanimous consent, Mr. BURKE of Wisconsin was granted leave of absence for 10 days, on account of important business.

WITHDRAWAL OF PAPERS.

By unanimous consent, Mr. J. M. C. SMITH was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of H. R. 2836, Sixty-second Congress, no adverse report having been made thereon.

INVESTIGATION OF THE STEEL TRUST.

Mr. STANLEY. Mr. Speaker, I ask unanimous consent for the present consideration of the following resolution, which I send to the Clerk's desk.

The Clerk read as follows:

House resolution 243.

Be it resolved, etc., That the special committee created under the provisions of the House resolution No. 148 be authorized to sit (as a whole or by subcommittee) at such places as it may deem necessary.

The SPEAKER. The gentleman from Kentucky [Mr. STANLEY] asks unanimous consent for the present consideration of the resolution just reported to the House. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I suggest to the gentleman that resolutions of this sort might properly lie over, so that we could see them in print. Is there such an emergency about this that it could not be acted upon on Saturday?

Mr. STANLEY. I think so; yes. It simply gives us the right to sit in other places than Washington. A similar resolution was passed the other day for another special committee.

Mr. MANN. It has been called to my attention that various investigating committees are appointing small subcommittees

where there is no occasion for it, to carry on investigations that ought to be carried on by the full committees, where all the minority members may attend and have notice. I would like to have an opportunity to look at this resolution.

Mr. STANLEY. If that is the only objection, if the gentleman will permit, I will say that this resolution is unanimously approved by the whole committee, and there is no disposition on the part of this committee to do anything of that kind.

Mr. MANN. Well, I understand; but under the form of the resolution, as I caught it—and it is not always easy to get these things by hearing them read from the Clerk's desk—the gentleman may appoint one member of this committee to go to California and conduct an investigation with no minority member present at all.

Mr. STANLEY. Under the rules of this committee, already adopted, a subcommittee of that kind would not be appointed.

Mr. MANN. The rules of the committee may be easily changed. I suggest to the gentleman that he do not press his proposition to-day, and let it go over.

Mr. STANLEY. I sincerely hope the gentleman will not object on a ground of that kind, because there is absolutely no disposition on the part of this committee to do anything of that kind. If any other committee is liable to do it, I submit to the gentleman that it will then be time to object.

Mr. MANN. I will say, Mr. Speaker, there has already been a report filed in this House by a committee of investigation, based upon an investigation by a subcommittee, where the minority members were not only not notified, but not notified after they were requested to be notified—a literally unfair proposition and unjustifiable under any circumstances. While I do not make any personal criticism of that committee or the chairman of it, whom I hold in as high regard as I do the gentleman from Kentucky, yet we have some rights on this side of the House. While we have not been very obstreperous in making objections to requests of this kind, still we are entitled to have our rights protected by the committees; and if the committees will not protect them, we will have to protect them in the House as well as we can.

Mr. YOUNG of Michigan. Mr. Speaker——

The SPEAKER. Will the gentleman from Kentucky yield to the gentleman from Michigan?

Mr. STANLEY. Yes.

Mr. YOUNG of Michigan. I wish to say, Mr. Speaker, that this resolution in its present form was not submitted to the committee. There was no bad faith in this. The chairman was directed to get the authority from the House to sit outside of the city of Washington. I will ask the chairman if he is not entirely willing to omit from the resolution that portion permitting subcommittees to sit. I think that would remove all the objection, and there is some importance in having this matter passed at an early time, if it is to be passed at all.

Mr. STANLEY. If the gentleman will permit, I am perfectly willing to have the subcommittee provision omitted from the resolution, with the understanding that at some future date the committee will not be precluded by inference even from meeting and agreeing to a resolution to allow subcommittees to sit, if necessary.

Mr. YOUNG of Michigan. Of course, no action that was taken here could cut off the committee from taking some further action at some other time.

Mr. STANLEY. I am perfectly willing to have the resolution passed as amended in that way.

Mr. MANN. I suggest to the gentleman that he modify his resolution.

Mr. GARNER. Mr. Speaker, may I ask the gentleman from Kentucky what additional expense, if any, will this resolution incur?

Mr. STANLEY. I do not know that there will be any great amount of expense. It is more expensive to sit in New York than it is to sit here, of course.

Mr. GARNER. Is it more expensive to send for the witnesses and have them come to the city of Washington than it is for the committee to go to New York and sit there?

Mr. STANLEY. I have never examined into that question, but I presume it would be.

Mr. MANN. More expensive for the witnesses, undoubtedly.

Mr. GARNER. I do not know about that. I know that one committee has already had a resolution passed by the House authorizing it to sit elsewhere, and has gone to New York, and it seems to me that the anticipated expense of that committee would have paid for summoning quite a number of witnesses from the city of New York to Washington.

Mr. FITZGERALD. The statement was made in reference to that committee that the illness of several witnesses made it impossible for them to come to Washington.

Mr. GARNER. That statement has not been made in this case, and unless very good reason is given for this committee sitting outside of Washington, I shall object myself.

Mr. FITZGERALD. The mere fact that the committee may believe it desirable to sit elsewhere is not sufficient. The committee should give the reasons which make it necessary to sit elsewhere. Under this resolution the committee, if necessary, could go to Brussels and sit there to investigate concerning the recent convention there. There is no limitation whatever on the power that is given to the committee.

The SPEAKER. Does the gentleman from New York object?

Mr. FITZGERALD. I have not objected yet. I thought the gentleman from Illinois [Mr. MANN] was about to object.

Mr. YOUNG of Michigan. Mr. Speaker——

The SPEAKER. Does the gentleman from Kentucky yield to the gentleman from Michigan?

Mr. STANLEY. I do.

Mr. YOUNG of Michigan. As I understand it, Mr. Speaker, the purpose of this resolution is to permit the committee to hold its sessions in the city of New York, and the reason for desiring to hold those sessions there, as was stated in the committee, is that it would be a matter of great convenience for the committee to be, for a few days, at a point where it itself could have access to the books of the Steel Corporation, which are there. These books are very voluminous. There are only a comparatively few of them that we wish to see, but we can not tell in advance what they are. It is impracticable to remove them all to the city of Washington.

Mr. GARNER. Will the gentleman yield?

Mr. YOUNG of Michigan. I have not the floor. The gentleman from Kentucky [Mr. STANLEY] has the floor. He yielded to me.

The SPEAKER. Does the gentleman from Kentucky yield to the gentleman from Texas?

Mr. STANLEY. I yield.

Mr. GARNER. I want to ask the gentleman from Michigan whether it is contemplated that the committee will visit any other place than the city of New York? I have in mind a statement appearing in the press to the effect that the chairman of the committee, the gentleman from Kentucky [Mr. STANLEY], had visited Pittsburg and other points for the purpose of ascertaining something about what the books contain. I think the House ought to know something about the contemplated expenses of this committee before it is authorized to sit all over the country.

Mr. YOUNG of Michigan. Mr. Speaker, so far as I know, it is not contemplated at the present time to sit anywhere except in the city of New York, and I wish to say to the gentleman from Texas [Mr. GARNER] that I am not in the confidence of the majority of this committee and I do not know how far their intentions may go. As I stated before, this resolution was not prepared in the committee, and my understanding at the time was that it would be a resolution limited to the city of New York, but I do not know that that was expressly stated. The New York meeting was the only one talked of.

Mr. STANLEY. Mr. Speaker, will the gentleman permit an interruption?

Mr. YOUNG of Michigan. Certainly.

Mr. STANLEY. In the committee—it is no secret—we requested Mr. BARTLETT to draw this resolution, and he did it.

Mr. YOUNG of Michigan. Yes.

Mr. STANLEY. And that is the resolution. The whole committee requested it.

Mr. YOUNG of Michigan. Yes.

Mr. GARNER. Is there any objection to limiting this investigation to New York?

Mr. YOUNG of Michigan. There would not be on my part.

Mr. MANN. At this time?

Mr. YOUNG of Michigan. At this time.

Mr. GARDNER of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. STANLEY. Yes.

Mr. GARDNER of Massachusetts. Mr. Speaker, I hope there will not be any captious objection to this resolution going through just as it is so as to permit the steel investigation committee to go wherever it thinks best. It does not make any difference whether it costs a little more or a little less, it is of the greatest importance that the committee should not be hampered in any way in getting at the facts. It has become perfectly evident during the investigation as hitherto conducted that we can not do our work systematically unless we go to New York. For example, we get on the witness stand some individual who has a knowledge of a large range of subjects connected with this inquiry. We inquire of the witness as to one subject first, and

then of another, and then of another. He goes back to New York and after a few days perhaps we send for him again.

The result has been that instead of taking up this inquiry subject by subject—taking up, for instance, first, the question of the absorption of the Tennessee Coal & Iron Co. and then the question of the cost of steel rails, or the question of the ore lands—we have to go skipping about from one branch of the subject to another simply because we have on hand witnesses who understand many different phases of the subjects we are investigating. Now, if we go to New York—and it is our intention to go to New York if the House will allow us to do so—then we can take this inquiry up subject by subject. If, for instance, we start in with the absorption of the Tennessee Coal & Iron Co., we can easily hear our witness and then say to him that he may go back to his office and that we shall not again disturb him until we are obliged to do so. It is not unlikely that he may inform us of somebody else there in New York who can tell us what we wish to know. It will then be an easy matter to get the man we seek that same afternoon. Here in Washington we have found that we must continually send to New York for witnesses and then wait three or four days while we shift to some other branch of our subject. I give it as my opinion to the House that in order to conduct this investigation intelligently we must go to New York, and I also assure the House that if the chairman of the committee, Mr. STANLEY, desires to go to Pittsburg or anywhere else, I believe that it is in the public interest that he shall have a perfectly free opportunity to do so. [Applause.]

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. STANLEY. Certainly.

Mr. MANN. Mr. Speaker, I think the House is willing at any time to give to the committee every facility for holding investigations and meeting wherever it is necessary. It seems to be shown now that the committee ought to hold a meeting in New York. There are so many of these committees operating that we have to be a little more cautious in setting precedents than we otherwise would, and I suggest to the gentleman that he modify his resolution to authorize the committee to meet in New York City, and he can bring in any other propositions as they are needed.

Mr. STANLEY. Mr. Speaker, at the present time it is not the intention of the committee to go anywhere except to New York. It is true that the chairman of the committee has been in Pittsburg and has been in New York and several other places.

Mr. MANN. No one is criticizing the chairman for that; quite the contrary.

Mr. STANLEY. And I will say that I had the pleasure of going to the city of Pittsburg when the thermometer was about 100° in the shade——

Mr. MANN. The gentleman has a peculiar idea of pleasure.

Mr. STANLEY. And the pleasure of going through steel mills and standing around red-hot ingots at that temperature. If there is any gentleman in this House who thinks it is a picnic, I will pay his expenses to go and try it. Mr. Speaker, I wish to say this, that it may be necessary for this committee at any time to go to some other city besides New York. I will explain. We have been examining the books of the United States Steel Corporation. We have an expert on those books. We have asked for certain documents, showing the cost of production, for instance. They produced the documents, giving us the number of tons, but tell us they do not think it is right to show the cost of production. I will give that as a single instance. They do not refuse to produce the document absolutely, but they say they wish to consult the committee about it.

There are to-day 10 or 15 highly important exhibits held up in New York to which our representative has no access awaiting the action of the committee. If we were in New York to-day, we could settle that question in five minutes. I believe I speak for this whole committee when I say they are in deadly earnest. They have no purpose and no desire either to squander the money in the Federal Treasury or to go upon a junket, and I know that it is absolutely necessary to a thorough, honest, searching investigation of this corporation that this committee should be given a free hand to go and find the truth wherever it may be necessary [applause], and for that reason I think this committee should be absolutely untrammeled, as far as it properly can be, in making this investigation?

The SPEAKER. Is there objection?

Mr. BUCHANAN. Mr. Speaker, will the gentleman permit a question?

The SPEAKER. Does the gentleman from Kentucky yield?

Mr. STANLEY. I yield.

Mr. BUCHANAN. I would like to ask the chairman of this committee if there has been an effort made to find out the conditions among the employees of the Steel Corporation or the treatment of that corporation toward their employees?

Mr. STANLEY. Under this resolution we have that right, and that question will be reached. Individual members of this committee have investigated that question. If the gentleman desires and will come to my office at any time, I would take great pleasure in showing him just exactly how far we have gone in that respect in the way of accumulating data; but there has been no hearing on that subject yet. This is such an immense question we have not reached that phase of it, but we certainly mean to inquire into it.

Mr. BUCHANAN. Mr. Speaker, if the gentleman will yield further, I want to say it is my opinion that this is one of the most important features of this question.

Mr. STANLEY. I entirely agree with the gentleman.

Mr. BUCHANAN. The conditions under which the men are working, the methods that have been practiced by this Steel Trust in taking the liberties of their workmen away from them, employing a large per cent of foreigners while pretending to want a tariff for the protection of American workmen, employing those foreigners while American workmen are walking the streets, and absolutely coercing and taking their liberties away from the men who have been employed by them who desire to exercise their influence as free American workmen. I say to the chairman as well as to this House I think this is one of the most important features from the point of view of the great mass of the workingmen of this country, and I did hope at the time this committee was created that a sincere and earnest investigation would be made for the purpose of bringing out all the facts in regard to this matter, and I still hope it will be done.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I understood the resolution was to be modified.

Mr. STANLEY. I agreed to a modification of the resolution by striking out the words "by subcommittee."

Mr. MANN. I would like to have the resolution reported as modified.

Mr. EDWARDS. Mr. Speaker——

The SPEAKER. Does the gentleman from Kentucky yield to the gentleman from Georgia?

Mr. STANLEY. I yield.

Mr. EDWARDS. Mr. Speaker, I proposed to ask that the resolution be reported.

The SPEAKER. The Clerk will report the resolution as it will read as amended.

The Clerk read as follows:

Be it resolved, etc., That the special committee created under the provisions of House resolution 148 be authorized to sit at such places as it may deem necessary.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question first is on agreeing to the amendment.

Mr. MANN. Mr. Speaker, the resolution was reported as modified, so there is no amendment pending.

The SPEAKER. The question is on the resolution as modified.

The question was taken, and the resolution was agreed to.

DEFICIENCY APPROPRIATIONS.

Mr. FITZGERALD. Mr. Speaker, I call up the conference report on the bill (H. R. 12109) to supply a deficiency in the appropriations for contingent expenses of the House of Representatives for the fiscal year 1911, and for other purposes, and ask unanimous consent that the statement be read in lieu of the report.

Mr. MANN. On what page of the RECORD is it printed?

Mr. FITZGERALD. It is printed in Saturday's RECORD, page 2941.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] calls up a conference report on the deficiency bill and asks unanimous consent that the statement be read in lieu of the report. The Clerk will read the statement.

Mr. MANN. Mr. Speaker, I ask for the reading of the report. I have not had time to look at it.

The SPEAKER. The Clerk will read the conference report first.

The Clerk read as follows:

CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12109) to supply a deficiency in the appropriations for contingent expenses of the House of Representatives for the fiscal year 1911, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6 and 8.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 4, 5, 9, 10, 11, 12, 13, 14, 15, 16, and 17, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In line 5 of said amendment, after the word "Congress," insert the following: "being for the fiscal year 1912"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: At the end of line 6 of said amendment strike out the word "herewith" and insert in lieu thereof the word "hereby"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "For compiling and editing the edition of the Congressional Directory for the first session of the Sixty-second Congress, to be expended under the direction of the Joint Committee on Printing, $800"; and the Senate agree to the same.

JOHN J. FITZGERALD,
C. L. BARTLETT,
J. G. CANNON,
Managers on the part of the House.
F. E. WARREN,
ROBERT J. GAMBLE,
C. A. CULBERSON,
Managers on the part of the Senate.

Mr. FITZGERALD. Mr. Speaker, I ask that the House agree to the report.

Mr. FOSTER of Illinois. Mr. Speaker——

Mr. FITZGERALD. Mr. Speaker, I yield to the gentleman.

Mr. FOSTER of Illinois. I would like to inquire of the chairman of the committee, in reference to the item for preparing the Congressional Directory, to whom that money has been paid, and if it is a matter of contract; that is, farmed out, or what is done with it?

Mr. FITZGERALD. It has not been paid to anybody.

Mr. FOSTER of Illinois. Has it been promised to be paid, then?

Mr. GARNER. Who controls the employment of the man to make up the Congressional Directory?

Mr. FITZGERALD. The Joint Committee on Printing.

Mr. FOSTER of Illinois. The reason I ask this is that it has come to my knowledge, and it has been told me, that the contract is given to some one for the amount of $800, and that he farms this out to some other person for $200 to do the work and pockets the difference.

Mr. FITZGERALD. Mr. Speaker, for a number of years a gentleman by the name of Halford, I believe it was, who had a seat on the floor as a representative of a press association, did this work. There has been carried in the legislative appropriation act each year $1,600 for the preparation of the Congressional Directory, and it is paid for two editions of the Directory—$800 for each edition. My recollection is that it was stated that a gentleman named Henry had been employed by the Joint Committee on Printing to prepare the Directory, and that he was the person to whom the money was to be paid.

Mr. FOSTER of Illinois. Is it a fact—does the gentleman know—that this man Henry does the work or secures the contract for doing the work and then sublets the contract to a man by the name of Sherman, in the Government Printing Office, who does it all for a matter of $200?

Mr. FITZGERALD. I have no information about that. I imagine whoever does the work has some clerical assistance. The Joint Committee on Printing has control of the matter, and always has had control of it. The item in the appropriation bill authorized the Secretary of the Senate to pay out of the contingent fund the usual compensation.

The House conferees insisted that some specific sum should be named, and the statement was then made that $800 was the sum usually paid and the amount to be paid for the work at this time; and accordingly that sum was specified, so that there would be no question as to the amount.

Mr. GARNER. Does the Appropriations Committee, in its hearings, make some inquiry as to the amount of money necessary to pay for the performance of this work?

Mr. FITZGERALD. The Committee on Appropriations has no direct control over this item. It appears that heretofore $800 has been paid for services of this character. The Joint Committee on Printing had the directory prepared. It was stated that it had made an arrangement similar to the arrangement made on former occasions, to pay the person engaged for the purpose of doing this work the sum of $800, and that as it was the duty of the Joint Committee on Printing to make the arrangement, the work having been done, Congress is under obligation to pay for the service rendered.

Mr. GARNER. I understand the contention of the gentleman from New York, then, is that the reason why the Committee on Appropriations did not have any hearings and investigate the necessity or the exact amount necessary to do the work is that they depended on the Joint Committee on Printing and its recommendations as to what it should do?

Mr. FITZGERALD. The gentleman from New York did not make that statement.

Mr. GARNER. Just one moment——

Mr. FITZGERALD. Let me interrupt. The gentleman from New York did not make that statement. This matter did not come before the Committee on Appropriations. It was a Senate amendment.

Mr. GARNER. The conference committee——

Mr. FITZGERALD. If the gentleman will permit me to continue the statement, the managers on the part of the House did make some inquiry, and they had the chairman of the Joint Committee on Printing present at the conference, and he made a statement regarding the matter.

Mr. GARNER. May I interrupt the gentleman now?

Mr. FITZGERALD. Yes.

Mr. GARNER. I want to place the responsibility of saying to the House that it is necessary for $800 to be expended for the purpose of getting up these directories; and I understood the gentleman from New York to say that the Appropriations Committee had no hearing and that they depended largely upon the Joint Committee on Printing for their authority for making the appropriation. Now, I want the RECORD to show whether or not the Committee on Printing made any investigation.

Mr. FITZGERALD. I have no knowledge——

Mr. GARNER. And, if the gentleman will permit me to continue the statement——

Mr. FITZGERALD. I have no knowledge of what investigation the Joint Committee on Printing made. The Joint Committee on Printing made the arrangement and had the directory prepared, as it has the authority to do, and it made the arrangement to pay the sum which heretofore has been paid for this purpose; and when the question came as to whether the House conferees should agree to an appropriation to pay for the services rendered under an arrangement of that character, the only question that the House conferees had to investigate was whether the arrangement had been made—whether the service had been rendered.

The responsibility for the compensation to be paid perhaps is divided; because for a great number of years the legislative bill has carried an appropriation of $1,600 for each year, and $800 has been paid for the preparation of each Directory; and in the Sixty-first Congress, when a third edition of the Directory was prepared, $800 was paid to Mr. Halford for the preparation of the third edition of the Directory.

Mr. GARNER. If I remember correctly, the gentleman from New York [Mr. FITZGERALD] has been a member of the Appropriations Committee for some years.

Mr. FITZGERALD. Yes.

Mr. GARNER. Now, I ask him whether or not, as a member of that committee, the committee investigated this item when it came to make the appropriation for the fiscal year 1911; and if you did not investigate it, if it turns out as the gentleman from Illinois [Mr. FOSTER] has suggested, that you appropriate $800 a year for this work, and it is farmed out for $200 a year, is it not a matter of fact that the Appropriations Committee recommended $600 a year more than is necessary?

Mr. FITZGERALD. That is not the fact at all. There is no proof here on the subject. The gentleman from Illinois [Mr. FOSTER] makes the statement that somebody has informed him that the person who is engaged to do this work turns it over to somebody else to do the entire work and pays him $200. The gentleman from Illinois [Mr. FOSTER] does not state that he knows that to be a fact. Neither the gentleman from Illinois [Mr. FOSTER] nor myself seems to have any information as to the source or character of this informant.

Mr. FOSTER of Illinois. I will say to the gentleman from New York [Mr. FITZGERALD] that I think his colleague [Mr. AKIN of New York], who is here, will be able to give him some more information directly upon this subject than I will be able to give, and I think there is something to this report that this matter has been farmed out for $200, and possibly the $600 is profit to the contractor for being the boss.

Mr. FITZGERALD. It may be, but——

Mr. FOSTER of Illinois. It seems pretty good authority.

Mr. GARNER. Four times more than is necessary.

Mr. FITZGERALD. The work of the preparation of the Congressional Directory has never been under my charge, nor has it been a matter of so much importance that I have attempted to trace whether the person engaged to do the work has done all the work himself and kept the money, or whether he has engaged help and paid out some of the money.

The work is done under the scrutiny of the Joint Committee on Printing. That committee has jurisdiction of this matter, and for a number of years the work has been turned over to

one of the men representing some press association or some newspaper. The arrangement is made between the person selected and the Joint Committee on Printing, and following that custom the arrangement was made in this instance. Whether the gentleman selected found this task was much simpler than the Joint Committee on Printing assumed, and that he could do it much more easily than anyone suspected, I do not know.

Mr. GARNER. I was trying to ascertain, Mr. Speaker, from the gentleman from New York whether or not when this committee comes to this item in an appropriation bill they simply take the statement of the Joint Committee on Printing as to the amount necessary, or do they make an investigation?

Mr. FITZGERALD. Well, the gentleman from New York has never faced that situation thus far. The committee over which the gentleman from New York has the honor to preside has not originated an appropriation for this purpose, so that this item not having originated with the committee, a different question entirely was presented.

The Senate placed an amendment upon this bill providing that the usual sum for the preparation of the Congressional Directory for this session of Congress should be paid by the Secretary of the Senate out of the contingent fund of the Senate for the Directory as prepared and published under the direction and supervision of the Joint Committee on Printing. The managers on the part of the House believed that the expression "the usual compensation" was somewhat too indefinite and insisted that the sum to be paid should be specified, so that there would be no question of what the sum was to be paid.

Mr. AKIN of New York rose.

The SPEAKER. Does the gentleman from New York yield?

Mr. FITZGERALD. Mr. Speaker, when I can finish this statement in a connected manner I will yield, but until then I do not desire to be interrupted. The managers on the part of the House sought to ascertain under what circumstances the Directory had been published, and they ascertained that it had been prepared and published under the supervision of the Joint Committee on Printing, and that the Joint Committee on Printing had made an arrangement with Mr. Henry to edit the Directory and had agreed that he should be paid $800 for that work; that $800 was the amount that hitherto had been paid for the preparation of an edition of the Directory, and then the managers on the part of the House were able to have the Senate managers agree to state that the amount to be paid should be $800.

Mr. AKIN of New York. Mr. Speaker, will the gentleman yield?

Mr. FITZGERALD. I yield to the gentleman from New York.

Mr. AKIN of New York. Mr. Speaker, I had occasion to take this matter up in regard to my being misrepresented as to what my politics were in this House. I saw Mr. SMOOT, and I found that the trouble lay with a man by the name of Henry, who had charge of this work. I then proceeded down to this building where this gentleman, Mr. Henry, had his office, he having the work in charge, as I supposed. I did not find Mr. Henry there, but I found a man there named Sherman, who was compiling the Directory, and I wanted to know of him why it was that in my biography the word "Republican" had been stricken out and the word "Democrat" put in there. Mr. Sherman, it appears, had the paper in his pocket, instead of having it in the files, and I asked of him why that was, and he said, "for my own protection." I said: "Did you change it?" He said: "No, sir; I did not." I said: "Who did?" He said: "Mr. Henry changed it." I said: "Now, if you will tell me the truth about this matter, I will see that everything is all right as far as you are concerned, but I want to know the truth about it. How much do you get for doing this work?" He said: "I get $200." "How much is paid to Mr. Henry?" "Eight hundred dollars." "And what does Mr. Henry do?" "Why, he is a press agent for some paper in Philadelphia." "Does he ever come here?" "Occasionally, but not very often. I have done the work with my wife after 6 o'clock at night, after my work was through with in the Printing Office; I have come here with my wife and compiled this Directory for $200."

Now, Mr. Speaker, that is the statement the man made to me.

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from New York yield to the gentleman from Pennsylvania?

Mr. FITZGERALD. I will yield to the gentleman.

Mr. MOORE of Pennsylvania. Mr. Speaker, I want to get the attention of the gentleman from New York [Mr. AKIN] for a moment. He has just made a statement with regard to a gentleman whom I know very well, and I wanted to inquire of him as to that gentleman.

The SPEAKER. The gentleman from New York has the floor.

Mr. FITZGERALD. Mr. Speaker, I do not hear the gentleman's request.

Mr. MOORE of Pennsylvania. The gentleman from New York [Mr. AKIN] has just made a reference to Mr. Henry, who represented a Philadelphia newspaper. Whether he does now or not I do not know. I know Mr. Henry very well. He is a responsible man in the newspaper business, a man of good standing in the city of Washington and throughout the country. He was formerly president of the Gridiron Club of Washington. I ask the gentleman from New York [Mr. AKIN] whether the inquiry made of the employee in the office was followed up by the gentleman from New York, and whether he saw Mr. Henry?

Mr. AKIN of New York. I will say this, I telephoned Mr. Henry three different times asking him to come to my office and see me in regard to making this change in my biography, and he refused to come. When I went to his office I was told that he was not in, but I really think he was in. [Laughter.] I do not care whether he is a Gridiron Club man or what he is.

Mr. MOORE of Pennsylvania. That may be. I am only speaking for a man whom I have not seen recently, but whom I happen to know. I am making inquiry whether the gentleman had followed up the investigation apparently begun with the young man who told about the $200 arrangement.

Mr. AKIN of New York. All the work I can find he did was to erase the word "Republican" and put in the word "Democrat." That is all I can find out.

Mr. FOSTER of Illinois. And for which he is paid $600.

Mr. AKIN of New York. And got $600 for doing so.

Mr. MOORE of Pennsylvania. Mr. Speaker, I should like to ask the gentleman another question. Mr. Henry has been ill. Has the gentleman been aware of that fact?

Mr. AKIN of New York. Maybe that made him sick.

Mr. MOORE of Pennsylvania. Mr. Speaker, I am only endeavoring to obtain a fair hearing for a gentleman who has been accused upon the floor and who is not here to speak for himself. I know absolutely nothing about this matter except that the Mr. Henry who has been referred to by the gentleman from New York is an entirely responsible and wholly reputable newspaper man. I want to ask the gentleman from New York whether he knew Mr. Henry has been very ill recently?

Mr. AKIN of New York. He was not ill at that time.

Mr. MOORE of Pennsylvania. But the gentleman says he did not see Mr. Henry and attempted to get him over the telephone. Does not the gentleman think that is rather an unfair statement to make in this way when Mr. Henry has not been seen and no word has been had from him upon the subject at all?

Mr. AKIN of New York. Mr. Henry was expected to be there within an hour, so his wife told me, and——

Mr. MOORE of Pennsylvania. Has the gentleman ever been in a great newspaper office, or a printing office where considerable work is done in compiling data and work of that kind——

Mr. AKIN of New York. Undoubtedly I have, sir.

Mr. MOORE of Pennsylvania. If the gentleman will go into one of the newspaper offices in his own State, he would find many men employed, some of them unfortunately, it is true, at not very large salaries, who do a great deal of routine work. Some one must direct and edit the work.

Mr. AKIN of New York. Let me interrupt the gentleman just at that point. When I called Mr. Sherman's attention to this matter to make the change he said Mr. Henry had asked him to change it, but he refused to do it. Then he said, "All right, give me the paper," and he wrote the word "Democrat" in there. Furthermore, Mr. Sherman said he requested him that he had better go to see Mr. AKIN to find out whether this matter was satisfactory to him or not.

Mr. MOORE of Pennsylvania. As to the amount of money to be paid I know nothing about it. It is a matter upon which the committee has reported, but the gentleman bases a statement which is serious, so far as it affects the character of the man concerned, upon an attempt to reach Mr. Henry over the telephone.

Mr. AKIN of New York. They had the record, the biography, just as Mr. Sherman has got it, and it is locked up on purpose, so that he can put it on to Henry if there is any trouble about it. It is in his handwriting.

Mr. MOORE of Pennsylvania. Is it not a fact that there is considerable doubt as to whether——

Mr. FITZGERALD. Mr. Speaker——

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] has the floor.

Mr. FITZGERALD. I would be perfectly willing, Mr. Speaker, to give gentlemen some information, but I desire to say that the conversation between those gentlemen is being

conducted in such a way that I am unable to hear whether I am being criticized or not.

Mr. AKIN of New York. Not at all.

Mr. MANN. Mr. Speaker, I ask for order, so that the gentleman from New York can recover from his peevishness. [Laughter.]

The SPEAKER. The gentleman from New York has the floor and the control of the time.

Mr. FITZGERALD. If the gentlemen will speak loudly enough so that others can hear their conversation, I have no objection to their making whatever statements they may see proper to make.

Mr. MANN. The gentleman from New York should remember that we Members on this side ought to be able to hear as well as those on that side.

The SPEAKER. The gentleman from Illinois is correct. This is a matter which affects the Public Treasury, and the Members of the House and the Speaker have the right to hear what is said. Gentlemen in the aisles will take their seats.

Mr. MOORE of Pennsylvania. Mr. Speaker——

Mr. FITZGERALD. Mr. Speaker, I yield to the gentleman from Pennsylvania if he desires to ask a question.

Mr. MOORE of Pennsylvania. Mr. Speaker, the gentleman from Pennsylvania was attempting to interrogate the gentleman from New York [Mr. AKIN] from the floor, but was prevented from continuing by the Speaker, who directed all Members to their seats. The gentleman from Pennsylvania was unable to hear the two gentlemen from New York, and that is why he left his seat; now he is endeavoring to make himself heard throughout this Hall to the satisfaction of the Speaker. [Laughter and applause.]

I want to ask the gentleman from New York [Mr. AKIN] a little further about his "exposé" of Mr. Henry. Is it not a fact that the objections which seem to have arisen in the gentleman's mind in regard to the payment of the sum for the compilation of the Congressional Directory were due to the designation of the gentleman as a "Democrat," when he should not have been so designated?

Mr. MANN. That is the claim.

Mr. MOORE of Pennsylvania. Is not that the fact?

Mr. AKIN of New York. This matter came up through my investigation of the whole matter.

Mr. MOORE of Pennsylvania. Does the gentleman blame Mr. Henry for not being able to designate the gentleman when the gentleman was unable to designate himself?

Mr. AKIN of New York. The biography was written in my own handwriting, by myself, and my name was set down there as a Republican. Mr. Sherman says Mr. Henry did it with his own hands.

Mr. MOORE of Pennsylvania. How was the gentleman placed in his own description of himself?

Mr. AKIN of New York. He was designated as a Republican.

Mr. MANN. Mr. Speaker——

The SPEAKER. Does the gentleman from Pennsylvania yield to the gentleman from Illinois?

Mr. MOORE of Pennsylvania. I have not the floor, but I would be glad to yield for a minute.

Mr. MANN. I wanted to ask the gentleman from New York if he thought every flowery statement in these biographical sketches which are furnished by Members themselves, with a view to advertise themselves, is to be taken as literally true, and if it would not be well for the man in charge to exercise generally such discretion as he has done in this case?

Mr. AKIN of New York. If the gentleman from Illinois can find anything flowery in that description of myself, he is welcome to it. [Laughter.]

Mr. MANN. It may be in the very fact that the gentleman describes himself as a Republican.

Mr. AKIN of New York. I am not ashamed of either side, but I am going to be put down there exactly right.

Mr. CLAYTON. Mr. Speaker, in line with what the gentleman from Illinois [Mr. MANN] has said, with the biography of the gentleman from New York [Mr. AKIN] before me, in 10 lines I see he twice states in that biography that he is a farmer by occupation. I would like to inquire if the gentleman does not think that one statement of that kind would be sufficient? [Laughter.]

Mr. AKIN of New York. If the gentleman will read it more carefully, he will see that I stated that my father was a farmer and that I am a farmer.

Mr. BUCHANAN. Mr. Speaker——

The SPEAKER. Does the gentleman from New York yield to the gentleman from Illinois?

Mr. FITZGERALD. Yes.

Mr. BUCHANAN. I want to propound an inquiry to the gentleman: Did not the people in the last election rub out the word "Republican" and insert "Democrat"?

Mr. AKIN of New York. The Republican was rubbed out by the Democrats up in my district. [Laughter.]

Mr. FITZGERALD. Mr. Speaker, it is not at all a matter of surprise that the gentleman who is expected to prepare this Directory made some slight error in the cataloguing of my colleague from New York. My recollection is that in one of the early Democratic caucuses my colleague [Mr. AKIN of New York] was listed on the Democratic caucus list as an Independent Democrat, and it was believed that he would participate in Democratic caucuses and affiliate with the Democrats in the House. My recollection is that he was nominated by the Democrats and by the Independent Republicans.

Mr. AKIN of New York. Now, I hope the gentleman will state this correctly. I was not nominated by the Democrats.

Mr. FITZGERALD. Was the gentleman indorsed by them?

Mr. AKIN of New York. Yes. There is a great deal of difference.

Mr. FITZGERALD. Then, on the gentleman's own statement, under the election law of the State of New York the gentleman was "nominated" by the Democrats, and I am technically correct in my statement. The gentleman was nominated by the Democrats, and his name was in good faith placed upon the roll of the Democratic caucus.

Information was afterwards conveyed to one of his colleagues that he was not a Democrat and would not act with the Democrats in the House.

Mr. CLAYTON. Mr. Speaker, may I——

Mr. FITZGERALD. One moment, if the gentleman please. The name of the gentleman from New York [Mr. AKIN] was taken from the Democratic roll. It is just possible that under these circumstances an error could be made in good faith by the person designated to compile the Congressional Directory, in characterizing the politics of the gentleman from New York; but Mr. Henry, the gentleman in charge of this work, is a gentleman who, as I now recall it, has been representing some papers here for some years. I am slightly acquainted with him. He is a man of integrity. My recollection is refreshed that the statement was made in conference that at the time the gentleman was engaged in this work he was not engaged in newspaper work, and that this was his sole occupation at the time. It may be that he did employ other persons to assist him more or less in the compilation of this work, but I would not like to characterize him in an improper manner without having his side of the matter properly presented.

Mr. AKIN of New York. The question is whether they paid $800 when they might have got the work done for $200?

The SPEAKER. Does the gentleman from New York [Mr. FITZGERALD] yield to his colleague [Mr. AKIN]?

Mr. AKIN of New York. It is just the difference between $200 and $800. That is the question.

Mr. MOORE of Pennsylvania. Mr. Speaker——

The SPEAKER. Does the gentleman from New York [Mr. FITZGERALD] yield to the gentleman from Pennsylvania [Mr. MOORE]?

Mr. FITZGERALD. I do.

Mr. MOORE of Pennsylvania. I desire to ask a question of the gentleman from New York [Mr. AKIN].

Mr. FITZGERALD. I do not care to have the two gentlemen conduct a debate in my time.

The SPEAKER. The gentleman from New York refuses to yield.

Mr. MOORE of Pennsylvania. Then, will the gentleman from New York [Mr. FITZGERALD] yield to me?

Mr. FITZGERALD. Yes; I will yield to the gentleman for the purpose of asking a question.

Mr. MOORE of Pennsylvania. I want to ask him, in the presence of his colleague from New York [Mr. AKIN], whether he thinks $800 is too large a sum of money for editing a volume which contains so many biographies and so much statistical detail as this?

Mr. AKIN of New York. It is, if it can be done for $200.

Mr. GARNER. Mr. Speaker, I want to get back to the subject. It appears that the Committee on Appropriations has been carrying in its bill for each Congress $1,600 for the compilation of the Congressional Directory—$800 for each session. We are unable to determine whether the Committee on Appropriations made any investigation on its own behalf as to the necessity for this amount, or whether it took the word of the Joint Committee on Printing as to the amount necessary to do it. Now, Mr. Speaker, it is to be hoped that this discussion has drawn the attention of the chairman of the Committee on Appropriations

to the fact that this work may be worth the sum of $200 rather than $800, and if the Joint Committee on Printing fail to call the attention of the Committee on Appropriations to this matter, when they go to make up the next bill, that they will of their own initiative try to ascertain what it is really worth to edit this publication, and not pay some man four times what it is worth simply to supervise it.

Mr. FITZGERALD. Oh, Mr. Speaker, the Committee on Appropriations will take care of itself when it originates any matter.

Mr. GARNER. Well, I want to say——

Mr. FITZGERALD. Let me make my statement, please. The Committee on Appropriations will be able to answer questions put to it as to such matters, but I do not propose that the gentleman shall attempt to hold me responsible for the action or the failure of Committees on Appropriations in the past.

I am not responsible for what has been done in the past. The gentleman from Texas [Mr. GARNER] has been in Congress a great many years. The legislative bill has carried $1,600 each year that he has been here for the purpose of having the Congressional Directory compiled, and I have never heard him before ask any inquiries, or anybody else, as to the propriety of that appropriation or its expenditure. It has been expended this time as it has been all of the time that the gentleman has been in Congress.

Mr. MANN. Will the gentleman from New York yield for a question?

Mr. FITZGERALD. I do.

Mr. MANN. Does the gentleman know whether the House passed a resolution reported from the committee of the gentleman from Texas [Mr. GARNER] a few days ago to pay a considerably larger sum than $200 to some man for making a little comparison, that required only a pair of shears and a paste pot, on the rules of the House?

Mr. FITZGERALD. It did.

Mr. MANN. And now he speaks of paying $200 for the editing of a volume containing much new matter. It is a wonder the gentleman from Texas did not make the inquiry he had in mind then.

Mr. GARNER. Will the gentleman yield?

Mr. MANN. I yield.

Mr. GARNER. The gentleman from Texas, as a member of the Committee on Accounts, did make some investigation in this matter, and the testimony before that committee was to the effect that the man for whom the appropriation was made had earned the money, and that he had earned it himself; that he had done the work himself. If the testimony before that committee had developed the fact that we were appropriating or proposing to appropriate $300 for his services, and that in reality he had not rendered that service, but had employed some one else to render it, for the sum of $50 or $100, I imagine the members of the Committee on Accounts would not have reported that resolution.

Mr. MANN. Just what they did do was to report the resolution for the principal and for an employee.

Mr. GARNER. Exactly.

Mr. MANN. For both cases; and in this case they did not report a proposition to pay the employee, but only the principal. The same policy was pursued in both cases, so far as the work was concerned.

Mr. FITZGERALD. Let me make this statement to the gentleman from Texas: There was no testimony before the Committee on Appropriations that somebody else had anything to do with this work, and the gentleman who seemed to have that information kept it carefully to himself.

Mr. GARNER. Mr. Speaker, I have not been criticizing the Committee on Appropriations. I simply call this to their attention in order that they may investigate the matter themselves and ascertain whether there is being four times as much paid for this work as is necessary.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. FITZGERALD. Certainly.

Mr. MANN. Mr. Speaker, if we can pass from this item, which is not very important, in this report to some of the other items, I would like to ask the gentleman from New York a question. I see that it is proposed to make available for the fiscal year 1912 an appropriation for investigations for the fiscal year 1912 in the Senate. How can that be called a deficiency appropriation, such as would authorize it to be in this bill?

Mr. FITZGERALD. For the current fiscal year there was appropriated $25,000 for the payment of expenses incident to investigations conducted by the Senate. For the fiscal year just ended $25,000 was appropriated. The Senate had expended about $12,000 of the appropriation for the fiscal year just ended, and the statement was made that in view of the investigation being conducted by the Senate at this time it would require this money, and that it desired to have it appropriated at this time so that there would be no question that there would be ample funds to enable the Senate to conduct the investigations it is now engaged in.

Mr. MANN. Yes; but there was ample money to conduct any investigation, certainly until the next session of Congress. Now, when I offered an amendment to this bill in the House the other day, the gentleman—and I do not criticize him for it—objected to it because it was not a deficiency. I do not see why we should be so much more liberal in allowing the Senate to put in items which are not deficiencies when we do not allow Members to offer such items.

Mr. FITZGERALD. There was this difference: When the gentleman offered his amendment the fiscal year 1911 had not been concluded, but when the Senate proposed to make this balance available for the current fiscal year it was at that time in the fiscal year.

Mr. MANN. That does not make a particle of difference.

Mr. FITZGERALD. And the gentleman understands also the fact that in a matter like that the Senate would insist and the House would have to yield upon giving it the money it required for the appropriations.

Mr. MANN. Not at all; not on this kind of a bill it would not.

Now, may I ask the gentleman about another item in the bill, amendment numbered 9, proposing to recede to the State of Georgia jurisdiction over the site on which is located the old Federal building recently sold to the city of Atlanta. That ought not to be placed in a deficiency bill.

Mr. FITZGERALD. Well, if——

Mr. MANN. Why is it in there?

Mr. FITZGERALD. While the legislation did not particularly belong to an appropriation bill, it is highly important, and it seemed to be the only way by which this legislation could be enacted.

Mr. MANN. That bill should be reported from the committee that has this matter in charge in this House——

Mr. FITZGERALD. No; the gentleman is mistaken.

Mr. MANN (continuing). And could be called up on any unanimous-consent day and passed by unanimous consent.

Mr. FITZGERALD. The gentleman is mistaken; that bill could not be reported——

Mr. MANN. If the House will not act on these things, we ought to have a quorum to act on them when they come from the Senate. But what warrant is there that the House majority makes a rule not to report a bill that nobody objects to, but lets the Senate add it on as an amendment and the House is to agree to it?

Mr. FITZGERALD. The majority has a right to make a rule about that under the Constitution.

Mr. MANN. The majority has a right to make any foolish rule it pleases, and in this case it has made a foolish rule that reacts upon the Members of the House. What reason is there, when the House will not take action upon an original proposition to which no one objects, that it should ask the Senate to tack it on a bill to which it does not in any way relate and proposes to have that passed practically by unanimous consent in the House? It ought to come up on the Unanimous Consent Calendar.

Mr. FITZGERALD. Well, it practically is on the Unanimous Consent Calendar.

Mr. MANN. Well, if it takes unanimous consent at that time, it ought to be considered on Monday on unanimous-consent day. We have been trying to get a unanimous-consent day in this House all this session of Congress. Here was a bill that ought to be passed, but the House refuses to pass it in the regular way—a bill to which no one would make objection—but has some Member go over to the Senate and appeal to the Senate to protect the majority of the House.

Mr. FITZGERALD. The gentleman is mistaken; this originated with a Member of the Senate.

Mr. MANN. Oh, this originated with the city of Atlanta and was first introduced in the House as a bill and afterwards taken up in the Senate.

Mr. FITZGERALD. The sole Senator from Georgia is enlisted on the side of Atlanta——

Mr. HENRY of Texas. Will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. HENRY of Texas. The gentleman from New York will remember there was a good deal of talk here some weeks ago about the Committee on Rules nominating to the House the membership of the Steel Trust investigating committee and the Sugar Trust investigating committee. Does not the gentle-

man really think this matter is one that could properly go before a Democratic caucus and be determined by it?

Mr. FITZGERALD. The unfortunate part about the matter is I know of no way by which you can send a House bill with Senate amendments to a caucus.

Mr. HENRY of Texas. I did not want the Appropriations Committee to assume any authority which it did not have, inasmuch as the Rules Committee refused to do so.

Mr. FITZGERALD. It has not. Mr. Speaker, by unanimous consent the House committed this bill, with these amendments, to conference and appointed managers on the part of the House, and it devolved upon the managers on the part of the House the duty of adjusting this difference between the House and the Senate.

Mr. MANN. Will the gentleman yield?

Mr. FITZGERALD. And the managers on the part of the House have done nothing contrary to the instructions of the House in this matter.

Mr. MANN. Will the gentleman yield further, on another item in reference to an appropriation of $5,000 and $150,000 for Fort Mason, Cal.? Why should we put that on a deficiency appropriation bill?

Mr. FITZGERALD. Does the gentleman mean the Fort Mason business?

Mr. MANN. Yes.

Mr. FITZGERALD. It was because the administration, in its attempt to keep down expenditures during the past fiscal year, deliberately cut down the estimate of the amount that was required; and inasmuch as this money is needed by the 1st of September, it is necessary that it should now be appropriated.

Mr. MANN. The gentleman is endeavoring to protect the administration?

Mr. FITZGERALD. No. The gentleman from New York is anxious to appropriate the money required to enable the Government to conduct its business. [Applause on the Democratic side.] Congress in 1907 authorized contracts to the extent of $1,500,000 for the construction of a depot at Fort Mason. It appropriated up to the close of the last Congress $1,150,000. An estimate was submitted in the sundry civil appropriation bill for $200,000. In the examination before the Committee on Appropriations it appeared that all the reports indicated that the work would be completed by the 1st of October, 1911, and that $350,000, the balance of the amount authorized, would be required. The Quartermaster General stated to the Committee on Appropriations that he had prepared an estimate of $350,000 and submitted these facts to the Secretary, but that he had been directed to cut his estimate to $200,000, and the recommendation was made to appropriate the amount estimated.

Now, the other day an estimate was submitted from the Secretary of the Treasury, in which he called attention to the fact that the Secretary of War, in transmitting his request for $150,000, stated that the work would be completed by the 1st of September, 1911, and that the reason why the $150,000 had not been asked for in the last session of Congress was because at the time of the submission of the estimate of $200,000 it was believed that $200,000 would be sufficient for the purpose during the present fiscal year. Of course, that was an inaccurate statement, evidently due to the fact that the Secretary of War was not familiar either with the statement of Gen. Aleshire before the Committee on Appropriations or with the action of his predecessor in directing that the estimate be cut.

Mr. MANN. Was this estimate sent to the House on this item?

Mr. FITZGERALD. It came to the House after the bill had gone to the Senate.

Mr. MANN. Then somebody was exceedingly derelict in the department, if they needed this money so badly, when they did not awake to the fact until after the deficiency bill had left the House and had gone to the Senate.

Mr. Speaker, I am opposed to this theory of departments, after a bill passes the House, sending in estimates with the expectation of having the Senate put in amendments, very often such as the House would not agree to if considered by the Committee on Appropriations or considered by the House outside of a conference report. Why does not the gentleman throw out this item in conference?

Mr. FITZGERALD. These gentlemen who have the contract will have completed their contract by the 1st of September, and they are entitled to be paid, regardless of this mistake.

Mr. MANN. They should take their chances and look out for it.

Mr. FITZGERALD. They could recover the money if it was not available. But we should not penalize the contractors by denying them payment when the money has been earned.

Mr. MANN. Now, as to the item in reference to amending the naval appropriation act, the gentleman from Tennessee, the chairman of the Committee on Naval Affairs, has introduced a bill to cover that. Why does not the Committee on Appropriations leave that to the Naval Committee to report upon?

Mr. FITZGERALD. Because the chairman of the Committee on Naval Affairs requested the conferees to care for this item.

Mr. MANN. Very well. The chairman of the Committee on Naval Affairs is a very distinguished and accomplished gentleman, but he is not the entire committee. He introduced a bill and it goes before the Naval Committee. Why can not the Naval Committee act on naval affairs themselves?

Mr. FITZGERALD. They did.

Mr. MANN. Why was not this put on the Unanimous Consent Calendar and called up on Wednesday and passed? Why do we every time miss unanimous-consent day and dispense in that way with calendar proceedings? That item could have been disposed of in that way and a reasonable explanation given.

Mr. FITZGERALD. The gentleman has read the statement and is fully informed about it.

Mr. MANN. I have read the statement of the Secretary of the Navy, but I will not say that I am fully informed on the subject.

Mr. FITZGERALD. I will explain this item, if the gentleman desires the information.

Mr. MANN. I desire to inform the gentleman now that if it is to be the policy of the majority side of the House that it will not have its own committees report legislation, but proposes to have a lot of these things tacked on to various bills that go to the Senate after they reach the Senate, it will hereafter take a quorum to pass any of these items through the House.

Mr. PAYNE. Mr. Speaker, I do not know who has the floor.

The SPEAKER. Does the gentleman from New York [Mr. FITZGERALD] yield to the gentleman from New York [Mr. PAYNE]?

Mr. FITZGERALD. I do.

Mr. PAYNE. I think my friend from Illinois [Mr. MANN] does not understand exactly the position and condition of the Democratic Party in the House. He does not seem to understand that that party is in abject fear of itself. It does not dare trust itself to come into the House here and do anything. It refers everything to the Democratic caucus, and Members are tied hand and foot. They come in here, and they do not exercise even what judgment they have upon legislation. They had a fearful example here one day——

Mr. MANN. Will the gentleman from New York yield?

Mr. PAYNE. Just let me finish this statement and then I will yield. They had a fearful example one day upon that side of the House of what they might do if they only had a chance. They came in here with a campaign-publicity bill, and for some reason or other they had not put the lid on. They had not pledged every Member of that side to vote down any amendment that was offered here in the House as to that bill.

Things went along smoothly until the gentleman from Kansas [Mr. JACKSON] one day offered the most sensible amendment in the world, that that bill should apply to primaries, and it was debated here in Committee of the Whole, and enough gentlemen acted on their own responsibility, and actually had the courage to vote for that amendment, so that there was a majority for it in Committee of the Whole, and the bill was reported with that amendment in it. Then they began to tremble. Abject fear took possession of them again. They did not dare trust themselves or their party, and there was a hurrying and a scurrying around here, until finally they got enough votes to vote the amendment down in the House, and sent the bill over to the Senate without that amendment in it.

Mr. RUCKER of Missouri. Mr. Speaker——

The SPEAKER. Does the gentleman from New York yield to the gentleman from Missouri?

Mr. PAYNE. I wish the gentleman would wait until I finish my statement.

Mr. RUCKER of Missouri. I can help the gentleman's speech a little.

Mr. PAYNE. If the gentleman will possess his soul in patience——

Mr. RUCKER of Missouri. I should like to improve the gentleman's speech.

Mr. PAYNE. The bill went over to the Senate, and for some reason or other there are Democrats in another place who are not afraid of themselves, or afraid of their party, and they do not put everything up to the caucus. They do not bring in a

bill and say it must go through without the crossing of a "t" or the dotting of an "i." They do not come in with a bill, to amend the tariff, perhaps, where really important interests are at stake, and where our friends over on that side see the force and effect and good sense of amendments that are offered, and yet feel that under their hide-bound caucus rule they must vote down every amendment. So these gentlemen in another place amended this sacred publicity act. They were not scared about it. They had sense enough to see the force and effect of the amendment offered by the gentleman from Kansas [Mr. JACKSON] here in the House, and they put it into the bill, and I understand now that my good friend from Missouri [Mr. RUCKER] has at last got it through his cranium that that is a good thing to have in the bill, and that it ought to go in, and I understand he stands ready now to surrender.

Mr. RUCKER of Missouri. Oh, no.

Mr. PAYNE. If no caucus action binds him, he is ready to surrender on that amendment and let it come into the bill. My friend from Illinois [Mr. MANN] must look out for the other side as well as this side, and must make allowance for the bands by which the other side are bound.

Mr. MANN rose.

The SPEAKER. Does the gentleman from New York yield to the gentleman from Illinois?

Mr. PAYNE. I do.

Mr. MANN. Does not the gentleman from New York [Mr. PAYNE] think that the greatest example of wisdom shown by the Democratic side of the House is that so far they have left all these propositions to be really perfected by the Republican Senate, being afraid to do anything themselves in the first instance? [Laughter on the Republican side.]

Mr. PAYNE. Oh, of course.

Mr. RUCKER of Missouri. Will the gentleman yield?

Mr. PAYNE. Certainly.

Mr. RUCKER of Missouri. I want to say to the very distinguished gentleman from New York that the gentleman from Missouri has not surrendered, but the forces of Democracy are united and we are going to capture the Republicans in this House. [Applause on the Democratic side.]

Mr. MANN. By giving us our way.

Mr. RUCKER of Missouri. Yes; we are going to give you gentlemen more than you want. The gentleman knows very well that every Democrat has always stood for the utmost publicity that could be obtained, but——

Mr. PAYNE. Why, Mr. Speaker, what does the gentleman mean by stating that after the vote that was seen here in the House, where they voted down all sort of publicity or any kind of publicity in the primary?

Mr. RUCKER of Missouri. Mr. Speaker, the Democrats had in mind a recollection of the fact that within a very short time before the vote referred to was taken another body had destroyed publicity by striking out of a House bill the provision requiring publicity before elections. With the new conditions existing at the far end of the Capitol, and anxious to try them again, we submitted to them a clean-cut proposition of publicity before elections. We did not intend to have it loaded down here by amendments proposed by those who would like to defeat the enactment of a publicity law. I make no reflection upon the gentleman from Kansas [Mr. JACKSON], the author of the amendment referred to, whom I am sure was sincere in his position. But we wanted the bill to go through the House in a form in which we hoped it would be acceptable to the Senate. Let me ask the gentleman, did you believe when we passed that bill, or at any time before the last week, that the Senate would ever enact such a bill as they have now tendered to the House?

Mr. PAYNE. Why, yes.

Mr. RUCKER of Missouri. You did?

Mr. PAYNE. Certainly. [Laughter.]

Mr. RUCKER of Missouri. Then the gentleman is the most credulous man in the Republican Party. Nobody else believed it.

Mr. PAYNE. I may be credulous, but it happened to turn out that way.

Mr. RUCKER of Missouri. Let me say one other word to the gentleman. I believe some gentlemen are quaking to-day, not Democrats, but gentlemen quaking not for fear that bill will not pass, but for fear the House will pass the bill which has been tendered to us by the Senate, and well they may quake.

Mr. PAYNE. Mr. Speaker, there is no iron-bound caucus rule governing this side of the House. We are not afraid that the boys are going to get out of the traces. We are not trembling over here. You are doing all of that shaking in the boots. The gentleman says he is going to give us more than we ask. Are you going to give us more than the Senate asks?

Mr. RUCKER of Missouri. But the Senate proposes vastly more than the gentleman from Kansas asked.

Mr. PAYNE. He is going to give us just what the gentleman from Kansas asked?

Mr. RUCKER of Missouri. Oh, no.

Mr. PAYNE. I do not know, but he is coming along with the 10-cent-a-vote proposition, and maybe he will vote for that. I presume likely he will as his zeal sometimes outruns his discretion.

Mr. RUCKER of Missouri. If you are referring to the Senate amendments to the publicity bill, you would better remain out of the House next week, if you do not favor them, because you will be put to the test.

Mr. PAYNE. Oh well, Mr. Speaker, I am willing to have the 10-cent-a-vote proposition in the bill if they want it. If anybody wants it, I do not care to object to it. I do not care what kind of a publicity bill or how drastic it may be. I would have welcomed one in my district at any time during the last 28 years that I have been running for Congress.

Mr. RUCKER of Missouri. I am glad to hear the gentleman say that, and I hope he speaks for his whole party.

Mr. PAYNE. Now, Mr. Speaker, my colleague from New York [Mr. AKIN], whom I understood has decided to be a progressive Republican—I do not see him now—had a little difficulty, of which he spoke a moment ago, with some one down at the Printing Office, and it occurred to me that his proper line would be to ask for an investigating committee on that.

Why, we have got 22 investigations, a list of which I saw in a morning paper of yesterday. We are investigating the Steel Trust; Sugar Trust; Controller Bay land tangle; Indian land scandals; trust-busting expenditures; effort to oust Dr. Wiley; threatened extinction of Pribilof seal herd; government of the District of Columbia; irregularities at the Washington Navy Yard and alleged general extravagance in naval service; alleged persecution of Lewis publications; Railway Mail Service troubles; alleged favoritism shown to Maj. Ray, United States Army, and other charges; extravagance in the United States Army; charges against Attorney General Wickersham in connection with Alaskan syndicate frauds; parcels-post proposition and other postal-service matters; fire protection in Government buildings and governmental methods of constructing Government buildings; violations of civil-service laws; creosote undervaluations; Government's rental of the Union Building; recoveries on sugar frauds; irregularities in the customs service.

Now, why in heaven's name do not some of you gentlemen on that side, bursting to get into the newspapers on some investigation, as chairman of the committee or as the author of a resolution or something of that kind, some of you gentlemen who have been trying to find and have found no band wagon to jump onto, why, in heaven's name, do not you come in here with a resolution appointing a committee with an appropriation of $25,000 to investigate the great question of whether my colleague is correctly put down in the Directory of Congress as a progressive Republican or an independent Democrat? It will bring you fame; else you may sit here through this whole Congress and get none. Some of you who are anxious to fool the people once more in your district, having succeeded last fall, why do not you come in? Here is an opportunity open to all budding statesmen, an opportunity afforded to that side of the House to get almost as much fame from that as you would really to go into a Democratic caucus and say you did your thinking under your own hat; that you wanted to hear this bill discussed in the House by both sides, so that the question may be fairly brought out, before you pledged yourself that you would be guided by the wisdom of a single man in making up a schedule, whether that man happened to be a Member of the House or an alleged expert; that you would vote down all amendments which were put into the bill, and you would stand by it, no matter how ridiculous a bill it was or how much better the amendments might make it. Oh, gentlemen, embrace this opportunity and come on. While the lamp holds out to burn the vilest sinner of you may return in the next election if you on that side of the House only jump on this proposition of Brother AKIN. [Applause on the Republican side.]

Mr. FITZGERALD. Mr. Speaker, it is unfortunate that my colleague's memory is so short. While it is usual to hear him bewail the fact that this side will not report legislation, he must recall and others do recall that when that side of the House was in the majority and was convened in extraordinary session it merely delayed the appointment of committees so that it could hold a club over the head of every individual Member on that side of the House to see that the wishes of those in control were carried out. Was the gentleman afraid of that side of the House doing business? They were afraid even to permit that side of the House to be permanently fixed in committee assignments so the Members might be allowed to vote as they pleased. My colleague speaks about the Democratic caucus.

Of course he is unfortunate in belonging to a party that can not get its members into a caucus, and has not been able to do so for a great while [applause on the Democratic side]; but my colleague is a party man who has now become a progressive, believing in the right of the individual Member to act according to the dictates of his own free will, untrammeled by party dictation. I congratulate him upon having followed our distinguished former Speaker in his transit to the progressive stage. [Laughter and applause on the Democratic side.]

Mr. PAYNE. Does my colleague yield?

Mr. FITZGERALD. I yield.

Mr. PAYNE. Why in the world were you so prompt in appointing committees if they were not to do anything? Was there any other reason under heaven for appointing them except the fact that you wanted to get the patronage that went with the committees? [Laughter on the Republican side.]

Mr. FITZGERALD. Oh, yes. One other reason was that we wanted to put the Republican incumbents out of their places. That in itself was a sufficient reason.

Mr. MANN. That is committee patronage. That was just a grab job, without the prospect of their doing any work.

Mr. FITZGERALD. I ask, Mr. Speaker, that my time be extended 10 minutes.

The SPEAKER. The gentleman from New York asks that his time be extended 10 minutes. Is there objection? [After a pause.] The Chair hears none. The gentleman is recognized for 10 minutes.

Mr. FITZGERALD. Mr. Speaker, if the committees had not been appointed the Republican officials, the Republican appointees, would have held their positions, and there would have been no one in a position to have compelled them to have done any work. The committees of the House have not been idle, even if they have not reported many bills. They have conducted various investigations which may not have been any more pleasing to that side of the House than they have been to the administration in the results so far obtained, and I have no doubt, without regard to any partisanship in the matter, that those investigations will have a wholesome effect on the entire administration and be of great benefit to all the departments of the Government.

Mr. RUCKER of Missouri. Mr. Speaker, I merely want to say, in answer to the suggestion of the gentleman, that if the purpose of appointing committees in this House was to give Democrats patronage, somebody has forgotten something, because I have not received any patronage. [Laughter.]

Mr. MANN. The gentleman declined it when the House offered it to him.

Mr. FITZGERALD. I did not look at the gentleman from Missouri [Mr. RUCKER] when I made that statement. [Laughter.] I did not say that that was the sole purpose, but I am frank to make the statement that it was a sufficient justification to turn out Republican employees, and not only that, but it enabled the House to abolish useless positions in the organization of the House which were costing the country $100,000 annually. That in itself was sufficient justification.

Mr. MANN. What had that to do with the appointment of all the committees?

Mr. FITZGERALD. The committees were necessary in order to carry out the program.

Mr. MANN. They did not abolish any of the committees.

Mr. FITZGERALD. Of course, if we had pursued the practice of not organizing this side of the House, as was pursued in former Congresses when that side controlled, the white-buttoned mandarins, the select few who had control and management of the House, could have done the work and could have regulated all the affairs of the House, of the committees, and of the caucuses. Only they would have been necessary, and the Members at large would have registered their will.

My colleague talks about tariff legislation and Democratic caucuses. Why, when the Republicans were revising all the tariff schedules opportunity was given to us to offer amendments to only a dozen items of the bill. We, on the other hand, have given you opportunity to introduce amendments ad libitum, and we have had the courage to vote down all the bad amendments that have come from that side, and we have no apologies to offer for so doing.

Mr. MANN. And you had the ignorance to vote down some very good ones. [Applause on the Republican side.]

Mr. FITZGERALD. Of course, Mr. Speaker, in the case of persons who have long been in control and in authority, it is difficult for them to acknowledge that there is any knowledge or wisdom existing anywhere but with themselves. But we are perfectly willing to rest our case with the country in the coming election and to have the people determine whether all the knowledge and information is possessed by that side or not. [Applause on the Democratic side.]

My colleague broke into poetry. I can recall a little squib I read a short time ago and will recite it for his benefit. It ran:

A wise old owl lived in an oak.
The more he lived, the less he spoke.

Mr. KENDALL. Does the gentleman feel at liberty to quote poetry without the authority of the Democratic caucus?

Mr. FITZGERALD. I know of no restraint upon freedom of speech within parliamentary limits in the House.

Mr. MANN. Does the gentleman want his time extended?

Mr. FITZGERALD. I will extend it in the RECORD. I am willing to admit that I am not such an adept in poetry as my colleague from New York [Mr. PAYNE]. It runs as follows:

A wise old owl lived in an oak.
The more he lived, the less he spoke;
The less he spoke, the more he heard.
Why can't you be like that wise old bird?

After having relieved himself, as he has to-day, of this burden that was resting upon him over the failure of the Democratic Party to live up to their obligations, I hope my colleague [Mr. PAYNE] will rest in peace, because I can assure him that this side of the House, at the appropriate time, will proceed not only to eliminate all the iniquities from the bill which partly bears his name, but to correct many of the abuses that exist in other laws and in the administration of the Government.

Mr. MANN. Manana!

Mr. MOORE of Pennsylvania. Will the gentleman yield? A moment ago the gentleman spoke of having saved $100,000 by the abolition of useless offices.

Mr. FITZGERALD. Yes.

Mr. MOORE of Pennsylvania. My recollection is that the announcement was made a few months ago to the country at large that $188,000 was to be saved by the abolition of these offices. Will the gentleman say whether new offices have been created——

Mr. FITZGERALD. Oh, no.

Mr. MOORE of Pennsylvania. Or whether there is now a revision of the figures, or how does the gentleman account for the difference between $100,000 and $188,000?

Mr. FITZGERALD. The House is waiting for another body, controlled by the political associates of the gentleman from Pennsylvania [Mr. MOORE], to finish another part of the work, and the balance will be saved in withholding the extra month's pay.

Mr. MANN. That original statement still remains a matter of vivid imagination.

Mr. MOORE of Pennsylvania. I merely wanted to know whether there had been any retrogression in the policy of the Democratic Party as announced then? Because there was a statement made to the country at large that $188,000 was to be saved, and the gentleman who is at the head of the Committee on Appropriations now fixes the amount saved at $100,000.

Mr. FITZGERALD. No; I did not fix the amount that would be saved. I fixed the amount that, by action so far taken, will be saved annually; and as soon as action is taken upon the resolution which will dispense with 34 useless policemen around the Capitol the work will have been completed. As the gentleman from Pennsylvania [Mr. MOORE] may have some influence in another body, not controlled by the majority of this House, perhaps he can accelerate action on a resolution which will help to bring about that happy result.

Mr. KAHN. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman yield?

Mr. FITZGERALD. I do.

Mr. KAHN. The gentleman says that the policemen are useless. I received a notice the other day from the Sergeant at Arms, telling me to lock my door, because some one has stolen the key that unlocks the doors, and that therefore the policemen all have to be on guard to protect the property of the Members.

Mr. FITZGERALD. That key probably was lost by one of those policemen who expects to lose his job.

Mr. FOSTER of Illinois. Mr. Speaker, I will say that it was lost by the superintendent of the Office Building, who is a Republican, whose office has not been changed. It was taken out of his office.

Mr. MANN. That was because of a lack of policemen to guard it.

Mr. FOSTER of Illinois. Oh, no; that is because of the careless act of a Republican official.

Mr. MANN. It is because of a lot of your inefficient, incompetent policemen whom you have put on new here.

Mr. FOSTER of Illinois. Oh, no; the superintendent is your officer, who is still in charge.

Mr. MANN. You have got any number of new men around here who do not know which way to go in the Capitol to get out or get in.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] has the floor.

Mr. FITZGERALD. Mr. Speaker, if nobody desires any further information about the bill——

Mr. MANN. Will the gentleman yield for a question?

Mr. FITZGERALD. Yes.

Mr. MANN. Mr. Speaker, the gentleman stated a moment ago that they had saved already $100,000 in the organization of the House. Does the gentleman make that statement seriously?

Mr. FITZGERALD. I am quite serious to-day.

Mr. MANN. I challenge the statement, and I would like to have the gentleman produce now or hereafter any proof of that.

Mr. FOSTER of Illinois. I would like to say this, Mr. Speaker, that the record shows that the saving in the month of June over the month of March, when the Republicans were in control, was nearly $9,000.

Mr. MANN. But the month of March had a lot of extra salaries voted.

Mr. FOSTER of Illinois. Oh, no; just on the regular employees.

Mr. MANN. Mr. Speaker, I have compared the statement of the month of March and the subsequent statement.

Mr. FOSTER of Illinois. We have also.

Mr. MANN. I will be very glad to compare it with the gentleman, and I dare say I can pick his figures to pieces.

Mr. FOSTER of Illinois. The gentleman may be able to on some technicality, but on the actual figures that is the showing as it comes from the different departments of the Capitol.

Mr. MANN. But I got the figures from the disbursing clerk of the House, and if they are correctly given to me the gentleman is mistaken, not in his statement of the fact, of course, but in his assumption of the effect of the fact. In the month of March there were extra salaries provided.

Mr. FITZGERALD. Not many; just a few.

Mr. MANN. Why, there was a considerable increase, and the gentleman's committee reported in a deficiency appropriation bill carrying a number of bonuses.

Mr. FOSTER of Illinois. Probably some enrolling clerk.

Mr. MANN. They are all on the pay roll in the same way, and the amounts are charged, and I challenge the statement. Let them produce the statement and make a showing that there has been a saving of $100,000 in the organization of the House.

Mr. FOSTER of Illinois. Mr. Speaker, I ask unanimous consent to print in the RECORD the monthly statement of the employees in the month of March and in the month of June.

Mr. MANN. And I ask unanimous consent that the gentleman from Illinois at the next meeting of the House have the right to present that to the House and explain it to the House.

Mr. FOSTER of Illinois. We will print it in the RECORD as soon as it can be made out, where it can be read.

Mr. MANN. I have the statement, and I want to hear the gentleman explain it.

The SPEAKER. The gentleman from Illinois [Mr. FOSTER] asks unanimous consent to print a certain statement in the RECORD. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Illinois [Mr. MANN] asks unanimous consent that on next Saturday the gentleman from Illinois have time to make comments on this statement. Is there objection?

There was no objection.

Mr. BATHRICK. Mr. Speaker, on page 3, getting back to this deficiency bill, section 8, respecting the appointment of an attorney in the Printing Office, I want to ask the gentleman a question.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent that my time be extended for 10 minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. BATHRICK. Mr. Speaker, I desire to ask if the Printing Department has an attorney, or if it is contemplated to appoint a new attorney?

Mr. FITZGERALD. Mr. Speaker, the amendment to which the gentleman refers was eliminated. The House did not agree to it, and the Senate receded. There was an attorney in the Printing Office until the 30th of June, and the last Congress abolished the position. The purpose of this amendment was to reestablish the place, but the House conferees would not yield.

If there be no further information desired, Mr. Speaker, I ask for a vote on the question of agreeing to the conference report.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken, and the conference report was agreed to.

On motion of Mr. FITZGERALD, a motion to reconsider the last vote was laid on the table.

PENSION LEGISLATION.

Mr. SHERWOOD. Mr. Speaker, I ask unanimous consent to address the House for 40 minutes on the present status on pension legislation.

The SPEAKER. The gentleman from Ohio asks unanimous consent to address the House for 40 minutes on the present status of pension legislation. Is there objection?

Mr. MANN. Mr. Speaker, I will not object to that request if it is made on the next committee discharge day. I will object to it on any other day.

The SPEAKER. The gentleman from Illinois objects.

CAMPAIGN PUBLICITY BILL.

Mr. RUCKER of Missouri. Mr. Speaker, I would be glad if the Chair will lay before the House the publicity bill (H. R. 2958) with Senate amendments, as I desire to make a statement in relation to it.

Mr. MANN. Mr. Speaker, I suggest he can not lay it before the House. The gentleman, as I understand, is going to make a request to have it printed, and to lay it before the House would require action.

The SPEAKER. The best way is for the gentleman from Missouri to ask unanimous consent to make a statement.

Mr. RUCKER of Missouri. I will do that, Mr. Speaker. Mr. Speaker, I want to say the bill reported from the Senate this morning contains very important, drastic amendments to the House bill as we passed it; amendments far-reaching in their scope and effect. I am sure it is desirable that Members have a chance to know the details of those amendments before the House takes action on it, and for this and other reasons I think it is not proper to act upon the Senate amendments at the present time. I think I voice the sentiment of gentlemen on both sides of the aisle when I say it is not desirable to take the measure up to-day, and I therefore ask unanimous consent that the bill may lie on the Speaker's table, and that the House order the bill as amended printed, and that the amendments be properly numbered.

Mr. OLMSTED. Mr. Speaker, I hope there will be no objection to that request. The amendments are numerous. The bill in question is what is known as the campaign publicity bill. The Senate has adopted a large number of amendments, that have not been printed, and the only way by which any Member can find them is by wading through the CONGRESSIONAL RECORD over pages of debate to find what the Senate really did, and it is absolutely essential that the bill shall be printed with the Senate amendments numbered so that they may be intelligently considered and discussed in the House.

The SPEAKER. The gentleman from Missouri asks unanimous consent that the publicity bill, with Senate amendments, be printed. Is there objection?

Mr. MANN. Printed and each amendment numbered.

The SPEAKER. And that the amendments be properly numbered.

Mr. RUCKER of Missouri. I asked that the amendments might be properly numbered.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

ENROLLED BILL SIGNED.

Mr. CRAVENS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 12109. An act to supply a deficiency in the appropriations for contingent expenses of the House of Representatives for the fiscal year 1911, and for other purposes.

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 56 minutes p. m.) the House adjourned to meet on Saturday next, July 22, 1911, at 12 o'clock m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

A letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and

survey of Kansas River up to Argentine, Kans. (H. Doc. No. 94); to the Committee on Rivers and Harbors and ordered to be printed with illustrations.

A letter from the Secretary of Commerce and Labor, transmitting, in response to House resolution No. 73, information relating to the seal islands of Alaska (H. Doc. No. 93); to the Committee on Expenditures in the Department of Commerce and Labor and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. TAYLOR of Alabama: A bill (H. R. 12608) to improve navigation on Black Warrior River in the State of Alabama; to the Committee on Rivers and Harbors.

By Mr. ANDREWS: A bill (H. R. 12609) granting land for the equipment and maintenance of the University of New Mexico; to the Committee on the Public Lands.

By Mr. HANNA: A bill (H. R. 12610) to amend the act of June 1, 1910, entitled "An act to authorize the survey and allotment of lands embraced within the limits of the Fort Berthold Indian Reservation, in the State of North Dakota, and the sale and disposition of a portion of the surplus lands after allotment, and making appropriation and provision to carry the same into effect"; to the Committee on Indian Affairs.

By Mr. ANDREWS: A bill (H. R. 12611) authorizing the Secretary of War to award the congressional medal of honor to Second Lieut. Eteinne de P. Bujac; to the Committee on Military Affairs.

By Mr. LOBECK: A bill (H. R. 12612) to allow two persons, both of whom are qualified homestead entrymen, to file a joint homestead application; to the Committee on the Public Lands.

By Mr. BYRNES of South Carolina: A bill (H. R. 12613) to amend section 57, subsection n, of the act to establish a uniform system of bankruptcy throughout the United States, approved July 1, 1898; to the Committee on the Judiciary.

By Mr. HULL: A bill (H. R. 12614) for the erection of a public building at Gallatin, Tenn.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 12615) making appropriation for the construction and equipment of a Weather Bureau observatory on Crab Orchard Mountain, Cumberland County, Tenn.; to the Committee on Agriculture.

Also, a bill (H. R. 12616) authorizing the Secretary of War to supervise the erection of monuments and markers and locate the route of "The Great Stage Road," also known as the "Walton Road"; to the Committee on the Library.

By Mr. HAWLEY: A bill (H. R. 12618) to provide for the purchase of a site and the erection of a building thereon at Ashland, in the State of Oregon; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 12619) to provide for the purchase of a site and the erection of a building thereon at Grants Pass, in the State of Oregon; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 12620) to provide for the purchase of a site and the erection of a building thereon at Corvallis, in the State of Oregon; to the Committee on Public Buildings and Grounds.

By Mr. McGILLICUDDY: A bill (H. R. 12621) increasing the limit of cost of enlargement, extension, remodeling, and improvement of Federal building at Bath, Me.; to the Committee on Public Buildings and Grounds.

By Mr. GOULD: A bill (H. R. 12622) providing for the erection of a Government building for post office and other purposes in the town of Skowhegan, in the State of Maine; to the Committee on Public Buildings and Grounds.

By Mr. ASHBROOK: A bill (H. R. 12623) to incorporate the American Numismatic Association; to the Committee on the District of Columbia.

By Mr. SMALL: A bill (H. R. 12624) to amend "An act to protect trade and commerce against unlawful restraint and monopolies," approved July 2, 1890; to the Committee on the Judiciary.

By Mr. MOORE of Pennsylvania: A bill (H. R. 12625) to incorporate the Italo-American Alliance of the United States of America; to the Committee on the District of Columbia.

By Mr. HENRY of Connecticut: A bill (H. R. 12626) to improve the navigation of the Connecticut River; to the Committee on Interstate and Foreign Commerce.

By Mr. HAMLIN: Resolution (H. Res. 244) providing for the consideration of House resolution 240; to the Committee on Rules.

By Mr. FLOOD of Virginia: Resolution (H. Res. 245) as to the conduct of L. P. Summers, collector of internal revenue for the sixth district of Virginia; to the Committee on Expenditures in the Treasury Department.

By Mr. DENT: Resolution (H. Res. 246) approving report No. 59 of the Committee on Expenditures in the State Department; to the Committee on Expenditures in the State Department.

By Mr. ANTHONY: Joint resolution (H. J. Res. 132) authorizing free or reduced transportation to members of the Grand Army of the Republic, United Spanish War Veterans, and others whenever attending regular annual encampments, reunions, or conventions, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SIMMONS: Concurrent resolution (H. Con. Res. 12) to print additional copies of the report on "The Control of Typhoid in the Army by Vaccination"; to the Committee on Printing.

By Mr. CARY: Memorial from the Legislature of Wisconsin, memorializing Congress in regard to the establishment of a parcels post; to the Committee on the Post Office and Post Roads.

Also, memorial from the Legislature of Wisconsin, asking Congress to initiate or participate in a world-wide movement for international peace and the policing of the high seas; to the Committee on Foreign Affairs.

By Mr. COOPER: Memorial from the Legislature of Wisconsin, memorializing Congress in regard to the establishment of a parcels post; to the Committee on the Post Office and Post Roads.

By Mr. KONOP: Memorial from the Legislature of Wisconsin, memorializing Congress to grant Indian lands to the State; to the Committee on Indian Affairs.

Also, memorial from the Legislature of Wisconsin, memorializing Congress to take proper steps toward a constitutional amendment providing for initiative, referendum, and recall; to the Committee on the Judiciary.

Also, memorial from the Legislature of Wisconsin, asking Congress to take proper steps for the adoption of an amendment to the Federal Constitution providing that such Constitution may hereafter be amended by the initiative; to the Committee on the Judiciary.

Also, memorial from the Legislature of Wisconsin, relating to national constitutional convention; to the Committee on the Judiciary.

Also, memorial from the Legislature of Wisconsin, relating to the Sherman antitrust law; to the Committee on the Judiciary.

Also, memorial from the Legislature of Wisconsin, memorializing Congress regarding passports issued by the United States Government; to the Committee on Foreign Affairs.

Also, memorial from the Legislature of Wisconsin, asking Congress to initiate or participate in a world-wide movement for international peace and policing of the high seas; to the Committee on Foreign Affairs.

Also, memorial from the Legislature of Wisconsin, asking Congress to take action compelling interstate railroads to engage directly in the business of carrying and delivering express; to the Committee on Interstate and Foreign Commerce.

Also, memorial from the Legislature of Wisconsin, relating to the sending into any State of money or campaign literature in violation of the corrupt-practice law of that State; to the Committee on Election of President, Vice President, and Representatives in Congress.

Also, memorial from the Legislature of Wisconsin, memorializing Congress to grant to Alaska a Territorial form of government; to the Committee on the Territories.

Also, memorial from the Legislature of Wisconsin, memorializing Congress to cause all dams owned by the United States and maintained in and across the Fox River to be equipped with fishways; to the Committee on the Merchant Marine and Fisheries.

Also, memorial from the Legislature of Wisconsin, asking Congress to enact a law imposing a suitable license or other fee upon crafts navigating the Great Lakes and contiguous waters; to the Committee on the Merchant Marine and Fisheries.

Also, memorial from the Legislature of Wisconsin, relating to ownership and operation of railroads, docks, and steamship lines necessary for the opening of the Alaskan Territory and the coastwise trade; to the Committee on the Public Lands.

Also, memorial from the Legislature of Wisconsin, in regard to the establishment of a parcels post; to the Committee on the Post Office and Post Roads.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. MOSS of Indiana: A bill (H. R. 12617) granting an increase of pension to Harvey N. Connerly; to the Committee on Invalid Pensions.

By Mr. ALEXANDER: A bill (H. R. 12627) granting an increase of pension to Charles Perry; to the Committee on Invalid Pensions.

By Mr. ALLEN: A bill (H. R. 12628) granting an increase of pension to Matthew M. Yorston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12629) granting an increase of pension to Myron S. Harding; to the Committee on Invalid Pensions.

By Mr. ANDREWS: A bill (H. R. 12630) for the relief of Geronimo Baca; to the Committee on Claims.

By Mr. BORLAND: A bill (H. R. 12631) granting an increase of pension to Christopher C. Hawkins; to the Committee on Pensions.

By Mr. BRADLEY: A bill (H. R. 12632) granting an increase of pension to James Teller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12633) granting an increase of pension to Sarah M. Westcott; to the Committee on Invalid Pensions.

By Mr. BROWN: A bill (H. R. 12634) granting an increase of pension to James W. Shrout; to the Committee on Invalid Pensions.

By Mr. BYRNS of Tennessee: A bill (H. R. 12635) for the relief of the estate of John Brannom; to the committee on War Claims.

By Mr. CLAYTON: A bill (H. R. 12636) granting a pension to Nettie Thompson; to the Committee on Invalid Pensions.

By Mr. CRAGO: A bill (H. R. 12637) granting a pension to Charles A. Meissenberger; to the Committee on Pensions.

Also, a bill (H. R. 12638) granting an increase of pension to John H. Farling; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12639) granting an increase of pension to William B. Hicks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12640) granting an increase of pension to John Bunting; to the Committee on Invalid Pensions.

By Mr. DANFORTH: A bill (H. R. 12641) granting an increase of pension to John Gragan; to the Committee on Invalid Pensions.

By Mr. DICKINSON: A bill (H. R. 12642) granting an increase of pension to William Kelley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12643) granting a pension to Samuel T. Edwards; to the Committee on Invalid Pensions.

By Mr. DIXON of Indiana: A bill (H. R. 12644) granting an increase of pension to Salmon H. Wright; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12645) granting an increase of pension to William Morton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12646) granting an increase of pension to De Witt C. Hayes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12647) granting an increase of pension to William Seal; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12648) granting an increase of pension to John Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12649) granting an increase of pension to Joseph P. Bright; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12650) granting an increase of pension to Joshua M. Conn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12651) granting an increase of pension to John Baer, jr.; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12652) granting a pension to James K. Waltermire; to the Committee on Invalid Pensions.

By Mr. FOCHT: A bill (H. R. 12653) granting an increase of pension to Joseph B. Hamilton; to the Committee on Invalid Pensions.

By Mr. FOSTER of Illinois: A bill (H. R. 12654) granting a pension to Georgia Kelley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12655) granting a pension to George W. Irvin; to the Committee on Pensions.

Also, a bill (H. R. 12656) granting a pension to F. M. Reddick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12657) granting an increase of pension to Henry Rice; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12658) granting an increase of pension to Charles J. Fogarty, alias H. C. Davis; to the Committee on Invalid Pensions.

By Mr. FRANCIS: A bill (H. R. 12659) granting an increase of pension to William H. Hobbs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12660) granting an increase of pension to William C. Carman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12661) granting an increase of pension to J. W. Beckett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12662) granting an increase of pension to S. Tschappat; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12663) granting an increase of pension to Joseph Baigley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12664) granting an increase of pension to Abram McCoy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12665) granting an increase of pension to Jonas S. Giesey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12666) granting an increase of pension to David S. Pierce; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12667) granting an increase of pension to John B. Driggs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12668) granting a pension to Harry M. Burdette; to the Committee on Pensions.

Also, a bill (H. R. 12669) granting a pension to John Courtright; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12670) granting a pension to Jennie Saylor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12671) for the relief of Michael Barrett; to the Committee on Military Affairs.

Also, a bill (H. R. 12672) for the relief of Henry Noble; to the Committee on Military Affairs.

Also, a bill (H. R. 12673) for the relief of Henry E. Thomas; to the Committee on Military Affairs.

By Mr. FULLER: A bill (H. R. 12674) granting an increase of pension to William McGowin; to the Committee on Invalid Pensions.

By Mr. GARNER: A bill (H. R. 12675) for the relief of the heirs of James McGloin and Esther McMullin; to the Committee on Claims.

By Mr. GOULD: A bill (H. R. 12676) granting an increase of pension to Reuben H. Crosby; to the Committee on Invalid Pensions.

By Mr. GRIEST: A bill (H. R. 12677) granting an increase of pension to John W. Urban; to the Committee on Invalid Pensions.

By Mr. HAMILL: A bill (H. R. 12678) granting a pension to Laurence Buckley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12679) granting a pension to Anne Kennedy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12680) granting a pension to Christiana E. Higgins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12681) granting an increase of pension to John Lanning; to the Committee on Invalid Pensions.

By Mr. HAMILTON of West Virginia: A bill (H. R. 12682) granting an increase of pension to Samuel Mooney; to the Committee on Invalid Pensions.

By Mr. HAMMOND: A bill (H. R. 12683) granting an increase of pension to Benjamin F. Rollins; to the Committee on Invalid Pensions.

By Mr. HANNA: A bill (H. R. 12684) granting pensions to certain Indians who served as scouts in the Sioux and other Indian wars; to the Committee on Pensions.

Also, a bill (H. R. 12685) granting an increase of pension to Bernhardt Elzenhoefer; to the Committee on Invalid Pensions.

By Mr. HOUSTON: A bill (H. R. 12686) granting a pension to William L. Brown; to the Committee on Invalid Pensions.

By Mr. HULL: A bill (H. R. 12687) granting a pension to Jane Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12688) granting a pension to W. H. Bush; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12689) granting a pension to Paul Anderson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12690) granting a pension to Elizabeth Parham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12691) granting an increase of pension to William W. Baldwin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12692) granting an increase of pension to Milford Clemons; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12693) for the relief of G. W. Brown; to the Committee on War Claims.

Also, a bill (H. R. 12694) for the relief of George A. Vandever; to the Committee on Military Affairs.

Also, a bill (H. R. 12695) for the relief of George W. Raney; to the Committee on Military Affairs.

Also, a bill (H. R. 12696) for the relief of M. J. Julian; to the Committee on War Claims.

Also, a bill (H. R. 12697) for the relief of the legal representatives of William A. Prewitt; to the Committee on War Claims.

Also, a bill (H. R. 12698) for the relief of the legal representatives of Joseph Chipman; to the Committee on War Claims.

Also, a bill (H. R. 12699) to carry into effect the findings of the Court of Claims in the matter of the claim of Cumberland University, of Lebanon, Tenn.; to the Committee on War Claims.

Also, a bill (H. R. 12700) to carry into effect the findings of the Court of Claims in the matter of the claim of Howard Lodge, No. 13, Independent Order of Odd Fellows, of Gallatin, Tenn.; to the Committee on War Claims.

By Mr. KINKEAD of New Jersey: A bill (H. R. 12701) for the relief of Margaret Underhill and Mary Clark; to the Committee on War Claims.

Also, a bill (H. R. 12702) to donate two cannon from the wreck of the U. S. S. *Maine* to the town of Harrison, in the county of Hudson, in the State of New Jersey; to the Committee on Naval Affairs.

By Mr. LANGHAM: A bill (H. R. 12703) granting a pension to William Washington Peddicord; to the Committee on Invalid Pensions.

By Mr. LINDSAY: A bill (H. R. 12704) granting an increase of pension to William Webster; to the Committee on Invalid Pensions.

By Mr. McKINLEY: A bill (H. R. 12705) granting a pension to Edward F. O'Toole; to the Committee on Pensions.

By Mr. MARTIN of Colorado: A bill (H. R. 12706) granting an increase of pension to John W. Stonebraker; to the Committee on Invalid Pensions.

By Mr. MORGAN: A bill (H. R. 12707) for the relief of J. C. McConnell; to the Committee on War Claims.

Also, a bill (H. R. 12708) granting an increase of pension to George G. Fraim; to the Committee on Invalid Pensions.

By Mr. MORRISON: A bill (H. R. 12709) granting an increase of pension to Walter S. Reeder; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 12710) granting an increase of pension to Mary E. Browning; to the Committee on Invalid Pensions.

By Mr. PADGETT: A bill (H. R. 12711) granting an increase of pension to Robert Mason; to the Committee on Invalid Pensions.

By Mr. PLUMLEY: A bill (H. R. 12712) granting an increase of pension to Charles H. Dutton; to the Committee on Invalid Pensions.

By Mr. SABATH: A bill (H. R. 12713) for the relief of the heirs of Thomas Reed; to the Committee on Claims.

Also, a bill (H. R. 12714) granting a pension to Gustav J. Tichy; to the Committee on Invalid Pensions.

By Mr. J. M. C. SMITH: A bill (H. R. 12715) granting an increase of pension to John Ehret; to the Committee on Invalid Pensions.

By Mr. SPARKMAN: A bill (H. R. 12716) granting an increase of pension to Charles W. Webster, alias Frank Thomas; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12717) granting an increase of pension to William R. Partridge; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12718) granting a pension to Bennett Whidden; to the Committee on Pensions.

Also, a bill (H. R. 12719) granting a pension to James T. Hall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12720) granting a pension to John Butler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12721) granting a pension to Lewis T. Mosely; to the Committee on Pensions.

Also, a bill (H. R. 12722) providing for the payment to C. H. Jewett, of Tarpon Springs, Fla., for extra work performed by him for the United States on the Canal Zone, Panama; to the Committee on Claims.

By Mr. STANLEY: A bill (H. R. 12723) for the relief of William H. Lawrence; to the Committee on Claims.

By Mr. STEPHENS of California: A bill (H. R. 12724) granting an increase of pension to Wilson E. Davis; to the Committee on Invalid Pensions.

By Mr. TALCOTT of New York: A bill (H. R. 12725) for the relief of John Martin; to the Committee on Military Affairs.

By Mr. TOWNER: A bill (H. R. 12726) granting an increase of pension to James Moneyhan; to the Committee on Invalid Pensions.

By Mr. UNDERWOOD: A bill (H. R. 12727) for the relief of the heirs of James Nelson Caldwell; to the Committee on War Claims.

By Mr. VREELAND: A bill (H. R. 12728) granting an increase of pension to Henry Jackson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12729) granting an increase of pension to Samuel F. Pease; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. AKIN of New York: Petition signed by business men of Gloversville and Johnstown, N. Y., for a reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. ALEXANDER: Papers accompanying bill granting an increase of pension to Charles Ferrey; to the Committee on Invalid Pensions.

By Mr. ALLEN: Resolutions of Socialist Party of Cincinnati, Ohio, favoring the parcels post and extension of the postal savings bank; to the Committee on the Post Office and Post Roads.

By Mr. ASHBROOK: Evidence to accompany House bill 12436, for the relief of William Ramsey; to the Committee on Pensions.

By Mr. AYRES: Petition of citizens of the Bronx, N. Y., favoring the parcels post; to the Committee on the Post Office and Post Roads.

Also, resolutions of Union League Club of Brooklyn, N. Y., favoring the reciprocity pact; to the Committee on Ways and Means.

By Mr. BARCHFELD: Petition of the Butter & Egg Exchange of Pittsburg, Pa., protesting against any congressional action that would impair the efficiency of the Weather Bureau of the Department of Agriculture; to the Committee on Agriculture.

By Mr. BYRNS of Tennessee: Petition of certain citizens of Nashville, Tenn., asking a reduction in the duty on sugar; to the Committee on Ways and Means.

By Mr. FITZGERALD: Petitions of numerous citizens of Brooklyn, N. Y., asking for the repeal of the duty on lemons; to the Committee on Ways and Means.

Also, resolutions of the house of delegates of the American Medical Association of Los Angeles, Cal., urging the amendment of the pure-food and drug law, so that fake statements of any kind appearing upon the labels, circulars, etc., of foods and drugs be made unlawful; to the Committee on Agriculture.

Also, resolutions of the Union League Club, of Brooklyn, N. Y., favoring the reciprocity bill in its unamended form; to the Committee on Ways and Means.

By Mr. FORNES: Petitions of residents of New York City, asking that the duty on lemons be repealed; to the Committee on Ways and Means.

By Mr. FRANCIS: Resolutions of German Alliance of Jefferson County, Ohio, approving House resolution 166, for investigation of immigration office at Ellis Island; to the Committee on Immigration and Naturalization.

By Mr. FULLER: Petition of Armstrong Paint & Varnish Works, of Chicago, for House bill 769, to create a permanent Tariff Board; to the Committee on Ways and Means.

Also, papers to accompany a bill for the relief of Mary R. C. Blanchard (H. R. 393); to the Committee on Pensions.

Also, papers to accompany bill for the relief of William McGowin; to the Committee on Invalid Pensions.

Also, petition of Newell & Co., of Shirland, Ill., in opposition to a parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. GARNER: Papers to accompany a bill for the relief of the heirs of James McGloin and Esther McMullin; to the Committee on Claims.

Also, petitions of numerous citizens of Texas and Pennsylvania, asking that the duty on raw and refined sugar be reduced; to the Committee on Ways and Means.

By Mr. GRAHAM: Petition of Ancient Order of Hibernians, Division No. 1, of Montgomery County, Ill., protesting against the Anglo-American alliance; to the Committee on Foreign Affairs.

By Mr. HAMILTON of West Virginia: Petition of numerous citizens of Tyler, Jackson, Pleasant, and Wood Counties, W. Va., against parcels post; to the Committee on the Post Office and Post Roads.

By Mr. HUGHES of New Jersey: Resolutions of Congregational Church of Rutherford, N. J., favoring proposed arbitration treaties; to the Committee on Foreign Affairs.

By Mr. KENDALL: Petitions of citizens of Bloomfield and Eddyville, Iowa, against parcels post; to the Committee on the Post Office and Post Roads.

By Mr. KINDRED: Petition of Atlantic Macaroni Co., of Long Island City, protesting against the placing of macaroni on the free list; to the Committee on Ways and Means.

By Mr. McCREARY: Resolutions of Prohibition executive committee relating to certain gifts, etc., to Adolphus Busch; to the Committee on Foreign Affairs.

By Mr. McGILLICUDDY: Resolutions of Thorne's Corner Grange, No. 498, Patrons of Husbandry, of Lewiston, Me., and others (37 in number), advocating the passage of legislation providing for a parcels post; to the Committee on the Post Office and Post Roads.

By Mr. PADGETT: Papers to accompany bill granting an increase of pension to L. M. Franklin and Robert Mason; to the Committee on Invalid Pensions.

By Mr. PLUMLEY: Papers accompanying bill granting an increase of pension to Charles H. Dutton; to the Committee on Invalid Pensions.

By Mr. REDFIELD: Resolutions of Workmen's Sick and Benefit Fund of the United States of America condemning the methods pursued in the arrest of McNamara and approving the Berger resolution; to the Committee on the Judiciary.

By Mr. J. M. C. SMITH: Papers to accompany bill granting an increase of pension to John Ehret; to the Committee on Invalid Pensions.

Also, petition of Corbin Post, No. 88, Grand Army of the Republic, Department of Michigan, in favor of the Sulloway pension bill; to the Committee on Invalid Pensions.

By Mr. STEPHENS of California: Resolutions of Los Angeles Chamber of Commerce, relating to proposed legislation affecting the cold-storage industry; to the Committee on Interstate and Foreign Commerce.

By Mr. WATKINS: Resolution of New Orleans Board of Trade, indorsing the United States Weather Bureau; to the Committee on Agriculture.

By Mr. WILSON of New York: Resolutions of the Union League Club, of Brooklyn, N. Y., in favor of reciprocity with Canada; to the Committee on Ways and Means.

SENATE.

THURSDAY, *July 20, 1911.*

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. SMOOT, and by unanimous consent, the further reading was dispensed with, and the Journal was approved.

PETITIONS AND MEMORIALS.

Mr. CULLOM presented a memorial of the Ancient Order of Hibernians of Cairo, Ill., remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

He also presented petitions of the Christian Endeavor Union of the Quarterly Meeting of Friends of Honey Creek, Okla.; of sundry citizens of Santa Clara County, Cal.; and of sundry members of the Christian Endeavor Societies of the Boston Christian Endeavor Union, of Boston, Mass., praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

Mr. PERKINS presented a petition of the Merchants' Association of San Diego, Cal., praying for the adoption of an amendment to the so-called corporation-tax law, permitting corporations to make returns at the end of their fiscal years, which was referred to the Committee on Finance.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CRAWFORD:

A bill (S. 3067) for the relief of John B. Geddis; to the Committee on Claims.

By Mr. BRISTOW:

A bill (S. 3068) granting an increase of pension to Josephine K. Woodson; to the Committee on Pensions.

By Mr. CLARKE of Arkansas:

A bill (S. 3069) to amend section 1 of an act of Congress approved May 20, 1908, the same being chapter 181 of the acts of Congress for the year 1908; to the Committee on Public Lands.

By Mr. LORIMER:

A bill (S. 3070) granting a pension to William H. Mayo;

A bill (S. 3071) granting an increase of pension to Louzena C. Burwell; and

A bill (S. 3072) granting an increase of pension to Theron S. Bailey; to the Committee on Pensions.

THE FREE LIST.

Mr. BRISTOW submitted an amendment intended to be proposed by him to the bill (H. R. 4413) to place on the free list agricultural implements, cotton bagging, cotton ties, leather, boots and shoes, fence wire, meats, cereals, flour, bread, timber, lumber, sewing machines, salt, and other articles, which was ordered to lie on the table and be printed.

MESSENGER TO THE COMMITTEE ON NAVAL AFFAIRS.

Mr. PERKINS submitted the following resolution (S. Res. 106), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Resolved, That the Committee on Naval Affairs be, and it is hereby, authorized to employ a messenger at a salary of $1,440 per annum, to be paid from the contingent fund of the Senate until otherwise provided for by law.

MESSENGER TO CONFERENCE OF THE MINORITY.

Mr. MARTIN of Virginia submitted the following resolution (S. Res. 107), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the conference of the minority of the Senate be, and it is hereby, authorized to appoint an additional messenger at an annual salary of $1,440, to be paid from the contingent fund of the Senate until otherwise provided by law.

ASSISTANT MESSENGER TO THE VICE PRESIDENT.

Mr. BRIGGS submitted the following resolution (S. Res. 108), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Vice President be authorized to appoint for his service an assistant messenger, to be paid at the rate of $1,000 a year out of the contingent fund of the Senate until otherwise provided by law.

ORDER OF BUSINESS.

The VICE PRESIDENT. The morning business is closed.

Mr. MARTIN of Virginia. I do not know that it could be properly called a part of the morning business, but I simply wish to make a little correction of a historical inaccuracy which occurred in debate day before yesterday.

The VICE PRESIDENT. A correction in the RECORD can be made appropriately after the morning business.

Mr. PENROSE. I suggest to the Senator from Virginia to suspend until the Senator from Montana [Mr. DIXON] enters the Chamber. In the meanwhile, if the Senator from Virginia will consent, I will move to take up the reciprocity bill.

Mr. MARTIN of Virginia. Very well.

The VICE PRESIDENT. The Senator from Pennsylvania moves that the Senate proceed to the consideration of the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes.

Mr. DAVIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CHILTON (when Mr. WATSON's name was called). My colleague [Mr. WATSON] is necessarily absent temporarily from the Senate.

The roll call was concluded.

Mr. PAGE. I desire to announce the absence of my colleague [Mr. DILLINGHAM], who is engaged on the Lorimer investigating committee. I make this announcement for the day.

I was also requested to announce the absence of the junior Senator from Alabama [Mr. JOHNSTON] on the same committee.

Mr. JONES. My colleague [Mr. POINDEXTER] has been called from the city on important business. I make this announcement to stand for the day.

Mr. THORNTON. The senior Senator from Louisiana [Mr. FOSTER] is absent on departmental business.

Mr. SMOOT. I ask that the names of the absent Senators be called.

The VICE PRESIDENT. Without objection, the Secretary will call the list of absentees.

The Secretary proceeded to call the list of absent Senators and Mr. CLARKE of Arkansas answered to his name when it was called.

Mr. CRAWFORD (when Mr. GAMBLE's name was called). My colleague [Mr. GAMBLE] is necessarily detained from the Chamber in connection with the committee investigating the charges against Mr. LORIMER.

Mr. GRONNA (when Mr. KENYON's name was called). I was requested to announce that the junior Senator from Iowa [Mr. KENYON] is necessarily absent in connection with the Lorimer investigating committee.

Mr. TAYLOR (when Mr. LEA's name was called). My colleague [Mr. LEA] is absent on account of illness. He is paired with the senior Senator from South Dakota [Mr. GAMBLE].

The Secretary concluded calling the names of absent Senators.

Mr. CLARK of Wyoming, Mr. BRIGGS, Mr. BORAH, and Mr. PAYNTER entered the Chamber and answered to their names.

The following Senators having answered to their names—

Bacon	Clark, Wyo.	Lippitt	Reed
Borah	Clarke, Ark.	McCumber	Root
Bourne	Crane	McLean	Smoot
Bradley	Crawford	Martin, Va.	Sutherland
Brandegee	Culberson	Martine, N. J.	Swanson
Briggs	Cullom	Nelson	Taylor
Bristow	Curtis	Nixon	Thornton
Brown	Davis	Oliver	Wetmore
Burnham	Gronna	Page	Williams
Burton	Guggenheim	Paynter	Works
Chamberlain	Heyburn	Penrose	
Chilton	Johnson, Me.	Perkins	
Clapp	Jones	Pomerene	

The VICE PRESIDENT. Forty-nine Senators have answered to the roll call. A quorum of the Senate is present. The question is on agreeing to the motion of the Senator from Pennsylvania to proceed to the consideration of House bill 4412.

The motion was agreed to.

CHARGE OF PICKETT'S DIVISION AT GETTYSBURG.

Mr. JONES rose.

Mr. MARTIN of Virginia. I will say to the Senator from Washington that I will occupy the floor for only a few moments in order to make a correction in the RECORD.

Mr. JONES. Very well.

Mr. MARTIN of Virginia. Day before yesterday, in the discussion of the bill (S. 2925) which was in charge of the Senator from Mississippi [Mr. WILLIAMS] providing for the erection of a monument at the Vicksburg National Military Park in honor of the courage and constancy of the Confederate Navy in the Mississippi River and its tributaries, the Senator from Montana [Mr. DIXON] inadvertently fell into a historical error, which I desire to correct. I would not do so while the Senator from Montana was absent from his seat, except for the fact that I have talked with him and he fully understands that he did inadvertently fall into the error which I desire to correct, and which I told him I would correct at the earliest opportunity. The Senator from Montana said:

> The ordinary school history and magazine article refer to that heroic charge—

Referring to the charge at Gettysburg—

> of heroic men as the charge of Pickett's Virginians. Gen. George Pickett was himself a Virginian. But as a matter of cold fact and actual history the majority of the men who constituted Pickett's division that charged across that mile of open ground in the face of 150 Federal cannon and 80,000 rifles were North Carolinians; and as I called the attention of the Senator from Iowa to the record in the bronze book that lay open there, it recurred to me that the majority of those regiments that made for themselves names on the page of history were North Carolina regiments—not that it detracted from the bravery of the Virginians on that occasion, but I merely at this time diverge from what I am about to say to give public utterance to that fact, that the men of my own native State may not be robbed of their part in that heroic struggle.

At the outset, Mr. President, I desire to say that in making the correction which I will now make, I certainly do not intend to detract from the honor due to the North Carolinians who participated in that charge. Mr. President, I feel that no greater honor has ever fallen to the lot of man than the honor which falls to the men who participated in that charge at Gettysburg. No greater honor can be transmitted to posterity than that transmitted by those who participated in that memorable charge to their posterity.

But, Mr. President, the Senator from Montana was entirely mistaken when he said that Pickett's division was composed of North Carolina troops. I did not hear the remarks of the Senator from Montana, but my attention was called to them the next day, and I then remembered distinctly that Pickett's division was made up entirely of Virginia troops. There was not a North Carolina regiment in the division. But not meaning to rely on my memory, I sent for the Memoirs of Robert E. Lee, written by a member of his staff, Gen. A. L. Long, and I will ask the attention of the Senate for a few moments while I read a paragraph from that volume. In discussing this charge at Gettysburg, Gen. Long says:

> A deathlike stillness then reigned over the field, and each army remained in breathless expectation of something yet to come still more dreadful. In a few moments the attacking column, consisting of Pickett's division, supported on the left by that of Heth, commanded by Pettigrew, and on the right by Wilcox's brigade of Anderson's division, appeared from behind a ridge, and, sweeping over its crest, descended into the depression that separated the two armies.

The charging column, as stated in that extract, Mr. President, consisted of Pickett's division; and Pickett's division, so far as it participated in that charge, was composed of three brigades. One of his brigades was detached, and did not participate in the charge. The three brigades of Pickett's division, which, under the command of Gen. Pickett, did participate in that charge, were Garnett's brigade, composed of five Virginia regiments—Gen. Garnett himself being a Virginian, commanding that brigade, composed entirely of Virginians, fell that day on the field of battle—the Second Brigade, under the command of Gen. Pickett on that occasion, was Armisted's brigade, known as the Second Brigade, and composed of five Virginia regiments. There was not a North Carolina regiment in it. Armisted fell dead on the field of battle. He also was a Virginian. The Third Brigade in Pickett's division, participating in that charge, was Kemper's brigade, known as the Third Brigade, composed also of five Virginia regiments, with not a North Carolinian in the brigade. Kemper himself was thought to be mortally wounded. He lost a leg, but did recover. Those were the three brigades of Pickett's division—and the only brigades or regiments of Pickett's division—which participated in that charge. They were all Virginians and commanded by Virginians.

It is true, Mr. President, that North Carolina was present with troops, who immortalized themselves, as did the Virginians, on that memorable day. To the left of Pickett in that charge was the division of Maj. Gen. Heth, but commanded on that occasion by Gen. Pettigrew, of North Carolina. This division, commanded by Gen. Pettigrew, was composed also of three brigades. One of the brigades was commanded—I am not sure as to who commanded that brigade; it is unnecessary to give the name of the commander on that occasion; and I hestitate to do so, as I am not very certain—but the First Brigade in Pettigrew's division was composed of five regiments of North Carolina troops.

The Second Brigade was composed of four regiments entirely of Virginia troops, and the Third Brigade was composed of two regiments of Alabama troops and three regiments of Tennessee troops. So the division commanded by Gen. Pettigrew, which occupied the field to the left of Gen. Pickett on that occasion, was composed of three brigades, one composed entirely of North Carolina troops, one entirely of Virginia troops, and one partly of Alabama and partly of Tennessee troops.

I mention them all, because there was honor enough on the field of Gettysburg for all the States and for the troops of all the States. I want to mention all who participated in that charge, and let it be known that Alabama and Tennessee, as well as Virginia and North Carolina, shared the honors which were won to the left of Pickett on that day by the division commanded by Gen. Pettigrew.

To the right of Gen. Pickett the field was occupied by one brigade under the command of Gen. Wilcox. That brigade under Gen. Wilcox, to the right of Gen. Pickett, was composed of five regiments, entirely Alabama troops. Those commands coming from those States and making in the aggregate 15,000 men, were those who constituted the assaulting column on the third day at Gettysburg, where, I say, such courage, such devotion, and such persistency were manifested as to make the performance of those southern troops on that day memorable in the annals of history, never having been surpassed, and never, in my judgment, to be surpassed in the future wars which may hereafter afflict our country.

Mr. DIXON. Mr. President, I am sorry I did not get into the Chamber in time to hear the statement of the Senator from Virginia, and I want to ask him at this time what is his final conclusion regarding the Virginia and the North Carolina troops who participated in the so-called Pickett charge at Gettysburg?

Mr. MARTIN of Virginia. Mr. President, I am also sorry that the Senator from Montana was not present; but I thought he and I understood the matter so thoroughly after my conversation with him, and being sure that he realized that he had inadvertently fallen into a historical error, that I have been led to proceed, expecting him to come in every moment, and did not await his arrival. I am, however, very glad to briefly repeat in his presence what I said in his absence, that there was not a North Carolina regiment in Pickett's division; and I read from the book of Gen. A. L. Long, who was on Gen. Robert E. Lee's staff, which gave the personnel of the assaulting column; and Gen. Long in that book states that Pickett's division on that day was composed of three brigades, one commanded by Garnett, who fell on the field of battle, composed entirely of Virginians; another commanded by Armisted, composed entirely of Virginians, and Armisted fell dead on the field of battle; and another commanded by Gen. Kemper, also entirely composed of Virginians. Kemper was not killed, but he was seriously wounded. He lost a leg and was badly mutilated on that occasion. So that in Pickett's division there was not a North Carolina regiment. One of Pickett's brigades was detached and did not engage in the battle on that occasion.

But, Mr. President, it was purely a mistake as to the membership of the troops which composed Pickett's division. In Pettigrew's division, which was to the left of Pickett, one of his brigades was composed entirely of North Carolinians, and they won honors second to none ever won on the field of battle by the troops of any State in any age or in any period of the history of the world.

In what I have had to say I did not desire to, and I would not for my right arm, detract one iota from the honor that is due them, but in the interest of the truth of history I desire it to appear in the RECORD that Pickett's division was not composed of North Carolinians; but Pettigrew's division, or Heth's division, commanded on that day by Pettigrew, was composed of three brigades, one composed entirely of North Carolinians, another composed entirely of Virginians, and another composed of Tennesseeans and Alabamians. Those three brigades were under the command of Pettigrew, and all won honors which, I say, have never been surpassed, if they have been equaled, in the history of the wars of the world.

I think that covers the point which I undertook to correct; in correcting which I desire not only to do justice, but to pay fitting tribute to the troops of North Carolina, together with the troops of Virginia, Alabama, and Tennessee.

Mr. DIXON. Mr. President, I know the distinguished Senator from Virginia, who himself was a soldier in that war, would not intentionally do any wrong to the history of North Carolina troops at Gettysburg, but in the remark that I made the other day, purely from a desire that the soldiers of my own native State should have their proper recognition in that great drama of the Civil War and to attempt to correct much misinformation regarding the matter, I did say that in school textbooks, in the magazines, and in the newspapers the popular impression created as to Pickett's charge at Gettysburg, or the charge of "Pickett's Virginians," as it is usually called, was misleading. At that time I used the words "Pickett's division." The Senator from Virginia is right. As a matter of fact, Pickett only commanded the right wing of the assaulting column; Gen. Pettigrew, of North Carolina, commanded the other. As a matter of history, reenforced by the inscription in the "big bronze book," the monument which marks "high tide at Gettysburg," where the Confederate charge broke through the Union lines, the fact is recorded that in the assaulting column there were 15 regiments of Virginia troops and 16 regiments of North Carolina troops.

The Senator from Virginia overlooked one fact in his statement that I want to correct. In recounting the troops composing Pettigrew's division he only gives the North Carolinians credit for one brigade. In Heth's old division, then commanded by Pettigrew, one brigade only was North Carolina troops with one additional regiment of North Carolina troops attached to another brigade. But in Trimble's division, which was the supporting line to Pettigrew's division, were Scales's brigade of North Carolina troops, composed of 5 regiments, and Lane's brigade of North Carolina troops, composed of 5 regiments, making 16 North Carolina regiments in all. The other two brigades of Trimble's division did not participate in the assault.

The statement of the Senator from Virginia would have it appear that only 5 North Carolina regiments participated in the assault. In Pettigrew's division, which was Pender's old division, there were 5 North Carolina regiments, but in Scales's brigade and in Lane's brigade were 10 additional North Carolina regiments. Of the 23 regiments composing Pettigrew's command, 16 of them were North Carolina regiments, as against 15 Virginia regiments—constituting Pickett's division.

But since the discussion arose, a day or so ago, in further proof of what I said—that the historical truth has been distorted and credit almost universally given to the charge of "Pickett's Virginians"—I sent yesterday for the new edition of the Encyclopedia Britannica, just off the press, to see what it said about it and to learn whether or not any correction of the popular error had been made. I read from the Encyclopedia Britannica a section which is totally misleading, so far as the truth is concerned. It says:

> The charge of Pickett's division is one of the most famous episodes of military history. In the teeth of an appalling fire from the rifles of the defending infantry, who were well sheltered, and from the guns which Hunt had reserved for the crisis, the Virginia regiments pressed on and with a final effort broke Meade's first line. * * * One regiment lost 90 per cent of its numbers.

Not a word here in the Encyclopedia Britannica about the other regiments from other States that participated in that historic assault.

The erroneous statement leaves the reader under the impression that only Virginia soldiers participated.

It was not one of Pickett's regiments that "lost 90 per cent of its numbers," as stated in this encyclopedia, but the Twenty-sixth North Carolina Regiment that is undoubtedly referred to.

The whole trend of that story is that it was "Pickett's Virginians" alone who made this great assault at Gettysburg. I sent to the Library and got volume 3 of Battles and Leaders of the Civil War, which gives Longstreet's account of it. Longstreet, who under Lee's order was in direct command of the charge, in his official report says:

> As the commands reported, Pickett was assigned on the right, Kemper's and Garnett's brigades to be supported by Armisted's, Wilcox's brigade of the Third Corps en échelon and guarding Pickett's right—

Wilcox's brigade was an Alabama brigade exclusively—

> Two brigades of Pender's division, Scales and Lane, under command of Gen. Trimble. The brigades of Pettigrew's division were Archer's, Pettigrew's, Brockenbrough's—

Which was an Alabama brigade—

and Davis's.

That portion of Pickett's division present were all Virginians. Wilcox's 5 regiments were all Alabamians. Pettigrew's column on the left comprised 4 brigades. It comprised 6 North Carolina regiments, 3 Tennesseean, 3 Mississippian, and 1 Alabamian, or 13 in all. Pettigrew's 2 supporting brigades, comprised of 10 regiments, all of which were North Carolinians. So that of Pettigrew's column 16 of his 23 regiments hailed from the old North State.

The mistake that is most frequently made lies in this fact: Pickett's division had not participated in the battle until that day. They had been left back on the Chambersburg Pike as the rear guard. A portion of Pickett's division did not participate at all in the assault. Longstreet, in his report, gives the number of men engaged at about 15,000 and gives the strength of Pickett's division as 4,900. The last official return of which we have record, made by Pickett on June 20, 1863, previous to the battle of Gettysburg, showed Pickett's division numbered 6,114 men present and fit for duty, but a part of the 6,114 men had been left back on the Chambersburg Pike.

I want to take no credit from any man. The Virginians under Pickett did more than mortal men could be expected to do; but I do want it to appear, so that the world may know, that the majority of the men who went up Cemetery Ridge on the afternoon of July 3, 1863, in the face of that murderous fire of shot and shell from Meade's intrenched line of infantry and artillery, were North Carolinians, and that they bore the brunt of that historic assault. The Twenty-sixth North Carolina Regiment was partially recruited from my own county, and in that assault and in the first day's fighting, on July 1, lost the greatest percentage in killed and wounded of any regiment of either the Federal or the Confederate Armies. I have here on my desk a book from the Congressional Library, entitled "Regimental Losses in the American Civil War," which gives the loss of the Twenty-sixth North Carolina Regiment as 88 per cent in the total casualties.

The regiment mustered 800 men when the battle began on July 1. After the roll had been called at nightfall of that terrible first day's struggle, 584 were numbered among the dead, wounded, and captured. Of the remaining 216 who responded "here" at the end of the first day's fighting and who again sprang forward on that afternoon of July 3 at the word of command, 130 never returned.

Just 86 of that heroic regiment of heroic North Carolinians shouldered their muskets and with heavy hearts took up the line of retreat to the sheltering banks of the Potomac. The story of the "Light Brigade" and its sacrifice at Balaklava pales besides the story of the Twenty-sixth North Carolina at Gettysburg.

I speak without any feeling except of pure kindness for my Virginia friends. It is true that, as shown by the official annals of the Civil War, Virginians, for some reason or other, held most of the important commands. It may hardly be the proper thing for me to say the North Carolinians did most of the fighting, but I can not now resist the temptation to quote from this book, "Deaths in the Confederate Armies." It is compiled from the official returns of the Confederate Army, but the author states that some of the returns are missing. According to this tabulation, during the entire Civil War period, Virginia lost in killed 5,338; died of wounds, 2,519; died of disease, 6,947, making a total of 14,794. In that same conflict the North Carolina troops lost in killed in battle 14,522; died of wounds, 5,151; died of disease, 20,061, or a total of 40,275. In other words, North Carolina gave nearly three times the numbers that Virginia gave to the list of Confederate "dead," "died of wounds," and "died of disease."

For the sake of historical truth let the cold record be preserved.

It is historically true that the North Carolina soldiers "were first at Bethel, last at Appomattox, and farthest at Gettysburg."

Mr. JONES obtained the floor.

Mr. MARTIN of Virginia. Just one word, if the Senator from Washington will excuse me.

Mr. JONES. Certainly.

Mr. MARTIN of Virginia. I desire to add to what I have stated simply this: In reading the list of brigades that were with Gen. Pettigrew through inadvertence I omitted the Fourth Brigade. While we are mentioning those brigades which were in the charging column it is not proper to omit that brigade, commanded by Gen. Joseph R. Davis and composed of three regiments of Mississippi troops and one regiment of North Carolina troops. I simply desire to correct a historical inaccuracy which the Senator from Montana made, and perhaps made through inadvertence, with the idea which he seems to have, and which I have no doubt he verily believes, and I will not engage in any discussion with him about it this morning, that North Carolinians, as he has stated, did most of the fighting during the Civil War.

I do not think it would be promotive of any good result for a discussion to be carried on between the Senator from Montana and myself as to who was first at Bethel, farthest at Gettysburg, and last at Appomattox. I will say that North Carolina

did her full duty, and I would not pluck one honor from her for my right hand. I say, I will not engage in any discussion on the subject, because when the Senator from Montana has stated what he has said, winding up with the words I have just quoted, and previously having stated that most of the fighting was done by the troops of North Carolina, it would be entirely useless for us to engage in any discussion. I will simply award to North Carolina the highest honor I can bestow upon her by the words spoken by me here to-day.

THE STANDARD OIL AND AMERICAN TOBACCO COS.

Mr. POMERENE. Will the Senator from Washington yield to me?

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Ohio?

Mr. JONES. I will yield to the Senator from Ohio.

Mr. POMERENE. On yesterday I gave notice that to-day, at the conclusion of the routine morning business, I would call up Senate concurrent resolution No. 4.

I had known before, but did not at the time appreciate the fact, that the Senator from Washington [Mr. JONES] and the Senator from Texas [Mr. BAILEY] had given notice that they would discuss the reciprocity measure this morning. As notices have been given of certain speeches to-morrow and, as we understand that the unanimous-consent agreement as to the reciprocity measure prevails for Saturday, I desire to give notice that on Monday next, at the conclusion of the routine morning business, I will call up this resolution.

RETURN OF EXPORTED ARTICLES.

Mr. SMOOT. I ask unanimous consent for the present consideration of the bill (H. R. 12312) to amend paragraph 500 of the act approved August 5, 1909, entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes."

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to amend paragraph 500 of the act approved August 5, 1909, entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," so as to read as follows:

500. Articles the growth, produce, or manufacture of the United States, when returned after having been exported, without having been advanced in value or improved in condition by any process of manufacture or other means; casks, barrels, carboys, bags, and other containers or coverings of American manufacture exported filled with American products, or exported empty and returned filled with foreign products, including shooks and staves when returned as barrels or boxes; also quicksilver flasks or bottles, iron or steel drums used for the shipment of acids, of either domestic or foreign manufacture, which shall have been actually exported from the United States; but proof of the identity of such articles shall be made, under general regulations to be prescribed by the Secretary of the Treasury, but the exemption of bags from duty shall apply only to such domestic bags as may be imported by the exporter thereof, and if any such articles are subject to internal-revenue tax at the time of exportation, such tax shall be proved to have been paid before exportation and not refunded; photographic dry plates or films of American manufacture (except moving-picture films), exposed abroad, whether developed or not, and films from moving-picture machines, light struck or otherwise damaged, or worn out, so as to be unsuitable for any other purpose than the recovery of the constituent materials, provided the basic films are of American manufacture, but proof of the identity of such articles shall be made under general regulations to be prescribed by the Secretary of the Treasury: *Provided*, That this paragraph shall not apply to any article upon which an allowance of drawback has been made, the reimportation of which is hereby prohibited except upon payment of duties equal to the drawbacks allowed; or to any article manufactured in bonded warehouse and exported under any provision of law: *And provided further*, That when manufactured tobacco which has been exported without payment of internal-revenue tax shall be reimported it shall be retained in the custody of the collector of customs until internal-revenue stamps in payment of the legal duties shall be placed thereon: *And provided further*, That cattle, horses, sheep, and other domestic animals straying across the boundary line into any foreign country or driven across such boundary line by the owners for temporary pasturage purposes only, together with their offspring, shall be dutiable, unless brought back to the United States within six months, under regulations to be prescribed by the Secretary of the Treasury, in accordance with the provisions of paragraph 492.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RECIPROCITY WITH CANADA.

The Senate resumed the consideration of the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes.

Mr. JONES. Mr. President, it has become the habit of our Democratic friends to denounce tariff measures prepared by Republicans as being formulated under sinister influences and for the benefit of "special interests," and especially for the benefit of the so-called trusts. Of late years some of our Republican friends have contracted this same habit, and they do not see any good in tariff legislation not framed in entire accord with their views. They now charge that this legislation was formulated in secret and in connivance with the representatives of large interests, and they declare that it will benefit only certain big trusts and has been framed solely in their interests. Such a charge is wholly without foundation and is unjust and unfair.

The agreement upon which this legislation is based was negotiated in secret by the representatives, not of special interests, but of the two Governments, as all international negotiations must be conducted. No one representing the so-called special interests was called in or participated in preparing this agreement. It is presented with the patriotic purpose of benefiting all the people of the United States and in the hope that it will make the farmer more prosperous, furnish more work and better wages to the laborer, more business to the commercial interests of the country, and add to the happiness and prosperity of our people as a whole; and it is presented with the further hope that it will promote perpetual peace and good will between the countries affected. It is not proposed for the particular benefit of any trust, and it will not result in any special benefit to any particular trust. It is an insult to the intelligence and the good sense of the people of this country to attempt to make them believe that the President of the United States and those acting for him have in this legislation presented "a tariff trade conceived in special-interest selfishness." The President of the United States may make mistakes, but no man ever discharged the duties of that high office with loftier motives or more patriotic purposes than President Taft.

Mr. President, this legislation is not all I would desire, and I never expect to see presented any measure affecting the tariff to any considerable extent that will satisfy everyone; but I am for it because as a whole I am convinced it is good legislation and will promote the interests of the people. If I thought it to be unjust and unfair to any great industry, class of our people, or to any particular section of the country, I would vote against it, but I do not question the motives and purposes of those who oppose it. I am not for it because it may be an entering wedge to further reductions in tariff rates, although further reductions can be made with safety to our industries. The declarations of many of our Democratic friends that this measure is Democratic doctrine, that it is the beginning of the end of protection, that it is a step in that direction, have caused me no little hesitation. I have convinced myself that the only respect in which this legislation agrees with Democratic beliefs is that it will benefit the country, and on that basis we can all unite, for it is that which actuates all of us in the last analysis. It is not in accordance with the Democratic doctrine of a tariff for revenue only. It is not obnoxious to the principles of protection under which we have made such wonderful progress and had such unexampled prosperity.

This is not a tariff bill in the ordinary sense and is not to be judged solely by tariff principles or declarations. Tariff revision, whether general or by schedule, affects the tariff upon articles imported into this country from all the rest of the world. The revision of the wool schedule is a revision of the tariff upon the importation of wool from all the countries of the world. The free-list bill, so called, is a revision of the tariff on the products from every people and from every country on the face of the earth. This legislation, however, affects no products except those passing between the United States and Canada. The duty on similar articles coming from other countries is untouched. Nor does it simply affect the duties on articles coming into this country from Canada, but it also affects the duties on articles going into that country from this. In my judgment, the principle of protection is not involved in this legislation at all, nor does it affect the principle of a tariff for revenue only. It is not revenue legislation, it is not protective tariff legislation, but it is a proposition to carry out a tentative agreement made between the two countries and deemed to be advantageous to both. I am convinced, however, that it does not in any respect violate the declaration in the last Republican platform that the tariff to be imposed on products coming into this country shall be sufficient only to cover the difference in the cost of production at home and abroad.

My own opinion is that that declaration can not be properly and fully carried out except by proceeding to deal with the tariff upon products of each particular country very much as we have done in this case. The difference between the cost of production in the United States and Germany is not the same as between the United States and England, and that which would measure the difference between the cost of production in the United States and France would not measure the difference between the cost of production in China or Japan or India and in this country; and the only way that that declaration can be literally carried out is to enact legislation covering the difference in cost between the United States and each particular country.

Objection is made to this legislation on the ground that it does not go far enough. I wish myself we could have gone further. We could have done so with perfect safety to our industries, but

Canada would go no further; and it was not necessary and probably would have been unwise to make concessions to Canada greater than she asked. The President has clearly stated that our representatives offered free trade to Canada in her products in consideration of free trade in our products. Canada did not feel that she could safely go so far, and the President has gone just as far as possible in the direction of free trade with Canada without giving concessions which would be of no advantage to us but which might result in positive injury if unaccompanied by similar concessions from Canada. If further reductions in the tariff should be made in the interests of our own people and independent of any consideration from Canada, such reductions should be made in a separate measure, with the full knowledge and understanding that they are made upon the articles affected as coming from all the world. The amendments proposed by the senior Senator from Iowa appealed to me, confined by their terms, as they were, to Canada, if I had been sure they would go no further. I was not sure of this, and so I voted against them.

This legislation is proposed to carry into effect the agreement reached by the representatives of the two countries. At the outset is made the objection that is always urged by some one against every important measure proposed. No measure of importance has been passed, and no progressive steps have been taken in the history of our country except over the shattered fragments of the Constitution. So now the Constitution has been outraged and violated. It is charged that the President had no authority to negotiate this agreement and that it is a violation of the Constitution to enact it. I believe that this contention will go the way of all similar contentions heretofore made, and after this legislation is passed and the beneficent results that will come from it have become a part of our wealth and development, the Constitution will be found to be exactly the same as it was before this legislation was proposed.

The President can carry on negotiations with other nations. He has the power, and it has been exercised without question time and again, to make tentative agreements with them, and submit such tentative agreements to Congress for appropriate legislation. If such agreements take the shape of formal treaties not affecting the revenues, he very properly may submit them to the Senate alone for ratification. If such agreements affect the revenue, I think it entirely proper, if not absolutely necessary, for him to submit the same to Congress for appropriate legislation originating in the House of Representatives, the body vested with the power of originating legislation under the Constitution itself. This, of course, has been followed in this case; and, instead of the Constitution being violated, it has been complied with and respected in every particular. The weakness of our position often leads us to put the Constitution in the way of legislation to which we are opposed. It has seemed to me that the Constitution is frequently the refuge of those without reason to support their contention.

It also is urged that Congress is deprived of its legislative function and that the President is usurping its powers and prerogatives. That is not so. The President has sent his message to us in the constitutional way. We can adopt or reject the proposed legislation, just as we see fit, and whatever action is taken by Congress will be our action and not that of the President. But it is said we are deprived of the right to amend this proposed legislation. Not so. We can amend it as we see fit. We are told, however, that any amendments will likely defeat the legislation. This is simply the statement of a fact that every man knows who is at all familiar with the situation. Differences between the House and Senate can be adjusted by conference committees; differences between countries can not. If we had a conference committee between the Canadian Parliament and Congress to which our differences could be referred and adjusted, then it would be entirely safe and proper to amend this bill; but there is no such committee. This legislation embodies just what the representatives of the two countries could and did agree to, and it is for us to accept or reject it, as we may deem wise in our legislative capacity; and the contention that anyone is usurping our functions is simply beclouding the issue. I shall vote for this legislation because I believe it to be good legislation. I shall vote against its amendment because amendments, in my judgment, would defeat it and accomplish nothing.

I will say this, if an amendment embodying a reasonable revision of the wool schedule, or other schedules, along protective lines could be agreed to and presented by the Republicans, I would feel justified in voting for such an amendment, as I would vote for such reasonable revision of schedules along protective lines if presented in a separate measure; and if an amendment should be presented by any Republican revising any schedule or schedules of the tariff in a reasonable way and along protective lines which would not effect this agreement on the part of Canada, but which would present such a revision as would be beneficial to our people in their dealings with all the world, I shall feel free to vote for such amendment, although I would prefer to have the same presented in a separate measure. I would like to see the Republicans sink their differences and by mutual concessions present as an amendment to this bill, or as an amendment to one of the revenue bills sent to this body by the House of Representatives, such a revision of the leading schedules of our tariff law as would meet the reasonable demands of the people.

I voted for the Payne-Aldrich Tariff Act. I have no apology to make for that vote. That bill contained many provisions of a progressive character. It was superior in many respects to the Dingley law. It made many important reductions in the tariff, and was, in fact, very largely responsive to the demands of the country in regard to tariff revision. It has been widely denounced and misrepresented; but, despite all these denunciations, the country has prospered under it. Industries have moved forward and labor has been employed steadily at good wages. The farmers' products have had a good market and commanded higher prices than ever before, and revenues have been collected to meet the enormous expenses of the Government. Our import trade has been increased and our export trade has expanded as never before, and, if political agitation could stop for just a short while, the country would be amazed at its progress, prosperity, and development.

The people, however, are not satisfied with this law. They will not be satisfied until some further changes are made, and I believe the sooner this demand for these changes is met the better it will be for the country. I, therefore, am in favor of revising several of the schedules of the present tariff law and of doing it now. This is the best course to take. It is best for the people and the country, and that which is best for the people and the country is best for the Republican Party.

The junior Senator from Mississippi the other day gave us some good advice, and at the same time took a broad, patriotic position. He offered, and I believe he spoke for more than himself, to accept and vote for reasonable reductions offered by us, even if not framed on Democratic lines. If we are wise we will take advantage of the present situation. While we are talking here our Finance Committee could prepare and present a bill that would meet the demands of the people, irrespective of party, bring stability to business, and end tariff legislation of any consequence for years to come. We could pass it with less talk and less delay than we will have on this measure, and if such a measure were brought in talk for or against this reciprocity measure would cease. The legislation would be passed and the country would take a long breath and start upon a period of prosperity as wonderful and remarkable as that of the last 10 years.

I saw a few days ago that my friend the senior Senator from Utah declared that the country wanted a rest; that business interests wanted a rest from tariff legislation; and that what we ought to do was to vote on this measure and go home. I want to go home; the country wants to have a rest; business interests should have a rest; and that is what my suggestion would bring. The country will have no rest and business interests will have no rest from tariff agitation, however, until several of the schedules of the present tariff act are further revised, and the sooner this revision is made the sooner rest will come and agitation cease. The man who does not recognize this is, in my judgment, blind to the political situation and conditions in this country. If we adjourn without revising these schedules the agitation will go on. In two or three months Congress will meet again and the whole tariff legislation will proceed. In fact that is exactly what my friend the Senator from Utah promises the country. He says by December we will have reports from the Tariff Board, and then promises to take up these schedules. So that legislation will drag along through the next session; business uncertainty, if not business stagnation, will pervade the country; a political campaign will come on and be fought out with the tariff as the issue, and the man who can see rest for business, rest for the country in the prospects for the future and the course that it seems determined to follow can see rainbows at midnight.

While the country believes in protection, it also believes that substantial reductions should be made in several of the schedules along protection lines. We will have to stay here a month or two anyway, and we can not engage in more patriotic work than to set aside our party differences and proceed to meet the sentiment of the country for the revision of these schedules. We have the information at hand. Our Finance Committee has the information; and, by mutual concessions and a patriotic regard for the public good, a bill could be brought in here, passed through the Senate, the differences between the House and Senate satisfactorily adjusted, and a

Republican President, in my judgment, would not fail to sign the measure.

The Senator from Wisconsin suggested the other day that we can make reductions in some of these schedules and yet make allowance for the variations and differences between the cost of labor at home and abroad, so that when the Tariff Board submits its report any inequalities that may exist can be remedied. He is correct; and I want to suggest to those who ask us to wait for reports from the Tariff Board that that board may not be in existence very long. It may not have an opportunity to investigate and report upon many of these schedules, and we will have to act on some of them without the information it might secure. With the opposition of our Democratic friends to the Tariff Board, and their view that the same is an expensive luxury, we must expect that the appropriations for this board will cease the 1st of next July. I also want to suggest to my Republican friends who are in favor of a revision of the tariff schedule by schedule, and yet declare their allegiance to the Republican doctrine of protection, that when we start to revise the tariff schedule by schedule it means the end of the protective system. The Democrats will vote solidly in the revision of any schedule for revenue duties, and those Republicans who have all the protection taken from their industries will be enough to vote away protective duties in any other schedule, and the more schedules revised schedule by schedule the fewer friends protection will have for the schedules that remain.

This is illustrated by the present situation on the bill now pending. We hear almost every day statements made on this floor that if protection is taken away from the products of certain States they will see to it that protection is taken away from the products of other States; and, while I do not believe there is any justification for such a contention in regard to the present bill, there will be much justification for it if we take up a schedule of the tariff and revise it as affecting our intercourse with all countries of the world, and, by force of numbers, take away protection from the products of a particular locality without special regard for the effect that it may have upon that locality.

Mr. President, while I am a protectionist and believe that that policy best promotes the general welfare of the people, I am getting a little bit tired, not to say disgusted, with the everlasting contention that our people can not in any line of endeavor, nor under any circumstances whatever, compete or hold their own with anyone in any kind of work anywhere or at any time, except, possibly, on the Fourth of July. Whether we face the poor, weak, and inefficient labor of Europe; the ignorant, unskilled, lazy, shiftless anemics of the Tropics; or the vigorous but scant numbers of the north, we shiver, shake, and proclaim our helplessness in a business way when any suggestion is made of reducing the tariff. Tropic climes and frigid lands alike affright us. Present development frightens us no more than dim and misty prospects of the future. I have heard so much of this during the last three years that it has begun to grate on my nerves as well as on my tariff beliefs. I am constrained to take a lantern, like Diogenes, and see if I can not find at least one man or one industry that could stand a little reduction of the tariff without resulting in the destruction of that man's business or that industry. None such have appeared here during the consideration of the tariff measures in the last three years. I sometimes wonder if the application of our protective-tariff principle takes away all of our business courage and confidence. I do know that this apparent greed and grasping spirit which is perverting the application of what I believe to be a beneficent principle threatens the overthrow of the whole fabric.

As I said before, this bill does not affect the tariff on anything coming from any country except Canada, and to determine its effect and relation to the principles of the protective tariff we must keep in mind actual conditions in Canada as compared with this country. When our forefathers passed the first protective measure it was to protect our thinly settled frontier country and our new and struggling infant industries from old and thickly settled countries with long-established and highly developed industries. Under this system our population has increased thirtyfold, our industries have grown beyond the wildest dream, and our products and manufactures go into all the marts of the world. The only basis for protection now, I believe, is solely the condition of labor. There is no country now contiguous to us where labor is so well paid, well housed, and well fed as in this country, nor where it works under such favorable conditions as here. I do not want to do anything to lower these conditions, and I believe that in adjusting our tariff we should so adjust it as to make due allowances for the difference in the cost of production at home and abroad as measured by the difference in the labor cost. When we have done that the genius, intelligence, and energy of our citizens will hold its own with the world. Our Democratic friends declared substantially for this policy a few years ago; and if they had stood by that declaration there would have been no practical difference between the two parties on the tariff question to-day. It would not be a party issue, and it could be settled and adjusted in a businesslike way, as it ought to be.

The arguments that favored the protective-tariff system when it was inaugurated in this country do not at all apply as between this country and Canada except on the side of the Canadians. That is a new and undeveloped country as compared with ours. Its population is less than one-tenth of ours and its industries are indeed infants compared with ours. In agriculture, manufacturing, and transportation there is no comparison, and the necessity for the application of the protective system between us from our standpoint as appeared to the founders of the Republic does not apply. Nor can there be any basis for protection against them on account of the cheapness or overabundance of their labor. Their territory is contiguous to us along 3,000 miles of our border. It is, in fact, simply a continuation of our own country, and whatever differences there may be physically and climatically are to their disadvantage and our advantage. They are more restricted in their crops, and their climate is more rigorous and uncertain in its effects than ours; and the farther it gets away from our territory the more uncertain and restricted become their crops. Its people are the same as ours, with the same needs, desires, hopes, ambitions, and aspirations, and the same mode and standard of living. They are hardy, active, energetic, and self-reliant, and worthy and equal competitors with us in the battle of life; a people with whom a contest is elevating and not degrading. In fact, they are, and every year are becoming more, our own people; bone of our bone and flesh of our flesh. Their labor of all kinds is as high classed and high priced as our own, and the legitimate cost of production is as great, if not greater, than ours, and upon no proper theory can a protective tariff against them be justified. In fact, when we consider the difficulties of the soil and climate they must face and their insignificant development as compared to our own we should feel humiliated at the suggestion that we need protection from them.

There are those who oppose this legislation and urge as an argument against it that it is not in accordance with our ancient ideas of reciprocity nor with past declarations of Republican platforms. This is rank "standpattism." This is taking a position with the "reactionaries." We can not progress by adhering too closely to declarations made and opinions held heretofore upon conditions which have materially changed. The application of governmental principles must change with changed conditions, even if principles do not change. Most of the declarations in party platforms and opinions of former statesmen in favor of reciprocity in noncompetitive products only were made and held largely having in view the conditions in tropical climes and with tropical peoples living upon a much lower plane in every respect from our own. The Senator from Ohio [Mr. BURTON] met this objection very fully, and showed conclusively that reciprocity in competitive products is not contrary to the views held by Republican leaders, and is clearly in accordance with legislation and treaties proposed by the leaders of the party who have indorsed the general party declarations. We must treat Canada differently. There could be no reciprocity with Canada except in competitive products, because she can not produce anything that we do not produce.

Canada's location, climate, productions, and people are so different from that of any other country that the application of any tariff policy toward her must be entirely different from the one adopted toward other countries. The junior Senator from Minnesota on May 24, 1909, expressed very forcefully and clearly the basis upon which we should treat Canada, and, in my judgment, epitomized the argument in favor of this legislation from almost every standpoint. He said:

> Along this Canadian border, with nothing but an imaginary line to cross, it is idle, in my judgment, and idle, in my experience and observation, to talk about any great difference in wages on one side or the other. When a man by a day's walk can go from the mill on that side to a mill on this side, from a field on that to a field on this side, that imaginary international boundary line will not maintain any very different scale of wages long upon one side or upon the other. And they are the same class of men. When we talk about a protective tariff and think of the overcrowded countries of Europe, of the cheap wage scale of Europe, when we realize that the wage earner in Europe must and oftentimes has to borrow and incur a great expense to come to this country, there may be wisdom in attempting to maintain an artificial wall between this country and ours. But when we look to sparsely settled Canada, when we look to a class of men enjoying a wage scale practically the equivalent of our own wage scale, it seems to me that sooner or later the American people have got to recognize the impossibility of forever maintaining an artificial wall where there is no natural reason for the establishment or maintenance of that wall. Sooner or later, Mr. President, we shall have to recognize on a broader plane this natural relation to Canada. I predict here in the Senate to-day that the time will come when even with a protective policy as

firmly implanted as it is to-day in our general policy, yet in our tariff relation to Canada we will recognize that it must be limited largely to the basis on revenue as required by that country and this.

The Senator from Iowa, Mr. CUMMINS, in an interview found in the Columbian of May, 1911, expressed substantially the same idea, as follows:

I believe it is wise to deal with Canada in an agreement separate from our agreements with other nations of the world—

Said he—

for many reasons, chief of which, of course, is that in several important details we are really one country. Geographically but an imaginary line divides us, for the Great Lakes and the St. Lawrence really are links and not dividing barriers. We should, I am convinced, have a tariff agreement with the Dominion drawn quite independently of our agreements with all other nations and modeled in a way to fit the special details of the situation. It seems to me that this is obvious, and the really surprising thing is that it was not so arranged long, long ago. The conditions governing production in almost every line, but particularly in agriculture, are so nearly identical in Canada and the United States that the rules which we apply, and rightly, to products of other nations which compete with our own products should not apply between us and the Dominion.

Conditions in this country have also changed very materially with the wonderful development that has taken place during the last 15 or 20 years. Then there were millions of acres of public lands suitable for homesteaders; it is different now. The frontier is gone. Desirable public lands are no more, and the man trying to comply with the law to secure title to lands, such as they are, is hounded and spied upon as a criminal. The eyes of our landless are turned to the northward, and thousands of our good citizens are going to the northland, seeking homes and prosperity. We should not and will not apply to them the same legislative principles that we would apply to noncontiguous countries and alien people. They may live under another flag, but they are our own people. Trade and intercourse will benefit us and them, and no declarations of the past will prevent me from voting to hold our friends and neighbors to the north with us in trade, spirit, and ultimate destiny.

This legislation is opposed because Canadian statesmen approve it. Some Canadian statesmen do approve it, because they believe it would be beneficial to their interests, and therefore it is argued that we should not pass it. There are statesmen in Canada who favor this arrangement very heartily and who see great good to Canada from its passage; but, on the other hand, there are many who denounce it just as vigorously as it is denounced here, and who predict all sorts of disasters to Canada and her interests if it is passed.

If the fact that Canadian statesmen approve the bill is an argument against its passage here, then the fact that Canadian statesmen oppose it should be an argument in favor of its passage by us, and in that case the balance of the argument would be decidedly in favor of the legislation. The majority for the legislation in the Canadian Parliament will be much smaller than in the American Congress. The majority for the legislation in the Canadian Parliament is generally estimated at not more than 40, while the majority for it in our Congress will be much greater. Some Canadian statesmen see great benefit in this legislation for Canada, and statements by them are quoted to us as conclusive on the matter. There are many others, however, who are equally confident, and I think with much more reason, that it will be injurious to Canada; and some of their statesmen are making an active, earnest, and open campaign before the people against it. They are holding public meetings in all parts of the country and seem to be confident of convincing the people of Canada that they should not pass it.

Hon. R. P. Roblin, premier of Manitoba, in Toronto, April 19, 1911, is quoted as follows:

Speaking generally, the opponents of the reciprocity pact in Manitoba have made no effort to counteract the strenuous exertions of those who seemingly have been inspired to action in its favor, for the reason that many doubt that it will ever be carried into effect. There are a good many who are advising no action on the Government, and that, if it ever goes into operation, it will be such a disappointment, such a costly experiment to the poor unfortunates who have been misled and deceived, that the Laurier government will be so easy that there will hardly be a contest at all. That view of the case is held, I may say, by men who believe that the Laurier government should be overthrown on its general administration, but who are satisfied that with the reciprocity pact in effect the overthrow would be assured.

My own opinion is that reciprocity will divide Canada into an east and west; it will produce a condition of things that will destroy the work that has been prosecuted toward binding the scattered Provinces together in interprovincial trade ever since confederation.

After pointing out that reciprocity would mean the certain wrecking of mixed farming in Manitoba, where this business is just beginning to be developed, Mr. Roblin went on:

I make the statement that reciprocity will not only not benefit the people of Manitoba, but that it will work most serious injury and financial loss, with more certainty and conviction than any statement I have ever made on any other public question. I can not undertake even to estimate—it is too serious to do so—its final effect upon confederation and upon our relations with the motherland.

Our friends from the adjoining States could not use much stronger language than this against the legislation.

Sir George W. Ross, one of Canada's leading statesmen, in a speech opposing reciprocity, quoted at length in Industrial Canada of November 10, 1910, discusses the effect of this agreement fully, and his reasoning seems to me to be unanswerable and his conclusions inevitable. He says:

A POOR BARGAIN.

But, assuming that bona fide proposals for reciprocity are to be submitted, let me mention a few considerations that require the most careful attention.

We must not forget that the mere exchange of certain articles may involve a great deal more than appears on the surface. For example, to abolish the duty on wheat on both sides of the line looks fair, but to accept an offer of that kind pure and simple would, in my opinion, be a poor bargain for Canada. I believe that the longer the American tariff of 25 cents a bushel on Canadian wheat is maintained the better for us. Canadian wheat has now a distinct place in the British market. If the market of the United States were freely opened, it would be impossible to maintain its identity in passing through American elevators, and Canada would be the loser to the extent of any reduction in price.

A similar observation will apply to flour. Manitoba flour usually brings a higher price on Mark Lane than any American brand. Who could vouch for the genuineness of this brand if American wheat moved freely across the border? The poorer qualities on the south side of the line would be fortified by the products of Canadian mills, and the better qualities on the north side would be deteriorated by mixture from the south. Such an interchange would be throwing away all the advantages we possess for the great wheat belt of Manitoba and the west.

CANADIAN CHEESE PREEMINENT.

In the same way Canadian cheese, after years of experiment and large expenditure of money, has driven American cheese out of the British market. How could this preeminence be preserved if Canadian cheese passed through the hands of American shippers over the border? We have, therefore, to consider not the first profit, if profit there be, but the ultimate effect upon an industry which yields us annually about $30,000,000. The advance of a few cents in price in exceptional conditions of the market should not dominate the general effect on the large aspect of the question and the business interests of all the cheese factories of Canada.

The question of our lumbering industry has also its future aspect. No doubt the admission of lumber into the American market free of duty would enhance the value of lumber and probably the value of all standing marketable timber in Canada. But the personal interests of the lumbermen are not to be alone considered. One of the greatest questions now before the people of Canada is how to conserve their forests. Mr. Clifford Sifton, chairman of the Commission of Natural Resources, speaking before the Empire Club on the 20th of October, said: "At the end of 20 years the United States would have no timber for sale in the ordinary way. In Canada the supply was large, but if the supply in the United States ran out, the supply in Canada would last the United States for only 7 years. The time must come, however, when the people of Canada would demand legislation prohibiting the export of marketable timber." This is the national view and the only view which will do justice to Canadian interests. Can this view be maintained under a treaty?

QUESTION OF TRANSPORTATION.

We must also consider whether the general advantage of reciprocity in natural products might not be more than counterbalanced by the loss to Canada in transportation. We would not lose sight of this important fact, that if our natural products are freely admitted to the American market the United States railway will do a large part of their transportation to the markets of the world. On this point hear H. M. Whitney, in the article from which I have already quoted: "If we were to admit Canadian grain free from tariff charges, much of it would stay with us for home consumption; a portion of it would go through our ports to foreign lands. New York, Portland, and Boston are the natural outlets for the foreign trade of eastern Canada. The elevators for storing and handling Canadian grain should be on this side of the line, and the steamers of the Canadian Pacific and Grand Trunk Pacific should, in the wintertime at least, find their home in port in Boston, New York, and Portland." This clearly means that the transportation of Canadian grain would be diverted from the great systems of transcontinental railways east and west, which Canada has built or is building at enormous expense, to American railways, and that the elevators at Chicago, Buffalo, New York, and Boston would be substituted for the elevators at Winnipeg, Fort William-Midland, Port Colborne, and Montreal. So says an astute American financier. Do we want this? Mr. Whitney says it would be one of the advantages to the United States of reciprocity. But the loss to our railways would only be part of the loss to Canada. What about the loss to the great shipping companies on our lakes and canals; the loss from the handling of grain at our elevators and railway terminals; the loss to ocean freighters at Montreal, Quebec, and Halifax; the loss in harbor dues; the loss to the hundreds employed in handling freight; the loss to all importers of merchandise from the abandonment of Canadian ports by ocean steamers; the loss of national prestige by our becoming dependent upon the ports of the United States for an outlet to the markets of the world? What would British capitalists who invested their millions in these enterprises think of Canadians who for the petty advantage of an interchange of natural products would prejudice investments which have proved to be of untold advantage to Canada? These are not speculative dangers. We are told by a financier of Boston what will happen. Is this the fate a sensible people should desire? Are Canadians prepared to accept all these questions as a matter of course?

We hear dire predictions of the effect of Canadian products on our own, and a picture of darkest hue is held up to the farmers of this country. They are told that Canadian products will flood our markets and destroy our industries. One would think that all kinds of farm produce are massed along the border awaiting the removal of the tariff walls and ready to swamp the American farmer. We are led to believe that Canadian crops never fail; that their products can reach our markets before our own, and without any additional expense by reason of their remoteness; that their surplus will glut our markets and that it will be a holiday's play for these 8,000,000

people to absorb and take away the markets of our puny 90,000,000.

Mr. Ross, however, takes a very different view of the situation, and one, in my judgment, more consistent and gratifying to our pride as well as being more in harmony with what is likely to occur. He says:

But suppose the markets of the United States were thrown open to us, would that not greatly enhance our prosperity? The United States lie along our border of 4,000 miles with a population of 90,000,000. If we have anything to sell there is an unlimited market for us—why not let us enjoy it? This is a fascinating picture, but there is another side to it. The boundary is just as long for the Americans as for the Canadians, and a reciprocity treaty that opens one side of the line would also open the other. While our 7,000,000 were getting into the American markets with their merchandise the American 90,000,000 were getting into Canada, and the home market, always the best, where not glutted with goods, would be rendered practically valueless. The fruit grower would find American fruit in the market before him and everywhere so abundant that his trade would be ruined. The flour merchant, the seed merchant, the dealer in provisions, such as bacon, butter, and cheese, would be similarly situated, and any occasional sale that he could make in the United States would be poor compensation for the losses incurred on account of the surfeit of the home market by American goods.

This sounds very much like good protection argument, advanced in favor of a protective tariff. We were afraid the countries of Europe would send their surplus here and glut our markets. Therefore we wanted protection against this dumping process, as we may call it. So it is with Mr. Ross in Canada. He fears that there may be a dumping from the United States, and it seems to me that the surplus produced by 90,000,000 people is very much more likely to be dumped on 7,000,000 than that the surplus of those 7,000,000 shall be dumped upon our industries.

Is there not more reason in this contention than in the scarecrow held up to frighten our people? The Canadians have far more to fear from us than we have from them, and it does not harmonize very well with the boasting pictures with which we heretofore have tickled the ears of the people in Fourth of July orations to hold up before their affrighted eyes the picture of ruin and desolation that will come to our country from the competition of this comparatively small number of farmers, merchants, and business men struggling along under conditions far more unfavorable than those of most if not all of our people.

Those who oppose this legislation say that our representatives were no match for the representatives of Canada, and that they were so unprepared to compete with these gentlemen in the negotiations that the interests of our country were not protected and safeguarded. This very same argument is made by the opponents of the legislation in Canada, and convinces me that the representatives of each country faithfully guarded the interests of their own people, making mutual concessions in order that an agreement as nearly just to all as possible could be reached.

One of the leading papers of Canada, the Journal of Commerce, under date of February 3, 1911, says:

Our tardy representatives who accepted President Taft's invitation to endeavor to find a way to promote freer intercourse between the United States and Canada were undoubtedly not prepared to cope on equal terms with the gentlemen representing the other country. We have no intention of entering into a complete discussion of the details of the suggested agreement just now. To most critical observers it appears to contain certain provisions which make it exceedingly unlikely that it will ever become a law. That, like every one not in the secret, we were taken by surprise at the thorough-paced nature of the changes suggested, we need not say.

This legislation is objected to because Canada remits only about half the revenue that is remitted by us. This is considered a great and unwarranted concession on the part of our Government. The same argument, but presented in a different way, is urged in Canada by the opponents of the agreement there.

The Journal of Commerce of February 3, in discussing the alleged advantages of the agreement to the United States, says:

Why should Canada give away anything, then, in return for what is intended to be of benefit, not to her but to the United States? Why sacrifice to any, even in the slightest extent, our manufactures? Why give away our natural advantages in the paper-making industry? Why hand over our wheat to the United States millers and transportation companies when we have the facilities for handling our grain business already established at considerable cost? The official primary argument is that Canada sacrifices only $2,560,579 in duties, while the United States surrenders $4,849,933. Canada, to put it in another way, sacrifices about 32 cents per capita of its population per annum, while the United States sacrifices, say, 5½ cents per capita of its population per annum. And reputable United States journals gravely state that their country has gone more than halfway to meet Canada when its people give up 5½ cents a year each, expecting our citizens to surrender 32 cents a year each.

This proves that the point of view has much to do with the formation of our judgment and that arguments from figures can be made to fit almost any position. It is true that we remit twice as much revenue as Canada remits in the aggregate, but it is also true that they buy twice as much from us as we do from them, so that even from our standpoint proportionately they sacrifice as much in duties as we do. The article referred to concludes as follows:

The American Banker comes out frankly with the statement: "Fifty years ago the advantages of reciprocity were mainly on the Canadian side, but to-day the situation has changed entirely, and it is the United States and not Canada that gains the most by the removal or lowering of the tariff bars."

Those who are concerned about the future interests of Canada would do well to consider the proposed agreement from this point of view and give heed to the inquiry, "Who stands to gain by its provisions, and who pays the piper?"

Many of our Canadian friends seem to be very fearful that they may have to "pay the piper."

The principal objection urged against this legislation is its anticipated injurious effects on agriculture. It is predicted that its adoption will ruin the agricultural interests of the country, and especially of certain sections. There is unusual solicitude for the farmer by certain great interests in the country. I find no fault with them for it, but can not help but think they are trying to make use of the farmer more for their own benefit than for the farmers. No one desires to injure agriculture. The friends of this measure are just as much the friends of agriculture as those who oppose it, and those who support this measure are just as earnest and sincere in their belief in the beneficent effects of this legislation upon the agricultural as well as upon all other industries in the country as those who oppose it are sincere in their belief as to its injurious effects, and in the consideration of this legislation mutual devotion to the interests of agriculture should be conceded and the arguments for and against the legislation should be fairly and dispassionately considered.

Much of the argument against the legislation seems to be based upon the assumption that it affects all of our agricultural products, and many of the people have the belief that this bill proposes to admit agricultural products free of duty from all the world into this country. Such statements are made and impressions given, not for the purpose of deceiving the people, but to arouse antagonism and opposition to this measure. The fact is that it affects only the tariff upon products brought into this country from Canada. The tariff upon the same articles from other countries is left exactly the same as now. Our trade with Canada in agricultural products does not constitute all of our agricultural trade. The following table shows our exports to and imports from Canada in agricultural products from 1901 to 1910:

Exports to and imports from Canada.

Year ending June 30—	Domestic exports to Canada.	Imports from Canada.
1901	$27,550,201	$8,903,504
1902	27,915,718	8,965,179
1903	29,969,374	10,773,362
1904	25,503,353	9,834,551
1905	23,865,106	14,738,288
1906	30,411,035	10,830,240
1907	32,211,661	10,862,567
1908	30,518,478	11,380,705
1909	30,375,721	14,583,548
1910	38,409,260	18,403,873

From this it will be seen that our imports of agricultural products from Canada amounted to only $18,403,873. This is the amount of agricultural trade coming into this country now that is affected by this bill; not a very large trade, and not much when compared with our world's imports. What were our total agricultural imports in 1910? Over $638,000,000. In other words, this legislation affects a trade of a little over $18,000,000 worth of farm products and leaves unaffected over $620,000,000. The reduction on such a small amount of our imports will not and can not work so disastrously as predicted. He is surely "seeing things at night" who sees the ruin of our agricultural industries under such conditions.

These figures also illustrate the difference between this legislation and general tariff-revision legislation. If it were general tariff revision we would expect it to affect more or less all of the $638,000,000 of farm products instead of only the $18,000,000 from Canada. When we consider what an infinitesimally small amount of agricultural products imported from Canada are affected by this bill, compared with the tremendous industry that it is said will be destroyed, the fears of those who are opposed to it become all the more fantastical, the products of the industry to be destroyed and overwhelmed being estimated at almost $10,000,000,000 without taking into account the value of the tools, lands, and improvements used in connection with the production of this stupendous volume of products.

The opposition to this legislation charge that it is in the interest of certain trusts, and point to the trusts which they

say will be benefited by it. Some in favor of it point to trusts opposing it. The one offsets the other. My judgment is that we will never injure a trust by reducing the tariff except as we may destroy an industry and thus injure all the people; nor will there be any special benefit to any trust by reducing the tariff. If it is a trust in domestic production it will control the price under any circumstances. Trusts will thrive and flourish, tariff or no tariff, during prosperity, and the way to handle them is by other legislative methods, but if we destroy the business of the country we are very likely to destroy all the trusts. That happened at a certain period in our country's history, and there probably is no one who desires its repetition.

It is urged, however, that as we take the tariff off of agricultural products we should take it off of agricultural implements, and because this is not done it is said the legislation is unfair to the farmers and favorable to the International Harvester Trust. We could very safely take the tariff off of agricultural implements coming from Canada, and I would be in favor of doing it, if Canada would take off her duties from agricultural implements. We can safely take the tariff off of agricultural implements coming from any country in the world, but because we do not do it is no valid argument against this measure.

The tariff on agricultural implements is reduced in this bill. It could be reduced more—yes, it could be taken off—if Canada would consent to it as a reciprocal measure; but, with the sales we make in Canada now under the present tariff, we should increase our sales there with this slight reduction.

It is said that this will benefit the manufacturer. Grant it. It will injure no one; and if it benefits the manufacturer, without injury to anybody else, why should anyone complain? The increase of business to the manufacturer will result in a benefit to his wage earners and his employees. It will increase their number, and in this way furnish an additional market for the product of the farm, thus benefiting the agriculturalist. If it increases the sale of agricultural implements in Canada, it must furnish an increased market for additional labor, and such a result is always to be desired, and has been one of the chief arguments in favor of the protective tariff system. It is urged, however, that we should take the tariff off of agricultural implements, so as to reduce the price of these manufactured products to our farmers, and it is attempted to make the farmer believe that he is greatly outraged in that his products are made free and agricultural implements are not.

The American farmer can not be fooled this way, and those who seek to do so insult his intelligence. He knows that to take the tariff off of agricultural implements from Canada would not mean any cheaper implements to him. He knows that free implements from Canada would not affect the price in this country one way or the other. Our manufacturers control the market in this country and largely so in Canada and the world. Our imports are practically nothing, while our annual exports are over $25,000,000, one-third of which goes to Canada. With the tariff removed from these articles there would be no foreign competition and, consequently, no reduction in prices. The President offered to take all the tariff off of farm implements coming from Canada if Canada would take all the tariff off of farm implements going to Canada. She would not agree to this. It is urged, however, that we should do so regardless of Canada. Should we do it? It would not benefit us any, and I can see a possible injury to us if we were to take the tariff off of agricultural implements and Canada retain her tariff on the implements from this country.

This would offer an inducement to our manufacturers to establish their plants in that country, so as to have both markets free. This would be a good thing for Canada, but it would not be a good thing for us. It would not hurt the manufacturers of agricultural implements, but it would deprive American labor of employment and the American farmer of a market. The capitalist and manufacturer would make just as much money by having his plant in Canada and employing Canadian labor. The injury by removing these plants to Canada would be to our wage earners and our farmers, and no reduction to us in the price of farm implements would follow.

During the years 1900 to 1910 we exported $128,000,000 worth of mowers and reapers and over $38,000,000 worth of plows and cultivators, with over $78,000,000 worth of other farm implements, or a total of over $245,000,000 worth. During this same period we imported the insignificant amount of $200,000 worth of farm implements. In other words, we have been selling to the world a hundred times as many agricultural implements as we have been buying from the world. We have been exporting about one-fifth of our home production, and those who denounce this measure because it does not admit all Canadian-made implements free have set up a bogy man with which to deceive the farmer.

I herewith print tables taken from the Statistical Abstract for 1909, showing the value of exported agricultural implements from 1900 to 1910 and the value of agricultural products manufactured in the United States as per census reports of 1905, and also table showing our exports to each of the principal countries of the world:

Agricultural implements exported.

[From the United States Statistical Abstract, 1909.]

Years.	Mowers and reapers.	Plows and cultivators.	All other.
1900	$11,243,000	$2,178,000	$2,677,000
1901	9,943,000	1,888,000	4,481,000
1902	8,818,000	2,791,000	4,677,000
1903	10,326,000	3,109,000	7,510,000
1904	11,568,000	3,537,000	7,643,000
1905	10,599,000	2,892,000	7,209,000
1906	12,150,000	4,128,000	8,275,000
1907	15,078,000	3,492,000	8,366,000
1908	13,570,000	3,139,000	7,454,000
1909	14,052,000	3,705,000	7,846,000
Total	117,347,000	30,919,000	66,198,000
1910	11,972,000	7,498,000	11,820,000

Exports to each of the principal countries of the world.

To United Kingdom	$913,801
To France	2,900,000
To Germany	1,580,000
To Italy	471,000
To Netherlands	395,000
To Russia in Europe	5,370,000
To other Europe	2,088,000
To Canada	4,321,000
To Mexico	601,000
To Cuba	337,000
To Argentina	7,502,000
To other South America	1,337,000
To British Oceania	1,369,000
To other Asia and Oceania	621,000
To Africa	1,382,000
To all other countries	51,000

Some oppose this legislation because it does not go far enough. They declare themselves in favor of free trade with Canada, and because this bill does not bring free trade in everything, they oppose it. I am in favor of free trade with Canada, but I can not appreciate the force of the argument presented against the legislation because it does not give entire free trade. If free trade with Canada would be a good thing, this legislation is good, as far it goes.

It is urged against this legislation that, while free trade with Canada would be a good thing, free trade in farm produce is a bad thing unless accompanied by free trade in manufactured products. How free trade in manufactured products between this country and Canada would save the farmer from any injury that this legislation will otherwise bring to them I can not comprehend. If injury will come to the farmer under this legislation, that same injury would come to him under free trade between this country and Canada.

The senior Senator from Iowa [Mr. CUMMINS], in a speech delivered February 12 of this year, is reported to have said:

> I am not one of those who believe that the free admission of agricultural products into the United States from Canada will materially affect our farmers, but I do believe that while we are admitting free the things which the farmer sells we should also admit free some of the things the farmer buys.

If the free admission of agricultural products will not materially affect our farmer, then the objection to this legislation by reason of the free admission of these agricultural products has no force. I am in favor of free trade in manufactured products, but if I can not get free trade I can not see why I should not get as near it as possible. Free trade in manufactured products from Canada would be of no substantial benefit to our farmers, because they could not compete with ours and would not come in here to any extent. It would not mean cheaper manufactured products to the farmers of this country at all. Would agricultural implements be cheaper if allowed to be imported free from Canada? Assuredly not. We are the greatest manufacturers of farm implements in the world, as I have already pointed out. Our manufacturers not only supply our home demand, but export millions of dollars worth of farm implements to Canada and the rest of the world. They fix and determine the price at which they are sold, and they would continue to do so no matter what the tariff may be between this country and Canada. There would be no competition from Canada that would bring lower prices to our farmers; and so it is with most of our manufactures. We sell to the Canadians a large part of their manufactured products now, which shows that we can undersell them. The Canadian farmer buys our manufactures now any pays the Canadian duty. Our farmer buys these manufactures and pays no duty, so that

instead of being at a disadvantage with his Canadian neighbor our farmer has a real advantage in cheaper manufactured products. The President, through our representatives, proposed free trade to Canada. She would not accept it. He then secured the greatest reductions possible on manufactured products going into Canada and coming into this country from Canada. Material reductions accordingly were made and if, with the tariff as it has been heretofore, we have sold large quantities of manufactured products to the Canadians, it is but natural to expect that with these reductions we will largely increase our sales to Canada, thus benefiting and stimulating our manufacturers and indirectly, of course, benefiting the farmers with no injury or unfairness to them.

This is met with the charge that our manufacturers sell cheaper in Canada than they do in this country. I do not believe that this is true; at least, as a general rule, I do not see why they should do it. They are not moved by philanthropic motives in Canada any more than they are in this country. There is no competition there to force prices down, and, so far as I can learn, the prices of manufactures in Canada are generally higher than they are in this country, as would naturally be expected.

The tariff is removed from cattle, sheep, hogs, and so forth, coming from Canada, and this is said to be in the interests of the Beef Trust. This can only be true based upon the Democratic argument that the tariff on an imported article is not only added to the price of the article imported, but also is added to the price or cost of the domestic product, and that removing the tariff on these animals coming from Canada will of itself permit the Beef Trust to buy domestic animals that much cheaper and sell at the same rate as now. When I reach the point that I believe in this contention I shall no longer support a protective tariff. I do not believe in this contention at all; and I do not believe that the removal of the tariff on cattle, hogs, sheep, and so forth, coming from Canada will be of any special benefit to the Beef Trust.

If the Beef Trust buys stock in this country that has been imported from Canada, it simply buys at the local market prices and the tariff is paid by the man bringing the beef to our market. If these animals come in free of duty, the Beef Trust would still pay the market price. It is urged, however, that because of the removal of this tariff the Beef Trust will be benefited many millions of dollars in its purchases of domestic cattle. The Beef Trust now buys domestic cattle as cheaply as possible, and I assert that no man, not even the agent of the Beef Trust, takes into account the tariff on imported animals when he buys a cow or a hog in the stockyards at Chicago. He pays just what he has to pay to get the animal, no more and no less—tariff or no tariff. If the Beef Trust so controls the market that it is able to deduct the amount of the tariff on every domestic animal that it buys, then it so controls the market that the tariff makes no difference whatever in what it will pay. The Beef Trust can not buy cheaper in Canada if the tariff is taken off, because cattle are higher in Canada than in this country now, and, furthermore, there would not be a "drop in the bucket" left over from the home demand.

If, however, the tariff on beef, hams, bacon, and so forth, increases the price that we have to pay for our domestic beef, hams, bacon, and so forth, then there should be a substantial reduction in the price of these articles, because there is a very substantial reduction in the tariff; and if the arguments of the opponents of this legislation are good, then the consumer will get a great benefit from these reductions.

For instance, the tariff now on hams and bacon is 4 cents a pound. By the proposed legislation it is reduced to only 1¼ cents a pound, or a reduction of 2¾ cents on each pound. This ought to mean a very substantial reduction to the consumers of ham and bacon, and this without injury to the farmer. So it is with other meat products.

We could safely remove the tariff on meat products as well as on live animals, so far as Canada is concerned. Canada would not consent to this, however, but if we were to take the tariff all off without her removing it the same result would occur in regard to the meat-packing industry as in the agricultural-implement manufacturing industry. Many beef-packing establishments would remove from this country and locate in Canada, in order to have both markets free, to the injury of our own people without any corresponding benefit. Taking the tariff off of meat products from Canada, however, would not affect the price in this country, because our importations would be very small, if any at all. There would not be sufficient competition to make any material reduction.

In 1909 we imported $969,000 worth of meat products from all the world, upon which we collected a revenue of $212,000. In that same year we exported over $17,000,000 worth of beef products, over $108,000,000 worth of hog products, and over $30,000,000 worth of products such as lard compounds, mutton, poultry, sausage, and so forth; or a total of over $156,000,000 worth of meat products.

From this it is clear to me that the admission of live stock free of duty from Canada and a reduction of duties on the manufactured products can not result in any injury to the meat and cattle industry of this country, the total product of which, according to the census of 1905, amounted to over $816,000,000; and the conditions in Canada make it clear to me also that the removal of the duty on live animals is of no special benefit to the Beef Trust.

The opposition to this measure seems to center around wheat, and it is attempted to array the farmers of the country against this legislation because it is claimed that the price of wheat is lower in Canada than it is in this country, and that if we take the tariff off of wheat and other farm products it means the depression in price of our own products and the ruination of the agricultural interests. If it would materially, or at all, affect the price of wheat in this country, it would be a matter for serious consideration. We produce about 700,000,000 bushels of wheat annually. Canada produces something over 100,000,000 bushels annually and has for exportation about 50,000,000 bushels. Not all of this could come into this country, because of the lack of transportation facilities, but that which would come in would reach our markets at a greater cost for transportation than our own, so that it would not materially reduce the price. Canada does not have the railroad transportation facilities that we have, and the farmers to reach their own markets must haul their wheat long distances, compared with ours.

If you examine Canada's railroad development, you will see that much of the wheat can be delivered only at certain points to be carried by certain railroads to certain other points of distribution. This makes their transportation charges much greater than ours, and very likely in most instances accounts for the price of wheat in this country and in Canada. It is said, however, that the difference in price is 10 or 12 cents a bushel in favor of wheat on our side of the line, and that this condition is due to the tariff, and if that tariff should be removed our wheat would come down to the Canadian price or ours would come down and theirs would come up until they met, so that the result would be a material reduction in the price of our wheat. I do not believe that this is true.

An examination of the statistics shows that there is a great variation in the prices of wheat at different times and at different places. The tariff is a constant quantity; and if it is the cause of the difference, that difference should be reasonably uniform. The tariff is 25 cents a bushel on wheat; and if it is the cause of the difference in price, that difference should be substantially 25 cents. Statistics can be found sustaining almost any contention with reference to the price of products at various times and places, but it seems to me that those who attribute the difference in price of wheat in this country and Canada to the tariff overlook the fact that just as great variations exist among different localities in this country as appear between this country and Canada, and these great variations prove conclusively that these differences in prices are the result of other causes than the tariff.

The Crop Reporter, issued by the Department of Agriculture, shows the price of wheat in this country at various points on the 1st of June, 1911, and I desire to call attention to some of these figures.

On that date wheat was selling in Maine at $1.15 a bushel and in New York at 89 cents, or a difference of 26 cents. These States are not very far apart, are very similarly situated, and there is no tariff wall between them, so that this difference of 26 cents a bushel must be accounted for in some other way, and goes to prove that even if the tariff was taken off between this country and Canada there might be even a greater difference in price between wheat at Winnipeg and wheat at Minneapolis. In New Jersey wheat was 96 cents a bushel and in the adjoining State of Pennsylvania only 90 cents. In North Carolina it was $1.04, and in the adjoining State of South Carolina $1.12; while in Georgia it was $1.23. In Michigan wheat was 84 cents, while in the adjoining State of Wisconsin, similarly situated and with no tariff wall between, it was 90 cents. In Minnesota wheat was 88 cents a bushel, and in the State just south of it, Iowa, with even better transportation facilities but without any tariff wall, wheat was 82 cents a bushel. In North Dakota wheat was 87 cents a bushel, while in Nebraska it was only 77 cents. In Oklahoma wheat was 87 cents a bushel, and in Kansas it was only 81 cents a bushel. In Idaho wheat was 72 cents a bushel, while in Washington it was 77 cents, and in the neighboring State of Oregon 81 cents, and in California 93 cents.

These last three States are exporting States and are very similarly situated, and yet the export price varies from 77

cents in Washington to 93 cents in California. These figures are even more marked in the variations in similarly situated sections of this country than the prices between Minnesota and Dakota and neighboring points in Canada. These same variations appear in the prices of oats, barley, and so forth.

Mr. HEYBURN. Mr. President, will the Senator yield to me?

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Idaho?

Mr. JONES. Yes.

Mr. HEYBURN. Does not the Senator think that attention should be called to the fact that the difference between the price of wheat at those several shipping points was because of the difference in freight rates to tidewater?

Mr. JONES. I do not think there was any very great variation between Oregon, Washington, and California.

Mr. HEYBURN. Yes; and that accounts for it. Oregon wheat shipments are practically at tidewater; Idaho wheat shipments from some parts of the State are a greater distance than from other parts of the State; and the same is true of Washington. The price of wheat depends upon the freight from the shipping point to tidewater.

Mr. JONES. There is practically no difference between shipments from Washington and Oregon. I am thoroughly familiar with that situation. These prices are governed by prices at exporting points on tide water.

For instance, on the same date barley was 68 cents in Ohio, 62 cents in Indiana, 69 cents in Illinois, 75 cents in Michigan, and 84 cents in the neighboring State of Wisconsin, or 22 cents more than in Indiana. It was 68 cents in North Dakota, 49 cents in Kansas, and 80 cents in Montana. If anyone will ascertain the causes of these variations in States similarly situated, and without any tariff walls between them, they will very likely be able to explain the causes of the variations between this country and Canadian points.

Mr. CRAWFORD. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from South Dakota?

Mr. JONES. Yes; although I do not imagine we can reach any more definite conclusion than we now have. We will each be of the same opinion still.

Mr. CRAWFORD. Only on this point. I concede there is ground for discussion, at least with reference to an article of which we produce a surplus, but that is not true with reference to barley. We do not produce a surplus of barley, but we import barley. Of flaxseed the same is true. We do not export flax, but we import it; and, to a certain extent, that is true of a great many other articles which are produced upon the farm upon which there is a tariff duty. Now, does the Senator mean to lay down a rule here that as to the innumerable articles produced on the farm of which we do not produce a surplus the tariff makes no difference with reference to the price, and that the taking away of the tariff upon the importation of such articles from Canada, which is our only competitor in regard to them, will make no difference in the price?

Mr. JONES. Mr. President, I am simply presenting these figures, taken from official sources, to show that in a country 3,000 miles long and 1,500 miles wide, with absolute free trade within her borders, there are just as great variations in prices between different places similarly situated as exist between this country and Canada, between which there is a tariff. So that the argument of those who contend that the tariff is the cause of this variation does not seem to me to hold good. But I am simply presenting the facts with regard to it. Of course, I do not expect my friend from South Dakota to reach the same conclusion that I reach from these figures.

If the tariff were removed it is inevitable that these same variations would occur. At some points prices would be lower in Canada than at points in this country, while at other points the prices would be higher than in this country. These variations also show that there is no basis for the argument that to remove the tariff would put the prices in this country on a level with the prices in Canada.

The foregoing facts are set out in more detail in the following table from the Crop Reporter of June, 1911, which shows the value of certain products in May and June of this year:

Farm value of important products on dates indicated.

[Grain and potatoes expressed in cents per bushel; hay, in dollars per ton; cotton, butter, and chickens, in cents per pound; eggs, in cents per dozen.]

State or Territory.	Wheat.			Corn.			Oats.			Potatoes.			Hay (loose).			Barley.			Rye.			Cotton.			Butter.			Eggs.			Chickens.		
	June 1, 1911.	May 1, 1911.	June 1, 1910.	June 1, 1911.	May 1, 1911.	June 1, 1910.	June 1, 1911.	May 1, 1911.	June 1, 1910.	June 1, 1911.	May 1, 1911.	June 1, 1910.	June 1, 1911.	May 1, 1911.	June 1, 1910.	June 1, 1911.	May 1, 1911.	June 1, 1910.	June 1, 1911.	May 1, 1911.	June 1, 1910.	June 1, 1911.	May 1, 1911.	June 1, 1910.	June 1, 1911.	May 1, 1911.	June 1, 1910.	June 1, 1911.	May 1, 1911.	June 1, 1910.	June 1, 1911.	May 1, 1911.	June 1, 1910.
	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Dols.	Dols.	Dols.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.
Maine	115	....	....	67	65	78	47	49	62	40	45	22	12.80	12.20	16.80	86	82	104	....	....	75	....	....	....	26	26	30	18	17	22	15.0	12.8	15.2
New Hampshire	....	....	....	70	65	78	48	49	62	67	63	37	16.00	15.60	20.00	84	78	85	....	....	....	....	....	....	28	26	30	20	20	25	14.3	15.0	16.0
Vermont	....	95	122	67	61	72	49	45	59	60	50	23	12.50	11.80	15.20	79	74	88	....	....	....	....	....	....	24	24	29	18	18	21	13.5	13.6	13.6
Massachusetts	....	....	....	78	65	80	49	48	55	67	73	55	18.50	17.00	19.70	....	....	....	85	90	101	....	....	....	28	29	33	25	23	30	17.0	15.7	17.7
Rhode Island	....	....	....	84	79	98	49	45	58	72	78	58	22.00	19.30	23.10	....	....	....	....	....	110	....	....	....	27	28	35	25	22	28	17.3	17.7	20.0
Connecticut	....	....	....	65	64	77	41	43	56	75	62	48	22.00	19.00	20.00	....	....	....	82	84	82	....	....	....	30	26	35	22	20	26	16.0	15.8	16.6
New York	89	88	109	66	61	74	43	41	53	47	52	28	14.60	13.40	16.16	78	76	77	79	78	81	....	....	....	24	24	29	18	17	21	14.2	14.5	16.0
New Jersey	96	90	111	62	58	77	39	38	58	80	64	60	20.60	18.30	19.60	....	....	....	73	72	80	....	....	....	29	27	33	21	19	26	16.5	15.8	18.7
Pennsylvania	90	87	104	63	58	74	42	41	53	57	53	39	17.70	15.50	17.10	63	66	74	76	74	82	....	....	....	23	25	27	17	16	21	13.2	13.2	14.3
Delaware	89	90	93	60	54	70	40	38	50	63	67	50	22.00	18.80	17.00	....	....	....	75	65	60	....	....	....	22	26	23	16	17	21	13.5	13.5	17.3
Maryland	91	89	104	66	60	73	43	42	55	58	53	46	20.90	17.50	16.00	65	60	60	73	75	73	....	....	....	24	25	24	15	16	20	14.6	14.5	17.2
Virginia	94	94	111	71	67	83	52	52	59	60	63	60	17.70	15.80	15.00	70	64	65	78	76	84	14.0	14.1	14.2	22	24	23	15	15	18	13.7	13.4	15.2
West Virginia	100	98	116	76	72	80	52	52	61	69	67	45	17.70	16.10	14.00	....	....	....	76	77	93	....	....	....	23	25	23	16	16	19	11.7	12.0	12.4
North Carolina	104	105	123	80	78	97	59	59	68	81	73	87	15.60	14.50	16.00	....	....	....	94	93	104	14.8	14.5	14.4	22	22	23	14	15	17	12.0	11.2	12.7
South Carolina	112	108	129	86	83	98	60	60	70	125	135	108	18.70	18.20	18.10	....	....	....	166	165	161	15.0	14.6	14.5	25	25	24	17	18	19	11.4	11.0	11.4
Georgia	123	122	132	83	79	96	59	58	72	100	104	116	18.20	17.40	18.00	....	....	....	147	130	150	14.9	14.6	14.6	23	24	24	17	17	19	13.5	12.9	13.4
Florida	....	....	....	87	81	88	63	71	77	80	125	....	17.00	17.50	18.00	....	....	....	....	....	....	18.0	18.0	21.3	30	30	30	20	20	22	12.0	12.6	14.2
Ohio	86	84	103	55	50	60	35	34	44	52	50	30	16.80	14.10	12.40	68	62	66	75	74	78	....	....	....	18	21	23	14	15	19	11.2	11.6	13.2
Indiana	85	82	100	48	44	56	33	31	41	54	52	35	14.00	12.50	11.70	62	63	60	71	68	73	....	....	....	18	19	22	13	14	18	10.2	10.5	12.6
Illinois	86	84	100	47	43	54	31	30	40	68	65	44	12.60	12.30	12.00	69	71	54	78	73	72	....	....	....	19	21	23	14	14	18	10.1	10.7	12.7
Michigan	84	82	103	55	52	65	34	32	46	34	37	15	16.30	14.40	12.90	75	68	67	78	79	71	....	....	....	19	20	24	15	15	20	10.7	11.1	11.9
Wisconsin	90	90	101	53	52	62	34	33	41	37	45	18	16.60	16.30	10.30	84	90	61	83	79	70	....	....	....	21	22	27	15	15	18	10.8	11.1	12.3
Minnesota	88	89	97	48	45	48	31	30	36	68	65	23	10.50	10.50	5.80	81	90	49	80	75	63	....	....	....	20	21	26	14	14	17	9.1	9.8	10.1
Iowa	82	82	93	44	41	50	29	27	37	66	70	41	8.10	8.70	8.40	73	78	49	71	68	68	....	....	....	19	20	24	13	14	17	9.0	9.1	10.6
Missouri	84	82	101	48	45	68	34	33	47	79	77	63	8.40	8.20	10.00	75	....	79	73	72	79	14.0	13.0	13.3	16	18	20	12	13	16	9.9	10.2	12.3
North Dakota	87	86	94	57	52	61	36	36	34	106	99	39	9.50	9.50	5.10	68	75	43	77	72	58	....	....	....	19	20	23	14	13	15	9.5	9.2	10.1
South Dakota	85	85	91	45	40	52	29	28	37	97	89	57	7.40	6.40	5.30	75	80	47	80	75	58	....	....	....	19	20	22	13	13	16	8.5	8.6	9.3
Nebraska	77	76	88	43	40	49	28	27	36	104	95	50	7.80	7.30	7.00	53	48	47	66	62	62	....	....	....	16	16	21	12	12	17	8.6	8.3	10.2
Kansas	81	79	96	48	44	60	34	32	49	106	103	76	7.60	7.40	7.10	49	49	58	69	67	73	....	....	....	17	18	21	12	13	16	8.9	9.0	10.5
Kentucky	90	88	108	63	58	75	47	45	56	74	64	57	14.80	13.20	13.10	....	....	65	87	81	85	....	....	....	17	19	20	12	13	16	10.8	10.7	12.0
Tennessee	97	95	114	59	58	84	47	46	62	73	76	77	14.40	13.90	15.00	82	78	81	92	91	93	14.2	13.8	13.9	17	19	19	13	13	16	10.4	10.5	12.7
Alabama	112	118	112	77	74	94	58	56	70	90	115	97	13.80	14.10	15.00	....	....	....	121	128	147	14.8	14.6	14.3	20	20	20	14	14	16	10.8	11.1	12.0
Mississippi	89	85	99	74	70	94	53	52	67	97	115	102	10.20	10.70	13.10	....	....	....	....	....	....	14.8	14.4	14.3	21	21	21	14	15	17	12.2	11.1	11.7
Louisiana	....	....	....	64	67	82	65	55	56	81	80	75	10.60	11.10	10.70	....	....	....	....	....	....	14.4	13.8	14.2	25	25	26	14	16	18	13.8	13.4	14.0
Texas	101	98	115	67	66	85	46	43	60	87	107	95	11.80	11.50	12.00	....	85	100	....	95	106	14.3	14.0	13.9	18	19	21	12	12	14	9.3	9.3	9.4
Oklahoma	87	84	101	58	52	64	42	38	52	109	105	90	8.90	8.80	8.60	68	53	56	79	74	68	13.6	13.4	12.8	18	20	21	11	12	15	9.0	8.6	10.2
Arkansas	87	88	111	66	65	87	47	48	63	91	96	86	10.70	10.90	12.60	....	....	60	100	99	85	14.3	14.0	13.8	19	20	21	13	14	16	10.0	10.0	10.4
Montana	82	74	97	95	68	106	42	39	52	116	101	42	11.60	12.20	11.60	80	75	70	80	75	81	....	....	....	30	31	33	21	22	26	14.8	14.8	14.8
Wyoming	93	91	105	65	....	85	51	50	58	108	97	65	8.00	9.00	10.00	75	75	78	....	80	85	....	....	....	26	26	29	19	19	25	13.5	14.9	17.2
Colorado	82	81	96	62	56	76	50	49	57	73	81	30	11.50	9.90	10.60	63	61	79	64	65	82	....	....	....	24	25	28	18	17	24	12.7	12.1	14.8
New Mexico	110	114	96	97	97	88	65	59	50	108	100	100	11.50	13.60	11.10	....	55	76	....	....	....	....	....	....	29	30	31	21	21	22	12.5	11.8	11.9
Arizona	91	92	135	110	114	126	58	67	64	135	137	135	12.00	13.20	12.00	62	62	91	....	....	....	....	....	....	34	35	36	30	26	30	17.0	16.6	17.6
Utah	73	70	100	81	90	90	48	50	60	95	72	36	9.00	9.00	9.50	59	67	70	73	....	82	....	....	....	26	27	29	16	16	20	12.5	11.9	12.8
Nevada	117	98	125	....	....	88	65	71	73	140	130	90	11.00	12.50	13.30	87	95	98	....	....	112	....	....	....	35	38	31	29	29	28	19.7	16.8	16.0
Idaho	72	70	90	102	97	80	44	41	51	120	78	40	8.30	7.50	11.20	55	54	69	58	62	76	....	....	....	26	27	28	20	19	23	12.6	12.8	12.5
Washington	77	74	90	82	78	82	47	43	50	130	108	40	15.80	14.80	17.30	63	54	63	115	98	93	....	....	....	28	28	30	21	20	24	15.0	15.0	15.2
Oregon	81	78	90	94	120	101	44	43	54	137	98	50	11.20	12.00	12.80	63	60	75	99	99	104	....	....	....	28	30	30	22	21	24	14.5	13.7	13.0
California	93	87	104	86	81	90	52	50	60	135	131	80	9.00	9.50	9.80	72	62	64	80	75	87	....	....	....	26	25	28	20	18	23	14.7	15.1	14.7
United States	86.3	84.6	97.6	55.1	51.8	65.2	34.7	33.2	43.0	63.3	62.5	37.4	13.16	12.29	11.80	73.8	74.0	55.7	77.9	75.8	74.8	14.6	14.2	14.2	20.3	21.4	24.1	14.5	14.7	18.3	11.0	11.0	12.4

Mr. President, I have heard our friends contending about the difference in price along the border, in Dakota and Minnesota, as compared with Canada. They have said that the difference there is about 10 or 12 cents a bushel, and they say that that is caused by the tariff. I have not been satisfied with that contention. I have rather felt, as we are a large exporting country in wheat, that the export price very largely controls, and that the price ought to be substantially the same between the points on the border both in Canada and in this country, other things being equal, and that variations, as I have shown, might occur independent of the tariff. But the contention has been so strenuously urged that the tariff is the cause of that difference that I have tried to find out whether there is any other reason for this difference in price; and I think I have found a very conclusive reason, and one given by an authority that, in my judgment, can not be questioned. On the 3d day of April, 1909, my friend the Senator from North Dakota [Mr. GRONNA] delivered a speech in the House of Representatives, and this is what he said:

The duty on wheat has in the past been of little benefit to the farmer. So long as we export the amount of wheat and wheat flour that we have exported every year these last 30 years, it is evident that any tariff that we may levy will not affect the price of wheat.

I want to say that the lowest export that we have had of wheat and flour was in 1905, before this speech was made, when our exports, according to the Statistical Abstract, were only a little over 44,000,000 bushels. Last year we exported about 87,000,000 bushels of wheat—nearly 100,000,000 bushels.

If we export 100,000,000 bushels of wheat every year the price of wheat in this country will not exceed the price in the world's market minus the cost of transportation to that market, no matter if we levy a tariff of 500 per cent. The tariff against Canada to keep her wheat from coming into competition with ours is at the present absolutely without effect, as we are compelled to compete with her products when we export our wheat.

Here is the reason, and a good one, too, for the difference in price between towns on the border in Canada and in this country.

It is true—

Says the Senator from North Dakota—

It is true that near the border on the Canadian side the price of wheat is often a good deal lower than on the American side.

Even in these years when our exports have been over 100,000,000 bushels, and when the price has been controlled by the export price, the Senator from North Dakota says that even under that condition the price has been a good deal lower on the American side:

This, however, is due to the inferior means of transportation at that particular point in Canada—

That is the reason given by the Senator from North Dakota. He continued—

and I regret to say that the elevators at those points have formed effective trusts or entered into gentlemen's agreements with each other whereby they rob the poor Canadian farmer of often as much as 10 cents a bushel. This does not benefit the American farmer, however. He does not receive what the Canadian farmer loses. It is all pocketed by these elevators.

Mr. President, this refutes all the present contention regarding the difference along the border, and I am willing to let it rest on this statement by the Senator when reciprocity was not pending.

Another basis of opposition to this legislation is that land is worth more in this country than it is in Canada. Land may be worth more in this country than in Canada, but instead of this being a reason for reducing the tariff, to my mind it is all the more reason why there is no need of the tariff. Relative values placed upon the lands in the respective countries should not weigh in the matter of fixing the tariff. The owner of valuable land is not entitled to protection because his land is worth more than that of his neighbor. On the contrary, it would seem that the man whose land is not valuable should be entitled to protection against the man whose land is valuable. I have orchard land which I consider worth $2,000 an acre. Is that a good reason why I should have a tariff on apples as against the Canadian whose lands are worth only $250 an acre? I think not. The increase in the value of lands has come largely through settlement and surrounding development and not through such a great investment. Tariff or no tariff, lands in Canada will increase in value as the country settles and develops. This land increase in both countries is not so much the result of labor and effort on the part of the owner or the investment of his capital, and should not be taken into account. Lands in some sections of Canada have increased quite rapidly during the last 10 years. So have they in this country, however, and they have increased much more rapidly in some sections of the country than in others, and yet would anyone argue that because lands in one State have increased much more rapidly than in another a tariff wall should be maintained between such States or that the lack of the tariff wall injures one and helps the other? I can not think so.

No more remarkable increases in land values have occurred in Canada during the last 10 years than have occurred in various sections of this country. These increases have occurred not only in the newer sections of the country, but also in the old and more settled sections of the country, and while the percentages in some States are greater than in others, the actual increases are amazing. For instance, Illinois increased in the value of her farms from $1,500,000,000 to over $3,000,000,000, or an increase of $1,500,000,000, in 10 years. Minnesota increased from $550,000,000 to over $1,000,000,000, although the area in farm lands increased only 5 per cent. North Dakota increased from $173,000,000 to $729,000,000 in value, or 320 per cent, although the increase in acreage was only 83 per cent. Montana increased from $45,000,000 to $225,000,000, or 394 per cent, while the increase in acreage was only 62 per cent. Idaho increased from $35,000,000 to $219,000,000, or 518 per cent, while the increase in acreage was only 64 per cent. Washington increased from $99,000,000 to $515,000,000, or 419 per cent, while her farm area increased only 37 per cent. While the new and western sections have gained more in percentages the older sections have increased tremendously, and these increases simply demonstrate what the result would be in various localities if this development and settlement continues through contiguous territory. The aggregate increase in value of farm lands the last 10 years has been over $15,000,000,000, or 118 per cent. With an increase such as is shown by this table we need no protection from Canada by means of a tariff because of the increase threatened in her land values. The development of her territory will bring increases not only to her lands but also to ours, just as increases in our western lands have brought an increase to eastern lands.

Number, acreage, and value of farms, by States: 1910 and 1900.

(Blanks indicate that 1910 compilation is not complete.)

States.	Number of farms.			Land in farms.					
				Total (acres).			Improved (acres).		
	1910	1900	Per cent of increase, 1900–1910.[1]	1910	1900	Per cent of increase, 1900–1910.[1]	1910	1900	Per cent of increase, 1900–1910.[1]
Alabama	202,720	223,220	18.0	20,713,000	20,685,000	0.1	9,687,000	8,655,000	12.0
Arizona	8,078	5,809	39.0	1,242,000	1,935,000	−36.0	349,000	255,000	37.0
Arkansas	214,275	178,694	20.0	17,377,000	16,637,000	4.0	8,062,000	6,954,000	16.0
California	87,670	72,542	21.0	27,883,000	28,829,000	− 3.0	11,380,000	11,959,000	− 5.0
Colorado	45,839	24,700	86.0	13,448,000	9,475,000	42.0	4,291,000	2,274,000	89.0
Connecticut	26,431	26,948	− 2.0	2,176,000	2,312,000	− 6.0	984,000	1,065,000	− 8.0
Delaware	10,800	9,687	11.0	1,037,000	1,066,000	− 3.0	712,000	754,000	− 6.0
District of Columbia	214	269	−20.0	6,000	8,000	−25.0	5,000	6,000	− 17.0
Florida	49,834	40,814	22.0	5,231,000	4,364,000	20.0	1,803,000	1,512,000	19.0
Georgia	290,499	224,691	29.0	26,866,000	26,392,000	2.0	12,264,000	10,616,000	16.0
Idaho	30,741	17,471	76.0	5,269,000	3,205,000	64.0	2,773,000	1,413,000	96.0
Illinois	250,853	264,151	− 5.0	32,471,000	32,795,000	− 1.0	28,005,000	27,699,000	1.0
Indiana	214,741	221,897	− 3.0	21,264,000	21,620,000	− 2.0	16,903,000	16,680,000	1.0
Iowa	216,807	228,622	− 5.0	33,905,000	34,574,000	− 2.0	29,467,000	29,898,000	− 1.0
Kansas	177,299	173,098	2.0	43,261,000	41,663,000	4.0	29,858,000	25,041,000	19.0
Kentucky	258,742	234,667	10.0	22,159,000	21,979,000	1.0	14,334,000	13,742,000	4.0
Louisiana	120,270	115,969	4.0	10,519,000	11,059,000	− 5.0	4,268,000	4,667,000	13.0
Maine	59,773	59,299	1.0	6,291,000	6,300,000	− 0.1	2,358,000	2,387,000	− 1.0
Maryland	48,709	46,012	6.0	5,051,000	5,170,000	− 2.0	3,353,000	3,516,000	− 5.0
Massachusetts	36,512	37,715	− 3.0	2,870,000	3,147,000	− 9.0	1,162,000	1,292,000	− 10.0
Michigan	206,376	203,261	2.0	18,913,000	17,562,000	8.0	12,819,000	11,799,000	9.0
Minnesota	155,759	154,659	1.0	27,623,000	26,248,000	5.0	19,609,000	18,443,000	6.0
Mississippi	273,820	220,803	24.0	18,419,000	18,241,000	1.0	8,959,000	7,594,000	18.0

[1] A minus sign (−) denotes decrease.

Number, acreage, and value of farms, by States: 1910 and 1900—Continued.

States.	Number of farms.			Land in farms.					
				Total (acres).			Improved (acres).		
	1910	1900	Per cent of increase, 1900-1910.[1]	1910	1900	Per cent of increase, 1900-1910.[1]	1910	1900	Per cent of increase, 1900-1910.[1]
Missouri	276,081	284,886	— 3.0	34,516,000	33,998,000	2.0	24,528,000	22,900,000	7.0
Montana	25,946	13,370	94.0	13,499,000	[4] 8,344,000	62.0	3,631,000	[4] 1,726,000	110.0
Nebraska	129,419	121,525	6.0	38,553,000	29,912,000	29.0	24,356,000	18,433,000	32.0
Nevada	2,660	2,184	22.0	2,585,000	2,566,000	1.0	745,000	573,000	30.0
New Hampshire	26,913	29,324	— 8.0	3,242,000	3,610,000	— 10.0	927,000	1,077,000	— 14.0
New Jersey	33,161	34,650	— 4.0	2,562,000	2,841,000	— 10.0	1,800,000	1,977,000	— 9.0
New Mexico	35,032	12,311	185.0	11,225,000	5,131,000	119.0	1,464,000	327,000	348.0
New York	214,650	226,720	— 5.0	21,998,000	22,648,000	— 3.0	14,825,000	15,600,000	— 5.0
North Carolina	253,425	224,637	13.0	22,400,000	22,749,000	— 2.0	8,800,000	8,327,000	6.0
North Dakota	74,165	45,332	64.0	28,392,000	15,543,000	83.0	20,439,000	9,645,000	112.0
Ohio	271,383	276,719	— 2.0	24,074,000	24,502,000	— 2.0	19,210,000	19,244,000	— 0.2
Oklahoma	189,438	[2] 108,000	75.0	28,717,000	[2] 22,988,000	25.0	17,496,000	[2] 8,574,000	104.0
Oregon	45,128	35,837	26.0	11,628,000	10,071,000	15.0	4,253,000	3,328,000	28.0
Pennsylvania	218,394	224,248	— 3.0	18,556,000	19,371,000	— 4.0	12,660,000	13,209,000	— 4.0
Porto Rico	58,371	[3] 39,021	50.0	2,085,000	[3] 1,758,000	19.0	1,570,000	[3] 478,000	229.0
Rhode Island	5,191	5,498	— 6.0	442,000	456,000	— 3.0	178,000	187,000	— 5.0
South Carolina	176,180	155,355	13.0	13,469,000	13,985,000	— 4.0	6,085,000	5,776,000	5.0
South Dakota	77,314	52,622	47.0	25,952,000	19,071,000	36.0	15,802,000	11,286,000	40.0
Tennessee	245,509	224,623	9.0	20,011,000	20,342,000	— 2.0	10,875,000	10,246,000	6.0
Texas	416,377	352,190	18.0	109,226,000	125,807,000	— 13.0	27,120,000	19,576,000	39.0
Utah	21,426	19,387	11.0	3,354,000	4,117,000	— 19.0	1,357,000	1,032,000	31.0
Vermont	32,598	33,104	— 2.0	4,653,000	4,724,000	— 2.0	1,633,000	2,127,000	— 23.0
Virginia	183,762	167,886	10.0	19,476,000	19,908,000	— 2.0	9,861,000	10,095,000	— 2.0
Washington	55,744	33,202	68.0	11,663,000	8,499,000	37.0	6,354,000	3,466,000	83.0
West Virginia	95,876	92,874	3.0	9,961,000	10,655,000	— 7.0	5,482,000	5,499,000	— 0.3
Wisconsin	176,546	169,795	4.0	21,012,000	19,863,000	6.0	11,882,000	11,247,000	6.0
Wyoming	10,980	6,095	80.0	8,543,000	8,125,000	5.0	1,256,000	792,000	59.0
The United States	6,398,491	5,776,393	11.0	875,788,000	836,850,000	5.0	478,994,000	414,968,000	15.0

States.	Value of farms.								
	Land.			Buildings.			Implements and machinery.		
	1910	1900	Per cent of increase, 1900-1910.[1]	1910	1900	Per cent of increase, 1900-1910.[1]	1910	1900	Per cent of increase, 1900-1910.[1]
Alabama	$216,510,000	$100,165,000	116.0	$71,163,000	$34,453,000	107.0	$16,279,000	$8,676,000	88.0
Arizona	42,116,000	11,416,000	269.0	4,918,000	2,267,000	117.0	1,779,000	765,000	133.0
Arkansas	245,137,000	105,107,000	133.0	62,992,000	30,075,000	109.0	16,806,000	8,750,000	92.0
California	1,315,718,000	630,445,000	109.0	132,842,000	77,468,000	71.0	36,393,000	21,312,000	71.0
Colorado	361,680,000	90,342,000	300.0	45,335,000	16,002,000	183.0	12,761,000	4,747,000	169.0
Connecticut	71,527,000	52,441,000	36.0	65,094,000	44,984,000	45.0	6,865,000	4,948,000	39.0
Delaware	34,810,000	23,769,000	46.0	18,117,000	10,667,000	70.0	3,202,000	2,151,000	49.0
District of Columbia	5,466,000	9,700,000	— 44.0	835,000	1,574,000	— 47.0	62,000	136,000	— 54.0
Florida	93,288,000	30,823,000	203.0	24,335,000	9,977,000	144.0	4,429,000	1,963,000	126.0
Georgia	369,120,000	138,515,000	167.0	108,483,000	44,855,000	142.0	20,883,000	9,804,000	113.0
Idaho	219,346,000	35,486,000	518.0	25,074,000	6,832,000	267.0	10,459,000	3,295,000	217.0
Illinois	3,081,564,000	1,514,114,000	104.0	429,630,000	251,468,000	71.0	73,533,000	44,977,000	64.0
Indiana	1,325,475,000	687,633,000	93.0	264,750,000	154,102,000	72.0	40,880,000	27,330,000	50.0
Iowa	2,799,025,000	1,256,752,000	123.0	454,694,000	240,803,000	89.0	95,273,000	57,961,000	64.0
Kansas	1,534,552,000	532,188,000	188.0	199,101,000	111,465,000	79.0	48,244,000	29,491,000	64.0
Kentucky	453,127,000	291,117,000	66.0	150,655,000	90,887,000	66.0	20,793,000	15,302,000	36.0
Louisiana	189,071,000	107,730,000	76.0	49,611,000	33,400,000	49.0	18,951,000	28,537,000	— 34.0
Maine	85,923,000	49,359,000	74.0	72,753,000	47,143,000	54.0	14,476,000	8,803,000	64.0
Maryland	163,023,000	120,367,000	35.0	77,751,000	54,811,000	42.0	11,845,000	8,611,000	38.0
Massachusetts	104,273,000	86,925,000	20.0	87,025,000	71,094,000	22.0	11,512,000	8,829,000	30.0
Michigan	612,143,000	423,570,000	45.0	284,914,000	158,948,000	79.0	49,771,000	28,795,000	73.0
Minnesota	1,016,889,000	559,302,000	82.0	242,621,000	110,220,000	120.0	52,243,000	30,099,000	74.0
Mississippi	250,715,000	114,857,000	118.0	79,580,000	37,150,000	114.0	16,726,000	9,557,000	75.0
Missouri	1,441,529,000	695,471,000	107.0	268,976,000	148,508,000	81.0	50,769,000	28,603,000	78.0
Montana	225,819,000	[4] 45,686,000	394.0	24,666,000	[4] 9,340,000	164.0	10,522,000	3,672,000	187.0
Nebraska	1,613,077,000	486,606,000	231.0	198,480,000	91,054,000	118.0	44,215,000	24,940,000	77.0
Nevada	34,876,000	13,276,000	163.0	4,277,000	2,340,000	83.0	1,558,000	889,000	75.0
New Hampshire	44,827,000	35,499,000	26.0	41,215,000	34,625,000	19.0	5,870,000	5,163,000	14.0
New Jersey	122,357,000	93,361,000	31.0	90,784,000	69,230,000	31.0	12,955,000	9,330,000	39.0
New Mexico	98,496,000	17,324,000	469.0	12,934,000	3,565,000	263.0	4,101,000	1,152,000	256.0
New York	703,214,000	551,174,000	28.0	473,008,000	336,960,000	40.0	83,330,000	56,006,000	49.0
North Carolina	342,545,000	141,956,000	141.0	113,170,000	52,700,000	115.0	18,415,000	9,073,000	103.0
North Dakota	729,896,000	173,352,000	321.0	92,139,000	25,428,000	262.0	43,887,000	14,056,000	212.0
Ohio	1,283,827,000	817,164,000	57.0	366,919,000	219,451,000	67.0	51,115,000	36,354,000	41.0
Oklahoma	647,178,000	[2] 149,398,000	333.0	89,295,000	[2] 21,407,000	317.0	27,003,000	[2] 10,512,000	157.0
Oregon	409,949,000	113,138,000	262.0	43,622,000	19,200,000	127.0	13,135,000	6,507,000	102.0
Pennsylvania	627,185,000	575,393,000	9.0	408,115,000	322,880,000	26.0	70,547,000	50,917,000	39.0
Porto Rico	73,968,000	.....	.....	8,752,000	.....	.....	8,711,000	.....	.....
Rhode Island	14,837,000	13,422,000	11.0	12,619,000	9,703,000	30.0	1,753,000	1,270,000	38.0
South Carolina	267,931,000	99,806,000	169.0	63,902,000	26,956,000	137.0	14,067,000	6,630,000	112.0
South Dakota	901,134,000	189,207,000	376.0	102,317,000	30,926,000	231.0	33,762,000	12,219,000	176.0
Tennessee	370,783,000	202,014,000	84.0	108,823,000	63,137,000	72.0	21,260,000	15,233,000	40.0
Texas	1,613,513,000	591,551,000	173.0	209,200,000	100,223,000	109.0	56,533,000	30,126,000	88.0
Utah	98,891,000	40,126,000	146.0	17,987,000	10,652,000	69.0	4,451,000	2,923,000	52.0
Vermont	58,255,000	45,814,000	27.0	54,072,000	37,258,000	45.0	10,162,000	7,538,000	35.0
Virginia	393,837,000	200,615,000	96.0	137,081,000	70,963,000	93.0	18,079,000	9,911,000	82.0
Washington	515,918,000	99,311,000	419.0	54,224,000	16,299,000	233.0	16,653,000	6,272,000	166.0
West Virginia	205,610,000	134,269,000	53.0	56,848,000	34,027,000	67.0	6,962,000	5,040,000	38.0
Wisconsin	909,462,000	530,543,000	71.0	288,096,000	155,605,000	85.0	52,783,000	29,237,000	81.0
Wyoming	88,877,000	23,434,000	279.0	8,983,000	3,532,000	154.0	3,765,000	1,366,000	176.0
The United States	28,457,789,000	13,051,033,000	118.0	6,302,777,000	3,556,614,000	77.0	1,270,528,000	749,778,000	69.0

[1] A minus sign (—) denotes decrease.
[2] Includes figures for Oklahoma and Indian Territory.
[3] Special census of 1899, taken under direction of the War Department.
[4] Exclusive of data for Indian reservations as follows: Land in farms, 3,500,000 acres; improved land in farms, 11,000; value of land, $6,975,000; value of buildings, $25,000.

The admission of horses, cattle, hogs, and so forth, free of duty to the two countries, respectively, in my judgment, will be of tremendous value to our farmers. Horses under this bill go into Canada free of duty. Have our farmers any cause to fear an arrangement of this kind? In 1910 we had over 21,000,000 head of horses, while Canada had only a little over 2,000,000. There are 10 times as many horses in this country as in Canada. They will not send their horses here because horses are higher in price in Canada than they are in this country.

The Tariff Board, in its report transmitted to the Senate by the President March 1, 1911, at page 113, says:

As to horses, Canada has no surplus of importance outside of Ontario. The agricultural development of the northwestern Provinces has put prices of work stock and heavy draft teams at a premium in the territory tributary to Winnipeg. During the spring of 1910 it is stated on good authority that not less than 20,000 horses were sold out of Ontario alone for shipment to the market just mentioned, and prospective loss of this trade is giving Ontario some concern at this time. The five Provinces of Quebec, Ontario, Manitoba, Saskatchewan, and Alberta combined have but 1,863,744 head as compared with 1,600,000 head now in the State of Iowa alone.

The average value of horses in this country in 1910 was $108.19, and in 1909 the average value was $95.64, while in Canada the average value of horses in 1909 was $130.70. We therefore need have no fear of competition from Canada in horses. On the contrary, we may expect to be able to increase our sales in that country. As a matter of fact, if Canada develops as rapidly as is expected by those who oppose this measure, it can not help but result in increasing wonderfully the demand for horses, which demand will have to be supplied from this country, and in that way be a positive benefit to our farmers. With the use of the automobile growing, as it seems to be doing in this country, we must look forward to a less demand for horses here, and any measure that will maintain that demand or increase it can not help but benefit our agricultural population. The States that ought to receive the greatest benefit from this source are Minnesota and the Dakotas, and if they will prepare to take advantage of the market for horses that is likely to be developed they will reap a rich reward.

What about cattle? In 1910 we had over 69,000,000 head of cattle, and in 1909 Canada had a little over 7,000,000, or almost the same ratio as horses, to wit, 1 to 10. In 1910 the average value of milch cows in this country was $32.36, and all other cattle $17.49, while in Canada in 1909 the average value of milch cows was $36.36, or $4 higher per head than in this country, while the average value of all other cattle was $28.81, or $11.32 a head greater in Canada than in this country, and if the expected development takes place in Canada, what a tremendous market will be opened to our farmers if they are prepared to take advantage of it.

The Tariff Board says, at page 112:

The western Provinces are not in the cattle business or in sheep breeding to the extent frequently intimated.

And therefore if the development takes place in these western Provinces that some of our friends fear, North Dakota, Minnesota, and Montana would find a market for their cattle that would far more than counterbalance any loss that might be occasioned in the price of their wheat.

What is the situation in regard to sheep? In 1910 we had over 57,000,000 head of sheep in this country, while Canada, in 1909, had 2,700,000, a less number than it had in either 1907 or 1908, and only about one twenty-fifth of the number that we have. In 1910 the average value per head of sheep in this country was $4.08 and in 1909 it was $3.43, while in Canada in 1909 the average value per head of sheep was $5.89. Not very much reason, either in price or in numbers, to fear the overturning of our industry from that source.

The Tariff Board, at page 118, says, after giving the figures for sheep in the various Provinces of Canada:

As indicated by these figures, the industry centers in the Province of Ontario, and yet the entire Province has fewer sheep than the State of Ohio. * * *

While the sheep industry in Canada at the present time is a minor one, the feeding of lambs for market has been an important business in Ontario, as many as 125,000 head having been exported as late as 1907 to the United States and 33,000 the same year to Great Britain. The surplus has now dwindled, however, to such an extent that practically none was received at the Buffalo stockyards during 1910. In fact it is reported that a few American-fed lambs have been shipped from Buffalo to Toronto, indicating that Ontario at the present time is scarcely supplying her own wants in this regard. This is, however, an abnormal condition.

While the soil and climate of Ontario are favorable to this industry, experience has shown that when large flocks have been maintained losses from the ravages of disease sooner or later render the industry upon that basis unprofitable.

* * * * * * *

In the Saskatchewan country sheep raising as a branch of farming has not made any great progress. The cost of fencing and ravages of wild animals are given as contributing causes. In Manitoba the feeding of range sheep about such grain centers as Moose Jaw, Brandon, and Port Arthur, where screenings must accumulate in quantities, should, in the opinion of the Dominion department of agriculture, become an important business. The Winnipeg market is supplied mainly from these western ranges, although some frozen mutton is brought in from maritime Provinces. In British Columbia a few sheep of the English type are maintained in the interior as well as on Vancouver Island, but mutton is imported, nevertheless, from the State of Washington as well as from Australia. The coast climate is mild on the lower mainland and in the islands of the Gulf of Georgia, and rearing lambs for market would, therefore, be a feasible proposition.

The sheep business of the entire Canadian Northwest is insignificant at present as compared with our own, the total for Manitoba, Saskatchewan, Alberta, and British Columbia combined being but 380,000 head, contrasting sharply with Wyoming's reputed 7,316,000.

What effect may we expect on our hog-raising industry? In 1910 we had 47,700,000 head of swine, while Canada had only 2,900,000 head in 1909, but this number is less than it had in either 1907 or 1908. The average value of swine in this country per head was $9.14, while in 1909 the average value was $6.55; and in Canada the average value per head in 1909 was $11.80.

The following table is taken from the report of the Tariff Board and shows the number and average value per head of live stock on farms, by classes, in specified States and in Canada; and a study of this data, it seems to me, will convince anyone that agricultural interests along these lines have nothing to fear from Canada, but, on the contrary, they can hope for great benefit from free access into any section of Canada that may develop rapidly:

Number and average value per head of live stock on farms in specified States and in Canada.

	Horses.	Dairy cows.	Other cattle.	Sheep.	Swine.
Number of live stock on farms (in 1909):					
United States	21,040,000	21,801,000	47,279,000	57,216,000	47,782,000
Canada	2,132,489	2,849,306	4,384,779	2,705,390	2,912,509
Average value per head (in 1910):					
United States—					
Maine	$125.00	$33.00	$16.90	$3.70	$11.50
New Hampshire	106.00	36.20	20.30	3.70	11.50
Vermont	106.00	34.20	14.40	4.00	10.00
New York	125.00	39.50	18.20	5.00	11.50
Indiana	122.00	41.00	24.50	5.20	10.00
Illinois	124.00	42.80	26.40	5.30	10.90
Michigan	126.00	39.50	18.50	4.70	10.50
Wisconsin	121.00	36.60	16.40	4.50	11.80
Minnesota	111.00	33.00	14.30	4.00	11.50
Iowa	120.00	36.00	22.20	5.30	11.30
North Dakota	114.00	33.90	20.50	4.00	11.00
South Dakota	105.00	33.00	21.50	4.00	11.10
Texas	73.00	29.50	15.30	2.90	6.60
Montana	80.00	46.50	27.40	4.20	10.10
Idaho	102.00	41.40	21.40	4.70	8.70
Washington	108.00	41.80	19.90	3.90	9.40
Oregon	103.00	39.60	18.50	3.70	8.20
Average	108.19	35.79	19.41	4.08	9.14
Canada—					
Prince Edward Island	107.00	32.00	23.00	6.00	10.00
Nova Scotia	113.00	37.00	29.00	4.00	11.00
New Brunswick	131.00	34.00	28.00	5.00	12.00
Quebec	139.00	31.00	31.00	6.00	13.00
Ontario	133.00	48.00	34.00	7.00	10.00
Manitoba	107.00	40.00	23.00	7.00	13.00
Saskatchewan	156.00	41.00	31.00	7.00	13.00
Alberta	126.00	39.00	30.00	6.00	12.00
British Colombia					
Average	133.00	43.00	31.00	6.00	11.00

The total value of farm animals in 1910 was over $5,000,000,000, while in Canada in 1909 the total value of farm animals was only a little over $558,000,000, or about one-tenth of what it is in this country. If the entire product of farm animals in Canada were brought into this country, it would have but little effect upon our markets, and after deducting what they need for their own use there is very little left to come here. As I already have suggested, there is every reason to believe that, with farm animals going into Canada free, there will be a greatly increased demand from this country, which will lead not only to an increase in production but to an increase in price and go a long way toward balancing any possible loss that may come from tariff reductions on grain; and it will further tend to a diversity in this country that will be a positive benefit to the farmer.

Some even have contended that wages are higher in this country than in Canada, and an attempt has been made to show that the labor cost of production is lower there than here. Anyone taking into account the general conditions in Canada as compared to the United States must reach the conclusion that there can not be much difference in the cost of labor between the two countries, and whatever difference may exist will be more favorable to higher wages in many parts of Canada than in this country. It is largely a pioneer country. Devel-

opment is just taking place. Laborers are not plentiful, and, as has been the case in all sections of the country where rapid development is going on, labor and almost everything else is naturally higher than in older-settled, stable sections. It seems to me idle to claim that wages generally are lower in Canada than in the United States in any line of industry, and I think we are absolutely safe in assuming that wages as a general rule are substantially the same.

As with reference to various natural products, figures can be secured showing that at one point or in one Province wages are lower than at some point or in some State of the United States, but figures can be presented showing the great variations of wages in this country, and these variations are just as marked between different Provinces in Canada and greater than appears between this country and similar places in Canada.

In the Crop Reporter for March, 1911, the average farm wages in the different States, without board, are given. In New England and the Middle States the range is from $29 a month in Pennsylvania to $36 per month in Connecticut. In the South Atlantic States the range is from $16.50 in South Carolina to $25 in Florida. In spite of this, however, no one seems to feel that this disparity is a menace to the prosperity of either section. In Ohio, Indiana, Illinois, Michigan, and Wisconsin prices range from $28.40 in Indiana to $37.25 in Wisconsin. These States are very similarly situated, with almost identical conditions, with this suggestive circumstance, that in the more northern State of Wisconsin the wages are $9 higher than in Indiana. In the North Central States west of the Mississippi River the range is from $29.50 in Nevada to $42 in North Dakota, while in the Western and Pacific Coast States the range is from $44.50 in Oregon to $50 in the neighboring and northern State of Washington. These figures show a variation in the northern States from $28.40 in Indiana to $50 in Washington. The variation in the different Provinces of Canada is substantially the same, and the wages in the various Provinces are very similar to those in the corresponding States. The following is a statement by the Tariff Board concerning wages:

> In general, it may be said that the wages of experienced season hands (hands employed for a period of seven, seven and a half, or eight months, beginning about April 1) are on the same general level in Manitoba and Minnesota, and also on the same general level in Saskatchewan and North Dakota, and they are higher in the last-named localities than in the two first named. Where North Dakota and Manitoba join each other the wages for season hands are about $5 higher in North Dakota than in Manitoba. The wages of harvest hands are practically the same throughout the two Provinces and the three States included in this investigation, with the exception of certain large farms in the States, where the rate is about 50 cents per day below the prevailing rate on the smaller farms.

The following table of the averages of male farm labor during the past year is from the Crop Reporter for March, 1911, and is based upon the reports of agents and correspondents of the Bureau of Statistics:

Averages of male farm labor during past year.

States, Territories, and divisions.	Wages of farm labor, when employed by[1]—											
	Month.				Day, at harvest.				Day, other than harvest.			
	Without board.		With board.		Without board.		With board.		Without board.		With board.	
	1910	1890	1910	1890	1910	1890	1910	1890	1910	1890	1910	1890
Maine	34.50	25.00	23.50	17.50	1.95	1.70	1.50	1.35	1.60	1.30	1.23	0.98
New Hampshire	35.50	25.15	23.50	17.60	1.84	1.72	1.35	1.38	1.65	1.35	1.18	1.00
Vermont	35.50	24.80	25.00	17.35	2.25	1.68	1.75	1.37	1.60	1.19	1.21	.92
Massachusetts	37.20	30.00	22.75	18.50	1.92	1.80	1.42	1.38	1.66	1.45	1.22	1.00
Rhode Island	34.00	29.20	21.00	18.00	2.05	1.75	1.35	1.35	1.56	1.45	1.12	1.02
Connecticut	36.00	27.00	21.00	17.33	2.00	1.70	1.55	1.38	1.55	1.37	1.07	1.00
New York	35.00	24.45	23.50	16.65	2.22	1.80	1.80	1.38	1.66	1.23	1.28	.90
New Jersey	31.50	25.10	19.50	16.00	2.15	1.85	1.70	1.46	1.46	1.25	1.11	.92
Pennsylvania	29.00	22.80	18.75	14.60	1.96	1.55	1.50	1.18	1.49	1.09	1.04	.81
North Atlantic	33.19	24.72	21.65	16.30	2.08	1.71	1.63	1.33	1.58	1.22	1.17	.90
Delaware	24.75	17.35	16.00	11.15	1.55	1.20	1.35	.95	1.22	.85	.98	.63
Maryland	21.50	17.67	13.50	11.25	1.64	1.32	1.26	1.00	1.18	.87	.88	.61
Virginia	19.50	14.21	14.00	9.47	1.44	1.26	1.15	1.00	1.01	.75	.78	.52
West Virginia	29.00	19.55	19.40	12.95	1.65	1.30	1.28	1.00	1.27	.90	.94	.68
North Carolina	19.50	12.83	13.60	8.80	1.28	1.00	1.03	.80	.97	.62	.73	.46
South Carolina	16.50	12.10	12.00	8.62	1.12	.93	.96	.78	.90	.63	.70	.45
Georgia	18.00	13.13	13.00	8.37	1.23	1.02	.98	.81	.95	.73	.73	.50
Florida	25.00	19.35	15.00	12.59	1.46	1.04	1.10	.80	1.32	.92	.96	.68
South Atlantic	19.75	14.15	13.77	9.42	1.33	1.08	1.07	.86	1.01	.72	.77	.52
Ohio	29.00	22.10	21.00	15.10	2.07	1.50	1.67	1.20	1.57	1.05	1.20	.83
Indiana	28.40	22.25	20.50	14.78	2.07	1.55	1.70	1.25	1.45	1.05	1.14	.78
Illinois	32.90	23.25	24.50	16.35	2.30	1.58	1.90	1.27	1.63	1.13	1.31	.86
Michigan	33.00	24.80	23.00	16.75	2.10	1.79	1.64	1.39	1.66	1.19	1.22	.88
Wisconsin	37.25	24.35	26.00	16.75	2.20	1.64	1.76	1.30	1.78	1.26	1.35	.87
North Central east of Mississippi River	31.81	23.20	22.94	15.89	2.16	1.60	1.75	1.27	1.61	1.13	1.24	4.8

[1] Amounts are given in dollars and cents.

Averages of male farm labor during past year—Continued.

States, Territories, and divisions.	Wages of farm labor, when employed by[1]—											
	Month.				Day, at harvest.				Day, other than harvest.			
	Without board.		With board.		Without board.		With board.		Without board		With board.	
	1910	1890	1910	1890	1910	1890	1910	1890	1910	1890	1910	1890
Minnesota	38.00	24.60	26.00	16.60	2.65	1.95	2.23	1.51	1.90	1.28	1.48	.98
Iowa	39.00	25.41	28.00	17.00	2.51	1.71	2.12	1.50	1.98	1.23	1.57	.95
Missouri	29.50	20.25	21.50	14.00	1.93	1.35	1.55	1.10	1.32	.91	1.02	.75
North Dakota[2]	42.00	24.75	29.00	17.10	3.03	2.00	2.40	1.52	2.20	1.40	1.60	1.04
South Dakota	39.00	.....	27.00	.....	2.95	....	2.35	....	2.00	....	1.54	....
Nebraska	38.00	25.50	26.50	16.60	2.60	1.65	2.14	1.27	1.96	1.28	1.57	.94
Kansas	34.00	22.75	24.00	15.05	2.57	1.44	2.18	1.13	1.84	1.10	1.42	.78
North Central west of Mississippi River	35.45	23.40	25.10	15.78	2.43	1.62	2.01	1.31	1.77	1.15	1.38	1.88
Kentucky	23.10	16.85	16.00	11.70	1.71	1.47	1.36	1.15	1.12	.88	.85	.67
Tennessee	20.00	14.23	14.00	10.12	1.44	1.15	1.14	.91	1.02	.71	.77	.53
Alabama	18.50	14.00	13.00	9.85	1.26	1.02	.98	.75	1.05	.74	.85	.55
Mississippi	19.50	15.38	13.30	10.50	1.22	1.00	.93	.75	1.10	.79	.83	.60
Louisiana	20.25	15.98	13.50	11.79	1.25	1.03	.90	.81	1.02	.88	.77	.67
Texas	24.50	19.85	18.00	13.30	1.57	1.20	1.22	.93	1.32	.97	1.04	.73
Oklahoma	28.10	.....	19.10	.....	1.97	....	1.60	....	1.47	....	1.11	....
Arkansas	24.00	18.40	16.25	12.55	1.55	1.25	1.20	.93	1.20	.93	.90	.65
South Central	21.90	16.51	15.28	11.45	1.47	1.16	1.14	.89	1.15	.85	.89	.63
Montana	50.00	36.50	38.00	23.80	2.80	2.00	2.05	1.50	2.36	1.65	1.77	1.45
Wyoming	49.00	34.00	35.00	23.00	2.50	1.75	1.90	1.30	2.29	1.45	1.73	1.12
Colorado	44.50	33.75	29.50	21.00	2.47	1.65	1.95	1.21	2.00	1.43	1.47	1.05
New Mexico	34.25	27.50	24.50	17.83	1.88	1.25	1.46	1.95	1.58	1.35	1.12	1.00
Arizona	40.00	33.00	30.00	21.50	2.24	1.75	1.72	1.25	2.04	1.58	1.34	1.20
Utah	47.50	32.30	35.00	21.00	2.20	1.70	1.78	1.27	2.00	1.38	1.55	1.05
Nevada	54.00	35.00	37.00	23.00	2.38	2.00	1.82	1.70	1.96	1.63	1.39	1.18
Idaho	49.50	36.25	35.00	23.50	2.80	2.00	2.20	1.50	2.27	1.63	1.70	1.45
Washington	50.00	37.00	33.00	24.40	2.78	2.10	2.42	1.67	2.26	1.60	1.72	1.27
Oregon	44.50	31.60	32.00	22.00	2.60	1.90	2.12	1.45	2.07	1.38	1.51	1.03
California	47.00	35.50	33.00	22.40	2.48	2.10	1.98	1.75	2.02	1.55	1.44	1.15
Far Western	46.48	34.50	32.69	22.30	2.52	1.96	2.02	1.62	2.06	1.52	1.51	1.17
United States	27.50	18.33	19.21	12.45	1.82	1.30	1.45	1.02	1.38	.92	1.06	.68
United States, 1902	22.14	.....	16.40	.....	1.53	....	1.34	....	1.13	....	.89	....
1899	20.23	.....	14.67	.....	1.37	....	1.12	....	1.01	....	.77	....
1898	19.38	.....	13.43	.....	1.30	....	1.05	....	.96	....	.72	....
1895	17.69	.....	12.02	.....	1.14	....	.92	....	.81	....	.62	....
1894	17.74	.....	12.16	.....	1.13	....	.93	....	.81	....	.63	....
1893	19.10	.....	13.29	.....	1.24	....	1.03	....	.89	....	.69	....
1892	18.60	.....	12.54	.....	1.30	....	1.02	....	.92	....	.67	....
1888	18.24	.....	12.36	.....	1.31	....	1.02	....	.92	....	.67	....
1885	17.97	.....	12.34	.....	1.40	....	1.10	....	.91	....	.67	....
1882	18.94	.....	12.41	.....	1.48	....	1.15	....	.93	....	.67	....
1879[3]	16.42	.....	10.43	.....	1.30	....	1.00	....	.81	....	.59	....
1875[3]	19.87	.....	12.72	.....	1.70	....	1.35	....	1.08	....	.78	....
1869[3]	25.92	.....	16.55	.....	2.20	....	1.74	....	1.41	....	1.02	....
1866[3]	26.87	.....	17.45	.....	2.20	....	1.74	....	1.49	....	1.08	....

[1] Amounts are given in dollars and cents.
[2] For 1890, North Dakota and South Dakota combined.
[3] In currency.

The same conditions that make labor higher in our new and Western States than in the Eastern States will make wages higher in Canada than in the United States, and these general conditions are a far better guide and a safer criterion by which to judge what those wages are than a few specific instances here and there.

This legislation also is opposed on the ground that the manufacturer of flour will have a greater protection under it than under the present law. Some seem to think this is very easy of demonstration, and prove it by what seem to be simple and uncontrovertible mathematics. It does look like there should not be much difficulty in showing whether this is true or not, and it does not appear difficult to me, and yet I reach an entirely different conclusion in my mathematics. Assuming for the moment the contention of our Democratic friends that the manufacturer adds substantially the amount of the tariff to his manufactured product—an assumption which I do not concede except for the sake of the argument—what is the situation from this standpoint with reference to a barrel of flour? The tariff on wheat is 25 cents a bushel. It takes about 4½ bushels of wheat to make a barrel of flour. Practically all of our flour is made from wheat of our own production, but under Democratic contention the tariff on a barrel of flour, by reason of the tariff on wheat, is $1.12½. The miller, of course, does not pay the tariff when he buys domestic wheat; but if their argument is correct, he can add the $1.12½ as a part of the cost of his barrel of flour. This is Democratic argument, and I am sorry to say that some of our Republican friends seem to be driven to this contention to jus-

tify their opposition to this legislation. Then there is a tariff of 25 per cent ad valorem on flour, and this is equivalent to $1.25 a barrel, assuming the price of a barrel of flour to be $5. Therefore, according to the argument of those who contend that the tariff is added upon the domestic product, there is no reason why the miller can not add this $1.25 to the price of a barrel of flour, so that this argument leads to the conclusion that the tariff on a barrel of flour, under the present law, which the miller can take from his customers, amounts to $2.37½.

Now, what does this arrangement do? It takes the tariff off of wheat entirely, so that the miller can have no excuse for increasing the price of a barrel of flour because of the tariff on wheat. It reduces the ad valorem to a straight 50 cents on a barrel of manufactured flour, so that the situation is simply this: Instead of there being a tariff of $2.37½ on the wheat and flour in a barrel of flour there will be, under this arrangement, a tariff of 50 cents only on a barrel of flour. If that is not a benefit to the consumer of flour in this country, I can not understand how any benefit can come under any circumstances by the reduction of the tariff. If this is not to be considered a substantial reduction from the present law, I do not know what a substantial reduction would be. The trouble with the mathematics of the opposition is that it assumes that the miller pays to the domestic farmer the tariff of 25 cents a bushel on wheat, and, without adding this to the cost of flour in the barrel, simply deducts it from the $1.25 tariff placed on a barrel of imported flour, and concludes that the real protection now is simply the difference between $1.12½ on wheat and the $1.25 on the manufactured flour. If the miller pays to the farmer the tariff of 25 cents a bushel on wheat, he adds that as a part of the cost of his flour, and has the $1.25 protection above that; so that on this basis there is a reduction from $1.25 on a barrel of flour to 50 cents, or a substantial reduction of 75 cents.

It is strongly contended, however, that wheat has fallen since this reciprocity agitation started, and this is given as an argument to prove that if the legislation passes it will injuriously affect the price of wheat. It is true that wheat is lower now than it was last year, and yet it has advanced throughout the country nearly 2 cents a bushel June 1 than it was May 1 of this year, and it is just as reasonable to contend that reciprocity agitation raised the price of wheat 2 cents a bushel from May 1 to June 1 as to contend that the reciprocity agitation has lowered the price of wheat this year below what it was last year. Corn, which all must concede will not be directly affected by this reciprocity agreement, averaged 10 cents less than last year, but on June 1 it was nearly 5 cents more a bushel than on May 1. Potatoes, which will surely be affected by this legislation as much as wheat, were 26 cents a bushel higher June 1 of this year than June 1 of last year. Hay, which it is claimed will be very injuriously affected by this legislation, was $1.35 more per ton than last year. Barley, another crop which, it is feared, will be very injuriously affected, was 16 cents a bushel more than last year, and since this reciprocity agitation it has reached the record mark. If reciprocity has been affecting the prices of these various products, it has been acting both ways at the same time.

The opposition to this measure seems to be based upon the theory that to take the tariff off will reduce the price. On this assumption they overlook the benefits that will accrue to the farmers of the country by reason of the reduction in the tariff on articles which the farmers very largely buy. The farmer is impressed with the belief that, while his products are reduced by the tariff, nothing that he buys carries any reduction. What are the facts? The farmer buys dried fruit, upon which there is now a tariff of 2 cents a pound. This is removed entirely, so that the farmer, as well as the laboring man, should receive considerable benefit from this reduction. It may be said that we are getting no dried fruit from Canada, and yet our imports last year were over 1,200,000 pounds. The consumption of dried fruit in this country is very great; and on the theory that the tariff is added not only to the imported article, but to the domestic product, this reduction would mean a great saving to the farmer and to the consumer of dried fruit. Farmers generally are consumers and not producers of cheese. The tariff on cheese is 6 cents a pound. This is removed entirely. The farmer is a great consumer of salt. The tariff on salt in bags is 11 cents a hundred pounds and in bulk 7 cents a hundred. Salt is made free. Cream separators, upon which there is a tariff of 25 per cent ad valorem, are free. Barbed fencing wire, iron or steel, bears a tariff of three-fourths of a cent a pound. This is made free. Fresh meats, beef, and so forth, now paying 1¼ cents a pound, are reduced to 1¼ cents. The farmer buys a great deal of bacon and ham, and this is especially true of the wheat farmer. The tariff is now 4 cents a pound on bacon and ham. By this bill it is reduced to 1¼ cents a pound, or a reduction of 2¾ cents a pound. If any benefits accrue to anyone by a reduction of the tariff, this reduction ought to bring a material benefit to the farmer, as well as to every consumer of bacon and ham. Dried meats are reduced from 25 per cent ad valorem to 1¼ cents per pound. Lard compounds are reduced from 25 per cent ad valorem to 1¼ cents per pound. Farmers consume a great deal of canned tomatoes, corn, and other canned vegetables. The tariff is now 40 per cent ad valorem, which amounts to about 4 cents a pound. By this legislation the tariff is reduced to 1¼ cents a pound. On flour there is a tariff of 25 per cent ad valorem, which amounts to about $1.25 a barrel. This is reduced to 50 cents. While this may not bring any reduction to the loaf of bread, it ought to benefit the farmer, who usually buys his flour by the sack or barrel. If flour is reduced in price, this reduction, if continued any length of time, will be reflected in cheaper loaves of bread or larger ones. Oatmeal and other cereals are reduced from 40 cents a hundred pounds to 12½ cents a hundred. Bran, middlings, and so forth, are reduced from 20 per cent to 12½ cents per hundred. Farm wagons, on which there is now a tariff of 35 to 40 per cent ad valorem, are reduced to 22½ per cent, or a reduction of nearly 50 per cent. Plows, tooth and disk harrows, upon which the tariff now ranges from 15 to 25 per cent ad valorem, are reduced to 15 per cent. Hay loaders, potato diggers, and so forth, upon which the tariff is now 45 per cent ad valorem, are reduced to 20 per cent, a reduction of more than 50 per cent.

These are only a few of the reductions made in this bill. If any benefit accrues to anyone it will accrue largely to the farmers, and in addition to the benefit to the farmer there will be great benefits to the millions of others in the country who are consumers but not producers of farm products.

It is said, however, that the railroads will be benefited by this legislation, and this is urged as a reason why it should not be passed. How will the railroads be benefited? By carrying Canadian products in this country and by carrying our products into Canadian territory. That will certainly injure no one else, and if it benefits the railroads it means more employment for American trainmen and the expansion of an American industry, and that will be a benefit to all. The railroads may realize more benefits from the business they will secure than they should, but the increase in business, the additional men employed, and the wages paid will be a great gain to the entire country, and the mere fact that some railroad or railroad company will receive some benefit by reason of increased business does not seem to me to be any legitimate ground for opposing this measure. We usually deem an increase in business along any line beneficial to all. If the benefit to the railroad would come at the expense of the rest of the people of the country, or some particular industry, then I would be against it. But it will not. Those who oppose this legislation on the ground that it is legislation in favor of the Meat Trust, Flour Trust, Implement Trust, and railroads have very poor argument to stand on, and I do not believe that the people will be fooled by any mere assertion unfounded by fact or reason that this legislation is framed in the interest of or will be of any special benefit to any of these trusts. The mere assertion of such benefit, no matter how vehement, does not make it so, and no tariff reduction could be made that could not be alleged to be of benefit to some trust.

This legislation is opposed further because it is said that it will cause a great development in Canada, and many of our people will go there. If Canada is developed, such development will not only benefit her, but also us, and none so much as the States along the border. What lands are the least valuable in the Dakotas, and in any State of the Union, for that matter? The lands on the edge of settlement, and as the line of the settlement advances the land to the rear of it increases in value. So it will be with the development of Canada. As the land to the north of us develops the land in our own territory will increase in value and the owners will have cause to rejoice at rather than regret the advance of prosperity into Canada. Not only is this true, but many of those actually benefited by such development will be our own people. Much fear is expressed that many of our people will leave our country and go to Canada. This to an extent will be true, and I for one am not prepared to say that this is a good and valid reason for opposing this measure. There are many in this country, on the farm and in the city, who are eking out a bare existence and looking with longing eyes to vacant lands which they would like to own, but the high value placed on them is prohibitory. There are many renters in Illinois and other States who are forcing out a bare existence with much hard work and giving half of their toil to the owners of the lands they occupy. There are those in the city toiling from morning till night, while their families are living in cramped quarters and amid filthy surroundings, who

would like to get out in the broad sunlight and become the owners of a small tract of land upon which to build a home.

Many of these people may go to Canada in the hope of securing a home. Our lands are too high priced, our public lands suitable for homesteads are practically all gone, and those who are attempting to acquire title to what public lands are remaining are looked upon and treated as criminals. These are the people whose lot is hard and whose prospects are dark, and if they can be helped, if they can secure lands upon which they can build a home and make a good living and become independent, happy, and prosperous no one should object. If our friends, neighbors, and relatives can add to their happiness by locating in Canada with free-trade relations with us, I am glad to give them the opportunity, because that legislation which adds to the sum of human happiness is the legislation that meets my approval. In doing this we are not favoring a foreign race, but are favoring our own kith and kin. That it may bring happiness along these lines is one reason why I am for it. And every man who may thus build up a home will be a better customer even for our products than he is now.

The tremendous resources and great prospects for development in Canada are urged as arguments against this legislation. To my mind they are arguments favorable to it. If the development that is anticipated by the passage of this bill takes place in Canada, it will not only be of direct benefit to many of our homeless families and homeless toilers, but it will furnish and develop a market for our products of all sorts and kinds that will increase our prosperity to a wonderful degree. I can not illustrate this better than by just what is happening now in my own section of the country. The best market that our lumber people have to-day is in Canada, and it is the result of the development there. They are selling their lumber in Canada at a higher price than they can get for it in this country, because the lumber mills of Canada are not sufficiently developed to meet the demand for lumber.

So it would be with many of our products of farm and factory with the anticipated development to take place there. They can not produce the great variety of products that we can; but if they have the money with which to buy they will consume these products. They can get them from no other source but from our own farmers, and what will come to us in this way will more than balance any possible injury to any particular industry. We have no section in the country that has to depend upon wheat alone, and the sooner the present wheat sections of the country diversify their crops and products the better off will these farmers become; and if this legislation promotes a development in Canada that encourages a diversity of crops in this country it will be a blessing instead of a curse.

The Senator from North Dakota [Mr. MCCUMBER], in the debate on the Payne-Aldrich tariff bill, on page 1724 of the RECORD, in answering some suggestions of Mr. Elkins, of West Virginia, said:

> The second proposition is that even though we have to change from wheat we will change to some other crop.

There is no suggestion that the people of North Dakota are confined to any one crop now and for the future. If wheat becomes less profitable, they will take up something else. The development that is anticipated means not only the building of farm homes, but it means the building of towns and cities and great business communities, and this means simply the expansion to a great extent of our own possibilities and industrial trade, commerce, and wealth. Especially would this mean, as I have already pointed out, a tremendous demand for cattle, hogs, and horses, that would naturally be supplied by the farmers of our border States, as well as the tremendous demand for manufactured products of all kinds.

The Senator from North Dakota says that the profit to the farmer is only $2.06 per acre. That may be the profit to the wheat farmer, but a diversity of crops would increase that profit immensely. I assume that this $2.06 profit comes to the man who owns and works the farm. If this is true, then what must be the profit of the man who rents from another, giving one-half of the crop, or $5 or $6 an acre cash rent? He simply ekes out an existence, while his landlord gets the benefit without any exertion on his part. If I can open up any avenue by which the man who gives one-half of his toil to another can secure a tract of land upon which he can work for himself and his family, I am ready to do it.

This legislation is urged to be unfair because it admits the products of the farmer free and imposes a tariff on manufactured products. This is a plausible argument, but not a valid one. The products of the farmer of Canada are admitted into this country free. The products of the farmers of this country are admitted into Canada free, so that there is no unfairness as between the farmers of the two countries. The tariff on most of the manufactured articles used by the farmer is reduced and made the same between the two countries, so that the farmer of Canada, so far as the tariff is concerned, is put upon the same plane as the farmer of this country, and therefore there is no unfairness as between the farmers of the two countries with reference to the tariff on manufactured products. But it is said the farmer in this country has to buy his implements, meats, flour, and so forth, in a protected market. So does the farmer of Canada, and to a much greater degree than our farmers. As a matter of fact, the farmer of Canada buys largely in a protected market because most of the articles they buy have been imported and have paid a tariff. Our farmer, as a matter of fact, buys in a free-trade market. There is free trade absolutely in all this 3,000,000 square miles of territory. The farmer in Missouri who buys an implement made in Illinois buys it absolutely free of tariff. There is no tariff on articles brought from Illinois into Missouri. Most of the articles consumed by our farmers are made in this country, bought and sold here, and without reference to the tariff; but if the tariff were taken off of meats, farm implements, and flour that come into this country from Canada it would not in the least affect the price of these articles to our own people. If this is true, and I do not see how it can be otherwise, there is no unfairness in leaving it on. But it is said it is a discriminaton between people of our own country, and that if the farmer does not have protection then the manufacturer should not have it. If taking it off would not affect the price, then no actual injury is being done by leaving it on. The Canadian manufacturer of implements or flour or the Canadian meat packer could not compete with our manufacturers, and to take the tariff off would not result in our farmers buying any of these products any cheaper than they do now. We would take the tariff off of these articles if Canada would, but not for the mere sake of appearances would I be willing to take it off if by so doing we would encourage the development of these plants in Canada or, rather, transfer our plants to Canada. From my present knowledge I am not in favor of putting the meat products of the world on the free list. That would be a positive injury to the farmer. I voted against the amendment of the Senator from Iowa to put meats on the free list, feeling that to do so would put not only Canadian meats on the free list but the meats of Argentina and all other countries. I do him the justice to say, however, that he did not think so, nor did he so intend it, but I feared it and, to be sure, voted against his amendment.

Our farmers are told it is a disadvantage to them to have their products free of duty while there is a duty on manufactured products, and it is said that the Canadian farmers can buy goods imported from England cheaper than our farmers can buy them, because the rate of duty is higher on goods brought into this country than into Canada, and a statement is sent out to the farmers purporting to prove this. Admitting that the rates of duty are higher on goods imported into this country than into Canada, our farmers do not have to pay the duty, because they do not buy the imported articles, while the Canadian farmer does have to pay the tariff, because he buys the imported articles. So that, as a matter of fact, the Canadian farmer is at a disadvantage as compared with our farmers. This is proved by the fact that we export to Canada much more of manufactured products than England. This is clearly shown by the following statement prepared by the State Department showing some of the rates and imports into Canada. It also points out actual misstatements sent out to the farmers by those claiming to represent them.

DUTIES ON MANUFACTURED ARTICLES USED BY CANADIAN AND AMERICAN FARMERS.

[Analysis of list presented by ex-Gov. N. J. Bachelder.]

The list of comparative tariff rates appearing on pages 26 and 27 of the Finance Committee's Hearings on Reciprocity, May 8, 1911, and frequently referred to throughout the hearings accorded the agricultural interests by the Finance Committee, not only state many rates with absolute incorrectness, but is based throughout on the assumption that Canada imports a majority of her manufactured goods from Great Britain under the British preferential rates of her tariff, whereas in many of the instances cited the bulk of the Canadian imports are from the United States and are taxed from 10 to 15 per cent higher than the rates set down under the heading "Canadian tariff."

The Canadian preferential rates given are not stated accurately. The lower grades of earthenware most used by farmers' families, such as rough tableware, crocks, churns, tiles, etc., enter when from England at 20 per cent; the 15 per cent rate stated applies only to the finer grades of tableware. Wire from Great Britain is dutiable at as high as 15 per cent, instead of only 10 per cent under No. 406 of the Canadian customs tariff of 1907, covering "wire of all metals and kinds not otherwise provided for." Twisted or clothesline wire is dutiable at 17½ per cent. Hats from Great Britain meet a rate of 22½ per cent instead of 20 per cent. It is true that a few fur hats are admitted at 20 per cent, but these are included with all other manufactures of furs in the import figures, the total reaching but $421,741 in value, while ordinary felt and straw hats entering at higher rates totaled $2,890,134. The 35 per cent rate given for sugar can not be found in the Canadian tariff law or derived from the Canadian import statistics. The prefer-

ential rate on refined sugar is 72 cents per 100 pounds, with 1 cent per 100 pounds additional for each polariscope degree over 88. The rate of 17½ per cent stated for carpets applies only to mattings and coarse fiber rugs, the rate on carpets being 25 per cent, and the value of these carpets imported by Canadians being more than four times that of the mattings and coarse fiber rugs imported by them. The rate quoted for dress goods is only applicable to such goods when imported in the unfinished state to be finished by Canadian manufacturers, such imports amounting to but $84,437. On the other hand, ordinary woolen cloths used for the making of dresses and clothing enter Canada from Great Britain at 30 per cent, and are imported to the value of $6,680,380, about one-fifth coming from countries other than England at 35 per cent. The British preferential rate on celluloid collars and cuffs is 25 per cent, while the list referred to states that no manufactures of celluloid from Great Britain are taxed more than 5 per cent. The rate on cement is 8 cents per 100 pounds, instead of 5 per cent, as stated; and this 8-cent rate is equivalent to approximately 25 per cent. Baskets are dutiable at 20 per cent instead of being free of duty. Rubber coats are dutiable at 22½ per cent instead of 15 per cent. Lead in pigs and blocks is dutiable at 10 per cent, in bars or sheets at 15 per cent, and in manufactured forms at 20 per cent, while the list states it as exempt from all duty.

United States tariff rates are in several instances incorrect. Our duty on tin plates is specific (1.2 cents per pound), and is equivalent to 42.33 per cent ad valorem instead of 45 per cent. The rate of 75 cents per 100 pounds for wire can apply only to barbed wire, and is equivalent to 7.77 per cent ad valorem. The total imports of sugar into the United States during the year ended June 30, 1910, were admitted at an average ad valorem rate of 52.78 per cent instead of the 80 per cent rate shown in the grange's list. Common or laundry soap, the grade referred to when the Canadian rate is stated at 65 cents per 100 pounds, enters the United States at 20 per cent instead of 50 per cent. Manufactures of celluloid enter the United States at 65 cents per pound plus 30 per cent, the duty being the equivalent of 55.45 per cent ad valorem in place of 60 per cent. Cement is dutiable at 8 cents per 100 pounds instead of 10 per cent. The American rate is identical with the Canadian preferential rate when the specific duty is compared, but on our imports of cement the rate figures to but 22 per cent, while on Canadian imports it figures to 25 per cent. Salt in bulk is admitted at 7 cents instead of 11 cents per 100 pounds, and about two-fifths of our imports enter at the lower rate. Figs are dutiable at 2½ cents per pound in place of 1 cent per pound plus 35 per cent. Jute bags are dutiable at seven-eighths cent per pound plus 15 per cent, which works out to 33.08 per cent ad valorem instead of 45 per cent as stated in the list. The 45 per cent rate applies to "all other" manufactures of vegetable fibers. Cotton thread enters at an average ad valorem rate of 32.18 per cent instead of at 45 per cent as listed. Our imports of gloves enter at an average ad valorem rate of 49.52 per cent instead of 60 per cent. The lower grades of earthenware, such as farmers use to a great extent, are dutiable at 25 per cent instead of 60 per cent. The maximum rate for hose is $2 plus 15 per cent per dozen pairs instead of $5 plus 55 per cent. Window glass enters at an average rate of 49.67 per cent instead of from 60 to 75 per cent. The average rate of glassware is $53.83 per cent instead of from 50 to 100 per cent. The average rate on clocks and watches is 35.58 per cent instead of 40 to 60 per cent. The rate on baskets is 35 to 60 per cent instead of 45 to 60 per cent.

The list under discussion is premised with the statement that "the greater part of the manufactured goods imported into Canada come from Great Britain" and that therefore "it is only fair to take the rates of duty on British goods as the standard of comparison with our (the United States) tariff rates." The official Canadian import statistics, however, show that the greater part of Canada's imports of many of the leading items listed comes from the United States and pays duties much higher than those stated for comparison. Nearly nine-tenths of the furniture purchased by Canada, for example, comes from the United States, and is dutiable at 30 per cent instead of 20 per cent as stated. Our own rate on furniture is but 35 per cent. Imports of furniture into Canada during the year ended March 31, 1910, were as follows:

From United States	$851,077
From Great Britain	89,196
From other countries	54,107
Total	994,380

Common or laundry soap, the grade to which the Canadian rate quoted applies, is bought by Canadians mainly from the United States, and is taxed $1 per 100 pounds instead of 65 cents. The $1 rate is equivalent to nearly 18 per cent ad valorem and the proper United States rate is 20 per cent, the 50 per cent rate being erroneous. Canadian imports were:

From United States	$191,404
From other countries	8,549
Total	199,953

Pianos bought by Canada come chiefly from this country and are taxed 30 instead of 20 per cent. The imports were:

From United States	$282,457
From other countries	14,521
Total	296,978

Stoves used by Canadians, when from abroad, are largely of United States origin, as the following import figures show, and enter at 25 instead of 15 per cent:

From United States	$480,927
From other countries	11,611
Total	492,538

The same is true as to sewing machines, the tax on the vast majority of imports being 30 instead of 20 per cent:

From United States	$303,699
From other countries	19,550
Total	323,249

Four-fifths of the tinware taken by the Dominion is from America, and is taxed at 25 instead of 15 per cent:

From United States	$232,071
From other countries	74,932
Total	307,003

Rubber boots and shoes entering from this country are taxed at 25 instead of 15 per cent, and our share in Canada's purchase is:

From United States	$113,956
From other countries	1,887
Total	115,843

Three-fourths of Canada's imports of clocks come from the United States, and most of the remainder from Germany at the same rate of duty, 30 instead of 20 per cent:

From United States	$294,982
From Germany	68,735
From other countries	49,417
Total	413,134

Two-thirds of Canada's imports of watches and parts of come from the United States at 30 per cent, and most of the remainder from Switzerland at the intermediate rate of 27½ per cent; the rate listed is 20 per cent.

From United States	$669,740
From Switzerland	264,541
From other countries	112,202
Total	1,046,483

Automobile farm trucks are mentioned. Automobiles are not distinguished by classes in the Canadian import figures, but the vast majority of all kinds comes from the United States at 35 instead of 22½ per cent.

From United States	$1,569,227
From other countries	162,988
Total	1,732,215

Out of $163,720 worth of figs imported by Canada only $10 worth enters at the 40 cents per 100 pounds rate quoted, the remainder being taxed 62½ cents per 100 pounds. The bulk of the dutiable wire imported by Canada is from this country. Nearly all of the lamp chimneys bought by Canada come from American sources and are taxed 32½ instead of 20 per cent, imports from the United States being $161,079 out of a total of $195,845. More than one-half of the oilcloths imported by Canada are from the United States and are dutiable at 30 instead of 25 per cent (the preferential rate should have been stated in the list at 20 per cent). Canada imports $709,502 of lamps, etc., from the world, and of these $548,861 are from the United States at 30 instead of 20 per cent. Nearly all of the axes and scythes bought by Canada are from this country at 22½ instead of 15 per cent. Nearly one-half of the hats imported by Canada are from America and dutiable at 35 instead of 20 per cent. About one-half of the agateware purchased by the Dominion is also from this country, and is taxed at 35 per cent instead of at the 22½ per cent rate given in the list presented by Ex-Gov. Bachelder.

I hope our farmers, especially, will notice the very common manufactured articles that their Canadian neighbors buy from our manufacturers and upon which they actually, and not theoretically, pay a duty.

Because no great hope is held out that food products will be cheaper to the consumer if this legislation is passed it is asked: Are we to enact it simply on the ground that it will cement the friendly relations already existing between the Dominion and the United States?

That is a worthy object, and would alone justify its enactment, assuming that it would do no great material injury to our own industries and people, and it appeals all the more strongly to me because I believe it will be of great material benefit to our industries and to our people. Former President Roosevelt considers the establishment of the closest relations of good will and friendship with Canada a good and sufficient reason for this legislation. In his address at the nineteenth annual Lincoln Day banquet at Grand Rapids, Mich., February 12, 1911, he said:

> Here, friends, in Michigan, right on the northern frontier, I have the peculiar right to say a word of congratulation to you and to all of us upon the likelihood that we will soon have closer reciprocal tariff and trade relations with the great nation to the north of us. And I feel so pleased primarily because I wish to see the two peoples, the Canadian and the American peoples, drawn together by the closest ties, on a footing of complete equality of interests and mutual respect. I feel that it should be one of the cardinal policies of this Republic to establish the very closest relations of good will and friendship with the Dominion of Canada.

This legislation may not result in cheaper products to the consumer. Lower prices to the farmers themselves for their products would not appeal to me at all. The farmer does not now receive that proportion of the price paid by the ultimate consumer that he should receive. The cost to the consumer is often the result of speculation, manipulation of markets, and corners perfected and carried out in distributing centers by those into whose hands these products come after leaving the farmer. These manipulations, speculative prices, and corners may be to a certain extent restrained and prevented by bringing into these distributing centers the products of Canada, and to a greater or less degree bring lower prices to the consumers without injury to the farmers. The material benefit that will grow out of this legislation will be the greater trade of all kinds between the two countries. Trade begets trade, and while our trade with Canada now is very satisfactory, and while we are selling to her twice as much as she buys from us—that is, each Canadian buys $30 worth to $15 by each of us—we can not hope for this condition to continue indefinitely. Na-

tions are much like individuals, and we may expect to see Canada, if this legislation is defeated, take steps to open up a greater trade with the mother country. If this legislation passes, we will not only continue to sell her twice as much as we buy, but our aggregate trade will increase amazingly.

Is there anyone who would have the hardihood to say that the settlement and development of any one of our great border States or of all of them has been anything but a blessing to the rest of the Republic? Who is there who would have any one of these States cut off from the rest? Would any Senator or Representative from the State of Minnesota agree that that State, with her beautiful lakes, groves, and rivers, her broad fields and prosperous homes, her busy factories and thriving cities, and her hardy, industrious, and progressive people, could be isolated from the rest of the Union without great injury to both? I venture not. Canada is but a continuation of Minnesota, North Dakota, and the other border States. There is nothing but an imaginary line between. Why not continue the development of these States on beyond this imaginary boundary? I can see nothing more desirable and nothing more beneficial to these border States and to this Union than to witness the cultivation of these broad acres, the building of beautiful and comfortable homes, the construction of a network of transportation, telegraph, and telephone lines, the erection of schoolhouses, churches, and the growth of towns and cities peopled by thousands, yes, millions, of vigorous, active, ambitious, and progressive people, buying and selling and trading with us freely as friends and neighbors. Their prosperity will be our prosperity and their happiness will be our happiness. Dollars and cents can not measure the benefits from such a development, and only the imagination of the poet can grasp the outline of these tremendous possibilities, and when this free intercourse comes, as come it will, and this growth comes, as come it will, our people and their people will wonder at the opposition to the consummation of such a glorious object.

I remember when great statesmen from Iowa and Indiana and other Middle Western States opposed the Government reclamation of arid lands on the ground that such reclamation would bring ruinous competition to their farmers. Their fears were groundless. Every acre of these lands so reclaimed and settled upon has added to the wealth of the Nation, has taken nothing from the farmers of those States, and has added amazingly to the market for eastern manufacturers. Identically the same results must come from the settlement and improvement of Canadian territory with reciprocity in trade.

Some one on behalf of the farmers has presented as an argument against this measure the slogan, "A tariff for one, a tariff for all." This is the very essence of the objection heretofore urged to the framing of tariff bills. It is the highest expression of bartering and trading that has been so persistently charged, and which has, in fact, been so little followed in preparing tariff legislation. If the need of protection rests on no better foundation than that, there is no excuse for it at all. The farmers of the country do not believe in and will not indorse this doctrine. If protection is needed, they want it, and ought to have it. If it is not needed, they do not want it simply because some other industry has it; nor will they indorse the threat to remove the tariff from other industries simply because they may even believe that they are treated unfairly, but because they know that such a course will do them great harm. Those who, in the discharge of their trust, may act on this theory will meet with the just condemnation of those whom they claim to represent when industrial ruin and disaster comes to them. Take the tariff off of manufactured articles simply because it is taken off of some agricultural products and the industrial ruin and havoc that will be the inevitable result will bring more harm and distress to the farmers than any other action we could take. I am in favor of taking the tariff off where it is not needed, whether from agricultural or manufactured products. I am not in favor of putting it on one article simply because it is on another. The farmers know that the substantial benefit that comes to them from the protective system is the domestic market that is built up for them. They know that prosperity in the manufacturing industries means prosperity to them, and they know that any policy that depresses the manufacturing industry injures them. Every additional man employed in manufacturing adds that much to the farmer's market and gives him a better price for his products. Destroy manufacturing by removal of tariff or otherwise and you destroy that market and bring low prices, poverty, distress, and mortgages to the farmer. The farmer's prosperity does not depend so much on the size of his crop as it does on the market. Destroy the market and he will not prosper, no matter how great his crop. For instance, in 1896 there were 150,000,000 farm animals in the country, valued at $1,700,000,000, while in 1910 there were 200,000,000, or only one-third more, but they were valued at over $5,000,000,000, or three times as much. I will join in taking the tariff off where I think it is not needed, but I will not join in taking it off in retaliation for some fancied or even actual wrong. To do so is to be untrue to my trust and to bring greater injury to those aggrieved.

This measure places rough lumber on the free list. As the lumber industry is one of the greatest, if not the greatest industry, in my State some may wonder why I do not oppose this measure. There is, however, a great difference in opinion among the lumber people of Washington as to the effect of this measure on the industry. Some are against it and some say it will do them no harm. Some of these latter may have lumber interests in Canada and may be influenced thereby, but others do not have such interests and they say they will not be injured by whatever Canadian competition may come from the passage of this measure. They assert that they are fully able to meet any such competition. My own opinion is that it is a matter of indifference to the lumber industry whether the present duty is retained or not. The tariff on lumber before the passage of the Payne-Aldrich Act was $2 per thousand, or only about 12 per cent on the average value of the lumber imported. This was not a protection to any material extent. It was largely a revenue tariff. The Payne-Aldrich Act reduced this tariff to $1.25 a thousand, or only about 7 per cent. This is no benefit as a protective duty. It is a revenue tariff pure and simple, and to take it off will do no more harm to the industry than has already been done. The people of the country are determined to have free lumber. If it does not come through this measure it will through another in the very near future, and, in my judgment, it will be better for the lumber-manufacturing business to have the matter settled so that they will know on exactly what basis they are to be, and be relieved from the continued agitation that has been affecting the industry for several years.

As I said, the present tariff does no good. If it has any effect it simply gives the retail dealer an excuse to hold up his price. The rough lumber is selling in the mills to-day in my State below cost. The lumber industry is demoralized in our section. This has not happened because of competition with Canadian lumber, but it is because of the fact that the people of the country have stopped building houses, fences, and bridges, and they have largely stopped repairing, so that there is no demand for rough lumber. The same is true of shingles. Two years ago the shingle industry was demoralized. We increased the tariff on shingles from 30 to 50 cents a thousand, but the industry to-day is in as bad a condition as it was then simply because we are not building enough houses to create the demand for shingles. Personally I should prefer to retain the present duty on shingles, but I can not help but believe that the passage of this bill will be a great benefit to the shingle and lumber industries. If this bill will have the effect that its opponents say it will I know it will be a great benefit. Canada is the mainstay of our lumber industry to-day. Lumber is higher there than in this country, and our lumber mills are shipping lumber into Canada now.

Mr. Bloedel, of Bellingham, Wash., one of the most intelligent, reasonable, and successful lumbermen of our State, testified before the Finance Committee with reference to the lumber conditions between this country and Canada, the present conditions of the market, and what the fears of the lumbermen are. He said:

Mr. Chairman and gentlemen of the committee, in my closing remarks on Monday I touched upon the fact that lumber was higher at the present time in Canada than in the United States. I referred more particularly to the lumber manufactured in British Columbia. I stated that my own firm is situated advantageously, with a view to shipping into Canada. It is just 20 miles south of the line, with a connection with the Canadian Pacific Railway, and therefore has facilities to distribute into Canada. We shipped last year about 800 cars into that territory. You may therefore ask the question, Why are we afraid of the removal of the protection? The reason is not that we are afraid of the immediate present; it is the future we dread.

For the immediate present the conditions are such that the demand in Canada for lumber is greater than their capacity to manufacture. The Province of British Columbia is as great, I think, as our northwestern group of States. I mean by that Washington, Idaho, a part of Montana, and Oregon; that is, our lumber-producing northwestern group. The lumber product of British Columbia has not yet been brought to a point where it is a large factor, even within itself. My latest data, and these are not very recent, show that the output of British Columbia was about 800,000,000 feet, I think, in 1909. That has not been increased since sufficiently to be a factor. It is only about one-tenth of the product of a similar area in the United States just south of the boundary, which, as I stated earlier in this hearing, was 7,500,000,000 feet for 1909.

The industry in British Columbia has only been scratched; it has not yet been developed. It has just been touched; and just as soon as you open to British Columbia the market of 90,000,000 people, free to them, that industry is going to be not only fully developed, but probably in danger of being, as it has been on this side of the line, overdeveloped. I want to say to the gentlemen of the committee that the best lumbermen in British Columbia are not favoring this reciprocity pact, for the reason that they fear just this very thing. That will mean in the future that we will have the competition of the Canadian

raw material, the Canadian cheaper cost of production, the Canadian cheaper cost of taxation, bearing no burdens of our Government, and with a free market of 90,000,000 people to supply.

British Columbia has a coast line of many thousands of miles. I would not venture to guess how many, but, as you know, the coast line of British Columbia, with its numerous islands, is vast. It must be over 20,000 miles. Mills can be developed along that coast line at any number of points. They have the Canadian Pacific Railway, which comes into the United States at different points; they have the Northern Pacific Railway; they have the Great Northern Railway; they have all the means of reaching our market that we have.

It is therefore evident that the condition which obtains to-day on account of the phenomenal prosperity of Canada and its lack of a sufficient and adequate supply of lumber is not one that will obtain a year from now, or two years from now, or later than that.

From this it will be seen that the real fear is as to the development of the lumber business in Canada in the future. While I would not feel like putting my judgment up against that of Mr. Bloedel, I do feel that our industry, developed as it is, ought to be able to keep pace with any development that will take place in Canada in that industry. Our industry needs a market right now, and Canada will furnish that market to our mills not only this year, but for several years to come, no matter what development may take place there.

The criticism is made, however, that the duties are not reciprocal. That is true. I wish that they were; but I am not going to oppose this measure simply because there is a difference in the tariff on finished lumber going into Canada from what the duty is on finished lumber coming into this country. As I said, if the development takes place in Canada that is predicted, it means development for our lumber and shingle mills. If people go into Canada they must be sheltered; they will build houses that must be shingled; and for some time, at least, the lumber and shingles will come from our mills, bringing to them business and good prices.

There is a widespread belief that we should have free lumber, because of the Lumber Trust. There may be lumber trusts in the country, but I am satisfied that there is no lumber trust among the lumber mills and lumber manufacturers of our State. We have thousands of lumber mills, operating absolutely independent of each other, and anyone can go to these mills and buy lumber at the same price at which it is sold to any other person. If any agreement as to prices exist, it is amnog the retailers or those handling the lumber after it leaves the mills. Those who expect cheaper lumber from the removal of the tariff will be mistaken. It will not be cheaper, and this fact might just as well be recognized first as last.

This measure is criticized, however, because the tariff is taken off of rough lumber and not entirely off of finished lumber. It could have been taken off of finished lumber just the same as off of rough lumber, but there would have been no reduction in price in either by reason of the removal of the duty, and it was thought best not to take it all off, in view of the fact that Canada would make no further reductions. Those who think taking the tariff off will reduce the price complain because it is not entirely taken off of finished lumber, and contend that the removal of the tariff from rough lumber is of no benefit to the farmer. If taking the tariff off will reduce the price, the removal of it from rough lumber is of more benefit to the farmer than taking the tariff off of finished lumber. Much of the lumber that goes into the farmer's house is rough lumber, and not finished. The great need for lumber for the farmers of this country is not the building of houses, because these are largely built, but it is for the building of barns, fences, repairs, and so forth, in which rough lumber is largely used.

Another reason given for the removal of the tariff on lumber is that it is in the interest of conservation. I believe in conservation just as strongly as any man, but I believe in the conservation that conserves and not the conservation that wastes. The man who professes to be for free lumber in the interests of conservation, in my judgment, overlooks the first principle of conservation, unless he believes that free lumber will enhance the value. If the tariff does not affect the price of lumber, taking the tariff off will not affect its use or conservation. If taking the tariff off lowers the price, it brings waste and not conservation. The best way to conserve any natural product is to make it valuable, and the higher the price of lumber the more it will be conserved—that is, the less it will be wasted. Gifford Pinchot says:

The lumbermen are right when they tell you that in times of high prices for lumber they do cleaner work in the woods and cut more timber from a given area than they do when prices are lower and only the best grades can be marketed. Low prices for lumber unquestionably increase waste. If the removal of the tariff had any effect on work in the woods, it would be to displace the lower grades of lumber now cut by our own mills, which must be either logged or left in the woods when the higher grades are taken out, and to that extent it would increase the woods waste in this country. The waste in logging is already enormous—several times larger than our importations from Canada. I do not believe that the increased use of Canadian wood under free lumber would equal the increased waste, and even if it did the larger danger from fire and the greater difficulties in the way of forestry which follow wasteful logging would probably more than offset the gain. In other words, the drain upon our forests would not be relieved by allowing Canadian lumber to come in free.

This principle applies to all natural products. The farmer conserves his corn by husking it close, gathering every nubbin, when corn is high in price; when it is low he is not particular. If potatoes are high in price, only the very smallest are left in the field; when they are cheap, however, you can mark the furrows across the field by those left upon the ground. So it is with lumber. When it is cheap, only the best is manufactured and more or less of the balance of the tree is left in the forest to rot and burn. If valuable, every part of the tree is used or conserved. I am not for this bill as it affects lumber because it will make lumber cheaper nor because it will promote conservation, but I am in favor of it because the present tariff is of no benefit, because it will be better for the business itself to have agitation stopped, and because the possible development in Canada will furnish a good market for our mills for many years to come, and in this way be a real and substantial benefit to the industry.

There is another industry in our State that protests against this agreement, and that is the fishing industry. I do not hear from the fishermen, but I do hear from the heads of our great fishing concerns. I can not believe that our canneries will be very greatly injured. I think they are able to hold their own with Canada, or the world, for that matter, and they will not be injured by this legislation.

The only other industry in our State that has any reason to fear is the farming industry. Our hay will not suffer, because Canada can not get into our markets unless hay gets to $25 or $30 a ton, as it did some years ago, and then we would have been glad to get it from any source. Many had to go without it, and stock starved for want of feed.

Our wheat farmers will not be affected, because their market is fixed almost surely by Liverpool or outside markets. Canada can not get into the local market, and our other markets are the markets of the world. We export our surplus, and transportation charges protect us from any substantial importation of Canadian wheat under any circumstances. If the contention of some is correct that the Canadian surplus will all come into our country, this may raise the world's price, in which case it would benefit our farmers by giving them a better price. So that solely from my State's standpoint I can not see any special objection to this arrangement. This, however, would not lead me to support it if I still thought it would work great injury to any other great section or industry. I think many of our farmers oppose it, not because of the injury it will do them, but because of the injury they think it will do to their fellow farmers elsewhere, because they base their opposition to it on reasons presented from New Hampshire based on conditions there. None of the arguments presented by those from the wheat States apply to our wheat farmers. Canada can not raise more wheat to the acre than we can; she can not raise more crops in succession than we can; she can not get into our markets; she is not at all a competitor with us except in the world's markets. I am glad our farmers are interested in their fellow farmers elsewhere, and I will protect them against any wrong I think may threaten them.

Fruit raising is one of our great industries, and our fruit raisers are universally in favor of this legislation. They believe it will open to them the great markets of the Northwest in Canada and result in much good. That their judgment is concurred in by prominent Canadians is shown by the following interview with Premier McBride, contained in a Seattle paper of January 28:

FEARS RESULTS OF RECIPROCITY—PREMIER M'BRIDE OPPOSES LOWERING OF THE TARIFF WALL—WANTS FRUIT PROTECTED—BRITISH COLUMBIA EXECUTIVE UNWILLING TO BRING PROVINCE INTO COMPETITION WITH AMERICA.

[Special to Post-Intelligencer.]

VANCOUVER, BRITISH COLUMBIA, *January 27.*

"While I do not wish to take an alarmist view of the reciprocity arrangements that have been laid before the house at Ottawa," said Premier R. McBride, of British Columbia, to-day, "it is abundantly evident from a perusal of the proposals that, if adopted, they will inflict very serious injury to this Province.

"Take, for instance, the free entry into Canada of fruit and dairy products and agricultural produce generally. This means an injury to the agricultural classes that will be most severe.

"In the first place, it will put the markets of the prairie Provinces largely in the hands of the Americans, who can, even under present conditions, compete there with our fruit growers and those in eastern Canada.

"In British Columbia the fruit industry, by a great effort, is being built up, and it must be remembered that in the States to the south, where the industry is an old-established one, with large areas of cleared land, it costs very much less to produce food.

"Times have been prosperous and the people contented, and the advantages to be attained by the proposed changes are, to my mind, wholly in favor of the United States. In Canada the effect will be to disorganize trade conditions, injure our industries and our Canadian lines of traffic for the benefit of Americans."

I have no doubt as to the correctness of this position; and if any such development in British Columbia as is anticipated takes place, the market not only for fruit, but for all farm products of the State of Washington, will be very largely increased.

The cry of special privilege has been so long and persistently made that the people are generally imbued with the belief that our legislation is controlled by the so-called "special interests" and framed for their benefit. I do not admit the justice of this complaint, but the confidence of the people in the devotion of their representatives to the best interests of the people as their honest judgment sees it is worth more to the Government and the people than any sum of money or the development of any line of industry. To bring to the people confidence in the honesty, integrity, and patriotism of their representatives is of the greatest consequence. I am convinced that the fundamental cause of the almost universal complaint of favoritism to special interests on the part of legislators and legislation has been the protective tariff system. This grows out of the attempt to adjust the principles of this system to various conditions and various industries. It has been and is difficult to determine exactly what is needed to promote any particular industry and protect it from undesirable competition from abroad, and so it is that inequalities may have arisen and more protection given to one industry or another than has been needed. The fundamental idea of the protective system, however, is that it is for the benefit of all the people, and that it is of greater real benefit to those who must depend upon their individual labor and individual efforts for a livelihood than to the man of wealth.

The idea of the protective system is that it is of greater real benefit to the laborer than to the employer, to the poor man rather than to the rich man, to the wage earner rather than to the wage payer. If, by the adjustment of tariff duties, foreign manufactured products are excluded from this country and their manufacture here encouraged, the real substantial benefit should and does come to the man who works, because upon his employment depends his ability to have the food that he needs, the clothing that he should wear, and the house in which he should live, with the furniture and comforts necessary to bring happiness to himself and family. An idle factory is more real injury to the man who has had employment in it than to the owner. If the factory is idle, the owner may not have his usual income, but nevertheless he has his comforts, his home to live in, and his pleasures, because he usually has other income and a credit on which he can draw. But the men who have worked for him and are out of employment not only have no work but they have no income, their wages have ceased, and with the stopping of their wages their ability to purchase the necessities of life for themselves and their families also ceases. They can not borrow on their ability to labor. Any legislation, therefore, that tends to throw labor out of employment, however much it may injure the capitalist and reduce his dividends, works a far greater injury upon the poor man, the laborer and his family, who are the first to suffer. This fact seems to be often overlooked, and in our zeal to take away the profit of the employer we forget the laborer and the wage earner.

The fundamental principle of the protective system is that it furnishes employment to the men who must work at good wages, and therefore brings substantial benefit to those in our country who need help. This has been the reason for my belief in protection, and when I do not believe this I shall abandon it.

Without reducing the wages of labor I have believed that the development of our industries and their diversification would result, in many cases, in furnishing our products to consumers at a lower cost than the foreigner would furnish them, and that has been the case in many things. And, while we talk of the high cost of living to-day, I venture to say that we can live cheaper to-day than we did 20 years ago if we lived in the same way. Manufactured articles are cheaper than they were then, and the ordinary manufactured articles are cheaper to-day at the factory than they ever were before. Last fall I went through some glassworks in Ohio, and I was told that tumblers, dishes, and all other forms of glassware were cheaper at the factory than at any previous time. I went through a granite-ware factory in West Virginia, and they told me the same thing. If the tariff affects the price, it is in the hands of the manufacturer. The increased cost of articles to-day, however, comes largely, and in many cases entirely, after they leave the producer and by reason of different methods of distribution.

Much is said in praise of the farmer and his industry. Agriculture is made the basis of our prosperity. We should give to it and those engaged in it special consideration, because if agriculture is stagnant and those engaged in it not prosperous, the whole country is affected thereby. This, in a measure, is true; but with equal justice can it be said if our manufacturing industries are depressed and our laborers are out of employment, then is there no prosperity for the agriculturist. As a matter of fact, as I before have said, the farmer's prosperity does not depend entirely upon large crops, but depends upon the market for those crops, and that market consists of the wage earners of the country. The millionaire is not the farmer's best customer. The man who tends the forge, hammers the steel, and blows the glass is the best customer the farmer has. He eats more beef, pork, mutton, cabbage, potatoes, and other farm products than the man of wealth. If the wage earners are not employed, if they are not earning, then the farmer has no market, and if he has no market he does not prosper. If the mills are closed and idle, it means disaster to agriculture. In 1896 we had large crops, but the farmer was not prosperous, and the slogan then was not "more crops," but "start the mills." This was true, and from that time to this, with the mills running day and night, labor has been employed at good wages and the farmer has been prosperous. There is a mutual dependence between the agricultural and manufacturing interests that must not be overlooked. Any attempt to prejudice the one against the other should be condemned, and legislation framed to injure one in order to benefit another should not be favorably considered for a moment. The interests of one are not antagonistic to the interests of the other, and each should be duly respected. Legislation in the spirit of revenge, to get even for some fancied wrong, will react manyfold. Those who threaten the manufacturing interests will do the farmer the greatest injury. If to take the tariff off closes the mills, the loss to the farmer by reason of the fancied increase in prices by the tariff will be as nothing to the decrease in the price he will receive for his produce.

If the application of the principles of protection, however, is going to undermine the confidence of the people in their representatives, if it is going to make one class feel that it has been discriminated against in favor of another class, if it is going to create suspicion and distrust and a feeling that favoritism is being practiced by legislation, if it is going to threaten the very existence of representative government, then it were better to discard the system and follow some policy against which such charges can not be made.

When Republicans argue that a protective tariff enables our manufacturers to increase the cost of their wares over and above the actual cost of production, and thereby unnecessarily impose burdens upon the great masses of the people; when Republicans charge their colleagues with favoring the "special interests" when voting for the rate of duty they believe to be necessary to protect our labor from foreign competition; when Republicans seriously charge that our tariff schedules are framed by and for special interests instead of to promote the general good; when Republicans assume that the principal interests of the country are not competitive, and arbitrarily add the tariff to their profits, we are at the parting of the ways. You can not defend the protective tariff in one sentence and denounce its application in the other and have the system long endure. You can not uphold a system and confess all the wrongs charged against it. If conditions have so changed that we can not apply the system justly, we would better abandon it. I am not prepared to say that that time has come. I am prepared to say, however, that we are not so helpless as we think; that we are better able to hold our own markets than ever before, are better prepared to meet our competitors in the world's markets, and that substantial reduction can be made in our tariff duties without danger of injury to our industries, and that if by so doing we can make the people feel that their representatives are in fact acting for their good, as they are, and silence this constant cry of "special privilege" and "special favoritism," it will be of immeasurable benefit to do it. If there is a deficiency in the revenues it can easily be made up by just and reasonable taxes. I would like to see the time come when we can safely go to a tariff-for-revenue-only basis. Then I would like to see us come to a system where the revenues are derived from the fewest possible sources, and from those sources best able to bear them. When we reach that basis we can give more attention to the science of government and less to the science of taxation in framing our legislation. Then we can pay more heed to the rights of man and not so much to the rights of the dollar. That is a goal much to be desired and one which we will ultimately reach, and this legislation is one of the steps on the road.

One good thing has come out of this legislation. The discussion of it has demonstrated that we are all dominated by the same motives, even though we may reach different conclusions in regard to legislation pending in this body. The impression has been created throughout the country that certain Members of Congress are actuated in their votes and conduct by the

highest and most patriotic motives and purposes, while others, who have not agreed with them and who have taken a different course on legislative matters, have acted from other than patriotic motives and without a desire to benefit the people. Some have been classed as the champions of special interests, and they and their votes have been held up to public censure. Some have assumed to be the only friends of the people. Some have been held up as "progressives," others as "reactionaries." Some have been classed as "insurgents," others as "standpatters."

This session of Congress has demonstrated that there is more progress in the name "progressive" than there is in the action of "progressives." The people of this country should not judge their legislators except upon the basis of action from honest, sincere, and patriotic motives as against action based upon dishonest, insincere, and unpatriotic motives. If the so-called progressive and the so-called standpatter are actuated by the same motives and the same patriotic purposes, they are both real progressives, and the one is entitled to the confidence and respect of the people just as much as the other. The desire to promote the welfare of the people is the real basis of progression. On this basis I venture the assertion that there is no real difference among the Members of this body nor among the members of any party in this body. Former President Roosevelt, in a speech at Grand Rapids February 12 of this year, said:

> Now, friends, I want to say a word or two on the general principles of the progressive—the progressive Republicanism—of what I believe it especially stands for, and to illustrate just what I mean by an example or two. Fundamentally all we are striving to do is to apply the doctrines of Lincoln and the men of Lincoln's day to present conditions. Lincoln believed in human rights; he believed in the rights of man; he believed that normally and generally the rights of man and the rights of property coincided, and that the surest way normally to help the rights of man was to safeguard the property interests, but if there was a conflict he put the rights of man ahead of the rights of property. That principle was the principle the Republican Party was in part founded to establish.

The principles laid down in the foregoing are the principles of everyone in this body and the principles of every Republican in this body, and for this reason, no matter what may be the action of anyone upon particular legislation, the country has the right to know and to believe that whatever action is taken is taken with honest motives and patriotic purposes and in the hope and belief that such action will be fundamentally in the interest of the people. We all believe in human rights. We all believe in the rights of man. We all believe in the rights of man and the rights of property, and, in case of conflict, the rights of man will always be placed ahead of the rights of property by every man who occupies a seat in this body.

Some apparently have assumed that they are infallible; that their judgments can not be wrong; that those who differ from them are not true to the sacred trust reposed in them, and thus it is that the country has been led to believe that those who do not agree with some of our statesmen must be mistaken and, not only mistaken, but that they must be intentionally wrong. This impression has become so strong that there is much amazement in the country at the attitude of some of those who have heretofore been especially considered as the friends of the people, champions of human rights, and the enemies of the "special interests." I am not astonished that there is much surprise expressed at the action of some of our "progressive" friends, and nothing has brought their attitude out more strikingly than the discussion of this measure. Nor am I surprised at their strenuous efforts, by iteration and reiteration, to make the people believe that they are still progressive while standing pat.

In its editorial of February 25, 1911, discussing the action of Republicans in the House of Representatives upon the passage of the reciprocity measure, the Outlook expressed its amazement as follows:

> That most of the "progressive" Republicans should find their place with the "standpatters" seems disconcerting.

Some of our progressive friends have been chided for their apparent reactionary affiliations. For instance, the Spokesman-Review, of Spokane, of March 17, in an editorial approving the stand taken by the President, said:

> It would have been well for the standpat element in the American Senate and for the special interests if they had been able to take the same high level. Their hesitation, reactionariness, and refusal to enact reciprocity have cost them dear in the esteem of the people.

It is rather harsh to have this stanch friend of "progressives" refer to them as "the special interests," because I do not know to whom else it refers.

If you read the discussions in another body you will often find our "progressive" friends referred to as "standpatters" and "reactionaries." I really think there is much reason for this. I have rather objected to the assumption that only a certain class are really "progressive," and that only those who see fit to qualify their Republicanism by prefixing the word "progressive" have the right to consider themselves as real progressives. Last Congress those who acted with certain great leaders of the Republican Party were denounced and held up to scorn and ridicule as "reactionaries," as "standpatters," as the friends of "special interests." Many of them were denounced by name as unfaithful to the principles and policies of the founders of the Republic and the Republican Party; and notwithstanding the fact that under their leadership our party had gained the particular appellation of the "Grand Old Party," it was constantly proclaimed that these men and these leaders were no longer true to the people, but were to be feared, condemned, and cast aside dishonored and disgraced. Men were elected to Congress on this cry and this platform and heralded as "progressives" and the friends of the people, and, strange to say, these same men have been found sitting at the feet of the men who in the campaign they so loudly and vehemently denounced. They have voted with them, acted with them, and apparently accepted their views as their own. Is this progression or reaction? It appears to me to follow the old philosophical rule that reaction is equal to action and in the contrary direction. Are these tried leaders wise, honest, and patriotic when they agree with the self-proclaimed "progressives," and unwise, dishonest, and unpatriotic when they do not happen to agree with them? It simply shows that men here act as they believe to be right, and that is why the people should know and understand that the men who were denounced before the people were just as honest and patriotic and just as progressive as those who denounced them.

In this body, when the Payne-Aldrich bill was under discussion, some made it a rule to support every reduction made in the House bill and to oppose every raise proposed in the Senate until the products of their own States were reached. When the bill was completed they would not support it, because it did not go as far as they thought it ought to go. They voted against the bill and all its progressive features and proclaimed themselves the only real friends of the people and enemies of the interests, while those who voted for the bill were denounced on every hand as the enemies of the people and the friends of the interests. They were progressive until the final vote came and then they stood pat, they reacted, and because the bill did not go as far as they thought it should, they refused to progress at all.

Now, here is a bill passed by the House of Representatives, in which every item is a reduction as far as it goes, and yet we find our "progressive" friends violently opposing it and joining hands with those heretofore denounced as "reactionaries." I hardly know where I am. During the consideration of the Payne-Aldrich bill I began to doubt some of the views I held in regard to protection as I saw them applied in the actual preparation of the tariff law and I began to feel they would stand some modification. On several very important matters I voted with my "progressive" friends, believing them to be in the right. When the bill was entirely completed it was not in all respects satisfactory to me, but I honestly believed it to be an improvement over the Dingley law as applied to present conditions. There were many things in the act that I considered of great importance and of real progress and so I voted for the bill, because I believed it was a better bill as applied to the present conditions than the Dingley law, and I believed it to be a step forward. I believed I was a progressive, and since the passage of that law I have studied conditions pretty carefully and have been prepared to take a step farther forward as a Republican and as believing that the Republican Party is the party of progress and that Republicanism means progression. Of course, I expected those who have especially proclaimed their progressiveness to be in the forefront. I expected them to be sounding their battle cry of progress. I expected to see their tomahawks flashing amidst tariff duties and slashing them off wherever opportunity offered. I indeed find them in the forefront, but in the forefront of the "standpatters" and "reactionaries," so called. They have again reacted and are standing pat. Progressives seem to be those who will not go forward unless they can go just as far as they want to go. If they can not do this, they react and stand pat. Thus are they the real "standpatters" the real, genuine "reactionaries." "Standpatters," heretofore so called, appear to be those who, if they can not have all they think is right, will take as near it as possible and move forward with the majority. They are in fact the "progressives" and the real "progressives." They move forward surely and sanely, and they are the ones who have made the real progress of history. There is not much noise or blare of trumpets or newspaper notoriety in connection with their progression, but they place on the statute books legislation under which the people move forward and prosper. The fact that our "progressive" friends are now real "stand-

patters," that they are now real "reactionaries," does not signify that they are less devoted to the people's interests than heretofore. It simply means that their honest judgment of what is right coincides with the honest judgment of those who heretofore have been regarded by the party with disfavor and emphasizes the need of a more tolerant spirit in the country and among Republicans. It simply emphasizes what every man ought to know and what every man here ought to say—that every Member of Congress in his action is moved by the highest principles of duty and honor and the patriotic desire to do that which is for the best interests of the people and his country.

The Republican Party has been successful during the last 16 years because it has been united, harmonious, and moved by a common purpose. We need that harmony and common purpose now. We need more concessions and more working together as Republicans for the welfare of the party rather than as this or that kind or class of Republicans. I am willing to work under the banner of Republicanism for all that is good for the people and for the country, and I am no less progressive than those who insist upon being called progressives. If we will fight our battles and adjust our differences as Republicans, we will serve our party best and serve our country best.

Mr. President, this legislation is a long step toward full and free intercourse with the magnificent people on the north. It will injure no industry here, but will stimulate all. It will not decrease the price of wheat, but should give us better and cheaper flour. It will enlarge and expand our markets for our horses, cattle, and hogs, and should give us cheaper meats, bacon, and hams. It should widen our market for our manufactured products, thereby giving more employment to labor and increasing the domestic demand for farm products. It adds to the total of our internal trade the trade and commerce of a territory as great as our own, to be peopled and developed by men and women of the same race, character, needs, desires, hopes, ambition, and destiny as our own and whose trade is far more desirable than that of many times the same number of people of any other race or clime. It extends to this people and this territory that wise principle of unrestricted trade which the founders of the Republic with such sagacity applied to the States of the Union, and we can confidently look for the same results. It insures perpetual peace between the two peoples and countries and insures to them a common destiny under different flags and government. Side by side in open and equal rivalry in commerce, education, science, civilization, and good government will the two peoples work out their destinies, bringing to each the blessings of prosperity and good government. The phantoms and ghosts of evil that have been conjured up will become ridiculous as the years roll on, and our people will bless the statesmanship that had the foresight, the courage, and the wisdom to present and press this beneficent measure to its final passage. With the same conscientious solicitude for the welfare of our people that animates any Senator who opposes this measure, I shall vote for its passage.

Mr. BAILEY. Mr. President, when this bill was reported to the Senate, toward the close of its last session, I stated my objections to it, but I did not elaborate them, because I felt morally certain that we would not reach a vote on it before the adjournment of that Congress. I have also pointed out, in several running debates during this discussion, what I consider some of its most obnoxious features; but in view of the general favor with which it has been received by the public and in view of the decisive majority by which it will pass the Senate, I feel obliged by a sense of duty to my constituents as well as by a proper respect for my associates, to state more fully than I have heretofore done the reasons which compel me to vote against it.

In the first place, it is my conviction that these trade agreements must more or less interrupt our friendly commercial relations with all countries which are not parties to them; because nations, like individuals, resent any arrangement which discriminates against them. I believe that special favors to particular nations are as certain to breed international resentments as special favors to particular classes are to breed dissatisfaction among our own people; and it is this belief which induces me to think that the true policy of this Government is to cultivate a liberal commercial intercourse with all countries, neither extending preferences to some nor practicing discriminations against others. I might distrust my own conclusion on this subject if it did not accord with the greatest state paper ever promulgated by the first President of this Republic, who was a most unselfish patriot as well as a most sagacious statesman. Among the many wise admonitions in Washington's Farewell Address, one of the wisest was that which counsels us to pursue a commercial policy with all nations which "should hold an equal and impartial hand, neither granting exclusive favors nor preferences to any"; and if I sought a more modern support for my opinion, I can easily find it.

In 1896 the House of Representatives directed its Committee on Ways and Means to investigate and report upon the subject of reciprocal trade agreements. The majority of that committee gave its cordial indorsement to that policy, and every Republican member of the committee, together with two Democrats, signed that report. The two Democrats who joined the Republican majority were the Hon. Seth Cobb, of Missouri, and the Hon. John L. McLaurin, of South Carolina. The minority of the committee, however, strongly dissented from the conclusion of the majority and stated their views in a paper of admirable force and clearness. That paper was prepared by the Hon. Henry G. Turner, who then represented a Georgia district in the House of Representatives, and I need not tell those who knew him that he was one of the ablest men, as well as one of the soundest Democrats, who has occupied a seat in that body for many years. The Hon. Benton McMillin, of Tennessee, and the Hon. Joseph Wheeler, of Alabama, concurred in the views expressed by Mr. Turner, and though a minority of the whole committee, they constituted a majority of its Democratic membership. After reviewing the question at some length, they stated their conclusions; and the last in order, though, in my opinion, the first in importance, of those conclusions was this:

> That uniform rates of duty, applying equally to the products of all nations, is the only safe policy to pursue, as it can give occasion to no complaints of unfair treatment, such as must arise under a scheme of discriminating duties.

Not only, Mr. President, must the preferences extended to the contracting country by these trade agreements necessarily involve offensive discriminations against all other countries, but they must also in the very nature of things limit our power to deal with tariff duties in the manner which we may deem most equitable to all sections and to all classes of our own country. Nothing could better exemplify this essential and unavoidable vice of such arrangements than the bill now under consideration. No man will attempt to maintain before this Senate that it is just and fair to the farmers of this country to repeal the duty on the wheat which they sell, and still leave a duty on the flour which they buy; but that unfair and unequal provision is excused upon the ground that while Canada was asking us to open our markets to her wheat, she was not willing to open her markets to our flour, and thus the determination of a foreign country to protect her millers is offered as an excuse for the manifest injustice which we are about to inflict upon the largest and the most deserving class of our people. All men admit the injustice, and I might well say the absurdity, of free cattle and taxed meat; but we are told that it could not be avoided because while Canada was more than anxious for free trade in cattle, she was not willing to expose her newly established packing houses to our competition in her meat markets. I could say as much, and even more, with respect to some other articles embraced in this agreement, but these two are sufficient to sustain my assertion that these trade agreements compel the adjustment of our tariff duties according to the views of another nation rather than according to our own sense of justice. Indeed, sir, it was not necessary for me to resort to the bill itself to enforce that objection, because the President has said, in effect, on more than one occasion that these inequalities can be found in the agreement because Canada would not consent to their correction.

Another, and to my mind a most serious, objection to these special trade agreements is that they render it impossible for any party to deal with customs duties consistently with its theory of the tariff question. The Republican Party professes to deal with the tariff as a system of protection, and the Democratic Party professes to deal with it as a system of revenue; but this bill does not square with either theory, for it deprives certain industries of every semblance of protection and it transfers to the free list articles which fulfill the Democratic definition of a revenue duty more perfectly than any others which are imported into this country. It compels the Republican Party to abandon protective duties in some cases, and to accept revenue duties in their stead; it compels Democrats to abandon revenue duties in some cases and to accept duties which increase the manufacturer's protection even beyond that afforded by the existing law. These incongruous provisions have provoked some Republicans to denounce it as a Democratic measure, and have provoked some Democrats to denounce it as a Republican measure. The truth of the whole matter is, Mr. President, that it is neither Democratic nor Republican, but it is a strange compound of both which renders it neither. I am willing to concede that it is the best which, under all the circumstances, the President could secure;

but, sir, those who affirm that to be true only make it plainer that when we come to trade markets, it is impossible for us to trade on terms which are just to our own people, or even consistent with the opinions of those who must conduct the negotiation.

FARMS SACRIFICED TO CITIES.

But, Mr. President, even if I were not opposed to these special trade agreements upon general principles, I could not support the one now pending here, because it deliberately sacrifices the interest of our farms to reduce the cost of living in our cities. It goes far beyond the doctrine of free raw materials, which has been the subject of controversy for so many years, for it not only confers certain advantages upon our manufacturers, but it extends special favors to the people of our cities and industrial centers by reducing the prices which they would otherwise be compelled to pay for the produce of our farms and ranches. It would be well within the truth to say that the policy embodied in this measure is designed to supplement the policy of free raw material, and that the two are hereafter to make common cause against the farmers of this land. Our manufacturers can see the end of the high protection which they have so long enjoyed, and with a shrewdness for which they have become proverbial they have set about to so shape the change that they will not suffer any loss. They perfectly understand that free raw material will reduce the cost of manufacturing their goods almost or quite as much as a reduction in the duty on them will reduce their selling price, thus leaving their profits undiminished; but they are not satisfied to maintain their profits, and they are endeavoring to increase them. They intend to use the reduction of the duties on their finished products as a pretext for reducing the wages of their employees, and they hope to reconcile those employees to lower wages by a reduced cost of living, to be accomplished by this and similar measures to follow, if the country ratifies this one. If they succeed in this plan, the sum of it all will be that neither the manufacturer nor his employees will be compelled to surrender any real advantage which the tariff now gives them, while the farmers and other producers of raw material will be compelled to lose whatever is saved to all other classes.

OBJECT OF THE BILL.

I know that many supporters of this bill now hope to escape the wrath of the farmer and the ranchman by denying that the purpose of it is to reduce the price of farm and ranch products; but, sir, I will demonstrate before I conclude that whatever may be the denials or protestations here, such is its purpose, and I think I can also demonstrate that such will be its effect. I shall not ask the Senate, and I shall not ask the country, to accept my statement as to the object of this legislation; but I can fully establish what I have averred against it at least in that respect, by what its own proponents and supporters have said in its behalf. I will first present what was said by the President of the United States in his message transmitting this agreement to Congress. In that document he assumed, as a matter not in doubt, that the agreement was designed to reduce the cost of living and specifically stated where the reduction was to be expected in these words:

> Reciprocity with Canada must necessarily be chiefly confined in its effect on the cost of living to food and forest products. The question of the cost of clothing as affected by duty on textiles and their raw materials, so much mooted, is not within the scope of an agreement with Canada, because she raises comparatively few wool sheep, and her textile manufactures are unimportant.

The President there plainly indicates that, so far as this treaty is expected to reduce the cost of living, it was intended to make the reduction on farm and forest products. In the same message, and preceding what I have just read, the President also says:

> I do not wish to hold out the prospect that the unrestricted interchange of food products will greatly and at once reduce their cost to the people of this country. Moreover, the present small amount of Canadian surplus for export, as compared with that of our production and consumption, would make the reduction gradual.

Thus we have not only the distinct admission that whatever effect this treaty will produce upon the cost of living will be confined to farm and forest products; but we also have the distinct assertion that though the reduction will not be great and immediate it will be gradual and permanent. It is true that after the farmers of the country rose up in angry protest against this injustice the President has somewhat modified that opinion, and he now declares, or in his latest speech delivered at Indianapolis he declared, that the reciprocity agreement will produce little, if any, effect upon the cost of living.

The Senator from New York in his very able and carefully prepared address to the Senate goes even beyond the President's message and seeks to justify this effort to reduce the price of farm products. He does not, it is true, attempt to justify it by an argument, but he declares that the public mind is so fixed in its determination to have cheap food that Congress would be compelled to respond to that demand in some other bill, if this one had never been submitted to us. Frankly admitting that the tariff on agricultural products has not heretofore been of any real benefit to the farmer, he boldly declares that as we have now reached a stage in our national development where tariff duties will enhance the price of agricultural products, they must be repealed, so as to prevent that result. In order that all who hear me or who may read what I am saying can understand what the Senator from New York thinks on this precise question, I will read an extract from that part of the speech in which he discussed it. This is what he said:

> I wish to say one word further with special reference to the effect of this law upon the farmer. If I were at home I would say it in private conversation to my farmer friends about me in the country, and that is this: The taking off of the duty on farm products between this country and Canada, while it will in a technical sense, a strict sense, be accomplished by the passage of this bill, nevertheless was inevitable; and if it did not come in this bill it would come in its own way by ordinary tariff legislation.
>
> No one can mistake, no one ought so to blind himself as to mistake, the changed feeling of the people of this country regarding the tariff as exhibited by the election of last fall, and not only by the election of last fall, but exhibited in 10,000 expressions all over the country and exhibited in the highest degree by the possibility of this reciprocal arrangement.
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> No one may suppose that this arrangement could be made by the President, carried through the House, certain of passage here in the Senate, if there were not a great public opinion behind it. What we say here is of little consequence. Our arguments do not advance or retard it. It is moving along with a public opinion behind it.
>
> Mr. President, there is no one here who believes that there is the least possibility that the people of the United States, until another revolution of sentiment has come, will permit the cost of their living to be increased by the imposition of a duty on ordinary foodstuffs.

At this point in his speech I interrupted the Senator from New York to ask why the people should demand untaxed food any more than untaxed clothing, as the one was no more a necessary of life than the other, and he answered in these words:

> Clothing does stand on a little different footing with regard to the general principle, because it is an illustration of the original idea that it was desirable for the country to have manufactures.

To that answer I replied then, as I do now, that the real reason for applying one rule to the farm and another to the factory is due to an apprehension that the factory will close whenever its dividends disappear, while they know that the farm must be cultivated whether it returns a profit to its owner or not; and to that suggestion the Senator from New York made this rejoinder:

> Mr. President, I have stated my view regarding the inevitable result of the process which is now going on upon the system of food duties. I never have thought that the duties which were imposed upon farm products were of any real general benefit to the farmer. They have been quite indifferent, affecting only several localities here and there, so long as our production ran far ahead of our consumption. But with the increase of our cities as compared with our farming population and the using up of our waste lands and the fencing in of old cattle ranges and the reduction of the productive power of our land, we have about come to the point where the continuance of those duties, instead of being a matter of indifference to the people of the country, would result in putting up the cost of food.
>
> I am not arguing the question. I am simply stating a reason why the farmers should not consider that this reciprocity arrangement is doing them any particular harm, because it is something that is sure to come to them anyway.

The Senator from Ohio [Mr. BURTON], who is regarded by many as the spokesman of the present administration, while denying in one part of his speech that this bill will reduce the price of agricultural products, except as to particular articles and over limited areas, made it plain in another part of his speech that he agrees with the Senator from New York in thinking that the farmers should be compelled to furnish cheap bread and cheap meat to the cities, although the cities are not compelled to furnish cheap implements and cheap clothing to the farms. He entertained the Senate with an interesting historical account of governmental control of food products, and concluded it with this declaration:

> Passing by many other instances of the insistence of a people upon maintaining its grain supply, we may come to England, where in 1846 Sir Robert Peel turned his back on the policies of a lifetime and brought into Parliament a measure for the repeal of the corn laws, which opened the markets of England to the food supply of the world. This law became fully effective in the year 1849.
>
> There are certain articles of food which may be classed as luxuries which are not of such vital importance, but if the time is coming in the United States when, instead of cheaper food, the cost will exceed that in other countries, we must count on a revolutionary change which will not merely affect our industrial situation, but will affect our political situation as well. Therefore I desire now to enter my protest against any policy which looks to the maintenance of duties on the most essential foods—the bread and the meat which the people eat—when the home supply shall prove insufficient. Such a policy, to my mind, is little short of suicidal. Progress and prosperity alike are impossible without an abundant food supply.

The Senator from Ohio [Mr. BURTON] knows as well as I do, and I regret that he did not have the candor to say so to the Senate, that when "Sir Robert Peel turned his back on the poli-

cies of a lifetime and opened the markets of England to the food supply of the world," he also opened the markets of England to the factory products of all the world. If the Senator from Ohio and his political associates are ready to propose as the law of the United States the same kind of a bill which Sir Robert Peel carried through the British Parliament, I am ready to join them; but, sir, I will never agree to apply the doctrine of Peel to the farms and apply the doctrine of Henry Clay to the factories of this country.

But, Mr. President, while the opinions of the President, the Senator from New York [Mr. ROOT], and the Senator from Ohio [Mr. BURTON] are entitled to the highest consideration, I have another authority which, with all deference to them, is more controlling than anything which they have said. In March, 1910, the Legislature of Massachusetts appointed a commission to inquire into the causes of the high cost of living. I do not have the honor of a personal acquaintance with the members of that commission, but we must assume that they possessed a peculiar fitness for the work, or else they would not have been selected for it by the legislature of that ancient Commonwealth, and if more were needed to attest their character and standing, it could be found in the fact that the Senator from Massachusetts [Mr. LODGE] has thought that report of sufficient importance to have it printed as a public document by the Senate of the United States. It is interesting in many respects, but for the purpose which I have in hand this afternoon I need only to direct the attention of the Senate and of the country to that particular part of it which advocates Canadian reciprocity as a means of reducing the cost of farm products. This report does not call them farm products, nor did the Senator from Ohio when he was denouncing every law which might increase their cost. This report, like the Senator from Ohio, refers to these articles as food products, because that will not make the matter so plain or so repugnant to the farmer; but they are farm products none the less, and whether we employ one description or the other, the fact remains the same. I ask the special attention of all Senators to that portion of the report which I will now read:

> Massachusetts comes far from feeding itself. In consequence of our extremely small percentage of agricultural workers and the excess of population in proportion to available farm land, the State is mainly dependent on outside sources for its food supply.
>
> If, then, we are sure to buy from two-thirds to five-sixths of our food from producers at a distance; if by no possibility we can get whatever advantage might arise from relying on our own farmers to come anywhere near feeding us, no obligation prevents us from seeking to buy in the cheapest market available, unless it be found among the reciprocal obligations of the tariff system.
>
> But the tariff was never meant to apply seriously to the food of the people, save for the development of such industries as the growing of fruit in Florida or beets for sugar in the West. From the first it was designed to create and preserve manufacturing industries. The odium of the corn laws need but be suggested to show how obnoxious would be a serious tax on food. If we have reached the point where it is of real importance to us to have the product of the farms of the North as well as that of the farms of the West, no tariff hindrance can be endured.
>
> It is not probable that any relatively considerable part of the product of our Massachusetts agriculture now marketed and not consumed on the farm would come in competition with foreign produce were our markets opened to all comers.
>
> So the Massachusetts farmer has nothing to lose from such a course, but on the contrary, has much to gain. Our physical limitations and the competition of mill and factory for the available help make it sure that he can at best not more than furnish a quarter or a third of our food. His nearness to the market makes it certain no remote competitor can undersell him on that part of our food which he can most profitably produce.
>
> As to the rest he will benefit in common with all other consumers. He has as much to gain as anybody from the grain that will henceforward in ever-growing flood come from the vast prairies of the Canadian northwest. It will feed his poultry and fatten his cattle. It will help revive the dairy, which ought to be his mainstay; will make it cheaper for him to work the market garden, and will develop the orchard.
>
> Extension of Canadian reciprocity in the matter of manufacture is, in our belief, for the present out of the question. The forces now dominant in Canada would not listen to any proposition that would endanger her growing industries, and there is no reason why they should. It is not for the United States, the majority of whose citizens are confident of the worth of the protective system in developing manufactures, to begrudge her neighbor the benefits of this same system.
>
> There was a time when Canada might have been willing to have her textiles made in Manchester, England, or Manchester, N. H. That time has passed. We are not likely again to get on a footing where a bargain is possible until the Canadian factories feel equal to self-reliance. Meanwhile it is of the utmost importance to maintain amicable relations, under which each party can from time to time make concessions and extend reciprocal relations without loss of either advantages or of dignity, as has recently been so admirably illustrated.
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> These will at least not be discouraged if we can make it possible for our people to buy their food in the cheapest market. If Canada chances to profit by supplying our needs to some small extent, so much the better both for Canada and for ourselves. But there is no reason why we should restrict our new purchases to Canada. If Mexico, or Argentina, or Australasia can help us out, let us turn to them as well.

Here, Mr. President, we have a distinct and unequivocal declaration in favor of cheap food products, and a reciprocity agreement with Canada is recommended as a first step toward procuring them. The gentlemen who wrote that report were under no political temptation to conceal their object or to palter with their constituents in any double sense about it. They were speaking for a State whose rural population is but an inconsiderable per cent of the whole, and they did not hesitate to plainly avow their purpose and point out the way to accomplish it. They did, it is true, offer some consolation to the farmers of Massachusetts by assuring them that they would share the general benefit which Canadian reciprocity would bring to that State through the lower prices at which they could obtain certain farm products which the necessity of their situation now compels them to buy from their brother farmers of the West.

It will be observed by those who have listened closely to what I have just read that these Massachusetts advocates of cheap living are not content with the lower price of farm products which Canadian reciprocity promises them, but they look beyond Canada to Mexico, to Argentina, and even to far-off Australia. Her citizens have grown rich by taxing the shoes, the hats, and the clothes of the American farmer, but Massachusetts now declares with an arrogant selfishness that the Government must allow them to buy their farm products in the cheapest markets of the world, though she would still deny the American farmer the right to buy his manufactured goods under the same conditions.

Mr. President, I will tender one more witness to the fact that the purpose of this agreement is to reduce the price of farm products, and this witness is one who views the question purely from an industrial standpoint. A recent issue of Harper's Weekly printed an article on "The Business Side of Reciprocity," contributed by Mr. Franklin Escher, in which he cordially indorses this proposal and enumerates its general benefits, as well as its special benefits to particular classes. I shall perhaps have something to say later about those special benefits which he says it will confer on particular classes, but in this connection I shall only lay before the Senate what he says as to its purpose and its effect with reference to the price of farm products. Here is a part of what he wrote:

> Removal of the present duty on Canadian agricultural products can not but work toward a reduction in the cost of living. To a very much greater degree than most people think does the supply and demand for products of the soil influence the price of general commodities. Cheap wheat and oats and corn mean not only cheap beef and pork, but a lowering in the price of textiles and steel and every other kind of manufacture in whose cost of production wages are the chief factor. Wheat at a dollar and a quarter and corn at 70 cents mean high wages, and high wages mean a high cost of production. Get down the original cost of what comes out of the ground and the price of the other necessities of life will soon enough fall into line.

This writer thus lays the whole scheme bare and makes it evident to even the dullest man that the program is to first reduce the price of farm products and then to reduce the wages of industrial labor. They expect to pacify the laborer by showing him that he will take as much from the farmer when he purchases these agricultural commodities as the manufacturer will take from him by a reduction of his wages and therefore he will lose nothing in the end. In the closing paragraph of this same article the writer not only declares that the object of this treaty is to reduce the price of farm products, but he answers the farmer's remonstrance against it with a sneer and dismisses it with the statement that "the question is too big to be settled for the benefit of any one section or part of the country." This declaration is so novel and so brutal in its candor that I want the Senate to hear it. This is his language:

> That is exactly the object of this proposed reciprocity treaty with its provision for the free importation of Canadian wheat and other foodstuffs into the United States. By our farmers, naturally, the idea of Canadian competition with what they raise is not at all liked, but the question is too big to be settled for the benefit of any one section or part of the country. The time has come in the development of this country when the products of the soil are no longer sufficient to meet the needs of a fast-growing population and the necessity for opening the doors to the products of other countries has become urgent. It is the only way in which the rise in the cost of living can be stopped. And until the rise in the cost of living is stopped—not for six months or a year, but in such a way as to make it evident that the check is permanent—the root of the trouble remains and sustained financial recovery is impossible.

THE PRICE OF FARM PRODUCTS.

Against this accumulated evidence that our cities and our industrial centers are seeking to cheapen the cost of living by reducing the prices which they must pay for farm products, some Senators have opposed the naked assertion that tariff duties do not and can not affect the price of agricultural produce. The shortest, and perhaps the best, answer I could make to that argument would be to say that if a tariff can not help the farmer to realize a higher price for his products when he sells them, then it will not compel the consumer to pay a higher price for them when he buys them, and it is absolutely without effect either upon the producer or the consumer. Surely, sir, the American Congress will not waste its

time in striving to repeal a tariff duty which does not constitute a tax upon any consumer or afford a protection to any producer. If it taxes no consumer, the Democratic Party is not required to insist upon its repeal; and if it protects no producer, the Republican Party should not insist upon its continuance. But, Mr. President, conclusive as that answer would be, I choose to meet the question in a different way; and I will show that while the price of some agricultural products can not be increased by a tariff duty, the price of others can be, and in making this argument I will not contravene anything which intelligent Democrats have ever said on that question.

It is undoubtedly true that all Democrats have contended that no tariff duty can affect the price of some agricultural products; and it is probably true that some Democrats have contended that no tariff duty can affect the price of any agricultural product. The latter view, however, has never been accepted by our party as a whole, or by individual Democrats of average intelligence. No man doubts that the price of wool is enhanced by a tariff duty; no man doubts that the price of sugar is enhanced by a tariff duty; no man doubts that the price of rice is enhanced by a tariff duty; no man doubts that the price of hides would be enhanced by a tariff duty; nor can any man who studies the question in all its phases doubt that the price of wheat is now enhanced by a tariff duty. No sensible Democrat has ever supposed that there is anything in the nature of agricultural products which renders their price less susceptible to the influence of a tariff duty than the products of a factory; and whatever we have said on that subject has been based upon the fact that as to certain agricultural products the ratio of our production to our consumption was such as to leave an immense surplus for which it was necessary to find a market elsewhere, and that the price of the entire crop was controlled by the price of the large surplus which it was necessary to export. The principle involved in that contention was sound then and it is sound now; but there has been such a radical change in the ratio of our production to our consumption that the argument based upon it is no longer applicable to the case. The advocates of this bill recognize this change in conditions as fully as I do, and they predicate their whole argument in favor of free farm products upon the very ground that the increase in our agricultural production has not kept pace with the increase in our consumption of agricultural products.

I understand as well as anybody that no tariff duty can affect the price of upland cotton, which is the great staple of the South, because we produce more than 60 per cent of the world's cotton crop and export more than 60 per cent of what we produce. With our exports practically double our consumption, the price of the whole crop must, of course, be determined by the export price. Neither could any tariff duty affect the price of corn, except under the most extraordinary conditions, because we produce 75 per cent of the world's crop, and we could easily spare more for export than the world is now ready to take from us. But, sir, outside of these two great crops, the price of almost every other agricultural product can be and will be affected by a tariff. The effect on some will be confined to a limited territory and the effect on others will be slight, but the price of all will be influenced at some place or in some degree by a tariff duty.

The President of the United States has given the sanction of his great name to the contention that the price of farm products is fixed in the markets of the world, and can not therefore be affected by any law of our Congress. I believe that I can show to the satisfaction of every open mind that the very argument which the President has made on that question really establishes the opposite of what he intended, and since he is the author of this agreement, as well as its most distinguished advocate, if I can show that his own argument supports my contention I can then well afford to pretermit an answer to my lesser critics.

In his Chicago speech President Taft replies with spirit, but still with a becoming dignity, to those who have accused him of making inconsistent arguments. He met the accusation in what I am sure he considered a fair way, and so that the Senate may judge whether his answer was sufficient, I will read it and then attempt to analyze it. This is what he said:

> I have been attacked on the floor of the House and elsewhere as occupying an inconsistent position. It has been said that I have urged the reciprocity agreement with the idea of lowering the cost of living on the one hand, and then have asserted that the farmers would not be injured by reduction in the price at which they sell their products on the other hand. It is asked, Is it possible to reduce the cost of living on the one hand and maintain the present prices of farm products on the other? My own impression is that the cost of farm products is determined by the world's supply, and not by local conditions of tariff or otherwise, and that as long as the movement toward manufacturing and away from the farms continues and the supply of farm laborers is reduced a continuance of high prices for farm products is inevitable. But I do think that reciprocity will enlarge the reservoir or the supply of farm products for our people, and thus prevent undue enhancement of prices beyond the present standard.

It will be readily perceived by the attentive reader that the President does not there deny that he has urged the reciprocity agreement with the idea of lowering the cost of living, or that he has asserted that the farmers will not be injured by a reduction in the prices at which they sell their products. Indeed, he inferentially admits having made both statements by endeavoring to show that they are not inconsistent; and in his attempt to do that he has uttered some of the most remarkable contradictions that ever fell from the lips of a great man in quick succession. "My own impression," says the President, "is that the cost of farm products is determined by the world's supply, and not by local conditions of tariff or otherwise." It is fortunate for the fame of the President that he stated that as an impression, for he thus exempts himself from a criticism which he would otherwise have invited. Had he stated it as a matured opinion or as a conviction, he would have convinced all men who understand the question that he had arrived at his conclusion either without a full knowledge of the facts or else by an illogical process of reasoning. It is also fortunate for the President that he stated that merely as an impression, because he contradicts it by what follows it immediately and in the same sentence when he declared that—

> As long as the movement toward manufacturing and away from the farms continues, and the supply of farm laborers is reduced, a continuance of high prices for farm products is inevitable.

Thus in one breath the President says that no conditions here can affect the prices of farm products, and in the next breath he says that the essentially local relation between manufacturing and farm labor renders "a continuance of high prices for farm products inevitable." But irreconcilable as these two statements are they are not the only nor the most palpable contradictions in the paragraph which I have read from the President's Chicago speech. In the sentence which follows that on which I have just commented, the President expresses his opinion as to the effect of reciprocity on the prices of farm products in language which can only mean that he expects and intends for this legislation to reduce their price. Now listen to this declaration, which is a most remarkable one in view of the President's preceding statement that "the cost of farm products is determined by the world's supply and not by local conditions of tariff or otherwise." He says:

> But I do think that reciprocity will enlarge the reservoir or the supply of farm products for our people, and thus prevent any undue enhancement of the prices beyond the present standard.

In this sentence the President expressly declares that he expects to affect the price of farm products in this country, not by some influence operating on the markets of the world, but by creating a reservoir in Canada from which our people may draw and thus prevent prices rising above their present level. Could there be a clearer or a more distinct recognition of the fact that American prices can be reduced, or what is the same thing, can be prevented from rising, by an arrangement between the United States and Canada? In view of the President's candid statement as to the operation of this treaty on the prices of farm products, will any man hereafter deny that such is its purpose?

But the direct conflict which the closing sentence of this paragraph raises with what the President had said in the preceding sentences, is not what will most vitally concern the American farmer. The thought which this last sentence will most deeply impress upon his mind is that the President and the Congress of the United States are deliberately planning to create a reservoir of agricultural products in Canada which will make it impossible for the price of agricultural products in the United States to rise, even though the natural conditions of supply and demand with us should call for that result. There shall be no increase in the price of agricultural products to correspond with the constantly increasing value of land; there shall be no increase in the price of agricultural products to meet the advancing wages of farm labor; there shall be no increase in the price of agricultural products to provide for an ascending scale of farm comforts and for the better education of the farmer's children. The price of everything the farmer must buy may rise under the malignant influence of unlawful combinations or under the unjust rates of a protective tariff, but the farmer must meet these new charges upon his land and his labor by an increased production because he shall not enjoy an increase in the price of his products.

Under the mysterious providence of God—a providence which I do not comprehend, but to which I submit with reverence—the seasons vary with the years, and the farmer's crops vary with the seasons. When the rains and the sunshine are so apportioned that every field brings forth an abundant harvest, the

price of agricultural products will fall under the greatly increased production, thus diminishing the farmer's gain; and when unpropitious seasons bring flood or drought, or early frost, and the land yields grudgingly, the short crop will fetch a better price, thus diminishing the farmer's loss. That is the great law of supply and demand, which the farmer can not escape and from which he does not ask to be relieved. He is willing to suffer its losses if he is permitted to enjoy its gains. But, sir, this scheme to create a Canadian reservoir is designed to suspend the operation of that economic law whenever it would neutralize the farmer's losses in consequence of his diminished production; though it will operate without hindrance to neutralize his gain from an increased production. Under our present conditions a small crop will invariably call for an increase of price beyond the present standard, and this increase of price would compensate the farmer in some degree for a diminished production. Indeed, sir, there are wise men who hold that a short crop is not always a misfortune, for not only does a short crop always command a larger price per bushel or per pound, and thus compensate to some extent for a smaller number of bushels or pounds, but its influence always projects itself into the following year, and not infrequently into the third year. That happens because the smaller crop carries over a smaller surplus, and that smaller surplus results in a higher price. It is practically certain that whenever a small surplus exerts an influence over the price of any given article for three years in succession the losses of the farmer are reduced to a minimum. All of this, however, they now propose to change, and under this new and cruel dispensation our farmers may still see their fat years made lean by lower prices, but they can never hope to see their lean years made fat by higher prices.

PRICE OF FARM PRODUCTS WILL FALL.

If there are those in the Senate who do not concur in the opinion of the President that a Canadian reservoir will affect the price of agricultural products, I think I can satisfy them that the effect of this measure will be even greater than the President has said it would, and I can do so by showing that such was the effect of a former law. In 1854 the United States entered into an agreement with Canada, which looked principally to a settlement of the fisheries dispute and the navigation of the St. Lawrence River; but it also included reciprocal free trade in a few articles. That treaty was resisted by some upon the ground that it would injure our farmers; but it was contended then, just as it is contended now, that such a fear was wholly unfounded. Over the protest of those interested in agriculture, though that protest was nothing like so emphatic as the present one, that agreement was concluded, and it became effective in September, 1854. Very soon its results became apparent, and an agitation for its repeal was inaugurated. The Hon. Israel T. Hatch and the Hon. James W. Taylor were instructed by the Secretary of the Treasury to investigate the whole question and to report their conclusions to him. Both Mr. Hatch and Mr. Taylor were advocates of Canadian reciprocity, though they did not agree in their recommendations to the Treasury Department. Mr. Hatch held that Canada had so discriminated against our commerce as to justify us in abrogating the agreement; but Mr. Taylor did not think that those discriminations were serious enough to call for such drastic action. Whether the one or the other was right in that particular is immaterial to us at this time; and I only refer to those reports now, because one of them asserts that the treaty had been a positive detriment to our agricultural classes, and the other does not challenge that statement. Mr. Hatch states, and he repeats that statement in three different places in his report, that the agreement had been a distinct advantage to Canadian agriculture and a corresponding disadvantage to the agriculture of the United States. Let me lay before the Senate exactly what he said:

> The increase in the profits of the Canadian farmer, since the treaty, is well known on both sides of the frontier. The large amount which would have accrued to the United States in the form of duties has gone to his benefit in the increased value of his products and real estate. The production of many articles has been greatly stimulated (much to his advantage), and their importations have been severely felt by our own producers along all that line of frontier through which access is naturally sought in an eastward course to our cities, manufacturing districts, and the great highway of the world.

In another part of the same report Mr. Hatch says:

> We gave to her farmers highly remunerative prices, and brought their lands and productions upon an equality with our own, and thus greatly increased the value of their homesteads. Through their agriculture we aided every branch of their industrial occupation, though we thereby left the most important points of our trade in the hands of those among whom hostile traditions are not yet wholly extinct.

And still in a third place Mr. Hatch declares:

> The grain-growing regions of the Northwestern States have suffered more than other parts of the Union from a depression of prices.

In a very elaborate report made to the House of Representatives by the Hon. Elijah Ward in 1862 he quotes with approval a statement made by a select committee appointed by the legislative assembly of Canada in 1858, in which it was stated that for several years before the treaty of 1854, the price of all articles grown or produced in Canada averaged about 20 per cent below the price of similar articles grown or produced in the United States, and that this difference continued up to the year 1854, when it is a matter of common knowledge that the difference between prices in Canada and prices in the United States disappeared. I will read this extract from Mr. Ward's report:

> Here the special operation of the laws of political economy is worthy of note. Superficially, it is said that the markets of Europe regulate for agricultural productions the markets of this continent, and that the duty remitted on Canadian products was a saving to the pockets of our people, but the products of Canada and our relative position and requirements are such that the United States possess, to some extent, a monopoly of the Canadian market as purchasers of the products of the field. For cattle, sheep, swine, the coarse grains, and certain kinds of lumber we constitute for Canada the only market worthy of naming, and the wheat of Canada, from its peculiar adaptation to our uses, was largely sold to us before the treaty. Of the large amount of wheat received at Toronto, the metropolis of upper Canada, in 1859—the last year of which we possess any authentic statistics on the subject which have been published—only 2 per cent were sent via the St. Lawrence, the rest having been received at Oswego and other American ports, and that the duties—of 20 per cent—were in effect paid by the Canadians prior to the treaty is incontrovertibly established by the report of the select committee on commerce, appointed by the legislative assembly of Canada in 1858, testifying that the effect of the repeal of discriminating duties on grain imported into Great Britain was "to depreciate the value of all articles grown or produced in Canada 20 per cent under the value of like articles grown or produced in the United States, and this difference in value continued up to the year 1854—the year of the treaty—a period of nearly nine years."

Mr. President, the equilibrium of prices in the United States and Canada which followed the treaty of 1854 might have been brought about in either one of three ways. It might have come through a rise in their prices equal to the full difference; or it might have come through a fall in our prices equal to the full difference; or it might have come by their prices rising and our prices falling until they met. My own opinion is that the law of 1854 exerted a much larger influence over prices in Canada than it did over prices in the United States; and I think so because their production was at that time so very small as compared with ours that an influence which would scarcely have made itself felt at all in the price of our great crop would have been very potential over the price of their small crop. But, sir, even if the price equilibrium of that time was brought about entirely by a rise in Canadian prices, no rational man could expect the same result to ensue under this treaty, because the Canadian agricultural surplus now is almost as large as ours in bushels and is a very much larger per cent of the crop. I am therefore absolutely certain that the effect of this agreement will be to elevate the price of farm products in Canada and to depress their price in the United States until a common level is established.

AN INJUSTICE TO AGRICULTURE.

Who will profit by the losses which this bill will entail upon our farmers. On April 28, 1848, the House of Representatives transmitted to the Secretary of the Treasury the Canadian reciprocity bill then pending before that body and asked for an expression of his views upon it. Under date of May 1, 1848, the Acting Secretary of the Treasury complied with the request of the House and in his letter he very clearly pointed out the classes who, it was understood at that time, would be the chief beneficiaries of Canadian reciprocity. In that letter he says:

> Very great advantages would accrue to the United States, and especially to New York, New Jersey, northwestern Pennsylvania, and the New England States, and to Jersey City, New York, Brooklyn, and Boston, as well as the States of the Northwest, and all others that ship any of their products from any of the ports on the lakes, whether brought into those ports by wagons, railroads, rivers, or canals. The tolls of our railroads and canals would be increased, and the business of our lake and other ports augmented, and especially in the ports of Boston, New York, Brooklyn, and Jersey City. The trade with the Canadas would be greatly increased. Indeed, nearly all the articles specified in the bill exported from the greater part of Canada to foreign countries would be brought through our ports, and the imports to Canada from all the world would soon nearly all be carried through the same channel; whilst our own manufactures, to complete cargoes and assortments, would often be purchased for consumption in Canada to a far greater extent than under the present system. Indeed, under such a system, as the products of Canada might increase from time to time, nearly the whole surplus exported abroad would be carried upon our rivers, railroads, and canals—upon our cars, boats, and vessels—stored, and sold, and shipped from our cities—greatly improving our commerce and navigation, increasing our tonnage, and invigorating nearly every branch of American industry.

The part of the letter which I have just read was followed by a reply to the inquiry as to whether the adoption of that measure would require us to extend its privileges to other nations with which we had treaties containing the most-favored-nation clause, and the letter closes with this paragraph:

> In conclusion, this department would beg leave most respectfully to recommend the immediate adoption of the measure as proposed by the committee, so as to enable our merchants, traders, and navigators and other industrious citizens, as well as States and companies interested in our railroads and canals, to avail themselves of the many benefits

that would be derived from the practical operation of this measure during the present season of navigation, and so as to embrace a large portion of the spring trade.

The same classes who would have been benefited by reciprocity in 1848 are the same classes who will reap its greatest advantage now, and in support of that statement I desire to lay before the Senate two other quotations from the article in Harper's Weekly to which I have already invited its attention. The first is this:

But with the proposed arrangement actually in the hands of the special session and a large proportion of the community fully expectant of its ratification, there is coming to be more and more of a disposition to look at the business side of the question. The "breaking down of artificial barriers" idea is all very well, but rather indefinite and not particularly conducive to accurate estimate as to what reciprocity would mean to the railroads or to the farming communities of the West and the manufacturing communities of the East. And that, after all, is the point of interest to by far the greatest number of people.

Considering first the question of the influence of reciprocity on the railroads, it is plain that the increased tonnage of merchandise passing between the two countries can not but be of great benefit to the transportation companies. Whatever one may think of the advisability of admitting Canadian wheat or other products free of duty, it is a proposition hardly admitting of denial that the lowering or removal of existing tariff charges will tend strongly to stimulate the merchandise movement. Last year our exports to Canada amounted to $242,000,000. Recently it was estimated by the Chief of the Bureau of Foreign Commerce of the State Department that if the reciprocity agreement were adopted our exports to Canada in 1915 should total at least $350,000,000 and might reach $400,000,000. This is of course only an estimate, but it is an estimate coming from an excellent source, and serves at least to show the possibilities in the way of increased railroad tonnage arising out of the agreement in question.

Again, and still further specifying the particular beneficiaries of this treaty, he says:

Stimulating to the business of the railroads as the proposed arrangement would be, hardly less beneficial would be its influence on the business of the manufacturing companies. The past ten years have seen a tremendous increase in our productive capacity, an increase by no means offset by growth in our consumptive needs. As a result of the development of this condition, the need of a foreign outlet for our manufactured products is steadily becoming more urgent. Determined efforts during the past six months to work up export business have been attended with a good deal of success, but to establish and hold a market in a foreign country where trade usages vary widely and even the language spoken is different, takes time, and is an operation beset with difficulties. With the productive capacity of our mills and factories increasing as at present, necessity will compel the sale of large amounts of American manufactures in foreign markets; but prices in such cases are by no means always satisfactory, and it will readily appear how much more to the manufacturer's advantage it would be if he had some outlet where selling could be conducted under less pressure.

Thus, Mr. President, we are invited to reduce the price which our farmers receive for their products in order to increase the earnings of our great railroads, and to stimulate the business of our manufacturing establishments. Are we willing to do that? Will our sense of justice permit us to do it? Is there a Senator in this Chamber, or is there a citizen in this Republic, who will dare to stand up before his countrymen and proclaim his willingness to reduce the income of our farms in order to increase the profits of our manufacturers or the dividends of our railroads? I would not impair the revenues of our railroads by denying them a fair compensation for their services, nor would I curtail the profits of our factories by withdrawing from them anything to which they are rightfully entitled. It is not my habit to array class against class, or to incite the poor against the rich. I rejoice in the prosperity of every man and of every enterprise, and I would legislate with impartial justice toward all. But, sir, I will not take from those who have so little and give to those who have so much.

If the law must discriminate between our industries the discrimination should be in favor of the farm rather than against it, because the profits of the farm now, even under the prices against which the people of our cities so vehemently complain, are less than they are in any other useful occupation. Can we point to any farmer who has amassed a fortune by cultivating the soil? Among the 10,000,000 of them in this Republic not one possesses a fortune which a millionaire might envy. After making a due allowance for his time and labor, the average farmer in this country does not realize 3 per cent upon his land investment; and shall we compel him to divide that meager return with men who count their business unsatisfactory unless their profits are three times as great as that.

Who are these men who ask us to reduce their expenses by reducing the income of the farm? Are they less able to pay a tax on what they buy from the farmers than the farmers are to pay a tax on what they buy from the manufacturers? According to the Democratic text book our manufacturers are not only rich, but they have wrung their colossal fortunes from the hard earnings of these very farmers, and we have been charging for many years that they have supplemented the exactions of a high tariff by combinations which our statutes have denounced as a crime. Not satisfied with being rich, they were eager to be richer; protected from foreign competition by a high tariff duty, they have sought to protect themselves from domestic competition by unlawful combinations.

No man has ever made that charge against American farmers; or if any have ever been rash enough to make it, not one has ever been able to sustain it. They have not sought the exorbitant profits of monopoly, nor have they ever restrained our trade in violation of the law. They ask less of the Government and do more for it than any other class. They never evade their taxes and they never shirk their duty. They are the first to answer the call for volunteers and the last to lay down their arms. Their valor has been proved in every war, and their blood consecrates every battle field from Concord to San Juan Hill.

Not only, sir, are they loyal and unselfish patriots, but they are the most useful of all our people. Their patronage sustains our towns, and they produce the material essential to so many of our enterprises. From their fields come those commodities which constitute our chief commerce with foreign nations and bring every year uncounted gold to liquidate the balance of trade, which, due to them, is nearly always in our favor. We need factories and railroads, and our civilization would progress by slow and painful stages without them; but, sir, this Government was founded before the dream of a railroad had ever glorified the brain of a man, and we won the War of Independence when our manufacturing industries were as nothing. If we should close the door of every factory and put out the fire in every engine, our people could be happy and contented. But it is not so with these farms. If they should be abandoned for a season, commercial and industrial disaster would paralyze the energies of the Nation and suffering would come to men of every station and pursuit. If the farmers should forsake their fields for a single year, our factories would close, our merchants would fail, the grass would grow in the streets of our cities, and famine would sacrifice our fairest and our bravest to the fiend of hunger. Oh, no, Mr. President, while I do not plead for a special privilege to the farmer, he is the last man upon whom I will impose an unjust burden.

If we turn from a comparison between the prosperity of those who own and operate the mills and those who own and cultivate the farms to a comparison between the factory employee and the farm laborer, we will find nothing to convince us that the wages of farm laborers should be reduced in order to reduce the cost of living to factory employees. In the factory they work 8 hours a day, rest through every Sunday and on nearly every holiday, while on the farm they work 12 hours each day, and neither the Sabbath day nor the holiday is free from toil. The skilled artisan of the city will earn more in a single week than the farm laborer can earn in a full month, and his other advantages are greater than the difference in his wages. A splendid schoolhouse stands almost in sight of the city laborer's door, and accomplished teachers, who draw good salaries, are there to train his children, while the farm laborer's children must trudge through rain and snow a distance of several miles to reach a modest schoolhouse, where an underpaid teacher imparts inferior instruction. Is it right, is it humane, to tell these farm laborers that they must give something of the pittance which they now receive, so that their more prosperous brothers in the city may live better or live more cheaply than they do now? It is an old philosophy, Mr. President—and it may have grown obsolete, but I still cling to it as I do to the faith of my fathers—that the safety of this Republic is better secured by lifting those who are low from their humble station than by leaving them to sink still lower while we help those who are already well placed. And adhering to that belief, I would improve the condition of the farm laborer until it approaches the condition of his brother in the city, rather than make the disparity between their conditions greater than it is to-day; because, sir, if we pursue the latter course, we must expect that the discontented laborers of the country will continue to drift in larger numbers to our overcrowded industrial centers.

We have heard much in recent years about the danger of withdrawing our people from the country and concentrating them in our cities. Can we reverse or even arrest that tendency by subtracting from the profits of the farm and adding to the comforts of the city? No, sir, if you expect intelligent and worthy men to answer your call of "back to the farm" you must make farm life more attractive; you must help the farmers to improve their homes and beautify their surroundings. I am not able to understand how any man could prefer the city, with its bitter strifes, its narrow jealousies, its tumults, and its passions, over the farm, where the springs and streams, the fields and pastures, the woodlands and meadows speak to us a ravishing language and bring us close to the great, throbbing heart of nature. There I would be glad to spend my days, and "far from the madding crowd's ignoble

strife," pursue those studies which elevate the mind and purify the ambition.

I could live forever in peace among its herds and flocks and horses. I love its cattle, which supply the human race with meat and drink; I love its sheep, whose flesh gives strength and whose fleece gives comfort to the family of men; and above its cattle and sheep I love its horses, for they are man's best friend and servant. As he walks with steady tread between the furrows helping his master to produce the cotton and the corn which clothes and feeds the world; as through the days and years he draws his burden in our towns and cities, patiently performing the drudgery of commerce; on the field of battle, where with flashing eyes and foaming sides he bears his martial rider to victory or to death; and on the race course, where with distended nostril and quivering nerve he struggles with his kind for the supremacy in stamina and speed; at all times and in all places the horse is the noblest of God's dumb creatures.

But, sir, while these sentiments would carry me to the farm, even if I had to support it without expecting it to support me, they will not appeal to all of our countrymen, and nothing can arrest or reverse the tendency from the country and toward the city except to make country life profitable as well as pleasant. If you can but do that, sir, we will restore to our farms and plantations the glory of a former day, and there the master spirits of our age will study with delight and diligence the basic principles of free government. Then may we hope to see the petty wrangles which now degrade our politics give way to a discussion of the great principles which promote a nation's prosperity and preserve a people's freedom.

SOME GROSS DISCRIMINATIONS.

Except that I know how vain and how useless it would be, I would take up this treaty article by article and expose the anomalies, the absurdities, and the inequalities which mar almost every paragraph of it; but I realize that to do this would be a waste of my time and strength. Inasmuch, however, as I intend this speech for my constituents who will read it, rather than for my associates who do me the honor to hear it, I will venture to call attention to some of its most flagrant vices, though in doing that I must repeat some of the things which I have already said against it in the course of this debate.

This bill repeals the duty on hay, which yielded last year a revenue of more than $386,000 to the Public Treasury; and yet it still leaves a duty on everything which the farmer must buy and use in making and marketing his hay. Senators might doubt that statement if they did not know that I would not misrepresent the provisions of a bill, and I could hardly consider it a reflection upon my standing in the Senate if in amazement at it they doubted the correctness of what I have just said. Free hay and taxed implements with which to make and market it! I would call that a grotesque absurdity if it were not an infamous injustice. This Government collected on hay imported from Canada last year more than 20 times as much as on farming implements. All of the agricultural implements imported from Canada last year—not haymaking implements alone, but farm implements of every kind—paid into the Public Treasury less than $22,000, while hay itself paid $386,000, and will Senators tell me that when we repeal the revenue-producing duty on hay and leave this almost barren duty on farming implements we are obeying the Democratic commandments? Is it right and fair, Mr. President, to send the American farmer into his meadow to cut his free hay with a taxed mower, to rake it with a taxed rake, to stack it with a taxed stacker, and to bale it with a taxed baler? But the outrage does not end there, for he must then haul it to town on a taxed wagon, drawn by horses which wear taxed harness made out of free hides. Only the hay and the horses are untaxed, and they are both products of the farm. Can you hope to appease, or even to moderate, the indignation of an American farmer over an injustice like that by telling him that the cities are entreating us to reduce the cost of living?

The case of hay is not much, if any, worse than the case of wheat. This bill totally repeals the duty on wheat and still leaves a duty on flour. It compels the farmer to sell his wheat to the miller untaxed, and yet he must buy it back in the shape of taxed flour. What kind of justice is it, sir, that applies one rule to the wheat which the farmer sells and another rule to the flour which the farmer buys? What difference is there between wheat and flour which should make one free and leave the other subject to a tax? Wheat is but flour in its nonconsumable form, and flour is but wheat in its consumable form. If any difference should be made between them, every rule of justice and of sound policy would require that the flour which men buy to give them strength and preserve their health should be free from tax, while the prosperous miller might be fairly left to pay a tax upon the wheat which he buys purely and only for the sake of the profit which he can make by grinding it into flour. But, Mr. President, this gross and this obvious injustice of repealing the tax on wheat and leaving it on flour is not the most indefensible phase of this particular provision, or at least it is not the most indefensible phase of it to a Democrat, because while pretending to strip the farmer for the benefit of his brother in the city, it does not transfer to the consumer all it takes from the farmer, for it lodges the larger part of it in the pockets of the miller. Let me make that plain, and I can make it so plain that the dullest man in Christendom can understand it.

The present duty on wheat is 25 cents per bushel, and it requires 4½ bushels of wheat to make a barrel of flour. Therefore the miller must now pay to the Government of the United States $1.12½ for the privilege of importing enough wheat from Canada to make a barrel of flour. The duty on flour is 25 per cent ad valorem, and as the price of flour imported from Canada averages about $5 per barrel, the total duty expressed in dollars and cents would be $1.25. Thus, under the present law the miller pays the Government $1.12½ on the imported wheat sufficient to make a barrel of flour, and enjoys a protection of $1.25 on that barrel of flour when made, leaving him a net protection of 12½ cents per barrel. This bill totally repeals the duty on the wheat which the miller buys, but it only reduces the duty on the flour which the miller sells; and the final result of this legislation will be that where the miller now pays $1.12½ and collects $1.25, under this Canadian treaty he will pay out nothing at all and still collect 50 cents on every barrel of his flour. In other words, and in plain words, this bill gives the miller a net protection of 300 per cent above the present law. Can it be possible, Mr. President, that any Democrat really believes that a bill which enormously increases the protection over the Payne-Aldrich Act is "a step in the right direction"?

Unjust and indefensible as are the discriminations between hay and hay-making implements, or between wheat and flour, they are not worse than the discriminations between cattle and meat. Under the law as it now stands cattle worth more than $14 per head are subject to a duty of 27½ per cent, and, therefore, on a steer worth $40 imported from Canada the duty would be $11. The duty on the meat which that steer would dress is 1½ cents per pound; and assuming that such a steer will dress 800 pounds—and he would not dress more than that—the protection on his carcass would aggregate $12, which would leave the packer a net protection of $1 after paying the import duty of $11. This bill totally repeals the duty on the imported steer, but it only reduces the duty on the dressed meat from 1½ to 1¼ cents per pound. Now, let us compare the results to the packer under the law as it stands and under the law as it will stand when this Canadian agreement becomes effective. The packer now pays out $11 and collects back $12, leaving him a net protection of $1. Under this agreement he will pay out nothing and collect $10, thus leaving him a net protection of the entire $10. Mr. President, every Democrat in this country capable of making a speech has denounced the Payne-Aldrich bill with savage fury, and yet, sir, we are now asked to give the beef packers of this country a clear protection of $10, where the Payne-Aldrich bill gave them a clear protection of only $1. Admitting that the people will pay $2 less for the meat of that steer—and I do not admit that, because a reducion of ¼ of a cent per pound is not susceptible of a division which can be transmitted to the consumer; but conceding that the people will get the benefit of the entire reduction in the duty on meat—it will amount to but $2 to them, while the reduction of the duty on the cattle out of which the packers dress the meat will amount to $11. The Government gives up $11, of which the people get $2 and the beef packers get $9. Or, to state it in a different but in a perfectly legitimate way, the protection afforded to the packer by this bill is exactly 10 times as great as the protection afforded by the Payne-Aldrich bill.

These objections to the bill are acknowledged and, I hope, regretted by every Democrat in the Senate; but they urge me to support it in spite of them, because it places lumber, wood pulp, and print paper on the free list. Sir, those items, so far from inclining me to support the bill, are next to its free farm products the most objectionable provisions in it. Let us dispassionately consider them, and decide what claims they have upon our conscience and our judgment.

First, let us take lumber, and let us not forget that this bill repeals the duty on rough lumber only. It takes nothing from the planing mill or other lumber manufacturer, because it has reduced the duty on dressed lumber to correspond exactly with

the repeal of the duty on rough lumber, thus leaving the planing mill and other lumber manufacturers in precisely the same condition as it found them. I assert that the duty now on lumber is the most thoroughly Democratic item in the whole tariff law; and I say that because among the 4,000 articles now subject to a tariff duty not one of them with a rate so low as lumber yields as much revenue as it does to the Public Treasury. The present duty on rough lumber is a fraction less than 7 per cent and we collected about $1,200,000 under it last year. How is it possible for any Democrat to insist upon the repeal of a 7 per cent duty which raises more than $1,000,000 of revenue? If you tell me that you are repealing that low duty because lumber is a necessity of life, I will answer you by saying that the wool bill, which a Democratic House of Representatives has sent to us, leaves a duty on woolen clothes, which are as much a necessity of life as lumber, of more than 42 per cent, and the revenue necessities of the Government would not permit them to reduce the rate below that point. Can we approve a duty of 42 per cent on clothing because the public expenditures require it, and then justify ourselves in repealing a 7 per cent duty on lumber? No, sir; the American people, or at least the intelligent ones, will not accept such an explanation.

They tell me that the people ought to have free homes, but the only part of the home which this bill makes free is that which comes from the forest, and it leaves a tax on every part of the home which comes from the factory. Before we repeal the 7 per cent tax on lumber which supplies an annual revenue of more than $1,000,000 why not repeal the tax on the paints which beautify the house and preserve the lumber. The duty on paints is 300 per cent higher than the duty on lumber and raises less than half the revenue. Before we repeal the 7 per cent duty on lumber why not repeal the 89 per cent duty on the common window glass which lets God's light into the cottage home? The tariff on common window glass is 12 times as high as the tariff on lumber and yields less than $11,000 of revenue to the Public Treasury, while lumber yields 100 times that much. Every tool which mechanics use in building a house is subject to a duty which averages 400 per cent more than the duty on lumber, and the revenue collected from all of those tools combined is less than 25 per cent of what is collected on rough lumber alone.

Lumber is not the only material of which houses are built. Cement and brick are extensively used in building, and why should the tax on lumber be repealed while the duties on cement and brick, which compete with it, remain? The duty on cement is 25 per cent and yielded less revenue than lumber. The tariff on bricks is 25 per cent, and the Government collected less than $7,000 from them last year. The duty on bricks is nearly four times as great as the duty on lumber, and yet the revenue collected from lumber was nearly 200 times as great as the revenue collected from bricks. But all of this, Mr. President, is to be ignored, and notwithstanding the duty on both cement and bricks is much higher than the duty on lumber, and notwithstanding the revenue from lumber is much greater than the revenue derived from both cement and bricks, it is still insisted that the lumber shall be made free, while a duty is to be left on those competing articles. A Senator near me suggests that poor people do not buy cement and brick with which to build their houses; and I will answer that first by saying that neither do the poor buy lumber, because they are not fortunate enough to own their own houses. It may be said, however, that at last the cost of the houses falls on them, because they occupy them as tenants and pay the rent; and responding to that view of the question, I would say to the Senator who suggests that the poor do not buy brick and cement with which to build houses, that his suggestion is not correct so far as it relates to the cities of this country, because at least 90 per cent of the wage earners of our cities live in houses built of brick and cement. If we turn from the cities, where the poor must have brick and cement houses, to the towns and the country, I can easily show the Senate how utterly absurd it is to suppose that the 7 per cent duty on lumber oppresses any poor man.

The average frame house occupied by tenant farmers in the country and the wage earners of our smaller towns will require less than 10,000 feet of lumber, and I would be nearer the exact figures if I said 5,000 feet. But let us estimate it at 10,000 feet, and let us suppose that the entire tariff of $1.25 per thousand is added to the price of the lumber in every community of the United States. How will the account then stand? Ten thousand feet of lumber increased in price by reason of the tariff at the rate of $1.25 per thousand would mean an additional cost of $12.50 on the house. That is much less than the increased price which the average family would pay for its woolen clothes with a duty of 42 per cent on them. But, Mr. President, we must not forget that these purchases of clothes are annual—indeed, they are semiannual, because there must be some change provided with the seasons—while the house is built only once in 25 years, which means that the tariff on lumber taxes the home builder 50 cents per year, and that, sir, is less than the tariff tax on a single wool hat at the rate of 42 per cent.

The proposal to place wood pulp on the free list is as unjust and as undemocratic as the proposal to place lumber on the free list. The present duty on wood pulp is less than 11 per cent, and we collected more than $1,000,000 last year from its importation. The entire importation did not come from Canada; but with wood pulp free from that country our entire imports will hereafter come from there, and consequently we will collect no revenue from wood pulp imported from other countries. Next to lumber, wood pulp perhaps yields a larger amount of revenue than any other article with a duty so low; and I will not vote to repeal a 10 per cent duty which yields a large annual revenue. They can not tell us that wood pulp is a necessary of life. They can not even say that it is an article of universal use, because it is consumed only by paper manufacturers. Who are they, sir, and how many of them are there that we should thus violate a Democratic principle by repealing a small duty, which produces a large revenue, for their benefit?

In their arguments for free print paper the representatives of the publishers who appeared before the Finance Committee denounced these paper manufacturers in terms of the greatest severity, and charged them with committing crimes in order to secure high prices for the product of their mills; and yet, strange to say, these publishers are demanding free raw material for the print-paper corporations, which they have denounced as guilty of organizing and conducting an unlawful combination. I can understand how a Democrat might be willing to place the articles which a trust sells on the free list, but I can not understand how any sane Democrat can be willing to put the material which a trust buys on the free list. The paper manufacturers of the United States number less than 900, and if what the purchasers of their product say can be relied on they are more than prosperous. Why, then, shall we remit a million dollars of revenue to a very small class of rich and greedy men? Are they not able to pay their share of taxes? Nobody, sir, doubts that they are more than able to do so, and this proposition to give them their raw material free of tax is simply a part of the newspapers' plan to sugar-coat another provision of the bill.

I come now, Mr. President, to discuss the question of free print paper, and in that provision lies the secret of the irresistible power which is forcing this agreement through the American Congress without amendment. Except for the newspaper campaign in its behalf, this agreement would never have passed either House of Congress. Publications of high repute have become so intense on the question that they act as if they were bereft of reason. They bestow high praise on the feeble-minded who support it and assail with shameful misrepresentation nearly every man who dares to oppose it. I do not underestimate the value of an intelligent and incorruptible press in a free republic; and even though some papers abuse their freedom and defame, without conscience and without cause, the most upright man whom they do not happen to like, I am one of those who think it better to bear that evil than to destroy the liberty of expression which means so much in a country like ours. I am therefore inclined to be entirely just—indeed, I am willing to be generous—to the newspapers of this land; but, sir, with all their power they can not drive me to do for them what I will not do for men who are more worthy of our generosity than they are.

Upon what plea can the newspapers ask the repeal of the 10 per cent duty which they now pay upon their print paper? That, sir, is no more than their printers pay upon their shoes, and it is less than a fourth of what their printers must pay upon their clothing. Who will affront the intelligence of the American people by declaring that the great newspapers of this land are less able to pay a tax of 10 per cent on their print paper than the poorest laborer is to pay an average tax of twice that much on the commonest necessities of life? Remember, sir, that on everything the poor man wears, from the hat which covers his head to the shoes which protect his feet; from his undershirt to his overcoat, this Government levies a tax which will average more than three times as much as these rich publishers are required to pay on their print paper. Is it right for us to repeal this moderate tax upon the few who are rich and prosperous and leave it upon the millions whose constant labor scarcely provides them with the necessaries of life? Are these newspapers not able to pay their tax? The chairman of their print-paper committee testified before the Finance Committee of the Senate that the re-

peal of this duty would be worth $6,000,000 to the publishers of our great daily papers, and he also said that one man who publishes papers in several different cities used one-tenth of all the print paper consumed by his association, which would mean a saving to the Hearst papers alone of $600,000 annually. Do they need this benefaction? I doubt if any single class of our people realize a profit on their business equal to these great newspapers and magazines. Their earnings run all the way from the tens of thousands into the millions every year, and if the repeal of this duty fulfills their expectations it will add from $5,000 to smallest to more than $500,000 to the largest. The gentleman who was most insistent upon this measure admitted before your committee that his paper paid a corporation tax last year on a net earning of $187,000. Shall a man of such abounding presperity be relieved from the moderate tax of 10 per cent on his print paper while his office boy is compelled to pay a tax of treble that much on everything which he buys for the comfort of a widowed mother? I do not believe in such special exemptions for the rich and powerful, and I will not vote to grant them.

Mr. President, my Democratic friends, conscious of the discriminations and injustices of this measure, do not attempt to defend it, but justify themselves in voting for it upon the ground that it is "a step in the right direction." That, sir, is the weakest excuse ever offered by an intelligent man for supporting a bad measure. It is so indefinite that the average mind can not comprehend it, and it is so vague that the trained mind can not analyze it. Before I can be satisfied that this is a step in the right direction I want to know where it will lead us, for if it does not lead to the end we seek, it can not be in the right direction. If it be our ultimate purpose to repeal the duties on all farm products while only reducing the duties on factory products, then this is a step in the right direction. But, sir, that is a road which I utterly refuse to travel.

RECIPROCITY NOT A DEMOCRATIC POLICY.

They tell me that reciprocity is an ancient and traditional policy of the Democratic Party. I deny that. It is true that the agreement with Canada in 1854 was negotiated by a Democratic President and approved by a Democratic Congress. That agreement, however, was radically different from this. When it placed wheat on the free list, it placed flour there also; and when it placed cattle on the free list it placed meat there also. But even that treaty was never made a party question. It was not advocated in our national platform of 1852, and it was not indorsed in our national platform of 1856. In fact, sir, the Democratic national platform of 1892 was the first one which ever contained a declaration in favor of reciprocity, and if that had been drawn with special reference to this bill, it could not have more specifically condemned it. Let me read that plank of our platform to the Democrats of the Senate and ask them if this bill does not fall within its denunciation:

Trade interchange on the basis of reciprocal advantages to the countries participating is a time-honored doctrine of the Democratic faith, but we denounce the sham reciprocity which juggles with the people's desire for enlarged foreign markets and freer exchanges by pretending to establish closer trade relations for a country whose articles of export are almost exclusively agricultural, while erecting a customhouse barrier of prohibitive tariff taxes against the richest countries of the world that stand ready to take our entire surplus of products and to exchange therefor commodities which are necessaries and comforts of life among our own people.

Our national platform of 1896 was silent on the question of reciprocity, as was our platform of 1900. A declaration on the subject, however, reappeared in our platform of 1904, but it expressly confined its approval to reciprocity agreements which will benefit agriculture as well as manufactures, mining, and commerce. In the meantime, however, the question had been presented to the Democrats in both Houses of Congress, and they voted with practical unanimity against these trade agreements. Every Democrat in the House and in the Senate when we were a minority in both voted against the reciprocity provisions of the McKinley bill in 1890, and when our minority had grown into a majority every Democrat in both Houses voted to repeal those provisions in 1894. Not only that, but the Democratic campaign book of 1902 denounced reciprocity and outlawed it from all Democratic approval. Let me read a few of the things—for they are only a part of them—which that campaign book said about reciprocity, and then let those who find fault with my position include in their criticism the congressional committee of 1902, which counted among its members several who are now ardent supporters of this bill. Here is what it says:

Reciprocity looks like free trade, but tastes like protection. It is really a new sugar coating prepared by the Republican tariff doctors for many patients who are refusing to take their protection pills straight.

In practice reciprocity is worse than protection.

Our farmers are not sending delegates to Washington to threaten Congress if it does not pass reciprocity legislation. There is nothing in it for farmers. To them it is a sham and a fraud.

Reciprocity is a device for keeping quiet certain manufacturers who are being injured as much as benefited by the present system, and who threaten to turn traitor and help tear down the tariff which still shelters the great manufacturing trusts.

Reciprocity cares nothing for the consumer and hunts foreign markets with a club. Its stock in trade is high tariff, favoritism, discrimination, and retaliation. It threatens to slam our doors in the face of foreign countries which will not open their doors to our products.

Reciprocity is based upon the same false theories as is protection, and, like protection, is a sham and a humbug, and to most people has been and will ever continue to be a delusion and a snare.

Reciprocity can not help the farmer, but may benefit some manufacturer.

Reciprocity with one country means a tariff war with other countries. It makes a few friends and many enemies.

Reciprocity is put forward to save "protection" and to stave off the demand for genuine tariff revision.

It is the handmaid of protection and is inconsistent with the theories of free trade. As James G. Blaine said, "The enactment of reciprocity is the safeguard of protection."

Reciprocity may not be so bad as it was described in this Democratic campaign book, and I would not be willing to say that under no circumstances could a Democrat consistently support a trade agreement of any kind. I can easily conceive of circumstances under which such a measure might be a desirable way of adjusting international differences. The treaty of 1854, which it is sought to make a precedent for this measure, was principally designed to settle our fisheries dispute with Canada, together with questions relating to the navigation of the St. Lawrence River, and the few articles for which it provided reciprocal free trade were really more the incident than the object of that treaty. I can also conceive circumstances under which a trade agreement might be a proper method of regulating our intercourse with some particular country and relieving the commerce between us from vexatious restrictions or discriminations. I might support such an agreement if I thought that it would settle an international complication without sacrificing the interest of our whole country or doing an injustice to any part of our people. I am free to say, however, that nothing less than a most extraordinary circumstance could induce me to support any treaty extending special favors to any country.

I was a Member of this Senate when the reciprocity treaty with Cuba was ratified, and I was also a Member of it when we passed the bill making that treaty effective by the approval of Congress. I resisted both with all my power, and if I could derive a satisfaction from a mistake made by my country I would find it in the subsequent events, which fully and completely vindicated my opposition to that measure. I resisted it, first, upon the ground that whenever we discounted our tariff rates on sugar from Cuba other countries which were competing against Cuban sugar in our markets would resent, and would have a right to resent, the discrimination. My warning and my protest were as unavailing then as they will be unavailing now, but in less than 90 days after we remitted a part of our tariff taxes to Cuba Germany increased her restrictions against some of our important agricultural exports, and our cottonseed products especially suffered from her retaliation. I also resisted that treaty upon the ground that the Sugar and Tobacco Trusts, being the principal and almost the only importers of sugar and tobacco from Cuba, would appropriate the larger part of the duties which were remitted, and I predicted that in the end the people of Cuba would obtain a small benefit, the Sugar Trust and the Tobacco Trust would obtain a large benefit, and the American people would obtain no benefit at all from it. That my prediction has been fulfilled to the letter no man familiar with the course of sugar and tobacco prices will now deny.

But, Mr. President, while I have not yet seen a trade agreement which I would support, I will not follow the bad example which my Democratic friends have set me when they say that a Democrat ought to support every agreement of that kind by saying that no Democrat can support any agreement of that kind. I am willing to concede that some of them might be wise and proper, and I know that some of them may be unwise and improper. I am willing to judge each one on its own terms and conditions; but I will never support one not drawn in accordance with the great principles of justice and equality; and this agreement does not answer that description. If this Government can dispense with any part of the revenue which it now collects, let us remit the taxes of the poor. I would not exempt the poor from taxation out of any desire to flatter their poverty, nor would I tax the rich to discourage thrift and punish prosperity. But I would exempt the poor, because, as they have no property to protect, the Government gives them protection only on their lives and liberty; and for that they return a full equivalent in the personal services which

they stand always ready to render the Government in peace as well as in war. I would tax the rich because all the taxes which they pay do not more than reimburse the Government for the security which it affords to their property and property rights.

Mr. SMITH of South Carolina. Mr. President, I have once before spoken on this bill, but not during this session. I gave notice yesterday that I would occupy some of the time of the Senate in speaking on it to-day.

I want to state to my Democratic colleagues on this side that I am somewhat at a loss to analyze the situation. I can not understand how we can stand upon this floor and argue as Democratic doctrine as logical from our viewpoint that because the duty is removed from the products of the farmer he will necessarily lose in the returns from his farm, because it must be true, therefore, that the plea is not made for revenue for the Government, because, if the Government is to receive a revenue, there must come into this country those articles that produce that revenue; but if such articles come in to produce revenue, the Government, and not the farmer, becomes the beneficiary. Therefore to plead for a duty to remain upon the products of the farm is to plead for protection, and I take it that no Democrat on this floor is pleading for protection.

As I take it, the whole question at issue is the same old fight that has been fought since the first tariff bill of 1789. The question involved in Canadian reciprocity is identically the same, namely, whether or not we shall levy a duty for the promotion of favored and coddled industries or whether we shall levy that duty for the support of the Government, regardless of who is affected.

I want to say, Mr. President, that I am not standing here representing in part my State as a Senator from South Carolina, pleading that because some other State has joined in the unholy division of this unholy tax I am discriminated against or my State is discriminated against; but I stand here to say that, as a Democrat, I am fighting a principle which by virtue of its operation has robbed the mass of the American people for the benefit of the few. I am not here pretending to argue that an injustice will be done the farmers of America because that which they produce will be brought into free competition with that which is produced in Canada. Were I to argue that, Mr. President, the logic would be irresistible that I was arguing for protection, because if the duty benefits the farmer, it is protective; and if the duty does not benefit him, it does not protect him; and why should he want it?

I shall not stand upon this floor as a Democrat and argue that because the iniquity has been perpetrated and the American people have suffered by reason of high duties on manufactures, I have the right to stand here and demand my share. The right attitude, as I take it, for every Democrat is to attest his love for his principle and make his sacrifice for it, even though he be a farmer, and say to the country, "If you do not need a revenue on my product for the support of the Government, make it free and give me the same privilege of importing from other countries in like manner"; but is he a Democrat if he stands here and says that because there is a duty on what he has to buy, therefore you must put a duty upon what he has to sell, in order to equalize the burden?

Suppose we carry that, Mr. President, to its final and last and logical analysis. Here is the man who owns the field, who owns the farm, who owns the forest, who owns the mine that produce the raw material; here is the accumulated wealth that owns the factory, that owns the means of manufacturing, producing the finished product. We meet here and legislate for the protection of the man who produces the raw material; we meet here and legislate for the man who produces the finished product. Then what, in the name of reason and justice, becomes of that vast host who do not own the farm or the forest or the mine on the one hand, nor the factory on the other hand, but who have to depend upon their daily wage in working the farm, tending the loom, running the factory, and making possible the products of the one and the products of the other? What legislation are you going to pass to protect them?

The merest tyro in mathematics must know that, if you put a duty upon the raw material and collect it, and then put a duty upon the finished article made out of that raw material, which has been enhanced in price, and collect that duty, the man who buys it must necessarily pay a double tax. The result upon the American laborer, the result upon the vast army of the American poor, if the arguments that I have heard upon this floor are carried to their last analysis, must inevitably be that the man who does not own property in the form that produces the raw material or property in the form that produces the finished product must forever be at the sweet will of the man who employs him to render the service, while the man who employs him has the backing of the United States Government to see that his profits shall be kept intact.

There is one further point, Mr. President, before I leave this question of the farmer, to which I want to call attention. No Senator upon this floor would attempt to argue that were you to give the wheat grower of the West the same ad valorem duty on his wheat that you give to the manufacturer of the flour, by the very nature of the case the farmer could exact from the purchaser of his wheat the full measure of the duty, as could the manufacturer. Why? In the first place, as a class of people they represent every race and nationality and all degress of education and wealth; they are vast in number; they are poor; and eternally behind them is the force of necessity. What they make within the twelvemonth they must sell within the same time, while the manufacturers, few in number, rich and powerful in wealth, can easily organize and out of their surplus wealth force the price of the raw material, in spite of any duty that you may put upon it, to such a figure as they may offer. Is not that true of all agricultural products, barring a few that happen to be fortunately located?

Take the question of wheat in the West. I have just read from the Canadian Abstract that the difference between Canadian and American wheat last season was but 2 cents a bushel; but, Mr. President, I do not propose to quote figures or to argue results. Any man can change figures; he may be mistaken in them, but, thank God, no man can be mistaken in principles. We are not here arguing who it will benefit financially, but we are here as National Representatives of the people of America attempting to argue what is honest and right. We are not here for the purpose of saying whether it will impoverish the New England States or enrich the South or impoverish the South or enrich the New England States. We are not here to argue whether it will benefit the farmer and enrich the manufacturer. These are but incidents of a pernicious and vicious law. We are here for the purpose of arguing what is right, what is just under the law, not a question of my share of a bad thing, but to join forces to forever remove the bad thing.

I want to state here that the Democratic Party is not standing here as a party attempting to increase the burden of the farmer by forcing him into competition with Canada. That is not our attitude. This is but an incident in the warfare—a step in the right direction. We are not attempting to discriminate against him. We are attempting to remove the duties, to establish free intercourse with Canada, if it does not interfere with the revenue of the Government, and then in our free-list bill we will attempt to give the farmer relief by removing the iniquity under which he suffers.

I wish to say again in this connection that if you were to pile up the duties on all farm products beyond the value of the products themselves, you would not relieve the farmer, if you were to leave like duties on what he has to buy. He has not the capital to protect himself; and the consequence would be that while it would be a fine thing on paper, on the hustings, and possibly a good thing to get votes, in the last analysis the man who can organize and take advantage of the position would be the man who would take advantage of the weak and the poor, and that is what would be done.

The farmer must necessarily represent the weakest element of our body politic and of our whole domestic social fabric, as he must necessarily represent the poorest by virtue of the fact that it takes less capital and, in many instances, it takes less training to make a living on the farm than in other business. The only relief under our Government that can be given the farmer is the relief of removing the oppression and not make him a party to it. That is the distinction.

I want to put myself as a Democrat in the proper light. Being a farmer myself, I would be the last man to attempt to oppress the farmer; but, being a farmer, I am not asking, nor will I ask as a Democrat, and, I hope, as a right-thinking man, that so long as good stealing is going on, give me my share. I do not want it, and in attestation of the faith I have in the doctrine I profess I am perfectly willing, and shall so vote on all occasions, that farm products shall be reduced to the very lowest revenue basis, if a revenue must be collected, and wherever possible put them upon the free list. Having attested my faith, then I will join battle to see that all manufactured articles shall be brought to the same just and equitable position.

In the discussion that has taken place on the question of reciprocity the same principles have been discussed that were involved in the tariff of 1789, and have been the basis of the division between the two great contending forces until the present time. I take it that in a republican form of government such as ours the question for each and every national representative to settle for himself is, What will contribute the most to the general welfare? I shall not discuss this question

from the standpoint of a Democrat simply, but from the standpoint of an American citizen attempting to discharge his duty to the Nation and to every citizen of that Nation which his State has elected him to represent.

I am not here for the purpose of representing South Carolina alone, only in so far as South Carolina is an integral part of the American Union, and only in so far as her interests can contribute to the interests of every other State, and every other State contributing to her interest. I am not here to see that the products of my State or my section of the country shall by law become the beneficiaries of that law at the expense of the welfare and progress of the balance of the United States or any portion thereof. Had it been the purpose of the framers of our Constitution to have guaranteed to certain interests, certain sections, particular favors not guaranteed to others, the Constitution had never been ratified or agreed to.

The geographical position of our country, more fortunate than that of any other country upon the globe, and the intelligence of our people under a republican form of Government should impel us to fight shy of and to resist any protective legislation. Some parts of our country are peculiarly adapted to the production of raw materials either in the form of farm products or the products of the mines; other parts are adapted to manufactures, and upon that very fact has turned the pernicious legislation that has caused all this agitation.

But it was unquestionably the aim and object of the framers of our Constitution to grant to every individual the freest possible exercise of every function possessed consonant with good citizenship. It is nowhere declared in the Constitution that the Government was to enter in and become a partner in the commercial business of the country. Its function in this regard was to pass such laws as should guarantee to each and every individual the fullest opportunity to enrich himself by all honest means. But we have drifted away from that. And by the incorporation into our Federal laws of this pernicious doctrine of protection we have necessarily legislated for and directly in the interest of one class of our citizens at the expense of another, financially and commercially.

The greatest proof that the doctrine of protection is absolutely incorrect and contrary to the principles of civic righteousness and justice is that 122 years of its practical operation has not demonstrated its righteousness or satisfied the people as to its equity. On the contrary, in 1911, the opposition to it is more pronounced and bitter than at any preceding stage of its operation. The manifestations of its injustices, as it has grown in years and in power, have convinced the American people more and more of its iniquitous character.

The President of 1911 was elected upon a platform declaring for tariff revision, or a modification of the effects upon the American people of this pernicious doctrine. The Payne-Aldrich bill was the result of the effort of the Republican Party to fulfill this pledge. There were protests from the Democrats, of course, and from a certain element of the Republican Party, against the provisions of this bill. The Democrats and these Republicans protested that it in no wise lessened the burdens or modified the evils of protection. The President of the United States saw fit to sign the instrument. I believed then, and I believe now, that had he vetoed this bill he would have done his country the greatest service ever done by a President in an economic sense, and would have made himself far greater in the estimation of the American people than that estimation now measures. But he signed it. It became law. The election of the fall of 1910 measured the protest of the American people against it. It was then that the President of the United States recommended to Congress this Canadian reciprocity.

The advocates of protection have declared that protection was necessary to enable the American manufacturer to so develop his business that in the course of a reasonable time he would be enabled to furnish the greatest quantity of the best quality at the cheapest price; that it was not a bar to a fair competition; that the prices paid by the American people for the American product were not prohibitory; that under protection the revenues were greater the higher the protection, and that the wealth and welfare of the people were increased. It is interesting in this connection to quote two statements of the President. He is alleged to have said in a speech after signing this bill that it was the best ever, thereby practically agreeing to its provisions. In his message to Congress accompanying his proposed Canadian reciprocity he uses the following language in reference to the tariff as applied to Canada:

> We have on the north of us a country contiguous to ours for 3,000 miles, with the natural resources of the same character as ours, which have not been drawn upon as ours have been, and in the development of which, as to wages and character of the wage earner, and the transportation to market, differ but little from those prevailing with us. * * * Ought we not, then, to arrange a commercial agreement with Canada, if we can, by which we shall have direct access to her great supply of natural products without an obstructing or prohibitory tariff?

Mark you, he uses the words "prohibitory and obstructive." But he also uses the words "natural products," thereby indicating that he is in favor of the freest possible importation of the raw material, seemingly believing that the cheapening of the raw material will necessarily cheapen the manufactured product. He says further, in another paragraph:

> Reciprocity with Canada must necessarily be chiefly confined in its effect on the cost of living to food and forest products. The question of the cost of clothes as affected by duty on textiles and their raw materials, so much mooted, is not within the scope of the agreement with Canada, because she raises comparatively few wool sheep, and her textile manufactures are unimportant.

Earlier in his message he uses this language:

> We have reached the stage in our own development that calls for a statesmanlike and broad view of our future economic status and its requirements. We have drawn upon our natural resources in such a way as to invite attention to their necessary limit. This has properly aroused effort to conserve them, to avoid their waste, and to restrict their use to our necessity. We have so increased in population and in our consumption of food products and the other necessities of life hitherto supplied largely from our own country, that unless we materially increase our production we can see before us a change in our economic position from that of a country selling to the world food and natural products of the farm and forest to one consuming and importing them.

In a word, he fears that the consumption of our natural products in the raw state will soon reach the point where consumption has outstripped production and the products of the farm, forest, and ranch in the raw state will not meet the demands of the American manufacturer for the raw material, and therefore the producers of these articles will be in a position to demand and exact a protection on what they have to sell commensurate with what they have to buy. And in order to obviate this calamity to the manufacturers he proposes Canadian reciprocity. Now, I have never contended nor do I now contend that it is fair to tax or protect the manufacturer and leave the producer of the raw material at the mercy of the manufacturer. It is unjust and indefensible. On the other hand, I do not advocate the protection of the raw material. I advocate the freest possible interchange of the raw material produced in this country for the products of foreign countries, and also advocate the freest possible exchange of manufactured articles produced in this country for the products of foreign countries.

It is no argument from the Democratic standpoint to insist that because the manufactured article is protected that the raw material shall be protected, but it is in accord with the Democratic doctrine to vote for the unprotected raw material and then consistently to vote for the unprotected manufactured article. And if we are not in a position to say at which end of the line we begin, it is our duty to begin where we may and fight the principle to a finish.

This is merely a consideration thus far of the relation of the producer of the raw material, under the operation of the protective tariff, and the producer of the manufactured article under the same.

It does not take into account another great class. It does not take in account that great mass of American citizens who, as I have said before on this floor, do not own the farm, the forest, the ranch, or the mine to produce the raw material, nor the factory to produce the finished product. But is dependent upon his wage for the purchase of the necessities of life. And by what legislative enactment can he be protected?

Who is to name his wage? Who is to measure the income of every factory and then count the number of employees or measure their relative production, the output of that factory, and then by a just law measure the amount of protection the laborer is entitled to?

The greatest absurdity in all this argument is to give to the manufacturers of this country that tremendous protection from behind which they can extract a stipend from every American citizen upon the poor and specious plea that he, the manufacturer, will in his philanthropic heart find it to divide his spoils with his laborers. When has he done it? If he has, then the laborer is the chief of ingrates, because, in spite of laws passed in his favor, in spite of his best and dearest friend, his employer, he is still not satisfied. The law puts into the hands of the employer the power to accumulate millions, and then for fear that the Senate and the House may be too hard-hearted to deal justly with the laborer, they turn him over to the tender mercy of those who employ him, knowing full well that he, the employee, will get far greater justice at the hands of the trusts than he would get at the hands of the United States Senate and the House. I say he is an ingrate and not worthy of the consideration of either those who own the fields, forests, or mines to produce the raw material or those who own the factories to produce the finished product, if they receive all the advance in price through the effects of protection. Not a Senator on this floor believes he gets a tithe of it.

As a matter of course everything moves along the line of least resistance, and the great aim and object and desideratum of every man in business is to accumulate all the wealth he can; and in accumulating that wealth, the man who for reasons of policy is honest, but who in his heart is not, recks not who suffers while he is accumulating it. If the manufacturer with the highest possible protection can cut the wage of his employees in two and add this to the manufacturer's profit, who says he will not avail himself of the opportunity? I stand here and state without fear of being challenged that any man who can get the consent of his mind and the consent of his heart to help pass a law the operation of which he knows will enrich him at the expense of the balance of the American people has already gotten the consent of his mind to filch from his employees their just wage if he can do it without detriment to his business.

I want to state, Mr. President, that I shall not argue this upon the question of statistics. It makes no difference to me whether by the operation of this law my State and my business are to become doubly prosperous. I am arguing it upon the particular question of the relationship of the American citizen to the great problems that confront the American people. As I said before, there is no account taken of the wage-earning class in this great conflict, only, as I have indicated, that he is left at the sweet mercy of his employer, without any legal enactment to name how much wage shall be given out of any wares produced by any vocation or business in which he is employed.

There is not a business man, or a man possessed of common sense, who will attempt to deny that if the producer of the raw material is protected against importation of cheaper raw materials and the producer of the manufactured article is protected against the importation of cheaper manufactured articles, this wage earner—that is, if those duties are enforced and the prices made commensurate—has got to pay a double tax on what he consumes—the tax on the raw material to protect the producer of the raw material and a tax on the finished article to protect the manufacturer of the finished article. He pays them both, plus all the middlemen and their commissions.

The position assumed by some Democrats opposing this measure as to the attitude of other Democrats supporting this measure seems to be that we who are supporting it are attempting to take away from the producer of the raw material a certain benefit guaranteed him by tariff legislation, thereby giving the manufacturer an additional advantage. This is not my attitude, nor do I believe it is the attitude of any Democrat who is in favor of this measure. Were we in control of the Government, had we a majority in both House and Senate, and the President as well was a Democrat, as a matter of course we would begin this tariff reformation where the burden lay heaviest. But as we have not the Senate or the Executive it is wisdom on our part to follow the lead, or rather to accept the terms of a Republican administration which is in accord with Democratic doctrine, and follow it so long as it leads, in our judgment, in the proper direction, and whenever opportunity offers to work and vote for the removal of the oppressive burden imposed by the high protective tariff on the manufactured article.

It is idle to suppose that the friends of high protection on the manufactured articles, constituting perhaps a majority of the Senate, would consider any measure looking toward the removal of these high protective duties on manufactured articles. And in case they did, or rather in case there were enough Democrats and right-minded Republicans to pass such a bill, it goes without saying that the President would veto the same. Therefore, it is our duty to vote for the Canadian reciprocity, because it unquestionably is a step, if a short one, in the right direction, and when opportunity occurs we can make it longer, and if we come into power, make it to cover the entire question.

Therefore I repeat what has been said on this floor by others and possibly more forcefully than I can put it myself—it is our duty as Democrats to vote for everything that is moving in a Democratic direction, regardless of whence it came. I shall illustrate: A young man had spurned and scoffed at the religion and the faith of a poor, poverty-stricken old woman, who each morning and noon prayed for God to send her her daily bread. One evening, being without her daily meal, this young infidel in passing found her praying for food. He went off and brought her a sumptuous repast, and, slipping the door open, he shoved it in. Then, as the old woman raised up and looked, she said: "Thank God, He has answered my prayer and brought me my dinner." The young man said, "Old woman, I brought you that meal." She said, "I do not doubt it. God sent it, even if the devil brought it." [Laughter.] I am perfectly willing to accept reciprocity as a very good Democratic dinner to start on, even if the devil did bring it.

From a Democratic standpoint it is not becoming a Democrat, nor is it in accord with Democratic doctrine, to protest against the inequalities of the protective system as applied to commodities or communities. But it is his duty to fight the iniquity of the entire system.

I shall not claim that South Carolina has been discriminated against because she does not get her share of protection either on raw material or on the manufactured article; but I do claim that an injustice has been done South Carolina and the people of the United States by the operation of the iniquitous principle of high protection. I mean that in its fullest sense; I mean that even the beneficiaries of protection have suffered as well as the victims of it; for the reason that those who fell under the temptation of profiting by law at the expense of their neighbors have lost in civic righteousness and in the sense of justice and fair dealing more than can be atoned for by all the dollars they gained by the application of that law. No man can rise to the heights of perfect manhood who can get the consent of his mind to profit by the operation of an unjust law at the expense of his fellow citizen.

Therefore we who are fighting this battle of righteousness, though we fight it in poverty, as citizens we are richer than those who on the other side get the ill-gotten spoils, but have not the sense of civic righteousness and justice that we possess.

It is miserable sophistry, it is absurd and illogical to claim that high protection, a prohibitive tariff on manufactured articles, can benefit all the people. For just in proportion as the price of the manufactured article rises under the operation of the high-protective law, and the price of wages and the price of the raw material does not likewise advance, then it is a simple question of mathematics that the protected articles have enriched the producers thereof at the expense of those who purchase them. And it is not a question of enriching all the American people, but a question of shifting the wealth from the pockets of the many to the pockets of the few.

It has been claimed by the advocates of this high-protective system that under it we have prospered marvelously, developed wonderfully, and all because of protection. We have prospered in spite of, rather than by virtue of, the protective system. From the founding of the first English colony on American soil until 1776 we were under British rule—proprietary governments and a system of taxation that became at last intolerable—yet in that comparatively short period of time the Indians were overcome, the forests were cleared, fields were opened, and the American pioneers had, in spite of their oppression and these great difficulties, reached a point in material wealth where they were able to throw off the yoke of English oppression and gain their own freedom. This because of the vast resources of the New World. And no man can say what would have been the progress of America had the doctrine of comparative free trade, that is, a tariff for revenue only, obtained in place of the doctrine of high protection. And for more than a hundred years, practically without interruption, the doctrine of protection has obtained. It is true that we have accumulated vast wealth, widened and extended our agricultural domain, multiplied vastly our manufacturing enterprises, developed our mines, extended our railroad operations throughout the entire country, and yet in spite of all this general prosperity, it is a comment on the present system of government that the bitterest fight now confronting the American people is the fight against concentrated wealth. The hardest problem that confronts the statesman is the problem of solving and dissolving the trusts and combines, the legitimate offspring of this system which not only has laid its intolerable exactions upon the rank and file of the American people through legislation, but is threatening through its corrupt influence the very foundation of our republican institutions.

Just a few days ago the Standard Oil Co. was convicted by the courts of being guilty of an unrighteous combination in restraint of trade and ordered to dissolve. The Tobacco Trust was likewise haled into court and met a like fate, and, because of the lightness of the penalty, there is a suspicion in the minds of the American people that the court, which is the highest tribunal on the American Continent, did not in their decision keep faith with the American people. That is the legitimate offspring of the operation of an unholy law in our domestic, political, and economic life.

The Sugar Trust is an open scandal and a stench in the nostrils of right-thinking people. The Steel Trust extracting from the people such vast sums that even the organizer, the head and front of this protected and petted organization, is to-day demonstrating to the peoples of the world the righteousness, justice, and equity of the system of protection by being the possessor of

such a vast fortune of ill-gotten gain that he is now busily engaged in finding some plausible means of making partial restitution to the Nation and the people that he helped to wrong. And it has been to the everlasting shame of the American Senate that one of their number has been tried for an alleged attempt to buy his seat in the United States Senate by corrupt practices, and it is further alleged that one of those most interested in his election was the head and front of the Lumber Trust of America. Thus, as said before, the evil of the system is not confined alone to those who suffer financially by the unjust burdens laid upon them, but those who suffer the moral degradation of benefiting by the unjust law.

As said before, we boast of our vast wealth. Who have been the producers of this vast wealth? Who have made possible this vast extension of railroad and manufacturing enterprises? It was necessarily the producer of the raw material, out of whose products the manufacturer necessarily, under protection, reaped his harvest of gold. The wealth of a country, so far as its circulating medium is concerned, is obtained by only two sources—the mining of its own monetary metals and the importation of gold from abroad in exchange for the surplus products exported. The export value of our agricultural and other unmanufactured products in the year 1910 amounted to $829,215,918. This vast sum, of course, was exported and sold upon the basis of competition or free markets. And out of this sum brought into this country an average of 41.52 per cent had to be given to the protected articles purchased in America.

To illustrate: The cotton raisers exported in 1910, $450,447,243 of the $829,215,918—the total aggregate of all exported articles unmanufactured, or more than half of all the exports of raw material in the year named. Yet they were forbidden, under this tariff, to buy where they sold what they needed and where they could have gotten it upon a parity with the price received for what they sold, and were forced to buy in America at practically double the price they would have had to pay for the same articles in the countries to which they exported this cotton. In other words, they were forced to bring $450,000,000 back to America and give to the protected manufacturer $450,000,000 for what they could have bought elsewhere for $225,000,000, thus being robbed of $225,000,000 for the benefit of the manufacturers. The same is true of the entire $829,000,000.

It is easily demonstrable from the foregoing figures, and others that might be added, that the raw material which has been produced in this country has been that out of which the protected manufacturers have grown so vastly rich. In the first place they bought their material for manufacturing purposes at comparatively free-trade prices, and then sold the articles manufactured out of this raw material at protected prices. The surplus of raw material sold abroad brought back to the producer the $800,000,000 spoken of before, which enabled him to buy so much more of the manufactured product; so that the manufacturer not only got a profit out of the purchase of the raw material and the sale of his manufactured goods, but he also got his protection profit out of the $800,000,000 raw material which was sold to foreigners. Now, as said before, this is indefensible. It has been indefensible for 122 years.

It is openly admitted by the friends of protection that the farmer up to the present has not received any benefit from the tariff. And that in the case of grain, Canada is a competitor and is rapidly becoming the most formidable rival of American wheat growers. It is also stated that the production of American wheat is not keeping pace with American consumption, and that therefore the time has now arrived when the American farmer in the form of the wheat producer stands to realize a substantial profit from the operation of the tariff by virtue of the fact, as indicated by the President in his message, that we are soon to become importers of the raw material, rather than exporters. This means, of course, that when the time shall arrive that the American consumption has so far outstripped American production that the supply of the domestic raw material is not sufficient to meet the needs of the manufacturers of the finished article, that the producers of these raw materials will have an opportunity to demand protection commensurate with the protection that they pay.

The argument of the high protectionist has been to foster infant industries until such time as they shall grow and become able to furnish a sufficiency for all the American people, and then in the next breath, in the case of wheat, they argue that because it has become exhausted, exploited, and can not meet the requirements of the people, therefore it is to be protected. It seems as if we were running a pension bureau and a kindergarten under the same law.

It seems that in order to obviate this great calamity the President conceived the reciprocity idea. The opponents of reciprocity point out this injustice, and it is plausible. Amendments were offered by different Senators seeking to give relief, or claiming to be seeking to give relief, by providing that as the farmer had under this reciprocity to come into competition with Canada with what he had to sell, that the manufacturers of America should be brought in like competition with Canadian manufacturers in the articles that the farmer had to buy. In other words, if what he had to sell was put practically upon the basis of free trade, what he had to buy should be put upon a like basis. The President himself says in his message that, so far as the textiles are concerned, the Canadian manufacture of these are a negligible quantity, and need not be taken into account. This is practically true of Canadian manufactures in general in relation to the needs of the American farmer. Therefore the Democratic House, believing that reciprocity was a step toward the Democratic doctrine of freer intercourse with one nation, at least in the raw material of the two countries without, as the President says, an "obstructive and prohibitive" tariff, and knowing as they did that the area of Canada was larger than the area of the United States, and that the possibilities of her agricultural products along certain lines were practically unlimited, that if the farmer were given free trade as to Canadian manufactures, it would in no sense compensate him for the protected duties on the articles that he had to buy; therefore, independent from the reciprocity bill, they introduced the free-list bill, which does not restrict its terms to Canada, but extends them to every country from which there is a possibility of imports for the farmer's benefit. Therefore it seems to me the becoming attitude of a Democrat is to vote for the Canadian reciprocity bill, and then, if he believes that the farmer has suffered under that bill, to vote for the free-list bill, which gives him a commensurate relief for that which he suffers under reciprocity.

It is misleading and absurd to say to the farmers of this country that they are getting the proper relief by making manufactured articles of Canadian production free. It sounds well in a speech, but would be absolutely disappointing, null, and void in practice. His only hope of relief is having the privilege of selling in any market where he can sell highest and buying in any market where he can buy the cheapest, and be rid of the protective law, behind which is easily organized the greedy money power in this country, who, without competition from abroad, stifle competition at home and extract what profits they please. I do not believe that the rank and file of American farmers believe in or advocate protection, for the reason that were they given a protection, being so numerous, so difficult to organize, and as a class so poor, they could never hope to cope with the few and wealthy manufacturers who buy their products. These manufacturers, in spite of a tariff duty, could and would organize and fix the price of the field products and, taking advantage of the farmer's poverty and necessity, force him to that price. This has been the history of the relationship of the two—the producer of the raw material and the producer of the manufactured article—for all these years. The manufacturer has accumulated capital, organization, almost unlimited credit, while the farmer has practically none of these. And it is idle to talk about the farmer being the beneficiary of a protected tariff. His only hope, his only relief is in removing the high protection from what he has to buy and forcing those who sell to him into competition with the world. And this is the Democratic doctrine. It may be that reciprocity seeks to cheapen the raw material for the manufacturer. The Democratic free-list bill seeks to cheapen the manufactured article to the farmer. The one applies to Canada, where the farmer's greatest competitor is; the other applies to the entire foreign world, where his relief is. And it is almost unthinkable how any Democrat, knowing that the farmer may not hope to benefit by protection, can seriously object to the Canadian reciprocity or refuse to support the free-list bill.

I invite the farmer to join forces with those of us who are his friends and remove the protective duties that have cursed him through all these years.

I want to say right in this connection, Mr. President, that we do not fool the farmer any more. The crowds that we meet on the hustings to-day are not as were the crowds we met 15 and 20 years ago. The processes of education, the facilities for transportation and communication, have advanced so rapidly, the price of transportation has become so reduced, the means and opportunity of acquiring knowledge have become so much easier, the free rural delivery and the schoolhouses have been so improved that they have made it so that the man in the woods is becoming as cosmopolitan as the man who walks the city streets. He knows what he needs and why he does not get it, and he knows who is the perpetrator of those laws that forbid his getting it.

Before I leave this phase of the subject, I want to call your attention to the fact that only a few days ago there was printed in the newspapers of this country an estimate of the probable grain yield and cotton yield of the American fields. On the 25th day of June these reports were published, before most of the cotton was up in a great many southern fields. The acreage was estimated, the yield per acre was estimated, and then the probable yield, counted in bales, was estimated. For whose benefit? The estimate was of one and one-half million bales more than has ever been made in the history of cotton growing—and that, too, before the cotton is up.

What was the result? The price broke $7.50 a bale. For whose benefit? This dear object—the farmer—around which both Democrats and Republicans have rallied on this floor to save him from competition with Canada, when right here in Washington there emanated from one of our departments a report, based upon worse than a guess, that extracted $7.50 per bale from the value of the cotton which the farmer had labored to make without a cent of protection and out of which had come more than half of the exports of the raw material that save the balance of trade in favor of America. Yet this estimate is made for whom? I do not say—I have no right, perhaps, to say—that it was the distinct purpose and object of those making this estimate to injure or benefit anyone. But what was the result? What were the conditions? Year before last there was a short crop of cotton; last year there was a short crop of cotton; and under the eternal divine law of supply and demand the price rose to where it measured something above the cost of production. Stocks of cotton were low; the warehouses of the manufacturers were empty, and their profits necessarily were being cut down until such time as they could raise the price of manufactured articles to recoup themselves for what they had unexpectedly lost in having to pay the advanced price of the raw material. Just at that period, furthest removed from the exhaustion of the old crop and the coming in of the new crop, in the great trying time from the middle of June to the middle of July, to the middle of August, to the middle of September, representing three months—just in the nick of time, when manufacturers were being forced to shut down because of the scarcity of the raw material and because of the high prices under God's law—then comes this report that in 60 or 90 days probably the biggest crop that America ever saw would be coming to market. To whose benefit did it inure? To the benefit of the farmer or manufacturer?

Need I call your attention to what occurred here just two short years ago, when the crop was short, when the mills were clamoring for cotton, and those who produced it were selling it in open competition with all the other cotton-producing countries of the world? The price soared and soared because Japan and England and other countries of Europe were clamoring for the staple. Some men organized in New York to put prices down, and sold hundreds of thousands of bales that they did not own. Other men bought them, and when "notice day" came they that bought demanded the delivery of spot cotton. What had they done? They had gone to the mills that converted cotton into cloth, and that needed the cotton, and these men who had bought demanded not a settlement upon margin but the delivery of actual cotton. What happened? The Attorney General secured an indictment against the men who were attempting to help the mills that wanted cotton and the farmers who wanted a better price under the law of supply and demand. They were indicted because it was alleged they had organized in restraint of trade, while there was not a whisper against that combination which had sold what they did not own in order to depress the price of the legitimate product of the American farmer. How many voices were raised on this floor——

Mr. WILLIAMS. Mr. President, may I ask the Senator from South Carolina if it is not true that all that Frank Hayne and those men did was to demand that the contract should be literally complied with?

Mr. SMITH of South Carolina. That was all. I had affidavits to that effect. The Senate did rise on that occasion to the demands of the case and passed a resolution which I had introduced demanding that the Attorney General should investigate the other side of the question, so as to ascertain who sold this cotton in restraint of trade. His reply, in polite terms, was that nobody had indicted them, that his office was to take cases which were presented before his department, and to give us the law, and not to investigate. Yet we sit here and plead for the much-loved farmer when in our hearts we know that the plea we are making is spurious and will result in no good to him. But when there comes a real bona fide case in which legislation would help him, and not at the expense of other people, the silence of this body is eloquent.

Mr. President, I want to state, in conclusion, that protection presupposes the power to take advantage of the law, else it could never protect. The very assumption of protection is that those protected can take advantage of the law; and protection under the law in reference to commerce means prohibition. If it did not prohibit, it would not protect. Therefore it presupposes that the party protected can take advantage of it to the full extent of that protection. Had the manufacturers been as numerous as the farmer, as different in degrees of education, wealth, and general intelligence, protection never could have benefited him to the degree that it now does. Each and every one recognizes this fact. And it is a reflection upon American statesmanship for them to plead for the passage of a law which, when passed, could not, by the very nature of the case, give the benefit promised therein to the farmer.

Therefore, Mr. President, I shall vote for the Canadian reciprocity bill, believing that it will not materially change the price of any article, but will open the way and set the example for the further application of the Democratic doctrine for the freest possible intercourse between us and the nations of the earth with which we deal, and begin that legislation which will levy a duty simply for the support of the Government economically administered. If in the course of the present great Democratic wave we should come into power, I hope that no Democrat will stand upon this floor and plead that in the readjustment of the duties in order to be fair to the farmers of this country they must be provided for under a scheme of revenue duties to give them protection. If we can raise the revenues of this country without laying oppression on the great mass of the consumers, although we give incidental protection to a few on the nonessentials of life, I for one shall vote for all raw materials to be free, if it will help the American people. I am not going to pin my faith to the temporary doctrine, ephemeral in its nature, that we must have a revenue tariff, and that alone, or that we are to have free trade. I am going to favor that policy which will raise such revenue as, in our judgment, under the Constitution would best serve the interests of all the American people, put upon the free list that which in our judgment would give the greatest benefit to the greatest number, and lay the burden where it can be best borne, without adding any further taxes to the people. I am not pleading for reciprocity because I desire to add to the burden of the farmer, but to put him in the right light, in the honest light, in the light of a true democratic American citizen with relation to the nations of the earth; and then I shall vote to remove the iniquitous protective duties on the manufactured articles that have been the burden that he has had to bear and that no protection for him can ever alleviate.

Mr. HEYBURN. Mr. President, I have been put upon inquiry. As I have listened to the discussion of the question involving the rights of the American citizen my mind has reached out to inquire what is it to be an American citizen? Is there any difference between being an American citizen and being a dweller only in the land or living outside of it and owing allegiance to some other country? What is the object and purpose of a government if it is not to confer an especial advantage upon those who constitute it, those who found it, maintain it, defend it, and support it?

I have listened for long weeks and months here to political cheeseparing, to see just how thin the protection which the American citizen claims may be shaved down, to see how thin the ice might be made over which he must pass with his burdens and duties upon him, and I have concluded that there is a misapprehension in the minds of some Senators, due to what I know not, as to what it is to be an American citizen, to be a part owner in every inch of the land and in the waters under the jurisdiction of our Government, to be a part owner in every opportunity that may be wrested from natural conditions. Is there nothing in all of this that should and does distinguish an American citizen from a citizen of another country seeking to do business under the advantageous conditions belonging to this country? I have always thought there was; the founders of our Government thought there was; they believed when they entered upon the soil of America that out of that would grow a substantial right that would attach itself to every human attribute of citizenship, which right would be greater than that which could be obtained by any other person than a citizen of the United States.

They did not enter upon this great country through the cities. They entered through the farms and the forests. The cities are an incident of civilization, and not the basis of it. The country must first exist in a productive condition before a city can exist at all. So that we are naturally inclined to look over the real pathway upon which the tread of empire has come.

The forests were the first useful adjunct to those who came here. They sheltered them until they could appeal to the soil or its products to sustain them. They lived in the forests, and, reaching out, gathered the natural opportunity from them to

make their homes. The bark shelter first, the cave in the side of the bank covered with boughs, the rude shelter of the trees, God's first tabernacle, as some one has called them, were the beginning of that which we know to-day as the civilization of the people; and it is that out of which the rights of an American citizen have grown, and grown greater than the rights of any other person on the earth.

Now, let us see if we can not stand out in the open and consider this question briefly from that standpoint—not see how merely tolerable the condition of the American citizen may be maintained in order that he will not leave the country, but see how fully he may enjoy the natural fruit of that which is his own.

You might imagine from some suggestions which have been made that this American citizen was a suppliant at the door of charity; that he has no natural right against the foreigner engaged in competitive enterprises; that he must show himself capable of living within the sphere of the life against which he is competing; that he must show himself capable of existing under the conditions of life that surround his opponent. That is not the rule by which to estimate the rights of those whose rights are at issue in this matter. The people who are the competitors of the American citizen do not build the homes in the country nor the buildings in the cities; they do not lay out the empire and construct it according to the great plan that marks it to-day and will mark it in the future; they assume no responsibility for the payment of taxes to maintain the Government; they assume no responsibility to defend the country against an enemy, to preserve its integrity; they have none of those expenses; and yet men stand up in this responsible place and in this hour and demand that the foreigner shall have equal rights in a market that has been paid for and maintained by American citizens.

They do not even pay a license to transact business in this country. They send their products in through the customhouses of our country, the very officers of which are maintained and paid out of the Public Treasury. They send them onto wharves and into customhouses that were builded out of the Treasury of the United States, into which they never contributed a dollar for construction or maintenance. Yet they claim equal rights with our citizens, and men stand up here—American citizens—and say that the American business world should be compelled to match pennies with these competitors on even terms.

I want to speak, first, for an interest which is now the largest interest and which was the first business enterprise and interest in America. It is larger than any other to-day; it pays more in wages; and yields more in returns than any other. That is the lumber interest. It had its foundation when the first man in America cut a tree for the accommodation and use of himself or his neighbor, to construct the first home. It is absolutely necessary to the maintenance of the civilization we enjoy. No industry is more necessary. We must be sheltered; we must have lumber for a mutiplicity of purposes, impossible to enumerate upon such an occasion as this.

Is it not, then, well enough, when an industry is threatened, to pause long enough to investigate the conditions which surround it and those that threaten it? There are more men, wage earners, engaged in the lumber business than in any other enterprise under our Government. I have made a careful examination of the official and reliable figures, and I have no hesitation in making that statement. There are but three enterprises known to the American people that represent a larger financial result or a larger product than the lumber business. I desire to be accurate. The lumber product of last year amounted to $827,464,656. That was made up of two items. It was made up of lumber proper—what we call sawed lumber—and of finished lumber from the planing mill. The value of the first amounted to $580,022,690, and the value of the planing-mill product amounted to $247,441,956. I will give the wages account, but first the number of employees. There were 413,000 men, according to the official figures, engaged in the production of that lumber as distinguished from the planing-mill product, and there were 97,674 employees in the planing mills, making practically about 510,000 men—and they are all men. There is no woman labor, and there is no foreign labor worth mentioning; there is only one mill in the Northwest that employs any, and those employees are men. That, counting 5 to a family, which is in the United States always a low estimate, represents 2,000,000 people, or more, whose existence and whose ability to maintain the standard of American citizenship rest upon that industry. There is no other industry that comes near it in the number of employees.

I have the steel industries tabulated, and I will give some of them right in that connection. I will give it by product, because the ratio is common throughout. Here are the bread and bakery products. Now, this is, as compared with the lumber products, $827,464,656. First, I take the flour and grist mill products, which cover wheat and all that goes into the bread. That is $713,033,395. It is over $100,000,000 less than lumber. Take the foundries and machine shops of the United States, and it is $799,862,588. It is far below the lumber business.

I am seeking to determine the importance of this industry, because we must keep that in mind in view of the fact that the importance of the industry bears the relation that it does to the financial proposition as to the earnings of those who are engaged in it.

The car construction of the United States amounts to $309,863,499. That is less than half the amount of the lumber products.

Bread and bakery products, $269,609,061. That is less than half the lumber product.

The product of all the clothing makers of the United States amounts to $355,796,571; about half that of lumber.

I take cotton goods. Those engaged in the manufacture of cotton goods in all of its branches and ramifications produce products to the value of $450,467,704.

Iron and steel workers and the products thereof. That is the first item that matches up with the lumber business. The amount is $905,787,733. These are the figures given out by the Government of the United States.

Mr. LIPPITT. Mr. President——

Mr. HEYBURN. I will yield in just a moment, when I finish the table, so that it will appear consecutively.

Meats. Those engaged in the production of meats in all of its ramifications come next to that, and the amount is $801,757,137.

Pig iron, $419,175,000.

Now, I yield to the Senator from Rhode Island.

Mr. LIPPITT. I merely wish to ask what census reports those figures are taken from?

Mr. HEYBURN. From the last census. I took them from the Yearbook of 1910. I checked the figures with the other publications and statistics I have here and in my committee room.

Mr. LIPPITT. I should like to state that the statistics of the cotton manufactures for the year 1910 show $616,000,000.

Mr. HEYBURN. That is for the year 1909; and it was greater for 1910. I have given it credit for $820,000,000. I took the figures from the Government publication. It is greater than the Senator from Rhode Island suggests. I think there was a falling off this year in the cotton product.

Mr. LIPPITT. I think the Senator has the figures confused. I think the figures he has given for the cotton product are the figures for 1905. The figures for the year 1910 are $616,000,000.

Mr. HEYBURN. Well, that is two hundred million less than I have given it credit for.

Mr. LIPPITT. I thought you gave the cotton manufactures at $400,000,000——

Mr. HEYBURN. No; $820,320,000. I have the figures before me.

Mr. LIPPITT. Is that cotton?

Mr. HEYBURN. It is cotton.

Mr. LIPPITT. Or lumber?

Mr. HEYBURN. No; the lumber is $827,464,656. Those are the official figures of the Government.

Mr. WARREN. What did the Senator give for the meat product?

Mr. HEYBURN. For the meat product, $801,757,137. It stands less than lumber and less than iron and steel. Of course, I have grouped the iron and steel industries. That is more than a fair presentation of that industry, because it is separable and is maintained in a separable way from a business standpoint. But I grouped them because the figures are not so very great as to make a bad showing.

Now, I have taken bituminous coal—only half of what lumber is—and anthracite. Bituminous is $405,486,477 and anthracite is $149,415,847, making the two classes of coal amount to $554,902,624. You see it is not much over half the lumber product.

Then I have taken petroleum in all of its classes. The amount is $128,248,783, a mere bagatelle as compared with the lumber product of the country.

Then I have taken hay, which ranks high. The amount is $747,769,000. Had I time I would like to pause here long enough to point out the iniquity of placing hay upon the free list. It is the first crop. It is the grubstake of the pioneer. He gets the benefit of the hay before he gets a benefit from any other resource of his land. He may cut a crop of hay in many sections of the country, but he can always pasture it. It is available to him in the interval between his settlement or his entry and

the first crop that he may grow. We have millions and millions of acres and thousands and thousands of people to-day on the frontier in this country—and, unfortunately for this measure, that frontier is near the line that is to be obliterated, they tell us—who will depend upon the first crop of wild hay.

We have the testimony taken before the Finance Committee here. There is the testimony of Mr. Hagenbarth, a man who was born in Idaho and is now past middle life, who is one of the largest stock raisers in the State. He states how in the early days they depended upon this wild hay for their animals. It was the basis of their prosperity and their business enterprise. They soon became raisers of what we would call tame hay, as distinguished from wild hay. They speak of it always as tame hay. One of the largest enterprises in that northwest country is hay. More land is being put under cultivation for the purpose of raising hay now than for any other purpose in a large portion of that country. It is, of course, a very much better grade of hay. It is hay that can be fed to all classes of animals or ground for human food, and is being so treated. Yet they are going to open the Canadian fields to compete with those pioneers who have entered upon this enterprise.

I will not stop long at any item in this question, because the hour is late and we unfortunately or fortunately, as it may be, have a short time left in which to consider this measure. I am not one of those who believe that men's minds are closed against reason. I will always give them the credit, in my judgment, of being open to conviction. Otherwise I doubt if I would say a word.

I was dealing with this question of wages and I sidetracked for the purpose of comparing the importance of the production itself. Now, let us go to the question of wages, and I have those figures here accurately stated. The total wages paid to the 506,000 persons engaged in this lumber business last year, to those brought in connection with what we call the rough lumber, was $183,021,519, and to those engaged in the finishing mills, $197,000. The number of establishments reported upon by the Government was 25,000. The average number of wage earners in those establishments was 413,000, and in the planing mills it was 97,674, making a total of about 506,000 people engaged in the lumber business accounted for by the Government.

Take 506,000 men and they represent a population of over 2,000,000 on the accepted basis of estimate. That many people producing this vast predominating product receiving over $200,000,000 in wages is an item in the economy of government that can not be overlooked. So I do not feel that I am open to the charge of talking of small questions or small interests.

The question really before us is, Shall that industry remain an American industry or shall it be transferred to some other country, either upon business reasons or sentimental ones? That is the serious question.

The existing duty on lumber affected by the proposed change is an ad valorem duty of 7 per cent. So far as the dressed lumber is concerned it is less affected, but so affected as to make the difference of the wages represented by this production.

This Canadian bill is drawn upon the proposition of leaving the wages in Canada. There is no man who understands anything of government or of economics in government who does not recognize that the wages is the basis of every man's fortune. I do not care whether it is in Government bonds or whether it is in lands or in business enterprise, it is the result of wages, and it is at the mercy of those who work for wages. The pay roll is the essential question in the economics of our country. A community without a pay roll is a self-consuming community. The pay roll represents the accretion of wealth; it represents the distribution of wealth; it represents the initiation and the growth of other kindred business enterprises that sustain the wageworker. One man may own the factory or the business enterprise that represents millions of dollars of investment, but he is only one man. He consumes the share of one man and he votes but once. Under him are a thousand men, representing the virility of a thousand citizens of the United States in the family life, in the building of the necessary home for him to live in with his family, in the construction and bringing together of the commercial establishment in which he shall spend a portion of his wages, in the bringing together of a commercial establishment that shall make a demand upon the surrounding country, and the land and those who inhabit it, for the production of the things pertinent to the occupancy of that land, that reaches out and builds a civilization that extends first a mile or two, then other miles, and others, until out of the condition of the first man's employment has grown the necessity for railroads to bring in and take out of that community. Multiplying these conditions you have the great Government of to-day which grew out of the first commercial transaction between the first settlers among themselves, and then extending like the ever-widening circle as others came.

When you fail to remember the genesis of government then you are incapacitated from dealing with the perfected government. You must know it, because the early history is as much a part of the history to be considered as that of this hour. You must know it as you know your business enterprise, from its foundation, and you must never forget the foundation.

Here we are confronted with this great business proposition. It is proposed to open the great opportunities that represent this proposition of the running business to the competition of strangers, to competition with the noncontributing, nonproducing citizenship of another country, that know not our traditions or our laws or our flag, that know only that in any hour through the human passions they may be an aggressive enemy. We do not need to consider that in this hour, except that it is one of the conclusions which flows from the other.

Are you going to open the door to those people? I care not how kindly, I care not if they are of a common ancestry, I care not what their sympathies are; this is a business proposition. Government is business. Patriotism is sentiment, but the crystallization of patriotism is the business of government, the practical side of it. We are here to deal with that side of it, and if we forget it we forget our duty.

Is there any doubt that the lumber business would dwindle, and that it would stop if a country having practically an equal supply of that material were given an equal or a better chance than our own people? An American requires a little better chance in this world than any foreigner. An American stands firmer on his feet and he holds his head a little higher. He houses and clothes and educates his family better, and they maintain a standard of living above that of any other people on earth, it matters not where you look for them. Men who have gone about the earth will have no doubt about it. I do not mean to say that every American citizen is up to the standard, but I am speaking of the average citizenship, and you will find the average citizenship not in the cafés and around the boulevards of the city; you will find the average citizen in the field of applied industry. The question is, Shall we keep up to that standard, and shall we provide an income and an occupation for the people that will enable them to live up to it, or shall we say to them, "Look over there, the people of this country or that manage to get along, the sun shines on them and the rains fall, and they seem to live happily; they do not have the things that you have, but they get along with what they have, why can you not do it?"

Is that the way you talk to an American citizen? He will rise up and strike down his representatives who speak to him in that way. He does not select representatives to place him in competition with people who can live or who choose to live on meat once a week, and I could name a number of things upon which the people of other nations live.

I do not desire to be invidious against any people, even though they are not here. But I do not need to be specific. It has been the boast of the American that every generation has been somewhat in advance of the generation to which he belonged, and that they will advance in that way always to a higher plane of civilization, a more equal distribution of the blessings of civilization, and a grander equality in the field of endeavor. That is the boast and dream and properly the ambition of the American people. Are you tending toward that when you are comparing them in their industrial enterprises with the possibilities of nations that know nothing of the attributes which place the American citizen thus in the forefront of civilization?

I am not going to stand here and quote prices between Liverpool and Milwaukee or St. Paul or Chicago. If there is a doubt about it, I will solve the doubt with a margin large enough to cover the lean years. As the Senator from Texas [Mr. BAILEY] aptly said this afternoon, we must take into consideration the lean years with the fat years, when this year or another the people had bumper crops and splendid conditions, and prospered and made a big margin. That is in the providence of human kind the rule that should appertain, because, forsooth, to-morrow they may have lean crops and lean conditions. The establishment and maintenance of a high standard of uniformity that shall be able always to have in reserve enough to overcome and avoid the effects of lean years is the only principle for the individual or the government to rest upon.

Take 7 per cent to-day off of lumber and allow the forests of Canada to become the competitor of the American market for the forests and those who are rightly engaged in them, and you will put out of business, if not 500,000 men and their families, enough of them to rebuke those who are responsible for it, to rebuke them wherever they may be found, whether in high place or in low.

Then, again, when you turn a man out of his chosen field of labor, you do not only that man a wrong but you do a wrong to some other man whose place he will strive for. You have

set two men agoing—the man who is out of a job and the man whose job is sought by that man. Multiply that. I have seen it and so has every man within the sound of my voice. I have seen a thousand men turned out of their employment within 48 hours, with an assurance that until governmental conditions changed they could not hope for reemployment. I have seen them go down into the fields where other men were at work and bid against men for the employment they had. They bring about discontent among the men in other fields. If they succeed in underbidding one set of men and driving them out, they in turn become the invaders of other men's field of action, until you have the condition that was represented by Coxey's army.

I saw the first trainload of them leave Oakland, Cal., joyous and glad. I said: "Where are you going?" "Going to Washington." You would have thought they had been invited down here to a banquet. I saw them again at Portland, Oreg. They came up over the Southern Pacific. Their numbers were lessened and others had been substituted. Then I saw them when they reached Spokane.

I saw them trying to cross the lake on logs pushed in from the mills, hundreds of men sitting astride logs paddling themselves with their hands, going to Washington to change the Government. They had helped to wreck its business conditions, and they thought they could change them by coming down here. I saw some of them, as the weeks and months went on, strung out on the roads between here and there on brake beams, on the top of cars, seizing trains. I saw them here in Washington.

That is the result of just exactly such things as are proposed now. The first of those men were put out of employment in California because the business in which they were employed was made unprofitable by governmental action. Then, again, as that condition spread over the country it repeated and multiplied itself. Our mines were closed down because the duty on lead was cut in two, and only the very highest grade of lead could be mined. Millions of tons of it went over the dump as waste that under ordinary conditions would have gone to the smelter with a profit. The men were consequently let out. I saw those men go on the road. It was the saddest spectacle of my life. They were men I had known. They were hard-working men. They were men with families. There was not an element of the tramp in them. But with them it was anything.

Now, do you want to bring that condition about? You can turn 20,000 men out of employment, with the families they represent, by closing down the lumber interests in our part of the country, and I speak only of three States—Idaho, Washington, and Oregon. We are the largest lumber producers. Washington is the largest lumber producer in the United States. Washington produces 60 per cent of all the shingles made in the United States, and they ship them all over the Atlantic coast.

Oregon comes next. Idaho is an important lumber-producing State. It is now proposed to turn those men out of employment. Can it be wondered that I stand here at this late hour and under these untoward conditions and speak for this interest, speak against its disturbance? How many men in the ordinary or the extraordinary walks of life know anything about this great enterprise? The most they see is a lumber yard; they may see a mill out of a car window; but they should go into the country where this industry is located. In the State of Washington the lumber interest is greater than every other interest in the State combined, and with $10,000,000 to spare. Just think of exposing it to the competition of another country, I care not what the character of its citizenship may be; I care not what the sympathies existing may be; I will not enter into a consideration of that. If they were our brothers, outside of our household it should be as it is in the household. The Government is the household of the American people, and you expose them to this foreign competition. You are not taking anything from the other man in that respect. He has nothing to give you that can profit you, and that which you propose to give him is a dagger of destruction; it is a weapon with which to strike you. You give him the right to enter your market. Our right to enter his market is of no value. We send none of the class of lumber that is affected by this legislation into Canada. We might send, and we do send, rough-sawed lumber, but if we put any work upon it the Canadians will not allow it to come into their country, and very properly so. They are sensible. They want the wages represented by the manufacture of that lumber on their side.

If we have the good judgment that should mark our action, we will see to it that anything that is the result of wages and that results in pay rolls shall stay on this side of the line. All there is of the wealth of our country is the pay roll. Eighty per cent—yes, 90 per cent—of the money in the banks of our country to-day is held there against pay rolls—I am talking about money, and not lead pencils—80 or 90 per cent of it is held there in order to pay labor. I class with labor the producer of commodities; I class with labor the men who make any part of a product that is assembled by other men. They are as much laborers as are the men who pour the sand in the mold.

Mr. President, I want to put that question very squarely, and in order that no man may ever have an excuse for not understanding it, I want to give you the benefit of the testimony that was taken by the Finance Committee. I have stated the result of much of that testimony. The facts I have stated are taken largely from the testimony and the official documents. Here is the voucher for what I said about the class of lumber which goes to Canada. Those who have spoken seem to think that we are going to be able to ship a great deal of lumber into Canada. It is a class of lumber that we can sell anywhere in the world; we do not need the Canadian market for it. This is what we call high-grade lumber. Mr. Bloedel, who is probably as well informed a man as there is in the United States on this subject, a man of such responsibility and such experience as that his word is taken on any question that he chooses to speak upon, says—

> The price of the high-grade lumber has increased—

That is in response to a question—

> high-grade clears and finish, such as would enter into the construction of the panels of that door—they have advanced from about $18 to $24.

This was in response to a question looking to a probe of the question of high living:

> Flooring has advanced from about $18 to $25, showing the fact that the increased production has made more common lumber than could be sold and less clear lumber proportionately.

A tree is largely rough lumber; but only a small percentage of every tree or of any tree is what you would call clear, first-class lumber. When you are seeking to fill an order to cut a lot of high-grade lumber you must necessarily produce several times that quantity of low-grade lumber and glut your market. When the mills have an order for such lumber as would bear transportation from the West to the East or into a foreign country, they are compelled to cut so much other lumber—what we call common lumber—in order to get the clear lumber that it gluts the market and they sell it at a loss.

Men who came before the committee have been scoffed at because they appeared to be prosperous men and yet testified that they had lost $1.05, or thereabouts, on the standard lumber which they had cut; but they explained how they were compelled to sell that class of lumber at a loss because they had been compelled to produce it in order to get a class of lumber which was profitable enough to balance against the loss. I have heard that discussed quite recently in the Senate here, and no attention at all was given to the explanation. The same is true of nearly every class of business in the United States.

Mr. President, I will give you some facts in regard to this class of labor. Mr. Bloedel, in speaking of the advance in lumber in 1907, says that it went from 40 cents a hundred to 50 cents a hundred, and other advances in proportion, that seemed like unholy advances, and some immediately jumped to the conclusion that a trust had been formed to advance the price of lumber, when the fact was, as explained by Mr. Bloedel, that—

> the increased capacity created an abnormal demand for labor. The result was that our average price for labor advanced very rapidly—I mean our average cost of labor. We paid, I should say, in 1905, about $2 for common labor, and we paid as high as $3 a day for common labor in the height of that season in 1907.

There was an advance of a dollar a day in the cost of labor. He continues:

> There is another item that enters into that, and it is not alone the cost of labor but the efficiency. The efficiency of labor diminished proportionately to the increase in the pay for the reason that there is such a demand for men that they are very independent and will not perform as willing labor or as much labor for the money as on a lower basis.

Then he goes on and speaks of the timber in Idaho. I need only say that Idaho stands right up in the forefront of the timber-producing States. It has increased its capacity from 10,000,000 feet in 1890 to over 1,300,000,000 feet in the last year; and it has the same interest in this question as have other States. It borders on the Canadian line. Logs and lumber can be floated into Idaho and Washington by water or brought by rail. There are four railroads crossing the line there in the immediate vicinity of the lumber production.

Mr. Bloedel says that the average cost of lumber is over $8 per thousand. That is just for labor on the lower grades. They do not expect to make any money on the lower grades of lumber. He gives here the figures as to increased production in Idaho. I find I misstated them. In Mr. Bloedel's testimony at page 714 he says that in 1899 the production of lumber in Idaho was 165,000,000 feet, while in 1909, 10 years later, it was 1,500,000,000 feet.

The freight on that lumber to Minnesota transfer points is 42 cents per 100 pounds. Of course that is a fluctuating rate,

because all lumber does not weigh the same per foot, but it averages about $10 per thousand feet for freight from our mills to Minnesota transfer points, which mean Iowa, Minnesota, North Dakota, and South Dakota, and all of those States.

Now, I desire to call attention to a fact that appears upon the face of this bill. Why it should be there I can not understand, because it is impossible that those who drew it should not have understood what they were doing.

At present rough lumber is admitted into Canada free. They want rough lumber upon which to expend labor and create wages. On dressed and matched lumber the duty is 25 per cent ad valorem. The proposed duty on lumber imported into the United States is, when surfaced on two sides, 75 cents, while in Canada it would be 25 per cent ad valorem, which, on the basis of $8 per thousand, would amount to $2, so that that lumber when sent into Canada would pay $2 a thousand feet, while the same kind of lumber brought from Canada into the United States would pay 75 cents. In the case of flooring, for instance, they would pay a duty of $1.12, while we would pay a duty of $6.25, so that there is nothing reciprocal about that.

Now, to get some idea of the reason for the cost of our lumber when it comes east, I will state that common undressed lumber sells at the mills for $7 a thousand. The freight on it to North Dakota is $10.40. The handling and profit—what might be called the overhead charges, and they are numerous—amount to $3.48, making the cost of that lumber in North Dakota and what we call Missouri shipping points $20.88. They complain of the price of lumber being $20. That lumber is sold to them for less than $20, notwithstanding that it cost upward of $20.88; but the clear lumber which is sent through the planers and finishers is sold for enough profit in another market to enable the lower grades of lumber to be sold at that price. It seemed to be a mystery that needed clearing up as to how we could go on from year to year cutting millions and hundreds of millions of feet of lumber at a loss.

Rough timber at the same mill on the same date cost $9. That is the price at which the lumber is billed to the purchaser; but it costs more than that. The freight to North Dakota on that class of lumber is $13.20; handling and profit 20 per cent, or $4.44, making a total of $26.64.

The changes were rung on the fact that lumber of that class cost $26 or $27; and it was said that the high price was due to the Lumber Trust. That lumber had cost much more than $26.64 to those who shipped it, but they had taken their profit out of the cream—that is, the small proportion of clear lumber that would stand finishing and grooving and working up and polishing as lumber is prepared for the higher classes of work in a building for finishing, for doors and sashes, and a thousand other things.

There has been some talk about the mill prices of lumber having gone up because the lumber business has gone into the hands of a trust. In 1902 the price of common lumber, both board and dimension, in our mills was $8 a thousand; in 1903 it was $8.50; in 1904 it was $7; in 1905 it was $5.50; in 1907 it was $12.50; and in 1908, $10.50, owing to the demands made in consequence of the San Francisco and Valparaiso earthquakes. Those cities had to be rebuilt. The question was not "When can you let us have some lumber?" It was, "We want the lumber; get your force to work at any cost or expense and get us the lumber quickly." It was hurry up from the beginning. Men took advantage of that situation. Wages were raised a dollar a day; the railroads took advantage of it and raised their rates; everybody took advantage of it; and the mills had to put these charges in their bills; but they made no more money on that lumber than they did on lumber they had to sell the month before for $5.50. That condition lasted during the two years of the reconstruction of those two cities, both destroyed from the same cause.

In 1909, when that fever had passed away, lumber was again $7 at the mill; in 1910 it was $7; and now, in 1911, it is $6.50. I have those figures from the mill. I read them into the RECORD because I think it is not only fair, but it is a duty to correct mistakes upon which men may act and be misled.

In 1909 in the State of Washington alone there were 4,200,000,000 feet of lumber made, one-third of which went east by rail, one-third was shipped by water, and one-third was used locally. That country is growing, and uses just about that proportion of the lumber that it cuts. It has supplied itself and other States dependent upon it. It has supplied the great Middle West with lumber and built it up, and it is still able to ship out two-thirds of its product.

The total value of all agricultural products in the State of Washington is only $40,000,000. The wages paid in Washington alone for the production of lumber in 1909 amounted to $60,000,000, disseminated throughout the business world of the Northwest. Washington, Idaho, and Oregon last year produced 7,500,000,000 feet of lumber, employed 190,000 men in the lumber industry and paid them wages of $127,000,000.

Those figures are reliable. You can see from them why that country is prosperous. It can stand financial drought. They are not bothering very much about the disturbance of business conditions out there. They have the wealth which they are are gathering from their natural resources.

This whole bill is framed upon the basis of free raw materials, and the legislation of to-day seems to be based upon the proposition of free raw materials. Free raw materials would involve such partiality as would seem to me not to commend the policy to anyone. The doctrine of free raw material means that the people who are responsible for the production of the finished product are to be punished for it or are not to share in the result of their labor. There can be no finished product without raw material. The raw-material men will stop work when it is no longer profitable, and what will become of the men who are engaged in the making of what is termed "the finished product"? I make that suggestion at this late hour.

Here are some interesting figures. I shall not pause to read them except where I think I should do so, because I have some tables here which I will ask leave to put in the RECORD. I have the report of the Bureau of the Census on forest products for 1909. The tables show the sawmills of the country by size and relative products. They are very interesting tables. People always think of this as a business on an enormous scale, as a big business enterprise of extraordinary immensity. I read from page 672 of the hearings before the Finance Committee:

> The total number of mills reporting for 1909 was 51,266, but the number of active mills was 48,112—

Of course, there are always a number of mills on the inactive list—

> differing in that particular from the commissioner's report, which was published before the census was really completed or the Census Bureau was in condition to furnish satisfactory figures. Of these, 42,041 were classified by quantity of output.
>
> These tables show that 45.1 per cent of the total output of 1909 was produced by mills each cutting less than 5,000,000 feet annually—

I may say those are pretty small mills, and we are speaking of a very small item as a basis—a foot of lumber, which is a piece of board 12 inches square and an inch thick—so that 5,000,000 feet of lumber is a very small quantity of lumber, and it is a small mill that manufactures it, and yet 45 per cent of the lumber produced was cut by those small mills, while 57 per cent was by mills cutting less than 10,000,000 feet.

These are also in the class of small mills. The remainder was cut by mills with a capacity of more than 10,000,000 feet.

There is a peculiar condition connected with that. Half the lumber product of the United States is from mills of the class stated, and they do not ordinarily possess any timber reserves at all. The owners of mills having an output of 5,000,000 feet and 10,000,000 feet are not the owners of timberlands. They depend upon the market; they buy logs of the men who are clearing up their homes; they buy them of men who own timberlands and sell the logs in stumpage.

They are not the land grabbers that are sometimes so vividly pictured. We hear these timberlands spoken of as being of such great value. Now, 20,000 feet is the minimum of standard timberlands. While sometimes it runs up to 100,000 feet or more, about 50,000 feet of lumber per acre of land is the average. Fifty thousand feet of lumber is not worth over, we will say, $75 or $80. You might imagine sometimes when you hear about the timberlands being stolen that they were carried away in ore sacks, but an ordinary tract of land does not contain a fortune.

I do not desire to minimize the value of the lands. I merely want the facts to be known to those who ought to know them. I know of timberlands in our State that run up over 100,000 feet, but they are very exceptional lands, upon which the timber has not been destroyed or burned, and nothing has happened to them. They have gone on growing until the trees have attained fine proportions.

Now, about the crown lands in Canada. The crown lands in Canada are the public lands, the same as ours. They are taken up under the public-land laws or leased or disposed of just as Canada may see fit to dispose of them. The rights she has given her subordinate governments are subject always to cancellation.

I desire at this point to put in the RECORD a statement from Mr. Bronson in response to a question by the Senator from North Carolina [Mr. SIMMONS] before the Committee on Finance. It is a statement of statistics and figures that I will ask to have inserted and that I need not read.

The VICE PRESIDENT. Without objection, permission is granted.

The statement referred to is as follows:

Senator SIMMONS. It does not apply to rough lumber; there is no restriction as to that?

Mr. BRONSON. None whatever. The requirement simply is that the rough material as it first comes from the woods, from the tree, shall be manufactured in the Dominion, sometimes in the Province, and that is true as to every Province with the exception of those that I have mentioned. The President, in his optimistic introduction to this agreement, says: "Free lumber we ought to have." That is a dogmatic statement which of course we dispute. "By giving our people access to the Canadian forests we shall reduce the consumption of our own, which, in the hands of comparatively few owners, now have a value that requires the enlargement of our available timber resources." That expression, however, "by giving the people access to the Canadian forests," is what I particularly wanted to mention and call your attention to. This reciprocity bill does not give our people access to the Canadian forests, nor to Canadian logs, which are produced at a cost exceeding the value of the standing timber; that is, the log is worth more than double the timber standing, of the ordinary timber, not white pine. Neither does it give access to the logs, but only to the product of the sawmill itself—that is, to an article, to a commodity two stages removed from the raw material.

Two manufacturing operations have been performed upon the tree; it has been felled, cut into logs, and brought to the market—it may be the mill—then it is put through the mill. Canada does nothing on that point for us, for the American people. Now, I am talking as a citizen, in a way, for it is no advantage to the American lumber industry that the logs should be brought across the border to accentuate the domestic competition already existing, for the North competes with the South and the East with the West, and the southerner would have a right to complain, perhaps. He certainly would not be benefited if a few northern operators were permitted by this pact to bring logs across the border, the cheap logs from the cheap Canadian timber, and cut it in the northern mills to further compete with the southern mill, but as a citizen I want to call your attention to it as the important one in this pact and treaty. It is of significance to the American people.

It indicates something of the character of this—the carelessness with which this treaty was framed. We admit Canadian lumber, a product of the sawmill, upon which perhaps $8 a thousand has been expended in the way of labor and supplies, and on top of the $2, $3, or $4, or whatever it is, stumpage value, standing value, give that free access to our markets, but do not require Canada to give us any advantage whatever. She does not release her forest; she gives us no access to her forests, but just to her sawmills. It seems to me very strange that the representatives of the United States Government who negotiated this treaty did not cover that point.

Senator SIMMONS. Let me see if I understand you. You say that before this product of the forest can be admitted free into this country under this treaty that there must be expended on it about $8 a thousand in labor?

Mr. BRONSON. Labor, supplies, and so forth, as a manufacturing process—two manufacturing processes.

Mr. HEYBURN. I submit, likewise, a statement of Mr. Bronson before the Committee on Finance, to be found on pages 737 and 738.

The VICE PRESIDENT. Without objection, permission is granted to print without reading.

The statement referred to is as follows:

Mr. BRONSON. * * * Canada charges import duty on the dressed lumber of 25 per cent ad valorem, which is dressed on more than one side, and almost all the lumber commercially is dressed on more than one side—if only one side, that is to save the freight——

Senator SIMMONS. I thought it was 25 per cent.

Mr. BRONSON. Twenty-five per cent ad valorem; yes, sir. Our duty on dressing amounts to, transferred from the specific to the ad valorem, 6¼ per cent on the importations, of the last fiscal year, one-fourth of theirs. The result of this will be that not only will Canadian lumber be manufactured by Canadian mills absolutely, but it will be dressed in Canadian planing mills; whereas our lumber will have to go into Canada rough, to be dressed there. They will do the dressing of the entire country—for both countries, so far as the trade between the two countries is concerned. No doubt this particular point is of particular importance to the hardwood manufacturers who make hardwood flooring. We shipped during the last fiscal year——

Senator SIMMONS. What is the Canadian duty on rough lumber?

Mr. BRONSON. Nothing.

Senator SIMMONS. Then it is free?

Mr. BRONSON. It is free and always has been free.

Senator SIMMONS. Unfinished?

Mr. BRONSON. Unfinished. This compels the manufacture of our rough lumber in Canada, whereas this reciprocity agreement gives a chance to change that condition, and we insist that an important amendment, an absolutely necessary amendment, so far as the lumber business is concerned, is to put the planing-mill duties of the two countries on an equality. It would be greatly to the advantage of our people and no unjust disadvantage to them. That carries the further fact that if you control the dressing of lumber you control the sale of it very largely, and the Canadian manufacturer who has an opportunity to sell in this country will be in a position to say, "We will not sell you the rough lumber, unless you will buy your dressed lumber and your sash and doors and other things of us."

It is going to put a club into the hands of the Canadian manufacturer which will hit the trade and affect the consumer all along the border. I want to say, too, along another line: The question was asked here, "Do we want any duties on lumber, so long as we export to Canada?" This was mentioned yesterday. It is shown by the average prices. The average price of the lumber that we import from Canada is eighteen or nineteen dollars a thousand. The average price of lumber exported to Canada is $28. We ship them hardwoods—50,000,000 feet or more, 50,000,000 to 75,000,000 feet of long-leaf pine, pitch pine, to the lower (eastern) Provinces—for they have nothing there to serve the same purpose. They have their fir in the Pacific country, but that has a 75-cent freight rate, whereas they can ship our pine around by all-water to Lake Superior, which has been done. It is a matter of transportation. Then there is another place where we sell lumber—in the northwest Provinces. They have developed so fast that their facilities are insufficient—important facilities—and it is too far to ship from the eastern Provinces, Ontario and Quebec, so they buy in the United States, and we buy from their section and exchange at that particular place. The west coast faces the most serious proposition anywhere.

The Atlantic coast enters with a comparatively low grade of pine, what is called "North Carolina pine," "old field pine," timber which produces on the average low-grade lumber, which competes directly with the spruces of Quebec, New Brunswick, etc.; but that competition is accentuated if this duty is taken off by the lower freight rates—water rates—coming from Canada, a difference usually of from 50 to 75 cents a thousand feet for the same distances—from Canada as from the United States, owing to our coastwise laws. We can use only American vessels between American ports. Canada can ship to our ports in vessels of any nation, and you are all aware that the foreign shipping has an advantage over us, so much so that it has driven us off the sea. This disadvantage is accentuated on the Pacific coast.

On the Pacific coast the cost of transportation from Seattle or Portland or Tacoma to San Francisco at present is $4 a thousand feet. To San Diego or San Pedro, $4.50. It is uniformly, under normal conditions when there is no special spurt of business, a dollar a thousand less from Vancouver, the same distance as Seattle and through the same channels. It is nothing but the tariff that has saved that tremendous market of San Francisco to our own producers on the coast. California consumes—of lumber from outside of the State—over a billion feet a year, coming from the north, and the advantage, owing to our coastwise laws, to the British Columbia manufacturers is such that they can capture that business with the duty removed just as fast as they can build mills to take care of it. The lumber duty is a somewhat permanent thing. They have not sought to go out for that business, business which they could not get as against the present duty, particularly as they have been busily engaged in taking care of their own trade in the northwestern Provinces—Alberta and Saskatchewan—but you take this duty off and immediately they will have the incentive to build their mills.

They are better equipped with immediately available timber than we are; that is, the country has not been so long developed. We have cut trees away from Puget Sound shores. It is a costly logging proposition, a railroad logging proposition. We have to go back to the timber; but still, in British Columbia, along the Straits of Georgia and channels, there is an enormous amount of timber, easily and cheaply available, so that in addition to their lower valuation of timber as shown by their forestry commission, which made its report last December, there is this possibility of rapidly increasing their production to take our trade, and when the Panama Canal is opened, instead of our manufacturers profiting by that canal, if the tolls are equal and the duty is off, the British Columbia and the Mexican mills can, with their shipping advantage, capture our Atlantic coast trade in lumber, regardless of anything else. We hold that this treaty recognizes in no way the lumber industry and that it failed to do in behalf of the people what it should have done. It ignored conservation.

You call to the stand any forester of standing in the United States and he will tell you that to lower the price of lumber, particularly the low grades, is to defeat or deter conservation. Conservation is a question of using up the low grades or poorest trees and so extending the life of the industry. The effect of our specific duty is protective of the low grades. We already make more low-grade stuff than we can use, and you invite more of it from Canada, and then you can not sell what you produce. You leave it in the woods and can not put money into it.

Mr. HEYBURN. I find I have covered most of my memorandum.

We use in the United States 45,000,000,000 feet of lumber annually, and we get 1,000,000 feet from Canada. Were we to substitute Canadian lumber for our product entirely we would exhaust it in five years. When I say we would exhaust it in five years, it means that we would exhaust all that would be available to railroad or transportation or that could probably be made available.

Mr. President, I desire to insert a table at this point, furnished by Mr. Bronson, who is beyond all question one of the best-advised men engaged in the business in the United States. The committee asked him to give certain facts which would crystallize the testimony, and he furnished the committee with this table. I ask that it be inserted in the RECORD.

The VICE PRESIDENT. Without objection, it will be inserted.

The matter referred to is as follows:

Mr. BRONSON. * * * In closing, in connection with the cost of yellow pine, I would like to have printed the table from which I read the footings.

COST OF PRODUCING YELLOW PINE LUMBER.

[From American Lumberman, Mar. 4, 1911.]

TABLE 1.

Cutting	$0.49
Skidding	1.21
Loading	.61
Railroad building	.90
Hauling	.75
Repairing equipment	.31
Railroad upkeep	.15
Sawing	1.46
Sorting	.20
Dipping	.02
Yarding	.79
Drying	.51
Planing	.68
Selling	.23
Shipping	.18
Miscellaneous	.29
Superintending	.49
Interest on plant	.49
Depreciation	.59
Insurance	.18
Taxes	.14
Stumpage	5.00
Total	15.67

TABLE 2.—*Detailed statements for two months.*

Stumpage	$5.00
Cutting expense	.60
Teams	1.75
Loading	.20
Railroad hauling	.45
Railroad building	.35
Railroad upkeep	.18
Sawmill expense	1.50
Send in to planer	.30
Sorting, drying, and yardage	1.15
Planing expense	.65
Shipping expense	.32
General expense	.15
Office expense	.28
Insurance and taxes	.25
Interest on plant	1.50
Depreciation	.40
Total	15.03

THINKS $5 LOW ENOUGH STUMPAGE CHARGE.

It will be noted from the following communication that the cost of logging operations and the price at which stumpage is charged are recognized as two important elements in manufacturing costs that vary among different mill men. This correspondent, even though he has been charging stumpage at $4, admits that $5 probably would be nearer right:

"Comparing with our own costs and figuring in interest on plant and depreciation on the same basis as given in the figures shown in your article, I find that our costs are only about $1 lower than those in the table shown by you. This is practically all accounted for in the difference in cost of logging operations. The 'diversity of physical conditions' would account for this difference in the cost of the plant shown by you and our own. We have been charging our stumpage at $4, but there is no question but what, if properly figured to cover the number of years of operations with taxes and other expenses incidental to the carrying of timber holdings, a $5 stumpage charge would be nearer right."

The next two tables shown are for November, 1910, and January, 1911, respectively. They are accompanied by the statement that the item of general expense includes interest, discount, taxes, office expense, selling, etc.:

TABLE 3.—*November, 1910.*

	Feet.	Cost.	Per M.
Company log cutting	1,426,030	$776.30	.....
Contract log cutting	47,395	23.65	.....
	1,473,425	799.95	$0.54
Company teams logging	682,931	1,030.77	.....
Contract teams logging	505,963	903.06	.....
	1,188,894	1,933.83	1.62
Log loading	1,047,731	282.21	.27
Railroading	1,047,731	1,037.73	1.00
General woods expense	1,184,445	622.96	.52
Total woods operating per M	.....	.....	3.95
Log pond	950,597	87.60	.09
Sawmill	950,597	1,874.78	1.97
Yards, green and dry kiln	950,597	881.21	.93
Woods	950,597	126.09	.13
Total sawmill cost per M	.....	.....	3.12
Planing mill and shipping department	1,578,066	2,104.22	1.33
General expense	3,041,487	3,493.28	1.14
Stumpage	950,597	2,851.79	3.00
	.....	.....	12.54
Lath cost	231,940	271.87	1.17

TABLE 4.—*January, 1911.*

	Feet.	Cost.	Per M.
Company log cutting	1,238,259	$740.75	.....
Contract log cutting	300,837	154.49	.....
	1,539,096	895.24	$0.58
Company teams logging	670,224	1,303.54	.....
Contract teams logging	678,359	1,672.55	.....
	1,348,583	2,976.09	2.21
Log loading	1,440,150	347.22	.24
Railroading	1,440,150	1,440.15	1.00
General woods expense	1,441,994	609.70	.42
Total woods operation per M	.....	.....	4.42
Log pond	1,410,277	125.00	.09
Sawmill	1,410,277	1,983.57	1.40
Yards, green and dry kiln	1,410,277	1,079.07	.76
Woods	1,410,277	120.47	.08
Total sawmill cost	.....	.....	2.33
Planing mill and shipping department	1,745,764	2,343.77	1.34
General expense	3,381,989	3,191.34	.94
Stumpage	1,410,277	4,230.83	3.00
Total cost per M	.....	.....	12.06
Lath cost	262,250	.....	1.14

TABLE 5.

We have gone over our figures for the last year, and submit them herewith for your information:

Cutting, skidding, and scaling	$1.737
Railroad, including building and maintaining trams, repairs to equipment, loading and hauling	1.146
Main line trackage	.50
Saw milling	1.643
Sorting, dipping, yarding, and shipping-yard stock	.902
Kiln drying	.209
Rough shed	.252
Planing mill	.705
Finish shed and shipping dressed stock	.257
Selling	.56
Insurance	.096
Taxes	.105
Miscellaneous expense, including superintendence	.28
Interest on plant	.60
Depreciation	.50
Stumpage	5.00
Total	14.492

AVERAGE FOR 1910 HIGHER.

TABLE 6.—*Cost statement for year ended Dec. 31, 1910.*

	Per M.	
Woods:		
Cutting	$0.416	
Swamping	.065	
Hauling	.485	
Feed	.297	
Spur	.63	
Wood, coal, and ties	.054	
Loading	.407	
Locomotive and car repair	.148	
General logging	.37	
Contract work	.375	
Extension railroad	.401	
		$3.648
Mill:		
Sawmill	1.336	
Dry kiln and yard	1.064	
Log pond	.106	
Sales expense	.453	
Planing mill	.872	
Trucking and loading	.738	
Discount	.155	
Sundry expenses, including taxes, interest, etc	1.426	
		6.20
		9.848
Stumpage		5.00
		14.848

TABE 7.—*Lower cost.*

Cutting	$0.30
Skidding	1.18
Loading	.60
Railroad building, hauling, repairing, railroad upkeep	2.00
Sawing	1.48
Sorting, yarding, kiln drying	1.21
Planing	1.00
Selling	.51
Shipping or loading	.30
Miscellaneous	.13
Superintending	.69
Interest on plant	.20
Depreciation	.27
Insurance	.20
Taxes	.30
Stumpage	4.00
Total	14.37

TABLE 8.—*Analysis of operations.*

I have gone over the items of cost as shown, with care and interest, and herewith I give you the exact cost in board measure of the production of yellow pine at our plant for the last six months:

Cost of logs in pond	$3.251
Sawing	1.224
Dry house and yard	1.138
Sales expense	.423
Planing mill	.677
Trucking and loading	.612
Sundry expense	1.008
Discount	.163
Total	8.496
Stumpage	5.00
	13.496

TABLE 9.

Logging, $3.40:
- Cutting.
- Skidding.
- Loading.
- Building spurs.
- Repairs to equipment.
- Depreciation
- Interest and taxes on steel outfit, etc.

Milling, $2.57:
- Sawing.
- Insurance.
- Taxes.
- Delivering to yard and kilns.
- Repairs and supplies.
- Depreciation.
- Interest on mill.

Main line hauling, $1.90.

Shipping, $1.47:
- Shipping.
- Dressing.
- Depreciation.
- Repairs and supplies.
- Taxes.

Selling, etc., $1.14:
- Selling.
- General expense.
- Taxes.
- Superintendent.
- Insurance.
- Manager.
- Interest.

Total, $10.68.

TABLE 10.—*Cost sheet for 1910.*

GENERAL EXPENSES.

Ours:		American Lumberman's:	
General	$0.445	Selling	$0.23
Insurance and taxes	.621	Insurance and taxes	.32
Salaries	.797	Interest on plant	.49
Telegraph, telephone, and postage	.073	Depreciation 0.59 (omit)	
Interest and discount	.490		
	2.426		1.04

LOGGING EXPENSE.

General	$0.224	Cutting	$0.49
Feed	.475	Skidding	1.21
Cutting and hauling	1.761	Hauling	.75
To the track	2.460		2.45
Train	.366	Loading	.61
Loader	.297	Railroad building	.90
Section	.833	Railroad upkeep	.15
Repairs rolling stock	.360	Repairing equipment	.31
Railroad construction, main line	.466		
Total to pond	4.782		4.42

SAWING EXPENSE.

General	$0.023	Sawing	$1.46
Repairs and supplies	.573	Sorting	.20
Wages	1.873	Yarding	.79
Shipping	.140	Shipping	.18
Oil and waste	.079	Miscellaneous	.29
		Superintending	.49
	2.688		3.41

PLANING EXPENSE.

General	$0.020	Planing	$0.68
Oil and waste	.056	Drying	.51
Wages	1.239		
Repairs and supplies	.194		
Shipping and kilns	.170		
	1.679		1.19
Total sawing and planing	4.368	Total sawing and planing	4.60
Grand totals	11.57	Grand totals	10.06

TABLE 11.—*Monthly detail cost of manufacture.*

Company cut	$0.00	
Contract cut	.49	
Contract haul	1.54	
Company haul	2.09	
Average		$1.90
Cutting and skidding expense	.14	
Average cutting and skidding		2.53
Log loading	.20	
Maintenance of way	.39	
Maintenance of equipment	.44	
Train labor	.19	
Train fuel	.29	
Train expense	.05	
Average prime cost mill stocking		1.56
Spur depreciation	.80	
Camp depreciation	.10	
Earned steel leases	.17	
Total		1.07
Sawmill labor	.95	
Sawmill expense	.08	
Sawmill repairs	.21	
Sawmill saws and belts	.05	
Sawmill light, water, power	.18	
Average cost sawing		1.47
Sorting room	.16	
Dry kiln and shed labor	.72	
Dry kiln expenses	.21	
Dry kiln repairs	.04	
Yard labor and teams	.58	
Yard expense	.01	
Yard repairs	.02	
Yard stacking	.18	
Average cost drying and stacking		.78
Planer labor	.43	
Planer expense	.02	
Planer repairs	.08	
Planer belts, saws, and knives	.03	
Planer light, water, power	.15	
Average cost planer		.71
Shipping labor	.49	
Shipping expense	.00	
Demurrage	.01	
Average cost shipping		.50
Depreciation	2.61	
Insurance	.09	
Taxes	.19	
Salaries	.45	
Office expense	.13	
General expense	.11	
Casualty expense	.07	
Telephone repairs	.03	
Average cost sundry fixed charges		1.07
Lumber expense	.37	
Total		12.83

Mr. HEYBURN. Mr. President, I have a statement by Mr. John McMasters in regard to shingles. That is one of the most important items here, because the bill proposes to cut the duty from 50 to 30 cents a thousand on shingles. It does not propose that they shall be free, but it cuts it from 50 to 30 cents. It cuts the duty on laths to 10 cents per thousand.

The shingle industry represents a very large wage account. Mr. McMasters says 21 years ago the raw material for cedar shingles cost about 50 cents a thousand. To-day it costs about $1 a thousand. Twenty-one years ago the labor cost about one-third less than it does now. He says they make and put shingles on board the cars for $1.50. Last year you could buy 1,000 shingles for 2 dozen eggs; to-day you can buy 2,000 shingles for a sack of potatoes. This shows the purchasing power of the farmer's products when it comes to buying shingles. There are 500 shingle mills in the northwestern land, which employ 15,000 men, and they are paid an average of $3.50 a day. That makes a wage item alone of $52,500 a day. The State of Washington supplies between 60 and 70 per cent of all the shingles made in the United States. I want to place Mr. McMasters's statement giving shingle statistics in the RECORD.

The matter referred to is as follows:

SHINGLE STATISTICS.

There are in the State of Washington—

44	combination mills with total combined capacity shingles per day	8,800,000
383	straight mills with total capacity shingles per day	42,130,000
427	Total mills manufacturing shingles, total capacity per day	50,930,000

Figuring on a possible run of 280 days in a year, the total yearly capacity of all mills would be 14,260,400,000 shingles.

Combination mills are those run in connection with sawmills.

This represents an investment, regardless of timber land, etc., of about $10,000,000.

Approximately 14,000 men employed in the industry at an average daily wage of $3.50, which makes a daily pay roll of $42,000, or $252,000 a week.

Raw material costs, per 1,000 shingles	$1.00
Labor costs, per 1,000 A shingles	.45
Overhead (insurance, taxes, interest, etc.)	.15
Cost f. o. b. cars	1.60

Shingles are selling to-day for $1.45 per thousand.

The following table, prepared by Mr. J. H. Bloedel, of Bellingham, Wash., from reports of Bureau of Statistics, will show the increase in importations during years given. Note as importations increase output from Washington mills decrease.

Years.	Number of shingles.	Equivalent in car capacity.
1896	None shown.	Free.
1897	None shown.	Do.
1898	1,263,000	About 6 cars.
1899	88,000	About ½ car.
1900	1,060,000	About 5 cars.
1901	5,558,000	About 27 cars.
1902	25,008,000	About 120 cars.
1903	56,188,000	About 180 cars.
1904	175,655,000	About 878 cars.
1905	205,369,000	About 1,027 cars.
1906	256,644,000	About 1,283 cars.
1907	212,351,000	About 1,061 cars.
1908	263,054,000	About 1,315 cars.

And in proportion to this increase in importation there has been a falling off in production of shingles in the State of Washington since 1905, as will be shown by the following figures:

Years.	Number of shingles.	Figured in carloads.	Per cent of idle time.
1905	10,450,000,000	52,250	19.6
1906	7,286,600,000	36,433	50.0
1907	6,886,542,000	34,443	54.0
1908	7,288,361,000	36,441	49.0
1909	8,879,467,000	44,397	[1] 40.0
1910	[2] 8,677,450,000	43,387	[1] 40.0

[1] Estimated.

[2] 1910 figures not yet completed by Government. Shipments are known to have been 7,677,450,000, and we estimate stock on hand at 1,000,000,000.

Statement showing comparative consumption of woods in United States for making shingles, year 1908.

	Quantity.	Percentage distribution.
Cedar	9,180,178,000	75.8
Cypress	1,155,041,000	9.5
Yellow pine	794,637,000	6.6
Redwood	443,165,000	3.7
White pine	175,909,000	1.5
Spruce	123,718,000	1.0
Hemlock	79,231,000	.7
Chestnut	72,641,000	.6
Western pine	19,508,000	.2
Oak	17,720,000	.1
All other	44,675,000	.4

JOHN MCMASTER.

Mr. HEYBURN. Cedar shingles will last fully 100 years. Cedar lands are as plentiful in Canada as they are in this country. How important it is to maintain and sustain an industry like that in our country. I saw a shingle yard in Atlantic City, I think it was, with an advertisement up, "Cedar shingles from the State of Washington." They go into every part of the country. A shingle that will last a hundred years, as those shingles will, is an item of important consideration.

There is no Shingle Trust. No one contends that there is a Shingle Trust. There are 500 mills, and they sell in their own markets, have their own agencies, and they are free from any such imputation.

I will place in the RECORD, with the permission of the Senate, the statement of Mr. McMaster.

The matter referred to is as follows:

Mr. MCMASTER. Mr. Chairman and gentlemen, it seems to me that the committee knows less of the industry that I represent than any other. There is less said about it. We are located in the State of Washington, and our great industry is a new one, a young industry. Everyone seems to agree on one thing connected with the tariff, and that is that a young industry should be protected. We are now 21 years old. Twenty-one years ago this summer the first shingles were made in the State of Washington to ship to the Middle States.

We manufactured shingles 21 years ago in a small way, and for 10 years business kept growing. For the last few years, especially the last two or three years, it seems to be at a standstill. We seem to have reached the limit of production. Twenty-one years ago this summer we received $1.65 f. o. b. the mill. We are getting to-day $1.45 and $1.50 for a better grade of shingle f. o. b. the mill, so you can see that in the 21 years the price has been getting lower all the time. Twenty-one years ago the raw material cost about 50 cents per 1,000. To-day the raw material at the mill costs about $1 per 1,000. Twenty-one years ago labor cost about one-third less, so you wonder how we exist, how we manage to make shingles and put them on board the cars for $1.50.

We make several grades, but one grade will be sufficient to give you an idea of what we are doing. Shingles are the cheapest articles made of forest products. The lumber is cheap, particularly for the lower grades; but I think of all the articles manufactured of forest products shingles are the cheapest. To illustrate, last winter you could buy 1,000 shingles for 2 dozen of eggs; to-day you can buy 2,000 shingles for a sack of potatoes. From that you can see the purchasing power of the farmer's products when it comes to buying shingles.

It does not seem to me that it is necessary for us to go abroad for shingles when we have an abundance of the raw material at home; when we have the mills, the equipment, and the labor, for the reason that we are making shingles out of the raw material that can be used for no other purpose. We are making shingles out of timber that will disappear right along, whether it is made into shingles or not. If it is not made into shingles, it will be burned by fire. The farmer, in clearing his land, will have to pile it up and burn it because there is no other use for it.

Senator HEYBURN. What wood do you make shingles out of?

Mr. MCMASTER. The cedar. The shingle manufacturer follows close behind the logger and takes what is left. If he does not consume that, it is destroyed; it is burned. There is no other use it can be put to.

Senator MCCUMBER. The shingles are made of cedar, are they?

Mr. MCMASTER. Yes, sir; all of cedar. On the coast we have the two, the fir and the cedar, and the cedar is not of any use for lumber.

Senator MCCUMBER. The lumberman takes the fir and leaves the cedar?

Mr. MCMASTER. If he does not take the cedar and make it into shingles, it is burned. For instance, in our country we logged a piece of ground last summer. We left a good deal behind in the shape of shingle cedar, intending to use it later, but a fire came along and swept it all up. We are making shingles out of the material that would otherwise be lost.

We need shingles. Shingles are used in every retail lumber yard in the United States. Our cedar makes beautiful shingles. There is no better wood known than red cedar for shingles. I believe I can say truthfully that no one knows exactly how long the red-cedar shingles will last on a roof, but there is no doubt but what red cedar, properly manufactured and laid on the roof, with proper nails, will last 100 years; so that for durability it has no superior.

The shingle business means a good deal to us. We depend upon it to a great extent. There are 500 shingle mills in the State of Washington, and we employ about 15,000 men, and you can see how many depend directly or indirectly upon the shingle industry. The average wages paid are about $3.50 a day. We employ all white labor. The men that used to be engaged in the manufacture of shingles in Michigan and Wisconsin when the timber ran short there emigrated to Washington, and now an army of these same men is in Washington working in the mills. The Washington industry benefits the State of Washington in a great many ways, and under present conditions, should the tariff be lowered, we feel that our industry will come to an end, or, in other words, it will be so unprofitable that a great many men now engaged in the business will have to abandon it. The mills will be deserted. Even to-day, under present conditions, at the prices we are getting for shingles, a shingle mill is not worth more than 50 cents on the dollar. You will ask why we continue to operate. It is because we hope that prices will improve. We hope that next year we will get a little more. To-day we are selling shingles for $1.50. We would be satisfied with $1.70. That little difference means profit or loss to us.

The shingle industry benefits all the men that are employed in the mills. It benefits those that are dependent upon them; it helps the settler. I think there is no other one thing that helps the settler more in that part of our State than the shingle industry. You know the cedar grows on the best land—on the bottom land, where the soil is rich. The result is that when a shingle mill starts up men come and buy land, they begin clearing, and when they cut down those trees they haul the logs or the bolts to the mill and get their money, and in that way they get a little start. They sell their meat and their eggs and find a market for anything else that they raise right at the mill. I know of men—not one, but hundreds of them—to-day that have homes, nice little homes, nicely cleared fields, and are in good easy circumstances, which all came about because they were enabled to do so by the shingle mill. That is the state of affairs all over that part of the country where shingles are being manufactured. We can manufacture shingles enough to supply the market of the whole United States. The State of Washington now supplies between 60 and 70 per cent of all the shingles consumed in the United States to-day.

Mr. HEYBURN. Mr. President, I am not insensible of the lateness of the hour, neither am I of the fact that I deem this question of such importance that I feel justified in imposing upon the patience of the Senate.

Col. Griggs gave most important testimony before the committee. He is one of the largest operators in that part of the country and a man whose statement can be relied upon. He gives the product of every concern and of the interests generally. I will not put that statement in, because it is covered by the statement of Mr. Bronson.

I desire to put in the RECORD, in connection with my remarks, a statement, made in writing, addressed to the chairman of the Committee on Finance, signed by John McMasters, on behalf of the Pacific Coast Lumber Manufacturers' Association.

The statement referred to is as follows:

STATEMENT IN WRITING SUBMITTED BY THE PACIFIC COAST LUMBER MANUFACTURERS' ASSOCIATION.

SEATTLE, WASH., *June 10, 1911.*

Hon. BOIES PENROSE, *Chairman,*
And Members of Finance Committee,
United States Senate, Washington, D. C.

GENTLEMEN: In compliance with your request, I herewith hand you statistics of shingle-mill industry of the State of Washington. We hope that the same may answer your purpose, and if any further information along these lines is required, it will be cheerfully given.

The figures up to the year 1908 were prepared by Mr. J. H. Bloedel, of Bellingham, Wash. The shingle-mill industry began in the State of Washington over 20 years ago. Previous to that time we had no means of transportation and no way of getting the product to the consuming centers. We are now well supplied with railroads. We have the Canadian Pacific, Great Northern, Northern Pacific, Milwaukee, and Union Pacific; all these different lines touch the Puget Sound country. We are now in position to deliver shingles to any part of the United States. Previous to 1888 our cedar timber in this State had absolutely no value; there was no use to which it could be put. The owner of timber lands in estimating his timber holdings never figured in the cedar at all; but now that we have transportation facilities, conditions have changed. Shingle mills have been built at a very rapid rate, and the output of shingles increased very rapidly up to the year 1905, but since that time the output has decreased to some extent. You will see by the statistics that our greatest output was in 1905, reaching 52,250 carloads, or 10,450,000,000 shingles. We are using for shingles a product that would otherwise go to waste. When the fir timber is logged a great part of the cedar is broken up in the falling of those large trees, and a fire usually follows a slashing, so that there is no possible way to preserve the cedar for future use when the fir is being removed. The fir timber grows in greater quantity than cedar. Taking the State over, it will probably run 25 per cent cedar and 75 per cent fir. Our cedar grows very large; the smallest log we use for shingles will be 24 feet long and about 12 inches diameter at top end. The largest logs will run usually from 5 to 7 feet in diameter at small end, and occasionally larger; they are usually cut from 24 feet to 36 feet long, 32 feet being the standard length, so as to work up to 16 feet lumber without waste. Logs intended for shingles only are not cut any particular length; the longer logs are preferred by the mill owner, and are handled to better advantage by the logger. Shingle logs will run from 24 feet to 60 feet long in some localities.

We have a smaller growth of cedar that we use for telephone and telegraph poles; they are very straight and smooth, and nothing finer can be found anywhere for that purpose. Small cedar is used for railroad ties, but to a very limited extent; their lasting qualities are superior to other woods, but the softness of the wood seems to be an objection for that purpose. We can only use a small percentage of our cedar for lumber, probably less than 10 per cent, as only the clear part of the log can be cut into lumber, all the rougher parts of the logs that are not strictly first class being used for shingles only.

The question might be asked, Why do we not cut a larger percentage of lumber? The reason is that low-grade cedar lumber is not being used; it is very soft wood, splits rather easily, and the knots as a rule are loose and fall out. The clear lumber is very beautiful, and is used for many purposes, the largest amount being used for siding for outside of buildings. For that purpose it has no superior in any wood, and takes paint better than any other wood.

There is quite a large percentage of our shingles made from bolts. When we fall the tree we cut it up into blocks 4 feet 6 inches long, and split it up so that it can be handled to advantage, and it is hauled to the mill in that way. Also in rough, hilly parts of the country, and where streams are not sufficiently large to float logs, it is cut into bolts.

The shingle industry means much to our State; it has added materially to our population, from twelve to fifteen thousand men being engaged in the business. This number and their families depend upon the shingle industry for a livelihood. Many of our laborers have come from Michigan and Wisconsin, and other parts of the country where shingles have been made heretofore, but now they have come here to engage in the same calling. We have an abundance of cedar in this State, enough to supply the United States market for probably 100 years. We have complete logging equipments, the most modern mill plants, and we have the skilled labor, and are in a position to supply all the market requires at all times. What we particularly need is a larger market. We could easily increase the output at any time, if a market could be secured. Our statistics will show you that our mills do not run on an average of more than half time. The question then comes up, Why should we go abroad to get a supply of shingles when we are so well supplied with the raw material, complete equipments, and the highest skilled white labor?

The men employed in our industry are nearly all American citizens, and many of them are men of families, and home builders, and you will also see by our statistics that we pay them good wages. The only drawback is that mills being closed so many months in the year for the lack of markets for shingles compels labor to lose much time on that account. It is said by certain parties that we should have free trade in forest products in order that our own timber should be pre-

served, claiming that lumber and shingles will be cheaper to the consumer. That is certainly a mistaken idea; surely no one could expect lumber and shingles at a lower price than that which they are being sold for in this State to-day. Good common fir lumber at from $6 to $8 per thousand, and as good shingles as can be found anywhere at $1.45 per thousand, f. o. b. cars at the mill. It is certainly a low enough price, and it is absolutely impossible for the business to survive and pay living wages to labor at these prices. You can readily see that if the shingle manufacturer does not follow the logger, and take out the cedar logs with the fir, it will be a dead loss, and that unless the farmer can sell his shingle bolts to the shingle manufacturer, when clearing his land, they will have to be piled up and burned. So it is either a question of market for shingles or great waste and destruction of this beautiful wood.

Our cedar seems to be particularly adapted for roofing purposes; it is very beautiful, and its lasting qualities are equal, if not superior, to any wood we know of for that purpose.

Now, gentlemen, you can readily see why we of the Pacific coast, engaged in the shingle industry, are opposed to the reciprocity measure in its present form. In our case it is the very reverse of reciprocity. Give us reciprocity that will reciprocate. Even absolute free trade would be preferable to a low tariff.

When the American shingle buyer buys a carload of shingles in Canada, the American has the shingles and the Canadian has the money; when he buys his shingles in the United States he still has the shingles and the United States the money, and we have just that much more business, and labor is employed that much more. Eighty per cent of the money received for shingles goes to labor. The loss of the business would be serious to the labor interest.

We, as shingle manufacturers, look forward to the completion of the Panama Canal, and fully expect to send shingles by water that way to the Atlantic coast. But our shipping laws, with which you are all familiar, would give British Columbia a great advantage, and would deprive us of any benefits that we expect to receive from that great waterway.

We might inquire, who is it that wants a lower tariff on shingles, or who is anxious for reciprocity in its present form? It is not the British Columbia shingle manufacturer; he is satisfied with present conditions, and would prefer no change. They even now have a trade in certain brands of shingles in the United States for which they are willing to pay the present duty. They have an organization among themselves whereby they limit production to market requirements in Canada, and they would look with disfavor on any attempt we might make to sell shingles in the Provinces in competition with them. It is a fact well known that the dealers in the Provinces refuse to buy shingles from the American manufacturer, even at a lower price than they can buy them from the British Columbia manufacturer, grades being equal. So you can readily see that the manufacturers of British Columbia do not want present conditions disturbed.

Then, again, the consumer in the United States has never demanded a low tariff on shingles to our knowledge, neither have the dealers, and certainly the manufacturers in this State would have all to lose and nothing to gain if the bill should pass in its present form. Then the question comes up: Who wants free trade on forest products? In our judgment it is the man of wealth who wants to invest his money in Washington and British Columbia timberlands. He knows that reciprocity in its present form would greatly enhance the value of his timber holdings in British Columbia, while it would strike a death blow to our business, which is at the present time somewhat demoralized. Let me illustrate: An average shingle mill in this State has a capacity of about 200,000 shingles per day, a plant of that capacity would cost about $25,000. In order to keep such a plant supplied with timber for 10 years, the owner would need about 2,000 acres of timberlands. Should the shingle business become unprofitable, the result would be the mill would have to close, the men be out of employment. Such a plant employs about 50 men, 20 in the woods and 30 in the mill. The majority of shingle manufacturers have financial obligations that are always maturing. Should operations cease, his creditors would at once demand payment, the plant that cost $25,000 would not be worth one dollar. He could not put it up as security in any case, his only available asset would be his standing timber, and as he would be required to realize promptly, the result would be that he would have to sell his timberlands at a sacrifice. The man of wealth and timber speculator would have another opportunity to add to his already large holdings, and certainly at a very low price. The man of wealth and timber speculator never buys timber at a high price; he buys for 50 cents per thousand and sells at $3 per thousand.

Now, it can be readily seen that the effect of low tariff on shingles would result in making the poor man poorer and the rich man richer. These are absolute facts, and have happened before in this State, which can be abundantly proven.

We who are in the business can look back to the time when we had free trade, when mills were obliged to cease operations because they were operating at a loss. We know of large tracts of as fine timber as can be found in the United States passing into the hands of rich men for trifling sums, and which for the last years have been sold to the operators at $3 per thousand. These are facts that can not be disputed. We are not opposed to the man of wealth who wishes to invest his money in timberlands, the man who holds a large body of timber for future use, protects it from fire, and pays taxes; he might be called the friend of conservation; but we feel that the shingle manufacturers of this State or any other State in the country who have borne the burden in the heat of the day, who employ labor at good wages, who are adding to the prosperity of our country, who are good, loyal American citizens, should not have their interests sacrificed in order that the speculator in timberlands should get another opportunity to increase his holdings.

We feel that your committee should have all the facts, and we are satisfied that when you do, every member of the committee, and every Congressman and Senator, no matter to what party he may belong, be he Republican or Democrat, free trader or high protectionist, can not help but feel that this is not a political matter, but the conservation and preservation of this business to this country, to which it and the market it supplies justly belongs.

It pains the heart of every lumberman and lover of the forest to see these beautiful trees cut down and sold at such a financial sacrifice.

Yours, respectfully,

JOHN MCMASTER.

Mr. HEYBURN. Mr. President, I want to call attention to just one thing, and I have finished. On a former occasion I directed the attention of the Senate to the fact, but I want to do it in connection with the consideration of this question, that we do not enter into Canada a preferred party. Under the terms of the Canadian bill pending before the Canadian Parliament we are given the right to enter their market without any exclusive privilege, but only on the same terms as other countries. That is expressly stated in the resolution now pending before the Canadian Parliament. Is it worth while to sacrifice our interests and the interests of our people in order to attend a mass meeting of the producing countries of the earth in Canada? That is all it amounts to. We are not to go there as the invited and exclusive guests, but we are simply invited to be present at a mass meeting where the rights of all countries will be equal.

Mr. President, I regret that this question must go to final consideration here and wherever the voice of the Senate may reach with so meager a presentation of it; the time has been so constantly bespoken and occupied, and to good purpose. I have no criticism to make as to the manner in which the time has been occupied. But the time has been short, and it has now practically expired when this question may be given consideration. I ask in closing, Is there no distinct advantage to be given to an American citizen in an American market, because of the fact that it is his market and of the fact that he is an American citizen? Is there no advantage to be given him under the laws, which are his laws and which laws he supports with his loyalty and his citizenship?

Mr. WARREN. I move that the Senate adjourn.

The motion was agreed to, and (at 7 o'clock p. m.) the Senate adjourned until to-morrow, Friday, July 21, 1911, at 11 o'clock a. m.